

CARLISLE CITY COUNCIL

Report to:-

**THE MAYOR AND MEMBERS OF
THE ANNUAL COUNCIL MEETING**

Date of Meeting:-

19 MAY 2008

Agenda Item No:-

7(i)

Public

Title:-

**APPOINTMENT OF COMMITTEES AND PANELS -
2008/2009**

Report of:-

DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

Report reference:-

LDS.36/08

Summary:-

The Report informs Members of the allocation of seats on Committees and Panels for the municipal year 2008/09 and the nominations of the political groups to those seats.

Recommendation:-

That the report of the Director of Legal and Democratic Services – Appointment of Committees and Panels 2008/09 – 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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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 2008/2009

SUMMARY OF REPORT

1. Following the elections on 01 May, 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. It should be pointed out that the allocation has been made on the basis of the total number of Members of the Council at the present time as prescribed by the relevant legislation. There are currently 50 Members of the authority with two vacant seats. Following any bye-election in respect of those two seats, the political balance calculation is likely to require revisiting if the relative numbers of the political groups on the Council change as a consequence.
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 2008/2009 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. 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 Director of Legal and Democratic Services – Appointment of Committees and Panels 2008/2009 – 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 Council has, however, expressed the wish that local authority membership on the Standards Committee should be allocated on the basis of political proportionality and this has been done. The 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.
- (ii) 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.
- (iii) 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". If this leads to a bigger entitlement than there are seats available on a Committee (as with the Employment Panel in this allocation) then fractions have to be rounded down to make entitlements fit available seats.

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 70 seats to be allocated by the Council on the Regulatory Panel, the Development Control Committee, the Overview and Scrutiny Committees, the Employment Panel, the Audit Committee and the Appeals Panels. The Conservative Group has 21 Members, Labour 21, 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 29 seats, Labour 29 seats, the Liberal Democrats 10 seats with the 2 remaining seats left being allocated to the independent Member.

2.2 When the seats are allocated on each Committee on a straight allocation following the rounding up/rounding down principles set out above, adjustments need to be made to each of the Groups' allocations to bring them up to their aggregate entitlements.

2.3 The Liberal Democrats, on a straight allocation, would only receive 9 seats which is one less than their aggregate entitlement of 10 seats. They have therefore been allocated their extra seat on one of the Appeals Panels (Panel 1).

2.4 Both the Labour and the Conservatives, on a straight line allocation, would receive only 28 seats in total which would be 1 less than their aggregate entitlement of 29 seats each. They therefore each need to be allocated one extra seat on Committees where places are still available. There are available seats on the

Overview and Scrutiny Committees and therefore the Labour Group have been allocated an extra seat on the Community Overview and Scrutiny Committee and the Conservative Group an extra seat on the Corporate Resources Overview and Scrutiny Committee.

- 2.5 There is an adjustment also required to the Employment Panel because, on a straight allocation, the Labour and Conservatives would receive 3 seats each and the Liberal Democrats 1 seat on the Panel, all after rounding up. This equates to 7 seats in total but there are only 6 seats on the Panel. The Group with the lowest fractional entitlement therefore has to be rounded down to match the seats available. The fractional entitlements of both the Labour and Conservative Group are identical on the Panel at 0.52 and both are lower than the Liberal Democrat fraction of 0.84. The Conservative Group's allocation has therefore been reduced to 2 seats on the Panel but as this results in them being 1 seat short of their aggregate entitlement of 29 seats, they have been allocated a further seat on the Infrastructure Overview and Scrutiny Committee to bring them up to their full entitlement.
- 2.6 Once the Groups have been allocated their entitlements, the remaining 2 seats on each of Appeals Panels 2 and 3 have been allocated to the Independent Member as required by the Regulations to complete the overall allocation.
- 2.7 It should be re-emphasised that the allocations have been calculated on the basis of the current membership of the Council at 50 Members, but it is likely that the calculation will need to be undertaken again following the results of any bye-elections for the vacant seats when the respective strengths of the political groups may change.

APPENDIX 1

CALCULATION OF AGGREGATE ENTITLEMENT TO SEATS

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

21 Conservatives; 21 Labour; 7 Liberal Democrats and 1 Independent Member

2. There are 70 seats in total on those Committees and Panels which are subject to the proportionality rules giving aggregate entitlements to the groups as follows :

Conservative	$\frac{21}{50} \times 70 = 29.40$	29 rounded down
Labour	$\frac{21}{50} \times 70 = 29.40$	29 rounded down
Liberal Democrat	$\frac{7}{50} \times 70 = 9.80$	10 rounded up
Independent	Remaining 2 seats	

ALLOCATION OF SEATS ON COMMITTEES AND PANELS

	CONSERVATIVES	LABOUR	LIBERAL DEMOCRATS	INDEPENDENT
Regulatory Panel (12)	(5.04) 5	(5.04) 5	(1.68) 2	-
Development Control (12)	(5.04) 5	(5.04) 5	(1.68) 2	-
Overview Community (8)	(3.36) 3	(3.36) 4	(1.12) 1	-
Overview Resources (8)	(3.36) 4	(3.36) 3	(1.12) 1	-
Overview Infrastructure (8)	(3.36) 4	(3.36) 3	(1.12) 1	-
Employment Panel (6)	(2.52) 2	(2.52) 3	(0.84) 1	-
Audit Committee (7)	(2.94) 3	(2.94) 3	(0.98) 1	-
Appeals 1 (3)	(1.26) 1	(1.26) 1	(0.42) 1	..
Appeals 2 (3)	(1.26) 1	(1.26) 1	(0.42) -	1
Appeals 3 (3)	(1.26) 1	(1.26) 1	(0.42) -	1
TOTAL	<u>29</u>	<u>29</u>	<u>10</u>	<u>2</u>

(70 seats in all)

NOTES

The Conservatives have been given one seat less than their entitlement on the Employment Panel to match numbers to seats available on the Panel. This means that overall they would be two seats below their total aggregate entitlement and so requires them to be given additional seats, which have been allocated on the Infrastructure and Corporate Resources Committees to bring them up to their full aggregate entitlement. Labour have been allocated their full allocation on the Employment Panel but still need to be given 1 extra seat to bring them to their full aggregate entitlement, and this has been allocated on the Community Committee. The Liberal Democrats have been allocated an extra seat on Appeals Panel 1 to bring them up to their full entitlement.

COMMITTEES AND PANELS (TO BE APPOINTED BY COUNCIL)

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Regulatory Panel (12)	1	1 Bell	1 Tootle	
	2	2 Boaden	2 Hunter	
	3	3 Scarborough		
	4	4 Styth		
	5	5 Wilson		

Sub:	Sub: Patrick	Sub: Farmer N
Sub:	Sub: Riddle	Sub: Allison
Sub:	Sub: Stothard	

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Licensing Committee (12)	1	1 Bell	1 Tootle	
	2	2 Boaden	2 Hunter	
	3	3 Scarborough		
	4	4 Styth		
	5	5 Wilson		

Sub:	Sub: Patrick	Sub: Farmer N
Sub:	Sub: Riddle	Sub: Allison
Sub:	Sub: Stothard	

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	1 Glendinning	1 Farmer P	
	2	2 McDevitt	2 Luckley	
	3	3 Riddle		
	4	4 Rutherford		
	5	5 Scarborough		

Sub:	Sub: Bradley	Sub: Farmer N
Sub:	Sub: Harid	Sub: Hunter
Sub:	Sub: Styth	

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
Community Overview and Scrutiny Committee (8)	1 2 3	1 Bradley 2 Harid 3 Hendry 4 Riddle	1 Luckley	
	Sub: Sub: Sub:	Sub: Boaden Sub: McDevitt Sub: Scarborough	Sub: Farmer N	

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Corporate Resources Overview and Scrutiny Committee (8)	1 2 3 4	1 Boaden 2 Glendinning 3 Styth	1 Allison	
	Sub: Sub: Sub:	Sub: Glover Sub: Hendry Sub: Quilter	Sub: Tootle	

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Infrastructure Overview and Scrutiny Committee (8)	1 2 3 4	1 Glover 2 Patrick 3 Rutherford	1 Farmer P	
	Sub: Sub: Sub:	Sub: Glendinning Sub: Hendry Sub: Styth	Sub: Farmer N	

Executive Members cannot be members of Overview and Scrutiny Committees

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Employment Panel (6)	1 2	1 Boaden 2 Glover 3 Weber	1 Farmer N	
	Sub: Sub:	Sub: Hendry Sub: Stothard Sub: Watson	Sub: Farmer P	

One Executive Member must be a member of the Employment Panel

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Audit Committee (7)	1 2 3	1 Hendry 2 Stothard 3 Styth	1 Allison	
	Sub: Sub: Sub:	Sub: Boaden Sub: Bradley Sub: Glendinning	Sub: Tootle	

No member of the Executive and no Chair of Overview and Scrutiny Committees will be eligible to be a Member of the Audit Committee

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Appeals Panel No 1 (3)	1 Sub:	1 Atkinson Sub: Styth	1 Tootle Sub: Allison	

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Appeals Panel No 2 (3)	1 Sub:	1 Weedall Sub: Hendry		1 Graham

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Appeals Panel No 3 (3)	1 Sub:	1 Rutherford Sub: Riddle		1 Graham

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Standards Committee (6)	1 2	1 McDevitt 2 Riddle 3 Stothard	1 Farmer P	
+	Sub: Sub:	Sub: Bell Sub: Boaden Sub: Styth	Sub: Tootle	

Parish Councillors: (3) 3 Councillors – Cllr Little, Cllr Nicholson, 1 vacancy
(1 Sub: Councillor)

Other Independent Members: 1 Dr Tiplady (up until 18.09.06) 2 vacant 3 vacant

The Standards Committee does not strictly have to be politically balanced but the Council has requested that local authority membership is allocated on the basis of political proportionality. It should not include the Leader. No more than one Member of the Executive can serve on the Standards Committee and the Chairman must be an Independent Member.

The three Parish Council Members of the Standards Committee will be those nominated from time to time to serve on the Committee by Carlisle Parish Councils' Association or such other appropriate means and the Director of Legal and Democratic Services is hereby given delegated powers to confirm their appointment as Members of the Committee as and when such nominations are received from time to time.

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	1 Styth	1 Tootle	
	Sub:	Sub: Wilson	Sub: Hunter	
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Licensing Sub-Committee 2 (3)	1	1 Boaden	1 Hunter	
	Sub:	Sub: Bell	Sub: Tootle	
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Licensing Sub-Committee 3 (3)	1	1 Scarborough 2 Wilson		
	Sub:	Sub: Boaden Sub: Styth		

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Licensing	1	1 Bell		
Sub-Committee 4	2			
(3)				
	Sub:	Sub: Scarborough		
	Sub:			

**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			
	7			

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	1			
Group				

Appointments made by the Leader

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Market	1			
Management	2			
Group	3			

Appointments made by the Leader

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT
Carlisle Transport	1	1	1 Allison	
Advisory Group	2			
	3			