

Selection and Constitutional Review Committee

3 December 2015

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 2015/16 Municipal Year following the result of the by-election for the Aylesford Green Ward in which Councillor Alexander Howard was elected.

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.

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 2015/16 municipal year for agreement at the Full Council. This reflects the outcome of the Aylesford Green by-election when Councillor Howard was elected as a Conservative 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.

Planning Committee – Increase in Membership

4. Under the Political Balance agreed in May 2015 the Conservative Group was allocated 14 seats on the Committee as under the agreement when Balance was determined they chose to take the additional seat available at that time to enable them to achieve their overall entitlement of seats across all committees. However under this new calculation the Conservative allocation is 13 seats, with the Lab and AI Group each retaining their seats on the committee. One seat remains to be allocated.
5. In order to retain the existing membership of the Committee the Leader of the Council has recommended that the membership of the Planning Committee be increased from 16 to 17 Members. All Groups will therefore be able to retain their existing membership leaving a seat to be allocated to either the Lib Dem or UKIP member.

Consideration

6. Under the draft calculation shown in Appendix A all Groups have received their allocation on the various committees and when taken collectively their overall

entitlement to seats across all committees. However one seat on the Planning Committee and one seat on the Appointments Committee needs to be recommended for allocation to the Liberal Democrat and UKIP member.

7. Group Leaders have been consulted on the draft Political Balance Calculation and will advise of any changes to Committee Membership in terms of their Group's allocation.

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 Panels, Standards Committee and the Sub-Committee of the Licensing and Health and Safety Committee established under the Licensing Act 2003 and Gambling Act 2005.**
 - (ii) the Planning Committee be increased form 16 to 17 Members.**
 - (iii) the Committee is requested to make a recommendation regarding the allocation of the seat on the Planning Committee and the seat on the Appointments Committee.**
 - (iv) The changes in Committee membership as notified by the Group Leaders and as set out in Appendix B be noted.**

Terry Mortimer
Head of Legal and Democratic Services

**THE POLITICAL BALANCE CALCULATION
DECEMBER 2015**

A.1 All Committees to which balance applies

	Committee	Seats/Committee		Total Seats
1 x 12	Overview and Scrutiny	12	=	12
1 x 17	Planning	17	=	17
1 x 13	Licensing and Health & Safety	13	=	13
1 x 12	Selection	12	=	12
1 x 8	Audit	8	=	8
1 x 5	Appointments	5	=	5
			Total	<u>67</u>

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

43 members =		%
35 Conservative	=	81.39534
3 Labour	=	6.97674
3 Ashford Independent	=	6.97674
<u>Note:</u> 1 Liberal Democrat		2.32558
1 UKIP		2.32558
		<u>99.99998</u>

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

Committee	Con	Lab	AI	Allocated	Total
1 x 12 O&S	10	1	1		12
1 x 17 Planning	14	1	1	1*	17
1 x 12 Selection	10	1	1		12
1 x 13 Licensing, Health & Safety	11	1	1		13
1 x 8 Audit	6	1	1	0	8
1 x 5 Appointments	4	0	0	1*	5
Totals	55 (54.538)	5 (4.604)	5 (4.604)	2	67

*Under the draft calculation all Groups had received their allocations on the above Committees, and when taken collectively their overall entitlement to seats across all Committees, however, one seat remains to be allocated on the Planning and the Appointments Committee.

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

Political Group entitlement in relation to <u>all</u> seats:	66
Conservative	54.538 = 55
Labour	4.604651 = 5
Ashford Independent	4.604651 = 5
	65
1 Liberal Democrat	
1 UKIP	= 2
Total	67

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		=	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

- * Standards – broadly politically balanced as part of membership based on posts.
- x 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.

Committee	Con	Lab	AI	Others	Total
*1 x 15 Appeals	12	1	1	1	15
x1 x 7 Joint Transportation	6	1	0	1	7
*Standards	6	Plus Chair and Vice-Chair O&S			8

R:KRF - Political Balance Calculation December 2015 Appendix A

APPENDIX B

SELECTION AND CONSTITUTIONAL REVIEW COMMITTEE

3RD DECEMBER 2015

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

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

The Committee may wish to propose the identity of the Chairman and Vice-Chairman of each Committee, for appointment in accordance with the Constitution, by the Full Council.

Overview and Scrutiny Committee (12 Members)

Members of the Cabinet may not be appointed to this Committee

Conservative (10)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Aaby	Chilton (Ch)	Michael (VCh)		
Feacey				
Hicks				
A Howard				
W Howard				
Knowles				
Krause				
Link				
Sims				
Wedgbury				

Audit Committee (8 Members)

Conservative (6)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Buchanan	Chilton	Smith		
Link (Ch)				
Powell				
Shorter				
Waters (VCh)				
White				

Planning Committee (17 Members) (plus 1 ex officio)

Conservative (14)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1/0)	UKIP (1/0)
Apps	Britcher	Ovenden	_____	_____
Barrett				
Bennett				
Mrs Blanford				
Bradford				
Burgess (Ch)				
Clarkson (EO)				
Clokie				
Dehnel				
Galpin				
Heyes				
Link				
Powell				
Waters				
Wedgbury (VCh)				

Selection & Constitutional Review Committee (12 Members)

Conservative (10)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Bell (VCh)	Chilton	Ovenden		
Mrs Bell				
Bennett				
Mrs Blanford				
Burgess				
Clarkson (Ch)				
Galpin				
Mrs Martin				
Shorter				

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 (11)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Adby	Britcher	Smith		
Apps				
Bennett				
Bradford (VCh)				
Feacey (Ch)				
Mrs Heyes				
Miss Martin				
Pickering				
Shorter				
Sims				
Mrs Webb				

Appointments Committee (5 Members)

Conservative (4)	Labour (0)	Ashford Independent (0)	Liberal Democrat (0/1?)	UKIP (0/1?)
Bell (VCh)	Chilton (invited non- voting)	Ovenden (invited non- voting)	_____	_____
Clarkson (Ch)				
Clokie				
Powell				

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 (12)	Labour (1)	Ashford Independent (1)	Liberal Democrat (1)	UKIP (0)
Apps	_____	Michael	Koowaree	
Barrett				
Bradford				
Mrs Heyes				
Hicks				
Knowles				
Krause				
Mrs Martin				
Pickering				
Sims				
Webb				
Wedgbury				

Standards Committee (8 Members)

Based on 6 Conservative Members plus the Chairman and Vice-Chairman of the Overview & Scrutiny Committee.

Conservative (6)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Mrs Bell (VCh)	Chilton	Michael		
Dehnel				
Feacey				
Hicks (Ch)				
Knowles				
Waters				

Joint Transportation Board (7 Members)

Conservative (6)	Labour (1)	Ashford Independent (0)	Liberal Democrat (0)	UKIP (0)
Bartlett (Ch)	_____			
Feacey				
Heyes				
A Howard				
Mrs Martin				
Webb				

Community Grants Panel (7 Members including the Portfolio Holder for Culture, Leisure & Environment)

Conservative (6)	Labour (1)	Ashford Independent (0)	Liberal Democrat (0)	UKIP (0)
Apps (VCh)	_____			
Bennett				
Mrs Blanford (PH)				
Link (Ch)				
Sims				
Webb				

Joint Consultative Committee (6 Members) – At least one Member from each Group – the remainder from the administration.

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

Conservative (4)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Burgess	Britcher	Smith		
Krause				
Miss Martin (Ch)				
Shorter				

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

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

Conservative (4)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Mrs Bell (Ch)	Farrell	Ovenden		
Bradford				
Clarkson (EO)				
Krause				
Pickering				

Member Training Panel (8 Members)

Conservative (6)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Adby	Chilton	Smith		
Hicks				
Krause (VCh)				
Link				
Miss Martin (Ch)				
Wedgbury				

Local Government and Polling Districts Task Group (10 Members)

Conservative (8)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Barrett	Chilton	Michael		
Bell (Ch)				
Mrs Bell				
Clarkson (VCh)				
Clokie				
Dehnel				
Heyes				
W Howard				

Local Plan & Planning Policy Task Group (10 Members)

Conservative (8)	Labour (1)	Ashford Independent (1)	Liberal Democrat (0)	UKIP (0)
Bennett (VCh)	Britcher	Michael		
Mrs Blanford				
Clarkson (Ch)				
Clokie				
Galpin				
Heyes				
Shorter				
Wedgbury				