



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name / Date of Committee	ANNUAL COUNCIL – WEDNESDAY 24 MAY 2023
Subject	APPOINTMENT OF COMMITTEES TO THE COUNCIL
Wards Affected	All
Accountable Member	Councillor Andy Graham – Leader of the Council. Email: andy.graham@westoxon.gov.uk
Accountable Officer	Andrew Brown – Business Manager, Democratic Services (and Interim Monitoring Officer) Email: andrew.brown@publicagroup.uk
Report Authors	Andrew Brown – Business Manager, Democratic Services (and Interim Monitoring Officer) Email: andrew.brown@publicagroup.uk Max Thompson – Senior Democratic Services Officer, West Oxfordshire District Council. Email: max.thompson@westoxon.gov.uk
Summary/Purpose	<p>To establish the Council’s Committees for the 2023/24 municipal year and appoint members to committees and working groups:</p> <ul style="list-style-type: none">● To establish the Council Committees as defined in Part 3 of the Council’s Constitution, for the Civic Year 2023/24.● To establish the allocation of seats to political groups based on political proportionality;● To appoint members to Council Committees for the Civic Year 2023/24;● To make appointments to the positions of Chair and Vice Chair of Council Committees for the Civic Year 2023/24.● To agree that Committee meetings held in Committee Room 1 will be “live-streamed” using the Council’s new webcasting system.● To agree to a joint meeting of the Climate and Environment Overview & Scrutiny Committee and Economic and Social Overview and Scrutiny Committee being held on 8 June 2023 at 4.00pm to consider the West Eynsham Area Masterplan.● To re-establish the Constitution Working Group and request that

	it considers options for the structure of the Council's Overview and Scrutiny Committees.
Annexes	Annex A – Political Proportionalities on Committees 2023/24 Annex B – Committee Nominations 2023/24
Recommendation(s)	That Council Resolves to: <ol style="list-style-type: none"> 1. AGREE to establish the Council's Committees as defined in Part 3 of the Council's Constitution, for the Civic Year 2023/24; 2. DETERMINE that, in accordance with Section 15 of the Local Government and Housing Act 1989 ("the Act"), the Council shall continue to apply the political balance provisions under the Act to committees as shown in Annex A; 3. APPOINT Councillors to serve on the Council's Committees and working groups as set out in Annex B for a term of office expiring at the next Annual Meeting of the Council; 4. APPOINT Chair and Vice-Chair for the Council's Committees and working groups as shown in Annex B; 5. NOTE the arrangements for substitutions set out in part 4 of the report; 6. AGREE that meetings held in Committee Room 1 will be live streamed to the Council's website for public viewing; 7. AGREE that a joint meeting of the Economic and Social, and Climate & Environment Overview and Scrutiny Committees, take place on Thursday 8 June 2023 at 4.00pm, to consider the West Eynsham Area Masterplan; 8. REQUEST that the Constitution Working Group considers options for the structure of the Council's Overview and Scrutiny Committees and reports back to a future meeting of Council.
Corporate priorities	ALL
Key Decision	NO
Exempt	NO
Consultees/ Consultation	NONE

I. BACKGROUND

- 1.1 The Council's Constitution (Part 3) defines the structure of the Council's Committees and Sub-Committees, including their size and responsibilities and any restrictions on membership or participation.

- 1.2 The Local Government and Housing Act 1989 (“the Act”) requires the Council to allocate Committee seats to political groups, in proportion to the size of those groups on the Council. The requirement is for the representation of each group to be proportional on each Committee, and on the total number of seats on committees overall.
- 1.3 Under Section 15 of the Act, the Council must review the representation of the different political groups on Committees and other relevant Council bodies at the Annual Council Meeting, or as soon as practicable after that meeting.
- 1.4 Membership of political groups of the Council will be reported to the Annual Meeting elsewhere on the Agenda. This informs the proportionality calculation for each Committee set out in Annex A.
- 1.5 It is open to the appointing body (in this case Council) to adopt other arrangements and allocate seats on a different basis, other than that prescribed by the Act. Any such decision would have to be agreed without any member voting against. This is known as a ‘nem con vote’. Any abstentions from voting would not invalidate the ‘nem con vote’.
- 1.6 Committee membership is for one year, with the appointments made at the Annual Meeting.

2. RESTRICTIONS ON COMMITTEE MEMBERSHIP

- 2.1 Members who serve on the Executive, cannot simultaneously serve on an Overview and Scrutiny Committee.
- 2.2 Under the Council’s Constitution, Members cannot serve on the Development Control Committee (or its Uplands and Lowlands sub-committees) to determine planning applications, including as a substitute member, unless they have received the required planning training.
- 2.3 Similarly, Members cannot participate in meetings of the Licensing Committee (or its Miscellaneous Licensing Sub-Committee or Licensing Panel sub-committee) without having undertaken the required licensing training.

3. COMMITTEE CHAIRS AND VICE CHAIRS

- 3.1 Council may appoint the Chair and Vice-Chair of each Committee or if Council does not do so, the Chair and Vice Chair will be elected at the first scheduled meeting of each Committee. The suggested approach this year is for a chair and vice chair to be appointed at the first meeting of each committee.

4. APPOINTMENT OF SUB-COMMITTEES

- 4.1 Committees (rather than Council) are responsible for appointing members to sub-committees, under Section 102 of the Local Government Act 1972.
- 4.2 Meetings of the Committees that are to appoint Sub-Committees will take place immediately after the Annual Meeting of Council.

5. SUBSTITUTIONS

- 5.1 Where a member is unable to attend a meeting of a committee of which they are a member, they may arrange for a substitute member from their political group to attend in their place. The rules on substitutions for each committee are set out in Part 3 and Part 5 (2.3.8) of the Council's Constitution. Generally any member of Council may be a substitute member on a committee subject to the restrictions set out above.
- 5.2 Notification of a substitution must be made to Democratic Services by the Member who is unable to attend a meeting, in advance of the commencement of that meeting.

6. LIVE STREAMING OF MEETINGS

- 6.1 As part of the Council's Agile Working Project, the Council has procured two Public-I webcasting systems; one system for Committee Room 1, which can be extended to include Committee Room 2, and a second, separate, system for the Council Chamber. The first system was installed in the Committee Rooms in February 2023. and the second system is expected to be installed in the Council Chamber later this year.
- 6.2 To enhance openness and transparency, and improve public access to meetings, it is proposed that meetings held in Committee Room 1 are webcast live to the Council's website. This will enable the public to view meetings remotely in real time and to access recordings of meetings for up to 12 months after the meeting. The minutes will remain the permanent record of the meeting.
- 6.3 If this recommendation is agreed the first meeting to be webcast will be the Lowlands Area Planning Sub-Committee meeting on 30 May 2023.
- 6.4 The webcasting systems may also be used to support remote attendance at meetings via a "remote input" (such as a laptop connected to the webcasting system). Currently, Members are required to be physically present for formal meetings of which they are a member, but not for informal meetings such as working groups. Officers employed by Publica who attend meetings to present reports, or to advise members, are generally expected to be physically present at formal meetings of Council, the Executive, planning and licensing meetings.

7. JOINT SCRUTINY MEETING

- 7.1 In March 2022 a joint meeting of the Climate and Environment and Economic and Social Overview and Scrutiny Committees was convened to provide scrutiny of the West Eynsham Strategic Development Area (SDA) Masterplan.
- 7.2 In March 2023, the Executive received a report on the West Eynsham Strategic Development Area (SDA) Masterplan Addendum. The Executive resolved to request that the relevant Overview & Scrutiny Committee consider this item and provide any comments, before it is re-considered by the Executive (on 21 June 2023).
- 7.3 Council is recommended to agree to the holding of a joint meeting of the Climate and Environment and Economic and Social Overview and Scrutiny Committees on 8 June 2023 at 4.00pm to facilitate pre-decision scrutiny of this decision.

8. REVIEW OF THE OVERVIEW AND SCRUTINY COMMITTEE STRUCTURE

8.1 The Council currently has three Overview and Scrutiny Committees which have an equal standing in the Constitution. Each committee has 15 members meaning there are a total of 45 seats on overview and scrutiny committees, more than the number of non-executive Members of Council. Each committee has 4 scheduled meetings per municipal year. Their remits are defined in Article 3 of the Constitution:

- Climate and Environment: Policies and strategies of the Council and other bodies which affect the environmental well-being of the district and its residents. The provision of services by the Council and other bodies which affect the environmental well-being of the district and its residents.
- Economic and Social: Policies and strategies of the Council and other bodies which affect the economic and social well-being of the district and its resident. The provision of services by the Council and other bodies which affect the economic and social well-being of the district and its residents. Scrutiny of crime and disorder partnerships imposed by Sections 19 and 21 of the Police and Justice Act 2006
- Finance and Management: The Council's budget, the management of its budget, treasury management, property and asset management, IT, staffing and other internal management arrangements, including the Constitution of the Council.

8.2 In Summer 2022, the Leader of the Council asked the newly appointed Democratic Services Business Manager to review the Council's Overview and Scrutiny function and bring a paper forward to Members.

8.3 The Business Manager has identified a number of ways in which the Scrutiny function could be improved, to increase efficiency and the added value that Overview and Scrutiny provides to the work of the Council. This includes embedding pre-decision scrutiny in the Council's Executive decision making process in the new municipal year. A number of steps have already been taken to improve the Scrutiny function at an operational level. An outcome of the review is that Members are asked to consider what the structure of the Council's Overview and Scrutiny Committees should be in future. This report recommends that the Constitution Working Group is requested to consider options and report back to Council.

9. FINANCIAL IMPLICATIONS

9.1 There are no financial implications arising directly from this report.

10. LEGAL IMPLICATIONS

10.1 The Legal issues including the Council's duty to appoint Members to Committees in accordance with the provisions of Section 15 of the Local Government and Housing Act 1989 are contained within the report.

11. RISK ASSESSMENT

11.1 There is a risk that if committees and sub-committee are not properly appointed this could result in a delay in decision making for the Council or increase the risk of decisions being successfully challenged.

12. EQUALITIES IMPACT

12.1 Council is advised to have due regard to the need to promote equality when appointing committees.

13. ALTERNATIVE OPTIONS

13.1 If Council wishes to change the size or remit of any committees it could pass a resolution requesting that officers bring a report to a future meeting with alternative proposals, following consideration by the Constitution Working Group.

14. BACKGROUND PAPERS

14.1 None.

(ENDS)