

# **ANNUAL COUNCIL MEETING**

22 May 2015



13 May 2015

# Annual Council Meeting 22 May 2015

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. Apologies for Absence

#### 2. Election of the Mayor

To elect the Mayor of the Borough until the Annual Meeting of the Council in 2016.

The Mayor to declare their acceptance of office.

#### 3. Appointment of the Deputy Mayor

To appoint a Deputy Mayor of the Borough until the Annual Meeting of the Council in 2016.

The Deputy Mayor to declare their acceptance of office.

#### 4. Declarations of Interest

Members and Officers are invited to make any declarations of disclosable pecuniary 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.

Director for Communities:
John Mitchell 01903 221049
Adur & Worthing Councils, Town Hall, Chapel Road,
Worthing, West Sussex, BN11 1HA
web: www.adur-worthing.gov.uk

#### 5. Confirmation of Minutes

To approve the minutes of the meeting held on 14 April 2015, copies of which have been previously circulated.

# 6. Vote of thanks to outgoing Mayor and presentation of past Mayor and Mayoress' insignia

# 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 7 May 2015, copy attached as item 7.

# 8. Items Raised Under Urgency Provisions

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

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

#### 10. Election of the Leader of the Council

To elect the Leader of the Council for a term not exceeding four years; the person elected will serve as Leader for the remainder of their term of office as Councillor.

#### 11. Political Balance on the Council

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

#### 12. Announcements by the Leader of the Council

To receive any announcements by the Leader.

# 13. Appointments 2015/16:

**Appointment of Leader of the Main Opposition;** 

Appointment of Members to Non-Executive Committees and Sub-Committees;

**Notification of Group Leaders** 

To consider a report by the Director of Communities, copy attached as item 13.

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

# 14. Youth Mayor

To note the Youth Mayor and Deputy Youth Mayor for 2015/16, Harry Williams and David Price.

# Part B - Not for Publication - Exempt Information Reports

None.

Director for Communities

1. Mitthell

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 susan.sale@adur-worthing.gov.uk



Annual Council 22 May 2015 Agenda Item 11

Ward: N/A

#### **Political Balance on the Council**

## **Report by the Director of Communities**

# 1.0 Summary

1.1 To note the Political Balance on the Council following the recent Borough 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 where this relates to executive arrangements.
- 2.2 The Council Procedure Rules for the Annual Meeting of Council are set out in Part 4 of the Council's Constitution. These were revised by the Council during the last municipal year.
- 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 to this report which was agreed by Council in November 2014
- 3.2 That the Council confirms the allocation of seats based on the political balance of the Authority following the Borough Election results of 7 May.

## 4.0 Legal

- 4.1 s106 Local Government Act 1972 provides that Councils may make procedure rules 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 Executive 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 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 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
Worthing Borough Constitution adopted in October 2014
Result of Poll(s) Elections held on May 2015

#### **Contact Officer:**

Julia Smith
Democratic Services Manager
Town Hall, Worthing
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 Worthing Borough Council contains a number of Joint Committees with Adur, Horsham and Mid-Sussex Councils

# (a) Committee Structure and Number of Seats

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

# (i) The Executive:

Executive 6 seats

# (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

# (iv) Joint Working Arrangements:

With Adur District 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

Seats in bold are subject to political balance: 63 Seats

# (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 on Council:	seats		Proportion of seats
30		Conservative	81.08%
4		Liberal Democrats	10.81%
2		UKIP	5.41%
1		Green	2.70%

Annual Council 22 May 2015 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 51 Liberal Democrats 7 UKIP 3

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

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)
Licensing and Control Committee 'B'

Committee	No. of Seats	Conservative	Liberal Democrats	UKIP	Green	Unallocated
Joint Governance Committee	8	*6	1			*1
Licensing Committee	15	^12	^2	1		
Planning Committee	8	~6	1~		~	~1
Overview and Scrutiny Committee	15	12	2	1		
Joint Overview and Scrutiny Committee	8	6	1	1\$		1\$
Joint Staff Committee	3	2			#	#1
Joint Senior Staff Committee	3	2	**			
Joint Senior Staff Appeals Committee	3	2	**			
TOTAL	63	48	7	2	0	
		+3		+1	+2	
		As below		As below	As below	

Negotiations between the Parties have reached the following agreements:

Conservative additional 3 seats taken as follows:

UKIP additional 1 seat taken as follows:

\$ Joint Overview and Scrutiny making 3 seats

# 2 unallocated seats to be taken as follows:

~ # Green: 1 seat on Planning, 1 seat on Joint Senior Staff making 2 seats.

<sup>\*</sup>Governance making 7 seats

<sup>^</sup> Licensing (from the Lib Dem) making 13 seats

<sup>~</sup> Planning making 7 seats



Annual Council 22 May 2015 Agenda Item 13

Ward: N/A

# **Appointments 2015/16:**

**Appointment of Leader of the Main Opposition** 

Appointment of Members to Non-Executive Committees and Sub-Committees including substitute members;

**Appointment of Chairman and Vice-Chairman of committees** 

**Notification of Group Leaders** 

## **Report by the Director for Communities**

# 1.0 Summary

1.1 To agree the Appointments for 2015/16

# 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 the council are set out in Part 4 of the Council's Constitution. The procedure rules were reviewed and confirmed by the Council during the last municipal year.
- 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 namely:

- 39.0 (b) Where there is a political group or combination of political groups forming the administration, the Leader of the Main Opposition shall be the leader of the next largest political group
- (c) where the next largest political group does not wish to nominate a member to be the Leader of the Main Opposition, the Council shall not appoint any members to that office.
- 3.3 That the appointment of the Council's representative to the West Sussex Heath and Adult Social Care Select Committee be made from the membership of the Council's Overview and Scrutiny committee.

# 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.
- 4.5 The Local Choice Functions are listed in the Constitution at Part 3 Section 3.

#### 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 39, an appointment to the Leader of the Main Opposition for 2015/16, be made with the Leader of the Liberal Democratic Group on the Council taking this position;
- 6.2 the Council agree the membership of the Council's Non-Executive Committees, and appointment of Chairman and Vice Chairman as appropriate, for 2015/16 as set out in Annex A of this report;
- 6.3 That the Council note the Substitute Members for 2015/16 as included in Annex A of this report;
- 6.4 That the Council note the Group Leaders, and deputies, as identified to the Proper Officer, included in the revised Annex B of this report

6.5 That the Council's representative on the West Sussex Health and Adult Social Care Committee appointed from the membership of the Overview and Scrutiny Committee.

# **Local Government Act 1972 Background Papers:**

Returns of information from Group Leaders

# **Contact Officer:**

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

#### **Schedule of Other Matters**

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#### 12.0 Partnership Working

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# JOINT COMMITTEE MEMBERSHIP / APPOINTMENTS 2015-2016

	Joint Strategic Committee  Membership is the Leader and their Executive		
	(no requirement for political balance)		
No	Councillor	Political Group	
Worthi	ng Borough Council		
1	Chair:	Conservative	
2	Vice-Chair:	Conservative	
3		Conservative	
4		Conservative	
5		Conservative	
6		Conservative	
Adur D	District Council		
1	Chair: Neil Parkin	Conservative	
2	Vice-Chair: Angus Dunn	Conservative	
3	Pat Beresford	Conservative	
4	Keith Dollemore	Conservative	
5	Jim Funnell	Conservative	
6	David Simmons	Conservative	

	Joint Governance Committee			
	(requirement for political balance)			
No	Councillor	Political Group		
Worthi	ng Borough Council			
1	Chair: Elizabeth Sparkes	Conservative		
2	Vice-Chair: Paul Yallop	Conservative		
3	Lionel Harman	Conservative		
4	Joan Bradley	Conservative		
5	Louise Murphy	Conservative		
6	Michael Cloake	Conservative		
7	Alex Harman	Conservative		
8	Bob Smytherman	Lib Dem		
Adur D	District Council			
1	Chair:	Conservative		
2	Vice-Chair:	Conservative		
3		Conservative		
4		Conservative		
5		Conservative		
6		Conservative		
7		UKIP		
8		Labour		

Note: Not more than one member to be an Executive Member

For Standards matters:

Independent Members: Tony Case, John Todd, Susan Clarke

Parish representatives: Lancing Parish Council (1) – Sompting Parish Council (1)

	Joint Staff Committee (requirement for political balance)		
No	Councillor	Political Group	
Worthi	Worthing Borough Council		
1	Chair: Keith Bickers	Conservative	
2	Vice-Chair: Vicky Vaughan	Conservative	
3	James Doyle	Green	
Adur D	Adur District Council		
1	Chair:	Conservative	
2	Vice-Chair:	Conservative	
3		UKIP	

	Joint Senior Staff Committee (requirement for political balance)		
No	Councillor	Political Group	
Worthi	Worthing Borough Council		
1	Chair: Daniel Humphreys	Conservative	
2	Vice-Chair: Bryan Turner	Conservative	
3	Keith Sunderland	Lib Dem	
Adur D	Adur District Council		
1	Chair:	Conservative	
2	Vice-Chair:	Conservative	
3		UKIP	

Note: Each Council must have one Executive member

Joint Senior Staff Appeals Committee (requirement for political balance)			
No	Councillor	Political Group	
Worthi	Worthing Borough Council		
1	Chair: Daniel Humphreys	Conservative	
2	Vice-Chair: Bryan Turner	Conservative	
3	Keith Sunderland	Lib Dem	
Adur D	Adur District Council		
1	Chair:	Conservative	
2	Vice-Chair:	Conservative	
3		UKIP	

#### Note:

Each Council must have one Executive Member Each Council must have one non-Executive Member

	Joint Overview & Scrutiny Committee  (requirement for political balance)		
	(regamement ter pended	, salariss)	
No	Councillor	Political Group	
Worthi	ng Borough Council		
1	Chair: Roy Barraclough	Conservative	
2	Vice-Chair: Keith Bickers	Conservative	
3	Nigel Morgan	Conservative	
4	Luke Proudfoot	Conservative	
5	Vino Vinojan	Conservative	
6	Mary Lermitte	Conservative	
7	Keith Sunderland	Lib Dem	
8	Charles James	UKIP	
Adur D	District Council		
1		Shoreham Beach Residents'	
		Association	
2		Conservative	
3		Conservative	
4		Conservative	
5		Conservative	
6		Conservative	
7		UKIP	
8		UKIP	

Chair and Vice-Chair to be appointed at Council



# COMMITTEE MEMBERSHIP / APPOINTMENTS 2015-2016

	Executive, appointed by the Leader			
	Councillor	Title		
1		Leader		
2		Deputy Leader		
		Executive Member for Regeneration		
3		Executive Member for Resources		
4		Executive Member for Customer Services		
5		Executive Member for Environment		
6		Executive Member for Health and Wellbeing		
	Policy Advisors to Executive Members			
1	1 Leader			
2		Executive Member for Regeneration		
3		Executive Member for Resources		
4		Executive Member for Customer Services		
5		Executive Member for Environment		
6		Executive Member for Health and Wellbeing		

CenSus Committee (With Adur District Council, Mid Sussex District Council and Horsham District Council (membership is from the Executive)		
Councillor		
	Leader	
	Executive Member for Resources	

Worthing Planning Committee (requirement for political balance)				
No	Councillor	Political Group		
1	Chair: Kevin Jenkins	Conservative		
2	Vice-Chair: Vicky Vaughan	Conservative		
3	Nigel Morgan	Conservative		
4	Diane Guest	Conservative		
5	Edward Crouch	Conservative		
6	Paul Yallop	Conservative		
7	Noel Atkins	Conservative		
8	James Doyle	Green		
Substitute Member Nomination		Political Group		
1	Luke Proudfoot	Conservative		
2				
3				
4				

It is a requirement that Members, and substitute members, of this Committee must receive appropriate training.

Overview and Scrutiny Committee (requirement for political balance)				
No	Councillor	Political Group		
1	Chair: Roy Barraclough	Conservative		
2	Vice-Chair: Keith Bickers	Conservative		
3	Vic Walker	Conservative		
4	Nigel Morgan	Conservative		
5	Luke Proudfoot	Conservative		
6	Kevin Jenkins	Conservative		
7	Louise Murphy	Conservative		
8	Noel Atkins	Conservative		
9	Callum Buxton	Conservative		
10	Alex Harman	Conservative		
11	Tom Wye	Conservative		
12	Vino Vinojan	Conservative		
13	Keith Sunderland	Lib Dem		
14		Lib Dem		
15	Charles James	UKIP		

# Worthing representative on the West Sussex Adult and Social Care Select Committee (membership is from the Scrutiny Committee) Councillor

Licensing and Control Committees 'A' and 'B' (requirement for political balance)				
No	Councillor	Political Group		
1	Chair: Paul High	Conservative		
2	Vice-Chair: Diane Guest	Conservative		
3	Vic Walker	Conservative		
4	Mary Lermitte	Conservative		
5	Joshua High	Conservative		
6	Joan Bradley	Conservative		
7	Edward Crouch	Conservative		
8	Sean McDonald	Conservative		
9	Louise Murphy	Conservative		
10	Michael Cloake	Conservative		
11	Keith Bickers	Conservative		
12	Callum Buxton	Conservative		
13	Tom Wye	Conservative		
14	Norah Fisher	Lib Dem		
15	Susan Jelliss	UKIP		
Subst	itute Member Nomination	Political Group		
1	Roy Barraclough	Conservative		
2		Conservative		

# 4 Note:

3

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

Lib Dem

UKIP

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

Substitutes are not permitted for 'B' Committee.

Bob Smytherman

**Charles James** 

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

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Annex B

# **Group Leaders as Notified to the Proper Officer:**

	Leader	Deputy Leader
Conservative Group	Daniel Humphreys	Bryan Turner
Liberal Democrats	Keith Sunderland	Norah Fisher
UKIP	Charles James	Susan Jelliss