



**Council
23 May 2024**

**ADUR DISTRICT
COUNCIL**

Ward(s) Affected: All

Decision making by Adur District Council in 2024/25

Report by the Director for 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 2024/25 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 2024/25;
- To appoint the various Chairs and Vice-Chairs to the Committees for 2024/25;
- Noting the Leader of the Main Opposition for 2024/25.

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 2025.

2.4 Under Council Procedure Rule 38, Council notes the Leader of the Conservative 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
17	Labour	58.62%
8	Conservative	27.59%
2	Ind SBRA	6.90%
2	Green	6.90%

4.2 The overall Labour allocation of seats across the council's committees is 30.

4.3 The overall Conservative allocation of seats across the council's committees is 14.

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.
- 4.7 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.

- 4.8 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 2024/25 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%)
17	Labour	58.62%
8	Conservative	27.59%
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:
Labour (58.62% x 51 seats)	30
Conservative (27.59% x 51 seats)	14
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	Labour	Conservative	Green	SBRA	
Joint Governance	8	5	2	1	1	+1
Licensing	11	6	3	1	1	
Planning	9	5	2	1	1	
Overview and Scrutiny	9	5	2	1	1	
Joint Overview and Scrutiny	8	5	2	1	1	+1
Joint Staff	3	2	1	0	0	
Joint Senior Staff	3	2	1	0	0	
TOTAL	51	30	13	5	5	
Over or under allocation on percentage split			-1	+1	+1	

Summary

The 8 seat committees (Joint Overview and Scrutiny and Joint Governance Committee) are over allocated by 1 seat on each Committee. The regulations require these seats to be shared between the Green group and Shoreham Beach Residents Association (1 seat on each of the 8 seat committees) for example, SBRA could take the seat on the Joint Overview and Scrutiny Committee and the Green group could take a seat on Joint Audit & Governance Committee, as was previously agreed for 23/24.