

## Review of Allocation of Seats to Political Groups

### (Option 2)

**Appoint Ordinary Committees Only in Accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, subject to an alternative arrangement in respect of two seats.**

#### 1. Composition of the Council

	No. of Cllrs	Percentage of the Council*
Conservative Group	20	62.50%
Labour Group	11	34.38%
Non-Aligned Members	1	3.13%
Total	32	100.00%

(\* rounded to 2 decimal places)

#### 2. Ordinary Committees

2.1 The following is a list of the ordinary committees of the Council:

- Electoral Matters Committee (5 seats)
- General Purposes Committee (5 seats)
- Governance Committee (7 seats)
- Planning Committee (10 seats)
- Regulatory Committee (5 seats)

This equals 32 Seats in total.

#### 3. Application of the Principles

**1<sup>st</sup> Principle: That not all seats on the body are allocated to the same political group**

3.1 The determinations set out in this Appendix are consistent with this principle.

**2<sup>nd</sup> Principle The majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership**

3.2 The Conservative Group is the majority (17 or more) of the Council's membership with 20 seats out of the Council's total membership of 32 seats. This would result in the following allocation to give them a majority of the seats on each body:

Committee	CON
Electoral Matters Committee (5 seats)	3
General Purposes Committee (5 seats)	3
Governance Committee (7 seats)	4
Planning Committee (10 seats)	6
Regulatory Committee (5 seats)	3
Totals (32 seats)	19

**3<sup>rd</sup> Principle:** Subject to [the first two principles], that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority

- 3.3 The starting point for the calculation is to determine the overall percentage of the Council that each political group and the non-aligned members make up.

	No. of Cllrs	Percentage of Council
Conservative Group	20	62.50%
Labour Group	11	34.38%
Non-Aligned Members	1	3.12%
Total	32	100.00%

- 3.4 The majority Conservative Group has already been allocated 19 seats in accordance with the 2<sup>nd</sup> principle.
- 3.5 If the seats are allocated to each political group in accordance with the third principle this would result in the following allocation:

Political Group	No. of Councillors	Percentage of Council	Number of Seats (32 ordinary seats)
Conservative Group	20	62.50%	20.00 (say 20)
Labour Group	11	34.38%	11.00 (say 11)

- 3.6 The Conservative Group has therefore been under allocated 1 seat based on its proportional entitlement to the total number of seats (32 seats) based on its overall membership of the authority (62.50%). This would be an increase of 1 seat for the Conservative Group over the number of seats held during the municipal year 2020-21.
- 3.7 The seats on the various ordinary committees of the Council would be proportional allocated (all part numbers rounded down) as follows:

Committee	CON (as majority)	CON (as pct)	LAB	Allocated Seats	Actual Seats	Unallocated
Electoral Matters Committee	3	3 (3.13)	1 (1.72)	4	5	1
General Purposes Committee	3	3 (3.13)	1 (1.72)	4	5	1
Governance Committee	4	4 (4.38)	2 (2.41)	6	7	1
Planning Committee	6	6 (6.25)	3 (3.44)	9	10	1
Regulatory Committee	3	3 (3.13)	1 (1.72)	4	5	1
Totals	19	19	8	27	32	5

- 3.8 This proportional allocation fulfils the requirements of Principles 1 and 2 and results in an under-allocation of 1 seat to the Conservative Group and 3 seats to the Labour Group.
- 3.9 The remaining unallocated seats are therefore allocated on a closest to whole number basis (rounding up for 0.5 and above and rounding down for below), as per the table in paragraph 3.7, resulting in the following allocation:

Committee	CON	LAB
Electoral Matters Committee	3.13 say 3 seats	1.72 say 2 seats
General Purposes Committee	3.13 say 3 seats	1.72 say 2 seats
Governance Committee	4.38 say 4 seats	2.41 say 2 seats
Planning Committee	6.25 say 6 seats	3.44 say 3 seats
Regulatory Committee	3.13 say 3 seats	1.72 say 2 seats
Totals	19	11

- 3.10 This allocates the Labour Group's proportional seat entitlement of 11 seats in full. The Conservative Group is still under allocated by 1 seat on this basis. The largest part seat percentage is .38 for the Governance Committee, which still has 1 unallocated seat. This is therefore rounded from 4.38 seats to 5 seats resulting in the following allocation:

Committee	CON	LAB	Allocated Seats	Actual Seats	Unallocated
Electoral Matters Committee	3	2	5	5	0
General Purposes Committee	3	2	5	5	0
Governance Committee	5	2	7	7	0
Planning Committee	6	3	9	10	1
Regulatory Committee	3	2	5	5	0
Totals	20	11	31	32	1

**4<sup>th</sup> Principle:** Subject to [principles 1-3 above], that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority

	No. of Cllrs	Percentage of Council
Conservative Group	20	62.50%
Labour Group	11	34.38%
Non-Aligned Members	1	3.12%
Total	32	100.00%

Committee	CON	LAB	Allocated Seats	Actual Seats	Unallocated
Electoral Matters Committee	3	2	5	5	0
General Purposes Committee	3	2	5	5	0
Governance Committee	5	2	7	7	0
Planning Committee	6	3	9	10	1
Regulatory Committee	3	2	5	5	0
Totals	20	11	31	32	1
Percentage	62.50%	34.38%	96.88%	100.00%	3.12%

3.11 The remaining seat on the Planning Committee is allocated to the Non-Aligned Members in accordance with section 16(2A) of the Local Government and Housing Act 1989, resulting in a final determination as follows:

Committee	CON	LAB	NAM	Allocated Seats	Actual Seats	Unallocated Seats
Electoral Matters Committee	3	2	0	5	5	0
General Purposes Committee	3	2	0	5	5	0
Governance Committee	5	2	0	7	7	0
Planning Committee	6	3	1	10	10	0
Regulatory Committee	3	2	0	5	5	0
Totals	20	11	1	32	32	0

3.12 Council would normally need to vote on the allocation of each seat to non-aligned members on an individual basis in accordance with Council Procedure Rule 18.7. However, as there is only one non-aligned member the seat can only be allocated to that non-aligned member.

#### 4. Variation to the Strict Allocation (Option 2 'Alternative Arrangement')

- 4.1 The Council for 2021-22 approved, without any Member voting against, a variation to the Political Balance Principles. This was to exchange the allocated non-aligned member seat on the Planning Committee with one of the allocated Conservative group seats on the Governance Committee.
- 4.2 A repeat of this option for 2022-23 would see the following alternative arrangements for the seat allocation:

Committee	CON	LAB	NAM	Allocated Seats	Actual Seats	Unallocated Seats
Electoral Matters Committee	3	2	0	5	5	0
General Purposes Committee	3	2	0	5	5	0
Governance Committee	4 (-1)	2	1 (+1)	7	7	0
Planning Committee	7 (+1)	3	0 (-1)	10	10	0
Regulatory Committee	3	2	0	5	5	0
Totals	20	11	1	32	32	0

- 4.3 As this is an alternative arrangement, this would require that no member vote against it for it to be approved.
- 4.4 This alternative arrangement would reflect the arrangements agreed by the full Council when the political balance was last calculated.

#### 5. Bodies to which political balance applies

- 5.1 The next step is to determine the political balanced committees that are not treated as ordinary committees for the purpose of this option. These means the Overview and Scrutiny Committee.
- 5.2 As political balance applies to the Overview and Scrutiny Committee, despite it not being an ordinary committee, the four principles will need to be applied.

**1<sup>st</sup> Principle: That not all seats on the body are allocated to the same political group**

- 5.3 The determinations set out in this Appendix are consistent with this principle.

**2<sup>nd</sup> Principle The majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership**

- 5.4 The Conservative Group is the majority (17 or more councillors) of the Council's membership with representing 59.38% (19 out of 32 councillors) of the Council's total membership. This would result in the following allocation to give them a majority of the seats on the body:

Committee	CON
Overview and Scrutiny Committee (10 seats)	6

**3<sup>rd</sup> Principle:** Subject to [the first two principles], that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of members of that group to the membership of the authority

- 5.5 This does not apply as the bodies in question are not ordinary committees.

**4<sup>th</sup> Principle:** Subject to [principles 1-3 above], that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of members of that group to the membership of the authority

- 5.6 When applied to the non-ordinary committee this would result in the following determination:

Committee	CON	LAB (37.50%)	Allocated Seats	Actual Seats	Unallocated
Overview and Scrutiny Committee	6 (6.25)	3 (3.75)	9	10	1

- 5.7 The remaining seat on the body are allocated to the Non-Aligned Members in accordance with section 16(2A) of the Local Government and Housing Act 1989, resulting in a final determination as follows, resulting in a final determination as follows:

Committee	CON	LAB	NAM	Allocated Seats	Actual Seats	Unallocated
Overview and Scrutiny Committee	6	3	1	10	10	0

- 5.8 Council will need to vote on the allocation of each seat to non-aligned members on an individual basis in accordance with Council Procedure Rule 18.7. However, as there is only one non-aligned member the seat can only be allocated to that non-aligned member.

## 6. Final Allocation

6.1 In summary, this option would result in the following allocation:

Committee	CON	LAB	NAM	Allocated Seats	Actual Seats	Unallocated
Electoral Matters Committee	3	2	0	5	5	0
General Purposes Committee	3	2	0	5	5	0
Governance Committee	4	2	1	7	7	0
Planning Committee	7	3	0	10	10	0
Regulatory Committee	3	2	0	5	5	0
Overview and Scrutiny Committee	6	3	1	10	10	0
Totals	25	15	2	42	42	0

## 7. Other Bodies

7.1 This leaves the appointments to the Licensing Committee, Dover Joint Transportation Advisory Board, the Joint Staff Consultative Forum and the Joint Health, Safety and Welfare Consultative Forum. Appointments to these bodies are outside the political balance requirements and are at the discretion of the Council.

7.2 Historically the Council has appointed to these committees so as to respect political balance. In keeping with this method of appointment, the following seats would be allocated:

Committee	CON	LAB	NAM	Allocated Seats	Actual Seats
Licensing Committee (15 seats)	10	5	0	15	15
Dover Joint Transportation Board (7 seats)	4	3	0	7	7
Joint Staff Consultative Forum (5 seats)	3	2	0	5	5
Joint Health, Safety and Welfare Consultative Forum (5 seats)	3	2	0	5	5

7.3 This would see an increase in the number of seats on the Licensing Committee allocated to the Conservative Group increase from 9 to 10 seats with a corresponding decrease in the seats allocated to the Labour Group from 6 to 5 seats.

- 7.4 As the seats set out in the table at paragraph 6.2 above are outside of the political balance rules, the decision on the allocation of seats would be made by a majority vote in accordance with council procedure rule 18.7.

#### **The East Kent Shared Services Committee**

- 7.5 As this committee appoints less than 3 seats, there is no requirement to be politically balanced. The terms of reference of the committee require the appointments to be of Executive Members (usually the Leader and Deputy Leader of the Council). The Council also appoints two named substitute members from the executive.

<b>Committee</b>	<b>CON</b>	<b>LAB</b>	<b>PRO</b>	<b>NAM</b>	<b>Allocated Seats</b>	<b>Actual Seats</b>
East Kent Shared Services Committee (2 seats)	2	0	0	0	2	2