

MIDDLESBROUGH COUNCIL	
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Report of:	Director of Legal and Governance Services (Monitoring Officer)
Submitted to:	Council
Date:	21 May 2025
Title:	Political Balance Allocation of Places 2025-2026
Report for:	Decision
Status:	Public
Council Plan priority:	Delivering Best Value
Key decision:	No
Why:	Not applicable
Subject to call in?	No
Why:	Not applicable

Proposed decision(s)
<p>That the Council:</p> <p>Approves the allocation of seats on committees that are subject to the rules relating to political balance.</p>

Executive summary
<p>The Local Government and Housing Act 1989 requires that the Council periodically reviews the political composition of the Council, and how this is applied to appointments to committees and sub-committees of the Council.</p> <p>The report outlines the rules with regard to political balance and provides details of the total number of places on committees and how those places will be allocated in a manner that reflects the overall political balance.</p> <p>Council is recommended to approve the allocation of places on committees and sub-committees for 2025-2026 in accordance with the political balance of the Council and to ensure robust and effective corporate governance.</p>

1. Purpose of this report and its contribution to the achievement of the Council Plan ambitions

- 1.1 To seek approval for the allocation of places on committees and sub-committees for 2025-2026 in accordance with the political balance of the Council.
- 1.2 This report will contribute towards the Council Plan ambition to deliver best value by ensuring robust and effective corporate governance.

2. Recommendations

- 2.1 That the Council:

Approves the allocation of seats on committees that are subject to the rules relating to political balance.

3. Rationale for the recommended decision(s)

- 3.1 The decision is recommended to ensure that places on committees are allocated in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

4. Background and relevant information

- 4.1 The Local Government and Housing Act 1989 requires that the Council periodically reviews the political composition of the Council, and how this is applied to appointments to committees and sub-committees of the Council.

- 4.2 The rules for securing political balance on committees and sub-committees appointed by local authorities are contained in sections 15 and 16 of the Act and the Local Government (Committees and Political Groups) Regulations 1990.

- 4.3 The Council is under a duty to:

- (i) Ensure that the membership of those committees and sub-committees covered by the rules reflect the political composition of the Council, as far as practicable.
- (ii) Review the allocation of seats to political groups at, or as soon as practical after, the Annual Council meeting and at certain other specified times for example, as a result of changes in political balance or an increase in the number of committees established.
- (iii) Allocate seats on the committees to the political groups in proportion to their numerical strength on the Council, as far as practicable;
- (iv) Accept nominations made by the groups for the filling of seats allocated to them.

- 4.4 In determining the allocation of seats, the Council must also apply the following four principles, as far as reasonably practicable:
- (i) Not all seats to be allocated to the same political group.
 - (ii) If a political group has a majority on the Council, it must have a majority of seats on committees.
 - (iii) Subject to (i) and (ii) above, the total of all seats on ordinary committees be allocated to the groups in proportion to their respective strengths on the Council, and
 - (iv) Subject to (i) to (iii) above the number of seats on ordinary committees or sub-committees to be allocated to each political group in proportion to the number of all the seats on the committee or sub-committee in proportion to their respective strengths on the Council.
- 4.5 As per the Local Government (Committees and Political Groups) regulations 1990, appointments are made in accordance with the wishes of a political group, then, as long as that person's seat continues to be allocated to that group, the authority or committee which made the appointment shall act in accordance with the wishes of that group in determining whether and when to terminate the appointment. If a group fails to express its wishes within a period of three weeks of being notified of the allocation or vacancy, the Council may make such appointment as it thinks fit.
- 4.6 Where a Group chooses not to take up their full allocation, according to political balance, those vacant places will become available for all groups to take up. Once the seat has been reallocated at Council, this appointment will remain in place for the whole of the Municipal year.
- 4.7 Independent Members who have not formed a political group in accordance with Regulation 8 of the Local Government (Committees and Political Groups) Regulations, are to be allocated in accordance with section 16 (3) of the Regulations: i.e. any seats not allocated according to the requirements in section 15 and 16 of the Act, to be allocated to members who are not members of any political group.
- 4.8 Certain committees and steering/working groups of the Council are exempt from the requirements relating to political balance as they are established under separate legislation. For this reason the following committees and steering/working groups are not covered by the recommendations of this report, in relation to the political balance calculation. Where places are not reserved for particular members for example by virtue of their title or position, those remaining places have been allocated in accordance with the numbers shown in Table 3. These committees and steering/working groups include:
- The Executive.
 - All Executive committees and sub-committees.

- Corporate Health and Safety Steering Group.
- Live Well South Tees Board.
- Licensing Sub-Committees.
- Local Plan Working Group.
- Works Council.

- 4.9 The total number of places on committees is therefore **132** places and these will be allocated in a manner that reflects the overall political balance of the Council.
- 4.10 The calculations relating to the allocation of the **132** places on those committees to be subject to political balance rules are attached at Appendix 1.
- 4.11 As can be seen from Table 4 in Appendix 1, the outcome of applying the required method of calculation would result in the following:

Name of Group/Unallocated	No. of Seats
Conservative	11
Labour	69
Liberal Democrats	6
Marton Independent East Group	6
Middlesbrough Independent Councillors Association (MICA)	34
Unallocated	6
Total	132

Method to Calculate Places

- 4.12 The principles in paragraph 4.4 are applied as below:
- (i) Calculate the total number of seats with votes on all the committees subject to Political Balance.
 - (ii) Calculate the proportion that each political group forms of the total membership of the Authority. Reserve an appropriate number of seats for ungrouped members.
 - (iii) Apply those proportions to the total number of ordinary seats to give the aggregate entitlement of each group; the requirement to apply the proportions “so far as reasonably practicable” are met by rounding down fractional entitlements of less than half, and rounding up entitlements of a half or more; if this results in a greater aggregate than the number of seats available, the fractional entitlement(s) closest to a half should be rounded in the other direction until entitlements balance the available seats.
 - (iv) Apply the proportions to the number of Councillors on each committee to give provisional entitlement to seats on that committee.

- (v) Finally, adjust the seats on each committee so that the total allocated to each group is as near as possible to their aggregate entitlement, whilst preserving the results reached at steps (iv) and (v). Where calculations identify additional seats (not allocated) the largest group followed by the next largest group etc., will have their choice of which committee places they wish to take their allocation from in the unallocated column.
- (vi) Unallocated spaces will be available to any independent members (who are not members of a group) – where more than one independent member is nominated for a seat then the seat is allocated at the discretion of Full Council.

- 4.13 In line with usual practice, it is recommended that the Monitoring Officer be authorised to amend memberships of committees following resignations received from Members and to appoint to vacancies in accordance with group preferences or, where not in a group, in accordance with individual Member's wishes. However, where more than one person (non-group members) applies for the same place, they should decide amongst themselves how those places should be allocated. If agreement cannot be reached between the individual Members, the Council will make that determination.
- 4.14 In order to avoid the need to completely recalculate all committee memberships in the case of an ad hoc (or other) committees being established prior to the next review, it is proposed that any committees or sub-committees be appointed on the basis of the places shown in Table 3 attached.

5. Ward Member Engagement if relevant and appropriate

- 5.1 Not applicable.

6. Other potential alternative(s) and why these have not been recommended

- 6.1 Do Nothing - The Council must ensure that places on committees are allocated in accordance with the Local Government (Committees and Political Groups) Regulations 1990.

7. Impact(s) of the recommended decision(s)

Topic	Impact
Financial (including procurement and Social Value)	There are no financial implications or impact on any budgets or the Medium-Term Financial Plan (MTFP) arising from the content of this report.
Legal	The Council must adhere to the Local Government (Committees and Political Groups) Regulations 1990.
Risk	If the Council does not respond effectively and efficiently to legislation it could be in breach of statutory duties in relation to service delivery and fail to make the most of opportunities. The Council is obliged to comply with any legislation or statutory guidance to ensure that the Council is fulfilling its statutory duties.

Human Rights, Public Sector Equality Duty and Community Cohesion	The subject of this report is not a policy, strategy, function or service that is new or being revised. It is considered that an equality impact assessment is not required.
Reducing Poverty	Not Applicable.
Climate Change / Environmental	Not Applicable.
Children and Young People Cared for by the Authority and Care Leavers	Not Applicable.
Data Protection	Not Applicable.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Allocate places on committees according to the Political Balance.	Democratic Services Manager	31 May 2025

Appendices

1	Appendix 1 Step 1 - Total places on those committees subject to rules of proportionality. Step 2 - Calculate overall proportionality for all eligible committees. Step 3 - Political balance according to size of committee. Step 4 – Application of figures in Table 3 to each committee.
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Background papers

Body	Report title	Date

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