

**North East Derbyshire District Council**

**Cabinet**

**10 June 2015**

**Joint Crematorium Committee**

**Report No GBXR/03/15-16/MK of Councillor G Baxter MBE, Portfolio Holder with Responsibility for Building a Better Council**

This report is public

**Purpose of the Report**

- To clarify the status of the Joint Crematorium Committee with Bolsover District Council and Chesterfield Borough Council.
- To appoint four members from the Council's Cabinet to the Committee.

**1 Report Details**

- 1.1 At the Annual Council Meeting on 26 May 2015, four members (three Labour and one Conservative) were appointed to the Joint Crematorium Committee. The seats formed part of a wider schedule of appointments made in line with political balance rules under the Local Government and Housing Act 1989. The Joint Committee was included within this schedule as officers in the Governance Team understood that its nature was advisory, and under the regulations, any joint committee that appoints three or more members should be politically balanced.
- 1.2 It has since come to light that the Joint Crematorium Committee is a joint executive committee with executive powers in relation to crematoria on behalf of the Council, Chesterfield Borough Council and Bolsover District Council. Joint executive committees are exempt from political balance in the same way as other executive bodies such as Cabinet. The status of the Joint Crematorium Committee, which is administered by Chesterfield Borough Council, has been the subject of some confusion in the past.
- 1.3 The upshot of this is that Cabinet must now appoint four of its membership to the Joint Crematorium Committee and means that the body is effectively taken out of the political balance calculations.

**2 Reasons for Recommendation**

- 2.1 To ensure that the Joint Crematorium Committee is properly constituted and that North East Derbyshire District Council has its full complement of members.

### **3 Consultation and Equality Impact**

3.1 Both Group Leaders have been consulted on the content of this report. With the removal of these seats from the list of Committees, the Council's Committees and Joint Committees remain politically balanced.

### **4 Alternative Options and Reasons for Rejection**

4.1 None.

### **5 Implications**

5.1 As set out in the report.

### **6 Recommendations**

6.1 That Cabinet notes the legal status of the Joint Crematorium Committee as a joint executive committee.

6.2 Cabinet appoints four of its membership to the Committee.

### **7 Decision Information**

<b>Is the decision a Key Decision?</b> (A Key Decision is one which results in income or expenditure to the Council of £50,000 or more or which has a significant impact on two or more District wards)	No
<b>District Wards Affected</b>	All
<b>Links to Corporate Plan priorities or Policy Framework</b>	None

### **8 Document Information**

<b>Appendix No</b>	<b>Title</b>
None	
<b>Background Papers</b> (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Joint Crematorium Legal Agreement	
<b>Report Author</b>	<b>Contact Number</b>
Matthew Kane	(01246) 217753