

CANNOCK CHASE COUNCIL

ANNUAL COUNCIL

21 MAY 2008

REPORT OF THE DIRECTOR OF GOVERNANCE AND MONITORING OFFICER

ESTABLISHMENT OF COUNCIL COMMITTEES AND PROPOSED SUBSTITUTION SCHEME

1. Purpose of Report

1.1 This report seeks Council to approve:

- (i) the establishment of Council Committees for the municipal year
- (ii) the size of those Committees
- (iii) the allocation of seats to political groups in accordance with current legislation
- (iv) the receipt of nominations of Councillors to serve on each Committee

1.2 Council is also requested to consider the adoption of a Substitution Scheme for Committees.

2. Recommendations

Council is recommended to:-

- (a) Implement the proposed changes specified in Appendix A to the size of Committees in accordance with the political balance rules and requests the Group Leaders to notify the Chief Executive in writing within the next 5 working days of the allocation of named individuals to those seats for the new municipal year.
- (b) Approve a Substitution Scheme for Committees as specified in Appendix B and to request that Group Leaders notify the Chief Executive in writing of the named substitutes.

Section 1

Background

Enclosed with this report are recommendations for changes to three areas of the Constitution namely - Committee sizes and a Substitution Scheme. It is proposed that a further report will be presented to Council during the summer with additional changes to the Constitution.

A. Size of Committees

1. The Local Government and Housing Act 1989 (and further regulations) require the Council to allocate seats to the political parties in accordance with the political balance rules. The size of

Committee's should be fixed at the start of the municipal year and should remain fixed for the remainder of the year. In the event of any changes to party membership or a vacancy during the course of the year, the size of Committee's should not change. The only change would be the allocation of seats to political parties in accordance with the political balance rules. This was agreed by Council last year.

2. The size of Committee's for the Council has been increasing over the past few years and it is proposed that the numbers of seats on Committee's be reduced and not be increased when there are changes in the number of seats occupied by political parties. Whilst it is acknowledged that a decrease in Committee sizes may reduce representation, given that the number of Members available to fill all seats is limited it would appear more appropriate to reduce the size of Committee seats and to free Members to undertake their Community Leadership and Ward work.

The following proposals are suggested as changes to the existing arrangements as specified in Appendix A:-

- (a) Licensing Committee – reduce number of Membership to 10. The Licensing Committee was created as a result of changes in the Licensing regime transferring from the Magistrates Court to Local Councils. It was anticipated that the workload of the Committee would increase significantly. As a 'pooling' arrangement exists for Licensing Committees/Sub-Committees the number of Membership for Licensing Committee can now be reduced to 10 as the workload has been less than anticipated.
 - (b) Select Committees (proposed to be referred to as Policy Development Committees – please see later paragraphs) – 9 Members per Committee.
 - (c) A new Housing Policy Development Committee with a Membership of 9.
3. It is proposed that the co-ordination and management of the Council's major projects namely the Leisure Strategy, Town Centre Strategy, Environmental Strategy and Housing Strategy be coordinated by a Sub-Committee of Cabinet. This Committee would be called Cabinet (Major Projects) Sub-Committee. It would not undertake a Scrutiny function but would have a membership of the relevant portfolio holder from Cabinet and whosoever the Cabinet may select (including co-optees). The Committee would not be subject to the political balance rules and would not attract an additional Members Allowance. Changes in delegations from Cabinet to the Sub-Committee will be determined by the Cabinet.

B. Substitution Scheme

1. It is proposed that the Council introduce a substitution/deputisation scheme for Committee's excluding Audit and Governance, Rate Relief, Chairman's Civic Committee and Standards Committee. All substitute Members will be required to attend the relevant training for the Committee to whom they may be substitutes. This is particularly relevant for Licensing Committee and Planning Committee.
2. The substitution scheme would require political groups to name one individual who would be able to substitute for other members from the same group on that Committee. The substitution would only take effect upon the service of a written notice (or email) to the Chief Executive 24 hours prior to the commencement of the relevant Committee. The substitution would take place for that Committee only and would not constitute a change in membership on a permanent basis. Once served, the

Notice of Substitution could not be revoked and any Member subsequently attending who had been substituted for could not take their seat at that Committee. The purpose of the scheme is to ensure that there is always sufficient representation and opportunity for Members to attend meetings and cover other meetings where there might potentially be a clash of meetings particularly with Parish Council or other community based forums/events.

Background Papers

Annexes

Appendix A Size of Committees

Appendix B Substitution Scheme for Cannock Chase District Council

POLITICAL BALANCE CALCULATION MAY 2008

	Seats on Committees	Labour	Conservative	Liberal Democrats
Council	41			
*Planning Control Committee	15	6	3(4)	6(5)
*Licensing & Public Protection Committee	10	4	3	3
*Scrutiny Committee	15	6	4	5
*Children & Young People PDC	9	3	3	3
*Access to Skills PDC	9	3	3	3
*Environment PDC	9	3	3	3
*Housing PDC	9	3	3	3
*Healthier Communities PDC	9	3	3	3
*Safer & Stronger PDC	9	3	3	3
Audit & Governance Committee	7	3	2	2
Rate Relief Committee	7	3	2	2
Standards Committee	7	3	2	2
Chairman of the Council's Civic Committee	7	3	2	2
Seats Per Member		3.07	2.86	3.0
**Trade Union Consultative Forum	7	3	2	2
Performance & Partnership Scrutiny Sub Committee	9	3	3	3
FSR	6	2	2	2

Notes:

* These Committees shall have named substitutes of one Councillor from each political group

** Although not a Council Committee, political balance calculation is applied

() Number in brackets denotes previous number of Members included on Committee referred to in previous report.

CANNOCK CHASE COUNCIL

MEMBERS' SUBSTITUTES SCHEME FOR COMMITTEES

1. Introduction

- (a) In addition to appointing usual Members to Serve on Committees, the Council may also appoint the number of Councillors shown below, on the nomination of each of the Political Groups, to act as the substitute members for the following Committees:-
- Planning Committee – one
 - Policy Development Committees – one
 - Licensing Committee – one
- (b) The substitute members of the Planning Committee and Licensing Committee shall have had training in order to qualify as a substitute.

2. Procedure

- (a) If a usual member of the Committee is unable to attend a meeting, (s)he may make the necessary arrangements with the named substitute members for that Committee from that Political Group.
- (b) The usual member will either give, or arrange for the Group Leader (or his/her nominee) to give, written notice (or by e.mail) of the substitution to the Chief Executive at least 24 hours before the start of the meeting. The Chief Executive (or the Legal & Democratic Services Manager) will record the substitution in a book kept for the purpose.
- (c) The effect of a valid substitution notice will be that the usual member will cease to be a member of the committee for the duration of that meeting and for the duration of any adjournment of it. The substitute member shall be a full member of the Committee for the same period.
- (d) Once a valid substitution notice has been given for a meeting of a Committee, it may not be revoked.
- (e) All usual members and all substitute members of the Committee will be given notice of Committee meetings in the normal way. If any substitution notices are received after the notification of the meeting has been sent, the usual member who is being substituted for will ensure that the substitute members are made aware of the date and time of the meeting, and will send all substitute members copies of the papers for each meeting.
- (f) A member who is acting as a substitute for a usual member who is the Chairman or Vice-Chairman of the Committee will not, by virtue of that substitution, be entitled to act in that capacity.
- (g) When a member attends a meeting as a substitute for a usual member, the Minutes and any report of that meeting will include the name of the substitute, in alphabetical order, amongst

those attending the meeting, followed by "(substitute for)" indicating the name of the usual member.

3. Application

The list of substitute members is to be approved by the Council Meeting.