

Council Report

Ward(s) affected: n/a

Report of Director of Strategy

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Date: 19 May 2020

Appointment of Committees: 2020-21

Recommendation to Council:

- (1) That, in accordance with the provisions of Regulation 4(2) of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, the Council notes that Councillors Richard Billington and Marsha Moseley shall continue in their respective roles as Mayor and Deputy Mayor of Guildford for the municipal year 2020-21.
- (2) That, for the municipal year 2020-21, the Council agrees to appoint the committees referred to in the table set out in paragraph 4.1 of this report, and agrees their respective size referred to therein and the proposed terms of reference, as indicated in Appendix 1 to this report.
- (3) That, until such time as the Council determines otherwise,
 - (a) the Licensing Committee shall be politically balanced;
 - (b) the following Sub-Committees need not be politically balanced:
 - Licensing Sub-Committee
 - Licensing Regulatory Sub-Committee

(NB. In paragraph (3) (b) above, the relaxation of the requirement for political balance applying to the sub-committees may only be implemented if there are no votes cast against the motion to adopt this paragraph of the recommendation)
- (4) That the numerical allocation of seats on committees to each political group on the Council, as shown in paragraph 5.2 of this report, be approved for the 2020-21 municipal year.
- (5) That the nominations for membership and substitute membership (where applicable) of the committees, Executive Advisory Boards, and the Guildford Joint Committee, for the 2020-21 municipal year, as shown in Appendix 2 to this report, be approved in accordance with the wishes of the political groups.
- (6) That the Council elects chairmen and vice-chairmen of committees (including Executive Advisory Boards) and relevant sub-committees for the 2020-21 municipal year, nominations for which are shown in Appendix 2 to this report.

(7) That the Council appoints a councillor to be Chairman of the Guildford Joint Committee for the 2020-21 municipal year.

(8) That the Council appoints councillor Champions for 2020-21 as follows:

- Armed Forces Champion
- Historic Environment and Design Champion
- Older Persons' Champion

nominations for which are shown in Appendix 2 to this report.

Reasons for Recommendation:

- To comply with Council Procedure Rules 23 and 29 of the Constitution in respect of the appointment of committees and election of chairmen and vice-chairmen
- 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.

Is this report (or part of it) exempt from publication? No

1. Purpose of report

1.1 This report asks the Council:

- (a) to note the continued appointment of Councillors Richard Billington and Marsha Moseley as Mayor and Deputy Mayor of Guildford respectively for the municipal year 2020-21;
- (b) to appoint a number of committees to discharge various non-executive functions and to agree their respective size, terms of reference, and numerical allocation of seats to political groups;
- (c) to appoint councillors to those committees in accordance with the statutory requirements for political balance;
- (d) to elect committee and sub-committee chairmen and vice-chairmen, as appropriate; and
- (e) to agree various other appointments.

2. Background

Election of Mayor and Appointment of Deputy Mayor 2020-21

2.1 In view of the current lockdown due to the coronavirus outbreak, the Government introduced The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, ["the Regulations"]. The Regulations allow local authorities to hold meetings remotely, including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming.

- 2.2 The Regulations also permit local authorities to dispense with the need to hold an annual meeting this year. The Annual Meeting, which is normally held in May each year, deals with the election of the Mayor and Deputy Mayor for the forthcoming municipal year, which begins with the Annual Meeting and runs until the next Annual Meeting the following May.
- 2.3 Under Regulation 4(2), where an appointment would otherwise be made or require to be made at an annual meeting of a local authority, such appointment may continue until the next annual meeting of the authority or until such time as that authority may determine.
- 2.4 Following discussions with the current Mayor (Cllr Richard Billington) and Deputy Mayor (Cllr Marsha Moseley), the Deputy Mayor-elect (Cllr Dennis Booth), and the political group leaders on the Council, it was felt by all that the Annual Council Meeting (the “Mayor Making” meeting) should not be held this year¹ for the reasons set out in the following paragraph.
- 2.5 Whilst the Council could hold the Annual Meeting as a virtual meeting, it was felt that it would be unfair on the new Mayor and Deputy Mayor who, because of the lockdown, would be unable to attend the many community events and civic engagements that they would normally attend for a potentially significant part of the mayoral year. This would have a detrimental impact on fundraising for the new Mayor’s charities and would also prevent the new Deputy Mayor from gaining a practical understanding of the mayoral role before he was scheduled to become Mayor in May 2021.
- 2.6 As the Annual (Mayor Making) meeting has been cancelled, Cllrs Billington and Moseley will continue as Mayor and Deputy Mayor of Guildford until May 2021 when the next Annual Meeting will be held.

Appointment of Committees

- 2.7 Council Procedure Rule 23 (a) requires the Council, at its Selection meeting each year, to appoint such committees as it shall determine and to agree their respective size and terms of reference.
- 2.8 Except in relation to the Licensing Committee and its sub-committees where the Council has absolute discretion as to whether they are politically balanced, the membership of each of the Council’s committees and sub-committees shall be in accordance with statutory requirements for political balance. As far as possible, the number of seats allocated to a political group on committees and sub-committees will reflect the size of that group in proportion to the total Council membership.
- 2.9 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 and Elections Manager will submit a report to the Council showing what allocation of seats would best meet the requirements for political balance.

3. Political Composition of the Council

- 3.1 The political composition of the Council is currently:

¹ The Annual Meeting was scheduled for Wednesday 13 May 2020

Guildford Liberal Democrats:	17
Residents for Guildford and Villages:	16
Conservatives:	8
Guildford Greenbelt Group:	4
Labour:	2
Independent Member:	1

4. Appointment of Committees

- 4.1 Under Council Procedure Rule 23 (g), the Council is invited to appoint the following committees in the manner specified in the table below:

Committee	No. of voting members of Committee	No. of substitute members of Committee	No. of co-opted (non-voting) members
Corporate Governance and Standards Committee	7 councillors ²	Up to 3 councillors per political group	3 independent members and 3 parish members ³
Employment Committee	3 councillors ⁴	Up to 4 councillors per political group	None
Community Executive Advisory Board	12 councillors (non-Executive)	Up to 7 councillors per political group	None
Place Making & Innovation Executive Advisory Board	12 councillors (non-Executive)	Up to 7 councillors per political group	None
Guildford Joint Committee	10 councillors ⁵	None	None
Licensing Committee	15 councillors	None	None
Overview and Scrutiny Committee	12 councillors (non-Executive)	Unlimited ⁶	None
Planning Committee	15 councillors	Up to 5 councillors per political group	None

- 4.2 Where applicable, the committees will appoint their respective sub-committees. The Council is also invited to consider and approve the terms of reference of these committees for 2020-21, details of which are set out in **Appendix 1** to this report.

5. Requirement for political balance and numerical allocation of seats on committees

- 5.1 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:

- where there is more than one political group, all the seats must not be allocated to the same political group

² who may include one member of the Executive except the lead councillor whose portfolio includes finance and resources. Neither the Leader nor Deputy Leader may be a member or substitute member of this Committee

³ At its meeting held on 9 April 2019, the Council appointed two of the three Independent Members of the Corporate Governance and Standards. The three parish members will be appointed formally, for a four year term ending May 2023, at the Council meeting on 23 July 2019 (see paragraph 7 below)

⁴ including at least one member of the Executive

⁵ The Joint Committee comprises 10 Surrey County Councillors (representing each of the 10 county divisions within the borough) and 10 Borough Councillors (at least one of whom must be a member of the Executive)

⁶ provided that none are Executive members (or Deputy Lead Councillors)

- the majority of seats must be allocated to the political group with the majority on the Council
- 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.
- 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

5.2 The current numerical allocation of seats on the committees to the political groups, which was agreed by the Council on 8 October 2019 is set out in the table below. As there have been no changes to the political balance on the Council since then, the Council is asked to agree that this numerical allocation of seats should continue for the 2020-21 municipal year.

Committee	Lib Dem	R4GV	Con	GGG	Lab	Ind
Total no. of seats on the Council	17	16	8	4	2	1
% of no. of seats on the Council	35.42%	33.33%	16.67%	8.33%	4.17%	2.08%
Corp Gov & Standards Cttee (7 seats)	2	2	1	1	1	0
Employment Cttee (3 seats)	1	1	1	0	0	0
Community EAB (12 seats)	4	5	2	1	0	0
Place Making & Innovation EAB (12 seats)	4	4	1	1	1	1
Guildford Joint Cttee (10 seats)	4	3	2	1	0	0
Licensing Cttee (15 seats)	6	5	2	1	0	1
Overview & Scrutiny Cttee (12 seats)	4	4	2	1	1	0
Planning Cttee (15 seats)	5	5	3	1	1	0
Total no. of seats on committees (Total: 86)	30	29	14	7	4	2

5.3 Details of each group's nominations to fill those seats (and substitutes where appropriate) are set out in **Appendix 2** to this report.

5.4 Whenever, during the course of the year, an appointment of a member or substitute member of a committee or sub-committee falls to be made in accordance with the wishes of a political group to whom the seat has been allocated or whenever such an appointment falls to be terminated in accordance with such wishes, the Managing Director shall make or terminate such appointments in accordance with the wishes of that political group. The wishes of a political group are taken to be those expressed to the Managing Director in writing by (a) the leader of the political group or (b) in a statement to the Managing Director supported in writing by a majority of the members of that group. In the event that different wishes of a political group are notified in accordance with (a) and (b) above, the wishes notified in accordance with (b) shall

prevail. No member of a committee shall be appointed so as to hold office later than the next annual meeting of the Council (i.e. May 2021).

- 5.5 The Council is also asked to agree that although political balance requirements should apply to the Licensing Committee, such requirements need not apply in respect of the Licensing Sub-Committee and Licensing Regulatory Sub-Committee, given that each Sub-Committee comprises just three councillors. Given the administrative nature of the sub-committees and the requirement to convene hearings before the sub-committees often at short notice, the Council has previously taken the view that political balance should not apply. However, the relaxation of the requirement for political balance applying to the two sub-committees may only be implemented if there are no votes cast against the motion to adopt this principle. In order to avoid the necessity of bringing this back to the Council each year, it is suggested that the Council should agree:

- That the political balance requirements should apply to the Licensing Committee
- That the political balance requirements need not apply to the Licensing Sub-Committee and Licensing Regulatory Sub-Committee

Allocation of seats to a councillor who is not a member of a political group

- 5.6 There is no strict entitlement calculation applicable to councillors who are not members of a political group; however, following the calculations and allocation of seats to political groups, the Council may exercise its discretion by appointing the non-grouped member (Councillor Gordon Jackson) to any seats not otherwise allocated, provided that no councillor votes against the proposal.

6. Election of chairmen and vice-chairmen of committees and sub-committees

Borough Council Committees

- 6.1 At the Selection Meeting each year, and following the appointment of committees, Council Procedure Rule 29 requires the Council to elect the chairmen and vice-chairmen of all committees, including the Executive Advisory Boards, and any sub-committees of those committees for the ensuing municipal year.

Guildford Joint Committee

- 6.2 In July 2018, the Council, together with Surrey County Council, established the Guildford Joint Committee to replace the former Guildford Local Committee. The Joint Committee's terms of reference include a number of executive and non-executive functions of both councils; and the membership comprises the ten Surrey County Councillors (representing each of the ten county divisions within the borough) and ten Borough Councillors (at least one of whom must be a member of the Executive). For the two years up to May 2020, the chairman of the Joint Committee has been a County Councillor and the vice-chairman a Borough Councillor. For both the 2020-21 and 2021-22 Municipal Years, the chairman shall be a Borough Councillor and vice-chairman a County Councillor. The Council is therefore asked to appoint the chairman of the Guildford Joint Committee for 2020-21.

Nominations received

- 6.3 Nominations received for election of committee and sub-committee chairmen and vice-chairmen are set out in **Appendix 2** to this report. In summary, the nominations are set out in the table below, including details of contested elections (in red):

Committee	Nominations received:	
	Chairman	Vice-Chairman
Corporate Governance & Standards	Cllr Nigel Manning Cllr Deborah Seabrook	Cllr Nigel Manning*
Employment	Cllr Caroline Reeves	Cllr John Rigg
EAB: Community	Cllr Angela Goodwin	Cllr Ramsey Nagaty
EAB: Place Making & Innovation	Cllr Angela Gunning	Cllr Gordon Jackson
Guildford Joint Committee	Cllr Pauline Searle	
Licensing	Cllr David Goodwin	Cllr Dennis Booth
Licensing Sub/Regulatory Sub (x 6)	Cllr Tim Anderson Cllr Dennis Booth Cllr David Goodwin Cllr Marsha Moseley Cllr Will Salmon Cllr Catherine Young	
Overview and Scrutiny	Cllr Paul Spooner	Cllr James Walsh
Planning	Cllr Marsha Moseley Cllr Fiona White	None received

* nomination to apply only if Cllr Manning is not elected chairman

7. Councillor Champions

Armed Forces Champion

- 7.1 Borough and district councils across Surrey have been invited to appoint a member of the Executive, or Chairman of an appropriate Scrutiny Committee, or a Member with an interest in the Armed Forces community, as the Council's Armed Forces Champion. The role involves raising the profile and needs of the Armed Forces community (serving personnel, both regular and reserve, their families and veterans), within the Council and the Borough. Close liaison with the Council's Armed Forces Covenant Officer, with particular reference to the Council's obligations undertaken through the Armed Forces Covenant and the Community Covenant, will be essential.

The Armed Forces Champion for 2019-20 was Councillor Tom Hunt (deputy: Councillor John Rigg).

Historic Environment and Design Champion

- 7.2 Since 2004, the Council has appointed an Historic Environment and Design Champion whose role has been to promote and support best practice in the built and historic environment by ensuring that the Council provides a vision for how the quality of the built environment will improve. This will require an overview of the host of responsibilities the Council has, for example via planning, conservation, procurement of new buildings and the management of streets and green spaces.

The Historic Environment and Design Champion for 2019-20 was Councillor Caroline Reeves (deputy: Councillor Bob McShee).

Older Persons' Champion

- 7.3 When the Executive adopted the Later Life Strategy in October 2010, the appointment of an independent Older Persons' Champion was approved in principle and it was agreed that future appointments should be made annually by the Council at its Selection meeting. The Champion's role is to promote services for older people within the Borough. The role requires a willingness to challenge existing structures

and cultures; and an ability to work across organisational boundaries and motivate key partners.

The Older Persons' Champion for 2019-20 was Councillor Maddy Redpath (deputy: Councillor Ted Mayne).

- 7.4 The Council is invited to appoint Councillor Champions for 2020-21, nominations for which are also set out in **Appendix 2**.

8. Legal implications

- 8.1 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. 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.
- 8.2 The Council has wide powers in the Local Government Act 1972 to appoint committees and delegate (non-executive) functions to them. As the Council operates executive arrangements, it is required under the Local Government Act 2000, to establish at least one overview and scrutiny committee.
- 8.3 Regulation 4(2) of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allows the Council to continue with existing appointments for 12 months.
- 8.4 These Regulations also allow the Council to hold meetings remotely, including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming.

9 Financial Implications

- 9.1 There are no significant financial implications arising from this report.

10 Human resource Implications

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

11 Background Papers

None

12 Appendices

Appendix 1: Proposed terms of reference of the Council's Committees for 2020-21

Appendix 2: Nominations for Appointments to Committees and other Appointments: 2020-21