

This report will be made public on 14 February 2023

Report number

A/22/24

To: Council
Date: 22 February 2023
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 review of political balance and membership of committees following the resignation of Councillor P Martin from the Conservative Group to become an independent member. The report also sets out the requirement to appoint a Vice-Chairman of the Audit and Governance Committee.

RECOMMENDATIONS:

1. To receive and note report A/22/24.
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 Audit and Governance Committee, as set out in paragraph 2.5 of the report.

1. BACKGROUND

- 1.1 Councillor P Martin, the Ward Councillor for North Downs East, has resigned from the Conservative Party and become an independent member, with effect from 15 January 2023.
- 1.2 Previously as a Conservative Councillor, Councillor P Martin held seats on the Planning and Licensing, and the Audit and Governance Committees. In addition, he was also the Chairman of the Council, Vice-Chairman of Planning and Licensing Committee, and Vice Chairman of the Audit and Governance Committee.
- 1.3 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	10	33.33
Green	6	20
Folkestone and Hythe Indep	3	10
Labour	5	16.67
Liberal Democrats	3	10
Independent	1	3.33
UKIP	2	6.67
Total	30	100

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

35 seats		Cons	Green	FH Indep Group	Lab	Lib Dem	Indep	Ukip	TOTAL
Personnel	7	3.00	1.00	1.00	1.00	1.00	0.00	0.00	7.00
Overview	10	3.00	2.00	1.00	2.00	1.00	0.00	1.00	10.00
Audit and Governance	6	2.00	1.00	0.50	1.00	0.50	0.00	1.00	6.00
Planning and Licensing	12	4.00	2.00	1.00	2.00	1.00	1.00	1.00	12.00
Total	35	12.00	6.00	3.50	6.00	3.50	1.00	3.00	35.00

2.3 The Conservatives entitlement is therefore reduced overall from 13 seats to 12 seats of the 35 seats available across all committees. It is therefore suggested that a seat be taken from the Conservative group on the Planning and Licensing Committee, and allocated to Councillor P Martin as an independent member, as has historically been done for independent members.

2.4 The Leader has nominated Councillor Rolfe to take Councillor P Martin's seat on the Audit and Governance Committee.

2.5 A vote needs to be taken to elect a Vice-Chairman to the Audit and Governance Committee, as Councillor P Martin can no longer continue in the role as he will not be a member of the Committee. The nominations received are set out below:

Councillor Laura Davison – Labour Group
Councillor Patricia Rolfe - Conservative Group

2.6 Councillor P Martin remains a member of the Planning and Licensing Committee so can therefore retain his Vice-Chairmanship of this Committee, as well as continuing as Chairman of the Council.

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:

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