

Divisions Affected – N/A

COUNCIL – 4 November 2025

COMMITTEE VACANCY

Report by Director of Law & Governance and Monitoring Officer

RECOMMENDATION

1. **Council is RECOMMENDED to:**
 - a) appoint a Member to the current vacant position on the Planning and Regulation Committee;
 - b) delegate to all council committees the authority to appoint to its vacant committee seats in accordance with legislation.

Executive Summary

2. The Liberal Democrat group is entitled to seven of the twelve positions on the Planning and Regulation Committee. However, only six Members have been appointed by the political group leader leaving one vacancy on the committee.
3. Council is invited to fill the current vacancy.
4. It is also proposed that Council delegates to all council committees the authority to appoint to its future vacant committee seats in the event that a political group has not expressed its wishes in accordance with the Local Government and Housing Act 1989 .

Background

5. Following the election on 1 May 2025 and the formation of political groups in the new Council, Democratic Services calculated the number of seats that each political group are entitled to on each committee. On 13 May 2025, Democratic Services wrote to the political group leaders inviting them to nominate Members of their group for their respective seats.
6. The Local Government and Housing Act 1989, Part 1, Section 15, 5(b), states:

“that the majority of the seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority’s membership;”

7. There are 12 seats on the Planning and Regulation Committee. The Liberal Democrat group is therefore entitled to 7 seats.
8. On 16 May 2025, the Leader of the Liberal Democrat group forwarded her nominations for the committees. Only six Members were nominated to the Planning and Regulation Committee, leaving a vacancy.
9. The Annual Council meeting on 20 May 2025 approved the nominations to committees and the final seat on the Planning and Regulation Committee remained vacant.
10. The Local Government (Committees and Political Groups) Regulations 1990 states:

Notifications

14. For the purpose of enabling a political group to express its wishes in accordance with section 16 of the 1989 Act, the proper officer shall notify in writing the leader or, in his absence, the representative of a political group as soon as practicable after—

(a) the allocation by the authority or committee to that group of a seat on a body to which section 15 of the 1989 Act applies; or

(b) the vacation of a seat on such a body allocated by the authority or committee to that group.

Appointments where political group fails to express wishes

15. Where a political group has failed to express its wishes in relation to the appointment to such a seat as is mentioned in regulation 14 within the period of three weeks beginning with the date on which notice was given under that regulation, the authority or committee may make such appointment to that seat as they think fit.

11. As the seat remains vacant, it is proposed that Council makes an appointment to fill it.
12. If there is more than one nomination at the Council meeting, voting will take place in accordance with the Council Constitution, Part 3.1 Council Procedure Rules, paragraph 17.8, Voting on Appointments.
13. In the event that the proposed appointee is not a member of the Liberal Democrat group, Council must have regard to Section 17 of the Local Government and Housing Act 1989. Section 15 of the Act sets out the principles by which committee seats are allocated proportionally to political groups. Section 17 requires that Council can only make proposals to vary from those principles:

“without any member of the authority or committee voting against them.”

Therefore in this event, the Chair must ask the meeting if Members are agreed to the appointment varying the proportionality of the committee.

14. The legislation cited above allows for a committee to appoint to its vacant committee seats. This is not reflected in the Council's Constitution so it is therefore proposed that Council delegates the appointment authority in these circumstances directly to committees and their respective members.

Financial Implications

15. There are none arising from this report.

Comments checked by: Drew Hodgson, Strategic Finance Business Partner,
drew.hodgson@oxfordshire.gov.uk

Legal Implications

16. The recommendations in this report comply with and bring the Council's procedures into line with the Local Government (Committees and Political Groups) Regulations 1990, Regulation 15 Appointments where a political group fails to express wishes and Section 17 of the Local Government and Housing Act 1989.

Comments checked by: Jay Akbar, Head of Legal and Governance Services,
jay.akbar@oxfordshire.gov.uk

ANITA BRADLEY

Director of Law & Governance and Monitoring Officer

Background papers: None

Contact Officer: Colm Ó Caomhánaigh, Democratic Services Manager,
colm.ocaomhanaigh@oxfordshire.gov.uk

October 2025