



Council – 4 April 2024

**Membership of Political Groups, Political Balance and Entitlement to Seats
On Committees**

Report of Director of Corporate and Customer Services

Report Author and Contact Details

Helen Mitchell - Director of Corporate and Customer Services
Tel: 01629 761281 or Email: helen.mitchell@derbyshiredales.gov.uk

Jason Spencer – Electoral and Democratic Services Manager
Tel: 01629 761300 or Email: jason.spencer@derbyshiredales.gov.uk

Wards Affected

District-wide

Report Summary

To report on the updated membership of political groups on the Council, the change to the political balance of the authority following the recent Bakewell and Norbury Ward By-Elections and the revised entitlement of political groups to seats on committees for the remainder of the 2023/24 municipal year.

Recommendations

1. That the Council notes, and agrees, the entitlement of the membership of the political groups and that such entitlements have been reflected in the allocations to Committees.
2. To approve a departure from the requirements of the principles set out in paragraph 1.4.
3. To agree to a review of political balance and entitlement to seats with the Group Leaders in advance of Council's Annual General Meeting in May 2024.

List of Appendices

None

Background Papers

None

Consideration of report by Council or other committee

Not applicable

Council Approval Required

Yes

Exempt from Press or Public

No

Membership of Political Groups, Political Balance and Entitlement to Seats On Committees

1. Background

- 1.1 The Proper Officer is required to notify the Council of any change in the political balance of the authority or the operation of new political groups under the Local Government (Committees and Political Groups) Regulations 1990. Since the last ordinary meeting of the Council, two new councillors have been elected to serve on the District Council and have joined existing political groups.
- 1.2 On 22 February 2023 By-Elections were held in the District Council wards of Bakewell and Norbury and Councillors Butcher and Bull were appointed.
- 1.3 The Proper Officer has been notified that Councillor Butcher will be a member of the Labour & Councillor O'Brien Group and Councillor Bull will be a member of the Conservative Group. The effect of this result is that there are 8 Members in the Labour & Councillor O'Brien Group (previously 7) and 10 Members in the Conservative Group (previously 11). This also means that there continues to be no single political group that has overall control of the Council.
- 1.4 Section 15 of the Local Government and Housing Act 1989 places on local authorities the duty to allocate seats to political groups and sets out the principles to be followed when determining such allocation. The main principles, which must be satisfied sequentially, include:
 - a) That the number of seats on ordinary Committees/Bodies which are allocated to each political group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority, as is borne by the Members of that group to the membership of the Authority (i.e. the allocation of the total number of seats available must mirror the political composition of the council).
 - b) That the number of seats on the Body (Committee, etc.), which are allocated to each political group, bears the same proportion to the number of all the seats on that Body as is borne by the number of Members of that group to the membership of the Authority (i.e. the allocation of seats on individual committees must mirror the political composition of the council).
- 1.5 Local authorities can depart from the statutory provisions where there is unanimous agreement to do so.

2. Key Issues

- 2.1 The allocation process must be applied 'so far as is reasonably practicable' to achieve a balanced outcome. The allocation of seats to the five political groups is determined by the following formula:

$$\frac{\text{Number of Members in a political group}}{\text{Total Number of Members of the Council (34)}} \times \text{Number of Seats to be allocated (87)}$$

- 2.2 For the 87 seats available in applying principle in paragraph 1.4(a), this gives:

Political Group	Seat Entitlement
Conservatives	26
Green	10
Labour & Cllr O'Brien	20
Liberal Democrats	31

- 2.3 Application of principle (b) in paragraph 1.4 of this report, relating to the number of seats on individual committees, gives the following:

Committee	Membership	Liberal Democrat	Conservative	Labour & Cllr O'Brien	Green
Governance and Resources	10	4	3	2	1
Community and Environment	15	5	5	3	2
Planning	15	5	4	4	2
Scrutiny	10	4	3	2	1
Licensing and Appeals	15	5	4	4	2
Joint Consultative	6	2	2	1	1
Local Plan Sub	10	4	3	2	1
Biodiversity Sub	6	2	2	1	1
Total	87	31	26	19	11

- 2.4 From the table above you will see that to accommodate the changes to seat entitlement arising from the results of the Bakewell By-Election it is proposed that seat allocations to the Conservative Group are reduced by two and the Labour and Councillor O'Brien Group increased by two. To achieve this, it is suggested that the Labour and Councillor O'Brien Group allocations to Planning Committee and Licensing and Appeals Committee

are increased by one seat on each with a corresponding reduction for the Conservative Group.

- 2.5 Despite these changes, the table above does not achieve balance in accordance with principle (a) of paragraph 1.4 of this report as the Green Group has one more seat than their overall entitlement and the Labour Group has one less. This arrangement was agreed at the 2023 Annual Meeting. To that end, it would be ideal to revisit this arrangement before the Annual General Meeting in May.
- 2.6 The proposed seat allocation has been the subject of consultation with political group leaders, with no objections received at the time of the publication of the report.
- 2.7 In order for the seat allocation set out at paragraphs 2.3 to be adopted, the Council will need to vote unanimously to approve a departure from the requirements of principles (a) and (b). Where the Council fails to adopt a new seat entitlement, the previously agreed seat entitlement will continue to operate until such a time as the Council can agree a new entitlement.
- 2.8 Political Group leaders are invited to provide the Proper Officer with details of proposed appointments or changes to committee memberships in view of this report. In the event that the revised seat entitlement is agreed, the appointments should be approved as part of this report. Details of nominations will be circulated separately at the meeting.

3. Options Considered and Recommended Proposal

- 3.1 As above

4. Consultation

- 4.1 The Leaders of the affected Political Groups have been consulted on the proposals in this report.

5. Timetable for Implementation

- 5.1 This decision will become effectively immediately.

6. Policy Implications

- 6.1 None.

7. Financial and Resource Implications

- 7.1 The recommendations of this report do not have any impact on the cost of the existing members' allowance scheme. The financial risk is therefore assessed as low.

8. Procurement Implications

8.1 None.

9. Legal Advice and Implications

9.1 The legislative requirements in respect of political balance and entitlement to seats are set out earlier in this report. The recommended approach will reduce the legal risk to the authority and on this basis, the legal risks associated with this report are considered to be low.

10. Equalities Implications

10.1 None.

11. Climate Change Implications

11.1 None.

11. Risk Management

11.1 None.

Report Authorisation

Approvals obtained from:-

	Named Officer	Date
Chief Executive	Paul Wilson	25/03/2024
Director of Resources/ S.151 Officer	Karen Henriksen	20/03/2024
Monitoring Officer (or Legal Services Manager)	Helen Mitchell	25/03/2024