

Highways and Transport Committee

Date of Meeting:	19 July 2021
Report Title:	Appointment of Members to the Public Rights of Way Sub Committee
Report of	David Brown, Director of Governance and Compliance
Report Reference Number:	HT/24/21-22
Wards Affected:	No specific wards

1. Executive Summary

1.1. The Council at its annual meeting on 4th May 2021 approved the political representation on its main committees. The appointment of certain sub-committees, working groups, panels and boards is a matter for the relevant service committees. This report concerns the Public Rights of Way Sub Committee of which the membership is required to be appointed by the Highways and Transport Committee. Where political proportionality is applicable, the agreed conventions and methods of calculation have been applied.

2. Recommendation

2.1. That the Committee appoints the Public Rights of Way Sub Committee referred to in this report, agrees the political representation on, and the method of making nominations to it, as set out in paragraph 3 of the report.

3. Background

A. Bodies which report to the Highways and Transport Committee

1. Public Rights of Way Sub Committee

The Constitution provides that the lead service committee in respect of the Public Rights of Way Sub Committee will be the Highways and Transport Committee. The Public Rights of Way Sub Committee will meet on a quarterly basis, report to the Highways and Transport Committee on at least

an annual basis, and review its terms of reference annually in order to establish if they are fit for purpose or need amending. Any recommendations would be reported to the Highways and Transport Committee.

The appointment of the Public Rights of Way Sub Committee (7 Members) is the responsibility of the Highways and Transport Committee, which also needs to agree the mechanism for the nomination of Members to the Sub Committee.

It is proposed that the Highways and Transport Committee agree to the appointment of members to the Public Rights of Way Sub Committee in line with the following, and that the nominees to the Sub Committee be notified to the Head of Democratic Services and Governance:

3 Conservative
2 Labour
2 Independent

4. Implications of the Recommendations

4.1. Legal Implications

4.1.1. The Local Government (Committees and Political Groups) Regulations 1990, made pursuant to the Local Government and Housing Act 1989, make provisions in respect of the political group representation on a local authority's committees in relation to the overall political composition of the Council. The legislation applies to the decision-making committees and sub-committees of the Council.

4.1.2. The legislation requires that, where proportionality applies, and seats are allocated to different political groups, the authority must abide by the following principles, so far as is reasonably practicable:

4.1.2.1. Not all of the seats can be allocated to the same political Group (i.e. there are no single group committees).

4.1.2.2. The majority of the seats on the body are to be allocated to a political Group with a majority membership of the authority.

4.1.2.3. The total number of seats on all ordinary committees and sub committees allocated to each Political Group bears the same proportion to the proportion on the full Council.

4.1.2.4. The number of seats on each ordinary committee allocated to each Political Group bears the same proportion to the proportion on full Council.

4.1.3 The proposals contained in this report meet the requirements of the legislation.

4.1.4 The 1990 Regulations require Political Group Leaders to notify the Proper Officer of the Groups' nominations to the bodies in question.

4.2. Finance Implications

4.2.1. That there are no financial requirements that require an amendment to the Medium Term Financial Strategy.

4.3. Policy Implications

4.3.1. That there are no direct implications

4.4. Equality Implications

4.4.1. There are no direct implications for equality.

4.5. Human Resources Implications

4.5.1. There are no direct human resource implications.

4.6. Risk Management Implications

4.6.1. Failure to comply with the Act and Regulations when appointing its committee memberships would leave the Council open to legal challenge.

4.7. Rural Communities Implications

4.7.1. There are no direct implications for rural communities.

4.8. Implications for Children & Young People/Cared for Children

4.8.1. There are no direct implications for children and young people/Cared for Children.

4.9. Public Health Implications

4.9.1. There are no direct implications for public health.

4.10 Climate Change Implications

4.10.1. There are no direct climate change implications.

5. Ward Members Affected

5.1. There are no specific ward implications.

6. Access to Information

- 6.1. The background papers relating to this report can be inspected by contacting the report writer.

7. Contact Information

- 7.1. Any questions relating to this report should be directed to the following officer:

Name: Brian Reed

Job Title: Head of Democratic Services and Governance