

# **WAVERLEY BOROUGH COUNCIL**

## **COUNCIL**

**10 DECEMBER 2019**

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### **Title:**

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

[Wards affected: All]

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### **Summary and purpose:**

The Council is required to review the allocation of seats on the principal committees as soon as practicable after any change in 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.

This report summarises the change to the political composition of the Council following the resignation of Cllr Townsend from the Conservative Group and the death of Cllr Lee (Independent), and consequent impact on the allocation of committee seats.

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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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### **Background**

1. Political Groups on the Council are formed in accordance with the Local Government (Committee and Political Groups) Regulations 1990 when two or more councillors notify the Head of Policy & Governance, the Proper Officer, of their wish to be treated as a group.
2. Section 15(1) of the Local Government and Housing Act 1989 (LG&HA1989) imposes a duty on the local authority to review the allocation of seats on the Principal Committees of the Council between the political groups at its annual meeting, or as soon as practicable after any change in the political composition of the Council.

3. On 14 November 2019, Cllr Liz Townsend advised the Head of Policy & Governance that she had resigned from the Conservative Group at the Council at would be sitting as an Independent Councillor. Cllr Jack Lee, an Independent Councillor for Milford Ward, passed away on 19 November 2019.

### Political proportionality

4. The Conservative Group, the Farnham Residents' Group, the Liberal Democrat Group, the Green Party Group and the Labour Group have registered under the provisions of the Local Government and Housing Act 1989. There is one Independent Member of the Council, and one vacant seat previously held by an Independent Member. A by-election for the Milford Ward will be held early in the New Year.
5. There is a total of 88 committee seats available on the Council's Principal Committees (four Overview & Scrutiny Committees, Audit, Standards, Licensing & Regulatory and Joint Planning Committees). The calculation of the proportional allocation of committee seats excludes the Executive and the Area Planning Committees, which are not required to be politically proportional. Where there are Sub-committees of the Principal Committees these are also governed by the political balance rules, with the exception of the Licensing Sub-Committees.
6. The political breakdown of the Council is shown below, together with the rounded total number of committee seats per group:

	<b>Cons.</b>	<b>Farnham Residents</b>	<b>Lib. Dem.</b>	<b>Green</b>	<b>Labour</b>	<b>*Ind.</b>	<b>Total</b>
<b>No. of seats on the Council</b>	22	15	14	2	2	2	57
<b>Proportion</b>	38.60%	26.32%	24.56%	3.51%	3.51%	3.51%	100.00%
<b>No. of committee seats</b>	34	23	22	3	3	3	88

\*including the vacant seat.

7. 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:* That, subject to (a) to (c), the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.

8. Seats are allocated to each committee as shown below, and following consultation 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 in order to accommodate various rounding errors.

	<b>Cons.</b>	<b>Farnham Residents</b>	<b>Lib. Dem.</b>	<b>Green</b>	<b>Labour</b>	<b>*Ind.</b>	<b>Total</b>
<b>No. of committee seats</b>	34	23	22	3	3	3	<b>88</b>
<b>VFM &amp; Cust. Service O&amp;S</b>	3	3	3	0	0	0	<b>9</b>
<b>Community Wellbeing O&amp;S</b>	4	2	2	0	1	0	<b>9</b>
<b>Environment O&amp;S</b>	3	2	2	1	0	1	<b>9</b>
<b>Housing O&amp;S</b>	4	2	3	0	0	0	<b>9</b>
<b>Licensing &amp; Regulatory Committee</b>	4	3	3	1	0	1 (now vacant)	<b>12</b>
<b>Audit Committee</b>	3	2	2	0	1	0	<b>8</b>
<b>Standards Committee</b>	4	3	2	0	0	0	<b>9</b>
<b>Joint Planning Committee</b>	9	6	5	1	1	1	<b>23</b>

\*including vacant seat

9. The changes to committee allocations are summarised as follows:

- The Conservative Group total allocation is reduced by one, from 35 seats to 34. This loss is within the four Overview & Scrutiny committees.
- The Independent Member has two seats, one on an Overview & Scrutiny Committee and one on Joint Planning Committee.
- The Liberal Democrat Group retains its overall allocation of 22 seats, but loses a seat on Joint Planning Committee and gains a seat on Overview & Scrutiny, due to rounding.

- There is one vacant seat, on Licensing & Regulatory Committee, previously allocated to Cllr Lee.

### **Appointments to Committee Places**

10. 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. The nominations of the Group Leaders are shown on Annexe 1 and have been approved by the Head of Policy & Governance under delegated approval.

### **Area Planning Committees**

11. The allocation of seats on the Area Planning Committees is calculated for each area. All the ward councillors in the Eastern Area are appointed to the Eastern Area Planning Committee. Therefore, Councillor Liz Townsend will continue to be a member of Eastern Area Planning Committee, now as an Independent.
12. The Central, Southern and Western Area Planning Committees have more ward councillors than committee seats available. The committee seats for these three committees are allocated according to the political proportionality of the council seats within the relevant geographical area. There is now a vacancy on the Central Area Planning Committee, which will remain until after the outcome of the Milford Ward by-election.

### **Other Committees**

13. The Licensing and Regulatory Committee will carry a vacancy until the committee allocations are reviewed following the Milford by-election. The Committee will appoint one of its members to the Licensing (General Purposes) Sub-Committee if the sub-committee is required to meet in the meantime.

### **Surrey County Council Local Committee**

14. The Waverley members on the Surrey County Council Waverley Local Committee. Waverley have an entitlement of nine seats, subject to the political proportionality calculations. The allocation of seats remains:

Conservative	4
Farnham Residents	2
Liberal Democrats	2
Others (Green, Labour, Independent)	1

Cllr Liz Townsend ceases to be a member of the SCC Local Committee, and the Conservative Group has nominated Cllr Trevor Sadler to fill their allocation of seats.

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### **Recommendation**

**The Council is recommended to note:**

1. **the proportional allocation of seats on the Principal Committees, Area Planning Committees and SCC Local Committee in accordance with the political**

proportionality of the Council; and,

2. **the Group Leaders' nominations to the Principal Committees, as detailed in Annexe 1.**

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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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