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| Report to: | Annual Council |
| Date: | 20 May 2024 |
| Title: | Appointments Report |
| Report of: | Head of Democratic Services and Monitoring Officer |
| Ward(s): | All |
| Purpose of report: | 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 |
| Officer recommendation: | <ol style="list-style-type: none"> 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; 2. 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; 3. 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; 4. That Paul Cummins and Neal Robinson be re-appointed as Independent Persons until their tenure ends on 31 July 2027; 5. 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. |

1. Introduction

- 1.1 There are 41 Councillors on the Council. Following the election in May 2023 and in April 2024 one of the Green Councillors becoming independent, the current political group membership is as follows:

16 Green Group
15 Liberal Democrat Group
9 Labour Group
1 Independent Member

1.2 Following consultation with group leaders, it is recommended that the allocation of places between the political groups is as set out in Appendix 1.

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:

| Group | Number | Proportion |
|------------------------|--------|------------|
| Green Group | 16 | 39.02% |
| 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):

| Committee | No. of Seats | Green | Liberal Democrat | Labour |
|---------------------------------|---------------------|--------------|-------------------------|---------------|
| Audit and Governance | 7 | 3 | 3 | 1 |
| Licensing | 11 | 4 | 4 | 3 |
| Planning Applications | 11 | 5 | 4 | 2 |
| Policy and Performance Advisory | 11 | 4 | 4 | 3 |
| Totals: | 40 | 16 | 15 | 9 |

The independent member is not entitled to any seats as of right but can be gifted a seat by another Group, should they wish to do so.

- 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 is 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 continue to achieve overall balance and to allow for an additional member to be called for Licensing Panels, the proposal is to continue operating a 11 member committee in 2024/25. There are no substitutes allowed on this body.
- 2.7 **Standards Independent Persons** – The Council appointed Standards Independent Persons, Neal Robinson and Paul Cummins from 31 July 2023, following interview, and subject to reconfirmation by the Full Council each year. It is asked that the Council recommend their appointments for the next municipal year.
- 2.8 **Advisory Groups and Other Bodies** - Advisory Groups and Other Bodies do not have to be 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.
- 2.9 **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.

- 2.10 **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

- 3.1 There are no financial implications from these proposals.

4. Legal implications

- 4.1 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

- 5.1 Appendix 1 – Proposed Allocations to Committees, Outside and Other Bodies and to Chairs and Deputy Chairs.

6. Background papers

None