

Committee: Annual Council

Agenda Item

Date: 26 May 2015

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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 three political groups as detailed in the report.
- 2 Following the ordinary election held on 7 May 2015 new political groups have been formed comprising: Conservative, 23 members; Residents for Uttlesford, 9 members, and Liberal Democrats, 6 members. Councillor Lemon has been elected as the sole independent member and is not a member of a political group.

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	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. It further requires them to allocate the seats on their committees to political groups represented in accordance, so far as reasonably practicable, with the following four principles of proportionality:-

- (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

4 Ahead of any decision made by the newly elected Council, it has been assumed that the number of seats on ordinary committees of the Council (excluding Standards) will be as follows:-

Committee	No of seats
Planning	10
Licensing and Environmental Health	10
Scrutiny	10
Performance and Audit	10
Total	40

5 The current political composition of the Council (excluding the single independent member who cannot be taken into account for political balance purposes) is as set out on the next page:

Group	Members	Percentage
Conservative	23	60.53%
Residents for Uttlesford	9	23.68%
Liberal Democrats	6	15.79%
	38 (of 39 members)	100%

- 6 Based on the 40 seats, the number of seats available to each group is as follows

Group	Percentage	Calculated seats	No. of seats
Conservative	60.53%	24.21	24
Residents for Uttlesford	23.68%	9.47	10
Liberal Democrats	15.79%	6.32	6
	100%	40	40

Allocation of Seats – Committees

(i) Licensing Committee

- 7 The Licensing Committee cannot be taken into account for the purposes of the calculation because it was not established under the Local Government Act 1972. However, it seems sensible to offer the ten places to be allocated on the same basis of proportionality, and the Licensing Committee has therefore been included in the calculation of the number of seats.

(ii) Standards Committee

- 8 The Localism Act 2011 set out changes to the standards regime. There is no longer a statutory power to appoint a Standards Committee and the standards functions are intended to be performed by 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.
- 9 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.
- 10 Since the Localism Act changes, the Standards Committee has consisted of six members, increased to eight with the establishment of the Residents for Uttlesford Group prior to the election, with an equality of representation between all political groups. Article 9 of the Constitution provides for three nominations to be made by each political group and it is now suggested that the Committee be expanded from eight to nine members.
- 11 If this committee was included within the calculations (assuming nine members) the result would be as set out on the next page:-

A total of 49 seats would be available and the number of seats allocated to each group would be:-

Group	Percentage	Total Seats
Conservative	60.53%	(29.66) 30
Residents for Uttlesford	23.68%	(11.60) 11
Liberal Democrats	15.79%	(7.74) 8

- 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. This will be achieved by appointing the three members nominated by each group thus making a committee of nine members.

Proposal for allocation of seats

- 13 Based on the principles outlined in paragraph 12, the allocation of the 49 seats (including the Standards and Licensing Committees) would be as follows:-

Committees	Seats available	Conservative	Residents for Uttlesford	Liberal Democrats
Planning	10	6	2/3*	1/2*
Licensing and Environmental Health	10	6	2/3*	1/2*
Scrutiny	10	6	2/3*	1/2*
Performance and Audit	10	6	2/3*	1/2*
Standards	9	3	3	3
	49	27	13	9

* The precise allocation of seats is to be determined by Council. Following allocation the groups will nominate members to the seats allocated to their groups.

Risk Analysis

There are no risks associated with this report.