# **Public Document Pack**

#### JOHN WARD

Director of Corporate Services

Contact: Lisa Higenbottam on 01243 534684 Email: democraticservices@chichester.gov.uk East Pallant House 1 East Pallant Chichester West Sussex PO19 1TY Tel: 01243 785166 www.chichester.gov.uk



A meeting of the **Council** will be held in The Assembly Room - The Council House (Chichester City Council), North Street, Chichester on **Tuesday 21 May 2019** at **2.00 pm** 

MEMBERS: Mrs E Hamilton (Chairman), Mrs N Graves (Vice-Chairman), Mrs C Apel, Mrs T Bangert, Mr G Barrett, Mrs H Barrie, Mr M Bell, Mr R Briscoe, Mr J H Bowden, Mr J Brown, Mr A Dignum, Mr J W Elliott, Mr G Evans, Mr J Fowler, Mr F Hobbs, Mr K Hughes, Mrs N Hume, Mrs D Johnson, Mr T Johnson, Mrs E Lintill, Mrs S Lishman, Mr G McAra, Mr A Moss, Mr S Oakley, Dr K O'Kelly, Mr C Page, Mr D Palmer, Mrs P Plant, Mr R Plowman, Mr H Potter, Mrs C Purnell, Mr D Rodgers, Mrs S Sharp, Sutton, Mrs S Taylor and Mr P Wilding

## SUPPLEMENT TO AGENDA

- 10 **Review of Political Balance** (Pages 1 5)
- 11 Appointment and Membership of Committees and their Chairmen and Vice-Chairmen (Pages 7 - 14)
- 12 **Appointments to External Organisations** (Pages 15 17)

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#### **Chichester District Council**

#### ANNUAL COUNCIL

#### 21 May 2019

#### **Review of Political Balance**

#### 1. Contact

#### **Report Author**

Nicholas Bennett – Divisional Manager for Democratic Services Telephone: 01243 534657 E-mail: nbennett@chichester.gov.uk

#### 2. Recommendation

2.1. That the review of political balance arrangements set out below be approved and tables 1, 2 and 3 be applied in making appointments to committees.

#### 3. Background

3.1. The council has a duty at its annual meeting, under Section 15 of the Local Government and Housing Act 1989 to review the representation of different political groups in line with the political balance rules set out in the Act and subordinate regulations. This provides the framework for the appointments to committees.

#### 4. **Proposal - the rules and their application**

4.1. The composition of the Council is as follows:

Conservatives = 18 (50%)Liberal Democrats = 11 (30.57%)Green = 2 (5.55%)Labour = 2 (5.55%)Local Alliance = 2 (5.55%)Independent Member = 1 (2.77%)

- 4.2. Many of the seats have to be allocated in accordance with the rules of political balance. The following principles apply so far as reasonably practicable. They are applied in descending order of importance and are quoted in plain English rather than wording taken directly from the statute:
  - a) Not all seats on the committee are allocated to the same political group.
  - b) The majority party has a majority of the seats on each committee.
  - c) Each political group is entitled to its proportion of the total number of seats on all the ordinary committees added together, according to the proportion the group holds of seats on the Full Council.
  - d) Subject to (c) each political group is entitled to its proportion of the number of seats on each individual committee.

- 4.3. If more than one minority group are the same size where their entitlement to seats on a committee is less than one, one or other group should take its entitlement. This means the minority groups may wish to reach agreement between themselves as to which group should take each seat. If they both put forward a nomination the Full Council will determine which nomination should be granted the seat.
- 4.4. The four ordinary committees concerned are:

Corporate Governance and Audit Committee	8 seats
Planning Committee	13 seats
Alcohol and Entertainment Licensing Committee and	10 seats
General Licensing Committee	
Standards Committee	7 seats
Total	38 seats

4.5. The total seats due per group are as follows:

Conservatives	38 x composition 50% = 19 seats
Liberal Democrats	38 x composition 30.55% = 11.61 seats (12)
Green Party	38 x composition 5.55% = 2.11 seats (2)
Labour	38 x composition 5.55% = 2.11 seats (2)
Local Alliance	38 x composition 5.55% = 2.11 seats (2)
Independent Member	No entitlement as not a group, however 1 seat remains which could be allocated as follows: 38 x composition 2.77% = 1.05 seats (1)

4.6. If these proportions are applied to individual committees the results are as indicated in Table 1:

Table 1	Con	LD	Green	Labour	Local Alliance	Independent Member
Corporate Governance and Audit Committee (8)	4	2	1	0	1	0
Planning Committee (13)	7	4	1	0	1	0
Alcohol and Entertainment Licensing Committee and General Licensing Committee (10)	5	3	0	1	0	1
Standards Committee (7)	3	3	0	1	0	0
Total	19	12	2	2	2	1

- 4.7. Each of the minority groups are entitled to 2 seats each (Green, Labour and Local Alliance) and one seat for the Independent member. However, each committee above only has 2 seats remaining to be filled, with the exception of Standards Committee which only has 1 seat to be allocated. The minority groups and the independent member have determined between them what their preferences are.
- 4.8. The Overview and Scrutiny Committee is not included in the list above but the seats on its still need to be allocated to parties in the proportion of seats that they have on the whole Council as indicated in Table 2 below. In this case there are 2 remaining seats that need to be allocated between the three minority groups.

Table 2	Con	LD	Green	Labour	Local Alliance	Independent Member
Overview and Scrutiny Committee (11)	5	3	1	1	1	0

4.9. The various committees and panels concerned with discipline and dismissal of senior staff are also not ordinary committees but still need to be allocated to parties in the proportion of seats that they have on the whole Council. In each case in table 3 below there is one seat available for each minority group (Green, Labour or Local Alliance) and one for the Independent Member.

Table 3	Con	LD	Green	Labour	Local Alliance	Independent Member
Investigation and Disciplinary Committee (5+2 subs)	4	2	1	0	0	0
Appeals Committee (5 + 2 subs)	4	2	0	1	0	0
Executive Directors Disciplinary Appeal Panel (3 + 2 subs)	3	1	0	0	1	0
Redundancy Appeal Panel (3 + 2 subs)	3	1	0	0	0	1

- 4.10. The political groups regulations do not apply to the Cabinet, the Alcohol and Entertainment Licensing Committee established under the Licensing Act 2003 and the Independent/Parish Remuneration Panels.
- 4.11. Generally the Council is obliged to appoint to the committees the members proposed by the respective political groups (section 16 (1) of the Local Government and Housing Act 1989). However, the Council does not have to adhere to the political groups regulations if:
  - a) a political group does not use up its allocation (regulations 13 to 15).
  - b) notice of alternative proposed allocations is given to all members and no member objects (Section 17 of the Local Government and Housing Act 1989 and regulation 20).
  - c) an area committee covers an area or population which is less than 40% of the total and the committee members are drawn from that area (regulation 16A) (this does not apply as the council has no area committees).

#### 5. Alternatives Considered

5.1. No alternatives were considered as this is a statutory obligation.

#### 6. Resource and Legal Implications

6.1. None other than those set out in the body of this report.

#### 7. Consultation

7.1. The proposals have been shared with the leaders of each of the political groups.

# 8. Community Impact and Corporate Risks

# 8.1. None.

# 9. Other Implications

explain any major risks in paragraph 9	Yes	No
<b>Crime and Disorder</b> The Council has a duty "to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area". Do the proposals in the report have any implications for increasing or reducing crime and disorder?		~
<b>Climate Change and Biodiversity</b> Are there any implications for the mitigation of/adaptation to climate change or biodiversity issues? If in doubt, seek advice from the Environmental Strategy Unit (ESU).		~
<b>Human Rights and Equality Impact</b> You should complete an Equality Impact Assessment when developing new services, policies or projects or significantly changing existing ones. For more information, see Equalities FAQs and guidance on the intranet or contact Corporate Policy.		•
<b>Safeguarding and Early Help</b> The Council has a duty to cooperate with others to safeguard children and adults at risk. Do these proposals have any implication for either increasing or reducing the levels of risk to children or adults at risk? The Council has committed to dealing with issues at the earliest opportunity, do these proposals have any implication in reducing or increasing demand on Council services?		×
<ul> <li>General Data Protection Regulations (GDPR) Does the subject of the report have significant implications for processing data likely to result in a high risk to the rights and freedoms of individuals?</li> <li>Processing that is likely to result in a high risk includes (but is not limited to):</li> <li>systematic and extensive processing activities and where decisions that have legal effects – or similarly significant effects – on individuals.</li> <li>large scale processing of special categories of data or personal data relation to criminal convictions or offences.</li> <li>Any larger scale processing of personal data that affects a large number of individuals; and involves a high risk to rights and freedoms eg based on the sensitivity of the processing activity.</li> <li>large scale, systematic monitoring of public areas (including by CCTV).</li> <li>Note - If a high risk is identified a Privacy Impact Assessment must be provided to the Data Protection Officer.</li> </ul>		~
Health and Wellbeing The Council has made a commitment to 'help our communities be healthy and active'. You should consider both the positive and negative impacts of your proposal on the health and wellbeing of		~

communities and individuals living and working in the district. Is your proposal likely to impact positively or negatively on certain groups and their ability to make healthy choices, for example low income families, carers, older people/children and young people. Are there implications that impact on areas of the district differently? eg the rural areas or those wards where health inequalities exist. If in doubt ask for advice from the Health and Wellbeing team.	
Other (please specify)	✓

# 10. Appendices

10.1. None.

# 11. Background Papers

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### **Chichester District Council**

#### ANNUAL COUNCIL

#### 21 May 2019

# Appointment and Membership of Committees and their Chairmen and Vice-Chairmen

1. Contact

#### **Report Author**

Nicholas Bennett – Divisional Manager for Democratic Services Telephone: 01243 534657 E-mail: nbennett@chichester.gov.uk

- 2. Recommendation
  - 2.1. That the Council appoints members to serve on committees for 2019-2020 and their Chairmen and Vice-Chairman as set out in the report below, subject to decisions on the previous agenda item and to the nominations proposed by the party group leaders.

#### 3. Background

- 3.1. This report sets out to each committee to which appointments are to be made by the Council the following:
  - a) The name of the committee.
  - b) The Constitution and number of members.
  - c) The political balance (where applicable).
  - d) The 2018-2019 membership.
  - e) Any rules relating to the membership.

#### 4. **Proposals – Committee Memberships**

#### 4.1. Overview and Scrutiny Committee (11 Members)

Constitution – Excluding members of the Cabinet and the Chairman of the Council. Based on political proportionality (please note the Conservatives give one seat to other parties).

Political Balance: Members should note that the Conservatives have forgone one seat and that seat has been applied to the Labour Group.

Conservatives	Liberal Democrats	Green	Labour	Local Alliance	Independent
5	3	1	1	1	0

2018/2019 Membership:

Chairman: Mrs C Apel Vice-Chairman: Mrs N Graves

Mr P Budge	Mr K Martin
Mrs P Dignum	Caroline Neville
Mr M Dunn	Dr O'Kelly
Mr N Galloway	Mrs P Plant
Mr G Hicks	Mr H Potter
Mr S Lloyd-Williams	Mr J Ransley
-	Mr A Shaxson

2019/2020 Membership:

Chairman:	Mr A Moss
Vice-Chairman:	Mr T Johnson
Mrs C Apel	Mrs S Lishman
Mrs T Bangert	Mr D Palmer
Mr M Bell	Mr H Potter
Mr J W Elliott	Mr A Sutton
Mr K Hughes	

For rules on the membership of the Overview and Scrutiny Committee please refer to pages 42-43 of the Constitution.

#### 4.2. Corporate Governance and Audit Committee (8 Members)

Constitution – Including the Cabinet Member for Corporate Services and a representative from the Overview and Scrutiny Committee. Membership is based on political proportionality.

Political Balance:

Conservatives	Liberal Democrats	Green	Labour	Local Alliance	Independent
4	2	1	0	1	0

2018/2019 Membership:

Chairman: Mrs P Tull Vice-Chairman: Mrs P Plant

Mr S Lloyd-Williams Mr J Brown Mr K Martin Mr N Graves Mr P Hardwick Mr S Morley Mr F Hobbs Mr P Wilding

2019/2020 Membership:

Chairman:	Dr K O'Kelly
Vice-Chairman:	Mr T Johnson
Mrs H Barrie	Mr F Hobbs
Mr M Bell	Mr D Palmer
Mr J Brown	
Mr A Dignum	

For rules on the membership of the Corporate Governance and Audit Committee please refer to page 44 of the Constitution.

#### 4.3. Planning Committee (13 Members)

Constitution – No special requirements.

Political Balance:

Conservatives	Liberal Democrats	Green	Labour	Local Alliance	Independent
7	4	1	0	1	0

2018/2019 Membership:

Chairman: Mr R Hayes
Vice-Chairman: Mrs C Purnell
Mr G Barrett
Mrs J Duncton
Mr M Dunn
Mr J F Elliott
Mr M Hall
Mr L Hixson

Mrs J Kilby Mr G McAra Mr S Oakley Mr R Plowman Mrs J Tassell Mrs T Tull Vacancy (previously Mr D Wakeham)

2019/2020 Membership:

Chairman:	Mrs L C Purnell
Vice-Chairman:	Mr J-H Bowden
Mr G Barrett	Mr S Oakley
Mr R Briscoe	Mr C Page
Mrs J Fowler	Mr H Potter
Mrs N Hume	Mr D Rodgers
Mrs D Johnson	Mr P Wilding
Mrs S Lishman	

For rules on the membership of the Planning Committee please refer to pages 45 and 46 of the Constitution.

#### 4.4. General Licensing Committee (10 Members)

Constitution – Including at least one Cabinet member.

**Political Balance:** 

Conservatives	Liberal Democrats	Green	Labour	Local Alliance	Independent
5	3	0	1	0	1

2018/2019 Membership:

Chairman: Mr J Ridd Vice-Chairman: Mr H Potter Mr A Moss Dr K O'Kelly

Mr P Budge	Mr C Page
Mr A Collins	Mrs P Plant
Mr J Connor	Mrs C Purnell
Mr J W Elliott	Mrs S Taylor
Mr L Macey	Vacancy (previously Mr D Wakeham)
Mr G McAra	

2019/2020 Membership:

Chairman:	Mr G McAra
Vice-Chairman:	Mr A Moss
Mrs T Bangert	Mr K Hughes
Mr G Barrett	Mr C Page
Mr J W Elliott	Mr H Potter
Mr G Evans	Mr A Sutton

For rules on the membership of the General Licensing Committee please refer to pages 46 and 47 of the Constitution.

#### 4.5. Alcohol and Entertainment Licensing Committee (10 Members)

Constitution – Including at least one member of the Cabinet.

Political Balance: Not subject to political balance but membership the same as General Licensing Committee.

For rules on the membership of the Alcohol and Entertainment Committee please refer to pages 47 and 48 of the Constitution.

#### 4.6. Standards Committee (7 Members)

Constitution – 7 members of the Council and 3 parish councillors are co-opted in a non-voting capacity. The Independent Person(s) appointed by the Council in accordance with section 28 (7) of the Localism Act 2011 are invited to attend meetings of the Committee in an advisory capacity. The Chairman and the Vice-Chairman will be appointed by the Council from the district council members of the Committee.

Political Balance:

Conservatives	Liberal Democrats	Green	Labour	Local Alliance	Independent
3	3	0	1	0	0

2018/2019 Membership:

Chairman: Mrs P Hardwick Vice-Chairman: Mrs C Apel Mr M Dunn Mr G Hicks Mrs J Kilby Mrs C Purnell Mrs J Tassell 2019/2020 Membership:

Chairman:	Mr R Plowman
Vice-Chairman:	Mrs S Taylor
Mrs C Apel	Mr A Sutton
Mr G Evans	
Mrs S Lishman	
Mrs L C Purnell	

For rules on the membership of the Standards Committee please refer to pages 49 and 50 of the Constitution.

#### 4.7. Investigation and Disciplinary Committee

Constitution – 5 members of the Council, including at least 1 member of the Cabinet. 2 substitute members of Council. The membership to be politically balanced.

Political Balance:

Conservatives	Liberal Democrats	Green	Labour	Local Alliance	Independent
4	2	1	0	0	0

2018/2019 Membership:

Chairman: Mrs J Kilby Vice-Chairman: N/A Mrs P Plant Mrs C Purnell Mr J Ransley Mr Andrew Shaxson Mr M Dunn (reserve) Mr G Hicks (reserve)

2019/2020 Membership:

Chairman:	Mrs C Apel
Vice-Chairman:	Mrs S Taylor
Mr G Evans	Mrs H Barrie (Reserve)
Mrs C Purnell	Mr P Wilding (reserve)
Mr A Sutton	

For rules on the membership of the Investigation and Disciplinary Committee please refer to pages 52 and 53 of the Constitution.

#### 4.8. Appeals Committee

Constitution – 5 members of Council, including at least 1 member of the Cabinet. 2 substitute members of Council. No member of the Investigation and Disciplinary Committee shall be a member of the Appeals Committee. The membership to be politically balanced. Political Balance:

Conservatives	Liberal Democrats	Green	Labour	Local Alliance	Independent
4	2	0	1	0	0

2018/2019 Membership:

Cabinet Member: Mrs S Taylor Mrs C Apel Mr P Budge Mrs P Dignum Mrs J Duncton Mr T Dignum (reserve) Mr M Hall (reserve)

2019/2020 Membership:

Chairman:	Mrs C Purnell
Vice-Chairman:	Mrs S Lishman
Mr G Evans	Mr P Wilding (reserve)
Mr A Sutton	Mr R Plowman (reserve)
Mrs S Taylor	

For rules on the membership of the Appeals Committee please refer to page 53 of the Constitution.

#### 5. Appointment to Growth Board

- 5.1. Full Council previously appointed the Leader Mr A Dignum, Mrs E Lintill and Mr S Oakley to represent Chichester District Council on the Growth Board.
- 5.2. It is proposed that Mrs E Lintill as Leader, Mr T Dignum, Mr S Oakley, and a substitute Mr P Wilding be appointed for 2019/2020.

#### 6. Alternatives Considered

6.1. No alternatives were considered as this is a statutory obligation.

#### 7. Resource and Legal Implications

7.1. None.

#### 8. Consultation

8.1. The proposals have been agreed with the leaders of each of the political groups.

#### 9. Community Impact and Corporate Risks

# 10. Other Implications

explain any major risks in paragraph 9	Yes	No
<b>Crime and Disorder</b> The Council has a duty "to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area". Do the proposals in the report have any implications for increasing or reducing crime and disorder?		~
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<b>Safeguarding and Early Help</b> The Council has a duty to cooperate with others to safeguard children and adults at risk. Do these proposals have any implication for either increasing or reducing the levels of risk to children or adults at risk? The Council has committed to dealing with issues at the earliest opportunity, do these proposals have any implication in reducing or increasing demand on Council services?		~
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Health and Wellbeing The Council has made a commitment to 'help our communities be healthy and active'. You should consider both the positive and negative impacts of your proposal on the health and wellbeing of communities and individuals living and working in the district. Is your proposal likely to impact positively or negatively on certain groups and their ability to make healthy choices, for example low income families,		~

carers, older people/children and young people. Are there implications that impact on areas of the district differently? eg the rural areas or those wards where health inequalities exist. If in doubt ask for advice from the Health and Wellbeing team.	
Other (please specify)	✓

# 11. Appendices

11.1. None.

## 12. Background Papers

#### **Chichester District Council**

#### ANNUAL COUNCIL

#### 21 May 2019

#### **Appointments to External Organisations**

#### 1. Contact

#### **Report Author**

Nicholas Bennett – Divisional Manager for Democratic Services Telephone: 07860 786052 E-mail: NBennett@chichester.gov.uk

#### 2. Recommendation

2.1. That the Council appoints members to serve on the outside organisations for 2019-2020 and longer term appointments/nominations as set out in the tables in the report.

#### 3. Background

3.1. Most of the appointments to outside organisations are made by the Cabinet at the terms of reference for the Cabinet include the authority *to appoint or nominate persons to outside organisations which relate to functions of the Cabinet.* However, the appointment of members to other organisations not relating to the functions of the Cabinet is reserved to Full Council.

#### 4. **Proposal - the rules and their application**

4.1. Set out below are details of the organisations and the number of representatives to be appointed.

#### Annual Appointments 2019-2020

	ORGANISATION	Name of Member(s)
1.	Chichester Conservation Area Advisory Committee (2)	Mrs S Taylor( C ) Mr R Plowman (LD)
2.	Portsmouth Water Customer Forum (1)	Mr S Oakley (C)
3.	Sussex Police and Crime Panel (1)	Mr R Briscoe (C) Deputy: Mrs C Apel (LD)
4.	Western Sussex Hospitals NHS Trust Council of Governors (1)	Mrs D Johnson (LA)
5.	West Sussex Health and Adult Social Care Committee (1)	Mrs T Bangert (LD)

#### **Longer Term Appointments**

ORGANISATION	Name of Member/s or Officers
6. Bourne Community College Governing Body (1)	Diane Shepherd
7. Bourne Trust Board (1)	Diane Shepherd
<ol> <li>Chichester Harbour Conservancy (2 plus deputy)</li> </ol>	Adrian Moss (LD) Penny Plant (C) Graeme Barrett (C) (Reserve)
9. South Downs National Park Authority (1)	Henry Potter (C)
10. West Sussex Pensions Forum (1)	John Ward

#### 5. Alternatives Considered

5.1. No alternatives were considered as this is a statutory obligation.

#### 6. **Resource and Legal Implications**

6.1. None.

#### 7. Consultation

7.1. The proposals have been agreed with the leaders of each of the political groups.

#### 8. Community Impact and Corporate Risks

8.1. None.

#### 9. Other Implications

Are there any implications for the following? If you tick "Yes", list your impact assessment as a background paper in parage explain any major risks in paragraph 9	raph 13	3 and
	Yes	No
<b>Crime and Disorder</b> The Council has a duty "to exercise its functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area". Do the proposals in the report have any implications for increasing or reducing crime and disorder?		~
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Other (please specify)	✓

# 10. Appendices

10.1. None.

# 11. Background Papers

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