

CHANGES TO COMMITTEES, PANELS AND BOARDS – 2016/17

Council - 13 October 2016

Report Author	Committee Services Manager
Portfolio Holder	Councillor Derek Crow-Brown
Status	For Decision
Classification:	Unrestricted
Key Decision	No

Executive Summary:

This report will outline the changes needed as a result of the election of Cllr Lynda Piper and Cllr Rusiecki and both joining the UKIP Group. It provides three options to amend the proportionality of the Council. The report gives Council the option of choosing one of these options and sets out the impact on the numbers of Councillors on each Committee. The report then goes on to set out the required nominations to match the changes made to committees.

Recommendation(s):

- 3.1 That Council agrees one of the proposals outlined at paragraphs 2.5 – 2.7 to achieve proportionality.
- 3.2 That Council agrees one of the proposals outlined at table 5 regarding the Joint Transportation Board to achieve proportionality.
- 5.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2016/17 as per paragraph 3.1 of this report (The names of those Councillors so nominated will be presented at the meeting if needed).

CORPORATE IMPLICATIONS

Financial and Value for Money	There are no direct financial implications
Legal	The composition and allocation of membership of committees has been based on the relevant legislative requirements.
Corporate	There are no direct Corporate Implications
Equalities Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p>

	Please indicate which aim is relevant to the report.	
	Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	x
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	x
	Foster good relations between people who share a protected characteristic and people who do not share it.	x

CORPORATE PRIORITIES (tick those relevant)✓	
A clean and welcoming Environment	
Promoting inward investment and job creation	
Supporting neighbourhoods	

CORPORATE VALUES (tick those relevant)✓	
Delivering value for money	
Supporting the Workforce	
Promoting open communications	

1.0 Introduction

- 1.1 This report will outline the changes needed as a result of the election of Cllr Lynda Piper and Cllr Rusiecki and both joining the UKIP Group.

2.0 Political Balance

- 2.1 As mentioned above Cllr Lynda Piper and Cllr Rusiecki have both joined the UKIP Group. The changes to political balance as a result of this are shown in the table below:

Political Group	Prior to changes	After changes
UKIP	27	<u>29</u>
Conservative	18	18
Labour	5	5
Democratic Independent Group	2	2
Independent	2	2

- 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 five group Leaders and a consensus on a way to achieve proportionality has not been achieved and the options for achieving proportionality are outlined at paragraphs 2.5 to 2.7 below.

2.5 Option 1

2.5.1 That a seat is added to the Planning Committee and that seat is given to the UKIP group. That a seat is added to the Licensing Board and that seat is given to the UKIP group. That a seat is added to the Overview and Scrutiny Panel and that seat is given to the UKIP group. That a seat is added to the Governance and Audit Committee and that seat is given to the UKIP group. That a seat is added to the General Purposes Committee and that seat is given to the UKIP group. That a seat is added to the Boundary and Electoral Arrangements Working Party and that seat is given to the UKIP group. That a seat is added to the Constitutional Review Working Party and that seat is given to the UKIP group.

2.6 Option 2

2.6.1 That a seat is added to the Planning Committee and that seat is given to the UKIP group. That a seat is added to the Licensing Board and that seat is given to the UKIP group. That a seat is added to the Overview and Scrutiny Panel and that seat is given to the UKIP group. That a seat is added to the Governance and Audit Committee and that seat is given to the UKIP group. That a seat is added to the General Purposes Committee and that seat is given to the UKIP group. That a seat is added to the Boundary and Electoral Arrangements Working Party and that seat is given to the UKIP group. That a seat is added to the Constitutional Review Working Party and that seat is given to the UKIP group. That a seat on the Planning Committee is removed from the Independent Group and given to the Democratic Independent Group. That a seat on the Boundary and Electoral Arrangements Working Party is removed from the Democratic Independent Group and given to the Independent Group.

2.7 Option 3

2.7.1 That a seat is added to the Planning Committee and that seat is given to the UKIP group. That a seat is added to the Licensing Board and that seat is given to the UKIP group. That a seat is added to the Overview and Scrutiny Panel and that seat is given to the UKIP group. That a seat is added to the Governance and Audit Committee and that seat is given to the UKIP group. That a seat is added to the General Purposes Committee and that seat is given to the UKIP group. That a seat is added to the Boundary and Electoral Arrangements Working Party and that seat is given to the UKIP group. That a seat is added to the Constitutional Review Working Party and that seat is given to the UKIP group. That a seat on the Overview and Scrutiny Panel is removed from the Independent Group and given to the Democratic Independent Group. That a seat on the Boundary and Electoral Arrangements Working Party is removed from the Democratic Independent Group and given to the Independent Group.

2.7 Option 4

2.7.1 That another solution that achieves proportionality is agreed. Note that if an alternative proposal is developed during the meeting, compliance with the proportionality rules would need to be verified by officers.

2.8 The table below show the change to numbers serving on Committees as a result of these proposals:

Committees	Total	UKIP Group	Conservative Group	Labour Group	Democratic Independent Group	Independent Group
Option 1						
Planning Committee	15	8	5	1	0	1
Licensing Board	15	8	6	1	0	0
Overview and Scrutiny Panel	15	8	5	1	0	1
Gov. and Audit	15	8	5	1	0	1
General Purposes	11	6	3	1	1	0
B&EA Working Party	9	5	2	1	1	0
Constitutional Review Working Party	7	4	1	1	1	0
Totals	87	47	27	7	3	3

Committees	Total	UKIP Group	Conservative Group	Labour Group	Democratic Independent Group	Independent Group
Option 2						
Planning Committee	15	8	5	1	1	0
Licensing Board	15	8	6	1	0	0
Overview and Scrutiny Panel	15	8	5	1	0	1
Gov. and Audit	15	8	5	1	0	1
General Purposes	11	6	3	1	1	0
B&EA Working Party	9	5	2	1	0	1
Constitutional Review Working Party	7	4	1	1	1	0
Totals	87	47	27	7	3	3

Committees	Total	UKIP Group	Conservative Group	Labour Group	Democratic Independent Group	Independent Group
Option 3						
Planning Committee	15	8	5	1	0	1
Licensing Board	15	8	6	1	0	0
Overview and Scrutiny Panel	15	8	5	1	1	0
Gov. and Audit	15	8	5	1	0	1
General Purposes	11	6	3	1	1	0
B&EA Working Party	9	5	2	1	0	1
Constitutional Review Working Party	7	4	1	1	1	0
Totals	87	47	27	7	3	3

2.9 The overall political balance calculations for the proposals are shown at Annexes 1-3 respectively.

2.10 The Joint Transportation Board consists of eight Councillors from Thanet District Council and the eight Councillors from Kent County Council that represent County wards within Thanet. In addition, although proportionality applies to the Joint Transportation Board, the Council has also agreed that there be one Parish representative serving on the Board. Under section 15 (5) of Part III and schedule 1 of the Local Government Housing Act 1989 proportionality applies to the eight seats appointed by Thanet District Council on the Joint Transportation Board but these seats do not count towards the total number of seats by which overall proportionality is calculated.

2.11 As a result of the changes to the political balance of the Council the UKIP group also need a majority on the Joint Transportation Board, as a result of this one of the two options outlined below in table 5 needs to be chosen to maintain proportionality.

Table 5	TDC Members	UKIP	Conservative	Labour	Democratic Independent Group	Independent Group	Parish/Town Council
Option 1							
Joint Transportation Board	8	5	2	1	0	0	1
Table 5	TDC Members	UKIP	Conservative	Labour	Democratic Independent Group	Independent Group	Parish/Town Council
Option 1							
Joint Transportation Board	8	5	2	0	1	0	1

3.0 Recommendation

- 3.1 That Council agrees one of the proposals outlined at paragraphs 2.5 – 2.7 to achieve proportionality.
- 3.2 That Council agrees one of the proposals outlined at table 5 regarding the Joint Transportation Board to achieve proportionality.

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 Therefore the corresponding amendments to group nominations as outlined below must also be made.

4.3 Option 1

- 4.3.1 The UKIP group will gain a seat on each of the following committees and so will need to make one new nomination to each: - the Planning Committee, Licensing Board, Overview and Scrutiny Panel, Governance and Audit Committee, General Purposes Committee, Boundary and Electoral Arrangements Working Party and Constitutional Review Working Party.
- 4.3.2 This can be summarised as:

Committee / Group	Current Position	New Position
Planning Committee		
UKIP	7 seats	8 seats (one new nomination required)
Licensing Board		
DIG	7 seats	8 seats (one new nomination required)
Overview and Scrutiny Panel		
UKIP	7 seats	8 seats (one new nomination required)
Governance and Audit		
UKIP	7 seats	8 seats (one new nomination required)
General Purposes		
UKIP	5 seats	6 seats (one new nomination required)
BEAWP		
UKIP	4 seats	5 seats (one new nomination required)
CRWP		
UKIP	3 seats	2 seats (one new nomination required)

4.4 Option 2

- 4.4.1 The UKIP group will gain a seat on each of the following committees and so will need to make one new nomination to each: - the Planning Committee, Licensing Board, Overview and Scrutiny Panel, Governance and Audit Committee, General Purposes Committee, Boundary and Electoral Arrangements Working Party and Constitutional Review Working Party. The Democratic Independent Group would lose a seat on the

Boundary and Electoral Arrangements Working Party and so would need to remove Cllr Elenor from that Working Party. The Democratic Independent Group would also gain a seat on the Planning Committee and so would need to make a new nomination to that Committee. In addition the Independent Group would lose a seat on the Planning Committee and so would need to remove Cllr Hayton from that Committee. The Independent Group would gain a seat on the Boundary and Electoral Arrangements Working Party and so would need to make a new nomination to that Working Party.

4.4.2 This can be summarised in the table below:

Committee / Group	Current Position	New Position
Planning Committee		
UKIP	7 seats	8 seats (one new nomination required)
DIG	No entitlement to a seat	New nomination required
Independent Group	Cllr Hayton	No entitlement to a seat
Licensing Board		
DIG	7 seats	8 seats (one new nomination required)
Overview and Scrutiny Panel		
UKIP	7 seats	8 seats (one new nomination required)
Governance and Audit		
UKIP	7 seats	8 seats (one new nomination required)
General Purposes		
UKIP	5 seats	6 seats (one new nomination required)
BEAWP		
UKIP	4 seats	5 seats (one new nomination required)
DIG	Cllr Elenor	No entitlement to a seat
Independent Group	No entitlement to a seat	New nomination required
CRWP		
UKIP	3 seats	2 seats (one new nomination required)

4.5 Option 3

4.5.1 The UKIP group will gain a seat on each of the following committees and so will need to make one new nomination to each: - the Planning Committee, Licensing Board, Overview and Scrutiny Panel, Governance and Audit Committee, General Purposes Committee, Boundary and Electoral Arrangements Working Party and Constitutional Review Working Party. The Democratic Independent Group would lose a seat on the Boundary and Electoral Arrangements Working Party and so would need to remove Cllr Elenor from that Working Party. The Democratic Independent Group would also gain a seat on the Overview and Scrutiny Panel and so would need to make a new nomination to that Panel. In addition the Independent Group would lose a seat on the Overview and Scrutiny Panel and so would need to remove Cllr Grove from that Committee. The Independent Group would gain a seat on the Boundary and Electoral Arrangements Working Party and so would need to make a new nomination to that Working Party.

4.5.2 This can be summarised in the table below:

Committee / Group	Current Position	New Position
Planning Committee		
UKIP	7 seats	8 seats (one new nomination required)
Licensing Board		
DIG	7 seats	8 seats (one new nomination required)
Overview and Scrutiny Panel		
UKIP	7 seats	8 seats (one new nomination required)
DIG	No entitlement to a seat	New nomination required
Independent Group	Cllr Grove	No entitlement to a seat
Governance and Audit		
UKIP	7 seats	8 seats (one new nomination required)
General Purposes		
UKIP	5 seats	6 seats (one new nomination required)
BEAWP		
UKIP	4 seats	5 seats (one new nomination required)
DIG	Cllr Elenor	No entitlement to a seat
Independent Group	No entitlement to a seat	New nomination required
CRWP		
UKIP	3 seats	2 seats (one new nomination required)

4.6 Option 4

4.6.1 If Council agrees its own solution to agree political proportionality then Council must note the relevant changes to group nominations to Committees, Panels and Boards that correspond with those changes.

4.7 Joint Transportation Board

4.7.1 In addition to the amendments to group nominations made above, additional amendments to group nominations would need to be made depending upon the option chosen regarding the Joint Transportation Board as outlined at paragraph 2.11. These nominations must match the option chosen. Therefore the corresponding amendments to group nominations as outlined below must also be made.

Either

4.7.2 Joint Transportation Board Option 1

That the UKIP group will gain a seat on the Joint Transportation Board and so will need to make a nomination to that Committee and the Democratic Independent Group loses a seat on the Joint Transportation Board and so will have to remove Cllr Ashbee from that Board.

4.7.3 This can be summarised in the table below:

Joint Transportation Board		
UKIP	4 seats	5 seats (one new nomination required)
DIG	Cllr Ashbee	No entitlement to seat

4.7.4 Joint Transportation Board Option 2

That That the UKIP group will gain a seat on the Joint Transportation Board and so will need to make a nomination to that Committee and the Labour Group loses a seat on the Joint Transportation Board and so will have to remove Cllr Constantine from that Board.

4.7.5 This can be summarised in the table below:

Joint Transportation Board		
UKIP	4 seats	5 seats (one new nomination required)
Labour	Cllr Constantine	No entitlement to seat

5.0 Recommendation

5.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2016/17 as per paragraph 3.1 of this report (The names of those Councillors so nominated will be presented at the meeting if needed).

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

Annex List

<i>Annex 1</i>	Proportionality calculations for main committees covered by Local Government & Housing Act 1989 Option 1
<i>Annex 2</i>	Proportionality calculations for main committees covered by Local Government & Housing Act 1989 Option 2
<i>Annex 3</i>	Proportionality calculations for main committees covered by Local Government & Housing Act 1989 Option 3

Background Papers

Title	Details of where to access copy
<i>None</i>	

Corporate Consultation

Finance	Matthew Sanham , Interim Head of Finance
Legal	Tim Howes, Director of Corporate Governance