

HAMPSHIRE COUNTY COUNCIL

Decision Report

| | |
|------------------------|------------------------|
| Decision Maker: | Cabinet |
| Date: | 16 April 2018 |
| Title: | Constitutional Matters |
| Report From: | Chief Executive |

Contact name: Barbara Beardwell

Tel: 01962 845157

Email: barbara.beardwell@hants.gov.uk

1. Recommendations

- 1.1. That Cabinet recommends to the County Council that provision in the Constitution in respect of the appointment of Substitute Members in the case of each Political Group represented on Committees and Standing Panels of the County Council to which proportionality applies be amended, so that up to two Substitute Members per Political Group be appointed in accordance with this provision.
- 1.2. That subject to the approval of the County Council delegated authority be given to the Monitoring Officer to amend the Constitution to give effect to the recommendation at paragraph 1.1 above.

2. Executive Summary

- 2.1. The purpose of this paper is to seek Cabinet's approval to the proposal set out in this report in respect of the appointment of Substitute Members to Committees and Standing Panels of the County Council to which proportionality applies.
- 2.2. In the interest of business efficiency and in order to minimise difficulties in representation by Political Groups on Committees and Panels of the County Council to which proportionality applies, it is proposed that existing provision in the Constitution in respect of the appointment of Substitute Members be extended so as to allow appointment of up to two Substitute Members per Political Group represented on such Committees and Panels.

3. Contextual Information

- 3.1. At its meeting on 23 May 2013 existing provision in the Constitution for appointment of Substitute Members to Regulatory Committee and the Buildings, Land and Procurement Panel (BLAPP) was extended to enable appointment of a Substitute Member for each Political Group on all

Committees or Panels of the County Council to which proportionality applies, to deputise for any Ordinary Member of such Political Group, where the Ordinary Member is unable to attend a Meeting of such Committee or Panel.

- 3.2. This provision has worked well, and has enabled fuller representation to be achieved in cases where from time to time Ordinary Members appointed have unavoidably been unable to attend. However, there have on occasions been incidences where more than one Ordinary Member of a Committee or Panel is unable to attend, for example in consequence of illness. In the interest of good governance, and to secure wherever possible in such cases appropriate representation from respective Political Groups, it is proposed that this position is extended where applicable to up to two Substitute Members.

4. Conclusion and Recommendations

- 4.1. Approval of the County Council is required to agree the proposal in this report and Cabinet are accordingly asked to recommend to the County Council the proposal in this report for approval at its meeting on 18 May 2018.

CORPORATE OR LEGAL INFORMATION:

Links to the Strategic Plan

This proposal does not link to the Strategic Plan but, nevertheless, requires a decision in order for the good governance of the County Council.

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

Document

Location

None

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

N/A

2. Impact on Crime and Disorder:

2.1. No impact

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?
- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

N/A