

Political Balance on the Council

Report by the Director for Communities

1.0 Summary

- 1.1 To note the Political balance on the Council following the recent District elections.

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.
- 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 notes the Structure of the Council as set out in Annex A.
- 3.2 That the Council confirms the allocation of seats based on the political balance of the Authority following the District Election results of 5 May.

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 notes the Committee structure and number 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, Executive, Committees and Sub Committees as outlined in the Constitution, and those relating to Joint Committee Agreements;

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

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

Adur District Constitution adopted in October 2014

Result of Poll(s) Elections held on 5 May 2016

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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:

Executive	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

(iii) Overview and Scrutiny:

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

With Worthing Borough Council

Joint Governance Committee	8 Seats*
Joint Overview and Scrutiny Committee	8 Seats*
Joint Senior Staff Committee	3 Seats*
Joint Staff Committee	3 Seats*
Joint Strategic Committee	6 Seats
Joint Senior Staff Appeals 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:	51 Seats*
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(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
(51)		(100%)
16	Conservative	55.17%
2	SBRA / Independent	6.90%
8	UKIP	27.59%
3	Labour	10.34%

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	28
SBRA / Independent	4
UKIP	14
Labour	5

A political group comprises 2 or more members. Please note that the following are not included in the above figures because the political balance requirements do not apply:

- Executive (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	8	5	1	1	2	-1~
Licensing	10	6	1	1	3	-1
Planning	8	5	1	1	2	-1~
Overview and Scrutiny	8	5	1	1	2	-1~
Joint Overview and Scrutiny	8	5	1	1	2	-1~
Joint Staff	3	2	0	0	1	
Joint Senior Staff	3	2	0	0	1	
Joint Senior Staff Appeals	3	2	0	0	1	
TOTAL	51	28+ 4~	5^	5	14	
Over or under allocation		SEE NOTE BELOW	1 over			

Conservative, Labour and UKIP allocations are correct according to the political balance rules. However, the largest group has to have a majority on all committees.

Therefore, there is a need to negotiate between the UKIP, Labour and SBRA Groups bearing in mind (a), (b), (c) and (d) above:

The 3 remaining seats on the 8 seat committees

No group can have an over allocation of seats according to the political balance rules, the details of the agreement will be contained on the amended Annex A to the item 11