

## CHANGES TO COMMITTEES, PANELS AND BOARDS – 2017/18

**Council – 8 February 2017**

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 replaces the original report and will outline the changes needed to proportionality and committees as a result of the election of Cllr Pugh and him joining the Conservative Group and 12 Councillors leaving the UKIP Group and forming the Thanet Independent UKIP Group.

**Summary of Recommendation(s):**

- 3.1 That Council agrees one of the options outlined at paragraphs 2.5 – 2.9 to achieve proportionality.
- 3.2 Council also agrees the tables shown in paragraphs 2.12.2 and 2.12.4.
- 5.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2017/18 as per paragraph 3.1 of this report (The names of those Councillors so nominated will be presented at the meeting).

**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

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

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

## 1.0 Introduction

- 1.1 This report replaces the original report and will outline the changes needed to proportionality and committees as a result of the election of Cllr Pugh and him joining the Conservative Group and the following Councillors leaving the UKIP Group and forming the Thanet Independent UKIP Group:

Cllr Stuart Piper, Cllr Jaye-Jones, Cllr Shonk, Cllr Buckley, Cllr Roy Potts, Cllr Linda Potts, Cllr Edwards, Cllr Braidwood, Cllr Taylor, Cllr Rusiecki, Cllr Dennis, Cllr Lynda Piper.

## 2.0 Political Balance

- 2.1 The changes to political balance as a result of the changes mentioned in paragraph 1.1 are shown in the table below:

Political Group	Prior to changes	After changes
UKIP	25	<u>13</u>
Conservative	20	<u>21</u>
Thanet Independent UKIP Group	0	<u>12</u>
Labour	6	6
Independent Group	2	2
Independent Councillors not in a group	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 four group Leaders and consensus has not been achieved, therefore four options are being presented to this meeting. These are outlined at paragraphs 2.5 to 2.8. However if Members wished to propose an alternative they can do under option 4 at paragraph 2.9, however compliance with the proportionality rules would need to be verified by officers, prior to it being adopted.

## **2.5 Option 1**

2.5.1 That four seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Planning Committee. That two seats are added to the Licensing Board and that one seat given to the Conservative group and one to the Thanet Independent UKIP Group. In addition two seats are removed from the UKIP group on the Licensing Board and given to the Thanet Independent UKIP Group. That three seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Overview and Scrutiny Panel. That a seat is added to the Governance and Audit Committee and that seat is given to the Conservative Group. That four seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Governance and Audit Committee. That two seats are removed from the UKIP group on the General Purposes Committee and given to the Thanet Independent UKIP Group. That two seats are removed from the UKIP group on the Boundary and Electoral Arrangements Working Party and given to the Thanet Independent UKIP Group. That a seat is removed from the Constitutional Review Working Party (CRWP) and that the UKIP group loses that seat and in addition the UKIP group loses a further seat on CRWP and that seat is given to the Thanet Independent UKIP Group.

## **2.6 Option 2**

2.6.1 That three seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Planning Committee. That two seats are added to the Licensing Board and that one seat given to the Conservative group and one to the Thanet Independent UKIP Group. In addition three seats are removed from the UKIP group on the Licensing Board and given to the Thanet Independent UKIP Group. That four seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Overview and Scrutiny Panel. That a seat is added to the Governance and Audit Committee and that seat is given to the Conservative Group. That three seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Governance and Audit Committee. That two seats are removed from the UKIP group on the General Purposes Committee and given to the Thanet Independent UKIP Group. That two seats are removed from the UKIP group on the Boundary and Electoral Arrangements Working Party and given to the Thanet Independent UKIP Group. That a seat is removed from the Constitutional Review Working Party (CRWP) and that the UKIP group loses that seat and in

addition the UKIP group loses a further seat on CRWP and that seat is given to the Thanet Independent UKIP Group.

## **2.7 Option 3**

- 2.7.1 That three seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Planning Committee. That two seats are added to the Licensing Board and that one seat given to the Conservative group and one to the Thanet Independent UKIP Group. In addition three seats are removed from the UKIP group on the Licensing Board and given to the Thanet Independent UKIP Group. That three seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Overview and Scrutiny Panel. That a seat is added to the Governance and Audit Committee and that seat is given to the Conservative Group. That four seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Governance and Audit Committee. That two seats are removed from the UKIP group on the General Purposes Committee and given to the Thanet Independent UKIP Group. That two seats are removed from the UKIP group on the Boundary and Electoral Arrangements Working Party and given to the Thanet Independent UKIP Group. That a seat is removed from the Constitutional Review Working Party (CRWP) and that the UKIP group loses that seat and in addition the UKIP group loses a further seat on CRWP and that seat is given to the Thanet Independent UKIP Group.

## **2.8 Option 4**

- 2.8.1 That four seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Planning Committee. That two seats are added to the Licensing Board and that one seat given to the Conservative group and one to the Thanet Independent UKIP Group. In addition two seats are removed from the UKIP group on the Licensing Board and given to the Thanet Independent UKIP Group. That three seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Overview and Scrutiny Panel. That a seat is added to the Governance and Audit Committee and that seat is given to the Conservative Group. That four seats are removed from the UKIP Group and given to the Thanet Independent UKIP Group on the Governance and Audit Committee. That two seats are removed from the UKIP group on the General Purposes Committee and given to the Thanet Independent UKIP Group. That two seats are removed from the UKIP group on the Boundary and Electoral Arrangements Working Party and given to the Thanet Independent UKIP Group. That a seat is removed from the Constitutional Review Working Party (CRWP) and that the UKIP group loses that seat and in addition the UKIP group loses a further seat on CRWP and that seat is given to the Thanet Independent UKIP Group.

## **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 tables below show the change to numbers serving on Committees as a result of these proposals:

<b>Committees</b>	<b>Total</b>	<b>Conservative Group</b>	<b>UKIP Group</b>	<b>Thanet Independent UKIP Group</b>	<b>Labour Group</b>	<b>Independent Group</b>
<b>Option 1</b>						
Planning Committee	16	6	3	4	2	1
Licensing Board	<b>14</b>	<b>6</b>	4	3	2	0
Overview and Scrutiny Panel	15	6	4	3	1	1
Gov. and Audit	<b>15</b>	<b>6</b>	3	4	1	1
General Purposes	10	4	3	2	1	0
B&EA Working Party	8	3	2	2	1	0
Constitutional Review Working Party	5	2	1	1	1	0
<b>Totals</b>	<b>84</b>	<b>33</b>	<b>20</b>	<b>19</b>	9	3

<b>Committees</b>	<b>Total</b>	<b>Conservative Group</b>	<b>UKIP Group</b>	<b>Thanet Independent UKIP Group</b>	<b>Labour Group</b>	<b>Independent Group</b>
<b>Option 2</b>						
Planning Committee	16	6	4	3	2	1
Licensing Board	<b>14</b>	<b>6</b>	3	4	2	0
Overview and Scrutiny Panel	15	6	3	4	1	1
Gov. and Audit	<b>15</b>	<b>6</b>	4	3	1	1
General Purposes	10	4	3	2	1	0
B&EA Working Party	8	3	2	2	1	0
Constitutional Review Working Party	5	2	1	1	1	0
<b>Totals</b>	<b>84</b>	<b>33</b>	<b>20</b>	<b>19</b>	9	3

<b>Committees</b>	<b>Total</b>	<b>Conservative Group</b>	<b>UKIP Group</b>	<b>Thanet Independent UKIP Group</b>	<b>Labour Group</b>	<b>Independent Group</b>
<b>Option 3</b>						
Planning Committee	16	6	4	3	2	1
Licensing Board	14	3	3	4	2	0
Overview and Scrutiny Panel	15	6	4	3	1	1
Gov. and Audit	15	6	3	4	1	1
General Purposes	10	4	3	2	1	0
B&EA Working Party	8	3	2	2	1	0
Constitutional Review Working Party	5	2	1	1	1	0
<b>Totals</b>	<b>84</b>	<b>33</b>	<b>20</b>	<b>19</b>	<b>9</b>	<b>3</b>

<b>Committees</b>	<b>Total</b>	<b>Conservative Group</b>	<b>UKIP Group</b>	<b>Thanet Independent UKIP Group</b>	<b>Labour Group</b>	<b>Independent Group</b>
<b>Option 4</b>						
Planning Committee	16	6	3	4	2	1
Licensing Board	14	6	4	3	2	0
Overview and Scrutiny Panel	15	6	3	4	1	1
Gov. and Audit	15	6	4	3	1	1
General Purposes	10	4	3	2	1	0
B&EA Working Party	8	3	2	2	1	0
Constitutional Review Working Party	5	2	1	1	1	0
<b>Totals</b>	<b>84</b>	<b>33</b>	<b>20</b>	<b>19</b>	<b>9</b>	<b>3</b>

2.11 The overall political balance calculations for the proposals shown above are available at Annexes 1 to 4 of this report.

## 2.12 Joint Transportation Board and Standards Committee

2.12.1 Both Section 15 (5) of Part III and Schedule 1 of the Local Government Housing Act 1989 mean that proportionality applies to the Standards Committee, but the Standards Committee does not count towards the total number of seats when dealing with overall political proportionality, hence why they are presented here.

2.12.2 However whilst the Council is asked to waive the political proportionality of Standards Committee to allow for both independent Members and Parish Council's to sit on the Committee, the numbers of Councillors from each group on the Committee has been amended to reflect the new political balance of the Council.

	Total	Conservative	UKIP	Thanet Independent UKIP	Labour Group	Independent Members	Parish/Town Council
Standards Committee	14	3	2	1	1	4**	3
Standards Assessment Sub-Committee	3	*		*	0	At least 1	*
Standards Hearing Sub-Committee	3	*		*	0	At least 1	*

NOTE\*; the remaining two members would be either Thanet District Council Members from those groups that are entitled to seats on the Standards Committee, Town/Parish Council members or further independent members, on a case by case basis. In the case of complaint against a Town or Parish Councillor at least one of the panel would be a Town or Parish Council representative.

\*\* Currently there are only two Independent Members in post.

2.12.3 The Joint Transportation Board consists of seven 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 seven 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.

2.12.4 The allocation of Thanet District Council seats on the Joint Transportation Board revised to reflect the new proportionality of the Council is shown in the table below

	TDC Members	Conservative	UKIP	Thanet Independent UKIP Group	Labour	Indep. Group	Parish/Town Council
Joint Transportation Board	7	3	2	1	1	0	1

### **3.0 Recommendation**

3.1 That Council agrees one of the options outlined at paragraphs 2.5 – 2.9 to achieve proportionality.

3.2 Council also agrees the tables shown in paragraphs 2.12.2 and 2.12.4.

### **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 Group nominations to Committees, Panels and Boards and will be received at the meeting.

### **5.0 Recommendation**

5.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2017/18 as per paragraph 3.1 of this report (The names of those Councillors so nominated will be presented at the meeting).

### **6.0 Chairmen and Vice-Chairmen**

6.1 If there are any changes to group nominations that would mean subsequent changes to Chairmanships or Vice-Chairmanships, then Council would need to hold elections to those positions.

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

### **Background Papers**

Title	Details of where to access copy
<i>None</i>	

### **Corporate Consultation**

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