

North East Derbyshire District Council

Council

1 December 2025

PROPORTIONALITY OF THE COUNCIL

Report of the Assistant Director of Governance and Monitoring Officer

Classification: This report is public

Report By: Sarah Sternberg – Assistant Director of Governance and Monitoring Officer

Contact Officer: Sarah Sternberg – Assistant Director of Governance and Monitoring Officer

PURPOSE / SUMMARY

To report changes to the proportionality of the Council.

DECISION ROUTE AND REASON FOR DECISION BEING BROUGHT TO COUNCIL

The decision is a Council decision and only the Council can determine the matter.

RECOMMENDATIONS

1. That the changes to the political make-up of the Council be noted and the proportional allocation of committee places 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 an 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.

It has become necessary to review the allocations in the light of recent changes to political group memberships.

On Behalf of the Solicitor to the Council

Staffing: Yes ☐ No ☒

Details:

On behalf of the Head of Paid Service

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 - £125,000 <input type="checkbox"/> Capital - £310,000 <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	None

Equality Impact Assessment (EIA) details:	
Stage 1 screening undertaken <ul style="list-style-type: none"> Completed EIA stage 1 to be appended if not required to do a stage 2 	Not applicable given the subject of the report.
Stage 2 full assessment undertaken <ul style="list-style-type: none"> Completed EIA stage 2 needs to be appended to the report 	No, not applicable
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet <input type="checkbox"/> SMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details:

Links to Council Plan priorities; <ul style="list-style-type: none"> A great place that cares for the environment A great place to live well A great place to work A great place to access good public services
All – Good governance is a basic requirement for the successful functioning of the Council and achieving the Council Plan Objectives.

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 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, so far as reasonably practicable, in the following order:
 - (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 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 The following bodies are not required to be political proportionate; Cabinet and Licensing Committee Sub-Committees.

1.4 Following the change of political group of one Councillor, the proportionality of the Council needs to be recalculated.

2. Details of Proposal or Information

2.1 The proportion of places on the Council by political group as it stood in May 2025 is set out in the table below.

Political Group	No. of Councillors	% on the Council	Number of Seats on Committees	% of seats on Committees
Labour Group	27	50.94%	44	57.89%
Conservative Group	17	32.08%	23	30.26%
North East Derbyshire Independent Group	5	9.43%	6	7.89%
Independents Group	3	5.66%	3	3.95%
Reform UK*	1	1.89%	0	0%

*With only one Councillor Reform UK are not considered a group but are included in the table for information.

2.2 Proportionality rules apply to groups; individual Councillors who are not part of a group are not automatically entitled to a share of seats under proportionality rules.

2.3 Councillor Stokes recently informed the Monitoring Officer that she was no longer a member of the Conservative Group and had joined the North East Derbyshire Independent Group.

2.4 The current political proportionality of the Council is now:

Political Group	No. of Councillors	% on the Council	Entitlement to seats (rounded)
Labour Group	27	50.94%	44.83 (45)
Conservative Group	16	30.19%	26.57 (27)
North East Derbyshire Independent Group	6	11.32%	9.96 (10)
Independents Group	3	5.66%	4.98 (5)
Reform UK	1	1.89%	1.66 (2)

2.5 In order to comply with legislation, in the order it is set out, the following has been considered.

There are currently only 88 seats available on Committees.

The rounded entitlement of seats is then distributed amongst the committees, considering first the majority group's majority on each committee, then that the allocation of seats is in line with overall proportionality, as far as reasonably practicable, and then subject to the first two considerations that the number of seats on each committee bears the same proportionality

2.6 This results in the following committee allocation:

Committee	Labour	Conservative	NED Ind	Ind	Reform UK
Audit	3	2	0	0	0
Employment and Appeals	3	1	0	0	0
General Licensing	6	3	2	0	0
Licensing & Gambling	6	3	2	0	0
Planning	6	3	1	1	0
Standards	4	2	0	1	0
Joint ICT	2	1	0	0	0
Business Scrutiny	5	3	1	0	0
Communities Scrutiny	5	2	2	0	0

Environment Scrutiny	5	3	0	1	0
Services Scrutiny	5	3	1	0	0
Total	50	26	9	3	0

This table reflects the following proposed changes:

One place on Communities Scrutiny Committee moving from the Conservative Group to the North East Derbyshire Independent Group, which meets the requirements of the legislation for proportionality.

The Conservative Group are currently underrepresented on the two Licensing Committees, and the North East Derbyshire Independent Group are overrepresented. These Committees could be increased to 11 members, with the additional seat going to the Conservative Group.

- 2.7 These proposed changes mean all opposition groups have a similar difference between their percentage on the Council to percentage of committee seats, whilst maintaining the largest group's majority.
- 2.8 The proportion of places on the Council by political Group and the proposed change to committee places is set out below.

Political Group	% on the Council	Number of Seats on Committees	% of seats on Committees
Labour Group	50.94%	50	56.82%
Conservative Group	30.19%	26	29.55%
NED Independent Group	11.32%	9	10.23%
Independent Group	5.66%	3	3.41%
Reform UK*	1.89%	0	0%

- 2.9 The Group Leaders affected have been informed of the proposed changes.
- 2.10 It should be noted that with the current numbers in each political group it is not possible for all opposition groups to have their full proportional representation because according to the legislation the majority group's majority should be prioritised. This does not mean the other requirements have been ignored, they have been met where reasonably practicable. Committee places have been allocated to get as close to each group's overall numbers as possible, whilst being fair as possible to all groups.
- 2.11 It is possible for Council as its Annual Meeting in May 2026 to consider whether it wishes to review the size of committees, which would require a change to the terms of reference for some committees.

3 Reasons for Recommendation

- 3.1 The report recommends that the allocation of Committee seats detailed 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 None. The Council is required to consider and allocate seats to political groups in accordance with the Political Balance requirements.

DOCUMENT INFORMATION

Appendix No	Title
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)	