

Council Report

Ward(s) affected: n/a

Report of Director of Finance

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Review of Allocation of Seats on Committees: 2018-19

Executive Summary

On 30 October 2018, Councillor Colin Cross gave notice in writing to the proper officer (Democratic Services Manager) that, with immediate effect, he no longer wished to remain a member of the Liberal Democrat Group.

The Council will recall that, at its last meeting on 9 October 2018, a similar report on the review of the allocation of seats on committees was presented following the resignation of Councillor Bob McShee from the Conservative group in August, and the establishment of a new Independent Group comprising Councillors McShee and Rooth. That review resulted in a number of changes to the allocation of seats on committees to political groups (see **Appendix 1**)

On 15 November 2018, the proper officer received notice in writing from Councillor Cross of his wish to join the Independent Group. In a separate notice received on the same date Councillor Tony Rooth, as group leader, confirmed that the name of the Independent Group had changed to "The Independent Alliance".

The political balance on the Council is now:

Conservative Group: 32
Liberal Democrat Group: 8
Guildford Greenbelt Group: 3
Independent Alliance: 3
Labour Group: 2

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 **Appendices 3 and 4**, two options for consideration in respect of the calculation of numerical allocation of seats on committees to political groups, for approval by the Council, based on the current political balance.

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 for the remainder of the 2018-19 Municipal Year.

Reasons for Recommendation:

- To comply with Council Procedure Rule 23 of the Constitution in respect of the appointment of committees
- 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.

1. Purpose of report

- 1.1 The Council is asked to review the numerical allocation of seats on committees to political groups following the resignation of Councillor Colin Cross from the Liberal Democrat Group on 30 October 2018, and his subsequent notification of his wish to join the Independent Group, which was received on 15 November 2018.
- 1.2 In a separate notification also received on 15 November 2018, from Councillor Tony Rooth as group leader, the name of the Independent Group had changed to “The Independent Alliance”.

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 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 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) where there is more than one political group, all the seats must not be allocated to the same political group;
 - (b) the majority of seats must be allocated to the political group with the majority on the full Council;
 - (c) 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; and
 - (d) 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.

- 3.2 Regulations made under the 1989 Act¹, 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 following the last review at its meeting on 9 October 2018 following Councillor Bob McShee's resignation from the Conservative Group and subsequent establishment of the Independent Group, are shown in **Appendix 1** to this report.
- 3.4 In light of the resignation of Councillor Cross from the Liberal Democrat Group and his subsequent notice stating his wish to join what is now called the Independent Alliance, the political complexion of the Council is now as follows:

Conservative Group: 32
Liberal Democrat Group: 8
Guildford Greenbelt Group: 3
Independent Alliance: 3
Labour Group: 2

- 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. The 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 reduce the allocation of seats on the Community EAB by one
 - To reduce the allocation of seats on the Place-Making and Innovation EAB by one
 - To reduce the allocation of seats on the Licensing Committee by one
 - To reduce the allocation of seats on the Overview and Scrutiny Committee by one
 - To reduce the allocation of seats on the Planning Committee by one
 - To reduce the allocation of seats to the Liberal Democrat Group by one as that group is only entitled to fifteen seats overall
 - To reduce the allocation of seats to the Guildford Greenbelt Group by one as that group is only entitled to five seats overall
 - To reduce the allocation of seats to the Independent Alliance by one as that group is also 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
- 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 2018-19 municipal year. Two options for consideration that make the fewest number of changes overall compared with the current numerical allocation are set out in **Appendices 3 and 4**.

¹ The Local Government (Committees and Political Groups) Regulations 1990 (as amended),

- 3.8 **Appendix 3** provides a draft calculation [OPTION 1] that allocates a seat on the Licensing Committee to the Independent Alliance, and reduces the Liberal Democrat Group's allocation of seats on that Committee by one. All other allocations would remain unchanged from the numerical allocation agreed by the Council on 9 October 2018.
- 3.9 **Appendix 4** provides a draft calculation [OPTION 2] that allocates a seat on the Planning Committee to the Independent Alliance, and reduces the Liberal Democrat Group's allocation of seats on that Committee by one. All other allocations would remain unchanged from the numerical allocation agreed by the Council on 9 October 2018.
- 3.10 At the Council meeting, the Lead Councillor for Infrastructure and Governance will propose a motion setting out for debate a draft calculation of the numerical allocation of seats on committees. This will be set out on the Order Paper and it will, of course, be open to councillors to propose amendments to that motion. Any decisions taken in respect of the motion, including any amendments, will be by simple majority votes.

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 for 2018-19 as agreed by Council on 9 October 2018
- Appendix 2: Notional Calculation of the Numerical Allocation of Seats on Committees for the remainder of 2018-19
- Appendix 3: Draft Calculation of the Numerical Allocation of Seats on Committees for the remainder of 2018-19 [OPTION 1]
- Appendix 4: Draft Calculation of the Numerical Allocation of Seats on Committees for the remainder of 2018-19 [OPTION 2]

Appendix 1

CURRENT Numerical Allocation of Seats on Committees: 2018-19 as agreed by Council on 9 October 2018

Committee	Conservatives	Liberal Democrats	Guildford Greenbelt Group	Independent Group	Labour
Total no. of seats on the Council	32	9	3	2	2
% of no. of seats on the Council	66.67%	18.75%	6.25%	4.17%	4.17%
Corporate Governance & Standards Committee (7 seats)	5	1	0	1	0
Employment Committee (3 seats)	2	1	0	0	0
Community EAB (12 seats)	8	2	0	1	1
Place Making & Innovation EAB (12 seats)	8	2	1	1	0
Guildford Joint Committee (11 seats)	7	2	1	1	0
Licensing Committee (15 seats)	10	3	1	0	1
Overview & Scrutiny Committee (12 seats)	8	2	1	0	1
Planning Committee (15 seats)	10	3	1	0	1
Total no. of seats on committees (87 seats)	58	16 16.31 seats rounded down to 16	5 5.44 seats rounded down to 5	4 3.63 seats rounded up to 4	4 3.63 seats rounded up to 4

Appendix 2

NOTIONAL Calculation of the Numerical Allocation of Seats on Committees for the remainder of the 2018-19 Municipal Year

Committee	Conservatives	Liberal Democrats	Guildford Greenbelt Group	Independent Alliance	Labour	Adjustment
Total no. of seats on the Council	32	8	3	3	2	
% of no. of seats on the Council	66.67%	16.67%	6.25%	6.25%	4.17%	
Notional total number of seats on committees (Total: 87)	58	14.5 rounded up to 15	5.44 rounded down to 5	5.44 rounded down to 5	3.63 rounded up to 4	
Corporate Governance & Standards Committee (7 seats)	4.67 seats rounded up to 5	1.17 seats rounded down to 1	0.44 seats rounded down to 0	0.44 seats rounded down to 0	0.29 seats rounded down to 0	+1
Employment Committee (3 seats)	2 seats 2	0.5 seats rounded up to 1	0.19 seats rounded down to 0	0.19 seats rounded down to 0	0.13 seats rounded down to 0	
Community EAB (12 seats)	8 seats 8	2 seats 2	0.75 seats rounded up to 1	0.75 seats rounded up to 1	0.5 seats rounded up to 1	-1
Place Making & Innovation EAB (12 seats)	8 seats 8	2 seats 2	0.75 seats rounded up to 1	0.75 seats rounded up to 1	0.5 seats rounded up to 1	-1
Guildford Joint Committee (11 seats)	7.33 seats rounded down to 7	1.83 seats rounded up to 2	0.69 seats rounded up to 1	0.69 seats rounded up to 1	0.46 seats rounded down to 0	
Licensing Committee (15 seats)	10 seats 10	2.5 seats rounded up to 3	0.94 seats rounded up to 1	0.94 seats rounded up to 1	0.63 seats rounded up to 1	-1
Overview & Scrutiny Committee (12 seats)	8 seats 8	2 seats 2	0.75 seats rounded up to 1	0.75 seats rounded up to 1	0.5 seats rounded up to 1	-1
Planning Committee (15 seats)	10 seats 10	2.5 seats rounded up to 3	0.94 seats rounded up to 1	0.94 seats rounded up to 1	0.63 seats rounded up to 1	-1
Total no. of seats on committees	58	16	6	6	5	Total: 91 -4
Variance from rounded notional entitlement	0	-1	-1	-1	-1	

Appendix 3

OPTION 1: Draft Calculation of the Numerical Allocation of Seats on Committees for the remainder of the 2018-19 Municipal Year

Committee	Conservatives	Liberal Democrats	Guildford Greenbelt Group	Independent Alliance	Labour
Total no. of seats on the Council	32	8	3	3	2
% of no. of seats on the Council	66.67%	16.67%	6.25%	6.25%	4.17%
Notional total number of seats on committees (Total: 87)	58	14.5 rounded up to 15	5.44 rounded down to 5	5.44 rounded down to 5	3.63 rounded up to 4
Corporate Governance & Standards Committee (7 seats)	5	1	0	1	0
Employment Committee (3 seats)	2	1	0	0	0
Community EAB (12 seats)	8	2	0	1	1
Place Making & Innovation EAB (12 seats)	8	2	1	1	0
Guildford Joint Committee (11 seats)	7	2	1	1	0
Licensing Committee (15 seats)	10	2	1	1	1
Overview & Scrutiny Committee (12 seats)	8	2	1	0	1
Planning Committee (15 seats)	10	3	1	0	1
Total no. of seats on committees	58	15	5	5	4

Appendix 4

OPTION 2: Draft Calculation of the Numerical Allocation of Seats on Committees for the remainder of the 2018-19 Municipal Year

Committee	Conservatives	Liberal Democrats	Guildford Greenbelt Group	Independent Alliance	Labour
Total no. of seats on the Council	32	8	3	3	2
% of no. of seats on the Council	66.67%	16.67%	6.25%	6.25%	4.17%
Notional total number of seats on committees (Total: 87)	58	14.5 rounded up to 15	5.44 rounded down to 5	5.44 rounded down to 5	3.63 rounded up to 4
Corporate Governance & Standards Committee (7 seats)	5	1	0	1	0
Employment Committee (3 seats)	2	1	0	0	0
Community EAB (12 seats)	8	2	0	1	1
Place Making & Innovation EAB (12 seats)	8	2	1	1	0
Guildford Joint Committee (11 seats)	7	2	1	1	0
Licensing Committee (15 seats)	10	3	1	0	1
Overview & Scrutiny Committee (12 seats)	8	2	1	0	1
Planning Committee (15 seats)	10	2	1	1	1
Total no. of seats on committees	58	15	5	5	4