

**Agenda Item No:**

**Report No:**

**Report Title:** Change to Membership of Planning Applications Committee

**Report To:** Council

**Date:** 15 October 2014

**Ward(s) Affected:** All

**Report By:** Catherine Knight, Assistant Director of Corporate Services

**Contact Officer(s)-**

**Name(s):** Jackie Gavigan  
**Post Title(s):** Head of Democratic Services  
**E-mail(s):** [jackie.gavigan@lewes.gov.uk](mailto:jackie.gavigan@lewes.gov.uk)  
**Tel No(s):** 01273 661117

---

### **Purpose of Report:**

To confirm the change of membership to the Planning Applications Committee.

### **Officers Recommendation(s):**

- 1 That the changes to the Planning Applications Committee membership, as set out in paragraphs 2 and 8 of the Report, be confirmed and noted.
- 

### **Reasons for Recommendations**

- 1 To comply with the Council's legal duties and to implement changes in accordance with the Constitution.

### **Information**

- 2 Councillor Sam Adeniji has given written notice that he is no longer able to sit on the Planning Applications Committee due to work commitments. This creates a casual vacancy on the Committee which, in accordance with Council Procedure Rules (Procedures for Appointments, page D23, paragraph 3.4), must now be appointed to.
- 3 Council may recall that Councillor Adeniji was originally entitled to a seat on the Committee in his capacity as an Independent Group member. He subsequently changed political group and joined the Conservative Group in July 2014. This resulted in the demise of the Independent Group and their entitlement to seats on committees. However, Councillor Adeniji's seat on the Planning Applications Committee remained allocated to him as his change of political group did not trigger a review of proportionality across committees.
- 4 Apart from the review of political balance at Annual Council each year, reviews can only be carried out at such other times as prescribed in the legislation. These are when written notice is given:

- a) that a new political group has been formed; or
- b) that a member wishes to join an existing political group, and that group requests a review of the Council's political balance; neither of which had occurred.

**5** Councillor Adeniji vacating his seat on Planning Applications Committee also does not trigger a review of proportionality across committees as one of the above requirements has not been met. However, the vacancy on the Committee must now be filled. The procedure rules for filling casual vacancies in the Constitution do not exactly fit this situation as they assume the seat is allocated to an existing political group.

**6** The relevant legislation (Local Government and Housing Act 1989, section 15) states that authorities have a statutory requirement to ensure that appointments to seats on committees are allocated in the same political proportion as that in which the council as a whole is divided. As far as is reasonably practicable, we must make decisions that conform to this principle.

**7** Therefore, to fill the casual vacancy on the Committee and to comply with the principle, the current political proportionality has been applied to the membership of the Committee to determine the allocation of the vacant seat. The political composition/percentage split of the Council is currently as follows:

- Conservative Group – 19 members – 46.34%
- Liberal Democrat Group – 19 members – 46.34%
- UKIP Group – 2 members – 4.88%
- Independent member – 1 member – 2.44%

**8** When the above percentage split is applied to the Planning Applications Committee membership of 11, the political balance is 5 Conservative seats, 5 Liberal Democrat seats and 1 UKIP seat. On this basis, the vacant seat on the Committee is allocated to the UKIP Group.

**9** The Leader of the UKIP Group, Councillor Donna Edmunds, has been asked to indicate who her Group wishes to appoint to the Committee to fill the vacant UKIP seat.

### **Financial Appraisal**

**10** There are no financial implications arising from this Report.

### **Legal Implications**

**11** None over and above those set out in the body of this Report.

### **Sustainability Implications**

**12** I have completed the Sustainability Implications Statement questionnaire and there are no significant effects as a result of this Report.

### **Risk Management Implications**

- 13** There are no risk management implications arising as a result of this Report. If the recommendations are not implemented, the main risk will be that the Council fails to meet its legal duties and the requirements of the Constitution are not met.

### **Equality Screening**

- 14** I have completed the initial Equality Analysis Screening exercise and no potential negative impacts were identified as a result of this Report. Therefore, a full Equality Analysis is not required.

### **Background Papers**

- 15** None

### **Appendix**

- 16** None