

ANNUAL MEETING OF MEDWAY COUNCIL

5 MAY 2021

ESTABLISHMENT OF COMMITTEES, APPOINTMENTS AND SCHEDULE OF MEETINGS 2021/2022

Report from: Neil Davies, Chief Executive
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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 6.1 relating to Committees and other bodies to be appointed for 2021/22 and a programme of meetings.

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 of some committees, the establishment of sub-committees, and the appointment of Members to serve on them is usually a matter for decision at a Joint meeting of Committees, which usually follows the Annual Council meeting. However, given that the Annual Council meeting is now being held remotely on 5 May 2021 with reduced numbers, it will no longer be possible to hold a Joint meeting of Committees. This is explained in greater detail below.

2. Background

- 2.1. At its meeting on 22 April 2021 the Council considered the position regarding the overall allocation of seats on committees and made recommendations for decision at the Annual Council meeting.
- 2.2. There are 55 Councillors representing 22 Wards. The current composition of the Council is as follows:

Group	Number of councillors	Proportionality %
Conservative Group	32	58.2
Labour & Co-operative Group	20	36.4
3 x Independent Members	3	5.4

3. Establishment of Committees and allocation of seats plus other appointments for 2021/2022

3.1. The Local Government and Housing Act 1989 and associated regulations 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.

3.2. 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.

3.3. Discussions have taken place with Group Whips and a proposal for the allocation of seats to political groups has been agreed with them as set out in Appendix A to this report. This proposal reflects a reduction in the size of the Conservative Group following the re-designation of Councillor Steve Iles as an Independent Conservative Member in late 2019 and excludes the two Joint Health Overview and Scrutiny Committees from the schedule of Committees in line with legal advice that these cannot be treated as "ordinary" Committees for this purpose. The proposal meets the requirement to allocate seats in accordance with the principles outlined in paragraph 3.1 above. The three Independent Members of the Council have not formed a political group and

therefore have no entitlement to any Committee seats, which in turn creates a small number of vacancies across some Committees. Therefore, based on 130 committee seats overall, the entitlement of the Council's two political groups to Committee seats is as follows:

Conservative	Labour	Vacancies	Total
77 (+3)	47	6	130

- 3.4. The Council is required to allocate three additional seats to the Conservative Group on the Children and Young People Overview and Scrutiny 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.
- 3.5. The Health and Wellbeing Board is listed as a Committee of the Council in Appendix B. This Committee is not subject to the rules on political balance and the positions of Chairman and Vice Chairman of the Board are appointed by the Board at its first ordinary meeting after each Annual Council meeting.
- 3.6. The proposed list of committees, joint committees, outside bodies and sub-committees to be established in 2021/2022 are set out at Appendices B and C (both to follow) with recommended sizes and allocation of places.
- 3.7. Finally, given that the Annual Council meeting is being held with reduced numbers in line with the informal agreement with the two political groups, it will not be feasible to hold a Joint meeting of Committees as this would require each individual Committee to be quorate and this cannot necessarily be achieved with reduced numbers of Members in attendance. Therefore, the election of Chairmen and Vice-Chairmen shall take place at the first meeting of each Committee. The establishment and membership of the Sub-Committees of the Employment Matters Committee and the Licensing and Safety Committee shall take place at meetings of these committees at the beginning of June. Special Responsibility Allowances shall continue to be paid to those Members currently holding positions of special responsibility as specified in the Members Allowances Scheme, noting that adjustments will be made during the course of 2021/2022 if different Councillors are appointed to any of these positions, for example, Committee Chairmen and Vice Chairmen.
- 3.8. Committee Terms of Reference are set out in the [Constitution](#) as follows:
 - Chapter 3, Part 2 (Responsibility for Council Functions) – Committees and Sub-Committees;
 - Chapter 4, Part 5 (Overview and Scrutiny Rules) – Overview and Scrutiny Committees

4. Timetable of meetings

- 4.1. On 21 January and 22 April 2021 the Council agreed a draft schedule of meetings for 2021/2022, as attached at Appendix D. This is now recommended for approval.

5. Financial, legal and risk management implications

- 5.1. There are no financial or risk management implications arising from this report.
- 5.2. 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. Recommendations

- 6.1. 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 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 appointment of members to each Committee as set out in Appendix B to this report, including the appointment of voting and non-voting co-optees on Committees as listed;
 - (iv) that appointments should be made to Joint Committees, outside bodies and other bodies as set out in Appendix C to the report;
 - (v) the timetable of meetings for the 2021/2022 municipal year as set out in Appendix D to the report.

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Appendices

Appendix A – Review of allocation of committee seats
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