
TO REVIEW APPOINTMENT OF SUBSTITUTES TO ATTEND MEETINGS

To: **Council – 24 April 2014**

By: **Democratic Services & Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: **To consider whether a substitute appointed to attend a meeting of a body should be from the same political group as the member of the body who is being substituted**

For Decision

1.0 The Current Situation

- 1.1 Members of the Standards Committee reviewed the position regarding the size and political composition of the pool of substitute members of the Planning Committee at its meeting on 30 October 2013. Standards Committee agreed to recommend that the status quo be retained in relation to the size and political composition of the pool; i.e. that the size and composition continue to mirror exactly those of the committee. That recommendation was adopted by Council on 5 December 2013.
- 1.2 Additionally, Standards Committee considered the establishment of a pool of substitutes for the Governance & Audit Committee at its meeting on 4 September 2013 and agreed to recommend that a pool be set up to replicate the size and political proportionality of the committee. This was followed by a Council resolution on 3 October 2013 that there be named substitutes, appointed in accordance with the principles of political proportionality.
- 1.3 As the respective pools for the Planning Committee and Governance & Audit Committee are politically balanced, it could be expected that the appointment from the pools of substitutes to attend meetings would also be such so as to maintain political balance at meetings.
- 1.4 Regarding the Council bodies, apart from Planning and Governance & Audit, which are politically balanced under the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, the position is that, with the exception of the Licensing Board, for which no substitutes are permissible, any Member who is not a member of a body can be appointed as substitute to attend a meeting of that body.
- 1.5 In the interests of maintaining political balance as far as possible at meetings of council bodies, whose composition is politically proportional, it is suggested that Members of those bodies appoint as substitutes only Members of the same political group to which they belong.

2.0 How do Members Register a substitute?

- 2.1 Currently any Member may contact Democratic Services and give their apologies for a meeting and give details of a substitute. In addition in accordance with the Council Procedure Rules a substitute can also be appointed anytime up to the start of an item of business.
- 2.2 At its meeting on 1 April 2014, Standards Committee considered whether the rules on who can register a substitute should be amended to allow for either individual substitution or substitution by the group whip

3.0 Recommendations of Standards Committee

- 3.1 On 1 April 2014, Standards Committee AGREED TO RECOMMEND to Council:
 - 3.1.1 THAT Council Procedure Rule 5 and Clause 9 of the Protocol for the guidance of Planning Committee members and Officers be amended, as indicated at Annexes 1 and 2 respectively;
 - 3.1.2 THAT the existing rules on who can register substitutes remain the same.

4.0 Corporate Implications

4.1 Financial and VAT

- 4.1.1 None arising

4.2 Legal

- 4.2.1 The Council must observe rules concerning political balance of council bodies, as provided for within the Local Government & Housing Act 1989 and the Local Government (Committees and Political Groups) 1990. The suggested modular council procedural rule 1.2 "Selection of Councillors on Committees and Outside Bodies states that: "At the annual meeting, the council ... will ... (iii) decide the allocation of seats [and substitutes] to political groups in accordance with political balance rules".

4.3 Corporate

- 4.3.1 None arising

4.4 Equity and Equalities

- 4.4.1 None arising

5.0 Recommendation

- 5.1 That, following the recommendation of Standards Committee, Council Procedure Rule 5 and Clause 9 of the Protocol for the Guidance of Planning Committee Members and Officers be amended, as indicated at Annexes 1 and 2 respectively.

6.0 Decision Making Process

6.1 This is a decision for Council to take.

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Annex List

Annex 1	CPR 5 – Appointment of Substitute Members of Committees, Sub-Committees and Working Parties
Annex 2	Clause 9, Protocol for the Guidance of Planning Committee Members and Officers, “Membership of Planning Committee and Substitutions

Background Papers

Title	Details of where to access copy
<i>None</i>	

Corporate Consultation Undertaken

Finance	<i>n/a</i>
Legal	<i>Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer Ext 7005</i>