Council
12 March 2026

REVIEW OF PROPORTIONALITY AND APPOINTMENT OF COMMITTEE MEMBERSHIP

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Wards affected:	(All Wards);
Appendices (attached):	**Appendix 1:** Nominations to Committees

Summary

Following the recent changes to political groups on the Council, the Full Council is requested to note the allocation of seats on Committees and Advisory Panels and approve the appointments to Committees and Advisory Panels.

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 all members of the Council as substitutes for their current political group members on all committees, where the appointed political group member is unable to attend a meeting.

1 Reason for Recommendation

1.1 Following recent changes to the membership of the Residents Association Group, Labour Group and Independents Group of the Council, the Council is required to review the allocation of seats on its committees and advisory panels.

2 Background

2.1 An earlier version of this report was published with the agenda on 4 March. Further to notification of a further change of membership within the Residents Association Group and Independents Group of the Council that occurred after publication of this report, this updated report has been published to take into account the impact of those further changes to the allocation of seats on its committees and advisory panels.

2.2 There are detailed statutory provisions as to when the Council 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 political groups.

2.3 To ensure clarity, rather than adopt the use of the term ‘places’, the term ‘seats’ shall be adopted within the remainder of this report to reflect the language used in accordance with the Local Government and Housing Act 1989 (‘Act’) and Local Government Committee and Political Group Regulations 1990 (‘Regulations’) (as amended).

2.4 The Council is asked to note that for the purposes of Regulations made further to the Local Government and Housing Act 1989, Members of the Council have formed themselves into Political Groups: Residents Association Group (22 seats), Labour Group (4 seats), Liberal Democrats Group (3 seats), Conservative Group (3 seats) and Independents Group (3 seats). Under the Regulations, the sizes of the Groups are used as the basis for determining Group entitlements to seats on Committees.

2.5 The Local Government Committee and Political Group Regulations 1990 (as amended) provides that there must be at least two members to form a group. A group ceases to be a group if numbers fall below 2.

2.6 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.

2.7 The Council has a duty to make appointments to its Committees giving effect to the wishes of the political group.

2.8 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.

2.9 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.

2.10 The Council can only depart from these rules by passing a 'nem con' resolution; i.e. with no Member voting against the resolution.

2.11 The political proportionality rules also apply to those outside bodies dealing with local government matters to which the Council appoints three or more representatives.

2.12 Whilst the number of allocated seats on each committee is the number of seats to which they have a right to nominate to, it is up to each political group to nominate to Full Council the members they choose within their allocation; 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, mindful of the recent political group changes again set out above, the following allocation of seats result. This allocation has been calculated on the basis of 35 of the Council's Members forming themselves into the political groups set out in paragraph 2.3 above.

Committees	Number					
	Residents Association Group	Labour Group	Liberal Democrat Group	Conservative Group	Independents Group	Committee size
Audit & Scrutiny	5	1	1	-	1	8
Community & Wellbeing	5	1	-	1	1	8
Environment	5	1	1	1	-	8
Licensing & Planning Policy	6	1	1	1	1	10
Planning Committee	6	1	1	1	1	10
Strategy & Resources	5	1	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 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	LAB	LD	CON	IND	Total
Nonsuch Park Joint Management Committee	2	1	-	-	-	3

4.2 The Head of Legal and Monitoring Officer has received notification from the Leader of the Labour Group on 6 March 2026 that the Group wishes to nominate a member from a different political group to its seat on the Nonsuch Park Joint Management Committee. This nomination is listed in Appendix 1.

5 Summary of changes from committee seat allocation agreed on 10 February 2026

5.1 The Full Council last agreed the allocation of committee and advisory panel seats at its meeting on 10 February 2026. The table below provides a summary of the changes resulting from allocation set out in paragraph 3.1 above in comparison to the current arrangements, which were agreed on 10 February 2026:

Ordinary committees					
Committee	**Residents Association**	**Labour**	**Liberal Democrat**	**Conservative**	**Independents Group**
Audit & Scrutiny	**-1 seat**	**No change**	**No change**	**No change**	**+1 seat**
Community & Wellbeing	**-1 seat**	**No change**	**No change**	**No change**	**+1 seat**
Environment	**No change**	**+1 seat**	**No change**	**No change**	**-1 seat**
Licensing & Planning Policy	**-1 seat**	**No change**	**No change**	**+1 seat**	**No change**
Planning Committee	**-1 seat**	**No change**	**No change**	**No change**	**+1 seat**
Strategy & Resources	**No change**	**No change**	**No change**	**No change**	**No change**
Financial Strategy Advisory Group	**No change**	**No change**	**No change**	**No change**	**No change**

Health Liaison Panel	**No change**	**No change**	**No change**	**No change**	**No change**
HR Panel	**No change**	**+1 seat**	**No change**	**-1 seat**	**No change**
Standards & Constitution	**No change**	**No change**	**No change**	**No change**	**No change**
Crime & Disorder Committee	**No change**	**No change**	**No change**	**No change**	**No change**
Total change in committee seats:	**-4 seats**	**+2 seats**	**No overall change in number of seats**	**No overall change in number of seats**	**+2 seats**
Sub committees and joint committees					
Committee	**Residents Association**	**Labour**	**Liberal Democrat**	**Conservative**	**Independents Group**
Shareholder Sub Committee	**-1**	**No change**	**+1 member from either Liberal Democrat or Conservative group.** **Nominations to be considered by Strategy & Resources Committee on 17 March 2026.**		**No change**
Nonsuch Park JMC	**No change**	**+1**	**-1**	**No change**	**No change**

6 Individual Membership of Committees

6.1 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.

6.2 The final wishes of the Groups are set out in **Appendix 1** to this report.

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 implications for the purposes of this report.

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

10 Legal Implications

10.1 **Legal Officer's comments**: Any relevant comments are contained within the body of the 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:

- Review of proportionality and appointment of committee membership, Council 10 February 2026

Other papers:

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