

Council Report

Ward(s) affected: n/a

Report of Strategic Services Director

Author: John Armstrong (Democratic Services and Elections Manager)

Tel: 01483 444102

Email: john.armstrong@guildford.gov.uk

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Review of Numerical Allocation of Seats on Committees to Political Groups: 2022-23

Executive Summary

At its Selection Meeting on 16 May 2022, the Council agreed a numerical allocation of seats on committees to the political groups on the Council for the 2022-23 municipal year (see **Appendix 1**). Councillors will be aware that:

- (a) on 20 May 2022, Councillor Richard Billington passed away leaving a vacancy in respect of one of the two seats representing the Tillingbourne ward; and
- (b) on 4 July 2022, the proper officer (Democratic Services and Elections Manager) received notice in writing from Councillor Jan Harwood that, with immediate effect, he no longer wished to be treated as a member of the Conservative group and wished to be regarded as an independent member.

Therefore, the political balance on the Council is now:

Guildford Liberal Democrats: 16
Residents for Guildford and Villages: 16
Conservatives: 8
Guildford Greenbelt Group: 4
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 allocation of seats on committees to political groups.

Prior to 4 July, Councillor Harwood occupied seats allocated to the Conservative Group on the following Committees:

- (a) Guildford Joint Committee
- (b) Licensing Committee,
- (c) the Guildford and Waverley Joint Appointments Committee; and
- (d) the Guildford and Waverley Joint Governance Committee.

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 to the single independent member, 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. To that end, **Appendix 3** sets out a proposed calculation of numerical allocation of seats on committees to political groups and to the single independent member, for approval by the Council. Following approval, the relevant political groups will be invited to appoint councillors to any vacant seats, or make any other adjustments, as appropriate.

Recommendation to Council:

The Council is invited to approve a revised calculation of the numerical allocation of seats on committees to each political group on the Council, and to the single independent member, for the remainder of the 2022-23 Municipal Year.

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.

1. Purpose of report

1.1 The Council is asked to review the numerical allocation of seats on committees to political groups in the light of:

- (a) the death, on 20 May 2022, of Councillor Richard Billington leaving a vacancy in respect of one of the two seats in the Tillingbourne ward; and
- (b) the resignation, on 4 July 2022, of Councillor Jan Harwood as a member of the Conservative group and his wish to be regarded as an independent member.

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

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) 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.

3.2 The Local Government (Committees and Political Groups) Regulations 1990 (as amended) 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 at its Selection Meeting on 16 May 2022, are shown in **Appendix 1** to this report.

3.4 In light of the death of Councillor Billington and Councillor Harwood's resignation from the Conservative group and his wish to be regarded as an independent member, the political complexion of the Council is now as follows:

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

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. 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 and Standards Committee by one
- To increase the allocation of seats on the Guildford Joint Committee by one
- To reduce the allocation of seats to the Conservative group by two as that group is now entitled to sixteen seats overall
- To increase the allocation of seats to the Guildford Liberal Democrat group by one as that group is entitled to thirty-two seats overall
- To increase the allocation of seats to the Residents for Guildford and Villages group by one as that group is also entitled to thirty-two 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 the 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 meets, as far as reasonably practicable, the requirements for political balance for the remainder of the 2022-23 municipal year. Options for addressing the adjustments referred to in paragraph 3.6 above are set out in the table below:

	Adjustment to notional allocation	Options
1	To increase the allocation of seats on the Corporate Governance and Standards Committee by one.	To allocate the 7 th seat on the Committee to the Labour group. This would reflect the current allocation on this Committee.
2	To increase the allocation of seats on the Guildford Joint Committee by one.	To allocate the 10 th seat on the Guildford Joint Committee to the independent member.
3	To reduce the allocation of seats to the Conservative group by two as that group is now entitled to sixteen seats overall (NB. Under the notional calculation, the Conservative group is entitled to a total of 16.17 seats)	To reduce the number of seats allocated to the Conservative group on the Licensing Committee by two compared to their current allocation. This would leave the total number of seats allocated to the Conservative group at 17, one more than they are notionally entitled, but still a net reduction of two from their current allocation.
4	To increase the allocation of seats to the Guildford Liberal Democrat group by one as that group is entitled to thirty-two seats overall (NB. Under the notional calculation, the Liberal Democrat group is entitled to a total of 32.34 seats)	To allocate an additional seat on the Licensing Committee to the Guildford Liberal Democrat group, bringing their total allocation up to 32.
5	To increase the allocation of seats to the Residents for Guildford and Villages group by one as that group is also entitled to thirty seats overall (NB. Under the notional calculation, the Residents for Guildford and Villages group is entitled to a total of 32.34 seats)	To allocate an additional seat on the Service Delivery EAB to the Residents for Guildford and Villages group, bringing their total allocation up to 32. This would reflect their current allocation on this EAB.

	Adjustment to notional allocation	Options
6	To reduce the allocation of seats to the Labour group by one as that group is only entitled to four seats overall	To allocate one seat to the Labour group on each of the following committees: <ul style="list-style-type: none"> • Corporate Governance & Standards • Strategy & Resources EAB • Overview & Scrutiny • Planning <p>This would reflect their current allocation.</p>
7	To make provision for the allocation of two seats to the independent member	To allocate the 10 th seat on the Guildford Joint Committee and a seat on the Licensing Committee to the independent member.

3.8 Following consultation with political group leaders, a proposal for consideration that addresses, as far as practicable, the required adjustments referred to above, is set out in **Appendix 3**. Councillors will note that this proposal makes no changes to the current allocation of seats to the Residents for Guildford and Villages group, the Guildford Greenbelt Group, and the Labour group.

3.9 At the Council meeting, the Leader of the Council will propose a motion setting out for debate a draft calculation of the numerical allocation of seats on committees for the remainder of the 2022-23 Municipal Year. It should be noted, however, that following the Tillingbourne by-election (date to be announced), it will be necessary to submit a further report on the numerical allocation of seats on committees to political groups to the next meeting of the Council (11 October 2022).

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 to political groups for 2022-23 as agreed by Council on 16 May 2022
- Appendix 2: Notional Calculation of the Numerical Allocation of Seats on Committees to political groups for the remainder of 2022-23
- Appendix 3: Proposed Calculation of the Numerical Allocation of Seats on Committees to political groups for the remainder of 2022-23