

APPOINTMENT OF COMMITTEES 2022-23

Head of Service:	Kathryn Beldon, Chief Executive
Wards affected:	(All Wards);
Appendices (attached):	Appendix 1: Nominations to Committees

Summary

To note the allocation of seats on Committees and Advisory Panels, approve the appointments to Committees and Advisory Panel and the appointments of Chairmen/ Chairs and Vice Chairmen/ Vice Chairs to such.

Recommendation (s)

The Council is asked to:

- (1) Note the allocation of seats based on political balance and proportionality;**
- (2) Allocate seats on the Committees and Advisory Panels in accordance with the wishes of the political groups set out in Appendix 1;**
- (3) Appoint Chairman/Chairs and Vice Chairman/Chairs in light of the nominations received as set out in Appendix 1.**
- (4) Appoint all members of council as substitutes for their group members on committees, where the group member is unable to attend a meeting.**

1 Reason for Recommendation

- 1.1 Full Council Procedure Rule 6, Part 4 of the Constitution requires the Council to appoint its committees, sub Committees advisory panels and other bodies at its Annual Meeting.

2 Background

- 2.1 The statutory provisions contain detailed provisions as to when the Council or Committee must review the allocation of seats. Broadly this is at the Annual Meeting, after elections, or where new political groups are constituted or where members change groups. The Local Elections took place in 2019 and there have been no changes to the political groups since then.

- 2.2 The Council is asked to note that for the purposes of Regulations made

Council

16 May 2022

under the Local Government and Housing Act 1989, Members of the Council remain in the following Political Groups: Residents Association (32 seats) Labour (3 seats) and the Liberal Democrats (2 Seats). A political group must comprise at least 2 members, and so the single Conservative member does not therefore constitute a political group. Under the legislation, the sizes of the Groups are used as the basis for determining Group entitlements to seats on Committees.

- 2.3 Section 15 of the Local Government & Housing Act 1989 requires the allocation of seats on committees, advisory panels and certain other bodies to reflect the political make-up of the Authority.
- 2.4 The Council has a duty to make appointments to its Committees giving effect to the wishes of the political group.
- 2.5 When determining the allocation of seats, Section 15(4) Local Government & Housing Act 1989 sets out 4 rules, and requires authorities to apply them in descending order of priority:
 - Rule 1: where some or all of the Members of an authority have formed into two or more political groups, then no Committee may comprise just members from one political group.
 - Rule 2: where a majority of Members of Council are Members of one political group, that political group must have a majority of the seats on each Committee.
 - Rule 3: without being inconsistent with the first two rules, the number of seats allocated to each political group on all the Committees taken together be as near as possible proportionate to their strength on Council.
 - Rule 4: so far as is consistent with Rules 1 to 3, each political party must be allocated that number of seats on each Committee taken individually as is proportionate to their strength on the Council. However, as set out above, this is subject to the need to give the majority a majority on each Committee.
- 2.6 The Council's overriding duty to comply with 1 and 2 above, takes precedence over achieving a mathematically balanced distribution of Committee seats as described in 3 and 4. Applying those rules the table at para 3.1 below sets out the allocation of seats.
- 2.7 The Council can only depart from these rules by passing a nem con resolution; i.e with no Member voting against the resolution.
- 2.8 The legislation provides that any seats left unallocated under the above rules, go by default to any ungrouped Members, that is members who are not in any political group. There are no unallocated seats.

Council

16 May 2022

- 2.9 The political proportionality rules also apply to those outside bodies dealing with local government matters to which the council appoints three or more representatives.
- 2.10 Whilst the number of allocated seats on each committee is the number of seats to which they nominate, it is up to the group to nominate the members they choose; as the law does not prescribe that all nominations to their allocated seats have to be from their own political group.

3 Allocation of seats on Ordinary Committees

- 3.1 Taking into account the principles set out above, the following allocation of seats result:

Committees	Number			Committee size
	RA	LAB	LD	
Audit & Scrutiny	8	1	1	10
Community & Wellbeing	8	1	1	10
Environment & Safe Community	8	1	1	10
Licensing & Planning Policy	8	1	1	10
Planning Committee	11	1	1	13
Strategy & Resources	8	1	1	10
Financial Policy Panel	7	1	0	8
Health Liaison Panel	6	1	0	7
HR Panel	5	1	0	6
Standards and Constitution	8	1	0	9
Licensing (Hearings)	No political balance required.			
Licensing (General)				

Council

16 May 2022

Shareholder Sub-Committee	Appointed by Strategy and Resources Committee	5
Crime & Disorder Sub-Committee	Appointed by Environment and Safe Communities Committee	5

4 Allocation of seats on Joint Arrangements

- 4.1 The Council appoints to two joint arrangements: Surrey Police & Crime Panel and Nonsuch Joint Management Committee.
- 4.2 There is one seat on the Surrey Police Crime Panel, to which a nomination has been received.
- 4.3 The Council jointly manages Nonsuch Park with the London Borough of Sutton through the Nonsuch Park Joint Management Committee. Applying the principles, the of allocation of seats to this Council is as follows:

Committee	Number			
	RA	LAB	LD	Total
Nonsuch Park Joint Management Committee	2	1	0	3

5 Individual Membership of Committees and Appointment of Chairmen and Vice Chairmen

- 5.1 In accordance with the 1989 Act and the Council's Rules of Procedure, it is necessary to make appointments to each Committee so as to give effect to the wishes of the relevant Groups.
- 5.2 The final wishes of the Groups are set out in **Appendix 1** to this report.
- 5.3 After the composition of each Committee has been agreed, the Council will need to appoint the Chairs/Chairmen and Vice Chairs/ Vice Chairmen from amongst the Committee's membership.

6 Substitute Members

- 6.1 To formalise the process of substitutes, Council is asked to appoint all members of council as substitutes for their group members on committees, where the group member is unable to attend a meeting. A substitute may attend, speak and vote at that meeting, but may only be appointed for the whole of a meeting and not for specific items on the agenda.
- 6.2 Members may only serve as substitutes where they have undertaken the necessary training required of members; and where notice of the proposed substitution has been given in accordance with CPR 16 of the Constitution.

7 Risk Assessment

Legal or other duties

7.1 Equality Impact Assessment

7.1.1 None.

7.2 Crime & Disorder

7.2.1 None.

7.3 Safeguarding

7.3.1 None.

7.4 Dependencies

7.4.1 None.

7.5 Other

7.5.1 None.

8 Financial Implications

8.1 There are no financial or manpower implications for the purposes of this report.

8.2 **Section 151 Officer's comments:** None arising from the contents of this report.

9 Legal Implications

9.1 These are contained within the body of the report.

9.2 **Legal Officer's comments:** None arising from the contents of this report.

10 Policies, Plans & Partnerships

10.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council.

10.2 **Service Plans:** This matter is not included within the current Service Delivery Plan.

10.3 **Climate & Environmental Impact of recommendations:** None.

10.4 **Sustainability Policy & Community Safety Implications:** None.

10.5 **Partnerships:** None.

11 Background papers

11.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None.

Other papers:

- [Constitution of Epsom and Ewell Borough Council](#)
- Local Government & Housing Act 1989
- Local Government (Committees and Political Groups) Regulations 1990 (as amended)