

WAVERLEY BOROUGH COUNCIL

COUNCIL

27 APRIL 2021

Title:

**Review of Political Proportionality of the Council, allocation of committee seats,
and appointments to committees for 2021/22**

Report of the Monitoring Officer: Robin Taylor, Head of Policy & Governance

Access: Public

1. Purpose and summary

- 1.1 The Local Government and Housing Act 1989 requires local authorities, where Members are divided into political groups, to review annually the representation of the political groups on their principal committees to ensure that the seats are allocated in the same proportion as that in which the council as a whole is divided.
- 1.2 This report recommends that the Council establish committees, allocate the seats on those committees to political groups represented on the Council in accordance with the statutory proportionality rules, and agree to the appointment of the groups' nominees.

2. Recommendation

It is recommended that Council:

- i. Note the political balance of the Council, as set out in paragraph 4.4.
- ii. Approve the constitution of committees, the allocation of seats, the appointment of members to those seats in accordance with Groups' nominations, and the nomination of chairman and vice-chairman positions, as set out in Annexes 1 and 2.
- iii. Approve the allocation of seats and appointments to the Surrey County Council Local Committee.

3. Reason for the recommendation

It is a statutory requirement to report to Annual Council on the political composition of the council, the allocation of committee seats to political groups in accordance with political proportionality, and to confirm the appointment of members to committee seats.

4. **Background**

- 4.1 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.
- 4.2. The Conservatives, Farnham Residents, Liberal Democrats, Green Party, and Labour have registered as Political Groups under the provisions of the Local Government and Housing Act 1989. There are two un-grouped Independent Members of the Council.
- 4.3. There is a total of 95 committee seats available on the Council's Principal Committees (four Overview & Scrutiny Committees, Audit, Standards, Licensing & Regulatory, and Eastern and Western Planning Committees).
- 4.4. The political breakdown of the Council is shown below, together with the rounded total number of committee seats per group:

	Cons.	Farnham Residents	Lib. Dem.	Green	Labour	Ind.	Total
No. of seats on the Council	21	15	15	2	2	2	57
Proportion	36.84%	26.32	26.32	3.51	3.51	3.51	100%
No. of committee seats	35 (34.99)	25 (25.00)	25 (25.00)	3 (3.33)	4 (3.33)	3 (3.33)	95*

*see paragraph 4.6

- 4.5 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.

- 4.6 Seats are allocated to each committee as shown in Annexe 1, 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.

Appointments to Committee Places

- 4.7 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 2.

Area Planning Committees

- 4.8 The allocation of planning committee seats to the Groups has been calculated firstly as a proportion of the total number of planning committee seats (= 30 seats). The allocation of seats on the Eastern and Western Planning Committees is calculated allocated according to the political proportionality of the council seats within the relevant geographical area.

Surrey County Council Local Committee

- 4.9 Waverley Borough Council has nine seats on the Surrey County Council Waverley Local Committee, allocated on a political proportional basis as shown in Annexe 1.

5. Relationship to the Corporate Strategy and Service Plan

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

6. Implications of decision

6.1 Resource (Finance, procurement, staffing, IT)

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

6.2 Risk management

N/A

6.3 Legal

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

6.4 Equality, diversity and inclusion

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. There are no direct equality, diversity or inclusion implications in this report.

6.5 Climate emergency declaration

There are no climate emergency implications arising from this report.

7. Consultation and engagement

7.1 Political groups have been invited to make their appointments to the seats allocated to them. The Council must agree to appoint members nominated by the political groups to the seats allocated to those groups.

8. Other options considered

8.1 The Council must appoint at least one Overview and Scrutiny Committee, and a Licensing Committee. All other committees are constituted at the discretion of the Council.

8.2 On 20 April 2021, Council is considering recommendations to reduce the number of Overview & Scrutiny Committees, and to make permanent the Eastern and Western Planning Committees. A re-allocation of committee seats may necessary as a result of future Council decisions.

9. Governance journey

9.1 This report is being made to the Full Council.

Annexes:

Annexe 1 – Political proportionality and allocation of committee seats

Annexe 2 – Committee memberships 2021/22

Background Papers

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

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