

Council Report

Ward(s) affected: n/a

Report of Director of Finance

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Review of Allocation of Seats on Committees: 2018-19

Executive Summary

On 30 August 2018, Councillor Bob McShee gave notice in writing to the Democratic Services Manager that, with immediate effect, he no longer wished to remain a member of the Conservative Group.

The Council will recall that, at its last meeting on 24 July 2018, a similar report on the review of the allocation of seats on committees was presented following the resignation of Councillor Tony Rooth from the Conservative group in May. That review resulted in no change being made to the allocation of seats on committees to political groups (see **Appendix 1**)

On 20 September 2018, Councillors McShee and Rooth gave notice in writing to the proper officer (Democratic Services Manager) of their wish to form a political group, namely the "Independent Group". Councillor Rooth is the group leader.

The political balance on the Council is now:

Conservatives: 32

Liberal Democrats: 9

Guildford Greenbelt Group: 3

Labour: 2

Independent Group: 2

Under Council Procedure Rule 23, whenever there is a change in the political constitution of the Council, the Council must, as soon as reasonably practicable, review the allocation of seats on committees to political groups.

Councillor McShee is currently a full member of the Community EAB, and a substitute member of the Place Making and Innovation EAB and the Overview and Scrutiny Committee. These appointments were approved by the Council on 15 May 2018 when Councillor McShee was still a member of the Conservative group.

The outcome of this review is dependent, in part, on the outcome of the Council's consideration of item 8 on this agenda, namely the report on the review of the structure and remit of the Executive Advisory Boards (EABs). That report recommends that the Council reduces the number of EABs to one.

This report sets out draft calculations of numerical allocation of seats on committees to political groups, which are based on an assumption, first, that the Council approves the proposal to form a single EAB and, second, that the Council rejects that proposal and retains the two EABs.

Recommendation to Council:

The Council is invited to approve, subject to the outcome of its consideration of item 8 on this agenda (Review of the structure and remit of the Executive Advisory Boards), the numerical allocation of seats on committees to each political group on the Council that best meets, as far as reasonably practicable, the requirements for political balance.

Reasons for Recommendation:

- To comply with Council Procedure Rule 23 of the Constitution in respect of the appointment of committees
- To enable the Council to comply with its obligations under the Local Government and Housing Act 1989 in respect of the political proportionality on its committees.

1. Purpose of report

- 1.1 The Council is asked to review the numerical allocation of seats on committees to political groups following the resignation of Councillor Bob McShee from the Conservative Group on 30 August 2018, and the subsequent establishment of the Independent Group by Councillors McShee and Rooth on 19 September 2018.

2. Background

- 2.1 Under Council Procedure Rule 23, the Council is required to review the allocation of seats on committees to political groups at its Selection meeting and as soon as reasonably practicable following any change in the political constitution of the Council or as otherwise required by statute. Wherever such a review is required, the Democratic Services Manager will submit a report to the Council showing what allocation of seats would best meet the requirements for political balance.

3. Main Considerations

Requirement for political balance and numerical allocation of seats on committees

- 3.1 Section 15 of the Local Government and Housing Act 1989 sets out how committees must be constituted when the Council is divided into one or more political groups. The Council must give effect, *as far as reasonably practicable*, to the following four principles in constituting its committees or sub-committees:
- (a) where there is more than one political group, all the seats must not be allocated to the same political group;
 - (b) the majority of seats must be allocated to the political group with the majority on the full Council;

- (c) the number of seats on each individual Committee or sub-committee of the Council allocated to each political group bears the same proportion on the full Council; and
- (d) the number of seats on the total of all the Committees or sub-committees allocated to each political group should bear the same proportion to the proportions on the full Council.
- 3.2 Regulations made under the 1989 Act¹, make provision for securing the political balance on councils and their committees and for determining the voting rights of members of certain committees.
- 3.3 Details of the current numerical allocation of seats on the committees to the political groups, which were approved by the Council following the last review at its meeting on 24 July 2018 following Councillor Tony Rooth's resignation from the Conservative Group, are shown in **Appendix 1** to this report. Appendix 1 also shows the numerical allocation of seats on the new Guildford Joint Committee, which was also agreed at the 24 July 2018 Council meeting.
- 3.4 In light of Councillor McShee's resignation from the Conservative Group and the subsequent formation of the Independent Group, the political complexion of the Council is now as follows:
- Conservatives: 32
Liberal Democrats: 9
Guildford Greenbelt Group: 3
Labour: 2
Independent Group: 2
- 3.5 The first stage of the review is to make a *notional* calculation of the numerical allocation of seats based on the percentage of seats to which each political group would be entitled when applying the normal rounding up/down rules. The notional calculations, taking account of a single EAB or the retention of two EABs, are set out respectively in **Appendices 2 and 3**.
- 3.6 The notional calculation in **Appendix 2** (incorporating the single EAB) shows that:
- An adjustment of one additional seat has to be allocated to the Corporate Governance and Standards Committee
 - An adjustment of one additional seat has to be allocated to the Guildford Joint Committee
 - An adjustment is necessary to reduce the allocation of seats on the EAB by one
 - An adjustment is necessary to reduce the allocation of seats on the Licensing Committee by one
 - An adjustment is necessary to reduce the allocation of seats on the Overview and Scrutiny Committee by one
 - An adjustment is necessary to reduce the allocation of seats on the Planning Committee by one
 - An adjustment is necessary to reduce the allocation of seats to the Labour Group by one as that group is only entitled to three seats overall
 - An adjustment is necessary to reduce the allocation of seats to the Independent Group by one as that group is only entitled to three seats overall

¹ The Local Government (Committees and Political Groups) Regulations 1990 (as amended),

3.7 The notional calculation in **Appendix 3** (incorporating two EABs) shows that:

- An adjustment of one additional seat has to be allocated to the Corporate Governance and Standards Committee
- An adjustment of one additional seat has to be allocated to the Guildford Joint Committee
- An adjustment is necessary to reduce the allocation of seats on the Community EAB by one
- An adjustment is necessary to reduce the allocation of seats on the Place-Making and Innovation EAB by one
- An adjustment is necessary to reduce the allocation of seats on the Licensing Committee by one
- An adjustment is necessary to reduce the allocation of seats on the Overview and Scrutiny Committee by one
- An adjustment is necessary to reduce the allocation of seats on the Planning Committee by one
- An adjustment is necessary to reduce the allocation of seats to the Guildford Greenbelt Group by one as that group is only entitled to five seats overall
- An adjustment is necessary to reduce the allocation of seats to the Labour Group by one as that group is only entitled to four seats overall
- An adjustment is necessary to reduce the allocation of seats to the Independent Group by one as that group is only entitled to four seats overall

Political group preferences

3.8 Under each of the notional calculations, the leaders of the Guildford Greenbelt Group, Labour Group, and the Independent Group have been requested to confirm their respective group’s preferences in respect of the numerical allocation of seats on committees. These preferences are set out in the table below:

	Single EAB	2 x EABs
Guildford Greenbelt Group	EAB Guildford Joint Committee Licensing Committee Overview & Scrutiny Committee Planning Committee	Place Making & Innovation EAB Guildford Joint Committee Licensing Committee Overview & Scrutiny Committee Planning Committee
Labour Group	Licensing Committee Overview & Scrutiny Committee Planning Committee	Community EAB Licensing Committee Overview & Scrutiny Committee Planning Committee
Independent Group	EAB Guildford Joint Committee Planning Committee	Place Making & Innovation EAB Guildford Joint Committee Overview & Scrutiny Committee Planning Committee

3.9 Clearly, it will not be possible to meet the preferences of all three groups referred to above. Stage two of the review requires the Council to make the necessary adjustments to the relevant notional calculation (taking into account whether the Council has agreed a single EAB or has retained the two EABs) and agree a numerical allocation of seats on committees to political groups that best meets, as far as reasonably practicable, the requirements for political balance.

- 3.10 At the Council meeting, the Lead Councillor for Infrastructure and Governance will propose a motion setting out for debate a draft calculation of the numerical allocation of seats on committees. This will be set out on the Order Paper and it will, of course, be open to councillors to propose amendments to that motion. Any decisions taken in respect of the motion, including any amendments, will be by simple majority votes.

4. Legal implications

- 4.1 As the Council's membership is divided into political groups, it is required by sections 15 and 16 of the Local Government and Housing Act 1989 and related regulations, to ensure that appointments to fill seats on committees are allocated in the same proportion as that in which the Council as a whole is divided, and to give effect, *as far as reasonably practicable*, to the four principles referred to in paragraph 3.1 above.
- 4.2 There is also a duty to review annually the allocation of seats on committees to political groups or following any change in the political constitution of the Council.

5. Financial Implications

- 5.1 There are no financial implications arising from this report.

6. Human resource Implications

- 6.1 There are no human resource implications arising from this report.

7. Background Papers

None

8. Appendices

- Appendix 1: Current numerical allocation of seats on committees for 2018-19 as agreed by Council on 24 July 2018
- Appendix 2: Notional Calculation of the Numerical Allocation of Seats on Committees: 2018-19 on the assumption of 1 x EAB
- Appendix 3: Notional Calculation of the Numerical Allocation of Seats on Committees: 2018-19 on the assumption of 2 x EABs

Appendix 1

Current Numerical Allocation of Seats on Committees: 2018-19 as agreed by Council on 24 July 2018

Committee	Conservatives	Liberal Democrats	Guildford Greenbelt Group	Labour	Independent Member
Total no. of seats on the Council	33	9	3	2	1
% of no. of seats on the Council	68.75%	18.75%	6.25%	4.17%	2.08%
Corporate Governance & Standards Committee (7 seats)	5	1	1	0	0
Employment Committee (3 seats)	2	1	0	0	0
Community EAB (12 seats)	8	2	1	1	0
Place-Making & innovation EAB (12 seats)	9	3	0	0	0
Guildford Joint Committee (11 seats)	8	2	1	0	0
Licensing Committee (15 seats)	11	2	1	1	0
Overview & Scrutiny Committee (12 seats)	8	2	1	1	0
Planning Committee (15 seats)	10	3	1	1	0
Total no. of seats on committees (87 seats)	61	16	6	4	0

Appendix 2

Notional Calculation of the Numerical Allocation of Seats on Committees: 2018-19 ON THE ASSUMPTION OF 1 x EAB

Committee	Conservatives	Liberal Democrats	Guildford Greenbelt Group	Labour	Independent Group	Adjustment
Total no. of seats on the Council	32	9	3	2	2	
% of no. of seats on the Council	66.66%	18.75%	6.25%	4.17%	4.17%	
Notional total number of seats on committees (Total: 78)	51.99 rounded up to 52	14.63 rounded up to 15	4.88 rounded up to 5	3.25 rounded down to 3	3.25 rounded down to 3	
Corporate Governance & Standards Committee (7 seats)	4.67 seats rounded up to 5	1.31 seats rounded down to 1	0.44 seats rounded down to 0	0.29 seats rounded down to 0	0.29 seats rounded down to 0	+1
Employment Committee (3 seats)	1.99 seats rounded up to 2	0.56 seats rounded up to 1	0.19 seats rounded down to 0	0.13 seats rounded down to 0	0.13 seats rounded down to 0	
Executive Advisory Board (15 seats)	9.99 seats rounded up to 10	2.81 seats rounded up to 3	0.94 seats rounded up to 1	0.63 seats rounded up to 1	0.63 seats rounded up to 1	-1
Guildford Joint Committee (11 seats)	7.33 seats rounded down to 7	2.06 seats rounded down to 2	0.69 seats rounded up to 1	0.46 seats rounded down to 0	0.46 seats rounded down to 0	+1
Licensing Committee (15 seats)	9.99 seats rounded up to 10	2.81 seats rounded up to 3	0.94 seats rounded up to 1	0.63 seats rounded up to 1	0.63 seats rounded up to 1	-1
Overview & Scrutiny Committee (12 seats)	7.99 seats rounded up to 8	2.25 seats rounded down to 2	0.75 seats rounded up to 1	0.5 seats rounded up to 1	0.5 seats rounded up to 1	-1
Planning Committee (15 seats)	9.99 seats rounded up to 10	2.81 seats rounded up to 3	0.94 seats rounded up to 1	0.63 seats rounded up to 1	0.63 seats rounded up to 1	-1
Total no. of seats on committees	52	15	5	4	4	Total: 80 -2
Variance from rounded notional entitlement	0	0	0	-1	-1	

Appendix 3

Notional Calculation of the Numerical Allocation of Seats on Committees: 2018-19 ON THE ASSUMPTION OF 2 x EABs

Committee	Conservatives	Liberal Democrats	Guildford Greenbelt Group	Labour	Independent Group	Adjustment
Total no. of seats on the Council	32	9	3	2	2	
% of no. of seats on the Council	66.66%	18.75%	6.25%	4.17%	4.17%	
Notional total number of seats on committees (Total: 87)	57.99 rounded up to 58	16.31 rounded down to 16	5.44 rounded down to 5	3.63 rounded up to 4	3.63 rounded up to 4	
Corporate Governance & Standards Committee (7 seats)	4.67 seats rounded up to 5	1.31 seats rounded down to 1	0.44 seats rounded down to 0	0.29 seats rounded down to 0	0.29 seats rounded down to 0	+1
Employment Committee (3 seats)	1.99 seats rounded up to 2	0.56 seats rounded up to 1	0.19 seats rounded down to 0	0.13 seats rounded down to 0	0.13 seats rounded down to 0	
Community EAB (12 seats)	7.99 seats rounded up to 8	2.25 seats rounded down to 2	0.75 seats rounded up to 1	0.5 seats rounded up to 1	0.5 seats rounded up to 1	-1
Place Making & Innovation EAB (12 seats)	7.99 seats rounded up to 8	2.25 seats rounded down to 2	0.75 seats rounded up to 1	0.5 seats rounded up to 1	0.5 seats rounded up to 1	-1
Guildford Joint Committee (11 seats)	7.33 seats rounded down to 7	2.06 seats rounded down to 2	0.69 seats rounded up to 1	0.46 seats rounded down to 0	0.46 seats rounded down to 0	+1
Licensing Committee (15 seats)	9.99 seats rounded up to 10	2.81 seats rounded up to 3	0.94 seats rounded up to 1	0.63 seats rounded up to 1	0.63 seats rounded up to 1	-1
Overview & Scrutiny Committee (12 seats)	7.99 seats rounded up to 8	2.25 seats rounded down to 2	0.75 seats rounded up to 1	0.5 seats rounded up to 1	0.5 seats rounded up to 1	-1
Planning Committee (15 seats)	9.99 seats rounded up to 10	2.81 seats rounded up to 3	0.94 seats rounded up to 1	0.63 seats rounded up to 1	0.63 seats rounded up to 1	-1
Total no. of seats on committees	58	16	6	5	5	Total: 90 (-3)
Variance from rounded notional entitlement	0	0	-1	-1	-1	