



COUNCIL MEETING

12 June 2014

4 June 2014

**Annual Council Meeting
12 June 2014**

The Council Chamber, Civic Centre,
Ham Road, Shoreham-by-Sea

7:00pm

ALL MEMBERS OF THE COUNCIL are hereby summoned to attend for the following business:

Part A

1. Election of the Chairperson

To elect a Chairperson of the Council until the Annual Meeting of the Council in 2015.

The Chairperson to declare their acceptance of office.

2. Appointment of the Vice Chairperson

To appoint a Vice Chairperson of the Council until the Annual Meeting of the Council in 2015.

The Vice Chairperson to declare their acceptance of office.

3. Declarations of Interest

Members and Officers are invited to make any declarations of disclosable prejudicial interests that they may have in relation to any items on this Agenda. The declaration should refer both to the nature of the interest as well as its existence.

Members and Officers may seek advice upon any relevant interest from a Legal Officer prior to the meeting.

4. Confirmation of Minutes

To approve the minutes of the meeting held on 10 April 2014, copies of which have been previously circulated.

5. Vote of thanks to outgoing Chairman and presentation of past Chairperson's insignia

6. Apologies for absence

7. Returning Officers Return of Persons Elected

To receive from the Returning Officer, the Return of Persons elected as Councillors for the District of Adur held on 22 May 2014, copy attached as item 7.

8. Items Raised Under Urgency Provisions

To consider any items the Chairperson of the meeting considers to be urgent.

9. Announcements by the Chairperson and / or Head of Paid Service

10. Elect the Leader of the Council

To elect the Leader of the Council for a four year term ending at the Annual Council meeting in 2018.

11. Structure of the Council, confirmation of Delegations and Terms of Reference, Political Balance

The Council to agree the attached report from the Director for Communities, copy attached as item 11.

12. Announcements by the Leader

To receive any announcements by the Leader.

13. Appointments 2014/15: Appointment of Leader of the Main Opposition, Appointment of Members to Non-Executive Committees and Sub-Committees; Notification of Group Leaders and Representation on Outside Bodies

To consider a report by the Director of Communities, to include the Leader's recommendation to Council on Appointments to Outside Bodies, attached as item 13.

An updated copy of this report will be circulated prior to the meeting with the information from the Group Leaders.

14. Calendar of Meetings 2014/15– Adur Local Plan timetable

Council is informed that there is a slippage in the timetable for some of the studies in the Adur Local Plan therefore there will need to be minor alterations to the 2014/15 meeting schedule as follows:

Cabinet 2 July postponed to 30 September 2014

An additional meeting of full Council on 9 October 2014 (this is in addition to the scheduled meeting to be held on 23 October 2014).

For transparency of decision making, that the Council agrees that the consideration of matters relating to the Adur Local Plan should be reserved to the Adur Cabinet, save for any minor amendments or updates, which may be considered by the Joint Strategic Committee.

Recommendation that Council

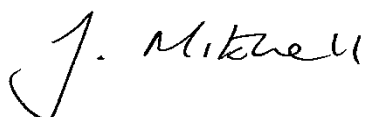
(i) agrees that the consideration of matters relating to the Adur Local Plan should be reserved to the Adur Cabinet, save for any minor amendments or updates, which may be considered by the Joint Strategic Committee.

(ii) notes the change of date of the Cabinet meeting from 2 July to 30 September 2014

(iii) agrees to hold an extra-ordinary meeting of full Council on 9 October 2014 to consider the draft Adur Local Plan.

Part B - Not for Publication – Exempt Information Reports

None.



Director for Communities

For Democratic Services enquiries relating to this meeting please contact:

Julia Smith
Democratic Services Manager
01903 221150
Julia.smith@adur-worthing.gov.uk

For Legal Services enquiries relating to this meeting please contact:

Susan Sale
Solicitor to the Council
01903 221119
susan.sale@adur-worthing.gov.uk

Duration of the Meeting: Four hours after the commencement of the meeting the Chairperson will require the meeting to consider if it wishes to continue. A vote will be taken and a simple majority in favour will be necessary for the meeting to continue.

Returning Officer's Return of Persons Elected on 22 May 2014

ALPHABETICAL LIST OF WARDS	NAME AND ADDRESS OF MEMBER	DESCRIPTION	YEAR OF RETIREMENT
Buckingham	Emma Evans 26 Greenways Crescent Shoreham-by-Sea West Sussex BN43 4HS	The Conservative Party Candidate	2018
Churchill	James Martin Butcher 4 Clements Roberts Road Lancing West Sussex BN15 8AR	The Conservative Party Candidate	2018
Cokeham	Lyn Phillips 33 Grinstead Lane Lancing West Sussex BN15 9DU	UKIP	2018
Eastbrook	James Robert Funnell 9 Park Way Southwick West Sussex BN42 4LD	The Conservative Party Candidate	2018
Hillside	David John Simmons 42 Greenways Crescent Shoreham-by-Sea West Sussex BN43 6HS	The Conservative Party Candidate	2018
Manor	Carol Ann Albury Mill Cottage 8 Mill Road North Lancing West Sussex BN15 0PT	The Conservative Party Candidate	2018
Marine	Ben Stride 179 Old Fort Road Shoreham-by-Sea West Sussex BN43 5HL	Independent	2018

Mash Barn	Liz Haywood 54 Pratton Avenue Lancing West Sussex BN15 9NX	UKIP	2016
	David Leonard Lambourne 33 Grinstead Lane Lancing West Sussex BN15 9DU	UKIP	2018
Peveler	Brian William Boggis 20 Manor Road North Lancing West Sussex BN15 0EY	The Conservative Party Candidate	2018
St. Mary's	Mike Mendoza 5 Southlands Way Shoreham-by-Sea West Sussex BN43 6AS	The Conservative Party Candidate	2018
St. Nicolas	Neil Leslie Parkin 92 Southwick Street Southwick West Sussex BN42 4TJ	The Conservative Party Candidate	2018
Southlands	Ken Bishop 46 The Drive Shoreham-by-Sea West Sussex BN43 5GD	UKIP	2018
Southwick Green	Emily Hilditch 41 The Crescent Southwick West Sussex BN42 4LB	The Conservative Party Candidate	2018
Widewater	Geoff Patmore 28 West Way Lancing West Sussex BN15 8LX	UKIP	2018

Alex Bailey
Returning Officer

**Structure of the Council, confirmation of Delegations and Terms of Reference,
Political Balance**

Report by the Director of Communities

1.0 Summary

- 1.1 To agree the Structure of the Council and confirm the Scheme of Delegations to Officers and Terms of Reference.

2.0 Background

- 2.1 The business conducted at the Annual Meeting of Council is governed by the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000 and Local Government and Public Involvement in Health Act where this relates to executive arrangements.
- 2.2 The procedure rules for the Annual Meeting of Council are set out in Part 4 of the Council's Constitution which follows the Department of the Environment, Transport and the Regions (DETR) model constitutions guidance of 2000.
- 2.3 To streamline the business of the Annual Meeting of Council the items relating to structure will be taken as one item and are set out in Annex A to this report.

3.0 Proposals

- 3.1 That the Council confirm the items relating to the Structure of the Council as set out in Annex A to this report
- 3.2 That Council also notes that there is an ongoing Review of the Constitution with a report due to be submitted to Joint Governance and Audit Committee in June with a number of recommendations.

4.0 Legal

- 4.1 s106 Local Government Act 1972 provides that Councils may make standing orders for the regulation of their proceedings and business
- 4.2 s111 Local Government Act 1972 provides that the Council shall have the power to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of their functions.

4.3 s15, 16 and 17 of the Local Government and Housing Act 1989 set out powers and duties in relation to political balance on Committees and the exceptions and exemptions therein.

4.4 Local Government Act 2000 as amended by the Local Government and Public Involvement in Health Act 2007 sets out regulations regarding appointments to Cabinet and Committees in Councils that have adopted Executive arrangements.

5.0 Financial implications

5.1 There are no direct financial implications arising from this report

6.0 Recommendation

6.1 That the Council confirm the Committee structure and numbers of seats applicable to each, in accordance with the Constitution as set out in paragraph (a) of Annex A to this report;

6.2 That the Council confirm the Terms of Reference of the Council, Cabinet, Committees and Sub Committees as outlined in the Constitution;

6.3 That the Council confirm the political groups and the number and proportion of seats held as set out in paragraph (b) of Annex A to this report;

Local Government Act 1972

Background Papers:

Local Government Act 1972

Local Government and Housing Act 1989

Local Government Act 2000

Local government and Public Involvement in Health Act 2007

Annual council Agendas 2008, 2009, 2010

Knowles on Local Authority Meetings – A manual of Law and Practice

Contact Officer:

Julia Smith

Democratic Services Manager

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01903 221150

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Schedule of Other Matters

1.0 Council Priority

1.1 Matter considered and no issues identified

2.0 Specific Action Plans

2.1 (A) Matter considered and no issues identified
(B) Matter considered and no issues identified

3.0 Sustainability Issues

3.1 Matter considered and no issues identified

4.0 Equality Issues

4.1 Committees must take proper account of the Council's duties to promote compliance with the convention rights scheduled in the Human Rights Act 1988, to reduce crime and disorder and to promote equalities

5.0 Community Safety Issues (Section 17)

5.1 Matter considered and no issues identified

6.0 Human Rights Issues

6.1 Matter considered and no issues identified

7.0 Reputation

7.1 Matter considered and no issues identified

8.0 Consultations

8.1 Matter considered and no issues identified

9.0 Risk Assessment

9.1 Matter considered and no issues identified

10.0 Health & Safety Issues

10.1 Matter considered and no issues identified

11.0 Procurement Strategy

11.1 Matter considered and no issues identified

12.0 Partnership Working

12.1 The Committee structure of Adur District Council contains a number of Joint Committees with Worthing, Horsham and Mid-Sussex Councils

(a) Committee Structure and Number of Seats

To confirm the committee structure and numbers of seats applicable to each, in accordance with the Constitution:

(i) The Executive:

Cabinet	6 seats
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(ii) Regulatory Committees and Sub-Committees:

Planning Committee	8 seats
Licensing Committee	10 seats
Licensing Regulatory Sub-Committee	3 seats plus 1 reserve

(iii) Overview and Scrutiny:

Overview and Scrutiny Committee	8 seats
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(vi) Joint Working Arrangements:

With Worthing Borough Council

Joint Governance and Audit Committee	6 seats
Joint Members Appointments Committee	3 seats
Joint Overview and Scrutiny Committee	8 seats
Joint Planning Committee	8 seats
Joint Senior Staff Committee	3 seats
Joint Staff Committee	3 seats
Joint Strategic Committee	6 seats
Joint Standards Committee	3 seats

With Horsham and Mid Sussex Councils

CenSus Joint Committee	2 seats
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Seats in bold are subject to political balance: 60 Seats

Miscellaneous:**(v) Joint Remuneration Panel:**

With Worthing Borough Council

A Panel comprising four independent persons in accordance with the Local Authorities (Members Allowances) (England) Regulations 2001, this membership is appointed via the Joint Members Appointment Committee.

(b) Representation of Political Groups on the Council

To confirm the political groups and the number and proportion of seats held.

Representation on the Council and the number and proportion of seats held are as follows;

Number of seats on Council:		Proportion of seats
20	Conservative	68.97%
2	SBRA / Independent	6.90%
6	UKIP	20.69%
1	Liberal Democrat	3.45%
1	Labour	3.45%

In accordance with the rules on political representation the number of seats to be taken by each political group on the Council's Committees and Sub-Committees equates to:

	Number of seats on Committees:
Conservative	41
SBRA / Independent	4
UKIP	12

A political group comprises 2 or more members. 3 seats are unallocated.

Please note that the following are not included in the above figures because the political balance requirements do not apply:

Cabinet (6 seats)
Joint Strategic Committee (6 seats)
Census Committee (2 seats)

Committee	No. of Seats	Conservative	SBRA	Labour	UKIP	Over or under allocated
Joint Governance and Audit	6	4	0	**	1	-1
Licensing	10	7	1*		2	
Joint Planning	8	6	1*		2	+1
Planning	8	6	1*		2	+1
Overview and Scrutiny	8	6	1*		2	+1
Joint Overview and Scrutiny	8	6	1*		2	+1
Joint Staff	3	2	0		1	
Joint Senior Staff	3	2	0		1	
Joint Members appointments	3	2	0		1	
Joint Standards	3	2	0		1	
TOTAL	60	43	5	0	15	
Over or under allocation		-2~	-1		^3	

Therefore, there is a need to negotiate:

- ~Conservative Group to surrender 2 seats to make 41 seats
- ^ UKIP Group to surrender 3 seats to make 13 seats
- *SBRA – are entitled to one seat on the Licencing Committee/ Joint Planning Committee/ Planning Committee/O and S and Joint O and S to a total of 4 seats, Labour could be offered the remaining seat but are not entitled to any seats
- **Labour – can be allocated the seat on the Joint Governance and Audit Committee and could be offered one of the other allocated SBRA seats but are not entitled to any seats

Appointments 2014/15: Appointment of Leader of the Main Opposition, Appointment of Members to Non-Executive Committees and Sub Committees; Notification of Group Leaders and Representation on Outside Bodies

Report by the Director for Communities

1.0 Summary

1.1 To agree the Appointments for 2014/15

2.0 Background

2.1 The business conducted at the Annual Meeting of Council is governed by the Local Government Act 1972, the Local Government and Housing Act 1989 and the Local Government Act 2000 and Local Government and Public Involvement in Health Act, 2007 where this relates to executive arrangements.

2.2 The procedure rules for the Annual Meeting of Council are set out in Part 4 of the Council's Constitution which follows the DETR model constitutions guidance of 2000.

2.3 Appointments to the Executive are made by the Leader and notified to the Proper Officer.

3.0 Proposals

3.1 That the Council confirm the items relating to the appointments as set out in Annex A to this report

3.2 That the Council appoints a Leader of the Main Opposition as the criteria for this position as set out in the Constitution is met.

'4.5 Where the second largest political group has more than 2 members and has more seats on the Council than the total of all the other members, except those in the political group with an overall majority, that group may nominate the Leader of the Main Opposition and the Council shall appoint that member to be Leader of the Main Opposition'.

4.0 Legal

4.1 s106 Local Government Act 1972 provides that councils may make standing orders for the regulation of their proceedings and business

- 4.2 s111 Local Government Act 1972 provides that the Council shall have the power to do anything which is calculated to facilitate or is conducive or incidental to the discharge of any of their functions.
- 4.3 s15, 16 and 17 of the Local Government and Housing Act 1989 set out powers and duties in relation to political balance on Committees and the exceptions and exemptions therein.
- 4.4 Local Government Act 2000 as amended by the Local Government and Public Involvement in Health Act 2007 sets out regulations regarding appointments to Cabinet and Committees in Councils that have adopted Executive arrangements.

5.0 Financial implications

- 5.1 There are no direct financial implications arising from this report.

6.0 Recommendation

- 6.1 That in accordance with Council procedure rule 4.5, an appointment to the Leader of the Main Opposition for 2014/15, be made;
- 6.2 That the Council agree the membership of the Council's Non-Executive Committees, and appointment of Chairpersons and Vice Chairpersons as appropriate, for 2014/15 as set out in the amended Annex A of this report;
- 6.3 That the Council note the Substitute Members List for 2014/15 as included in the amended Annex A of this report;
- 6.4 That the Council note the co-opted, independent appointments, and future recruitment process as set out in Annex A of this report,
- 6.5 That the Council note the Group Leaders as identified to the Proper Officer, included in amended Annex A of this report
- 6.5 That the Council approve the recommendations from the Leader to appoint Members to serve as representatives of the Council on Outside Bodies as set out in the recommendations in the Leader's decision notice that will be circulated prior to the meeting as Annex B.

Local Government Act 1972

Background Papers:

Returns of information from Group Leaders

Contact Officer:

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8.0 Consultations

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10.0 Health & Safety Issues

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12.0 Partnership Working

12.1 The Committee structure of Adur District Council contains a number of Joint Committees with Worthing, Horsham and Mid-Sussex Councils

**JOINT COMMITTEE MEMBERSHIP / APPOINTMENTS
2014-2015**

Joint Strategic Committee Membership is the Leader and their Cabinet <i>(no requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	
2	Vice-Chair:	
3		
4		
5		
6		
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative

Joint Standards Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1		
2		
3		
Adur District Council		
1		Conservative
2		Conservative
3		UKIP
Independent Members		
1	Tony Case	-
2	John Todd	-
3	Susan Clark	-
Parish Council Representatives		
1	TBA	Sompting Parish Councillor
2	TBA	Lancing Parish Councillor

Joint Governance and Audit Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	
2	Vice-Chair:	
3		
4	Mark Nolan	
5		
6		
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		UKIP
6		Unallocated-could be Labour

Note:

Not more than one member to be an Executive Member

Joint Staff Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	
2	Vice-Chair:	
3		
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		UKIP

Joint Senior Staff Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	
2	Vice-Chair:	
3		
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		UKIP

Note: *Each Council must have one Executive member*

Joint Overview & Scrutiny Committee <i>(requirement for political balance)</i>		
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No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	
2	Vice-Chair:	
3		
4		
5		
6		
7		
8		
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
		Conservative
6		UKIP
7		UKIP
8		SBRA

Joint Member Appointments Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	
2	Vice-Chair:	
3		
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		UKIP

Note:

One Member to be an Executive Member

One Member to be a non-Executive Member

Joint Planning Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	
2	Vice-Chair:	
3		
4		
5		
6		
7		
8		
Substitute Member Nomination		
1		
2		
3		
4		
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative
7		UKIP
		UKIP
8		SBRA
Substitute Member Nomination		
1		
2		
3		
4		
5		

**CABINET/ COMMITTEE MEMBERSHIP / APPOINTMENTS
2014-2015**

Cabinet, appointed by the Leader		
No	Councillor	Title
1		Leader
2		Cabinet Member for Customer Services
3		Cabinet Member for Regeneration
4		Cabinet Member for Environment
5		Cabinet Member for Resources
6		Cabinet Member for Health and Wellbeing
Policy Advisors to Cabinet Members		
1		To Leader
2		To Cabinet Member for Customer Services
3		To Cabinet Member for Regeneration
4		To Cabinet Member for Environment
5		To Cabinet Member for Resources
6		To Cabinet Member for Health and Wellbeing

CenSus Committee (With Worthing Borough Council, Mid Sussex District Council and Horsham District Council (membership is from the Cabinet)	
Councillor	
	Cabinet Member for Customer Services
	Cabinet Member

Adur Planning Committee (requirement for political balance)		
No	Councillor	Political Group
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative
7		UKIP
		UKIP
8		SBRA
	Substitute Members List	

It is a requirement that Members of this Committee must receive appropriate training.

Licensing Committee (requirement for political balance)		
No	Councillor	Political Group
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative
7		Conservative
8		UKIP
9		UKIP
10		SBRA

It is a requirement that Members of this Committee must receive appropriate training.

Overview and Scrutiny Committee
(requirement for political balance)

No	Councillor	Political Group
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
		Conservative
6		UKIP
7		UKIP
8		SBRA

Appointment of Co-Optees to

- (i) Joint Standards Committee 3 independent co-opted members and one co-opted member from each of the parish councils:
Mr Anthony Case (Independent Member)
Mr John Todd (Independent Member)
Mrs Susan Clarke (Independent Member)
One representative from Lancing Parish Council
One representative from Sompting Parish Council
- (ii) Cabinet Member for Improved Customer Services 1 co-opted advisor representing Adur Consultative Forum (ACF) on matters relating to the Housing Revenue Account and / or Leaseholder properties:

Wendy Farmer - Chairman of ACF

Substitute – not yet advised
- (iii) Overview and Scrutiny Committee 1 co-opted advisor representing Adur Consultative Forum (ACF) on matters relating to housing:

Paul Francis
- (iv) Joint Independent Remuneration Panel As appointments to this Panel have now ended, a recruitment process will take place.

Group Leaders as Notified to the Proper Officer:

	Leader	Deputy Leader
Conservative Group	To be advised	To be advised
Shoreham Beach Residents Association	To be advised	To be advised
UKIP	To be advised	To be advised

Representation on Outside Bodies – Leader’s decision notice

To consider a recommendation from the Leader to appoint Members to serve as representatives of the Council on Outside Bodies as contained in the decision notice:

	OUTSIDE BODY	Recommendations
1.	4 Sight	
2.	Adur and Worthing Health and Wellbeing Partnership	Cabinet Member for Health and Wellbeing
3.	Adur and Worthing Homelessness Forum	Cabinet Member for Regeneration
4.	Adur and Worthing Safer Communities Partnership	Cabinet Member for Health and Wellbeing
5.	Adur Community Leisure: Board of Trustees	Cllr Rod Hotton Cllr Fred Lewis
6.	Adur and Worthing Business Partnership	Cabinet Member for Regeneration
7.	Waves Ahead Local Strategic Partnership	Cabinet Member for Health and Wellbeing
		Sub:
8.	Adur Voluntary Action	
9.	Coastal West Sussex Partnership Board	
10.	Heritage Champion Member	
11.	Local Government Association Coastal Issues Special Interest Group	
12.	Local Government Association General Assembly	Leader (or member nominated by Leader)
13.	Marlipins Museum	
14.	Quayside Youth Centre: Management Committee	
15.	Ropetackle Centre: Board of Trustees	
16.	Safeguarding Children Champion Member	

	OUTSIDE BODY	Recommendations
17.	Shoreham and District Mental Health Association	Await further information
18.	Shoreham Airport Consultative Committee	
19.	Shoreham Airport Regeneration Committee	
20.	Shoreham Port Local Authority Liaison Committee	
21.	South Downs National Park Authority (decision on position delegated to Joint Strategic Committee)	Joint Strategic Committee appointment
22.	Local Democracy Network (South East Employers)	(Chairman JGAC)
		Sub: (Chairman JOSC)
23.	South East Employers	
24.	West Sussex Health and Adult Social Care Select Committee	Member of Overview and Scrutiny Committee
25.	West Sussex Joint Planning Board	
26.	Adur Fairtrade Group	
27.	Sussex Police and Crime Panel	Councillor Pat Beresford (sub)
28.	PATROL Adjudication Joint Committee	Cabinet Member for Environment
29.	Armed Forces Champion	
30.	Discretionary Housing Payments Board	
31.	Tenants Complaints Panel	

	OUTSIDE BODY	Recommendations
32.	Court of the University of Sussex	Cabinet Member for Regeneration
33.	Greater Brighton Economic Board – call –in Panel	Suggest Chairman and Vice-Chairman of the Overview and Scrutiny Committee

