

Council	
Meeting Date	10 November 2021
Report Title	Recalculation of political balance and allocation of committee seats as a result of changes to membership of political groups
Cabinet Member	Cllr Roger Truelove – Council Leader
SMT Lead	David Clifford – Head of Policy, Communications and Customer Services (Monitoring Officer)
Head of Service	
Lead Officer	Jo Millard – Senior Democratic Services Officer
Key Decision	No
Classification	Open
Recommendations	<p>Council is recommended to:</p> <ol style="list-style-type: none"> 1. Agree the political balance calculation as set out in Appendix II, as amended to allocate the unallocated seats on Emergency and Standards 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.

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 May 2021.
- 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 political groups 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 SIA group have agreed to gift the Conservative Group a seat each on Licensing Act 2003 Committee, Policy Finance and Housing Cabinet Advisory Committee and Environment, Health and Wellbeing Cabinet Advisory Committee. Labour receive the shortfall seat on Standards Committee.
- The Green group have given up their seat on Scrutiny Committee and will take the unallocated seat on the Emergency Committee. The Independents First group will take the seat on the Scrutiny Committee.
- 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. So long as a Committee seat continues to be allocated to a group, the Council will act in accordance with the wishes of that group in determining whether and when to terminate the appointment.

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 Emergency and Standards 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

Issue	Implications
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 Annual Council May 2021 (for information)
- Appendix II: Recalculated Political Balance as a result of a changes to group memberships October 2021
- Appendix III: Membership of Committees (to follow)
- Appendix IV: Appointment of Chairman and Vice-Chairman (to follow)

8 Background Papers

8.1 Link to Annual Council May 2021:

<https://services.swale.gov.uk/meetings/ieListDocuments.aspx?CId=155&MId=2304>