

Council

15 October 2026

Allocation of Committee Seats and Committee Memberships and Review of Audit Committee Terms of Reference

Report from: Bhupinder Gill, Assistant Director Legal and Governance
Phil Watts, Chief Operating Officer

Author: Wayne Hemingway, Head of Democratic Services
James Larkin, Head of Internal Audit & Counter Fraud Shared
Service (Chief Audit Executive)

Summary

This report sets out the position regarding the overall allocation of seats on committees on receipt of a notice from Councillor Burvill requesting a review, following his election to the Council in July 2026 (Cuxton, Halling and Riverside ward). The report also seeks approval to membership changes on the Children and Young People Overview and Scrutiny Committee and sets out the provisional programme of meetings for the 2026/2027 municipal year.

This report also sets out a review of and sets out some proposed revisions to the Terms of Reference of the Audit Committee.

1. Recommendations

1.1. The Council is recommended to agree the following:

- 1.1.1. To note the review of the allocation of seats on the committees of the Council as set out in section 3 of the report.
- 1.1.2. To agree the allocation of seats on the committees of the Council as set out in Appendix B to the report.
- 1.1.3. To remove the following Labour and Co-operative Group member from the Planning Committee with effect on 31 October 2026: Councillor Myton.
- 1.1.4. To remove the following Conservative Group members from the following committees: Councillor Anang from the Planning Committee with effect from 31 October 2026, "Relevant Spokesperson" from the Appointments Committee and "Relevant Spokesperson" from the membership of the Appointments Committee (Director of Children and Adults).
- 1.1.5. To add the following Independent Group member to the Appointments Committee: "Leader".
- 1.1.6. To appoint Victoria Aspin as the Headteacher on the Children and Young People Overview and Scrutiny Committee for a two year term.

- 1.2. The Council is recommended to approve the suggested changes to the Audit Committee's Terms of Reference as set out in Appendix C to the report.

2. Budget and policy framework

- 2.1. The establishment of committees, the allocation of seats to political groups and the appointment of Members to serve on committees and outside bodies is a matter for decision by the Council.
- 2.2. Section 15 of the Local Government and Housing Act 1989 places a duty on local authorities to allocate committee seats to political groups. The circumstances in which a review of the allocation of Committee seats must take place is prescribed in Section 17 of The Local Government (Committees and Political Groups) Regulations 1990, which includes the circumstances set out in this report.
- 2.3. The establishment and terms of reference of council committees are outside the Council's policy and budget framework; any revisions to the terms of reference must be approved by Council.

3. Allocation of committee seats and memberships

- 3.1. At the Annual Council meeting on 13 May 2026 the Council agreed to establish Committees and allocate seats between political groups as set out in Appendix A.
- 3.2. Since then:
- 3.2.1. Councillor Robbie Lammas advised the Chief Executive on 15 June 2026 that he no longer wished to be treated as a member of the Reform UK Group and was redesignated as an Independent Member.
- 3.2.2. Councillor William Burvill was elected to the Council on 23 July 2026 following the Cuxton, Halling and Riverside ward by-election. Councillor Burvill joined the Reform UK Group on 24 July 2026 and requested a review of the allocation of seats to political groups.
- 3.2.3. Councillor Andrew Lawrence advised the Chief Executive on 7 September 2026 that he no longer wished to be treated as a member of the Conservative Group and was redesignated as an Independent Member.
- 3.3. As a consequence, the current composition of the Council is now as follows:

Type	Number of Councillors	%
Labour and Co-operative Group	31	52.542
Conservative Group	17	28.814
Independent Group	5	8.475
Reform UK Group	3	5.085
Independent Member	3	5.085
Total	59	100%

- 3.4. The Local Government and Housing Act 1989 and associated regulations 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 five clear days in advance of this meeting 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.

- 3.5. 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.
- 3.6. Any decision to waive the requirements of political balance will require a resolution of the Council with no member voting against.
- 3.7. Members are also advised that The Town and Country Planning (Discharge of Local Planning Authority Functions) (England) Regulations 2026 sets out the requirement for the Planning Committee to comprise no more than 13 Councillors (the Planning Committee currently consists of 15 Councillors) with effect from 31 October 2026. This issue, along with other required changes to the Planning Committee is set out in a report entitled National Scheme of Delegation for Planning Applications elsewhere on this Agenda.
- 3.8. Therefore, following the recent change to political balance and the reduction in size of the Planning Committee, the entitlement of the Council's four political groups to Committee seats is now as follows:

Labour and Co-operative Group	Conservative Group	Independent Group	Reform UK Group	Unallocated	Total
66 (+3)	35	10	6	2	119

- 3.9. Following a review undertaken by the Head of Democratic Services, proposals for the allocation of seats to political groups were shared with the Group Whips in September 2026 as set out in Appendix B to this report, primarily based on the number and size of Committees established by the Council at its Annual meeting in May 2026, allowing for the changes set out above.
- 3.10. This proposal meets the overriding requirement to ensure the overall number of seats on ordinary committees are allocated in accordance with the changed political balance of the Council. No objections to the proposals were received by the Head of Democratic Services.

- 3.11. The proposed changes are summarised as follows:
- 3.11.1. Planning Committee – both the Labour and Co-operative Group and the Conservative Group lose 1 seat to reflect the reduction in size of the Committee from 8:5:1:1 to 7:4:1:1.
 - 3.11.2. Appointments Committee – the Conservative Group loses one seat which is now allocated to the Independent Group, plus the Conservative Group loses one seat on the Appointments Committee (Director of Children and Adults), please see below.
 - 3.11.3. There are two seats which are unallocated to which none of the four political groups are entitled to (Appointments Committee (Director of Children and Adults) and Governor Ad-Hoc Committee).
- 3.12. The Labour and Co-operative Group retains an entitlement to 3 additional seats on the Children and Young People Overview and Scrutiny Committee to preserve its majority, in view of the seats for statutory voting co-opted Members on that Committee.
- 3.13. Separately, Members are advised that Schedule 1 to the Local Government and Housing Act 1989 specifies which types of outside bodies should be reviewed in the case that the Council appoints at least three Members to the body. Therefore, the following outside bodies are covered by the review, but given that the Labour and Co-operative Group must retain a majority of places on each outside body, no changes are required:
- 3.13.1. Joint KCC/Medway NHS Overview and Scrutiny Committee (3:1).
 - 3.13.2. Kent and Medway Fire and Rescue Authority (3:1).
- 3.14. Members are also advised that the Council has previously agreed that the Children and Young People Overview and Scrutiny Committee membership should continue to comprise of two seats in total for headteacher/teacher members, each for a two-year term. It also agreed that, where practicable, one place should be for a primary school and one for a secondary school. Depending on the expressions of interest received, the Council would then decide to, for example, designate one seat for a Medway local authority maintained school and one for an academy in Medway. The headteacher and teacher co-opted members are appointed (rather than elected) as individuals who are invited to contribute their professional knowledge and perspective to the work of the Committee.
- 3.15. The Headteacher position on the Committee was filled by Leanna Rogers, a headteacher at Thames View primary school whose term ended on 20 January 2026.
- 3.16. All Medway Schools were sent information, inviting teachers to submit expressions of interest by 21 November 2025, 12 February 2026 and 21 May 2026 at which time no applications were received by the deadline date.
- 3.17. Schools and previous co-optees were then contacted again at which time an expression of interest was received.
- 3.18. This resulted in the recommendation being made that Victoria Aspin from Abbey Court School be recommended to be appointed to the headteacher position on the Committee for a two-year term.

- 3.19. Victoria Aspin has over 23 years' experience in education across mainstream as well as specialist settings. She has worked within Medway since 2005 and has been a headteacher for the past three years. She is currently leading a complex specialist provision and has extensive leadership experience at both school and system level. As a Specialist Leader of Education (SLE) with the Medway Teaching Schools Alliance since 2012, she has supported a wide range of schools to develop effective SEND and behaviour provision. Victoria has previously served as a teacher representative on the Committee between 2022-2024 and then substitute headteacher representative between 2024-2026.
- 3.20. The Children and Young People Overview and Scrutiny Committee considered this recommendation at its meeting on 12 August 2026 and have recommended Victoria Aspin to Council for formal appointment to the Committee for a two-year term.

4. Review of the Audit Committee Terms of Reference 2026

- 4.1. The current Audit Committee Terms of Reference were last reviewed in June 2025 and are documented in the Constitution of the Council.
- 4.2. The Audit Committee Terms of Reference (TOR) are based primarily upon CIPFA's Position Statement: Audit Committees in Local Authorities and Police (2022). Whilst the Position Statement and associated guidance are not statutory, CIPFA's expectation is that *'all local government bodies should make their best efforts to adopt the principles, aiming for effective audit committee arrangements'*.
- 4.3. A review of the TOR has been undertaken and found them to remain substantially aligned with the principles and expectations set out within the CIPFA Position Statement. However, the review identified a number of areas where amendments are recommended to reflect developments in professional standards and sector best practice, including the introduction of the Global Internal Audit Standards and the associated Application Note: Global Internal Audit Standards in the UK Public Sector, as well as lessons arising from the Redmond Review and the continuing challenges within the local audit framework.
- 4.4. Accordingly, the following amendments are proposed:
- **Membership** – the TOR currently refer to the appointment of one Independent Member; however, CIPFA guidance recommends that audit committees include at least two co-opted independent members. It is therefore proposed that the TOR be amended to provide for the appointment of up to two Independent Members.
 - **External Audit** – references to documents considered by the Committee have been updated to reflect current terminology and to strengthen the Committee's monitoring of external audit findings and recommendations.
 - **Internal Control, Risk Management, Internal Audit and Counter Fraud** – a number of minor enhancements to wording are proposed, together with an increase in the financial threshold for reporting red assurance audit opinions to the Committee and the inclusion of a requirement for the Committee to approve the Internal Audit Charter.
- 4.5. The proposed amendments will ensure that the TOR continue to reflect current professional standards, recognised good practice and the evolving governance, audit and assurance landscape.

- 4.6. A copy of the Terms of Reference can be found at Appendix C, with the proposed amendment shown as tracked changes.
- 4.7. The Audit Committee considered the review of its terms of reference on 30 July 2026. At the meeting a Member commented that the financial criteria for reporting the findings of Internal Audit Assurance Reviews had been added last year. He asked for further information regarding why it was proposed to increase the threshold for reporting weakness to the Committee from £25,000 to in excess of £100,000. The Head of Internal Audit & Counter Fraud stated that the threshold had, in hindsight been set at too low a level last year, in comparison, materiality for external audit was significantly higher.
- 4.8. A Member asked whether a threshold for reporting to the Committee should be flexible to the relative service or organisation, for example £100,000 would be a high bar for a school. The Head of Internal Audit & Counter Fraud stated that the threshold acted as a guiding principle, however this did not prevent audits with a lower financial risk to the Committee should that risk be considered a significant.
- 4.9. The Committee approved the suggested changes to Terms of Reference and recommended them to Full Council for adoption (minute no. 178/2026 refers).

5. Risk management

- 5.1. There are no significant risks arising from this report; in particular, regular review of the Terms of Reference of the Audit Committee will ensure they remain relevant and reflect best practice.

6. Climate change implications

- 6.1. There are no climate change implications in this report.

7. Local Government Reorganisation implications

- 7.1. Following the announcement of the pause on 7 September 2026, officers will monitor the ongoing situation and will consider any relevant impacts as they arise.

8. Financial implications

- 8.1. The current number and pattern of member level meetings and activity reflects the staffing capacity within the existing Democratic Services structure. Any increase in the overall number of meetings could not be achieved without a commensurate increase in staffing resources in Democratic Services.
- 8.2. The Audit Committee has oversight of the Council's, governance, and internal control arrangements, as well as the arrangements for financial reporting and statutory statement of accounts.

9. Legal implications

- 9.1. 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.

Lead officer contact

Wayne Hemingway, Head of Democratic Services
wayne.hemingway@medway.gov.uk

James Larkin, Head of Internal Audit and Counter Fraud Shared Service
james.larkin@medway.gov.uk.

Appendices

Appendix A – Allocation of committee seats agreed by Annual Council in May 2026

Appendix B – Allocation of committee seats September 2026

Appendix C – Draft Audit Committee Terms of Reference

Background papers

CIPFA Audit Committee Position Statement 2022

Global Internal Audit Standards 2024.

Application Note: Global Internal Audit Standards in the UK Public Sector