



Ward(s) Affected: All

Decision making by Adur District Council in 2023/24

Report by the Director for Digital, Sustainability & Resources

Executive Summary

1. Purpose

1.1 The report outlines a number of decisions required by Council to ensure that the decision making structure for 2023/24 is determined according to the Council's Constitution, this includes:

- Noting the Political balance on the Council
- In accordance with Political Group nominations to appoint Members to seats on Committees for 2023/24
- To appoint the various Chairs and Vice-Chairs to the Committees for 2023/24
- Noting the Leader of the Main Opposition for 2023/24

2. Recommendations

2.1 That the Council notes the decision making structure of the Council and the political balance of the Council as paragraphs 4.1 to 4.5

2.2 That the Council appoints to the Committees in accordance with the wishes of the Political Groups on the Council detailed in Annex B

2.3 That the Chairs and Vice-Chairs of Committees be appointed until the Annual Meeting of the Council in 2024.

2.4 Under Council Procedure Rule 38, Council notes the Leader of the Labour Group on the Council as the Leader of the Main Opposition.

3. Context

3.1 Decision making is governed by Legislation and the procedure rules for the annual meeting of Council are set out in Part 4 of the Council's constitution.

3.2 To streamline the business of the annual meeting of Council the items relating to Political Balance, decision making structure, appointments to committees and the Chair and Vice-Chair roles are included within this single report.

4. Issues for consideration

4.1 The regulations (Local Government and Housing Act 1989) require that two or more Councillors may form a group. Therefore, the calculations in relation to political balance is based upon on the following political groups:-

Number of seats on Council:		Proportion of seats
16	Conservative	55.17%
9	Labour	31.03%
2	Ind SBRA	6.90%
2	Green	6.90%

4.2 The overall Conservative allocation of seats across the council's committees is 28.

4.3 The overall Labour allocation of seats across the council's committees is 16.

4.4 The overall Independent Shoreham Beach Residents Association allocation is 4.

4.5 The overall Green allocation is 4.

4.6 The Local Government and Housing Act 1989 requires that political groups must be represented on committees and sub-committees in the same

proportion as the seats they have on the full Council, subject to the following conditions:

- (a) Not all the seats on a committee or sub-committee shall be allocated to one group;
- (b) If a group has a majority of seats in the full Council, that group shall have a majority of seats on each committee and sub-committee;
- (c) Subject to (a) and (b) above, the total number of seats on all committees and sub-committees allocated to each group shall be in the same proportion as the proportion on full Council;
- (d) Subject to (a) and (c) above, the number of seats held by each group on each individual committee and sub-committee, shall be in the same proportion as the seats they have on the full Council.

The customary calculation is as follows:

- (i) Calculate the number of seats each group is to have;
- (ii) Calculate the number of seats per group for each Committee;
- (iii) Adjust (ii) if necessary to ensure (i) is not exceeded or adjust (i) in all cases rounding to 2 decimal places.

4.7 Given that in 4.6(b) there is a legal requirement that the Conservative group have a majority on all committees, and as a result are over allocated by 2 seats, the other groups are therefore under allocated by 1 seat each.

4.8 Group Leaders have been consulted regarding their proposed nominations to the various seats in the decision making structure, Council must agree the appointments to the Non-Executive Committees and the Chairs of those Committees. These nominations 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 in advance of the meeting. Nominations for Committee Chairs and Vice Chairs from the Leading Group will be included in this Annex.

4.9 In accordance with the Constitution, the Leader of the second largest political group is appointed as Leader of the Main Opposition

5. Engagement and Communication

5.1 Group Leaders were consulted in advance of the report publication.

6. Financial Implications

- 6.1 The financial implications arising from this report, any Special Responsibility Allowances that may be payable, have been taken into account in the 2023/24 budget.

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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Sustainability & Risk Assessment

1. Economic

- No issues identified

2. Social

- No issues identified

2.1 Social Value

- No issues identified

2.2 Equality Issues

- No issues identified. Recruitment and selection in these matters are reserved to Political Parties

2.3 Community Safety Issues (Section 17)

- No issues identified

2.4 Human Rights Issues

No issues identified

3. Environmental

- No issues identified

4. Governance

- Issues relating to the Governance structure of the Councils are set out in the report

(a) 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
(29)		(100%)
16	Conservative	55.17%
9	Labour	31.03%
2	Independent SBRA	6.90%
2	Green	6.90%

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 (55.17% x 51 seats)	28
Labour (31.03% x 51 seats)	16
Independent SBRA (6.90% x 51 seats)	4
Green (6.90% x 51 seats)	4

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:

- Cabinet (6 seats)
- Joint Strategic Committee (6 seats)

Committee	No. of Seats	Conservative	Labour	Green	SBRA
Joint Governance	8	5	2	1	1 (0)
Licensing	11	6	3	1	1
Planning	9	5	3	1	1 (0)
Overview and Scrutiny	9	5	3	1 (0)	1
Joint Overview and Scrutiny	8	5	2	1 (0)	1
Joint Staff	3	2	1	0	0
Joint Senior Staff	3	2	1	0	0
TOTAL	51	30	15	5 (3)	5 (3)
Over or under allocation on percentage split		+2	-1	+1 (-1)	+1 (-1)

** The actual allocation of seats as agreed at the Annual Council meeting in May 2022.*

Summary

At the Annual Council meeting in May 2022, the Council agreed to increase the size of the three Adur-only committees (Licensing, Planning and Overview & Scrutiny) by one seat each, bringing the total number of seats on the council to 51. This resulted in the Conservative group (by virtue of retaining a majority on each committee) being over-allocated by 2 seats. The opposition groups' allocation of seats increased but each group was under-allocated by 1 seat. The changes agreed also resolved the unsatisfactory situation of having an even number of members on the committees, requiring decisions to be made on occasion by the Chair's casting vote.

This arrangement satisfies the council's duty under s.15(4) of the Local Government and Housing Act 1989 to make determinations on political proportionality "so far as reasonably practicable" in accordance with the principles specified under the Act.

**JOINT COMMITTEE MEMBERSHIP / APPOINTMENTS
2023-2024**

Joint Strategic Committee Membership is the Leader and their Cabinet <i>(no requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	Labour
2	Vice-Chair:	Labour
3		Labour
4		Labour
5		Labour
6		Labour
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative

Joint Audit and Governance Committee <i>(requirement for political balance)</i>		
No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	
2	Vice-Chair:	
3		
4		
5		
6		
7		
8		
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Labour
7		Labour
8		Green

Note: *Not more than one member to be a Cabinet Member*

For Standards matters:

Independent Members: Simon Norris-Jones and Lindsay Viljoen

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:	
2	Vice-Chair:	
3		
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		
2		
3		
Adur District Council		
1	Chair:	Conservative
2	Vice-Chair:	Conservative
3		Labour

Note: *Each Council must have one Cabinet member*

Joint Overview & Scrutiny Committee
(requirement for political balance)

No	Councillor	Political Group
Worthing Borough Council		
1	Chair:	
2	Vice-Chair:	
3		
4		
5		
6		
7		
8		
Adur District Council		
1	Vice Chair	Conservative
2		Conservative
3		Conservative
4		Conservative
5		Conservative
6		Labour
7		Labour
8	Chair	SBRA

**EXECUTIVE / NON-EXECUTIVE COMMITTEE MEMBERSHIPS
2023-2024**

Cabinet, appointed by the Leader		
No	Councillor	Title
1		Leader
2		Deputy Leader
3		Executive Member for Regeneration & Strategic Planning
4		Executive Member for Adur Homes and Customer Services
5		Executive Member for Communities and Wellbeing
6		Executive Member for Environment and Leisure
Policy Advisors to Cabinet Members		
These are not Council appointments; these are made by the individual Cabinet Member, advised to the Director of Communities.		
1		To Leader
2		To Executive Member for Resources
3		To Executive Member for Regeneration
4		To Executive Member for Customer Services
5		Executive Member for Health & Wellbeing
6		Executive Member for Environment

Adur Planning Committee
(requirement for political balance)

No	Councillor	Political Group
1	Chair	Conservative
2	Vice Chair	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Labour
7		Labour
8		Labour
9		Green
	<i>Substitute Members List</i>	
	All Members who have had the necessary training by the end of June 2023	

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

Licensing Committee
(requirement for political balance)

No	Councillor	Political Group
1	Chair	Conservative
2	Vice Chair	Conservative
3		Conservative
4		Conservative
5		Conservative
6		Conservative
7		Labour
8		Labour
9		Labour
10		SBRA
11		Green

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

Overview and Scrutiny Committee
(requirement for political balance)

No	Councillor	Political Group
1		Conservative
2		Conservative
3		Conservative
4		Conservative
5		Conservative
6		Labour
7		Labour
8		Labour
9		SBRA

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

Joss Loader	SBRA
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Notified Group Leaders (Regulation 8(3))

Conservative Group - Cllr Neil Parkin (Leader)	Cllr Angus Dunn (Deputy)
Labour - Cllr Lee Cowen (Leader)	Cllr Catherine Arnold (Deputy)
Green - Cllr Gabe Crisp (Leader)	Cllr Julian Shinn (Deputy)
SBRA - Cllr Joss Loader (Leader)	Cllr Julia Watts (Deputy)