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

To: **Council – 4 December 2014**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **Not applicable**

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

For Decision

1.0 Introduction

- 1.1 Councillor Wells has left the Conservative Group and joined the United Kingdom Independence Group (UKIP). In addition Councillor S. Tomlinson has been replaced on the Planning Committee by Cllr K. Gregory and Cllr K. Gregory has been replaced on the list of Planning Committee reserves by Cllr S. Tomlinson.
- 1.2 It is for Council to decide the number and sizes of committees.
- 1.3 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.
- 1.4 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 Wells has left the Conservative Group and joined the United Kingdom Independence Group (UKIP).
- 2.2 The following table shows the political balance of the Council both prior to, and following, these changes:

Table 1

Group	Prior to changes	After changes
Labour	26	26
Conservative	23	22
Thanet Independent Group	2	2
Independent Group	3	3
UKIP	2	3

- 2.3 After consultation with the Leaders of all of the Political Groups consensus could not be achieved, therefore the main options for achieving proportionality are:

2.4 **Option 1**

- 2.4.1 That one seat is removed from the Conservative group on the Planning Committee and that seat is allocated to the UKIP group.

2.5 **Option 2**

- 2.5.1 That one seat is removed from the Conservative Group on the Governance and Audit Committee and that seat is allocated to the UKIP Group.

2.6 **Option 3**

- 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.
- 2.6.2 Table 2 below shows these suggested options for changes to numbers serving on Committees:

Table 2

Committees	Total	Labour Group	Conservative Group	Thanet Independent Group	UKIP	Independent Group
Current membership						
Planning Committee	15	7	6	1	0	1
Licensing Board	15	7	6	0	1	1
Overview and Scrutiny Panel	16	8	6	1	0	1
Gov. and Audit	9	4	4	1	0	0
General Purposes	10	4	4	0	1	1
B&EA Working Party	7	3	3	0	1	0
Constitutional Review Working Party	4	2	2	0	0	0
Totals	76	35	31	3	3	4
Option 1						
Proposed Membership						
Planning Committee	15	7	5	1	1	1
Licensing Board	15	7	6	0	1	1
Overview and Scrutiny Panel	16	8	6	1	0	1
Gov. and Audit	9	4	4	1	0	0
General Purposes	10	4	4	0	1	1
B&EA Working Party	7	3	3	0	1	0
Constitutional Review Working Party	4	2	2	0	0	0
Totals	76	35	30	3	4	4
Option 2						
Proposed Membership						
Planning Committee	15	7	6	1	0	1
Licensing Board	15	7	6	0	1	1
Overview and Scrutiny Panel	16	8	6	1	0	1
Gov. and Audit	9	4	3	1	1	0
General Purposes	10	4	4	0	1	1
B&EA Working Party	7	3	3	0	1	0
Constitutional Review Working Party	4	2	2	0	0	0
Totals	76	35	30	3	4	4

2.7 The overall political balance calculations for both options are shown in Annex 1.

3.0 Recommendation

3.1 That Council agrees one of the following options to achieve proportionality:

1) **Option 1**

That one seat is removed from the Conservative group on the Planning Committee and that seat is allocated to the UKIP group.

2) **Option 2**

That one seat is removed from the Conservative Group on the Governance and Audit Committee and that seat is allocated to the UKIP Group.

3) **Option 3**

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.

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 set out above Democratic Services have been informed by the Conservative group that Cllr S. Tomlinson will cease to be a Member of the Planning Committee and will be replaced by Cllr K. Gregory. In addition Cllr K. Gregory will be replaced on the list of Planning Committee Reserves by Cllr S. Tomlinson.

4.3 Depending which option is chosen at paragraphs 2.4 - 2.6 of the report to maintain political proportionality, the corresponding amendments to group nominations as outlined below must also be made.

4.4 **Option One**

4.4.1 That the Conservative group will lose a seat on the Planning Committee and will have to remove one of their Councillors from that group. The UKIP group will gain a seat on the Planning Committee and so they will need to make a nomination to the Planning Committee. In addition Cllr S. Tomlinson will be replaced on the Planning Committee by Councillor K. Gregory. Cllr K. Gregory will be replaced on the list of Planning Committee reserves by Cllr S. Tomlinson.

This can be summarised thus:

Table 3 (option one)

Committee / Group	Current Position	New Position
Planning Committee		
Conservative Group	Six members of the committee	One member to be removed
Conservative Group	Cllr Tomlinson	Cllr K. Gregory
UKIP Group	Previously had no seat	New nominee needed
Planning Committee reserve		
Conservative Group	Cllr K. Gregory	Cllr S. Tomlinson

4.5 **Option Two**

- 4.5.1 That the Conservative group will lose a seat on the Governance and Audit Committee and will have to remove one of their Councillors from that group. The UKIP group will gain a seat on the Planning Committee and so they will need to make a nomination to the Governance and Audit Committee. In addition Cllr S. Tomlinson will be replaced on the Planning Committee by Councillor K. Gregory. Cllr K. Gregory will be replaced on the list of Planning Committee reserves by Cllr S. Tomlinson.

The above can be summarised thus:

Table 4 (option two)

Committee / Group	Current Position	New Position
Governance and Audit Committee		
Conservative Group	Four members of the committee	One member to be removed
UKIP Group	Previously had no seat	New nominee needed
Planning Committee		
Conservative Group	Cllr S. Tomlinson	Cllr K. Gregory
Planning Committee reserve		
Conservative Group	Cllr K. Gregory	Cllr. S Tomlinson

4.6 **Option Three**

- 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 Any amendments to the group nominations to Committees, Panels and Boards reflecting the agreed changes above will be considered at the meeting.

4.8 **Town\Parish Councillor Vacancy on the Standards Committee**

- 4.8.1 The Council has been notified that Parish Councillor Fletcher has resigned from Manston Parish Council and therefore consequently as a Parish Council representative on the TDC's Standards Committee. Democratic Services have

contacted the chairman of the Thanet Association of Local Council's and he has confirmed the next meeting at which a new representative could be nominated to the vacancy will be on 15 January 2015. Once a new nomination has been made Democratic Services will report that to the next available Council meeting.

5.0 Recommendation

- 5.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2014/15 as per the option agreed at paragraph 3.1 of this report (The names of those Councillors so nominated will be presented at the meeting).

6.0 Corporate Implications

6.1 Financial

- 6.1.1 There are no direct financial implications.

6.2 Legal

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

6.3 Corporate

- 6.3.1 None

6.4 Equalities

6.4.1 Assessing Relevance

- 6.4.2 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.

6.4.3 Equality Impact Analysis

- 6.4.4 N/A

7.0 Summary of Recommendations

- 7.1 That Council agrees one of the following three options to achieve proportionality:

1) **Option 1**

That one seat is removed from the Conservative group on the Planning Committee and that seat is allocated to the UKIP group.

2) **Option 2**

That one seat is removed from the Conservative Group on the Governance and Audit Committee and that seat is allocated to the UKIP Group.

3) **Option 3**

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.

- 7.2 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2014/15 as per the option agreed at para. 3.1 of this report (The names of those Councillors so nominated will be presented at the meeting).

8.0 Decision Making Process

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

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

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Annex List

Annex 1	Proportionality calculations for main committees covered by Local Government & Housing Act 1989 (option 1)
Annex 2	Proportionality calculations for main committees covered by Local Government & Housing Act 1989 (option 2)

Corporate Consultation Undertaken

Finance	N/A
Legal	Steven Boyle, Legal Services Manager & Monitoring Officer