

Council report



Report of Head of Legal and Democratic

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To: COUNCIL

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Appointments to committees, panels and joint committees 2018/19

Recommendations

That Council:

1. appoints the committees and panels for the 2018/19 year, allocates seats to each political group and appoints councillors and substitutes to sit on them in accordance with paragraphs 8-12 of this report and as set out in the schedule circulated at the meeting;
2. appoints chairmen and vice-chairmen as set out in the schedule circulated at the meeting;
3. appoints councillors and substitutes to the Community Grants Panel, in accordance with paragraphs 13-14 of this report and as set out in the schedule circulated at the meeting.;
4. appoints councillors to the Licensing Acts Committee in accordance with paragraphs 15-17 of this report and as set out in the schedule circulated at the meeting;
5. appoints a representative and a substitute on the Oxfordshire Joint Health Overview and Scrutiny Committee;
6. appoints a representative and an observer substitute on the Thames Valley Police and Crime Panel;
7. appoints three representatives to the Oxfordshire Growth Board Scrutiny Panel;
8. authorises the head of legal and democratic to make appointments to any vacant committee or panel seat and substitute positions in accordance with the wishes of the relevant group leader;
9. authorises the head of legal and democratic 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 Community Grants 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 objective of providing services that reflect residents' needs. It is also in line with the council's requirement to review the political complexion of committees and other bodies, having regard 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	32	(88.89%)
Opposition Forum Group	3	(8.33%)
Vacancy	1	(2.78%)

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	
Appeals Panel (NNDR and Housing)	5	
Joint Staff Committee	3	6 in total with Vale of White Horse District Council
Totals	55	

- The membership of the General Licensing Committee 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 Taxi Licensing and Licensing 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 co-chairs of the Joint Scrutiny committee should be the same as the chairs of the district Scrutiny committees to eliminate potential conflict around the call-in arrangements and work programmes.
9. The terms of reference of the council's committees and panels are set out in the constitution.
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. Some adjustments must be made to ensure that the overall percentage of seats is correctly apportioned.

Group	Group members	Total of council	Total number of committee seats
Conservative	32	88.89%	49
Opposition Forum Group	3	8.33%	5
Vacancy	1	2.78%	0
TOTAL	36	100%	54 (+1) *

* one seat remains unallocated to any political group

Committee	Total number of seats	Conservative	Opposition Forum Group
Scrutiny	9	8	1
Planning	11	10	1
General Licensing Committee	12	11	1
Appeals Panel	5	4	0
Joint Scrutiny	5	4	0
Joint Audit and Governance	4	4	0
Community Governance and Electoral Issues Committee	6	5	0
Joint Staff Committee	3	3	0
Total	55	49	3 (+2) **

** Three seats remain vacant – one each on the Appeals Panel, the Joint Scrutiny Committee and the Community Governance and Electoral Issues Committee. Council needs to allocate these three seats. To obtain balance across the committees and overall, the Opposition Forum Group must gain two seats.

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 preferred substitutes as the number of ordinary seats it holds on a committee or panel, and up to a maximum of three preferred substitutes where it has fewer than three members on a committee

or panel. All substitutes for regulatory committees must have met the relevant training requirement, regardless of whether they are preferred or other substitutes.

Community Grants Panel

13. There is a maximum of nine seats (balanced politically) on the Community Grants 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. For this panel to be politically balanced alone, 8 seats are allocated to the Conservatives and 1 seat is allocated to the Opposition Forum Group.
14. In accordance with the Council's constitution, each political group is entitled to substitutes as detailed in paragraph 12 above.

Licensing Acts Committee

15. 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 premises licence applications and reviews, and gambling matters.
16. 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.
17. As a statutory committee with a specified membership substitutes may not be appointed.

Eligibility to sit on committees and panels.

- Any member of the council may be appointed to any committee with the following exceptions and caveats:
- No member of Cabinet may sit on any Scrutiny Committee;
- No member of Cabinet may sit on the Joint Audit and Governance Committee;
- No member of Cabinet may sit on the Planning Committee;
- No member of Cabinet may sit on the Community Grants Panel;
- The Chairman or Vice Chairman of Council may not be the Chairman or Vice Chairman of any committee or panel;
- No Cabinet member may be the Chairman or Vice Chairman of any committee or panel with the exception of the Joint Staff Committee;
- Most panels meet during the daytime, and only members who have some daytime availability should be selected for these panels. This includes General Licensing Committee and Licensing Acts Committee, which do most of their work through daytime panels.

Appointments

18. 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 Overview and Scrutiny Committee

19. 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

20. 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.

Appointments to sub groups of the Oxfordshire Growth Board

21. The Oxfordshire Growth Board is now responsible for delivery of the Oxfordshire Housing and Growth Deal which was agreed by all Oxfordshire authorities and Government in February 2018. The Growth Board terms of reference have been updated to reflect these new responsibilities and new programmes of work required to deliver the commitment in the Deal.

Oxfordshire Growth Board Advisory Sub Groups

22. The terms of reference establish advisory sub groups to the Growth Board to oversee programmes of work on infrastructure, housing and the Joint Statutory Spatial Plan. The purpose of the sub groups is to oversee the programmes of work to deliver the commitments in the Deal, to monitor progress against the key milestones and make recommendations to the Growth Board on decisions required. It is expected that the sub groups will normally meet on a quarterly basis.
23. The advisory sub groups will be made up of elected member representatives from each of the constituent councils appointed by the leader of that council and other representatives as agreed by members of the Growth Board Joint Committee. The chairmen of the sub-groups will be appointed by the Growth Board and normally drawn from the voting membership of the Growth Board acting as an independent chairman. The leader of the council will advise of the nominations and substitutes in their leader's scheme.

Oxfordshire Growth Board Scrutiny Panel

24. The terms of reference also establish a new Growth Board Scrutiny Panel to enable effective and coordinated scrutiny of Growth Board functions and decisions. The Scrutiny Panel will be non-statutory to enable flexibility for the constituent councils to reflect local scrutiny membership. The ability of the constituent council scrutiny committees to scrutinise the Growth Board will remain. The terms of reference and working arrangements for the Scrutiny Panel will be developed with input from the

scrutiny committee chairmen of the individual councils. The chairman will be elected by the members of the Scrutiny Panel.

25. As a non-statutory panel, the Scrutiny Panel does not need to be politically balanced. It is suggested that Council appoints two Conservative and one Opposition Forum representatives to reflect the membership of the district Scrutiny Committee. There is no provision for substitutes.
26. Council is invited to appoint three representatives to the Scrutiny Panel.

Financial implications

27. There are no direct financial implications.

Legal implications

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

Conclusion

29. In deciding the committees and panels it wishes to establish for the 2018/19 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 Community Grants Panel and the Licensing Acts Committee and to appoint representatives to the Oxfordshire Joint Health Overview and Scrutiny Committee, the Thames Valley Police and Crime Panel and the Oxfordshire Growth Board Scrutiny 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 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 to amend the constitution as necessary.

Background Papers: None