

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL
INTERIM CHIEF EXECUTIVE'S URGENT DECISION ON BEHALF OF

Council
28 May 2024

Report Title: Allocation of Committee Seats to Political Groups

Submitted by: Interim Chief Executive

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 Conservative Party on the Planning Committee be reduced by one seat, with a corresponding increase of one seat on Planning Committee being allocated to the Labour Group.**
- 2. The seats allocated to the Conservative Party on the Licensing & Public Protection Committee be reduced by one seat, with a corresponding increase of one seat on the Licensing & Public Protection Committee being allocated to the Independent Member, Cllr Sue Beeston.**
- 3. The Interim Chief Executive action the removal of one Conservative Member from the Planning Committee and one Conservative Member from the Licensing and Public Protection Committee in accordance with the wishes of the Conservative Group Leader, appoint to the new Labour seat on the Planning Committee in accordance with the wishes of the Labour Group Leader, and appoint the Independent Member, Cllr Sue Beeston to the new Independent seat on the Licensing and Public Protection Committee in accordance with Cllr Beeston's wishes.**

Reasons

To comply with the political proportionality requirements in the Local Government and Housing Act 1989, following a change in membership of the Conservative Group.

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 a change in membership in the Conservative Group, 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 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:-

Simon McEneny (Interim Chief Executive) under the aforementioned powers

A handwritten signature in black ink, appearing to read "Simon McEneny", with a horizontal line underneath the name.

Signed

Dated 28th May 2024