

Borough of Gosport

Notice is hereby given that the ANNUAL MEETING of the COUNCIL OF THE BOROUGH OF GOSPORT will be held in the BALLROOM of the THORNGATE HALLS, BURY ROAD, GOSPORT on WEDNESDAY NEXT the SIXTEENTH DAY OF MAY 2007 at 11AM AND ALL MEMBERS OF THE COUNCIL ARE HEREBY SUMMONED TO ATTEND TO CONSIDER AND RESOLVE THE FOLLOWING BUSINESS —

- 1. To receive apologies from Members for their inability to attend the Meeting.
- 2. To elect from among the Councillors of the Borough a Mayor of the Borough of Gosport to serve for the Municipal Year 2007/2008.
- 3. The best thanks of the Council be accorded to the retiring Mayor and Mayor's Escort for their services during the past Municipal Year.
- 4. To elect from among the Councillors of the Borough a Deputy Mayor of the Borough of Gosport to serve for the Municipal Year 2007/2008.
- 5. To award Citizen of the Year and Young Citizen of the Year Certificates and medallions to persons who have provided eminent services to the Borough.
- 6. Adjournment of Meeting

(Until 6pm on Thursday, 17 May 2007 at the Town Hall, Gosport).

7. To confirm the Minutes of the Ordinary and Extraordinary Meetings of the Council held on 4 and 19 April 2007 (copy herewith).

8. To receive, consider and pass such resolutions as the Council shall deem expedient on the Mayor's Communications (if any).

9. To receive Deputations in accordance with Standing Order No 3.5 and to answer Public Questions pursuant to Standing Order No 3.6, such questions to be answered orally during a time not exceeding 15 minutes.

(NOTE: Standing Order No 3.5 requires that notice of a Deputation should be received by the Borough Solicitor NOT LATER THAN 12 O'CLOCK NOON ON MONDAY, 14 MAY 2007 and likewise Standing Order No 3.6 requires that notice of a Public Question should be received by the Borough Solicitor NOT LATER THAN 12 O'CLOCK NOON ON MONDAY, 14 MAY 2007).

10. Questions (if any) Pursuant to Standing Order No 3.4

(NOTE: Members are reminded that Standing Order No 3.4 requires that Notice of Question pursuant to that Standing Order must be received by the Borough Solicitor NOT LATER THAN 12 O'CLOCK NOON ON TUESDAY, 15 MAY 2007).

11. Notice of Motion

In accordance with Standing Order 3.3 the following Notice of Motion has been received:

Councillor Chegwyn -

"This Council congratulates Councillor Peter Edgar on his 25 years as an elected Borough Councillor and thanks him for his service to the Borough and people of Gosport over that period"

12. New Model Code of Conduct

To consider the report of the Borough Solicitor (copy herewith)

13. Review of Council Boards, Sub-Boards and Committees and Determination of Allocation of Seats

To consider the report of the Borough Solicitor (copy herewith).

- 14. To appoint the Chairman of the Policy and Organisation Board pursuant to the Council's Standing Orders.
- 15. (a) To appoint the Boards, Nominated Deputies for the Regulatory and Licensing Boards, Overview and Scrutiny Committee and Standards and Governance Committee. Please refer to provisional list (copy herewith).
 - (b) To appoint Sub-Boards, Working Groups and Board Outside Bodies. Please refer to provisional list (copy herewith).
 - (c) To appoint Council Outside Bodies. Please refer to provisional list (copy herewith).

IAN LYCETT CHIEF EXECUTIVE

TOWN HALL GOSPORT

08 May 2007

NOTE: (1) MEMBERS ARE REQUESTED TO NOTE THAT IF THE COUNCIL WISHES TO CONTINUE ITS BUSINESS BEYOND 9.30PM THEN THE MAYOR MUST MOVE SUCH A PROPOSITION IN ACCORDANCE WITH STANDING ORDER 4.11.18.

Board/Committee:	Adjourned Annual Council	
Date of meeting:	17 May 2007	
Title:	New Model Code of Conduct	
Author:	Borough Solicitor and Monitoring Officer	
Status:	FOR DECISION	

<u>Purpose</u>

To advise Council on the New Model Code of Conduct and of the Standards and Governance Committee's recommendation that the Model be adopted without amendment.

Recommendation

That Council adopt the New Model Code of Conduct without amendment and that the Ten Principles of Local Government Conduct are a non-enforceable annex to the Code.

1. Report

- 1.1 At its meeting on 23 April 2007, the Standards and Governance Committee considered a report from the Borough Solicitor and Monitoring Officer (Appendix 1).
- 1.2 The Committee agreed the recommendations to Council as contained in the report.

2. Risk assessment

2.1 The Council should make a decision as soon as possible on this matter to avoid uncertainty over what standards are expected from Members. To minimise the risk of any challenge it is sensible to adopt the New Model Code.

Financial Services comments:	There are no direct financial implications	
Legal Services comments:	Contained in Appendix 1 to this report	
Service Improvement Plan	None	
implications:		
Corporate Plan:		
Risk Assessment:	Refer to paragraph no. 2	
Background papers:	Previous reports to Committee	
Appendices:		
Appendix 1	Borough Solicitor and Monitoring Officer's report to Standards and Governance Committee dated 23 April 2007.	

Board/Committee:	Standards and Governance Committee
Date of meeting: 23 April 2007	
Title:	New Model Code of Conduct
Author:	Borough Solicitor and Monitoring Officer
Status:	FOR RECOMMENDATION TO COUNCIL

Purpose

To advise the Committee on the New Model Code of Conduct and recommend the adoption of the Model without amendment.

Recommendation

That the Standards and Governance Committee recommends that Council adopt the New Model Code of Conduct without amendment and that the Ten Principles of Local Government Conduct are a non-enforceable annex to the Code.

1. Background

- 1.1 Members will recall that earlier this year consultation was undertaken by the Department for Communities and Local Government on revisions to the Model Code of Conduct.
- 1.2 The DCLG have now made the necessary regulations and a New Model Code of Conduct was issued on 2 April 2007. A copy of the New Code is appended to this report.

2. Report

- 2.1 The main provisions of the New Model Code are set out below.
- 2.2 **Paragraph 1** of the Code provides that the Code applies to any member of an authority and that it is the responsibility of each member to comply with the Code.
- 2.3 **Paragraph 2** of the Code provides that the Code applies whenever a member is acting in his or her official capacity, and in relation to conduct in a member's private capacity the code only applies where such conduct has resulted in a criminal conviction. Additionally, where a member is acting as a representative of his or her authority, he or she must continue to observe the authority's code, unless he or she is subject to another relevant authority's code, or unless (in relation to any other body) it conflicts with any other legal obligations.
- 2.4 Paragraph 3 of the Code provides that members must treat others with respect and not do anything which may cause their authority to breach equality legislation, or which compromises the impartiality of those who work for the authority or bully anyone or intimate persons involved in code of conduct cases.

- 2.5 **Paragraph 4** of the Code provides that members must not without consent disclose confidential information they have acquired and must not prevent others from gaining access to information to which they are entitled.
- 2.6 **Paragraph 5** of the Code provides that a member must not conduct himself or herself in a manner which could bring his or her authority into disrepute.
- 2.7 Paragraph 6 of the Code provides that a member must not use his or her position improperly to gain an advantage or confer a disadvantage and that when using or authorising the use of the authority's resources, he or she must act in accordance with the authority's reasonable requirements, must not permit those resources to be used for political purposes and must have regard to the Local Authority Code of Publicity.
- 2.8 **Paragraph 7** of the Code provides that a member must have regard to advice given by the chief finance officer and monitoring officer and must give reasons for decisions made.
- 2.9 **Paragraph 8** of the Code provides a list of matters which constitute a personal interest.
- 2.10 **Paragraph 9** of the Code provides that generally a member with a personal interest in any business of his or her authority must disclose that interest at any meeting at which the business is considered.
- 2.11 Paragraph 10 of the Code provides that generally a member with a personal interest also has a prejudicial interest if the interest could be regarded by a member of the public as so significant that it is likely to prejudice his or her judgement of the public interest. The paragraph provides that in specified circumstances a member may regard himself as not having a prejudicial interest.
- 2.12 **Paragraph 11** of the Code provides that a member who was involved in making a decision or taking action on a matter must not be involved in the overview and scrutiny committee's consideration of that decision or action.
- 2.13 **Paragraph 12** of the Code provides that a member with a prejudicial interest must, unless, for example, he or she is making representations and members of the public are also allowed to make representations on that matter, or he or she has obtained a dispensation, withdraw from any meetings at which the business is being considered, and must not improperly influence decisions in relation to the business.
- 2.14 **Paragraph 13** of the Code provides that a member must notify the monitoring officer of his or her personal interests and any change to those interests must also be notified.
- 2.15 **Paragraph 14** of the Code provides that a member may notify the monitoring officer of any sensitive information the availability of which to

the public creates, or is likely to create, a serious risk that the member or a person who lives with him or her may be subjected to violence or intimidation

Statutory Requirements

- 2.16 The Council now has to decide whether or not it wishes to adopt the New Model Code with or without amendments. The Council must make this decision by 1 October 2007. If they have not made a decision by that date then they are treated as having adopted the Model Code without amendment. Once the Council has made their decision I have to notify the Standards Board.
- 2.17 The Standards Board have advised that to facilitate implementation, ensure consistency across authorities and assist members to understand the revised Code, they strongly recommend Councils adopt the revised Code at their first opportunity and without amendment. In their view this will give certainty to members and the public as to what standards are expected, ensure consistency throughout England, and minimise the legal risk of the Council adopting additional provisions which are unenforceable. They also recommend that the Council consider adopting the ten General Principles as a non-enforceable preamble or annex to the Code to remind members and the public of the principles underlying the Code.
- 2.18 The Standards Board will be publishing a general guide to the revised Code for members, hopefully to be available on their website from 3 May, with hard copies published and distributed shortly thereafter. They are also planning to produce a further range of training materials for local authorities to use to train their members on the revised Code, including a DVD which is scheduled to be distributed in July.

3. Risk assessment

3.1 The Council should make a decision as soon as possible on this matter to avoid uncertainty over what standards are expected from members. To minimise the risk of any challenge it is sensible to adopt the New Model Code.

4. Conclusion

- 4.1 The advice from the Standards Board appears reasonable and would enable the Council to focus on providing information and training on the New Model Code.
- 4.2 The guidance recently made available to members on Part 2 of the Code will need to be reviewed in the light of the Council's decision on this matter

Financial Services comments:	There are no direct financial implications	
Legal Services comments:	Contained in the report	
Service Improvement Plan	None	
implications:		
Corporate Plan:		
Risk Assessment:	Refer to paragraph no. 3	
Background papers:	Previous reports to Committee	
Appendices:		
Appendix A	The Model Code of Conduct	

SCHEDULE

THE MODEL CODE OF CONDUCT

Part 1

General provisions

Introduction and interpretation

- 1.—(1) This Code applies to <u>vou</u> as a member of an authority.
- (2) You should read this Code together with the general principles prescribed by the Secretary of State(a).
 - (3) It is your responsibility to comply with the provisions of this Code.
 - (4) In this Code—
 - "meeting" means any meeting of-
 - (a) the authority;
 - (b) the executive of the authority;
 - (c) any of the authority's or its executive's committees, sub-committees, joint committees, joint sub-committees, or area committees;
 - "member" includes a co-opted member and an appointed member.
- (5) In relation to a parish council, references to an authority's monitoring officer and an authority's standards committee shall be read, respectively, as references to the monitoring officer and the standards committee of the district council or unitary county council which has functions in relation to the parish council for which it is responsible under section 55(12) of the Local Government Act 2000.

Scope

- 2.—(1) Subject to sub-paragraphs (2) to (5), you must comply with this Code whenever you—
 - (a) conduct the business of your authority (which, in this Code, includes the business of the office to which you are elected or appointed); or
 - (b) act, claim to act or give the impression you are acting as a representative of your authority,

and references to your official capacity are construed accordingly.

- (2) Subject to sub-paragraphs (3) and (4), this Code does not have effect in relation to your conduct other than where it is in your official capacity.
- (3) In addition to having effect in relation to conduct in your official capacity, paragraphs 3(2)(c), 5 and 6(a) also have effect, at any other time, where that conduct constitutes a criminal offence for which you have been convicted.
- (4) Conduct to which this Code applies (whether that is conduct in your official capacity or conduct mentioned in sub-paragraph (3)) includes a criminal offence for which you are convicted (including an offence you committed before the date you took office, but for which you are convicted after that date).
 - (5) Where you act as a representative of your authority—

⁽a) See the Relevant Authorities (General Principles) Order 2001 (S.I. 2001/1401).

- (a) on another relevant authority, you must, when acting for that other authority, comply with that other authority's code of conduct; or
- (b) on any other body, you must, when acting for that other body, comply with your authority's code of conduct, except and insofar as it conflicts with any other lawful obligations to which that other body may be subject.

General obligations

- 3.—(1) You must treat others with respect.
- (2) You must not-
 - (a) do anything which may cause your authority to breach any of the equality enactments (as defined in section 33 of the Equality Act 2006(a));
 - (b) bully any person;
 - (c) intimidate or attempt to intimidate any person who is or is likely to be-
 - (i) a complainant,
 - (ii) a witness, or
 - (iii) involved in the administration of any investigation or proceedings,
 - in relation to an allegation that a member (including yourself) has failed to comply with his or her authority's code of conduct; or
 - (d) do anything which compromises or is likely to compromise the impartiality of those who work for, or on behalf of, your authority.
- (3) In relation to police authorities and the Metropolitan Police Authority, for the purposes of sub-paragraph (2)(d) those who work for, or on behalf of, an authority are deemed to include a police officer.
 - 4. You must not-
 - (a) disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature, except where—
 - (i) you have the consent of a person authorised to give it;
 - (ii) you are required by law to do so;
 - (iii) the disclosure is made to a third party for the purpose of obtaining professional advice provided that the third party agrees not to disclose the information to any other person; or
 - (iv) the disclosure is-
 - (aa) reasonable and in the public interest; and
 - (bb) made in good faith and in compliance with the reasonable requirements of the authority; or
 - (b) prevent another person from gaining access to information to which that person is entitled by law.
- 5. You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.
 - 6. You-
 - (a) must not use or attempt to use your position as a member improperly to confer on or secure for yourself or any other person, an advantage or disadvantage; and
 - (b) must, when using or authorising the use by others of the resources of your authority—

⁽a) 2006 c.3.

- (i) act in accordance with your authority's reasonable requirements;
- (ii) ensure that such resources are not used improperly for political purposes (including party political purposes); and
- (c) must have regard to any applicable Local Authority Code of Publicity made under the Local Government Act 1986(a).
- 7.—(1) When reaching decisions on any matter you must have regard to any relevant advice provided to you by—
 - (a) your authority's chief finance officer; or
 - (b) your authority's monitoring officer,

where that officer is acting pursuant to his or her statutory duties.

(2) You must give reasons for all decisions in accordance with any statutory requirements and any reasonable additional requirements imposed by your authority.

Part 2

Interests

Personal interests

- 8.—(1) You have a personal interest in any business of your authority where either—
 - (a) it relates to or is likely to affect-
 - (i) any body of which you are a member or in a position of general control or management and to which you are appointed or nominated by your authority;
 - (ii) any body-
 - (aa) exercising functions of a public nature;
 - (bb) directed to charitable purposes; or
 - (cc) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union),

of which you are a member or in a position of general control or management;

- (iii) any employment or business carried on by you;
- (iv) any person or body who employs or has appointed you;
- (v) any person or body, other than a relevant authority, who has made a payment to you in respect of your election or any expenses incurred by you in carrying out your duties;
- (vi) any person or body who has a place of business or land in your authority's area, and in whom you have a beneficial interest in a class of securities of that person or body that exceeds the nominal value of £25,000 or one hundredth of the total issued share capital (whichever is the lower);
- (vii) any contract for goods, services or works made between your authority and you or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi);
- (viii) the interests of any person from whom you have received a gift or hospitality with an estimated value of at least £25;
- (ix) any land in your authority's area in which you have a beneficial interest;

- (x) any land where the landlord is your authority and you are, or a firm in which you are a partner, a company of which you are a remunerated director, or a person or body of the description specified in paragraph (vi) is, the tenant;
- (xi) any land in the authority's area for which you have a licence (alone or jointly with others) to occupy for 28 days or longer; or
- (b) a decision in relation to that business might reasonably be regarded as affecting your well-being or financial position or the well-being or financial position of a relevant person to a greater extent than the majority of—
 - (i) (in the case of authorities with electoral divisions or wards) other council tax payers, ratepayers or inhabitants of the electoral division or ward, as the case may be, affected by the decision;
 - (ii) (in the case of the Greater London Authority) other council tax payers, ratepayers or inhabitants of the Assembly constituency affected by the decision; or
 - (iii) (in all other cases) other council tax payers, ratepayers or inhabitants of your authority's area.
- (2) In sub-paragraph (1)(b), a relevant person is—
 - (a) a member of your family or any person with whom you have a close association; or
 - (b) any person or body who employs or has appointed such persons, any firm in which they
 are a partner, or any company of which they are directors;
 - (c) any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000; or
 - (d) any body of a type described in sub-paragraph (1)(a)(i) or (ii).

Disclosure of personal interests

- **9.**—(1) Subject to sub-paragraphs (2) to (7), where you have a personal interest in any business of your authority and you attend a meeting of your authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.
- (2) Where you have a personal interest in any business of your authority which relates to or is likely to affect a person described in paragraph 8(1)(a)(i) or 8(1)(a)(ii)(aa), you need only disclose to the meeting the existence and nature of that interest when you address the meeting on that business.
- (3) Where you have a personal interest in any business of the authority of the type mentioned in paragraph 8(1)(a)(viii), you need not disclose the nature or existence of that interest to the meeting if the interest was registered more than three years before the date of the meeting.
- (4) Sub-paragraph (1) only applies where you are aware or ought reasonably to be aware of the existence of the personal interest.
- (5) Where you have a personal interest but, by virtue of paragraph 14, sensitive information relating to it is not registered in your authority's register of members' interests, you must indicate to the meeting that you have a personal interest, but need not disclose the sensitive information to the meeting.
- (6) Subject to paragraph 12(1)(b), where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must ensure that any written statement of that decision records the existence and nature of that interest.
- (7) In this paragraph, "executive decision" is to be construed in accordance with any regulations made by the Secretary of State under section 22 of the Local Government Act 2000(a).

⁽a) See the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations (S.1 2000/3272).

Prejudicial interest generally

- 10.—(1) Subject to sub-paragraph (2), where you have a personal interest in any business of your authority you also have a prejudicial interest in that business where the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice your judgement of the public interest.
 - (2) You do not have a prejudicial interest in any business of the authority where that business—
 - (a) does not affect your financial position or the financial position of a person or body described in paragraph 8;
 - (b) does not relate to the determining of any approval, consent, licence, permission or registration in relation to you or any person or body described in paragraph 8; or
 - (c) relates to the functions of your authority in respect of-
 - (i) housing, where you are a tenant of your authority provided that those functions do not relate particularly to your tenancy or lease;
 - (ii) school meals or school transport and travelling expenses, where you are a parent or guardian of a child in full time education, or are a parent governor of a school, unless it relates particularly to the school which the child attends;
 - (iii) statutory sick pay under Part XI of the Social Security Contributions and Benefits Act 1992, where you are in receipt of, or are entitled to the receipt of, such pay;
 - (iv) an allowance, payment or indemnity given to members;
 - (v) any ceremonial honour given to members; and
 - (vi) setting council tax or a precept under the Local Government Finance Act 1992.

Prejudicial interests arising in relation to overview and scrutiny committees

- 11. You also have a prejudicial interest in any business before an overview and scrutiny committee of your authority (or of a sub-committee of such a committee) where—
 - (a) that business relates to a decision made (whether implemented or not) or action taken by your authority's executive or another of your authority's committees, sub-committees, joint committees or joint sub-committees; and
 - (b) at the time the decision was made or action was taken, you were a member of the executive, committee, sub-committee, joint committee or joint sub-committee mentioned in paragraph (a) and you were present when that decision was made or action was taken.

Effect of prejudicial interests on participation

- 12.—(1) Subject to sub-paragraph (2), where you have a prejudicial interest in any business of your authority—
 - (a) you must withdraw from the room or chamber where a meeting considering the business is being held—
 - (i) in a case where sub-paragraph (2) applies, immediately after making representations, answering questions or giving evidence;
 - (ii) in any other case, whenever it becomes apparent that the business is being considered at that meeting;

unless you have obtained a dispensation from your authority's standards committee;

- (b) you must not exercise executive functions in relation to that business; and
- (c) you must not seek improperly to influence a decision about that business.
- (2) Where you have a prejudicial interest in any business of your authority, you may attend a meeting (including a meeting of the overview and scrutiny committee of your authority or of a sub-committee of such a committee) but only for the purpose of making representations,

answering questions or giving evidence relating to the business, provided that the public are also allowed to attend the meeting for the same purpose, whether under a statutory right or otherwise.

Part 3

Registration of Members' Interests

Registration of members' interests

- 13.—(1) Subject to paragraph 14, you must, within 28 days of—
 - (a) this Code being adopted by or applied to your authority; or
 - (b) your election or appointment to office (where that is later),

register in your authority's register of members' interests (maintained under section 81(1) of the Local Government Act 2000) details of your personal interests where they fall within a category mentioned in paragraph 8(1)(a), by providing written notification to your authority's monitoring officer.

(2) Subject to paragraph 14, you must, within 28 days of becoming aware of any new personal interest or change to any personal interest registered under paragraph (1), register details of that new personal interest or change by providing written notification to your authority's monitoring officer.

Sensitive information

- 14.—(1) Where you consider that the information relating to any of your personal interests is sensitive information, and your authority's monitoring officer agrees, you need not include that information when registering that interest, or, as the case may be, a change to that interest under paragraph 13.
- (2) You must, within 28 days of becoming aware of any change of circumstances which means that information excluded under paragraph (1) is no longer sensitive information, notify your authority's monitoring officer asking that the information be included in your authority's register of members' interests.
- (3) In this Code, "sensitive information" means information whose availability for inspection by the public creates, or is likely to create, a serious risk that you or a person who lives with you may be subjected to violence or intimidation.

GOSPORT BOROUGH COUNCIL

BOARD/COMMITTEE:	ADJOURNED ANNUAL COUNCIL
DATE OF MEETING:	17 MAY 2007
TITLE:	REVIEW OF COUNCIL BOARDS, SUB- BOARDS AND COMMITTEES AND DETERMINATION OF ALLOCATION OF SEATS
AUTHOR:	BOROUGH SOLICITOR
STATUS:	FOR DECISION

PURPOSE

To advise the Council of the balance of the seats on the Council and the position with regard to Political Groups and to undertake a review in accordance with the "Proportionality Rules" of the balance of seats on the Boards, Sub-Boards and Committees of the Council.

RECOMMENDATIONS

That the Council approve:

- **1.** The allocation of seats on the Boards and Committee as set out in paragraph 3.1
- **2.** The allocation of seats on the Sub-Boards as set out in paragraph 4.2.
- **3.** The allocation of seats on the Standards & Governance Committee as set out in paragraph 5.2.

1.0 REVIEW OF COUNCIL BOARDS AND SUB-BOARDS

1.1 The Council previously reviewed the allocation of seats and made a determination as to the allocation between the Political Groups on the Council in November last year.

2.0 PROPORTIONALITY RULES

- 2.1 Following the local election notices were received from 3 political groups and there is now one Member who does not belong to a political group.
- 2.2 Section 15 of the Local Government and Housing Act 1989 requires the Council to review the allocation of seats and when making allocation of seats to Political Groups allocations are made to give effect so far as reasonably practicable to the following principles:
 - 1. That not all the seats are allocated to the same Political Group;
 - 2. That the majority of seats are allocated to the Political Group having a majority of seats on the Council;
 - 3. That subject to 1 and 2 above the number of seats on the total of all Boards and Committees of the Council allocated to each Political Group bears the same proportion to the proportion on the Council;
 - 4. That subject to all the above the number of seats on each Board and Committee allocated to each Political Group bears the same proportion to the proportion on the Council

As no party has a majority of seats on the Council principle 2 above does not apply.

2.3 The council has five Boards and one Overview and Scrutiny Committee; there are 64 seats to be allocated as set out in paragraph 2.2 above. However, it is not possible to allocate 64 seats in exact proportion as each Political Group has on the Council, as can be seen from the table below.

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS	TOTAL
Seats	17	7	0	33
Proportion	50%	20.59%	26.47%	97.06%

			LIBERAL
	CONSERVATIVE	LABOUR	DEMOCRATS
Seats	32	13.18	16.94

3.0 PROPOSED ALLOCATION – BOARDS, OVERVIEW & SCRUTINY COMMITTEE

3.1 It is proposed that the allocation of seats on Boards and Overview & Scrutiny Committee stays as agreed by Council in November 2006 as set out below; however the one Member who does not belong to a Political Group does currently have a seat on the Overview & Scrutiny Committee which was allocated to the Liberal Democrat Group.

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS
Number of seats	32	14	18
Percentages	50%	21.88%	28.12%
Differences between percentage of seats on Council and seats on Boards & Committees		+1.29%	+1.65%

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS
Policy &			
Organisation	5	2	3
Community &			
Environment	5	2	3
Board			
Housing Board	5	2	3
Regulatory Board	5	2	3
Licensing Board	6	3	3
Overview &			
Scrutiny			
Committee	6	3	3
Total	32	14	18

3.2 This proposed allocation gives effect to the principles set out in paragraph 2.2 above

4.0 PROPOSED ALLOCATION – SUB-BOARDS

4.1 In allocating seats on the Sub-Boards of the Council, again, the proportions cannot be matched. Furthermore, any "ex-officio" Members of the Sub-Boards without voting rights is disregarded under the Proportionality Rules. The Council has previously approved the

Proportionality Rules being applied to all Working Groups and Steering Groups.

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS
Seats	24	9.88	12.71
48	50%	20.59%	26.48%

4.2 It is proposed that the Council allocates seats on the Sub-Boards as set out below as this is the allocation closest to the proportion of seats the political groups have on the Council.

	CONSERVATIVE	LABOUR	LIBERAL DEMS.
Number of seats	24	11	13
Percentages	50%	22.92%	27.08%

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRATS
Personnel	3	1	2
Gosport	3	1	2
Coastline			
Civic &			
Commemorative			
Events	4	2	2
Emergency	3	1	2
Grants	3	1	2
Priddy's Hard			
Heritage Area	3	2	1
Transportation &			
Planning	3	2	1
Community	2	1	1
Events			
Total	24	11	13

5.0 STANDARDS AND GOVERNANCE COMMITTEE

5.1 The proportionality rules do not apply to the Standards and Governance Committee. However, the Council had previously agreed that in addition to the two independent members, each Political Group should have two seats. The Standards Board for England believes that Standards Committees should include appropriate political representation with the support of all political parties and that they should be constituted to ensure that no one political group dominates.

They also believe that only one chairman of a Board (including the Leaders) should sit on the Standards & Governance Committee which is consistent with the regulations governing authorities operating executive arrangements.

5.2 It is proposed that the 8 seats should be allocated as follows.

	INDEPENDENT			LIBERAL
	MEMBERS	CONSERVATIVE	LABOUR	DEMOCRATS
Seats	2	2	2	2

SUPPORTING INFORMATION

Financial Services Comments:	Nil	
Legal Services Comments:	As indicated in Section 2	
Service Improvement Plan	Nil	
implications:		
Corporate Plan:	Nil	
Risk Assessment:	Nil	
Background Papers:	Council Meeting 29 November	
	2006	
Appendices/Enclosures:	None	
Report Author/Lead Officer:	Linda Edwards, Borough Solicitor	

PROVISIONAL BOARD/COMMITTEE MEMBERSHIP FOR 2007/2008 MUNICIPAL YEAR

POLICY & ORGANISATION BOARD

Councillor Burgess
Councillor Carter
Councillor Chegwyn
Councillor Cully
Councillor Hicks
Councillor Hook
Councillor Langdon
Councillor Smith
Councillor Taylor
Councillor Wright

LICENSING BOARD

Councillor Ms Ballard
Councillor Carter
Councillor Champion
Councillor Mrs Cully
Councillor Davis
Councillor Farr
Councillor Foster
Councillor Foster-Reed
Councillor Jacobs
Councillor Rigg
Councillor Smith
Councillor Ward

COMMUNITY & ENVIRONMENT BOARD

Councillor Ms Ballard Councillor Carr Councillor Champion Councillor Clinton Councillor Dickson Councillor Edgar Councillor Kimber Councillor Smith Councillor Wright Councillor Mrs Wright

OVERVIEW & SCRUTINY COMMITTEE

Councillor Carr
Councillor Davis
Councillor Dickson
Councillor Farr
Councillor Foster
Councillor Jacobs
Councillor Kimber
Councillor Philpott
Councillor Redrup
Councillor Mrs Salter
Councillor Train
Councillor Ward

HOUSING BOARD

Councillor Allen
Councillor Ms Ballard
Councillor Burgess
Councillor Mrs Cully
Councillor Foster
Councillor Foster-Reed
Councillor Mrs Mudie
Councillor Philpott
Councillor Rigg
Councillor Mrs Wright

STANDARDS & GOVERNANCE COMMITTEE

Councillor Carr Councillor Kimber Councillor Langdon Councillor Smith Councillor Wright Councillor Mrs Wright

REGULATORY BOARD

Councillor Allen
Councillor Carter
Councillor Chegwyn
Councillor Davis
Councillor Foster
Councillor Hicks
Councillor Smith
Councillor Taylor
Councillor Train
Councillor Ward

Independent Members Mr M J Heritage-Owen

Mr R V Perry

^{*}The Mayor & Chairman of the Policy & Organisation Board are ex-officio Members of all Boards unless named in the membership of the respective Board.

REGULATORY BOARD

PROVISIONAL NOMINATED DEPUTIES FOR 2007/2008 MUNICIPAL YEAR

Conservative Group

Councillor Burgess

Councillor Dickson

Councillor Hook

Councillor Kimber

Councillor Langdon

Labour Group

Councillor Mrs Cully

Councillor Cully

Councillor Farr

Councillor Wright

Councillor Mrs Wright

Liberal Democrat Group

Councillor Carr

Councillor Gill

LICENSING BOARD

PROVISIONAL NOMINATED DEPUTIES FOR 2007/2008 MUNICIPAL YEAR

Conservative Group

Councillor Allen

Councillor Hook

Councillor Kimber

Councillor Langdon

Councillor Taylor

Labour Group

Councillor Cully

Councillor Train

Liberal Democrat Group

Councillor Chegwyn

Councillor Gill

PROVISIONAL SUB-BOARD/WORKING GROUP/OUTSIDE ORGANISATION MEMBERSHIP FOR THE 2007/2008 MUNICIPAL YEAR

POLICY AND ORGANISATION BOARD

PERSONNEL SUB-BOARD

Councillors Carter, Chegwyn, Clinton, Hook, Smith and Wright

GOSPORT "COASTLINE" EDITORIAL PANEL

Councillors Carter, Chegwyn, Cully, Foster-Reed, Rigg and Ward

CIVIC & COMMEMORATIVE EVENTS SUB-BOARD

Councillors Allen, Carr, Carter, Cully, Dickson, Edgar, Farr and Mrs Salter

EMERGENCY SUB-BOARD

Councillors Burgess, Chegwyn, Cully, Hook, Langdon and Smith

GRANTS SUB-BOARD

Councillors Allen, Chegwyn, Dickson, Mrs Salter, Taylor and Wright

PRIDDY'S HARD HERITAGE AREA SUB-BOARD

Councillors Chegwyn, Farr, Hook, Langdon, Taylor, Wright

TRANSPORTATION & PLANNING SUB-BOARD

Councillors Davis, Jacobs, Langdon, Philpott, Mrs Salter and Train

^{*}The Mayor & Chairman of the Policy & Organisation Board are exofficio Members of all Sub-Boards unless named in the membership of the respective Sub-Board.

POLICY AND ORGANISATION BOARD

OTHER PANELS

GOSPORT COMMUNITY SAFETY PARTNERSHIP

Councillors Carr, Carter, Mrs Cully, Jacobs, Philpott and Mrs Salter

CUSTOMER COMPLAINTS PANEL

Panel of 3 Councillors (1:1:1) to be selected from: Councillors Ms Ballard, Burgess, Carr, Cully, Langdon and Wright

OUTSIDE BODIES

ADVISORY COMMITTEE OF THE ASHCROFT ARTS CENTRE (1 representative)

Last year: Mr M Smith

Proposed: Labour: Mr M Smith

DAEDALUS STRATEGY GROUP (3 representatives)

Last year: Councillors Gill, Taylor and Train

Proposed: Conservative: Councillor Taylor

Labour: Councillor Train

Liberal Democrat: Councillor Gill

GOD'S PORT HOUSING SOCIETY (1 representative)

Last year: The Mayor (Councillor Mrs Cully) in accordance with tradition

attended the Annual General Meeting in her year of office.

Proposed: The Mayor (Councillor Gill) in accordance with the above for his

year of office.

GOSPORT AVIATION SOCIETY (1 representative)

Last year: Mr K Lucking (GBC Corporate Services Manager)

Proposed: Mr K Lucking (GBC Corporate Services Manager)

GOSPORT BOROUGH EDUCATIONAL TRUST (2 representatives plus Borough Treasurer)

Last year: Councillors Clinton and Edgar and Borough Treasurer

Proposed: Conservative: Councillors Clinton and Edgar

POLICY AND ORGANISATION BOARD

GOSPORT BOROUGH FOOTBALL CLUB (1 representative)

Last year: Councillor Hook

Proposed: Conservative: Councillor Hook

GOSPORT DEVELOPMENT TRUST MANAGEMENT COMMITTEE (1 representative)

Last year: Councillor Kimber

Proposed: Conservative: Councillor Kimber

GOSPORT VOLUNTARY ACTION (The Mayor (ex-officio) plus 3 representatives)

Last year: The Mayor (ex-officio), Councillors Farr, Kimber and Mrs

Salter

Proposed: Conservative: Councillor Kimber

Labour: Councillor Farr

Liberal Democrat: Councillor Mrs Salter

GROUNDWORK SOLENT BOARD OF TRUSTEES (2 representatives)

Last year: Councillors Allen and Train

Proposed: Conservative: Councillor Allen

Labour: Councillor Train

HARBOUR ECONOMIC FORUM (3 representatives)

Last year: Councillors Edgar, Gill and Train

Proposed: Conservative: Councillor Edgar

Labour: Councillor Train

Liberal Democrat: Councillor Carr

HOMESTART – GOSPORT & FAREHAM MANAGEMENT COMMITTEE (1 representative)

Last year: Councillor Mrs Salter

Proposed: Liberal Democrat: Councillor Mrs Salter

S.H.I.P.S. MEMBERS ARTS FORUM (formerly Hampshire Arts Forum) (1 representative)

Last year: Councillor Train

Proposed: Labour: Councillor Train

POLICY AND ORGANISATION BOARD

SOUTH EAST EMPLOYERS (1 representative plus Standing Deputy)

Last year: Councillor Wright (Standing Deputy: No Nomination)

Proposed: Conservative: No Nomination (Standing Deputy)

Labour: Councillor Wright

Liberal Democrat: No Nomination (Standing Deputy)

SOUTH EAST ENGLAND REGIONAL ASSEMBLY (SEERA)

(1 representative plus Standing Deputy)

Last year: Councillor Langdon (Standing Deputy: No Nomination)

Proposed: Conservative: Councillor Langdon

Labour: No Nomination (Standing Deputy)

Liberal Democrat: No Nomination (Standing Deputy)

SOUTH HAMPSHIRE ENTERPRISE AGENCY (1 representative plus Standing Deputy)

Last year: Councillor Edgar (Standing Deputy: No Nomination)

Proposed: Conservative: Councillor Edgar

Labour: No Nomination (Standing Deputy)

Liberal Democrat: No Nomination (Standing Deputy)

STRATEGIC PLANNING JOINT ADVISORY PANEL

(1 representative plus officer)

Last year: Vacancy and Mr C Payne (Head of Planning Policy)

No Member Nominations received

(Note: Proposed officer representative Mr C Payne (Head of Planning Policy))

SURESTART (1 representative)

Last year: Councillor Mrs Champion

Proposed: Conservative: Councillor Mrs Champion

TOURISM SOUTH EAST (1 representative)

Last year: Councillor Edgar

Proposed: Conservative: Councillor Edgar

OTHER PANELS

COMMUNITY EVENTS SUB-BOARD

Councillors Clinton, Cully, Kimber and Smith

*The Mayor & Chairman of the Policy & Organisation Board are exofficio Members of all Sub-Boards unless named in the membership of the respective Sub-Board.

ALVER VALLEY STEERING GROUP

Councillors Champion, Hicks, Kimber, Philpott, Mrs Salter and Train

CAR PARK CHARGES WORKING GROUP

Councillors Wright (N/D: Councillor Cully), Hook (N/D: Councillor Burgess) and Smith (N/D: Councillor Chegwyn)

GOSPORT FESTIVAL WORKING GROUP

Councillors Cully, Hicks and Kimber

GOSPORT MUSEUM JOINT MANAGEMENT COMMITTEE

Councillors Gill, Kimber and Train

GROUNDS MAINTENANCE WORKING GROUP

Councillors Hicks, Hook, Kimber and Wright

HOLBROOK RECREATION CENTRE WORKING GROUP

Councillors Ms Ballard, Chegwyn, Hook, Kimber, Train and Wright

TOWN CENTRE STUDY MEMBERS PANEL

Councillors Dickson, Kimber, Smith and Wright

OUTSIDE BODIES

ALLOTMENTS STAKEHOLDERS CONSULTATIVE GROUP (3 representatives)

Last year: Councillors Dickson, Mrs Salter and Train

Proposed: Conservative: Councillor Dickson

Labour: Councillor Train

Liberal Democrat: Councillor Mrs Salter

AREA PUBLIC HEALTH LIAISON BOARD

Last Year: Councillor Edgar and Mr D Jago (Environmental Services

Manager)

Proposed: Conservative: Councillor Edgar

(Note: Proposed officer representative Mr D Jago (Environmental Services

Manager)

BRUNE PARK COMMUNITY MANAGEMENT COMMITTEE (1 representative)

Last year: Councillor Train

Proposed: Labour: Councillor Train

FAREHAM AND GOSPORT CHALLENGE ADVENTURE PROJECT (1 representative)

Last year: Councillor Mrs Champion

No Nomination received

GOSPORT/FAREHAM JOINT BUILDING CONTROL PANEL (1 representative)

Last year: Councillor Davis

Proposed: Labour: Councillor Davis

GOSPORT HEALTHY ALLIANCE (1 representative)

Last year: Councillor Train

Proposed: Labour: Councillor Train

GOSPORT PENINSULA ACCESS HAT WORKING GROUP (2 representatives)

Last year: Councillors Davis and Smith

Proposed: Labour: Councillor Davis

Liberal Democrat: Councillor Smith

GOSPORT ROAD SAFETY COUNCIL (3 representatives)

Last year: Councillors Carter, Redrup and Mrs Salter

Proposed: Conservative: Councillor Carter

Labour: Councillor Mrs Cully

Liberal Democrat: Councillor Mrs Salter

HAMPSHIRE BUILDINGS PRESERVATION TRUST (1 representative)

Last year: Councillor Edgar

Proposed: Conservative: Councillor Edgar

HAMPSHIRE RAIL FORUM (1 representative)

Last year: Vacancy

No Nomination received

JOINT AUTHORITIES GYPSIES & TRAVELLERS PANEL (3 representatives)

Last year: Councillors Foster, Mrs Salter and Train

Proposed: Conservative: Councillor Foster

Labour: Councillor Train

Liberal Democrat: Councillor Mrs Salter

PEEL COMMON ODOUR FORUM (3 representatives)

Last year: Councillors Davis, Mrs Mudie and Philpott

Proposed: Conservative: Councillor Philpott

Labour: Councillor Davis

Liberal Democrat: Councillor Mrs Mudie

PORTSMOUTH CITY COUNCIL HEALTH OVERVIEW AND SCRUTINY PANEL (1 co-opted representative)

Last year: Councillor Edgar

Proposed: Conservative: Councillor Edgar

PORTSMOUTH & GOSPORT JOINT BOARD (6 representatives) (appointed until 31 December 2008)

Already appointed: Councillors Edgar, Gill, Hook, Rigg, Smith & Train

PROJECT INTEGRA MANAGEMENT BOARD (1 representative plus Standing Deputy)

Last year: Councillor Train

Proposed: Conservative: No Nomination (Standing Deputy)

Labour: Councillor Train

Liberal Democrat: No Nomination (Standing Deputy)

PROJECT INTEGRA POLICY REVIEW AND SCRUTINY COMMITTEE (1 representative plus Standing Deputy)

Last year: Councillor Carr

Proposed: Conservative: No Nomination (Standing Deputy)

Labour: No Nomination (Standing Deputy)

Liberal Democrat: Councillor Carr

RELATE (1 representative)

Last year: Councillor Mrs Salter

Proposed: Liberal Democrat: Councillor Mrs Salter

ROYAL NAVY SUBMARINE MUSEUM (1 representative)

Last year: Councillor Burgess

Proposed: Conservative: Councillor Burgess

ST.VINCENT COLLEGE GOVERNORS' COMMUNITY COMMITTEE (1 representative)

Last year: Councillor Farr

Proposed: Labour: Councillor Farr

SOLENT SEA RESCUE ORGANISATION (1 representative)

Last year: Councillor Rigg

Proposed: Conservative: Councillor Rigg

SOUTH EAST ENGLAND REGIONAL ASSEMBLY (SEERA) SUB REGIONAL STEERING GROUP (1 representative plus Standing Deputy)

Last year: Councillor Langdon (Standing Deputy: No Nomination)

Proposed: Conservative: Councillor Langdon

Labour: No Nomination (Standing Deputy)

Liberal Democrat: No Nomination (Standing Deputy)

STANDING CONFERENCE ON COASTLINE PROBLEMS (1 representative)

Last year: Councillor Foster

Proposed: Conservative: Councillor Foster

HOUSING BOARD

OTHER PANELS

ENVIRONMENTAL IMPROVEMENTS PANEL

Councillors Burgess, Mrs Cully, Foster-Reed, Philpott, Rigg and Smith

HOUSING EDITORIAL PANEL

Councillors Burgess, Foster, Foster-Reed, Philpott, Mrs Salter and Mrs Wright

OUTSIDE BODIES

AGAMEMNON HOUSING SOCIETY LIMITED (1 representative)

Last year: Councillor Foster

Proposed: Conservative: Councillor Foster

KELSEY HOUSING ASSOCIATION LOCAL MANAGEMENT COMMITTEE (2 representatives plus Standing Deputy appointed until May 2008 – Councillors Mrs Cully and Smith Standing Deputy: Councillor Burgess)

COUNCIL

OUTSIDE BODIES

AGE CONCERN (HANTS) (1 representative)

Last year: Councillor Mrs Salter

Proposed: Liberal Democrat: Councillor Mrs Salter

AIR TRAINING CORPS – 1098 (GOSPORT) SQUADRON COMMITTEE (1 representative)

Last year: Councillor Jacobs

Proposed: Conservative: Councillor Jacobs

ALVERSTOKE TRUST (2 representatives appointed until February 2009 (Honorary Alderman Hayward) and September 2007 (Surgeon Captain T Hall)

The Trust have Proposed Surgeon Captain T Hall for a further 4 year term of office until September 2011

COUNCIL

BRIDGEMARY, ROWNER AND WOODCOT COMMUNITY ASSOCIATION (1 representative)

Last year: Councillor Davis

Proposed: Labour: Councillor Davis

CITIZENS ADVICE BUREAU (1 representative)

Last year: The Mayor (Councillor Mrs Cully) in accordance with tradition attended Management Committee meetings and the AGM and acted as

President for her year of office

Proposed: The Mayor (Councillor Gill) in accordance with the above for his

year of office.

COUNCIL OF GOVERNORS OF THE PORTSMOUTH HOSPITALS NHS TRUST (1 representative)

Last Year: Councillor Allen

Proposed: Conservative: Councillor Allen

FAREHAM AND GOSPORT MIND (1 representative)

Last Year: Councillor Allen

Proposed: Conservative: Councillor Allen

GOSPORT COMMUNITY ASSOCIATION – EXECUTIVE COMMITTEE (1 representative)

Last year: Councillor Clinton

Proposed: Conservative: Councillor Clinton

GOSPORT SOCIETY (The Mayor (ex-officio) plus 1 representative)

Last year: The Mayor (Councillor Mrs Cully) (ex-officio) and Councillor Gill

Proposed: Liberal Democrat: Councillor Carr

MRS HAMPER FUND CHARITY

Mrs Penfold and Mrs Megson appointed until July 2008

HEDCA GENERAL MANAGEMENT COMMITTEE (1 representative)

Last year: Councillor Ward

Proposed: Conservative: Councillor Ward

LEE-ON-THE-SOLENT COMMUNITY ASSOCIATION (1 representative)

Last year: Councillor Carter

Proposed: Conservative: Councillor Carter

COUNCIL

LOCAL GOVERNMENT ASSOCIATION (1 representative)

Last year: Councillor Cully

Proposed: Labour: Councillor Cully

LOCAL GOVERNMENT ASSOCIATION – ASSOCIATION OF HANTS & IOW LOCAL AUTHORITIES (2 representatives)

Last year: Councillors Cully and Smith

Proposed: Labour: Councillor Cully

Liberal Democrat: Councillor Smith

LOCAL GOVERNMENT ASSOCIATION – ASSOCIATION OF HANTS & IOW LOCAL AUTHORITIES – IMPROVEMENT BOARD (1 representative)

Last Year: Councillor Langdon

Proposed: Conservative: Councillor Langdon

LOCAL GOVERNMENT ASSOCIATION – COASTAL ISSUES SPECIAL INTEREST GROUP (1 representative plus officer)

Last year: Councillor Foster and Mr M Wheeler, GBC Coastal Engineer

Proposed: Conservative: Councillor Foster

(Note: Proposed officer representative Mr M Wheeler (GBC Coastal

Engineer))

LOCAL GOVERNMENT ASSOCIATION – FOURTH OPTION SPECIAL INTEREST GROUP (SIG) (1 representative)

Last year: Councillor Redrup

Proposed: Councillor Redrup

LOCAL GOVERNMENT ASSOCIATION -

(a) Urban Commission (2 representatives)

Last year: Councillor Cully and Vacancy

Proposed: Labour: Councillor Cully

(b) Rural Commission (2 representatives)

Last year: Two Councillor Vacancies

No Nominations received

COUNCIL

LUTMAN DAY CARE CENTRE SUPPORT GROUP (1 representative)

Last year: Councillor Mrs Salter

Proposed: Liberal Democrat: Councillor Mrs Salter

PORTCHESTER CREMATORIUM JOINT COMMITTEE (2 representatives plus 2 Standing Deputies)

Last year: Councillors Edgar and Train

Proposed: Conservative: Councillor Edgar

Labour: Councillor Train

No Nominations received for Standing Deputies