

North East Derbyshire District Council

Annual Council

22 May 2023

**PROPORTIONALITY OF THE COUNCIL AND APPOINTMENTS TO
COMMITTEES AND ADVISORY GROUPS**

Report of the Assistant Director of Governance and Monitoring Officer

Classification: This report is public

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PURPOSE / SUMMARY

To appoint Elected Members to the Council's Committees and Advisory Groups for the 2022/23 Municipal Year

RECOMMENDATIONS

1. That the proposed Committees of Council and Advisory Group be established for the 2023-24 Municipal Year.
2. That the size of the Committees and Working Groups as set out in Appendix 1 to the report be agreed for the 2023-24 Municipal year, in accordance with the Council Procedure Rules.
3. That the proposed appointment to Committees and Advisory Groups, as set out in Appendix 2 to the report and updated at the meeting be agreed.

IMPLICATIONS

Finance and Risk: Yes No

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

The Council is required to allocate seats to political groups in accordance with the Political Balance requirements of section 15 of the Local Government and Housing Act 1989. The criteria are listed in paragraph 1.2 in the order in which they must be applied. If Members wish to agree an alternative to the figures applying under the proportionality rules, this would have to be by a unanimous vote for the alternative at the meeting considering the alternative arrangements. This unanimous vote is required by the legislation and is not optional. An alternative proposal would have to be presented to Members to ensure all Members are aware of the proposed different allocations before voting.

On Behalf of the Solicitor to the Council

Staffing: Yes No
Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	All
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Group Leaders

Links to Council Plan priorities, including Climate Change, Equalities, and Economics and Health implications.
Good Governance

REPORT DETAILS

1 Background

- 1.1 Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 introduced statutory requirements that, where a relevant authority has a membership divided into different political groups, it must ensure that appointments reflect the overall proportion as that in which the Council as a whole is divided.
- 1.2 The legislation also requires that in appointing members on a politically proportional basis, the Authority should conform with the following principles:
 - (a) That not all seats on the body are allocated to the same political group
 - (b) That a political group with an overall majority of the seats on the Council gets a majority of seats allocated on all Committees and Advisory Groups subject to the proportionality rules.
 - (c) Subject to (a) and (b) that the total number of seats each political group has on all Committees and Advisory Groups is in proportion to that group's share of the total Council elected membership
 - (d) Subject to (a) and (c) that each political group has the same proportion of seats as it holds on the Council as a whole.
- 1.3 In line with the provisions of the Constitution, the Council will comply with the Section 15 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 by:
 - Deciding the allocation of seats to political groups in accordance with the Political Balance rules;
 - Receiving nominations of councillors to serve on each Committee and Advisory Group and make the associated appointments.
- 1.4 Under the Council's constitution, the Annual Meeting of Council is required to:
 - Appoint at least one Scrutiny Committee and other such committees as the Council considers appropriate to deal with matter which are neither reserved to the Council Meeting nor are Executive Functions;
 - Decide the size and terms of reference for those committees;
 - Decide the allocation of seats to political groups in accordance with the Political Balance rules.
- 1.5 The terms of reference for each Committee have been presented to this meeting of Council; as part of the Review of the Constitution.

2. Details of Proposal or Information

- 2.1 Following on from the Local Government Elections on Thursday 4 May 2023 the political balance for the Council as a whole and the specific bodies covered by the political balance requirements are set out in **Appendix 1**
- 2.2 Political Group Leaders were requested to nominate Members to serve on Committees and Advisory Groups with effect from 22 May 2023 for the 2023/24 Municipal year.
- 2.3 The nominations received from the Majority Group are set out at **Appendix 2**. They will be updated as necessary at the meeting.

3 Reasons for Recommendation

- 3.1 The report recommends that the allocation of Committee seats detailed best meets the requirements of Section 15 of the Local Government and Housing Act a far as reasonable practicable.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council is required by the provisions within its Constitution to establish and appoint to Committees and Advisory Groups at the Annual meeting.

DOCUMENT INFORMATION

Appendix No	Title
1	Council Proportionality
2	Majority Group Nominations to Committees and Working Groups
Background Papers (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 you must provide copies of the background papers)	