

MEETING: Annual Council

DATE: Wednesday 9 May 2012

SUBJECT: Application of political balance rules to the allocation of seats on Council bodies

REPORT OF: Local Democracy Manager

Purpose: To bring before the annual meeting information governing the allocation of seats for the 2012/13 Council year in order that proposals and nominations can be put before the annual meeting of the Council.

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1. Introduction

1.1 Whole council elections were last held in May 2011 and not due to be held again until 2015. The distribution of seats between the 2 political groups represented on the Council would not therefore be expected to change. However, it should be noted that as a consequence of the resignation from his Meads seat by Nigel Goodyear on 24 April 2012, the total number of councillors used in the calculation of committee seat numbers becomes 26 and the break down of seats between the two groups is 15 Liberal Democrats and 11 Conservatives. The seat allocations are set out below.

1.2 It should be noted that irrespective of the outcome of the Meads by-election on 31 May 2012 the overall allocation of seats will not change. Following the election, should the winning candidate join one of the party groups, then that group may wish to adjust their memberships in order that the new member may take one or more committee seats. Should the new councillor refrain from joining one of the groups then, as an independent, there is no obligation on the Council to allocate any seats to that councillor and nor is there any mechanism under the regulations governing the application of the political balance rules by which an independent member can request a review of seat allocations.

2. Current Structure

2.1 This paper is based on the current structure, however the Council's current constitutional arrangements allow for either a 7 or an 8

member Scrutiny Committee. A 7 seat option was chosen in 2011/12. This paper assumes continuation of the 7 seat option. Similarly, the size of the 2 Licensing Committees may be between 10 and 15. This paper assumes that membership of these committees will be 13 for 2012/13. Leaders have submitted nominations on this basis.

2.2 **Base percentages:-**

<i>No. of Councillors: 26</i>	<i>% seats on Council</i>
<i>Liberal Democrats 15</i>	58
<i>Conservatives 11</i>	42

2.3 **Committees.** The allocation of seats in accordance with the rules up until 30 June is as follows:-

Committee	No. of Seats	Controlling Group	Opposition
Planning	8	5	3
General Licensing	13	7	6
Audit	5	3	2
Totals:	26	15	11

2.4 On the assumption that Council approve the proposal to disband both the Standards Committee and the Audit Committee and replace with an 8 member Audit and Governance Committee as from 1 July 2012 (see separate report on the agenda for the ordinary meeting of the Council on today's date), the following allocations will then apply:

Committee	No. of Seats	Controlling Group	Opposition
Planning	8	5	3
General Licensing	13	7	6
Audit and Governance	8	5	3
Totals:	29	17	12

2.5 **Scrutiny Committee.** This committee is not listed above as although the political balance rules apply the calculation and allocation of seats is required to be done separately. The reason for this has to do with the legislation under which "Scrutiny and Overview" committees are constituted. Although there is provision for an 8 seat committee, recent practice has been to have 7 members. The current political proportions favours a 7 seat committee. (An 8 seat committee would require a 5/3 split.) The proposed allocation of seats in accordance with the rules is therefore as follows:-

No. of Seats	Controlling Group	Opposition
7	4	3

2.6 **Standards Committee.** This committee is not listed above as the political balance rules do not currently apply to councils' standards committees. The Council's constitution provides for both groups to be equally represented on this committee. This is in line with past government guidance on the establishment of standards committees. The committee has 6 seats for elected councillors and 3 for independent members. This committee will cease to operate in its present form as of 30 June 2012.

2.7 **Licensing Act Committee.** This committee is not listed above as the political balance rules do not apply. It is however politically balanced as a matter of local discretion. See the paragraph below as to committee membership numbers.

2.8 **General Licensing Committee and Licensing Act Committee.** The law requires there to be not less than 10 members and not more than 15 members of a Licensing Act Committee. The Council has previously agreed that the membership of both the Licensing Committees should be the same and that the same member should chair both committees. There is some benefit in being able to select members for sub-committees from as wide a pool as possible. The nominations made for this year assume a 13 member committee. Although there is provision for 5 members to be appointed as chairs of Licensing sub-committees, only 3 nominations have been made.

2.9 **Advisory Bodies**

Body	No. of Seats	Controlling Group	Opposition
Conservation Area Advisory Group	4 (or 3)	2	2 (or 1)
Downland Forum	4 (or 3)	2	2 (or 1)

In 2011/12 the Conservation Area Advisory Group had 4 members. Past Council practice has been to allow the opposition an equality of seats.

In 2011/12 the Downland Forum had 3 members and nominations have been made on the basis that this continues.

2.10 **Eastbourne Homes.** The established practice is that the non-executive directors on the board comprise 4 councillors (or exceptionally, another person with relevant experience).

2.11 **Other Task Groups and Boards.** So far as is possible, groups are recommended to retain existing membership so as to maintain continuity and allow members to continue or complete work already begun.

David Robinson
Local Democracy Manager

30 April 2012

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