

COUNCIL**21 September 2016**

Is the final decision on the recommendations in this report to be made at this meeting?

Yes**REVIEW OF ALLOCATION OF SEATS ON COMMITTEES**

Final Decision-Maker	Council
Lead Head of Service	Angela Woodhouse, Head of Policy and Communications
Lead Officer and Report Author	Debbie Snook, Democratic Services Officer
Classification	Public
Wards affected	N/A

This report makes the following recommendations to this Committee:

1. That the calculation for entitlement to seats on individual Committees and the requisite adjustments as set out in Appendix A be determined.

This report relates to the following corporate priorities: N/A**Timetable**

Meeting	Date
Council	21 September 2016

REVIEW OF ALLOCATION OF SEATS ON COMMITTEES

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Following the Shepway South by-election and the decision of Councillor Newton to join the UKIP Group, there have been requests to review the allocation of seats on Committees to the different Political Groups represented on the Council pursuant to Section 15 of the Local Government and Housing Act 1989.
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2. INTRODUCTION AND BACKGROUND

- 2.1 Following the Shepway South by-election on 8 September 2016 and the decision of Councillor Newton to join the UKIP Group, the composition of the Council is as follows:

Conservative	23
Liberal Democrats	22
Independent	4
UKIP	4
Labour	2
<u>Total</u>	<u>55</u>

- 2.2 Requests have been received for a review of the allocation of seats on Committees pursuant to Section 15 of the Local Government and Housing Act 1989. Applying each Political Group's proportion of the overall number of seats and rounding to the nearest whole number does not give an exact fit with the number of seats on each Committee. There are six seats that remain to be allocated between the UKIP, Independent and Labour groups in the proportion 2:2:1. As this ratio does not give an exact fit with the six vacancies, agreement will need to be reached amongst the relevant Group Leaders on the allocation of seats.
- 2.3 The Constitution requires that the Planning Referrals Committee comprises three Councillors, one from each of the three largest Political Groups. As there is now a tie for the position of the third largest Group, it is proposed that on this occasion allocation of the third seat be subject to consultation between the two relevant Group Leaders (resulting in 7 seats in total to be allocated). If agreement is reached then the seat will be allocated accordingly. In order to provide a clear framework for resolving such issues in future, consultation will take place on appropriate amendments to the Constitution.
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3. AVAILABLE OPTIONS

- 3.1 The revised allocation of seats on individual Committees is set out in Appendix A, together with details of the adjustments required. The calculation assumes the following:

- 114 seats on Committees;
- The Policy and Resources Committee comprising representatives of all five Political Groups (with a Political Group defined as consisting of two or more Members);
- The Employment Committee including the Leaders of all five Political Groups (not politically balanced);
- The Urgency Committee comprising the Leaders of all five Political Groups (not politically balanced); and
- The Planning Referrals Committee comprising three Members, with the third seat subject to consultation between the two relevant Group Leaders (not politically balanced).

3.2 Section 17 of the Local Government and Housing Act 1989 provides for exceptions to the political balance requirements. Essentially, the Council can amend the political balance of a Committee provided that notice of the intention to give such consideration has been given to all Members of the Council and that when the alternative arrangements are put to the vote at the Council meeting, no Member of the Council votes against them.

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

4.1 It is proposed, following consultation with Group Leaders, that the Employment Committee, the Urgency Committee and the Planning Referrals Committee only are not politically balanced as set out in paragraph 3.1 above, and that the calculation for entitlement to seats on individual Committees and the requisite adjustments as set out in Appendix A be determined.

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 Group Leaders have discussed the revised allocation of seats on Committees, and their views have been taken into account in the calculation and allocation.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 Once the allocation of seats has been decided upon, there is a duty to give effect to the allocation by making appointments to them in accordance with the wishes of the Group Leaders on behalf of their respective Political Groups.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	There are no direct impacts on corporate priorities arising from this decision, but the Committees once appointed will discharge the functions delegated to them having regard where appropriate to the Council's strategic objectives.	Head of Policy & Communications
Risk Management	The review of the allocation of seats on Committees will ensure an appropriate political balance in membership.	Head of Policy & Communications
Financial	The Committees to be appointed having regard to the political balance requirements form part of the original plan for the committee system of governance and as such there are no additional financial implications.	Section 151 Officer
Staffing	There are no staffing implications.	Head of Policy & Communications
Legal	The legal implications are set out in the body of the report.	Head of Legal Partnership
Equality Impact Needs Assessment	There are no equality issues.	Policy & Information Manager
Environmental/Sustainable Development	There are no environmental/sustainable development implications.	Head of Policy & Communications
Community Safety	There are no community safety implications.	Head of Policy & Communications
Human Rights Act	There are no human rights implications.	Head of Policy & Communications
Procurement	There are no procurement implications.	Head of Policy & Communications
Asset Management	There are no asset management implications.	Head of Policy & Communications

8. REPORT APPENDICES

The following document is to be published with this report and forms part of the report:

- Appendix A – Allocation of Seats on Committees

9. BACKGROUND PAPERS

None