

MEETING OF THE COUNCIL



Supplementary Agenda No.1

Thursday, 7th September, 2017

7.00 pm

**Council Chamber
Thanet District Council
Margate**

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01843 577000**



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Date: 4 September 2017
Ask For: James Clapson
Direct Dial: (01843) 577200
Email: james.clapson@thanet.gov.uk



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, 7 September 2017 at 7.00 pm for the purpose of transacting the business mentioned below.

Timothy Howes

Director of Corporate Governance

To: The Members of Thanet District Council

FIRE ALARM PROCEDURES: If the fire alarm is activated, please vacate the offices via the stairs either through the security door to the left of the Chairman or opposite the lifts in the foyer. Please do not use the lifts. Please assemble in Hawley Square on the green. Officers will assist you and advise when it is deemed safe to return to the Chamber.

SUPPLEMENTARY AGENDA NO.1

Item
No

- 7d **QUESTION 4 FROM A MEMBER REGARDING THE RETURN OF FERRY SERVICES TO RAMSGATE** (Pages 3 - 6)
12. **CHANGES TO COMMITTEES, PANELS AND BOARDS – 2017/18** (Pages 7 - 16)

QUESTION NO. 4 FROM A MEMBER - REGARDING THE RETURN OF FERRY SERVICES TO RAMSGATE

Council **07 September 2017**

Report Author **Nick Hughes, Committee Services Manager**

Portfolio Holder **Cllr Hunter Stummer-Schmertzing**

Classification: **Unrestricted**

Key Decision **No**

Ward: **All Wards**

Executive Summary:

The Cabinet Member for Regeneration and Enterprise Services will receive a question from a Member of Council in relation to the return of ferry services to Ramsgate.

Recommendation(s):

This report is for information.

CORPORATE IMPLICATIONS

Financial and Value for Money	There are no identified financial implications from this report.
Legal	There are no legal implications directly from this report.
Corporate	Council Procedure Rule 14 enables Members of Council to ask a Member of the Cabinet or the Chairman of any Committee or Sub-Committee questions on matters in relation to which the Council has powers or duties or which affect the district. No Member, however, can submit more than one question to one meeting.
Equalities Act 2010 & Public Sector Equality Duty	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. 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.

	Please indicate which aim is relevant to the report.	
	Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	
	Foster good relations between people who share a protected characteristic and people who do not share it.	
	There are no specific equity and equalities issues arising from this report.	

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

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

1.0 Introduction and Background

- 1.1 The following question, addressed to Councillor Hunter Stummer-Schmertzing, the Cabinet Member for Regeneration and Enterprise Services has been received from Councillor Bayford in accordance with Council Procedure Rule No. 14.

Would the Cabinet member for Regeneration and Enterprise services advise as to what progress has been made towards bringing a ferry service back to Ramsgate?

- 1.2 Council Procedure Rule 14.3 states that a Member of the Council may ask

- a Member of the Cabinet; or
- the Chairman of any Committee or Sub-Committee

a question on any matter in relation to which the Council has powers or duties or which affects the district.

- 1.3 Council Procedure Rule 14.7 states that an answer may take the form of:

- a) a direct oral answer;
- b) where the desired information is in a publication of the Council or other published work, a reference to that publication; or
- c) where the reply cannot conveniently be given orally, a written answer circulated within three working days to the questioner.

- 1.4 A Member may, in accordance with Council Procedure Rule 14.8, ask one supplementary question without notice to the Member to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply.

- 1.5 The questioner shall have two minutes for the initial question and one minute for the supplementary question and the respondent shall have five minutes for the initial reply and two minutes for the supplementary reply. (Council Procedure Rule 14.9 refers)

Agenda Item 7d

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

Annex List

None	N/A
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Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Ramesh Prashar, Head of Financial Services
Legal	Tim Howes, Director of Corporate Governance and Monitoring Officer

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**CHANGES TO COMMITTEES, PANELS AND BOARDS –
2017/18**

Council – 7 September 2017

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

Executive Summary:

1.1 This report will outline the changes needed as a result of the resignation of Cllr Martin from the UKIP group and her joining the Conservative group, the election of Cllr Venables and him joining the Labour group and Cllrs Brimm and Howes leaving the UKIP Group.

Summary of Recommendation(s):

- 3.1 That Council agrees option 1 outlined at paragraphs 2.5 to achieve proportionality.
- 3.2 That Council agrees the table as outlined in paragraph 2.12 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	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. 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.

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

- 1.2 This report will outline the changes needed as a result of the resignation of Cllr Martin from the UKIP group and her joining the Conservative group, the election of Cllr Venables and him joining the Labour group and Cllrs Brimm and Howes leaving the UKIP Group.

2.0 Political Balance

- 2.1 The changes to political balance as a result of the changes mentioned in paragraph 1.1 are shown in the table below:

Political Group	Prior to changes	After changes
UKIP	28	<u>25</u>
Conservative	20	<u>21</u>
Labour	5	<u>6</u>
Independent Group	2	2
Independent Councillors not in a group	0	<u>2</u>
Vacant Seat (not counted when considering proportionality)	1	<u>0</u>

- 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 consensus has been achieved, therefore one substantive option is being presented to this meeting. This is outlined at paragraphs 2.5. However if Members wished to propose an alternative they can do under option 2 at paragraph 2.6, however compliance with the proportionality rules would need to be verified by officers, prior to it being adopted.
- 2.5 Option 1**
- 2.5.1 That a seat be added to the Planning Committee and that seat allocated to the Conservative group and a seat be removed from UKIP group and allocated to the Labour group. That one seat is removed from the Licensing Board and the UKIP group loses that seat, in addition a further seat on the Licensing Board be removed from the UKIP group and that seat be given to the Labour Group. That a seat on the Overview and Scrutiny Panel be removed from the UKIP group and given to the Conservative group. That a seat on the Governance and Audit Committee be removed from the UKIP group and given to the Conservative group. That a seat be removed from the General Purposes Committee and the UKIP group loses that seat. That a seat is removed from the Boundary and Electoral Arrangements Working Party (BEAWP) and the UKIP group loses that seat. That a seat is removed from the Constitutional Review Working Party (CRWP) and the UKIP group loses that seat.
- 2.6 Option 2**
- 2.6.1 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.
- 2.7 The tables 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	16	7	6	2	1
Licensing Board	14	6	6	2	0
Overview and Scrutiny Panel	15	7	6	1	1
Gov. and Audit	15	7	6	1	1
General Purposes	10	5	4	1	0
B&EA Working Party	8	4	3	1	0
Constitutional Review Working Party	6	3	2	1	0
Totals	84	39	33	9	3

- 2.8 The overall political balance calculation for the proposal shown above is available at Annex 1 of this report.
- 2.9 Both Section 15 (5) of Part III and Schedule 1 of the Local Government Housing Act 1989 mean that proportionality applies to the Standards Committee, but the Standards Committee does not count towards the total number of seats when dealing with overall political proportionality, hence why they are presented here separately.
- 2.10 However the Council is asked to waive the political proportionality of Standards Committee to allow for both independent Members and Parish Council's to sit on the Committee and hence the proportionality would remain unchanged as set out below.

	Total	UKIP	Conservative Group	Labour Group	Independent Members	Parish/ Town Council
Standards Committee	14	4	2	1	4**	3
Standards Assessment Sub-Committee	3	*	*	0	At least 1	*
Standards Hearing Sub-Committee	3	*	*	0	At least 1	*

NOTE*; the remaining two members would be either Thanet District Council Members from those groups that are entitled to seats on the Standards Committee, Town/Parish Council members or further independent members, on a case by case basis. In the case of complaint against a Town or Parish Councillor at least one of the panel would be a Town or Parish Council representative.

** Currently there are only two Independent Members in post.

- 2.11 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.
- 2.12 The proportionality for the JTB must change to address the change in political balance. The proposed allocation of Thanet District Council seats on the Joint Transportation Board for the remainder of the 2017/18 Municipal Year is that the UKIP group lose a seat on the JTB and that the Labour Group gains a seat on the JTB. This is shown in the table below.

	TDC Members	UKIP	Conservative	Labour	Indep. Group	Parish/Town Council
Joint Transportation Board	8	4	3	1	0	1

3.0 Recommendation

- 3.1 That Council agrees option 1 outlined at paragraphs 2.5 to achieve proportionality.
- 3.2 That Council agrees the table as outlined in paragraph 2.12 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 lose a seat on each of the Planning Committee, Overview and Scrutiny Panel, Overview and Scrutiny Panel, Governance and Audit Committee, General Purposes Committee, BEAWP and CRWP and so will have to remove a nominee from each of these committees. In addition the UKIP group will also lose two seats on the Licensing Board and so will have to remove two nominees from that board. Cllr Martin was a member of the Overview and Scrutiny Panel and so the UKIP group will need to make a new nomination to this Panel. The Conservative group will gain a seat on the Planning Committee, Overview and Scrutiny Panel and Governance and Audit Committee and will need to make a new nomination to each of those committees. The labour group will gain a seat on the Planning Committee and

the Licensing Board and so will need to make a new nomination to each of those committees.

4.3.2 This can be summarised as:

Committee / Group	Current Position	New Position
Planning Committee		
UKIP	8 seats	7 seats
Conservative	5 seats	6 seats (New nomination needed)
Labour	1 seat	2 seats (New nomination needed)
Planning Committee Reserves		
UKIP	8 seats	7 seats
Conservative	5 seats	6 seats (New nomination needed)
Labour	1 seat	2 seats (New nomination needed)
Licensing Board		
UKIP	8 seats	6 seats
Labour	1 seat	2 seats (New nomination needed)
Overview and Scrutiny Panel		
UKIP	Clr Martin	New nomination needed
UKIP	8 seats	7 seats
Conservative	5 seats	6 seats (New nomination needed)
Governance and Audit Committee		
UKIP	8 seats	7 seats
Conservative	5 seats	6 seats (New nomination needed)
Governance and Audit Committee Reserves		
UKIP	8 seats	7 seats
Conservative	5 seats	6 seats (New nomination needed)
General Purposes Committee		
UKIP	6 seats	5 seats
BEAWP		
UKIP	5 seats	4 seats
CRWP		
UKIP	4 seats	3 seats
Joint Transportation Board		
UKIP	5 seats	4 seats
Labour	No entitlement	New nomination needed

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.

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.

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

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	Members	UKIP	Conservative	Labour	Independent Group	Non-Groups
Overall Council	56	25	21	6	2	2
Groups only	54	25	21	6	2	0
	Members	UKIP	Conservative	Labour	Independent Group	Non-Groups
Planning Committee	16	7	8	2	1	
	100.00%	43.75%	37.50%	12.50%	6.25%	
Licensing Board	14	6	6	2	0	
	100.00%	42.86%	42.86%	14.29%	0.00%	
Overview and Scrutiny Committee	15	7	6	1	1	
	100.00%	46.67%	40.00%	6.67%	6.67%	
Governance & Audit	15	7	6	1	1	
	100.00%	46.67%	40.00%	6.67%	6.67%	
General Purposes	10	5	4	1	0	
	100.00%	50.00%	40.00%	10.00%	0.00%	
BEAWP	8	4	3	1	0	
	100.00%	50.00%	37.50%	12.50%	0.00%	
CRWP	6	3	2	1	0	
	100.00%	50.00%	33.33%	16.67%	0.00%	
Totals allocated	84	39	33	9	3	
	100.00%	46.43%	39.29%	10.71%	3.57%	
Totals entitlement	84	38.89	32.67	9.33	3.11	
Difference from entitlement no.		0.11	0.33	-0.33	-0.11	
Difference from entitlement %		0.1323	0.3968	-0.3968	-0.1323	

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