

**MAIDSTONE BOROUGH COUNCIL
ACTING AS CORPORATE TRUSTEE
OF THE CHARITY KNOWN AS THE
COBTREE MANOR ESTATE**

21 SEPTEMBER 2016

Is the final decision on the recommendations in this report to be made at this meeting?

Yes

**REVIEW OF ALLOCATION OF SEATS ON THE COBTREE
MANOR ESTATE CHARITY COMMITTEE**

| | |
|---------------------------------------|--|
| Final Decision-Maker | Maidstone Borough Council acting as Corporate Trustee of the Charity Known as the Cobtree Manor Estate |
| Lead Head of Service | Angela Woodhouse, Head of Policy and Communications |
| Lead Officer and Report Author | Debbie Snook, Democratic Services Officer |
| Classification | Public |
| Wards affected | N/A |

This report makes the following recommendations to the Council:

1. That the allocation of seats on the Cobtree Manor Estate Charity Committee as set out below be approved:

| | |
|-------------------|---|
| Conservative | 2 |
| Liberal Democrats | 2 |
| Independent | 1 |
| UKIP | 0 |
| Labour | 0 |

This report relates to the following corporate priorities: N/A

Timetable

| Meeting | Date |
|--|-------------------|
| Maidstone Borough Council Acting as Corporate of the Charity Known as the Cobtree Manor Estate | 21 September 2016 |

REVIEW OF ALLOCATION OF SEATS ON THE COBTREE MANOR ESTATE CHARITY COMMITTEE

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 Following the Shepway South by-election and the decision of Councillor Newton to join the UKIP Group, requests have been received to review the representation of the different Political Groups on the Cobtree Manor Estate Charity Committee pursuant to Section 15 of the Local Government and Housing Act 1989.
-

2. INTRODUCTION AND BACKGROUND

- 2.1 Following the Shepway South by-election and the decision of Councillor Newton to join the UKIP Group, the composition of the Council has changed, and requests have been received for a review of the allocation of seats on Committees, including the Cobtree Manor Estate Charity Committee, pursuant to Section 15 of the Local Government and Housing Act 1989.
-

3. AVAILABLE OPTIONS

- 3.1 The Cobtree Manor Estate Charity Committee and the Queen's Own Royal West Kent Regiment Museum Trust Committee both comprise five Members. The Conservative and Liberal Democrats Groups are entitled to two Members each on each Committee and the Independent and UKIP Groups are entitled to one Member each in total between the two Committees. Following consultation with the relevant Group Leaders it is proposed that the Independent Group should take the fifth seat on the Cobtree Manor Estate Charity Committee and the UKIP Group should take the fifth seat on the Queen's Own Royal West Kent Regiment Museum Trust Committee.
- 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.
-

4. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 4.1 It is proposed, following consultation with Group Leaders, that the allocation of seats on the Cobtree Manor Estate Charity Committee be as follows:

| | |
|-------------------|---|
| Conservative | 2 |
| Liberal Democrats | 2 |
| Independent | 1 |
| UKIP | 0 |
| Labour | 0 |

5. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

5.1 The Group Leaders have been consulted on the revised allocation of seats on the Cobtree Manor Estate Charity Committee, and their views have been taken into account in the proposed allocation.

6. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

6.1 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.

7. CROSS-CUTTING ISSUES AND IMPLICATIONS

| Issue | Implications | Sign-off |
|---------------------------------------|--|---------------------------------|
| Impact on Corporate Priorities | N/A | Head of Policy & Communications |
| Risk Management | The review of the allocation of seats on the Committee will ensure an appropriate political balance in membership. | Head of Policy & Communications |
| Financial | The Committee forms part of the original plan for the Committee system of governance and as such there are no additional financial implications. | Section 151 Officer |
| Staffing | There are no staffing implications. | Head of Policy & Communications |
| Legal | The legal implications are set out in the body of the report. | Head of Legal Partnership |

| | | |
|--|--|---------------------------------|
| Equality Impact Needs Assessment | There are no equality issues. | Policy & Information Manager |
| Environmental/Sustainable Development | There are no environmental/sustainable development implications. | Head of Policy & Communications |
| Community Safety | There are no community safety implications. | Head of Policy & Communications |
| Human Rights Act | There are no human rights implications. | Head of Policy & Communications |
| Procurement | There are no procurement implications. | Head of Policy & Communications |
| Asset Management | There are no asset management implications. | Head of Policy & Communications |

8. BACKGROUND PAPERS

None