



COUNCIL MEETING

13 June 2014

5 June 2014

**Annual Council Meeting
13 June 2014**

The Council Chamber, Town Hall,
Chapel Road, Worthing

12 noon

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

Part A

1. Election of the Mayor

To elect the Mayor of the Borough until the Annual Meeting of the Council in 2015. The Mayor to declare their acceptance of office.

2. Appointment of the Deputy Mayor

To appoint a Deputy Mayor of the Borough until the Annual Meeting of the Council in 2015. The Deputy Mayor 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 15 April 2014, copies of which have been previously circulated.

5. Vote of thanks to outgoing Mayor and presentation of past Mayor and Mayoress' 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 Borough of Worthing 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 Mayor and / or Head of Paid Service

10. Structure of the Council Confirmation of Delegations and Terms of reference

The Council to agree the attached report from the Director for Communities, copy attached as item 10.

11. Appointments 2014/15: Appointment of Members to Non-Executive Committees; Notification of Group Leaders

To consider a report by the Director of Communities, copy attached as item 11.

Information not supplied on publication of the agenda will be circulated when available.

12. Youth Mayor

To note the Youth Mayor and Deputy Youth Mayor for 2014/15, Jenny Hirst and Harry Williams

Part B - Not for Publication – Exempt Information Reports

None.



Director for Communities

Notice to Councillors, Guests, Officers, Press and members of the Public – this meeting will be voice recorded and available on the Council's website in due course.

Members are requested to be in Robes for this meeting.

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

ALPHABETICAL LIST OF WARDS	NAME AND ADDRESS OF MEMBER	DESCRIPTION	YEAR OF RETIREMENT
Broadwater	Victoria Vaughan 23 Harrow Road Worthing West Sussex BN11 4RB	The Conservative Party Candidate	2018
Castle	Luke Proudfoot 114 Tarring Road Worthing West Sussex BN11 4HA	The Conservative Party Candidate	2018
Central	James Edward Doyle 80 Cranleigh Road Worthing West Sussex BN14 7QR	Green Party	2018
Durrington	Susan Linda Jelliss 10 Shelby Road Durrington Worthing West Sussex BN13 2TR	UKIP	2018
Gaisford	Kevin Jenkins 34 Hurston Close Worthing West Sussex BN14 0AX	The Conservative Party Candidate	2018
Goring	Mark Nolan Flat 3 Atkinson House 101 Marine Parade Worthing West Sussex BN11 3QF	The Conservative Party Candidate	2018
Heene	Diane Guest 12 Hamilton Close Worthing West Sussex BN14 8LW	The Conservative Party Candidate	2018

Marine	Edward James Crouch Cranmere 15 Victoria Road Worthing West Sussex BN11 1XB	The Conservative Party Candidate	2018
Northbrook	Sean Anthony McDonald 10 Woodpecker Way Durrington Worthing West Sussex BN13 2TY	The Conservative Party Candidate	2018
Offington	Louise Murphy 315 South Farm Road Worthing West Sussex BN14 7TL	The Conservative Party Candidate	2018
Salvington	Heather Mary Linda Mercer 23 Pembury Close Worthing West Sussex BN14 7DW	The Conservative Party Candidate	2018
Selden	Callum Buxton Flat 3, 27 Marine Parade Worthing West Sussex BN11 3BT	The Conservative Party Candidate	2018
Tarring	Bob Smytherman 7 Willow House Goring Chase The Strand Goring-by-Sea Worthing West Sussex BN12 6NS	Liberal Democrat	2018

**Alex Bailey
Returning Officer**

Structure of the Council, Confirmation of Delegations and Terms of Reference

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 Standing Orders 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 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

Town Hall, Worthing

01903 221150

Julia.smith@adur-worthing.gov.uk

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 Worthing Borough Council contains a number of Joint Committees with Adur, 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

Planning Committee	8 seats
Licensing and Control Committee A	15 seats
Licensing and Control Committee B	15 seats

(iii) Overview and Scrutiny:

Overview and Scrutiny Committee	15 seats
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(iv) 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: 72 Seats

(v) Joint Remuneration Panel:

With Adur District 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
27	Conservative	72.97%
7	Liberal Democratic	13.62%
1	Independent Conservative	2.70%
1	Green	2.70%
1	UKIP	2.70%

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	53
Liberal Democrat	14

A political group comprises 2 or more members. 5 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)
- Licensing and Control Committee 'B'

Committee	No. of Seats	Conservative	Indep Conserv.	Liberal Democratic	UKIP	Green	Unallocated
Joint Governance and Audit Committee	6	4	*	1**	*	*	1
Licensing Committee	15	11#	*	3**	*	*	1#
Joint Planning Committee	8	6		2**			
Planning Committee	8	6		2**			
Overview and Scrutiny Committee	15	11	*	3**	*	*	1
Joint Overview and Scrutiny Committee	8	6		2**			
Joint Staff Committee	3	2		1**			
Joint Senior Staff Committee	3	2		1**			
Joint Members appointments Committee	3	2		1**			
Joint Standards Committee	3	2		1**			
TOTAL	72	52	0*	17	0*	0*	
		+1~#		-3^			

Therefore, there is a need to negotiate:

- ~ #Conservative Group are entitled to one seat more seat, this can be on the 15 seat committees where there is under-allocation (Licensing or O and S) or JGAC
- *Independent Conservative, Green and UKIP could be offered the un allocated seat on the Licensing or O and S but are not entitled to any seats
- ^Lib Democrats are over allocated by 3 seats should give these seats to ensure that seats are allocated to their limit of **14** seats these can only give these up to the Independent Conservative, Green and UKIP to ensure that (a) the Conservatives have no more than 53 seats, and (b) no committee is single party
- ** the over allocation of seats to the Lib Dems to be released as the note above to the Independent Conservative, Green and UKIP in any combination to match the above bullet point information.

(The Conservatives have indicated that they will take the additional seat on Licensing)

**Appointments 2014/15, Appointment of Members to Non-Executive Committees;
Notification of Group Leaders**

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 Standing Orders for the Annual Meeting of Council are set out in Part 4 of the Council's Constitution.
- 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

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 agree the membership of the Council's Non-Executive Committees, and appointment of Chairman and Vice Chairman as appropriate, for 2014/15 as set out in the revised Annex A of this report;
- 6.2 That the Council note the Substitute Members List for 2014/15 as included in the revised Annex A of this report;
- 6.3 That the Council note the co-opted, independent appointments, and future recruitment process to various committees as set out in Annex A of this report,
- 6.4 That the Council note the Group Leaders as identified to the Proper Officer, included in the revised Annex A of this report

Local Government Act 1972

Background Papers:

Returns of information from Group Leaders

Contact Officer:

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01903 221150
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5.1 Matter considered and no issues identified

6.0 Human Rights Issues

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7.0 Reputation

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8.0 Consultations

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9.0 Risk Assessment

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10.0 Health & Safety Issues

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11.0 Procurement Strategy

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12.0 Partnership Working

12.1 The Committee structure of Worthing Borough Council contains a number of Joint Committees with Adur, 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: Paul Yallop	Conservative
2	Vice-Chair: Bryan Turner	Conservative
3	Daniel Humphreys	Conservative
4	Mary Lermite	Conservative
5	Clive Roberts	Conservative
6	Val Turner	Conservative
Adur District Council		
1	Chair:	
2	Vice-Chair:	
3		
4		
5		
6		

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

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:	
2	Vice-Chair:	
3		

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:	
2	Vice-Chair:	
3		

Note: *Each Council must have one Executive member*

Joint Overview & Scrutiny 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		
Adur District Council		
1	Chair:	
2	Vice-Chair:	
3		
4		
5		
6		
7		
8		

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:	
2		
3		

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:	
2	Vice-Chair:	
3		
4		
5		
6		
7		
8		
Substitute Member Nomination		
1		
2		
3		
4		
5		

**COMMITTEE MEMBERSHIP / APPOINTMENTS
2014-2015**

Cabinet, appointed by the Leader		
	Councillor	Title
1	Paul Yallop	Leader
2	Bryan Turner	Deputy Leader and Cabinet Member for Regeneration
3	Daniel Humphreys	Cabinet Member for Resources
4	Mary Lermite	Cabinet Member for Customer Services
5	Clive Roberts	Cabinet Member for Environment
6	Val Turner	Cabinet Member for Health and Wellbeing
Policy Advisors to Cabinet Members		
1	Paul Yallop	Cllr Vicky Vaughan
2	Bryan Turner	Cllr Noel Atkins
3	Daniel Humphreys	
4	Mary Lermite	Cllr Daniel Humphreys
5	Clive Roberts	Cllr Vino Vinojan
6	Val Turner	

CenSus Committee (With Adur District Council, Mid Sussex District Council and Horsham District Council (membership is from the Cabinet))	
Councillor	
Paul Yallop	Cabinet Member
Daniel Humphreys	Cabinet Member for Resources

Worthing Planning Committee (requirement for political balance)		
No	Councillor	Political Group
1	Chair:	
2	Vice-Chair:	
3		
4		
5		
6		
7		
8		
Substitute Member Nomination		Political Group
1	Noel Atkins	
2	Elizabeth Sparkes	
3		
4		

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: Roy Barraclough	
2	Vice-Chair: Vino Vinojay	
3	Noel Atkins	
4	Keith Bickers	
5	Callum Buxton	
6	Kevin Jenkins	
7	Sean McDonald	
8	Louise Murphy	
9	Roger Oakley	
10	Luke Proudfoot	
11	Vicky Vaughan	
12		
13		
14		
15		

Licensing and Control Committees 'A' and 'B'
(requirement for political balance)

No	Councillor	Political Group
1	Chair:	
2	Vice-Chair:	
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
Substitute Member Nomination		Political Group
1		
2		
3		
4		

Note:

** Chair for Sub-Committees

Although two separate Committees operating under different rules, it is suggested that Membership/Chairman/Vice-Chairman are the same for both.

In exceptional cases e.g. where a named substitute is unable to attend due to illness, absence or some other sufficient reason, the respective Group Leaders may nominate another member to act as a substitute.

It is a requirement that Members of this Committee must receive appropriate training. Substitutes are not permitted for 'B' Committee.

Requirement for Political balance is dependent on which Committee is meeting. Officers will ensure this is correct in each case.

Appointment of non-elected independent Co-Optees to

- | | | | |
|------|-----------------------------|-------------|---|
| (i) | Joint
Committee | Standards | 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) | Joint
Remuneration Panel | Independent | Sitting for parish matters only
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
Liberal Democratic Group	To be advised	To be advised

