

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

Council
16th July 2024

Report Title: Allocation of Committee Seats to Political Groups

Submitted by: Chief Executive

Portfolios: One Council, People & Partnerships

Ward(s) affected: All Wards

Purpose of the Report

To re-allocate committee seats to the political groups following a change in political proportionality of the Council as a result of the by-election held on Thursday 4th July 2024. To note this decision supercedes previous urgent decisions.

Decision

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

- 1. The seats allocated to the Conservative Party on the Planning Committee be increased by one seat.**
- 2. The seats allocated to the Conservative Party on the Licensing & Public Protection Committee be increased by one seat, with a corresponding decrease of one seat on the Licensing & Public Protection Committee allocated to the Independent Member, Cllr Sue Beeston.**
- 3. The Chief Executive actions the appointment of one Conservative Member to the Planning Committee (Cllr. David Hutchison) and one Conservative Member to the Licensing and Public Protection Committee (Cllr. Jill Whitmore) in accordance with the wishes of the Conservative Group Leader, and removes the Independent seat on the Licensing and Public Protection Committee.**
- 4. The Chief Executive further notes that Cllr. Mandy Berrisford be appointed to Economy & Place Scrutiny Committee, replacing Cllr. Joan Whieldon who was appointed on a temporary basis. Cllr. Whieldon is reappointed as a Substitute to this Committee.**

Reasons

Following the decision made under urgency powers by the Interim Chief Executive in May 2024, following the resignation of two elected members, and the subsequent by-election of 4th July 2024, this report seeks to comply with the political proportionality requirements in the Local Government

and Housing Act 1989, following a change in political balance.

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 strategic committee being run otherwise than in accordance with the requirements of the 1989 Act.

6. Legal and Statutory Implications

6.1 There are no additional legal or statutory implications associated with this decision.

7. Equality Impact Assessment

7.1 There is no direct equality impact and therefore an assessment is not required.

8. Financial and Resource Implications

8.1 Not applicable

9. Major Risks

9.1 Risks are set out in section 5 of this report.

10. Sustainability and Climate Change Implications

10.1 There are no direct implications arising from this report.

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:-

Gordon Mole (Chief Executive) under the aforementioned powers

Signed



Dated 16th July 2024