

<b>Report to:</b>	<b>Annual Council</b>
<b>Date:</b>	<b>22 May 2023</b>
<b>Title:</b>	<b>Appointments Report</b>
<b>Report of:</b>	<b>Head of Democratic Services and Monitoring Officer</b>
<b>Ward(s):</b>	<b>All</b>
<b>Purpose of report:</b>	<b>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 Cabinet</b>
<b>Officer recommendation:</b>	<ol style="list-style-type: none"> <li><b>1. To approve the proposed number and allocation of seats and nominations to Committees, Other Bodies and Outside Bodies, and to Chairs and Deputy Chairs as set out in Appendix 1;</b></li> <li><b>2. To approve the increase in the size of the Licensing Committee to 11 members;</b></li> <li><b>3. To rename the Audit and Standards Committee as the Audit and Governance Committee and to delegate the Monitoring Officer to make the relevant changes to the Council's constitution.</b></li> <li><b>4. To appoint all members of the Council to the 'approved list' of members appointed as substitute members in accordance with Council's Rules of Procedure, except where prohibited by those rules such as for Licensing Committee and Cabinet;</b></li> <li><b>5. 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 reported at the meeting;</b></li> <li><b>6. That Neal Robinson and Graham Branton be re-confirmed as the Council's Standards Independent Persons until their tenure ends on 31 July 2023, and to note that the Monitoring Officer will undertake a new recruitment process for the positions, to be reported back to the next meeting of the Full Council;</b></li> <li><b>7. To approve the establishment of a Constitution Working Group and its proposed terms of reference as set out at Appendix 2 of the report, and membership as set out at Appendix 1 of the report, and to delegate the Monitoring Officer to incorporate its formation into the relevant sections of the Council's constitution; and</b></li> </ol>

**8. To delegate to the Head of Democratic Services to resolve in consultation with Group Leaders any vacant appointments.**

**Reasons for recommendations:** To enable the Council to proceed with decision-making in the relevant bodies.

**Contact Officer(s):** Name: Simon Russell,  
Post title: Head of Democratic Services and Monitoring Officer  
E-mail: Simon.Russell@lewes-eastbourne.gov.uk  
Telephone number: 01323 415021

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**1. Introduction**

- 1.1 Whole council elections were held on 4 May 2023. As a result, the total number of Councillors used in the calculation of committee seat numbers is 41 and the breakdown of seats is 17 Green Party, 15 Liberal Democrats and 9 Labour.
- 1.2 The Council is 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 1 which is currently..

**2. Political Balance 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 Head of Democratic Services for any in-year changes in group memberships, and this sets out the principles for how committee places are allocated.
- 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. that not all the seats are allocated to the same political group;
  - b. that a political group with an overall council majority gets a majority of seats allocated on any statutory Committee;
  - c. subject to (a) and (b), that the total number of seats each political group has on all ordinary committees is in proportion to that group's share of the total council elected membership; and
  - d. subject to (a) and (c), that the number of seats on the body allocated to each political group on a particular committee bears the same proportion to the number of seats the group has on the Council

2.3 Each Group's fraction of 41 membership is as follows:

<b>Group</b>	<b>Number</b>	<b>Proportion</b>
Green Group	17	41.46
Liberal Democrat Group	15	36.59%
Labour Group	9	21.95%

2.4 **Committees.** 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):

<b>Committee</b>	<b>No. of Seats</b>	<b>Green</b>	<b>Liberal Democrat</b>	<b>Labour</b>
Audit and Standards	7	3	3	1
Licensing	11	4	4	3
Planning Applications	11	5	4	2
Policy and Performance Advisory	11	4	4	3
<b>Totals:</b>	<b>40</b>	<b>16</b>	<b>15</b>	<b>9</b>

2.5 **Chairs and Deputy Chairs**

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 1 include these nominations. If there is more than one nomination for 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.

2.6 **Licensing Committee.** The law requires there to be not less than 10 members and not more than 15 members of a committee dealing with Licensing Act functions. In order to achieve overall balance and to give an additional member to be called for Licensing Panels, the proposal is for a 11 member committee in 2023/24. There are no substitutes allowed on this body.

2.7 **Audit and Governance Committee.** To best reflect its position within the governance structure, it is proposed to rename the Audit and Standards Committee as the Audit and Governance Committee. It is requested that the Monitoring Officer be delegated authority to make the necessary amendments to the relevant sections of the Council's constitution to reflect this change.

2.7 **Constitution Working Group.** It is recommended that an ad hoc Working Group (reporting to the Audit and Governance Committee) be formed to consider and advise on updates required to the constitution as

they arise. It is recommended that its proposed terms of reference and membership be as set out at Appendix 2 of the report, In addition, it is requested that the Monitoring Officer be delegated to incorporate its formation into the relevant sections of the Council's constitution.

2.8 **Standards Independent Persons** – The Council appointed Standards Independent Persons, Neal Robinson and Graham Branton, in 2019 for a 4-year term commencing ending on 31 July 2023., subject to reconfirmation by the Full Council each year. It is asked that the Council recommend their appointments until the end of July. The Monitoring Officer will undertake a new recruitment process for the positions shortly, to be reported back to the next meeting of the Full Council.

2.9 **Advisory Groups and Other Bodies** - Advisory Groups and Other Bodies are not set to proportionality rules, but their memberships will normally reflect the political balance of the Council unless their terms of reference or the Constitution requires otherwise.

2.10 **Cabinet** - 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.

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

2.11 **Outside Bodies** - Group Leaders have also been asked for nominations to outside bodies. The recommendations in relation to these appointments are set out at Appendix 1. 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 sections 15 to 16 and Schedule 1 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990, in relation to the calculation of group Committee places.

### 5. **Appendices**

- Appendix 1 – Proposed Allocations to Committees, Outside and Other Bodies and to Chairs and Deputy Chairs.
- Appendix 2 – Proposed Constitution Working Group Terms of Reference

### 6. **Background papers**

None