

Felicity Foley,
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Co-ordinator

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09 February 2018

To: All Members of the Regulatory Committee

Dear Member,

Regulatory Committee - Monday, 12th February, 2018

I attach a copy of the following reports for the above-mentioned meeting which were not available at the time of collation of the agenda:

6. MEMBERSHIP REPORT (PAGES 1 - 8)

Yours sincerely

Felicity Foley, Principal Committee Co-ordinator
Principal Committee Co-Ordinator

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Report for: Regulatory Committee

Title: Revised Planning Sub Committee Membership

Report authorised by: Michael Kay, Democratic Services Manager

Lead Officer: Felicity Foley, Principal Committee Co-ordinator

Ward(s) affected: N/A

**Report for Key/
Non Key Decision:** N/A

1. Describe the issue under consideration

1.1 The Regulatory Committee agreed at its meeting on 22 May 2017 the membership of the Planning Sub Committee. Councillor Peter Mitchell has been appointed to the Cabinet and a vacancy has arisen on the Planning Sub Committee.

2. Cabinet Member Introduction

N/A

3. Recommendations

Regulatory Committee are asked to:

- i) Approve the appointment of Councillor Joanna Christophides to the Planning Sub Committee; and
- ii) Note the appointment of Councillor Joanna Christophides to the Regulatory Committee, as taken by the Mayor.

4. Reasons for decision

N/A

5. Alternative options considered

N/A

6. Background information

6.1 Councillor Peter Mitchell has been appointed to the Cabinet as the Cabinet Member for Environment, which has resulted in a vacancy on both the Planning Sub Committee and Regulatory Committee.

- 6.2 The membership of the Planning Sub-Committee must be constituted in accordance with the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 in terms of political balance. The proportionality split is as follows: Labour Councillors (49 Members) now constitute 85.96% of the available seats on the Council and Liberal Democrats Councillors (8 Members) occupy 14.04%. Where practicable, the allocation of seats on Committees should be in line with the proportion of seats on the Council held by the political groups. The rule about proportionate allocation of seats on bodies overall takes precedence over the rule about proportionate allocation on any individual body.
- 6.3 Due to the timing of the meetings it has not been possible to appoint a replacement to the Regulatory Committee at a Full Council meeting as would be the usual practice. The Mayor has therefore taken the decision to appoint Councillor Joanna Christophides to the Regulatory Committee (see attached Appendix A), in accordance with Part 3 Section E, Section I – Scheme of Delegation section 5, of the Council’s Constitution.
- 6.3 It is proposed that Councillor Joanna Christophides shall be appointed to the Planning Sub Committee.

7. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

The Chief Finance Officer confirms that there are no financial implications arising from the recommendations in this report.

Comments of Assistant Director of Corporate Governance

The Assistant Director of Corporate Governance has been consulted and approves the content of this report.

Equalities and Community Cohesion Comments

The Council has a public sector equality duty under S149 of the Equality Act 2010 to have due regard to need to:

- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;
- foster good relations between people who those characteristics and people who do not.

An initial screening of the proposals in this report has been completed and the proposals carry no implications for any aspect of the duty outlined above.

8. Use of Appendices

8.1 Appendix A – Record of Mayor’s urgent action

9. Local Government (Access to Information) Act 1985

9.1 The following background papers were used in the preparation of this report:

(i) The Council’s Constitution

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RECORD OF MAYOR'S URGENT ACTION

Title of Report: Appointment to Regulatory Committee

Reason for urgency or Relevant paragraph for authority under scheme of delegation

Part 3 Section E, Section 1 - Scheme of delegation section 5, indicates that where action needs to be taken on an urgent matter between meetings of the Cabinet, or any Committee or Sub Committee of the Cabinet or Council this can be taken forward by the Leader for Executive functions and in the case of non Executive functions, the director can take the decision in consultation with the Chair of the Committee.

Councillor Mitchell's appointment to the Cabinet has left a vacancy on the Regulatory Committee, and the Planning Sub-Committee. Appointments to sub-committees are reserved to the parent committee, and so Cllr Mitchell's replacement on the Planning Committee would have to be made by Regulatory Committee at its meeting on 12 February – its final meeting of this municipal year.

Appointments to Committees are reserved to Full Council, which will not be able to consider such an appointment until after the final meeting of the Regulatory Committee.

Decision of the Chief Executive

Signature



Date

7.2.18

Concurrence of the Mayor – Chair of full Council



Once signed by the Chief Officer this cover sheet together with the substantive report must be forwarded to Democratic Services- Level 5, River Park House - for processing.

Report for: Interim Chief Executive and Head of Paid Service

Title: Appointment to Regulatory Committee

Report authorised by: Bernie Ryan, Assistant Director – Corporate Governance and Monitoring Officer

Lead Officer: Michael Kay, Democratic Services and Scrutiny Manager

Ward(s) affected: N/A

**Report for Key/ Non-Key
Non Key Decision:**

1 Describe the issue under consideration

- 1.1 At Annual Council on 22 May, appointments were made to Committees, a responsibility reserved to it by the Constitution. Regulatory Committee, which also met on 22 May, made appointments from among its members to its Licensing and Planning sub-committees, as is its responsibility as the parent committee.
- 1.2 Councillor Peter Mitchell was appointed to the Cabinet on 11 January, leaving a vacancy on the Regulatory Committee and the Planning Sub-Committee.
- 1.3 The Labour Group Chief Whip has indicated that Cllr Christophides should fill that vacancy on Regulatory, which would then be asked to appoint her to fill the vacancy on the Planning sub-committee.

2 Cabinet Member Introduction

N/A

3 Recommendations

- 3.1 It is recommended that Councillor Joanna Christophides be appointed to the Regulatory Committee.

4 Reason for Decision

- 4.1 Appointing Cllr Christophides to Regulatory Committee will enable her to take a place on the Planning sub-committee, which takes important non-executive decisions of the Council and full membership is desirable.

5 Alternative Options Considered

- 5.1 If this appointment were not made between meetings, the Councillor could not be appointed to the Planning sub committee, which could impact on Committee's effectiveness.

6 Background information

- 6.1 The Annual General Meeting of the Full Council makes appointments to Committees and Sub-Committees in accordance with Article 4.02(l) of the Constitution. In line with the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, Committees are constituted in accordance with the Council's political balance..
- 6.2 The membership of the Regulatory Committee must be constituted in accordance with the provisions of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 in terms of political balance. The proportionality split is as follows: Labour Councillors (49 Members) now constitute 85.96% of the available seats on the Council and Liberal Democrats Councillors (8 Members) occupy 14.04%. Where practicable, the allocation of seats on Committees should be in line with the proportion of seats on the Council held by the political groups. The rule about proportionate allocation of seats on bodies overall takes precedence over the rule about proportionate allocation on any individual body.
- 6.3 Due to the timing of the meetings it has not been possible to appoint a replacement to the Regulatory Committee at a Full Council meeting as would be the usual practice. The vacancy on the Regulatory Committee should be filled by a Labour Member, which would mean an on-going representation of 84.6% Labour Members, to 15.4% Liberal Democrat.

7 Statutory Officers' comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities

7.1 Finance

N/A

7.2 Legal

The legal and constitutional implications are set out in the body of the report.

7.3 Equalities

N/A

9 Use of appendices
Not used

10 Local Government (Access to Information) Act 1985
N/A