

# CHANGES TO COMMITTEES, PANELS AND BOARDS – 2016/17

**Council - 01 December 2016**

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

**Executive Summary:**

This report will outline the changes needed as a result of the resignation of Cllr Ashbee from the Democratic Independent Group and joining the Conservative Group. The report allows Council to agree a new proportionality of the Council and sets out the impact on the numbers of Councillors on each Committee. The report then goes on to set out the required nominations to match the changes made to committees. The report also allows Council to elect a new Chairman of the Planning Committee to replace Cllr Evans who has resigned from the Committee.

**Summary of Recommendation(s):**

- 3.1 That Council agrees option 1 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).
- 7.1 That Council appoints a new Chairman of the Planning Committee.

**CORPORATE IMPLICATIONS**

<b>Financial and Value for Money</b>	There are no direct financial implications
<b>Legal</b>	The composition and allocation of membership of committees has been based on the relevant legislative requirements.
<b>Corporate</b>	There are no direct Corporate Implications
<b>Equalities Act 2010 &amp; Public Sector Equality Duty</b>	<p>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.</p> <p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p>

	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

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

<b>CORPORATE VALUES (tick those relevant)✓</b>	
Delivering value for money	
Supporting the Workforce	
Promoting open communications	✓

## 1.0 Introduction

- 1.1 This report will outline the changes needed as a result of the resignation of Cllr Ashbee from the DIG group and her joining the Conservative group. In addition it will also allow Council to elect a new Chairman of the Planning Committee to replace Cllr Evans who has resigned from the Planning Committee.

## 2.0 Political Balance

- 2.1 As mentioned above Cllr Ashbee has left the DIG group and joined the Conservative 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	29	29
Conservative	18	<b><u>19</u></b>
Labour	5	5
Democratic Independent Group	2	<b><u>0</u></b>
Independent	2	2
Independent Non-Group	0	<b><u>1</u></b>

- 2.2 The DIG group now ceases to exist as a political group cannot exist with less than two members and as a result Cllr Elenor is now treated as being in a non-group.
- 2.3 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), 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.

2.4 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 before the meeting.

2.5 Democratic Services have contacted the four group Leaders and only one proposed option on how to achieve proportionality is being presented and is outlined at paragraph 2.6. However if Members wished to propose an alternative they can do under option 2, however compliance with the proportionality rules would need to be verified by officers, prior to it being adopted.

## **2.6 Option 1**

2.6.1 That a seat is removed from the DIG group on the General Purposes Committee and is given to the Conservative group. That a seat is removed from the DIG group on the Boundary and Electoral Arrangements Working Party and is given to the Conservative group. That a seat is removed from the DIG group on the Constitutional Review Working Party and is given to the Conservative group.

## **2.7 Option 2**

2.7.1 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.

2.8 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>Labour Group</b>	<b>Independent Group</b>
<b>Option 2</b>					
Planning Committee	15	8	5	1	1
Licensing Board	15	8	6	1	0
Overview and Scrutiny Panel	15	8	5	1	1
Gov. and Audit	15	8	5	1	1
General Purposes	11	6	4	1	0
B&EA Working Party	9	5	3	1	0
Constitutional Review Working Party	7	4	2	1	0
<b>Totals</b>	<b>87</b>	<b>47</b>	<b>30</b>	<b>7</b>	<b>3</b>

2.9 The overall political balance calculation for the proposal shown above is available at Annex 1.

2.10 Although the political balance of the Council has changed, it has not changed significantly enough to have an impact on the proportionality of the Joint Transportation Board or the Standards Committee.

### **3.0 Recommendation**

3.1 That Council agrees option 1 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 Conservative Group will also gain one seat on each of the following three Committees: General Purposes, Boundary and Electoral Arrangements Working Party and the Constitutional Review Working Party. In addition the DIG group will lose its one seat on the General Purposes, Boundary and Electoral Arrangements Working Party and the Constitutional Review Working Party and will no longer have any entitlement to any seats on committees. The UKIP group will also need to make a new nomination to the Planning Committee to replace Cllr Evans.

4.3.2 This can be summarised as:

Committee / Group	Current Position	New Position
<b>Planning Committee</b>		
UKIP	Cllr Evans	New nomination required.
<b>General Purposes</b>		
Conservative	3 seats	4 seats (one new nomination required)
DIG	Cllr Ashbee	No entitlement to a seat
<b>BEAWP</b>		
Conservative	2 seats	3 seats (one new nomination required)
DIG	Cllr Elenor	No entitlement to a seat
<b>CRWP</b>		
Conservative	1 seat	2 seats (one new nomination required)
DIG	Cllr Elenor	No entitlement to a seat

#### 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 Election of Chairman to the Planning Committee

6.1 At the Annual Council meeting on 21 May 2016 Council appointed Cllr Evans to position of Chairman of the Planning Committee. Cllr Evans has resigned his position as Chairman of the Planning Committee and therefore Council needs to appoint a new Chairman.

6.2 By convention, in Thanet the majority Group is entitled to the first choice of the chairmanship and vice- chairmanship of Committees, Panels and Boards. Any nominations received will be presented at the meeting. If there is more than one nomination then a knockout vote will be taken to determine the new Chairman.

#### 7.0 Recommendation

7.1 That Council appoints a new Chairman of the Planning Committee.

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
None	

## Corporate Consultation

<b>Finance</b>	Matthew Sanham, Interim Head of Finance
<b>Legal</b>	Tim Howes, Director of Corporate Governance