

Bath & North East Somerset Council

MEETING:	Council
MEETING DATE:	8 th May 2014
TITLE:	Appointment of Committees and Panels and other Annual Business
WARD:	ALL
AN OPEN PUBLIC ITEM	
List of attachments to this report: Appendix 1 – Current committee and panel membership and chairing arrangements (as agreed at May 2013 AGM) Appendix 2 – Terms of Reference of Panels, Committees and other bodies in the Council's Constitution	

1 THE ISSUE

1.1 This report invites the Council to consider its non-executive and regulatory Committee arrangements for the Council Year May 2014 to May 2015 and associated annual business.

2 RECOMMENDATION

Council is asked to:

- 2.1 Approve the structure for non-executive and regulatory decision making and Policy Development & Scrutiny working (set out in its current form in appendix 2);
- 2.2 Accordingly, appoint those bodies with membership, terms of reference and delegated powers as set out in the Constitution (with any necessary amendments arising from this meeting);
- 2.3 Note that the operation of the Parishes Liaison meeting (Terms of Reference attached as part of Appendix 2) will be reviewed as the Connecting Communities programme is rolled out;
- 2.4 Approve the allocation of seats on those Committees and Panels (such seats to be filled in accordance with the nominations made by the political groups);
- 2.5 Appoint to chair each committee and panel those Councillors as may from time to time be nominated by the political group to whom the chairmanship of the body is allocated (current arrangements are as set out in appendix 1);

- 2.6 Authorise the Monitoring Officer to fill any casual vacancies in membership of all the bodies constituted and vacancy in the office of Chair of such bodies in accordance with the wishes of the political groups;
- 2.7 Determine the bodies on which co-opted members are to have seats as either voting or non-voting members and appoint such members accordingly (current arrangements are set out in Appendix 1);
- 2.8 Authorise the Monitoring Officer, in consultation with the Chairs of the Policy Development & Scrutiny Panels, to constitute and support any required Panel joint working as outlined in section 7;
- 2.9 Authorise the Monitoring Officer, in consultation with Group Leaders, to make appointments on such outside bodies as are for the Council (rather than Cabinet) to fill;
- 2.10 Note the arrangements for the conduct of Cabinet business and any update provided by the Leader at the meeting;
- 2.11 Note the calendar of meeting dates that has been prepared up to May 2015 which is available on the Council's website;
- 2.12 Note the changes that will be required to the Constitution with regard to voting at budget meetings, and filming at meetings, as set out in section 10;
- 2.13 Authorise the Monitoring Officer to make and publicise any amendment to the Council's Constitution required, or take any other necessary action, as a result of decisions taken at this meeting on this and other reports within the agenda, or otherwise as required by law; and
- 2.14 Note that a formal review of political balance will take place at the July meeting (paragraph 6.4).

3 FINANCIAL IMPLICATIONS

- 3.1 None.

4 CORPORATE OBJECTIVES

- 4.1 Collectively, the business of the Committees, Panels and partnership bodies contributes to developing all of the Council's corporate priorities;
 - *Promoting independence and positive lives for everyone*
 - *Creating neighbourhoods where people are proud to live*
 - *Building a stronger economy*

5 APPOINTMENT OF COMMITTEES AND PANELS AND THEIR CHAIRS AND MEMBERS

- 5.1 The Council's Constitution sets out the approved non-executive and regulatory decision making structure and the Council's overview and scrutiny arrangements (known as Policy Development & Scrutiny). The size, terms of reference and delegated powers of those bodies are set out in the Constitution and attached as Appendix 2 to this report. Appendix 1 to this report lists the relevant Committees etc, the **present** allocation of seats to political groups in

accordance with the agreed political proportionality from May 2013 and the approved nomination rights for chairing those bodies.

- 5.2 Nominations are invited from the political groups for the appointment by the Council of Members to the bodies listed in Appendix 1 and for the Chairs of the Policy Development and Scrutiny Panels and the regulatory, non-executive committees.

6 PROPORTIONALITY REVIEW

- 6.1 Normally at Annual Council, a review takes place of the allocation of seats on committees and panels to reflect any changes in political balance on the Council. The law requires such a review to take place at the meeting or as soon as practicable thereafter.

- 6.2 A change in political balance occurred in January 2014 when the number of Liberal Democrat members altered from 29 to 28.

- 6.3 There is currently one vacant seat on the Council which will be filled following the Bathavon North byelection on 22nd May 2014.

- 6.4 It is neither practicable nor possible to review political balance until after this date and accordingly it is recommended that the review should take place at the July meeting of Council. In the interim, the status quo prevails.

7 ARRANGEMENTS CONCERNING OVERVIEW AND SCRUTINY BUSINESS

- 7.1 The trend towards collective scrutiny by West of England Councils and participation in a wider range of scrutiny activity on a regional basis is likely to continue. For this reason, it is proposed that any Panel should be able to participate in informal joint working with other Councils when it is expedient and cost-effective for there to be a collective approach.

8 CABINET WORKING & REPORT OF SPECIAL URGENT DECISIONS

- 8.1 Council is reminded that the arrangements for the discharge of executive (Cabinet) functions are the sole responsibility of the Leader of Council. The arrangements he has approved are incorporated within the Council's Constitution and he may address the Council if he so wishes in respect of any implemented or proposed changes to the arrangements.

- 8.2 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 require any decisions taken by the Cabinet or single Cabinet Member under special urgency provisions in the previous year to be reported to Council (Constitution part 4b, rule 16 refers). This Council has decided that will happen on an annual basis.

There were no such decisions taken in the last year.

9 APPOINTMENTS ON OUTSIDE BODIES

- 9.1 Currently, appointments are made by full Council (through delegation to the Monitoring Officer in consultation with nominated members) for Council functions and by the Leader for Cabinet ones.

9.2 Council is asked to approve the delegations outlined in paragraph 9.1 for Council functions and note that a full list of appointments is published on the Council's website.

10 CHANGES TO THE CONSTITUTION

10.1 An amendment to the Constitution has been made by the Monitoring Officer to reflect the provisions within the regulations [Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014] requiring local authorities to hold recorded votes in respect of the setting of Council Tax and the Council's budget for the forthcoming financial year. Accordingly, Council voting rules 4(A) 45 now read;

"A recorded vote or votes shall take place when setting the Authority's budget and determining the level of Council Tax to be levied in the district for each financial year."

10.2 The draft Openness of Local Government Bodies Regulations 2014 amend earlier legislation regarding recording at meetings so as to allow any person to film, photograph, or audio record public meetings and to publish, post or otherwise share this during or after the meeting, without seeking permission from the meeting. Accordingly, the following Council procedural rules require amendment; - 4(A) 20 , 4(D) 24, 4(E) 26, 4(F) 23, 4(H) 19, 4 (L) 20. [Normal arrangements regarding exempt meetings and information are unaffected.]

11 RISK MANAGEMENT

11.1 No risk assessment related to the issue and recommendations has been undertaken as the Council needs to put in place the arrangements contained in this report.

12 EQUALITIES

12.1 Equalities Impact Assessments have been carried out on the Access to the Democratic process and the Scrutiny function and are available for public inspection.

13 ADVICE SOUGHT AND CONSULTATION

13.1 The Council's Chief Executive, Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

13.2 Group Leaders have been consulted on relevant aspects of this report.

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Background papers	The Council's Constitution
Please contact the report author if you need to access this report in an alternative format	