

Crawley Borough Council

Report to Annual Council 19 May 2017

Review of Political Proportionality, Constitution of Committees and Appointments to Outside Organisations 2017/18

Report of the Head of Legal and Democratic Services – LDS/130

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 2017/18 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 establishment of and appointments to a number of the Member Working Groups will be decided at the next meeting of the Cabinet (28 June 2017);
 - b) 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 4 May 2017, the new political balance for 2017/18 is now 20 Labour, 16 Conservative and one vacancy. It has been agreed by both Group Leaders to keep the same proportionality as in 2016/17 for the distribution of committee seats until after the bi-election, which is being held on 8 June 2017. A further review of the proportionality will then occur.
- 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 2017/18 be as set out in **Appendix 1** to this report, and be reconfirmed following the Pound Hill South and Worth bi-election on 8 June 2018
- 2) That, on the nominations of the political groups, the Council be recommended that:
 - a) Members be appointed to the Committees of the Council for the municipal year 2017/18 as set out in **Appendix 1** to this report.
 - b) 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 2017/18 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 2017/18

* = Competing nominations in bold

Planning Committee (15 Members = 8:7)	
<u>2017/18 Group nominations</u>	
R S Fiveash	N J Boxall
I T Irvine (Chair)	B J Burgess
S J Joyce	D Crow
C Portal Castro (Nomination for Vice-Chair)*	F Guidera
T Rana	K L Jaggard
A C Skudder	M A Stone
P C Smith	J Tarrant (Nomination for Vice-Chair)*
G Thomas	
Licensing Committee (15 Members = 8:7)	
<p>1) <i>Between 10 and 15 Members with a quorum of 10 when dealing with matters under the Licensing Act 2003.</i></p> <p>2) <i>Members are reminded that the Committee includes Sub Committee daytime meetings responsibilities.</i></p>	
<u>2017/18 Group nominations</u>	
M L Ayling (Nomination for Vice-Chair)*	T G Belben
R S Fiveash (Chair)	N J Boxall
M G Jones	B J Burgess
C J Mullins	K L Jaggard
C Portal Castro	K McCarthy
B J Quinn	D M Peck (Nomination for Vice-Chair)*
T Rana	J Tarrant
R Sharma	
Licensing Sub-Committee (Pool)	
<p>1) <i>A minimum of three members will be called upon to determine any given application and a Chair will be appointed at each meeting.</i></p> <p>2) <i>Membership should be the same as that of the Licensing Committee.</i></p> <p>3) <i>Please note that a significant number of these meetings are scheduled for the daytime.</i></p>	
<u>2017/18 Group nominations</u>	
M L Ayling	T G Belben
R S Fiveash	N J Boxall
M G Jones	B J Burgess
C J Mullins	K L Jaggard
C Portal Castro	K McCarthy
B J Quinn	D M Peck
T Rana	J Tarrant
R Sharma	

Governance Committee (11 Members = 6:5)**2017/18 Group nominations**

M G Jones	R D Burrett (Vice-Chair)
S J Joyce	D Crow
P K Lamb	C R Eade
T Lunnon	R A Lanzer
A C Skudder	K McCarthy
J Stanley (Chair)	

Constitutional Working Group (5 Members = 3:2)*Chair to be a member of Governance, but not the Chair of the Committee***2017/18 Group nominations**

P K Lamb (Chair)	R D Burrett
J Stanley	D Crow
I T Irvine	

Audit Committee (5 Members = 3:2)

- 1) *Not more than 1 member shall be a Cabinet member and that Member shall not Chair the Committee.*
- 2) *Substitutes retained because small size & concerns about quorum*

2017/18 Group nominations

I T Irvine	R D Burrett
R Sharma	C R Eade (Nomination for Chair)* &
K Sudan (Nomination for Chair)*	(Vice-Chair)
	<i>Substitute Member (Conservative Group)</i>
	T G Belben

Overview and Scrutiny Commission (13 Members = 7:6)

- 1) *Where there is more than 1 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.*
- 2) *The size of the Commission was increased by Full Council, from 11 Members to 13 Members at its meeting on 14 December 2016.*

2017/18 Group nominations

M L Ayling	T G Belben (Vice-Chair)
C A Cheshire	Dr H S Bloom
I T Irvine	R G Burgess
T Rana	R A Lanzer
B A Smith (Chair)	L Vitler Conservative
K Sudan	Vacancy
T Lunnon	

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.*

2017/18 Group nominations

M L Ayling	N J Boxall
C A Cheshire	B J Burgess
R S Fiveash	R D Burrett
I T Irvine	D Crow
M G Jones	F Guidera
S J Joyce	K Jaggard
P K Lamb	R A Lanzer
T Lunnon	K McCarthy
C J Mullins	M A Stone
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	

Staff Appeals Board (Pool)

- 1) *The Board to comprise 3 members with a quorum of 3 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.*

2017/18 Group nominations

M L Ayling	Dr H S Bloom
C A Cheshire	R G Burgess
R S Fiveash	R D Burrett
I T Irvine	D Crow
M G Jones	R A Lanzer
S J Joyce	K McCarthy
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	

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.*

2017/18 Group nominations)

M L Ayling	T G Belben
C A Cheshire	N J Boxall
R S Fiveash	C R Eade
I T Irvine	D Peck
M G Jones	J Tarrant
S J Joyce	L Vitler
P K Lamb	Conservative Vacancy
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	

Crawley Borough Council

Outside Organisations to which the Council is invited to make nominations 2017/18

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

	Name of Organisation	Group Nominations 2017/18 <i>(Competing nominations in bold)</i>
1.	Age UK – West Sussex Trustee Board <i>(Link Officer = Craig Downs)</i>	R Sharma
2.	General Council of Broadfield Youth and Community Centre (BYCC) <i>(Link Officer = John Dale)</i>	B J Quinn <i>Only 1 Representative invited</i>
3.	Buchan Country Park Advisory Board <i>(Link Officer = John Dale)</i>	I T Irvine T Lunnon C J Mullins J Stanley <ul style="list-style-type: none"> • <i>Very informal body</i> • <i>WSCC co-ordinator would welcome any local Members to attend and participate as a full Member</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>
4(a)	Central Crawley Conservation Area Advisory Committee <i>(Northgate & West Green)</i> <i>(Link Officer = Justin Kliger)</i>	R S Fiveash K Sudan G Thomas
4(b)	Forestfield and Shrublands Conservation Area Advisory Cttee <i>(Link Officer = Ian Warren)</i>	D Crow C R Eade
4(c)	Hazelwick Road Conservation Area Committee. <i>(Link Officer = Tom Nutt)</i>	B J Burgess R G Burgess

	Name of Organisation	Group Nominations 2017/18 <i>(Competing nominations in bold)</i>
4(d)	Ifield Village Conservation Area Advisory Committee <i>(Link Officer = Anthony Masson)</i>	P C Smith J Stanley K Sudan G Thomas M A Stone
4(e)	Southgate Conservation Area Advisory Committee <i>(Link Officer = Ian Warren)</i>	M W Pickett R Sharma J Tarrant
4(f)	Worth Conservation Area Advisory Committee. <i>(Link Officer = Tom Nutt)</i>	Dr. H S Bloom R A Lanzer Conservative Vacancy
5.	Community Needs Partnership	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.
6.	Courage Dyer Recreational Trust <i>(Link Officer = Hayley Thorne)</i>	B J Quinn (May 2017 to May 2021) * R Sharma (May 2017 to May 2021) B A Smith (July 2015 to July 2019) B J Quinn - appointed automatically ex-officio as Mayor. - 4 year appointments only - Once appointed, not required to remain a Councillor - Only 4 nominations acceptable in total *The Trustees have requested that Mrs S A Blake remains on the Trust for the year 2017/18, whilst Councillor Quinn is appointed to the Trust as ex-officio as Mayor.
7.	Crawley & Ifield Education Foundation <i>(Link Officer = David Cooper)</i>	J Stanley Only 1 Representative invited

	Name of Organisation	Group Nominations 2017/18 <i>(Competing nominations in bold)</i>
8.	Crawley Arts Council (CAC) <i>(Link Officer = Vicky Wise)</i>	B J Burgess C A Cheshire C J Mullins <i>Only 3 Representatives invited</i>
9.	Crawley Community and Voluntary Service Trustee Board <i>(Link Officer = Craig Downs)</i>	M L Ayling P K Lamb <i>Only 2 nominations invited as 'participating observers'. Must <u>not</u> be the Cabinet Member for Public Protection & Community Engagement</i>
10.	Crawley Ethnic Minority Partnership (CEMP) Partnership Board <i>(Link Officer = Craig Downs)</i>	B A Smith <i>Only 1 Representative invited</i>
11.	Crawley Museum Society (and Crawley Museum Project Board) <i>(Link Officer = Nigel Sheehan)</i>	C A Cheshire C J Mullins M Stone <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>
12.	Crawley Open House Management Committee <i>(Link Officer = Nikki Hargrave)</i>	F Guidera T Lunnon G Thomas (plus officer from Housing and Planning Strategic Services) <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.</i> <i>Crawley Open House will accept 2 nominations only (i.e.in addition to the above Trustees) on the Mgt Ctte.</i>

	Name of Organisation	Group Nominations 2017/18 <i>(Competing nominations in bold)</i>
13.	Crawley Town FC Travel Plan Steering Group <i>(Link Officer = Paul Baker)</i>	D Crow J Tarrant <i>4x Labour vacancies*</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> <i>* There is some doubt as to whether the Steering Group will continue, however if a further meeting is required the Labour Group will make its nominations at that time.</i>
14.	Crawley Town Twinning Association (CTTA) <i>(Link Officer = Hayley Thorne)</i>	C R Eade T Lunnon R Sharma B A Smith <i>The Association is willing to make 4 places available</i>
15.	Friends of Broadfield Park <i>(Link Officer = Janet Rose)</i>	I T Irvine
16.	Friends of Goffs Park (FoGP) <i>(Link Officer = Christian Threader and Peter Harsum)</i>	C J Mullins R Sharma <i>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.</i>
17.	Gatwick Airport Community Trust (GACT) <i>(Link Officer = Craig Downs)</i>	B J Quinn <i>(Trustee – 2 years remain of a 4 year term)</i> <i>Only 1 Representative invited – 4 year appointment.</i>
18.	Relate - North & South West Sussex Trustee Board <i>(Link Officer = Craig Downs)</i>	K Sudan <i>Only 1 representative invited</i>

	Name of Organisation	Group Nominations 2017/18 <i>(Competing nominations in bold)</i>
20.	Court of the University of Sussex <i>(Link Officer = Clem Smith)</i>	M G Jones <i>Only 1 representative invited.</i>
21.	West Sussex Health and Adult Social Care Select Committee * <i>(Link Officer = Heather Girling)</i>	<i>OSC to decide.</i> <i>Must be a Member of the OSC</i>
22.	West Sussex Joint Scrutiny Steering Group* <i>(Link Officer = Heather Girling)</i>	B A Smith <i>Should be the Chair of the OSC</i>
23.	West Sussex Joint Scrutiny Housing Provision for Care Leavers Task and Finish Group * <i>(Link Officer = Nikki Hargrave)</i>	<i>OSC to decide.</i> <i>Must be a Member of the OSC</i>
24.	West Sussex Mediation Service Management Committee <i>(Link Officer = Tony Baldock & Craig Downs)</i>	C A Cheshire (main representative) K Sudan (deputy) <i>The Mediation Service is willing to make 2 main and 2 deputy places available</i>

* These appointments are made/ratified by the Overview and Scrutiny Commission

Nominations to Outside Bodies which have ceased since appointments made in May 2016:

- 1) Crawley Community Transport Association (CCTA)