

Council Report

Ward(s) affected: n/a

Report of Director of Resources

Author: John Armstrong (Democratic Services and Elections Manager)

Tel: 01483 444102

Email: john.armstrong@guildford.gov.uk

Lead Councillor responsible: Joss Bigmore

Tel: 07974 979369

Email: joss.bigmore@guildford.gov.uk

Date: 17 December 2020

Review of Allocation of Seats on Committees: 2020-21

Executive Summary

At its meeting on 28 July following the last review of the numerical allocation of seats on committees to the political groups, the Council agreed the allocation as set out in **Appendix 1**.

On 11 December 2020, the proper officer¹ received notice in writing from the leader of the Conservative group, Councillor Nigel Manning, that he would be happy to treat Councillors David Bilbe, Richard Billington, Graham Eyre, and Paul Spooner as members of the Conservative group, following receipt of notice in writing from each of the four councillors that they wished to be treated as members of that group. Councillor Manning also confirmed that Councillor Jo Randall was the deputy leader of the Conservative group.

These notices also had the effect of simultaneously ceasing the membership of Councillors Bilbe, Billington, Eyre, and Spooner of the Conservative Independent Group on the Council.

The political balance on the Council is now:

Guildford Liberal Democrats: 17
Residents for Guildford and Villages: 16
Conservative Group: 8
Guildford Greenbelt Group: 3
Labour: 2
Independent: 1
Vacancy: 1

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 numerical allocation of seats on committees to political groups.

This report sets out, in **Appendix 2**, the notional calculation of the numerical allocation of seats on committees based on the percentage of seats to which each political group and the independent member would be entitled when applying the normal rounding up/down rules.

¹ the Democratic Services and Elections Manager

The notional calculation invariably requires refinement in terms of adjustments to meet the required number of members on committees etc.

Appendix 3 sets out a suggested numerical allocation of seats on committees to political groups that would best meet, as far as reasonably practicable, the requirements for political balance for the remainder of the 2020-21 Municipal Year.

Recommendation to Council:

The Council is invited to consider in the light of the change in the political constitution of the Council, the proposed revision to the calculation of the numerical allocation of seats on committees for the remainder of the 2020-21 Municipal Year, which is set out in **Appendix 3** to this report.

Reason for Recommendation:

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

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

1. Purpose of report

- 1.1 The Council is asked to review the numerical allocation of seats on committees to political groups following the recent change in the political constitution of the Council.

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 annual 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, as far as reasonably practicable, the requirements for political balance.

3. Main Considerations

- 3.1 Details of the current numerical allocation of seats on the committees to the political groups, which were approved by the Council at its meeting on 28 July 2020, are shown in **Appendix 1** to this report.
- 3.2 On 11 December 2020, the proper officer received notice in writing from the leader of the Conservative group, Councillor Nigel Manning, that he would be happy to treat Councillors David Bilbe, Richard Billington, Graham Eyre, and Paul Spooner as members of the Conservative group, following receipt of notice in writing from each of the four councillors that they wished to be treated as members of that group. Councillor Manning also confirmed that Councillor Jo Randall was the deputy leader of the Conservative group.

3.3 These notices also had the effect of simultaneously ceasing the membership of Councillors Bilbe, Billington, Eyre, and Spooner of the Conservative Independent Group on the Council.

3.4 The political balance on the Council is now:

Guildford Liberal Democrats: 17
Residents for Guildford and Villages: 16
Conservative Group: 8
Guildford Greenbelt Group: 3
Labour: 2
Independent: 1
Vacancy: 1

Reviewing the numerical allocation of seats on Committees

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 and the independent member would be entitled when applying the normal rounding up/down rules. This notional calculation is set out in **Appendix 2**.

3.6 The **notional calculation** shows that the following adjustments are necessary:

- To increase the allocation of seats on the Corporate Governance & Standards Committee by one
- To increase the allocation of seats to the Guildford Liberal Democrat Group by one as that group is entitled to thirty-one seats overall
- To increase the allocation of seats to the Residents for Guildford and Villages Group by one as that group is entitled to twenty-nine seats overall
- To reduce the allocation of seats to the Conservative Group by one seat as that group is only entitled to fifteen seats overall
- To reduce the allocation of seats to the Guildford Greenbelt Group (GGG) by one seat 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
- To make provision for an allocation of two seats to the independent member

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 addresses the need for the adjustments and meets, as far as reasonably practicable, the requirements for political balance for the remainder of the 2020-21 municipal year.

3.8 Councillors may wish to bear in mind that when the Council last reviewed the allocation of seats on committees in July 2020, following the death of Councillor Patrick Sheard and the establishment of the Conservative Independent Group, it was agreed (with no councillor voting against) to make no change to the number of seats allocated to the GGG approved by the Council at the Selection Meeting on 19 May 2020 (i.e. seven in total).

3.9 The proposed numerical allocation of seats on committees to political groups referred to in **Appendix 3** makes changes only to the allocation of seats to the Conservative group, with no other group's allocation of seats affected. The Conservative group's allocation of seats would return to the allocation it had prior to the Council meeting on 28 July 2020.

4. Legal implications

Requirement for political balance and numerical allocation of seats on committees

- 4.1 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 so far as reasonably practicable*, to the following four principles in constituting its committees:
- (a) that not all of the seats on any committee are allocated to the same political group;
 - (b) that if a political group has a majority on the Council, it must have a majority of seats on all committees;
 - (c) that, subject to (a) and (b) above, the number of seats allocated to a political group across all the committees must reflect their proportion of the authority's membership; and
 - (d) that, subject to (a) to (c) above, the number of seats allocated to a political group on each committee is as far as possible in proportion to the group's membership of the authority.
- 4.2 Once it has determined the allocation of seats to different political groups, section 16 of the 1989 Act places a duty on the Council to allocate those seats in accordance with the wishes of the political groups.

5. Financial Implications

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

6. Human resource Implications

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

7. Equality and Diversity Implications

- 7.1 There are no equality and diversity implications arising from the recommendations in this report.

8. Climate Change/Sustainability Implications

- 8.1 There are no climate change/sustainability implications arising from the recommendations in this report.

9. Background Papers

None

10. Appendices

- Appendix 1: Current numerical allocation of seats on committees to political groups for 2020-21 as agreed by Council on 28 July 2020
- Appendix 2: Notional Calculation of the Numerical Allocation of Seats on Committees to political groups for the remainder of 2020-21
- Appendix 3: Draft Calculation of the Numerical Allocation of Seats on Committees to political groups for the remainder of 2020-21

Note: By reason of the special circumstances described below, the Deputy Mayor considered 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: Council Procedure Rule 23 requires that whenever there is a change in the political constitution of the Council, the Council must, as soon as reasonably practicable, review the numerical allocation of seats on committees to political groups.