

## 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