

## **Decision making by Worthing Borough Council - 2017-18**

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

#### **1.0 Summary**

- 1.1 To note the election of Councillor Cooper representing the Labour Party for Marine Ward has affected the political balance on the Council.
- 1.2 To note the re-calculation on the political balance of the Council.
- 1.3 To determine the membership of the 15 Seat Committees on the Council.
- 1.4 To receive from the Leader changes to various Committee memberships following the appointment of Councillor Crouch to the Resources Portfolio.

#### **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.144406.en.pdf> this was based on the political balance and allocation of seats after the May elections. Subsequently a by-election in the Marine Ward has taken place.
- 2.2 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.
- 2.3 In summary, 2 or more elected members may give notice to the Proper Officer that they have formed a group on the Council; seats on committees are allocated in proportion to the available non-executive seats on committees of the Council. The largest Group may not hold all the seats on a committee, Groups can give up seats, as far as possible entitlements should not be exceeded. Any seats not allocated 'as of right' may be offered to other elected members on a council where they do not form a Group.

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

Number of seats on Council:		Proportion of seats
30	Conservative	81.08%
1	Independent Conservative	2.70%
2	UKIP	5.41%
2	Lib Dem	5.41%
1	Green	2.70%
1	Labour	2.70%

2.5 The result of applying this calculation to the seats on committees is as follows:

Party	Number of seats entitled to (60 committee seats available)	Seats on 3 seat committees	Seats on 8 seat committees	Seats on 15 seat committees
Conservative	49	2	7	12
Lib Dem	3	-	* ^	1
UKIP	3	-	~	1

**Annual Council meeting in May 2017:**

2.6 The Groups entitled to seats took the various committee seats in May as follows:

Lib Dem - \*Planning Committee, ^Joint Overview and Scrutiny, (1 seat over entitlement)

UKIP - ~Joint Governance Committee, (1 seat under entitlement)

The Conservative allocation was 13 seats on the 15 seat committees taking 11 seats on Worthing Overview and Scrutiny and 13 seats on Licensing.

2.7 The remaining seats on Committees were taken as follows

3 seat committees - Green and Ind Conservative, 1 seat each

15 seat committee (Worthing O and S) - Green and Ind Conservative, 1 seat each

**What has changed since May this year?**

2.8 Following the election of a Labour Councillor to the Marine Ward in August 2017, the number of Conservative Councillors on the Borough Council has reduced from

31 to 30. This has changed the political balance of the Council and therefore the number of seats the conservative group are entitled to on 15 seat committees.

- 2.9 Councillor Nolan resigned from the Executive with Councillor Crouch being appointed to the vacant (Resources) Portfolio. The Leader on behalf of his group has some committee memberships to adjust with this appointment.

### **3.0 Next steps/ Proposals**

- 3.1 Council to note the new political balance of the Council, as set out in paragraph 2.4 above
- 3.2 The effect of the revised political balance is on 15 seat Committees the Conservative Group is now entitled to 12 seats.
- 3.3 The Conservative Group have currently 13 seats on the Licensing Committee and 11 seats on the Worthing Overview and Scrutiny Committee.
- 3.4 The 2 other Groups on the Council; UKIP and Lib Dem, have already taken their allocated seats on these Committees.
- 3.5 The Conservative Group to relinquish 1 seat on the Licensing Committee; this is Councillor Crouch's seat.
- 3.6 The Leader also wishes to make an alteration to the Planning Committee membership with Councillors Paul Baker and Steve Wills taking the places of Councillors Crouch and Roberts.
- 3.7 Council is asked to consider and agree the allocation of the Licensing Committee seat. It is suggested that this be offered to Councillor Cooper.

### **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 Council notes the re-calculation of the political balance as detailed at paragraph 2.4

6.2 That Council notes the following Committee Membership changes:

(1) Planning Committee - Councillors Crouch and Roberts relinquish their seats to be replaced by Councillors Wills and Baker.

(2) Licensing Committee - Councillor Crouch relinquish his seat with Council making an appointment to this vacancy.

## **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 Council Constitution adopted in October 2014

Report to Annual Council May 2017 <https://www.adur-worthing.gov.uk/media/media,144406,en.pdf>

Email from the Leader 13 September 2017

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## **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 Worthing Borough Council contains a number of Joint Committees with Adur, Horsham and Mid-Sussex Councils