



# Full Council Report

## ISLE OF WIGHT COUNCIL

Date **15 NOVEMBER 2023**  
Title **APPOINTMENT TO VACANCIES ON BODIES**  
Report of **MONITORING OFFICER**

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### 1. Executive Summary

- 1.1 The purpose of the report is to notify councillors of vacancies on certain bodies and for the council to consider what appointments to make.
- 1.2 In addition, the report gives an opportunity for political groups to make changes to their list of substitutes .

### 2. Recommendation(s)

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| 2.1 That the appointments set out in Appendix 1 be agreed. |
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### 3. Background

- 3.1 Since the last meeting of the council, there are a number of further vacancies which have arisen, and for which consideration needs to be given to appoint to such vacancies.
- 3.2 Cllr Clare Mosdell has been elected as the Conservative Group Leader by the Conservative Group and Cllr Gary Peace has resigned from the council. As a consequence that group wishes to make certain changes in its group seat allocation and the council is required to appoint the councillors nominated.
- 3.3 Other vacancies exist and these are all listed in Appendix 1.
- 3.4 It is not currently proposed to fill the vacancies proportionately assigned to the non-aligned councillors on the Licensing Committee and the Policy & Scrutiny Committee for Neighbourhoods and Regeneration. This reflects their wishes, and the matter will be considered at a further meeting of the council.

## 4. Corporate Priorities and Strategic Context

- 4.1 The appointments made will assist to facilitate the council to deliver its corporate vision and its corporate aims. The [Corporate Plan 2021 – 2025](#) lists key areas of activity that will be our main areas of focus for the lifetime of this plan which will need to be central to everything we do as a council.

## 5. Consultation And Engagement

- 5.1 Group leaders and the two unaligned councillors have been consulted and engagement has taken place.

## 6. Financial / Budget Implications

- 6.1 There are no additional costs associated with the proposals contained within this report. The recommendations accord with the overall budget agreed by the council in February 2023.

## 7. Legal Implications

- 7.1 Where certain bodies are required to be politically proportionate, the council must respect the expressed wishes of the relevant political groups as regards their seat allocation and appoint as duly nominated.
- 7.2 The council is required to allocate seats to the unaligned councillors but there is no requirement to appoint any particular unaligned councillor to any such seat. Presently neither unaligned councillor wishes to be appointed to the two vacant seats allocated to the unaligned.
- 7.3 There is no requirement to review political proportionality until one or more of the statutory triggering events occurs. If, following the current by-election, the person elected joins a political group, this would be a triggering event and a review of political proportionality will be held.
- 7.4 With regard to any appointment to an overview and scrutiny committee regard must be had to the statutory guidance - [Overview and scrutiny: statutory guidance for councils and combined authorities - GOV.UK \(www.gov.uk\)](#). For example, paragraph 27 of that guidance states: *'When selecting individual members to serve on scrutiny committees, an authority should consider a member's experience, expertise, interests, ability to act impartially, ability to work as part of a group, and capacity to serve'*. Paragraph 28 advises: *'Authorities should not take into account a member's perceived level of support for or opposition to a particular political party...'*. This guidance does not, however, override the legal requirement to give effect to the seat allocation under section 16 of the Local Government and Housing Act 1989.

## 8. Equality And Diversity

- 8.1 The council as a public body is required to meet its statutory obligations under the Equality Act 2010 to have due regard to eliminate unlawful discrimination, promote equal opportunities between people from different groups and to foster good relations between people who share a protected characteristic and people who do

not share it. The protected characteristics are: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It is not considered that this report has any negative impact upon any of the protected characteristics.

## 9. Options

- 9.1 As stated above, the council must appoint councillors duly nominated by relevant political groups for bodies required to be politically proportionate.
- 9.2 Otherwise it is up to the council to determine whether to appoint a particular person to a vacancy, provided that the person is willing, eligible and suitable.

## 10. Risk Management

- 10.1 The recommendations are to ensure that the council meets its corporate governance requirements and responds to changing requirements and demands. These should lessen the risks arising from any challenge to the decision-making process by way of judicial review or other legal action.

## 11. Evaluation

- 11.1 The council has no option but must respect the expressed wishes of the relevant political groups as regards their respective seat allocation and must appoint those duly nominated to their allocated committee seats which are politically balanced.
- 11.2 The two unaligned councillors do not currently wish to be appointed to the two vacancies allocated to the unaligned.

## 12. Appendices Attached

- 12.1 Appendix 1 sets out the council appointments to the vacancies on the bodies.

## 13. Background Papers

- 13.1 None.

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