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TONBRIDGE & MALLING
BOROUGH COUNCIL

EXECUTIVE SERVICES

Chief Executive
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9 May 2025

Dear Councillor

COUNCIL - TUESDAY, 13TH MAY, 2025

I am now able to enclose, for consideration at the Tuesday, 13th May, 2025 meeting of the Council, the following reports that were unavailable when the agenda was printed.

Agenda No Item

9. **Election of Member for Snodland East and Ham Hill Ward (Pages 3 - 6)**

The result of the by-election held on Thursday 1 May 2025 is attached.

10. **Political Balance Arrangements (Pages 7 - 12)**

To determine the political balance arrangements for the Council's committees, sub-committees, advisory boards and panels.

As a consequence of the by-election on Thursday 1 May 2025, options regarding political balance arrangements were not available when the agenda was published.

Yours sincerely

DAMIAN ROBERTS
Chief Executive

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Council

13 May 2025

Part 1 - Public

Matters for Information



Cabinet Member

N/A

Responsible Officer

Damian Roberts, Chief Executive and Returning Officer

Report Author

Allison Parris, Principal Democratic Services Officer

Election of Borough Councillor for Snodland East and Ham Hill Ward

1 Summary and Purpose of Report

1.1 The report of the Returning Officer announces the result of the by-election held on Thursday 1 May 2025.

2 Corporate Strategy Priority Area

2.1 Efficient services for all our residents, maintaining an effective council.

3 Recommendations

3.1 This report is for information only and serves to advise all Cllrs of the outcome of the by-election.

4 Introduction and Background

4.1 Following the creation of a vacancy of a Borough Councillor for the Snodland East and Ham Hill Ward, caused by the death of Cllr Wayne Mallard, an election was held on Thursday 1 May 2025.

5 Result of By-election

5.1 The result of the election was as follows:

| | | |
|------------------|------------------------------|-----|
| Chapman Luke | Conservative Party Candidate | 543 |
| Loader Shaun | Labour Party | 346 |
| Watts Nick | Independent | 195 |
| Winterbottom Kim | The Green Party | 151 |

5.2 The turnout at the election was 29.65%.

5.3 Luke Chapman is therefore elected to serve as Councillor for the Snodland East and Ham Hill Ward until the next scheduled Borough Council elections in May 2027. Cllr Chapman has duly made their declaration of acceptance of office.

6 Other Options

6.1 There are no other options to consider as the Borough Council is required to have 44 elected members representing 19 electoral wards.

7 Financial and Value for Money Considerations

7.1 A councillor receives a basic allowance under the Members Allowance Scheme. This does not represent budget growth as it replaces the allowance paid to the previous councillor.

8 Risk Assessment

8.1 None

9 Legal Implications

9.1 In accordance with LGA 1972 s83, elected individuals cannot act as a councillor, including attending and voting at meetings, until a declaration of acceptance of office has been signed. This declaration must be made within 2 months from the date of the election. If this deadline is not met, the seat will be declared vacant and a by-election will be held.

9.2 In accordance with the Tonbridge and Malling (Electoral Changes) Order 2022 the Borough Council is required to have 44 elected members representing 19 electoral wards.

10 Consultation and Communications

10.1 The result of the by-election for Snodland East and Ham Hill ward has been announced and published on the Borough Council's website.

11 Implementation

11.1 Cllr Chapman has duly made their declaration of acceptance of office and is an elected member with immediate effect.

12 Cross Cutting Issues

12.1 Climate Change and Biodiversity

12.1.1 Limited or low impact on emissions and environment.

12.1.2 Climate change advice has not been sought in the preparation of the options and recommendations in this report.

12.2 Equalities and Diversity

12.2.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

12.3 Other If Relevant

- None

| | |
|-------------------|------|
| Background Papers | None |
| Annexes | None |

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Council

13 May 2025

Part 1 - Public

Matters for Decision



| | |
|---------------------|--|
| Cabinet Member | N/A |
| Responsible Officer | Adrian Stanfield, Director of Central Services and Deputy Chief Executive; Joy Ukadike, Head of Legal and Democratic Services |
| Report Author | Allison Parris, Principal Democratic Services Officer |

Political Balance Arrangements for Committees

1 Summary and Purpose of Report

- 1.1 To determine the political balance arrangements for the Borough Council's committees, boards and panels.
- 1.2 Under section 15 of the Local Government and Housing Act 1989 (duty to allocate seats to political groups) and the Local Government (Committees and Political Groups) Regulations 1990, the Borough Council is required to review the composition of any of its committees and sub-committees to which those provision apply at the annual meeting of the Council and after any election.
- 1.3 The result of the by-election for the Snodland East and Ham Hill ward has also been taken into account. Details of the result are set out in the report of the Returning Officer elsewhere on the agenda for Annual Council.

2 Corporate Strategy Priority Area

- 2.1 Efficient services for all our residents, maintaining an effective council.
- 2.2 Proper and appropriate political representation is key to good governance and decision making. Failure to acknowledge and deal with any political balance changes could lead to improper governance and ineffective decision making.

3 Recommendations

- 3.1 That the composition of all committees, sub-committees, advisory boards and panels be approved in accordance with the table set out in Annex A and the

Monitoring Officer make any consequential amendments to the Council's Constitution in respect of political balance.

4 Introduction and Background

4.1 The number of seats held by each of the political parties is as follows:

| Group | Total | % |
|-----------------------------|-----------|------------|
| Conservative | 21 | 47.73 |
| Liberal Democrat | 11 | 25.00 |
| Green | 8 | 18.18 |
| Labour | 2 | 4.55 |
| Independent Alliance (Kent) | 2 | 4.55 |
| Total | 44 | 100 |

4.2 The Borough Council is required to determine the composition of its committees to reflect this political balance and to ensure that:

- (a) Not all seats on the committee to which appointments are made are allocated to the same political group;
- (b) The majority of seats on the committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
- (c) Subject to (a) and (b), the total number of seats allocated to a particular political group reflects that group's proportion of the membership of the authority;
- (d) Subject to (a) and (c) the number of seats on each committee allocated to a particular group reflects that proportion of the membership of the authority.

4.3 The duty of the Borough Council is to give effect to the above principles **so far as reasonably practicable**. This recognises that there cannot be an exact application of the rules.

4.4 The political group composition of the Borough Council is as follows:

| Conservative Group | Liberal Democrat | Green | Independent Alliance (Kent) | Labour | Other | Total Seats |
|--------------------|------------------|-------|-----------------------------|--------|-------|-------------|
| 53 | 27 | 20 | 5 | 5 | - | 110 |
| 47.73 | 25 | 18.18 | 4.55 | 4.55 | - | 100% |

5 Proposal

- 5.1 The table at Annex A shows the number of committees etc of various sizes which need to be politically balanced and the way in which the total number of available seats might be allocated to reflect the proportions of the Borough Council as a whole.
- 5.2 As a result of the Conservatives gaining Snodland East and Ham Hill ward it is suggested that those committees requiring to be politically balanced be composed as set out on Annex A.

6 Other Options

- 6.1 A number of configurations were considered but the proposal outlined in Annex A provides the best political balance.
- 6.2 Political balance is calculated to show the objective division of committee seats across committees. Groups may wish to confirm alternative arrangements to seat allocation, which is known as 'manual adjustment'

7 Financial and Value for Money Considerations

- 7.1 There are no direct financial implications related to the change in political balance. The cost of servicing committees will be met through existing budgets.

8 Risk Assessment

- 8.1 Proper and appropriate political representation is key to good governance and decision making. Failure to acknowledge and deal with any political balance changes could lead to improper governance and ineffective decision making.

9 Legal Implications

- 9.1 The Borough Council is required to review the composition of its committees in accordance with the Local Government and Housing Act 1989 (duty to allocate seats to political groups) and the Local Government (Committees and Political Groups) regulations 1990.

10 Consultation and Communications

- 10.1 Full Council is required to note and agree any changes to political balance and its impact on committee appointments. Presenting a revised political balance report at Full Council is a statutory requirement.
- 10.2 Consultation has been undertaken in respect of this report with the leaders of each of the political groups represented on the Council. Their agreement has been obtained to the calculations relating to the allocation of seats on committees and their respective nominations will be considered else on the agenda for this meeting.

11 Implementation

- 11.1 If agreed at Annual Council, the political balance arrangements will come into immediate effect.

12 Cross Cutting Issues

12.1 Climate Change and Biodiversity

12.1.1 Limited or low impact on emissions and environment.

12.1.2 Climate change advice has not been sought in the preparation of the options and recommendations in this report.

12.2 Equalities and Diversity

12.2.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

12.3 Other If Relevant

- None

| | |
|-------------------|--|
| Background Papers | None |
| Annex A | Allocation of seats to reflect political balance |

Political Balance Arrangements

(consequential changes arising from the Snodland East and Ham Hill by-election are set out in red)

| Committee | Size | Con | Green | Ind All | Lab | Lib. Dem. | Other |
|--|------------|-----------|-----------|----------|----------|------------|-------|
| Overview and Scrutiny | 17 | 8 | 3 | 1 | 1 | 4 | |
| Licensing and Appeals | 13 | 6 | 2 | 1 | 1 | 3 | |
| Communities and Environment Scrutiny Select Committee | 13 | 6 | 2 | 1 | 1 | 3 | |
| Finance, Regeneration and Property Scrutiny Select Committee | 13 | 6 | 2 | 1 | 1 | 3 | |
| Housing and Planning Scrutiny Select Committee | 13 | 6 | 2 | 1 | 1 | 3 | |
| General Purposes | 11 | 6 (5) | 2 | 0 | 0(1) | 3 | |
| Joint Standards | 11 | 6 (5) | 2 | 0 | 0(1) | 3 | |
| Audit | 7 | 3 | 2 | 0 | 0 | 2 | |
| JECC | 7 | 3 | 2 | 0 | 0 | 2 | |
| Housing Association Liaison Panel | 5 | 3 (2) | 1 | 0 | 0 (1) | 1 | |
| Total Number of Seats | 110 | 53 | 20 | 5 | 5 | 27 | |
| Total Number of Seats Allocated | | | | | | 110 | |

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