

<b>Council</b>	
<b>Meeting Date</b>	11 November 2020
<b>Report Title</b>	<b>Recalculation of political balance and allocation of committee seats as a result of changes to membership of political groups</b>
<b>Cabinet Member</b>	Cllr Roger Truelove – Council Leader
<b>SMT Lead</b>	David Clifford – Head of Policy, Communications and Customer Services (Monitoring Officer)
<b>Head of Service</b>	
<b>Lead Officer</b>	Jo Millard – Senior Democratic Services Officer
<b>Key Decision</b>	No
<b>Classification</b>	Open
<b>Recommendations</b>	<p>Council is recommended to:</p> <ol style="list-style-type: none"> <li>1. <b>Agree</b> the political balance calculation as set out in Appendix II, as amended to allocate the unallocated seats on Audit, Emergency and General Licensing Committee.</li> <li>2. <b>Agree</b> the allocation of seats and appointment of Members to those Committees, in accordance with the wishes of Group Leaders, as set out in Appendix III.</li> <li>3. <b>Agree</b> the Chairman and Vice-Chairman of those Committees, as set out in Appendix IV.</li> </ol>

## 1 Purpose of Report and Executive Summary

- 1.1 This report sets out changes to the political balance and committee seat allocations and memberships as a result of recent changes to the membership of political groups.

## 2 Background

- 2.1 Section 15 of the Local Government and Housing Act 1989 requires local authorities to review the allocation of seats on committees at the annual meeting, or as soon as possible after it. Once the Council has agreed the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees. This was last agreed at the Annual Council meeting in July 2020.
- 2.2 Where changes to the membership of political groups take place between elections, the Local Government (Committees and Political Groups) Regulations 1990 require the Council to recalculate the political balance and the allocation of committee seats ‘as soon as practicable’ after notice of changes to groups is delivered to the proper officer.

- 2.3 Due to a recent change to the membership of two political groups (the Independent Group and the Liberal Democrat Group), the political balance has been recalculated and is set out in Appendix II.
- 2.4 The following principles apply to the allocation of seats:
- (a) That not all seats on the body to which appointments are being made are allocated to the same political group;
  - (b) That the majority of seats on each Committee is allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
  - (c) Subject to (a) and (b), that, when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
  - (d) Subject to (a) and (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
- 2.5 The seat entitlement of each group on each committee is thus based on the group's percentage representation on the Council as a whole, all as set out in Appendix II. While an initial version of this can be calculated mathematically, this usually results in a discrepancy between the strict entitlement of each group and the overall number of committee seats to be allocated, requiring 'manual' adjustment to ensure that the number of seats allocated to each group is fair. This process is known as 'gifting'.
- 2.6 In this instance, in order to ensure overall political balance, the Liberal Democrat Group have agreed to gift their Policy Development and Review Committee seat to the Green Group. This leaves three remaining unallocated seats on the Audit, General Licensing and Emergency Committees. Following discussion with all group leaders, the Audit seat has been gifted to the Conservative Group, the General Licensing to the SIA Group and the Emergency Committee seat has been gifted to the Ungrouped Member.
- 2.7 The political balance rules do not apply to committees exercising executive functions such as the Swale Joint Transportation Board and the Local Plan Panel.
- 2.8 Group Leaders have been requested to provide nominations to the places on committees to which their respective groups are entitled; this is set out in Appendix III. The Constitution authorises the Council to appoint the Chairmen and Vice-Chairmen of certain committees. The nominations to these positions are set out in Appendix IV.

### **3 Proposal**

- 3.1 Council is now *recommended* to:

1. Agree the political balance calculation as set out in Appendix II, as amended to allocate the unallocated seats on Audit, Emergency and General Licensing Committee.
2. Agree the allocation of seats and appointment of Members to those Committees, in accordance with the wishes of Group Leaders, as set out in Appendix III.
3. Agree the Chairman and Vice-Chairman of those Committees, as set out in Appendix IV.

#### **4 Alternative Options**

- 4.1 In view of changes to the membership of political groups, there is no lawful alternative to the recalculation of political balance and associated committee seat allocations.

#### **5 Consultation Undertaken or Proposed**

- 5.1 All Group Leaders have been consulted on the production of this report and its appendices.

#### **6 Implications**

<b>Issue</b>	<b>Implications</b>
Corporate Plan	There are no direct implications for the corporate plan.
Financial, Resource and Property	None identified at this stage.
Legal and Statutory	The relevant legal issues are set out in the body of the report.
Crime and Disorder	None identified at this stage.
Climate and Ecological Emergency	None identified at this stage.
Health and Wellbeing	None identified at this stage.
Risk Management and Health and Safety	None identified at this stage.
Equality and Diversity	None identified at this stage.
Privacy and Data Protection	None identified at this stage.

#### **7 Appendices**

- 7.1 The following documents are to be published with this report and form part of the report

- Appendix I: Political Balance Calculations agreed at Council July 2020 (for information)
- Appendix II: Recalculated Political Balance as a result of a changes to group memberships November 2020
- Appendix III: Membership of Committees
- Appendix IV: Appointment of Chairman and Vice-Chairman

## **8 Background Papers**

- 8.1 Link to Annual Council July 2020:  
<https://services.swale.gov.uk/meetings/ieListDocuments.aspx?CId=155&MId=237>  
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