

Meeting of the Council - 24th July, 2006

Appointment of Members to the Cabinet and certain Committees and outside bodies

Report of the Director of Law and Property

Purpose

1. To approve changes to Committee Memberships proposed by the Labour Group.
2. To approve the appointment of an elected parent governor representing the primary education sector to the Select Committee on Children's Services.
3. To approve proposals by the Leader regarding membership of the Cabinet and certain outside bodies

Background

4. The appointment of Members to Committees was determined at the Annual Meeting of the Council. Notice has been received from the Labour Group that the Group wishes to make the following changes:

<u>NAME OF COMMITTEE</u>	<u>CURRENT MEMBER</u>	<u>MEMBER PROPOSED</u>
Disciplinary/Dismissal/Grading Appeals Committee	Councillor Mrs Aston	Councillor Mottram
Select Committee on Community Safety and Community Services	Councillor Ms Jordan	Councillor Waltho
Select Committee on the Environment	Councillor Body	Councillor Ms Harris
Select Committee on Health and Adult Social Care	Councillor Waltho	Councillor Ms Jordan
Select Committee on Regeneration, Culture and Adult Education	Councillor Ms Harris	Councillor Ms Foster

5. There is a legislative requirement for elected parent governor representatives to be appointed to Committees dealing with education. The period of office of the Parent Governor Representative for the primary sector expired on 25th May, 2006, subsequent to which Mr Paul Tully was elected for a 2 year period with effect from 10th July, 2006. The Council is asked to approve his appointment to the Select Committee on Children's Services for the remainder of the current municipal year.
- 6 A report by the Leader regarding the membership of the Cabinet and certain outside bodies will follow.

Finance

7. The financial implications arising from the above proposals will be met from existing resources.

Law

- 8 The relevant statutory provisions regarding the Constitution and arrangements with respect to executives are contained in Part II of the Local Government Act, 2000, together with Regulations, Orders and Statutory Guidance issued by the Secretary of State. The rules on proportionality (which are applied to the nomination of representatives from the minority groups) are contained in the Local Government and Housing Act, 1989 and associated regulations.
9. The power to appoint Committees and to delegate functions to Committees and officers is set out in Sections 101 and 102 of the Local Government Act, 1972.
10. Seats on Committees must be allocated to political groups on a proportional basis in accordance with Section 15 of the Local Government and Housing Act, 1989 and the Local Government (Committees and Political Groups) Regulations, 1990.
11. However, if it so wishes, the Council may resolve not to apply the proportionality rules in respect of one or more Committees, but such a resolution must be passed with no member of the Council voting against it (Section 17 of the 1989 Act).
12. The provisions regarding the entitlement of elected parent governors to serve on Committees dealing with matters relating to education are contained in Section 499 of the Education Act, 1996, DFES Circular 19/99 and the Education (Parent Governor Representatives) Regulations, 2001.
- 13 The statutory provisions relating to the appointment of members to outside bodies are contained in Section 111 of the Local Government Act, 1972, Sections 15-18 of the Local Government and Housing Act, 1989, and the relevant provisions of the Local Government Act, 2000.

Equality Impact

14. This report has no direct implications for the Council's policies with regard to equality and diversity. Decisions taken by the Council and its Committees during

the year on policy issues and the implementation of the Council Plan framework will involve actions to promote equality and in relation to children and young people.

Recommendations

15. That the changes in membership in the Committees referred to in paragraph 4 above, as proposed by the Labour Group, be approved for the remainder of the current municipal year.
16. That the appointment of Mr Tully to the Select Committee on Children's Services, as an elected Parent Governor representing the primary sector, be approved for the remainder of the current municipal year.
17. That actions arising from the report to be submitted by the Leader, on the membership of the Cabinet and certain outside bodies, referred to in paragraphs 3 and 6 above, be approved

John Pyper

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Director of Law and Property