



WORTHING BOROUGH
COUNCIL

Annual Council
17 December 2019
Agenda Item 10

Ward(s) Affected: All

Decision making by Worthing Borough Council in 2019/20

Joint Report by the Director for Communities and the Solicitor to the Council

Executive Summary

1. Purpose

- 1.1. To note the election of Councillor Richard Nowak representing the Conservative Party for Salvington Ward.
- 1.2. To note the re-calculation of the political balance resulting from the by-election.
- 1.3. To note a change in the nomination of the Conservative Group's membership of the Joint Overview & Scrutiny 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 3.4.
- 2.2. That the Council confirms the political groups, the number and proportion of seats as set out in Appendix A to this report.
- 2.3. That the Council appoints to the Committees in accordance with the wishes of the Political Groups on the Council detailed in Appendix B.

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.
- 3.2. Following a by-election in Salvington Ward on the 12 December 2019, it has been necessary for Officers to recalculate the political balance of Worthing Borough Council, the details of which are outlined in paragraph 3.4 of the report below.
- 3.3. 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.
- 3.4. The new calculation of the political balance of the Authority is:

Number of seats on Council:		Proportion of seats
23	Conservative	62.16%
10	Labour	27.00%
3	Liberal Democrats	8.11%
1	UKIP	2.70%

- 3.5. In summary, 2 or more elected members may give notice to the Proper Officer that they have formed a group on the Council. Seats on committees are allocated in proportion to the political balance of the Council. The largest Group may not hold all the seats on a committee, Groups can give up seats and, as far as possible, entitlements should not be exceeded. Any seats not allocated 'as of right' may be offered to other elected members on a council where they do not form a Group.

4. Issues for consideration

- 4.1. The Council notes the Political Balance of the Council following the Salvington Ward by-election held on 12 December 2019 as detailed at Appendix A.
- 4.2. Council must agree the non-executive committee memberships. These are outlined in Appendix B.

5. Engagement and Communication

- 5.1. Group Leaders have been consulted regarding their proposed nominations to the various seats in the decision making structure.

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

Worthing Borough Constitution various updates

Result of Poll(s) Elections held on 12 December 2019

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Sustainability & Risk Assessment

1. Economic

Matter considered and no issues identified.

2. Social

2.1 Social Value

Matter considered and no issues identified.

2.2 Equality Issues

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.

2.3 Community Safety Issues (Section 17)

Matter considered and no issues identified.

2.4 Human Rights Issues

Matter considered and no issues identified.

3. Environmental

Matter considered and no issues identified.

4. Governance

The Committee structure for Worthing Borough Council, including Joint Committees with Adur District Council, are set out in the Council's Constitution.

Appendix A

(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%)
23	Conservative	62.16%
10	Labour	27.00%
3	Liberal Democrats	8.11%
1	UKIP	2.70%

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	37
Labour	16
Liberal Democrats	5

A political group comprises of 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)

Licensing and Control Committee 'B'

Committee	No. of Seats	Conservative	Labour	Lib Dem	UKIP	Over or under allocated (+ or -)
Joint Governance	8	5	2	1		
Licensing	15	9	4	1		-1
Planning	8	5	2	1		
Overview and Scrutiny	15	9	4	1		-1
Joint Overview and Scrutiny	8	5	2	1		
Joint Staff	3	2	1			
Joint Senior Staff	3	2	1			
TOTAL	60	37	16	5	0	
Overall rounded allocation		38	17	5	0	
Over or under allocated (+ or -)		-1	-1			

In summary:

The Conservative group allocation is correct according to the political balance rules on a committee by committee basis. However, this results in the Conservative group being under allocated by 1 seat in respect of its overall rounded allocation of seats by committee.

The Liberal Democrats group allocation is correct according to the political balance rules on a committee by committee basis. Council to note that this results in the Liberal Democrats group being fully allocated.

The Labour group allocation is correct according to the political balance rules on a committee by committee basis. However, this results in the Labour group being under allocated by 1 seat in respect of its overall rounded allocation of seats by committee.

There remains 2 seats unallocated, one on the Licensing & Control Committee and one on the Overview & Scrutiny Committee. One of these seats should be taken by the Conservative Group and the other seat should be taken by the Labour Group.



ADUR & WORTHING
COUNCILS

[Appendix B - UPDATED VERSION]

JOINT COMMITTEE MEMBERSHIP /
APPOINTMENTS
2019-20

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	Val Turner	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: Lionel Harman	Conservative
2	Vice-Chair: Louise Murphy	Conservative
3	Steve Waight	Conservative
4	Steve Wills	Conservative
5	Tim Wills	Conservative
6	Mike Barrett	Labour
7	Beccy Cooper	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		UKIP

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

For Standards matters:

Independent persons: Simon Norris-Jones and Susan Clark (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: Keith Bickers	Conservative
2	Vice-Chair: Paul Baker	Conservative
3	Carl Walker	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	Beccy 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: Roy Barraclough	Conservative
2	Vice-Chair: Keith Bickers	Conservative
3	Richard Nowak	Conservative
4	Charles James	Conservative
5	Jane Sim	Conservative
6	Carl Walker	Labour
7	Margaret Howard	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		SBRA



WORTHING BOROUGH
COUNCIL

COMMITTEE MEMBERSHIP /
APPOINTMENTS
2019-20

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	Val Turner	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	Paul Baker	Executive Member for Regeneration
3	Keith Bickers	Executive Member for Digital and Environment
4	Louise Murphy	Executive Member for Customer Services
5	Tim Wills	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: Paul High	Conservative
2	Vice-Chair: Noel Atkins	Conservative
3	Paul Baker	Conservative
4	Karen Harman	Conservative
5	Steve Wills	Conservative
6	Jim Deen	Labour
7	Helen Silman	Labour
8	Martin McCabe	Lib Dem
<i>Substitute Member Nomination</i>		Political Group
	Councillors with relevant training as listed on the website	Conservative
	Margaret Howard	Labour
	Bob Smytherman	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: Roy Barraclough	Conservative
2	Vice-Chair: Keith Bickers	Conservative
3	Noel Atkins	Conservative
4	Paul Baker	Conservative
5	Charles James	Conservative
6	Sean McDonald	Conservative
7	Jane Sim	Conservative
8	Steve Wills	Conservative
9	Tim Wills	Conservative
10	Henna Chowdhury	Labour
11	Richard Mulholland	Labour
12	Dawn Smith	Labour
13	Sally Smith	Labour
14	Rebecca Cooper	Labour
15	Bob Smytherman	Lib Dem

Worthing representative on the West Sussex Adult and Social Care Select Committee (membership is from the Scrutiny Committee)	
Councillor Keith Bickers	Conservative

Licensing and Control Committees 'A' and 'B' (requirement for political balance)		
No	Councillor	Political Group
1	Chair: Sean McDonald	Conservative
2	Vice-Chair: Charles James	Conservative
3	Keith Bickers	Conservative
4	Karen Harman	Conservative
5	Louise Murphy	Conservative
6	Jane Sim	Conservative
7	Nicky Waight	Conservative
8	Paul Westover	Conservative
9	Steve Wills	Conservative
10	Roy Barraclough	Conservative
11	Mike Barrett	Labour
12	Henna Chowdhury	Labour
13	Dawn Smith	Labour
14	Sally Smith	Labour
15	Martin McCabe	Lib Dem
Substitute Member Nomination		Political Group
	Bob Smytherman	Lib Dem

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.

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 Jim Deen (Deputy)

Lib Dem Group - Cllr Bob Smytherman (Leader) Cllr Martin McCabe (Deputy)