

Council report



Report of Head of Legal and Democratic Services

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To: COUNCIL

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Appointments to committees, panels and joint committees 2014/15

Recommendations

That Council:

1. appoints the committees and panels for the 2014/15 year, allocates seats to each political group and appoints councillors and substitutes to sit on them in accordance with paragraphs 7-9 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 Communities Capital Grant Scheme Panel in accordance with paragraphs 11-13 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 14-16 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 the Leader of Council, one Conservative member and one member from either the Independent, Labour or Liberal Democrat groups and substitutes to the Joint Staff Committee;
8. 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.

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.

Political balance

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

Conservative	32	(66.67%)
Henley Residents	2	(4.17%)
Independent	4	(8.33%)
Labour	4	(8.33%)
Liberal Democrat	4	(8.33%)
Non-group councillors	2	(4.17%)

6. The Local Government (Committees and Political Groups) Regulations 1990 require a constituted political group to be two or more members. Mr Neville Harris and Mr Chris Quinton are not members of any political group and are therefore designated as non-group councillors.

Composition of committees

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

Scrutiny Committee	13 members
Audit and Corporate Governance Committee	8 members
Planning Committee	14 members
General Licensing Committee	10 members
NNDR Appeals Panel	5 members
Housing Appeals Panel	5 members

8. The terms of reference of the committees and panels are set out in the constitution. No changes are proposed.

9. 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. Once the political groups have been allocated their entitlement any remaining seats should be offered to the non-group councillors.

Group	Group members/ Total of Council	Total number of committee seats	Proportionate number of seats on committees
Conservative	32/48	55	37
Henley Residents	2/48	55	2
Independent	4/48	55	5
Labour	4/48	55	5
Liberal Democrat	4/48	55	5
TOTAL	46/48	55	54 (+1)

Committee	Total number of seats	Conservative	Henley Residents	Independent	Labour	Liberal Democrat
Scrutiny	13	9	1	1	1	1
Audit and Corporate Governance	8	5	0	1	1	1
Planning	14(13+1)*	9	1	1	1	1
General Licensing	10	7	0	1	1	1
NNDR Appeals	5	3	0	(1)*	(1)*	(1)*
Housing Appeals	5	3	0	(1)*	(1)*	(1)*
Total	55	36 (+ 1)	2	4 (+1)	4(+1)	4 (+1)

To obtain balance across the committees and overall the Conservative, Independent, Labour and Liberal Democrat Groups must gain a seat. Council needs to decide where these adjustments should be made.

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.

* Council needs to agree the allocation of the seat on the Planning Committee and three of the four panel seats shown in brackets to the Conservative, Independent, Labour and Liberal

Democrat groups so that each group has the correct number of committee seats. This will leave one seat vacant which should be allocated to one of the non-group councillors.

Substitutes

10. 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.

Communities Capital Grant Scheme Panel

11. According to the Communities Capital Grant (CCG) Scheme Policy and Procedure Rules contained in the constitution, Council is required to apportion the twelve seats on the CCG Panel in accordance with the political balance of the Council. 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.
12. This would result in seats being allocated amongst the groups as follows: eight Conservatives, one Henley Residents, one Independent, one Labour and one Liberal Democrat.
13. In accordance with the Council's constitution each political group is entitled to substitutes as detailed in paragraph 10 above.

Licensing Acts Committees

14. The Licensing Acts Committee is a statutory committee and is not required to be included in the calculation of political balance. The committee meets rarely to deal with licensing and gambling policy matters but a membership of 10 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.
15. At its meeting in February 2005 Council agreed to appoint a committee in accordance with the political balance of the Council. This would result in seats being allocated amongst the groups as follows: seven Conservatives, one Independent, one Labour and one Liberal Democrat.
16. As a statutory committee with a specified membership substitutes may not be appointed.

Appointments

17. 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 Staff Committee

18. Council is also invited to appoint representatives to the Joint Staff Committee comprising the Leader of Council, a conservative councillor and a member from one of the opposition groups and substitutes in accordance with the council's procedure rules. A Cabinet member can act as substitute for the Leader of Council.

Joint Health 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.

Financial implications

21. There are no direct financial implications.

Legal implications

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

Conclusion

23. In deciding the committees and panels it wishes to establish for the 2014/15 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 9 of this report and to appoint councillors to them. Council is also invited to appoint councillors to the Communities Capital Grant Scheme Panel and the Licensing Acts Committee and to appoint representatives to the Joint Staff Committee, 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.

Background Papers: None

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