

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 2019/20

Recommendations

That Council:

1. appoints the committees and panels for the 2019/20 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 all local members representing the wards covered by the relevant area committees to those committees for the 2019/20 municipal year; in accordance with paragraph 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 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.

Purpose of report

1. This report invites Council to agree appointments to those committees required to be politically balanced together with the Area Committees 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 and area committees.

Strategic Objectives

5. This report supports the council's corporate plan in that it contributes to running an efficient council. 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	6	(15.79%)
Liberal Democrat	31	(81.58%)
Non-group councillor	1	(2.63%)

7. The Local Government (Committees and Political Groups) Regulations 1990 require a constituted political group to be two or more members. As such the Green Party councillor is designated as a non-group councillor.

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
Vale Scrutiny Committee	9	
Joint Scrutiny Committee	5	10 in total with South Oxfordshire District Council
Joint Audit and Governance Committee	4	8 in total with South Oxfordshire District Council
Planning Committee	9	
General Licensing Committee	12	
Community Governance and Electoral Issues Committee	6	
Appeals Panel	3	
Joint Staff Committee	3	6 in total with South Oxfordshire District Council
Totals	51	

- 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 members/non-group councillor	Group members	Number of committee seats
Conservative	6	8
Liberal Democrat	31	42
Green	1	0
TOTAL	38	50(+1)

Committee	Total number of seats	Conservative	Liberal Democrat
Scrutiny	9 (8+1)	1	7
Planning	9 (8+1)	1	7
General Licensing Committee	12	2	10
Appeals Panel	3 (2+1)		2
Joint Scrutiny	5	1	4
Joint Audit and Governance	4	1	3
Community Governance and Electoral Issues Committee	6	1	5
Joint Staff Committee	3 (2+1)		2
Total	51	7(+1)	40(+2)

To obtain balance across the committees and overall the Conservative Group must gain one seat and the Liberal Democrat Group two seats. Council needs to decide where these adjustments should be made.

Council needs to agree the allocation of the seat on the Planning Committee, Scrutiny Committee, Appeals Panel and Joint Staff Committee shown in brackets to the Conservative 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 the non-group councillor.

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.

Area Committees

13. In 2003, the Council established area committees with the terms of reference set out in the council's constitution. The areas were revised by Council in May 2015. In January 2011 the Executive delegated the award of community grants to the area committees. The area committees consist of councillors for the relevant area only. Council is invited to confirm the membership of the area committees for the next municipal year as those local members representing those areas. The Council is asked to note that the area committees do not need to be politically balanced and, therefore, the area committees are not included in the calculation of seats to political groups. Council is requested to appoint councillors to the area committees as set out in the schedule circulated at the meeting.

Licensing Acts Committee

14. 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.
15. 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.
16. 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 may sit on an Area Committee if they do not represent that area;
- 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

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 Health Overview and Scrutiny Committee

18. 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

19. 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.

Oxfordshire Growth Board Advisory Sub Groups

20. The terms of reference of the Growth Board establish advisory sub groups to oversee programmes of work on infrastructure, housing and the Oxfordshire Plan 2050. 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.
21. The advisory sub groups are made up of elected member representatives from each of the constituent councils 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. In accordance with the terms of reference of the Growth Board the leader of the council will advise of the nominations and substitutes in their leader's scheme to the following Oxfordshire Growth Board Advisory Sub Groups:
 - Infrastructure (no requirement to be a cabinet member appointment)
 - Affordable Housing (appointment must be a Cabinet member)
 - Oxfordshire Plan 2050 (appointment must be a Cabinet member)

Oxfordshire Growth Board Scrutiny Panel

22. The terms of reference also establish a Growth Board Scrutiny Panel to enable effective and coordinated scrutiny of Growth Board functions and decisions. The Scrutiny Panel is 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 remains. The chairman will be elected by the members of the Scrutiny Panel.

23. As a non-statutory panel, the Scrutiny Panel does not need to be politically balanced. It is suggested that Council appoints two Liberal Democrat and one Conservative representatives to reflect the membership of the district Scrutiny Committee. There is no provision for substitutes.

24. Council is invited to appoint three representatives to the Scrutiny Panel.

Financial implications

25. There are no direct financial implications.

Legal implications

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

Conclusion

27. In deciding the committees and panels it wishes to establish for the 2019/20 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 area committees 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.

Background Papers: None.