



Council name	COTSWOLD DISTRICT COUNCIL
Name and date of Committee	ANNUAL COUNCIL – 24 MAY 2023
Subject	APPOINTMENT OF COMMITTEES
Wards affected	All
Accountable member	N/A
Accountable officer	Angela Claridge, Director of Governance and Development (Monitoring Officer) Email: angela.claridge@cotswold.gov.uk
Report author	Caleb Harris, Senior Democratic Services Officer Email: caleb.harris@cotswold.gov.uk
Summary/Purpose	This report sets out those matters reserved to Council at its Annual Meeting: <ul style="list-style-type: none">• To establish the allocation of seats to political groups based on political proportionality• To make appointments to Committees for the Civic Year 2023/24• To make appointments to the positions of Chair and Vice Chair of Committees for the Civic Year 2023/24
Annexes	Annex A – Political proportionalities on committees 2023/24 Annex B – Committee nominations 2023/24.
Recommendation(s)	<i>That Full Council resolves to:</i> <ol style="list-style-type: none">1. <i>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.</i>2. <i>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;</i>3. <i>APPOINT Chair and Vice-Chair for the Council’s Committees and working groups as shown in Annex B;</i>4. <i>AGREE that the Audit Committee will now be called the Audit and</i>



	<p><i>Governance Committee from this Civic Year forward.</i></p> <p>5. NOTE the arrangements for substitutions set out in part 4 of the report.</p>
Corporate priorities	All
Key Decision	NO
Exempt	NO
Consultees/ Consultation	N/A

I. BACKGROUND

- 1.1** The Local Government and Housing Act 1989 (“the Act”) requires the Council to allocate Committee seats to political groups in proportion, as far as is reasonably practicable to the size of those groups on the Council and that the Council review that allocation each year at the Annual Meeting. The requirement is for representation to be proportional on each Committee and across the relevant Committees taken as a whole, subject to Section 15 (5) (b) of the Act which provides that where the majority of seats on the Council are held by one political group, that group shall have a majority on all bodies to which appointments are made.
- 1.2** Membership of political groups of the Council will be reported to the Annual Meeting elsewhere on the Agenda. This will then inform the proportionality calculation for each Committee.
- 1.3** Under the Council’s political groups scheme, if the Council is unable to make appointments or matters change during the year the Chief Executive is authorised to consult with the group leaders and following that consultation to adjust the number and allocation of seats to each group to give effect to the rules on proportionality and to make appointments as necessary, in accordance with the nominations of the group leaders.
- 1.4** It is open to the Council or a Committee or other relevant council body carrying out a review, to adopt some other arrangement and allocate seats on a different basis other than that prescribed by the Act. Notice of such a proposal must be given in the council summons, and a decision would have to be made without any member voting against the arrangement. This is known as a ‘nem con vote’ by the Council. Abstentions from voting do not invalidate the ‘nem con vote’. Notice has been given on the Agenda so that Council is not denied that opportunity.



- 1.5 Committee membership is for one year with the appointments made at the Annual Meeting.
- 1.6 Members who serve on Cabinet cannot serve on the Overview and Scrutiny Committee.
- 1.7 Under the Constitution, Members cannot serve on the Planning and Licensing Committee unless they have received the required training.

2. MAIN POINTS

- 2.1 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. The statutory provisions have been added to by the Local Government (Committees and Political Groups) Regulations 1990 as amended in 1991.
- 2.2 The Constitution requires the Annual Meeting of Council to appoint Councillors to serve on the Council's Committees and other Council bodies for the Civic Year 2023/24.
- 2.3 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. It is the custom and practice of the Council for this to be done at the Annual Meeting.

3. CHANGE OF NAME OF AUDIT COMMITTEE

- 3.1 As part of the Peer Review carried out in 2022, it was agreed by Council in January 2023 as part of the Peer Review [Action Plan](#) to 'revisit [the] terms of reference and consider renaming Audit Committee to Audit & Governance Committee to reflect the breadth of its responsibilities and ensure governance is a focal part of the committee's function.'
- 3.2 The Audit Committee itself also discussed the change as part of the agenda item on ['Feedback from the Peer Review- Governance Arrangements'](#) at its meeting in January 2023
- 3.3 Therefore, Annual Council is requested to approve that the renaming is undertaken as part of the Appointment of Committees at the start of the Civic Year.

4. SUBSTITUTIONS

- 4.1 Where a member is unable to attend a meeting of a committee of which they are a members, they may arrange for a substitute member to attend in their place. Notification of substitution can be made by the Member appointing the substitute, the substitute Member, or in the case of a substitution within a political group by the Leader or Deputy Leader of the relevant political group.
- 4.2 The Constitution states that for each committee where substitution is applicable, substitutes are permitted in respect of each political group, and across non-aligned Members as if those members were to have formed a grouping. Substitution is only permitted within each political grouping, or within the non-aligned Members (i.e. a Member of a political group

cannot substitute for a Member of another political group or a non-aligned Member; and a non-aligned Member cannot substitute for a Member of a political group).



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- 4.3** Notification of substitution can be made by the Member appointing the substitute, the substitute Member, or in the case of a substitution within a political group by the Leader or Deputy Leader of the relevant political group

4. FINANCIAL IMPLICATIONS

- 4.1** None.

5. LEGAL IMPLICATIONS

- 5.1** None in addition to those mentioned in the report.

6. RISK ASSESSMENT

- 6.1** An effective Committee structure and decision making process is central to the success of the Council's improvement programme. There is a risk that if appointments are not made this could result in a delay in decision making for the Council.

7. EQUALITIES IMPACT

- 7.1** Council is advised to have due regard to the need to promote equality when appointing committees.

8. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

- 8.1** None.

9. ALTERNATIVE OPTIONS

- 9.1** 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.

10. BACKGROUND PAPERS

- 10.1** None.

(END)