

# Review of the allocation of committee seats to political groups - July 2021

## Full Council Thursday, 22 July 2021

Report of: Head of Legal Services & Monitoring Officer

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Purpose: For decision

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Publication status: Open

Wards affected: All

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### Executive summary:

The purpose of this report is to enable the Council to fulfil its statutory duty to review the allocation of committee seats following a recent change in the political balance of the Authority.

Since the 1<sup>st</sup> July 2021, the Independent Group's representation on the Council has increased from 2 to 3 seats.

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**This report supports the Council's priority of: "Building a better Council"**

**Contact officer** Lidia Harrison Head of Legal & Monitoring Officer  
lharrison@tandridge.gov.uk

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### Recommendations to Council:

- A. the Independent Group be allocated a seat on the Planning Committee, thereby increasing the total number of seats on that committee from 12 to 13; and
- B. subject to A above, it be noted that, with effect from the 23<sup>rd</sup> July 2021, Independent Group's representatives on the following committees be as follows:

Community Services Committee

Councillor Allen (as at present)  
*substitute - Councillor Moore*

Planning Committee

Councillor Moore  
*substitute - Councillor Allen*

## Reason for recommendations:

The allocation of seats to the political groups arising from recommendation A will, as far as reasonably practicable, reflect the current political balance of the Council.

This will be in accordance with Section 15(1) of the Local Government and Housing Act 1989 ('the Act') which requires the Council, as soon as practicable after a change in political composition, to review the allocation of committee seats to political groups.

The recommendation to allocate a seat for the Independent Group on the Planning Committee reflects the majority view of Group Leaders following consultation.

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## Introduction and background

1 Councillor Judy Moore became the new Councillor for the Felbridge Ward following the by-election on the 17<sup>th</sup> June 2021. She joined the Independent Group on the 30<sup>th</sup> June 2021 and the political composition of the Council is now:

- 16 Independents and OLRG Alliance
- 14 Conservatives
- 9 Liberal Democrats
- 3 Independent Group.

2 The percentage entitlement to committee seats has therefore changed as follows:

Political Groups	From		To	
	No of Councillors	% entitlement to committee seats*	No of Councillors	% entitlement to committee seats**
Independents and OLRG Alliance	16	39%	16	39%
Conservative	14	34%	14	33%
Liberal Democrat	9	22%	9	21%
Independent Group	2	5%	3	7%

\*No. of Cllrs in previous col. ÷ 41) x 100 .... rounded to nearest percentage point

\*\*No. of Cllrs in previous col. ÷ 42) x 100 .... rounded to nearest percentage point

- 3 Section 15 of the Act (specifically subsections (3) to (5)) prescribes the Council's duty to allocate seats on committees to political groups. Such allocations, so far as is reasonably practicable, must be made in accordance with the following four principles:
- (a) not all the seats on an ordinary committee should be allocated to the same political group;
  - (b) the majority of the seats on an ordinary committee must be allocated to the majority political group (however, there is no longer a 'majority political group' on the Council);
  - (c) subject to (a) and (b) above, the number of seats on **the total** of all the ordinary committees allocated to each political group should bear the same proportion as that for the full Council; and
  - (d) subject to (a) to (c) above, the number of seats on **each** ordinary committee allocated to each political group should bear the same proportion as that for the full Council.
- 4 The duty to allocate seats to political groups applies to so called 'ordinary committees' as defined by the Local Government Act 1972 (the Licensing Committee does not fall within this category).
- 5 At present, the total number of seats on the ordinary committees of the Council is 76.
- 6 The Independent Group is now entitled to an additional committee seat. This would increase the total number of relevant committee seats (i.e. excluding Licensing) to 77.
- 7 The 'target' and 'actual' percentage distribution of the 77 committee seats, assuming that the additional seat to the Independent Group is the only change, is shown below:

<b>Target distribution:</b>			
<b>IOLRGA</b>	<b>Con</b>	<b>Lib Dem</b>	<b>IG</b>
38.1%	33.3%	21.4%	7.1%

<b>Actual distribution:</b>			
<b>IOLRGA</b>	<b>Con</b>	<b>Lib Dem</b>	<b>IG</b>
39%	33.8%	20.8%	6.5%

8. The additional seat for the Independent Group can be provided on the Planning Committee (currently 12 members), Planning Policy Committee (currently 11 members) or Standards Committee (currently 7 members).
9. Following consultation with Group Leaders, it is proposed that the Independent Group be offered a seat on the Planning Committee. As highlighted by the Leader of the Council, this would have the advantage of making the size of that committee an odd number (13) thereby reducing the likelihood of the Chair having to use her casting vote. However, a contrary view was expressed by the Leader of the Opposition that the additional seat should be provided on the Planning Policy Committee on the grounds that all four policy committees would then comprise 12 councillors.

## **Key implications**

### **Comments of the Chief Finance Officer**

There are no financial implications associated with this report.

### **Comments of the Head of Legal Services**

Since the last review of the political balance of the Council in May 2021, there has been a minor change to the political make-up of the Council. As a result of this change, it is necessary to review the political balance again and determine the allocation of seats on committees to ensure that they reflect the revised balance.

The allocation of seats on Council Committees outlined in this report, represents the best proportional 'fit' in accordance with the provisions of the Local Government and Housing Act 1989. Proportionality can be disapplied and alternative arrangements put in place by Council unanimously agreeing to such a variation.

Sections 15, 16 and 17 of the Local Government and Housing Act 1989, set out the duties of the Local Authority and the allocation of seats to Political Groups on Committees to ensure political balance.

### **Equality**

There are no equality implications associated with this report.

### **Climate change**

There are no significant environmental / sustainability implications associated with this report.

**Appendices**

None

**Background papers**

None

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