

**Agenda Item No:**

**Report No:**

**Report Title: Appointments 2012/13**

**Report To: Council**

**Date: 9 May 2012**

**Ward(s) Affected: All**

**Report By: Leader of the Council**

- 1 The political composition of the Council is 22 Conservative, 18 Liberal Democrat and Councillor C R O’Keeffe who is currently not a member of any group.
- 2 The Chief Executive has received written notice from Councillor Barry Groves and the Leader of the Conservative Group stating that Councillor Groves is to be treated as a member of the Conservative Group.
- 3 Councillor Stephen Gauntlett remains suspended from the Liberal Democrat Group. By law for the purposes of political proportionality, Councillor Gauntlett is still treated as an elected Councillor for the Liberal Democrats and so is properly included in the political proportionality calculations. However, whilst he remains suspended, Councillor Gauntlett cannot take up his allocated seats on those committees or outside bodies.
- 4 The Leader of the Council **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.
- 5 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.

Review Procedure

- 6 The principles for carrying out a review of Committee Proportionality 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.
- 7 Each Group’s fraction of membership converts to a percentage as follows:

Conservative Group	$\frac{22}{41}$	=	53.66%
Liberal Democrat Group	$\frac{18}{41}$	=	43.90%
- 8 In turn, these percentages convert to representation on the various sizes of the Council’s Committees as shown in Appendix B.

**9** A political group can only be treated as being constituted when it comprises two or more members of the Council.

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

Conservative Group	-	29 places
Liberal Democrat Group	-	22 places

**11** However, when the total number of committee places of 51 is subjected to the political group percentages (the duty set out at principle (c) in Appendix A and which takes precedence over principle (d) in Appendix A), this gives a total allocation of:

Conservative Group	-	27 places (27.366)
Liberal Democrat Group	-	23 places (22.39)

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

**12** It will be seen from paragraphs 10 and 11 above and the Appendix that the Conservative Group has two more places than it is entitled to. It is therefore necessary for the table in Part 1 of Appendix B to be adjusted by the allocation of one of the Conservative Group’s places to Councillor O’Keeffe.

**13** The Conservative Group has therefore offered one of its places on the Licensing Committee to Councillor O’Keeffe and this offer has been accepted.

**14** Under principle (d) the Liberal Democrat Group would receive one seat from the Conservative Group but principle (b) – that the group with the majority of councillors is allocated a majority on each body – takes precedence and therefore, on this occasion, no redistribution can take place without increasing committee membership and the proportionality calculated by applying principle (c) stands.

**15** On the “Other Bodies” Part 2 of the Appendix, under principle (d) the Liberal Democrat Group would receive 3 seats from the Conservative Group and Councillor O’Keeffe 1 seat from the Conservative Group but principle (b) – that the group with the majority of councillors is allocated a majority on each body – takes precedence and therefore, on this occasion, no redistribution can take place and the proportionality calculated by applying principle (c) stands.

**16** The Conservative Group has offered one of its places on the Landport Bottom Management Committee (see Report No 79/12) to Councillor O’Keeffe and this offer has been accepted.

**17** 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. 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 the Appendix.

18 As a matter of law, the power to appoint the membership of Cabinet rests with the Leader of the Council. In light of this, the Leader of the Council **Appoints** 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 as follows:

**Cabinet**            Membership Up to 10

<b>Individual Areas of Responsibility</b>	<b>Councillors</b>
Strategic Overview, Customer Advocacy, Regeneration and Equalities	J V S Page (Leader of the Council) (Chair)
Planning	A T Jones
Housing	R K Maskell
District Services	H J F Sheppard
Finance and Cost Control	A X Smith
Business, Economic Development and Tourism	R Blackman
Community Engagement and Health & Environment	R Robertson

**Up to 3 members for Special Projects (non-portfolio holders)**

19 Following a request from the Chair of the Scrutiny Committee, the Leader of the Council **Recommends** that the current membership of the Scrutiny Committee be increased from 9 to 11 members. This will assist the Committee to conduct its business more effectively.

20 The abolition of Standards for England and the Audit Commission (which in the past required the Council to have a standalone Audit Committee), along with the fact that the full Standards Committee has had to meet only infrequently and the anticipation of a less onerous Standards regime post July 2012, suggests that committee arrangements in these areas might be streamlined.

21 Subject to Council approval of the recommendations from the Standards Committee (see Agenda Item 14, Report 80/12 of the Corporate Head – Legal and Democratic Services for more information), it is intended to continue with the current Code of Conduct and Standards arrangements until 1 July 2012 or such later date as the new Standards framework takes effect (transitional regulations still awaited).

22 So, for the time being, it is intended to continue with the existing work and memberships of the Audit Committee and the Standards Committee. On commencement of the new regime, the intention is to merge the two Committees with a new membership of 7 councillors.

23 Therefore, the Leader of the Council **Recommends** that the existing Standards Committee and Audit Committee continue to operate as separate Committees with their current memberships for the time being. On commencement of the new Standards framework, the two Committees shall merge into the Audit and

Standards Committee with its new membership as set out in section 24 of this Report.

- 24** The Leader of the Council and the Leader of the Minority Group **Recommend** that their own Groups' membership of Committees etc for the municipal year 2012/2013, 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 Conservative Group – Liberal Democrat Group:

**Audit Committee** Membership 7 (4-3)  
**(up to 1 July 2012 or such later date as provided for by transitional regulations)**

J M Harrison-Hicks	I Eiloart (Chair)
C Sugarman	M P Chartier
B M Warren	J Stockdale
I White	

**Standards Committee** Membership 5 (3-2)  
**(up to 1 July 2012 or such later date as provided for by transitional regulations)**

J V Harris	C S Lambert
P A Howson	M P Chartier
E E J Russell	

*(plus 3 Independent Members and up to 5 Town/Parish Council members)*

**Audit and Standards Committee** Membership 7 (4-3)  
**(from 1 July 2012 or such later date as provided for by transitional regulations)**

P L Franklin	I Eiloart (Chair)
J V Harris	M P Chartier
E E J Russell	C S Lambert
C Sugarman	

*(plus up to 3 co-opted, non-voting Town/Parish Council members – participation restricted to Standards matters)*

**Complaints Panel**

This Panel comprises three councillors who have not had any direct involvement in the complaint.

**Devolution Committee**

Membership 7 (4-3)

P L Franklin  
E C Merry  
R Robertson  
I White

P F Gardiner  
D Gray  
C S Lambert

**Employment Committee**

Membership 5 (3-2)

E E J Russell (Chair)  
R Blackman  
A X Smith

C J Butler  
S J Gauntlett

**Licensing Committee**

Membership 10 (6-4 becomes 5-4-1, see paragraph 13 above)

P A Howson (Chair)  
J M Harrison-Hicks  
R Robertson  
C Sugarman  
B M Warren

G R Amy  
C Butler  
S J Gauntlett  
J Stockdale  
C R O'Keeffe

**Planning Applications Committee**

Membership 11 (6-5)

J M Harrison-Hicks (Chair)  
S B Davy (Vice-Chair)  
S Adeniji  
B Groves  
A T Jones  
I White

R E Allen  
A Dean  
I Eiloart  
P F Gardiner  
R Main

**Scrutiny Committee**

Membership 11 (6-5)

S Adeniji  
D R Edmunds  
J V Harris  
E C Merry  
I A Nicholson  
E E J Russell

S J Osborne (Chair)  
A Dean  
P F Gardiner  
S J Gauntlett  
J Stockdale

The following Sub-Committees no longer need to be appointed as their business will be considered at Cabinet in future:

- Lewes House Site Sub-Committee;
- Southover Grange Sub-Committee.

The Constitution Working Party is a new body tasked with revising the Council's Constitution and will report back to Cabinet initially.

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

**Housing Working Party** Membership 7 (4-3)

R K Maskell (Chair)	M P Chartier
P Gander	S J Osborne
E C Merry	S Saunders
A X Smith	

**Travellers Working Group** Membership 6 (4-2)

B Groves (Chair)	J L Carr
P L Franklin	I Eiloart
J V Harris	
J M Harrison-Hicks	

**Constitution Working Party** Membership 3 (2-1)

I A Nicholson (Chair)	I Eiloart
P A Howson	

- 25** 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 and Scrutiny Committees) are indicated above and the Leader of the Council **Recommends** that the appointments be approved and that the remaining Chairs be appointed at the first meetings of the bodies concerned.

Councillor J V S Page  
Leader of the Council  
3 May 2012