

TONBRIDGE & MALLING BOROUGH COUNCIL
COUNCIL

22 February 2022

Report of the Director of Central Services and Deputy Chief Executive

Part 1- Public

Matters For Decision

1 POLITICAL BALANCE ARRANGEMENTS FOR COMMITTEES

This report asks Members to determine the political balance arrangements for the Council's committees, sub-committees, advisory boards and panels, following (1) the by-elections in the Castle, Kings Hill and West Malling and Leybourne Wards on 9 December 2021 and (2) Councillor Lettington becoming an independent Member.

1.1.1 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 Council is required to review the composition of any of its committees and sub-committees to which those provisions apply at the annual meeting of the Council and after any election.

1.1.2 Further to the above changes, the number of seats now held by each of the political groups* is as follows:

Conservative	36	(66.67%)
Liberal Democrat	9	(16.67%)
Green	4	(7.41%)
Independent Alliance (Kent)	3	(5.56%)
Ungrouped	2	(3.70%)
Total	54	(100%)

*a political group must consist of two or more members who have signed a declaration to that effect (the Local Government (Committees and Political Groups) Regulations 1990)).

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

- (a) not all the seats on the committee to which appointments are made are allocated to the same political group;
- (b) the majority of seats on the committee is allocated to a particular political 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.

1.1.4 Once the political groups have been allocated their places in accordance with the above rules, the Council may appoint ungrouped members to any remaining positions. In the case of Tonbridge & Malling Borough Council, 2 members (Cllr Hickmott – Labour and Cllr Lettington - Independent) fall into this category

1.1.5 As a result of the changes arising from the three by-elections the total number of seats held by political groups of the Council will be as follows (the numbers in brackets show the numbers held by each group prior to these recent changes):

Conservative Group	Liberal Democrat	Green	Independent Alliance Kent	Ungrouped	Total Seats
109(118)	27(24)	12(9)	9 (9)	6(3)	163
66.67%	16.67%	7.41%	5.56%	3.70%	100%

1.1.6 The table below 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 on the Council as a whole. In consequence, it is suggested that those committees requiring to be politically balanced be composed as follows (changes shown in brackets):

Committee	Size	Con	Lib Dem	Ind All	Green	Ungrouped
Overview and Scrutiny	18	12 (-1)	3	1	2 (+1)	0
Licensing and Appeals	15	10 (-1)	3(+1)	1	1	0
<i>Advisory Boards (x5):</i>						

Communities and Housing	16	11	2	1	1	1
Economic Regeneration	16	10(-1)	3	1	1	1(+1)
Finance, Innovation and Property	16	11 (-1)	3	0	2 (+1)	0
Planning and Transportation	16	11(-1)	3(+1)	1	1	0
Street Scene and Environment Services	16	11(-1)	3(+1)	1	1	0
General Purposes	14	9 (-1)	2	1	1	1 (+1)
Joint Standards	13	9	1	1	1	1
Audit	9	6 (-1)	1	0	1 (+1)	1
JECC	9	6	2	1	0	0
Housing Association Liaison Panel	5	3(-1)	1	0	0	1(+1)
Total Number of Seats	163	109(-9)	27(+3)	9(-)	12(+3)	6(+3)

1.2 Legal Implications

- 1.2.1 The 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.
- 1.2.2 Paragraph 1.3 of the Council and Committee Procedure Rules set out in the Constitution provides that a review of political balance following the election of a member at a by-election shall take place at the next ordinary meeting of the Council following the by-election.

1.3 Financial and Value for Money Considerations

1.3.1 Not applicable.

1.4 Risk Assessment

1.4.1 Not applicable.

1.5 Equality Impact Assessment

1.5.1 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.

1.6 Recommendations

1.6.1 RECOMMENDED that the composition of all committees, sub-committees, advisory boards and panels be approved in accordance with the table at paragraph 1.1.5 and the Monitoring Officer make any consequential amendments to the Council's constitution in respect of political balance.

Background papers:

contact: Allison Parris

Nil

Adrian Stanfield

Director of Central Services and Deputy Chief Executive