

By: Director of Governance and Law  
To: County Council – 21 May 2015  
Subject: Revised Proportionality Calculations and Committee Membership  
Classification: Unrestricted

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Summary: Following the recent Romney Marsh by-election, the County Council is invited to agree the revised allocation of committee places between the political groups.

FOR DECISION

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### Composition of the County Council

1. (1) As a result of the election of Mrs C Waters at the recent Romney Marsh by-election, the composition of the County Council is now as follows:

Political Group	Number of seats	Proportion of seats
Conservative	46	55% (54.76%)
UKIP	16	19% (19.05%)
Labour	13	15% (15.48%)
Liberal Democrat	7	8% (8.33%)
Independents	2	2% (2.38%)
<b>Total</b>	<b>84</b>	<b>100%</b>

### Committee Appointments

2. (1) In order to reconstitute the Council's committees in accordance with the committee structure set out in the Constitution, the County Council is invited to agree the revised 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 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 Council.

(3) The table set out below shows the **current** committee structure. The figure in brackets shows the proportionality figure to the nearest hundredth of a decimal point that each group **would now be** entitled to if the proportionality principles were to be applied to each committee.

<b>Committee</b>	<b>Conservative</b>	<b>UKIP</b>	<b>Labour</b>	<b>Liberal Democrat</b>	<b>Independents</b>	<b>Total</b>
Scrutiny Committee	(6.02) 6	(2.10) 2	(1.70) 2	(0.92) 1	(0.26) 0	11
Health Overview and Scrutiny Committee	(7.12) 7	(2.48) 3	(2.01) 2	(1.08) 1	(0.31) 0	13
Governance and Audit Committee	(8.21) 8	(2.86) 3	(2.32) 2	(1.25) 1	(0.36) 1	15
Electoral & Boundary Review Committee	(4.93) 5	(1.72) 2	(1.39) 1	(0.75) 1	(0.21) 0	9
Personnel Committee	(4.93) 5	(1.72) 2	(1.39) 1	(0.75) 1	(0.21) 0	9
Planning Applications Committee	(10.41) 10	(3.62) 4	(2.94) 3	(1.58) 1	(0.45) 1	19
Regulation Committee	(9.31) 9	(3.24) 3	(2.63) 4	(1.42) 0	(0.40) 1	17
Selection and Member Services Committee	(4.93) 5	(1.72) 2	(1.39) 1	(0.75) 1	(0.21) 0	9
Corporate Parenting Panel	(4.93) 5	(1.72) 2	(1.39) 1	(0.75) 1	(0.21) 0	9
Superannuation Fund Committee	(4.93) 5	(1.72) 2	(1.39) 1	(0.75) 1	(0.21) 0	9
Kent Flood Risk Management Committee	(3.83) 4	(1.33) 1	(1.09) 1	(0.58) 1	(0.17) 0	7
Standards Committee	(3.83) 4	(1.33) 1	(1.09) 1	(0.58) 1	(0.17) 0	7
<b>TOTAL</b>	<b>73</b>	<b>27</b>	<b>20</b>	<b>11</b>	<b>3</b>	<b>134</b>
<b>Proportionate Share of Total</b>	(73.38) 73	(25.53) 26	(20.74) 21	(11.16) 11	(3.19) 3	134 134
<b>Difference to Proportionate share</b>	<b>0</b>	<b>+1</b>	<b>-1</b>	<b>0</b>	<b>0</b>	<b>0</b>

(4) Following the Romney Marsh By-Election, the Labour Group is entitled to increase its share of the overall number of committee seats by 1 at the expense of the UKIP Group. This may seem surprising, given that the Conservative Group won the seat. The explanation is that the Labour Group was previously (necessarily) under-represented in terms of its overall proportionality entitlement and the Conservative Group was (necessarily) over-represented, due to the need for it to have a majority on each committee. The effect of the by-election result has been to correct that anomaly by enabling

both the UKIP, Labour and Conservative Groups to have exactly the right number of seats overall.

(5) As indicated above, the Labour Group is entitled to one additional seat overall, whilst the UKIP Group has to give one up. This will lead to a repetition of the situation of the Regulation Committee, where Labour has one seat more than UKIP despite having fewer seats overall. It is suggested that the decision as to which committee this revised arrangement is applied to be delegated to the Head of Democratic Services in consultation with the Leaders of the UKIP and Labour Groups.

(6) With the exception of the one change set out above, all the other entitlements to committee places remain unaffected, and all apparent mathematical anomalies have previously been explained to and agreed by the County Council. Likewise, proportionality figures for sub-committees and panels are unaffected by the Romney Marsh by-election result.

### **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 on these bodies is unaffected by the Romney Marsh By-Election result.

### **Recommendations**

4. (1) The County Council is invited to:

(a) agree the revised proportionality calculations and confirm that the Labour Group is invited to fill an additional committee place at the expense of the UKIP in accordance with the overall proportionality rules; and

(b) agree that the decision on which Committee the Labour Group gains a seat at the expense of the UKIP Group be delegated to the Head of Democratic Services in consultation with the Leaders of the UKIP and Labour Groups.

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