

CHANGES TO COMMITTEES, PANELS AND BOARDS - 2022/23

Annual Council	12 May 2022
Report Author	Committee Services Manager
Status	For Decision
Classification:	Unrestricted
Key Decision:	No
Ward:	All Wards

Executive Summary:

This report seeks agreement of the number and sizes of Committees, Panels and Boards for the forthcoming Municipal Year. It then goes on to address the issue of political proportionality and the allocation of seats on those bodies to political Groups. It also appoints and re-appoints the Independent Members of the Standards Committee and finally allows the Council to elect Chairs and Vice-Chairs to Committees for the 2022/23 municipal year.

Recommendation(s):

- 3.3 That Members agree the number of committees for the Council year 2022/23 and the number of members serving on each committee as shown in table 2 (subject to the option agreed to achieve proportionality at paragraph 4.16.
- 4.15 That Council approves the proportionality between groups (allocation of seats) for Committees, Panels and Boards for 2022/23.
- 5.15
- a) Full Council confirm the appointments of Michael Clarke and Carolyn Rushton as Independent Members for a four year term starting in May 2022.
 - b) To note the corresponding group nominations to Committees, Panels and Boards for 2022/23. (The names of those Councillors so nominated will be presented at the meeting)
- 6.7 That Council makes the following Appointments of Chairmen and Vice-Chairmen of Committees, Panels and Boards for 2022/23:
- a) Chair and Vice-Chair of the Planning Committee
 - b) Chair and Vice-Chair of the Licensing Board
 - c) Chair and Vice-Chair of the Overview and Scrutiny Panel
 - d) Chair and Vice-Chair of the Governance and Audit Committee
 - e) Vice-Chair of the Joint Transportation Board
 - f) Chair of the General Purposes Committee
 - g) That Mr Peter Tucker be appointed as Chair of the Standards Committee and the Constitutional Review Working Party.

- h) That Mr Peter Lorenzo be appointed as Vice-Chair of the Standards Committee and the Constitutional Review Working Party.

Corporate Implications

Financial and Value for Money

There are no direct financial implications from this report. However members allowances included in the annual budget are based on the existing structure and any increase in size or number of committees would require approval of the resulting increase in the budget.

Legal

The composition and allocation of membership of committees has been based on the relevant legislative requirements.

Risk Management

There are no Corporate risks identified within this report.

Corporate

There are no direct Corporate Implications

Equality Act 2010 & Public Sector Equality Duty

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

This report relates to the following aim of the equality duty: -

- To eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act.
- To advance equality of opportunity between people who share a protected characteristic and people who do not share it
- To foster good relations between people who share a protected characteristic and people who do not share it.

Corporate Priorities

This report relates to the following corporate priorities: -

- Communities

1.0 Introduction and Background

- 1.1 This report seeks agreement of the number and sizes of Committees, Panels and Boards for the forthcoming Municipal Year. It then goes on to address the issue of political proportionality and the allocation of seats on those bodies to political Groups. It also appoints and re-appoints the Independent Members of the Standards Committee and finally allows the Council to elect Chairs and Vice-Chairs to Committees for the 2022/23 municipal year.
- 1.2 The report also reflects that Councillors Gregory and Farrance have joined the Green Group and the Group has now changed to the Green and Independent Group.

2.0 Political Balance

- 2.1 The current political balance of the Council after Councillors Farrance and Gregory have joined the Green and Independent Group is shown in the table below:

Table 1

Political Group	No. of Cllrs	No. of Cllr after changes
Conservative	26	26
Labour	16	16
Thanet Independents	6	6
Green	4	6*
Independent (not in a group)	4	2

*henceforth known as the Greens and Independents Group

3.0 Number, Size and Terms of Reference of Committees

- 3.1 It is for the Full Council to decide the number and sizes of committees. Consultation amongst the Leaders of the political groups has resulted in the following proposed number of committees and committee sizes for the 2022/23 municipal year:

Table 2

Committee	Number of Members
Planning Committee	14
Licensing Board	12
Overview and Scrutiny Panel	14
Governance and Audit Committee	12
General Purposes Committee	12
Boundary and Electoral Arrangements Working Party	6
Constitutional Review Working Party	4 (+2 independent)
Disciplinary & Grievance Committee	5
Disciplinary & Grievance Appeals Committee	3
Joint Transportation Board*	7 (+1 parish)

Standards Committee**	8 (+ 4 independent, + 3 parish)
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*NOTE Under section 15 (5) of Part III and Schedule 1 of the Local Government Housing Act 1989 proportionality applies to this body but not towards the total number of seats.

** With the introduction of Localism Act 2011, the Standards Committee has now become a politically balanced committee. However, under section 15 (5) of Part III and Schedule 1 of the Local Government Housing Act 1989 proportionality applies to this body but not towards the total number of seats. Council agreed in July 2012 that four independent members would be appointed to the committee (under 27(4) (a) and (b) of the Localism Act 2011), one of whom would act as Chairman. That practice has continued for every Municipal Year since then.

- 3.2 Though the Constitutional Review Working Party is bound by proportionality in respect of elected Members, Council agreed in May 2008 that two independent members would be appointed to the Committee. That practice has continued for every Municipal Year since then.

3.3 Recommendation

That Members agree the number of committees for the Council year 2022/23 and the number of members serving on each committee as shown in table 2 (subject to the option agreed to achieve proportionality at paragraph 4.16).

4.0 Political Proportionality

- 4.1 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 and in accordance with the following principles which should be observed as far as is reasonably practicable:
- a) That not all seats on the same committee are allocated to the same political group;
 - b) That the majority of the seats on a committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the Council's membership;
 - c) That, subject to a) and b) above, the number of seats on committees allocated to each political group bears the same proportion of the total of all the seats on committees;
 - d) That, subject to a), b) and c) above, the number of seats on a committee allocated to each political group bears the same proportion to the number of all seats on that committee.
- 4.2 For the purposes of political balance a Group is required to have at least two members and to have been formally constituted as a political group before the meeting.

4.3 Consensus has not been reached on a single option to achieve proportionality amongst Group Leaders, therefore Council will have to choose an option to achieve proportionality. The application of political proportionality to the Committee Structure will result in the following seats for individual groups:

4.4 Option 1

Table 3

Committees	Total	Conservative Group	Labour Group	Thanet Independents	Greens & Ind.
Planning Committee	15	7	5	1	2
Licensing Board	15	7	4	2	2
Overview and Scrutiny Panel	15	7	4	2	2
Gov. and Audit	12	6	3	1	2
General Purposes	12	6	4	1	1
B&EA Working Party	6	3	2	1	0
Disciplinary & Grievance Committee	6	3	2	1	0
D&G Appeals Committee	3	1	1	0	1
CRWP	4	2	1	1	0
Totals	88	42	26	10	10

4.4.1 The overall political balance calculation for the proposal shown above is available at Annex 1.

4.5 Option 2

Table 4

Committees	Total	Conservative Group	Labour Group	Thanet Independents	Greens & Ind.
Planning Committee	15	7	5	1	2
Licensing Board	15	7	4	2	2
Overview and Scrutiny Panel	15	7	4	2	2

Gov. and Audit	12	6	3	1	2
General Purposes	12	6	4	1	1
B&EA Working Party	6	3	2	1	0
Disciplinary & Grievance Committee	6	3	2	0	1
D&G Appeals Committee	3	1	1	1	0
CRWP	4	2	1	1	0
Totals	88	42	26	10	10

4.5.1 The overall political balance calculation for the proposal shown above is available at Annex 2.

4.6 Option 3

Table 5

Committees	Total	Conservative Group	Labour Group	Thanet Independents	Greens & Ind.
Planning Committee	15	7	5	1	2
Licensing Board	15	7	4	2	2
Overview and Scrutiny Panel	15	7	4	2	2
Gov. and Audit	12	6	4	1	1
General Purposes	12	6	4	1	1
B&EA Working Party	6	3	2	1	0
Disciplinary & Grievance Committee	6	3	2	1	0
D&G Appeals Committee	3	1	1	0	1
CRWP	6	3	1	1	1
Totals	90	42	27	10	10

4.6.1 The overall political balance calculation for the proposal shown above is available at Annex 3.

4.7 Option 4

Table 6

Committees	Total	Conservative Group	Labour Group	Thanet Independents	Greens & Ind.
Planning Committee	15	7	5	1	2
Licensing Board	15	7	4	2	2
Overview and Scrutiny Panel	15	7	4	2	2
Gov. and Audit	12	6	4	1	1
General Purposes	12	6	4	1	1
B&EA Working Party	6	3	2	1	0
Disciplinary & Grievance Committee	6	3	2	0	1
D&G Appeals Committee	3	1	1	1	0
CRWP	6	3	1	1	1
Totals	90	42	27	10	10

4.7.1 The overall political balance calculation for the proposal shown above is available at Annex 4.

4.8 Option 5

4.8.1 That another solution that achieves proportionality is agreed. Note that if an alternative proposal is developed during the meeting, compliance with the proportionality rules would need to be verified by officers.

4.9 Both Section 15 (5) of Part III and Schedule 1 of the Local Government Housing Act 1989 mean that proportionality applies to the Standards Committee, but the Standards Committee does not count towards the total number of seats when dealing with overall political proportionality, hence why they are presented here.

4.10 However the Council is asked to waive the political proportionality of Standards Committee to allow for both independent Members and Parish Council's to sit on the Committee.

Table 7

	Total	Conservative Group	Labour Group	Thanet Independents Group	Greens and Ind. Group	Independent Members	Parish/ Town Council
Standards Committee	15	4	2	1	1	4**	3
Standards Assessment Sub-Committee	3	*	*	*	*	At least 1	*
Standards Hearing Sub-Committee	3	*	*	*	*	At least 1	*

NOTE*; the remaining two members would be either Thanet District Council Members from those groups that are entitled to seats on the Standards Committee, Town/Parish Council members or further independent members, on a case by case basis. In the case of a complaint against a Town or Parish Councillor at least one of the panel would be a Town or Parish Council representative.

** Currently there are only three Independent Members in post.

4.11 The rest of the proportionality calculations shown below at tables eight and nine must also be agreed.

4.12 The Joint Transportation Board consists of seven Councillors from Thanet District Council and the seven Councillors from Kent County Council that represent County divisions within Thanet. In addition, although proportionality applies to the Joint Transportation Board, the Council has also agreed that there be one Parish representative serving on the Board. Under section 15 (5) of Part III and schedule 1 of the Local Government Housing Act 1989 proportionality applies to the seven seats appointed by Thanet District Council on the Joint Transportation Board but these seats do not count towards the total number of seats by which overall proportionality is calculated.

4.13 The allocation of Thanet District Council seats on the Joint Transportation Board are shown in the table below:

Table 8

	TDC Members	Conservative Group	Labour Group	Thanet Independents Group	Greens & Independent Group	Parish/ Town Council
Joint Transport Board	7	3	2	1	1	1

4.14 The Council is also a member of the East Kent Services Committee; therefore it is necessary to appoint Councillors to the committee.

- 4.15 Council agreed in February 2015 to the proposal that two executive Councillors and two substitute Executive Councillors should serve on the East-Kent Services Committee, as shown in table below:

Table 9

	Total (from Thanet)	Conservative Group	Labour Group	Thanet Independents Group	Greens and Independent Group
East Kent Joint Arrangements Committee	2 plus two substitutes	0	2 Executive members and 2 Substitute Executive members	0	0

4.16 Recommendation

That Council approves the proportionality between groups (allocation of seats) for Committees, Panels and Boards for 2022/23.

5.0 Nominations of Members to serve on Committees

- 5.1 Members are reminded that Section 16 of the Local Government and Housing Act 1989 states that where the Council has determined the allocation to different groups of the seats to which the Act applies, it shall be the duty of the authority to give effect to a Group's wishes about who is to be appointed to the seats that they have been allocated.

- 5.2 Group nominations to Committees, Panels and Boards and will be circulated to Members separately at the meeting.

- 5.3 The independent membership of committees is as follows:

- 5.3.1 Standards Committee: At the meeting of Council in February 2020 Mr Peter Tucker was appointed as an Independent Member to the Standards Committee up to Annual Council meeting in May 2024. Mr Peter Lorenzo was then appointed as Independent Members of the Standards Committee until the Annual Council meeting in May 2023. In addition Mr Lee Wellbrook also resigned his position as an Independent Member of the Standards Committee during the 2022/23 municipal year. The Council would like to put on record its thanks to Mr Wellbrook for his time as an Independent Member.

- 5.3.2 As a result there were two vacancies for Independent Members of the Standards Committee. The Council undertook a recruitment exercise and the candidates were interviewed by the Standards Appointment Working Party and they made the following recommendation to Full Council:

"The Standards Appointments Working Party recommends that Michael Clarke and Carolyn Rushton are appointed as Independent Members for a four year term starting in May 2022."

- 5.3.3 Full Council is asked to confirm the appointments of Michael Clarke and Carolyn Rushton as Independent Members for a four year term starting in May 2022.
- 5.3.4 Standards Assessment Sub-Committee: independent member(s) will be drawn from the independent members of the Standards Committee.
- 5.3.5 Standards Hearing Sub-Committee: independent member(s) will be drawn from the independent members of the Standards Committee.
- 5.3.6 The Constitutional Review Working Party; independent member(s) will be drawn from the independent members of the Standards Committee.
- 5.4 Town/Parish Councils are entitled to have three representatives on the Standards Committee and multiple representatives on the Joint Transportation Board. The Town/Parish nominations to Committees are made by the Thanet Association of Parish Councils and are made in November each year. There are currently two nominations to the Standards Committee, Parish Councillors Quittenden and Crow-Brown. It was agreed at the JTB meeting on 16 September 2021 that there would be two Parish Council nominations to the JTB and at its meeting on 18 October 2021 appointed Parish Councillor Quittenden and Town Councillor Cornford.

5.5 Recommendation

- c) Full Council confirm the appointments of Michael Clarke and Carolyn Rushton as Independent Members for a four year term starting in May 2022.
- d) To note the corresponding group nominations to Committees, Panels and Boards for 2022/23. (The names of those Councillors so nominated will be presented at the meeting)

6.0 Appointment of Chair and Vice-Chair of Committees, Panels and Boards 2022/23

- 6.1 The constitution of the Council states that:
 - a) The Chair and Vice-Chair of Committees shall be appointed by Council at its Annual Meeting with the exception of General Purposes Committee, which elects its own Chair;
 - b) All Sub-Committees, Advisory Groups and Working Parties shall elect their Chair and Vice-Chair at their first meeting after the Annual Council Meeting.
- 6.2 By convention, in Thanet the majority group is entitled to the first nomination of the chair and vice-chair of Committees, Panels and Boards. As there is no majority group nominations will be presented at the meeting and where there are multiple nominations an elimination vote will take place.

- 6.3 Council agreed on 12 July 2012 that the Chair and Vice-Chair of the Standards Committee are to be independent members and to date the Council has made and confirmed appointments to these offices at the Annual Meeting from the Independent Members of the Standards Committee.
- 6.4 Under the Council's Joint Transportation Board agreement with Kent County Council, for 2022/23 a Member of Kent County Council will chair the JTB and a Thanet District Councillor will act as vice-chair. These roles are alternated annually.
- 6.5 The Council's constitution states that the Chair and Vice-Chair of any Overview and Scrutiny Panel shall not both be from the same political Group. In addition if there is more than one Scrutiny Panel then they cannot all be chaired by the same political Group.
- 6.6 The Council decided during 2008 that one of the independent members of the Standards Committee would act as Chair of the Constitutional Review Working Party and another independent member would act as Vice-Chair. It has maintained that practice every Municipal Year since then.

6.7 Recommendation

That Council makes the following Appointments of Chairmen and Vice-Chairmen of Committees, Panels and Boards for 2022/23:

- a) Chair and Vice-Chair of the Planning Committee
- b) Chair and Vice-Chair of the Licensing Board
- c) Chair and Vice-Chair of the Overview and Scrutiny Panel
- d) Chair and Vice-Chair of the Governance and Audit Committee
- e) Vice-Chair of the Joint Transportation Board
- f) Chair of the General Purposes Committee
- g) That Mr Peter Tucker be appointed as Chair of the Standards Committee and the Constitutional Review Working Party.
- h) That Mr Peter Lorenzo be appointed as Vice-Chair of the Standards Committee and the Constitutional Review Working Party.

Contact Officer: Nicholas Hughes (Committee Services Manager)

Reporting to: Estelle Culligan (Director of Law and Democracy)

Annex List

Annex 1: Proportionality calculations for main committees covered by Local Government & Housing Act 1989 Option 1

Annex 2: Proportionality calculations for main committees covered by Local Government & Housing Act 1989 Option 2

Annex 3: Proportionality calculations for main committees covered by Local Government & Housing Act 1989 Option 3

Annex 4: Proportionality calculations for main committees covered by Local Government & Housing Act 1989 Option 4

Background Papers

None

Corporate Consultation

Finance: Chris Blundell, Head of Financial Services

Legal: Estelle Culligan, Director of Law and Democracy