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Council

Wednesday, 8th May, 2024 at 6.00 pm
Conference Room, Parkside, Chart Way, Horsham

To: All Members of the Council

(Please note that prayers will be taken by The Reverend Canon Lisa Barnett, Team Rector of Horsham, before the meeting commences)

You are summoned to the meeting to transact the following business

Jane Eaton
Chief Executive

Agenda

	Page No.
GUIDANCE ON COUNCIL PROCEDURE	
1. Apologies for absence	
2. To elect a Chairman of the Council for the ensuing year	
3. To move a vote of thanks to the retiring Chairman	
4. To appoint a Vice-Chairman of the Council for the ensuing year	
5. To receive any announcements from the Chairman of the Council or the Chief Executive	
6. Review of Political Balance and Allocation of Seats to Political Groups	7 - 10
To receive the report of the Monitoring Officer	
7. To appoint the Overview and Scrutiny Committee of the Council for the ensuing year	
To appoint Members to the Overview and Scrutiny Committee for the year in accordance with the Political Balance report (15 Members)	
Note: The Overview and Scrutiny Committee has the functions set out in Article 6 of the Council's Constitution	
Neither Cabinet Members nor the Chairman of the Council may be members of Overview and Scrutiny Committees	

8. Constitution of the Planning and Employment Committees

Note: Membership of the Planning and Employment Committees are constituted as set out in 10(a) and 10(b) below respectively rather than by political balance, in accordance with the Political Balance report

a) To appoint the Planning Committees of the Council and Members thereto for the year:

- (i) Planning Committee (North), all Ward Members for the area of the Committee, namely: Horsham (unparished area) and the parishes of Broadbridge Heath, Colgate, Itchingfield, Lower Beeding, North Horsham, Nuthurst, Rudgwick, Rusper, Shipley, Slinfold, Southwater and Warnham, with the exception of any Members who have opted out of the Committee for the municipal year, together with the Cabinet Member with responsibility for Development Management and the Chairman of the Planning Committee (South)
- (ii) Planning Committee (South), all Ward Members for the area of the Committee, namely: the parishes of Amberley, Ashington, Ashurst, Billingshurst, Bramber, Coldwaltham, Cowfold, Henfield, Parham, Pulborough, Shermanbury, Steyning, Storrington & Sullington, Thakeham, Upper Beeding, Washington, West Chiltington, West Grinstead, Wiston and Woodmancote, with the exception of any Members who have opted out of the Committee for the municipal year, together with the Cabinet Member with responsibility for Development Management and the Chairman of the Planning Committee (North)

b) To appoint the Employment Committee of the Council and Members thereto for the year: The Chairman of the Council, Leader of the Council and Leader of the Minority Group (3 Members) plus a pool of six non-voting Member co-optees

9. To appoint the ordinary Committees of the Council for the year

To appoint the following ordinary Committees of the Council, and the Members to those Committees, for the year in accordance with the Political Balance report

(a) Audit Committee (7 Members)

(b) Governance Committee (to include the Chairman of the Council, the Chairman of the Overview and Scrutiny Committee and one Member of the Cabinet) (9 Members)

(c) Licensing Committee (15 Members)

(d) Standards Committee (7 Members plus two Parish Council Representatives nominated by the Horsham Association of Local Councils (HALC) and two independent persons already co-opted)

10. To appoint Members to the Henfield Commons Joint Committee (3 Members of the Council)

To appoint two Members for the Henfield Ward and one Member for the Bramber, Upper Beeding & Woodmancote Ward

11. **Policy Development Advisory Groups**

To appoint up to 22 Members to each of the Cabinet Members' Policy Development Advisory Groups

12. **Ordinary meetings of the Council**

(a) To confirm the programme of ordinary meetings of the Council for the year, as follows:

Wednesday 5 June 2024
Wednesday 17 July 2024
Wednesday 16 October 2024
Wednesday 11 December 2024
Monday 24 February 2025
Wednesday 2 April 2025
Wednesday 23 April 2025 (Annual Meeting)

(b) To agree the time of ordinary meetings of the Council for the year

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GUIDANCE ON COUNCIL PROCEDURE

(Full details in Part 4a of the Council's Constitution)

<p>Addressing the Council</p>	<p>Members must address the meeting through the Chairman. When the Chairman wishes to speak during a debate, any Member speaking at the time must stop. The Chairman will decide whether he or she prefers Members to stand or sit when addressing the Council.</p>
<p>Minutes</p>	<p>Any comments or questions should be limited to the accuracy of the minutes only</p>
<p>Quorum</p>	<p>Quorum is one quarter of the whole number of Members. If there is not a quorum present, the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Chairman. If a date is not fixed, the remaining business will be considered at the next ordinary meeting.</p>
<p>Declarations of Interest</p>	<p>Members should state clearly in which item they have an interest and the nature of the interest (i.e. personal; personal & prejudicial; or pecuniary). If in doubt, seek advice from the Monitoring Officer in advance of the meeting.</p>
<p>Announcements</p>	<p>These should be brief and to the point and are for information only – no debate/decisions</p>
<p>Questions from the public (Notice must have been given in writing to the Chief Executive by 12.00 three working days before the meeting)</p>	<p>Directed to Leader, Cabinet Member or Chairman of an ordinary committee and relevant to the business of the meeting. 2 minutes in total to put the question. Appropriate Member to reply. Questioner may ask one supplementary question. Member to reply (max 2 minutes unless Chairman consents to a longer period). Overall time limit for questions of 15 minutes or six questions, whichever is greater. The questioner must be present. If a question cannot be dealt with at the meeting (lack of time or absence of relevant Member), a written reply to be given. No discussion but any Member may move that a matter raised by a question is referred to Cabinet or committee. If seconded, no discussion – vote taken.</p>
<p>Cabinet recommendations (see also rules of debate)</p>	<p>Leader/Cabinet Member presents and moves recommendation(s) – seconder required. Members may:</p> <ul style="list-style-type: none"> - ask a question on the item under consideration – max 2 minutes; and/or - make a statement – max 5 minutes.
<p>Questions from Members on Notice (Notice must have been given in writing to the Monitoring Officer by 12.00 two working days before the meeting)</p>	<p>These are directed to the Chairman, Leader, Cabinet Member or chairman of any committee:</p> <ul style="list-style-type: none"> - 2 minutes maximum for initial question - 2 minutes maximum for the response - 2 minutes maximum for a supplementary question - 2 minutes maximum for a response to the supplementary question - 5 minutes maximum for the questioner to make a final statement in response, if they wish - If an oral reply is not convenient (e.g. too lengthy) a written answer may be circulated later. <p>No discussion. Maximum of 30 minutes overall for questions and answers.</p>

<p>Rules of debate</p>	<p>The Chairman controls debate and normally follows these rules but Chairman's interpretation, application or waiver is final.</p> <ul style="list-style-type: none"> - No speeches until a proposal has been moved (mover may explain purpose) and seconded - Chairman may require motion to be written down and handed to him/her before it is discussed - Secunder may speak immediately after mover or later in the debate - Speeches must relate to the question under discussion or a personal explanation or a point of order (max 5 minutes) - A Member may not speak again except: <ul style="list-style-type: none"> o On an amendment o To move a further amendment if the motion has been amended since he/she last spoke o If first speech was on an amendment, to speak on the main issue (whether or not the amendment was carried) o In exercise of a right of reply. Mover of motion at end of debate on original motion and any amendments (may not otherwise speak on amendment). Mover of amendment has no right of reply. o On a point of order – must relate to an alleged breach of Council Procedure Rules or law. Chairman must hear the point of order immediately. The ruling of the Chairman on the matter will be final. o Personal explanation – relating to part of an earlier speech by the Member which may appear to have been misunderstood. The Chairman's ruling on the admissibility of the personal explanation will be final. - Amendments to motions must be to: <ul style="list-style-type: none"> o Refer the matter to an appropriate body/individual for (re)consideration o Leave out and/or insert or add others (as long as this does not negate the motion) - One amendment at a time to be moved, discussed and decided upon. - Any amended motion becomes the substantive motion to which further amendments may be moved. - A Member may alter a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - A Member may withdraw a motion that he/she has moved with the consent of the meeting and seconder (such consent to be signified without discussion). - The mover of a motion has the right of reply at the end of the debate on the motion (unamended or amended).
<p>Voting</p>	<p>Any matter will be decided by a simple majority of those voting, by show of hands or if no dissent, by the affirmation of the meeting unless:</p> <ul style="list-style-type: none"> - Two Members request a recorded vote - A recorded vote is required by law. <p>Any Member may request their vote for, against or abstaining to be recorded in the minutes.</p> <p>In the case of equality of votes, the Chairman will have a second or casting vote (whether or not he or she has already voted on the issue).</p>

Report to Council

Wednesday, 8 May 2024

By the Monitoring Officer

DECISION REQUIRED



**Horsham
District
Council**

Not Exempt

Review of Political Balance and Allocation of Seats to Political Groups

Executive Summary

The Local Government and Housing Act 1989 obliges local authorities to (i) review the representation of the political groups, and, (ii) determine the allocation of committee seats to achieve a political balance. This review has taken place following a change in the composition of the political groups, as a result of the two by-elections in February 2024.

Accordingly, paragraph 3 of this report contains a summary of the required review and determination.

Recommendations

That the Council is recommended:

- i) Note the membership of the political groups contained in paragraph 3.1
- ii) Note the allocation of committee seats to each political group as noted in paragraphs 3.2 – 3.6
- iii) Resolve that the Employment Committee and the two Planning Committees are not politically balanced

Reasons for Recommendations

To comply with the proportionality requirements contained in the Local Government and Housing Act 1989.

Background Papers

None

Wards affected: All

Contact: Aisha Nottage, Democratic Services and Elections Manager.

Background Information

1 Introduction and Background

- 1.1 This report fulfils the Council's duty to review and determine the allocation of committee seats to achieve political balance following a change in the composition of the political groups, as a result of the two by-elections in February 2024.

2 Relevant Council policy

- 2.1 It is a statutory requirement that the review and determination the subject of this report is undertaken.

3 Details

- 3.1 The composition of the Council by Group is as follows:

Political Group	Number of Seats	Proportion of seats on the Council
Liberal Democrats	27	56.25%
Conservatives	12	25%
Green	9	18.75%

- 3.2 The Overview and Scrutiny Committee seats are allocated on the basis of proportionality. The seats to be allocated are as follows:

	LD	CON	GR
Overview & Scrutiny Committee (15)	8	4	3

- 3.3 The political proportionality for the remaining committees is as follows:

	LD	CON	GR
Audit Committee (7)	4	2	1
Governance Committee (9)	5	2	2
Licensing Committee (15)	8	4	3
Standards Committee (7)	4	2	1

- 3.4 Following discussion between Group Leaders, the proposed allocation of seats to each committee is as above.

- 3.5 The membership of the Planning Committees is to be allocated geographically.

- 3.6 The membership of the Employment Committee is not to be politically balanced. The constitution requires that the Leader of the Council, the Chairman of the Council and the Leader of the Opposition Group are members to this committee, with 6 non-voting co-optees.

4 Next Steps

- 4.1 Once a determination of the allocation of the seats has taken place, the Council has a duty to exercise its power to make appointments as soon as practicable thereafter, and to give effect to such wishes about who is to be appointed to the seats allocated to a particular political group as are expressed by that group.

5 Views of the Policy Development Advisory Group and Outcome of Consultations

- 5.1 Group Leaders were consulted on the allocation of seats to the committees.

6 Other Courses of Action Considered but Rejected

- 6.1 None.

7 Resource Consequences

- 7.1 None.

8 Legal Considerations and Implications

- 8.1 The relevant legal implications have been incorporated in this report.
- 8.2 Otherwise, the allocation of committee seats, as far as reasonably practicable, must give effect to the following principles:
- a) that not all the seats on the body to which appointments are made are allocated to the same political group;
 - b) that the majority of seats on the body is allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership; and
 - c) Subject to (a) and (b) above, that the total number of seats on all the ordinary committees allocated to a particular political group reflects that group's proportion of the membership of the authority.

9 Risk Assessment

- 9.1 There are no risks associated with the content of this report.

10 Procurement implications

- 10.1 None

11. Equalities and Human Rights implications / Public Sector Equality Duty

11.1 None.

12 Environmental Implications

12.1 None.

13 Other Considerations

13.1 None.