

<b>Council Meeting</b>	
<b>Meeting Date</b>	11 October 2023
<b>Report Title</b>	Recalculation of Political Balance and Allocation of Committee seats as a result of by-election and changes to membership of political groups
<b>EMT Lead</b>	Lisa Fillery – Director of Resources
<b>Head of Service</b>	
<b>Lead Officer</b>	Jo Millard – Democratic Services Manager
<b>Classification</b>	<b>Open</b>
<b>Recommendations</b>	<ol style="list-style-type: none"> <li>1. That Council is asked to agree the political balance calculation as set out in Appendix II.</li> <li>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 III.</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 a recent by-election and 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 Annual Council in May 2023 (Appendix I).
- 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 by-election and change to the membership of political groups, the political balance has been recalculated as 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 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.
- 2.5 There are 134 seats to be allocated under the Committee System. The seat entitlement of each group, on each Committee is thus based on the group's percentage representation on the Council 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'.
- 2.6 To ensure overall political balance, the Conservative Group lose 4 seats based on the rounded allocation which is 3 seats less than the current allocation where the adjustment was made for Housing & Health Committee. Therefore, one seat on Standards Committee and one seat on Community Committee, and one seat from either Policy & Resources Committee, Environment Committee, Regeneration & Property Committee or Licensing Committee, as shown on the attached political balance. The Labour group gain a seat on Community Committee and the Green Group gain a seat on the Standards Committee, as a result of rounding.
- 2.7 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.
- 2.8 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 was determined by the Policy and Resources Committee at its June 2023 meeting.
- 2.8 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 II.
- 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 III.

### **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 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**

<b>Issue</b>	<b>Implications</b>
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 agreed at Annual Council May 2023.
- Appendix II: Political Balance Calculation as a result of changes to by-election and Group Memberships.
- Appendix III: Membership of Committees.

## 8 Background Papers

Link to Annual Council May 2023:

[Agenda for Annual Council on Wednesday, 17 May 2023, 7.00 pm \(swale.gov.uk\)](https://www.swale.gov.uk/agenda-for-annual-council-on-wednesday-17-may-2023-7-00-pm)