

# CARLISLE CITY COUNCIL

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

Date of Meeting:- 20 MAY 2002

Agenda Item No:-

Public	Operational	Delegated: Yes
--------	-------------	----------------

Accompanying Comments and Statements	Required	Included
Environmental Impact Statement:	No	No
Corporate Management Team Comments:	No	No
City Treasurers Comments:	No	No
City Solicitor & Secretary Comments:	Yes	Yes
Head of Personnel Services Comments:	No	No

Title:- APPOINTMENT OF COMMITTEES AND PANELS -  
2002/2003

Report of:- CITY SOLICITOR AND SECRETARY

Report reference:- TC.88/02

## Summary:-

The Report informs Members of the allocation of seats on Committees and Panels following the election on 2 May last and the nominations of the political groups to those seats.

## Recommendation:-

That the report of the City Solicitor and Secretary - Appointment of Committees 2002/2003 - 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.

Contact Officer: John Egan

Ext: 7004

Note: in compliance with section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: None

## APPOINTMENT OF COMMITTEES AND PANELS 2002/2003

### SUMMARY OF REPORT

1. Following the recent City Council Elections, 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.
2. I have 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 2002/2003 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 Overview and Scrutiny Committees are to be held on the afternoon of the Annual Council Meeting so that Chairmen might be appointed in respect of those Committees.
4. It is RECOMMENDED that the Report of the City Solicitor and Secretary - Appointment of Committees 2002/2003 - 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.

### 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. 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 Member and Parish Council representation on the Committee. The political balance rules therefore only apply to the Committees and Panels shown in the Appendix attached.

The rules governing the allocation 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 principles must be applied in the order set out above. In other words, the principle in paragraph 1.1 (ii) of giving the largest Political Group on the Council the majority of seats on each Committee must be complied with first, even if this means that that Group exceeds their total aggregate allocation of seats on the full Council referred to in paragraph (iii). This is important in the allocation of the seats in the Council's case as can be seen below because the Conservative Group, having been allocated a majority of seats on each Committee, exceed their aggregate entitlement and this has the knock on effect of reducing the seats available for distribution to the other two groups.

- 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 to be given to any independent members.
2. CALCULATION OF THE GROUPS ENTITLEMENT ON COMMITTEES AND PANELS
  - 2.1 There are in total 67 seats to be allocated by the Council on the Licensing Panel, the Development Control Committee, the Overview and Scrutiny Committees, the Employment Panel and the Appeals Panels. As can be seen from the calculations attached, when working out the total aggregate allocation to each Political Group relative to their strengths on the Council, the Conservatives would receive 35 seats, Labour 23 seats, the Liberal Democrats/Independent Group 8 seats with the 1 remaining seat left being allocated to the independent Member.
  - 2.2 However, when the seats are allocated on each individual Committee and Panel and the principle of giving the Conservative Group a majority on each is complied with, it can be seen that this brings the total allocation to the Conservative Group to 42 seats. This is a consequence of the duty in the legislation to ensure that the majority Group has a majority on each Committee and that the principles referred to above are applied in their statutory order of priority. It is not then possible to allocate to the Labour and Liberal Democrat/Independent Groups their full aggregate entitlement of 23 and 8 seats respectively. The most that the Labour and Liberal Democrat/Independent Groups can be allocated is 20 seats and 5 seats respectively, which means that they each fall 3 seats short of what would be their overall aggregate entitlement. Consequential adjustments have been made to the Overview and Scrutiny Infrastructure Committee to increase the Labour seats by one and reduce the Liberal Democrat/Independent seats so as to balance back to the total aggregate of 20 and 5 seats respectively.
  - 2.3 As mentioned above, it is a matter for the City Council to determine how it allocates the 5 seats on the Standards Committee as between Council Members and there is no requirement for this Committee to be politically balanced.

JOHN EGAN  
CITY SOLICITOR AND SECRETARY



## COMMITTEES AND PANELS (TO BE APPOINTED BY COUNCIL)

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	INDEPENDENT
Licensing and Regulatory Panel (8)	1 Bowman 2 Joscelyne 3 Morton 4 Parsons 5 Prest G	1 Atkinson 2 Wilson	1 Aldersey	
	Sub: Collier Sub: Crookdake Sub: Fisher S	Sub: McDevitt Sub: Rutherford K	Sub: Guest	

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	INDEPENDENT
Development Control Committee (12)	1 Collier 2 Fisher L 3 Hodgson B 4 Jefferson 5 Joscelyne 6 Morton 7 Prest G	1 McDevitt 2 Martlew 3 Rutherford C 4 Rutherford K	1 Farmer	
	Sub: Dodd Sub: Knapton Sub: Parsons	Sub: Bowditch Sub: Styth Sub: Weedall	Sub: McMillan	

**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 AND INDEPENDENT	INDEPENDENT
Overview and Scrutiny Management Committee (8)	1 Bowman 2 Dodd 3 Jefferson 4 Knapton 5 Mallinson E	1 Bradley 2 Rutherford C	1 Guest	
	Sub: Fisher S Sub: Joscelyne Sub: Pattinson	Sub: Boaden Sub: Styth	Sub: Hodgson T G	

**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 AND INDEPENDENT	INDEPENDENT
Community Overview and Scrutiny Committee (8)	1 Fisher S 2 Knapton 3 Morton 4 Parsons 5 Pattinson	1 Atkinson 2 Boaden	1 Hodgson T G	
	Sub: Bain Sub: Crookdake Sub: Prest J	Sub: Quilter Sub: Watson	Sub: Aldersey	

**Executive Members cannot be members of Overview and Scrutiny Committees**

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	INDEPENDENT
Corporate Resources Overview and Scrutiny Committee (8)	1 Bain 2 Bowman 3 Jefferson 4 Joscelyne 5 Mallinson J	1 Bradley 2 Styth	1 Guest	
	Sub: Fisher S Sub: Knapton Sub: Mallinson E	Sub: Stothard Sub: Watson	Sub: Farmer	

**Executive Members cannot be members of Overview and Scrutiny Committees**

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	INDEPENDENT
Infrastructure Overview and Scrutiny Committee (8)	1 Crookdake 2 Dodd 3 Hodgson B 4 Mallinson E 5 Parsons	1 Glover 2 Martlew 3 Rutherford C		
	Sub: Bowman Sub: Collier Sub: Fisher S	Sub: Glendinning Sub: Wilson		

**Executive Members cannot be members of Overview and Scrutiny Committees**

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	INDEPENDENT
Employment Panel (6)	1 Bloxham 2 Firth 3 Mitchelson 4 Stevenson	1 Glover 2 Stothard		
	Sub: Geddes Sub: Knapton Sub: Prest G	Sub: Atkinson Sub: Wilson		

**One Executive Member must be a member of the Employment Panel**



	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	INDEPENDENT
Appeals Panel No 1 (3)	1 Crookdake 2 Morton  Sub: Collier Sub: Toole	1 Bowditch  Sub: Martlew		
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	INDEPENDENT
Appeals Panel No 2 (3)	1 Dodd 2 Fisher S  Sub: Bain Sub: Joscelyne	1 Styth  Sub: Wilson		
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	INDEPENDENT
Appeals Panel No 3 (3)	1 Bowman 2 Knapton  Sub: Hodgson B Sub: Parsons	1 Stothard  Sub: Rutherford C		
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	INDEPENDENT
Standards Committee (5)	1 Dodd 2 Mallinson J 3 Stevenson  Sub: Knapton Sub: Prest J	1 Styth  Sub: Atkinson	1 Farmer  Sub: Aldersey	
+ Parish Councillor:	1 Councillor J Wilkinson (Sub: Councillor J Holland)			
Other Independent Members:	1 Mr Burnett (28.08.03)	2 Mr Fraser (12.09.04)		

**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.**



**SUB COMMITTEE TO BE APPOINTED BY CORPORATE RESOURCES OVERVIEW AND  
SCRUTINY COMMITTEE**

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT AND INDEPENDENT	INDEPENDENT
Organisational Assessment	1 Bowman 2 Jefferson	1 Bradley	1 Guest	
Best Value Review Sub-committee (5) + 2 co-opted	3 Mallinson J  Sub: Bain Sub: Joscelyne	Sub: Styth		
Co-opted Members	– as Chairman of Community O&S Committee	– as Chairman of Infrastructure O&S Committee		

Co-opted Members are on as Chairmen of the other two Overview and Scrutiny Committees – they do not have voting rights. They can send any substitute to meetings – but substitutes should ideally be from their respective O&S Committees

**Must be Members of the Corporate Resources Overview and Scrutiny Committee**

**The two co-opted Members must be the:  
Chairman of the Community Overview and Scrutiny Committee; and  
the Chairman of the Infrastructure Overview and Scrutiny Committee**