

Report to:	Full Council
Date:	23 May 2022
Title:	Appointments Report
Report of:	Head of Democratic Services
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.
Officer recommendations:	<ul style="list-style-type: none"> a) To approve the appointments of members to Committees and Other Bodies and as Chairs and Deputy Chairs of Committees, as set out in Appendix 1; b) To approve the appointment of representatives to serve on outside and joint bodies, as set out at Appendix 2; c) 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; and. d) 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 verbally at the meeting. e) To delegate to the Head of Democratic Services to make the necessary changes to the constitution and website to remove the Devolution Committee and incorporate its powers into the Strategic Property Board. f) That Neal Robinson and Graham Branton be re-confirmed as the Council’s Standards Independent Persons for the municipal year.
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 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 by-election held on 12 May 2022 the current political group membership is as follows:

18 Conservatives
8 Green Party
9 Liberal Democrats
4 Labour
2 Independents Group.

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 Devolution Committee

2.1 As part of reviewing the appointments for the year it has been identified that the Devolution Committee has not met for two years. In addition, as an advisory body to Cabinet, its powers fit with the role of the Strategic Property Board, which considers other Council asset management matters and makes recommendations to Cabinet. It is recommended that the Devolution Committee is formally deleted and its roles incorporated into the Strategic Property Board. This change is reflected in the proportionality review below and it is recommended that the Head of Democratic Services is asked to make any resulting formal changes to the constitution or webpages.

3 Proportionality Review

3.1 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 can do so under the delegated authority of the Head of Democratic Services for any in-year changes in group memberships, should a formal request for a review be received.

3.2 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 each political group has the same proportion of seats as it holds on the council as a whole.

3.3 Each group's fraction of membership converts to a percentage as follows:

Group	Number	Proportion
Conservative	18	43.90%
Green	8	19.51%
Liberal Democrat	9	21.95%
Labour	4	9.76%
Independent	2	4.88%

3.4 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	Seat Nos	CON	GREEN	LIB DEMS	LAB	IND
Audit and Standards	7	3 (3.07)	1 (1.37)	2 (1.54)	1 (0.68)	0 (0.34)
Licensing	10	5 (4.39)	2 (1.95)	2 (2.20)	1 (0.98)	0 (0.49)
Planning Applications	11	5 (4.83)	2 (2.15)	2 (2.41)	1 (1.07)	1 (0.54)
Policy and Performance Advisory	11	5 (4.83)	2 (2.15)	2 (2.41)	1 (1.07)	1 (0.54)
Totals:	39	18	7	8	4	2
Result of applying proportionality across Cttees (principle c)		18	7	8	4	2
Seats allocated on whole Council proportionality (principle d)		17	8	8	4	2
Adjustments to Memberships:	0	-1	+1	0	0	0

3.5 The adjustment shown from applying the proportionality across the Council as opposed to by Committee, shows that the the Green Group need to gain 1 place and the Conservative Group need to lose 1 place.

3.6 In order to meet the rules for Council proportionality it is recommended that the Green Group gains a place on the Licensing Committee from the Conservative Group.

3.7 The allocations are therefore as follows:

Committee	No.s	CON	GREEN	LIB DEMS	LAB	IND
Audit and Standards	7	3	1	2	1	0
Licensing	10	5	3	2	1	0
Planning Applications	11	5	2	2	1	1
Policy and Performance Advisory	11	5	2	2	1	1
Total places:	39	17	8	8	4	2

The recommendations based on these allocation numbers are set out at Appendix 1 for consideration and approval.

3.8 Under the constitution, all appointments to chair and deputy chairs of Committee are made at Annual Council, with the exception of the deputy chair of Planning Applications Committee which is determined at the first meeting. All nominations received for Chairs and Deputy Chairs are included in Appendix 1.

3.9 Advisory Group nominations are also set out in Appendix 1.

4 Outside Bodies

4.1 The Group Leaders provided nominations to outside bodies which are set out in Appendix 2 for approval.

5. Cabinet

5.1 As a matter of law, the appointments to Cabinet rest with the Leader of the Council, together with determining individual portfolios. The maximum number of Cabinet Members, including the Leader and Deputy Leader is 10.

5.2 The Leader has been asked to advise verbally at the meeting who she will be appointing to serve on Cabinet.

6. Substitute Members

6.1 It is recommended that the Council formally appoints all Councillors to act as substitutes for Committees and other Council bodies, wherever is appropriate under Council's Rules of Procedure. Where this does not apply is set out in the constitution. For example, no substitute members are allowed by law on Cabinet or Licensing Committee.

7. Standards Independent Persons

7.1 The Council appointed Standards Independent Persons, Neal Robinson and Graham Branton, in 2019 for a 4-year term commencing on 1 August 2019, subject to re-confirmation at Annual Council in each year. The Council is asked to reconfirm their appointment for the municipal year 2022/23.

8. Financial appraisal

8.1 There are no financial implications from these proposals.

9. Legal implications

9.1 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.

10.

Appendices

- Appendix 1 – Nominations to Committees and Advisory Bodies and to Chairs and Deputy Chairs of Committees
- Appendix 2 – Nominations to Outside Bodies.

11.

Background papers

None