



WORTHING BOROUGH
C O U N C I L

19 October 2021

**Worthing Council Meeting
19 October 2021**

Remote Meeting
via Zoom

6.30 pm

Supplementary Agenda item

19 October 2021

Part A

9. Decision Making following a change to the membership of the Conservative Group (Pages 1 - 16)

To consider a report by the Interim Director for Communities, copy attached as Item 9.



Dr Catherine Howe
Director for Communities

Recording of this meeting

The Council will be live streaming this meeting, including public question time. A 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).).

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WORTHING BOROUGH
COUNCIL

Council
19 October 2021

Ward(s) Affected: All

Decision Making following a change to the membership of the Conservative Group

Report by the Interim Director for Communities

Executive Summary

1. Purpose

- 1.1 To inform the Council of a change to the membership of the Conservative Group and consequently, a change to the political balance of the Council.
- 1.2 To advise the Council in regards to the re-calculation of political balance.
- 1.3 The report further outlines decisions required by Council to ensure that committee appointments are determined according to the relevant legislation.

2. Recommendations

- 2.1. That the Council notes the revised political balance of the Council as per paragraph 3.4.
- 2.2. That the Council appoints to the Planning, Joint Governance and Joint Overview & Scrutiny Committees in accordance with the wishes of the Political Groups, as detailed in Appendix B.
- 2.3. That the Council appoints the Vice-chairperson to the Joint Governance Committee.

2.4. That the Council appoints to the Worthing Overview & Scrutiny Committee and the Licensing and Control Committee 'A' and 'B'.

3. Context

- 3.1 At the meeting of the Annual Council in May 2021, Council determined a number of matters in relation to decision making, including the political balance of the Council.
- 3.2 On the 6th October 2021, the proper officer was informed of a change to the membership of the Conservative group, reducing the group from 19 to 18 elected councillors. On the 15th October 2021, Tim Wills resigned from Worthing Borough Council.
- 3.3 Decision making is governed by the Local Government Act 1972, the Local Government and Housing Act 1989, the Local Government Act 2000 and Local Government and Public Involvement in Health Act 2007 where this relates to Executive arrangements.
- 3.4 The new calculation of the political balance of the Authority is as follows:

Number of seats on Council:		Proportion of seats
18	Conservative	48.65%
15	Labour	40.5%
3	Liberal Democrat	8.11%
1	Vacancy	

4. Issues for consideration

- 4.1 To note the change to the overall political balance of the Council resulting from a change in the membership of the Conservative group. The Conservative group is no longer entitled to a majority of seats on each of the committees in accordance with provisions under the Local Government & Housing Act 1989. This is due to the Conservative group no longer holding an overall majority on the Council.
- 4.2 To note the overall Conservative allocation of seats across the Council's Committees has reduced from 31 to 29.

- 4.3 To note that the Labour and Liberal Democrat allocation of seats on each Committee remains the same as it did in May 2021 and is correct according to the political balance rules. However, the overall change in political balance does result in the Labour and Liberal Democrat groups being able to take up their full allocation of seats on 8 seat committees (as set out in Appendix A).
- 4.4 Group Leaders have been consulted regarding their proposed nominations to the various seats in the decision making structure. The Council is asked to agree the non-executive committee memberships. These are outlined in Appendix B (*with nominations highlighted in yellow*).
- 4.5 That the Council is asked to appoint the Vice-chairperson to the Joint Governance Committee.
- 4.6 The Council is asked to receive nominations from the political groups and subsequently appoint the 15th seat on both the Worthing Overview & Scrutiny Committee and the Worthing Licensing and Control Committees 'A' and 'B'.
- 4.7 A political group must be made up of 2 or more Members. Therefore, the Independent Councillor is not entitled to an allocation of seats under the rules of political balance.

5. Engagement and Communication

- 5.1 Group Leaders have been consulted following a change to the membership of the Conservative group, the resulting changes to political balance and the reapportionment of seats.

6. Financial Implications

- 6.1 There are no direct financial implications arising from this report

7 Legal Implications

- 7.1 s106 Local Government Act 1972 provides that Councils may make standing orders for the regulation of their proceedings and business

- 7.2 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.
- 7.3 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.
- 7.4 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

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

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(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

(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%)
18	Conservative	48.65%
15	Labour	40.5%
3	Liberal Democrats	8.11%
1	Vacancy	

In accordance with the rules on political representation the number of seats to be taken by each political group (a political group comprises of 2 or more members) on the Council's Committees and Sub-Committees, equates to:

Number of seats on Committees

Conservative	29
Labour	24
Liberal Democrats	5

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	Over or under allocated (+ or -)
Joint Governance	8	4	3	1	
Licensing	15	7	6	1	-1
Planning	8	4	3	1	
Overview and Scrutiny	15	7	6	1	-1
Joint Overview and Scrutiny	8	4	3	1	
Joint Staff	3	2	1		
Joint Senior Staff	3	2	1		
TOTAL	60	30	23	5	
Over or under allocated (+ or -)		+1	-1		

Changes to Committee Memberships required are as follows:-

Joint Governance Committee - Conservatives seat allocation reduces from 5 to 4. Liberal Democrat seat allocation returns to 1 seat on Committee. Vice-Chairman to be appointed.

Joint Overview & Scrutiny Committee - Conservatives seat allocation reduces from 5 to 4. Liberal Democrat seat allocation returns to 1 seat on Committee.

Worthing Planning Committee - Conservatives seat allocation reduces from 5 to 4. Labour seat allocation returns to 3 seats on the Committee.

Worthing Overview & Scrutiny Committee - All groups have the correct allocation of seats as calculated under political balance. However, this results in the committee being underallocated by 1 seat.

Worthing Licensing and Control Committee 'A' and 'B' - All groups have the correct allocation of seats as calculated under political balance. However, this results in the committee being underallocated by 1 seat.

**JOINT COMMITTEE MEMBERSHIP / APPOINTMENTS
2021-22**

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: Daniel Humphreys	Conservative
2	Vice-Chair: Kevin Jenkins	Conservative
3	Edward Crouch	Conservative
4	Heather Mercer	Conservative
5	Elizabeth Sparkes	Conservative
6	Sean McDonald	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	Chair: Roy Barraclough	Conservative
2	Louise Murphy	Conservative
3	Steve Waight	Conservative
4	Steve Wills	Conservative
5	Mike Barrett	Labour
6	Helen Silman	Labour
7	Emma Taylor	Labour
8	Hazel Thorpe	Liberal Democrats
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Labour
7		Labour
8		tbc

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

For Standards matters:

Independent persons: Simon Norris-Jones and Lindsay Viljoen (1 vacancy)

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: Karen Harman	Conservative
2	Vice-Chair: Daniel Humphreys	Conservative
3	Rosey Whorlow	Labour
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: Daniel Humphreys	Conservative
2	Vice-Chair: Kevin Jenkins	Conservative
3	Rebecca Cooper	Labour
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		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	Chair: Charles James	Conservative
2	Vice-Chair: Richard Nowak	Conservative
3	Russ Cochran	Conservative
4	Louise Murphy	Conservative
5	Jon Roser	Labour
6	Sally Smith	Labour
7	Carl Walker	Labour
8	Bob Smytherman	Liberal Democrats
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Labour
7		Labour
8		tbc

Executive, appointed by the Leader		
	Councillor	Title
1	Daniel Humphreys	Leader
2	Kevin Jenkins	Deputy Leader Executive Member for Regeneration
3	Edward Crouch	Executive Member for Digital and Environment
4	Heather Mercer	Executive Member for Customer Services
5	Elizabeth Sparkes	Executive Member for Resources
6	Sean McDonald	Executive Member for Health and Wellbeing
Policy Advisors to Executive Members		
These are not Council appointments; they are made by the individual Executive Member and advised to the Director of Communities.		
1	Steve Wills	Leader
2	Richard Nowak	Executive Member for Regeneration
3	Dan Coxhill	Executive Member for Digital and Environment
4	Louise Murphy	Executive Member for Customer Services
5	tbc	Executive Member for Resources
6	Karen Harman	Executive Member for Health and Wellbeing

Worthing Planning Committee (requirement for political balance)		
No	Councillor	Political Group
1	Chair: Noel Atkins	Conservative
2	Vice-Chair: Karen Harman	Conservative
3	Dan Coxhill	Conservative
4	Steve Wills	Conservative
5	Jim Deen	Labour
6	Helen Silman	Labour
7	John Turley	Labour
8	Martin McCabe	Liberal Democrat
Substitute Member Nomination		Political Group
	Councillors with relevant training as listed on the website	Conservative
	Sally Smith & Catherine Glynn-Davies	Labour
	Hazel Thorpe	Lib Dem

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: Charles James	Conservative
2	Vice-Chair: Richard Nowak	Conservative
3	Noel Atkins	Conservative
4	Roy Barraclough	Conservative
5	Russ Cochran	Conservative
6	Dan Coxhill	Conservative
7	Karen Harman	Conservative
8	Nominations to be confirmed	Vacancy
9	Henna Chowdhury	Labour
10	Jim Deen	Labour
11	Catherine Glynn-Davies	Labour
12	Margaret Howard	Labour
13	Dawn Smith	Labour
14	Emma Taylor	Labour
15	Bob Smytherman	Lib Dem

Licensing and Control Committees 'A' and 'B' (requirement for political balance)		
No	Councillor	Political Group
1	Chair: Steve Wills	Conservative
2	Vice-Chair: Charles James	Conservative
3	Russ Cochran	Conservative
4	Daniel Coxhill	Conservative
5*	Kevin Jenkins To be confirmed	Conservative Labour
6	Sean McDonald	Conservative
7	Richard Nowak	Conservative
8	Nicola Waight	Conservative
9	Mike Barrett	Labour
10	Henna Chowdhury	Labour
11	Catherine Glynn-Davies	Labour
12	Richard Mulholland	Labour
13	John Turley	Labour
14	Rosey Whorlow	Labour
15	Hazel Thorpe	Lib Dem
Substitute Member Nomination		Political Group
	Bob Smytherman	Lib Dem

Note:

*** Where there are more than one nomination a vote to determine the seat will need to be held by Council**

Although two separate Committees operating under different rules, it is suggested that Membership/Chairperson/Vice-Chairperson 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.

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 Daniel Humphreys (Leader)	Cllr Kevin Jenkins (Deputy)
Labour Group	- Cllr Beccy Cooper (Leader)	Cllr Carl Walker (Deputy)
Lib Dem Group	- Cllr Martin McCabe (Leader)	Cllr Hazel Thorpe (Deputy)