

Protocol for the Selection of Panel Membership

1. The purpose of this document is to set out a clear and agreed process for selecting the membership of these three sets of ad hoc/task-and-finish Panels of Councillors.
 - Licensing and Environmental Health Panels
 - Appointments Panels
 - Standards Panels
2. The main role of the statutory Licensing and Environmental Health Committee is to consider policy issues in this subject area. Section 6.1 of the Licensing Act 2003 requires that there are 10-15 Members on this Committee. Individual licensing applications considered under relevant legislation that are for Members to determine rather than delegated to Officers (under the Schedule of Delegated Powers) are heard by three Member panels, drawn from the parent Licensing and Environmental Health Committee.
3. The Appointments Committee of seven Members appointed by full Council is only convened when there is a vacancy to fill in any of the Chief Officer or Statutory Officer roles – Chief Executive, Strategic Director of Planning, Strategic Director of Finance, Commercialisation and Corporate Services (and Section 151 Officer), Head of Legal Services (and Monitoring Officer) etc. When the Appointments Committee determines that the interviews for any of these roles are better undertaken by a Panel of less than 7 Members, it forms a Panel of a lower number.
4. The Audit and Standards Committee considers policy issues, but individual Standards Complaint hearings are heard by panels of three, drawn from the overall Committee membership and/or Substitutes list. Standards Panels also contain a fourth, non-voting Member, drawn from the pool of Independent Persons retained by the Council to assist with Standards processes, members who are subject to complaint under investigation are excluded.
5. This protocol sets out as below how the membership of those three sets of Panels shall from time to time be determined by officers, following these established principles.
6. Panels for Licensing and Environmental Health and also for Standards complaints shall be of three members. In contrast, the Appointments Committee has flexibility to determine the size of any Appointments Panels for particular vacancies as it sees fit, e.g. a panel of 3, a panel of 5 or the full Committee interviewing for a Chief Executive vacancy – so for Appointments Panels of

other than 3 Members, the same principles shall apply as below, but with the numbers proportionately adjusted.

7. On each occasion a Panel is required for a Licensing and Environmental Health Panel, an Appointments Panel, or a Standards Panel, first, the pool of qualified members shall be established.
8. To qualify, a Member must be a full or substitute Member of the parent Committee, duly appointed by full Council. They must also have undertaken all necessary training to enable them to sit on the Panel – though flexibility should be deployed so as to enable a Member to sit on the relevant Panel if it is reasonably practicable to put them through the training before the relevant meeting. They must not be disqualified by having any material interest in the issue to be considered – e.g. a relationship with a job applicant, a pecuniary or other registerable interest with a licensing applicant, or any interest in the matter being considered by the Standards Complaint (e.g. as a witness, or anything else that would stop them from being able to consider the matter even-handedly, objectively and without predetermination). Any Member subject to a live Standards Complaint themselves shall not be eligible to sit on any Standards Panel. The Monitoring Officer will make the determination as to eligibility to qualify for the pool.
9. Officers shall then default, in the circumstance of there being a majority group overall on the Council, to filling two of the seats on each panel with qualified Members of the majority group, as nominated by the Leader of the Council, taking into account their availability.
10. Officers shall then by default offer the third seat on each Panel to a qualified Member of the largest opposition group, as nominated by the Leader of the Opposition.
11. The Leader of the Council or the Leader of the Opposition shall have the right to offer any of their Panel seat entitlements to any other qualified Member from any smaller group of their choice, where they choose to want to involve other smaller party groups who would not otherwise be entitled to seats on a proportionate basis.
12. Where either the majority group or the largest opposition group cannot field their full entitlement of qualified candidates, and have not voluntarily reassigned their seat entitlements, any remaining vacant seats shall be offered in turn for nomination by the Leader of each subsequent group, in size order, from amongst their qualified candidates.

13. The Panel will elect one of its members to Chair the meeting at the beginning of proceedings.