

CHANGES TO COMMITTEES, PANELS AND BOARDS – 2018/19

Council	12 July 2018
Report Author	Nick Hughes, Committee Services Manager
Portfolio Holder	Cabinet Member for Corporate Governance and Coastal Development
Status	For Decision
Classification:	Unrestricted
Key Decision	No

Executive Summary:

This report outlines the changes needed to proportionality and committees as a result of the sad death of Councillor Howes and Cllr Brimm leaving the Thanet Independent Councillors Group. It suggests a number of options for Council to choose from in order to restore proportionality and allows an opportunity for Group Leaders to make new and adjust existing nominations to committees.

Summary of Recommendation(s):

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

3.7.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2018/19 as per paragraph 2.11.1. (The names of those Councillors so nominated will be presented at the meeting)

CORPORATE IMPLICATIONS

Financial and Value for Money	There are no direct financial implications from this report. However members allowances included in the annual budget are based on the existing structure and any increase in size or number of committees would require approval of the resulting increase in the budget.
Legal	The composition and allocation of membership of committees has been based on the relevant legislative requirements.
Corporate	There are no direct Corporate Implications
Equalities Act 2010 & Public Sector Equality Duty	<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 & maternity. Only aim (i) of the Duty applies to Marriage & 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 outlines the changes needed to proportionality and committees as a result of the sad death of Councillor Howes and Cllr Brimm leaving the Thanet Independent Councillors Group.

2.0 Political Balance

- 2.1 The current political balance of the Council is shown in the table below:

Political Group	Before changes	After changes
Conservative	21	21
Independent & UKIP Group	14	14
Thanet Independent Councillors	14	12
Labour	6	6
Independent (non group)	1	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:

- That not all seats on the same committee are allocated to the same political group;
- 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 the Thanet Independent Councillors Group lose a seat on the Planning Committee and the UKIP and Independent Group gain that seat. That the Thanet Independent Councillors Group also lose a seat on the Licensing Board and that seat is given to the Conservative group.
- 2.6 Option 2**
 - 2.6.1 That the Thanet Independent Councillors Group lose a seat on the Planning Committee and the UKIP and Independent Group gain that seat. That a seat is added to the Licensing Board and that seat is given to the Conservative Group. That a seat is removed from the Governance and Audit Committee and the Thanet Independent Councillors Group loses that seat.
- 2.7 Option 3**
 - 2.7.1 That the Thanet Independent Councillors Group lose a seat on the Planning Committee and the UKIP and Independent Group gain that seat. That a seat is removed from the Governance and Audit Committee and the Thanet Independent Councillors Group loses that seat. That a seat is added to the General Purposes Committee and that seat is given to the Conservative Group.
- 2.8 Option 4**
 - 2.8.1 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.
- 2.9 The tables below show the change to numbers serving on Committees as a result of these proposals:

Committees Option 1	Total	Conservative Group	Independent & UKIP Group	Thanet Independent Councillors	Labour Group
Planning Committee	15	6	4	3	2
Licensing Board	14	6	4	3	2
FB&P Scrutiny Panel	8	3	2	2	1
EP&CS Scrutiny Panel	8	3	2	2	1
Gov. and Audit	15	6	4	4	1
General Purposes	10	4	3	2	1
B&EA Working Party	8	3	2	2	1
CRWP	5	2	1	1	1
Totals	83	33	22	19	9

Committees Option 2	Total	Conservative Group	Independent & UKIP Group	Thanet Independent Councillors	Labour Group
Planning Committee	15	6	4	3	2
Licensing Board	15	6	4	4	2
FB&P Scrutiny Panel	8	3	2	2	1
EP&CS Scrutiny Panel	8	3	2	2	1
Gov. and Audit	14	6	4	3	1
General Purposes	10	4	3	2	1
B&EA Working Party	8	3	2	2	1
CRWP	5	2	1	1	1
Totals	83	33	22	19	9

Committees Option 3	Total	Conservative Group	Independent & UKIP Group	Thanet Independent Councillors	Labour Group
Planning Committee	15	6	4	3	2
Licensing Board	14	5	4	4	2
FB&P Scrutiny Panel	8	3	2	2	1
EP&CS Scrutiny Panel	8	3	2	2	1
Gov. and Audit	14	6	4	3	1
General Purposes	11	5	3	2	1
B&EA Working Party	8	3	2	2	1
CRWP	5	2	1	1	1
Totals	83	33	22	19	9

2.10 The overall political balance calculations for the proposals shown above are available at Annexes 1 to 3.

2.11 Recommendation

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

3.0 Nominations of Members to serve on Committees

3.1 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.

3.2 Therefore the corresponding amendments to group nominations as outlined below must also be made.

3.3 Option 1

3.3.1 That the Thanet Independent Councillors Group loses a seat on the Planning Committee and so must remove a nomination to that Committee. The UKIP group gain a seat on the Planning Committee and so must make a new nomination to that committee. That the Thanet Independent Councillors Group lose a seat from the Licensing Board and so must remove a nomination to that Committee. The Conservative group gain a seat on the Licensing Board and so must make a new nomination to that Committee.

Councillor Brimm was a member of the Licensing Board and the Boundary and Electoral Arrangements Working Party and so the Thanet Independent Councillors Group need to make new nominations to both of these Committees.

We have also been informed by the Leader that he wishes to change his nominations to the Joint Transportation Board and would like to replace Councillor Parsons with Councillor M Saunders.

This is summarised in the table below:

Committee/Group	Current Position	New Position
Planning Committee		
TIC Group	4 seats	3 seats (remove nominee)
UKIP & Ind. Group	3 seats	4 seats (new nominee needed)
Licensing Board		
TIC Group	4 seats	3 seats (remove nominee)
TIC Group	Cllr Brimm	New nominee needed
Conservative Group	5 seats	6 seats (new nominee needed)
BEAWP		
TIC Group	Cllr Brimm	New nominee needed
Joint Transportation Board		
Conservative Group	Cllr Parsons	Cllr M Saunders

3.4 Option 2

3.4.1 That the Thanet Independent Councillors Group loses a seat on the Planning Committee and so must remove a nomination to that Committee. The UKIP group gain a seat on the Planning Committee and so must make a new nomination to that committee. That a seat is added to the Licensing Board and that seat is given to the Conservative Group and so will need to make a nomination to the Board. That a seat is removed from the Governance and Audit Committee and the Thanet Independent Councillors Group lose that seat and so must remove a nominee from that Committee.

Councillor Brimm was a member of the Licensing Board and the Boundary and Electoral Arrangements Working Party and so the Thanet Independent Councillors Group need to make new nominations to both of these Committees.

We have also been informed by the Leader that he wishes to change his nominations to the Joint Transportation Board and would like to replace Councillor Parsons with Councillor M Saunders.

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Licensing Board		
TIC Group	Cllr Brimm	New nominee needed
Conservative Group	5 seats	6 seats (new nominee needed)
Governance & Audit		
TIC Group	4 seats	3 Seats (remove nominee)

BEAWP		
TIC Group	Cllr Brimm	New nominee needed
Joint Transportation Board		
Conservative Group	Cllr Parsons	Cllr M Saunders

3.5 Option 3

That the Thanet Independent Councillors Group loses a seat on the Planning Committee and so must remove a nomination to that Committee. The UKIP group gain a seat on the Planning Committee and so must make a new nomination to that committee. That a seat is removed from the Governance and Audit Committee and the Thanet Independent Councillors Group lose that seat and so must remove a nominee from that Committee. That a seat is added to the General Purposes Committee and that seat is given to the Conservative Group and so they will need to make a new nomination to that Committee.

Councillor Brimm was a member of the Licensing Board and the Boundary and Electoral Arrangements Working Party and so the Thanet Independent Councillors Group need to make new nominations to both of these Committees.

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Governance & Audit		
TIC Group	4 seats	3 Seats (remove nominee)
General Purposes		
Conservative	4 seats	5 seats (new nominee needed)
Licensing Board		
TIC Group	Cllr Brimm	New nominee needed
BEAWP		
TIC Group	Cllr Brimm	New nominee needed
Joint Transportation Board		
Conservative Group	Cllr Parsons	Cllr M Saunders

3.6 Option 4

- 3.6.1 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

3.7 Recommendation

- 3.7.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2018/19 as per paragraph 2.11.1. (The names of those Councillors so nominated will be presented at the meeting)

4.0 Chairmen and Vice-Chairmen

- 4.1 If there are any changes to group nominations that would mean subsequent changes to Chairmanships or Vice-Chairmanships, then the Council would need to make new nominations 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

Background Papers

Title	Details of where to access copy
None	

Corporate Consultation

Finance	Ramesh Prashar, Head of Financial Services
Legal	Tim Howes, Director of Corporate Governance and Monitoring Officer