

Selection and Constitutional Review Committee

9th October 2014

Report of the Head of Legal and Democratic Services

Background and Principles of Political Balance and Administrative Structure and Changes to Committee Membership

Purpose of Report

To consider the political balance for the Authority for the remainder of the 2014/15 Municipal Year. The political balance takes account of the fact that Councillor Marriott has ceased to be a member of the Conservative Group. Councillor Marriott has indicated that he wishes to be referred to as 'Conservative Independent'.

External Consultees

None.

Internal Consultees

The Leaders of Groups on the Council.

Financial/Legal and Human Rights Implications

The Authority is required to adopt a political balance which complies with the Local Government and Housing Act 1989 and associated regulations. Alternative arrangements are permitted only if no individual Member votes against the proposal at full Council.

Staffing Implications

None.

Environmental Implications

None.

Corporate Strategy

Not relevant in the context of this report.

Introduction

1. Appendix A contains details of the draft political balance calculation for the remainder of the 2014/15 for agreement at the Full Council. This takes account of the decision of Councillor Marriott to leave the Conservative Group. Appendix B sets out details of changes to Members to be appointed to seats on the various committees etc by Group Leaders and the recommended allocations of seats to the Independent Member and the Conservative Independent Member.

Background and Principles of Political Balance

2. The Local Government and Housing Act 1989 (as amended) requires the Council to allocate seats on its Committees and Sub-Committees to political groups in proportion to their relative strengths on the Council.
3. In allocating seats a number of principles must be adhered to, namely:-
 - (a) A political group (where there is more than one) may not have all of the seats on a Committee or Sub-Committee.
 - (b) The majority of seats must be allocated to the majority group. This allocation is calculated by reference first, to the total number of seats available on ordinary Committees of the Authority and secondly, to the total number of seats available on ordinary Sub-Committees. The regulations further provide:-
 - (i) That the total number of seats on the Council's Ordinary Committees must be allocated in the proportion as is borne by the number of members of any group to the membership of the Authority as a whole.
 - (ii) The seats on the Council's Ordinary Committees and Sub-Committees as a whole must be allocated in proportion to the political groups' membership of the appointing Council.

Recommendations

That:

- (i) the Committee recommends the adoption of the political balance of the Authority in Appendix A subject to the Council agreeing that the requirements of the Political Balance Regulations be not applied to the Membership of the Joint Transportation Board, Appeals, Selection & Constitutional Review and Standards Committees and the Sub-Committee of the Licensing and Health and Safety Committee established under the Licensing Act 2003 and Gambling Act 2005.**
- (ii) to enable the Conservative Group to receive their entitlement across all Committees they be allocated a further seat on the Selection & Constitutional Review Committee.**
- (iii) Seats on the following Committees be allocated to the Members indicated:-**

Audit Committee – Councillor Smith
Transportation & Highways Advisory Committee – Councillor Marriott
Education & Vocational Skills Advisory Committee – Councillor
Marriott

Terry Mortimer
Head of Legal and Democratic Services

Reports: KRF - Background & Principles of Pol Bal - 09.10.14/VS

**THE POLITICAL BALANCE CALCULATION
OCTOBER 2014**

A.1 All Committees to which balance applies

	Committee	Seats/Committee	=	Total Seats
1 x 16	Overview and Scrutiny	16	=	16
1 x 16	Planning	16	=	16
1 x 13	Licensing and Health & Safety	13	=	13
1 x 12	Selection	12	=	12
1 x 8	Audit	8	=	8
1 x 8	Transportation and Highways Advisory	8	=	8
1 x 8	Educational & Vocational Skills Advisory	8	=	8
1 x 5	Appointments	5	=	5
			Total	<u>86</u>

B. Percentage of group in relation to total membership of the authority

43 members =		%
29 Conservative	=	67.4418
5 Labour	=	11.6279
5 Ashford Independent	=	11.6279
2 Liberal Democrat	=	4.65116
<u>Note:</u> 1 Independent		2.32558
1 Conservative Independent		2.32558
		<u>99.99998</u>

C.1 Allocation of Seats on Committees in proportion to Group strength

Committee	Con	Lab	AI	LD	Ind	CI	Total
1 x 16 O&S	11	2	2	1	0	0	16
1 x 16 Planning	11	2	2	1	0	0	16
1 x 12 Selection	9*	1	1	1	0	0	12
1 x 13 Licensing, Health & Safety	9	1	1	1	1**	0	13
1 x 8 Audit	5	1	1	0	1*	0	8
1 x 8 Transport & Highways	5	1	1	0	0	1*	8
1 x 8 Education & Vocational	5	1	1	0	0	1*	8
1 x 5 Appointments	3	1	1	0	0	0	5
Totals	(58)58 (58.0000)	10(10) (10.0000)	10(10) (10.0000)	4(4) (4.0000)	2	2	86

*1 Under the draft calculation all Groups had received their allocation on the Selection and Constitutional Review Committee, the Audit Committee, the Transport and Highways Advisory Committee and the Education and Vocational Skills Advisory Committee. However, one seat remained on each of them to be allocated. The Conservative Group allocation of seats across all Committees is 58, however under the allocation they have only received 57 seats. The Leader of the Conservative Group has expressed a wish that they be allocated the seat on the Selection & Constitutional Review Committee. Of the remainder Group Leaders have recommended that Cllr. Smith be allocated a seat on the Audit Committee as he is currently a Member of that Committee. Group Leaders have also recommended that Cllr. Marriott be allocated the seats on the Education and Vocational Skills and Transportation and Highways Advisory Committee.

**2 Under the draft calculation for the Licensing and Health and Safety Committee there remained one seat to be allocated to either the Labour Group or the Ashford Independent Group. However, if either Group took the seat it would result in them having 1 more seat over and above their overall entitlement. The Leaders of the Labour Group and the Ashford Independent Group agreed to gift this seat to Cllr. Smith as he currently held a seat on that Committee.

C.2 Allocation of seats on all ordinary Committees to achieve overall proportionality

Political Group entitlement in relation to <u>all</u> seats:	86
Conservative	58.0000 = 58
Labour	10.0000 = 10
Ashford Independent	10.0000 = 10
Liberal Democrat	4.0000 = 4

Note:

Independent	2.0000 = 2
Conservative Independent	2.0000 = 2
Total	86

D. Committees etc. to which balance cannot apply or will not apply either as a direct result of joint arrangements or the Council agreeing, i.e. no member votes against this arrangement, on each occasion the Council adopts a revised political balance for the Authority.

1 x 3	Appeals (3 Member Panels)	3 Members per meeting drawn on rota from a panel of 15 Members (which does not meet as a Committee)	=	3
^x 1 x 7	Joint Transportation Board	Due to the Joint Arrangements and the manner in which seats are allocated by the Kent County Council, it is impossible to have an overall balanced allocation of seats	=	7
1 x 3	Licensing Sub-Committee (3 Member Panels)	3 Members per meeting drawn on rota from a panel of 13 Members (which does meet as a Committee so is itself balanced)	=	3

1 x 8 Standards – broadly politically balanced as part of membership based on posts.

Committee	Con	Lab	AI	LD	Ind	CI	Total
1 x 15 Appeals	10	2	2	1	0		15
1 x 7 Joint Transportation	5	1	1	0	0		7
Standards	5	Plus Chair, Vice-Chair O&S plus one other minority group member					8
Licensing Sub-Committee	3 Members per Meeting drawn from a Panel of 13						

APPENDIX B

SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE

9TH OCTOBER 2014

MEMBERSHIP OF COMMITTEES, GROUPS AND FORUMS, INCLUDING CHAIRMEN AND VICE-CHAIRMEN

On the basis of the draft Political Balance Calculation agreed with Group Leaders following the recent changes to the Council, the entitlement to seats is set out below.

Recommended Chairmen and Vice-Chairman of each Committee are outlined below, but, in accordance with the Constitution, their appointment is subject to ratification by the Full Council.

Current recommendations on Membership and Chairmanship/Vice-Chairmanship are shown for Members' clarity. It is acknowledged that these are subject to change and clarification at the meeting.

Overview and Scrutiny Committee (16 Members)

Members of the Cabinet may not be appointed to this Committee

Conservative (11)	Labour (2)	Ashford Independent (2)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Apps	Chilton (Ch)	Davison (VCh)	Adby		
Bartlett	Yeo	Mortimer			
Buchanan					
Burgess					
Feacey					
Hodgkinson					
Mrs Hutchinson					
J Martin					
M Martin					
Sims					
Vacancy					

Audit Committee (8 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (1*)	Con Independent (0)
Buchanan	Yeo	Michael		Smith	
Clokie (Ch)					
Link (VCh)					
Shorter					
Sims					

Planning Committee (16 Members) (plus 1 ex officio)

Conservative (11)	Labour (2)	Ashford Independent (2)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Apps	Britcher	Davison	Davidson		
Bennett (Ch)	Yeo	Ovenden			
Burgess (VCh)					
Clarkson (EO)					
Clokie					
Mrs Dyer					
Galpin					
Heyes					
Mrs Heyes					
Mrs Hutchinson					
Robey					
Wedgbury					

Selection & Constitutional Review Committee (12 Members)

Conservative (9)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Bennett	Chilton	Davison	Davidson		
Burgess					
Clarkson (Ch)					
Claughton (VCh)					
Galpin					
Hodgkinson					
Howard					
M Martin					
Robey					

Licensing and Health and Safety Committee (13 Members)

Group Leaders are reminded of the importance of nominating Members who are available to attend day-time hearings of the Licensing Sub-Committee.

Conservative (9)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)	Con Independent (0)
Bennett	Chilton	Davey	Adby	Smith	
Feacey (Ch)					
Galpin (VCh)					
Hodgkinson					
Mrs Hutchinson					
J Martin					
M Martin					
Shorter					
Sims					

Appointments Committee (5 Members)

Conservative (3)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Mrs Blanford	Britcher	Davison	Davidson (invited non-voting Member)		
Clarkson (Ch)					
Cloughton (VCh)					

Appeals (15 Members – 3 Members to be drawn per meeting)

Members should not be a Member of the Cabinet. Group Leaders are reminded of the importance of nominating Members who are available to attend day-time meetings.

Conservative (10)	Labour (2)	Ashford Independent (2)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Bennett	Britcher	Mortimer	Davidson		
Buchanan	Chilton	Ovenden			
Burgess					
French					
Hodgkinson					
Mrs Hutchinson					
Link					
J Martin					
Sims					
Wedgbury					

Standards Committee (8 Members)

Based on 5 Conservative Members, the Chairman and Vice-Chairman of the Overview & Scrutiny Committee and a Member from a Group not otherwise represented.

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Mrs Blanford	Chilton	Davison (VCh)	Adby		
Burgess					
Mrs Dyer (Ch)					
Feacey					
Mrs Hutchinson					

Joint Transportation Board (7 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)	Con Independent (0)
Burgess	Yeo	Davey			
Feacey					
Heyes (VCh)					
M Martin					
Robey					

Transportation, Highways & Engineering Advisory Committee (8 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)	Con Independent (1)
Burgess	Yeo	Michael			Marriott
Glaughton					
Feacey (VCh)					
Heyes (Ch)					
Robey					
Wedgbury					

Education & Vocational Skills Advisory Committee (8 Members)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)	Con Independent (1)
Bell	Britcher	Davey			Marriott
Clokie (Ch)					
J Martin (VCh)					
Robey					
Shorter					
Wedgbury					

Grants Gateway Panel (7 Members including the Portfolio Holder for Community & Wellbeing)

Conservative (5)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)	Con Independent (0)
Apps (VCh)	Britcher	Davison			
Burgess					
Claughton (Ch)					
Mrs Dyer					
Link					

Joint Consultative Committee (6 Members) – One from each Group - two from the administration.

Membership is to include the Leader and/or appropriate Portfolio Holder.

Conservative (2)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)	Con Independent (0)
Galpin (Ch)	Britcher	Davey	Davidson	Smith	
Shorter					

Conservation and Environment Forum (8 Members including Portfolio Holder for the Environment)

Conservative (6)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	Independent (0)	Con Independent (0)
Mrs Bell	Britcher	Michael			
Bennett					
Mrs Blanford (Ch)					
Mrs Dyer					
Hicks					
Wedgbury					

Parish Forum (6 Members) (plus 1 ex officio)

Membership to include the Portfolio Holder and one Member from each Group

Conservative (2)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)	Con Independent (0)
Mrs Bell (Ch)	Yeo	Davison	Davidson	Smith	
Mrs Dyer					
Clarkson (EO)					

Member Training Panel (8 Members)

Conservative (4)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (1)	Con Independent (0)
Cloughton	Chilton	Mortimer (VC)	Adby	Smith	
Mrs Dyer					
Hicks					
J Martin (Ch)					

Parish Council Review and Polling District Review Task Group (10 Members)

Conservative (7)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	Independent (0)	Con Independent (0)
Apps	Britcher	Mortimer	Davidson		
Mrs Bell (Ch)					
Clarkson					
Cloughton (VCh)					
Clokie					
Hicks					
M Martin					

KRF - Political Balance Calculation Draft October 2014 Appendix B