

The Chief Executive's Report on return of Members Elected and Political Proportionality

Laindon Park and Fryerns By-Election Return of Members Elected

Political Proportionality

Frank Ferguson (UKIP) has been returned as a Member for the Laindon Park and Fryerns Division at the By-Election held on 9 June 2016 which was triggered by the death of Councillor Bill Archibald (Labour).

Councillor Nigel Le Gresley, the Leader of the UKIP Group, has given notice that Councillor Ferguson has joined the UKIP Group on the Council. This triggers a review of the political balance of the Council's committees and other bodies.

Review of Political Proportionality

The political composition of the Council is now as follows:

Group	Number of members
Conservative	44
Liberal Democrat	9
Labour	8
UKIP	6
Non-aligned group	5
Green	2
Independent	1

The review of political proportionality has been undertaken in accordance with the statutory political balance rules as the law requires the Council to allocate committee seats to registered political groups in accordance with those rules. The rules are as follows:

1. The majority party must have a majority of seats on every committee. Where there are co-opted voting members this is a majority of all seats, not just those held by councillors.
2. The total number of ordinary committee seats must be proportionate. So where the Conservative Group has 58% of Council seats it should have 58% of the

ordinary committee seats. The Council's Overview and Scrutiny Committees and Joint Committees do not count as 'ordinary committees'.

3. Each individual committee must be as proportionate as possible. For example, a group with 58% of Council seats should have 58% of the seats on each committee.

These rules can sometimes conflict, depending on the number and size of the political groups. If this happens the first rule takes priority, followed by the second and then the third.

The political balance rules do not always completely determine the balance of each committee. Sometimes the Council unavoidably has some discretion as to how to apply those rules. For example, if there are committees of the same size which have to be balanced differently under the rules, there is discretion as to which committee those should be applied to. Any discretion is exercised by full Council.

In summary, the UKIP Group has overall increased by one and the Labour Group has reduced by one. Members should note:

- a. The UKIP Group is entitled to an extra seat on the Essex Fire Authority from the Liberal Democrat Group.
- b. The Liberal Democrat Group, which is now the largest opposition group, is now entitled to a second seat on the Health Overview and Scrutiny Committee in place of the Labour Group.
- c. The UKIP group is entitled to an extra ordinary committee seat and the Labour Group loses an ordinary Committee seat. This could be either on the Foreign Travel Committee or the Audit Committee. It is proposed that the change takes place on the Audit Committee.

Recommendation:

(1) That the revised political balance of the Council be noted.

(2) That the seat allocations to political groups be changed as follows:

(a) seat allocations on the County Council's nominations to the Essex Fire Authority shall be:

Conservative 12	Liberal Democrat 2	Labour 2
UKIP 2	Non-aligned 1	Green 1

(b) seat allocations on the Health Overview and Scrutiny Committee shall be:

Conservative 7	Liberal Democrat 2	Labour 1
UKIP 1	Non-aligned 1	

(c) seat allocations on the Audit Committee shall be:

Conservative 4	Liberal Democrat 1	UKIP 1	Non-aligned 1
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