

Council

11 December 2024



Title	Changes to the Allocation of Seats for Committees
Purpose of the report	To make a decision
Report Author	Linda Heron, 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 revised allocation of seats on Committees and 2. the revised allocation of Chairs and Vice-Chairs of Committees following a change in the make-up of the political groups.
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

What is the situation	Why we want to do something
<ul style="list-style-type: none">A revised allocation of committee seats and Chair/Vice Chair positions needs to be agreed following the two by-elections held and the change in the make-up of some political groups.	<ul style="list-style-type: none">To ensure that the Council's committee seats and Chairs/Vice-Chairs positions are allocated in accordance with the principles set out in the Local Government and Housing Act 1989.
This is what we want to do about it	These are the next steps

<ul style="list-style-type: none"> Calculate and agree the revised allocations of committee seats and Chair/Vice-Chairs to take effect from 12 December 2025. 	<ul style="list-style-type: none"> To consider the revised allocation of committee seats and Chair/Vice-Chairs positions and for Council to make a decision.
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1.1 This report seeks to outline the revised proportionality calculations following the Liberal Democrats' success in two by-elections earlier this year and the changes in the political make-up of some of the groups.

1.2 The revised calculations will take effect from 12 December 2025 and will remain in place until the Annual Council Meeting that is due to be held on 21 May 2026 subject to no further changes to the numbers within each political group being made.

2. Key issues

2.1 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. The principles, which are paraphrased, are in the order of priority:

- a) All the seats on the Committee cannot be allocated to the same political group,
- b) The majority of the seats allocated on any body, including each Committee are allocated to the group, if any, which has a majority on the Council,
- c) The number of seats on the total of all Committees allocated to each political group bear the same proportion as the proportion the members of the groups has to the members of the entire Council; and
- d) The number of seats on each Committee allocated to each group bear the same proportion as the proportion the members of that group has to the total members of the entire Council.

2.2 The Council's Constitution Standing Order 8.3 (b) requires Council to decide the size and terms of reference for committees which have been established for the municipal year at the Annual Council Meeting. Following any change to the make-up of the political groups a re-calculation of the proportionality figures is required. Any resulting changes to the proportionality figures must be presented to Council and actioned as soon as practicable.

2.3 Following the Liberal Democrats' success in two by-elections earlier this year and changes to the membership of some of the political groups it has resulted in the following revised political composition of the Council:

Conservatives	16	(41.026% of members)
Liberal Democrats	11	(28.205% of members)
Labour	6	(15.385% of members)
Independent Spelthorne Group	6	(15.385% of members)

The revised proportionality calculations have resulted in the following allocations of seats to each political party:

Conservatives	46 seats
Liberal Democrats	31 seats*
Labour	17 seats
Independent Spelthorne Group	17 seats

*Due to the rounding up/down on the spreadsheet the Liberal Democrats allocation only equated to 30 seats (as highlighted in yellow on Appendix 1). An additional seat was therefore allocated on the Licensing Committee ensuring that they received their full allocation of seats.

To ensure that each party receives their full allocation of seats, the following Committees need to be increased by one seat:

Community Wellbeing and Housing Committee
Business, Infrastructure and Growth Committee
Licensing Committee

- 2.4 The re-calculation of the proportionality figures resulted in the following revised allocation of Chairs/Vice Chairs positions:

Conservatives	6
Liberal Democrats	4
Labour	2
Independent Spelthorne Group	2

3. Options analysis and proposal

Option 1: Approve the revised allocation of seats and the Chairs/Vice Chairs positions as shown in Appendix 1.

Option 2: Do nothing. This is not recommended as the Committees will be in contravention of Section 15 of the Local Government and Housing Act 1989 and the Council's Constitution.

4. Financial management comments

- 4.1 There will be no financial implications as the number of members, Chairs and Vice-Chairs has not increased.

5. Risk management comments

There is a need to allocate the appointment of Members to seats, in so far as 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.

6. Legal comments

- 6.1 The rules for the allocation of seats are set out in the Local Government and Housing Act 1989 ("the 1989 Act") and the Local Government (Committees and Political Groups) Regulations 1990.
- 6.2 Section 15 of the 1989 Act places a duty on the Council to review the representation of political group on its committees where the members of the committee are split into different political groups.
- 6.3 The legislation requires that the Council should allocate seats on committees in accordance with the principles set out in paragraph 2.1 of this report.
- 6.4 Following the agreement between the political groups, the proposed allocation of seats is set out in this report and Appendix 1.
- 6.5 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.

Corporate implications

7. S151 Officer comments

- 7.1 The S151 Officer confirms that all financial implications have been taken into account and that the recommendations are fully funded from within the current 2026-27 budget.

8. Monitoring Officer comments

- 8.1 The Monitoring Officer confirms that the relevant legal implications have been taken into account.

9. Procurement comments

- 6.1 There are no procurement implications arising directly from this report.

10. Equality and Diversity

- 10.1 There are no implications arising directly from this report.

11. Sustainability/Climate Change Implications

- 11.1 There are no implications arising directly from this report.

12. Other considerations

- 12.1 There are none.

13. Timetable for implementation

- 13.1 If the recommendations in this report are agreed, the number of seats allocated and the Chair/Vice-Chair positions will take immediate effect and will apply up to the end of the current municipal year.

14. Contact

- 14.1 Committee Services committeeservices@spelthorne.gov.uk.

Background papers: There are none.

Appendices:

Appendix 1: Revised Allocation of Seats and Chairs/Vice Chairs Positions