

Report to:	Full Council
Date:	20 May 2019
Title:	Appointments
Report of:	Assistant Director Legal and Democratic Services
Ward(s):	All
Purpose of report:	To agree the seat allocations and appointments set out in this report in relation to Committees, Other Bodies and Outside Bodies and to note the Leader's appointments to the Cabinet.
Officer recommendation(s):	<p>a) To note the Leader of the Council's appointments to Cabinet, the individual areas of responsibility allocated to the Cabinet and the allocation of those areas of responsibility to the members of the Cabinet as advised at the meeting.</p> <p>b) To approve the appointments of members to Committees and Other Bodies and as Chairs and Vice-Chairs of Committees, as set out in Appendix A.</p> <p>c) To approve the appointment of members to serve on outside and joint bodies, as set out at Appendix B. .</p>
Reasons for recommendations:	To enable the Council to proceed with decision-making in the relevant bodies.
Contact Officer(s):	<p>Name: Simon Russell, Post title: Committee and Civic Services Manager E-mail: Simon.Russell@lewes-eastbourne.gov.uk Telephone number: 01323 415021</p>

1 Introduction

- 1.1 Whole council elections were held on 2 May 2019. As a result, the total number of councillors used in the calculation of committee seat numbers is 41 and the break down of seats is 19 Conservatives, 9 Green Party, 8 Liberal Democrats, 3 Labour and 2 in an independents group.
- 1.2 The Council is now one with no political party in overall control. The Council's executive arrangements continue to operate with executive powers to be exercised by the Leader of the Council, who has power to determine the size of the Cabinet, the persons appointed to it and their portfolios.
- 1.3 Following consultation with group leaders, it is recommended that the allocation of places between the political groups as shown in Appendix A, subject to the amendments detailed below to be noted and agreed.

2 Proportionality Review

- 2.1 Under Section 15 of the Local Government and Housing Act 1989, the Council has a duty to review the political balance at the Annual meeting of the Council.

In addition, it does so under the delegated authority of the Assistant Director Legal and Democratic Services for any in-year changes in group memberships.

2.2 The principles for carrying out a review of the committee proportionality under Section 15(5) of the Act are that the Council has a duty to ensure:

- a) Not all seats are allocated to the same political group
- b) A majority group should get the majority of seats on each Committee
- c) Subject to a) and b), the Committee seats allocated to groups bears the same proportion to the total number of seats the Group has on the Council.
- d) Subject to a) and c), that the number of seats on the body allocated to a group on a particular committee bears same proportion as same proportion to the total number of seats the Group has on the Council.

2.3 Each group's fraction of membership converts to a percentage as follows:

Group	Number	Proportion
Conservative	19	46.34%
Green	9	21.95%
Liberal Democrat	8	19.51%
Labour	3	7.32%
Independent	2	4.88%

2.4 The table below sets out the allocations firstly by applying the membership percentage figures (principle c above) and then by applying the whole council proportionality to the total allocation of seats (principle d above), which takes precedence over principle (c) of the regulations.

Committee	Seat Nos	CON	GREEN	LIB DEMS	LAB	IND
Audit and Standards	7	3 (3.24)	2 (1.54)	1 (1.37)	1 (0.51)	0 (0.34)
Devolution	7	3 (3.24)	2 (1.54)	1 (1.37)	1 (0.51)	0 (0.34)
Employment	5	2 (2.32)	1 (1.10)	1 (0.98)	1 (0.37)	0 (0.24)
Licensing	10	5 (4.63)	2 (2.41)	2 (1.95)	1 (0.73)	0 (0.49)
Planning Apps	11	5 (5.10)	3 (2.41)	2 (2.15)	1 (0.80)	1 (0.54)
Scrutiny	11	5 (5.10)	3 (2.41)	2 (2.15)	1 (0.80)	1 (0.54)
Totals:	51					
Result of applying proportionality across Cttees (principle c)		23	13	9	6	2
Seats allocated on whole Council proportionality (principle d)		24	11	10	4	2
Adjustments to Memberships:	0	+1	-2	+1	-2	0

2.5 The adjustment shown from applying the proportionality across the Council as

opposed to by Committee, shows that the Conservative Group needs to gain 1 place, the Greens lose two, the Liberal Democrats need to gain 1 and the Labour Group two spaces. There is no change required to the independents group allocation.

2.6 In order to meet the rules for Council proportionality it is recommended that:

- Conservative Group increases its places on the Employment Committee to 3.
- Green Group reduces its places on Planning Applications and Scrutiny to 2 on each.
- Liberal Democrat Group gains a place on Audit and Standards Committee.
- The Labour Group gives up its places on Audit and Standards and Employment Committee.

2.7 The allocation numbers are therefore as follows:

Committee	Seat Nos	CON	GREEN	LIB DEMS	LAB	IND
Audit and Standards	7	3	2	2	0	0
Devolution	7	3	2	1	1	0
Employment	5	3	1	1	0	0
Licensing	10	5	2	2	1	0
Planning Apps	11	5	2	2	1	1
Scrutiny	11	5	2	2	1	1
Total places:		24	11	10	4	2

The recommendations based on these allocation numbers are set out at Appendix A for consideration and approval.

2.8 Under the constitution all appointments to chair and deputy chairs of Committee; appointments are made at Annual Council, with the exception of the deputy chair of Planning Applications Committee (which is determined at the first meeting). The appointments document set out at Appendix B includes these nomination. Where more than one nomination has been received for such a position, a vote of the Council will be required. Alternatively, Council could decide to defer such appointments to be determined at the first meeting for the relevant Committee.

2.9 It is not required by law to allocate chairs of Committee by proportionality. However, this has been the Council's practice in recent years. When the percentage is applied to the appointments of chairs, the 6 positions should be allocated by Conservative Group (3), Green Group (2) and Liberal Democrats (1). The Labour Group and Independent Group are not entitled to any chair appointments.

2.10 Advisory Groups are not set to proportionality rules, but their memberships often reflect the political balance of the Council, as set out in Appendix A.

3 Cabinet

3.1 As a matter of law the power to appoint the Cabinet rests with the Leader of the Council, together with the individual areas of responsibility for each member. The maximum number of Cabinet Members, including the Leader and Deputy Leader is 10.

3.2 Where practicable, the Leader will advise at the meeting their appointments to Cabinet. Where not possible, the appointments will be notified to all Council members as soon appointed.

4. Outside Bodies

4.1 The Group Leaders have also been asked for nominations to outside bodies. The recommendations in relation to these appointments are set out at Appendix B. Where more than one nomination has been received in respect of a place a vote will be required.

3 Financial appraisal

There are no financial implications from these proposals.

4 Legal implications

The Council must act in accordance with requirements of the under Section 15 and Section 16 of the Local Government and Housing Act 1989 in relation to calculation of group Committee places.

5 Appendices

- Appendix 1 – Proposed Allocations to Committee and Chairs and Deputy Chairs **(to follow)**
- Appendix 2 – Proposed Appointments to Outside Bodies **(to follow)**.

6 Background papers

None