

North East Derbyshire District Council

Annual Council

18 May 2026

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

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

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Monitoring Officer

PURPOSE / SUMMARY

To appoint Elected Members to the Council's Committees for the 2026/27
Municipal Year.

**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 Committees of the Council as set out in the report be agreed for the
2026/27 Municipal Year.
2. That the size of Committees as set out in Appendix 1 to the report be agreed
for the 2026/27 Municipal Year, in accordance with the Council Procedure
Rules.
3. That the proposed appointments to Committees as set out in Appendix 1 to the
report and as updated at the meeting, be agreed.
4. That the Assistant Director of Governance and Monitoring Officer be delegated
authority to confirm any remaining appointments to Committee memberships,
or substitutes, following submission of nominations from Group Leaders.

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.

The Legal Rules governing the proportionality rules and the allocation of seats

The proportionality rules and the allocation of seats are set out and explained below.

They are in Sections 15 to 17 of the Local Government and Housing Act 1989. They are applied when the Authority's Members are formally split into political groups for the purposes of the proportionality rules. This means that small groups and single members can get together as a political group for these rules whilst maintaining separate political party affiliation. The groupings are solely for this purpose – of allocating seats in proportion.

Section 15 sets out the rules

Section 15(3) states that it is the duty of the authority to determine the allocation to the different political groups.

Section 15(4) states that in exercising this duty, the authority has a duty, so far as is reasonably practicable, to give effect to the principles in Section 15(5).

Please note that this is so far as reasonably practicable. Members come in whole numbers, but percentages do not. There is never the likelihood that the percentages will come out as a whole number of members.

Section 15(5) sets out the principles as follows:

That not all seats can go to one political group.

That the majority party has the majority of the seats allocated.

These 2 rules are paramount in allocating the seats to Committees. These 2 rules must be complied with in priority to the next 2 rules.

That, subject to (a) and (b) the proportion of seats allocated to each party across the Committees bears the same proportion to the total number of seats on

Committees as does the number of that party's Cllrs on the Authority does to the number of seats on the Authority.

This rule is subject to (a) and (b) and is therefore subservient to those rules. This rule cannot be dealt with in a way that means that (a) and (b) are not complied with.

This aggregates/adds up the numbers of seats to be allocated to all the Committees by the Authority. It is then necessary to allocate these seats in the same proportion as the party's seats on the Authority bears to the number of seats on the Council. This latter number for this Council is of course 53.

That subject to (a) to (c) the allocated number of seats of each party on each Committee bears the same proportion to the number of all seats on the Committee as does the number of seats that party has on the Authority bears to the number of seats on the Authority.

This rule is subservient to all the rules above. It cannot be dealt with in such a way as to mean that rules (a) to (c) are not complied with.

This applies the same proportionality argument to the seats on each Committee.

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 checked="" 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: Group Leaders have been consulted regarding the proposals.

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:
- That not all seats on the body are allocated to the same political group.
 - 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.
 - 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 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 matters 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. Details of Proposal or Information

2.1 The political balance for the Council as a whole and the specific bodies covered by the political balance requirements are set out below.

Committee (number of places available)	Political Groups				
	Labour Group (27)	Conservative Group (14)	Reform UK Group (5)	NE Derbyshire Independents Group (4)	Independent Group (3)
Audit Committee (5)	3	2			
Employment and Appeals Committee (4)	3	1			
Investigation and Disciplinary Committee (4)	3	1			
General Licensing Committee (11)	6	3	1	1	
Licensing and Gambling Acts Committee (11)	6	3	1	1	
Planning Committee (11)	6	2	1	1	1
Standards Committee (9)	5	1	1	1	1

Scrutiny Committees					
Business Scrutiny Committee (9)	5	2	1		1
Communities Scrutiny Committee (9)	5	3	1		
Environment Scrutiny Committee (9)	5	2		1	1
Services Scrutiny Committee (9)	5	2	1	1	
Joint Committees					
Joint ICT Committee (3)	2	1			

2.2 The proportion of places on the Council by political Group is set out below.

Political Group	% on the Council	Entitlement to seats (rounded entitlement)	Number of Seats on Committees	Variance from rounded entitlement	Proportionality of seats
Labour Group	50.94%	47.89 (48)	54	+6	57.45%
Conservative Group	26.42%	24.83 (25)	23	-2	24.47%
Reform UK Group	9.43%	8.87 (9)	7	-2	7.45%
North East Derbyshire Independents Group	7.55%	7.09 (7)	6	-1	6.38%
Independent Group	5.66%	5.32 (5)	4	-1	4.26%

2.3 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.

2.4 Political Group Leaders were requested to nominate Members to serve on Committees and Advisory Groups with effect from 18 May 2026 for the 2026/27 Municipal Year.

2.5 The nominations of each group will be tabled 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 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
1	Group nominations to Committees (to be tabled)
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)	