

Agenda Item No: 8 (a) and (b) **Report No:** 83/07
Report Title: Appointments 2007/08
Report To: Council **Date:** 23 May 2007
Wards Affected: All
Report By: Leader of the Council Elect

- 1 The political composition of the Council is 23 Liberal Democrat, 17 Conservative and Councillor O’Keeffe who is not a member of either group.
- 2 Under Section 15 of the Local Government & Housing Act 1989, the Council has a duty to review the political balance at the Annual Meeting of the Council.
- 3 At the last meeting of Council, it was decided that the membership of the Standards Committee be increased from 4 to 5 and the membership of the Scrutiny Committee from 5 to 9 (see also paragraph 23 below), with effect from the start of the 2007/08 municipal year (Minute 212 refers). The total number of committee places has therefore increased from 45 to 49 places.
- 4 The Leader of the Council Elect **Recommends** that the allocation of places between the political groups as shown in Appendix B, subject to the amendments detailed below, be noted and agreed.

Review Procedure

- 5 The principles for carrying out a review are set out in the Local Government & Housing Act 1989, Section 15(5) – extract of the Act set out at Appendix A to this report.
- 6 Each Group’s fraction of membership converts to a percentage as follows:

Lib Dem Group	$\frac{23}{41}$	=	56.10%
Con Group	$\frac{17}{41}$	=	41.46%
- 7 In turn, these percentages convert to representation on the various sizes of the Council’s Committees as shown in Appendix B.
- 8 A political group can only be treated as being constituted when it comprises two or more members of the Council.

9 The table in Appendix B calculating the places on individual committees (Part 1 of Appendix B) shows the following totals:

Lib Dem Group	-	28 places
Con Group	-	21 places

10 However, when the total number of committee places of 49 is subjected to the political group percentages (the duty set out at principle (d) in Appendix A and which takes precedence over principle (c) therein), this gives a total allocation of:

Lib Dem Group	-	28 places
Con Group	-	20 places

leaving 1 place remaining for the non-group member – Councillor O’Keeffe.

11 From paragraphs 9 and 10, it is necessary to adjust the proportionality by the allocation of one of the Conservative Group's places to Councillor O’Keeffe.

12 The Conservative Group has offered Councillor O’Keeffe a place on the Audit Committee and this offer has been accepted.

13 The table in Appendix B calculating the places on Other Bodies (Part 2 of Appendix B) shows the following totals:

Lib Dem Group	-	26 places
Con Group	-	13 places

14 When the total number of Other Bodies places of 39 is subjected to the political group percentages (the duty set out at principle (d) in Appendix A and which takes precedence over principle (c) therein), this gives an allocation of:

Lib Dem Group	-	22 places
Con Group	-	16 places

leaving 1 place remaining for the non-group member – Councillor O’Keeffe.

15 However, the duty at principle (b) in Appendix A – that the majority of the seats on a 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 – takes precedence over both principles (c) and (d) therein.

16 It is not possible on this occasion to reduce the Liberal Democrat Group allocation on any Other Body without removing their majority thereon and therefore the membership figures arrived at in paragraph 13 stand and the redistribution indicated by the calculation in paragraph 14 does not take place.

17 The Conservative Group has offered Councillor O’Keeffe its place on the Landport Bottom Management Committee and this offer has been accepted.

- 18** As a matter of law, the political proportionality rules only apply to “ordinary committees and sub-committees” of the Council. These rules do not apply to the Cabinet. Additionally, the Local Government Act 2000 specifically provides that Standards Committees are not bodies to which the political proportionality rules apply. The Licensing Act 2003 and the associated Guidance and Regulations are silent as to whether the Licensing Committee needs to be politically balanced and the Licensing Committee has therefore been included in the calculation in Appendix B.
- 19** The Leader of the Council Elect therefore **Recommends** that the allocation of seats on Cabinet and the Standards Committee for the municipal year 2006/07 be as follows (proportionality is shown as Liberal Democrat Group – Conservative Group):

Cabinet: 6 – 3; and
Standards Committee: 3 – 2.

- 20** The Leader of the Council Elect **Recommends** that the membership of the Cabinet, the individual areas of responsibility to be allocated to the Cabinet and the allocation of those areas of responsibility to the members of the Cabinet be as follows:

Cabinet Membership 9 (6 – 3)

Individual Areas of Responsibility	Councillors
Policy and Financial Strategy	Leader of the Council (Chair)
Community	D M Gray
Environment	E N Collicot
Housing	S Saunders
Planning	P F Gardiner
Staff and Corporate Services	J H Freeman (Deputy Leader)
Three Members without Specific Responsibility (names put forward by the Leader of the Minority Group)	J V S Page I A Nicholson I J White

- 21** The Leader of the Council Elect and the Leader of the Minority Group **Recommend** that their own Groups’ membership of Committees etc for the municipal year 2006/2007, based on the political structure and the political balance in the Appendix and taking account of the adjustments referred to above, be as follows:

Proportionality is shown as Liberal Democrat Group – Conservative Group:

Scrutiny Committee	Membership 9 (5-4)
R E Allen	E E J Russell (Chair)
M A Cutress	S B Davy
T M Hawthorne	P A Howson
J N MacCleary	H J F Sheppard
R Sinclair	

Planning Applications Committee	Membership 11 (6-5)
J F Daly (Chair) D H Mitchell (Vice Chair) R E Allen I Eiloart P F Gardiner R Main	S B Davy B W Groves A T Jones R Maskell R L Worthington
Licensing Committee	Membership 10 (6-4)
K D Mayers (Chair) P L Bennett (Vice Chair) J F Daly D H Mitchell R Robertson R Sinclair	B W Groves L M Hallett P A Howson I J White
Audit Committee	Membership 7 (4-3 becomes 4-2-1, see paragraph 12 above)
M A Cutress J F Daly K D Mayers C S Lambert	C P Bishop J M Harrison-Hicks (Chair) C R O'Keeffe
Devolution Committee	Membership 7 (4-3)
C J Butler I Eiloart C S Lambert D O Rogers	S T Bratchie P Gander L M Hallett
Employment Committee	Membership 5 (3-2)
T M Hawthorne (Chair) J H Freeman D O Rogers	I A Nicholson H J F Sheppard
Standards Committee	Membership 5 (3-2)
I Eiloart D H Mitchell R Sinclair	A T Jones E E J Russell
Complaints Panel	This Panel comprises three councillors who have not had any direct involvement in the complaint.

The following Sub-Committees/Working Groups need to be re-appointed in order to conclude the business for which they were originally established:

Safety Testing of Memorials in Cemeteries and Closed Churchyards Sub-Committee

Membership 5 (3–2)
from membership of Council

E N Collict (Chair)
P L Bennett
D M Gray

S T Bratchie
P Gander

Southover Grange Sub-Committee

Membership 3 (2 –1)
from membership of Cabinet

A C De Vecchi (Chair)
D M Gray

I J White

Newhaven Enterprise Gateway Sub-Committee

Membership 3 (2 – 1)
from membership of Cabinet

E N Collict
S Saunders

J V S Page

Lewes House Site Sub-Committee

Membership 3 (2 – 1)
from membership of Cabinet

A C De Vecchi (Chair)
J H Freeman

I A Nicholson

Travellers Working Group

Membership 6 (4 – 2)
from membership of Council

C J Butler
I Eiloart
R Robertson
S Saunders

S B Davy
P Gander

Recycling Working Group

Membership 3 (2 – 1)
from membership of Council

R E Allen
I Eiloart

R L Worthington

22 The nominations of the Majority Group for the appointment of Chairs (and of the Minority Group for the appointment of the Chairs of the Audit Committee and Scrutiny Committee) are indicated above and the Leader of the Council Elect **Recommends** that the appointments be approved and that the remaining Chairs be appointed at the first meetings of the bodies concerned.

23 Previously, 3 members of the Scrutiny Committee of 5 were needed to agree a call-in of a Cabinet decision. As Scrutiny Committee membership was increased to 9 as agreed at the Council meeting on 25 April 2007, the Leader of the Council Elect **Recommends** that paragraph 16.4, page H7 of the Constitution be amended to read:

“If at least five members of the Committee are in favour of calling in the decision, the Chair of the Committee will call a meeting of a Panel of the Scrutiny Committee within five working days.”

24 Currently, the Members’ Allowances Scheme states that no one councillor should receive more than one Special Responsibility Allowance. This follows the recommendation of the Independent Remuneration Panel. Government Guidance now recommends that Lead Councillors participate in certain regulatory committees. The Leader of the Council Elect therefore **Recommends** that page R2 of the Constitution be amended to read:

“No one councillor shall receive more than one Special Responsibility Allowance with the exception of the Lead Councillor, Planning should he or she additionally be a member of the Planning Applications Committee.”

Councillor A C De Vecchi
Leader of the Council Elect
18 May 2007