

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 2016/17

Recommendations

That Council:

1. appoints the committees and panels for the 2016/17 year, allocates seats to each political group and appoints councillors and substitutes to sit on them in accordance with paragraphs 8-13 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 Grants Scheme Panel in accordance with paragraph 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. 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;
8. 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	33	(91.67%)
Opposition Forum Group	3	(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	
Appeals Panel (NNDR, benefits and Housing)	5	To replace the NNDR and benefits Appeals Panel and Housing Appeals Panel
Joint Staff Committee	3	6 in total with Vale of White Horse District Council
Corporate Services Joint Scrutiny Committee	2	10 in total with Hart, Mendip and Vale of White Horse District Councils and Havant Borough Council
Total places in politically balanced committees	57	

- Officers propose that 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.
- Officers propose the establishment of one NNDR and benefits and Housing appeals panel. There is currently a Housing Appeals and a NNDR Appeals Panel. They meet infrequently and therefore one panel with trained members is sufficient.

9. The terms of reference of the committees and panels are set out in the constitution and in subsequent agreed council minutes.
10. At its meeting in February, Council authorised the chief executive, in consultation with the chairman of the Scrutiny committee, to finalise the terms of reference of the Corporate Services Joint Scrutiny Committee which will be included in the council's constitution. No changes are proposed to existing committees
11. 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
Conservative	33	91.67%	52
Opposition Forum Group	3	8.33%	5
TOTAL	36	100%	57

Committee	Total number of seats	Conservative seat allocation	Opposition Forum Group seat allocation
Scrutiny	9	8	1
Planning	11	10	1
General Licensing Committee	12	11	1
Appeals Panel (NNDR and Housing)	5	5	0
Joint Scrutiny	5	5	0
Joint Audit and Governance	4	4	0
Community Governance and Electoral Issues Committee	6	5	1
Joint Staff Committee	3	3	0
Corporate Services Joint Scrutiny Committee	2	2	0
Total	57	53 (-1)	4 (+1)

- To obtain balance across the committees and overall the Conservative Group must lose a seat and the Opposition Forum Group must gain a seat. Council needs to decide where these adjustments should be made.

12. 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

13. 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 Grants Scheme Panel

14. 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.

Licensing Acts Committees

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 personal licence holders and premises licence applications and reviews.
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.

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 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 2016/17 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