

# TONBRIDGE & MALLING BOROUGH COUNCIL

## COUNCIL

21 February 2023

### 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 Borough Council's committees, sub-committees, boards and panels following the resignation of Cllr Nick Stapleton of the Green Party.

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

Group	Total	%
Conservative	37	69.81
Liberal Democratic	9	16.98
Green	3	5.66
Independent Alliance (Kent)	3	5.66
Ungrouped (Cllr Hickmott)*	1	1.89
<b>Total</b>	<b>53</b>	<b>100</b>

\*note that for the purposes of the 1989 Act & 1990 Regulations Labour is not a political group at Tonbridge & Malling Borough Council, having less than 2 elected members. Cllr Hickmott is therefore an independent councillor for the purposes of calculating political balance. Members are also asked to note that the seat vacated by the resignation of Cllr Stapleton is not included in the total figures as the legislation applies only to persons who are for the time being members of the authority.

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 The duty on the 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.

1.1.5 The political group composition of the Council has been calculated as follows (based upon 128 seats in total and reflecting the duty set out at 1.1.4 above):

	Conservative Group	Liberal Democrat	Green	Independent Alliance Kent	Ungrouped	Total Seats
No. of seats	89 (+1)	22 (+1)	7 (-3)	7 (-)	3 (+1)	128
%	69.81%	16.98%	5.66%	5.66%	1.89%	100%

1.1.6 The table below shows the number of committees 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 balance be composed as follows. The numbers shown in brackets represent changes from the existing committee seat numbers.

Committee	Size	Con	Lib Dem	Ind All	Green	Ungrouped
Overview and Scrutiny	18	13(+1)	3	1	1(-1)	0
Licensing and Appeals	15	10	3	1	1	0
Communities and Environment Scrutiny Select Committee	15	10	2	1	1(-1)	1(+1)
Finance, Regeneration and Property Scrutiny Select Committee	15	11	3	0	1	0

Housing and Planning Scrutiny Select Committee	15	10	3	1	1	0
General Purposes	14	10	2	1	1	0
Joint Standards	13	9	2(+1)	1	1	0(-1)
Audit	9	6	1	1(+1)	0(-1)	1
JECC	9	6	2	0(-1)	0	1(+1)
Housing Association Liaison Panel	5	4	1	0	0	0
<b>Total Number of Seats</b>	<b>128</b>	<b>89</b>	<b>22</b>	<b>7</b>	<b>7</b>	<b>3</b>
<b>Total Number of Seats Allocated</b>						<b>128</b>

1.1.7 As a result of the revised political balance allocation there are consequential changes to the composition of Committees, Boards and Panels/Groups. These are summarised in Annex 1 to the report.

## 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.

## 1.3 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 Policy Considerations

1.6.1 Not applicable

## 1.7 Recommendations

1.7.1 RECOMMENDED that the composition of all committees, sub-committees and boards 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:

Nil

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