

Brierley Hill Area Committee - 7th December 2006

Report of the Director of Law and Property

Select Committees : Appointment of Co-opted Members

Purpose of Report

1. To respond to a request of the Area Committee regarding the possible appointment of co-opted members to Select Committees.

Background

2. At its meeting on the 28th September 2006 the Committee queried whether it was possible for co-opted members to be appointed to Select Committees.
3. Section 21(10) of the Local Government Act 2000 does permit the appointment of co-opted members to Select Committees. Normally such co-opted members would not have a vote but paragraph 12 of Schedule 1 to the Act does authorise the Council to make a scheme under which co-opted members would be entitled to vote at meetings of a Select Committee.
4. The power to co-opt would require a change to the Council's Constitution which would be a decision of full Council. Any recommendation to introduce the power to co-opt would have to refer to the benefits of co-option and identify the type of skills and experience that co-opted members would bring to the work of the Select Committee.
5. By way of example the Select Committee on Children's Services already has a number of statutory voting and non-voting co-opted members because the Government considers that the work of this Select Committee benefits from having co-opted members who have a particular expertise or experience in education.
6. Apart from co-option members should bear in mind that under paragraph 14 of the Select Committee Procedure Rules, a Select Committee may invite any person to address the Committee, discuss issues of local concern and/or answer questions. For example, the Committee may wish to hear from local residents, stakeholders and members and officers in other parts of the public sector.
7. In addition paragraph 14 also enables a Select Committee to include a standard item entitled "Public Forum" on its agenda to facilitate members of the public asking questions on any matter falling within its terms of reference. To date this facility has been adopted by 4 of the 5 Select Committees.

8. Co-option was considered at a meeting of Select Committee Chairmen on the 26th October 2006. In view of the fact that the Select Committee already has a number of co-optees and that every Select Committee may invite any person to address the Committee, the Chairmen did not feel that co-option was necessary and asked me to draw this to the attention of the Area Committee.

Finance

9. Co-opted members are entitled to receive travelling and subsistence allowances in accordance with Section 174 of the Local Government Act 1972 and a Financial Loss Allowance in accordance with Section 173(4) of that Act. Such allowances would have to be met from existing budgets.

Law

10. The relevant statutory provisions have already been referred to in this report.

Equality Impact

11. The appointment of co-opted members would have to comply with the Council's policy on equal opportunities and diversity and ensure that the views of children and young persons are represented.

Recommendation

12. It is recommended that the Area Committee consider this report and that, in view of the comments of the Select Committee Chairmen referred to in paragraph 8, no further action be taken.

John Polychronakis

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John Polychronakis
Director of Law and Property

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List of Background Papers

1. Select Committee Procedure Rules of Dudley MBC