

Central Bedfordshire Council

Annual meeting of Council

19 May 2016

Appointment of Members, Chairmen and Vice-Chairmen to Committees and other Council Bodies 2016/17

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Purpose of this report

1. The report outlines the requirements for appointments to committees and other Council bodies, including political proportionality. Nominations from Group Leaders will be circulated separately.

RECOMMENDATIONS

Council is asked to:

1. **confirm for the municipal year 2016/17:**
 - (a) **the structure, size and terms of reference of the committees, sub-committees and joint committees set out in sections D1, E2 and J2 of the Council's constitution; and**
 - (b) **the allocation of seats and substitutes to these and other bodies, as listed in Appendix A to this report, in accordance with the political balance rules where they apply.**
2. **that the appointment of individual Members and substitutes to committees and other bodies be approved in accordance with nominations to be submitted by the political groups (Appendix B);**

3. **that the appointment of at least 1 member of the Council to the Central Bedfordshire Health and Wellbeing Board, nominated by the Leader, be approved (Appendix C);**
4. **that the appointment of Chairmen and Vice-Chairmen of committees for the municipal year 2016/17 be approved in accordance with nominations to be submitted by the political group leaders (Appendix D);**
5. **to note that that the following persons have been appointed to the Children's Services Overview and Scrutiny Committee as co-opted members with voting rights on education matters for the period May 2015 to the AGM in May 2019:**
 - (a) **Debbie Main, NORES (supporting Catholic education) representative (since March 2016 has replaced Frances Image, Roman Catholic Diocesan representative appointed May 2015 but who has now retired)**
 - (b) **David Morton, Church of England Diocesan representative**
 - (c) **Stephen Court, School Parent Governor representative**
 - (d) **Gillian Deans, School Parent Governor representative**
 - (e) **Emily Rowlands, School Parent Governor representative**

Overview and Scrutiny Comments/Recommendations

2. Making the appointments is the responsibility of the full Council and does not fall within the remit of the overview and scrutiny process.

Principles of proportionality

3. The principles set out in the Local Government and Housing Act 1989, in relation to bodies that are required to be proportional, are:
 - a. that not all the seats on the body may be allocated to the same political group
 - b. that the majority of seats be allocated to the majority group (see Note below)
 - c. that subject to (a) and (b) above, the **total number of seats** on all "ordinary" committees must be proportional to the overall balance of political groups on the Council;

- d. that subject to (a), (b) and (c) above, the allocation of seats on **individual bodies** should also reflect the overall balance of political groups on the Council.
4. **Note:** Seats reserved for education co-opted members (see paragraphs **20-21** below) are to be taken into account for the purpose of determining how many seats constitute a majority.
5. In the context of the Act, the term 'ordinary' committees includes only committees that have delegated powers to discharge the Council's statutory functions, and does not include informal bodies that are not committees.
6. A 'political group' is constituted when two or more Members sign a written notice, delivered to the Proper Officer, declaring their wish to be treated as a political group and giving the name of the group and of the group's leader.
7. Where there are Members who do not belong to any political group, a proportionate number of the available seats will not be allocated to any political group; and the Council is required to appoint to those seats from among the Members who do not belong to any political group, according to its discretion. Thus a single independent Member cannot constitute a political group but should be taken into account for the purpose of the overall allocation of available seats.

Appointment of Councillors to Committees, etc

8. It is necessary to appoint Members to serve on the various committees, joint committees and other Member forums listed in **Appendix A** for the municipal year 2016/17. Also shown are the legal and/or constitutional requirements relating to each committee, etc., including the agreed constitutional requirements for some joint bodies.
9. **Appendix A** shows the calculations for each of the 'ordinary' committees, joint committees and other Council bodies where the political balance rules apply, as listed under section 'A. Proportional Bodies'.

10. These calculations are based on the overall balance of political groups on the Council which is as follows:

	Conservative	Independent	Labour	Liberal Democrat	Total
no + % of Cllrs	53 89.83	3 5.08	2 3.39	1 1.69	59 100
allocation of all proportional seats	72.76	4.12	2.75	1.37	80

11. Applying a simple proportional basis to each proportional body individually (without reference to overall balance) would produce an allocation of seats on each body as set out below.

No of seats	Conservative	Independent Group	Labour	Liberal Democrat
20	18	1	1	0
19	17	1	1	0
18	16	1	1	0
17	15	1	1	0
16	14	1	1	0
15	14	1	0	0
14	13	1	0	0
13	12	1	0	0
12	11	1	0	0
11	10	1	0	0
10	9	1	0	0
9	8	1	0	0
8	7	1	0	0
7	6	1	0	0
6	6	0	0	0
5	5	0	0	0
4	4	0	0	0

12. **Appendix A** shows how individual committee memberships could be constituted on this basis. Group leaders have been apprised of this approach and the proposed membership is set out at **Appendix B**.
13. The number of substitutes is shown in brackets, where they may be appointed. Under the constitution, these will be half the number of seats that each political group holds on the particular committee, being a minimum of one and rounded up in the case of odd numbers. Each independent Member not belonging to a political group within the Council is entitled to nominate a substitute to attend in his/her place.

14. Non-proportionate bodies are listed in Section B of **Appendix A**.
15. The Appointments Panel, from which individual Appointments Sub-Committees will be selected, will need to be appointed at a special meeting of the General Purposes Committee following the Council meeting. Each Sub-Committee will appoint its own Chairman for the meeting.
16. The Health and Wellbeing Board, a statutory Committee of the Council from April 2013, must, under S194 of the Health and Social Care Act 2012, include at least one member of the Council nominated by the Leader and appointed by the Council, plus certain Council officers with particular statutory responsibilities, a representative of the Local Healthwatch organisation and a representative of each relevant clinical commissioning group. The Council may also appoint such other persons as it thinks appropriate. The recommended nominations by the Leader are set out in **Appendix C**.
17. There is a separate report on the agenda on the appointment of the Executive, which is not required to be proportionate, by the Leader of the Council.

Appointment of Chairmen and Vice-Chairmen

18. The Council is also requested to appoint Chairmen and Vice-Chairmen of the Council's 'ordinary' committees, nominations for which are submitted in **Appendix D**. The nomination for the Health and Wellbeing Board is also included in **Appendix D**. In the event of more than one nomination being received for the chairmanship or vice-chairmanship of a committee, each nomination in respect of that office will need to be put to the vote. The Vice-Chairman of the Health and Wellbeing Board shall be appointed by the Board at its first meeting in 2016/17, on 27 July 2016.

Appointment of Co-opted Members for Education Matters

19. The Local Government Act 2000 and Regulations made under it require certain representatives to be co-opted onto any overview and scrutiny committee whose functions relate wholly or partly to any education functions which are the responsibility of the authority's Executive. That committee is the Children's Services Overview and Scrutiny Committee. The co-opted members have a vote on education matters only.

20. The statutory co-optees are:
- a. between two and five parent governor representatives who must be appointed following an election among parent governors of schools maintained by the local education authority and may serve for up to four years; the Central Bedfordshire constitution requires three such parent governors; and
 - b. two church representatives, to be nominated respectively by the Church of England Diocesan Board and the Roman Catholic Diocesan Bishop for the area.
21. At its meeting on 14 April 2011, Council determined that the period of appointment should be for a 4-year term in line with the 4-year term of the Council, starting at the beginning of the term of the newly-elected Council in 2011 and ending at the Council's AGM in 2015. Appointments for a further 4-year term were made at the Annual Meeting in 2015 and the period will end at the Council's AGM in 2019. Where vacancies have arisen, replacement appointments have been made for the remaining period of the term.

Council Priorities

22. The appointment of members to Committees enables the Council's priorities to be addressed through the decision making processes.

Legal Implications

23. The appointment of elected Members must comply with the proportionality requirements in sections 15 and 16 of the Local Government and Housing Act 1989.
24. The appointment of co-opted members to the Children's Services Overview and Scrutiny Committee must comply with paragraphs 7 and 9, Schedule 1 of the Local Government Act 2000 and The Parent Governor Representatives (England) Regulations 2001 (S.I. 2001/478).

Financial Implications

25. There are no financial implications.

Equalities Implications

26. There are no equalities implications in making the appointments to the committees.

Conclusion and next Steps

27. Further to the membership of committees being set, meetings will take place in accordance with the Calendar of Meetings 2016/17, agreed by Council on 21 January 2016.

Appendices

Appendix A – Member Appointments required by Annual meeting of Council

Appendix B – Nominations for Membership of Committees, etc. 2016/17

Appendix C – Nominations from the Leader of the Council for Councillors to be members of the Health and Wellbeing Board in 2016/17

Appendix D – Nominations for Chairmanship and Vice-Chairmanship of Committees 2016/17

Background Papers

28. The following background papers, not previously available to the public, were taken into account and are available on the Council's website:

None