

CHANGES TO COMMITTEES, PANELS AND BOARDS – 2017/18

Council – 13 July 2017

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 resignation of Cllr Evans from the UKIP group and him joining the Conservative group. In addition it will also explain changes to Labour Group nominations to Committees and update Council with a change to Parish Council representation on the Joint Transportation Board.

Summary of Recommendation(s):

- 3.1 That Council agrees option 1 to achieve proportionality (no change).
- 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 resignation of Cllr Evans from the UKIP group and him joining the Conservative group. In addition it will also explain changes to Labour Group nominations to Committees and update Council with a change to Parish Council representation on the Joint Transportation Board.

2.0 Political Balance

- 2.1 As mentioned above Cllr Evans has left the UKIP group and joined the Conservative 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	29	<u>28</u>
Conservative	19	<u>20</u>
Labour	5	5
Independent Group	2	2
Vacant Seat (not counted when considering proportionality)	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 In following principle b) above, the Council's membership is defined as the "number of persons who are for the time being Members of the Authority". At present the membership is therefore 55 Councillors. As the Council currently only has 55 Councillors due to the vacant seat caused by the resignation of former Councillor Elenor, the UKIP group with 28 seats still has an overall majority.

The Council must follow the principles set out at paragraph 2.2 in order as far as is reasonably practicable: It is possible to follow both principle a) and b), however it is not possible to follow principle c) without making it impossible to follow principle b).

In practical terms this means that as UKIP are still the majority group, they must therefore have a majority on every committee, prior to allocating seats on committees. By ensuring adherence to principle b) it consequently means that the UKIP group is currently over represented by three seats and the other groups under represented by one each. There is little that can be done given the current political balance of the Council to remedy this position; however this will change after the result of the by-election on 3 August is known.

Therefore Democratic Services are recommending that there be no change to the current option achieving political balance.

- 2.5 Democratic Services have contacted the four group Leaders and only one proposed option on how to achieve proportionality is being presented and is outlined at paragraph 2.6. However if Members wished to propose an alternative they can do under option 2, however compliance with the proportionality rules would need to be verified by officers, prior to it being adopted.

2.6 Option 1

- 2.6.1 There is no change to the current option of achieving proportionality.

2.7 Option 2

- 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	Independent Group
Option 1					
Planning Committee	15	8	5	1	1
Licensing Board	15	8	6	1	0
Overview and Scrutiny Panel	15	8	5	1	1
Gov. and Audit	15	8	5	1	1
General Purposes	11	6	4	1	0
B&EA Working Party	9	5	3	1	0
Constitutional Review Working Party	7	4	2	1	0
Totals	87	47	30	7	3

2.9 The overall political balance calculation for the proposal shown above is available at Annex 1.

2.10 The proportionality of the Joint Transportation Board or the Standards Committee remain unchanged.

3.0 Recommendation

3.1 That Council agrees option 1 to achieve proportionality (no change).

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 also need to make a new nomination to the list of Governance Committee Reserves to replace Cllr Evans. The Labour group will appoint Cllr Campbell to replace Cllr Matterface as the Labour representative on the list of Planning Committee Reserves.

4.3.2 This can be summarised as:

Committee / Group	Current Position	New Position
Planning Committee Reserves		
Labour	Cllr Matterface	Cllr Campbell
Governance and Audit		

Committee Reserves		
UKIP	Cllr Evans	New nominee required

4.4 Option 2

4.4.1 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.

4.5 Town/Parish Councils are entitled to have one representative on the Joint Transportation Board. The Town/Parish nominations to Committees are made by the Thanet Association of Parish Councils. They have informed TDC that they have changed their nomination to the Joint Transportation Board from Parish Cllr Rosalind Binks to Parish Cllr Thomas King on 15 June.

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).

6.0 Chairmen and Vice-Chairmen

6.1 If there are any changes to group nominations that would mean subsequent changes to Chairmanships or Vice-Chairmanships, then Council would need to make new nominations to those positions. By convention, in Thanet the majority Group is entitled to the first choice of the chairmanship and vice- chairmanship of Committees, Panels and Boards.

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 Option 1
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Background Papers

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

Corporate Consultation

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