

To: Annual Council

Date: 19th May 2011

Item No: 11

Report of: Head of Law and Governance

Title of Report: APPOINTMENT OF DECISION-MAKING AND OTHER BODIES FOR THE COUNCIL YEAR 2011 - 12

Summary and Recommendations

Purpose of report: This report invites Council to appoint decision-making and other bodies for the Council Year 2011 - 12 and members to serve upon them.

Report Approved by:

Finance:

Legal: Jeremy Thomas, Head of Law and Governance

Policy Framework: Not applicable

Recommendation(s): Council is RECOMMENDED:-

1. To appoint a Standards Committee with powers and duties as set out in paragraph 7.8 of the Constitution, and members to it.
2. 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, and members to it.
3. To consider the appointment of 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 2010 - 11 Council Year), with powers and duties as set out in Sections 5 and 7 of the Constitution, and members to serve upon them.

4. To appoint an East Area Planning Committee and a West Area Planning Committee to determine planning applications and discharge other responsibilities, and a Planning Review Committee to determine called in planning applications, with the powers and duties set out in more detail in paragraph 5.3 of the Constitution, and members to serve upon them.
5. To appoint at least one scrutiny committee and members to serve upon it.
6. To consider whether to appoint a pool of members to be the observer representative on appeals bodies as described in paragraph 5 of this report.
7. To appoint a member to the Oxfordshire Joint Health Overview and Scrutiny Committee – paragraph 6 of this report refers.
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.

Appendices

1. The report contains the following Appendices:-
 - Appendix 1 – details of Committees Council is being invited to appoint for the 2011 - 12 Council Year.
 - Appendix 2 (circulated separately) – names of members appointed to serve on Committees as notified by the Party Groups.

Council's Decisions in April

2. On 18th April 2011 Council agreed changes to its democratic decision-making arrangements. It decided that as from the start of the 2011-12 Council Year area committees be not reappointed. It also decided that new arrangements would apply for dealing at committee level with planning applications. These involve the replacement of the current arrangements with two area planning committees and a committee that will deal with any called in planning applications.

Details of Committees

3. The committees that Council is being invited to appoint for the 2011 - 12 Council Year are referred to in Appendix 1 to this report. The words in bold italics in the Appendix are references to special requirements of these committees. So for example, against the three committees that will deal with planning applications it says that members may not serve on more than one of those committees. Further 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 Standards Committee and the committee required to be established to discharge duties under the Licensing Act 2003 and the Gambling Act 2005 (these are both statutory committees that must be appointed), all committees appointed by Council must be politically balanced. Political balance need not apply to the statutory committees. The number of members of each of the three political groups needing to be appointed to committees to achieve political balance are referred to in the Appendix. Further on the licensing 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.

Appeals

5. Council on 19th 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

6. 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 2011 - 12 Council Year.

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Background papers: None

Version number: 1

COUNCIL AND COMMITTEE MEETINGS 2011 - 12 – SEAT ALLOCATIONS AND SPECIAL REQUIREMENTS

VALUE AND PERFORMANCE SCRUTINY COMMITTEE

12 members comprising 7 Labour, 4 Liberal Democrat, 1 Green. ***Chair must be an Opposition member. At least one scrutiny committee must be appointed. No City Executive Board members may be appointed to the Committee and no Board member may serve as a substitute for a Scrutiny Committee member.***

COMMUNITIES AND PARTNERSHIP SCRUTINY COMMITTEE

12 members comprising 7 Labour, 4 Liberal Democrat, 1 Green. ***Chair must be an Opposition member. At least one scrutiny committee must be appointed. No City Executive Board members may be appointed to the Committee and no Board member may serve as a substitute for a Scrutiny Committee member.***

GENERAL PURPOSES LICENSING COMMITTEE

10 members comprising 5 Labour, 4 Liberal Democrat, 1 Green.

EAST AREA PLANNING COMMITTEE

9 members comprising 5 Labour, 3 Liberal Democrat, 1 Green. ***Members appointed to this Committee may not also be appointed to either the West Area Planning Committee or the Planning Review Committee.***

WEST AREA PLANNING COMMITTEE

9 members comprising 5 Labour, 3 Liberal Democrat, 1 Green. ***Members appointed to this Committee may not also be appointed to either the East Area Planning Committee or the Planning Review Committee.***

PLANNING REVIEW COMMITTEE

9 members comprising 5 Labour, 3 Liberal Democrat, 1 Green. ***Members appointed to this Committee may not also be appointed to either the West Area Planning Committee or the East Area Planning Committee.***

AUDIT AND GOVERNANCE COMMITTEE

7 members comprising 4 Labour, 2 Liberal Democrat and 1 Green.

DISCIPLINARY COMMITTEE FOR THE CHIEF EXECUTIVE, SERVICE HEADS AND DIRECTORS

4 members comprising 2 Labour and 2 Liberal Democrat. ***At least one member must be a Board member.***

APPOINTMENTS COMMITTEE

5 members comprising 3 Labour and 2 Liberal Democrat. ***At least one member must be a Board member.***

STANDARDS COMMITTEE

Political balance not required. 5 members in total (plus independent and parish members). ***No more than one Board member may be a member of the Committee. Chair and Vice-Chair must be independent members (ie not councillors).*** If political balance applied, membership would be 3 Labour, 2 Liberal Democrat. Political balance did not apply in 2010 – 11 and 2 Labour, 1 Liberal Democrat, 1 Green and 1 IWCA members were appointed.

LICENSING AND GAMBLING ACTS COMMITTEE

Political balance not required. 15 members in total. If political balance applied, membership would be 8 Labour, 5 Liberal Democrat and 2 Green. In 2010 – 11 political balance was applied in these numbers. ***Members of this Committee must be generally available to serve on licensing casework sub-committees that are programmed to meet at three weekly intervals throughout the year.***

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