

## REPORT OF THE GOVERNANCE COMMITTEE

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The Governance Committee met on 12 May 2017. Attendances:

Councillor Glazier (Chair)  
Councillors Daniel, Elkin and Tutt

### **1. Appointments to committees, sub-committees, panels and other bodies**

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. The table in Appendix 1 (circulated separately) outlines proposals in relation to 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.

1.7 The party group leaders and independent members have been 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

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group. The final list of nominations received will be circulated to members of the County Council on the day of the annual council meeting, for approval by the Council.

### Other Committees and Panels

1.8 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.

1.9 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.

### Chairs and Vice Chairs of Committees

1.10 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 Cabinet. 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:

<b>Committee</b>	<b>Chair</b>	<b>Vice-Chair</b>
Regulatory	<b>Conservative</b>	
Adult Social Care and Community Safety Scrutiny Committee	<b>Conservative</b>	<b>Labour</b>
Audit, Best Value and Community Services Scrutiny Committee	<b>Liberal Democrat</b>	<b>Conservative</b>
Children's Services Scrutiny Committee	<b>Conservative</b>	<b>Liberal Democrat</b>
Health Overview and Scrutiny Committee	<b>Conservative</b>	<b>Independent Group</b>
Economy, Transport and Environment Scrutiny Committee	<b>Conservative</b>	<b>Conservative</b>
Governance Committee	<b>Conservative</b>	
Planning Committee	<b>Conservative</b>	<b>Conservative</b>

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Pension Committee	Conservative	
Standards Committee	Conservative	

1.11 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

1.12 The Committee recommends the County Council to:

☆ (1) allocate to the political and other groups the places on, and membership of, the main committees as set out in Appendix 1;

(2) allocate places on the other committees and panels as set out in Appendix 2;

(3) allocate the Chair and Vice Chair positions on committees as set out in the table in paragraph 1.10; and

(4) allocate places on the East Sussex Fire Authority to the political and other groups in accordance with the figures in paragraph 1.11 and to appoint 12 councillors to serve on the Authority.

## 2. Appointments to outside bodies

2.1 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.

2.2 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.

2.3 With regard to the Police and Crime Panel, the Council has one substantive appointment. The Council may be entitled to a second representative to help address any political proportionality imbalance to the composition of the Panel. At this stage, confirmation has not been received as to whether the Council will have a second representative on the Panel.

2.3 The Committee recommends the County Council make the following appointments to serve on the bodies listed below (a full list of nominations will be circulated at the annual Council meeting)

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Local Government Association's General Assembly	Councillor Elkin Councillor Field Councillor Glazier Councillor Webb  Councillor Glazier to have second vote
County Council's Network Council	Councillor Elkin Councillor Glazier Councillor Tutt Councillor Webb
County Councils Network Executive Committee	Councillor Glazier
Coastal Issues Special Interest Group	Councillor Earl
Sussex Inshore Fisheries and Conservation Authority	Two Conservative Members One Liberal Democrat member
South Downs National Park Authority	One Conservative Member
Conservators of Ashdown Forest	Five Conservative Members Two Liberal Democrat Members One Labour Member
Southern Regional Flood and Coastal Committee	One Conservative Member
Joint Waste Committee	One Conservative Member Substitute – Conservative Member
Sussex Police and Crime Panel	One Conservative Member (substantive appointment) A second representative may be required to address any political proportionality issues in relation to the composition of the Panel
ACCESS Joint Governance Committee (Local Government Pension Scheme Investment Pooling)	One Conservative Member

12 May 2017

KEITH GLAZIER  
(Chair)