



Decision making by Adur District Council - 2017-18

Report by the Director for Communities

1.0 Summary

- 1.1 To note the resignation of Councillor Ken Bishop from the UKIP group on the Council and the effect of this resignation on the political balance on the Council.
- 1.2 To appoint various Councillors to the vacant seats on Committees arising from this resignation, as indicated by the respective Group Leaders.
- 1.3 The recent resignation from the office of Councillor by David Lambourne may result in a by-election which could require that the Council re-calculates the political balance at a future Council meeting.

2.0 Background

- 2.1 At the Annual Meeting of Council in May, Council determined a number of matters related to decision making by the Council until May 2018. This report is referenced here: <https://www.adur-worthing.gov.uk/media/media.144392.en.pdf>
- 2.2 Councillor Bishop resigned from UKIP on 27 May 2017. Councillor Bishop was appointed to the UKIP seats on the Planning and Joint Governance Committees.
- 2.3 David Lambourne resigned his office on 5 July 2017.
- 2.3 Decision making 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.

2.4 The new calculation of the political balance of the Authority is

Number of seats on Council:		Proportion of seats
16	Conservative	55.17%
2	SBRA / Independent	6.90%
6	UKIP	20.69%
3	Labour	10.34%
1	Independent	3.45%
1	Vacant	3.45%

3.0 Proposals

- 3.1 Council to note the revised political balance on the Council, as 2.4 above.
- 3.2 The effect of the revised political balance is the loss of 1 UKIP seat on a 10 seat committee (Licensing Committee) which on a percentage basis is allocated to the Labour Group.
- 3.3 Having resigned from the UKIP group and not joining another Group Cllr Bishop is not entitled to any seats on committees.
- 3.4 The UKIP Group need to give notice of the replacement group members to the Planning Committee and the Joint Governance Committee.
- 3.5 The Labour Group need to give notice of the member to the seat on the Licensing Committee. The Labour Group may wish to revisit its current representation on Committees to facilitate the take up of the Licensing seat. The Labour member, and any substitute member, will need to have licensing training before attending and determining matters.
- 3.6 A by-election in the Mash Barn Ward could alter the political balance and a further re-calculation of seats.

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 resignation of Councillor Bishop from the UKIP Group and the resulting changes to the Political Balance on the Council as detailed at 2.4 in the report

6.2 That Council approves the following committee changes by the UKIP Group:

Councillor Paul Graysmark becomes a member of the Planning Committee
Councillor Geoff Patmore becomes a member of the Joint Governance Committee

6.3 That Council approves the following committee change by the Labour Group:

Councillor Les Alden becomes a member of the Licensing Committee

6.4 That the Council notes that the result of a by-election in the Mash Barn Ward may require that the political balance is recalculated at a future meeting of the Council.

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

Email from Councillor Bishop dated 27 May 2017

Email exchange with Councillor Patmore 8 and 9 June

Email exchange with Councillor Alden 9, 12 and 20 June

Resignation email from David Lambourne 5 July

Contact Officer:

Julia Smith

Democratic Services Manager

Town Hall, Worthing

01903 221150

Julia.smith@adur-worthing.gov.uk

Schedule of Other Matters

1.0 Council Priority

1.1 Platform 5 Leadership of our places

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 Group Leaders advised of the revised political balance and the effect on seats on committees.

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