

Council report



Report of Head of Legal and Democratic

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To: COUNCIL

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Review of political balance and allocation of seats to committees

Recommendations

That Council:

1. appoints the committees and panels for the 2024/25 year, allocates seats to each political group and appoints members and substitutes to sit on them in accordance with paragraphs 7-11 of this report and as set out in the schedule circulated at the meeting;
2. appoints chairs and vice-chairs 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 2024/25 municipal year; in accordance with paragraph 13 of this report and as set out in the schedule circulated at the meeting;
4. appoints members to the Climate Emergency Advisory Committee in accordance with paragraphs 14 and 15 of this report and as set out in the schedule circulated at the meeting;
5. appoints members to the Licensing Acts Committee in accordance with paragraphs 16-18 of this report and as set out in the schedule circulated at the meeting;
6. appoints a representative and a substitute on the Oxfordshire Joint Health Overview and Scrutiny Committee;
7. appoints a representative and a substitute on the Thames Valley Police and Crime Panel;
8. appoints three representatives to the Future Oxfordshire Partnership Scrutiny Panel;
9. 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 Climate Emergency Advisory Committee and the Licensing Acts Committee.

Background

2. Section 15 of the Local Government and Housing Act 1989 imposes a duty on a local authority at its annual meeting, or as soon as possible after it, to review the allocation of seats on the committees of the Council between the political groups. The Council may carry out such a review at any other time and may do so if requested by a political group.
3. In summary the Council has a duty to ensure the following principles are adhered to:
 - (i) where there is more than one political group, 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.
5. Ungrouped members are not entitled to committee seats and any seats given are at the discretion of Council.

Strategic Objectives

6. This report supports the council's corporate plan theme of Working in an open and inclusive way. 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

7. The current political composition of the Council's 38 seats is as follows:
 - Green Group – 4 (11.1%)
 - Liberal Democrat Group - 32 (88.9%)
 - Independent – 1 (0%) as a non-group member
 - Vacancy – 1 (0%)
8. The Local Government (Committees and Political Groups) Regulations 1990 require a constituted political group to be two or more members. As such Councillor Povolotsky, an Independent member, is designated as a non-group member. There is also a vacancy following Richard Webber's resignation as the ward member for Sutton Courtenay.

Composition of committees

9. 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	5	10 in total with South Oxfordshire District Council
Totals	53	

- 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 chairs and vice chairs.

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.

Groups	Group members	Number of committee seats
Liberal Democrat	32	47
Green	4	6
TOTAL	36	53

Committee	Total number of seats	Liberal Democrat	Green
Scrutiny	9	8	1
Planning	9	8	1
General Licensing Committee	12	11	1

Appeals Panel	3	3	0
Joint Scrutiny	5	4	1
Joint Audit and Governance	4	4	0
Community Governance and Electoral Issues Committee	6	5	1
Joint Staff Committee	5	4	1
Total	53	47	6

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 members 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 members to the area committees as set out in the schedule circulated at the meeting.

Climate Emergency Advisory Committee

14. This advisory committee with a membership of seven members 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 committee to be politically balanced alone, it is suggested that 6 seats are allocated to the Liberal Democrat Group and 1 to the Green Group.

15. In accordance with the Council's constitution, each political group is entitled to substitutes as detailed in paragraph 12 above.

Licensing Acts Committee

16. 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.
17. 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.
18. 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 Chair or Vice Chair of Council may not be the Chair or Vice Chair of any committee or panel;
- No Cabinet member may be the Chair or Vice Chair 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.
- The requirement for members to declare disclosable pecuniary interests, other registrable interests and non-registrable interests or any conflicts of interest applies to all committees and panels.

Appointments

19. Officers have invited group leaders to submit the names of members they wish to sit on each of the above bodies. A table of nominations will be circulated prior to the meeting.

Joint Health Overview and Scrutiny Committee

20. 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

21. Council is invited to appoint a representative and a substitute to the Thames Valley Police and Crime Panel.

Future Oxfordshire Partnership Scrutiny Panel

22. The Scrutiny Panel is non-statutory and is only advisory, unlike the council's scrutiny functions. The ability of the constituent council scrutiny committees is primary regarding the statutory ability to scrutinise the Future Oxfordshire Partnership. The chair 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, but councils are asked to have regard to their own political balance in making appointments.

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.

Climate and ecological impact implications

27. There are no climate or ecological implications arising from this report.

Equalities implications

28. There are no equality implications arising from this report.

Conclusion

29. In deciding the committees and panels it wishes to establish for the 2024/25 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 area committees, the Climate Emergency Advisory Committee 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 Future Oxfordshire Partnership 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.