

Council

14 December 2023



Title	Changes to the Allocation of Seats for Committees
Purpose of the report	To make a decision
Report Authors	Farida Hussain, Group Head of Corporate Governance Karen Wyeth, Principal Committee Manager
Ward(s) Affected	All Wards
Exempt	No
Exemption Reason	N/A
Corporate Priority	This item is not in the current list of Corporate Priorities but still requires a Council decision as it is a statutory requirement.
Recommendations	Council is asked to approve:- 1. the proposed allocation of committee seats to the Conservative Group following the Ashford Town By-election in September 2023.
Reason for Recommendation	To allocate seats to the Council's committees in accordance with the principles set out in the Local Government and Housing Act 1989.

1. Summary of the report

This report seeks approval to increase the number of seats on committees for the Conservative Group following the by-election held in September 2023 for the vacant seat in the Ashford Town Ward.

- 1.1 The seats on the Council's committees should be allocated in accordance with the principles set out in the Local Government and Housing Act 1989 to the political groups amongst the Members of the Council so far as it is reasonably practicable.
- 1.2 The number of seats on each Committee allocated to each group must bear the same proportion as the proportion the members of that group has to the total members of the entire Council. Following their success in the Ashford Town Ward By-election, the number of councillors within the Conservative Group increased from twelve (12) to thirteen (13), giving them a 33.3% share of the total number of Spelthorne Borough Councillors.

- 1.3 The increase in the number of members within the Conservative Group has increased their overall seat allocation from 42 to 44 (31.5% to 33.33%). The two additional seats are in the Development Sub-Committee and the Community Wellbeing & Housing Committee.
- 1.4 A decision was made by Council on 25 May 2023 that the number of members on each Committee could be increased as required to ensure that all political groups receive the overall number of seats as per the proportionality calculations. To ensure that the Conservative Group receive the 44 seats that they are now entitled to (as referred to in 1.3), both the Development Sub-Committee and the Community Wellbeing & Housing Committee will need to be increased from 11 seats to 12 to accommodate the two additional seats the Conservative Group has gained.

2. Options analysis and proposal

- 2.1 Option 1: Approve the allocation of seats as shown in Appendix 2.
Option 2: Do nothing. This is not recommended as this would be in contravention of the principles set out in the Local Government and Housing Act 1989. Financial implications.

3. Financial Implications

There are no financial implications to this report. Should either Options 1 or 2 be approved by Council, this does not impact the number of Chairs or Vice-Chairs appointments and therefore no additional special responsibility allowances will need to be paid following the Members' Allowances Scheme.

4 Risk considerations

- 3.1 There is a need to allocate the appointment of Members to seats, in so far as it is reasonably practicable, with regard to the statutory principles set out in the Local Government and Housing Act 1989. Failure to allocate seats in line with these principles would be in breach of statutory requirements and may result in error or legal challenge.

4. Procurement considerations

- 4.1 There are no relevant procurement considerations.

5. Legal considerations

- 5.1 Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to review the representation of political groups on its committee where the members of the Committee are split into different political groups.
- 5.2 The Act requires that the Council should allocate seats on committees in accordance with the principles set out in paragraph 2.1 of this report.
- 5.3 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.

6. Other considerations

- 6.1 There are none.

7. Equality and Diversity

7.1 There are no Equality and Diversity implications.

8. Sustainability/Climate Change Implications

8.1 There are no implications.

9. Timetable for implementation

10.1 If the recommendations in this report are agreed, the revised number of seats allocated to the Conservative Group will take immediate effect.

10. Contact

10.1 Committee Services committeeservices@spelthorne.gov.uk

Background papers: There are none.

Appendices:

Appendix 1: Allocation of seats agreed at Council May 2023

Appendix 2: Allocations of seats post By-election September 2023