

By: Director of Law and Governance
To: Selection and Member Services Committee – 23 June 2009
Subject: MEMBER APPOINTMENTS
Classification: Unrestricted

Summary: Invites the Committee:-

- (a) to make recommendations to the Council on 25 June on the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain other bodies;
- (b) to reconstitute the Governor Appointments Panel.
- (c) to make appointments and nominations on behalf of the Council of representatives to serve on various outside bodies;
- (d) to note the list of appointments and nominations to outside bodies to be made by the Leader of the Council, once elected;
- (e) to agree proposals for the allocation of the Members' Conference budget.

FOR DECISION

Composition of the County Council

1. (1) Following the election on 4 June, 2009 the composition of the County Council is now as follows:

Political Group	Number of seats	Proportion of seats
Conservative	74	88% (88.10%)
Liberal Democrat	7	8% (8.33%)
Labour	2	3% (2.38%)
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 Annual Meeting of the County Council 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) Proposals for the size of each Committee and the allocation of Committee places between the political groups in accordance with these principles has now been prepared. The Committee is asked to consider the proposals so that it can make recommendations to the Council on 25 June.

(4) As well as ordinary Committees, the proposal cover the size and political composition of the following:-

- Select Committees
- Regulation Committee Panels to consider school transport cases (*Council or the Regulation Committee can determine the size of these Panels but, to avoid delays in processing school transport appeals, it would be helpful if Council on 25 June could be recommended to take this decision*)

(5) The following table sets out a proposal for the size of each main Committee and the allocation of places on them between the political groups.

(6) The proposed allocation complies with the proportionality principles set out in the Local Government and Housing Act 1989. In this regard, Members will be aware that only 'political groups' have an entitlement under the 1989 Act to seats on committees. A 'political group' is defined as two or more Members who inform the Proper Officer that they wish to be regarded as a political group.

(7) Accordingly, the Swanscombe and Greenhithe Residents' Association Member does not have an automatic right to any seats on committees, except that the County Council may decide to offer him 1% of the total number of seats. Otherwise, these seats on the Council's committees will stand un-allocated; they cannot be allocated to any of the three political groups as this would exceed their proportionate entitlement to Committee seats. The Council's convention is to include independent Members in the proportionality calculation. Accordingly, the statistically most appropriate Committees for the Independent Member are shown in bold. It is suggested that he should be entitled to choose which three out of the four he wishes to serve on. If this is agreed, it should be

noted that he has asked to serve on the Cabinet Scrutiny, Planning Applications and Regulation Committees

(8) The table also includes proposals for certain other sub-committees and Panels.

(9) The Standards Committee is not subject to the political proportionality principles but three Members (1 Conservative, 1 Liberal Democrat, 1 Labour) will need to be appointed to serve on it alongside the 3 independent Members.

(10) The Committee is requested to recommend the proposals in the table to Council for approval.

Committee	Con	Lib Dem	Lab	Un-allocated/independent	Total	Non KCC
Cabinet Scrutiny Committee	16 (15.86)	1 (1.50)	1 (0.43)	1 (0.21)	18 + 1	*5
Adult Social Services Policy Overview Committee	13 (13.21)	1 (1.25)	0 (0.36)	0 (0.18)	15	
Children, Families and Education Policy Overview Committee	14 (14.10)	1 (1.33)	1 (0.38)	0 (0.19)	16	@ 11
Communities Policy Overview Committee	13 (13.21)	1 (1.25)	0 (0.36)	0 (0.18)	15	
Corporate Policy Overview Committee	11 (11.45)	1 (1.08)	0 (0.31)	0 (0.15)	13	
Environment and Regeneration Policy Overview Committee	13 (13.21)	1 (1.25)	0 (0.36)	0 (0.18)	15	
Health Overview and Scrutiny Committee	15 (14.98)	1 (1.42)	1 (0.40)	0 (0.20)	17	4 \$
Policy Overview Co-ordinating Committee+	10 (9.69)	1 (0.92)	0 (0.26)	0 (0.13)	11	
Governance and Audit Committee	11 (11.45)	1 (1.08)	0 (0.31)	0 (0.15)	13	
Electoral & Boundary Review Committee	7 (7.05)	1 (0.66)	0 (0.19)	0 (0.10)	8	
Local Children's Services Partnership Sub-Committee	6 (6.17)	1 (0.58)	0 (0.17)	0 (0.08)	7	2 (1/1) £
Personnel Committee	7 (7.05)	1 (0.66)	0 (0.19)	0 (0.10)	8	

Planning Applications Committee	16 (15.86)	1 (1.50)	1 (0.43)	1 (0.21)	18 +1	
Regulation Committee	15 (14.98)	2 (1.41)	0 (0.40)	1 (0.20)	17 +1	**
Selection and Member Services Committee	7 (7.93)	1 (0.75)	1 (0.21)	0 (0.11)	9	**
Children's Champions Board	7 (7.05)	1 (0.66)	0 (0.19)	0 (0.10)	8	
Superannuation Fund Committee	7 (7.05)	1 (0.66)	0 (0.19)	0 (0.10)	8	3 (1/1/1)#
TOTAL	188	18	5	3	216	
Proportionate Share of Total	190	18	5	3	216 +3	
Difference to Proportionate share	-2	=	=			

* 3 diocesan representatives and 2 parent governor representatives with voting powers on education issues only.

@ 3 Diocesan representatives, 2 parent governor representatives and 6 Teacher representatives

+ To include Chairman of preceding six Committees (as agreed previously by the County Council).

\$ 4 District Council representatives with voting powers.

£ 1 Church and 1 Teacher Representative

3 District Council representatives (1 Con, 1 Lab, 1 Lib Dem) with voting powers.

** The Labour Group has agreed to give up a seat on the Regulation Committee in order to take a seat on Selection and Member Services Committee. This is recommended as good practice since the latter Committee has the function of considering the best way in which all Members can work effectively. Each political group should therefore be represented.

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
Highways Advisory Board	13	2	0	0		15
School Organisation Advisory Board	7	1	0	0		8

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, as listed below (current appointments shown at Appendix 1):-

- Kent and Medway Fire and Rescue Authority (21 KCC Members);
- Kent/Medway Joint Police Authority Appointments Committee (4 KCC Members);
- Standing Advisory Committee on Religious Education (4 KCC Members);
- Kent and Essex Sea Fisheries Committee (5 KCC Members, but current appointments continue to 30 June 2009);
- Sussex Sea Fisheries Committee (1 KCC Member);
- Adoption Panels (6 Area Panels with 2 KCC Members serving on each).
 - (a) *The 1989 Act does not apply but the County Council's convention is that the 12 appointments overall should be proportional;*
 - (b) *Members should have a knowledge or interest in Social Care or adoption issues;*
 - (c) *To avoid the situation where Members frequently have to withdraw because, for example, they know prospective adopters, it is best that Members do not serve on the Panel covering their home area. It is therefore recommended that Members be nominated by the political groups for service on the Adoption Panels generally and the allocation of individual Members to particular Panels be left to the Adoption Panel Manager in discussion with the Members concerned.*

(2) Proposals for the allocation of these places between the political groups in accordance with the 1989 Act principles will be tabled at the meeting. The Committee will be asked to consider the proposals so that it can make recommendations to the Council on 25 June.

Reconstitution of the Governor Appointments Panel

4. (1) The Committee is charged with the appointment and removal of school governors. In recent years, it has done this through a small Sub-Committee, the Governor Appointments Panel.

(2) The Committee is invited to reconstitute the Governor Appointments Panel. Membership needs to be proportional.

Outside Bodies

5. (1) The Committee is charged with making appointments to outside bodies on behalf of the County Council. The 1989 Act principles do not apply to these appointments, but in recent years it has been the County Council's convention that the total number of appointments should be shared between the political groups on, so far as possible, a proportional basis.

(2) A list of the outside bodies to which the County Council makes appointments is attached as Appendix 2. All the outside bodies shown have been contacted to confirm

that they still exist and to check the status of the KCC appointments. An updated list will be tabled at the meeting.

(3) The Committee is invited to appoint representatives to serve on behalf of the County Council on each outside body shown on the updated list. In the case of certain Local Government Association bodies, the Committee will also need to decide the allocation of votes between the Council's representatives.

(4) Some appointments to outside bodies fall to be made by the Leader of the Council in connection with a delegation by him/her of executive functions. The list of those appointments (which will need to be reviewed by the Leader once elected by the Council on 25 June) is as follows:-

Name of Body	Current Member
Kent Partnership	Mr P B Carter
Kent and Medway Economic Board/Employment and Skills Board	Mr P B Carter
Kent Thameside Delivery Board	Mr K G Lynes
Ashford Future Delivery Board	Mr K G Lynes
Swale Forward Delivery Board	Mr R W Gough
Kent Thameside Economy Board	Mr M V Snelling
Marlowe Academy – Board of Trustees	Managing Director, Children, Families and Education
Romney Marsh Visitor Centre	Mr F Wood-Brignall (LM)
Kent County Staff and Social Club	Mr L Christie
Dungeness Local Community Liaison Council	Mr F Wood-Brignall (LM)
South Ashford Initiative Monitoring Group	Mr D Smyth (LM)
Kent History Project Board	Dr F F Simpson
South East England Tourist Board Regional Advisory Committee	Mr M C Dance
Kent Rural Development Area Strategic Panel	Mr F Wood-Brignall (LM)
West Kent NHS and Social Care Trust	Mr P W A Lake
East Kent Community NHS Trust	Mr J B O Fullarton

(LM: Local Member)

(5) The Committee is asked to note this list.

Members' Conference Budget

6. (1) The Members' Conference Budget for 2009/10 is £17,000. The Council's practice in recent years has been to earmark part of the budget for Member attendance at the Local Government Association (LGA) Annual Conference, the County Councils' Network Annual Conference, and the LGA Annual Finance Conference, and then to share the remainder between the political groups on a proportional basis so that they can decide which other conferences their Members should be nominated to attend. The Committee is asked to agree that this practice should continue.

Recommendations

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

- (a) make recommendations to the Council on 25 June on the total number of Committee places; the allocation of those places between the political groups; and the allocation of places on certain other bodies;
- (b) reconstitute the Governor Appointments Panel;
- (c) make appointments and nominations on behalf of the Council of representatives to serve on various outside bodies;
- (d) note the list of appointments to outside bodies to be made by the Leader of the Council, once elected; and
- (e) agree proposals for the allocation of the Members' Conference Budget.

Peter Sass –
Head of Democratic Services and Local Leadership
01622 694002