



ANNUAL COUNCIL MEETING

20 May 2016

11 May 2016

**Annual Council Meeting
20 May 2016**

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 2017.

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 2017.

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.

5. Confirmation of Minutes

To approve the minutes of the meeting held on 19 April 2016, 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 5 May 2016, 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. Political Balance on the Council

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

11. Appointments 2016/17:

**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 for Communities, copy attached as item 11. Information not supplied on publication of the agenda will be circulated when available from the Group Leaders.

12. Councillor Joan Bradley - extension of six month rule

To consider a report by the Director for Communities, attached as item 12

13. Youth Mayor

To note the Youth Mayor and Deputy Youth Mayor for 2016/17, David Price and Josh Davies.

Part B - Not for Publication – Exempt Information Reports

None.

Tina Kavir

Director for Communities

Recording of this meeting

The Council will be voice recording the meeting, including public question time. The recording will be available on the Council's website as soon as practicable after the meeting. The Council will not be recording any discussions in Part B of the agenda (where the press and public have been excluded).

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

Returning Officer's Return of Persons Elected on 5 May 2016

ALPHABETICAL LIST OF WARDS	NAME AND ADDRESS OF MEMBER	DESCRIPTION	YEAR OF RETIREMENT
Broadwater	Paul Baker 6 Robson Court Robson Road Goring-by-Sea Worthing West Sussex BN12 4EW	The Conservative Party Candidate	2020
Castle	Steve Wills 30 Fulmer Court Worthing West Sussex BN11 4LU	The Conservative Party Candidate	2020
Central	Paul Westover 15 Thorn Road Worthing West Sussex BN11 3ND	The Conservative Party Candidate	2020
Durrington	Jane Sim 6 Batemans Close Worthing West Sussex BN13 3SA	The Conservative Party Candidate	2020
Gaisford	Val Turner 28 Adversane Road Worthing West Sussex BN14 7QH	The Conservative Party Candidate	2020
Goring	Steve Waight 28 Furze Road Worthing West Sussex BN13 3BH	The Conservative Party Candidate	2020

Heene	Paul High 23 Compton Avenue Goring-by-Sea Worthing West Sussex BN12 4UF	The Conservative Party Candidate	2020
Marine	Joan Bradley 39A Dolphin Lodge Grand Avenue Worthing West Sussex BN11 5AL	The Conservative Party Candidate	2020
Northbrook	Mark Withers 21 Vancouver Road Durrington Worthing West Sussex BN13 2TG	UKIP	2020
Offington	Elizabeth Sparkes 43 First Avenue Worthing West Sussex BN14 9NJ	The Conservative Party Candidate	2020
Salvington	Antony Baker 79 Alinora Avenue Worthing West Sussex BN12 4LR	The Conservative Party Candidate	2020
Selden	Keith Raymond Bickers 3 Ophir Road Worthing West Sussex BN11 2SR	The Conservative Party Candidate	2020
Tarring	Hazel Thorpe 51 High Street Tarring Worthing West Sussex BN14 7NR	Liberal Democrats	2020

Alex Bailey
Returning Officer

Local Government Act 1972

Background Papers:

Returning Officer's Declaration of Results

Contact Officer:

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

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 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 2007 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.
- 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 Borough Election results of 5 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 Terms of Reference of the Council, Executive, Committees and Sub Committees as outlined in the Constitution, and those relating to the 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

Worthing Borough Constitution adopted in October 2014

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

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 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 seats on Council:		Proportion of seats
32	Conservative	86.49%
2	Liberal Democrats	5.41%
2	UKIP	5.41%
1	Green	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	54
Liberal Democrats	3
UKIP	3

A political group comprises 2 or more members. 1 seat is 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	7				1
Licensing Committee	15	13	1	1		0
Planning Committee	8	7				1
Overview and Scrutiny Committee	15	13	1	1		0
Joint Overview and Scrutiny Committee	8	7	0			1
Joint Staff Committee	3	3				
Joint Senior Staff Committee	3	3				
Joint Senior Staff Appeals Committee	3	3				
TOTAL	63	56				
under or over allocation on percentage split		Over by 2 (see note on the 3 seat committees below)	Under by 1	Under by 1		
			^	^		

In summary:

Conservative Group - can not take up the allocation on the 3 seat committees as this is against the political balance rules (2 seats must be given up anyway)

^ Lib Dem and UKIP entitlement under the rules is under by 1 seat each

Green - not a group so no entitlement on allocation

Appointments 2016/17:

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 2016/17

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.

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 which will be circulated as soon as the information has been received from the Group Leaders.

3.2 Leader of the Main Opposition

Extract from the Constitution:

(a) At the Annual Council each year, subject to (c) below, the Full Council shall appoint a Leader of the Main Opposition who shall be entitled to receive any Special Responsibility Allowance payable to that office.

(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 Member to that office;

(d) If there is equality in the number of Members in all opposition groups, there will be no appointment to the role of Leaders of the Opposition; e.g. if there are two opposition groups with equal membership;

If there is no opposition group, and there is an equal number of opposition Members, there will be no appointment to the role of Leader of the opposition, e.g. if there are 2 individual opposition Members, representing different parties.

- 3.3 The two opposition groups on the Council (UKIP and Lib Dem) have an equality of numbers of Members therefore (d) applies.
- 3.4 That the appointment of the Council's representative to the West Sussex Health 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 (d), there is no appointment to the position of Leader of the Main Opposition for 2016/17,
- 6.2 the Council agree the membership of the Council's Non-Executive Committees, and appointment of Chairman and Vice Chairman as appropriate, for 2016/17 as set out in Annex A of this report;
- 6.3 That the Council note the Substitute Members for 2016/17 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

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

Group Leaders as Notified to the Proper Officer:

	Leader	Deputy Leader
Conservative Group	TBA	TBA
Liberal Democrats	TBA	TBA
UKIP	TBA	TBA

Ward: Marine

Councillor Joan Bradley – extension of six month attendance rule

Report by the Director for Communities

1.0 Summary

- 1.1 Councillor Joan Bradley last attended a formal meeting of the Council on 24 November 2015, due to ongoing ill health Councillor Bradley has been unable to attend meetings of the Council.
- 1.2 Formal approval of Councillor Bradley's absence over the six month rule is sought on her behalf from Council.

2.0 Background

- 2.1 Councillor Bradley last attended a formal meeting of Council on 24 November 2015, (the Joint Governance Committee); her attendance is recorded in the minutes. Since then Councillor Bradley has been involved in an accident, receiving treatment and convalescence in hospital, however her mobility remains restricted. Walking and travel to the Town Hall is difficult without assistance, sitting for periods of time is uncomfortable.
- 2.2 Councillor Bradley carries out her Borough Councillor duties with endeavour and commitment. Her ward duties have been covered by the other Marine Ward Councillors.
- 2.3 Councillor Bradley's health and mobility is improving and expects to be able to resume her attendance at meetings in due course.
- 2.3 Councillor Bradley's six month attendance would be calculated from 24 November 2015, which is 23 May 2016.
- 2.4 The Democratic Service Manager has discussed with Councillor Bradley her ongoing recovery, assistance that can be offered and the contents of this report.

3.0 Proposals

- 3.1 Council is invited to consider approving Councillor Bradley's absence from Official duties and attendance at meetings for a period of up to six months, to 24 November 2016.

3.2 If Council does not officially approve Councillor Bradley's absence then the vacancy will be declared on 24 May 2016.

4.0 Legal

4.1 The Local Government Act 1972, Section 85 requires that 'if a member of a local authority fails throughout a period of six consecutive months from the date of his last attendance to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority'.

4.2 Calculation of Councillor Bradley's six month attendance is from 24 November 2015

5.0 Financial implications

5.1 There are no additional costs to approving Councillor Bradley's continuing absence.

6.0 Recommendation

6.1 That Councillor Bradley's continuing absence is approved by Council until the meeting of the Council on 25 October 2016.

Local Government Act 1972

Background Papers:

Minutes Joint Governance Committee
20 November 2015

Contact Officer:

Julia Smith
Democratic Services Manager
Worthing Town Hall,
Chapel Road,
Worthing BN11 1HA
01903 221150
Julia.smith@adur-worthing.gov.uk

Schedule of Other Matters

1.0 Council Priority

1.1 This report does not link to any Corporate Priority

2.0 Specific Action Plans

2.1 None

3.0 Sustainability Issues

3.1 Matter considered.

4.0 Equality Issues

4.1 Matter considered and included within the report

5.0 Community Safety Issues (Section 17)

5.1 Matter considered, no issues identified

6.0 Human Rights Issues

6.1 Matter considered

7.0 Reputation

7.1 Council will need to consider any reputational damage of not extending the six month rule for Councillor Bradley due to her ill-health and convalescence.

8.0 Consultations

8.1 Director for Communities, Leader of the Council, Returning Officer

9.0 Risk Assessment

9.1 Should Council not agree to extend the six month attendance rule then Council will need to consider the resulting vacancy in Marine Ward; Councillor Bradley has just been re-elected to the Council at the recent Borough elections.

10.0 Health & Safety Issues

10.1 Matter considered, no issues identified.

11.0 Procurement Strategy

11.1 Matter considered, no issues identified

12.0 Partnership Working

12.1 Matter considered, no issues identified

