



## **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

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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	<b>8 seats</b>
Licensing and Control Committee A	<b>15 seats</b>
Licensing and Control Committee B	15 seats

**(iii) Overview and Scrutiny:**

Overview and Scrutiny Committee	<b>15 seats</b>
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**(iv) Joint Working Arrangements:**

With Adur District Council

Joint Governance Committee	<b>8 Seats</b>
Joint Overview & Scrutiny Committee	<b>8 Seats</b>
Joint Senior Staff Committee	<b>3 Seats</b>
Joint Staff Committee	<b>3 Seats</b>
Joint Strategic Committee	6 Seats

<b>Seats in bold are subject to political balance:</b>	<b>60 Seats</b>
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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 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

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



<b>Joint Governance Committee</b> <i>(requirement for political balance)</i>		
<b>No</b>	<b>Councillor</b>	<b>Political Group</b>
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)

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

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

<b>Joint Overview &amp; Scrutiny Committee</b> <i>(requirement for political balance)</i>		
<b>No</b>	<b>Councillor</b>	<b>Political Group</b>
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



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

<b>Worthing Planning Committee</b> (requirement for political balance)		
<b>No</b>	<b>Councillor</b>	<b>Political Group</b>
1		Conservative
2		Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative
7		Labour
8		(to be advised)
<b>Substitute Member Nomination</b>		<b>Political Group</b>
	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.*

<b>Overview and Scrutiny Committee</b> (requirement for political balance)		
<b>No</b>	<b>Councillor</b>	<b>Political Group</b>
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

<b>Worthing representative on the West Sussex Adult and Social Care Select Committee</b> (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))**

<b>Conservative Group</b>	- Cllr _____ (Leader)	Cllr _____ (Deputy)
<b>Labour Group</b>	- Cllr _____ (Leader)	Cllr _____ (Deputy)
<b>Lib Dem Group</b>	- Cllr _____ (Leader)	Cllr _____ (Deputy)