



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

**to
COUNCIL (EXTRAORDINARY)
8 JUNE 2023**

APPOINTMENT TO MEMBERSHIP OF COMMITTEES OF THE COUNCIL

1. PURPOSE OF THE REPORT

1.1 To appoint serving Members to Committees for the Municipal year to May 2024.

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 have not been received, the Council appoints Members to these Committee positions;
- (iv) That Members appoint two Town / Parish Councillor nominees to sit on the Joint Standards Committee;
- (v) That Members note the Chairperson's job description ahead of appointments to Chairpersons of these Committees **APPENDIX B**.

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 the Director of Strategy, Performance and Governance of four Political Groups constituted for the purposes of the political balance provisions namely:

Conservative Group	Leader	Councillor S J N Morgan
	Members	Councillors: D O Bown M F L Durham, CC W J Laybourn N R Miller C P Morley R G Pratt M E Thompson L L Wiffen
District Support Group	Leader	Councillor J C Stilts
	Members	Councillors: A S Fluker L J Haywood K M H Lagan M G Neall W Stamp
Liberal Democrat Group	Leader	Councillor J Driver
	Members	Councillors: S J Burwood K Jennings N D Spenceley P L Spenceley N J Swindle

- 3.4 There are a further four non-aligned Members of the Council.
- 3.5 No 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:

Committee	Total Seats	Conservative Group	Maldon Independent Group	District Support Group	Liberal Democrat Group	Non-Aligned Combined
Performance, Governance and Audit	10	3	2	2	2	1
Strategy and Resources	11	3	2	2	2	2
Licensing	10	3	2	2	2	1
Overview and Scrutiny	10	3	2	2	2	1
Joint Standards	8	3	1*	1*	1*	1
		*Plus one member from either Liberal Democrat, District Support or Maldon Independent Groups				
Investigating and Disciplinary	5	1	1	1	1	1

	Total Seats	Conservative Group	Maldon Independent Group	District Support Group	Liberal Democrat Group	Non-Aligned Combined
Investigating and Disciplinary Panel	10	3	2	2	2	1
Appointments Board*	6	2	1	1	1	1
*subject to appointments of associated Member roles (see paragraph 3.12.1 below)						

3.7 In applying political balance to each Committee and then overall seat allocation, there is one seat on the Joint Standards Committee that the Liberal Democrat Group, District Support Group and Maldon Independent Group all have equal claim to. This seat will need to be appointed by the Council to a Member of one of the three Groups.

3.8 Members of the Strategy & Resources and Performance, Governance & Audit Committees are unable to sit on the Overview and Scrutiny Committee, other than for the purposes of substitutes.

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

3.10 **Joint Standards Committee**

3.10.1 Two Parish / Town Councillors sit on the Joint Standards Committee. There are five nominations for the two vacancies and Members have been circulated profiles for the nominees. The Council is required to appoint two nominees from the five, as listed in **APPENDIX A**.

3.11 **Investigating and Disciplinary Panel**

3.11.1 In addition to the Committees of the Council referred to in Procedure Rule 15, 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. The report seeks to appoint a pool of ten Members that can be called upon for meetings.

3.12 **Appointments Board**

3.12.1 The Council is also required to appoint Members to serve on the Appointments Board. The Council and Committee Procedure Rule 15 (8) provides for the constitution of this Board, to be made up of:

- Leader of the Council (or Deputy);
- Opposition Leader (or Deputy);
- Chairperson (or Vice-Chairperson) of the Strategy & Resources and the Performance, Governance & Audit Committees;

- Plus two other named Members appointed by the Council (political balance provisions shall apply).

3.13 Training

- Committee Chairperson training will take place in two repeated sessions, the first session will be Wednesday 14 June (online / MS Teams) with a further session to follow;
- Scrutiny training, compulsory for Overview and Scrutiny Committee Members and available to all, will take place on 12 June 2023.

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 Committee appointments support across all six corporate plan priorities.

6. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – Council business will be able to run as required with appointed Committees.
- (iv) **Impact on Resources (financial)** – Specific Committee appointments have a link to council financial resources.
- (v) **Impact on Resources (human)** – Specific Committee appointments have a link to council human resources.
- (vi) **Impact on the Environment** – None.
- (vii) **Impact on Strengthening Communities** - Specific Committee appointments have a link to community work.

Background Papers: None.

Enquiries to: Cheryl Hughes, Programmes, Performance and Governance Manager.