

Report to: Council

Date of Meeting 24<sup>th</sup> February 2021

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



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## Changes to governance arrangements

### Report summary:

This report is necessary to address changes to the political balance and committee allocations arising from Cllr Hookway leaving the Independent Progressive Group and joining the Democratic Alliance Group and Cllr McLauchlan resigning as a councillor. In addition it corrects a couple of inconsistencies following the Council's agreement to the makeup of the Panels, Forums and Joint and Outside Bodies and the subsequent appointments to them.

### Recommendation:

That Council agrees;

1. The revised political balance and number of seats for the political groups as set out in the table at paragraph 3;
2. The change in committee seats reflecting that the Independent Progressive lose seats on the Audit & Governance, Overview and Licensing & Enforcement Committees. The seats on the Audit & Governance and Licensing & Enforcement go to the Democratic Alliance Group while the Overview Committee seat goes to the Conservative Group;
3. The revisions to the Committee appointments and the appointment of the Chair and Vice Chair of Overview Committee be as detailed in paragraph 6;
4. The revisions to the makeup / appointments to the Panels, Forums and Joint Bodies as detailed in paragraph 7;
5. Note that Cllr Joe Whibley will continue as this Council's representative on the Devon Rail Forum (formerly the Devon and Exeter Rail Working Party);

### Reason for recommendation:

To ensure that the Council's governance arrangements are up to date and appropriate.

Officer: Henry Gordon Lennox, Monitoring Officer

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Portfolio(s) (check which apply):

- Climate Action
- Coast, Country and Environment
- Council and Corporate Co-ordination
- Democracy and Transparency
- Economy and Assets
- Finance
- Leisure, Sport and Tourism

- Strategic Planning
- Sustainable Homes and Communities

**Financial implications:**

There are no direct financial implications from the recommendations of this report.

**Legal implications:**

The legal position is as detailed in the report.

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Low Risk;

**Links to background information** None

Link to [Council Plan](#):

Priorities (check which apply)

- Outstanding Place and Environment
- Outstanding Homes and Communities
- Outstanding Economic Growth, Productivity, and Prosperity
- Outstanding Council and Council Services

**Report in full**

1. Under Section 15 of the Local Government and Housing Act 1989 it is necessary for the Council to review the political balance and committee allocations if there is a change in the political composition of the Council. Cllr Hookway has joined the Democratic Alliance Group and Cllr McLauchlan has resigned as a councillor. In the absence of being able to hold a by-election to replace Cllr McLauchlan until May it is necessary to review the political balance and committee allocations on the basis that there is vacancy and therefore only 59 councillors.
2. This report also seeks to address a couple of inconsistencies arising following the Council's agreement to the makeup of the Panels, Forums and Joint and Outside Bodies and the subsequent appointments to them.

Political balance

3. As a consequence of Cllr Hookway joining the Democratic Alliance Group from the Independent Progressive Group and Cllr McLauchlan resigning there is a change to the political balance. The revised balance and committee seat numbers is detailed in the table below and it is the view of the Monitoring Officer that this meets the requirements as far as reasonably practicable;

Democratic Alliance group	24 members	41%	47 seats
Conservative group	20 members	34%	39 seats
Independent Progressive Group	5 members	9% (rounded up)	11 seats
The Independents	5 members	8% (rounded down)	10 seats
Cranbrook Voice	3 members	5%	6 seats
Independent	2 members	3%	0 seats
<b>Totals</b>	<b>59</b>	<b>100</b>	<b>113</b>
Vacancies	1		

4. In essence the Independent Progressive Group lose three seats and the Democratic Alliance Group gain two seats and Conservative Group gain one seat. The Democratic Alliance Group seats are on the Audit & Governance and Licensing and Enforcement Committee, while the Conservative Group seat is on the Overview Committee.

Committee appointments

5. Cllr Hookway has replaced Cllr Bailey on Cabinet (with some revisions to portfolio responsibilities). Aside from the change to the committee numbers as a consequence of the change in political balance, as Cllr Hookway has left the Independent Progressive Group, those seats need to be reallocated to members within that Group. Necessarily Cllr Hookway can no longer Chair the Overview Committee. The intention is for Cllr Johns to replace Cllr Hookway as Chair but that then necessitates a new Vice Chair appointment.
6. Having discussed with the relevant Group Leaders as appropriate, the following is proposed;
- a. Cllr Johns to be appointed as the Chair of the Overview Committee.
  - b. Cllr King to be appointed as the Vice Chair of the Overview Committee.
  - c. Cllr Hookway to be appointed by the Democratic Alliance Group to the Audit & Governance Committee and Cllr Manley to be appointed to Licensing and Enforcement.
  - d. Cllr Key to be appointed by the Conservatives to the Overview Committee.
  - e. Cllr Bailey to be appointed as the Independent Progressive Group member on Strategic Planning Committee and Interviewing Chief Officers Committee to replace Cllr Hookway on those committees.
  - f. Cllrs Pratt and Bailey to be appointed to the Strategic Planning Committee and Planning Committee respectively to replace Cllr McLauchlan who was on these committees.

Panels, Forums, Joint Bodies

7. Following Council agreeing the makeup of the Panels, Forums, Joint Bodies and making appointments to them and the Outside Bodies there are some changes required to pick inconsistencies and necessary corrections. The required changes are detailed in the table below;

<b>Body</b>	<b>Change</b>	<b>Reason</b>
Member Development Working Party	Member Champion for Mental Health to be added.	To replace deletion of one of the portfolio positions and to involve the Member Champion in Member Development work
Exmouth Queens Drive Delivery Group	Deputy Leader is removed as a member. Portfolio Holder for Leisure, Tourism and Sport added and shall Chair the group. Cllr De Saram to replace Cllr Hookway as one of the Exmouth Littleham representatives.	Deputy Leader is already a member by virtue of being the Portfolio Holder for Economy & Assets. Cllr De Saram is the only Exmouth Littleham representative not on the group.
Local Joint Panel	Cllr Loudoun to be replaced with Cllr Hayward.	Portfolio Holder for Council and Corporate Co-Ordination is on the Panel but Cllr Loudoun appointed.
STRATA Joint Scrutiny Committee	Cllr Hookway replaced with Cllr Jeffery	Cllr Hookway cannot sit on the Strata Joint Scrutiny Committee.

Designated Person	Cllr Hall to be replaced with Cllr De Saram.	Cllr Hall is conflicted due to being on Housing Review Board.
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Outside bodies

8. Following Council agreeing the appointments to the Outside Bodies there is one change to reflect a change in circumstances. The Devon and Exeter Rail Working Party has changed its name to the Devon Rail Forum and reduced East Devon's representation from two seats to one. The current appointees are Cllr Joe Whibley and Cllr Bruce De Saram. Cllr Bruce De Saram has agreed to step down from this position leaving Cllr Joe Whibley to be continue as the sole representative.