

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

CHIEF EXECUTIVE'S URGENT DECISION ON BEHALF OF

Council
29 November 2021

Report Title: Allocation of Committee Seats to Political Groups

Submitted by: Monitoring Officer

Portfolios: One Council, People & Partnerships

Ward(s) affected: N/A

Purpose of the Report

To re-allocate committee seats to the political groups following a change in political proportionality of the Council.

Decision

That, using the urgency powers set out in the Constitution:-

- 1. The seats allocated to the Labour Party on the Finance, Assets and Performance (FAPSC) Scrutiny Committee be reduced by one seat, with a corresponding increase in one seat on FAPSC being allocated to the Conservative Group.**
- 2. The Chief Executive action the removal of one Labour Member from FAPSC in accordance with the wishes of the Labour Group Leader, and appoint to the new Conservative seat on FAPSC Councillor Andrew Parker with Councillor Derrek Huckfield as a nominated substitute.**
- 3. In accordance with the wishes of the Conservative Group Leader, Councillor Derrek Huckfield replace Councillor Holland as a Conservative representative on the Employment Committee, with Councillor Holland acting as a nominated substitute.**

Reasons

To comply with the political proportionality requirements in the Local Government and Housing Act 1989, following a by-election in the Knutton ward.

1. **Background**

1.1 The Local Government and Housing Act 1989 ("the 1989 Act") imposes political proportionality requirements in respect of the allocation of seats on ordinary committees to the political groups.

1.2 Specifically, section 15 of the Act requires that four principles be followed in allocating committee seats:-

- a) All seats on a committee cannot be allocated to the same political group;
- b) The majority of the seats on each committee should be allocated to the political group holding the majority of seats on the council;
- c) Subject to (a) and (b) above, the number of seats on the total of all the ordinary committees of the council allocated to each political group should bear the same proportion to the proportion of their seats on the council;
- d) Subject to (a), (b) and (c) above, the number of seats on each ordinary committee of the council allocated to each political group should bear the same proportion to the proportion of their seats on the council.

1.3 On account of the result of the Knutton by-election there is a need to alter the seat allocations as set out above.

2. **Issues**

2.1 This decision is taken in accordance with paragraph 1 (“Matters of Urgency”) on page 78 of the Council’s Constitution. The urgency arises on account of the need for this decision to be taken at a time before a meeting of full Council can be convened.

3. **Proposal**

3.1 That, using the urgency powers set out in the Constitution, the changes referred to above be made.

4. **Reasons for Proposed Solution**

4.1 To comply with the political proportionality requirements of the Local Government and Housing Act 1989.

5. **Options Considered**

5.1 To await the next meeting of full Council to propose the changes, however this would have the effect of at least a key scrutiny committee being run otherwise than in accordance with the requirements of the 1989 Act.

6. **Legal and Statutory Implications**

6.1 Dealt with in the body of the report.

7. **Equality Impact Assessment**

7.1 N/A

8. **Financial and Resource Implications**

8.1 N/A

9. **Major Risks**

9.1 Dealt with in the body of the report.

10. **Sustainability and Climate Change Implications**

10.1 None identified.

11. **Key Decision Information**

11.1 This is not a Key Decision.

12. **Earlier Cabinet/Committee Resolutions**

12.1 Not Applicable.

13. **List of Appendices**

13.1 Not Applicable.

14. **Background Papers**

14.1 Not Applicable

DECIDED BY:-

Martin Hamilton (Chief Executive) under the aforementioned powers



Signed

Dated 29 November 2021