

# Southend-on-Sea Borough Council

Report of Director of Legal and Democratic Services  
to  
Council  
on  
15<sup>th</sup> June 2017

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Director of Legal & Democratic Services

Agenda  
Item No.

**3**

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## Changes to Membership of Committees etc.

### Part 1 - Public Agenda Item

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#### 1. Purpose of Report

For the Council to agree minor changes to appointments to Committees, Working Parties and one outside body as a result of the Shoeburyness by-election and a change to the Labour Group on the Council.

#### 2. Recommendations

2.1 To note that as a consequence of the Independent Group holding Shoeburyness in the by-election held on 25 May 2017 and Councillor McMahon giving notice to the Acting Chief Executive that she no longer wishes to be treated as a member of the Labour Group on the Council, the political make-up of the Council is as follows:

- Conservative Group – 27
- Independent Group – 11
- Labour Group – 9
- Liberal Democrat Group – 2
- Non-aligned – 2 (Councillors Aylen and McMahon)

2.2 To agree the changes to the membership of Committees for the remainder of the municipal year 2017/18, as set out in revised List C at **Appendix 1**

2.3 To agree that on the Cultural, Tourism and Events Working Party and the Southend Business and Tourism Partnership, Councillor Borton will replace Councillor McMahon at the Labour Group's request.

2.4 To agree that the Council's representatives on the Essex Fire Authority for the remainder of municipal year 2017/18 shall be Councillors Evans, Holland and Woodley and their substitutes shall be Councillors Folkard, Moyies and Terry respectively.

#### 3. Background

3.1 On the 25 May 2017 Councillor Chalk was elected to the Council in the Shoeburyness by-election. The vacancy arose as a consequence of the sad death of Councillor Mike Assenheim.

Formal notification has been received confirming that Councillor Chalk is a member of the Independent Group on the Council and this situation triggers the requirement to recalculate political proportionality.

This in turn results in the need to make some minor changes to the membership of several Committees, Working Parties and one outside body - see section 3.4 below.

- 3.2 On 9<sup>th</sup> June 2017 Councillor McMahon gave formal notice to the Acting Chief Executive pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990 that she no longer wishes to be treated as a member of the Labour Group on the Council with immediate effect.

While this notice does not in itself trigger a requirement to recalculate political proportionality, this task has already been undertaken for other reasons as set out in section 3.1. The fact that the Labour Group now has 9 members has been duly reflected in the recalculation.

- 3.3 As a consequence of the events set out in sections in 3.1 and 3.2 above, the political make-up of the Council is now as set out in recommendation 2.1

- 3.4 In terms of places on relevant Committees, Sub-Committees, Working Parties, Panels and outside bodies for municipal year 2017/18, these were previously agreed at the Appointments Council held on 18 May 2017 and generally reflected the wishes of the political groups in the context of the political proportionality rules.

The events set out in sections in 3.1 and 3.2 above necessitate the Council agreeing minor changes for the remainder of the municipal year 2017/18 in accordance with the political proportionality rules. The changes are as follows:

- (a) A revised List C (showing Appointments to Committees) is attached to this report as **Appendix 1**:

- The changes are shown in bold and underlined;
- This revised List C reflects the wishes of the political groups in the context of the political proportionality rules;
- There are no changes proposed to chairs or vice chairs of Committees. However the Leader of the Labour Group has given an assurance that Councillor Nevin will stand down as Chair of the People Scrutiny Committee on 14 December 2017, to be replaced by another opposition group member; and
- The 4 Committee places remaining (after allocating places to the 4 political groups under the political proportionality rules) must be allocated to the two Members who are not members of any political group ("Non-aligned Members"). Two of the places are shown allocated to Councillor McMahon. However, Councillor Aylen has confirmed that he wants his two places on Appeals Committees A and B to be reallocated. The Conservative Group has nominated two of its Members to fill the vacancies, which will result in a non-proportional arrangement. If such arrangement was wanted, then this would have to be agreed by the

Council with no-one voting against (see S.17(1) of the Local Government and Housing Act 1989 and Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990). In the absence of such unanimity, these 2 Committee places would remain with Councillor Aylen.

- (b) A change is required to the Council's representation on the Essex Fire Authority. The law requires Member representation to be politically proportional. The Council nominates 3 Members, so representation must be 2 Conservative and 1 Independent. In addition, substitutes must come from the same political group. The nominees put forward for the Council to agree are Councillors Evans, Holland and Woodley and their substitutes shall be Councillors Folkard, Moyies and Terry respectively.
- (c) It is important to note that no other changes are required to Sub-Committees, Working Parties, Panels etc. or to any of the other outside bodies to which the Council makes appointments. These will remain as agreed by Council on 18 May 2017.

#### **4. Background Papers**

None

#### **5. Appendices**

**Appendix 1** – Revised List C (Appointments to Committees) for the remainder of municipal year 2017/18.