

**Committee: Council**

**Date: 7 February 2024**

Wards: All

**Subject: Review of proportionality and changes to Membership of Committees**

Lead Director: John Scarborough, Monitoring Officer

Lead member: Not applicable

Contact officer: Amy Dumitrescu, Head of Democracy Services

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**Recommendations:**

**That Council:**

- A. Approve the allocation of seats to political groups as detailed in Appendix A to the report
  - B. Approve the appointment of nominations to those seats as detailed in Appendices B, C and D
  - C. Appoint the Tenants Champion as detailed in Appendix D
  - D. Notes the changes to the membership of Committees that were approved under delegated authority since the last meeting of Council.
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**1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

1.1. This report is presented in the context of Councillor Charles becoming an Independent Councillor, leading to a change in the allocation of seats to the groups represented on the Council, in accordance with the principles of proportionality.

1.2. Council must allocate the requisite number of seats to each of the groups and approve the appointment of nominees to those seats.

1.3. The report also asks Council to note the changes made to committee memberships under delegated authority since the publication of the agenda for the last ordinary Council meeting on 15 November 2023.

**2 DETAILS**

2.1. Councillor Caroline Charles became an Independent Councillor on 26 January 2024 and is now non-aligned to any political group.

2.2. The Council has a statutory duty to review the representation of different groups on the Council in order to ensure that a political balance is secured on Council committees, sub-committees and other bodies to reflect the political composition of the Council.

2.3. Officers have carried out a review of proportionality and the proposed allocation of seats to committees calculated to reflect the change in the political composition of the Council. This is attached at Appendix A.

2.4. Appendices B-D also detail appointments to places on other committees and bodies for Council approval.

2.5. Councillor Charles was appointed as Tenants Champion at Annual Council on 17 May 2023. It is proposed that this role is now to be appointed as detailed within Appendix D and this report seeks Council approval of this appointment.

2.6. It is noted that Councillor Charles is the current Chair of the Merton and Sutton Joint Cemetery Board. The appointment of Chair to that Board is not made by Council and therefore the Board will at its next meeting on 27 February 2024 elect a new Chair from the members of the Board.

2.7. The following membership changes have been made by the Chief Executive under their delegated authority in accordance with part 3E of the Constitution and are also noted as part of this report:

<b>Committee</b>	<b>Member resigning</b>	<b>Replaced by</b>	<b>Date</b>
Sustainable Communities Overview and Scrutiny Panel	Cllr Thomas Barlow	Cllr Nick McLean	21 November 2023
Healthier Communities and Older People Overview and Scrutiny Panel	Cllr Bhim – Substitute	Cllr Hayes – Substitute	21 November 2023
North East Surrey Crematorium Board	NA	Cllr Bhim – substitute	21 November 2023
Development and Planning Applications Committee	Cllr Thomas Barlow	Cllr Michael Paterson	29 November 2023
Development and Planning Applications Committee	Cllr Michael Paterson	Cllr Thomas Barlow	8 January 2024
Children and Young People Overview and Scrutiny Panel	NA	Cllr Andrew Howard – Substitute	17 January 2024

### **3 ALTERNATIVE OPTIONS**

3.1. Council could choose to not to approve the proposals within the report and submit alternative options which would need to be ratified by Council.

### **4 CONSULTATION UNDERTAKEN OR PROPOSED**

4.1. None for the purposes of this report.

### **5 TIMETABLE**

5.1. Any appointments to Committees have already taken place under delegated authority, any new appointments will take immediate effect.

## **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

6.1. None for the purposes of this report.

## **7 LEGAL AND STATUTORY IMPLICATIONS**

7.1. The Local Government Act and Housing Act 1989 contains provisions relating to the political balance on committees, the allocation of seats to political groups and giving effect to allocations.

7.2. The Council has to ensure that a political balance is secured on Council committees so as to reflect the overall political composition of the Council.

7.3. The requirement to allocate seats must be made in accordance with the following statutory principles:

- (i) All of the seats are not to be allocated to the same political group
- (ii) The majority of the seats must be allocated to the political group with a majority on the Council
- (iii) Subject to the two principles listed above, the number of seats on the total of all the ordinary committees of the Council allocated to each political group must bear the same proportion to that on Full Council

7.4. The information regarding membership changes in this report complies with legal and statutory requirements. Council is required to accept nominations made by political groups.

## **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

8.1. The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.

## **9 CRIME AND DISORDER IMPLICATIONS**

9.1. None for the purposes of this report

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

10.1. None for the purposes of this report

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- Appendix A – Allocation of committee places to political groups (to follow)
- Appendices B, C & D – Nominations to committee places, other and outside bodies (to follow)

## **12 BACKGROUND PAPERS**

12.1. Documents from the authorised officer confirming approval of the membership changes agreed under delegated authority.

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