

COMPOSITION OF COMMITTEES, PANELS AND BOARDS - 2023/24

Annual Council	18 May 2023
Report Author	Nick Hughes, Committee Services Manager
Status	For Decision
Classification:	Unrestricted
Key Decision	No

Executive Summary:

The report allows Council to agree on the number and size of the Committees, Panels and Boards for the forthcoming municipal year and then subsequently the proportionality of the Council. The report then goes on to address the allocation of seats on those bodies to political Groups. Finally the report also allows the Council to elect Chairmen and Vice Chairmen to Committees for the 2023/24 municipal year.

Summary of Recommendations (relevant paragraphs as listed below):

- 3.3 That Members agree the number of committees for the Council year 2023/24 and the number of members serving on each committee as shown in table 2.

- 4.12 That Council approves the proportionality between groups (allocation of seats) for Committees, Panels and Boards for 2023/24.

- 5.5.1 To appoint Mr Peter Lorenzo as an Independent Member of the Standards Committee with a term of office expiring at the Annual Council meeting in 2027.

- 5.5.2 To note the corresponding group nominations to Committees, Panels and Boards for 2023/24. (The names of those Councillors so nominated will be presented at the meeting)

- 6.7 That Council makes the following Appointments of Chairs and Vice-Chairs of Committees, Panels and Boards for 2023/24:
 - 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) Chair of the General Purposes Committee
 - f) Chair of the Joint Transportation Board
 - g) That Peter Tucker be appointed as Chair of the Standards Committee and the Constitutional Review Working Party.
 - h) That Peter Lorenzo be appointed as Chair of the Standards Committee and the Constitutional Review Working Party.

Corporate Implications:

Finance 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.

Risk Management

There are no risk implications arising directly from this report.

Legal

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

Corporate

There are no direct Corporate Implications.

Equalities Act 2010 and 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, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.

The report's objectives are to:

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

1.0 Introduction

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 and finally allows the Council to elect Chairmen and Vice Chairmen to Committees for the 2023/24 municipal year.

2.0 Political Balance

2.1 The current political balance of the Council after the 2023 District elections is shown in the table below:

Table 1

Political Group	No. of Cllrs
Labour	30
Conservative	17
Green & Independent Group	6
Thanet Independents	3

3.0 Number, Size and Terms of Reference of Committees

3.1 It is for 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 2023/24 municipal year:

Table 2

Committee	Number of Members
Planning Committee	15
Licensing Board	15
Overview and Scrutiny Panel	15
Governance and Audit Committee	15
General Purposes Committee	15
Boundary and Electoral Arrangements Working Party	5
Constitutional Review Working Party	5 (+2 independent)
Disciplinary and Grievance Committee	5
Disciplinary and Grievance Appeals Committee	5
Appointments Committee	3
Joint Transportation Board*	7 (+1 parish)
Standards Committee**	7 (+ 4 independent, + 3 parish)

*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 2023/24 and the number of members serving on each committee as shown in table 2.

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 After consultation with Group Leaders consensus has been reached on a preferred option regarding proportionality. The application of political proportionality to the Committee Structure will result in the following seats for individual groups:

Table 3

Committees	Total	Labour Group	Conservative Group	Green and Ind. Group	Thanet Independent Group
Planning Committee	15	8	4	2	1
Licensing Board	15	8	5	1	1
Overview and Scrutiny Panel	15	8	4	2	1
Gov. and Audit	15	8	4	2	1

General Purposes	15	8	4	2	1
B&EA Working Party	5	3	2	0	0
D&C Committee	5	3	2	0	0
D&C Appeals Committee	5	3	2	0	0
CRWP	5	3	1	1	0
Appts Committee	3	2	1	0	0
Totals	98	54	29	10	5

- 4.4 The overall political balance calculation for the proposal shown above is available at Annex 1.
- 4.5 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.
- 4.6 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 4

	Total	Labour Group	Conservative Group	Green and Ind. Group	Thanet Ind. Group	Independent Members	Parish/Town Council
Standards Committee	7	4	2	1	0	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 two Independent Members in post.

- 4.7 The rest of the proportionality calculations shown below at tables five and six must also be agreed.
- 4.8 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.
- 4.9 The allocation of Thanet District Council seats on the Joint Transportation Board are shown in the table below:

Table 5

	TDC Members	Labour Group	Conservative Group	Green and Ind. Group	Thanet Ind. Group	Parish/Town Council
Joint Transport Board	7	4	2	1	0	1

- 4.10 The Council is also a member of the East Kent Services Committee; therefore it is necessary to appoint Councillors to the committee.
- 4.11 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 6

	Total (from Thanet)	Labour Group	Conservative Group	Green and Ind. Group	Thanet Ind. Group
East Kent Joint Arrangements Committee	2 plus two substitutes	2 Cllrs	0	0	0

4.12 Recommendation

That Council approves the proportionality between groups (allocation of seats) for Committees, Panels and Boards for 2023/24.

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: Peter Tucker, Michael Clarke and Carolyn Ruston are Independent Members of the Standards Committee with Mr Tucker's term of office expiring on 9 July 2024 and Mr Clarke and Ms Ruston terms of office expiring on 14 May 2023.

Peter Lorenzo's term of office expires at this meeting. It is proposed to extend his term of office to the Annual Council meeting in 2027.

5.3.2 Standards Assessment Sub-Committee: independent member(s) will be drawn from the independent members of the Standards Committee.

5.3.3 Standards Hearing Sub-Committee: independent member(s) will be drawn from the independent members of the Standards Committee.

5.3.4 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 one representative 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, however due to the recent Parish Council elections, new nominations will be made shortly.

5.5 Recommendation

5.5.1 To appoint Mr Peter Lorenzo as an Independent Member of the Standards Committee with a term of office expiring at the Annual Council meeting in 2027.

5.5.2 To note the corresponding group nominations to Committees, Panels and Boards for 2023/24. (The names of those Councillors so nominated will be presented at the meeting)

6.0 Appointment of Chairs and Vice-Chairs of Committees, Panels and Boards 2023/24

6.1 The constitution of the Council states that:

a) The Chairs and Vice-Chairs of Committees shall be appointed by Council at its Annual Meeting with the exception of the Grievance Committee, Grievance

Appeals Committee and Appointment Sub Committee which elect their own Chairs;

- b) All Sub-Committees, Advisory Groups and Working Parties shall elect their Chairs and Vice-Chairs 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 chairship and vice- chairship 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 (JTB) agreement with Kent County Council, for 2023/24 a Member of Thanet District Council will chair the JTB and a Kent County 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 independent member 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 Chairs and Vice-Chairs of Committees, Panels and Boards for 2023/24:

- 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) Chair of the General Purposes Committee
- f) Chair of the Joint Transportation Board
- g) That Peter Tucker be appointed as Chair of the Standards Committee and the Constitutional Review Working Party.
- h) That Peter Lorenzo be appointed as Chair of the Standards Committee and the Constitutional Review Working Party.

Contact Officer: Nick Hughes, Committee Services Manager
Reporting to: Sameera Khan, Interim Director of Legal and Monitoring Officer

Annex List:

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

Background Papers:

None

Corporate Consultation:

Finance: Chris Blundell, Director of Corporate Resources & S151 Officer

Legal: Sameera Khan, Interim Head of Legal and Monitoring Officer