



Ward(s) Affected: All

## **Notification of a Change to the Political Makeup of the Council**

### **Report by the Director for Communities**

#### **Executive Summary**

##### **1. Purpose**

- 1.1 To note that there has been a change to the political makeup of the Council.
- 1.2 To note the re-calculation of the political balance and make appointments to Committees to fill vacancies as necessary.
- 1.3 To appoint Members to the positions of two Joint Vice-Chairmen.
- 1.4 To note the change in the Leadership of the Main Opposition Party (Labour Group) and to appoint to the position of the Main Opposition Leader.
- 1.5 To note a change in the nomination of the Labour Group's membership of the Planning Committee and to make the appointment as necessary.

##### **2. Recommendations**

- 2.1 That the Council notes the revised political balance of the Council as per paragraph 3.5.

- 2.2 That the Council makes appointments to Committees as set out in appendix B to this report
- 2.3 That the Council makes appointments to the positions of Vice-Chairmen as set out in appendix B to this report
- 2.4 That the Council appoints to the position of the Leader of the Main Opposition as set out in appendix B to this report

### **3. Context**

- 3.1 At the meeting of Annual Council in May 2019 Council determined a number of matters related to decision making by the Council until May 2020. Since that time Councillor Dave Collins has resigned from the Shoreham Beach Residents Association. Consequently the Shoreham Beach Residents Association ceases to be considered a group of the Council and is therefore no longer automatically entitled to seats on Council Committees.
- 3.2 On the 21 November the requisite form was received which provided notification of the creation of an 'Independent Alliance' of three Members: Councillors Joss Loader (Leader), Robin Monk (Deputy Leader) and Liz Haywood.
- 3.3 As a consequence of the recent change to political balance there are vacancies that need to be filled on the Joint Overview and Scrutiny Committee, the Adur Overview and Scrutiny Committee and the Adur Planning Committee. As the Vice Chairman of the Adur Overview and Scrutiny Committee and Joint Overview and Scrutiny Committee was a member of the Shoreham Beach Residents Association the Council will be required to appoint to the position of Vice-Chairmen of these Committees.
- 3.4 Decision making 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.

3.5 The new calculation of the political balance of the Authority is:

Number of seats on Council:		Proportion of seats
16	Conservative	55.17%
8	Labour	27.59 %
3	Independent Alliance	10.34%
1	Independent Councillor	0%
1	UKIP	0%

3.6 In addition to the above, a form has been received giving notification of a change to the Leadership of the Labour Group. Councillor Lee Cowen is the new Leader of the Labour Group and Councillor Debs Stainforth is the new Deputy Leader.

#### **4. Issues for consideration**

4.1 The change in political parties has changed the overall political balance on the Council.

4.2 Conservative allocation of seats on Committees is correct according to the political balance rules as the majority group (Conservative) has to have a majority on all Committees.

4.3 The overall Labour allocation of seats across the Council's Committees is 14, the group is entitled to 13 seats and is therefore over allocated.

4.4 The independent Councillor's (Councillor Dave Collins) allocation of seats on committees is 0 as a group must consist of at least two members. As a consequence, Independent Councillors are not entitled to any automatic seat allocations. This also applies to the Council's UKIP Councillor (Councillor Clive Burghard).

4.5 The newly formed 'Independent Alliance' is entitled to 5 seats overall on Council Committees. Currently the former independent group had one seat on Licensing which the newly formed alliance has asked to be maintained and they are entitled to this seat.

4.6 As the majority party the Conservative Group must have a majority on each of the Council's relevant non-executive Committees, this means that overall

there is an over allocation of seats (a detailed breakdown of this can be found in Annex A of this report). In real terms this means that, in total, opposition parties will be under allocated with regards to seats on Committees.

- 4.7 The ceasing of the Shoreham Beach Residents association to be a group on the Council has meant that there are three vacant seats on Committees that need to be filled.
- 4.8 There is one vacancy on the Joint Overview and Scrutiny Committee, one vacancy on the Adur Overview and Scrutiny Committee and one vacancy on the Planning Committee.
- 4.9 The newly formed 'Independent Alliance' is entitled to fill the vacant seats on the Council Committees according to political balance rules and they have confirmed that they wish to fill these seats.
- 4.10 As the Shoreham Beach Residents Association previously held the positions, there is a need to appoint a Vice-Chairman of Adur OSC and the Joint Overview and Scrutiny Committee.
- 4.11 At the Council meeting on 31 October the Leader of the Council announced that a Conservative seat on the Joint Governance Committee be changed from Councillor Peter Metcalfe to Councillor Paul Mansfield. This means that there is a vacancy for the position of Vice Chairman of this Committee. The Leader of the Council has nominated Councillor Andy McGregor for this role.
- 4.12 Following the change in Leadership of the Labour Group, Council is required to appoint the new Leader of the Labour Group (Councillor Lee Cowen) as Leader of the Main Opposition.

## **5. Engagement and Communication**

- 5.1 Group Leaders were contacted upon the receipt of the new Independent Alliance form.

## **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
- Notification form of the independent alliance

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## **Sustainability & Risk Assessment**

- 1. Economic**  
No issues identified
  
- 2. Social**
  - 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
16	Conservative	55.17%
8	Labour	27.59 %
3	Independent Alliance	10.34%
1	Independent Councillor	0%
1	UKIP	0%

In accordance with the rules on political representation the number of seats to be taken by each political group on the Council's Committees equates to:

	Number of seats on Committees
Conservative (55.17% x 48 seats)	26
Labour (27.59% x 48 seats)	13
Independent alliance(10.34% x 48 seats)	5
Independent Councillor	0
UKIP	0

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)

The Majority Group on the Council is entitled to the majority of seats on committees.

**Annex B**

<b>Committee</b>	<b>Councillor</b>
<b>Adur Overview and Scrutiny Committee</b>	Councillor Joss Loader
<b>Joint Overview and Scrutiny Committee</b>	Councillor Joss Loader
<b>Adur Planning Committee</b>	Councillor Joss Loader
<b>Adur Planning Committee</b>	Councillor David Balfe replacing Councillor Lee Cowen

<b>Committee Position</b>	<b>Councillor</b>
<b>Vice Chair of the Joint Governance Committee</b>	Councillor Andy McGregor
<b>Vice Chair of the Joint Overview and Scrutiny Committee</b>	Councillor Joss Loader
<b>Vice Chair of the Adur Overview and Scrutiny Committee</b>	Councillor Joss Loader

<b>Main Opposition Change</b>	<b>Councillor</b>
<b>Leader of the Main Opposition</b>	Councillor Lee Cowen