

Bath & North East Somerset Council	
MEETING:	Council
MEETING DATE:	26 th May 2020
TITLE:	Appointment of Committees and Panels and other Annual Business
WARD:	ALL
AN OPEN PUBLIC ITEM	
<p>List of attachments to this report:</p> <p>Appendix 1 – Terms of Reference of Panels, Committees and other bodies in the Council’s Constitution</p>	

1 THE ISSUE

1.1 This report invites the Council to consider its non-executive and regulatory Committee arrangements for the Council Year May 2020 to May 2021 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 current form in Appendix 1);
- 2.2 Accordingly, appoint those bodies with membership, terms of reference and delegated powers as set out in the Constitution, noting the revisions outlined in paragraph 4.3 (and with any necessary amendments arising from this meeting);
- 2.3 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);
- 2.4 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;
- 2.5 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;
- 2.6 Determine the bodies on which co-opted and independent 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);

- 2.7 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 5;
- 2.8 Note the arrangements for the conduct of Cabinet business, as set out in section 6;
- 2.9 Instruct the Monitoring Officer, in consultation with Group Leaders, to make appointments on non-executive outside bodies and note that the Leader or Cabinet Members will do so for executive outside bodies, where such vacancies arise;
- 2.10 Note the adoption of the Virtual Meetings Procedure rules, as set out in section 8;
- 2.11 Note the calendar of meeting dates that has been prepared up to May 2021 which is available on the Council's website;
- 2.12 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 APPOINTMENT OF COMMITTEES AND PANELS AND THEIR CHAIRS AND MEMBERS

- 4.1 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 1 to this report.
- 4.2 Political groups have appointed members to the bodies listed in Appendix 1 and as Chairs of the Policy Development and Scrutiny Panels and the regulatory, non-executive committees. Unless otherwise advised by the political groups, these appointments continue for the 4 year term.
- 4.3 The Terms of Reference of the Parish Liaison meeting have been updated as part of their annual review, which was undertaken by the Parish Charter Liaison Working Group. The amendments were considered at the Parish Liaison meeting held on 30th October 2019. Following approval by the Council, they will be approved by BANES Avon Local Council's Association at its AGM on 11th June 2020.

5 ARRANGEMENTS CONCERNING OVERVIEW AND SCRUTINY BUSINESS

- 5.1 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.

6 CABINET WORKING & REPORT OF SPECIAL URGENT DECISIONS

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

6.2 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.

6.3 There were no such decisions taken in the previous municipal year.

7 APPOINTMENTS ON OUTSIDE BODIES

7.1 Currently, appointments are made by full Council (through delegation to the Monitoring Officer in consultation with Group Leaders) for Council functions, and by the Leader for Cabinet ones.

8 CHANGES TO THE CONSTITUTION

8.1 Under Article 15.4 (b) of the Council's Constitution, the Monitoring Officer has agreed Virtual Meetings Procedure Rules (VMPR), in order to implement the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panels Meetings) (England and Wales) Regulations 2020 (the 'Regulations'). These will remain in force until those Regulations cease to have effect on 7th May 2021, or are further amended by the Monitoring Officer;

<https://democracy.bathnes.gov.uk/ieDecisionDetails.aspx?ID=1392>

9 RISK MANAGEMENT

9.1 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.

10 EQUALITIES

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

11 ADVICE SOUGHT AND CONSULTATION

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

11.2 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	