

COUNCIL
26 APRIL 2018

REVIEW OF ALLOCATION OF SEATS ON COMMITTEES

Report from: Neil Davies, Chief Executive

Author: Julie Keith, Head of Democratic Services

Summary

Following a by-election in Rochester West ward on 8 March 2018, notice has been received that the newly elected Councillor has joined the Labour Group together with a formal request for a review of the allocation of Committee seats to political groups. This report asks the Council to agree revisions to the allocation of Committee seats to reflect the current political balance of the Council.

1. Budget and Policy Framework

- 1.1 The establishment of committees and the allocation of seats to political groups are matters for decision by the Council. A review of the allocation of Committee seats to political groups has been requested in a formal notice signed by the Leader of the Labour Group and Councillor Alex Paterson who has now joined the Group following the Rochester West by-election on 8 March 2018.
- 1.2 Sections 15 and 17 of the Local Government and Housing Act 1989 place a duty on the Council to review the allocation of seats to political groups in the circumstances set out above.

2. Background

- 2.1 Following a by-election in Rochester West Ward on 8 March 2018 the composition of the Council is now as follows:

	Number of councillors	Proportionality %
Conservative Group	37	67.3
Labour Group	16	29.1
UKIP Group	2	3.6
Total	55	100%

3 Review of allocation of seats to political groups

3.1 The Local Government and Housing Act 1989 and associated regulations require the Council to review the allocation of seats on committees to political groups in specified circumstances including on request when a Councillor joins a political group. Committee seats must be allocated in accordance with the size of each group on the Council as a whole, unless alternative arrangements are notified to all Members five clear days in advance of this meeting and agreed without any Councillor voting against them. The Council is required to observe the following principles so far as is reasonably practicable:-

- (a) that not all the seats on the body are allocated to the same political group;
- (b) that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority;
- (d) subject to paragraphs (a) to (c) above, that the number of the seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority.

3.2 Principles (a), (b) and (d) apply to all appointments to the authority's own bodies and to certain outside bodies. However, principle (c) only relates to appointments to the 'ordinary committees' of the council.

3.3 Following the recent by-election in Rochester West Ward and based on 127 committee seats overall the entitlement of the Council's three political groups to Committee seats is now as follows :

Conservative	Labour	UKIP	Total
85 (+3)	37	5	127

3.4 Discussions have taken place with Group Whips and a proposal for the allocation of seats to political groups has been agreed with them as set out in Appendix A to this report. This proposal meets the overriding requirement to ensure the overall number of seats on ordinary committees are allocated in accordance with the changed political balance of the Council.

3.5 In summary, the impact of an increase in the size of the Labour Group and a reduction in the size of the Conservative Group requires the Council to reduce the allocation of seats to the Conservative Group from 88 to 85 and to allocate two additional seats to the Labour Group and one additional seat

to the UKIP Group. The Conservative Group will retain its legal entitlement to 3 additional seats on the Children and Young People Overview and Scrutiny Committee to preserve its majority, in view of the number of seats for statutory voting co-opted Members on that Committee.

- 3.6 It is proposed by the Conservative and Labour Group Whips and the Leader of the UKIP Group that the Labour Group should be allocated two additional seats, one on the Children and Young People Overview and Scrutiny Committee and one on the Business Support Overview and Scrutiny Committee and that the UKIP Group should be allocated an additional seat on the Health and Adult Social Care Overview and Scrutiny Committee. The Conservative Group will relinquish three seats; one on each of these Committees.

4. Financial, legal and risk management implications

- 4.1 There are no financial implications arising from this report.
- 4.2 The legal position is set out within the body of the report.
- 4.3 There are no risk management implications arising from this report.

5. Recommendation

- 5.1 The Council is asked to:
- (i) review the allocation of seats on Committees and agree the revised allocation set out in Appendix A which complies with the principles set out in paragraph 3.1 in this report, in so far as this is practicable.
 - (ii) agree to appoint Councillors to places allocated to the Labour and UKIP Groups as set out below:

Committee	Entitlement	Nomination by Political Group
Business Support Overview and Scrutiny Committee	One additional seat for the Labour Group	Councillor Khan to replace Councillor Hall
Children and Young People Overview and Scrutiny Committee	One additional seat for the Labour Group	Councillor Alex Paterson (with removal of vacant seat currently allocated to the Conservative Group)
Health and Adult Social Care Overview and Scrutiny Committee	One additional seat for the UKIP Group	Councillor Freshwater to replace Councillor Steve Iles

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Appendices

Appendix A – Review of allocation of seats on Committees

Background papers

Sections 15-17 of, and schedule 1 to, the Local Government and Housing Act 1989

<https://www.legislation.gov.uk/ukpga/1989/42/contents>

Appendix A

Committee	No. of seats	37CON 67.3%	16 LAB 29.1%	2 UKIP 3.6%	Total 100%
Children and Young People OSC	13 (+3)	8 (+3)	4	1	13 (+3)
Health and Adult Social Care OSC	13	8	4	1	13
Business Support OSC	13	8	4	1	13
Regeneration, Culture and Environment OSC	13	9	4	0	13
Joint HOSC (with KCC)	4	3	1	0	4
Joint HOSC (with KCC, East Sussex and Bexley	4	3	1	0	4
Appointments Committee	6	4	2	0	6
Appointments Committee for Director of Children and Adults	8	6	2	0	8
Audit Committee	5	3	2	0	5
Planning	16	11	4	1	16
Employment Matters	7	5	2	0	7
Licensing and Safety	12	8	3	1	12
School Transport and Curriculum Appeals	5	3	2	0	5
Councillor Conduct Committee	8	6	2	0	8
Overall entitlement	127	85 (+3)	37	5	127