

Crawley Borough Council

Report to Annual Council 27 May 2016

Review of Political Proportionality, Constitution of Committees and Appointments to Outside Organisations 2016/17

Report of the Head of Legal and Democratic Services – LDS/118

1. Purpose

- 1.1 To review the representation of different political groups on the Council and to determine the size and membership of the Council's Committees for the municipal year 2016/17 in accordance with the requirements of the Local Government and Housing Act 1989.
- 1.2 To appoint named Members to the Council's committees to reflect the wishes of each of the political groups and to appoint Chairs to each of these committees.
- 1.3 To consider the appointment of persons on outside organisations to which the Council is invited to make nominations.

2. Background

- 2.1 The Membership Committee previously was established to make such recommendations to Annual Council but Full Council at its meeting on 1 April 2015 agreed to disband that Committee and requested that a report be submitted directly to Annual Council for approval.
- 2.2 The Constitution has recently been made available separately to all Members of the Council for approval at the Annual Council Meeting, under agenda item 11 for this meeting, with the terms of reference of the Council's Committees set out in Part 3 of the Constitution.
- 2.3 Nominations from the Political Groups as to:
 - a) the size and Membership of any Scrutiny Panels (Democratic Structures Scrutiny Panel and the Crawley Leisure Card Scrutiny Panel) will be considered at the meeting of the Overview and Scrutiny Commission to be held on 6 June 2016;
 - b) the establishment of and appointments to Member Working Groups will be decided at the next meeting of the Cabinet (29 June 2016);
 - c) the representatives to serve on outside bodies relating to Cabinet functions will be determined by the Leader of the Council under delegated powers. Any appointments or changes will be reported in the Members' Information Bulletin.

- 2.4 In preparing this report, full consultation has been undertaken with the respective Group Leaders.

3. Review of Political Proportionality and Appointments to Committees

- 3.1 The Housing and Local Government Act 1989 (and The Local Government (Committees and Political Groups) Regulations 1990 (No. 1553)) contain provisions concerning the political balance on committees, the duty to allocate seats to political groups and the duty to give effect to allocations.
- 3.2 The Council has a statutory duty to review the representation of different political groups on the Council at its annual meeting. The purpose of the legislation is to ensure that a 'political balance' is secured on council committees, sub-committees etc. so as to reflect the overall political composition of the Council. Alternative arrangements in not applying strict political proportionality can be put in place provided Council gives unanimous support without any Member dissenting from that approach.
- 3.3 The requirement to allocate seats must be made in accordance with the following statutory principles:
- a) No political group can have all the places on a committee (the exception is the Cabinet);
 - b) A group having an overall majority on the Borough Council is entitled to a majority of seats on each committee;
 - c) Subject to the above two principles, the number of seats on the total of all the ordinary committees of the Council allocated to each political group must bear the same proportion to the proportion on the full Council (i.e. The gross number of seats is allocated in accordance with each group's entitlement.);
 - d) Subject to the above three principles, the number of seats on each ordinary committee of the Council allocated to each political group must bear the same proportion on the full Council (i.e. the number of seats on each committee is allocated in accordance with each group's entitlement.).
- 3.4 The application of these rules produces different figures so the figures have to be reconciled by applying the rules in descending order of importance. The critical rule is rule (b) if, as in the case of the Council, there is an overall majority, and numbers of seats are then reconciled with rules (c) and (d).
- 3.5 Although the legal requirement for political proportionality only applies to the Overview and Scrutiny Commission, Development Control Committee, Audit Committee and Governance Committee, the Council has adopted the same approach for all of the committees, sub-committees, working groups and scrutiny panels.
- 3.6 Following the local elections on 5 May 2016, the new political balance for 2016/17 is now 20 Labour (54.05%) and 17 Conservative (45.95%).
- 3.7 The Council need to agree the appointment of Members (including substitutes where appropriate) and Chairs and Vice-Chairs of Committees to reflect the wishes of the political groups in accordance with **Appendix 1** to this report.

RECOMMENDATION 1

- (1) That the number of Members to serve on the Council's Committees (taking into account political proportionality) for the municipal year 2016/17 be as set out in **Appendix 1** to this report.
- (2) That, on the nominations of the political groups, the Council be recommended that:
 - (i) Members be appointed to the Committees of the Council for the municipal year 2016/17 as set out in **Appendix 1** to this report.
 - (ii) The Chairs and Vice-Chairs (except where there are any competing nominations for Chair/Vice-Chairs which shall be decided at Annual Council) of the respective Committees for the municipal year 2016/17 be as indicated in **Appendix 1** to this report.

4. Appointments to Outside Organisations

- 4.1 The Committee is requested to consider the appointment of persons on outside organisations to which the Council is invited to make nominations.

RECOMMENDATION 2

That the Council be recommended to appoint the representatives to the Bodies and Organisations as indicated in **Appendix 2** to this report. Where there are more nominations than places available, the Council is asked to determine who should be appointed.

5. Background Papers

None

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Nominations of Political Groups to Committees and for Chairs and Vice-Chairs 2016/17

* = Competing nominations in bold

Planning Committee (15 Members = 8:7)

2016/2017 Group nominations

R S Fiveash

I T Irvine (Chair)

S J Joyce

M Pickett

C Portal Castro (Labour Group nomination for Vice-Chair)*

T Rana

A C Skudder

P C Smith

B J Burgess

D Crow

F Guidera

K L Jaggard (Conservative Group nomination for Vice-Chair)*

B McCrow

M A Stone

J Tarrant

Governance Committee (11 Members = 6:5)

2016/2017 Group nominations

M G Jones

S J Joyce

P K Lamb

T Lunnon

A C Skudder

J Stanley (Chair)

R D Burrett (Vice-Chair)

D Crow

C R Eade

R A Lanzer

K McCarthy

Audit Committee (5 Members = 3:2)

1) Not more than one member shall be a Cabinet member and that Member shall not Chair the Committee.

2) Substitutes retained because small size & concerns about quorum

2016/2017 Group nominations

I T Irvine

C Portal Castro

K Sudan (Chair)

Substitute Member (Labour Group) – T Lunnon

R D Burrett

C R Eade (Vice-Chair)

Substitute Member (Conservative Group) – T G Belben

Licensing Committee (15 Members = 8:7)

- 1) Between 10 and 15 Members with a quorum of 10 when dealing with matters under the Licensing Act 2003. *Was 14 Members in 2014/15 but advisable to return to 15 Members because of difficulties getting enough Members for Licensing-Sub Committee hearings).*
- 2) Members are reminded that the Committee includes Sub Committee daytime meetings responsibilities.

2016/2017 Group nominations**M L Ayling (Labour Group nomination for Vice-Chair)***

R S Fiveash

M G Jones

C J Mullins

M Pickett (Chair)

B J Quinn

R Sharma

J Stanley

T G Belben

B J Burgess

K L Jaggard

K McCarthy

B MeCrow

D M Peck (Conservative Group nomination for Vice-Chair)*

K J Trussell

Licensing Sub-Committee

- 1) A minimum of three members will be called upon to determine any given application and a Chair will be appointed at each meeting.
- 2) Membership should be the same as that of the Licensing Committee.
- 3) Please note that a significant number of these meetings are scheduled for the daytime.

2016/2017 Group nominations

M L Ayling

R S Fiveash

M G Jones

C J Mullins

M Pickett

B J Quinn

R Sharma

J Stanley

T G Belben

B J Burgess

K L Jaggard

K McCarthy

B MeCrow

D M Peck

K J Trussell

Overview and Scrutiny Commission (11 Members = 6:5)

- 1) Where there is more than one political group on the Council, either the position of Chair or Vice Chair of the Overview and Scrutiny Commission will go to a member nominated by an opposition group.

2016/2017 Group nominations

M L Ayling
C A Cheshire
I T Irvine
T Rana
B A Smith (Chair)
K Sudan

T G Belben
Dr H S Bloom
R G Burgess (Vice-Chair)
R A Lanzer
L Vitler

Appointments and Investigating Committee (Pool)

- 1) As far as possible, a politically balanced committee of between 3 and 7 members will be drawn from the following membership.
- 2) Any committee making recommendations relating to the appointment of:
 - a) the Chief Executive - shall consist of 7 members (with a quorum of 5);
 - b) the Deputy Chief Executive - shall consist of 6 members (with a quorum of 4);
 - c) a Head of Service - shall consist of 5 members (with a quorum of three).
- 3) Political groups may add further names to the pool if they so wish.

2016/2017 Group nominations

M L Ayling
C A Cheshire
R S Fiveash
I T Irvine
M G Jones
S J Joyce
P K Lamb
T Lunnon
C J Mullins
M W Pickett
C Portal Castro
B J Quinn
T Rana
R Sharma
A C Skudder
B A Smith
P C Smith
J Stanley
K Sudan
G Thomas

B J Burgess
R D Burrett
D G Crow
F Guidera
R A Lanzer
K McCarthy
B MeCrow
M A Stone
K Trussell

Staff Appeals Board (Pool)

- 1) Each Board to comprise three members with a quorum of three from the following pool.
- 2) The members of the Board to include at least one Member of the opposition.
- 3) Political groups may add further names to the pool if they so wish.

2016/2017 Group nominations

M L Ayling
C A Cheshire
R S Fiveash
I T Irvine
M G Jones
S J Joyce
P K Lamb
T Lunnon
C J Mullins
M Pickett
C Portal Castro
B J Quinn
T Rana
R Sharma
A C Skudder
B A Smith
P C Smith
J Stanley
K Sudan
G Thomas

Dr H S Bloom
R G Burgess
R D Burrett
D G Crow
R A Lanzer
K McCarthy

Grants Appeals Panel (Pool)

- 1) As far as possible, a politically balanced panel of 5 (3:2 split) members will be drawn from the following membership.
- 2) Not to include any Cabinet member involved in the decision on the grant application(s).
- 3) Political groups may add further names to the pool if they so wish.

2016/2017 Group nominations)

M L Ayling
C A Cheshire
R S Fiveash
I T Irvine
M G Jones
S J Joyce
P K Lamb
T Lunnon
C J Mullins
M Pickett
C Portal Castro
B J Quinn
T Rana
R Sharma
A C Skudder
B A Smith
P C Smith
J Stanley
K Sudan
G Thomas

T G Belben
C R Eade
K L Jaggard
D Peck
J Tarrat
L Vitler

Crawley Borough Council

Outside Organisations to which the Council is invited to make nominations 2016/17

(Unless the Outside Body agrees to increase places available, potential contested nominations and vacancies are shown in bold)

	Name of Organisation	Representatives / Deputies 2015/16 <i>(and any notes)</i> <i>(LO = CBC Link Officer)</i>	Group Nominations 2016/17 <i>(and any notes)</i> <i>(Competing nominations in bold)</i>
1.	Age UK – West Sussex Trustee Board (previously for Age Concern Centre)	G Thomas <i>(LO = Craig Downs)</i>	C A Cheshire <i>(LO = Craig Downs)</i>
2.	General Council of Broadfield Youth and Community Centre (BYCC)	I T Irvine <i>(LO = John Dale)</i> <i>One representative only</i>	T Rana <i>(LO = John Dale)</i> <i>One representative only</i>
3.	Buchan Country Park Advisory Board	I T Irvine T Lunnon C J Mullins B J Quinn J Stanley <ul style="list-style-type: none"> • Very informal body • WSCC co-ordinator would welcome any local Members to attend and participate as a full Member <i>(LO = John Dale)</i>	I T Irvine T Lunnon C J Mullins T Rana J Stanley <ul style="list-style-type: none"> • Very informal body • WSCC co-ordinator would welcome any local Members to attend and participate as a full Member <i>(LO = John Dale)</i>
4.	Conservation Area Advisory Committees (CAAC)	<i>Minimum one Member (plus a substitute) from each ward within the CAAC but all Ward Members usually welcome</i>	<i>Minimum one Member (plus a substitute) from each ward within the CAAC but all Ward Members usually welcome</i>
4(a)	Central Crawley Conservation Area Advisory Committee <i>(Northgate & West Green)</i>	K Sudan G Thomas W A Ward <i>(LO = Justin Kliger)</i>	R S Fiveash K Sudan G Thomas <i>(LO = Justin Kliger)</i>
4(b)	Forestfield and Shrublands Conservation Area Advisory Committee	D G Crow C R Eade <i>(LO = Ian Warren)</i>	D G Crow C R Eade <i>(LO = Ian Warren)</i>

	Name of Organisation	Representatives / Deputies 2015/16 <i>(and any notes)</i> <i>(LO = CBC Link Officer)</i>	Group Nominations 2016/17 <i>(and any notes)</i> <i>(Competing nominations in bold)</i>
4(c)	Hazelwick Road Conservation Area Committee.	B J Burgess R G Burgess <i>(LO = Tom Nutt)</i>	B J Burgess R G Burgess <i>(LO = Tom Nutt)</i>
4(d)	Ifield Village Conservation Area Advisory Committee	P C Smith J Stanley K Sudan G Thomas M A Stone <i>(LO = Anthony Masson)</i>	P C Smith J Stanley K Sudan G Thomas M A Stone <i>(LO = Anthony Masson)</i>
4(e)	Southgate Conservation Area Advisory Committee	L S Marshall-Ascough R Sharma J Tarrant <i>(LO = Ian Warren)</i>	M W Pickett R Sharma J Tarrant <i>(LO = Ian Warren)</i>
4(f)	Worth Conservation Area Advisory Committee.	Dr. H S Bloom R A Lanzer B MeCrow <i>(LO = Tom Nutt)</i>	Dr. H S Bloom R A Lanzer B MeCrow <i>(LO = Tom Nutt)</i>
5.	Community Needs Partnership	B J Burgess K Sudan G Thomas L Vitler W A Ward <i>The Cabinet Member for Public Protection and Community Engagement has a standing invitation to attend and take part in discussions of the "Community Needs Partnership" with arrangements to invite other relevant Cabinet Members to participate as and when the agenda item may be appropriate to their portfolios.</i>	B J Burgess C A Cheshire R S Fiveash K Sudan L Vitler The Cabinet Member for Public Protection and Community Engagement has a standing invitation to attend and take part in discussions of the "Community Needs Partnership" with arrangements to invite other relevant Cabinet Members to participate as and when the agenda item may be appropriate to their portfolios.

	Name of Organisation	Representatives / Deputies 2015/16 <i>(and any notes)</i> <i>(LO = CBC Link Officer)</i>	Group Nominations 2016/17 <i>(and any notes)</i> <i>(Competing nominations in bold)</i>
6.	Courage Dyer Recreational Trust	S A Blake (to March 2017). B J Quinn (to July 2017). B A Smith (to July 2019) Cllr C A Cheshire - appointed automatically ex-officio as Mayor. <i>(LO = Hayley Thorne)</i> - 4 year appointments only - Once appointed, not required to remain a Councillor - Only 4 nominations acceptable in total	S A Blake (to March 2017). B J Quinn (to July 2017). B A Smith (to July 2019) Cllr R Sharma - appointed automatically ex-officio as Mayor. <i>(LO = Hayley Thorne)</i> - 4 year appointments only - Once appointed, not required to remain a Councillor - Only 4 nominations acceptable in total
7.	Crawley & Ifield Education Foundation (formerly Sarah Nash Charity)	J Stanley <i>Only one nomination invited</i> <i>(LO = David Cooper)</i>	J Stanley <i>Only one nomination invited</i> <i>(LO = David Cooper)</i>
8.	Crawley Arts Council (CAC)	B J Burgess C J Mullins A C Skudder <i>CAC is willing to make 3 places available</i> <i>(LO = Vicky Wise)</i>	B J Burgess R S Fiveash C J Mullins <i>CAC is willing to make 3 places available</i> <i>(LO = Vicky Wise)</i>
9.	Crawley Community Transport Association (CCTA) (formerly known as Crawley Dial-a-Ride)	G Thomas <i>(LO = Craig Downs)</i> <i>Shortly to merge with 2 similar organisations – new name tbc.</i>	T Rana <i>(LO = Craig Downs)</i> <i>Shortly to merge with 2 similar organisations – new name tbc.</i>
10.	Crawley Community and Voluntary Service Trustee Board	P K Lamb A C Skudder <i>Only 2 nominations invited as 'participating observers'.</i> <i>Must <u>not</u> be the Cabinet Member for Public Protection & Community Engagement</i> <i>(LO = Craig Downs)</i>	M L Ayling P K Lamb <i>Only 2 nominations invited as 'participating observers'.</i> <i>Must <u>not</u> be the Cabinet Member for Public Protection & Community Engagement</i> <i>(LO = Craig Downs)</i>

	Name of Organisation	Representatives / Deputies 2015/16 <i>(and any notes)</i> <i>(LO = CBC Link Officer)</i>	Group Nominations 2016/17 <i>(and any notes)</i> <i>(Competing nominations in bold)</i>
11.	Crawley Ethnic Minority Partnership (CEMP) Partnership Board	B A Smith <i>(LO = Craig Downs)</i> <i>Only one nomination invited</i>	B A Smith <i>(LO = Craig Downs)</i> <i>Only one nomination invited</i>
12.	Crawley Museum Society (and Crawley Museum Project Board)	C A Cheshire B MeCrow C J Mullins <i>(LO = Nigel Sheehan)</i> <i>Membership of both the CMS & Project Board to be the same 3 Members & comprise the Cabinet Member for Wellbeing plus one Member from each political group.</i>	C A Cheshire B MeCrow C J Mullins <i>(LO = Nigel Sheehan)</i> <i>Membership of both the CMS & Project Board to be the same 3 Members & comprise the Cabinet Member for Wellbeing plus one Member from each political group</i>
13.	Crawley Open House Management Committee	T Lunnon G Thomas <i>(plus officer from Housing and Planning Strategic Services)</i> <i>(LO = Nikki Hargrave)</i> <i>N.B. R D Burrett & S J Joyce are on both the Board of Trustees and on the Management Committee (all Trustees sit on the Mgt Ctte but not vice-versa). However, it is understood that these Trustees were appointed in a personal capacity and not directly through the Council. Crawley Open House will accept 2 nominations only (i.e.in addition to the above Trustees) on the Mgt Ctte.</i>	F Guidera T Lunnon G Thomas <i>(plus officer from Housing and Planning Strategic Services)</i> <i>(LO = Nikki Hargrave)</i> <i>N.B. R D Burrett & S J Joyce are on both the Board of Trustees and on the Management Committee (all Trustees sit on the Mgt Ctte but not vice-versa). However, it is understood that these Trustees were appointed in a personal capacity and not directly through the Council. Crawley Open House will accept 2 nominations only (i.e.in addition to the above Trustees) on the Mgt Ctte.</i>

	Name of Organisation	Representatives / Deputies 2015/16 <i>(and any notes)</i> <i>(LO = CBC Link Officer)</i>	Group Nominations 2016/17 <i>(and any notes)</i> <i>(Competing nominations in bold)</i>
14.	Crawley Town FC Travel Plan Steering Group	C A Cheshire C C Lloyd C J Mullins B J Quinn R G Burgess L S Marshall-Ascough <i>(LO = Paul Baker)</i> <i>The Travel Plan will be ongoing and Andy Moulard (WSCC) has advised that the Steering Group has been useful and should continue.</i> <i>The Council was initially invited to nominate 4 to 6 Members, preferably to include representatives from each of Broadfield North and South, Southgate, Tilgate and Bewbush. As previously suggested, it would be advisable to avoid nominating Members who will be on the Development Control Committee.</i>	C Portal Castro C A Cheshire C J Mullins B J Quinn D G Crow J Tarrant <i>(LO = Paul Baker)</i> <i>The Travel Plan will be ongoing and Andy Moulard (WSCC) has advised (March 2016) that the Steering Group has been useful and should continue.</i> <i>The Council was initially invited to nominate 4 to 6 Members, preferably to include representatives from each of Broadfield North and South, Southgate, Tilgate and Bewbush. As previously suggested, it would be advisable to avoid nominating Members who will be on the Planning Committee.</i>
15.	Crawley Town Twinning Association (CTTA)	R Sharma B A Smith C R Eade <i>(LO = Hayley Thorne)</i> <i>The Association is willing to make 4 places available</i>	M W Pickett R Sharma B A Smith C R Eade <i>(LO = Hayley Thorne)</i> <i>The Association is willing to make 4 places available</i>
16.	Friends of Broadfield Park	I T Irvine <i>(LO = Janet Rose)</i>	I T Irvine <i>(LO = Janet Rose)</i>

	Name of Organisation	Representatives / Deputies 2015/16 (and any notes) (LO = CBC Link Officer)	Group Nominations 2016/17 (and any notes) (Competing nominations in bold)
17.	Friends of Goffs Park (FoGP)	C J Mullins R Sharma (LO = Christian Threader and Peter Harsum) FoGP is willing to make 2 places available and has advised that other Members can still become a Friend of Goffs Park through other ways.	C J Mullins R Sharma (LO = Christian Threader and Peter Harsum) FoGP is willing to make 2 places available and has advised that other Members can still become a Friend of Goffs Park through other ways.
18.	Gatwick Airport Community Trust (GACT)	B J Quinn (LO = Craig Downs) Only 1 nomination invited 4 year appointment.	B J Quinn (Trustee – 3 years remain of a 4 year term) (LO = Craig Downs) Only 1 nomination invited 4 year appointment.
19.	Relate - North & South West Sussex Trustee Board	K Sudan (LO = Craig Downs) Only one place available	K Sudan (LO = Craig Downs) Only one place available
20.	Court of the University of Sussex	M G Jones (LO = Clem Smith) Only one place available.	M G Jones (LO = Clem Smith) Only one place available.
21.	West Sussex Health and Adult Social Care Select Committee *	W A Ward (LO = Heather Girling) Must be a Member of the OSC	OSC to decide. (LO = Heather Girling) Must be a Member of the OSC
22.	West Sussex Joint Scrutiny Steering Group*	B A Smith (LO = Heather Girling) Should be the Chair of the OSC	B A Smith (LO = Heather Girling) Should be the Chair of the OSC
23.	West Sussex Joint Scrutiny Housing Provision for Care Leavers Task and Finish Group *	Karen Sudan (LO = Nikki Hargrave)	Karen Sudan (LO = Nikki Hargrave)

