

Council

17th July 2014

Report of the Monitoring Officer

Substitute Arrangements for Independent Members

Summary

1. This report asks Members to agree substitute arrangements on Committees for the Councillors who are not members of a political group.

Background

2. The Council's standing orders for Committees allow Council to appoint substitutes from within each political group. No provision is made for Members who are not allied to a group. A request has been received from the independent Members to be allowed to substitute for each other.
3. It would be possible for the Council to adopt an arrangement for named substitutes for the independent Councillors. A minor change to Part 4B of the Constitution would be required adding to paragraph 6.5.1 (a) the words in italics below:

“For the Planning Committee up to four named substitutes shall be allowed for each of the political Groups. For other Member bodies up to three named substitutes shall be allowed for each political Group. *Independent Councillors may also be appointed to act as named substitutes for other independent Councillors within this rule.*”

4. If Council approves this change it will also be necessary for Council to appoint Councillors to act as substitute members for each other in respect of Committee appointments made by Council. The Council's ordinary arrangements provide that Members requiring a substitute should approach their first named substitute and, only if that person is unavailable, may they approach their second substitute.

5. A possible arrangement would be:

Appointed Member	First Substitute	Second Substitute
Cllr. Warters	Cllr. Watson	Cllr. Wiseman
Cllr. Watson	Cllr. Wiseman	Cllr. Warters
Cllr. Wiseman	Cllr. Warters	Cllr. Watson

Consultation

6. The independent Councillors have requested this change and Group Leaders have been consulted.

Options

7. Members may agree or not with the proposal for the independent Councillors to be able to substitute for each other. Members may decide that the proposed order of substitutes should be changed.

Analysis

8. Allowing the use of substitutes will ensure that each Committee which has representation from an independent Councillor will retain that representation even where the nominated Councillor is unable to act.

Implications

9. Legal – there is no specific legislation covering the use of substitutes at Committee meetings. Very many Councils do adopt these arrangements though and legal opinion supports their lawfulness.

Risk Management

10. There are no known risks, other than those identified in the report.

Recommendations

11. Members are asked to:
- 1) Approve an amendment to paragraph 6.5.1 (a) of Part 4B of the Constitution adding, at the end of that paragraph, the words: "Independent Councillors may also be appointed to act as named substitutes for other independent Councillors within this rule."

2) Appoint the substitute Members set out in paragraph 5 above

Reason: To ensure that each Committee with independent representation has the benefit of such representation even where the appointed Councillor is unable to attend a meeting.

Contact Details

Author and Chief Officer Responsible for the report:

Andy Docherty
Assistant Director Governance and ICT

Report **Date** 8th July 2014
Approved

Wards Affected: All

**For further information please contact
the author of the report**

Background Papers: None

Annexes: None