

**To: Annual Council**

**Date: 23rd May 2012**

**Report of: Head of Law and Governance**

**Title of Report: APPOINTMENT OF COMMITTEES FOR THE COUNCIL  
YEAR 2012 – 13 AND OTHER MATTERS**

### **Summary and Recommendations**

**Purpose of report:** This report invites Council to appoint committees for the Council Year 2012 - 13 and members to serve upon them and recommends a change to the carrying out of council responsibilities in respect of licensing.

**Report Approved by:**

**Legal:** Jeremy Thomas

**Policy Framework:** Not applicable

**Recommendation(s):** Council is RECOMMENDED:-

1. To appoint a Licensing Committee (last year called the Licensing and Gambling Acts Committee) to discharge the responsibilities contained in the Licensing Act 2003 and the Gambling Act 2005, with powers and duties as set out in paragraphs 5.4 and 5.5 of the Constitution (amended as referred to in recommendation 7 below), and members to it.
2. To consider the appointment of an East Area Planning Committee, a West Area Planning Committee, a Planning Review Committee, an Audit and Governance Committee, a General Purposes Licensing Committee, an Appointments Committee and a Disciplinary Committee for the Chief Executive, Directors and Heads of Service (each of these committees were appointed for the 2011 - 12 Council Year), with powers and duties as set out in Sections 5 and 7 of the Constitution, and members to serve upon them.
3. (a) Subject to Council agreeing the report on standards arrangements that appears as item 13 on the agenda of this Annual Meeting of Council, to appoint a politically balanced Standards Committee with powers and duties as set out in the report, the Committee to

come into being when the law is changed (expected to be on 1<sup>st</sup> July 2012)

- (b) Until the law is changed (expected to be on 1<sup>st</sup> July 2012) to appoint a Standards Committee with the composition and membership as shown in Appendix 2 to this report and powers and duties as set out in Section 7 of the Constitution.
4. To appoint at least one scrutiny committee and members to serve upon it.
  5. To consider whether to appoint a pool of members to be the observer representative on appeals bodies as described in paragraph 9 of this report.
  6. To appoint a member to the Oxfordshire Joint Health Overview and Scrutiny Committee – paragraph 10 of this report refers.
  7. That responsibility for recommending all licensing policies to full Council become that of the City Executive Board.
  8. To authorise the Head of Law and Governance to make any changes to the Constitution in consequence of Council's decisions on committee appointments and powers and duties.

**This report is submitted to Annual Council under Council Procedure Rule 11.1 (g), (h) and (i).**

### **Appendices**

1. The report contains the following Appendices:-
  - **Appendix 1** – details of Committees Council is being invited to appoint for the 2012 - 13 Council Year and the names of members appointed to serve on them as notified by the Party Groups
  - **Appendix 2** – Standards Committee (Local Government Act 2000)

### **Appointment of Committees**

2. The committees that Council is being invited to appoint for the 2012 - 13 Council Year are referred to in **Appendix 1** to this report. The words that appear below the table in the Appendix are references to special requirements of these committees. So for example, for the three committees that will deal with planning applications it says that members may not serve on more than one of those committees. On scrutiny committees, Council is advised that in law at least one scrutiny committee must be appointed. Last year Council appointed two scrutiny committees, the Value and Performance Scrutiny Committee and the Communities and Partnership Scrutiny Committee.

## **Political Balance and Statutory Committees**

4. Apart from the committee required to be established to discharge duties under the Licensing Act 2003 and the Gambling Act 2005 (this is a statutory committee that must be appointed – the Council calls this committee the Licensing and Gambling Acts Committee) and, for the moment, a standards committee (see paragraph 7 below), all committees appointed by Council must be politically balanced. Political balance need not apply to the Licensing and Gambling Acts Committee or the Standards Committee referred to in paragraph 7 and Appendix 2.
5. Further on the Licensing and Gambling Acts Committee, this must by law consist of between 10-15 members. Council last year appointed a Licensing and Gambling Acts Committee consisting of 15 members. The Committee ought to consist of 15 members, the maximum permitted under the 2003 Act, to enable the casework for which it is responsible to be shared out and not fall unduly on a few members.

## **Standards Committee**

6. This Annual Meeting has on its agenda a report and recommendations concerning standards matters. On the assumption that those recommendations are agreed by Council, this report recommends the appointment of a politically balanced Standards Committee.
7. The present standards arrangements will not be replaced until 1<sup>st</sup> July 2012 (and maybe later) and so, in accordance with the Local Government Act 2000, until then Council needs to appoint and maintain a statutory Standards Committee. **Appendix 2** to this report sets out the composition of the present 2000 Act committee and the names of councillors appointed to it. The Committee is unlikely to need to meet before its demise and replacement by the politically balanced Standards Committee referred to in paragraph 6.

## **Powers and Duties of Committees**

8. Licensing policies are at present recommended to Council by one of the two licensing committees. In contrast, planning policy documents are considered by the City Executive Board and then recommended for adoption to full Council. The planning documents are not considered or recommended to Council by a planning committee. In order that the same route is followed for all policies to be agreed by full Council this report recommends that all licensing policy reports that are to be recommended to full Council are referred there by the City Executive Board and not by a licensing committee.

## **Appeals**

9. Council on 19<sup>th</sup> January 2009 adopted some new HR policies. The grievance and disciplinary policies and procedures do not provide for appeals to be made to any member body. However, where an appeal is made against dismissal or in respect of some grievance decisions the Panel that would deal with the appeal must contain a member observer. Council is being asked if it wishes to nominate a pool of members to serve in that capacity on appeals bodies.

## **Countywide Health Scrutiny Committee**

10. The City Council, and each of the other Oxfordshire Districts, has one seat on the Oxfordshire Joint Health Overview and Scrutiny Committee. Last year Council appointed Councillor Pressel to serve on the Committee. Council is being invited to appoint a councillor to serve on the Committee for the 2012 - 13 Council Year.

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