

# CHANGES TO COMMITTEES, PANELS AND BOARDS – 2018/19

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|------------------|--|
| Council          | <b>6 September 2018</b>  |
| Report Author    | <b>Nick Hughes, Committee Services Manager</b>                         |
| Portfolio Holder | <b>Cabinet Member for Corporate Governance and Coastal Development</b> |
| Status           | <b>For Decision</b>  |
| Classification:  | <b>Unrestricted</b>  |
| Key Decision     | <b>No</b>  |

## **Executive Summary:**

This report outlines the changes needed to proportionality and committees as a result of the election of Councillor Wright and her joining the Conservative 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**

|  |   |
|--|---|
| <b>Financial and Value for Money</b>                         | 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.  |
| <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 outlines the changes needed to proportionality and committees as a result of the election of Cllr Linda Wright and her joining the Conservative 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             | <b>22</b>     |
| Independent & UKIP Group       | 14             | 14            |
| Thanet Independent Councillors | 12             | 12            |
| Labour                         | 6              | 6             |
| Independent (non 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:

- 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;
- 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 two options are being presented to this meeting. These are outlined at paragraphs 2.5 to 2.6. However if Members wished to propose an alternative they can do under option 3 at paragraph 2.7, 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 a seat is added to the Finance, Budget and Performance Scrutiny Panel and that seat is given to the Conservative group. That a seat is added to the Executive, Budget and Performance Scrutiny Panel.

## 2.6 Option 2

2.6.1 That a seat is added to the Licensing Board and that seat is given to the Conservative group.

## 2.7 Option 3

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 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>Independent &amp; UKIP Group</b> | <b>Thanet Independent Councillors</b> | <b>Labour Group</b> |
|----------------------|--------------|---------------------------|-------------------------------------|---------------------------------------|---------------------|
| <b>Option 1</b>      |              |                           |                                     |                                       |                     |
| Planning Committee   | 15           | 6                         | 4                                   | 3                                     | 2                   |
| Licensing Board      | 14           | 6                         | 4                                   | 3                                     | 2                   |
| FB&P Scrutiny Panel  | 9            | 4                         | 2                                   | 2                                     | 1                   |
| EP&CS Scrutiny Panel | 9            | 4                         | 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                   |
| <b>Totals</b>        | <b>85</b>    | <b>35</b>                 | <b>22</b>                           | <b>19</b>                             | <b>9</b>            |

| <b>Committees<br/>Option 2</b> | <b>Total</b> | <b>Conservative<br/>Group</b> | <b>Independent<br/>&amp; UKIP<br/>Group</b> | <b>Thanet<br/>Independent<br/>Councillors</b> | <b>Labour<br/>Group</b> |
|--------------------------------|--------------|-------------------------------|---|---|-------------------------|
| Planning Committee             | 15           | 6                             | 4   | 3   | 2                       |
| Licensing Board                | <b>15</b>    | <b>7</b>                      | 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                       |
| <b>Totals</b>                  | <b>84</b>    | <b>34</b>                     | 22  | 19  | 9                       |

2.9 The overall political balance calculations for the proposals shown above are available at Annexes 1 and 2.

## **2.10 Recommendation**

2.10.1 That Council agrees one of the options outlined at paragraphs 2.5 – 2.7 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 a seat is added to the Finance, Budget and Performance Scrutiny Panel and that seat is given to the Conservative Group and so they will need to make a new nomination to the Panel. That a seat is added to the Executive, Policy and Community Safety Scrutiny Panel and that seat is given to the Conservative Group and so they will need to make a new nomination to the Panel. In addition Cllr Ashbee was a member of the Executive, Policy and Community Safety Scrutiny Panel as she has now become a Cabinet Member she can no longer remain as a member of the Panel, therefore a new nomination from the Conservative Group is needed.

This is summarised in the table below:

| Committee/Group                    | Current Position | New Position                 |
|------------------------------------|------------------|------------------------------|
| <b>F,B &amp; P Scrutiny Panel</b>  |                  |                              |
| Conservative Group                 | 3 seats          | 4 seats (new nominee needed) |
| <b>E,P &amp; CS Scrutiny Panel</b> |                  |                              |
| Conservative Group                 | 3 seats          | 4 seats (new nominee needed) |
| Conservative Group                 | Cllr Ashbee      | New nominee needed           |

### 3.4 Option 2

- 3.4.1 That a seat is added to the Licensing Board and that seat is given to the Conservative Group and so they will need to make a new nomination to the Board. In addition Cllr Ashbee was a member of the Executive, Policy and Community Safety Scrutiny Panel as she has now become a Cabinet Member she can no longer remain as a member of the Panel, therefore a new nomination from the Conservative Group is needed.

This is summarised in the table below:

| Committee/Group        | Current Position | New Position                 |
|------------------------|------------------|------------------------------|
| <b>Licensing Board</b> |                  |                              |
| Conservative Group     | 6 seats          | 7 seats (new nominee needed) |
| Conservative Group     | Cllr Ashbee      | New nominee needed           |

### 3.5 Option 3

- 3.5.1 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

### 3.6 Recommendation

- 3.6.1 To note the corresponding group nominations to Committees, Panels and Boards for the remainder of 2018/19 as per paragraph 2.10.1. (The names of those Councillors so nominated will be presented at the meeting)

## 4.0 Chairmen and Vice-Chairmen

- 4.1 Cllr Ashbee was the Vice-Chairman of the Executive, Policy and Community Safety Scrutiny Panel, as she is now no longer a member of that Panel as a result of her becoming a Cabinet Member a new Vice-Chairman must be elected.
- 4.2 If there are any other 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 |

## Background Papers

| Title | Details of where to access copy |
|-------|---------------------------------|
| None  |                                 |

## Corporate Consultation

|                |  |
|----------------|--|
| <b>Finance</b> | Ramesh Prashar, Head of Financial Services                         |
| <b>Legal</b>   | Tim Howes, Director of Corporate Governance and Monitoring Officer |