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## CHANGES TO COMMITTEES, PANELS AND BOARDS - 2015/16

To: **Council Meeting – 31 March 2016**

By: **Committee Services Manager**

Classification: **Unrestricted**

Wards Affected: **N/A**

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**Summary:** This report informs Council of changes to proportionality and nominations to Committees as a result of changes to groups.

### **For Decision**

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#### **1.0 Introduction**

1.1 This report will outline the changes needed as a result of Councillor Martin leaving the Democratic Independent Group and joining the UKIP group.

#### **2.0 Political Balance**

2.1 As mentioned above Cllr Martin has left the Democratic Independent Group (DIG) and has joined the UKIP Group. The changes to political balance are shown in the table below:

Political Group	Prior to changes	After changes
UKIP	26	<b><u>27</u></b>
Conservative	19	19
Democratic Independent Group	5	<b><u>4</u></b>
Labour	5	5
Independent	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 Democratic Services have contacted the four 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 2.9 below.
- 2.5 Option 1**
- 2.5.1 That one additional seat is added to the Overview and Scrutiny Panel and that seat is given to the UKIP Group. In addition one seat is removed from the Boundary and Electoral Arrangements Working Party and as a result the DIG group loses its seat on that Committee.
- 2.6 Option 2**
- 2.6.1 That one additional seat is added to the Planning Committee and that seat is given to the UKIP Group. In addition one seat is removed from the Boundary and Electoral Arrangements Working Party and as a result the DIG group loses its seat on that Committee.
- 2.7 Option 3**
- 2.7.1 That one additional seat is added to the Planning Committee and that seat is given to the UKIP Group. In addition one seat is removed from the Overview and Scrutiny Panel and as a result the DIG group loses its seat on that Panel.
- 2.8 Option 4**
- 2.8.1 That one additional seat is added to the Overview and Scrutiny Panel and that seat is given to the UKIP Group. In addition one seat is removed from Planning Committee and as a result the DIG group loses its seat on that Panel.
- 2.9 Option 5**
- 2.9.1 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.
- 2.10 The table below show the change to numbers serving on Committees as a result of these proposals:

<b>Committees</b>	<b>Total</b>	<b>UKIP Group</b>	<b>Conservative Group</b>	<b>Democratic Independent Group</b>	<b>Labour Group</b>
<b>Current Membership</b>					
Planning Committee	13	6	5	1	1
Licensing Board	15	7	6	1	1
Overview and Scrutiny Panel	13	6	5	1	1
Gov. and Audit	14	7	5	1	1
General Purposes	10	5	3	1	1
B&EA Working Party	7	3	2	1	1
Constitutional Review Working Party	6	3	1	1	1
Totals	78	37	27	7	7
<b>Committees</b>	<b>Total</b>	<b>UKIP Group</b>	<b>Conservative Group</b>	<b>Democratic Independent Group</b>	<b>Labour Group</b>
<b>Option 1</b>					
<b>Proposed membership</b>					
Planning Committee	13	6	5	1	1
Licensing Board	15	7	6	1	1
Overview and Scrutiny Panel	<u>14</u>	<u>7</u>	5	1	1
Gov. and Audit	14	7	5	1	1
General Purposes	10	5	3	1	1
B&EA Working Party	<u>6</u>	3	2	<u>0</u>	1
Constitutional Review Working Party	6	3	1	1	1
Totals	78	<u>38</u>	27	<u>6</u>	7
<b>Committees</b>	<b>Total</b>	<b>UKIP Group</b>	<b>Conservative Group</b>	<b>Democratic Independent Group</b>	<b>Labour Group</b>
<b>Option 2</b>					
<b>Proposed membership</b>					
Planning Committee	<u>14</u>	<u>7</u>	5	1	1
Licensing Board	15	7	6	1	1
Overview and Scrutiny Panel	13	6	5	1	1
Gov. and Audit	14	7	5	1	1
General Purposes	10	5	3	1	1
B&EA Working Party	<u>6</u>	3	2	<u>0</u>	1

Constitutional Review Working Party	6	3	1	1	1
Totals	78	<b>38</b>	27	<b>6</b>	7
<b>Committees</b>	<b>Total</b>	<b>UKIP Group</b>	<b>Conservative Group</b>	<b>Democratic Independent Group</b>	<b>Labour Group</b>
<b>Option 3</b>					
<b>Proposed membership</b>					
Planning Committee	<b>14</b>	<b>7</b>	5	1	1
Licensing Board	15	7	6	1	1
Overview and Scrutiny Panel	<b>12</b>	6	5	<b>0</b>	1
Gov. and Audit	14	7	5	1	1
General Purposes	10	5	3	1	1
B&EA Working Party	7	3	2	1	1
Constitutional Review Working Party	6	3	1	1	1
Totals	78	<b>38</b>	27	<b>6</b>	7
<b>Committees</b>	<b>Total</b>	<b>UKIP Group</b>	<b>Conservative Group</b>	<b>Democratic Independent Group</b>	<b>Labour Group</b>
<b>Option 4</b>					
<b>Proposed membership</b>					
Planning Committee	<b>14</b>	6	5	<b>0</b>	1
Licensing Board	15	7	6	1	1
Overview and Scrutiny Panel	<b>14</b>	<b>7</b>	5	1	1
Gov. and Audit	14	7	5	1	1
General Purposes	10	5	3	1	1
B&EA Working Party	7	3	2	1	1
Constitutional Review Working Party	6	3	1	1	1
Totals	78	<b>38</b>	27	<b>6</b>	7

2.11 The overall political balance calculations for the proposals are shown at Annexes 1-4 respectively.

2.12 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.

2.13 It has come to the attention of Democratic Services that the proportionality for this committee was not updated to reflect the changes after the creation of the DIG Group. Therefore the proportionality should be updated at this meeting.

2.14 Therefore the UKIP group should lose a seat on the Joint Transportation Board and this seat be given to the Labour Group. This is set out in the table below.

	TDC Members	UKIP	Conservative	Labour	Parish/ Town Council
Joint Transportation Board	8	<u>4</u>	3	<u>1</u>	1

### 3.0 Recommendation

3.1 That Council agrees one of the proposals outlined at paragraphs 2.5 – 2.9 and the changes outlined at paragraph 2.14 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 the Overview and Scrutiny Panel and so will need to add one UKIP Councillor to that Committee. The DIG Group will lose a seat on the Boundary and Electoral Arrangements Working Party and will need to remove their nomination to that group. In addition the UKIP group lose a seat on the Joint Transportation Board and will need to remove one UKIP Councillor from that Group. The Labour Group will gain a seat on the Joint Transportation Board and so will need to make a new nomination to that Group.

4.3.2 This can be summarised as:

Committee / Group	Current Position	New Position
<b>Overview and Scrutiny Panel</b>		
UKIP Group	6 seats	7 seats (One new nomination required)
<b>Boundary and Electoral Arrangements Working Party</b>		
DIG Group	1 seat	No entitlement to a seat
<b>Joint Transportation Board</b>		

UKIP Group	5 seats	4 seats (one nomination to be removed)
Labour Group	No entitlement	1 seat (One new nomination required)

#### 4.4 Option 2

4.4.1 The UKIP group will gain a seat on the Planning Committee and so will need to add one UKIP Councillor to that Committee. The DIG Group will lose a seat on the Boundary and Electoral Arrangements Working Party and will need to remove their nomination to that group. In addition the UKIP group lose a seat on the Joint Transportation Board and will need to remove one UKIP Councillor from that Group. The Labour Group will gain a seat on the Joint Transportation Board and so will need to make a new nomination to that Group.

4.4.2 This can be summarised in the table below:

Committee / Group	Current Position	New Position
<b>Planning Committee</b>		
UKIP Group	6 seats	7 seats (One new nomination required)
<b>Boundary and Electoral Arrangements Working Party</b>		
DIG Group	1 seat	No entitlement to a seat
<b>Joint Transportation Board</b>		
UKIP Group	5 seats	4 seats (one nomination to be removed)
Labour Group	No entitlement	1 seat (One new nomination required)

#### 4.5 Option 3

4.5.1 The UKIP group will gain a seat on the Planning Committee and so will need to add a UKIP Councillor to that Committee. The DIG Group will lose a seat on the Overview and Scrutiny Panel and so will need to remove their nomination to that group. In addition the UKIP group lose a seat on the Joint Transportation Board and will need to remove one UKIP Councillor from that Group. The Labour Group will gain a seat on the Joint Transportation Board and so will need to make a new nomination to that Group.

4.5.2 This can be summarised in the table below:

Committee / Group	Current Position	New Position
<b>Planning Committee</b>		
UKIP Group	6 seats	7 seats (One new nomination required)
<b>Overview and Scrutiny Panel</b>		
DIG Group	1 seat	No entitlement to a seat
<b>Joint Transportation Board</b>		
UKIP Group	5 seats	4 seats (one nomination to be removed)
Labour Group	No entitlement	1 seat (One new nomination required)

## 4.6 Option 4

4.6.1 The UKIP group will gain a seat on the Overview and Scrutiny Panel and so will need to add a UKIP Councillor to that Committee. The DIG Group will lose a seat on the Planning Committee and so will need to remove their nomination to that group. In addition the UKIP group lose a seat on the Joint Transportation Board and will need to remove one UKIP Councillor from that Group. The Labour Group will gain a seat on the Joint Transportation Board and so will need to make a new nomination to that Group.

4.6.2 This can be summarised in the table below:

Committee / Group	Current Position	New Position
<b>Overview and Scrutiny Panel</b>		
UKIP Group	6 seats	7 seats (One new nomination required)
<b>Planning Committee</b>		
DIG Group	1 seat	No entitlement to a seat
<b>Joint Transportation Board</b>		
UKIP Group	5 seats	4 seats (one nomination to be removed)
Labour Group	No entitlement	1 seat (One new nomination required)

## 4.7 Option 5

4.7.1 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 2015/16 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 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 committees has been based on the relevant legislative requirements.

### 6.3 Corporate

6.3.1 None.

### 6.4 Equity and Equalities

6.4.1

## **7.0 Summary of Recommendations**

- |     |   |
|-----|---|
| 3.1 | That Council agrees one of the proposals outlined at paragraphs 2.5 – 2.9 to achieve proportionality.   |
| 5.1 | To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2015/16 as per paragraph 3.1 of this report (The names of those Councillors so nominated will be presented at the meeting if needed). |

## **8.0 Decision Making Process**

8.1 This report is for decision.

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
Annex 2	Proportionality calculations for main committees covered by Local Government & Housing Act 1989 Option 2
Annex 3	Proportionality calculations for main committees covered by Local Government & Housing Act 1989 Option 3
Annex 4	Proportionality calculations for main committees covered by Local Government & Housing Act 1989 Option 4

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

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