

# Supplementary Papers



Listening Learning Leading

Contact Officer: Steven Corrigan

Tel: 01491 823049

FOR THE MEETING OF

## Council

held in the The Fountain Conference Centre, Howbery Park, Crowmarsh Gifford,  
Wallingford, OX10 8BA

on Thursday 21 MAY 2015 at 6.00 PM

**Open to the public including the press**

1 Appointments to committees, panels and joint committees for 2015/16

# Council report



Report of Head of Legal and Democratic Services

Author: Susan Harbour

Tel: 01235 540306

E-mail: susan.harbour@southandvale.gov.uk

To: COUNCIL

DATE: 21 May 2015

## Appointments to committees, panels and joint committees 2015/16

### Recommendations

That Council:

1. agrees to establish a joint Scrutiny Committee with Vale of White Horse District Council with the terms of reference and administrative arrangements as set out in this report;
2. agrees to establish a joint Audit and Governance Committee with Vale of White Horse District Council with terms of reference and administrative arrangements as set out in this report.
3. agrees to amend the Constitution to allow for the chair of the Scrutiny committee to be from the majority party.
4. appoints the committees and panels for the 2015/16 year, allocates seats to each political group and appoints councillors and substitutes to sit on them in accordance with paragraphs 8-10 of this report and as set out in the schedule circulated at the meeting;
5. appoints chairmen and vice-chairmen as set out in the schedule circulated at the meeting;
6. appoints councillors and substitutes to the Communities Capital Grants Scheme Panel in accordance with paragraphs 21-22 of this report and as set out in the schedule circulated at the meeting;
7. appoints councillors to the Licensing Acts Committee in accordance with paragraphs 23-25 of this report and as set out in the schedule circulated at the meeting;
8. appoints a representative and a substitute on the Oxfordshire Joint Health Overview and Scrutiny Committee;
9. appoints a representative and an observer substitute on the Thames Valley Police

- and Crime Panel;
10. authorises the head of legal and democratic services to make appointments to any vacant committee or panel seat and substitute positions in accordance with the wishes of the relevant group leader;
  11. authorises the head of legal and democratic services to amend the constitution as necessary to reflect the arrangements set out in this report.

## Purpose of report

1. This report invites Council to agree appointments to those committees required to be politically balanced together with the Communities Capital Grant Scheme Panel and the Licensing Acts Committee. It also invites Council to make appointments to joint bodies.

## Background

2. The Council is required by the Local Government and Housing Act 1989 to appoint committees, review the political balance and to appoint councillors to the committees annually.
3. In summary the Council has a duty to ensure the following principles are adhered to:
  - (i) not all seats are allocated to the same political group
  - (ii) a majority group should get the majority of seats on each committee
  - (iii) the seats allocated to groups on a committee reflect the membership of the Council as a whole
  - (iv) the allocation of the total number of seats on all committees reflects the membership as a whole
4. Ordinary committees are those that have decision-making powers but excluding the Licensing Acts Committee.

## Strategic Objectives

5. This report supports the council's corporate plan in that it ensures the council manages its business effectively. It is also in line with the council's requirement to review the political complexion of committees and other bodies, having regards to the Local Government and Housing Act 1989.

## Political balance

6. The number of seats held by the various political groups is currently as follows:

Conservative	(91.67%)
Opposition Forum Group	(8.33%)

7. The Local Government (Committees and Political Groups) Regulations 1990 require a constituted political group to be two or more members.

## Composition of committees

8. The ordinary committees and panels that are required to be politically balanced both individually, and overall, are set out below.

Committee	Members	Comments
South Scrutiny Committee	9	
Joint Scrutiny Committee	5	10 in total with Vale of White Horse District Council
Joint Audit and Governance Committee	4	8 in total with Vale of White Horse District Council
Planning Committee	11	
General Licensing Committee	12	
Community Governance and Electoral Issues Committee	6	Established in the previous civic year
NNDR Appeals Panel	5	
Housing Appeals Panel	5	
<b>Total places in politically balanced committees</b>	<b>57</b>	

- Scrutiny, Planning and the Community Governance and Electoral Issues committees have been reduced by 25% from the previous civic year. This reflects the 25% reduction in councillors.
- General Licensing Committee has increased to 12 members. The membership of this and the Licensing Acts committee are the same, although they are two separate entities. This allows for a sufficiently large, well trained pool of councillors from which to draw the General Licensing and Licensing Acts Panels, and avoids confusion as to which members are on which committee. These committees may appoint the same, or different chairmen and vice chairmen.
- The Joint Audit and Governance Committee and Scrutiny Committee must have a total membership that is even to allow for a split between the councils.

9. The terms of reference of the committees and panels are set out in the constitution and in subsequent agreed council minutes.

10. The political balance calculation and the entitlements to seats on committees are set out in the tables below. Fractional entitlements of less than one half are rounded down and entitlements of one half or more are rounded up.

Group	Members	Total of Council	Total number of committee seats	Proportionate number of seats on committees
Conservative	33	91.67%	52	91.23%

Opposition Forum Group	3	8.33%	5	8.77%
<b>TOTAL</b>	36	100%	57	100.00%

<b>Committee</b>	<b>Total number of seats</b>	<b>Conservative</b>	<b>Opposition Forum Group</b>
Scrutiny	9	8	1
Planning	11	10	1
General Licensing Committee	12	10	2
NNDR Appeals	5	5	0
Housing Appeals	5	5	0
Joint Scrutiny	5 (10 in total)	5	0
Joint Audit and Governance	4 (8 in total)	4	0
Community Governance and Electoral Issues Committee	6	5	1
<b>Total</b>	57	52	5

11. If the Council wishes to allocate any seats not in accordance with the political balance requirements it can only do so if no councillor votes against the proposal.

### Substitutes

12. Each political group is entitled to the same number of substitutes as the number of ordinary seats it holds on a committee or panel, and up to a maximum of three named substitutes where it has fewer than three members on a committee or panel.

### Joint Scrutiny Committee

13. Council is invited to consider the establishment of a joint scrutiny committee to meet at least twice a year to review a number of standing items that affect both councils as set out below:
- Performance reviews of joint contracts
  - Other issues that affect both councils jointly
14. Joint Scrutiny may meet on additional occasions if the need arises.
15. The purpose of a joint Scrutiny committee is to ensure a consistent approach, avoid duplication of resources and improve joint working between both councils. This committee will only seek to address matters which are being progressed across both councils.
16. The creation of a joint scrutiny committee meeting initially twice a year, with an option of increasing joint meetings as we go forward, would reduce committee

servicing time, reduce the number of reports being written and the number of evening meetings staff have to attend and would enable contractors to attend just one meeting a year. Running joint meetings in addition to those already scheduled at each council would have resource implications in terms of staff capacity. Officers therefore propose a reduction in the number of South Scrutiny committee meetings by two.

17. The information below sets out the proposed membership of the joint committee, arrangements for the location and regularity of meetings, the proposed chairmanship arrangements and the proposed terms of reference.

### **Membership**

- Five councillors from South Oxfordshire District Council (not Cabinet members); and
- Five councillors from Vale of White Horse District Council (not Cabinet members).
- Politically balanced in accordance with the provisions of the Local Government and Housing Act 1989. (Politically balanced by council, not necessarily across both councils).
- Substitutes from the political groups (not Cabinet members).

### **Quorum**

Four members, two from each council.

### **Regularity of meetings**

At least two per year, with additional meetings on an *ad hoc* basis.

**Location of meetings:** The councils' main offices in Milton Park.

### **Chairmanship**

- The committee will be co-chaired (one from each council) and the person presiding at any meeting will alternate between the two councils. These shall be non ruling group and non Cabinet members and their will be no vice chair.

### **Terms of reference**

- to monitor the performance of contractors delivering joint contracts;
- to consider any matter affecting both areas or their inhabitants jointly (subject to the agreement of the chairmen of each council's scrutiny committee).

The establishment of a joint scrutiny committee will not impact upon the ability of each council's scrutiny committee to review specific issues covered by the above terms of reference – for example a specific issue relating to a contract.

### **Scrutiny Call-in**

The right to call in decisions, in line with the council's constitution, will remain with the district Scrutiny Committee, but the chairman of this committee may choose to refer it to the joint committee.

If agreed officers will make the necessary changes to the council's constitution to reflect the above.

## **Joint Audit and Governance Committee**

18. Council is invited to consider the establishment of a joint audit and governance committee. This will replace the individual committees at South and Vale district councils and will meet four times a year. Matters which only affect one council will be dealt with by sub-committees which are set out below.
19. The purpose of a joint audit and governance committee is to ensure a consistent approach, avoid duplication of resources and improve joint working between both councils. This committee will only seek to address matters which are being progressed across both councils.
20. This will reduce the number of reports being written and the number of evening meetings staff have to attend and would enable the district auditors to attend just one meeting. Running joint meetings in addition to those already scheduled at each council would have resource implications in terms of staff capacity. The information below sets out the proposed membership of the joint committee, arrangements for the location and regularity of meetings, the proposed chairmanship arrangements and the proposed terms of reference.

### **Membership**

- Four councillors from South Oxfordshire District Council (not Cabinet members) and
- Four councillors from Vale of White Horse District Council (not Cabinet members).
- Politically balanced in accordance with the provisions of the Local Government and Housing Act 1989. (Politically balanced by council, not necessarily across both councils).
- Substitutes from the political groups (not Cabinet members).

### **Quorum**

Four members, two from each council.

### **Regularity of meetings**

At least four per year

### **Location of meetings**

At the council's offices in Milton Park.

### **Chairmanship**

The committee will be co-chaired (one from each council) and the person presiding at any meeting will alternate between the two councils. These shall be non Cabinet members and there will be no vice chair.

### **Sub Committees**

These shall meet as required to discuss and agree matters relating to a single council. They will not discuss matters which go to the joint committee. They will be chaired by the co-chair of the joint committee and the membership shall be the four members of the joint committee relevant to each council. Quorum will be three.

### **Terms of reference**

The terms of reference will be drawn from those of the existing Audit and (Corporate) Governance committees of the two councils.

If agreed officers will make the necessary changes to the council's constitution to reflect the above.

### **Communities Capital Grants Scheme Panel**

21. It is recommended that the constitution is amended so that there are a maximum of nine seats (balanced politically) on the Communities Capital Grants Scheme Panel. No member of the Cabinet is permitted to be a member of the panel. This panel is not subject to the regulations detailed in paragraph 3 of this report and therefore has no effect on the overall allocation of seats. This would allocate 8 seats to the Conservatives and 1 seat to the Opposition Forum Group.
22. In accordance with the Council's constitution each political group is entitled to substitutes as detailed in paragraph 10 above.

### **Licensing Acts Committees**

23. The Licensing Acts Committee is a statutory committee and is not required to be included in the calculation of political balance. The whole committee meets rarely to deal with licensing and gambling policy matters but a membership of 12 provides a pool of councillors from which panels of three can be drawn to deal with hearings relating to personal licence holders and premises licence applications and reviews.
24. Council has previously agreed to appoint a committee in accordance with the political balance of the Council. The membership will mirror the membership of the General Licensing Committee and will, therefore, be politically balanced but will not in itself contribute to the total political balance of the council's committees.
25. As a statutory committee with a specified membership substitutes may not be appointed.

### **Location of all meetings**

26. Where possible, it is expected that meetings of full council and planning committee will take place at Howbery Park. All other meetings of the council will



take place at the councils' offices in Milton Park. This will optimise the use of officer time.

### **Appointments**

27. Officers have invited group leaders to submit the names of councillors they wish to sit on each of the above bodies. A table of nominations will be circulated at the meeting.

### **Joint Health Scrutiny Committee**

28. Council is invited to appoint a representative and a named substitute to the Oxfordshire Joint Health Overview and Scrutiny Committee.

### **Thames Valley Police and Crime Panel**

29. Council is invited to appoint a representative to the Thames Valley Police and Crime Panel. The constitution of the panel does not provide for formally appointed substitutes but Council may appoint one in an observer capacity.

### **Financial implications**

30. There are no direct financial implications.

### **Legal implications**

31. These are set out in the body of the report.

### **Conclusion**

32. In deciding the committees and panels it wishes to establish for the 2015/16 year, Council is required to allocate seats to political groups in the same proportion as they hold on the council as a whole. Against that background, Council is invited to establish the committees and panels set out in the table in paragraph 8 of this report and to appoint councillors to them. Council is also invited to appoint councillors to the Communities Capital Grants Scheme Panel and the Licensing Acts Committee and to appoint representatives to the Oxfordshire Joint Health Overview and Scrutiny Committee and the Thames Valley Police and Crime Panel. If all committee and panel seats and substitute places are not filled at the meeting, Council is invited to delegate authority to the head of legal and democratic services to make appointments in accordance with the wishes of the relevant group leader. Council is also invited to delegate authority to the head of legal and democratic services to amend the constitution accordingly.

**Background Papers:** None