

Council Report

Ward(s) affected: n/a

Report of Director of Finance

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Review of Allocation of Seats on Committees: 2019-20

Executive Summary

At its Selection Meeting on 15 May 2019, the Council agreed a numerical allocation of seats on committees to the political groups on the Council following the Borough Council Elections on 2 May 2019 (see **Appendix 1**).

On 16 September 2019, Councillor Gordon Jackson 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 Conservative Group on the Council.

Councillor Jackson is now an independent member, not aligned to any political group.

The political balance on the Council is now:

Guildford Liberal Democrats: 17

Residents for Guildford and Villages: 16

Conservatives: 8

Guildford Greenbelt Group: 4

Labour: 2

Independent: 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.

Councillor Jackson is currently a full member of the Place Making and innovation EAB (of which he is also Vice-Chairman), and the Overview and Scrutiny Committee, and a substitute member of the Community EAB, Corporate Governance & Standards Committee, Employment Committee, and Planning Committee. These appointments were approved by the Council on 15 May 2019 when Councillor Jackson was a member of the Conservative group.

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.

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 the independent member, for approval by the Council. This proposal makes no change to the actual membership of committees as Councillor Jackson would, if no councillor votes against the proposal, retain the seats he currently has on the Place-Making and Innovation EAB and the Overview and Scrutiny Committee.

If Councillor Jackson retains his seat on the Place-Making and Innovation EAB, he will remain as vice-chairman of that EAB for the remainder of the 2019-20 Municipal Year. If, however, he does not retain membership of the Place-Making and Innovation EAB, a new vice-chairman for the remainder of the 2019-20 municipal year will be elected by the EAB at its next meeting.

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 the independent member, for the remainder of the 2019-20 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 following the resignation of Councillor Gordon Jackson from the Conservative Group on 16 September 2019.

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 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. These Regulations make no reference to the treatment of councillors who are not members of a political group in councils which are divided into political groups.
- 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 15 May 2019, are shown in **Appendix 1** to this report.
- 3.4 In light of Councillor Jackson'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: 17
Residents for Guildford and Villages: 16
Conservatives: 8
Guildford Greenbelt Group: 4
Labour: 2
Independent: 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 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 and 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 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 two as that group is now only entitled to fourteen 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

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

practicable, the requirements for political balance for the remainder of the 2019-20 municipal year. An option for consideration that addresses each of the required adjustments is set in **Appendix 3**. Councillors will note that this option retains Councillor Jackson’s membership of the Place-Making and Innovation EAB and the Overview and Scrutiny Committee and makes no other change to the current membership of committees.

- 3.8 The proposed numerical allocation of seats on committees in **Appendix 3** would take effect only if no councillor votes against the proposal. The effect of any councillor voting against the proposal in **Appendix 3** would mean, in the absence of an alternative numerical allocation of seats being proposed, that the numerical allocation of seats on committees to political groups agreed by the Council on 15 May 2019 would continue, subject to the Conservative group having one seat on both the Place-Making and Innovation EAB and on the Overview and Scrutiny Committee, with the vacant seats being unallocated as shown in the table below:

Committee	Lib Dem	R4GV	Con	GGG	Lab	Ind
Total no. of seats on the Council	17	16	8	4	2	1
% of no. of seats on the Council	35.42%	33.33%	16.67%	8.33%	4.17%	2.08%
Corp Gov & Standards Cttee (7 seats)	2	2	1	1	1	0
Employment Cttee (3 seats)	1	1	1	0	0	0
Community EAB (12 seats)	4	5	2	1	0	0
Place Making & Innovation EAB (12 seats)	4	4	1	1	1	0
Guildford Joint Cttee (10 seats)	4	3	2	1	0	0
Licensing Cttee (15 seats)	6	5	3	1	0	0
Overview & Scrutiny Cttee (12 seats)	4	4	1	1	1	0
Planning Cttee (15 seats)	5	5	3	1	1	0
Total no. of seats on committees (Total: 86)	30	29	14	7	4	0

- 3.9 If Councillor Jackson retains his seat on the Place-Making and Innovation EAB, he will remain as vice-chairman of that EAB. If, however, he does not retain membership of the Place-Making and Innovation EAB, a new vice-chairman for the remainder of the 2019-20 municipal year will be elected by the EAB at its next meeting.
- 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 for the remainder of the 2019-20 Municipal Year. This will be set out on the Order Paper and it will, of course, be open to councillors to propose amendments to that motion.

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 2019-20 as agreed by Council on 15 May 2019

Appendix 2: Notional Calculation of the Numerical Allocation of Seats on Committees to political groups for the remainder of 2019-20

Appendix 3: Draft Calculation of the Numerical Allocation of Seats on Committees to political groups for the remainder of 2019-20

Appendix 1

CURRENT Numerical Allocation of Seats on Committees to political groups for 2019-20 as agreed by Council on 15 May 2019

Committee	Guildford Liberal Democrats	Residents for Guildford & Villages	Conservatives	Guildford Greenbelt Group	Labour
Total no. of seats on the Council	17	16	9	4	2
% of no. of seats on the Council	35.42%	33.33%	18.75%	8.33%	4.17%
Total number of seats on committees (Total: 86)	30	29	16	7	4
Corporate Governance & Standards Committee (7 seats)	2	2	1	1	1
Employment Committee (3 seats)	1	1	1	0	0
Community EAB (12 seats)	4	5	2	1	0
Place Making & Innovation EAB (12 seats)	4	4	2	1	1
Guildford Joint Committee (10 seats)	4	3	2	1	0
Licensing Committee (15 seats)	6	5	3	1	0
Overview & Scrutiny Committee (12 seats)	4	4	2	1	1
Planning Committee (15 seats)	5	5	3	1	1
Total no. of seats on committees	30	29	16	7	4

Appendix 2

NOTIONAL Calculation of the Numerical Allocation of Seats on Committees to political groups for the remainder of the 2019-20 Municipal Year

Committee	Guildford Liberal Democrats	Residents for Guildford & Villages	Conservatives	Guildford Greenbelt Group	Labour	Independent	Adjustment
Total no. of seats on the Council	17	16	8	4	2	1	
% of no. of seats on the Council	35.42%	33.33%	16.67%	8.33%	4.17%	2.08%	
Notional total number of seats on committees (Total: 86)	30.46 Rounded down to 30	28.66 Rounded up to 29	14.34 Rounded down to 14	7.16 Rounded down to 7	3.59 Rounded up to 4	1.79 Rounded up to 2	
Corporate Governance & Standards Committee (7 seats)	2.48 seats rounded down to 2	2.33 seats rounded down to 2	1.17 seats rounded down to 1	0.58 seats rounded up to 1	0.29 seats rounded down to 0	0.15 seats rounded down to 0	+1
Employment Committee (3 seats)	1.06 seats rounded down to 1	1 seat	0.5 seats rounded up to 1	0.25 seats rounded down to 0	0.13 seats rounded down to 0	0.06 seats rounded down to 0	
Community EAB (12 seats)	4.25 seats rounded down to 4	4 seats	2 seats	1 seat	0.5 seats rounded up to 1	0.25 seats rounded down to 0	
Place Making & Innovation EAB (12 seats)	4.25 seats rounded down to 4	4 seats	2 seats	1 seat	0.5 seats rounded up to 1	0.25 seats rounded down to 0	
Guildford Joint Committee (10 seats)	3.54 seats rounded up to 4	3.33 seats rounded down to 3	1.67 seats rounded up to 2	0.83 seats rounded up to 1	0.42 seats rounded down to 0	0.21 seats rounded down to 0	
Licensing Committee (15 seats)	5.31 seats rounded down to 5	5 seats	2.5 seats rounded up to 3	1.25 seats rounded down to 1	0.63 seats rounded up to 1	0.31 seats rounded down to 0	
Overview & Scrutiny Committee (12 seats)	4.25 seats rounded down to 4	4 seats	2 seats	1 seat	0.5 seats rounded up to 1	0.25 seats rounded down to 0	
Planning Committee (15 seats)	5.31 seats rounded down to 5	5 seats	2.5 seats rounded up to 3	1.25 seats rounded down to 1	0.63 seats rounded up to 1	0.31 seats rounded down to 0	
Total	29	28	16	7	5	0	Total: 85
Variance	-1	-1	+2	0	+1	-2	

Appendix 3

PROPOSED Calculation of the Numerical Allocation of Seats on Committees to political groups for the remainder of the 2019-20 Municipal Year

Committee	Guildford Liberal Democrats	Residents for Guildford & Villages	Conservatives	Guildford Greenbelt Group	Labour	Independent
Total no. of seats on the Council	17	16	8	4	2	1
% of no. of seats on the Council	35.42%	33.33%	16.67%	8.33%	4.17%	2.08%
Corporate Governance & Standards Committee (7 seats)	2	2	1	1	1	0
Employment Committee (3 seats)	1	1	1	0	0	0
Community EAB (12 seats)	4	5	2	1	0	0
Place Making & Innovation EAB (12 seats)	4	4	1	1	1	1
Guildford Joint Committee (10 seats)	4	3	2	1	0	0
Licensing Committee (15 seats)	6	5	3	1	0	0
Overview & Scrutiny Committee (12 seats)	4	4	1	1	1	1
Planning Committee (15 seats)	5	5	3	1	1	0
Total no. of seats on committees (86 seats)	30	29	14	7	4	2