

Waverley Borough Council

Report to: Council

Date: 21 May 2024

Ward(s) affected: All

Report of Director: Legal and Democratic Services

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Report Status: Open

Appointments to Committees 2024/25

1. Recommendation to Council

That the Council RESOLVES that:

- 1.1 Committee seats be allocated to political groups and Independent Members as set out in Appendix 1;
- 1.2 The nominations for membership of the committees and joint committees for the 2024/25 municipal year as shown in Appendix 2 be approved in accordance with the wishes of the political Groups;
- 1.3 The nominations for the election of Chairs and Vice-Chairs of the committees as shown in Appendix 2 be approved.

2. Reasons for Recommendation:

- 2.1 To enable the Council to comply with its obligations under the Local Government and Housing Act 1989 in respect of the political proportionality and the allocation of committee seats to Groups.
- 2.2 To comply with Council Procedure Rules in respect of the appointment of members to committees and the appointment of Chairs and Vice-Chairs.
- 2.3 To enable the Council to comply with its obligations under Section 28(7) of the Localism Act.

3. Exemption from publication

- 3.1 Not exempt

4. Purpose of the report

- 4.1 This report asks the Council to:
 - (a) agree the numerical allocation of committee seats to political Groups in line with the overall political proportionality of the Council.
 - (b) appoint councillors to the committees established under the previous agenda item, in accordance with the statutory requirements for political balance; and
 - (c) to appoint committee Chairs and Vice-Chairs

5. Background

- 5.1 Subsequent to agenda item 8 at which Council has agreed on the committees to be established for the 2024/25 municipal year and their sizes, the allocation of seats to the political Groups has been determined as set out in Appendix 1.

- 5.2 Once the allocation of seats to the political Groups has been determined, section 16 of the 1989 Act places a duty on the Council to allocate those seats in accordance with the wishes of the political Groups. Details of each political Groups' nominations to fill those seats are set out in Appendix 2.
- 5.3 Where adjustments to allocations of seats have been required to accommodate rounding errors in the calculations, as shown in Appendix 1, these were agreed between the Group Leaders and Independent Members and are unchanged from the Annual Meeting in 2023.
- 5.4 Following the appointment of committees, Council Procedure Rules require the Council to elect the Chairs and Vice-Chairs of the committees. Nominations for election of Chairs and Vice-Chairs are advised by Group Leaders and shown on Appendix 2 (to follow).

6. Financial Implications

- 7.1 Councillors who are elected as Chairs and Vice-Chairs of committees are entitled to receive a Special Responsibility Allowance (SRA) in accordance with the Council's adopted scheme of allowances for councillors, all of which can be contained within existing budgets.
- 7.2 There are no other financial implications arising from consideration of the matters set out in the report.

7. Legal Implications

- 8.1 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. 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.

- 8.2 The Council has wide powers in the Local Government Act 1972 to appoint committees and delegate non-executive functions to them. As the Council operates executive arrangements it is required under the Local Government Act 2000 to establish at least one overview and scrutiny committee.
- 8.3 The Council should ensure the separation of roles between the Council as developer and the Council as Local Planning Authority so as to ensure there is no conflict of interests or perception of pre-determination or bias.
- 8.4 It is recognised good practice that the Leader and Executive Portfolio Holders on the Executive do not sit as members of the Planning Committees given the potential conflict of interest that is likely to exist in respect of planning applications in respect of the Council's own developments, or developments that directly affect the Council's land or property holdings.

8. Human Resource Implications

- 9.1 There are no human resources implications arising from this report.

9. Equality and Diversity Implications

- 10.1 There are no equality and diversity implications arising from this report.

10. Climate Change/Sustainability Implications

- 11.1 There are no climate change or sustainability implications.

11. Summary of Options

- 12.1 Under section 16 of the Local Government and Housing Act 1989 places a duty on the Council to allocate those seats in accordance with the wishes of the political Groups. Council may elect the Chairs and Vice-Chairs of the committees in accordance with Group Leaders'

nominations, or consider other nominations submitted and duly seconded.

12. Conclusion

13.1 Council is recommended to appoint members to established committees in accordance with Groups Leaders' nominations.

13. Background Papers

14.1 None

14. Appendices

Appendix 1 Numerical allocation of committee seats in accordance with political balance

Appendix 2 Group Leaders' nominations for committee appointments and Chairs and Vice-Chairs (to follow)