

# **WAVERLEY BOROUGH COUNCIL**

## **COUNCIL**

**17 JULY 2018**

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### **Title:**

## **PROPORTIONALITY ON COMMITTEES AND ALLOCATION OF SEATS**

[Portfolio Holder: Cllr Julia Potts]

[Wards affected: All]

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### **Summary and purpose:**

The Local Government and Housing Act 1989 requires local authorities, where Members are divided into political groups, to review the allocation of seats on the principal committees as soon as practicable after any change the political composition of the Council, to ensure that seats are allocated in the same proportion as that in which the council as a whole is divided.

The by-election for the Farnham Castle Ward was held on 24 May 2018 and Cllr David Beaman has been elected to the Council as a Farnham Resident. In addition, the Standards Panel has recommended that the Council re-designates the Standards Panel as a politically proportional Standards Committee.

Subject to the agreement of Council to the re-designation of the Standards Panel, the calculation of proportionality and proposed allocation of committee seats is set out below

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### **How this report relates to the Council's Corporate Priorities:**

The corporate governance of the Council provides the basis of the Council's work towards achieving all the Corporate Priorities.

### **Equality and Diversity Implications:**

The Council is under a statutory duty to ensure that equality and diversity is a key part of the decision making process of the Council. This is fundamental to the Council being able to meet its statutory responsibilities.

### **Financial Implications:**

The cost of servicing the Council's Committees will be met through existing budgets.

### **Legal Implications:**

The legal implications are set out in the body of the report.

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## Proportionality of the Council

1. Following the resignation of Cllr John Williamson and the resulting by-election for the Farnham Castle Ward on 24 May 2018, Cllr David Beaman has been elected to the Council as a Farnham Resident.
2. The Conservative and Farnham Resident Groups are registered under the provisions of the Local Government and Housing Act 1989 (LG&HA1989). The political breakdown of the Council is now:

	<b>Conservative Group</b>	<b>Farnham Residents</b>	<b>Liberal Democrat</b>	<b>Vacancy</b>	<b>Total</b>
<b>No. of seats on the Council</b>	50	6	1	0	57
<b>Proportionality</b>	87.72%	10.53%	1.75%	0	100.00%

## Allocation of Committee seats

3. The following principles apply to the allocation of seats (LG&HA1989, s15(5)):
  - (a) *Preventing domination by a single group*: That not all the seats on the body to which appointments are being made are allocated to the same political group;
  - (b) *Ensuring a majority group enjoys a majority on all committees*: That the majority of seats on each committee are allocated to a particular group if the number of persons belonging to that group is a majority of the authority's membership;
  - (c) *Aggregating all committee places and allocating fair shares*: That, subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
  - (d) *Ensuring as far as practicable fairness on each committee*: Subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
4. The calculation of the proportional allocation of committee seats carried out in May 2018 excluded the Standards Panel, which does not have to be politically proportional. At its meeting on 11 June 2018, the Standards Panel noted that since being established following the introduction of the new Standards Framework in 2012, the Panel had taken into its remit oversight of the Council's Constitution and Scheme of Delegation. The expansion of its role means that it is now operating as a traditional Standards Committee, and therefore the membership should fall within the standard rules for political proportionality.
5. Subject to the Council agreeing the recommendation from the Standards Panel to bring its membership into the proportionality calculation, the revised allocation of seats between the principal committees of the Council is shown on Annexe 1.

6. Compared with the allocation agreed at Council on 15 May 2018:
  - The vacant seat on Joint Planning Committee is allocated to the Conservative Group.
  - The vacant seat on VFM & Customer Service O&S Committee is allocated to the Farnham Residents Group (with the right to nominate the Chairman).
  - The Liberal Democrat 'group' is allocated an additional seat – the Conservative and Liberal Democrat Group Leaders have agreed that this will be on the Housing O&S Committee.
  - The *ex-officio* seat on the Standards Panel for the Leader of the Principal Opposition Group, becomes a proportional allocation of one seat to the Farnham Residents Group.

### **Area Planning Committees**

7. The allocation of seats on the Area Planning Committees is calculated for each area. The election of Cllr Beaman affects the proportionality of the Western Area Planning Committee. The political proportions for Western Area Planning are calculated as follows:

Allocation of seats on Western Area Planning Committee (to be re-calculated following the by-election on 24 May 2018)

12 **Conservative** /18 ward seats =  $0.667\% \times 13 = 8.671 = 9$  (rounded)

6 **Farnham Resident**/18 ward seats =  $0.333\% \times 13 = 4.333 = 4$  (rounded)

Compared with the allocation agreed at Council on 15 May 2018:

- The vacant seat on Western Area Planning Committee is allocated to the Farnham Residents.

### **Appointments to Committee Places**

8. The Local Government & Housing Act 1989 requires that once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.
9. Consultation has been undertaken in respect of this report with the Leaders of each of the political groups represented on the Council. Their agreement has been obtained to the calculations relating to the allocation of seats on committees and their respective nominations for the positions detailed in paragraphs 6 and 7 are detailed at Annexe 2 [to follow] and recommended to the Council for approval.

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### **Recommendation**

**Council is recommended to:**

1. **NOTE** the proportional allocation of seats on the principal Committees and the Western Area Planning Committee following the by-election for the Farnham Castle Ward and the re-designation of the Standards Panel as a politically proportional Standards Committee.
2. **AGREE** the nominations to the Principal Committees and Western Area Planning Committee for the 2018/19 year received from the political groups, as

**detailed in Annexe 2.**

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Background Papers

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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**CONTACT OFFICER:**

**Name:** Robin Taylor  
Head of Policy & Governance

**Telephone:** 01483 523108  
**E-mail:** [robin.taylor@waverley.gov.uk](mailto:robin.taylor@waverley.gov.uk)