

Annual Council Meeting	
Meeting Date	18 May 2022
Report Title	Allocation of Committee seats and Committee appointments for 2022/23
EMT Lead	David Clifford – Head of Policy, Governance and Customer Services
Head of Service	
Lead Officer	Jo Millard – Senior Democratic Services Officer
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. That Council is asked to agree the political balance calculation as set out in Appendix I. 2. That Council is asked to allocate seats to those Committees and to agree the appointment of Members to those Committees, in accordance with the wishes of Group Leaders, as set out in Appendix II. 3. Groups' nominations for Swale's membership of the Joint Transportation Board can be found in Appendix III. Council is asked to determine JTB membership based on these nominations.

1 Purpose of Report and Executive Summary

- 1.1 Political groups on the Council are formed in accordance with the Local Government (Committees and Political Groups) Regulations 1990 when 2 or more Councillors must notify the Proper Officer of their wish to be treated as a group. This report sets out the political balance and committee seat allocations for the civic year 2022/23.

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 (set out in Appendix I). This was last agreed at Council in November 2021 when there were changes to the membership of political groups. A review is necessary as the Council implements the Committee System. In addition, there has been a change in membership of a political group. 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.

- 2.2 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 belong 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.
- 2.3 There are 134 seats to be allocated under the new Committee System, noting that ungrouped Members do not automatically receive a proportion. The seat entitlement of each group on each Committee is thus based on the group's percentage representation on the Council as a whole as detailed in Appendix II. Whilst 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 seats allocated to each group is fair. This process is known as 'gifting'.
- 2.4 To ensure overall political balance, the SIA are required to give up 3 seats in total and gift 2 seats to the Labour Group. This plus other adjustments, are set out in Appendix I.
- 2.5 Whilst sub-committees are also governed by the political balance rules, the overall requirement for total places to be balanced only applies to ordinary committees so sub-committee places do not need to be included in the overall calculation, but the membership of sub-committee places should be proportionate as far as is reasonably practical.
- 2.6 The Joint Transportation Board and the Planning and Transportation Policy Working Group are not committees covered by Section 101 of the Local Government Act 1972 and Section 15 of the Local Government Housing Act does not apply. The membership of the Planning and Transportation Policy Working Group will be for the Policy and Resources Committee to determine at its June meeting. While the Swale membership of the Joint Transportation Board does not need to be politically balanced, it does need to be agreed by Council.
- 2.7 Group Leaders have been requested to provide nominations to the places on Committees to which their respective groups are entitled; this has been set out in Appendix II.

3 Proposals

- 3.1 That Council is asked to agree the political balance calculation as set out in Appendix I.

3.2 That Council is asked to allocate seats to those Committees and to agree to the appointment of Members to those Committees, in accordance with the wishes of Group Leaders, as set out in Appendix II.

3.3 Groups' nominations for Swale's membership of the Joint Transportation Board can be found in Appendix III. Council is asked to determine JTB membership based on these nominations.

4 Alternative Options

4.1 Council can decide to change the number and size of Committees, however, this will have an impact on the number of seats available on the Council and will therefore require the political balance to be re-calculated to reflect this. Members are encouraged to make officers aware in advance of the meeting of any proposals of this nature.

5 Consultation Undertaken or Proposed

5.1 All Group Leaders have been asked to advise Democratic Services of their nominations to seats on Committees for their respective Groups. This will be circulated at the Council meeting.

6 Implications

Issue	Implications
Corporate Plan	The recommendations in this report contribute to the council priority to renew local democracy and make the council fit for the future.
Financial, Resource and Property	The Council's Committee Structure includes Committee(s) with Financial, Resource and Property within their remits.
Legal, Statutory and Procurement	The Head of Legal has been consulted on this report. The relevant legal provisions are set out in the body of the report.
Crime and Disorder	The Council's Committee Structure includes Committee(s) with Crime and Disorder within their remits.
Environment and Climate/Ecological Emergency	The Council's Committee Structure includes Committee(s) with Environment and Climate/Ecological Emergency within their remits.
Health and Wellbeing	The Council's Committee Structure includes Committee(s) with Health and Wellbeing within their remits.

Safeguarding of Children, Young People and Vulnerable Adults	The Council's Committee Structure includes Committee(s) with Safeguarding of Children, Young People and Vulnerable Adults within their remits.
Risk Management and Health and Safety	The Council's Committee Structure includes Committee(s) with Risk Management and Health and Safety within their remits.
Equality and Diversity	The Council's Committee Structure includes Committee(s) with Equality and Diversity within their remits.
Privacy and Data Protection	The Council's Committee Structure includes Committee(s) with Privacy and Data Protection within their remits.

7 Appendices

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

- Appendix I: Political Balance Calculation
- Appendix II: Membership of Committees
- Appendix III: Groups' Nominations for Swale Membership of JTB

8 Background Papers

None