



GOVERNANCE COMMITTEE

FRIDAY, 10 JULY 2015

9.30 AM COUNCIL CHAMBER, COUNTY HALL, LEWES

MEMBERSHIP - Councillor Keith Glazier (Chair)
Councillors Godfrey Daniel, David Elkin, Philip Howson and David Tutt

A G E N D A

- 1 Minutes of the meeting held on 29 June 2015 (*Pages 3 - 4*)
- 2 Apologies for absence
- 3 Disclosures of interests
Disclosures by all members present of personal interests in matters on the agenda, the nature of any interest and whether the member regards the interest as prejudicial under the terms of the Code of Conduct.
- 4 Urgent items
Notification of items which the Chair considers to be urgent and proposes to take at the appropriate part of the agenda. Any members who wish to raise urgent items are asked, wherever possible, to notify the Chair before the start of the meeting. In so doing, they must state the special circumstances which they consider justify the matter being considered urgent.
- 5 Allocation to political groups, the Independent Democrat Group and Independent Group of places on the main committees, sub-committees, panels and other bodies (*Pages 5 - 8*)
Report by Assistant Chief Executive
- 6 Any other items previously notified under agenda item 4

PHILIP BAKER
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2 July 2015

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GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held in the Committee Room, County Hall, Lewes on 29 June 2015.

PRESENT Councillors Keith Glazier (Chair), Godfrey Daniel, David Elkin and Philip Howson

1 MINUTES OF THE MEETING HELD ON 28 APRIL 2015

1.1 RESOLVED – that the minutes of the last meeting held on 28 April 2015 be approved as a correct record.

2 APOLOGIES FOR ABSENCE

2.1 Apologies for absence were received from Councillor Tutt.

3 DISCLOSURES OF INTERESTS

3.1 Councillor Daniel declared a personal non-prejudicial interest in item 6 (Members' Refreshment Provision at Meetings) as a person with diabetes.

4 EAST SUSSEX ELECTORAL BOUNDARY REVIEW

4.1 The Committee considered a report by the Assistant Chief Executive which outlined a draft response of the County Council to the initial phase of the electoral review of East Sussex currently being undertaken by the Local Government Boundary Commission for England (LGBCE).

4.2 The Committee RESOLVED to:

1) recommend the County Council to recommend to the Local Government Boundary Commission for England (LGBCE) that:

a) The report and evidence on current and future member roles at Appendix 1 be agreed as the draft County Council's submission to the LGBCE.

b) The current number of members on the County Council should remain unchanged at 49 whilst also maintaining the current number of county councillors in each of the five districts and boroughs.

c) If there is an absolute need to change the size of the Council (for example to address electoral inequalities that cannot be resolved by any other means) then the number of councillors in Hastings and/or Rother should not be reduced; instead, a marginal increase in council size to 50 would be acceptable.

d) There should, as a matter of principle, be a consistent picture of (49) single-member county electoral divisions across the county with no multi-member divisions.

e) There should be coterminosity between county electoral division and district/borough ward boundaries; under no circumstances should any county electoral division straddle a district or borough boundary.

2) authorise the Assistant Chief Executive to produce the final version of the submission on Council size to the Local Government Boundary Commission for England taking into account any additional information requested by the Commission.

5 MEMBERS' REFRESHMENT PROVISION AT MEETINGS

5.1 The Committee considered a report by the Assistant Chief Executive regarding the provision of refreshments for elected members at meetings.

5.2 The Committee RESOLVED to agree to stop providing lunches (meals, sandwiches and buffet lunches) for elected members whether provided directly or by 'lunch tickets' at meetings of council bodies; exceptions to this rule may be authorised by the Assistant Chief Executive in exceptional circumstances.

6 AMENDMENTS TO CONSTITUTION RULES OF PROCEDURE - DISCIPLINARY PROCESS FOR SENIOR OFFICERS

6.1 The Committee considered a report by the Chief Operating Officer regarding proposals to amend the Council's Constitution, in accordance with Regulations, to localise the disciplinary process for the posts of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer.

6.2 The Committee RESOLVED to recommend the County Council to:

- 1) agree to the Constitution being amended to reflect the provisions of the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2015 in relation to the disciplinary process for the posts of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer; and
- 2) approve for inclusion in Part 4 of the Constitution, Officer Employment Procedure Rules provision for the proposed procedures for the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer as outlined in the report and clarifying that:
 - any discussion at Governance Committee and Full Council taking place under these rules concerning an individual officer would be conducted under the exempt part of these meetings
 - the independent persons appointed to the Governance Committee under these rules shall be non-voting.

7 EAST SUSSEX PENSION BOARD - APPOINTMENT OF A MEMBER

7.1 The Committee considered a report by the Chief Operating Officer regarding a proposed appointment to the Pension Board.

7.2 The Committee RESOLVED to agree to the appointment of the Pension Board member as set out in paragraph 2.1 of the report.

Report to: **Governance Committee**

Date: **10 July 2015**

By: **Assistant Chief Executive**

Title of report: **Appointment to committees, sub-committees, panels and other bodies**

Purpose of report: **To consider the allocation of places on committees, sub-committees, panels and other bodies to the six political and independent groups**

RECOMMENDATION:

The Governance Committee recommends the County Council to allocate to political and independent groups the places on, and membership of, the main committees as set out in Appendix 1.

1. Supporting Information

1.1 In appointing members to committees the Council must comply with section 15 of the Local Government Act 1989 and subsequent Regulations. These provide that places on committees must be allocated to political groups in proportion to the number of seats on the Council held by each group, unless there is agreement, without dissent, that the provisions of the Act should not be applied.

1.2 The allocation of places to party groups must, so far as is reasonably practicable, give effect to the following principles:

- (a) not all of the seats on the body can be allocated to the same political group;
- (b) where more than half the members of the Council belong to one political group, that group shall have a majority on all committees, sub-committees, etc;
- (c) subject to (a) and (b) above, the total number of seats on the ordinary committees (including sub-committees) allocated to a political group reflects that group's proportion of the members of the Council;
- (d) subject to (a), (b) and (c) above, the number of seats on each body allocated to a political group reflects the proportion of the seats on the Council held by the group.

1.3 The rules require seats to be allocated on a proportional basis "so far as practicable" and inevitably there must be some rounding up and rounding down. It is open to the Council to review the size and number of committees and sub-committees at any time.

1.4 Members of the Cabinet may not serve on the Scrutiny Committees or the Regulatory Committee and the Leader and Deputy Leader of the Council may not serve on the Standards Committee.

1.5 The Leader of the Council appoints the Cabinet and allocates portfolios to those Cabinet Members. Political balance provisions do not apply to the Cabinet

1.6 The principle in paragraph 1.2 (c) above applies to appointments to ordinary committees (including sub-committees). Accordingly, before considering the allocation of places to political groups the Committee will need to consider whether it wishes to recommend any changes in committees, including their size.

2. Allocation of seats

2.1 The tables in Appendix 1 show the proposed allocation of seats for the remainder of 2015/16. The only change from the allocation agreed by the County Council in May 2015 is the vacancies on the Standards Committee and the Regulatory Committee are proposed to be allocated to the Labour Group following the result of the by-election on 9 July. The proposals in relation to the committees, their total membership and the number of seats on each to which the groups will be entitled follows the principles set out in paragraph 1.2 above.

3. Conclusion

3.1 The Committee is asked to recommend the County Council to agree the allocation of places on each committee to each group as set out in Appendix 1.

PHILIP BAKER
Assistant Chief Executive

Contact Officer: Andy Cottell Tel: 01273 481955

Local Member: All

Background Documents: None

Appendix 1

Group	Number of Councillors	%	Number of seats
Conservative	20	41	32
Liberal Democrat	10	21	16
Labour	7	14	12
UKIP	7	14	12
Independent Democrat Group	2	4	3
Independent	3	6	4
Total	49	100%	79

COMMITTEE	Conservative	Liberal Democrat	Labour	UKIP	Independent Democrat Group	Independent Group
Number of councillors	20	10	7	7	2	3
Regulatory (18)	7.35 (7)	3.67 (3)	2.57 (3)	2.57 (3)	0.73 (1)	1.10 (1)
Planning (7)	2.86 (3)	1.43 (2)	1.00 (1)	1.00 (1)	0.29 (0)	0.43 (0)
Governance (5)	2.04 (2)	1.02 (1)	0.71 (1)	0.71 (1)	0.20 (0)	0.31 (0)
Standards Committee (7)	2.86 (2)	1.43 (1)	1.00 (1)	1.00 (1)	0.29 (1)	0.43 (1)
Pension Committee (5)	2.04 (2)	1.02 (1)	0.71 (1)	0.71 (1)	0.29 (0)	0.43 (0)
Scrutiny Committees:						
Audit, Best Value and Community Services(7)	2.86 (3)	1.43 (2)	1.00 (1)	1.00 (1)	0.29 (0)	0.43 (0)
Children's Services (9)	3.67 (4)	1.84 (2)	1.29 (1)	1.29 (1)	0.37 (1)	0.55 (0)
Health Overview & Scrutiny (7)	2.86 (3)	1.43 (1)	1.00 (1)	1.00 (1)	0.29 (0)	0.43 (1)
Adult Social Care & Community Safety (7)	2.86 (3)	1.43 (1)	1.00 (1)	1.00 (1)	0.29 (0)	0.43 (1)
Economy, Transport and Environment (7)	2.86 (3)	1.43 (2)	1.00 (1)	1.00 (1)	0.29 (0)	0.43 (0)
TOTALS (79)	32	16	12	12	3	4

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