

Council Appointments Committee Agenda

Tuesday, 14 June 2022 at 6.00 pm

Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY

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Agenda Item 4

Hastings Borough Council Political Balance Elections May 2022

1. The rules determining the calculation of political balance and the allocation of seats on committees are set out in Sections 15 and 16 of the [Local Government and Housing Act 1989](#) and Local Government (Committees and Political Groups) Regulations 1990.
2. Seats must be allocated to give effect to the following principles:
 - a. that not all the seats on the body are allocated to the same political group;
 - b. that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
 - c. subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority; and
 - d. subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.
3. The legislation states that the authority must give effect to the principles above *so far as reasonably practicable*. This recognises that there cannot always be an exact application of the principles.
4. These principles can only be disregarded by the passing of a resolution at Full Council with no Councillor voting against.
5. To be formally constituted a political group must have at least two members.

Seats per political group:

Labour	15
Conservative	12
Green	5
	<hr/>
	32

Proportion of total council seats per political group:

Labour	Conservative	Green
15 of 32 = 46.875%	12 of 32 = 37.5%	5 of 32 = 15.625%

Ideal allocation of seats on committees

	Labour	Conservative	Green
15 seat committee	46.875% of 15 = 7.0312	37.5% of 15 = 5.625	15.625% of 15 = 2.3437
11 seat committee	46.875% of 11 = 5.1562	37.5% of 11 = 4.125	15.625% of 11 = 1.7187
10 seat committee	46.875% of 10 = 4.6875	37.5% of 10 = 3.75	15.625% of 10 = 1.5625
5 seat committee	46.875% of 5 = 2.3437	37.5% of 5 = 1.875	15.625% of 5 = 0.7812
4 seat committee	46.875% of 4 = 1.8750	37.5% of 4 = 1.5	15.625% of 4 = 0.6250

Licensing Committee (15)	No of Councillors	Calculation	Total Seats
Labour	15	$15 \times 15 / 32 = 7.03125$	7
Conservative	12	$15 \times 12 / 32 = 5.625$	6
Green	5	$15 \times 5 / 32 = 2.34375$	2
		Total:	15
O&S Committee (11)	No of Councillors	Calculation	
Labour	15	$11 \times 15 / 32 = 5.15625$	5
Conservative	12	$11 \times 12 / 32 = 4.125$	4
Green	5	$11 \times 5 / 32 = 1.71875$	2
		Total:	11
Museum Committee (10)	No of Councillors	Calculation	
Labour	15	$10 \times 15 / 32 = 4.6875$	5
Conservative	12	$10 \times 12 / 32 = 3.75$	4
Green	5	$10 \times 5 / 32 = 1.5625$	1
		Total:	10
Planning Committee (10)	No of Councillors	Calculation	
Labour	15	$10 \times 15 / 32 = 4.6875$	5
Conservative	12	$10 \times 12 / 32 = 3.75$	4
Green	5	$10 \times 5 / 32 = 1.5625$	1
		Total:	10
Standards Committee (5)	No of Councillors	Calculation	
Labour	15	$5 \times 15 / 32 = 2.34375$	2

Conservative	12	$5 \times 12 / 32 = 1.875$	2
Green	5	$5 \times 5 / 32 = 0.78125$	1
		Total:	5
Audit Committee (5)	No of Councillors	Calculation	
Labour	15	$5 \times 15 / 32 = 2.34375$	2
Conservative	12	$5 \times 12 / 32 = 1.875$	2
Green	5	$5 \times 5 / 32 = 0.78125$	1
		Total:	5
Environment & Safety Committee (5)	No of Councillors	Calculation	
Labour	15	$5 \times 15 / 32 = 2.34375$	2
Conservative	12	$5 \times 12 / 32 = 1.875$	2
Green	5	$5 \times 5 / 32 = 0.78125$	1
		Total:	5
Council Appointments Committee (5)	No of Councillors	Calculation	
Labour	15	$5 \times 15 / 32 = 2.34375$	2
Conservative	12	$5 \times 12 / 32 = 1.875$	2
Green	5	$5 \times 5 / 32 = 0.78125$	1
		Total:	5
Employment Committee (4)	No of Councillors	Calculation	
Labour	15	$4 \times 15 / 32 = 1.875$	2
Conservative	12	$4 \times 12 / 32 = 1.5$	1
Green	5	$4 \times 5 / 32 = 0.625$	1
		Total:	4
Employment Appeals Committee (4)	No of Councillors	Calculation	
Labour	15	$4 \times 15 / 32 = 1.875$	2
Conservative	12	$4 \times 12 / 32 = 1.5$	1
Green	5	$4 \times 5 / 32 = 0.625$	1
		Total:	4

	Labour	Conservative	Green
Ideal allocation	46.875% of 74 = 34.687	37.5% of 74 = 27.75	15.625% of 74 = 11.526
Actual allocation	34	28	12

Article 7 – The Cabinet

Role

7.1 The Cabinet will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution.

Form and composition

7.2 The Cabinet will consist of the Council Leader (who shall be the Chair of the Cabinet), the Deputy Leader, and at least one, but not more than eight, Councillors appointed annually to the Cabinet by the Leader. The Local Government Act 2000 provides that **the political balance rules do not necessarily apply** to a Cabinet or Committees of a Cabinet.

Leader and Deputy Leader

7.3 The Leader will be a Councillor elected to the position of **Leader by the Council at the annual meeting** or if there is a vacancy in the position of Leader of the Council, the Council shall, at its next meeting, elect a Leader of the Council.

The Leader will hold office:

a. For a term of office which starts on the day of his/her election as Leader, and ends on the day of the post-election annual meeting which follows his/her election as Leader; or until:

- i. he or she resigns from the office; or
- ii. he or she is no longer a Councillor; or
- iii. he or she is removed from office by resolution of the Council; or
- iv. he or she is otherwise disqualified by law.

b. **The Leader shall appoint one of the members of the Cabinet to be the Council's Deputy Leader at the post-election annual meeting.** The Deputy Leader shall hold office until:

- i. the end of the term of the Leader; or
- ii. the Leader removes the Deputy Leader from office giving written notice of the removal to the Chief Legal Officer; or
- iii. he or she resigns from office; or
- iv. he or she is no longer a Councillor; or
- v. he or she is removed from office by resolution of the Council; or
- vi. he or she is otherwise disqualified by law.

c. If for any reason there shall be a vacancy in the position of Deputy Leader, the Leader shall appoint another Deputy Leader from among the members of the Cabinet.

d. If for any reason the Leader is unable to act or the office of Leader is vacant, the Deputy Leader must act in his/her place.

e. If for any reason the Leader is unable to act or the office of Leader is vacant, and the Deputy Leader is unable to act or the office of Deputy Leader is vacant the remaining members of the Cabinet must either act collectively in the Leader's place or they must arrange for a Cabinet member to act in the place of Leader.

Other Cabinet Members

7.4 Other Cabinet members will be Councillors who shall hold office until:

- a. they resign from office; or
- b. they are suspended from being Councillors under Part III of the Local Government Act 2000 (although they may resume office at the end of the period of suspension); or
- c. they are no longer Councillors; or
- d. they are removed from office by the Leader, who must give written notice of the removal to the Chief Legal Officer
- e. they are otherwise disqualified by law.

Proceedings of the Cabinet

7.5 Proceedings of the Cabinet shall take place in accordance with the Cabinet Procedure Rules set out in Part 4 of this Constitution.

Responsibility for functions

7.6 The Leader will maintain the list in Part 3 of this Constitution setting out which individual members of the Cabinet, Committees of the Cabinet, Officers or joint arrangements are responsible for the exercise of particular Cabinet functions.

Decision Making

7.7 Decisions made in Cabinet are made collectively on a vote of a simple majority.

Allowances

Post	Special responsibility allowance (on top of basic allowance £6,429) £
Leader	12,860
Deputy with portfolio	8,365

Majority Group Leader per member (x?) (plus Standard Element) £189.21 per member + £1353	TBC
Majority Group Deputy Leader per member (x?) £189.21 per member	TBC
Cabinet Member with Portfolio & Chair of Charity Committee (Majority Group) Max 8 (exc. Leader and Deputy)	6,945
Opposition Group and other Group's members serving on Cabinet – without portfolios	TBC
All Opposition Group Leaders per Member (x?) (plus Standard Element) £189.21 per member + £1353	
Deputy Leader Main Opposition Group per member (x?) £189.21 per member	
Chair of Audit Committee	3,217.00
Chair of Environment and Safety	614.00
Chair of Licensing	1,047.00
Chair of Overview and Scrutiny	3,217.00
Vice - Chair of Overview and Scrutiny	630.00
Chair of Planning	3,862.00
Vice Chair of Planning	1,413.00
Ordinary Members of Environment and Safety Committee	305.25
Ordinary Members of Licensing Committee per sub committee claimed	108.77
Ordinary Members of Planning Committee	1,047.00
Mayors Allowance (£3360 taxable and £3360 non Taxable)	6,838.00
Deputy mayors Allowance	2,235.00

**METHOD OF CALCULATION OF POLITICAL BALANCE AGREED BY
LANCASTER CITY COUNCIL 10 APRIL 2019**

- a.** For each committee and subcommittee individually, calculate the number of seats to be allocated to each political Group as follows:
- i. Multiply the number of committee seats by the number of councillors who belong to that political Group and divide by the total number of councillors. Keep four decimal places. Round to the nearest whole number (i.e. down if the residual is less than 0.5, up if the residual is 0.5 or more)
 - ii. Sum the calculated committee seats across political Groups. If this total is higher than the required number of seats, then subtract a seat from the Group with the lowest residual. In the case of a tie, subtract a seat from the political Group with the higher number of councillors. If the total is lower than the required number of seats, then add a seat to the Group with the highest residual. In the case of a tie, add a seat to the political Group with the higher number of councillors.
 - iii. In the event that the foregoing rules do not resolve the situation, the seat to be subtracted or added should be decided by drawing lots under the supervision of the Mayor.
- b.** Repeat the calculations in a. above for the following grouping of committees, which will give 60 committee seats in total.
- 1x15 (Planning)
 - 1x10 (Licensing)
 - 5x7 (Personnel, Audit, Appeals, Standards, Business)
- c.** For the committees specified in b. above, the calculation of seats for the grouping of committees takes precedence over the calculations for each individual committee. Consistent with the allocations obtained from b. above, the number of seats on the individual committees should be allocated as closely as possible to those calculated in a. above. Seats may need to be passed from one Group to another on one or more of the individual committees. The political Groups who need to pass seats to other Groups should choose which committee seats to pass on.

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