

**REVIEW OF ALLOCATION OF SEATS ON COMMITTEES
FOLLOWING A VACANCY**

Final Decision-Maker	Council
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Classification	Public
Wards affected	All

Executive Summary

As there is a vacancy on the Council it is a requirement that the allocation of seats and political balance is reviewed at the earliest possible opportunity. The report sets out the new allocation of seats to meet that requirement.

Purpose of Report

Decision

This report makes the following recommendation to Council:

1. That the allocation of seats on Committees be as set out in Appendix 1 to this report; and
2. That the wishes of the Group Leaders with regard to Membership of Committees be accepted as at Appendix 2.

Timetable

Meeting	Date
Council Meeting	15 July 2020

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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
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 committee system 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. Consideration should be given to the matters outlined in the legislation.	Head of Mid-Kent Legal Services
Privacy and Data Protection	No specific issues arise.	Data Protection Officer
Equalities	The review will ensure an equitable political representation in membership of Committees.	Equalities and Corporate Policy Officer
Crime and Disorder	No specific issues arise.	Democratic Services Officer

Procurement	No specific issues arise.	Democratic Services Officer
Cross Cutting Objectives	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. As a result of the vacancy, the composition of the Council is as follows:

Conservative	24
Liberal Democrat	20
Independent	4
Labour	4
Independent Maidstone	2
Vacancy	1
Total	55

2.2 As the impact of the vacancy was to reduce the Conservative Membership of the Council by one, the Conservative Group Leader was consulted to establish which Conservative committee places would be transferred to the vacancy. In effect the vacancy is owed two Conservative seats on Committees.

2.3 Appendix 1 reflects the changes to committee places.

2.4 Following the changes to committee places some adjustment to Committee Memberships is required and the wishes of the Conservative Group Leader are recommended to be accepted in this regard, these are set out at Appendix 2.

3. AVAILABLE OPTIONS

3.1 The allocation of seats on individual Committees which achieves overall political balance is set out in Appendix 1.

3.2 The Council could agree the changes proposed.

3.3 The Council could agree alternative seat allocations as long as they are politically balanced (or paragraph 3.4 is taken into account) – however in order to do so the whole balance of seats on committees would need to be reviewed including all previous Group negotiations on trading of seats etc.

3.4 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 RECOMMENDATION

- 4.1 Given the nature of the change and the vacancy only directly impacting on one Group it is recommended that the proposed allocation of seats on individual Committees, which achieves overall political balance, be as set out in Appendix 1.
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5. RISK

- 5.1 The review of the allocation of seats on Committees will ensure an appropriate political balance in membership of Committees.
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6. CONSULTATION RESULTS AND PREVIOUS COMMITTEE FEEDBACK

- 6.1 Group Leaders have been made aware of this report coming to Council and no additional changes to Committee Memberships have been requested beyond those outlined.
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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
Appendix 2: Committee Memberships

9. BACKGROUND PAPERS

None