

Committee: Extraordinary Full Council

Agenda Item

Date: 11 November 2014

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Title: Political Balance on the Council

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Item for decision

Summary

- 1 This report considers the political composition of the Council and recommends that seats on the main committees be allocated to the four political groups as detailed in the report.
- 2 The number of political groups increased from three to four with the formation of Residents 4 Uttlesford on 21 October 2014. This triggered an automatic review of political balance. This report suggests a method for allocating seats to the four groups.

Recommendation

That the Council reviews its political composition and achieves political balance by allocating seats on its committees as detailed in the report.

Financial Implications

None

Background Papers

None

Impact

Communication/Consultation	Political parties to consult within their groups to determine their views on the recommendation
Community Safety	n/a
Equalities	n/a
Health and Safety	n/a
Human Rights/Legal Implications	Strict political balance required to comply with the Local Government and Housing Act 1989. In the event that members decide an allocation of seats which does not accord with the principles of political balance set out above this can only be achieved if no members attending the meeting dissent.

Sustainability	n/a
Ward-specific impacts	All
Workforce/Workplace	None

Situation

- 3 The Local Government and Housing Act 1989 requires local authorities to review the representation of the different political groups at the Annual Meeting or as soon as practicable thereafter. In the event of the establishment of a new political group, or of a request for a review to be carried out when a change of membership has taken place, a further review must be carried out reflecting changes that have taken place since the annual review, provided it is more than one month since the last such review. Those conditions have now been met.
- 4 The legislation requires seats on the committees being appointed to be allocated to political groups in relation to the proportion of their members to that of the Council as a whole. The following principles of proportionality must, so far as reasonably practicable, be upheld:-
- (a) that not all seats on the body concerned 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 an 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;
 - (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 seats on that body as is borne by the number of members of that group to the membership of the authority.

Current Situation

- 5 The Council currently has 53 seats on ordinary committees made up as follows:-

Committee	No of seats
Planning	14
Licensing and Environmental Health	11
Scrutiny	10
Performance and Audit	10
Staff Appeals	8
Total	53

6 The current political composition of the Council is as follows:

Group	Members	Percentage
Conservative	31	70.45%
Liberal Democrat	7	15.91%
Residents 4 Uttlesford	4	9.09%
Independent	2	4.55%
	44	100%

7 Based on the 53 seats, the number of seats available to each group is as follows

Group	Percentage	Calculated seats	No. of seats
Conservative	70.45%	37.34	37
Liberal Democrat	15.91%	8.43	9
Residents 4 Uttlesford	9.09%	4.82	5
Independent	4.55%	2.41	2
	100%	53	53

Allocation of Seats – Committees

(i) Licensing and Environmental Health Committee

8 The Licensing and Environmental Health Committee cannot be taken into account for the purposes of the calculation because it was not established under the Local Government Act 1972. The eleven places on offer can be allocated on the same basis of proportionality, and the Licensing Committee has been included in the calculation of the number of seats.

9 If required, the Licensing Committee can be omitted from the calculation. However, this would have no impact on the proposed allocations of the other committees which must be included within the political balance calculation.

(ii) Standards Committee

10 The Localism Act 2011 set out changes to the Standards regime. There is now no statutory power to appoint a Standards Committee, the Standards functions are to be performed by the Full Council. However it was agreed in 2012 that the Council would not be an appropriate forum for dealing with individual allegations of breaches of the Code of Conduct and a Standards Committee was appointed to undertake this function.

11 In the absence of a statutory power, a Standards Committee is required to be appointed under the provisions of the Local Government Act 1972 and is subject to the rules of political balance. If this committee was included within the calculations the result would be as set out overleaf:-

61 seats (8 for Standards Committee, an increase of 2 to allow for an equal representation from each political group) - the number of seats available to each group would be:-

Group	No. of seats
Conservative	39
Liberal Democrat	11
Residents 4 Uttlesford	7
Independent	4
	61

- 12 The Council's Constitution recognises that that the rules of political balance contained in the Local Government and Housing Act 1989 apply but acknowledges that a politically balanced Standards Committee would be undesirable. It provides that subject to no member present voting against the proposal each political group on the Council would have at least one member on the Standards Committee and each political group could nominate up to three members. The aim is to achieve an even balance on the Committee and ideally there will be two members appointed from each group.
- 13 This aim cannot be achieved with the addition of a fourth political group unless the size of the committee is increased to allow for equality of representation for each group. The proposal for the allocation of seats in paragraph 14 below provides for such an increase.

Proposal for allocation of seats

- 14 Based on the principles outlined in paragraph 12, the allocation of the 61 seats (including the Standards and Licensing Committees) could be as follows:-

Committees	Seats available	Cons	Lib Dem	R4U	Ind
Planning	14	10 (-1)	2	1 (+1)	1
Licensing and EH	11	8	2	1 (+1)	0 (-1)
Scrutiny	10	6 (-1)	2	1 (+1)	1
Performance and Audit	10	7 (-1)	2 (+1)	1 (+1)	0 (-1)
Staff Appeals	8	6 (-1)	1	1 (+1)	0
Standards	8	2	2	2 (+2)	2
	61	39 (-4)	11 (+1)	7 (+7)	4 (-2)

Risk Analysis

There are no risks associated with this report.