

# Council report



Report of Head of Legal and Democratic

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To: COUNCIL

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## Establishment of a Climate Emergency Advisory Committee

### Recommendations

That Council:

1. establishes a Climate Emergency Advisory Committee with the terms of reference and procedure rules set out in Appendix A to this report;
2. allocates seats to each political group and appoints councillors and substitutes to sit on it in accordance with paragraphs seven and eight of this report and as set out in the schedule circulated at the meeting;
3. appoints a chair and vice-chair as set out in the schedule circulated at the meeting;
4. authorises the head of legal and democratic to incorporate the terms of reference and procedure rules set out in Appendix A to this report into the council's constitution and to make any consequential changes to the constitution to reflect the decision of Council.

### Purpose of report

1. This report invites Council to consider whether to establish a Climate Emergency Advisory Committee and, if so, to allocate seats to each political group, appoint councillors and substitutes to sit on it and appoint a chair and vice-chair. It also asks Council to agree the necessary changes to the council's constitution.

### Background

2. At its meeting on 13 February 2019, Council supported a 'Climate Emergency' motion as set out below:

That Council notes that:

- a) the recent 2018 Intergovernmental Panel on Climate Change (IPCC) report states that we have just 12 years to act on climate change if global temperature rises are to be kept within the recommended 1.5 degrees Celsius;
- b) all governments (national, regional and local) have a duty to limit the negative impacts on climate breakdown, and local governments that recognise this should not wait for their national governments to change their policies. UK county, district and city councils need to commit to aggressive reduction targets and carbon neutrality as quickly as possible;
- c) districts are well placed to lead the world in reducing carbon emissions, as their responsibility for planning policies opens up a range of sustainable transport, buildings and energy opportunities;
- d) Council has already shown foresight when it comes to addressing the issue of Climate Change, having signed the Nottingham Declaration on Climate Change in 2007. In 2008, Council agreed a Climate Change Strategy, which provided the framework for the council to set about reducing the carbon footprint of its own activities and of the local community. Between 2008 and 2013, this council collaborated with the Energy Saving Trust on the development of a strategy to reduce area-wide carbon emissions, as well as with the Carbon Trust, to produce a Carbon Management Plan which sets out how the council planned to reduce energy and fuel use in its own buildings and vehicles. All of this has led to a 30% drop in energy use in our buildings through 2018; and
- e) Work has commenced on a review of the council's Climate Change Strategy and Carbon Management Plan in collaboration with the Oxfordshire Energy Strategy, with the aim of bringing a report to Cabinet as soon as possible, and no later than Autumn 2019, the review to come forward to include the feasibility of adopting an early carbon neutral target for the Vale, and proposals for regular reporting to Cabinet, Scrutiny Committee and where necessary full Council the progress with the strategy and plan.

**In light of the above, the Council therefore agrees to:**

1. Join other councils in declaring a Climate Emergency;
2. Ask the leader to write to the Secretary of State to seek confirmation of the Government's intention to work with local government on climate change strategies;
3. Ask that as officers, as per the council's policies, are currently reviewing policy and strategies, that specific consideration be given to how policies, and our related decisions and actions, affect our contribution to climate change, and where necessary, update these policies to reduce our impact wherever possible. As far as possible, the reporting templates for Council, Cabinet and committees to be amended to include an 'Environmental Impact' section;
4. Ask officers to provide the cost and availability of the most appropriate training options for members and officers about how to promote carbon neutral policies for future consideration by Cabinet;
5. Request the Cabinet member for housing and environment to bring to Council a report on the activities of the Oxfordshire Environmental Partnership, of which the Vale is a member on the Vale's environmental policies and strategies; and

6. Continue the positive collaborative work with partners across the district, county and wider region to deliver widespread carbon reductions.
3. In light of the adoption of the above motion, the Leader has indicated a wish to establish a Climate Emergency Advisory Committee to ensure the council is addressing climate change issues.

### **Terms of reference of the advisory committee**

4. The advisory committee would be established by Council but would advise the Cabinet and have no delegated decision making powers. The committee would meet in public and would be subject to the statutory requirements for publication of agenda, reports and minutes. The proposed terms of reference and procedure rules are set out in Appendix A to this report.

### **Political balance**

5. Unlike ordinary committees an advisory committee is not subject to the political balance rules. However, officers recommend that proportionality is applied as far as reasonably practicable to the advisory committee. The entitlement of political groups to seats on committees is as follows:

Conservative	6	(15.79%)
Liberal Democrat	31	(81.58%)
Non-group councillor	1	(2.63%)

6. The non-group councillor is not automatically entitled to a seat.

### **Composition of the committee**

7. Based on a committee of seven the entitlement to seats is as follows:

Liberal Democrat	5.71 = 6 seats
Conservative	1.11 = 1 seat
Non-group councillor	0.18 = 0 seat

### **Substitutes**

8. Officers propose that each political group is entitled to the same number of preferred substitutes as the number of ordinary seats it holds on the committee, and up to a maximum of three preferred substitutes where it has fewer than three members on the committee.

### **Eligibility to sit on committees and panels.**

9. As this is an advisory committee making recommendations to Cabinet, officers propose that no member of the Cabinet should sit on the committee. In accordance

with the council's constitution the Chair or Vice Chair of Council may not be chair or Vice Chair of the committee.

## **Appointments**

10. Officers will invite group leaders to submit the names of councillors they wish to sit on the committee. A table of nominations will be circulated at the meeting.

## **Financial implications**

11. It is proposed that the committee will be serviced within existing officer resources and it will therefore need to plan its work programme accordingly.
12. Chairing a new committee would not attract a special responsibility allowance under the current councillors' allowances scheme. Council can only change the scheme on the recommendation of an independent remuneration panel. Officers plan to convene the panel later in the year to review the scheme and to make recommendations to Council in advance of next year's budget setting. This role would be included within that review.
13. The financial implications of any recommendations made by the committee will be reported to the Cabinet when it considers them.

## **Legal implications**

14. These are set out in the body of the report and in the terms of reference and procedure rules set out in Appendix A to this report.

## **Conclusion**

15. The Leader has indicated a wish for Council to appoint a Climate Emergency Advisory Committee. Council is invited to establish the committee with the terms of reference and procedure rules set out in Appendix A to this report, to allocate seats to political groups in the same proportion as they hold on the council and appoint councillors and preferred substitutes to the committee. Council is also invited to delegate authority to the head of legal and democratic to incorporate the terms of reference and procedure rules into the council's constitution and to make any consequential changes to the constitution to reflect the decision of Council.

**Background Papers:** None.

# Climate Emergency Advisory Committee procedure rules (Vale only)

## Purpose of the committee

1. The committee is an advisory committee with no delegated decision making.
2. To advise Cabinet on matters relating to the climate emergency and environmental sustainability including, but not limited to:
  - Reviewing and making recommendations on ways in which the council can reduce damage to the global and local environment through its policies and practices.
  - Reviewing the internal operations of the council with a view to promoting sustainability, adopting best practice and strengthening the council's environmental performance.
  - Providing community leadership on the climate emergency and sustainability, facilitating and engaging public sector partners, businesses, community groups and the public.
  - Advising on how the council can contribute to delivery of
    - national legally-binding targets on the climate emergency
    - countywide targets on the climate emergency through the Oxfordshire Environment Partnership (OEP)
    - the council's own targets on the climate emergency
    - the Oxfordshire Energy Strategy Delivery Plan
  - Making recommendations on bids for external funding relating to the climate emergency.

## Membership

3. The committee will comprise seven councillors appointed annually by Council and will be politically balanced. The Council will appoint substitutes with an equivalent political balance. No member of the Cabinet will sit on the committee. The chair or the vice-chair of Council shall not act as chair or vice-chair of the committee.

## **Time and place of meetings**

4. The time and place of meetings will be notified in the agenda for each meeting. The committee meetings will take place in accordance with an agreed programme. In addition, extra meetings may be scheduled as required.

## **Notice of, and agenda for, meetings**

5. The head of legal and democratic will give notice to the public of the time and place of any meeting. At least five clear working days before a meeting, the head of legal and democratic will publish the agenda on the council's website and make it available for public inspection at the council's offices, except where the matter under consideration contains confidential or exempt information. The agenda will set out the date, time and location of the meeting, and will specify the business to be transacted. The agenda may contain reports about matters for the committee's consideration. Where not all reports are available with the agenda they will be published as soon as they become available. Committee agendas will also be available for six years after a meeting.

## **Chairing meetings**

6. The chair (or vice-chair in their absence), appointed by Annual Council each year, or by the committee if a vacancy arises, will preside over meetings and lead and guide the work of the committee.

## **Substitutes**

7. The council will appoint the same number of preferred substitutes in respect of each political group as that group holds ordinary seats on the committee. Each political group will be entitled to up to a maximum of three named substitutes where it has fewer than three members on the committee. A political group need not appoint to all available substitute places.
8. Substitute members will have all the powers and duties of any ordinary member of the committee but will not be able to exercise any special powers or duties exercisable by the person they are substituting. These powers and duties will only be attained by the substitute members from the start until the close of the meeting at which they are substituting.
9. Substitute members may attend meetings:
  - to take the place of the ordinary member for whom they are the substitute;
  - where the ordinary member will be absent for the whole of the meeting; and
  - after notifying the head of legal and democratic before the start of the meeting.
10. Where possible, absent members must be substituted by a preferred substitute who has been named, but where this is not possible any member of the same political group may act as a substitutes.

## **Quorum**

11. A quarter of the members of the committee must be present for a legally valid committee meeting to be held. During any meeting, if the chair counts the number of councillors present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next meeting.
12. If there is no quorum at the published start time for the meeting, a period of 15 minutes will be allowed. If there remains no quorum at the expiry of this period, the meeting shall be declared null and void. The business will be considered at a time and date fixed by the chair. If he/she does not fix a date, the remaining business will be considered at the next meeting.

## **Duration of meetings**

13. No meeting shall exceed two and a half hours in duration unless the committee, prior to the expiry of the period, vote for the meeting to continue for a further period not exceeding 30 minutes. Remaining business will be considered at the next meeting.

## **Meeting procedure**

14. The committee shall consider the following business:
  - (a) To receive any apologies and notifications of substitutes;
  - (b) Declarations of disclosable pecuniary interests and other interests;
  - (c) Minutes of the previous meeting; and
  - (d) The business otherwise set out on the agenda for the meeting.

## **Voting**

### **MAJORITY**

15. Any matter will be decided by a simple majority of those councillors voting and present in the room at the time the question was put.

### **CHAIR'S CASTING VOTE**

16. If there are equal numbers of votes for and against, the chair will have a second or casting vote. There will be no restriction on how the chair chooses to exercise a casting vote. If the chair does not exercise his/her casting vote, the motion being considered will be deemed to be lost.

### **SHOW OF HANDS**

17. Unless a recorded vote is requested under rule 18, the chair will take the vote by show of hands, or if there is no dissent, by the affirmation of the meeting.

## RECORDED VOTE

18. If three councillors present at the meeting request it, the names of those voting for and against the motion or amendment or abstaining from voting will be taken down in writing and entered into the minutes. If a recorded vote is requested, the vote shall be taken alphabetically.

## RIGHT TO REQUIRE AN INDIVIDUAL VOTE TO BE RECORDED

19. Where any councillor requests it immediately after the vote is taken, their vote will be so recorded in the minutes to show whether they voted for or against the motion or abstained from voting.

## Attendance by others

20. The committee or the chair of the committee may invite people to address them, discuss issues and/or answer questions. They may for example wish to hear from residents, stakeholders and councillors and officers and may invite such people to attend.

## Public participation

21. The public may address a committee meeting by asking a question, making a statement or presenting a petition. Every question, statement or petition must relate to an agenda item for that meeting. Public questions, statements or petitions will only be accepted at a special meeting of the committee if they relate to the item due to be discussed at that meeting.
22. An application to speak must be made in writing or by email to democratic services [democratic.services@southandvale.gov.uk](mailto:democratic.services@southandvale.gov.uk) by 5.00 pm on the last working day before the day of the meeting. Persons who have registered to speak may appoint someone to speak on their behalf provided that written authority from the person who has registered to speak is given to democratic services before the meeting commences.
23. The public address session will be limited to fifteen minutes. No address shall exceed three minutes. Where the number of speakers exceeds the time available, each speaker's time will be reduced.
24. Questions or statements will be considered by the meeting in the order that they are registered with democratic services. Where multiple questions or statements are received from different people on the same subject, the chair may group these together. There is no provision to ask a supplementary question.
25. If an answer cannot be given to a question at a meeting, a written answer will be provided.
26. The chair of the meeting may suspend the operation of speaking rules at any time if he/she considers it necessary for the purpose of maintaining order.

## **Minutes**

27. The chair will sign the minutes of the proceedings at the next suitable meeting. The chair will move that the minutes of the previous meeting be signed as a correct record. Only the accuracy of the minutes may be discussed.

## **Record of attendance**

28. All councillors present must sign the attendance list provided at the meeting.

## **Exclusion of the public**

29. The public and press may only be excluded from attending a committee meeting for the consideration of confidential or exempt business or under rule 34 and 35 (disturbance by the public).

## **Councillors' conduct**

30. If more than one councillor speaks, the chair will ask one to speak. Other councillors must remain silent whilst a councillor is speaking unless they wish to make a point of order or a point of personal explanation.

### **CHAIR SPEAKING**

31. When the chair speaks during a debate, any councillor speaking at the time must stop.

### **COUNCILLOR NOT TO BE HEARD FURTHER**

32. If a councillor persistently disregards the ruling of the chair by behaving improperly or offensively or deliberately obstructs business, the chair may move that the councillor be not heard further. If seconded, the motion will be voted on without discussion.

### **COUNCILLOR TO LEAVE THE MEETING**

33. If the councillor continues to behave improperly after such a motion is carried, the chair may move that either the councillor leaves the meeting or that the meeting is adjourned for a specified period. If seconded, the motion will be voted on without discussion.

### **GENERAL DISTURBANCE**

34. If there is a general disturbance making orderly business impossible, the chair may adjourn the meeting for as long as he/she thinks necessary.

## **Disturbance by the public**

### REMOVAL OF MEMBER OF THE PUBLIC

35. If a member of the public interrupts the meeting, the chair will invite the person to stop. If they continue to interrupt, the chair will order their removal from the meeting room.

### CLEARANCE OF PART OF MEETING ROOM

36. If there is a general disturbance in any part of the meeting room open to the public, the chair may call for that part to be cleared and if necessary adjourn the meeting for as long as he/she thinks necessary.

## **Attendance by other district councillors at meetings**

37. Any councillor may attend a meeting of the committee. With the consent of the chair he/she may speak, but not vote, on any item on the agenda for the meeting.