

Agenda Item No: **14(a) and (b)** Report No: **84/13**
Report Title: **Appointments 2013/14**
Report To: **Council** Date: **8 May 2013**
Ward(s) Affected: **All**
Report By: **Leader of the Council**

- 1 The political composition of the Council is 20 Conservative, 18 Liberal Democrat, 2 UKIP and Councillor C R O’Keeffe who is currently not a member of any group.
- 2 The Chief Executive received written notice from Councillor P A Howson stating that he no longer wished to be treated as a member of the Conservative Group.
- 3 Councillors D R Edmunds and P A Howson subsequently submitted a written notice to the Chief Executive stating that they wished to constitute a political group in the name of UKIP. The Leader of the UKIP Group is Councillor D R Edmunds. A political group must comprise two or more members of the Council.
- 4 The change to the political composition means that the Council is now a ‘hung’ or ‘balanced’ Council, with no one political party having overall control. As a result, this annual review of proportionality requires a minor reallocation of seats on committees and other bodies.
- 5 The Council’s executive arrangements continue to operate as at present in that executive power remains with the Leader of Council who has power to determine the size of Cabinet and those persons appointed to it.
- 6 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.
- 7 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

- 8 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.
- 9 Each Group’s fraction of membership converts to a percentage as follows:

$$\text{Conservative Group } \frac{20}{41} = 48.78\%$$

Liberal Democrat Group	$\frac{18}{41}$	=	43.90%
UKIP Group	$\frac{02}{41}$	=	4.88%

10 In turn, these percentages convert to representation on the various sizes of the Council's Committees as shown in Appendix B.

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

Conservative Group	-	26 places
Liberal Democrat Group	-	22 places
UKIP Group	-	3 places

12 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	-	25 places (24.88)
Liberal Democrat Group	-	22 places (22.39)
UKIP Group	-	3 places (2.49)

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

13 It will be seen from paragraphs 11 and 12 above and the Appendix that the Conservative Group has one more place than it is entitled to. Councillor O'Keeffe, as a single Independent councillor, does not comprise a political group so is not entitled to seats according to principle (c). As principle (c) takes precedence over principle (d), it is not necessary for the table in Part 1 of Appendix B to be adjusted to allocate one of the Conservative Group's places to Councillor O'Keeffe.

14 On the Committees (Part 1 of Appendix B), under principle (d) the UKIP Group should receive three seats from the Conservative Group. With no single political group having overall control, principle (b) – that the group with the majority of councillors is allocated a majority on each body – no longer takes precedence and therefore, on this occasion, it has been necessary for the Conservative Group to reallocate three seats to the UKIP Group in Part 1 of Appendix B.

15 The Conservative Group has reallocated a seat each on the Planning Applications Committee, Licensing Committee and Scrutiny Committee to the UKIP Group.

16 On the Other Bodies (Part 2 of Appendix B), under principle (d) the Liberal Democrat Group should receive two seats from the Conservative Group, and the UKIP Group should receive one seat from the Conservative Group. As principle (b) no longer takes precedence, on this occasion, it has been necessary for the Conservative Group to reallocate two seats to the Liberal Democrat Group and one seat to the UKIP Group in Part 2 of Appendix B.

- 17 The Conservative Group has reallocated a seat each on the Housing Consultative Panel and Landport Bottom Management Committee to the Liberal Democrat Group. The Conservative Group has also reallocated one seat on Landport Bottom Management Committee to the UKIP Group.
- 18 When the total number of Other Bodies places of 22 is subjected to the political group percentages, as seen from Part 2 of Appendix B, the Conservative Group has one more place than it is entitled to. Councillor O’Keeffe, as a single Independent councillor, does not comprise a political group so is not entitled to seats according to principle (c). As principle (c) takes precedence over principle (d), it is not necessary for the table in Part 2 of Appendix B to be adjusted to allocate one of the Conservative Group’s places to Councillor O’Keeffe.
- 19 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.
- 20 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

Individual Areas of Responsibility	Councillors
Strategic Overview, Customer Advocacy, Regeneration and Equalities	J V S Page (Leader of the Council)
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
Non-portfolio holder	I A Nicholson

- 21 As a matter of law, the power to appoint the Deputy Leader rests with the Leader of the Council. In light of this, the Leader of the Council **Appoints** Councillor R Blackman to be his Deputy Leader.
- 22 The Leader of the Council and the Leaders of the other Political Groups **Recommend** that their own Groups’ membership of Committees etc. for the municipal year 2013/2014, 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 – Liberal Democrat – UKIP:

Audit and Standards Committee

Membership 7 (4-3-0)

P L Franklin
J V Harris
E E J Russell
C Sugarman

I Eiloart (Chair)
M P Chartier
S J Gauntlett

(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 (4-3-0)

J M Harrison-Hicks
E C Merry
A X Smith
B M Warren

P F Gardiner
D Gray
C S Lambert

Employment Committee

Membership 5 (3-2-0)

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

C J Butler
S J Gauntlett

Licensing Committee

Membership 10 (5-4-1)

J M Harrison-Hicks
R Robertson
C Sugarman
B M Warren
P Gander

J Stockdale (Chair)
G R Amy
C Butler
S J Gauntlett

P A Howson

Planning Applications Committee

Membership 11 (5-5-1)

S B Davy (Chair)
S Adeniji
J V Harris
A T Jones
H J F Sheppard

R Main (Vice-Chair)
R E Allen
A Dean
J Stockdale
P F Gardiner

P A Howson

Scrutiny Committee

Membership 11 (5-5-1)

J M Harrison-Hicks
I White
J V Harris
E C Merry
E E J Russell

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

D R Edmunds

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

Housing Working Party

Membership 7 (4-3-0)

R K Maskell (Chair)
P Gander
E C Merry
S B Davy

M P Chartier
S J Osborne
S Saunders

Constitution Working Party

Membership 4 (3-1-0)

I A Nicholson (Chair)
J V Harris
J M Harrison-Hicks

I Eiloart

- 23** With no single political group having overall control, a practical arrangement is required which serves to allocate the number of Committee Chairs as proportionately as possible to reflect the political composition of the Council. When the total number of 7 Committee Chairs is subjected to the political group percentages, this gives a total allocation of:

Conservative Group	-	4 Chairs (3.41)
Liberal Democrat Group	-	3 Chairs (3.07)
UKIP Group	-	0 Chairs (0.34)

- 24** The nominations for the appointment of Chairs 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
30 April 2013