

# Allocation of seats to Committees for 2023/24

## Annual Council Thursday, 25<sup>th</sup> May 2023

Report of: Head of Legal Services & Monitoring Officer

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Purpose: For decision

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Publication status: Open

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Wards affected: All

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### Executive summary:

This report has been prepared to enable the Council to appoint its committees for the forthcoming municipal year, including the allocation of seats in accordance with political balance requirements.

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

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### Recommendation to Council:

That the Council's Committees for 2023/24, and the number of seats allocated to each committee, be as per the table in paragraph 3.3.

### Introduction and background

- 1 The Council is required to review its political composition and how this relates to appointments to committees. Standing Order 14 states that, "*the Council shall, at the Annual Meeting, appoint ..... Committees .... which it is deemed necessary to appoint*".
- 2 The Council currently has eight committees and four sub-committees, identified within the constitution as follows. It is proposed that these be retained for 2023/24, i.e.:

### **Policy Committees:**

Community Services  
- Regulatory Sub-Committee

Housing

Planning Policy

Strategy & Resources  
- Chief Officer Sub-Committee  
- Investment Sub-Committee

### **Regulatory / Statutory / Other Committees:**

Audit & Scrutiny

Licensing  
- Licensing Sub-Committee

Planning

Standards

### 3. Political balance requirements of the Local Government & Housing Act 1989

3.1 As a result of the 2023 District elections, the political composition of the Council is as follows:

<b>Political Groups</b>	<b>No. of Councillors</b>	<b>% of available committee seats which the Council should aim to allocate</b> (No. of Cllrs in previous col. ÷ 42) x 100
Independents and OLRG Alliance	18	42.9%
Liberal Democrats	11	26.2%
Conservatives	9	21.4%
Independent Group	4	9.5%

3.2 Section 15 of the Act deals with the 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) a political group with an overall council majority should receive a majority of the allocated seats;
- (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.

3.3 The statutory duty to allocate seats to political groups applies to so called 'ordinary committees' as defined by the Local Government & Housing Act 1989 (the Licensing Committees does not fall within this category – paragraph 3.5 refers). Applying these rules, the table below sets out a proposed allocation for 2023/24:

'Ordinary' Committees:	<b>Political Groups</b> (allocations for 22/23 are shown in brackets)				<b>Total membership</b>
	Independents and OLRG Alliance	Liberal Democrat	Conservative	Independent Group	
<b>Audit &amp; Scrutiny</b>	<b>4</b> (4)	<b>3</b> (3)	<b>3</b> (3)	<b>1</b> (1)	<b>11</b> (11)
<b>Community Services</b>	<b>5</b> (5)	<b>3</b> (3)	<b>3</b> (3)	<b>1</b> (1)	<b>12</b> (12)
<b>Housing</b>	<b>5</b> (5)	<b>3</b> (3)	<b>3</b> (2)	<b>1</b> (1)	<b>12</b> (11)
<b>Planning</b>	<b>5</b> (5)	<b>3</b> (3)	<b>2</b> (2)	<b>1</b> (1)	<b>11</b> (11)
<b>Planning Policy</b>	<b>5</b> (5)	<b>3</b> (3)	<b>2</b> (3)	<b>1</b> (0)	<b>11</b> (11)
<b>Standards</b>	<b>3</b> (3)	<b>2</b> (2)	<b>1</b> (2)	<b>1</b> (0)	<b>7</b> (7)
<b>Strategy &amp; Resources</b>	<b>5</b> (5)	<b>3</b> (3)	<b>3</b> (3)	<b>1</b> (1)	<b>12</b> (12)
<b>Total seats on Committees</b>	<b>32</b> (32)	<b>20</b> (20)	<b>17</b> (18)	<b>7</b> (5)	<b>76</b> (75)

3.4 The 'target' and 'actual' percentage distribution of the proposed 76 committee seats is shown below:

<b>Target distribution:</b>			
<b>IOLRGA</b>	<b>Lib Dem</b>	<b>Con</b>	<b>IG</b>
42.9%	26.2%	21.4%	9.5%

<b>Actual distribution:</b>			
<b>IOLRGA</b>	<b>Lib Dem</b>	<b>Con</b>	<b>IG</b>
42.1%	26.3%	22.4%	9.2%

3.5 Pursuant to Section 6 of the Licensing Act 2003, the Licensing Committee must have at least ten, but no more than fifteen, members. Although there is no statutory obligation, the Council has applied politically balance principles to the composition of this Committee in previous years. It is suggested that this should continue to be the case and the proposed allocation of seats to the Licensing Committee for 2023/24 is:

<b>Licensing Committee seats</b> (allocations for 22/23 are shown in brackets)			
<b>IOLRGA</b>	<b>Lib Dem</b>	<b>Con</b>	<b>IG</b>
<b>5</b> (5)	<b>3</b> (3)	<b>2</b> (3)	<b>1</b> (0)

#### 4. Sub-Committees and Working Groups

4.1 Sub-committees and working groups have not formed part of the calculations referred to in 3.2 above and the following allocation of seats is proposed:

<b>Sub-Committees</b>	<b>Political Groups</b> (allocations for 22/23 are shown in brackets)				Total membership
	<b>IOLRGA</b>	<b>Lib Dem</b>	<b>Con</b>	<b>Independent Group</b>	
Chief Officer	<b>2</b> (2)	<b>1</b> (1)	<b>1</b> (1)		<b>4</b> (4)
Investment	<b>3</b> (3)	<b>2</b> (2)	<b>2</b> (2)		<b>7</b> (7)
Licensing	<b>1</b> (1)	<b>1</b> (1)	<b>1</b> (1)		<b>3</b> (3)
Regulatory	<b>1</b> (1)	<b>1</b> (1)	<b>1</b> (1)		<b>3</b> (3)

<b>Working Groups</b>	<b>Political Groups</b> (allocations for 22/23 are shown in brackets)				Total membership
	<b>IOLRGA</b>	<b>Lib Dem</b>	<b>Con</b>	<b>Independent Group</b>	
CIL	<b>4</b> (4)	<b>2</b> (2)	<b>2</b> (3)	<b>1</b> (1)	<b>9</b> (10)
Planning Policy*	<b>3</b> (3)	<b>2</b> (2)	<b>2</b> (2)	<b>1</b> (1)	<b>8</b> (8)

*\*to also cover the work previously undertaken by the Gatwick Working Group*

4.2 These allocations will be determined by the respective parent committees at their short meetings immediately after Annual Council. Committees may appoint further sub-committees and working groups during the course of the year if they so wish.

#### 5. Membership of Committees, Sub-Committees and Working Groups

5.1 Group Leaders have been contacted and have been asked to provide the names of members that they wish to nominate to sit on the Council's committees, sub-committees and working groups in accordance with their allocations. This information will be circulated prior to the meeting.

## **Key implications**

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

There are no financial implications associated with this report.

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

Section 15 of the Local Government and Housing Act 1989('the Act') places a duty on the Council to review the representation of political groups on its committee where the members of the committees are split into different political groups.

The Act requires that the Council should allocate seats on committees in accordance with the principles set out in section 3 of this report.

Once political group allocations have been determined, it is the duty of the Council to exercise the power to make appointments to committees to give effect to the nominations of the political groups concerned.

There is no legal requirement for the Chairs or Vice Chairs of any committee to be reserved for members of any particular group.

Failure to allocate seats in line with these principles would be in breach of statutory requirements and may result in error or legal challenge.

### **Equality**

There are no equality implications associated with this report.

### **Climate change**

There are no climate change implications associated with this report.

### **Background papers**

None

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