

CARLISLE CITY COUNCIL

Report to:- THE MAYOR AND MEMBERS OF
THE ANNUAL COUNCIL MEETING

Date of Meeting:- 23 MAY 2005

Agenda Item No:-

Public	Operational	Delegated: Yes
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Accompanying Comments and Statements	Required	Included
Environmental Impact Statement:	No	No
Corporate Management Team Comments:	No	No
Financial Comments:	No	No
Legal Comments:	Yes	Yes
Personnel Comments:	No	No

Title:- APPOINTMENT OF COMMITTEES AND PANELS -
2005/2006

Report of:- HEAD OF LEGAL AND DEMOCRATIC SERVICES

Report reference:- LDS.20/05

Summary:-

The Report informs Members of the allocation of seats on Committees and Panels for the municipal year 2005/06 and the nominations of the political groups to those seats.

Recommendation:-

That the report of the Head of Legal and Democratic Services - Appointment of Committees 2005/2006 - be received and approved, and that the allocation of seats on and the appointment of Members to the various Committees and Panels of the Council as set out in the Report and Schedules attached be approved.

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APPOINTMENT OF COMMITTEES AND PANELS 2005/2006

SUMMARY OF REPORT

1. It is necessary for the Council at the Annual Meeting to review the allocation of the seats on Council Committees and Panels so that they reflect pro-rata the strengths of the political groups on the Council and comply with the provisions of the Local Government and Housing Act 1989. As there were no City Council elections in May this year, there has therefore been no change in the political balance of the Council and the allocation of seats to the groups is the same as in the last municipal year.
2. I have therefore calculated the seats to be allocated to the political Groups and have informed them accordingly. The method of allocation is set out in Appendix 1. Attached are Schedules showing the Groups' nominations for appointments to Committees/Panels for the Municipal year 2005/2006 in respect of the seats to be allocated to them.
3. The Committees and Panels will be appointed by the full Council at the Annual Meeting and the Council at that meeting will also, in accordance with the Overview and Scrutiny Procedure Rules, appoint the Chairman of the Overview and Scrutiny Management Committee. I have not circulated any advance information on proposals which may be made in respect of Chairmen and Vice-Chairmen of any of the other Committees or Panels as this will be a matter for the Committees themselves to decide upon. Special Meetings of the other Overview and Scrutiny Committees and the Licensing Committee are to be held immediately following the Annual Council Meeting so that Chairmen might be appointed in respect of those Committees and the Licensing Committee can appoint a number of Licensing Sub-Committees.
4. It is RECOMMENDED that the Report of the Head of Legal and Democratic Services - Appointment of Committees 2005/2006 - be received and approved, and that the allocation of seats on and the appointment of Members to the various Committees and Panels as set out in the Report and Schedules attached be approved.

Appendix 1

1. METHOD OF ALLOCATION OF SEATS

- 1.1 The rules governing the allocation of seats on Committees and Panels to Political Groups are set out in the Local Government and Housing Act 1989 and regulations made thereunder. The Executive is exempt from the application of those rules and does not have to be politically balanced. Similarly, the Standards Committee is not to be regarded as a body to which the rules apply and the Council can allocate the seats on that Committee as it thinks fit, subject to the legislative requirements relating to independent Members and Parish Council representation on the Committee. The newly formed Licensing Committee is also exempt from the rules on political balance, although DCMS do recommend that it should be balanced as far as possible and the Council therefore decided (Minute C.246/04(b)) that it should be comprised of the same members as form the Regulatory Panel. The political balance rules strictly therefore only apply to the Committees and Panels shown in the Appendix attached.

The rules governing the allocation are relatively complex and are:

- (i) That not all the seats are allocated to the same Political Group.
- (ii) That the majority of the seats on each Committee go to the Political Group with the majority on the full Council.
- (iii) Subject to the above two principles, that the total number of the Committee seats allocated to each Group bears the same proportion to the proportion of the Group on the full Council.
- (iv) Subject to the above three principles, the number of seats on each Committee allocated to each Political Group bears the same proportion to the proportion of the Group on the full Council.

It is important to note in understanding the allocations shown in the Appendix that the above principles must be applied in the sequential order set out above. For example, the principle in paragraph (iii) above of ensuring that the Groups are allocated their total aggregate entitlement must be complied with before the number of seats on each Committee is balanced in accordance with principle (iv).

- 1.2 The duty is to apply the above principles so far as reasonably practicable. This is met by rounding down fractional entitlements of less than a half and rounding up entitlements of a half or more. If there are competing fractions then the higher fraction will "win".
- 1.3 Any seats remaining after the political groups have been allocated their shares have, under the regulations, to be given to any independent members.
2. CALCULATION OF THE GROUPS ENTITLEMENT ON COMMITTEES AND PANELS
 - 2.1 There are in total 71 seats to be allocated by the Council on the Regulatory Panel, the Development Control Committee, the Overview and Scrutiny Committees, the Employment Panel and the Appeals Panels. The Conservative Group has 20 Members, Labour 24, the Liberal Democrats 7 and there is 1 Independent Member who is not in any political group. As can be seen from the calculations in the Appendix attached, when working out the total aggregate allocation to each Political Group relative to their strengths on the Council, the Conservatives should receive 27 seats, Labour 33 seats, the Liberal Democrats 7 seats with the 1 remaining seat left being allocated to the independent Member.
 - 2.2 When the seats are allocated on each Committee the Conservatives on a straight allocation following the rounding up/rounding down principles set out above, receive 27 seats which matches their aggregate entitlement of 27. There are no further adjustments to make, therefore, to satisfy their aggregate entitlement.
 - 2.3 Adjustments have to be made to the Labour Group's allocations to get them to their aggregate entitlement of 33 seats. Following the rounding up principles mentioned above, Labour would receive 6 seats on both the Regulatory Panel and Development Control Committee. However, the application of this principle would produce more seats on each of these Committees than are available (13 as against 12 available Committee places on each). As Labour's fractional entitlement on these two Committees is less than that of both the Conservatives and the Liberal Democrats (0.53 as opposed to 0.61), it is rounded down and their allocation of seats on each of these Committees is therefore set at 5. When added to the Labour allocation on the rest of the Committees, Labour would, without any further adjustment, receive only 32 seats which is less than their aggregate entitlement of 33. The only spare seats remaining are on the Appeals Panels and they have therefore been shown as allocated an extra seat on Appeals Panel 1 to bring them up to their full aggregate entitlement of 33.

- 2.4 On a straight allocation, the Liberal Democrats would receive 9 seats, which is 1 short of their aggregate entitlement of 10 seats. They have therefore been allocated their extra seat on Appeals Panel 2 which brings them up to their aggregate entitlement of 10 seats.
- 2.5 The remaining seat on Appeals Panel 3 has been allocated to the Independent Member as required by the Regulations.

APPENDIX 1

CALCULATION OF AGGREGATE ENTITLEMENT TO SEATS

1. The political balance on the full Council is:-

20 Conservatives; 24 Labour; 7 Liberal Democrats and 1 Independent member

2. There are 71 seats in total on those Committees and Panels which are subject to the proportionality rules giving aggregate entitlements to the groups as follows:-

Conservative	$\frac{20}{52} \times 71 = 27.30$	27 rounded down
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Labour	$\frac{24}{52} \times 71 = 32.76$	33 rounded up
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Liberal Democrat/ Independent	$\frac{7}{52} \times 71 = 9.55$	10 rounded up
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Independent	Remaining 1 seat	
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ALLOCATION OF SEATS ON COMMITTEES AND PANELS

	CONSERVATIVES	LABOUR	LIBERAL DEMOCRAT/ INDEPENDENT	INDEPENDENT
Regulatory Panel (12)	5 (4.61)	5 (5.53)	2 (1.61)	-
Development Control (12)	5 (4.61)	5 (5.53)	2 (1.61)	-
Overview Management (8)	3 (3.07)	4 (3.69)	1 (1.07)	-
Overview Community (8)	3 (3.07)	4 (3.69)	1 (1.07)	-
Overview Resources (8)	3 (3.07)	4 (3.69)	1 (1.07)	-
Overview Infrastructure (8)	3 (3.07)	4 (3.69)	1 (1.07)	-
Employment Panel (6)	2 (2.30)	3 (2.76)	1 (0.80)	-
Appeals 1 (3)	1 (1.15)	2 (1.38)	- (0.40)	-
Appeals 2 (3)	1 (1.15)	1 (1.38)	1. (0.40)	-
Appeals 3 (3)	1 (1.15)	1 (1.38)	- (0.40)	1
T O T A L	27	33	10	1

COMMITTEES AND PANELS (TO BE APPOINTED BY COUNCIL)

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Regulatory Panel (12)	1 Bloxham 2 Bowman S 3 Morton 4 Parsons 5 Prest	1 Boaden 2 Scarborough 3 Stockdale 4 Styth 5 Wilson	1 Farmer N 2 Tootle	
	Sub: Collier Sub: Crookdake Sub: Joscelyne	Sub: Warwick Sub: Watson R Sub: Weedall	Sub: Guest Sub: Farmer P	

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Licensing Committee (12)	1 Bloxham 2 Bowman S 3 Morton 4 Parsons 5 Prest	1 Boaden 2 Scarborough 3 Stockdale 4 Styth 5 Wilson	1 Farmer N 2 Tootle	
	Sub: Collier Sub: Crookdake Sub: Joscelyne	Sub: Warwick Sub: Watson R Sub: Weedall	Sub: Guest Sub: Farmer P	

The Council on 15 December 2004 under Minute C.246/04(b) resolved to establish a Licensing Committee to undertake the Licensing functions referred to in the Licensing Act 2003 with the same Members and substitutes as the Regulatory Panel.

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Development Control Committee (12)	1 Bloxham 2 Collier 3 Jefferson 4 Joscelyne 5 Morton	1 McDevitt 2 Martlew 3 Rutherford C 4 Rutherford K 5 Scarborough	1 Aldersey 2 Farmer P	
	Sub: Dodd Sub: Earp Sub: Parsons	Sub: Bradley Sub: Glendinning Sub: Styth	Sub: Farmer N Sub: Hodgson	

Government Guidance suggests that the Executive Member with responsibility for the Local Plan should be on the Development Control Committee although he/she should not normally be the Chairman

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Overview and Scrutiny Management Committee (8)	1 Dodd 2 Mallinson 3 Prest Sub: Bowman S Sub: Joscelyne Sub: Parsons	1 Boaden 2 Bradley 3 Rutherford C 4 Styth Sub: Hendry Sub: Rutherford K Sub: Stockdale	1 Guest Sub: Allison	

Executive Members cannot be members of Overview and Scrutiny Committees. If it is the intention that the Chairmen of the three Overview and Scrutiny Committees are also to be on the Overview and Scrutiny Management Committee, then the Groups need to know beforehand which group is to be allowed to Chair which of the Overview and Scrutiny Committees so they can make sure the relevant Members are on both the main Committee and the Management Committee. The Chairman of the Management Committee is appointed by the full Council but the Overview and Scrutiny Committees appoint their own.

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Community Overview and Scrutiny Committee (8)	1 Bowman S 2 Earp 3 Parsons Sub: Crookdake Sub: Fisher Sub: Prest	1 Boaden 2 Hendry 3 McDevitt 4 Rutherford K Sub: Glover Sub: Scarborough Sub: Warwick	1 Farmer N Sub: Aldersey	

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Corporate Resources Overview and Scrutiny Committee (8)	1 Bowman S 2 Joscelyne 3 Prest Sub: Dodd Sub: Earp Sub: Morton	1 Bradley 2 Glover 3 Quilter 4 Styth Sub: Atkinson Sub: Hendry Sub: Stockdale	1 Guest Sub: Farmer P	

Executive Members cannot be members of Overview and Scrutiny Committees

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Infrastructure Overview and Scrutiny Committee (8)	1 Crookdake 2 Dodd 3 Mallinson	1 Martlew 2 Rutherford C 3 Stockdale 4 Im Thurn	1 Allison	
	Sub: Earp Sub: Joscelyne Sub: Parsons	Sub: Glendinning Sub: Southward Sub: Styth	Sub: Hodgson	

Executive Members cannot be members of Overview and Scrutiny Committees

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Employment Panel (6)	1 Firth 2 Mitchelson	1 Bradley 2 Glover 3 Weber	1 Farmer N	
	Sub: Bloxham Sub: Geddes	Sub: Atkinson Sub: Hendry Sub: Watson C	Sub: Guest	

One Executive Member must be a member of the Employment Panel

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Appeals Panel No 1 (3)	1 Crookdake	1 Weedall 2 Rutherford C		
	Sub: Bowman S	Sub: Hendry Sub: Watson C		
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Appeals Panel No 2 (3)	1 Parsons	1 Stockdale	1 Tootle	
	Sub: Earp	Sub: Atkinson	Sub: Allison	

	CONSERVATIVE	LABOUR	LIBERAL	INDEPENDENT
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DEMOCRAT

Appeals
Panel No 3
(3)

1 Dodd

1 Watson R

1

Sub: Collier

Sub: Patrick

CONSERVATIVE

LABOUR

LIBERAL DEMOCRAT

INDEPENDENT

Standards
Committee
(5)

1 Dodd

2 Stevenson

1 Atkinson

2 Glendinning

1 Farmer P

Sub: Knapton

Sub: Prest

Sub: Hendry

Sub: McDevitt

Sub: Tootle

+
Parish Councillor:

1 Councillor J Holland
(Sub: Councillor Dalton)

Other Independent Members: 1 Dr Tiplady (up until 18.09.06)

2 Mr Fraser (up until 09.03.08)

The Standards Committee does not have to be politically balanced and should not include the Leader. An Executive Member cannot be Chairman of the Standards Committee. No more than one Member of the Executive can serve on the Standards Committee.

COMMITTEES / GROUPS NOT APPOINTED BY COUNCIL

The following Sub-Committees are appointed by the Licensing Committee:

It is suggested that each Member of the Licensing Committee is appointed as a Member and a substitute on one of the Licensing Sub-Committees. These groupings will enable all Members of the Licensing Committee to have a role as both a Member and a substitute on one of the Licensing Sub-Committees.

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Licensing Sub-Committee 1 (3)	1 Parsons	1 Styth	1 Farmer N	
	Sub: Bowman S	Sub: Scarborough	Sub: Tootle	
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Licensing Sub-Committee 2 (3)	1 Morton	1 Wilson	1 Tootle	
	Sub: Bloxham	Sub: Styth	Sub: Farmer N	
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Licensing Sub-Committee 3 (3)	1 Bloxham 2 Bowman S	1 Stockdale		
	Sub: Parsons Sub: Prest	Sub: Boaden		
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Licensing Sub-Committee 4 (3)	1 Prest	1 Boaden 2 Scarborough		
	Sub: Morton	Sub: Stockdale Sub: Wilson		

**COMMITTEES / GROUPS NOT APPOINTED BY COUNCIL – APPOINTMENTS MADE
BY LEADER OR BY OTHER COMMITTEES/GROUPS**

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Executive	1			
	2			
	3			
	4			
	5			
	6			

Appointments made by the Leader

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Eden and Carlisle	1			
Joint Committee	2			
	3			
	4			

Appointments made by the Leader

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Joint Consultative Group	1			

Appointments made by the Leader

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Market	1			
Management	2			
Group	3			

Appointments made by the Leader