

Cherwell District Council

Council

20 July 2020

<p>Amendments to Proportionality Calculations and Committee Membership and Outside Body Representative</p>

Report of Chief Executive

This report is public

Purpose of report

To note the amendments to the constitution of political groups and amendments to the proportionality calculations and committee membership arising from a change to political Group membership. To appoint a new Cherwell District Council representative to the Oxfordshire Joint Health Overview and Scrutiny Committee.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the amended constitution of Political Groups.
- 1.2 To note the amended allocation of seats on committees that are subject to the political balance requirements as set out in Table 1.
- 1.3 To note the amended allocation of seats on committees that are not subject to political balance requirements as set out in Table 2.
- 1.4 To note the amendments to committee membership, as advised by the respective Leaders of the Independent Group, Progressive Oxfordshire Group and Conservative Group (to follow).
- 1.5 To appoint a representative to the Oxfordshire Joint Health Overview and Scrutiny Committee.

2.0 Introduction

- 2.1 On 18 June 2020 the Progressive Oxfordshire Spokesperson, Councillor Tyson, and Councillor Broad advised the Proper Officer that Councillor Broad had decided to leave the Independent Group and join the Progressive Oxfordshire Group.
- 2.2 A Member changing political group requires a review of the allocation of seats on committees and changes to committee membership to be made if necessary. This

is reported to the next scheduled Council meeting and effective from the date of that meeting.

3.0 Report Details

Proportionality and Committee Membership

3.1 The current constitution of Council (48 members) is:

- 31 Conservative (65%)
- 9 Labour (19%)
- 4 Independent (8%)
- 2 Liberal Democrat (4%)
- 1 Green (2%)
- 1 Vacancy (2%)

3.2 In May 2019 the four Independent councillors notified the Chief Executive they had formed the Independent Group. The two Liberal Democrat councillors and one Green councillor notified the Chief Executive they had formed the Progressive Oxfordshire Group. Proportionality and committee appointments were made including these Groups, alongside the Conservative Group and Labour Group and subsequently updated in February 2020 when an Independent councillor left the Independent Group and joined the Progressive Oxfordshire Group. .

3.3 As a result of Councillor Broad leaving the Independent Group and joining the Progressive Oxfordshire Group, the current political groupings of Council for committee allocations is:

	% of seats
31 Conservative	65%
9 Labour	19%
5 Progressive Oxfordshire	10%
2 Independent	4%
1 Vacant	2%

3.4 In light of the amended seat percentage entitlement, Table one sets out the revised allocation of seats of proportional committees.

3.5 The Independent Group Leader has confirmed that the Independent Group will give a seat on the Licensing Committee to the Conservative Group. This is reflected in *italics* in Table one.

Political Balance	TOTAL	CON	LAB	PROG OXF	IND	VACANT
Accounts, Audit & Risk Committee	8	5	2	1	0	0
Appeals Panel	10	7	2	1	0	0
Budget Planning Committee	12	8	2	1	1	0
Joint Appeals Committee	3	2	1	0	0	0

Joint Shared Services & Personnel Committee	5	3	1	1	0	0
Licensing Committee	12	9 (+1)	2	1	1 (-1)	0
Overview & Scrutiny	12	8	2	1	1	0
Personnel Committee	12	8	2	1	1	0
Planning Committee	18	12	3	2	1	0
Standards Committee	8	5	2	1	0	0
Proportional Total by Committee	100	66 (plus 1)	19	10	5 (minus 1)	0
Aggregate Entitlement	100	67	19	10	4	0
Adjustment Required	N/A	Plus 1	Ok	Minus 2	Plus 1	0

3.5 In light of the amended seat percentage entitlement, Table two sets out the revised allocation of seats of proportional committees:

Political Balance	TOTAL	CON	LAB	PROG OX	IND	VACANT
Joint Arrangements Steering Group	5	3	1	1	0	0
Partnership Working Group	5	3	1	1	0	0

3.6 As a result of the above calculations, the following amendments to committee membership are required.

Appeals Panel

Remove: Councillor John Broad (was previously appointed as an Independent Group Member)

Add: Progressive Oxfordshire Group member

Licensing Committee

Add: Councillor Tim Hallchurch (Conservative Member)

(NB. No member is removed as there was previously and Independent Group vacant seat on the Committee)

Planning Committee

Remove: Cllr John Broad as was named substitute for the Independent Group

Add: Cllr Fraser Webster as was named substitute for the Independent Group

Standards Committee

Remove: Councillor Tim Hallchurch (Conservative Group Member)

Add: Progressive Oxfordshire Group member

3.7 Group Leaders have been notified of the amendments required. The Conservative Group Leader and Independent Group Leader have confirmed the amendments they are required to make. The Progressive Oxfordshire Group Leader will notify the Proper Officer ahead of the 20 July 2020 Council meeting. The information will be published as an addendum to the report as soon as it is available.

Representative to Oxfordshire Joint Health Overview and Scrutiny Committee

- 3.8 At the 14 May 2019 Annual Council meeting, Councillor Gaul was appointed as the council's representative to the Oxfordshire Joint Health Overview and Scrutiny Committee.
- 3.9 Due to the covid-19 pandemic and provisions in the Coronavirus Act 2020 which removed the requirement for councils to hold an Annual Meeting, at the Extraordinary Council Meeting on 20 May 2020, Council resolved not to hold an Annual Meeting until May 2021. As a consequence, Council appointed outside body representatives would continue in the role.
- 3.10 Due to other commitments, Councillor Gaul has requested that he be replaced as the Cherwell District Council representative on the Oxfordshire Joint Health Overview and Scrutiny Committee.
- 3.11 Council is therefore asked to appoint a representative to the Oxfordshire County Council Health Overview and Scrutiny Committee. The representative cannot be a member of the Executive.

4.0 Conclusion and Reasons for Recommendations

- 4.1 A change in political group membership has resulted in a review of the allocation of seats on committees that are both subject to and not subject to the political balance requirements with amendments to committee membership. The Constitution requires Council to agree each of these aspects.
- 4.2 Council is responsible for appointing a representative to the Joint Oxfordshire Overview and Scrutiny Committee.

5.0 Consultation

Group Leaders	Amended appointments included in the report / to be included in the addendum
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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: Not to amend appointments to committees. This is rejected as the change of political group membership has resulted in amended entitlement to seats on committees for the Independent Group and Progressive Oxfordshire Group.

7.0 Implications

Financial and Resource Implications

- 7.1 There are no financial implications arising directly 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 members to Committee based on the nominations of Group Leaders / Spokespersons.

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
None	
Background Papers	
None	
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