



Ward(s) Affected: All

## Decision making by Worthing Borough Council in 2021/22

### Report by the Director for Communities

#### Executive Summary

##### 1. Purpose

- 1.1. The report outlines a number of decisions required by Council to ensure that the decision making structure for 2021/22 is determined according to the Council's Constitution, this includes:
- To note the Political Balance of the Council;
  - To agree the allocation of seats based on the Political Balance of the Council, following the results of the Borough elections on 6 May 2021;
  - In accordance with Political Group nominations, to appoint Members to seats on Committees for 2021/22;
  - To appoint the Chairperson and Vice-Chairperson to each Committee for 2021/22;
  - To appoint the Leader of the Main Opposition for 2021/22.

##### 2. Recommendations

- 2.1. That the Council notes the decision making structure of the Council and the political balance of the Council as set out in paragraphs 4.1 and 4.2.

- 2.2. That the Council confirms the Terms of Reference of the Council, Executive, Committees and Sub-Committees as outlined in Part 3 of the Constitution including those relating to Joint Committee Agreements;
- 2.3. That the Council notes the political groups, the number and proportion of seats as set out in Appendix A to this report;
- 2.4. That the Council appoints to the Committees in accordance with the wishes of the Political Groups on the Council detailed in Appendix B.
- 2.5. That the Chairpersons and Vice-Chairpersons of Committees be appointed until the Annual Meeting of the Council in 2022;
- 2.6. That the Council notes the Group Leaders and Deputy Leaders as confirmed to the Proper Officer as listed in Appendix B; and
- 2.7. In accordance with Council Procedure Rule 39, the Council appoints the Leader of the Labour Group as the Leader of the Main Opposition.

### **3. Context**

- 3.1. The business conducted at the Annual Meeting of Council 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.
- 3.2. The procedure rules for the Annual Meeting of Council are set out in Part 4 of the Council's Constitution.
- 3.3. To streamline the business of the Annual Meeting of Council the items relating to Political Balance, decision making structure, appointments to Committees and the Chairperson and Vice-Chairperson roles are included within this single report.

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

- 4.1. That the Council notes the decision making structure of the Council as set out in the Constitution and the Joint Committee Agreement; the Council's decision making structure is the strong leader with cabinet model. Full details are in the Council's constitution (Articles and in Parts 3 and 4).
- 4.2. The Council to note the Political Balance of the Council since the results of the Borough Election on 6 May 2021 as detailed at Appendix A, and confirm the allocation of seats as set out in Appendix B (*as Group Meetings had not been held prior to the publication of the agenda, Appendix B will be published when all nominations have been received*).
- 4.3. 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 (*as Group Meetings had not been held prior to the publication of the agenda, Appendix B will be published when all nominations have been received*).
- 4.4. That the Council appoints the Chairpersons and Vice-chairpersons to the non-executive committees. The nominations from the Leading Group are indicated in Appendix B (*as Group Meetings had not been held prior to the publication of the agenda, Appendix B will be published when all nominations have been received*).
- 4.5. In accordance with the Constitution, Council Procedure Rule (CPR) 39 (appointment of the Leader of the Main Opposition), the Leader of the Labour Group on the Council should be appointed as the Leader of the Main Opposition.

#### **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. The financial implications arising from this report, any Special Responsibility Allowances that may be payable, have been taken into account in the 2021/22 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

Result of Poll(s) Elections held on 6 May 2021

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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.



**(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	<b>8 seats</b>
Licensing and Control Committee A	<b>15 seats</b>
Licensing and Control Committee B	15 seats

**(iii) Overview and Scrutiny:**

Overview and Scrutiny Committee	<b>15 seats</b>
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**(iv) Joint Working Arrangements:**

With Adur District Council

Joint Governance Committee	<b>8 Seats</b>
Joint Overview & Scrutiny Committee	<b>8 Seats</b>
Joint Senior Staff Committee	<b>3 Seats</b>
Joint Staff Committee	<b>3 Seats</b>
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%)
19	Conservative	51.35%
15	Labour	40.5%
3	Liberal Democrats	8.11%

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	31
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	5	3	1	+1
Licensing	15	8	6	1	
Planning	8	5	3	1	+1
Overview and Scrutiny	15	8	6	1	
Joint Overview and Scrutiny	8	5	3	1	+1
Joint Staff	3	2	1		
Joint Senior Staff	3	2	1		
<b>TOTAL</b>	<b>60</b>	35	23	5	
<b>Over or under allocated (+ or -)</b>		+4	-1		

The Conservative group must be allocated an additional 4 seats to their overall allocation and committee allocations due to the need for the majority party to have a majority of the seats on each committee.

In order to 'right size' the committees which have been adjusted to reflect allocation rules the opposition groups will lose 3 seats (overall) from their combined allocations.