

Public Document Pack

Southend-on-Sea Borough Council

Legal & Democratic Services

Strategic Director: John Williams

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5th June 2019

Dear Councillor

THE COUNCIL - MONDAY, 3RD JUNE, 2019

Please find enclosed, for consideration at the next meeting of The Council taking place on Monday, 3rd June, 2019, the following report that was unavailable when the agenda was printed.

Agenda Item No

5 Reallocation of appointments dealt with at the Council meeting on 16th May 2019 (Pages 1 - 4)

Report of the Strategic Director (Legal and Democratic Services) attached

Robert Harris
Principal Democratic Services Officer

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Southend-on-Sea Borough Council

Agenda
Item No.

5

Report of Strategic Director (Legal & Democratic Services)

to

Extraordinary Meeting of the Council

on

3 June 2019

Report prepared by: John Williams
Strategic Director (Legal & Democratic Services)

Reallocation of Appointments dealt with at Council on 16 May 2019

Part 1 (Public Agenda Item)

1. Purpose of Report

For the Council to:

- Note the current political make-up of the Council.
- Note any changes to the Cabinet and Cabinet Committee made by the Leader of the Council.
- Make any changes to the appointments agreed by the Council on 16 May 2019 (Lists C, D and E) if required.
- Make several minor amendments to the Constitution.

2. Recommendations

2.1 To note that following the Local Elections on 2nd May 2019 and a notice received from Councillor Keith Evans confirming he is now a non-aligned independent councillor, the political make-up of the Council is as follows:

- | | |
|---|-----------|
| • Conservative Group | 20 |
| • Labour Group | 14 |
| • Independent Group | 10 |
| • Liberal Democrat Group | 5 |
| • Non-aligned independents (Cllrs Aylen and K. Evans) | <u>2</u> |
| | <u>51</u> |

2.2 To note any changes to the numbers, titles and responsibilities of Cabinet Members made by the Leader of the Council (such changes will be reflected in an amendment to Schedule 1(a) of Part 3 to the Constitution).

2.3 To note any changes to the Cabinet and Cabinet Committee made by the Leader of the Council.

2.4 To agree any changes to the appointments agreed by the Council on 16 May 2019 (Lists C, D and E) if required.

- 2.5 To agree the following minor Constitutional amendments at the request of Councillor Gilbert in the event that he becomes the Leader of the Council:
- (a) That the size of the Traffic Regulations Working Party be increased from 8 to 12 (comprising the 3 Cabinet Members who sit on the Cabinet Committee and 9 councillors who are not Cabinet Members) – 5:3:3:1.
 - (b) That the membership of the Senior Managers’ Pay Panel be adjusted so that it includes “The Leaders of the 2 largest Opposition Groups (or the Leader and one other member of the Opposition Group)”.
 - (c) Children’s Service Improvement Plan Scrutiny Panel - Increase the number of members from 5 to 6 - 2:2:1:1.

3. Background

- 3.1 This Extraordinary meeting of the Council has been called to consider the 3 matters set out in agenda items 3, 4 and 5 namely:

1. Removal of the Leader of the Council.
2. Appointment of new Leader of the Council.
3. Reallocation of Appointments dealt with at the Council meeting on 16th May 2019.

- 3.2 If the current Leader remains in post, then agenda item 4 will not need to be considered.

However, it will still be necessary for some changes to be made to the appointments dealt with at Council on 16th May 2019 (agenda item 5), not least because a notice under Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990 has been received from Councillor Keith Evans confirming that he is now a non-aligned independent councillor. While this notice does not trigger a review of proportionality under Regulation 17, the effect of the Notice is that Councillor Keith Evans loses his places on the committees, working parties and outside bodies to which he was appointed by the Council on 16 May 2019. The Independent Group is able to nominate representatives to fill these vacant positions.

Furthermore, there may be a need to make other changes to the appointments dealt with at Council on 16th May 2019.

- 3.3 If a new Leader is appointed, then he or she will need to decide whether to make any changes to the numbers, titles and responsibilities of Cabinet Members.

The new Leader will also need to appoint a Deputy Leader, the other Cabinet Members and the members of the Cabinet Committee.

Details of such changes (which are entirely a matter for the Leader) will be circulated at the earliest opportunity, together with a copy of any Joint Administration Agreement which has been made public.

It will also be necessary for some changes to be made to the appointments dealt with at Council on 16th May 2019 (agenda item 5), even though there is no change in the political proportionality calculation.

For example:

- Changes will be needed to the chairs and vice chairs of the Scrutiny Committees as they must come from opposition groups.
- New Cabinet Members cannot sit on Scrutiny Committees and current Cabinet Members may well wish to be appointed to Scrutiny Committees.
- Changes will be needed to the chairs and members of certain working parties and forums e.g. where a Cabinet Member must be the chair e.g. the Traffic Regulations Working Party must include Cabinet Committee members.
- The Council's appointee to certain outside bodies must come from the Cabinet.

Draft Lists C, D and E were circulated to the Group Leaders on 22 May 2019 so they could plan for this eventuality – and revised Lists will be circulated at or before the Extraordinary Council meeting.

It will be for the Council to agree these revised Lists C, D and E in accordance with the wishes of the Political Groups.

In the event of there being more than one candidate for a particular post, then voting will be carried out in the normal way.

3.4 Councillor Gilbert has asked that the following minor Constitutional amendments be made in the event that he becomes the Leader of the Council:

(a) That the size of the Traffic Regulations Working Party be increased from 8 to 12 (comprising the 3 Cabinet Members who sit on the Cabinet Committee and 9 councillors who are not Cabinet Members) – 5:3:3:1.

(b) That the membership of the Senior Managers' Pay Panel be adjusted so that it includes "The Leaders of the 2 largest Opposition Groups (or the Leader and one other member of the Opposition Group)".

(c) Children's Service Improvement Plan Scrutiny Panel - Increase the number of members from 5 to 6 - 2:2:1:1.

4. Background Papers

None

5. Appendices

None

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