

Cherwell District Council

Council

16 May 2017

Annual Council Business Report

Report of Interim Chief Executive

This report is public

Purpose of report

To note the constitution of Political Groups, note the appointment of the Deputy Leader and Executive for the Municipal Year 2017/18, consider and agree the suggested constitution of Committees for the Municipal year 2017/2018 and consider an amendment to the Constitution whereby training will be mandatory for members of the Accounts, Audit and Risk Committee.

1.0 Recommendations

** The recommendations are also included in the relevant section of the report **

The meeting is recommended:

- 1.1 To note the constitution of Political Groups and notification of Group Leaders.
- 1.2 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2017/18 (Appendix 1 – to follow).
- 1.3 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.
- 1.4 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2.
- 1.5 To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups (Appendix 2 - to follow).
- 1.6 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.
- 1.7 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

- 1.8 To agree that the Constitution be amended so that it is mandatory for members of the Accounts, Audit and Risk Committee to have received training before they can sit on the Committee.
- 1.9 To agree that authority be delegated to the Head of Law and Governance to update the Constitution to reflect recommendation 1.8.

2.0 Introduction

- 2.1 The Council's Constitution requires that at the annual meeting, Council shall:
- Note the results of the District Elections, if held, and the constitution of Political Groups and Group Leaders and elect the Leader of the Council if required
 - Conduct any business concerning the establishment of and appointments to the Executive, including the appointment of Deputy Leader and the allocation of functions to Lead Members
 - Conduct any business concerning the establishment of, and appointment to:
 - The Overview and Scrutiny Committee
 - The Standards Committee
 - Such other Committees as the Council consider appropriate

3.0 Report Details

Constitution of Political Groups

- 3.1 There have been no further Cherwell District Council district elections since the last proportionality calculation and no change to the constitution of Political Groups.
- 3.2 The current constitution of the Council is 38 (79%) Conservative, 8 (17%) Labour and 2 (4%) Independent councillors.
- 3.3 Group Leaders have been appointed as follows:

Conservative Group: Councillor Barry Wood
Labour Group: Councillor Sean Woodcock
Independent Group: Councillor Les Sibley

Recommendation

- 1.1 To note the constitution of Political Groups and notification of Group Leaders.

Deputy Leader of the Council and Executive 2017/18

- 3.4 The Leader of the Council, Councillor Barry Wood, will table a report (Appendix 1 – to follow) appointing a Deputy Leader and setting out the Executive Portfolios for the Municipal Year 2017/18.

Recommendation

- 1.2 To note the appointment of Deputy Leader of the Council, the membership of the Executive and the Executive Portfolios for 2017/18 (Appendix 1 – to follow).

Committee Appointments 2017/18

- 3.5 As reported in paragraphs 3.1 and 3.2, there has been no change to the constitution of the Council which remains 38 (79%) Conservative, 8 (17%) Labour and 2 (4%) Independent councillors.
- 3.6 Under the Local Government (Committees and Political Groups) Regulations 1990 made pursuant to the Local Government and Housing Act 1989, allocations of committee seats are made to political groups and any member not in a political group is consequently not automatically entitled to seats on committees. The two Independent councillors have advised that they will be forming a political group. The proportionality calculations therefore take account of this.
- 3.7 The proportionality calculations require the Conservative Group to release one seat to the Independent Group. The Conservative Group has yet to advise which seat will be released. Once known, this will be published in an addendum to this report.
- 3.8 The proportionality calculations require the Labour Group to release two seats to the Independent Group. The Labour Group has yet to advise which seats will be released. Once known, this will be published in an addendum to this report.
- 3.9 **Table 1: Allocation of Seats of Proportional Committees**

	TOTAL	CON	LAB	IND
Accounts, Audit & Risk Committee	8	6	2	0
Appeals Panel	10	8	2	0
Budget Planning Committee	12	10	2	0
Joint Appeals Panel	3	2	1	0
Joint Commissioning Committee	6	5	1	0
Joint Scrutiny Committee	5	4	1	0
Licensing Committee	12	10	2	0
Overview & Scrutiny	12	10	2	0
Personnel Committee	12	10	2	0
Planning Committee	18	14	3	1
Standards Committee	8	6	2	0
Proportional Total by	106	85	20	1

Committee				
Aggregate Entitlement	106	84	18	4
Adjustment Required	N/A	-1	- 2	+3

3.10 Table 2: Allocation of Seats of Non-Proportional Committees

	TOTAL	CON	LAB	IND
Joint Councils Employee Engagement Committee	3	2	1	0

3.11 Notes:

Overview and Scrutiny Committee must not include any members of the Executive.

Personnel Committee must include at least one member of the Executive and may not include members of the Appeals Panel

Appeals Panel members may not serve as members or substitute members of the Personnel Committee.

Joint Commissioning Committee members may not serve as members or substitute members of the Joint Appeals Committee

Joint Appeals Committee members may not serve as members or substitute members of the Joint Commissioning Committee

Joint Scrutiny Committee must not include any members of the Executive or Joint Commissioning Committee

3.12 Appendix 2 (to follow) sets out members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in accordance with the nominations to be made by political groups.

Recommendations

1.3 To agree the allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.

1.4 To agree the allocation of seats on committees not subject to political balance requirements as set out in Table 2.

1.5 To appoint members (and where appropriate, substitute members) to serve on each of the committees and other bodies set out in Tables 1 and 2 in

accordance with the nominations to be made by political groups (Appendix 2 - to follow).

Appointment of Representatives

- 3.13 Council is asked to appoint representatives to the Oxfordshire County Council Health Overview and Scrutiny Committee and to the Police and Crime Commissioner Scrutiny Panel.
- 3.14 The current representative on the County Council Health Overview and Scrutiny Committee is Councillor Andrew McHugh and on the Police and Crime Commissioner Scrutiny Panel is Councillor Tony Ilott.

Recommendations

- 1.6 To appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee.
- 1.7 To appoint a representative to the Police and Crime Commissioner Scrutiny Panel.

Amendment to the Constitution for the Accounts, Audit and Risk Committee

- 3.15 Following discussions between the former and current Chairmen of the Accounts, Audit and Risk Committee, the Chief Finance Officer and the Head of Law and Governance, it is recommended that the Constitution be amended so it is mandatory for members of that Committee to be trained. The exact nature of the training will be determined by the Chief Finance Officer in consultation with the Chairman of the Committee and align with the work programme of the Committee.

Recommendations

- 1.8 To agree that the Constitution be amended so that it is mandatory for members of the Accounts, Audit and Risk Committee to have received training before they can sit on the Committee.
- 1.9 To agree that authority be delegated to the Head of Law and Governance to update the Constitution to reflect recommendation 1.8.

4.0 Conclusion and Reasons for Recommendations

- 4.1 The Council is required to agree the allocation of seats on committees that are subject to the political balance requirements and also on committees not subject to political balance requirements and to agree the appointments to each of the Committees in accordance with the nominations made by political groups.

5.0 Consultation

Group Leaders

Nominations and information from group leaders has been included in the report and appendices

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To amend the appointments to Committee.

7.0 Implications

Financial and Resource Implications

7.1 There are no financial implications arising from the report.

Comments checked by:

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Legal Implications

7.2 It is a legal requirement for Council to agree proportionality and appoint committees. It is for the Council Leader to appoint the Deputy Leader and the other Executive members, and to allocate Lead Member responsibilities. The amendment to the Constitution contained in recommendation 1.8 requires full council approval.

Comments checked by:

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Risk Implications

7.3 In ensuring the legal requirements are met risk to the authority is mitigated.

Comments checked by:

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8.0 Decision Information

Wards Affected

All

Links to Corporate Plan and Policy Framework

All

Lead Councillor

None

Document Information

Appendix No	Title
One	Executive Portfolios 2017/18 – to follow
Two	Committee Membership – to follow
Background Papers	
None	
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