

## **Annual Meeting of Medway Council (and Joint Meeting of Committees)**

**15 May 2024**

### **Establishment of Committees, Appointments and Schedule of Meetings 2024/2025**

Report from: Bhupinder Gill, Assistant Director Legal and Governance

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#### **Summary**

This report sets out the position regarding the overall allocation of seats on Committees. The Council is asked to approve the recommendations in paragraph 1.1 relating to Committees and other bodies to be appointed for 2024/2025 and a programme of meetings.

The Council is also asked to make recommendations to the Joint Meeting of Committees on 15 May 2024, which will take place immediately following the Annual Meeting of the Council, in respect of the appointment of Chairpersons and Vice-Chairpersons of committees and the establishment and membership of sub-committees, and a scrutiny task group.

#### **1. Recommendations**

1.1. The Council is asked to agree:

- (i) the establishment of Committees, their size and the allocation of seats to political groups as set out in Appendices A and B to the report, together with terms of reference as set out in the Council's constitution.
- (ii) the appointment of members to each Committee as set out in Appendix B to the report, including the appointment of voting and non-voting co-optees on Committees as listed.
- (iii) the appointments and nominations to Joint Committees, outside bodies and other bodies as set out in Appendix C to the report.
- (iv) the timetable of meetings for the 2024/2025 municipal year as set out in Appendix D to the report.
- (v) to delegate authority to the Chief Executive, in consultation with Group Whips, to vary the schedule of meetings during the 2024/2025 municipal year as required, on the basis set out in paragraph 5.4 of the report.

- 1.2. The Council is asked to recommend to the Joint Meeting of Committees:
  - 1.2.1. the appointment of Chairpersons and Vice Chairpersons of committees (excluding the Health and Wellbeing Board) as set out in Appendix B to this report;
  - 1.2.2. the establishment of sub committees (with terms of reference as set out in the Council's Constitution) and scrutiny task group, their size, the allocation of seats to political groups and memberships as set out in Appendix B to this report;
  - 1.2.3. that the requirement for political balance should be waived in respect of Licensing Hearing Panels and Licensing 1982 Act Hearing Panels and that the process for selection of the Chairperson, Vice Chairperson and Panel Members for these Panels should be as set out in Appendix B to this report.

## 2. Budget and policy framework

- 2.1. The establishment of committees and the appointment of Members to serve on committees and outside bodies is a matter for decision by the Annual Meeting of the Council together with approval of the annual schedule of meetings.
- 2.2. The appointment of Chairpersons and Vice-Chairpersons of some committees, the establishment of sub-committees, and the appointment of Members to serve on them is a matter for decision at a Joint meeting of Committees, which will take place immediately after the Annual Council meeting.

## 3. Background

- 3.1. At its meeting on 18 April 2024, the Council considered the position regarding the overall allocation of seats on committees and made recommendations for decision at the Annual Council meeting.
- 3.2. There are 59 Councillors representing 24 Wards. The current composition of the Council has changed since the last Full Council meeting, given that Councillor Mrs Turpin has very recently joined the Independent Group and is now as follows:

<b>Political Group</b>	<b>Number of councillors</b>	<b>Proportionality %</b>
Labour and Co-operative Group	31	52.542%
Conservative Group	21	35.593%
Independent Group	4	6.780%
Independent Members (not a political group)	3	5.085%
<b>Total</b>	<b>59</b>	<b>100%</b>

4. Establishment of Committees and allocation of seats plus other appointments for 2024/2025
  - 4.1. The Local Government and Housing Act 1989 and associated regulations (The Local Government (Committees and Political Groups) Regulations 1990) require the Council to review the allocation of seats on committees to political groups in specified circumstances, including annually at the Annual Council meeting. Committee seats must be allocated in accordance with the following principles so far as is reasonably practicable, unless alternative arrangements are notified to all Members five clear days in advance of this meeting and agreed without any Councillor voting against them.
    - (a) that not all the seats on the body are allocated to the same political group;
    - (b) that 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;
    - (c) subject to paragraphs (a) and (b) above, 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;
    - (d) subject to paragraphs (a) to (c) above, that the number of the 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.
  - 4.2. Principles (a), (b) and (d) apply to all appointments to the authority's own bodies and to certain outside bodies. However, principle (c) only relates to appointments to the 'ordinary committees' of the Council.
  - 4.3. Discussions originally took place with Group Whips and a proposal for the allocation of seats to political groups was agreed with them. Following the notification that Councillor Mrs Turpin has joined the Independent Group, which was formally received by the Council on 3 May 2024, further discussions with Group Whips are required to bring forward proposals for the allocation of committee seats to political groups and these will be reported to Members in an addendum report.
  - 4.4. Subject to the outcome of discussions with the Group Whips, the Council is usually required to allocate three additional seats to the Labour and Co-operative Group on the Children and Young People Overview and Scrutiny Committee to preserve that Group's entitlement to a majority position on any Committee in view of the four statutory co-optees with voting rights who have to be appointed to the Committee.
  - 4.5. The Health and Wellbeing Board is listed as a Committee of the Council in Appendix B (to follow). This Committee is not subject to the rules on political balance and the positions of Chairperson and Vice Chairperson of the Board

are appointed by the Board at its first ordinary meeting after each Annual Council meeting.

- 4.6. Details of other bodies will be set out in Appendix C to the report (to follow) which are either recommended or required to comply with legal requirements or align with established practice.
- 4.7. Committee Terms of Reference are set out in the [Constitution](#) as follows:
- 4.8. Chapter 3, Part 2 (Responsibility for Council Functions) – Committees and Sub-Committees
- 4.9. Chapter 4, Part 5 (Overview and Scrutiny Rules) – Overview and Scrutiny Committees.

## 5. Timetable of meetings

- 5.1. On 24 January 2024 the Council agreed a draft schedule of meetings for 2024/2025.
- 5.2. As reported to Council on 18 April 2024, there have been some ongoing discussions around the dates of some of the Cabinet Sub-Committee meetings and following further discussions with Cabinet Members and representatives from Kyndi Ltd, Medway Development Company Ltd and Medway Norse, the finalised dates are set out in Appendix D to the report.
- 5.3. It was also reported to the last meeting that a General Election will be held at some point during the 2024/2025 municipal year. This will place additional pressure on meeting rooms given the existing restrictions on using Gun Wharf and the requirements needed to support staff training and the administration of postal votes. Democratic Services are making contingency arrangements to ensure meetings can continue to take place during this period.
- 5.4. It is recommended that the Chief Executive is given authority, in consultation with Group Whips, to vary the schedule of meetings for the 2024/2025 municipal year. This will provide flexibility to change things like dates and start times of meeting, and to cancel meetings, if required.

## 6. Financial, legal and risk management implications

- 6.1. There are no financial implications arising from this report.
- 6.2. The proposals in this report relating to the allocation of Committee seats comply with the relevant legal requirements set out in the Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulations 1990.
- 6.3. Schedule 12 to The Local Government Act 1972 requires the Council to hold an Annual meeting each year on any day in March, April or May fixed by the Council. In addition to the Annual Council meeting, other meetings may be held at times and on dates fixed by the Council.

## Lead officer contact

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## Appendices

Appendix A – Review of allocation of committee seats (to follow)

Appendix B – List of committees, sub-committees and task groups (to follow)

Appendix C – List of joint committees and outside and other bodies (to follow)

Appendix D – Timetable of meetings

## Background papers

None