

**To:** Annual Council  
**Date:** 13 May 2019  
**Report of:** Head of Law and Governance  
**Title of Report:** Appointment of Committees for the Council Year 2019-20

| <b>Summary and recommendations</b>   |  |
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| <b>Purpose of report:</b>  | For Council to appoint committees and the members serving on those committees for the Council year 2019-20 |
| <b>Legislation:</b>  | Local Government and Housing Act 1989 (Section 15)   |
| <b>Recommendation(s): Council is recommended to:</b>   |  |
| <ol style="list-style-type: none"> <li>1. <b>Approve</b> the structure of the Council committees, as defined within the Council's constitution and set out in <i>Appendix 1: Committee structure</i>;</li> <li>2. <b>Approve</b> the methods, calculations and conventions used in determining political representation on committees as outlined in the report and set out in <i>Appendix 2: Political proportionalities on Council committees (other than those to be appointed on an ad hoc basis) 2019-20</i>;</li> <li>3. <b>Approve</b> the appointment of nominated members to Council committees in accordance with the requirements of political proportionality and the nominations made by political groups, as set out in <i>Appendix 3: Committee nominations 2019-20</i>;</li> <li>4. <b>Agree</b> that all members of Council will form the pool of members able to observe on appeals and some grievance panels;</li> <li>5. <b>Appoint</b> three non-executive members to the Oxfordshire Growth Board Scrutiny Panel;</li> <li>6. <b>Appoint</b> one non-executive member to the Joint Oxfordshire Health Overview and Scrutiny Committee (<i>see Appendix 3: Committee nominations 2019-20</i>).</li> </ol> |  |

| <b>Appendices</b> |  |
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| Appendix 1        | Committee structure  |
| Appendix 2        | Political proportionalities on Council committees 2019-20 (to be circulated separately in the Briefing Note) |
| Appendix 3        | Committee nominations 2019-20 (to be circulated separately in the Briefing Note)                             |

## **Introduction and background**

1. This report invites Annual Council to appoint non-executive and regulatory committees for the 2019-20 Council year in accordance with the Council Procedures set out in the Constitution (Section 11.1 (i) and (j)).
2. The proposed committee structure that Council is asked to approve is attached as Appendix 1 and is unchanged from last year.
3. The Local Government and Housing Act 1989 (Section 15) (“The Act”) provides a statutory basis for the allocation of seats to political groups based on principles of political proportionality. To enable this the Council has to provide for:
  - a. Political Groups to be formed and Group Leaders elected.
  - b. Seats on committees to be allocated to political groups in accordance with the requirements of the Act.
4. The political balance of the Council and its committees has been reviewed in accordance with the provisions of the Act. Appendix 2 (to be circulated in the Briefing Note) shows the political proportionalities on the committees the Council is asked to appoint to.
5. Appendix 3 (to be circulated in the Briefing Note) shows the nominations to the seats on committees.

## **Political Groups**

6. Individual members are required to indicate a wish to be a member of a particular political group (or cease to be a member of a political group). Political groups comprise two or more members who have indicated that they wish to be a member of that group by signing a notice to the proper officer, the Head of Law and Governance. The Group Secretaries of established groups will normally hold and co-ordinate these notices (commonly known as political group forms). The notice must include the name of the Group Leader and can also include the name of the Deputy Group Leader.
7. Once political groups have been formed, changes to the membership and leadership of groups can be made by notice to the Head of Law and Governance. A change of group leader must be notified by a majority of group members.

## **Political balance calculations**

8. Council has a duty to appoint to most committees using the principles of political proportionality set out in the Act. These principles should be read hierarchically:
  - Where there is more than one political group, all seats must not be allocated to the same group.
  - The majority of seats must be allocated to the group with the majority on the Council.
  - When considering all seats available for allocation the total of those given to each group should match their representation on the Council overall.
  - The number of seats on each individual committee allocated to groups should match their representation on the Council overall.

9. Applying these principles may not result in a precise mathematical allocation of seats. In these cases the allocations will rounded up at 0.5 and above.
10. In the event that achieving political proportionality on all committees results in an overall over-allocation of seats to a particular group, the group with the over-allocation will be asked which seat(s) they wish to relinquish. Any such seats will then be reallocated to group(s) with an overall under-allocation of seats. This process may involve some discussion between political groups.
11. Non-grouped independent members are not treated as political groups but do affect overall proportionality. As such they should ordinarily be offered any seats left over once all groups have received their full proportional allocation of seats. Independent members have been asked whether they would wish to be allocated seats should this scenario arise:
  - Councillor Haines has indicated that he would not wish to sit on any committees.
  - Councillor Henwood has indicated that he would wish to sit on committees.
  - Councillor Malik has expressed a preference for remaining on the Planning Review Committee.
12. The requirements of political proportionality do not apply to the Licensing and Gambling Acts Committee but the convention is that Council will apply the same principles when appointing to this committee.
13. Table 2 in Appendix 2 shows the numbers of committee seats allocated to political groups for the 2019-20 council year on the basis of the methods, calculations and conventions described in paragraphs 8-11. A total of 72 committee seats are included in political balance calculations. Table 3 shows the further 16 seats on committees that do not have to be politically balanced.

### **Appointments to Council Committees**

14. Table 4 in Appendix 3 (to be circulated separately in the Briefing Note) shows the nominations to committee seats made by political groups, in accordance with the seat allocations shown in Appendix 2. Council is recommended to approve the appointment of the nominated members to committees as set out in Appendix 3.
15. There will be a standing item on Council agendas to enable political groups to propose any changes to their committee appointments, should they wish to do so.

### **Appeals and grievances**

16. The Council's HR policies require that should an appeal be received against a decision to dismiss an employee, then a hearing should be observed by an elected member. The same applies to certain appeals within the Council's grievance procedure. A pool of members is required and Council is recommended to agree, as in previous years, that this pool consists of all members of Council.

### **Oxfordshire Growth Board appointments**

17. Council is invited and recommended to appoint three non-executive members to the Oxfordshire Growth Board Scrutiny Panel. This is a non-statutory body that exists to scrutinise the work of the Oxfordshire Growth Board and comprises three members from each of the constituent councils.

18. Council is asked to appoint three members to this body, having regard to its own political balance. The convention established in 2018 is to appoint one member from each of the three political groups. To provide a clear link to the Council's own scrutiny function, it is suggested that these are also members of the Scrutiny Committee, including the Chair (or Chair-elect) of Scrutiny.
19. Appointments to the Oxfordshire Growth Board and its three advisory sub-groups are matters for the executive and will be announced by the Leader.

### **Appointment to the Joint Oxfordshire Health Overview and Scrutiny Committee**

20. Oxfordshire County Council invites the Council to appoint one non-executive member to sit on the Joint Oxfordshire Health Overview and Scrutiny Committee, which delivers the health scrutiny function for Oxfordshire. The member nominated by the controlling political group will be named in Appendix 3 (circulated in the Council Briefing Note).

### **Appointments to Scrutiny Panels and Review Groups**

21. The Scrutiny Committee may establish sub-committees (known as standing panels) or review groups (otherwise known as 'task and finish' groups) and appoint members to them. Membership of these bodies will be cross-party and can be drawn from all non-executive members but the principles of political proportionality do not apply. Nominations to these bodies will be handled separately, once they have been established by the Scrutiny Committee.

### **Financial issues**

22. There are no financial issues to consider.

### **Legal issues**

23. The legal issues including the Council's duty to appoint to committees in accordance with the provisions of S15 of the Local Government and Housing Act 1989 are contained within the report.

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**Background Papers:** None