
CHANGES TO COMMITTEES, PANELS AND BOARDS - 2016/17

To: **Council Meeting – 14 July 2016**

By: **Committee Services Manager**

Classification: **Unrestricted**

Wards Affected: **All Wards**

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

For Decision

1.0 Introduction

1.1 This report will outline the changes needed as a result of resignation of Cllr Leys as a Councillor and the subsequent election of Cllr Roy Potts and him joining the UKIP Group. In addition Cllr Smith and Cllr Collins of the Democratic Independent Group have both resigned as Councillors.

2.0 Political Balance

2.1 As mentioned above Cllr R Potts has joined the UKIP Group and Cllr Smith and Cllr Collins have left the Democratic Independent 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 | 27 | <u>27</u> |
| Conservative | 18 | 18 |
| Labour | 5 | 5 |
| Democratic Independent Group | 4 | <u>2</u> |
| Independent | 2 | 2 |

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 five 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 seat is removed from the Licensing Board and as a result the DIG group loses its seat on that Committee. That an additional seat has been added to the Overview and Scrutiny Panel and that seat is allocated to the UKIP group. That an additional seat is added to the Governance and Audit Committee and that seat is allocated to the UKIP group. That two seats are removed from the Electoral Arrangements Working Party and as a result the UKIP group loses a seat on that Committee and the DIG group loses its seat on that Committee. That two seats are removed from the Constitutional Review Working Party and as a result the UKIP group loses a seat on that Committee and the DIG group loses its seat on that Committee

2.6 Option 2

2.6.1 That one seat is removed from the Licensing Board and as a result the Conservative Group loses a seat on that Committee. That an additional seat has been added to the Overview and Scrutiny Panel and that seat is allocated to the UKIP group. That a seat is removed from the Governance and Audit Committee and as a result the DIG group loses its seat on that Committee. That two seats are removed from the General Purposes Committee and as a result the UKIP group loses a seat on that Committee and the DIG group loses its seat on that Committee. That two seats are removed from the Constitutional Review Working Party and as a result the UKIP group loses a seat on that Committee and the DIG group loses its seat on that Committee

2.7 Option 3

2.7.1 That one seat is removed from the Licensing Board and as a result the DIG group loses its seat on that Committee. That one seat is removed from the Overview and Scrutiny Panel and as a result the DIG group loses its seat on that Committee. That one seat is removed from the Governance and Audit Committee and as a result the DIG group loses its seat on that Committee.

2.8 Option 4

2.8.1 That two seats are added to the Planning Committee and one of those seats is given to the UKIP group and the other given to the DIG group. That one seat is removed from the Licensing Board and as a result the Conservative group loses a seat on that

Committee. That one seat is removed from the Overview and Scrutiny Panel and as a result the DIG group loses its seat on that Committee. That a seat is removed from the Governance and Audit Committee and as a result the DIG group loses its seat on that Committee. That two seats are removed from the General Purposes Committee and as a result the UKIP group loses a seat on that Committee and the DIG group loses its seat on that Committee. That two seats are removed from the Constitutional Review Working Party and as a result the UKIP group loses a seat on that Committee and the DIG group loses its seat on that Committee.

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:

| Committees | Total | UKIP Group | Conservative Group | Labour Group | Democratic Independent Group | Independent Group |
|-------------------------------------|--------------|-------------------|---------------------------|---------------------|-------------------------------------|--------------------------|
| Option 1 | | | | | | |
| Planning Committee | 14 | 7 | 5 | 1 | 0 | 1 |
| Licensing Board | 14 | 7 | 6 | 1 | 0 | 0 |
| Overview and Scrutiny Panel | 16 | 8 | 5 | 1 | 1 | 1 |
| Gov. and Audit | 16 | 8 | 5 | 1 | 1 | 1 |
| General Purposes | 10 | 5 | 3 | 1 | 1 | 0 |
| B&EA Working Party | 6 | 3 | 2 | 1 | 0 | 0 |
| Constitutional Review Working Party | 4 | 2 | 1 | 1 | 0 | 0 |
| Totals | 80 | 40 | 27 | 7 | 3 | 3 |

| Committees | Total | UKIP Group | Conservative Group | Labour Group | Democratic Independent Group | Independent Group |
|-----------------------------|--------------|-------------------|---------------------------|---------------------|-------------------------------------|--------------------------|
| Option 2 | | | | | | |
| Planning Committee | 14 | 7 | 5 | 1 | 0 | 1 |
| Licensing Board | 14 | 7 | 5 | 1 | 1 | 0 |
| Overview and Scrutiny Panel | 16 | 8 | 5 | 1 | 1 | 1 |
| Gov. and Audit | 14 | 7 | 5 | 1 | 0 | 1 |
| General Purposes | 8 | 4 | 3 | 1 | 0 | 0 |
| B&EA Working Party | 8 | 4 | 2 | 1 | 1 | 0 |

| | | | | | | |
|-------------------------------------|-----------|-----------|-----------|---|----------|---|
| Constitutional Review Working Party | 4 | 2 | 1 | 1 | 0 | 0 |
| Totals | 78 | 39 | 26 | 7 | 3 | 3 |

| Committees | Total | UKIP Group | Conservative Group | Labour Group | Democratic Independent Group | Independent Group |
|-------------------------------------|--------------|-------------------|---------------------------|---------------------|-------------------------------------|--------------------------|
| Option 3 | | | | | | |
| Planning Committee | 14 | 7 | 5 | 1 | 0 | 1 |
| Licensing Board | 14 | 7 | 6 | 1 | 0 | 0 |
| Overview and Scrutiny Panel | 14 | 7 | 5 | 1 | 0 | 1 |
| Gov. and Audit | 14 | 7 | 5 | 1 | 0 | 1 |
| General Purposes | 10 | 5 | 3 | 1 | 1 | 0 |
| B&EA Working Party | 8 | 4 | 2 | 1 | 1 | 0 |
| Constitutional Review Working Party | 6 | 3 | 1 | 1 | 1 | 0 |
| Totals | 80 | 40 | 27 | 7 | 3 | 3 |

| Committees | Total | UKIP Group | Conservative Group | Labour Group | Democratic Independent Group | Independent Group |
|-------------------------------------|--------------|-------------------|---------------------------|---------------------|-------------------------------------|--------------------------|
| Option 4 | | | | | | |
| Planning Committee | 16 | 8 | 5 | 1 | 1 | 1 |
| Licensing Board | 14 | 7 | 5 | 1 | 1 | 0 |
| Overview and Scrutiny Panel | 14 | 7 | 5 | 1 | 0 | 1 |
| Gov. and Audit | 14 | 7 | 5 | 1 | 0 | 1 |
| General Purposes | 8 | 4 | 3 | 1 | 0 | 0 |
| B&EA Working Party | 8 | 4 | 2 | 1 | 1 | 0 |
| Constitutional Review Working Party | 4 | 2 | 1 | 1 | 0 | 0 |
| Totals | 78 | 39 | 26 | 7 | 3 | 3 |

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

2.12 The changes to the political balance calculations do not affect the current proportionality of the Joint Transportation Board or the Standards Committee.

3.0 Recommendation

3.1 That Council agrees one of the proposals outlined at paragraphs 2.5 – 2.9 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 need to make a new nomination to the Planning Committee to replace Cllr Leys. The DIG group will lose a seat on the Licensing Board and so Cllr Ashbee will lose her seat on the Board. The UKIP group will need to make a new nomination to Licensing Board to replace Cllr Leys. The UKIP group will gain a seat on the Overview and Scrutiny Panel and will need to make a new nomination to that Committee. The UKIP group will gain a seat on the Governance and Audit Committee and will need to make a new nomination to that Committee; in addition it will also need to make a new nomination to the list of Governance and Audit Committee substitutes to replace Cllr Leys. The UKIP group will lose a seat on the Boundary and Electoral Arrangements Working Party and so will have to remove one Councillor from that Working Party. The DIG Group will also lose a seat on the Boundary and Electoral Arrangements Working Party and so Cllr Elenor will lose his seat on that Working Party. The UKIP group will lose a seat on the Constitutional Review Working Party and so will have to remove one Councillor from that Working Party. The DIG Group will also lose a seat on the Constitutional Review Working Party and so Cllr Elenor will lose his seat on that Working Party.

4.3.2 This can be summarised as:

| Committee / Group | Current Position | New Position |
|---|------------------|---------------------------------------|
| Planning Committee | | |
| UKIP | Cllr Leys | New nomination needed |
| Licensing Board | | |
| DIG | Cllr Ashbee | No entitlement to a seat |
| UKIP | Cllr Leys | New nomination needed |
| Overview and Scrutiny Panel | | |
| UKIP | 7 seats | 8 seats (one new nomination required) |
| Governance and Audit | | |
| UKIP | 7 seats | 8 seats (one new nomination required) |
| Governance and Audit Substitutes | | |
| UKIP | Cllr Leys | New nomination needed |
| BEAWP | | |
| UKIP | 4 seats | 3 seats (one nomination |

| | | |
|-------------|-------------|--|
| | | to be removed) |
| DIG | Cllr Elenor | No entitlement to a seat |
| CRWP | | |
| UKIP | 3 seats | 2 seats (one nomination to be removed) |
| DIG | Cllr Elenor | No entitlement to a seat |

4.4 Option 2

4.4.1 The UKIP group will need to make a new nomination to the Planning Committee to replace Cllr Leys. The Conservative group will lose a seat on the Licensing Board and so will have to remove one Councillor from that Board. The UKIP group will need to make a new nomination to Licensing Board to replace Cllr Leys. The UKIP group will gain a seat on the Overview and Scrutiny Panel and will need to make a new nomination to that Committee. The DIG group will lose a seat on the Governance and Audit Committee and so Cllr Ashbee will lose her seat on the Committee. The UKIP group will need to make a new nomination to the list of Governance and Audit Committee substitutes to replace Cllr Leys. The UKIP group will lose a seat on the General Purposes Committee and so will have to remove one Councillor from that Committee. The DIG Group will also lose a seat on the General Purposes Committee and so Cllr Ashbee will lose her seat on that Committee. The UKIP group will lose a seat on the Constitutional Review Working Party and so will have to remove one Councillor from that Working Party. The DIG Group will also lose a seat on the Constitutional Review Working Party and so Cllr Elenor will lose his seat on that Working Party.

4.4.2 This can be summarised in the table below:

| Committee / Group | Current Position | New Position |
|---|-------------------------|--|
| Planning Committee | | |
| UKIP | Cllr Leys | New nomination needed |
| Licensing Board | | |
| Conservatives | 6 seats | 5 seats (one nomination to be removed) |
| UKIP | Cllr Leys | New nomination needed |
| Overview and Scrutiny Panel | | |
| UKIP | 7 seats | 8 seats (one new nomination required) |
| Governance and Audit | | |
| DIG | Cllr Ashbee | No entitlement to a seat |
| Governance and Audit Substitutes | | |
| UKIP | Cllr Leys | New nomination needed |
| General Purposes Committee | | |
| UKIP | 5 seats | 4 seats (one nomination to be removed) |
| DIG | Cllr Ashbee | No entitlement to a seat |
| CRWP | | |
| UKIP | 3 seats | 2 seats (one nomination to be removed) |
| DIG | Cllr Elenor | No entitlement to a seat |

4.5 Option 3

4.5.1 The UKIP group will need to make a new nomination to the Planning Committee to replace Cllr Leys. The DIG group will lose a seat on the Licensing Board and so Cllr Ashbee will lose her seat on the Board. The UKIP group will need to make a new nomination to Licensing Board to replace Cllr Leys. The DIG group will lose a seat on the Overview and Scrutiny Panel and so Cllr Elenor will lose his seat on the Panel. The DIG group will lose a seat on the Governance and Audit Committee and so Cllr Ashbee will lose her seat on the Committee. The UKIP group will need to make a new nomination to the list of Governance and Audit Committee substitutes to replace Cllr Leys.

4.5.2 This can be summarised in the table below:

| Committee / Group | Current Position | New Position |
|---|------------------|--------------------------|
| Planning Committee | | |
| UKIP | Cllr Leys | New nomination needed |
| Licensing Board | | |
| DIG | Cllr Ashbee | No entitlement to a seat |
| UKIP | Cllr Leys | New nomination needed |
| Overview and Scrutiny Panel | | |
| DIG | Cllr Elenor | No entitlement to a seat |
| Governance and Audit | | |
| DIG | Cllr Ashbee | No entitlement to a seat |
| Governance and Audit Substitutes | | |
| UKIP | Cllr Leys | New nomination needed |

4.6 Option 4

4.6.1 The UKIP group will need to make two nominations to the Planning Committee, one to replace Cllr Leys and one to fill the new position. The DIG group will also need to make a new nomination to the Planning Committee. The Conservative group will lose a seat on the Licensing Board and so will have to remove one Councillor from that Board. The UKIP group will need to make a new nomination to Licensing Board to replace Cllr Leys. The DIG group will lose a seat on the Overview and Scrutiny Panel and so Cllr Elenor will lose his seat on the Panel. The DIG group will lose a seat on the Governance and Audit Committee and so Cllr Ashbee will lose her seat on the Committee. The UKIP group will need to make a new nomination to the list of Governance and Audit Committee substitutes to replace Cllr Leys. The UKIP group will lose a seat on the General Purposes Committee and so will have to remove one Councillor from that Board. The DIG Group will also lose a seat on the General Purposes Committee and so Cllr Ashbee will lose her seat on that Committee. The UKIP group will lose a seat on the Constitutional Review Working Party and so will have to remove one Councillor from that Working Party. The DIG Group will also lose a seat on the Constitutional Review Working Party and so Cllr Elenor will lose his seat on that Working Party.

| Committee / Group | Current Position | New Position |
|---------------------------|------------------|---------------------------------------|
| Planning Committee | | |
| UKIP | Cllr Leys | New nomination needed |
| UKIP | 7 seats | 8 seats (one new nomination required) |

| | | |
|---|-------------|--|
| DIG | 0 seats | 1 seat (one new nomination required) |
| Licensing Board | | |
| Conservatives | 6 seats | 5 seats (one nomination to be removed) |
| UKIP | Cllr Leys | New nomination needed |
| Overview and Scrutiny Panel | | |
| DIG | Cllr Elenor | No entitlement to a seat |
| Governance and Audit | | |
| DIG | Cllr Ashbee | No entitlement to a seat |
| Governance and Audit Substitutes | | |
| UKIP | Cllr Leys | New nomination needed |
| General Purposes Committee | | |
| UKIP | 5 seats | 4 seats (one nomination to be removed) |
| DIG | Cllr Ashbee | No entitlement to a seat |
| CRWP | | |
| UKIP | 3 seats | 2 seats (one nomination to be removed) |
| DIG | Cllr Elenor | No entitlement to a seat |

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.

4.8 Parish Council Representatives

- 4.8.1 Town/Parish Councils are entitled to have three representatives on the Standards Committee and one representative on the Joint Transportation Board. The Town/Parish nominations to Committees are made by the Thanet Association of Parish Councils. The Association has confirmed to Democratic Services that they have appointed Cllr John Way and Cllr Linda Wright as their representatives on the Standards Committee and Cllr Rosalind Binks as their representative on the Joint Transportation Board. These appointments are until the Thanet Association of Parish Council Annual General Meeting in November 2016.

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 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 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.

6.4.2 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.

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 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).

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

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|---------|--|
| 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 |