

Council Report

Ward(s) affected: n/a

Report of Director of Strategic Services

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## Review of Allocation of Seats on Committees: 2020-21

### Executive Summary

At its extraordinary meeting on 17 December 2020 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** to this report.

On 11 and 12 March 2021, the proper officer<sup>1</sup> received notice in writing respectively of the resignations of Councillors Gordon Jackson and Caroline Reeves from the Council, which took effect immediately upon receipt. Vacancies were declared and elections to fill those vacancies, plus the vacancy created last year following the death of Councillor Patrick Sheard, will take place on 6 May 2021

The political balance on the Council is now:

Guildford Liberal Democrats: 16  
Residents for Guildford and Villages: 16  
Conservative Group: 8  
Guildford Greenbelt Group: 3  
Labour: 2  
Vacancies: 3

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 would be entitled when applying the normal rounding up/down rules.

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

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<sup>1</sup> the Democratic Services and Elections Manager

**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 what remains of the 2020-21 Municipal Year.

**Recommendation to Council:**

The Council is invited to review, in the light of the change in the political constitution of the Council, the allocation of seats on committees to political groups for the remainder of the 2020-21 Municipal Year.

Reason for Recommendation:

To enable the Council to comply with Council Procedure Rule 23 in respect of the requirement to review as soon as reasonably practicable the allocation of seats on committees whenever there is a change on the political constitution of the Council.

**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 extraordinary meeting on 17 December 2020, are shown in **Appendix 1** to this report.

3.2 On 11 and 12 March 2021, the proper officer received notice in writing respectively of the resignations of Councillors Gordon Jackson and Caroline Reeves from the Council, which took effect immediately upon receipt. Vacancies were declared and elections to fill those vacancies, plus the vacancy created last year following the death of Councillor Patrick Sheard, will take place on 6 May 2021

3.3 The political balance on the Council is now:

<b>Political Group</b>	<b>No. of councillors</b>
Guildford Liberal Democrats	16
Residents for Guildford and Villages	16
Conservatives	8
Guildford Greenbelt Group	3
Labour	2
Vacancies	3
<b>Total:</b>	<b>48</b>

## Reviewing the numerical allocation of seats on Committees

- 3.4 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**.
- 3.5 The **notional calculation** shows that the following adjustments are necessary:
- To increase the allocation of seats on the Corporate Governance & Standards Committee by two
  - To reduce the allocation of seats on the Guildford Joint Committee by one
  - To increase the allocation of seats to the Guildford Liberal Democrat Group by two 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 two as that group is also entitled to thirty-one 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 Labour Group by one as that group is only entitled to four seats overall
- 3.6 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.
- 3.7 It is worth pointing out that there are only four meetings of politically balanced committees remaining in the 2020-21 municipal year, as follows:
- Overview and Scrutiny Committee: 19 April 2021  
Corporate Governance & Standards Committee: 22 April 2021  
Strategy & Resources EAB: 26 April 2021  
Planning Committee: 28 April 2021
- 3.8 In view of this, the Council in compliance with its duty to review the allocation of seats on committees to political groups following the change in political balance, may decide that making no changes to the numerical allocation of seats meets, as far as reasonably practicable, the requirements for political balance. If making no changes was the chosen course of action for the Council, the seat vacated by Councillor Jackson on the Strategy and Resources EAB would remain vacant until the next review, which will take place at the Selection Council meeting on 18 May following the three by-elections taking place in the Friary & St Nicolas, Pirbright, and Send wards on 6 May.
- 3.9 If the Council does wish to make changes to the numerical allocation of seats on committees to political groups for what remains of the current municipal year, **Appendix 3** sets out a proposed allocation for consideration.
- 3.10 Councillors will note from **Appendix 3** that whilst there are changes to three committees, two of the changes are academic as the committees concerned, the Guildford Joint Committee and Licensing Committee do not have meetings between now and 18 May. As the only material change would be to the Strategy and Resources EAB, which does have a meeting – by allocating a seat to the Liberal Democrat group, the Council may justifiably take the view that making no changes to the allocation of seats agreed on 17 December 2020 is the better option.

#### **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 17 December 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