

By: Benjamin Watts, General Counsel  
To: Selection and Member Services Committee – 1 July 2019  
Subject: Proportionality and appointments to Committees and other bodies  
Classification: Unrestricted

---

Summary: Mr James Clinch has joined the Independents Group. This report adjusts the proportionality figures to take account of this change whilst making a minor adjustment to correct the figures for the Superannuation Fund Committee.

For Decision

---

### **Composition of the County Council**

1. (1) The County Council considered a report on proportionality at its meeting on 23 May 2019 following two by-elections in May 2019. The Council resolved to:

- (a) allocate 3 committee places to Mr Clinch and Mr Messenger; and
- (b) give delegated powers to the General Counsel to make the necessary adjustments following discussions between the political groups.

(2) The adjustments agreed by the County Council have not yet been. Mr James Clinch has now joined the Independents Group. This requires an adjustment to the proportionality figures.

(3) A further adjustment also needs to be made to take account of the place that was initially awarded to but later given up by the Labour Group on the Superannuation Fund Committee in 1917. The calculations in the May 2019 report did not take this into account. Consequently, the overall number of Committee places is 124 rather than 125 as previously reported.

(4) The new composition of the County Council is set out in the table below.

<b>Political Group</b>	<b>Number of seats</b>	<b>Proportion of seats</b>
Conservative	65	80.24%
Liberal Democrat	7	8.64%
Labour	5	6.17%
Independent Group	3	3.71%
Mr Messenger	1	1.24%
<b>Total</b>	<b>81</b>	<b>100%</b>

## Committee Appointments

2. 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.

3. 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.

5. In the table set out below, the **current** representation on each Committee is given in bold.

Committee	Con	Lib Dem	Lab	Ind	Mr Messenger	Total
Scrutiny Committee +5*	<b>9</b>	<b>2</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>13</b>
Health Overview and Scrutiny Committee +4\$	<b>11</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>13</b>
Governance and Audit Committee	<b>8</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>11</b>
Electoral & Boundary Review Committee	<b>7</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>9</b>
Personnel Committee	<b>8</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>10</b>
Planning Applications Committee	<b>10</b>	<b>1</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>13</b>
Regulation	<b>12</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>14</b>

<b>Committee</b>	<b>Con</b>	<b>Lib Dem</b>	<b>Lab</b>	<b>Ind</b>	<b>Mr Messenger</b>	<b>Total</b>
Committee						
Selection and Member Services Committee	<b>6</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>8</b>
Corporate Parenting Panel +4@	<b>8</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>10</b>
Superannuation Fund Committee +3# (1/1/1)	<b>8</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>9</b>
Kent Flood Risk Management Committee	<b>6</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>
Standards Committee	<b>6</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>7</b>
<b>TOTAL</b>	<b>99</b>	<b>13</b>	<b>9</b>	<b>3</b>	<b>0</b>	<b>124</b>
<b>Proportionate Share of Total</b>	<b>99</b>	<b>11</b>	<b>8</b>	<b>5</b>	<b>1</b>	<b>124</b>
<b>Difference to Proportionate share</b>	<b>0</b>	<b>+2.</b>	<b>+1</b>	<b>-2</b>	<b>-1</b>	<b>0</b>

*The proportionally rounded-up figures are: Conservative 99.50 (99); LD 10.71 (11); Labour 7.65 (8); Independent 4.60 (5); Mr Messenger 1.54 (1). In order to achieve the total figure of 124, the Conservative Group and Mr Messenger's totals need to be rounded down as they have the lowest 2 figures in terms of proportion of a Committee place.*

6 (1) As will be seen, the Conservative Group has the correct number of seats. The LD Group is over-represented by 2 seats, and Labour by 1 seat. The Independents are under-represented by 2 seats and Mr Messenger by 1.

(2) The Leader gave a verbal agreement during the May County Council meeting that the Conservative Group would give up three seats. Assuming that this is still the case, the General Counsel will now have the delegated powers to make the necessary adjustments on this basis following discussions between the political groups.

(3) The size and political composition of Sub-Committees is unaffected. This is also the case for Outside Bodies. Their composition remains as agreed at the County Council meeting in May.

(4) Membership of Cabinet Committees is determined by the Leader and is therefore not subject to the proportionality rules.

**Recommendations**

7. The Committee is asked to recommend that the County Council gives delegated powers to the General Counsel to make the necessary adjustments to Committee places following discussions between the political groups so that the Independents Group gains 2 seats and Mr Messenger 1.

Benjamin Watts  
General Counsel  
03000 416814