

ITEM OF URGENT BUSINESS

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 22 February 2019, Councillor Nils Christiansen gave notice in writing to the proper officer (Democratic Services Manager) that, with immediate effect, he no longer wished to remain a member of the Conservative Group. On 25 February 2019, the proper officer received notice in writing from Councillor Christiansen of his wish to join the Independent Alliance.

The Council will recall that, at its last meeting on 4 December 2018, a similar report on the review of the allocation of seats on committees was presented following the resignation of Councillor Colin Cross from the Liberal Democrat group in October, and his decision to join the Independent Alliance. That review resulted in a number of changes to the allocation of seats on committees to political groups (see **Appendix 1**).

The political balance on the Council is now:

Conservative Group: 31
Liberal Democrat Group: 8
Independent Alliance: 4
Guildford Greenbelt Group: 3
Labour 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.

This report sets out, in **Appendix 2**, a notional calculation of the numerical allocation of seats on committees to the five political groups using the normal rounding up/rounding down rules. The notional calculation identifies where adjustments are necessary to best meet, as far as reasonably practicable, the requirements for political balance.

Appendix 3 sets out a proposed revised calculation of numerical allocation of seats on committees to political groups, for approval by the Council, based on the current political

balance.

Recommendation to Council:

That the Council approves the calculation of numerical allocation of seats on committees to each political group for the remainder of the 2018-19 municipal year, as set out in Appendix 3 to this report, and summarised below:

Committee	Con	Lib Dem	Ind Alliance	GGG	Labour
Corp Gov & Standards	5	1	1	0	0
Employment	2	1	0	0	0
Community EAB	8	2	1	0	1
Place-Making EAB	8	2	1	1	0
Guildford Joint	7	2	1	1	0
Licensing	10	2	1	1	1
Overview & Scrutiny	7	2	1	1	1
Planning	9	3	1	1	1
Total no. of seats on committees	56	15	7	5	4

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 Nils Christiansen from the Conservative Group on 22 February 2019, and his subsequent notification of his wish to join the Independent Alliance, which was received on 25 February 2019.

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, as far as reasonably practicable, 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:

- (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 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 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 4 December 2018 following Councillor Colin Cross' resignation from the Liberal Democrat Group and subsequent decision to join the Independent Alliance, are shown in **Appendix 1** to this report.
- 3.4 In light of the recent resignation of Councillor Nils Christiansen from the Conservative Group and his subsequent notice stating his wish to join the Independent Alliance, the political complexion of the Council is now as follows:
- Conservative Group: 31
Liberal Democrat Group: 8
Independent Alliance: 4
Guildford Greenbelt Group: 3
Labour 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 calculation is set out in **Appendix 2**.
- 3.6 The **notional calculation** shows that the following adjustments are necessary:
- To reduce the allocation of seats on the Community EAB by one
 - To reduce the allocation of seats on the Place-Making and Innovation EAB by one
 - To reduce the allocation of seats on the Licensing Committee by one
 - To reduce the allocation of seats on the Overview and Scrutiny Committee by one
 - To reduce the allocation of seats on the Planning Committee by one
 - To reduce the allocation of seats to the Conservative Group by two as that group is only entitled to 56 seats overall
 - To reduce the allocation of seats to the Liberal Democrat Group by one as that group is only entitled to fifteen seats overall
 - To reduce the allocation of seats to the Guildford Greenbelt Group by one as that group is only entitled to five seats overall
 - To reduce the allocation of seats to the Labour Group by one as that group is only entitled to four seats overall
- 3.7 Taking all this into account, the second stage of the review is to agree a numerical allocation of seats to political groups on committees that meets, as far as reasonably

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

practicable, the requirements for political balance for the remainder of the 2018-19 municipal year.

- 3.8 **Appendix 3** provides a draft calculation that allocates a seat on both the Overview and Scrutiny Committee and Planning Committee to the Independent Alliance, and reduces the Conservative Group's allocation of seats on both those Committees by one. All other allocations would remain unchanged from the numerical allocation agreed by the Council on 4 December 2018.
- 3.9 Where it is necessary, following a vote to adopt a revised calculation of the numerical allocation of seats on committees, to appoint members (or substitute) members to committees, these appointments will be made by the Managing Director in accordance with the wishes of the relevant political group as prescribed in Council Procedure Rule 23 (e).

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 4 December 2018

Appendix 2: Notional Calculation of the Numerical Allocation of Seats on Committees for the remainder of 2018-19

Appendix 3: Draft Calculation of the Numerical Allocation of Seats on Committees for the remainder of 2018-19

Note: By reason of the special circumstances described below, the Mayor considers that this item should be dealt with at this meeting as a matter of urgency pursuant to Section 100B 4 (b) of the Local Government Act 1972.

Special Circumstances: As the change in political balance on the Council occurred on 22 February, the Council must as soon as reasonably practicable review the allocation of seats on committees to political groups in accordance with Council Procedure Rule 23.

Appendix 1

CURRENT Numerical Allocation of Seats on Committees: 2018-19 as agreed by Council on 4 December 2018

Committee	Conservatives	Liberal Democrats	Independent Alliance	Guildford Greenbelt Group	Labour
Total no. of seats on the Council	32	8	3	3	2
% of no. of seats on the Council	66.67%	16.67%	6.25%	6.25%	4.17%
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	0	1
Place Making & Innovation EAB (12 seats)	8	2	1	1	0
Guildford Joint Committee (11 seats)	7	2	1	1	0
Licensing Committee (15 seats)	10	2	1	1	1
Overview & Scrutiny Committee (12 seats)	8	2	0	1	1
Planning Committee (15 seats)	10	3	0	1	1
Total no. of seats on committees (87 seats)	58	15	5	5	4

Appendix 2

NOTIONAL Calculation of the Numerical Allocation of Seats on Committees for the remainder of the 2018-19 Municipal Year

Committee	Conservatives	Liberal Democrats	Independent Alliance	Guildford Greenbelt Group	Labour	Adjustment
Total no. of seats on the Council	31	8	4	3	2	
% of no. of seats on the Council	64.58%	16.67%	8.33%	6.25%	4.17%	
Notional total number of seats on committees (Total: 87)	56.18 rounded down to 56	14.5 rounded up to 15	7.25 rounded down to 7	5.44 rounded down to 5	3.63 rounded up to 4	
Corporate Governance & Standards Committee (7 seats)	4.52 seats rounded up to 5	1.17 seats rounded down to 1	0.58 seats rounded up to 1	0.44 seats rounded down to 0	0.29 seats rounded down to 0	
Employment Committee (3 seats)	1.94 seats rounded up to 2	0.5 seats rounded up to 1	0.25 seats rounded down to 0	0.19 seats rounded down to 0	0.12 seats rounded down to 0	
Community EAB (12 seats)	7.75 seats rounded up to 8	2 seats 2	1 seat 1	0.75 seats rounded up to 1	0.5 seats rounded up to 1	-1
Place Making & Innovation EAB (12 seats)	7.75 seats rounded up to 8	2 seats 2	1 seat 1	0.75 seats rounded up to 1	0.5 seats rounded up to 1	-1
Guildford Joint Committee (11 seats)	7.1 seats rounded down to 7	1.83 seats rounded up to 2	0.92 seats rounded up to 1	0.69 seats rounded up to 1	0.46 seats rounded down to 0	
Licensing Committee (15 seats)	9.69 seats rounded up to 10	2.5 seats rounded up to 3	1.25 seats rounded down to 1	0.94 seats rounded up to 1	0.63 seats rounded up to 1	-1
Overview & Scrutiny Committee (12 seats)	7.75 seats rounded up to 8	2 seats 2	1 seat 1	0.75 seats rounded up to 1	0.5 seats rounded up to 1	-1
Planning Committee (15 seats)	9.69 seats rounded up to 10	2.5 seats rounded up to 3	1.25 seats rounded down to 1	0.94 seats rounded up to 1	0.63 seats rounded up to 1	-1
Rounded notional total no. of seats on committees	58	16	7	6	5	Total: 92 -5
Variance from rounded notional entitlement	-2	-1		-1	-1	

Appendix 3

Draft Calculation of the Numerical Allocation of Seats on Committees for the remainder of the 2018-19 Municipal Year

Committee	Conservatives	Liberal Democrats	Independent Alliance	Guildford Greenbelt Group	Labour
Total no. of seats on the Council	31	8	4	3	2
% of no. of seats on the Council	64.58%	16.67%	8.33%	6.25%	4.17%
Notional total number of seats on committees (Total: 87)	56	15	7	5	4
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	0	1
Place Making & Innovation EAB (12 seats)	8	2	1	1	0
Guildford Joint Committee (11 seats)	7	2	1	1	0
Licensing Committee (15 seats)	10	2	1	1	1
Overview & Scrutiny Committee (12 seats)	7	2	1	1	1
Planning Committee (15 seats)	9	3	1	1	1
Total no. of seats on committees	56	15	7	5	4