
REPORT OF THE GOVERNANCE COMMITTEE

The Governance Committee met on 10 June 2009. Attendances:

Councillor Jones (Chairman)
Councillors Daniel, Reid, Rogers and Tidy

1 Appointments to Outside Bodies

1.1 The Committee has considered appointments to various outside bodies. 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 Appointments to other outside bodies will be dealt with by the Governance Committee at its meeting on 14 June.

1.3 The Committee **recommends** the County Council to -

☆ (1) appoint the following Members to serve on the Local Government Association's General Assembly and other Special Interest Groups:

General Assembly	Councillor Jones Councillor Glazier Councillor Reid; and Councillor Rogers
County Councils Network Executive Committee	Councillor Reid
Urban Commission	Councillor Simmons
Rural Commission	Councillor Stroude
Coastal Issues Special Interest Group	Councillor Thomas
Sussex Sea Fisheries Committee	Councillor Gadd Councillor Livings Councillor Thomas Councillor Rogers
South Downs Joint Committee	Councillor Elkin Councillor Lock Councillor St. Pierre Councillor Stroude
Conservators of Ashdown Forest	Councillor Barnes Councillor Bennett Councillor Reid

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	Councillor Stogdon Councillor St. Pierre Councillor Whetstone Mr M Cooper Mr Thornely-Taylor
Regional Flood Defence Committee	Councillor Thomas
South East Employers	Councillor Reid Councillor Webb Councillor Thompson
South East England Councils	Councillor Reid
Hastings and Bexhill Renaissance Ltd.	Councillor Barnes

(2) allocate the additional vote to which the County Council is entitled at the LGA General Assembly to Councillor Jones; and

(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 June 2009.

2 Appointment of Members to Committees, Sub-Committees, Panels and other bodies

2.1 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. Basically 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.

2.2 The allocation of places to party groups must, so far as 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) and (b) 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.

2.3 The number of Members belonging to each political group following the elections is:

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Conservative Group	-	29
Liberal Democrat Group	-	13
Labour Group	-	4
Independent Group	-	2
Independent Councillor	-	1

2.4 Expressed as a percentage, the proportional entitlement of committee, sub-committee, etc places of the four groups and the independent Member is as follows:

Conservative Group	-	59%
Liberal Democrat Group	-	27%
Labour Group	-	8%
Independent Group	-	4%
Independent	-	2%

2.5 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.

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

2.7 The total number of committee places to be allocated to County Councillors based on the structure set out in Appendix 1 would be 74. As the Conservative Group has more than half the seats on the Council it is entitled to a majority on all committees. After complying with that principle, to comply with the provision in paragraph 2.2 (c) above the total number of places allocated to each group must be as close as possible to the following figures:

Conservative Group	-	44
Liberal Democrat Group	-	20
Labour Group	-	6
Independent Group	-	3
Independent Councillor	-	1

2.8 Two of the three Independent Members of the Council have formed a Group. Based on the aggregate total, they are entitled to three seats and the other Independent Councillor is entitled to one as far as is practicable.

2.9 The Standards Committee has three Members and it is recommended that, as in previous years, one place is allocated to each of the main political groups.

2.10 The allocation of seats to the Governance Committee has been recommended 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 from the three main political groups.

2.11 Subject to the recommendations below, the table in Appendix 1 shows the ordinary committees and sub-committees, their total membership and the number of seats on each to which the main political groups will be entitled following the principles set out above.

2.12 The Governance Committee **recommends** the County Council to -

- ☆ (1) continue to waive the political balance for the Standards Committee

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and allocate one place to each political group;

- (2) allocate to the political groups places (as set out in Appendix 1) on the
- (3) main committees and to appoint to those Committees the members nominated by the political groups (the names of members nominated will be circulated at the meeting).

(NB If there are nominations relating to appointments made in the Governance Committee's report that the political groups are unable to make by the time of the Council meeting, the appointments will be made by the Director of Law and Personnel under his delegated powers following receipt of nominations from the appropriate group.)

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. In relation to each panel, the Conservative Group will be entitled to a majority and the remaining places should, subject to that, 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 current committees and panels to which appointments will need to be made and their membership are listed below. (Their terms of reference are set out in section B of the Members' Handbook.)

- (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) Pension Fund Investment Panel (3 Members of the County Council)
- (d) Governors Panel (7 Members of the County Council)
- (e) Education Standards Panel (5 Members of the County Council; 3 from the appropriate Scrutiny Committee, the Lead Member with responsibility for Education and one other Member)
- (f) County Consultative Committee (5 Members of the County Council one of whom should be the Lead Cabinet Member with responsibility for Education who chairs the Committee)
- (g) Joint Advisory Committee (Schools) (5 Members of the County Council of whom one should be the Lead Cabinet Member with responsibility for Education and another should be a Member of the Cabinet. Each political party is to be represented on the Committee).
- (h) Corporate Parenting Panel (7 Members of the County Council)

3.3 The Committee **recommends** the County Council to -

★ (1) allocate the places on the above committees and panels to political groups in accordance with the schedule in Appendix 2; and

(2) appoint to those committees and panels the Members nominated by the political groups.

4 Joint Committee to make appointments to the Sussex Police Authority

4.1 The Sussex Police Authority comprises 17 people, of whom 9 are Council Members appointed by a joint committee comprising representatives of the County Council, West Sussex County Council and Brighton & Hove City Council.

4.2 The joint committee making appointment to the Sussex Police Authority for the two year period is meeting on 10 July and the County Council is recommended to appoint three Members to serve on the joint committee. The political balance provisions of the 1989 Act do not apply to appointments to the joint committee but authorities have previously based their appointments on these provisions. The political balance based on the table in Appendix 2, would, therefore, allow for two Conservative nominations and one Liberal Democrat.

4.3 The Committee **recommends** the County Council to appoint the following three Members to serve on the joint committee

Councillor Peter Jones
Councillor David Rogers
Councillor Bob Tidy

5 East Sussex Fire Authority

5.1 Responsibility for the Fire Service in East Sussex rests with East Sussex Fire Authority (ESFA) 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:

<u>Conservative</u>	<u>Liberal Democrat</u>	<u>Labour</u>
7	4	1

5.2 The Committee **recommends** the County Council to allocate places on the Fire Authority to political groups in accordance with the figures in paragraph 4.1 above and to appoint 12 Members to serve on the East Sussex Fire Authority.

PETER JONES
Chairman

10 June 2009

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APPENDIX 1

Committee	Number of seats	Conservative	Liberal Democrat	Labour	Independent Group (2)	Independent
Regulatory	18	10.6 (11)	4.9 (5)	1.4 (1)	0.7 (1)	0.4 (0)
Planning	7	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
Adult Social Care	7	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
Audit and Best Value Scrutiny	7	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
Children's Services Scrutiny	9	5.3 (5)	2.4 (2)	0.7 (1)	0.4 (1)	0.2 (0)
Community Services Scrutiny	7	4.1 (4)	1.9 (2)	0.6 (0)	0.3 (1)	0.1 (0)
Health Overview and Scrutiny	7	4.1 (4)	1.9 (2)	0.6 (0)	0.3 (0)	0.1 (1)
Transport and Environment Scrutiny	7	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
Governance	5	2.9 (3)	1.4 (1)	0.4 (1)	0.2 (0)	0.1 (0)
Total places	74	43	20	7	3	1

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

Committee size	Conservative	Liberal Democrat	Labour	Independent group	Independent group
3	1.7 (2)	0.8 (1)	0.2 (0)	0.1 (0)	0.1 (0)
4	2.4 (3)	1.1 (1)	0.3 (0)	0.2 (0)	0.1 (0)
5	2.9 (3)	1.3 (1)	0.4 (1)	0.2 (0)	0.1 (0)
6	3.5 (3)	1.6 (2)	0.5 (1)	0.2 (0)	0.1 (0)
7	4.1 (4)	1.9 (2)	0.6 (1)	0.3 (0)	0.1 (0)
8	4.7 (5)	2.2 (2)	0.6 (1)	0.3 (0)	0.2 (0)
9	5.3 (5)	2.4 (2)	0.7 (1)	0.4 (0)	0.2 (0)
10	5.9 (6)	2.7 (3)	0.8 (1)	0.4 (0)	0.2 (0)
11	6.5 (7)	3.0 (3)	0.9 (1)	0.4 (0)	0.2 (0)