

**Agenda Item No:**      **13(a) and (b)**                      **Report No:**      **70/14**  
**Report Title:**           **Appointments 2014/15**  
**Report To:**              **Council**                                      **Date:**            **7 May 2014**  
**Ward(s) Affected:**    **All**  
**Report By:**              **Leader of the Council**

- 1    The political composition of the Council is 19 Liberal Democrat, 18 Conservative, 2 UKIP and 2 Independent Group.
- 2    The Chief Executive received written notice from Councillors J V S Page and S J Osborne stating that Councillor Page no longer wished to be treated as a member of the Conservative Group and that he wished to join the Liberal Democrat Group.
- 3    The Chief Executive received written notice from Councillor S Adeniji stating that he no longer wished to be treated as a member of the Conservative Group and that he wished to be treated as an Independent Councillor.
- 4    Councillors S Adeniji and C R O’Keeffe subsequently submitted a written notice to the Chief Executive stating that they wished to constitute a political group in the name of the Independent Group. The Leader of the Independent Group is Councillor C R O’Keeffe. A political group must comprise two or more members of the Council.
- 5    The change to the political composition means that the Council remains 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.
- 6    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.
- 7    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.
- 8    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

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

Liberal Democrat Group	$\frac{19}{41}$	=	46.34%
Conservative Group	$\frac{18}{41}$	=	43.90%
UKIP Group	$\frac{02}{41}$	=	4.88%
Independent Group	$\frac{02}{41}$	=	4.88%

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

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

Liberal Democrat Group	-	22 places
Conservative Group	-	26 places
UKIP Group	-	3 places
Independent Group	-	0 places

**13** However, when the total number of Committee places of 51 is subjected to the political group percentages, this gives a total allocation of:

Liberal Democrat Group	-	24 places (23.63)
Conservative Group	-	23 places (22.39)
UKIP Group	-	2 places (2.49)
Independent Group	-	2 places (2.49)

**14** It will be seen from paragraphs 12 and 13 above and the Appendix that the Conservative Group has three more places than it is entitled to, and that the UKIP Group has one more place than it is entitled to. As Councillors O'Keeffe and Adeniji now comprise a political Independent Group, they are also entitled to seats according to principle (c). As principle (c) takes precedence over principle (d), it is necessary for the table in Part 1 of Appendix B to be adjusted to allocate two places to the Independent Group.

**15** On the Committees (Part 1 of Appendix B), under principle (d) the Liberal Democrat Group should receive two more seats. With no single political group having overall control, principle (b) – that the group with the majority of councilors is allocated a majority on each body – no longer takes precedence and therefore, it has been necessary for the Conservative Group to reallocate three seats, and for the UKIP Group to reallocate one seat, in Part 1 of Appendix B.

**16** The Conservative Group has reallocated a seat each on the Devolution Committee, Employment Committee and Licensing Committee. The UKIP Group has reallocated a seat on the Planning Applications Committee. The seats on the Devolution Committee and the Employment Committee have been allocated to the Liberal Democrat Group. The seats on the Licensing Committee

and the Planning Applications Committee have been allocated to the Independent Group.

- 17 When the total number of Other Bodies places of 18 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. As Councillors O’Keeffe and Adeniji now comprise a political Independent Group, they are also entitled to seats according to principle (c). As principle (c) takes precedence over principle (d), it is necessary for the table in Part 2 of Appendix B to be adjusted to allocate one of the Conservative Group’s places to the Independent Group.
- 18 On the Other Bodies (Part 2 of Appendix B), under principle (d) the Independent Group should receive one seat from the Conservative Group. As principle (b) no longer takes precedence, it has been necessary for the Conservative Group to reallocate one seat to the Independent Group in Part 2 of Appendix B.
- 19 The Conservative Group has reallocated a seat on Landport Bottom Management Committee to the Independent Group.
- 20 The UKIP Group had previously reallocated their vacant seat on Landport Bottom Management Committee to Councillor O’Keeffe. As the Independent Group now has its own allocated seat on this Committee, the UKIP Group has reclaimed its seat on this Committee.
- 21 The Head of Organisational Development has recently organised a series of Appeals Panels to be held in May 2014, consisting of three members of the Employment Committee from its 2013/14 membership. She has requested that the councillors appointed to those Panels be permitted to remain on the Panels for the sake of consistency of membership for the duration of those meetings.
- 22 The political proportionality rules only apply to ordinary committees, sub-committees and other bodies 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.
- 23 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, Regeneration, Equalities, Business, Economic Development and Tourism	R Blackman (Leader of the Council)
Planning	A T Jones
Corporate Services	A X Smith

Health and Environment  
Waste and Recycling

I A Nicholson  
P L Franklin

- 24** 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 A X Smith to be his Deputy Leader.
- 25** 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 2014/2015, 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 – Conservative – UKIP – Independent:

**Audit and Standards Committee** Membership 7 (3-4-0-0)

I Eiloart (Chair)	E C Merry
M P Chartier	J V Harris
S J Gauntlett	E E J Russell
	C Sugarman

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

**Devolution Committee** Membership 7 (4-3-0-0)

P F Gardiner	J M Harrison-Hicks
D Gray	A X Smith
C S Lambert	B M Warren
VACANT (Lib Dem seat)	

**Employment Committee** Membership 5 (3-2-0-0)

D Gray	VACANT (Chair) (Cons seat – must be Cabinet Member)
S J Gauntlett	A X Smith
VACANT (Lib Dem seat)	

**Licensing Committee** Membership 10 (4-4-1-1)

J Stockdale (Chair)	J M Harrison-Hicks	P A Howson	VACANT (Ind seat)
G R Amy	R Robertson		
M A Cutress	B M Warren		
S J Gauntlett	P Gander		

**Planning Applications Committee**      Membership 11 (5-5-0-1)

R Main (Vice-Chair)	S B Davy (Chair)	VACANT (Ind seat)
R E Allen	VACANT (Cons seat)	
A Dean	J V Harris	
J Stockdale	A T Jones	
P F Gardiner	H J F Sheppard	

**Scrutiny Committee**      Membership 11 (5-5-1-0)

S J Osborne (Chair)	J M Harrison-Hicks	D R Edmunds
A Dean	I White	
P F Gardiner	J V Harris	
S J Gauntlett	E C Merry	
J Stockdale	E E J Russell	

The following Working Party needs to be re-appointed in order to continue the business for which it was originally established:

**Housing Working Party**      Membership 7 (3-4-0-0)

M P Chartier	I A Nicholson or
S J Osborne	R Blackman* (Chair)
S Saunders	P Gander
	E C Merry
	S B Davy

*(\*The relevant portfolio holder dependent on subject matter for consideration at each meeting)*

The following Panels/Working Parties no longer need to be appointed:

- Complaints Panels (complaints process has been streamlined with the relevant Lead and/or Ward Councillors being consulted by the Chief Officer as part of the investigation of Stage 2 complaints, in line with Local Government Ombudsman best practice and customer feedback);
- Constitution Working Party (business concluded).

**26** 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 6 Committee Chairs is subjected to the political group percentages, this gives a total allocation of:

Liberal Democrat Group	-	3 Chairs (2.78)
Conservative Group	-	3 Chairs (2.63)
UKIP Group	-	0 Chairs (0.29)
Independent Group	-	0 Chairs (0.29)

**27** 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 R Blackman  
Leader of the Council  
2 May 2014