

**North East Derbyshire District Council**

**Annual Council**

**20 May 2024**

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

**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 for the 2024/25 Municipal Year

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**RECOMMENDATIONS**

1. That the Committees of Council as set out in the report be retained for the 2024-25 Municipal Year.
2. That the size of the Committees as set out in **Appendix 1** to the report be agreed for the 2024-25 Municipal year, in accordance with the Council Procedure Rules.
3. That the proposed appointment to Committees as set out in **Appendix 1** to the report and updated at the meeting be agreed.

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**IMPLICATIONS**

Finance and Risk: Yes  No

Details:

On Behalf of the Section 151 Officer

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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	
<b>Is the decision a Key Decision?</b> 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:  <b>NEDDC:</b> <b>Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/></b> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>District Wards Significantly Affected</b>	All
<b>Consultation:</b> <b>Leader / Deputy Leader <input checked="" type="checkbox"/> Cabinet <input type="checkbox"/></b> <b>SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/></b> <b>Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></b>	Yes  Details: Group Leaders

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

All – Good Governance is basic requirement for the successful functioning of the Council and achieving the Council Plan Objectives

## 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 are set out in the Constitution of the Council.

## 2. The Political Balance of the Council

2.1 The political balance for the Council as a whole and the specific bodies covered by the political balance requirements has not changed since the 2023 local elections. They are set out below.

	Group	Labour	Conservatives	Lib Dems	Inds	Green
<b>Ordinary Committees of the Council</b>	<b>Size</b>					
Licensing Act Committee	7	4	3	0	0	0
Licensing General Committee	7	4	3	0	0	0
Planning Committee	11	6	3	1	1	0
Audit Committee	5	3	2	0	0	0
Standards Committee	7	4	2	0	1	0
Business Scrutiny	9	5	3	1	0	0
Communities Scrutiny Committee	9	5	3	1	0	0
Environment Scrutiny Committee	9	5	3	0	0	1
Services Scrutiny Committee	9	5	3	1	0	0
<b>TOTAL</b>	<b>73</b>	<b>41</b>	<b>25</b>	<b>4</b>	<b>2</b>	<b>1</b>

### Proportion of Places on the Council by Group

Party	% on Council	Number of seats on Committees	% of seats on Committees
Labour	52.8	41	56.2
Conservatives	35.8	25	34.2
LibDems	5.7	4	5.5
Independents	3.8	2	2.7
Green*	1.9	1	1.4
Total	100	73	100

- A single Member not part of a political groups

## Allocation of Places on the Joint Committees

		Labour	Conservatives
<b>Joint ICT Committee</b>	<b>3 NEDDC Members</b>	<b>2</b>	<b>1</b>
<b>Joint Crematorium Committee</b>	<b>4 NEDDC Cabinet Members</b>	<b>4</b>	

2.2 Political Group Leaders were requested to nominate Members to serve on Committees and Advisory Groups with effect from 20 May 2024 for the 2024/25 Municipal year.

2.3 The nominations received from them are set out at **Appendix 1**. 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 as far as reasonably 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	Group Nominations to Committees
<p><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 you must provide copies of the background papers)</p>	
<p>All – Good Governance is basic requirement for the successful functioning of the Council and achieving the Council Plan Objectives</p>	