

Report to: Council

Date of Meeting 15 October 2025

Heading/Title: Allocation of Committee places for 2025/2026.

Cabinet Member(s): Council and Corporate Coordination (Councillor John Loudoun) and Communications and Democracy (Councillor Sarah Jackson)

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Key decision No

If a Key Decision has it appeared on Forward Plan N/A

Document classification: Part A Public Document

Exemption applied: None

Report Summary and Recommendations/Decision

This report sets out proposed allocation and appointment of members for seats on the Council's committees following a change in membership of the political groupings on the Council. This has seen changes made to the Conservative Group and Independent Group and an ungrouped councillor joining a group, with the details of those changes set out in this report and in the supporting documents.

RECOMMENDATIONS:

That the Council:

1. Notes the political balance of the Council and agrees the proposed allocation of committee places as set out in this report and at Appendix 1.
2. Agrees to delegate authority to the Monitoring Officer, in consultation with the appropriate group leader to confirm nominations to committees.
3. Agrees to delegate authority to the Monitoring Officer, in consultation with the appropriate group leader to make in year changes to committee appointments in accordance with the allocation of places to political groups by the Council and the wishes of the relevant political group leader.

1. Background

Allocation of Committee Places

1.1 Each year Council adopts the Constitution thereby confirming the committee structure, size and terms of reference of the committees and the proposals set out in this report and its supporting documents reflects the details contained in the updated Constitution approved at Annual Council in May 2025.

1.2 Where membership of East Devon District Council is divided into political groups the Council is required to review and allocate the total number of seats on committees in accordance with the strength of each political group. The number of members of each political group on the Council results in the following political balance:

Democratic Alliance = 30 members

Conservative = 14 members

Independent Group = 11 members

Cranbrook Voice = 3 members

Independent Councillor Group = 2 members

The Democratic Alliance form the majority administration from 2023 to 2027. This report has been prepared on the basis of the political groups reflecting the position set out above.

1.3 The above political balance results in the following entitlement to seats for committees where political balance rules apply:

Political Group	Number of Councillors	Entitlement to committee places	Overall entitlement
Democratic Alliance Group	30	58	50%
Conservative	14	27	23.3%
The Independent Group	11	21	18.1%
Cranbrook Voice	3	6	5%
Independent Councillor Group	2	4	3.3%
Totals	60	116	100%

2. Appointments / Allocation of places

2.1 This report presents an analysis of the committee seat allocation based on the Local Government and Housing Act 1989. The Act outlines principles to ensure fair and democratic representation across council committees. These principles include:

- Preventing domination by a single group: No single political group should hold all committee seats.
- Ensuring a majority group enjoys a majority on all committees. The majority group in the council should maintain a majority in each committee.
- Aggregating all committee places and allocating fair shares. Committee seats should be distributed proportionally to each group's representation in the full Council.

- Ensuring fairness on each committee: Each committee should reflect the overall council composition as closely as possible.
- 2.2 The table set out in Appendix 1 shows the proposed seating arrangements on each committee and includes a detailed breakdown of the seating allocations. Figures have been rounded and the need to round seat allocations to whole numbers can create mathematical imbalances. Ensuring every group is represented on every committee is not always feasible, especially for smaller groups.
- 2.3 These figures are within acceptable limits and comply with the 'so far as reasonably practicable' clause of the Act. The allocation ensures that no single group dominates all committees, the majority group (Democratic Alliance Group) retains a majority control, and smaller groups are fairly represented.
- 2.4 The principles set out above have been applied in the following sequence:
 - i. Calculate the total number of seats with votes on all the committees.
 - ii. Calculate the proportion that each political group forms of the total membership of the council. Reserve an appropriate number of seats for any members not in a political group.
 - iii. Apply those proportions to the total number of committee seats to give the aggregate entitlement of each group; the requirement to apply the proportions 'so far as reasonably practicable' can be met by rounding down fractional entitlements of less than half, and rounding up entitlements of a half or more; if this results in a greater aggregate than the number of seats available, the fractional entitlement(s) closest to half should be rounded in the other direction until entitlements balance the available seats.
 - iv. Apply the proportions to the number of members on each committee to give provisional entitlement to seats on that committee.
 - v. If the provisional entitlement gives only one group seats on the committee, adjust the entitlement so that the next largest group has a seat.
 - vi. Finally, adjust the seats on each committee so that the total allocated to each group is as near as possible to their aggregate entitlement, whilst preserving the results reached at steps (iv) and (v) thus applying principle 3 as set out above.
- 2.5 This means that the committees are set out as proportionately balanced, but the numbers across the committees are then altered, whilst trying to ensure the committees keep to this proportionality as far as is possible, to ensure that the total number of all of the committee places when taken together are politically balanced.
- 2.6 The Council is free to adopt any aggregate number of places on committees as long as it follows the principles set out above and the sequence outlined in steps (i) to (vi) in 2.4. This has been developed in line with the recommendations of the political group leaders.
- 2.7 Appendix z sets out the political group leaders proposed nominations to the committee places. When approving Appendix 1 the Council will meet the requirements of the Local Government and Housing Act 1989 which requires the application of certain rules to the appointment of council committees. The Schedule provides for:
 - (a) The appointment of members to the committees (Appendix 1).
 - (b) The appointment of Chairs and Vice Chairs is not affected by the changes proposed in this report.
- 2.8 Full Council may waive the political balance rules for any committee(s) where the Council wishes to appoint an alternative number of members from political groups. In

order for political balance to be waived no member must vote against this motion, an objection by a single member would make it necessary to apply political balance rules.

- 2.9 It is proposed that the Council delegates authority to the Monitoring Officer to make in-year changes to committee appointments in accordance with the wishes of the political group leader that relates to the relevant place(s) on a committee.

3. Reasons for Recommendations/Decision

- 3.1 To ensure that the Council's governance framework is up to date and reflects the current political balance within the Council and to enable the required appointments to be agreed for the civic year.

4. Options

- 4.1 As this is a requirement of legislation and the Council's Constitution no other options were considered.

5. Relevance to Council Plan/priorities

Set out how report links to the Council Plan/priorities:

- ☒ A supported and engaged community that has the right homes in the right places, with appropriate infrastructure
- ☒ A sustainable environment that is moving towards carbon neutrality and which promotes ecological recovery.
- ☒ A vibrant and resilient economy that supports local business, provides local jobs and leads to a reduction in poverty and inequality.
- ☒ A well-managed, financially secure and continuously improving council that delivers quality services

Having an up to date Constitution ensures the Council is able to support its Council Plan and priorities through the governance arrangements set out in the Constitution.

6. Financial Comments/Implications

- 6.1 There are no financial implications arising from this report as the budget for special responsibility allowances and basic allowances is from within existing budgets.

7. Legal Comments/Implications

- 7.1 Under Section 9P of the Local Government Act 2000, the Council is required to prepare and keep up to date a Constitution containing the standing orders of the Council and such other information as is required or desirable.
- 7.2 The rules governing the allocation of seats on Committees and Sub-Committees to political groups are set out in the Local Government and Housing Act 1989

and regulations made thereunder including the Local Government (Committees and Political Groups) Regulations 1990. The provisions of the 1989 Act include the requirement that, where Members of the Council are divided into political groups, then the membership of its committees and sub-committees must reflect the political balance of the Council as a whole. The proposals set out in this report comply with the Council's Constitution.

8. Risk Implications

- 8.1 It is important that the Council keeps its Constitution up to date to reflect best practice and any changes in legislation.

9. Equality Implications (Public Sector Equality Duty)

- 9.1 No specific negative equalities implications have been identified with the proposals set out in the new Constitution. Decisions taken by the Council, in accordance with its Constitution, will consider equalities implications and have due regards to its legal duties under the Equality Act 2010. The arrangements for committee meetings will take full consideration of equalities and public accessibility requirements. An Equalities Impact Assessment is not considered necessary for this decision as there are no direct impacts.
- 9.2 This report ensures that the political balance of the committee allocations is in line with the relevant legislation and guidance.

10. HR and Workforce Implications

- 10.1 There are no HR and Workforce implications arising from the recommendations in the report.

11. Community Safety Implications (Crime and Disorder)

- 11.1 There are no Community Safety Implications arising from the recommendations in this report.

12. Climate Change Implications

- 12.1 There are no Climate Change implications arising from the recommendations in this report.

13. Health & Safety and Health & Wellbeing Implications

- 13.1 There are no public health, health and safety or health and wellbeing implications arising from the recommendations in this report.
- 13.2 There are no safeguarding issues that may arise from the recommendations in the report.

14. Procurement and Social Value implications

- 14.1 There are no procurement and social value implications arising from the recommendations in this report.

15. Land and Buildings (non-housing)/Asset Management Implications

- 15.1 There are no land and buildings/asset management implications arising from the recommendations in this report.

16. Overview and Scrutiny Committees Comments/Recommendations

- 16.1 N/A.

17. Digital and Data

- 17.1 N/A

18. Consultation and Engagement

- 18.1 Consultation on the proposals contained in this report with the Group Leaders, Constitution Working Group, Standards Committee and independent Remuneration Panel.

19. Communications

- 19.1 Details of the appointments will be made on the Council's website.

20. Next Steps

- 20.1 To update the Council's website to reflect the recommendations arising from this report, including notifying relevant officers and external organisations (Outside Body appointments) of the recommendations.

21. Appendices

Appendix 1 – Allocation of Committee places.

22. Background Papers

- 22.1 None.

Appendix 1 - Allocation of Committee Places (September 2025)

1. Each year Council adopts the Constitution thereby confirming the committee structure, size and terms of reference of the committees and the proposals set out in this report and its supporting documents reflects the details contained in the updated Constitution.
2. Where membership of East Devon District Council is divided into political groups the Council is required to review and allocate the total number of seats on committees in accordance with the strength of each political group. Following changes to the membership of the political groups on the Council it is necessary to review the total number of seats on committees. A number of changes have taken place with councillors moving to another political group on the Council since the Annual Council meeting on 14 May 2025.
3. The table below shows the position following the Annual Council meeting in May 2025.

Political Group as at 14 May 2025	Number of Councillors	Entitlement to committee places	Overall entitlement
Democratic Alliance	30	61	50.85%
Conservative	15	30	25.42%
Independent Group	9	15	15.25%
Cranbrook Voice	3	7	5.08%
Independent Cllr Group	2	2	3.38%
Ungrouped Cllr	1	0	1.69%

The following table sets out the changes to political groups since the Annual Council meeting in May 2025:

Political Group as at 15 October 2025	Number of Councillors	Entitlement to committee places	Overall entitlement
Democratic Alliance	30	60	50%
Conservative	14 (-1)	27	23.3%
Independent Group	11 (+2)	21	18.3%
Cranbrook Voice	3	6	5%
Independent Cllr Group	2	4	3.3%
Ungrouped Cllr	0 (-1)	0	0%

This reflects Councillor Bonetta, previously an up grouped councillor, joining the Independent Group and Councillor Aurora Bailey moving from the Conservative Group to the Independent Group.

4. This document presents an analysis of the committee seat allocation based on the Local Government and Housing Act 1989. The Act outlines principles to ensure fair and democratic representation across council committees. These principles include:
 - Preventing domination by a single group: No single political group should hold all committee seats.
 - Ensuring a majority group enjoys a majority on all committee. The majority group in the council should maintain a majority in each committee.
 - Aggregating all committee places and allocating fair shares. Committee seats should be distributed proportionally to each group's representation in the full council.
 - Ensuring fairness on each committee: Each committee should reflect the overall council composition as closely as possible.

5. The Democratic Alliance form the majority administration from 2023 to 2027. This report has been prepared on the basis of the political groups reflecting the position set out above.

6. The above political balance results in the following entitlement to seats for committees where political balance rules apply:

Political Group	Number of Councillors	Entitlement to committee places	Overall entitlement
Democratic Alliance Group	30	58	50%
Conservative	14	27	23.3%
The Independent Group	11	21	18.3%
Cranbrook Voice	3	6	5%
Independent Councillor Group	2	4	3.3%
Ungrouped	0	0	0
Totals	60	116	99.9%

7. The following table sets out the proposed seating arrangements across all committees. Figures have been rounded and the need to round seat allocations to whole numbers can create mathematical imbalances. Ensuring every group is represented on every committee is not always feasible, especially for smaller groups.
8. These figures are within acceptable limits and comply with the 'so far as reasonably practicable' clause of the Act. The allocation ensures that no single group dominates all committees, the majority group (DAG) retains majority control, and smaller groups are fairly represented.

Proposed total and target committee seat allocations:

Political Group	Democratic Alliance Group	Conservative	The Independent Group	Cranbrook Voice	Independent Councillor Group	Un-grouped	Total
Seats held on the Council	30	14	11	3	2	0	60
% of seats on Council	50%	23.3%	18.3%	5%	3.3%	0	99.9%
Totals	61	30	22	6	1	0	120
Adjustment to meet target allocation	-3	-3	-1	0	+3	0	-4
Target allocation	58	27	21	6	4	0	116

If the above table is used as the starting point:

The Democratic Alliance have 58 seats, based on their entitlement of 7.5 members for the committees where membership is 15, they can then choose either 7 or 8 members for each of the five remaining committees (8 members on two and 7 members on three, a sub total of 37 giving a final total of 58).

The Conservatives have 28 seats, based on their entitlement of 3.5 members for the committees where membership is 15 they can then choose either 3 or 4 members, subject to the availability following allocation of seats to the Democratic Alliance Group .

There are a number of assumptions for the Conservatives, but these are interchangeable, for example both Planning and Audit and Governance could be 3 (rather than 4 and 2). Assuming the total of assumptions is the same, 10 seats are allocated, and the group is entitled to a further 18 seats from the five remaining committees ie. Based on entitlement of 3.5 members for the committees where membership is 15, 4 members on three committees and 3 members on two committees.

Continuing the assumption for the Independent Group, 7 of 21 seats are allocated, leaving the remaining entitlement of 14 seats to be allocated across the five committees as 3 members on 4 committees and 2 members on one committee.

Continuing the calculations for the final two groups is somewhat an academic exercise as there are so many variables. For example, if the Democratic Alliance, Conservatives, and Independent Group all put 8, 4 and 3 members respectively on one of the committees where membership is 15, then places on that committee would not be available to Cranbrook Voice or Independent Councillors Group.

Applying the above rationale would give a proposed committee seat allocation as follows:

Political Group	Democratic Alliance Group	Conservative	The Independent Group	Cranbrook Voice	Independent Councillor Group	Un-grouped	Total
Seats held on the Council	30	14	11	3	2	0	60
% of seats on Council	50%	23.3%	18.3%	5%	3.3%	0	99.9%
Standards Committee (7 seats)	4 (3.5)	2 (1.6)	1 (1.2)	0 (0.35)	0 (0.23)	0	7
Housing Review Board (8 seats)	4 (4)	2 (1.8)	1 (1.4)	0 (0.4)	0 (0.26)	0	7
Audit & Governance Committee (10 seats)	5 (5)	2 (2.3)	2 (1.8)	0 (0.50)	0 (0.33)	0	9
Overview Committee (15 seats)	8 (7.5)	4 (3.5)	3 (2.7)	1 (0.75)	0 (0.49)	0	16
Scrutiny Committee (15 seats)	8 (7.5)	4 (3.5)	3 (2.7)	1 (0.75)	0 (0.49)	0	16
Strategic Planning	8	4	3	1	0	0	16

Committee (15 seats)	(7.5)	(3.5)	(2.7)	(0.75)	(0.49)		
Personnel Committee (15 seats)	8 (7.5)	4 (3.5)	3 (2.7)	1 (0.75)	0 (0.49)	0	16
Licensing & Enforcement Committee (15 seats)	8 (7.5)	4 (3.5)	3 (2.7)	1 (0.75)	0 (0.49)	0	16
Planning Committee (16 seats)	8 (8)	4 (3.7)	3 (2.8)	1 (0.8)	1 (0.53)	0	17
Totals	61	30	22	6	1	0	120
Adjustment to meet target allocation	-3	-3	-1	0	+3	0	-4
Target allocation	58	27	21	6	4	0	116
Overall % balance based on target allocation	50%	23.3%	18.3%	5%	3.3%	0	100%

It is necessary to determine the allocations to meet the requirement of some 15 seat committees having 8 or 7 seats for Democratic Alliance and 4 or 3 seats in the case of the Conservative Group, figures highlighted to show which committees are affected. The aim will be to meet the target allocations shown in green as this provides an overall balance across the committee seat allocations.

Method of calculating the allocation of places to political groups.

The principles set out above can be applied in the following sequence:

- i. Calculate the total number of seats with votes on all the committees.
- ii. Calculate the proportion that each political group forms of the total membership of the council. Reserve an appropriate number of seats for any members not in a political group.
- iii. Apply those proportions to the total number of committee seats to give the aggregate entitlement of each group; the requirement to apply the proportions 'so far as reasonably practicable' can be met by rounding down fractional entitlements of less than half, and rounding up entitlements of a half or more; if this results in a greater aggregate than the number of seats available, the fractional entitlement(s) closest to half should be rounded in the other direction until entitlements balance the available seats.
- iv. Apply the proportions to the number of members on each committee to give provisional entitlement to seats on that committee.
- v. If the provisional entitlement gives only one group seats on the committee, adjust the entitlement so that the next largest group has a seat.
- vi. Finally, adjust the seats on each committee so that the total allocated to each group is as near as possible to their aggregate entitlement, whilst preserving the results reached at steps (iv) and (v) thus applying principle 3 as set out above.

This means that the committees are set out as proportionately balanced, but the numbers across the committees are then altered, whilst trying to ensure the committees keep to this proportionality as far as is possible, to ensure that the total number of all the committee places when taken together are politically balanced.

The council is free to adopt any aggregate number of places on committees as long as it follows the principles set out above and the sequence outlined in steps (i) to (vi). This has been developed in line with the recommendations of the political group leaders.