

**FLINTSHIRE COUNTY COUNCIL**

<b>Date of Meeting</b>	Wednesday 4 <sup>th</sup> December 2024
<b>Report Subject</b>	Review of Political Balance
<b>Report Author</b>	Chief Officer (Governance)

**EXECUTIVE SUMMARY**

The Council is required under the Political Balance Rules contained in the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended, to review the Council's political balance calculations following a number of changes to political group membership and also the membership of the Cabinet.

There are also rules under the Local Government Measure (2011) on allocation of chairs.

**RECOMMENDATIONS**

1	That seats on committees be allocated in accordance with political balance as shown in appendix A.
2	That any changes to nominees be notified to the Democratic Services Manager as soon as possible before the next meeting of each committee.
3	That Council decides which groups will appoint the chairs of the Overview and Scrutiny Committees
4	That Council appoints a new chair for the Constitution and Democratic Services Committee from amongst councillors who are not in any group or who are in the group without a seat on Cabinet ("non-executive groups")

## REPORT DETAILS

1.00	EXPLAINING THE CALCULATION OF POLITICAL BALANCE
1.01	<p>The Council is required, as soon as practicable, after a change in the composition of political groups to recalculate political balance in accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990. Since the last calculation, a number of councillors have moved political group.</p>
1.02	<p>In addition, the composition of the Cabinet has changed and now contains members from the Independent Group. This is the first time such a change has happened part way through a year since the introduction of the Local Government Measure 2011 (“the Measure”). Ordinarily, a chair is appointed for the whole year, however, the Measure requires council to:</p> <ol style="list-style-type: none"><li>1. reassess which groups can nominate the chair of each Overview and Scrutiny Committee (OSC) when there is a change in the groups with a seat on Cabinet (“executive groups”); and</li><li>2. to appoint a new chair to the Constitution and Democratic Services Committee who is not in an executive group.</li></ol>
1.03	<p>The basis of the statutory requirement is that Committee seats should be allocated to political groups (so far as is practicable) in the same proportion as those groups have to the total membership of the County Council.</p> <p>The allocation of seats on Committees to the political groups must recognise that:-</p> <ol style="list-style-type: none"><li>(i) There must be no Committees whereby only one group has all the seats;</li><li>(ii) Where there is a majority group it is entitled to a majority upon every Committee. (This does not apply where the largest group does not have an overall majority);</li><li>(iii) The total number of seats allocated to each political group should be (in so far as is practicable) in the same proportion as those groups’ strengths upon the full Council;</li><li>(iv) Each Committee should (so far as is practicable) have the same proportional division between political groups as is represented upon the full Council.</li><li>(v) where there are councillors who are not a member of any group, the council must allocate seats to them</li></ol> <p>Thus if a group holds 25% of the total number of Councillors it should have:</p>

	<p>1) 25% of the overall number of seats on the Council; and 2) 25% seats on each Committee.</p> <p>These rules are applied in hierarchical order, so it is more important to allocate the correct number of seats overall than it is to allocate the correct number of seats on a particular committee. This is important because groups will typically have an entitlement to seats on a committee that isn't a whole number. If every notional entitlement were to be rounded down the group would have too few seats, and conversely it would have too many if every entitlement were rounded up.</p> <p>Allocating seats on each committee is therefore a case of rounding off entitlement (up or down) to fill all the seats on each committee without giving any group too many or too few seats. Especially with the OSC's it is often the case that a group will be rounded up on some and down on others. The choice of which ones get rounded up/down gives an element of flexibility.</p> <p>NB Under the legislation these rules do not apply to either the Cabinet or the Standards Committee.</p>
1.04	<p>In addition, at Flintshire we have two non-statutory conventions that we seek to apply when allocating seats:</p> <p>1) we seek to allocate seats to those members who wish to serve on a specific committee. We therefore try to allocate seats, in so far as that is possible, to groups (or individual councillors) based on their expressed wishes. This will often influence when to round up a partial entitlement to a seat; and</p> <p>2) Whilst we allocate seats to all the groups on each of the "personnel" committees on a politically balanced basis, as these committees meet extremely rarely, we don't take those seats into account when assessing the overall allocation of seats on the principal committees. This particularly benefits the smaller group whose allocation might otherwise be reduced by seats on committees that rarely meet.</p>
1.05	<p>The political balance calculation is attached as Appendix A. This is one possible lawful allocation of seats. Due to the choices made when rounding off entitlements on each committee, other possible lawful allocations may exist.</p>
1.06	<p>As explained above, we are also required under the Measure to reassess which group appoints which OSC chair. We have not had to do this part way through a year before. Appendix A contains the entitlement of each group to appoint a chair. Council needs to decide which groups will appoint which chairs, noting that three chairs will be allocated collectively to the executive groups who will choose how they are allocated.</p>
1.07	<p>The Local Government Measure 2011 also prohibits a member from an executive group chairing the statutory democratic services committee (which we have incorporated into the Constitution and Democratic Services Committee). The previous chair is a member of an executive</p>

	group. Their replacement therefore needs to be from one of the groups without a seat on Cabinet or a member who is not in any group.
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<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
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2.01	None as a result of this report.
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<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
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3.01	Group Leaders were consulted on the political balance calculation by email.
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<b>4.00</b>	<b>RISK MANAGEMENT</b>
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4.01	None as a result of this report.
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<b>5.00</b>	<b>APPENDICES</b>
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5.01	Appendix A – Political Balance table December 2024.
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<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
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6.01	<p>None</p> <p><b>Contact Officer:</b> Gareth Owens, Chief Officer Governance  <b>Telephone:</b> 01352 702344  <b>E-mail:</b> <a href="mailto:gareth.legal@flintshire.gov.uk">gareth.legal@flintshire.gov.uk</a></p>
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<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
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7.01	None.
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