

This report will be made public on 20 February 2018

Folkestone

Hythe & Romney Marsh
Shepway District Council



Report number

A/17/18

To: Council
Date: 28 February 2018
Status: Non-executive decision
Head of service: Amandeep Khroud – Head of Democratic Services and Law

SUBJECT: REVIEW OF POLITICAL BALANCE AND COMMITTEE MEMBERSHIP

SUMMARY:

This report sets out a summary of the need to review the political balance and membership of committees following the recent decision by Councillor Miss Govett to leave the UKIP Party and stand as an independent Councillor.

REASONS FOR RECOMMENDATIONS:

The Local Government and Housing Act 1989 and regulations made under the Act require local councils to review the allocation of seats on committees and panels following any change in overall political balance.

RECOMMENDATIONS:

1. To receive and note report A/17/18.
2. To approve the amendment to the number of seats on the Overview and Scrutiny Committee (from ten seats to 11 seats) achieve an effective political balance.
3. To note the results of the review into the political proportionality of the Council and allocation of committee seats on a politically proportionate basis.
4. To note that Councillor Miss Govett is to be allocated one (1) seat only and will be removed from the Planning and Licensing Committee, and will become a Member of the Overview and Scrutiny Committee.
5. To note that following the decision by Councillor Miss Govett to leave the UKIP party, Councillor Robinson (UKIP) will become a member of the Planning and Licensing Committee

1. BACKGROUND

- 1.1 Councillor Miss Govett, the Ward Councillor for New Romney Ward has resigned from Shepway District Council's UKIP Group to become an Independent Councillor from 19 January 2018.
- 1.2 Previously, as a UKIP Councillor, Councillor Miss Govett held a seat on the Planning and Licensing Committee.
- 1.3 In addition, Cllr Miss Govett has been appointed to the following outside body:
- Romney Marsh Visitor Centre Advisory Group
- It should be noted the above organisation is not a committee of the Council. Appointments to outside bodies are made by the Leader and the political balance rules do not apply.
- 1.4 The Local Government and Housing Act 1989 and regulations made under the act require the Council to carry out a review and re-allocation of seats on committees following any change in overall political balance.
- 1.5 The main aim of the Act is to avoid single party committees while allowing the majority party the majority seats.
- 1.6 The overall number of seats that each group has should be proportionate to its number of seats on full Council.
- 1.7 It is not always possible to have precise mathematical accuracy in allocations. Therefore the Act and regulations specify that the committees should be balanced "as far as reasonably practicable".
- 1.8 The Council's Constitution also states those committees which should be politically balanced.
- 1.9 It is possible to depart from political balance but only if no member votes against such a proposal.

2. CURRENT SITUATION

- 2.1 Following the recent change in political balance, the Council comprises the following groups and individual members:

	No	%
Conservative	23	76.67
Independent	2	6.67
UKIP	5	16.67
Total	30	100%

The results of the review for political balance indicate the following:

- Conservative Group – no change
- UKIP Group – Reduce from 6 seats to 5 seats.

- There will now be 2 independent members.

The percentage equivalent has been used to calculate the allocation of seats for each committee:

Committee	No of seats available	Conservative		Independent		UKIP	
Personnel	5	3.83	4	0.33	0	0.83	1
Overview and Scrutiny	11	8.43	8	0.73	1	1.83	2
Audit and Governance	5	3.83	4	0.33	0	0.83	1
Planning and Licensing	12	9.20	9	0.80	1	2.00	2
	33	25.29	25	2.19	2	5.49	6

- 2.2 In order to achieve effective political balance on the Overview and Scrutiny Committee, it is proposed that the number of seats should rise to 11.
- 2.3 Councillor Miss Govett who is now an independent member will hold one (1) seat only as an independent member. It is proposed by the Leader that Councillor Miss Govett will be given a seat on the Overview and Scrutiny Committee.
- 2.4 Previously as a UKIP councillor, Councillor Miss Govett held a seat on the Planning and Licensing Committee. Councillor Robinson will be appointed to the Committee to replace Councillor Miss Govett.

3. RISKS

- 3.1 The Council must review the political balance of its committees following any change in political balance. The Council risks challenge if it does not do so.
- 3.2 The Council can depart from political balance, provided no member of the Council disagrees with the proposal.

4. LEGAL/FINANCIAL AND OTHER CONTROLS/POLICY MATTERS

4.1 Legal officer's comments (AK)

This report was prepared by the Head of Democratic Services and Law. The legal issues are set out in the body of the report.

4.2 Finance officer's comments (JM)

There are no financial implications from this report.

4.3 Diversities and equalities implications

None

5. CONTACT OFFICERS AND BACKGROUND DOCUMENTS

Councillors with any questions arising out of this report should contact the following officer prior to the meeting:

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