

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

Bocking By-Election Return of Members Elected

Political Proportionality

Stephen Canning has been returned as the Member for the Bocking Division at the By-Election held on 9 October 2014 triggered by the death of Gordon Helm. Councillor Finch, the Leader of the Conservative Group, has given notice that Councillor Canning will be a member of the Conservative 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
Labour	9
Liberal Democrat	9
UKIP	6
Non-aligned group	4
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. Overview and Scrutiny Committees and Joint Committees do not count as “ordinary committees”.

3. Each individual committee must be as proportionate as possible. 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 is the most important, then 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 Conservative Group has increased by one and the UKIP Group has reduced by one. In addition, the Council will now appoint seven members to the Investment Steering Committee, meaning that there are 31 seats on ordinary committees. Members should note:

- a. The Conservative Group is entitled to an extra seat. This will be on the Investment Steering Committee (this is a new seat).
- b. The UKIP Group is entitled to one fewer seat on ordinary committees. It must lose a seat either on the Audit Committee or on the Investment Steering Committee. The Council decides which seat is vacated. The proposal is that the seat on the Audit Committee be vacated.
- c. The seat vacated by UKIP will be taken by the non-aligned group which has one ordinary committee seat but is entitled to 1.6 seats.
- d. There are no changes to the membership of Overview and Scrutiny Committees or to the Standards Committee or the Essex Fire Authority.

It should be noted that, historically, the Labour Group had 2 seats on HOSC and 1 on Place Scrutiny and the Liberal Democrat Group had 2 seats on Place Scrutiny and 1 on HOSC meaning that, overall, they both had the same number of seats across committees. However, for the last seven months, following the Brightlingsea By-election, the Labour Group has had an additional seat on the Place Scrutiny Committee, meaning that overall it has one more seat on Council committees than the Liberal Democrat Group. Full Council may allocate this seat to either Group or to an independent councillor.

Recommended:

That the revised political balance of the Council be noted.