

Meeting: Adjourned Annual Council

Date: 14 May 2026

Wards affected: All Wards

Report Title: Appointments to Council Committees and Working Parties and Appointment of Committee Chairs and Vice-Chairs for 2026/2027

When does the decision need to be implemented? May 2026

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1. Purpose of Report

- 1.1. To appoint the Council's committees, working parties, Chair and Vice-Chair for the new municipal year, in accordance with Council Standing Order A1.2(x). In addition to ensure the committees and working parties have appropriate terms of reference and appointments to those bodies are made in accordance with the relevant statutory requirements.

2. Reason for Proposal and its benefits

- 2.1. The proposals in this report help us to deliver the ambition set out in the Community and Corporate Plan 2023-2043, by ensuring the Council complies with relevant statutory and Constitutional requirements thereby supporting all the priorities with the plan.
- 2.2. The Constitution requires Members at the Annual Meeting of the Council to determine which committees to establish for the forthcoming municipal year, their size and terms of reference and the allocation of seats in accordance with the rules of political balance.

3. Recommendation(s) / Proposed Decision

- 3.1. That the overall political balance of the committees as set out at Appendix 1 be approved;
- 3.2. That, in accordance with the Local Protocol for Working Parties, the overall political balance of working parties as set out in Appendix 2 be approved;

- 3.3. That, subject to 3.1 and 3.2 above, the Terms of Reference and membership for the Council's Committee's and working parties be approved as set out in Appendix 3;
- 3.4. That, subject to 3.3 above being approved, nominations from Group Leaders be received to fill the seats on the committees;
- 3.5. That, subject to 3.3 above, the Chair and Vice-Chair of those Committee's be approved as set out in Appendix 4;
- 3.6. That, a Sub-Committee of both the Statutory Licensing Committee and Regulatory Committee be established both to comprise three Members of the relevant Statutory Licensing Committee or Regulatory Committee;
- 3.7. That both the Statutory Licensing Sub-Committee and Regulatory Sub-Committee be exempted from the rules of committee proportionality as defined in the Local Government and Housing Act 1989 and supporting regulations; and
- 3.8. That the Head of Governance Support be authorised to empanel Members from the Statutory Licensing Committee and Regulatory Committee to serve on the Statutory Licensing Sub-Committee and Regulatory Sub-Committee as and when required.

4. Appendices

Appendix 1: Political Balance of Committees

Appendix 2: Political Balance of Working Parties

Appendix 3: Committee Terms of Reference and Membership of Committees and Working Parties

Appendix 4: Nominations for Chairs and Vice-Chairs

5. Background Documents

- None

Supporting Information

6. Introduction

- 6.1. The political composition of the Council is 17 members of the Conservative Group, 15 members of the Liberal Democrat Group, 3 members of the Independent Group and 1 Independent ungrouped Councillor (Councillor Hutchings). The political balance is:

Conservative Group	17 seats	= 47.22%
Liberal Democrat Group	15 seats	= 41.67%
Independent Group	3 seats	= 8.33%
Councillor Hutchings	1 seat	= 2.78%

- 6.2. The proportional distribution of seats on Committees between political groups remains as agreed by Council on 24 July 2025.

- 6.3. Whilst not a legislative requirement, the Council has included in its Constitution for Working Parties to also be politically balanced. Similarly to Committees, the Group Leaders have been consulted on the proportional distribution of seats on Working Parties.
- 6.4. In order to ensure the Council uses its resources in an effective and efficient manner, it is proposed that Council appoints the Sub-Committee's for both the Statutory Licensing Committee and Regulatory Committee, avoiding the necessity for full Committees to be convened solely to make a decision on this matter.
- 6.5. In accordance with, Committee and Sub-Committee Meetings Standing Order B1, the Council will also appoint the Chair and Vice-Chair for Committees, except for those Committees that meet on an ad hoc basis.
- 6.6. Appendix 3 sets out the terms of reference for Council Committees and Working Parties.
- 6.7. A proposed amendment to the Audit Committee Terms of Reference is to amend the wording on section 19 as follows 'To ~~monitor approve~~ and ~~monitor review~~ the council policy on 'Counter Fraud and Corruption' and to be responsible for the Council's procedure for investigating and responding to complaints.' Ordinarily policy approval of this nature would sit with the Cabinet or Director, however CIPFA professional guidance suggests it is not appropriate for Cabinet or Directors to approve the Counter Fraud and Corruption Policy because they both form part of the Council's senior leadership and is therefore subject to the very controls, standards and investigative processes that the policy governs. Approving the framework that applies to their own conduct would create a conflict of interest and undermine the independence required for effective oversight. In contrast, the Audit Committee is a non executive assurance body specifically tasked with scrutinising governance, risk management and internal control arrangements. Its independent role makes it the appropriate forum to review and approve the policy, ensuring transparency, impartiality and alignment with CIPFA guidance on audit committee responsibilities. It is therefore recommended that the Audit Committee Terms of Reference are amended.

7. Options under consideration

- 7.1. The calculation and approval of the political balance of committees is a statutory requirement. Legislation requires the Council to formally approve a political balance allocation to ensure that appointments to committee seats accurately reflect the political composition of the Council. Failure to approve the political balance would place the Council in breach of its statutory duties and would prevent the lawful appointment of Members to committees.
- 7.2. It is possible for alternative arrangements to be considered which does not apply political balance principles however in order to do this a vote needs to be taken where no councillor voted against them.

8. Financial Opportunities and Implications

- 8.1. 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 as a whole, unless alternative arrangements are notified to all Members and agreed without any councillor

voting against them. The Council is required to observe the following principles as far as it is reasonably practicable:

(a) that not all seats on the body are allocated to the same group;

(b) that the majority of seats on the body are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;

(c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary committees of a relevant authority which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary committees of that authority as is borne by the number of Members of that group to the membership of the authority; and

(d) subject to paragraphs (a) to (c) above, that the number of seats on the body which are allocated to each political group bears the same proportion to the number of all the seats on that body as is borne by the number of Members of that group to the membership of the authority.

- 8.2. The Council is required to determine the number of seats on each committee and the allocation of those seats to the political groups. Applying the principles of the Local Government and Housing Act 1989 and the supporting Regulations, the distribution would be proportional as set out at Appendix 1.
- 8.3. The allocation of seats includes a statutory bar on members of the Cabinet to be on the Overview and Scrutiny Board and a Council decision to exclude members of the Cabinet on the Audit Committee.
- 8.4. Political balance requirements may be dis-applied under Section 17, Local Government and Housing Act 1989 and Regulation 20, Local Government (Committees and Political Groups) Regulations 1990. This would allow the relevant seats to be allocated to another group. Any decision to dis-apply would require a resolution of the Council with no member voting against.
- 8.5. In respect of Working Parties, the Council's Constitution states that Working Parties considering non-executive functions will be appointed in accordance with the principles of political balance.

9. Legal Implications

- 9.1. The Constitution and legislation require the Council to undertake the annual appointments of committees, working parties and chairs and vice-chairs. There are no risks unless members fail to determine the matter.

10. Engagement and Consultation

- 10.1. The Group Leaders have received the proposed allocations to Council Committees and Working Parties, along with the appointments to Chair and Vice-Chair and have been

requested to provide options for political balance and nominations from their respective groups.

11. Procurement Implications

11.1. Not applicable.

12. Protecting our naturally inspiring Bay and tackling Climate Change

12.1. No impact.

13. Associated Risks

13.1. None.

14. Equality Impact Assessment

Protected characteristics under the Equality Act and groups with increased vulnerability	Data and insight	Equality considerations (including any adverse impacts)	Mitigation activities	Responsible department and timeframe for implementing mitigation activities
Age	<ul style="list-style-type: none"> 18% of Torbay residents are aged under 18 years old. 55% of Torbay residents are aged between 18 to 64 years old. 27% of Torbay residents are aged 65 and older. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Carers	<ul style="list-style-type: none"> At the time of the 2021 census there were 14,900 unpaid carers in Torbay. 5,185 of these carers provided 50 hours or more of care. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Care experienced	<ul style="list-style-type: none"> As of January 2026, there were 277 former care experienced young people aged 18-24 in Torbay. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Disability	<ul style="list-style-type: none"> In the 2021 Census, 23.9% of Torbay residents answered that their day-to-day activities were limited 	There are no equality implications of the decisions required	Not applicable	Not applicable

	a little or a lot by a physical or mental health condition or illness.			
Gender reassignment	<ul style="list-style-type: none"> In the 2021 Census, 0.4% of Torbay's community answered that their gender identity was not the same as their sex registered at birth. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Marriage and civil partnership	<ul style="list-style-type: none"> Of those Torbay residents aged 16 and over at the time of 2021 Census, 44.2% of people were married or in a registered civil partnership. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Pregnancy and maternity	<ul style="list-style-type: none"> Between 2013 and 2024, the rate of live births (as a proportion of females aged 15 to 44) has been slightly but significantly higher in Torbay (average of 56.0 per 1,000) than the Southwest (53.4) and broadly in line with England (56.3). For the period 2022 to 2024, rates in Torbay (44.6) have been significantly below England (50.0). 	There are no equality implications of the decisions required	Not applicable	Not applicable

Race	<p>In the 2021 Census, 96.1% of Torbay residents described their ethnicity as the following:</p> <ul style="list-style-type: none"> • 1.6% as Asian, Asian British or Asian Welsh • 0.3% as Black, Black British, Black Welsh, Caribbean or African • 1.5% as being of Mixed or Multiple ethnic groups • 96.1% as White • 0.4% described their ethnicity another way. <ul style="list-style-type: none"> • Black, Asian and minoritised ethnic communities are more likely to live in areas of Torbay classified as being amongst the 20% most deprived areas in England. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Religion and belief	<p>The 2021 Census showed that the residents in Torbay identify their religion and/or belief as the following;</p> <ul style="list-style-type: none"> • 48.5% are Christian • 0.4% are Buddhist • 0.2% are Hindu • 0.6% are Muslim • Less than 0.1% are Sikh • 0.1% are Jewish • 0.7% have another religion • 43.2% have no religion • 6.3% did not answer 	There are no equality implications of the decisions required	Not applicable	Not applicable

Sex	<ul style="list-style-type: none"> • 51.3% of Torbay's population are female. • 48.7% of Torbay's population are male. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Sexual orientation	<p>In the 2021 Census, residents described their sexuality as follows;</p> <ul style="list-style-type: none"> • 89% as Straight or Heterosexual • 1.7% as Gay or Lesbian • 1.1% as Bisexual • 0.1% as Pansexual • 0.1% described their sexuality another way • 7.4% of people didn't answer the question 	There are no equality implications of the decisions required	Not applicable	Not applicable
Armed Forces Community	<ul style="list-style-type: none"> • In 2021, 3.8% of residents in England reported that they had previously served in the UK armed forces. • In Torbay, 5.9% of the population have previously served in the UK armed forces. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Additional considerations				
Socio-economic impacts (Including impacts on child poverty and deprivation)	<ul style="list-style-type: none"> • Torbay is ranked as the 39th most deprived upper tier local authority in England in the Index of Multiple Deprivation 2025. 	There are no equality implications of the decisions required	Not applicable	Not applicable

Public Health impacts (Including impacts on the general health of the population of Torbay)	<ul style="list-style-type: none"> For the five-year period 2020 to 2024, data shows there is a 6-year life expectancy gap between males who live in Torbay's least and most deprived areas and, a 3-year gap for females. 	There are no equality implications of the decisions required	Not applicable	Not applicable
Human Rights impacts				
Child Friendly				

15. Cumulative Council Impact

15.1. None

16. Cumulative Community Impacts

16.1. None