

REVIEW OF ALLOCATION OF SEATS ON COMMITTEES

Final Decision-Maker	Council
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Classification	Public
Wards affected	All

Executive Summary

Following the Borough Council elections on 5 May 2022, it is necessary to undertake a review of the allocation of seats on Committees. The Council is asked to determine the calculation for entitlement to seats on individual Committees and the requisite adjustments as set out in Appendix 1.

Purpose of Report

Decision

This report makes the following recommendation to Council:

1. That the calculation for entitlement to seats on individual Committees and the requisite adjustments as set out in Appendix 1 be determined.

Timetable

Meeting	Date
Annual Council Meeting	21 May 2022

REVIEW OF ALLOCATION OF SEATS ON COMMITTEES

1. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	There are no direct impacts on corporate priorities arising from this, but the Committees when in place discharge the functions delegated to them having regard where appropriate to the Council's strategic objectives.	Democratic Services Officer
Cross-Cutting Objectives	There are no direct impacts on cross-cutting objectives arising from this, but the Committees when in place discharge the functions delegated to them having regard where appropriate to the Council's cross-cutting objectives.	Democratic Services Officer
Risk Management	See section 5 below.	Democratic Services Officer
Financial	The Committees appointed having regard to the political balance requirements form part of the plan for the new Leader and Executive Model of governance and as such there are no additional financial implications.	Section 151 Officer
Staffing	There are no staffing implications.	Democratic Services Officer
Legal	The Council must allocate seats on Committees to the different political groups to reflect the size of each political group – Section 15 of the Local Government and Housing Act 1989. It is possible to have Committees that are not politically balanced provided that when alternative arrangements are put to the vote, no Member of the Council votes against them. The appointments to the	Interim Deputy Head of Legal Partnership and Monitoring Officer

	Committees should reflect the wishes of the political groups – Local Government (Committees and Political Groups) Regulations 1990 (as amended).	
Privacy and Data Protection	No specific issues arise.	Corporate Insight, Communities and Governance Team
Equalities	The review will ensure an equitable political representation in the membership of Committees.	Senior Policy and Communities Officer
Public Health	No specific issues arise.	Democratic Services Officer
Crime and Disorder	No specific issues arise.	Democratic Services Officer
Procurement	No specific issues arise.	Democratic Services Officer
Biodiversity and Climate Change	No specific issues arise.	Democratic Services Officer

2. INTRODUCTION AND BACKGROUND

2.1 The Council has a statutory requirement under the Local Government and Housing Act 1989 to ensure political proportionality in the membership of Committees. Following the Borough Council elections on 5 May 2022, the composition of the Council is as follows:

Conservative	28
Liberal Democrat	12
Independent	6
Labour	5
The Maidstone Group	4
Total	55

2.2 This necessitates a review of the allocation of seats on Committees. The review must take into account the change in the composition of the Council, the changes arising from the adoption of a Leader and Executive Model of governance and the basic principles of seat allocation prescribed by Section 15 of the Local Government and Housing Act 1989.

3. AVAILABLE OPTIONS

- 3.1 The revised allocation of seats on Committees is set out in Appendix 1, together with details of the adjustments required. As work is continuing on the detailed responsibilities of the Executive portfolios and the impact on the Policy Advisory Committees, there might be some changes, but these are likely to be limited.
- 3.2 Section 17 of the Local Government and Housing Act 1989 provides for exceptions to the political balance requirements. Essentially, the Council can amend the political balance of a Committee provided that notice of the intention to give such consideration has been given to all Members of the Council and that when the alternative arrangements are put to the vote at the Council meeting, no Member of the Council votes against them.
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4. PREFERRED OPTION AND REASONS FOR RECOMMENDATION

- 4.1 Following the Borough Council elections on 5 May 2022, it is necessary to undertake a review of the allocation of seats on Committees. Group Leaders are being consulted on the allocation of seats on Committees and the adjustments required. It is recommended that the calculation for entitlement to seats on individual Committees and the requisite adjustments as set out in Appendix 1 be determined.
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5. RISK

- 5.1 The review of the allocation of seats on Committees will ensure an appropriate political balance in the membership of Committees. Failure to allocate seats in line with the basic principles prescribed by Section 15 of the Local Government and Housing Act 1989 would be in breach of statutory requirements and may result in error or legal challenge.
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6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 Group Leaders are being consulted on the allocation of seats on Committees and the adjustments required.
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7. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 7.1 Once the allocation of seats has been decided upon, there is a duty to give effect to the allocation by making appointments to them in accordance with the wishes of the Group Leaders on behalf of their respective Political Groups.
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8. REPORT APPENDICES

Appendix 1: Review of Allocation of Seats on Committees

9. BACKGROUND PAPERS

None