

MEETING OF THE COUNCIL



Supplementary Agenda No.2

Thursday, 15th October, 2015

7.00 pm

**Council Chamber
Thanet District Council
Margate**

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Date: 14 October 2015
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You are hereby summoned to attend the meeting of the Thanet District Council to be held in the Council Chamber, Council Offices, Cecil Street, Margate, Kent on Thursday, 15 October 2015 at 7.00 pm for the purpose of transacting the business mentioned below.

Timothy Hines

Director of Corporate Governance

To: The Members of Thanet District Council

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SUPPLEMENTARY AGENDA No.2

Item
No

15. **APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS - 2015/16** (Pages 1 - 10)

The report and annex contained within this supplementary agenda replace the report and annexes at item 15 of the main agenda pack.

APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS - 2015/16 REPLACEMENT REPORT

To: **Council Meeting – 15 October 2015**

By: **Committee Services Manager**

Classification: **Unrestricted**

Wards Affected: **N/A**

Summary: This report informs Council of changes to nominations to Committees.

For Decision

1.0 Introduction

- 1.1 This report replaces the original report as Democratic Services have been informed that Cllr Elenor has left the UKIP group and joined the Democratic Independent Group in addition to the four Councillors previously reported.
- 1.2 This report will therefore outline the changes needed as a result of five Councillors leaving the UKIP group and creating the Democratic Independent Group.
- 1.3 The Democratic Independent Group consists of Cllr Collins (Leader), Cllr Ashbee (Deputy Leader), Cllr Elenor, Cllr Martin and Cllr Smith.
- 1.4 The report will also inform Council of a change to the nominations to the Licensing Board, a change to the nominations to the Governance and Audit Committee, and of the nominations from the Thanet Association of Parish Councils who make appointments to the Standards Committee and Joint Transportation Board.

2.0 Political Balance

- 2.1 As mentioned above four Councillors have left the UKIP group and have created a new group. This group is called the Democratic Independent Group. The changes to political balance are shown in the table below:

Political Group	Prior to changes	After changes
UKIP	33	<u>28</u>
Conservative	18	18
Democratic Independent Group	0	<u>5</u>
Labour	4	4
Independent	1	1

- 2.2 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political Groups in accordance with the size of each group on the

Council as a whole and in accordance with the following principles which should be observed as far as is reasonably practicable:

- a) That not all seats on the same committee are allocated to the same political group;
- b) That the majority of the seats on a committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
- c) That, subject to a) and b) above, the number of seats on committees allocated to each political group bears the same proportion of the total of all the seats on committees;
- d) That, subject to a), b) and c) above, the number of seats on a committee allocated to each political group bears the same proportion to the number of all seats on that committee.

- 2.3 For the purposes of political balance a Group is required to have at least two members and to have been formally constituted as a political Group before the meeting.
- 2.4 Democratic Services have contacted the four group Leaders and a consensus on a way to achieve proportionality has been reached and this is outlined at paragraph 2.5 below.
- 2.5 That a seat be removed from the UKIP group on the Planning Committee and that seat be given to the Democratic Independent Group. That two additional seats be added to the Licensing Board and one of those seats be given to the Conservative Group and the other given to the Democratic Independent Group. That one additional seat be added to the Overview and Scrutiny Panel and that seat be given to the Democratic Independent Group. In addition one seat on the Overview and Scrutiny Panel be removed from the UKIP group and given to the Conservative Group. That two additional seats be added to the Governance and Audit Committee and one of those seats be given to the Conservative Group and the other given to the Democratic Independent Group. That one seat be added to the General Purposes Committee and that seat be given to the Democratic Independent Group. That one seat on the Boundary and Electoral Arrangements Working Party is removed from the UKIP group and that seat is given to the Democratic Independent Group. That three seats are added to the Constitutional Review Working Party and of those three seats one is given to each of the UKIP Group, Democratic Independent Group and the Labour Group.
- 2.6 The table below show the change to numbers serving on Committees as a result of the proposal:

Committees	Total	UKIP Group	Conservative Group	Labour Group
Current membership				
Planning Committee	12	7	4	1
Licensing Board	12	7	4	1
Overview and Scrutiny Panel	13	8	4	1
Gov. and Audit	12	7	4	1
General Purposes	9	5	3	1
B&EA Working Party	6	4	2	0
Constitutional Review Working Party	3	2	1	0
Totals	67	40	22	5

Committees	Total	UKIP Group	Conservative Group	Democratic Independent Group	Labour Group
Proposed membership					
Planning Committee	12	6	4	1	1
Licensing Board	14	7	5	1	1
Overview and Scrutiny Panel	14	7	5	1	1
Gov. and Audit	14	7	5	1	1
General Purposes	10	5	3	1	1
B&EA Working Party	6	3	2	1	0
Constitutional Review Working Party	6	3	1	1	1
Totals	76	38	25	7	6

2.7 The overall political balance calculation for the proposal is shown at Annex 1.

3.0 Recommendation

3.1 That Council agrees the proposal to achieve proportionality outlined at paragraph 2.5.

4.0 Nominations of Members to serve on Committees

4.1 Members are reminded that Section 16 of the Local Government and Housing Act 1989 states that where the Council has determined the allocation to different groups of the seats to which the Act applies, it shall be the duty of the authority to give effect to a Group's wishes about who is to be appointed to the seats that they have been allocated.

- 4.2 In addition to the changes as a result of the creation of the Democratic Independent Group, Democratic Services have also received notifications from other groups of changes to their nominations to Committees, this is outlined below:
- a) The Leader of the UKIP group has informed Democratic Services that they will be replacing Councillor Emma Hillman with Councillor Jeremy Fairbrass as a Member of the Licensing Board.
 - b) The Leader of the Conservative group has informed Democratic Services that they will be replacing Councillor Carol Partington with Councillor Rosanna Taylor-Smith as a Member of the Governance and Audit Committee. In addition, Councillor Carol Partington and Councillor Jason Savage have been nominated as reserve Members of the Governance and Audit Committee.
- 4.3 Therefore the corresponding amendments to group nominations as outlined below must also be made.
- 4.3.1 The Democratic Independent Group will gain seats on the Planning Committee, Planning Committee Substitutes, Licensing Board, Overview and Scrutiny Panel, Governance and Audit Committee, Governance and Audit Substitutes, General Purpose Committee, the Boundary and Electoral Arrangements Working Party and the Constitutional Review Working Party and will need to make nominations to each of these Committees.
 - 4.3.2 The UKIP group will lose a seat on the Planning Committee and will have to remove a member from that committee. The UKIP will also lose a seat on the Boundary and Electoral Arrangements Working Party and will have to remove a member from that committee. The UKIP will also gain a seat on the Constitutional Review Working Party and will have to make a new nomination to that committee. In addition Councillor Collins was a member of the pool of Planning Committee substitutes, the Licensing Board and the Governance and Audit Committee and so the UKIP group will have to make nominations to each of these committees. Councillor Ashbee was a member of the General Purposes Committee and the Standards Committee and so the UKIP group will have to make nominations to each of these Committees. Cllr Martin was a member of the Overview and Scrutiny Panel and the Constitutional Review Working Party and so the UKIP group will have to make nominations to each of these Committees. Councillor Smith was a member of the General Purposes Committee and so the UKIP group will have to make a new nomination to that Committee. Councillor Elenor was a member of the Overview and Scrutiny Panel and the Constitutional Review Working Party and so the UKIP group will have to make nominations to those Committees. Councillor Jeremy Fairbrass will replace Councillor Emma Hillman as UKIP nomination on the Licensing Board.
 - 4.3.3 The Conservative Group will gain seats on the Licensing Board, Overview and Scrutiny Panel and the Governance and Audit Committee and will need to make nominations to each of these Committees. Councillor Rosanna Taylor-Smith will replace Councillor Carol Partington as a Member of the Governance and Audit Committee. In addition, Councillor Carol Partington and Councillor Jason Savage will be added as reserve Members of the Governance and Audit Committee.
 - 4.3.4 The Labour Group will gain a seat on the Constitutional Review Working Party and will need to make a new nomination to that committee.

- 4.3.5 Councillor Martin was also a member of both the Community Safety Partnership Working Party and the Corporate Performance Review Working Party and Councillor Elenor was also a member of the Community Safety Partnership Working Party, however new nominations from the UKIP will be received at the next meeting of the Overview and Scrutiny Panel on 20 October.
- 4.3.6 Councillor Ashbee was also a member of the Local Plan Cabinet Advisory Group. However as this is a Cabinet Advisory Group and not a LGA 1972 Act committee a replacement nomination can be made any time.
- 4.3.7 This can be summarised in the table below:

Committee / Group	Current Position	New Position
Planning Committee		
Democratic Independent Group	No entitlement	Nomination needed
UKIP	7 Councillors	1 Councillor to be removed
Planning Committee Substitutes		
Democratic Independent Group	No entitlement	Nomination needed
UKIP	Cllr Collins	New nomination needed
Licensing Board		
Democratic Independent Group	No entitlement	Nomination needed
UKIP	Cllr Collins	New nomination needed
UKIP	Cllr E Hillman	Cllr J Fairbrass
Conservative	No entitlement	New nomination needed
Overview and Scrutiny Panel		
Democratic Independent Group	No entitlement	Nomination needed
UKIP	Cllr Martin	No entitlement to seat
UKIP	Cllr Elenor	New nomination needed
Conservative	No entitlement	New nomination needed
Governance and Audit Committee		
Democratic Independent Group	No entitlement	Nomination needed
UKIP	Cllr Collins	New nomination needed
Conservative	Cllr Partington	Cllr Taylor-Smith
Conservative	No entitlement	New nomination needed
Governance and Audit Committee Substitutes		
Democratic Independent Group	No entitlement	Nomination needed
Conservative	Vacancy not filled	Cllr Partington
Conservative	Vacancy not filled	Cllr Savage
General Purposes		
UKIP	Cllr Ashbee	New nomination needed
UKIP	Cllr Smith	New nomination needed
Democratic Independent Group	No entitlement	Nomination needed
B&EA Working Party		
Democratic Independent Group	No entitlement	Nomination needed
UKIP	4 Councillors	1 Councillor to be removed
Constitutional Review Working Party		
UKIP	Cllr Martin	New nomination needed
UKIP	Cllr Elenor	New nomination needed
UKIP	No entitlement	New nomination needed
Democratic Independent Group	No entitlement	Nomination needed
Labour	No entitlement	New nomination needed

Standards Committee		
UKIP	Cllr Ashbee	New nomination needed

5.0 Recommendation

- 5.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2015/16 as per paragraph 2.5 of this report (The names of those Councillors so nominated will be presented at the meeting if needed).

6.0 Parish Council representatives on the Standards Committee and the Joint Transportation Board

- 6.1 Council will recall that at the Annual Council meeting on the 21 May, it was not possible to update Council with the nominations to the Standards Committee and the Joint Transportation Board from the Thanet Association of Local Councils, as that body had yet to meet to decide them.
- 6.2 There are three vacancies for Parish Councillors on the Standards Committee and one vacancy for a Parish Councillor on the Joint Transportation Board.
- 6.3 The Thanet Association of Parish Councils met on 2 July and made the following appointments:

Standards Committee:

Parish Councillor John Way
Parish Councillor Linda Wright
One position vacant

Joint Transportation Board:

Parish Councillor Vera Hovenden

7.0 Recommendation

- 7.1 That Council note the nominations made by the Thanet Association of Local Councils to the Standards Committee and the Joint Transportation Board.

8.0 Corporate Implications

8.1 Financial

- 8.1.1 There are no direct financial implications.

8.2 Legal

- 8.2.1 The composition and allocation of membership of committees has been based on the relevant legislative requirements.

8.3 Corporate

- 8.3.1 None.

8.4 Equity and Equalities

- 8.4.1 There are no specific equity and equality considerations that need to be addressed in this report.

9.0 Summary of Recommendations

3.1	That Council agrees the proposal to achieve proportionality outlined at paragraph 2.5.
5.1	To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2015/16 as per paragraph 2.5 of this report (The names of those Councillors so nominated will be presented at the meeting if needed).
7.1	That Council note the nominations made by the Thanet Association of Local Councils to the Standards Committee and the Joint Transportation Board.

10.0 Decision Making Process

- 10.1 This report is for decision.

Contact Officer:	Nick Hughes, Committee Services Manager
Reporting to:	Tim Howes, Director of Corporate Governance

Annex List

Annex 1	Proportionality calculations for main committees covered by Local Government & Housing Act 1989
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Corporate Consultation Undertaken

Finance	Matthew Sanham, Finance Manager, Service Support
Legal	Tim Howes, Director of Corporate Governance

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	Members	UKIP	Conservative	Democratic Independent Group	Labour	Non group
Overall Council	56	28	18	5	4	1
Groups only	55	28	18	5	4	
Under s15 LGHA 1989 proportionality applies in full						
	Members	UKIP	Conservative	Democratic Independent Group	Labour	Non group
Planning Committee	12	6	4	1	1	
	100.00%	50.00%	33.33%	8.33%	8.33%	
Licensing Board	14	7	5	1	1	
	100.00%	50.00%	35.71%	7.14%	7.14%	
Overview and Scrutiny Committee	14	7	5	1	1	
	100.00%	50.00%	35.71%	7.14%	7.14%	
Governance & Audit	14	7	5	1	1	
	100.00%	50.00%	35.71%	7.14%	7.14%	
General Purposes	10	5	3	1	1	
	100.00%	50.00%	30.00%	10.00%	10.00%	
BEAWP	6	3	2	1	0	
	100.00%	50.00%	33.33%	16.67%	0.00%	
CRWP	6	3	1	1	1	
	100.00%	50.00%	16.67%	16.67%	16.67%	
Totals allocated	76	38	25	7	6	
	100.00%	50.00%	32.89%	9.21%	7.89%	
Totals entitlement	76	38.69	24.87	6.91	5.53	
Difference from entitlement no.	0	-0.69	0.13	0.09	0.47	
Difference from entitlement %		-0.9091	0.1675	0.1196	0.6220	

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