

This report will be made public on 19 July 2022

Report number

A/22/13

To: Council
Date: 27 July 2022
Status: Non-executive decision
Responsible Officer: Amandeep Khroud, Assistant Director of Governance 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 resignation of Councillor Brook to leave the Conservative Group and join the Folkestone and Hythe Independent Group, and Councillor Gane to leave the Conservative Group and join the Liberal Democrat Group.

RECOMMENDATIONS:

1. To receive and note report A/22/13.
2. To note the results of the review into the political proportionality of the Council and allocation of committee seats on a politically proportionate basis.
3. To appoint a Vice-Chairman of the Personnel Committee, as set out in paragraph 2.5 of the report.

1. BACKGROUND

- 1.1 Councillor Brook, the Ward Councillor for Folkestone Central, has resigned from the Conservative Party and joined the Folkestone and Hythe Independent Group with effect from 5 May 2022.
- 1.2 Previously as a Conservative Councillor, Councillor Brook held seats on the Personnel Committee, Planning and Licensing, and Overview and Scrutiny. In addition, he was the Vice Chairman of the Personnel Committee and had been appointed as the Chairman of the Folkestone Town Centre Working Group by the Leader.
- 1.3 It should also be noted that the Folkestone and Hythe Independent Group changed their name from Folkestone and Hythe Independent Party with effect from 11 May 2022.
- 1.4 On 31 May 2022, Councillor Gane, the Ward Councillor for Cheriton, advised that he had resigned from the Conservative Group and joined the Folkestone and Hythe Independent Group. The political balance was recalculated accordingly, and the Folkestone and Hythe Independent Group were allocated an additional seat on the Overview and Scrutiny Committee, which remains vacant.
- 1.5 Previously, as a Conservative Councillor, Councillor Gane held seats on the Overview and Scrutiny Committee. He had been appointed to the Finance and Performance Scrutiny Sub-Committee on 31 May 2022. He was also appointed by the Leader to the Board of Oportunitas, the Joint Transportation Board and Age UK.
- 1.6 The Leader has therefore appointed Councillor Mrs Berry to replace Councillor Gane on the Board of Oportunitas. This was a Leader decision which was published on 1 June 2022. The Leader has also indicated that he wishes for Councillor Gane to remain on the Joint Transportation Board and Age UK.
- 1.7 On 17 June 2022, Councillor Gane subsequently advised that he had resigned from the Folkestone and Hythe Independent Group and joined the Liberal Democrat Group. The political balance was then recalculated, with an additional seat on the Audit and Governance Committee to be split between the Liberal Democrat and Folkestone and Hythe Independent Group.
- 1.8 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. 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”.

2. CHANGES TO POLITICAL BALANCE

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

Overall balance	No	Percentage
Conservative	11	36.67
Green	6	20
Folkestone and Hythe Indep	3	10
Labour	5	16.67
Liberal Democrats	3	10
UKIP	2	6.67
Total	30	100.01

The percentage equivalent has been used to calculate the allocation of seats for each committee. The calculations showed that the Folkestone and Hythe Independent, and Liberal Democrat Groups were each entitled to 3.5 seats, and therefore it is proposed that they share a seat on the Audit and Governance Committee. With the agreement of the Folkestone and Hythe Independent Group, the Lib Dem Group have advised that they wish to appoint Councillor Fuller to this seat.

Number of seats – 35		Cons	Green	Indep	Lab	Lib Dem	Ukip	TOTAL
Personnel	7	3	1	1	1	1	0	7.00
Overview	10	3	2	1	2	1	1	10.00
Audit and Governance	6	2	1	0.5	1	0.5	1	6.00
Planning and Licensing	12	5	2	1	2	1	1	12.00
Total	35	13.00	6.00	3.50	6.00	3.50	3.00	35.00

- 2.2 The following appointments have been made by the Leader to the Conservative committee vacancies left by Councillor Brook:

Planning and Licensing Committee	Councillor Mrs Berry
Personnel Committee	Councillor Rolfe
Overview and Scrutiny	Vacant

- 2.3 The Liberal Democrat Group have also appointed Councillor Gane to the Overview and Scrutiny Committee to replace Councillor Fuller.
- 2.4 The membership of the Folkestone Town Centre Working will also be altered in due course, as it needs to be dealt with as a Leader decision.
- 2.5 As Councillor Brook is no longer a member of the Personnel Committee, Full Council are asked to appoint a new Vice-Chairman of Personnel Committee. The Conservative Group have advised that they wish to nominate Councillor Field for the role of Vice-Chairman of the Personnel Committee. No further nominations have been received as yet.

- 2.6 In addition, at the next ordinary meeting of the Overview and Scrutiny Committee, to be held on 6 September 2022, the Finance and Performance Scrutiny Sub-Committee membership will need to be amended to reflect the change in membership of the Overview and Scrutiny Committee.

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)

The legal issues are set out in the body of the report.

4.2 Finance officer's comments

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:

Jemma West – Committee Services Specialist
Telephone: 01303 853369
Email: Jemma.west@folkestone-hythe.gov.uk