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Southend-on-Sea Borough Council

Department of the Chief Executive

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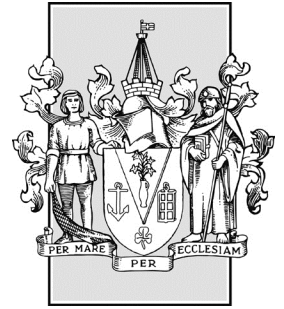
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Dear Councillor

THE COUNCIL - THURSDAY, 15TH JUNE, 2017

Please find enclosed, for consideration at the next meeting of the The Council taking place on Thursday, 15th June, 2017, the following report(s) that were unavailable when the agenda was printed.

Agenda No Item

3 Changes to Membership of Committees, etc as a result of the Shoeburyness By-Election (Pages 1 - 10)

Report of the Director of Legal & Democratic Services attached

Robert Harris
Principal Democratic Services Officer
Southend Borough Council

Southend-on-Sea Borough Council

Report of Director of Legal and Democratic Services
to
Council
on
15th June 2017

Report prepared by: John Williams
Director of Legal & Democratic Services

Agenda
Item No.

3

Changes to Membership of Committees etc.

Part 1 - Public Agenda Item

1. Purpose of Report

For the Council to agree minor changes to appointments to Committees, Working Parties and one outside body as a result of the Shoeburyness by-election and a change to the Labour Group on the Council.

2. Recommendations

2.1 To note that as a consequence of the Independent Group holding Shoeburyness in the by-election held on 25 May 2017 and Councillor McMahon giving notice to the Acting Chief Executive that she no longer wishes to be treated as a member of the Labour Group on the Council, the political make-up of the Council is as follows:

- Conservative Group – 27
- Independent Group – 11
- Labour Group – 9
- Liberal Democrat Group – 2
- Non-aligned – 2 (Councillors Aylen and McMahon)

2.2 To agree the changes to the membership of Committees for the remainder of the municipal year 2017/18, as set out in revised List C at **Appendix 1**

2.3 To agree that on the Cultural, Tourism and Events Working Party and the Southend Business and Tourism Partnership, Councillor Borton will replace Councillor McMahon at the Labour Group's request.

2.4 To agree that the Council's representatives on the Essex Fire Authority for the remainder of municipal year 2017/18 shall be Councillors Evans, Holland and Woodley and their substitutes shall be Councillors Folkard, Moyies and Terry respectively.

3. Background

3.1 On the 25 May 2017 Councillor Chalk was elected to the Council in the Shoeburyness by-election. The vacancy arose as a consequence of the sad death of Councillor Mike Assenheim.

Formal notification has been received confirming that Councillor Chalk is a member of the Independent Group on the Council and this situation triggers the requirement to recalculate political proportionality.

This in turn results in the need to make some minor changes to the membership of several Committees, Working Parties and one outside body - see section 3.4 below.

- 3.2 On 9th June 2017 Councillor McMahon gave formal notice to the Acting Chief Executive pursuant to Regulation 10(b) of the Local Government (Committees and Political Groups) Regulations 1990 that she no longer wishes to be treated as a member of the Labour Group on the Council with immediate effect.

While this notice does not in itself trigger a requirement to recalculate political proportionality, this task has already been undertaken for other reasons as set out in section 3.1. The fact that the Labour Group now has 9 members has been duly reflected in the recalculation.

- 3.3 As a consequence of the events set out in sections in 3.1 and 3.2 above, the political make-up of the Council is now as set out in recommendation 2.1

- 3.4 In terms of places on relevant Committees, Sub-Committees, Working Parties, Panels and outside bodies for municipal year 2017/18, these were previously agreed at the Appointments Council held on 18 May 2017 and generally reflected the wishes of the political groups in the context of the political proportionality rules.

The events set out in sections in 3.1 and 3.2 above necessitate the Council agreeing minor changes for the remainder of the municipal year 2017/18 in accordance with the political proportionality rules. The changes are as follows:

- (a) A revised List C (showing Appointments to Committees) is attached to this report as **Appendix 1**:

- The changes are shown in bold and underlined;
- This revised List C reflects the wishes of the political groups in the context of the political proportionality rules;
- There are no changes proposed to chairs or vice chairs of Committees. However the Leader of the Labour Group has given an assurance that Councillor Nevin will stand down as Chair of the People Scrutiny Committee on 14 December 2017, to be replaced by another opposition group member; and
- The 4 Committee places remaining (after allocating places to the 4 political groups under the political proportionality rules) must be allocated to the two Members who are not members of any political group ("Non-aligned Members"). Two of the places are shown allocated to Councillor McMahon. However, Councillor Aylen has confirmed that he wants his two places on Appeals Committees A and B to be reallocated. The Conservative Group has nominated two of its Members to fill the vacancies, which will result in a non-proportional arrangement. If such arrangement was wanted, then this would have to be agreed by the

Council with no-one voting against (see S.17(1) of the Local Government and Housing Act 1989 and Regulation 20 of the Local Government (Committees and Political Groups) Regulations 1990). In the absence of such unanimity, these 2 Committee places would remain with Councillor Aylen.

- (b) A change is required to the Council's representation on the Essex Fire Authority. The law requires Member representation to be politically proportional. The Council nominates 3 Members, so representation must be 2 Conservative and 1 Independent. In addition, substitutes must come from the same political group. The nominees put forward for the Council to agree are Councillors Evans, Holland and Woodley and their substitutes shall be Councillors Folkard, Moyies and Terry respectively.
- (c) It is important to note that no other changes are required to Sub-Committees, Working Parties, Panels etc. or to any of the other outside bodies to which the Council makes appointments. These will remain as agreed by Council on 18 May 2017.

4. Background Papers

None

5. Appendices

Appendix 1 – Revised List C (Appointments to Committees) for the remainder of municipal year 2017/18.

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**SCRUTINY AND REGULATORY COMMITTEES
AND LICENSING SUB-COMMITTEE C
PLUS COUNCIL COMMITTEES (AUDIT AND STANDARDS)**

**POLICY & RESOURCES SCRUTINY COMMITTEE
(No Executive Councillors)**

Party	Members	Total 17	Substitutes
CON	Bernard Arscott David Burzotta Nigel Folkard David Garston Meg Davidson Roger Hadley Georgina Phillips Chris Walker David McGlone	9	All
LAB	Ian Gilbert <u>David Norman MBE</u> Charles Willis	3	All
IND	Brian Ayling (Chair) Derek Kenyon (Vice Chair) Mike Stafford	3	All
LD	Peter Wexham	1	Carole Mulroney
Non- Aligned	<u>Judith McMahon</u>	1	n/a

**PEOPLE SCRUTINY COMMITTEE
(No Executive Councillors)**

Party	Members	Total 17+7	Substitutes
CON	Bernard Arscott Steve Buckley Helen Boyd Alex Bright Maureen Butler David Garston Stephen Habermel Georgina Phillips Chris Walker	9	All (Except Meg Davidson as Council appointed representative on Essex Partnership University NHS Foundation Trust)
LAB	Margaret Borton Anne Jones Cheryl Nevin (Chair)	3	All
IND	<u>Anne Chalk</u> Caroline Endersby Lawrence Davies (Vice Chair) Mike Stafford	4	
LD	Carole Mulroney	1	Peter Wexham
	Co-opted Members: Church of England Diocese – Mrs Emily Lusty (Voting on Education matters only) Roman Catholic Diocese – VACANCY (Voting on Education matters only)	7	

<p>Parent Governors –</p> <p>(i) Mr Mark Rickett (Voting on Education matters only)</p> <p>(ii) VACANT (Voting on Education matters only)</p> <p>SAVS – Alison Semmence (Non-Voting)</p> <p>Healthwatch Southend – Leanne Crabb (Non-Voting)</p> <p>Southend Carers Forum – VACANCY(Non-Voting)</p> <p><u>Observers:</u> Youth Council</p> <p>(i) Edward Feddon (Non-voting)</p> <p>(ii) Nadia Ahmed (Non-Voting) (Substitute: VACANT)</p>	2	
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PLACE SCRUTINY COMMITTEE
(No Executive Councillors)

Party	Members	Total 17+7	Substitutes
CON	David Burzotta Helen Boyd Alex Bright Jonathan Garston Nigel Folkard Stephen Habermel Derek Jarvis James Moyies David McGlone	9	All
LAB	Helen McDonald Kevin Robinson (Chair) Julian Ware-Lane	3	All
IND	Derek Kenyon Martin Terry Nick Ward Tino Callaghan	4	All
LD	Peter Wexham (Vice Chair)	1	Carole Mulroney

APPEALS COMMITTEE (A)
(No Executive Councillors)

Party	Members	Total 7	Substitutes
CON	<u>Maureen Butler</u> Steve Buckley Roger Hadley Stephen Habermel (Vice-Chair) Chris Walker (Chair)	5	All
LAB	Anne Jones	1	All
IND	Brian Ayling	1	All

APPEALS COMMITTEE (B)
(No Executive Councillors)

Party	Members	Total 7	Substitutes
CON	Helen Boyd Nigel Folkard (Vice Chair) David Garston David McGlone Georgina Phillips (Chair)	5	All
LAB	Margaret Borton	1	All
IND	Derek Kenyon	1	All

THE APPOINTMENTS AND DISCIPLINARY COMMITTEE

(*Note: When agenda includes appointment of, or disciplinary action against, the Head of Paid Service, Deputy Chief Executive or Director, the relevant Executive Councillor should be a Member of the Committee.)

NOTE: The maximum number of Cabinet Members is 3

Party	Members	Total 7	Substitutes
CON	Nigel Folkard Ann Holland (Vice Chair) John Lamb (Chair) Lesley Salter	4	All
LAB	Ian Gilbert	1	All
IND	Martin Terry Ron Woodley	2	All

DEVELOPMENT CONTROL COMMITTEE

Party	Members	Total 17	Substitutes
CON	Bernard Arscott Helen Boyd Steve Buckley David Garston (Vice Chair) Jonathan Garston Nigel Folkard Roger Hadley Chris Walker Floyd Waterworth (Chair)	9	All
LAB	Margaret Borton Helen McDonald David Norman MBE	3	All
IND	Paul Van Looy Brain Ayling Nick Ward Tino Callaghan	4	All
LD	Carole Mulroney	1	Peter Wexham

GENERAL PURPOSES COMMITTEE

Party	Members	Total 9	Substitutes
CON	Alex Bright (Chair) Jonathan Garston (Vice Chair) James Moyies Georgina Phillips Chris Walker	5	All
LAB	Kevin Robinson	1	All
IND	Caroline Endersby Derek Kenyon	2	All
Non- Aligned	<u>Judith McMahon</u>	1	n/a

LICENSING COMMITTEE

Party	Members	Total 15	Substitutes
CON	Steve Buckley Maureen Butler Nigel Folkard Stephen Habermel Roger Hadley (Chair) Derek Jarvis David McGlone (Vice Chair) Georgina Phillips	8	All
LAB	Margaret Borton Helen McDonald Julian Ware-Lane	3	
IND	Brian Ayling Derek Kenyon Tino Callaghan	3	All
LD	Carole Mulroney	1	Peter Wexham

LICENSING SUB-COMMITTEES A AND B

To be drawn from the Members of Licensing Committee as required

LICENSING SUB-COMMITTEE C

Party	Members	Total 9	Substitutes
CON	Steve Buckley Maureen Butler Nigel Folkard Stephen Habermel (Vice Chair) Roger Hadley (Chair)	5	All
LAB	Margaret Borton Julian Ware-Lane	2	All
IND	Tino Callaghan Derek Kenyon	2	All

Note: Licensing Sub-Committee C to be proportional – but it is not reflected in the overall proportionality calculation for committees

COUNCIL COMMITTEES

AUDIT COMMITTEE (No Executive Councillors)

Party	Members	Total 9	Substitutes
CON	Alex Bright Helen Boyd (Vice Chair) Meg Davidson (Chair) James Moyies Georgina Phillips	5	All
LAB	Julian Ware-Lane Charles Willis	2	All
IND	Brain Ayling Martin Terry	2	All
	1 independent Co-opted member (Non-Voting): Mr Kash Pandya		

STANDARDS COMMITTEE

Party	Members	Total 9+4	Substitutes
CON	David Burzotta (Vice Chair) Maureen Butler Jonathan Garston (Chair) Derek Jarvis Floyd Waterworth	5	All
LAB	Ian Gilbert Julian Ware-Lane	2	All
IND	Martin Terry Caroline Endersby	2	All
	2 Leigh-on-Sea Town Council nominees(Non-Voting): Cllr Caroline Parker	2	
	2 Independent persons: J Tetley and J Morgan (Observers).	2	

NB: Standards Committees complies with the requirements of the LOCALISM ACT 2011.

HEALTH AND WELLBEING BOARD

(The Chairman shall be the Leader or such other Executive Councillor as he shall appoint)

(Note: The Membership should include the Executive Councillor with the responsibility for Health. Members of the People Scrutiny Committee / the Scrutiny Committee with the responsibility for Health Scrutiny should not be appointed to the Board)

Party	Members	Total 6	Substitutes
CON	Meg Davidson James Moyies John Lamb Lesley Salter (Chair)	4	All
LAB	Charles Willis	1	All
IND	Ron Woodley	1	All

JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE

(With Essex and Thurrock to review proposed changes to the provision of specialised urological cancer surgery.)

Party	Members	Total 2	Substitutes
CON	Helen Boyd	1	
LAB/IND	Cheryl Nevin	1	

JOINT HEALTH OVERVIEW & SCRUTINY COMMITTEE

*(With Essex and Thurrock to review proposed changes to the **PET CT scanner service in south east Essex**).*

Note: Members appointed should be Members of People Scrutiny Committee / the Scrutiny Committee with responsibility for health scrutiny.

Party	Members	Total 2	Substitutes
CON	Stephen Habermel	1	
LAB	Cheryl Nevin	1	