

# ANNUAL MEETING OF MEDWAY COUNCIL (AND JOINT MEETING OF COMMITTEES) 15 MAY 2013

### ESTABLISHMENT OF COMMITTEES, APPOINTMENTS AND SCHEDULE OF MEETINGS 2013/2014

Report from: Neil Davies, Chief Executive

Author: Julie Keith, Head of Democratic Services

#### Summary

This report sets out the position regarding the overall allocation of seats on committees. On 25 April 2013, the Council agreed to make recommendations to this meeting regarding the committees and other bodies to be appointed for 2013/2014 and a programme of meetings.

The Council is also asked to make recommendations to the Joint Meeting of Committees immediately following the Annual Meeting of the Council, in respect of the establishment and membership of sub-committees and task groups.

#### 1. Budget and Policy Framework

- 1.1 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.
- 1.2 The appointment of Chairmen and Vice-chairmen, the establishment of sub-committees, task groups and the appointment of Members to serve on them is a matter for decision at a Joint meeting of Committees, which immediately follows the Annual Council meeting.

#### 2. Background

- 2.1 In April each year the Council usually considers the position regarding the overall allocation of seats on committees and makes recommendations for decision at the Annual Council meeting in May.
- 2.2 Local elections for all 55 Councillors representing 22 Wards took place on 5 May 2011. Following these elections four political groups were established. The current composition of the Council remains unchanged since the last Annual Council meeting in May 2012 and is as follows:

Group	Number of councillors	Proportionality %
	Councillors	70
Conservative Group	35	63.64
Labour Group	15	27.27
Liberal Democrat Group	3	5.45
Independent Group	2	3.64
	55	100%

### 3 Establishment of Committees and allocation of seats plus other appointments for 2013/2014

- 3.1 The Local Government and Housing Act 1989 requires the Council to allocate seats on committees to political groups in accordance with the size of each group on the Council as a whole, unless alternative arrangements are notified to all Members and agreed without any Councillor voting against them. The council is required to observe the following principles so far as is reasonably practicable:-
  - (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.
- 3.2 Principles (a), (b) and (d) apply to <u>all</u> 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.
- 3.3 Any decision to waive the requirements of political balance will require a resolution of the council with no member voting against.
- 3.4 The overall number of seats on committees is currently 123 allocated across the political groups as follows:

Conservative	Labour	Liberal Democrat	Independent Group	Total
78 (+2)	34	7	4	123

3.5 The following table sets out proposals (which have been shared with Group Whips), for the establishment of committees, their size and the allocation of seats to political groups. This meets the overriding requirement to ensure the overall number of seats on ordinary committees are allocated in accordance with the political balance of the Council.

Committee	No. of seats	Con 63.64%	Lab 27.27%	LD 5.45%	Ind. Group 3.64%	Total 100%
Children and Young People OSC	13 (+2)	8 (+2)	3	1	1	13 (+2)
Health and Adult Social Care OSC	13	8	4	1	0	13
Business Support OSC	13	8	4	1	0	13
Regeneration, Community and Culture OSC	13	8	3	1	1	13
NHS (Joint with KCC)	4	3	1	0	0	4
Appointments	6	4	2	0	0	6
Appointments Committee for Director of Children and Adults	8	5	3	0	0	8
Audit	5	3	2	0	0	5
Planning	16	10	4	1	1	16
Employment Matters	7	5	2	0	0	7
Licensing and Safety	12	8	3	1	0	12
School Transport and Curriculum Appeals	5	3	1	0	1	5
Councillor Conduct Committee	8	5	2	1	0	8
Overall Entitlement	123	78	34	7	4	123

#### Notes:

(i) There are two additional Conservative Members on the Children and Young People Overview and Scrutiny Committee to preserve that Group's majority in view of the four statutory co-optees with voting rights who have to be appointed to the Committee.

- (ii) The Council has also previously approved the establishment of an ad hoc committee to consider the removal of Council appointed school governors as and when necessary and that the membership of the committee is comprised of the Group Whips and the relevant Portfolio Holder. Previously political balance has been waived in respect of this committee so that the overall number of seats on committees is not affected. Therefore it has not been included in the calculation set out above.
- 3.6 The list of committees, joint committees, outside bodies, sub-committees and task groups are set out at Appendices A and B with recommended sizes and allocation of places. The Council is asked to note and agree the recommendation of Group Whips that membership of the National Association of Councillors should be discontinued which will generate a saving of £800 per annum.
- 3.7 The Council is asked to note, in particular, that agreement is being sought to reappoint the South Thames Building Control Joint Committee as Medway, Gravesham and Swale agreed to continue the building control partnership for a second 5 -year term, effective from September 2012. This Committee is not subject to the rules on political balance.
- 3.8 The Health and Wellbeing Board is listed as a new Committee of the Council in Appendix A.. This Committee is not subject to the rules on political balance and the Council is being recommended to agree that the positions of Chairman and Vice Chairman of the Board should be appointed by the Board At its first ordinary meeting after each Annual Council meeting rather than at the Joint meeting of Committees on the evening of Annual Council.

#### 4. Timetable of meetings

4.1 On 24 January 2013 (and subsequently on 25 April 2013) the Council agreed a draft schedule of meetings for 2013/2014, as attached at Appendix C. Since the Council meeting in April a couple of further amendments, as highlighted, have been incorporated into the draft timetable and notified to Group Whips.

#### 5. Councillor Conduct – Vacancy for an Independent Person

- 5.1 Under section 28(7) of the Localism Act, the Council is required to appoint at least one Independent Person (IP) whose views must be sought, and taken into account before a decision is taken by the Councillor Conduct Committee following any investigation of an allegation relating to Councillor conduct. The views of the IP may also be sought by the Committee in relation to any allegation which is not the subject of an investigation and also by any member of the Council or a Parish Council in Medway who is the subject of an allegation.
- 5.2 On 26 July 2012 the Council appointed Linda Veloso as the Independent Person for this purpose with a term of office expiring at the end of the 2014/15 municipal year. David Radlett was appointed at the same time to act in circumstances where the Independent Person has a conflict of interest which prevents him/her carrying out the role.

- 5.3 Recently, Linda Veloso gave notice of her resignation from this position for professional reasons. The Monitoring Officer has advertised the vacancy for an IP and candidates will be interviewed on 9 May 2013 by a Panel comprising the Monitoring Officer, a Democratic Services Officer, Pastor Will Grady of the Methodist Church and Doyin Yahyi of the Medway Youth Parliament.
- 5.4 The outcome of this process will be reported in a supplementary report with a view to a new IP being appointed at the Annual Council meeting on 15 May 2013.
- 5.5 The appointment of an Independent Person under section 28(7) of the Localism Act 2011 must be approved by a majority of the Members of the Council

#### 6. Financial, legal and risk management implications

- 6.1 There is a budget of £11,300 for the Monitoring Officer to cover the cost of Councillor conduct investigations and the payment of day rate fees to the Independent Person.
- 6.2 The legal position is set out within the body of the report.
- 6.3 There are no risk management implications arising from this report

#### 7. Recommendations

- 7.1 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 paragraph 3.5 above together with terms of reference as set out in the Council's Constitution:
  - (ii) the establishment of an ad hoc committee to consider the removal of Council appointed school governors as and when necessary and to waive political balance in respect of this Committee:
  - (iii) the membership of each committee as set out in Appendix A to this report, including the appointment of voting and non-voting co-optees on Committees as listed;
  - (iv) appointments to Joint Committees, outside bodies and other bodies as set out in Appendix B to this report;
  - (v) that membership of the National Association of Councillors should be discontinued as suggested by Group Whips;
  - (vi) the timetable of meetings for the 2013/2014 municipal year as set out in Appendix C to this report;
  - (vii) subject to the outcome of interviews on 9 May 2013 the appointment of an Independent Person under section 28(7) of the Localism Act 2011 from the date of this meeting until the end of the 2014/15 Municipal Year, to carry out the functions required by section 28(7).

- 7.2 The Council is asked to recommend to the Joint meeting of Committees:
  - (i) the appointment of Chairmen and Vice Chairmen of Committees as set out in Appendix A to this report;
  - (ii) the establishment of sub committees (with terms of reference as set out in the Council's constitution), task groups, their size and the allocation of seats to political groups as set out in Appendix A to this report.

#### Lead officer contact:

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#### **Appendices**

Appendix A – List of committees, sub-committees and task groups **(to follow)**Appendix B – List of joint committees and outside and other bodies **(to follow)** 

Appendix C – Revised timetable of meetings

#### **Background papers**

Sections 15-17 of, and schedule 1 to, the Local Government and Housing Act 1989

### **SCHEDULE OF MEETINGS MAY 2013 - MAY 2014**

DATE	MEETING	VENUE
MAY 2013		
Wed 8 May	7pm Planning Committee	Meeting Room 2
Tue 14 May	3pm Cabinet	Meeting Room 2
Wed 15 May	7pm Annual Council	St George's Centre
Wed 29 May	7pm Planning Committee	Meeting Room 2
JUNE 2013		
Tue 4 June	6.30pm Children and Young People Overview and Scrutiny Committee	Meeting Room 2
Fri 7 June	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Mon 10 June	6pm Councillor Conduct Committee	Meeting Room 9
Tue 11 June	3pm Cabinet	Meeting Room 2
Thu 13 June	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2
Thu 13 June	10am South Thames Gateway Building Control Joint Committee	Gravesham Borough Council
Fri 14 June	2pm Licensing Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 18 June	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tues 18 June	4pm Health and Wellbeing Board	St Georges Centre
Wed 19 June	7pm Planning Committee	Meeting Room 2
Thu 20 June	6.30pm Business Support Overview and Scrutiny Committee	Meeting Room 2
Tue 25 June	6.30pm Health and Adult Social Care Overview and Scrutiny Committee	Meeting Room 2

DATE	MEETING	VENUE
Thu 27 June	6.30pm Regeneration, Community and Culture Overview and Scrutiny Committee	Meeting Room 2
JULY 2013		
Thu 4 July	7pm Employment Matters Committee	Meeting Room 2
Fri 5 July	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Mon 8 July	6pm Councillor Conduct Committee	Meeting Room 9
Tue 9 July	3pm Cabinet	Meeting Room 2
Wed 10 July	7pm Planning Committee	Meeting Room 2
Thu 11 July	7pm Audit Committee	Meeting Room 2
Tue 16 July	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 16 July	6.30pm Children and Young People Overview and Scrutiny Committee	Meeting Room 2
Thu 18 July	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2
Tue 23 July	6pm Licensing and Safety Committee	Meeting Room 2
Thu 25 July	7pm Council	St George's Centre
Tue 30 July	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Wed 31 July	7pm Planning Committee	Meeting Room 2
AUGUST 201	3	
Fri 2 August	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 6 August	3pm Cabinet	Meeting Room 2
Wed 7 August	6.30pm Business Support Overview and Scrutiny Committee	Meeting Room 2

DATE	MEETING	VENUE
Thu 8 August	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2
Mon 12 August	6pm Councillor Conduct Committee	Meeting Room 2
Tue 13 August	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 13 August	6.30pm Business Support Overview and Scrutiny Committee	Meeting Room 2
Wed 14 August	6.30pm Regeneration, Community and Culture Overview and Scrutiny Committee	Meeting Room 2
Tue 20 August	6.30pm Health and Adult Social Care Overview and Scrutiny Committee	Meeting Room 2
Wed 21 August	7pm Planning Committee	Meeting Room 2
Fri 23 August	2pm Licensing Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 27 August	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Thu 29 August	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2
SEPTEMBER	2013	
Tue 3 September	3pm Cabinet	Meeting Room 2
Fri 6 September	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Wed 11 September	7pm Planning Committee	Meeting Room 2
Thu 12 September	7pm Employment Matters Committee	Meeting Room 2
Mon 16 September	6pm Councillor Conduct Committee	Meeting Room 2
Tue 17 September	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Wed 18 September	6pm Licensing and Safety Committee	Meeting Room 2
Thu 19 September	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2

DATE	MEETING	VENUE
Thu 19 September	10am South Thames Gateway Building Control Joint Committee (provisional – tba by Swale)	Gravesham Borough Council
Thu 19 September	6.30pm Business Support Overview and Scrutiny Committee	Meeting Room 2
Wed 25 September	7pm Audit Committee	Meeting Room 2
Thu 26 September	6.30pm Children and Young People Overview and Scrutiny Committee	Meeting Room 2
Fri 27 September	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
OCTOBER 20	013	
Tue 1 October	3pm Cabinet	Meeting Room 2
Wed 2 October	10am South Thames Gateway Building Control Joint Committee (provisional – tba by Swale)	Gravesham Borough Council
Wed 2 October	7pm Planning Committee	Meeting Room 2
Thu 3 October	6.30pm Regeneration, Community and Culture Overview and Scrutiny Committee	Meeting Room 2
Fri 4 October	2pm Licensing Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 8 October	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 8 October	6.30pm Health and Adult Social Care Overview and Scrutiny Committee	Meeting Room 2
Tue 15 October	6pm Licensing and Safety Committee	Meeting Room 2
Thu 17 October	7pm Council	St George's Centre
Mon 21 October	6pm Councillor Conduct Committee	Meeting Room 9
Tue 22 October	4pm Health and Wellbeing Board	Meeting Room 2
Wed 23 October	7pm Planning Committee	Meeting Room 2
Thu 24 October	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2

DATE	MEETING	VENUE
Fri 25 October	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 29 October	3pm Cabinet	Meeting Room 2
NOVEMBER	2013	
Tue 5 November	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Wed 13 November	7pm Planning Committee	Meeting Room 2
Mon 18 November	6pm Councillor Conduct Committee	Meeting Room 2
Wed 20 November	6pm Licensing and Safety Committee	Meeting Room 2
Thu 21 November	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2
Fri 22 November	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 26 November	3pm Cabinet	Meeting Room 2
Thu 28 November	7pm Employment Matters Committee	Meeting Room 2
DECEMBER	2013	
Wed 4 December	7pm Planning Committee	Meeting Room 2
Thu 5 December	6.30pm Business Support Overview and Scrutiny Committee	Meeting Room 2
Fri 6 December	2pm Licensing Sub-Committee of Licensing and Safety Committee	Meeting Room 13
Tue 10 December	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 10 December	6.30pm Children and Young People Overview and Scrutiny Committee	Meeting Room 2
Wed 11 December	7pm Audit Committee	Meeting Room 2
Thu 12 December	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2

DATE	MEETING	VENUE
Thu 12 December	10am South Thames Gateway Building Control Joint Committee (provisional – tba by Swale)	Gravesham Borough Council
Thu 12 December	6.30pm Regeneration, Community and Culture Overview and Scrutiny Committee	Meeting Room 2
Mon 16 December	6pm Councillor Conduct Committee	Meeting Room 9
Tue 17 December	3pm Cabinet	Meeting Room 2
Wed 18 December	6.30pm Health and Adult Social Care Overview and Scrutiny Committee	Meeting Room 2
JANUARY 20	)14	
Wed 8 January	7pm Planning Committee	Meeting Room 2
Thu 9 January	4pm Health and Wellbeing Board	Meeting Room 2
Fri 10 January	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 14 January	3pm Cabinet	Meeting Room 2
Tue 14 January	6.30pm Children and Young People Overview and Scrutiny Committee	Meeting Room 9
Wed 15 January	7pm Employment Matters Committee	Meeting Room 2
Thu 16 January	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2
Tue 21 January	6pm Licensing and Safety Committee	Meeting Room 2
Thu 23 January	7pm Council	St George's Centre
Mon 27 January	6pm Councillor Conduct Committee	Meeting Room 2
Mon 27 January Tue 28 January	6pm Councillor Conduct Committee  9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2  Meeting Room 2
<u> </u>	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and	

DATE	MEETING	VENUE
Thu 30 January	6.30pm Regeneration, Community and Culture Overview and Scrutiny Committee	Meeting Room 2

FEBRUARY 2	2014	
Thu 6 February	6.30pm Business Support Overview and Scrutiny Committee	Meeting Room 2
Fri 7 February	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 11 February	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 11 February	3pm Cabinet (budget)	Meeting Room 2
Thu 13 February	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2
Fri 14 February	2pm Licensing Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Wed 19 February	7pm Planning Committee	Meeting Room 2
Thu 20 February	7pm Council (budget)	St George's Centre
Mon 24 February	6pm Councillor Conduct Committee	Meeting Room 2
Fri 28 February	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
MARCH 2014		
Tue 11 March	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 11 March	3pm Cabinet	Meeting Room 2
Wed 12 March	7pm Planning Committee	Meeting Room 2
Wed 19 March	6.30pm Business Support Overview and Scrutiny Committee	Meeting Room 2
Thu 20 March	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2

DATE	MEETING	VENUE
Thu 20 March	10am South Thames Gateway Building Control Joint Committee (provisional – tba by Swale)	Gravesham Borough Council
Thu 20 March	7pm Audit Committee	Meeting Room 2
Fri 21 March	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 25 March	6.30pm Children and Young People Overview and Scrutiny Committee	Meeting Room 2
Mon 31 March	6pm Councillor Conduct Committee	Meeting Room 2
APRIL 2014		
Tue 1 April	6pm Licensing and Safety Committee	Meeting Room 2
Wed 2 April	7pm Planning Committee	Meeting Room 2
Tue 8 April	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and Safety Committee	Meeting Room 2
Tue 8 April	3pm Cabinet	Meeting Room 2
Tue 8 April	6.30pm Health and Adult Social Care Overview and Scrutiny Committee	Meeting Room 9
Thu 10 April	6.30pm Regeneration, Community and Culture Overview and Scrutiny Committee	Meeting Room 2
Fri 11 April	2pm Licensing Sub-Committee of Licensing Committee	Meeting Room 2
Thu 17 April	8.45am School Transport and Curriculum Appeals Committee	Meeting Room 2
Thu 17 April	7pm Employment Matters Committee	Meeting Room 2
Tue 22 April	4pm Health and Wellbeing Board	Meeting Room 2
Wed 23 April	7pm Planning Committee	Meeting Room 2
Thu 24 April	7pm Council	St George's Centre
	9.30am Licensing Hearing Panel / 1982 Act Hearing Panel – Sub-Committee of Licensing and	Meeting Room 2

DATE	MEETING	VENUE
Mon 28 April	6pm Councillor Conduct Committee	Meeting Room 2
MAY 2014		
Tue 13 May	3pm Cabinet	Meeting Room 2
Wed 14 May	7pm Annual Council (provisional)	St George's Centre