



GOVERNANCE COMMITTEE

FRIDAY, 12 MAY 2017

12.00 NOON IN THE COMMITTEE ROOM, COUNTY HALL, LEWES

A G E N D A

- 1 Minutes of the meeting held on 7 March 2017 *(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 Appointment to committees, sub-committees, panels and other bodies *(Pages 5 - 10)*
Report by Assistant Chief Executive
- 6 Appointments to Outside Bodies *(Pages 11 - 16)*
Report by Assistant Chief Executive
- 7 Any other items previously notified under agenda item 4

PHILIP BAKER
Assistant Chief Executive
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4 May 2017

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GOVERNANCE COMMITTEE

MINUTES of a meeting of the Governance Committee held at Committee Room, County Hall, Lewes on 7 March 2017.

PRESENT Councillors Keith Glazier (Chair), Godfrey Daniel, David Elkin, Mike Pursglove and David Tutt

ALSO PRESENT Councillors Laurence Keeley and Richard Stogdon

36 MINUTES OF THE MEETING HELD ON 24 JANUARY 2017

36.1 RESOLVED – that the minutes of the previous meeting of the Committee held on 24 January 2017 be confirmed as a correct record

37 APOLOGIES FOR ABSENCE

37.1 Apologies for absence were received from Councillor Howson. It was noted that Councillor Pursglove was substituting for him.

38 REPORTS

38.1 A copy of the reports referred to below are included in the minute book.

39 PAY POLICY STATEMENT 2017/18

39.1 The Committee considered a report by the Chief Operating Officer regarding the Pay Policy Statement for 2017/18.

39.2 The Committee RESOLVED to:

- (1) recommend to the County Council the updated pay policy statement for 2017/18;
- and
- (2) receive a further report with the Pay Policy Statement updated appropriately to reflect the outcome of the current Government consultations set out in paragraph 2.4 of the report, once known

40 AMENDMENT TO CONSTITUTION: JOINT ARRANGEMENTS

40.1 The Committee considered a report by the Assistant Chief Executive proposing amendments to the Constitution.

40.2 The Committee RESOLVED to recommend the County Council to agree to the Constitution being amended as set out in paragraph 1.2 of the report.

41 LOCAL GOVERNMENT PENSION SCHEME INVESTMENT POOLING: APPOINTMENT OF A COUNCIL REPRESENTATIVE TO THE JOINT GOVERNANCE COMMITTEE

41.1 The Committee considered a report by the Interim Chief Finance Officer regarding the appointment of a representative to the Joint Governance Committee.

41.2 The Committee RESOLVED to appoint Councillor Stogdon as the Council's representative on the Joint Governance Committee for a period to May 2017, subject to the

County Council approving the recommendations of the Pension Committee in relation to the establishment of a joint committee for the ACCESS Pool.

42 LOCAL CODE OF CORPORATE GOVERNANCE

42.1 The Committee considered a report by the Assistant Chief Executive regarding a revised Local Code of Corporate Governance.

42.2 The Committee RESOLVED to agree to the revised Local Code of Corporate Governance as set out in Appendix 1 of the report.

43 LOCAL MANAGERS' PAY 2017/18

43.1 The Committee considered a report by the Chief Operating Officer regarding the pay award for Local Managers for 2017/18.

43.2 The Committee RESOLVED to agree the pay award for LMG Managers for the financial year 2017/18 as being 1% (in line with the national NJC award).

44 CHIEF EXECUTIVE, CHIEF OFFICERS' AND DEPUTY CHIEF OFFICERS PAY 2017/18

44.1 The Committee considered a report by the Head of Human Resources and Organisational Development regarding the pay award for the Chief Executive, Chief Officers and Deputy Chief Officers for 2017/18.

44.2 The Committee RESOLVED – to determine the pay award for the Chief Executive, Chief Officers and Deputy Chief Officers for the financial year 2017/18 as being 1% (in line with the national NJC award).

Report to: **Governance Committee**

Date: **12 May 2017**

By: **Assistant Chief Executive**

Title of report: **Appointments of Members 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 three party political groups, the Independent Democrat Group and independent members.**

RECOMMENDATIONS:

The Governance Committee recommends the County Council to:

- (1) make recommendations to the County Council on the allocation to political groups of places on, and membership of:**
 - (a) main committees in appendix 1 of this report**
 - (b) other committees and panels listed in Appendix 2 of this report;**
 - (c) Chair and Vice Chair positions on Scrutiny Committees and other Committees; and**
 - (d) the East Sussex Fire Authority**
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1. Supporting Information

1.1 In appointing members to committees, sub-committees, most panels and some outside bodies 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.

1.7 Following the Committee's meeting, the party group leaders and independent members will be asked to let the Assistant Chief Executive have nominations to fill the places on committees, sub-committees, panels and other bodies covered in this report provisionally allocated to their group. The nominations received will be circulated to members of the County Council on the day of the annual council meeting, for approval by the Council.

2. Allocation of seats

2.1 The Table in Appendix 1 outlines proposals in relation to the ordinary committees and sub-committees, their total membership and the number of seats on each to which the groups will be entitled following the principles set out in paragraph 1.2 above.

2.2 The allocation of seats to the Governance Committee has been proposed to take into account the importance of having one member from each of the main political groups. Membership of this Committee normally includes the Group Leaders.

2.3 The Committee is asked to consider the allocations in Appendix 1 and to make a recommendation to the County Council as to number of places on each committee to be allocated to each group or independent members.

3. Other Committees and Panels

3.1 There is no obligation in relation to other committees and panels to aggregate the total number of places and to adjust allocations so that the total number of places allocated to each group reflects its proportion of the members of the Council. It is proposed that places should be allocated on a proportionate basis, unless the Council agrees to waive the political balance provisions which has been the custom for certain panels over many years.

3.2 The practical effect of the proportionality rules for a committee, panel or group of members of any given size from 3 to 12 is set out in Appendix 2, together with the list of current committees and panels to which appointments will need to be made and their membership. Their terms of reference are set out in the Constitution.

3.3 The Committee is asked to recommend to County Council the number of places on the Committees and Panels listed in Appendix 2.

4. Chairs and Vice Chairs of Scrutiny Committees

4.1 The Council's Constitution provides that the Chairs and Vice Chairs of Scrutiny Committees should be added together and the positions then allocated to groups in accordance to the number of seats they have on the Council. Within this allocation the Chair of the Audit, Best Value and Community Services Scrutiny Committee shall be appointed from the members of the largest Group not represented on the Council. On this basis the allocation of the 10 places would be as follows:

Conservative – 6
 Liberal Democrat – 2
 Labour – 1
 Independent Group - 1
 Independent Democrat - 0

The proposed list of Chairs and Vice Chairs to be appointed by the County Council is:

Committee	Chair	Vice-Chair
Regulatory	?	
Adult Social Care and Community Safety Scrutiny Committee	Conservative	Labour
Audit, Best Value and Community Services Scrutiny Committee	Liberal Democrat	Conservative
Children’s Services Scrutiny Committee	Conservative	Liberal Democrat
Health Overview and Scrutiny Committee	Conservative	Independent Group
Economy, Transport and Environment Scrutiny Committee	Conservative	Conservative
Governance Committee	?	
Planning Committee	?	?
Pension Committee	?	
Standards Committee	?	

5. East Sussex Fire Authority

5.1 Responsibility for the Fire Service in East Sussex rests with East Sussex Fire Authority comprising 12 members of the County Council and 6 members of Brighton & Hove City Council. The political balance provisions apply to appointments to the Authority and the entitlement of each group will be as set out below:

Conservative – 7
 Liberal Democrat – 3
 Labour – 1
 Independent Group - 1
 Independent Democrat - 0

5.2 The Committee is asked to recommend the County Council to approve the allocation of places to political groups in accordance with the above table and the appointment of 12 councillors to the East Sussex Fire Authority.

PHILIP BAKER
 Assistant Chief Executive

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Local Member: All

Background Documents: None

Appendix 1

Group	Number of Councillors	%	Number of seats
Conservative	30	60	48
Liberal Democrat	11	22	17
Labour	4	8	6
Independent Democrat Group	2	4	3
Independent	3	6	5
Total	50	100%	79

COMMITTEE	Conservative	Liberal Democrat	Labour	Independent Democrat Group	Independent Group
Number of councillors	30	11	4	2	3
Regulatory (18)	10.80 (11)	3.96 (4)	1.44 (1)	0.72 (1)	1.08 (1)
Planning (7)	4.20 (4)	1.54 (2)	0.56 (1)	0.28 (0)	0.42 (0)
Governance (5)	3.00 (3)	1.10 (1)	0.40 (1)	0.20 (0)	0.30 (0)
Standards Committee (7)	4.20 (4)	1.54 (1)	0.56 (0)	0.28 (1)	0.42 (1)
Pension Committee (5)	3.00 (3)	1.10 (1)	0.40 (0)	0.20 (0)	0.30 (1)
Scrutiny Committees:					
Audit, Best Value and Community Services(7)	4.20 (5)	1.54 (2)	0.56 (0)	0.28 (0)	0.42 (0)
Children's Services (9)	5.40 (5)	1.98 (2)	0.72 (1)	0.36 (1)	0.54 (0)
Health Overview & Scrutiny (7)	4.20 (5)	1.54 (1)	0.56 (0)	0.28 (0)	0.42 (1)
Adult Social Care & Community Safety (7)	4.20 (4)	1.54 (1)	0.56 (1)	0.28 (0)	0.42 (1)
Economy, Transport and Environment (7)	4.20 (4)	1.54 (2)	0.56 (1)	0.28 (0)	0.42 (0)
TOTALS (79)	48	17	6	3	5

Appendix 2

Recommended allocation of seats for Committees and Panels of between 3 and 12 seats

Committee size	Conservative	Liberal Democrat	Labour	Independent Democratic Group	Independents
3	1.80 (2)	0.66 (1)	0.24 (0)	0.12 (0)	0.18 (0)
4	2.40 (3)	0.88 (1)	0.32 (0)	0.16 (0)	0.24 (0)
5	3.00 (3)	1.10 (1)	0.40 (1)	0.20 (0)	0.30 (0)
6	3.60 (4)	1.32 (1)	0.48 (1)	0.24 (0)	0.36 (0)
7	4.20 (4)	1.54 (2)	0.56 (1)	0.28 (0)	0.42 (0)
8	4.80 (5)	1.76 (2)	0.64 (1)	0.32 (0)	0.48 (0)
9	5.40 (5)	1.98 (2)	0.72 (1)	0.36 (0)	0.54 (1)
10	6.00 (6)	2.20 (2)	0.80 (1)	0.40 (0)	0.60 (1)
11	6.60 (7)	2.42 (2)	0.88 (1)	0.44 (0)	0.66 (1)
12	7.20 (7)	2.64 (3)	0.96 (1)	0.48 (0)	0.72 (1)

*Seat to be allocated to either the Labour Group or UKIP

This allocation relates to the following Committees and Panels

(a) East Sussex Music Service Management Committee (5 members of the County Council)

(b) County Joint Consultative Committee (5 members of the County Council)

(c) Governors Panel (7 members of the County Council)

(d) County Consultative Committee Governors (5 Members of the County Council, one of whom should be the Lead Cabinet Member for Learning and School Effectiveness who chairs the Committee).

(e) Joint Advisory Committee (Schools) (5 Members of the County Council of whom one should be the Lead Cabinet Member for Learning and School Effectiveness, and another should be a member of the Cabinet.

(f) Corporate Parenting Panel (7 Members of the County Council)

(g) Standing Advisory Council for Religious Education (5 members of the County Council)

(h) Transport and Student Support Panel (3 Members of the County Council). The County Council has a custom of agreeing to waive the political balance provisions in relation to this Panel.

(i) Education Performance Panel (the Chair of the appropriate Scrutiny Committee, the Lead Member with responsibility for Education, representatives of each group on the Council. The County Council has a custom of agreeing to waive the political balance provisions in relation to this Panel.

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Meeting: **Governance Committee**
Date: **12 May 2017**
Title: **Appointments to Outside Bodies**
By: **Assistant Chief Executive**
Purpose of Report: **To enable the Committee to consider the appointments of members to outside bodies on which the County Council is represented**

RECOMMENDATION -

(1) To make a recommendation to the County Council on:

- (a) the appointment of four councillors to attend the Local Government Association's General Assembly;**
- (b) which councillor should cast two votes;**

(2) To make a recommendation to the County Council on:

- (a) the appointment of four councillors to serve on the County Councils Network Council;**
- (b) the appointment of a councillor to serve on the County Councils Network (CCNs) Executive Committee;**
- (c) the appointment of a councillor to sit on the Coastal Issues Special Interest Group;**
- (d) the allocation to political groups of places on the Sussex Inshore Fisheries and Conservation Authority and the appointment of councillors to the Committee;**
- (e) the appointment of one councillor to serve on the South Downs National Park Authority;**
- (f) the appointment of eight representatives to the Conservators of Ashdown Forest;**
- (g) the appointment of one member to serve on the Southern Regional Flood and Coastal Committee**
- (h) the appointment of one member to serve on the Joint Waste Committee, and one substitute Member**
- (i) the substantive appointment of one member to serve on the Sussex Police and Crime Panel and a second representative**
- (j) the appointment of one councillor to serve on the ACCESS Joint Governance Committee (Local Government Pension Scheme Investment Pooling)**

(3) To agree that where necessary recommended appointees are given authority to attend meetings or take actions prior to the appointments being confirmed at the Council meeting on 23 May 2017.

1. Background Information

1.1 The County Council is invited to appoint members (in some cases non-county

councillors are eligible) to serve on a wide range of outside bodies. Appointments are normally made for the lifetime of the County Council. In the case of appointments being made now the term will be to the date of the annual council meeting in the next County Council full election year unless otherwise indicated, although in most cases it is open to the County Council to change its representation at any time by resolution.

1.2 Most of the appointments to outside organisations will be dealt with by the Governance Committee at its meeting on the 27 June. There are, however, some bodies where a decision cannot wait until then and these are dealt with in this report. Appendix 1 provides details of these organisations, the current appointments and any particular requirements relating to that particular body.

1.3 There may be actions or attendance at meetings required before these appointments are confirmed by the County Council on 23 May. In these cases that Governance Committee is asked to agree that these activities can be carried out as an interim measure prior to the formal appointments being made.

PHILIP BAKER

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Organisation	Appointments made in 2013 or as updated	Appointment requirements
General Assembly of the Local Government Association	Councillor Elkin Councillor Field Councillor Glazier Councillor Webb Councillor Glazier has the second vote	The County Council is entitled to appoint four members to attend the General Assembly of the Local Government Association which meets twice a year and the annual conference. It has five votes at the General Assembly and, therefore, one councillor should be allocated two votes. Four Councillors to be nominated.
County Council Network Council	Councillor Elkin Councillor Glazier Councillor Tutt Councillor Webb	The County Council is entitled to appoint four members to the County Council Network Council. The Council generally meets twice a year. The CCN Council agrees the work programme for the year and the audited accounts. Four Councillors to be nominated
County Councils Network (CCN) Executive Committee	Councillor Glazier	The County Councils Network is a special interest group within the Local Government Association and exists to promote and protect the interests of counties and to promote the financial interests of County Councils. The members of the Local Government Association General Assembly (above) are entitled to attend meetings of the CCN Council. There is a separate Executive Committee which comprises one representative from each of the County Councils in membership of the CCN. It is authorised to act on behalf of the Network on all policy and procedural matters. One Councillor to be nominated.
Coastal Issues Special Interest Group	Councillor Earl	The LGA also has a Coastal Issues Special Interest Group. It discusses issues such as funding of coast protection; regeneration of coastal economies; and coastal management and environmental issues. One Councillor to be nominated.

Sussex Inshore Fisheries and Conservation Authority	Councillor Charman Councillor Pragnell Councillor Ungar	<p>The political balance provisions apply to the County Council's appointments to the Sussex Inshore Fisheries and Conservation Authority.</p> <p>The entitlement of appointments to each group is: Conservative 2 and Liberal Democrat 1.</p> <p>Three Councillors to be nominated.</p>
South Downs National Park Authority	Councillor Sheppard	<p>The South Downs National Park Authority (SDNPA) is the organisation responsible for promoting the purposes of the National Park and the interests of the people who live and work within it.</p> <p>One Councillor to be nominated.</p>
Conservators of Ashdown Forest	Councillor Barnes Councillor Keeley Councillor Stogdon Councillor St Pierre Councillor Tidy Councillor Whetstone Mr M Cooper Mr T Reid	<p>The County Council appoints eight of the 15 Conservators. The Council representatives do not have to be Councillors. Of the remaining seven, two are appointed by Wealden District Council and five are elected by the commoners. In addition, the Chairman of the County Council serves on the Conservators to represent the County Council as Lord of the Manor. It is the duty of the Conservators to regulate and manage the Forest as an amenity and place of resort subject to the existing rights of common, to protect the Forest from encroachments and to conserve it as a quiet and natural area of outstanding beauty. The political balance provisions apply to the County Council's appointments to the Conservators of Ashdown Forest.</p> <p>Subject to the agreement of the County Council the entitlement of appointments to each group is: Conservative 5; Liberal Democrat 2; Labour 1</p> <p>Eight Councillors or representatives to be nominated.</p>

Southern Regional Flood and Coastal Committee	Councillor Claire Dowling	<p>The Committee is responsible for managing the functions of the Environment Agency relating to land drainage, including flood prevention and sea defence and for arranging for the discharge of these functions through the local Flood Defence Committees. Since 1997 the County Council has been entitled to make one appointment to the Committee jointly with Brighton & Hove City Council. From 1 April 2005, the County Council has a place in its own right.</p> <p>One councillor to be nominated.</p>
Joint Waste Committee	Councillor Maynard Councillor Elkin (substitute)	<p>These authorities have established the Joint Waste Committee with the intention of facilitating the authorities in working together to improve the quality and effectiveness of the discharge of their waste collection functions under the relevant provisions of the Environmental Protection Act 1990.</p> <p>The Joint Waste Committee also facilitates the district and borough authorities to work in partnership with the County Council as the Waste Disposal Authority to maximise integration opportunities.</p> <p>One councillor to be nominated and one substitute member to be nominated</p>
Sussex Police and Crime Panel	Councillor Bentley (Substantive appointment) Councillor St Pierre (second representative)	<p>A Police and Crime Commissioner for Sussex was elected on 15 November 2012. The Commissioner is accountable to the electorate for how crime is tackled in their area. The Police and Crime Panel provides checks and balances in relation to the performance of the Commissioner. Its role is to scrutinise the performance of the Commissioner and to ensure transparency.</p> <p>One Substantive appointment and a second representative to help to address any political imbalance to the composition of the Panel</p>

<p>ACCESS Joint Governance Committee (Local Government Pension Scheme Investment Pooling)</p>	<p>Councillor Stogdon</p>	<p>In March 2017, the Council agreed that the East Sussex Pension Fund join the ACCESS Pool with 10 other Pension Funds. Investment pooling is intended to create the scale that will enable access to lower Investment Manager Fees and deliver savings to LGPS Funds. In the pooled investment structure individual funds will be responsible for investment strategy and asset allocation decisions. The ACCESS Pool is governed by the Joint Governance Committee made up one elected councillor from each authority's Pension Committee.</p> <p>One councillor to be nominated</p>
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