

APPOINTMENT OF COMMITTEES 2025-26

Head of Service:	Piero Ionta, Head of Legal and Monitoring Officer
Report Author:	Tim Richardson
Wards affected:	(All Wards);
Appendices (attached):	Appendix 1: Nominations to Committees (to follow)

Summary

To note the allocation of seats on Committees and Advisory Panels, approve the appointments to Committees and Advisory Panels, the appointments of Chairs and Vice Chairs and arrangements for substitutes. To establish two Officer/Member Working Groups for this municipal year in advance of the first meeting of their parent Committees.

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, Advisory Panels and Working Groups in accordance with the wishes of the political groups set out in Appendix 1;**
- (3) Appoint Chairs and Vice Chairs in light of the nominations received as set out in Appendix 1.**
- (4) Appoint all members of the Council as substitutes for their political group members on all committees, where the appointed political group member is unable to attend a meeting.**
- (5) Establish the following Officer/Member Working Groups for this municipal year, appointing the nominated Members as set out within Appendix 1:**
 - a Constitutional Working Group, to take forward the work of the Standards and Constitution Committee, and**
 - a CIL Working Group, to take forward the work of the Strategy and Resources Committee**

1 Reason for Recommendation

- 1.1 Full Council Procedure Rule (FCR) 5, Appendix 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.
- 2.2 The Council is asked to note that for the purposes of Regulations made under the Local Government and Housing Act 1989, Members of the Council have formed themselves into Political Groups: Residents Association (25 seats), Liberal Democrats (3 seats), Labour (3 seats), Conservative (2 seats) and Independents (2 seats). Under the Regulations, 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.

Council

13 May 2025

- 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 paragraph 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 political proportionality rules also apply to those outside bodies dealing with local government matters to which the council appoints three or more representatives.
- 2.9 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. By way of example, this would allow the administration to nominate opposition members to take up seats within its own allocation, if it chose to do so; likewise, any opposition group may nominate any of their allocated seats to another political group if they do not wish to take up their full allocation. For the avoidance of any doubt, this rule does not extend to allowing the substitution of members once nominated and appointed by Full Council by other members of a different political group, to attend a meeting in accordance with CPR 5 and 15 of the Council's Standing Orders

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	LD	LAB	CON	IND	
Audit & Scrutiny	6	1	1	-	-	8
Community & Wellbeing	6	-	1	1	-	8
Environment	6	1	-	-	1	8
Licensing & Planning Policy	7	1	1	-	1	10
Planning Committee	7	1	1	1	-	10
Strategy & Resources	6	1	1	-	-	8
Financial Strategy Advisory Group	4	-	1	-	1	6

Health Liaison Panel	4	-	-	1	1	6
HR Panel	4	-	-	1	1	6
Standards & Constitution	4	1	1	-	-	6
Crime & Disorder Committee	4	1	-	1	-	6
Licensing (Hearings)	No political balance required.					
Licensing (General)						
Shareholder Sub-Committee	Appointed by Strategy and Resources 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 and appoints 3 members to the Committee. Applying the proportionality principles, the allocation of seats to this Council is as follows:

Committee	Number					
	RA	LD	LAB	CON	IND	Total
Nonsuch Park Joint Management Committee	2	1 seat for either LD or LAB Group		0	0	3

- 4.4 The Head of Legal and Monitoring Officer has been notified that the Labour Group does not wish to submit a nomination for a seat on the Nonsuch Joint Management for 2025/26. Accordingly, the allocation of seats for 2025/27 will be Residents' Association Group: 2 seats, Liberal Democrat Group: 1 seat.

5 Individual Membership of Committees

- 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.

Council

13 May 2025

- 5.3 After the composition of each Committee has been agreed, the Council will need to appoint the Chairs and Vice Chairs from amongst the Committee's membership.

6 Member Working Groups

- 6.1 In light of Local Government Reorganisation, Full Council at its meeting scheduled for 6 May is to be invited to adopt new Strategic Priorities for 2025-2027.
- 6.2 Should those new priorities be adopted, it shall be necessary to establish the following Officer/Member Working Groups prior to the first meeting in this new municipal year of their respective parent Committee, by way of resolving recommendation 5:
- 6.2.1 Constitutional Member Working Group (CWG), and
- 6.2.2 Community Infrastructure Levy Member Working Group (CIL MWG)
- 6.3 It is proposed that CWG shall need to meet in advance of the first meeting of Standards and Constitution Committee within this new municipal year in order to consider its Work Programme for 2025-26 so that a report may be brought to that Committee's first meeting in June. Likewise, CIL bids shall shortly start being received, with the Officer/Member Working Group due to assess those bids from June until September 2025 in accordance with the timetable set out with the adopted CIL Spending Protocol (Table shown after para 3.21 of the Protocol).
- 6.4 Details of those Members nominated to sit on both Officer/Member Working Groups are set out in Appendix 1. For expediency, their respective Terms of Reference shall remain those as settled in the last municipal year, which can be reviewed – should that be necessary – at the first meeting after this full Council meeting of the respective parent Committees.

7 Substitute Members

- 7.1 To formalise the process of substitutes, Council is asked to appoint all members of this council as substitutes for their current political group members on all committees, where the appointed political group member is unable to attend a meeting. For the avoidance of any doubt, and as noted above, a member of one political group cannot substitute a member of another political group. 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.
- 7.2 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.

8 Risk Assessment

Legal or other duties

8.1 Equality Impact Assessment

8.1.1 None.

8.2 Crime & Disorder

8.2.1 None.

8.3 Safeguarding

8.3.1 None.

8.4 Dependencies

8.4.1 None.

8.5 Other

8.5.1 None.

9 Financial Implications

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

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

10 Legal Implications

10.1 These are contained within the body of the report.

10.2 **Legal Officer's comments:** None arising from the content of this report.

11 Policies, Plans & Partnerships

11.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Effective Council

11.2 **Service Plans:** The matter is included within the current Service Delivery Plan.

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

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

11.5 **Partnerships:** None.

11.6 **Local Government Reorganisation Implications:** None.

12 Background papers

12.1 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)