

**COUNCIL**  
**18 MAY 2023**

## **CONSTITUTIONAL MATTERS**

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### **(a) Malvern Chase By-Election and Political Balance**

- 1. The Assistant Director for Legal and Governance recommends that Council approves the recalculation of political balance set out as an Appendix and requires her to give effect to it in accordance with the nominations from the respective Group leaders from time to time.**

#### **Executive Summary**

2. As a result of the Malvern Chase by-election, Appendix 1 sets out a proposed allocation of seats amongst the political Groups which meets the rules of political balance by increasing the G.A.I.A group's allocation by 2 seats and reducing Unity group's allocation by 2 seats. There are no other changes.

#### **Background details**

3. Following the resignation of Cllr Jack Satterthwaite, the Malvern Chase by-election took place on Thursday 4 May. The successful candidate was Cllr Malcolm Victory, who has joined the G.A.I.A Group.

4. As a result, the G.A.I.A. Group increased by 1 member (from 5 to 6), and the Unity Group reduced by 1 member (from 8 to 7). This impacted on political balance ie the number of seats on committees allocated to those 2 political Groups.

5. It is therefore proposed that the Unity Group loses a seat on the Audit and Governance Committee and on the Planning and Regulatory Committee. The G.A.I.A Group gain a seat on the Audit and Governance Committee and on the Planning and Regulatory Committee.

6. The membership of the political groups as of 10 May 2023 is:

- Conservative 44
- Unity 7 (-1)
- G.A.I.A 6 (+1)

7. Legislation requires that the allocation of seats on ordinary committees must, as far as reasonably practicable, be in accordance with the principles of political balance. These principles are based on the membership of political Groups within the Council which members join, rather than political parties as such.

8. Political balance principles are that the majority Group is entitled to a majority on each committee; subject to this, the aggregate allocation of committee seats overall

should reflect political balance, and subject to this, individual committee membership should reflect political balance as far as practicable. Council can depart from these principles in allocating seats provided no member votes against doing so.

9. A proposed allocation of seats on Committees is set out in Appendix 1 reflecting the political composition of the Council, and which is compliant with the principles of political balance.

10. Changes in the individual membership of committees would be made by the Assistant Director for Legal and Governance in accordance with the nominations from the respective political Groups in accordance with the Local Government and Housing Act 1989.

## **(b) Chairmen and Vice-Chairmen of Member Bodies**

### **Recommendation**

11. **The Assistant Director for Legal and Governance recommends that the Council appoints Members to the Chairman and Vice-Chairman roles in accordance with Appendix 2.**

12. The Council needs to make the appointments to various chairmanships and vice-chairmanships of member bodies and of Lead Scrutiny Members. The nominations for a number of appointments are set out in Appendix 2 to this report.

### **Contact Points**

Specific Contact Points for this report

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### **Supporting information**

Appendix 1 – Political Structures – Proposed Allocation of Places

Appendix 2 - Nominations for Chairmen and Vice-Chairmen of Committees and Panels

### **Background Papers**

In the opinion of the proper officer (in this case the Assistant Director for Legal and Governance) there are no background papers relating to the subject matter of this report: