

Annual Council

Report to: Annual Council

Date 8 May 2024

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



Allocation of Committee places and appointments to Panels, Forums and Joint Bodies and appointments to outside bodies 2024/2025

Report summary:

This report sets out for the municipal year 2024/2025 the proposed allocation and appointment of members for seats on the Council's committees, the proposed appointment of members to Panels, Forums and Joint Bodies and the proposed appointment of members to outside bodies.

In accordance with the Council's Constitution Full Council is responsible for the appointment of Chairs, Vice Chairs and members to committees and these appointments are usually agreed at Annual Council.

Recommendation:

That the Council:

1. **Notes the political balance of the Council and agrees the proposed allocation of committee places as set out in this report and at Appendix 1.**
2. **Agrees the Terms of Reference, size and quorum arrangements for all committees as set out in the Council's Constitution.**
3. **Approves the appointment of Chairs, Vice Chairs, members and co-opted members to the Council's committee and panels, forums and joint bodies as set out in the appointments schedule at Appendix 3.**
4. **Delegates authority to the Monitoring Officer, in consultation with the appropriate group leader to make in year changes to committee and panels, forums and joint bodies (excluding the appointment of Chairs and Vice Chairs) in accordance with the allocation of places to political groups by the Council and the wishes of the relevant political group leader.**
5. **agrees the appointment of members to outside bodies at Appendix 7.**
6. **agrees to appoint 2 member champions (Mental Health & Sports & Leisure) and notes the continuation of Armed Forces Covenant (Cllr Vicky Johns), Arts & Culture (Cllr Joe Whibley) and Safeguarding (Cllr John Heath) as Member Champions at Appendix 8.**

6. delegates authority to the Monitoring Officer, in consultation with the appropriate group leader to make in year changes to outside bodies in accordance with the wishes of the relevant political group leader.
7. to approve the Council's Constitution for 2024/2025.
8. to confirm the Conservative Group as the formal opposition.

Reason for recommendation:

To ensure that the Council's governance framework is up to date and reflects the current political balance within the Council and to enable the required appointments to be agreed for the civic year.

Is the proposed decision in accordance with:

Budget Yes No

Policy Framework Yes No

Consultation carried out:

Consultation with Political Group Leaders

Officer: Andrew Melhuish (Democratic Services Manager) andrew.melhuish@eastdevon.gov.uk

Financial implications:

There are no financial implications relating to the change in members from the Conservative Group to the Independent Group as no Special Responsibility Allowance Payments are affected.

Legal implications:

The rules governing the allocation of seats on Committees and Sub-Committees to political groups are set out in the Local Government and Housing Act 1989 and regulations made thereunder including the Local Government (Committees and Political Groups) Regulations 1990. The provisions of the 1989 Act include the requirement that, where Members of the Council are divided into political groups, then the membership of its committees and sub-committees must reflect the political balance of the Council as a whole. The proposals set out in this report comply with the Council's Constitution.

Equalities impact Low Impact

The Council's duty under Section 149 of the Equality Act 2010 is to have "due regard" to the matters set out in relation to equalities when considering and making decisions on the provision of services. There are no direct impacts of these recommendations on the provision of services. There are no direct impacts on sustainability, health and safety, community safety or privacy aspects as a result of this proposal.

Climate change Low Impact

Risk: Low Risk; This report ensures that the political balance of the committee allocations is in line with the relevant legislation and guidance.

Links to background information None.

Link to [Council Plan](#)

Priorities (check which apply)

- Better homes and communities for all
- A greener East Devon
- A resilient economy

1. Background

1.1 Where membership of East Devon District Council is divided into political groups the Council is required to review and allocate the total number of seats on committees in accordance with the strength of each political group. The number of members of each political group on the Council results in the following political balance:

Democratic Alliance = 30 members

Conservative = 14 members

Independent Group = 12 members

Independent Councillor Group = 2 members

Labour Councillor = 1 member (un grouped)

Vacancy = 1 member (un grouped)

The Democratic Alliance form the majority administration from 2023 to 2027. This report has been prepared on the basis of the political groups reflecting the position set out above.

1.3 The political balance results in the following entitlement to seats for committees where political balance rules apply (figures have been rounded):

Total Number of Seats (% of Council membership)			
Democratic Alliance Group	30 members	52%	59 seats
Conservative Group	14 members	24%	28 seats
The Independent Group	12 members	21%	28 seats
Independent Councillor Group	2 members	3%	2 seats
Ungrouped members	2 members	0%	0 seats
TOTALS	60 members	100%	111 seats

There are 2 members who are not part of a grouping, including Cllr Violet Bonetta (Labour), and one vacancy to be appointed following a byelection on 2 May 2024). **This table will be updated following the result of the election.**

2. Appointments / Allocation of places

- 2.1 The Council's committee places (also known as seats) to be allocated to the political groups has been calculated and the political group leaders informed.
- 2.2 Appendix 1 sets out guidance regarding the method of allocation of seats / places on committees and comments on the application of this in relation to Appendix 2. Appendix 2 sets out the calculation of aggregate entitlement to places on Committees on the basis that the Council continues to agree the recommendation of the political group leaders.
- 2.3 Appendix 3 sets out the political group leaders proposed nominations to the committee places. When approving Appendix 3 the Council will meet the requirements of the Local Government and Housing Act 1989 which requires the application of certain rules to the appointment of council committees. The Schedule provides for:
 - (a) The appointment of members to the committees of the Council.
 - (b) The appointment of chairs and vice-chairs of the committees.
- 2.4 A numerical guide to political proportionality representation on Committees is set out at Appendix 4 and reflects the Council's political composition.
- 2.5 Full Council may waive the political balance rules for any committee(s) where the Council wishes to appoint an alternative number of members from political groups. In order for political balance to be waived no member must vote against this motion, an objection by a single member would make it necessary to apply political balance rules.
- 2.6 It is proposed that the Council delegates authority to the Monitoring Officer to make in-year changes between Annual General Meetings to committee appointments (excluding Chairs and Vice-Chairs) in accordance with the wishes of the political group leader that relates to the relevant place(s) on a committee.

3. Adoption of the Constitution

- 3.1 Each year Council adopts the Constitution thereby confirming the committee structure, size and terms of reference of the committees as set out in Appendix 5 as well as confirming the scheme of delegations. The Constitution Working Group are currently reviewing the Constitution and changes will be recommended to Council from June 2024 onwards. In the meantime, there are three changes to the current Constitution as follows:-
 - 3.1.1 The Audit and Governance Committee terms of reference has been amended to make specific reference to oversight of Information Governance. This was already covered by the Committee but there was no specific reference to it.
 - 3.2.2 In terms of Key Decisions, the Constitution has been updated to give a financial threshold to "significant" savings and expenditure. The Constitution is currently silent on this point. The threshold for key decisions is proposed to be £100K, as recommended by the Constitution Work Group. This means that any decision made that involves expenditure or savings at or over £100k will, if approved by Members, be treated as a key decision and will need to be included on the forward plan.
 - 3.3.3 The DBS checks for Members and Safeguarding Protocol, recently approved by Full Council, has been added to Part 5 of the Constitution.

Changes to the Constitution to reflect the three changes above have been marked in bold text.

4. Confirmation of the formal opposition

4.1 The Constitution requires confirmation of the formal opposition at the Annual Meeting. The Conservative Group, as the largest opposition party are entitled to be recognised as the formal opposition.

5. Makeup of advisory Panels, Forums and Joint Bodies and Member Champions

5.1 The makeup of advisory panels, forums and joint bodies is set out in appendix 6. There is no legal requirement for these to be politically balanced and in some cases Council has decided to apply political proportionality to some panels, forums and joint bodies.

5.2 The appointment of Member Champions is made at Annual Council and while changes can be made each year the expectation is that appointees will be appointed for a minimum of 2 years to ensure continuity in the role. There are currently 2 vacancies which will be determined at Annual Council and all other appointments made in 2023 will continue until Annual Council in May 2025 and are set out in Appendix 8.

6. Conclusion

6.1 Members are invited to approve the recommendations as set out in the report. To ensure that the Council's governance framework is up to date and reflects the current political balance within the Council and to enable the required appointments to be agreed for the civic year 2024/25.