

Committee: Annual Council

Date:

Title: Political Balance

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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. Following the election held on 4 May 2023, political groups have been formed and the composition of Council is 22 Residents for Uttlesford, 11 Conservatives, 4 Liberal Democrats and 2 Uttlesford Independents.

Recommendations

1. That the Council reviews its political composition and achieves political balance by allocating seats on its committees by either:
 - i. Subject to the revised Scheme of Delegating being approved, agreeing political balance and the allocation of seats as set out in paragraph 10, or;
 - ii. Subject to the existing Scheme of Delegation being approved, agreeing political balance and the allocation of seats as set out in paragraph 15.

Financial Implications

2. None.

Background Papers

3. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

None.

Impact

- 4.

| | |
|----------------------------|---------------|
| Communication/Consultation | Group Leaders |
|----------------------------|---------------|

| | |
|---------------------------------|---|
| Community Safety | N/A. |
| Equalities | N/A |
| Health and Safety | N/A |
| Human Rights/Legal Implications | Political Balance is to be achieved in accordance with the Local Government Housing Act 1989. |
| Sustainability | N/A. |
| Ward-specific impacts | All |
| Workforce/Workplace | N/A. |

Situation

5. The Local Government Housing Act 1989 requires local authorities 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.

6. Ahead of any decision by the newly elected Council, including the revised Scheme of Delegation and the formal merger of the functions of the Governance, Audit and Performance and Standards Committees, it has been assumed the number of seats on ordinary committees of the Council will be as follows:

| Committee | Number of Seats |
|--|------------------------|
| Audit and Standards | 11 |
| Licensing and Environmental Health | 10 |
| Planning | 9 |
| Scrutiny | 11 |
| Appointments Committee | 7 |
| Investigatory and Disciplinary Committee | 5 |
| Appeals Committee | 5 |
| Total | 58 |

7. Based on the 58 seats, the number of seats available to each group is as follows:

| Group | Percentage | Calculated Seats | Number of Seats |
|--------------------------|-------------------|-------------------------|------------------------|
| Residents for Uttlesford | 56.41 | 32.7179 | 33 |
| Liberal Democrats | 10.2564 | 5.9487 | 6 |
| Conservative | 28.2051 | 16.3590 | 16 |
| Uttlesford Independents | 5.1282 | 2.9744 | 3 |
| Total | 100% | 58 | 58 |

Licensing and Environmental Health Committee

8. 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.

Audit and Standards Committee

9. Following consultation with Group Leaders regarding the Scheme of Delegation in regards to council functions, it has been proposed to merge the GAP and Standards Committees. Paragraphs 8 and 12 anticipate approval of the revised Scheme. In the event the revised Scheme is not approved, Members will be asked to consider the allocation of seats as set out at paragraph 13.

Proposal for Allocation of Seats

10. The allocation of the 58 seats is therefore proposed as follows:

| Committee | No. Seats | R4U | LD | CONs | IND |
|------------------------------------|-----------|-----------|----------|-----------|----------|
| Planning | 9 | 5 | 1 | 2 | 1 |
| Licensing and Environmental Health | 10 | 6 | 1 | 3 | 0 |
| Scrutiny | 11 | 6 | 1 | 3 | 1 |
| Appointments | 7 | 4 | 1 | 2 | 0 |
| IDC | 5 | 3 | 0 | 2 | 0 |
| AC | 5 | 3 | 1 | 1 | 0 |
| Audit and Standards | 11 | 6 | 1 | 3 | 1 |
| | | | | | |
| Total seats | 58 | 33 | 6 | 16 | 3 |

11. In the event that the revised Scheme of Delegation is not approved, the GAP and Standards Committees will continue to operate as separate committees. If this is the case, it is assumed that Standards Committee will be appointed on a non-political basis, as outlined under Article 9 of the Council's Constitution. For the purpose of the political balance calculation, the number of seats will be as follows:

| Committee | Number of Seats |
|--|-----------------|
| Governance, Audit and Performance | 11 |
| Licensing and Environmental Health | 10 |
| Planning | 9 |
| Scrutiny | 11 |
| Appointments Committee | 7 |
| Investigatory and Disciplinary Committee | 5 |

| | |
|-------------------|-----------|
| Appeals Committee | 5 |
| Total | 58 |

12. Based on the 58 seats, the number of seats available to each group will be as per paragraph 7 above.

Standards Committee

13. The Council's Constitution recognises that the rules of political balance contained in the Local Government and Housing Act 1989 apply but 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.

14. Article 9 of the Constitution provides for three nominations for each political group, until the point when the Committee reaches a maximum of 9 members. As there are 4 political groups it is proposed that membership of the Standards Committee should be allocated as follows:

| Political Party | Number of Seats |
|--------------------------|------------------------|
| Residents for Uttlesford | 3 |
| Liberal Democrat | 2 |
| Conservatives | 3 |
| Uttlesford Independents | 1 |
| Total | 9 |

15. Therefore, in the event that the revised Scheme of Delegation is not approved, the allocation of seats for the 67 seat scheme is as follows:

| Committee | No. Seats | R4U | LD | CONs | IND |
|------------------------------------|------------------|------------|-----------|-------------|------------|
| Planning | 9 | 5 | 1 | 2 | 1 |
| Licensing and Environmental Health | 10 | 6 | 1 | 3 | 0 |
| Scrutiny | 11 | 6 | 1 | 3 | 1 |
| Appointments | 7 | 4 | 1 | 2 | 0 |
| GAP | 11 | 6 | 1 | 3 | 1 |
| IDC | 5 | 3 | 0 | 2 | 0 |
| AC | 5 | 3 | 1 | 1 | 0 |

| | | | | | |
|--------------------|-----------|-----------|----------|-----------|----------|
| | | | | | |
| Standards | 9 | 3 | 2 | 3 | 1 |
| | | | | | |
| Total seats | 67 | 36 | 8 | 19 | 4 |

Risk Analysis

| Risk | Likelihood | Impact | Mitigating actions |
|---|------------|--------|---|
| The Local Government Housing Act 1989 stipulates that Council must review political balance at its Annual meeting, or as soon as practicable after the meeting. | 2 | 3 | To review political balance in accordance with the principles of proportionality as set out in the Local Government Housing Act 1989. |