

---

## **CONSTITUTION OF COMMITTEES, POLITICAL BALANCE, APPOINTMENTS TO COMMITTEES, PANELS AND BOARDS**

To: **Council – 18 April 2013**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **Not applicable**

---

**Summary:** This report updates the composition of the Council's Committees to reflect political balance, and to note any changes in Group nominations to those committees.

### **For Decision**

---

#### **1.0 Introduction**

- 1.1 It is for Council to decide the number and sizes of committees.
- 1.2 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) 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.
- 1.3 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.

#### **2.0 Changes to Political Groups**

- 2.1 Councillor Ezekiel has now been disqualified as a Councillor with effect from 30 March 2013.
- 2.2 The following table shows the political balance of the Council both prior to, and following, these changes:

**Table 1**

<b>Group</b>	<b>Prior to changes</b>	<b>After changes</b>
Labour	26	26
Conservative	23	23
Thanet Independent Group	2	2
Independent Group	3	3
Non-groups	2	1

2.3 As Councillor Ezekiel was an independent Councillor who was not part of a group there are no changes that need to be made to maintain political proportionality. This is because Councillors who are not part of a political group of two or more are not counted for the purposes of political balance or proportionality.

2.4 A by-election will be held on 9 May 2013 to fill the seat vacated by Councillor Ezekiel's disqualification.

### **3.0 Nominations of Members to serve on Committees**

3.1 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.

3.2 Although there are no enforced changes to nominations of Members to serve on Committees as a result to changes on groups, political groups can still use this opportunity to make changes if they so wish.

### **4.0 Corporate Implications**

#### **4.1 Financial**

4.1.1 Any basic allowance that was payable to Councillor Ezekiel has now ceased from the 30 March and will become payable to the new Councillor when they are elected.

#### **4.2 Legal**

4.2.1 The composition and allocation of membership of the above bodies has been based on the relevant legislative requirements.

#### **4.3 Corporate**

4.3.1 None

#### **4.4 Equalities**

##### **4.4.1 Assessing Relevance**

4.4.2 There are no specific equity and equality considerations that need to be addressed in this report. Although there are Councillors within the protected groups, the changes being made are as a result of the Local Government and Housing Act 1989.

##### **4.4.3 Equality Impact Analysis**

4.4.4 N/A

#### **5.0 Recommendation**

5.1 To note the new political balance of the Council

5.2 To note any changes made by leaders to nominations to Committees.

#### **6.0 Decision Making Process**

6.1 Council is the decision making body in respect of determining the composition of Committees, etc.

6.2 Group Leaders determine their nominations to Committees, Panels and Boards.

Contact Officer:	Nicholas Hughes, Democratic Services Manager, x.7208
Reporting to:	Glenn Back, Democratic Services & Scrutiny Manager, x 7187

#### ***Annex List***

Annex 1	None
---------	------

#### ***Corporate Consultation Undertaken***

Finance	N/A
Legal	Harvey Patterson, Head of Legal & Democratic Services and Monitoring Officer