



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
ANNUAL COUNCIL
20 MAY 2021**

APPOINTMENT OF MEMBERSHIP OF COMMITTEES OF THE COUNCIL

1. PURPOSE OF THE REPORT

1.1 To appoint serving Members for Committees for the Municipal year to May 2022.

2. RECOMMENDATIONS

- (i) That the allocation of seats on Committees as set out in section 3.6 below, be ratified;
- (ii) That the Member nominations set out in **APPENDIX A**, be approved;
- (iii) That where nominations haven't been received, to appoint Members to these Committee positions.

3. SUMMARY OF KEY ISSUES

3.1 Under Section 15(1)(b) of the Local Government and Housing Act 1989, the Council is required at its Annual Meeting to review the representation of different political groups on committees of the authority.

3.2 In carrying out such a review and in making appointments to committees following that review, the Council is under a duty only to make such appointments as give effect to the principles contained in Section 15(5) of the above Act. In essence, this requires local authorities to review committee membership and political representation annually. By law, seats on committees must be allocated in proportion to the political composition of the Council. In addition, the total number of seats across all of the committees must reflect the overall political balance of the Council.

3.3 Notification has been made to me of three political groups constituted for the purposes of the political balance provisions namely:

Independent	15 Members
Conservative	10 Members
Democratic Alliance	4 Members

3.4 There are a further two non-aligned members of the Council.

3.5 Neither Political Group has a majority of the Members of the Council (51% or more) so that it would have a right to request a majority on every Committee.

- 3.6 The Council is asked to ratify the allocation of seats on Committees in the following manner:

	Total seats	Independent	Conservative	Democratic Alliance	Non aligned Member 1	Non aligned Member 1	Non aligned combined
Governance and Audit	10	5	3	1	0.32	0.32	1
Strategy and Resources	11	5	4	1	0.35	0.35	1
Licensing	10	5	3	1	0.32	0.32	1
Overview and Scrutiny	10	5	3	2	Alliance for overall balance		0
Joint Standards	8	4	2	1	0.32	0.32	1
Investigating and Disciplinary	5	2	2	1	0.16	0.16	0

Investigating and Disciplinary Panel	10	5	3	1	0.32	0.32	1
Appointments Board	6	3	2	1	* Committee Membership - Leader of the Council (or Deputy), Opposition Leader (or Deputy), Chairmen (or Vice-Chairmen) of the Strategy and Resources and the Performance, Governance and Audit Committees, plus two other named Members appointed by the Council (political balance provisions shall apply)		1

- 3.6.1 In applying the overall percentage of the three Groups to total seat allocation, the Democratic Alliance Group were initially underrepresented by one seat. A seat from a ten-seat Committee additionally needs to be allocated to the Group to apply to the political balance principles set out in Section 15 of the Local Government and Housing Act 1989, and this is put forward as the Overview and Scrutiny Committee, as identified in the table.

- 3.7 As agreed by the Council on 6 August 2020 (Minute No. 1128 refers), Members of the Performance, Governance & Audit and Strategy & Resources Committees are unable to serve on the Overview and Scrutiny Committee.

- 3.7.1 In line with guidance from the Joint Secretaries, Members cannot sit on both the Investigating and Disciplinary Committee and the Investigating and Disciplinary Panel.

3.8 Joint Standards Committee

- 3.8.1 Two Parish Councillors sit on the Committee (to be appointed following receipt of nominations from the Essex Association of Local Councils (EALC)). A second nomination has been sought from EALC but has not been forthcoming. The first representative is Councillor Peter Stilts.

3.9 Investigating and Disciplinary Panel

- 3.9.1 In addition to the Committees of the Council referred to in Procedure Rule 17, the Council is required to establish an Investigating and Disciplinary Panel (see Procedure Rule 16(11)(a)) to which Members are appointed and the political balance provisions apply. This is distinct from the Investigating and Disciplinary Committee in terms of both purpose and membership and has therefore been included in the list. The Terms of Reference for this Panel provide for a minimum of five Members of which three shall be Councillors who have not served on the initial investigation

carried out by the Investigating and Disciplinary Committee and two or three Independent Persons appointed by the Council to assist the Joint Standards Committee under the Localism Act 2011.

3.9.2 The report seeks to appoint a pool of ten members that can be called upon for meetings.

3.10 **Appointments Board**

3.10.1 The Council is also required to appoint Members to serve on the Appointments Board. The Council and Committee Procedure Rule 17(8) provides for the constitution of this Board, to be made up of:

- Leader of the Council (or Deputy),
- Opposition Leader (or Deputy),
- Chairmen (or Vice-Chairmen) of the Strategy & Resources and the Performance, Governance & Audit Committees,
- Plus two other named Members appointed by the Council (political balance provisions shall apply).

3.11 **Area Planning Committees**

3.11.1 In accordance with the Local Government (Committees and Political Groups) Regulations 1990 Part IV, Paragraph 16(a), the membership of the Area Committees is confirmed in the attached **APPENDIX A**.

3.11.2 Committee Chairman training will take place in two repeated sessions via Microsoft Teams at 11am on Tuesday 25 May and 1.30pm on Wednesday 26 May 2021.

4. **CONCLUSION**

4.1 The Committee seat allocation and member nominations are provided for member review, and nominations sought for the non-aligned Council appointed vacancies.

5. **IMPACT ON STRATEGIC THEMES**

5.1 The Committee structure underpins the Performance and Efficiency Corporate Goal.

6. **IMPLICATIONS**

- (i) **Impact on Customers** – Not applicable (N/A).
- (ii) **Impact on Equalities** – N/A.
- (iii) **Impact on Risk** – N/A.
- (iv) **Impact on Resources (financial)** – Specific committees have an impact on this area.
- (v) **Impact on Resources (human)** – N/A.

- (vi) **Impact on the Environment** – Specific Committees have an impact on this area.
- (vii) **Impact on Strengthening Communities** - Specific committees have an impact on this area.

Background Papers: None.

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