

## Review of Allocation of Seats to Political Groups

### (Option 1)

#### Appoint Ordinary Committees Only in Strict Accordance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990

#### 1. Composition of the Council

	No. of Cllrs	Percentage of the Council*
Labour Group	15	46.88%
Conservative Group	15	46.88%
Non-Aligned Member (Cllr Moorhouse)	1	1.09%
Non-Aligned Member (Cllr Mamjan)	1	1.09%
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)
- Investigation and Disciplinary Committee (3 seats)
- Planning Committee (10 seats)
- Regulatory Committee (5 seats)

This equals 35 Ordinary Committee 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. No allocation for an Ordinary Committee consisting of members of only one political group is proposed based on the calculations.

**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 Council consists of 32 Members, so for the purpose of this principle for a political group to be a majority of the authority's membership it requires half plus one Members of the Council (17 Members). At the time of the last allocation in May 2024, the Labour Group had the majority of the authority's membership with 17 Members. As of January 2025, there is no political group on the Council with at least 17 Members so there is no group that is the majority of the authority's membership.
- 3.3 As there is no political group with the majority of the authority's membership, this principle does not apply.

**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
Labour Group	15	46.88%
Conservative Group	15	46.88%
Non-Aligned Member (Cllr Moorhouse)	1	1.09%
Non-Aligned Member (Cllr Mamjan)	1	1.09%
Total	32	100.00%

- 3.4 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 (35 ordinary seats)
Labour Group	15	46.88%	16.41 (say 16)
Conservative Group	15	46.88%	16.41 (say 16)
TOTAL	30	93.76%	32

Committee	LAB (3 <sup>rd</sup> Principle)	CON (3 <sup>rd</sup> Principle)
Electoral Matters Committee	2.34 (say 2)	2.34 (say 2)
General Purposes Committee	2.34 (say 2)	2.34 (say 2)
Governance Committee	3.28 (say 3)	3.28 (say 3)
Investigation & Disciplinary Committee	1.41 (say 1)	1.41 (say 1)
Planning Committee	4.69 (say 4)	4.69 (say 4)

Committee	LAB (3 <sup>rd</sup> Principle)	CON (3 <sup>rd</sup> Principle)
Regulatory Committee	2.34 (say 2)	2.34 (say 2)
Totals	14	14

- 3.5 Therefore the seats on the various ordinary committees of the Council would be proportionally allocated (all part numbers rounded down) as follows:

Committee	LAB	CON	Allocated Seats	Actual Seats	Unallocated
Electoral Matters Committee	2	2	4	5	1
General Purposes Committee	2	2	4	5	1
Governance Committee	3	3	6	7	1
Investigation & Disciplinary Committee	1	1	2	3	1
Planning Committee	4	4	8	10	2
Regulatory Committee	2	2	4	5	1
Totals	14	14	28	35	7

- 3.6 This proportional allocation fulfils the requirements of Principles 1 and 3 (with Principle 2 not being applicable in absence of a political group with a majority of the authority's membership). It results in an under-allocation of 2 seats to each of the two political groups.

**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**

- 3.7 To fulfil the requirement for the 4<sup>th</sup> Principle, both political groups should be allocated 16 seats on Ordinary Committees. As demonstrated at paragraph 3.5 above, a whole number allocation (rounding down) allocates 14 of the 16 seats for each of the political groups.
- 3.8 At this point the Council has historically allocated any remaining under allocation by rounding to the nearest whole number based on overall proportional entitlement. In this instance, this would allocate one further seat to each political group as their respective entitlements on Planning Committee are 4.69. As that is higher than .50 and both political groups have an under allocation it is proposed that each political group be given 5 seats on the Planning Committee.
- 3.9 This leaves an under allocation of 1 seat for each political group as follows:

<b>Committee</b>	<b>LAB (4<sup>th</sup> Principle)</b>	<b>CON (4<sup>th</sup> Principle)</b>	<b>Allocated Seats</b>	<b>Actual Seats</b>	<b>Unallocated</b>
Electoral Matters Committee	2	2	4	5	1
General Purposes Committee	2	2	4	5	1
Governance Committee	3	3	6	7	1
Investigation & Disciplinary Committee	1	1	2	3	1
Planning Committee	5	5	10	10	0
Regulatory Committee	2	2	4	5	1
<b>Totals</b>	<b>15</b>	<b>15</b>	<b>30</b>	<b>35</b>	<b>5</b>
Entitlement	16	16			

- 3.10 As the four principles have been applied and the remaining unallocated entitlement for each of the political groups is the same on each committee, it would be for the political groups to indicate their preferences for the remaining allocation of one seat each from the list of unallocated seats above.

#### **Non-Aligned Member Entitlement**

- 3.11 After the political groups have each allocated their remaining unallocated seat, the allocation of the remaining 3 unallocated committee seats would be subject to the application of s.16 of the Local Government (Committees and Political Groups) Regulations 1990.
- 3.12 s.16 of the Local Government (Committees and Political Groups) Regulations 1990 modifies sections 15 and 16 of the Local Government and Housing Act 1989 as follows:
- “16(2A) Section 15(3) of the 1989 Act shall have effect as if for the words from “to determine” to the end there were substituted the words “to determine the allocation to each of those groups of such of the seats which fall to be filled by appointments made from time to time by that authority or committee as bear to the total of all of those seats the same proportion as is borne by the number of members of that group to the membership of the authority.”
- 3.13 The remaining 3 unallocated seats on Ordinary Committees will therefore be allocated to the two non-aligned members of the Council (i.e. those Members who are not members of a political group on the Council).
- 3.14 This allocation is determined by a simple majority vote of the full Council. The seats can be all allocated to the same non-aligned member as there is only one seat on

each committee remaining unallocated, allocated in accordance with the wishes of the non-aligned members or on some other basis.

#### 4. **Bodies to which political balance applies**

4.1 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.

4.2 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**

4.3 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**

4.4 The Council consists of 32 Members, so for the purpose of this principle for a political group to be a majority of the authority's membership it requires half plus one Members of the Council (17 Members). At the time of the last allocation in May 2024, the Labour Group had the majority of the authority's membership with 17 Members. As of January 2025, there is no political group on the Council with at least 17 Members so there is no group that is the majority of the authority's membership.

3.3 As there is no political group with the majority of the authority's membership, this principle does not apply.

**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**

4.5 This does not apply as the body in question (the Overview and Scrutiny Committee) is not an ordinary committee.

**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**

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

<b>Committee</b>	<b>LAB</b>	<b>CON</b>	<b>Allocated Seats</b>	<b>Actual Seats</b>	<b>Unallocated</b>
Overview and Scrutiny Committee	4.69 (say 4)	4.69 (say 4)	8	10	2

4.7 The remaining two unallocated seats would be allocated to the Non-Aligned Members.

## 5. Final Allocation

5.1 In summary, this option (subject to the last ordinary committee seat allocation to be made to each political group) would result in the following allocation of seats to bodies to which political balance applies:

<b>Ordinary Committee</b>	<b>LAB</b>	<b>CON</b>	<b>NAM</b>	<b>Allocated Seats</b>	<b>Actual Seats</b>	<b>Unallocated</b>
Electoral Matters Committee	2	2	0	4	5	1
General Purposes Committee	2	2	0	4	5	1
Governance Committee	3	3	0	6	7	1
Investigation & Disciplinary Committee	1	1	0	2	3	1
Planning Committee	5	5	0	10	10	0
Regulatory Committee	2	2	0	4	5	1
Totals	15	15	0	30	35	5
Entitlement	16	16	3			

<b>Committee</b>	<b>LAB</b>	<b>CON</b>	<b>NAM</b>	<b>Allocated Seats</b>	<b>Actual Seats</b>	<b>Unallocated</b>
Overview and Scrutiny Committee	4	4	2	10	10	0
Totals	4	4	2	10	10	0
Entitlement	4	4	2			

## 6. **Other Bodies**

6.1 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.

6.2 In keeping with the historical method of appointment, the following seats would be allocated as if political balance applied as follows:

<b>Committee</b>	<b>LAB</b>	<b>CON</b>	<b>NAM</b>	<b>Allocated Seats</b>	<b>Actual Seats</b>
Licensing Committee (15 seats)	7	7	1	15	15
Dover Joint Transportation Board (7 seats)	3	3	1	7	7
Joint Staff Consultative Forum (5 seats)	2	2	1	5	5
Joint Health, Safety and Welfare Consultative Forum (5 seats)	2	2	1	5	5

6.3 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. It is therefore possible to allocate these seats on a different basis if Council wished to do and not take into account political balance.

6.4 The allocation of seats to the individual non-aligned members would similarly be the subject of a majority vote.

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

6.5 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 (the Leader and Deputy Leader of the Council). The Council also appoints two named substitute members from the executive.

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

### **Committee Chairmen and Vice-Chairmen**

6.3 The Council will also need to appoint its Committee Chairmen and Vice-Chairmen. This is addressed in sections 8 to 10 of the covering report.