

<b>MEETING:</b>	<b>COUNCIL</b>
<b>DATE:</b>	<b>18 NOVEMBER 2011</b>
<b>TITLE OF REPORT:</b>	<b>APPOINTMENT OF THE CHAIRMAN AND VICE-CHAIRMEN OF THE OVERVIEW AND SCRUTINY COMMITTEE</b>
<b>REPORT BY:</b>	<b>ASSISTANT DIRECTOR LAW, GOVERNANCE AND RESILIENCE</b>

**CLASSIFICATION:** Open

### **Purpose**

To make appointments to the positions of Chairman and Vice-Chairmen of the Overview and Scrutiny Committee.

### **Recommendation(s)**

**THAT:**

- (a) **Councillor A Seldon be appointed Chairman of the Overview and Scrutiny Committee;**
- (b) **Councillor JW Millar be appointed Vice-Chairman of the Overview and Scrutiny Committee;**
- (c) **Councillor AM Atkinson be appointed Vice-Chairman of the Overview and Scrutiny Committee with responsibility for the themed area of Enterprise and Culture.**

### **Key Points Summary**

- There is a vacancy in the post of Chairman of the Overview and Scrutiny Committee. Council is responsible for appointing the Chairmen of Committees.
- Councillor Seldon is being proposed as Chairman. He is the current Vice-Chairman of the Overview and Scrutiny Committee potentially creating a vacancy in that position. Council can also appoint the Vice-Chairmen of Committees. If Council does not appoint the Vice-Chairman of a Committee that appointment will be made by the Committee itself.
- In May Council agreed to appoint six vice-Chairmen with responsibility for themed areas. The appointment of Councillor Seldon as Chairman of the Committee would create a vacancy in the Vice-Chairmanship for the themed area of Enterprise and Culture.
- The Overview and Scrutiny will remain politically proportionate.

### **Alternative Options**

- 1 The Council can appoint anyone other than a Member of the Executive as Chairman of the Overview and Scrutiny Committee. However, it is considered that the Chairman and Vice-Chairman of the Council, who are specifically prohibited from being Members of the Executive, are also ineligible to serve given the responsibilities of those roles and the extent to which they would be incompatible with the role of the Chairman or Vice-Chairman of the Overview and Scrutiny Committee.

## **Reasons for Recommendations**

- 2 Council needs to ensure that Chairmen and Vice-Chairmen are in post to deliver the Council's functions.

## **Introduction and Background**

- 3 The Council is required to appoint an Overview and Scrutiny Committee. That Committee requires a Chairman and it is helpful if it also has a Vice-Chairman empowered to act on the Chairman's behalf. A vacancy has arisen following the resignation from the Committee of the current Chairman.
- 4 Councillor Seldon is being proposed as Chairman. He is the current Vice-Chairman of the Overview and Scrutiny Committee potentially creating a vacancy in that position. Council can also appoint the Vice-Chairmen of Committees. If Council does not appoint the Vice-Chairman of a Committee that appointment will be made by the Committee itself.
- 5 In May 2011 Council agreed to appoint six vice-Chairmen with responsibility for themed areas. The proposed appointment of Councillor Seldon as Chairman of the Committee would create a vacancy in the Vice-Chairmanship for the themed area of Enterprise and Culture. It is proposed that Councillor AM Atkinson be appointed to this office.
- 6 Council in May 2011 agreed to appoint the Overview and Scrutiny Committee on a politically proportionate basis in accordance with the rules for securing political balance on committees and sub-committees appointed by local authorities, as contained in sections 15 and 16 of the Local Government and Housing Act 1989, and the Local Government (Committees and Political Groups) Regulations 1990.
- 7 The Conservative Group Leader has nominated Councillor Brigadier P Jones to fill the Conservative Group vacancy on the Committee created by the resignation of Councillor Bramer from the Committee. This means the Committee remains politically proportionate.

## **Community Impact**

- 8 The Council needs to ensure that it complies with its statutory duties and the requirements as outlined in the Constitution.

## **Financial Implications**

- 9 There are no financial implications

## **Legal Implications**

- 10 The Council is required to ensure that the allocation of seats to committees are compliant with relevant rules contained in the Local Government and Housing Act 1989 and regulations made under this act

## **Risk Management**

- 11 The Council is required to ensure that the correct legal processes are adhered to.

## **Consultees**

- 12 The Group Leaders have been consulted on the contents of this report.

## **Appendices**

None

## **Background Papers**

None identified.