

To: Selection and Member Services Committee – 27
November 2013

From: Gary Cooke, Cabinet Member, Corporate and Democratic
Services
Peter Sass, Head of Democratic Services

Subject: Committee Membership

Classification: Unrestricted

Summary:

This report invites Members to note the revised committee proportionality calculations following the establishment of the Independents Group on the County Council. It also makes recommendations for revisions to the proportionality of Regulation Committee Member Panels and Transport Appeal Panels.

1. Introduction

1.1 The Independents political group was established on 19 September 2013 consisting of two Members. In accordance with the provisions of the Local Government and Housing Act 1989 this Group is entitled to proportional membership within the County Council's committee structure.

1.2 The Independents Group is entitled to three places on the Council's committees. The two Members of this Group have already had this number of committee seats allocated to them. The only differences, therefore, are that the Group now holds them by entitlement and that it can also decide to substitute whenever it becomes necessary to do so.

1.3 The table below sets out how the revised committee structure looks following the creation of the Independents Group.

Committee	Conservative	UKIP	Labour	Liberal Democrat	Independents	Total
Scrutiny Committee +5	6	2	2	1	0	11
Health Overview and Scrutiny Committee +4	7	3	2	1	0	13
Governance and Audit Committee	8	3	2	1	1	15
Electoral & Boundary Review Committee	5	2	1	1	0	9
Personnel Committee	5	2	1	1	0	9

Planning Applications Committee	10	4	3	1	1	19
Regulation Committee	9	3	4	0	1	17
Selection and Member Services Committee	5	2	1	1	0	9
Corporate Parenting Panel +4@	5	2	1	1	0	9
Superannuation Fund Committee +3# (1/1/1)	5	2	1	1	0	9
Kent Flood Risk Management Committee	4	1	1	1	0	7
Standards Committee	4	1	1	1	0	7
TOTAL	73	27	20	11	3	134
Proportionate Share of Total	72 71.78	27 27.12	21 20.74	11 11.16	3 3.10	134
Difference to Proportionate share	+1	0	-1	0	0	0

1.4 The Committee may wish to consider inviting a member of the Independents Group to its meetings. If so, it is proposed to send a hard copy of the papers to Mr Whybrow (the Independents Group Leader) together with advice that he may wish to attend the meetings on specific items in accordance with the provisions of the Constitution.

2. Regulation Committee Member Panels and Transport Appeal Panels

2.1 The County Council agreed the current allocation of committee places at its meeting on 23 May 2013. The proportionality calculations required the Liberal Democrats to give up 1 seat on a committee to the Labour Group. The Liberal Democrat Group chose to give up its place on the Regulation Committee.

2.2 The report to the 23 May County Council meeting was prepared before the Liberal Democrat Group's decision to vacate the Regulation Committee seat was known. The same report contained a sub-committee table, which allocated seven seats on Regulation Committee Member Panels and Transport Appeal Panels (4 Conservative, 1 UKIP, 1 Labour and 1 Liberal Democrat). This table was not amended and was agreed by the County Council.

2.3 The position in respect of Regulation Committee Member Panels needs to be amended because the Constitution only allows for Members of

the main committee to sit on its Member Panels. There is consequently no provision for a Liberal Democrat Member to sit on the Panels. Following consultation with the Chairman of the Regulation Committee, it is suggested that the composition of the Regulation Committee Member Panels should be amended so that it consists of 5 Members (3 Conservative, 1 UKIP and 1 Labour).

2.4 There is no constitutional reason to change the proportionality arrangements in respect of Transport Appeal Panels as there is no requirement for these Panel Members to be Members of the main Committee. The Committee Chairman has, however, indicated that experience has shown that a Panel of seven is not appropriate for considering appeals made personally by parents. It is therefore proposed that these Panels should be reduced to five Members. The composition would be three Conservatives and two others drawn from the UKIP, Labour and Liberal Democrat Groups. The Head of Democratic Services would have the responsibility for ensuring that the Opposition membership of these Panels is roughly proportionate to their overall total of seats. This can be monitored through the regular four-monthly reports on Transport Appeals to the Regulation Committee.

2.5 The County Council on 23 May 2013 also made provision for Mr Harman and Mr Whybrow to sit as individuals on a Regulation Committee Panel if one of the other four groups agreed to give up a place. A consequential amendment to the Constitution needs to be made and it is proposed that the facility formerly extended to them as individuals is now offered to the Independents Group.

2.6 The consequential amendments to the Constitution are set out in **Appendix 1**.

3 Recommendation

The Committee is invited to:

- 1) note the revised proportionality calculations following the creation of the Independents group; and
- 2) agree the proposed changes to the composition of the Regulation Committee Member Panels and Transport Appeal Panels as set out in section 2 of this report.

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Background Documents (None)

