

By: Director of Law and Governance
To: Selection and Member Services Committee – 27 January 2011
Subject: MEMBER APPOINTMENTS
Classification: Unrestricted

Summary: Invites the Committee:-

(a) to make recommendations to the Council on 17 February on the revised total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain other bodies in the light of the recent Dover Town By-Election.

FOR DECISION

Composition of the County Council

1. (1) As a result of the election of Mr G Cowan at the recent Dover Town by-election, the composition of the County Council is now as follows:

Political Group	Number of seats	Proportion of seats
Conservative	73	87% (86.90%)
Liberal Democrat	7	8% (8.33%)
Labour	3	4% (3.57%)
Other	1	1% (1.19%)
Total	84	100%

Committee Appointments

2. (1) In order to reconstitute the Council's Committees in accordance with the Committee structure as set out in the Constitution, the Committee is invited to make recommendations to the meeting of the County Council on 17 February 2011 on the number of Members to serve on each Committee and the allocation of Committee places between the political groups.

(2) The Local Government and Housing Act 1989 requires Committee places to be allocated between the political groups in accordance with the following principles:-

(a) the group with the majority of seats on the Council is allowed to have a majority of seats on each Committee;

(b) subject to (a) above, the number of seats on the total of all Committees allocated to any political group must be proportional to the number of seats which that group holds on the County Council;

(c) subject to (a) and (b) above, the number of seats on each Committee allocated to any political group must be proportional to the number of seats which that group holds on the County Council;

(3) The Table set out below shows the total number of seats that would need to change hands if the proportionality principle were to be applied to each Committee. In terms of overall proportionality, this would lead to the Labour Group receiving 6 more seats than its entitlement at the expense of the Conservative Group. Those Committees where the Labour Group would be entitled to gain a place are identified in bold type.

(4) The Liberal Democrat Group has currently 1 more seat than it is entitled to because places on the Flood Risk Management Committee were allocated according to a calculation for the Committee with no reference being made to overall proportionality. Technically, this seat should be given to the Conservative Group.

(5) Entitlement to places on Select Committees and Panels is unaffected by the by-election result.

(6) This table was prepared before the outcome of the Tonbridge and Romney Marsh by-elections was known. For the purposes of calculating proportionality, these seats remain in the gift of the political Group that hold the seat prior to the by-election.

Committee	Con	Lib Dem	Lab	Un-allocated/independent	Total	Non KCC
Cabinet Scrutiny Committee	11 (11.30)	1 (1.08)	1 (0.46)	1 (0.15)	13 + 1	*5
Adult Social Services Policy Overview Committee	11 (11.30)	1 (1.08)	1 (0.46)	0 (0.15)	13	
Children, Families and Education POSC Learning and Development	10 (10.42)	1 (1.00)	1 (0.43)	0 (0.14)	12	@ 11
Children, Families and Education POSC Resource and Infrastructure	10 (10.42)	1 (1.00)	1 (0.43)	0 (0.14)	12	@ 11
Children, Families and Education POSC Vulnerable Children and Partnership	11 (11.30)	1 (1.08)	1 (0.46)	0 (0.15)	13	@ 11
Communities POSC	10 (10.42)	1 (1.00)	1 (0.43)	0 (0.14)	12	
Corporate Policy Overview Committee	10 (10.42)	1 (1.00)	1 (0.43)	0 (0.14)	12	
Environment Highways and Waste POSC	10 (10.42)	1 (1.00)	1 (0.43)	0 (0.14)	12	

Regeneration and Economic Development POSC	10 (10.42)	1 (1.00)	1 (0.43)	0 (0.14)	12	
Health Overview and Scrutiny Committee	10 (10.42)	1 (1.00)	1 (0.43)	0 (0.14)	12	4 \$
Scrutiny Board	9 (8.69)	1 (0.83)	0 (0.36)	0 (0.12)	10	
Governance and Audit Committee	11 (11.30)	1 (1.08)	1 (0.46)	0 (0.15)	13	
Electoral & Boundary Review Committee	7 (6.95)	1 (0.66)	0 (0.29)	0 (0.10)	8	
Personnel Committee	7 (6.95)	1 (0.66)	0 (0.29)	0 (0.10)	8	
Planning Applications Committee	15 (14.77)	1 (1.41)	1 (0.61)	1 (0.20)	17+1	
Regulation Committee	14 (13.90)	1 (1.33)	1 (0.57)	1 (0.20)	16 +1	**
Selection and Member Services Committee	7 (7.82)	1 (0.75)	1 (0.31)	0 (0.11)	9	**
Superannuation Fund Committee	7 (6.95)	1 (0.66)	0 (0.29)	0 (0.10)	8	3 (1/1/1)#
Children's Champions Board	7 (6.95)	1 (0.66)	0 (0.29)	0 (0.10)	8	
Flood Risk Management Committee	6 (6.08)	1 (0.58)	0 (0.25)	0 (0.08)	7	
TOTAL	193	20	14	3	230	
Proportionate Share of Total	200 (199.88)	19 (19.17)	8 (8.21)	3 (2.74)	227 (+3)	
Difference to Proportionate share	-7	+1	+6	0		

Sub-Committees	Con	LD	Lab	Ind/un-allocated	Non KCC	Total
Select Committees	7	1	0	0		8
Regulation Committee Panels (School-related Appeals (mainly Transport); Enforcement, Public Rights of Way, Marriage Premises, Village/Town Greens)	4	1	0	0		5

Advisory Boards	Con	LD	Lab	Ind/un-allocated	Non KCC	Total
Gypsy and Traveller Advisory Board	7	1	0	0		8

School Organisation Advisory Board	7	1	0	0		8
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(6) In order for the Labour Group to achieve its full entitlement of 8 seats, the Committee is requested agree that the Labour Group be invited to choose which three of the places identified in bold it wishes to take up.

(7) The Labour Group has requested that they be allowed to appoint Members to take up those additional positions to which they will become entitled immediately after the revised proportionality statement is determined at the County Council meeting on 17 February. In order to facilitate this, it is recommended that the Head of Democratic Services and Local Leadership be given delegated authority to make the appointments to the Committees once the Labour Group's wishes are confirmed.

Other Authorities, Joint Committees and Partnership Bodies

3. (1) The proportionality principles in the 1989 Act also apply to the appointments which the County Council makes to various other authorities, joint committees and partnership bodies. The entitlement to places is unaffected except for the Kent and Medway Fire and Rescue Authority where the Labour Group is now entitled to 1 seat at the expense of the Conservative Group.

Recommendations

4. (1) The Committee is asked to:-

(a) recommend the revised proportionality calculations to the County Council on 17 February, confirming that the Labour Group will be invited to fill an additional three Committee places to which the individual proportionality rules would entitle them;

(b) give delegated authority to the Head of Democratic Services and Local Leadership to make the appointments to the Committees immediately after 17 February, once the Labour Group's wishes are confirmed

(c) recommend to the Council on 17 February that the Labour Group receive an entitlement to take up a seat on the Kent and Medway Fire and Rescue Authority at the expense of the Conservative Group.

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