

Bath & North East Somerset Council

MEETING:	Council
MEETING DATE:	10 th July 2014
TITLE:	Appointment of Committees, political proportionality and constitutional issues
WARD:	ALL
AN OPEN PUBLIC ITEM	
List of attachments to this report: Appendix 1 – Proposed political proportionality table Appendix 2 – Proposed amendments to the Council’s petition scheme	

1 THE ISSUE

1.1 This report invites the Council to consider its non-executive and regulatory Committee arrangements for the period of July 2013 to May 2014 and associated constitutional business.

2 RECOMMENDATION

Council is asked to:

- 2.1 approve the allocation of seats on the Committees and Panels listed in Appendix 1 (such seats to be filled in accordance with the nominations made by the political groups);
- 2.2 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;
- 2.3 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;
- 2.4 Agree the revisions to the existing Petition scheme (as set out in Appendix 2) regarding petitions for debate at Council and authorise the Monitoring Officer to incorporate these into the scheme;
- 2.5 Agree that no notices of motion, councillor statements, councillor petitions or councillor questions be permitted at the Budget Council and the Annual Council Meeting and amend the Constitution accordingly;

2.6 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;

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. 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

6.1 The law gives detailed guidance on the principles to be applied in calculating the allocation of seats on Committees and Sub Committees but the basic principles are:-

- a) not all the seats on the body shall be allocated to one particular party;
- b) the majority of the seats on the body shall be allocated to a particular political group if the number of persons belonging to that group is a majority of the Authority's membership;
- c) Subject to paragraphs (a) and (b) above, the number of seats on the ordinary Committees of the Authority which are allocated to a political group shall bear the same proportion to the total of all the seats on the ordinary Committees of that Authority as is borne by the number of members of that group to the membership of that Authority;
- d) subject to paragraphs (a) to (c) above, the number of seats on the body which are allocated to each political group bears the same proportion to the

number of all the seats on that body as is borne by the number of members of that group to the membership of the Authority.

6.2 Notwithstanding (a) to (d) above the Act does not restrict the ability of the Council, or Committees where they are authorised by the Council, to decide on the size and number of seats on Committees and Sub Committees, and to make the actual appointments. A Committee or Sub Committee must, however comprise at least two voting members.

6.3 Following the change in political group numbers, and the by-election in the Bathavon ward, a review is needed.

7 CONSTITUTION & PETITION SCHEME AMENDMENTS

7.1 In order to strike an appropriate balance between encouraging public and Councillor debate and enabling the efficient despatch of Council business, Group Leaders have recommended some revisions to the Petition scheme (set out in Appendix 2) and the Constitution. This would mean that no Councillor submissions (motions, questions, statements, petitions) are permitted at the Budget and AGM Council meetings.

8 RISK MANAGEMENT

8.1 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.

9 EQUALITIES

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

10 ADVICE SOUGHT AND CONSULTATION

10.1 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.

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

Contact person	Jo Morrison, Democratic Services Manager (ext 4358)
Background papers	The Council's Constitution
Please contact the report author if you need to access this report in an alternative format	