

TONBRIDGE & MALLING BOROUGH COUNCIL

COUNCIL

09 July 2024

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 Judd ward by-election on 4 July 2024.

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 Returning Officer’s report on the result of the by-election for the Judd ward, the number of seats held by each of the political groups is as follows:

Group	Total	%
Conservative	20	45.45
Green	8	18.18
Independent Alliance (Kent)	2	4.55
Labour	3	6.82
Liberal Democrats	11	25
Total	44	100

1.1.3 The number of seats held by each political group therefore remains unchanged from the position prior to the by-election.

1.1.4 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.

1.1.5 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.

1.1.6 The total number of seats held by political groups of the Council is as follows

Conservative Group	Liberal Democrat	Green	Independent Alliance Kent	Labour	Total Seats
50	27	20	5	8	110
45.45%	25%	18.18%	4.55%	6.82%	100%

Size of Committees

1.1.7 Given that the number of seats held by each political group remains unchanged, no consequential changes are proposed to the size of Committees. For reference 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 have been allocated to reflect the proportions on the Council as a whole. These were approved at annual Council in May 2024.

Committee	Size	Con	Green	Ind All	Labour	Liberal Democrats
Overview and Scrutiny	17	8	3	1	1	4
Communities and Environment Scrutiny Select Committee	13	6	2	1	1	3

Committee	Size	Con	Green	Ind All	Labour	Liberal Democrats
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
Licensing & Appeals Committee	13	6	2	1	1	3
General Purposes	11	5	2	0	1	3
Joint Standards	11	5	2	0	1	3
Audit	7	3	2	0	0	2
JECC	7	3	2	0	0	2
Housing Association Liaison Panel	5	2	1	0	1	1
Total Number of Seats	110	50	20	5	8	27
Total Number of Seats Allocated						110

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 Policy Considerations

1.6.1 Not applicable

1.7 Recommendations

1.7.1 **RECOMMENDED** that the composition of all committees, sub-committees, advisory boards and panels be approved in accordance with the table at paragraph 1.1.7 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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