



WORTHING BOROUGH
COUNCIL

Annual Council
18 May 2018

**Annual Council Meeting
18 May 2018**

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 2019.

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 2019.

The Deputy Mayor to declare their acceptance of office.

4. Returning Officer's Return of Persons Elected

To receive and note the Return of Persons Elected at the 3 May 2018 Borough Council elections.

5. 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.

6. Confirmation of Minutes

To approve the minutes of the meeting held on 24 April 2018, copies of which have been previously circulated.

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

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. Decision making by Worthing Borough Council in 2018/19

To consider a joint report by the Director for Communities and the Solicitor to the Council, attached as item 10.

The report seeks Council's approval for the following:

Allocation of seats to political groups following from the Election on 3 May.

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

Appointment of Chairman and Vice-Chairman of Committees

Appointment of Leader of the Main Opposition

Details of the actual committee memberships will be emailed and published to the website when these are received from each of the Groups.

11. Youth Mayor

To note the Youth Mayor and Deputy Youth Mayor for 2018/19, Katie Waters and Jimi Taylor.

Part B - Not for Publication – Exempt Information Reports

None.

Members are requested to be in Robes for this meeting.



Director for Communities
10 May 2018

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).

For Democratic Services enquiries relating to this meeting please contact:

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Democratic Services Manager
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For Legal Services enquiries relating to this meeting please contact:

Susan Sale
Solicitor to the Council
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Returning Officer's Return of Persons Elected on 3 May 2018

ALPHABETICAL LIST OF WARDS	NAME AND ADDRESS OF MEMBER	DESCRIPTION	YEAR OF RETIREMENT
Broadwater	Margaret Ann Howard 46 Lavington Road Worthing BN14 7SN	Labour Party	2022
Castle	Karen Harman 1 Southwater Close Goring-by-Sea Worthing BN12 6BJ	The Conservative Party Candidate	2022
Central	Jim Deen 17 Harrow Road Worthing BN11 4RB	Labour Party	2022
Durrington	Charles James 22 Harley Court Downview Road Worthing BN11 4QT	The Conservative Party Candidate	2022
Gaisford	Kevin Jenkins 34 Hurston Close Worthing BN14 0AX	The Conservative Party Candidate	2022
Goring	Nicola Waight 28 Furze Road Worthing BN13 3BH	The Conservative Party Candidate	2022
Heene	Richard Mulholland 11 Harrow Road Worthing BN11 4RB	Labour Party	2022

Marine	Edward James Crouch Flat 2 14 St Valerie Road Worthing BN11 3LL	The Conservative Party Candidate	2022
Northbrook	Sean Anthony McDonald 10 Woodpecker Way Durrington Worthing BN13 2TY	The Conservative Party Candidate	2022
Offington	Louise Murphy 59A Offington Lane Worthing BN14 9RJ	The Conservative Party Candidate	2022
Salvington	Heather Mary Linda Mercer 23 Pembury Close Worthing BN14 7DW	The Conservative Party Candidate	2022
Selden	Mike Barrett 50 Cranworth Road Worthing BN11 2JF	Labour Party	2022
Tarring	Bob Smytherman 7 Willow House Goring Chase The Strand Goring-by-Sea Worthing BN12 6NS	Liberal Democrats	2022

Alex Bailey
Returning Officer

Local Government Act 1972
Background Papers:

Returning Officer's Declaration of Results



Decision making by Worthing Borough Council in 2018/19

Joint Report by the Director for Communities and the Solicitor to the Council

1.0 Summary

- 1.1 The report outlines a number of decisions required by Council to ensure that the decision making structure for 2018/19 is determined according to the Council's Constitution, this includes to:

Note the Political Balance on the Council;

Agree the allocation of seats based on the Political Balance of the Authority following the results of the Borough elections on 3 May 2018;

In accordance with Political Group nominations, to appoint Members to seats on Committees for 2018/19;

To appoint the various Chairmen and Vice-Chairmen to the Committees for 2018/19;

To appoint the Leader of the Main Opposition for 2018/19.

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 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 Political Balance, decision making structure, appointments to Committees and the Chairman and Vice-Chairman roles are included within this single report.

3.0 Proposals

- 3.1 That the Council notes the decision making structure of the Council as set out in the Constitution and the Joint Committee Agreement; the Council's

decision making structure is the strong leader with cabinet model. Full details are in the Council's constitution in the Articles and in Parts 3 and 4.

- 3.2 The Council notes the Political Balance on the Council since the results of the Borough Election on 3 May 2018 as detailed at Annex A, and confirms the allocation of seats set out in Annex B.
- 3.3 Group Leaders have been consulted regarding their proposed nominations to the various seats in the decision making structure. Council must agree the non-executive committee memberships. These are contained in Annex B. As Group Meetings had not been held prior to the publication of the agenda, this annex will be updated and circulated prior to the meeting.
- 3.4 That the Council appoints the Chairman and Vice-chairman to the non-executive committees as indicated in Annex B which are the wishes of the majority group on the Council.
- 3.5 In accordance with the Constitution, Council Procedure Rule (CPR) 39 (appointment of the Leader of the Main Opposition), the Leader of the Labour Group on the Council should be appointed the Leader of the Main Opposition.

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 Executive and Committees in Councils that have adopted Executive arrangements.

5.0 Financial implications

- 5.1 The financial implications arising from this report, any Special Responsibility Allowances that may be payable, have been taken into account in the 2018/19 budget.

6.0 Recommendation

- 6.1 That the Council notes the decision making structure of the Council and the political balance of the Council as set out in paragraphs 3.1 and 3.2 above.

- 6.2 That the Council confirms the Terms of Reference of the Council, Executive, Committees and Sub-Committees as outlined in Part 3 of the Constitution including those relating to Joint Committee Agreements.
- 6.3 That the Council confirms the political groups, the number and proportion of seats as set out in Annex A to this report.
- 6.4 That the Council appoints to the Committees in accordance with the wishes of the Political Groups on the Council detailed in Annex B.
- 6.5 That the Chairman and Vice-Chairman of Committees indicated on Annex B be appointed until the Annual Meeting of the Council in 2019.
- 6.6 That the Council notes the Group Leaders and Deputy Leaders as confirmed to the Proper Officer as listed in Annex B.
- 6.7 In accordance with Council Procedure Rule 39, the Council appoints the Leader of the Labour Group as the Leader of the Main Opposition.

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 various updates

Result of Poll(s) Elections held on 3 May 2018

Contact Officers:

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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 Group Leaders have been consulted regarding their nominations for membership of non-executive 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 Joint Committees with Adur District Council

(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
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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 Adur District Council

Joint Governance Committee	8 Seats
Joint Overview & Scrutiny Committee	8 Seats
Joint Senior Staff Committee	3 Seats
Joint Staff Committee	3 Seats
Joint Strategic Committee	6 Seats

Seats in bold are subject to political balance:	60 Seats
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(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: (37)	Political Group	Proportion of seats (100%)
28	Conservative	75.68%
5	Labour	13.50%
2	Liberal Democrats	5.41%
1	UKIP	2.70%
1	Independent Conservative	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	45
Labour	8
Liberal Democrats	3

A political group comprises 2 or more members.

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)
- Licensing and Control Committee ‘B’

Committee	No. of Seats	Conservative	Labour	Lib Dem	UKIP	Ind Con	Over or under allocated (+ or -)
Joint Governance	8	6~	1				+1
Licensing	15	11~	2	1			+1
Planning	8	6~	1				+1
Overview and Scrutiny	15	11~	2	1			+1
Joint Overview and Scrutiny	8	6	1				+1
Joint Staff	3	2		^			^
Joint Senior Staff	3	2	^				^
TOTAL	60	44					
under or over allocation on percentage split		~ Under by 1 seat on an 8 or 15 seat committee	Under by 1 see ^ below	Under by 1 see ^ below			

In summary:

- The Conservatives are entitled to another seat to total 45. This cannot be on the 3 seat staffing committees; it can be on the 8 or 15 seat committees
- As the Conservatives cannot take all the seats on a committee the staffing committee seats have been allocated as follows:
 - Senior Staff Committee - Leader of the Opposition - allocated to Labour
 - Staff committee - allocated to Lib Dem

UKIP and Independent are not a group therefore there is no entitlement to any seats on first allocation.

- 4 seats remain unallocated - if these are taken by the Labour or Lib Dem Groups there would be an over allocation to these groups. The seats can be offered to UKIP and the Independent Conservative.



ADUR & WORTHING
COUNCILS

JOINT COMMITTEE MEMBERSHIP /
APPOINTMENTS
2018-2019

Joint Strategic Committee Membership is the Leader and their Executive <i>(no requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair: Dan Humphreys	Conservative
2	Vice-Chair: Kevin Jenkins	Conservative
3		Conservative
4	Val Turner	Conservative
5	Ed Crouch	Conservative
6	Heather Mercer	Conservative
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative

Joint Governance Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1		Conservative
2		Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative
7		Labour
8		(to be advised)
Adur District Council		
1		Conservative
2		Conservative
3		Conservative
4		Conservative
5		Conservative
6		Labour
7		Labour
8		(to be advised)

Note: *Not more than one member to be an Executive Member
Council to appoint Chairman and Vice-Chairman for this Committee*

For Standards matters:

Independent Person: Simon Norris-Jones and Susan Clark

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

Joint Staff Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Lib Dem
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Labour

Joint Senior Staff Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair: <i>usually the Leader</i>	Conservative
2	Vice-Chair: <i>usually the Deputy Leader</i>	Conservative
3	<i>usually the Leader of the Opposition</i>	Labour
Adur District Council		
1	Chair: <i>usually the Leader</i>	Conservative
2	Vice-Chair: <i>usually the Deputy Leader</i>	Conservative
3	<i>usually the Leader of the Opposition</i>	Labour

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		Conservative
2		Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative
7		Labour
8		(to be advised)
Adur District Council		
1		Conservative
2		Conservative
3		Conservative
4		Conservative
5		Conservative
6		Labour
7		Labour
8		(to be advised)

Note: Council to appoint Chairman and Vice-Chairman for this Committee



Executive, appointed by the Leader		
	Councillor	Title
1	Daniel Humphreys	Leader
2	Kevin Jenkins	Deputy Leader Executive Member for Regeneration
3	Ed Crouch	Executive Member for Digital and Resources
4	Heather Mercer	Executive Member for Customer Services
5		Executive Member for Environment
6	Val Turner	Executive Member for Health and Wellbeing
Policy Advisors to Executive Members These are not Council appointments; these are made by the individual Executive Member, advised to the Director of Communities.		
1		Leader
2		Executive Member for Regeneration
3	Paul Westover	Executive Member for Digital and Resources
4	Louise Murphy	Executive Member for Customer Services
5		Executive Member for Environment
6	Nigel Morgan	Executive Member for Health and Wellbeing

Worthing Planning Committee (requirement for political balance)		
No	Councillor	Political Group
1		Conservative
2		Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative
7		Labour
8		(to be advised)
Substitute Member Nomination		Political Group
	Councillors with relevant training as listed on the website	Conservative
		Lib Dem

Note:-

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

Council to appoint Chairman and Vice-Chairman for this Committee.

Overview and Scrutiny Committee (requirement for political balance)		
No	Councillor	Political Group
1		Conservative
2		Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative
7		Conservative
8		Conservative
9		Conservative
10		Conservative
11		Conservative
12		Labour
13		Labour
14		Lib Dem
15		(to be advised)

Note: Council to appoint Chairman and Vice-Chairman for this Committee

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

Licensing and Control Committees 'A' and 'B' (requirement for political balance)		
No	Councillor	Political Group
1		Conservative
2		Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative
7		Conservative
8		Conservative
9		Conservative
10		Conservative
11		Conservative
12		Labour
13		Labour
14		Lib Dem
15		(to be advised)
Substitute Member Nomination		Political Group
1		Lib Dem
2		UKIP

Note:

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

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

Substitutes are not permitted for 'B' Committee.

Council to appoint Chairman and Vice-Chairman for this Committee.

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

Notified Group Leaders (Regulation 8(3))

Conservative Group	- Cllr _____ (Leader)	Cllr _____ (Deputy)
Labour Group	- Cllr _____ (Leader)	Cllr _____ (Deputy)
Lib Dem Group	- Cllr _____ (Leader)	Cllr _____ (Deputy)

