

Council Report

Ward(s) affected: n/a

Report of Joint Strategic Director (Transformation and Place)

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

Executive Summary

At its meeting on 11 October 2022, the Council agreed a numerical allocation of seats on committees to the political groups on the Council to reflect the resignation of Councillor Diana Jones from the Residents for Guildford and Villages group and her wish to be regarded as a member of the Green Party (see **Appendix 1**).

Since then, councillors will be aware that the by-election to fill the vacant seat in the Tillingbourne ward, following the death of Councillor Richard Billington, was held on 20 October 2022, which resulted in the election of Councillor Richard Morris. Notice in writing has been received from Councillor Morris that he wishes to be treated as a member of the Guildford Liberal Democrat group on the Council.

On 9 November 2022, Councillor Tony Rooth gave notice of his resignation from the Residents for Guildford and Villages group and his wish to be regarded as an independent member.

Therefore, the political balance on the Council is now:

Guildford Liberal Democrats: 17
Residents for Guildford and Villages: 14
Conservatives: 8
Guildford Greenbelt Group: 4
Labour: 2
Independent: 2
Green: 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.

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 two independent members, and the single Green Party 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 the political groups, the two independent members, and to the single Green Party 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 two independent members, and the single Green Party 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.

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:

- (a) the Tillingbourne ward by-election held on 20 October 2022, which resulted in the election of Councillor Richard Morris. It has been confirmed that Councillor Morris wishes to be treated as being a member of the Guildford Liberal Democrat group; and
- (b) the resignation of Councillor Tony Rooth from the Residents for Guildford and Villages 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 meeting on 11 October 2022, are shown in **Appendix 1** to this report.

3.4 In light of Councillor Morris's election to the Council, and his wish to be regarded as a member of the Guildford Liberal Democrat group, and Councillor Rooth's resignation from the Residents for Guildford and Villages group, the political complexion of the Council is now as follows:

Guildford Liberal Democrats:	17
Residents for Guildford and Villages:	14
Conservatives:	8
Guildford Greenbelt Group:	4
Labour:	2
Independent:	2
Green:	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.

3.6 On this occasion, the Council will need to take into account the item elsewhere on this agenda in respect of the future of the Guildford Joint Committee. Dependent on whether the Executive and Council wish to continue with the Joint Committee until the end of the current municipal year, or dissolve the Joint Committee immediately by withdrawing all GBC functions, the notional calculations are set out

as two options – one with the Joint Committee included in the calculation (see **Appendix 2**), and the other with the Joint Committee excluded from the calculation (see **Appendix 3**).

3.7 The **notional calculations in Appendices 2 and 3** suggest the following adjustments:

- To increase the allocation of seats on the Corporate Governance and Standards Committee by one
- To increase the allocation of seats on the Licensing Committee by one
- To increase 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 sixteen seats overall with the Joint Committee included, and fourteen seats overall with the Joint Committee excluded
- To increase the allocation of seats to the Guildford Liberal Democrat group by two as that group is entitled to thirty-four seats overall with the Joint Committee included, and thirty seats overall with the Joint Committee excluded
- To reduce the allocation of seats to the Residents for Guildford and Villages group by one as that group’s entitlement is twenty-eight seats overall with the Joint Committee included, and twenty-five seats overall with the Joint Committee excluded
- 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 Green Party member
- To make provision for the allocation of two seats each to both independent members

3.8 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. Options for addressing the adjustments referred to in paragraph 3.7 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 Licensing Committee by one.	To allocate the 15 th seat on the Committee to the Residents for Guildford and Villages group. Whilst notionally only being entitled to four seats, rounded down from 4.38 seats, no other group (or individual councillor) has a higher notional entitlement to an additional seat (or a seat) on this Committee. The allocation of the 15 th seat to the Residents for Guildford and Villages group would also reflect the current allocation of seats on this Committee.

	Adjustment to notional allocation	Options
3	To increase the allocation of seats on the Planning Committee by one.	To allocate the 15 th seat on the Committee to the Residents for Guildford and Villages group. Whilst notionally only being entitled to four seats, rounded down from 4.38 seats, no other group (or individual councillor) has a higher notional entitlement to an additional seat (or a seat) on this Committee. The allocation of the 15 th seat to the Residents for Guildford and Villages group would also reflect the current allocation of seats on this Committee.
4	To reduce the allocation of seats to the Conservative group overall by two	<p>To reduce the number of seats allocated to the Conservative group on the Guildford Joint Committee by one (If the Joint Committee is included).</p> <p>To reduce the number of seats allocated to the Conservative group on the Service Delivery EAB by one (If the Joint Committee is excluded).</p> <p>To reduce the number of seats allocated to the Conservative group on the Licensing Committee by one. This would reflect the group's current allocation on this Committee.</p>
5	To increase the allocation of seats to the Guildford Liberal Democrat group overall by two	<p>To allocate an additional seat on the Licensing Committee to the Guildford Liberal Democrat group. This would reflect the group's current allocation on this Committee.</p> <p>No other option is considered to allocate an additional seat to the Guildford Liberal Democrat group as the total number of seats allocated to the other groups and to the three councillors who are not members of a political group is equal to their respective notional allocations.</p>
6	To reduce the allocation of seats to the Residents for Guildford and Villages group overall by one	<p>Taking into account items 2 and 3 in this table, to reduce the number of seats allocated to the Residents for Guildford and Villages group on the Guildford Joint Committee by one (If the Joint Committee is included).</p> <p>To reduce the number of seats allocated to the Residents for Guildford and Villages group on the Overview and Scrutiny Committee by one (If the Joint Committee is excluded).</p> <p>To reduce the number of seats allocated to the</p>

	Adjustment to notional allocation	Options
		Residents for Guildford and Villages group on both the Service Delivery EAB and the Strategy and Resources EAB by one.
7	To reduce the allocation of seats to the Labour group overall by one	<p>To allocate one seat to the Labour group on each of the following committees:</p> <ul style="list-style-type: none"> • Corporate Governance & Standards Committee • Strategy & Resources EAB • Overview & Scrutiny Committee • Planning Committee <p>This would reflect their current allocation.</p>
8	To make provision for the allocation of two seats to the Green Party member (Cllr Diana Jones)	<p>To allocate a seat on each EAB to the Green Party member.</p> <p>This would reflect the current allocation of seats to the Green Party member</p>
9	To make provision for the allocation of two seats to the independent member (Cllr Jan Harwood)	<p>To allocate a seat on the Guildford Joint Committee to Cllr Harwood (if the Joint Committee is included)</p> <p>To allocate a seat on the Licensing Committee to Cllr Harwood.</p> <p>This would reflect the current allocation of seats to Cllr Harwood.</p> <p>To allocate a seat on the Service Delivery EAB to Cllr Harwood (if the Joint Committee is excluded).</p>
10	To make provision for the allocation of two seats to the independent member (Cllr Tony Rooth)	<p>To allocate a seat on the Guildford Joint Committee to Cllr Rooth (if the Joint Committee is included)</p> <p>To allocate a seat on the Service Delivery EAB to Cllr Rooth.</p> <p>To allocate a seat on the Overview and Scrutiny Committee to Cllr Rooth (if the Joint Committee is excluded).</p>

3.9 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 4** (with the Guildford Joint Committee included) or in **Appendix 5** (with the Guildford Joint Committee excluded).

- 3.10 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 to political groups and to the two independent members and the Green Party member for the remainder of the municipal year. This will be dependent on the outcome of the Council's consideration of the future of the Guildford Joint Committee.

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 11 October 2022
- Appendix 2: Notional Revised Calculation of the Numerical Allocation of Seats to political groups on Committees 2022-23 **(including the Guildford Joint Committee)**
- Appendix 3: Notional Revised Calculation of the Numerical Allocation of Seats to political groups on Committees 2022-23 **(excluding the Guildford Joint Committee)**
- Appendix 4: Proposed Revised Calculation of the Numerical Allocation of Seats to political groups on Committees 2022-23 **(including the Guildford Joint Committee)**
- Appendix 5: Proposed Revised Calculation of the Numerical Allocation of Seats to political groups on Committees 2022-23 **(excluding the Guildford Joint Committee)**