

Highways and Transport Committee

Date of Meeting:	16 June 2022
Report Title:	Appointments to Sub-Committees, Working Groups, Panels, Boards and Joint Committees
Report of:	Brian Reed, Head of Democratic Services and Governance
Report Reference No:	HT60/22-23
Ward(s) Affected:	No specific wards

1. Purpose of Report

- 1.1** This report seeks approval from the Highways and Transport Committee to appoint members to the Public Rights of Way Sub Committee.

2. Executive Summary

- 2.1** The Council, at its annual meeting on 18 May 2022, 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 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.

3. Recommendations

- 3.1** That the committee appoints the Public Rights of Way Sub Committee referred to in this report; notes the terms of reference attached as appendix 1 to the report; agrees the political representation and agrees that the names of Members appointed to it will be submitted to the Head of Democratic Services and Governance.

4. Reasons for Recommendations

- 4.1** The Committee is responsible for the appointment of the sub-committee, referred to in this report.

5. Other Options Considered

- 5.1.1** Not applicable.

6. Background

A. Bodies which report to the Highways and Transport Committee

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. (Please see Appendix 1 for the terms of reference). The membership (7 Members) of the Public Rights of Way Sub Committee is required to be formally ratified by the Highways and Transport 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

Recommendation: That the Highways and Transport Committee appoints Members to the Public Rights of Way Sub Committee as follows: Con:3; Lab:2; Ind:2; Lib Dem:0; R. Ind:0; NGI:0

Current Membership:-

Councillors S Akers Smith, L Crane, S Edgar, H Faddes, L Gilbert, R Moreton and D Stockton.

7. Implications

7.1 Legal

- 7.1.1** 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.

7.1.2 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:

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

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

7.1.2.3 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.

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

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

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

7.2. Finance

7.2.1 There are no financial implications that require an amendment to the Medium-Term Financial Strategy.

7.3. Policy

7.3.1 There are no direct implications for policy.

7.4. Equality

7.4.1 There are no direct implications for equality.

7.5. Human Resources

7.5.1 There are no direct human resource implications.

7.6. Risk Management

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

7.7. Rural Communities

7.7.1 There are no direct implications for rural communities.

7.8. Children and Young People/Cared for Children

7.8.1 There are no direct implications for children and young people/cared for children.

7.9. Public Health

7.9.1 There are no direct implications for public health.

7.10. Climate Change

7.10.1 There are no direct climate change implications.

Access to Information	
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Appendices:	Appendix 1: Terms of Reference for the Public Rights of Way Sub Committee.
Background Papers:	The background papers relating to this report can be inspected by contacting the report writer.

Appendix 1-Terms of Reference of the Public Rights of Way Sub Committee

Public Rights of Way Sub Committee

(Membership: 7 Councillors)

This Sub Committee acts in a Quasi-Judicial capacity.

The **terms of reference** for the Public Rights of Way Sub Committee are:

- 1 The Public Rights of Way Sub-Committee's responsibilities include:
 - 1.1 discharge all the functions of the Council in relation to public rights of way (except the determination of non-contentious Public Path Order applications which has been delegated to the Executive Director Place);
 - 1.2 discharge of Commons and Town and Village Greens functions;
 - 1.3 being apprised of, approve, and comment on a range of policies, programmes and practices relating to Rights of Way, Commons, Town and Village Greens and countryside matters including:
 - 1.3.1 progress reports on implementation of the Rights of Way improvement Plan (part of the Annual Progress Review for the Local Transport Plan);
 - 1.3.2 Statements of Priorities;
 - 1.3.3 Enforcement Protocols;
 - 1.3.4 Charging Policy for Public Path Order applications.