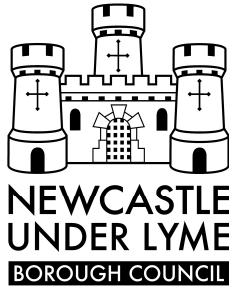


# Public Document Pack



10 May 2013

Dear Sir/Madam,

You are summoned to attend the meeting of the Borough Council of Newcastle-under-Lyme to be held in the **Council Chamber, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG** on **Wednesday, 15 May 2013 at 7.00 pm.**

## SUPPLEMENTARY AGENDA

- 13 **Appointment of Committees, Chairs and Vice-Chairs 2013/14** (Pages 1 - 4)
- 14 **APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES 2013/14** (Pages 5 - 12)

The council is requested to review its representation on outside bodies for 2013/14.

The attached schedule shows the current representation. Any nominations received to vary that representation will be circulated prior to the meeting.

In the case of any appointments made by office rather than by name (eg Portfolio Holder, Committee Chair), in the event of any change to the office holder these will automatically transfer to the new incumbent.

Yours faithfully



Chief Executive

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## APPOINTMENT OF COMMITTEES, CHAIRS AND VICE-CHAIRS 2013/14

**Submitted by:** Senior Member Services Officer – Nick Lamper

**Portfolio:** Communication, Transformation and Partnerships

**Ward(s) affected:** All

### **Purpose of the Report**

To appoint committees, chairs and vice-chairs for 2013/14.

### **Recommendations**

- (1) That the membership of committees for 2013/14 be appointed in accordance with the structure and allocation of seats set out at 3.2, and the nominations submitted at the meeting;
- (2) That the chairs and vice-chairs of committees for 2013/14 be appointed in accordance with the nominations submitted at the meeting;
- (3) That the terms of reference and delegations to committees be as set out in the council's constitution;
- (4) That the Chief Executive be authorised to give effect to further changes to the membership of committees and other council bodies in accordance with the stated wishes of the political groups in accordance with (5) below; and
- (5) That, where a political group wishes to amend its membership of a committee or other council body within its allocation of places on that committee or body in accordance with (4) above, such appointment will take effect from the day following receipt in writing of the request and be reported to the next meeting of the council or appointing body for confirmation.

### **Reasons**

Section 102 of the Local Government Act 1972 gives local authorities the power to appoint committees for the purpose of discharging functions in pursuance of arrangements made under section 101 (arrangements for discharge of functions by local authorities). Committees are appointed under this power for the effective and convenient discharge of the authority's non-executive functions. Section 6 of the Licensing Act 2003 requires each licensing authority to establish a licensing committee consisting of at least ten, but not more than fifteen, members of the authority to discharge the majority of its functions under that legislation.

## 1. **Background**

- 1.1 The Local Government and Housing Act 1989 ("the 1989 Act") imposes political proportionality requirements in respect of the appointment of committees.
- 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 In order to fulfil these requirements in the order stated, and particularly to achieve the best fit of requirement (d) while maintaining requirement (c), it is usual for a small number of manual adjustments to be required to the allocations for individual committees.
- 1.4 Under Council Procedure Rule 3, the council also appoints chairs and vice-chairs of committees at its annual meeting.
- 1.5 Government advice on Overview and Scrutiny Committees suggests that local authorities might consider it appropriate to have all or some of these committees chaired by members outside the majority group.

## 2. **Issues**

- 2.1 There are some potential issues in the way committees are constituted which can hinder an authority's ability to fulfil the requirements of the 1989 Act.
- 2.2 If a committee has an even number of seats, depending on the size of the majority, this can effectively prevent the fulfilling of requirement (b) without grossly distorting the allocation and adversely affecting the ability to fulfil the other requirements. For this reason it is best practice for committees to have an odd number of seats.
- 2.3 Certain sizes of committee can lead to the necessity to make a large number of manual adjustments to the allocations on those committees to achieve overall proportionality (requirement (c)). This, in turn, distorts the ability to achieve a closeness of fit to requirement (d) in respect of the individual committees. For this reason it is best practice to avoid certain numbers of seats on individual committees, although these numbers will vary depending on the overall number of seats on an authority and how these are divided up between the political groups.
- 2.4 Section 16(2A) of the 1989 Act (inserted by Regulation 16 of the Local Government (Committees and Political Groups) Regulations 1990) provides that each independent member (ie a member who is not part of a political group) is treated in the same way as a group for the purpose of the allocation of seats. This regularises the position insofar as it is in any case only possible to comply with the legislation and also fill all committee seats by treating each independent member in this manner.
- 2.5 The Licensing Committee, being the committee established under section 6 of the Licensing Act 2003, is not subject to the proportionality rules of the 1989 Act. However, this council (like many others) has previously determined that it will be treated in the same manner as the ordinary committees in that respect, and it is therefore included in the overall calculations.

## 3. **Proposal**

- 3.1 In light of the issues identified under section 2 above and recent changes to the memberships of the political groups, the overall size of the council's committees and the allocation of seats has been reviewed.
- 3.2 The resulting proposed committee structure and allocation of seats is set out below.

<b>Committee</b>	<b>Places</b>	<b>Lab</b>	<b>Con</b>	<b>L Dem</b>	<b>Ind</b>
Scrutiny Co-ordinating	11	6	3	2	0
Transformation and Resources SC	11	6	2	2	1
Economic Devt and Enterprise SC	11	6	3	2	0
Cleaner, Greener and Safer SC	11	6	3	2	0
Active and Cohesive Communities SC	11	7	2	2	0
Health SC	7	4	2	1	0
Planning	15	9	4	2	0
Conservation Advisory	5	3	1	1	0
Licensing	15	9	3	2	1
Public Protection	11	6	3	2	0
Audit and Risk	7	4	2	1	0
Staffing	11	6	3	2	0
Employees Consultative	7	4	2	1	0
Standards	7	4	2	1	0
Grants Assessment	9	5	2	1	1
Joint Parking	4	2	1	1	0
Member Development	9	5	2	2	0
<b>Total</b>	<b>162</b>	<b>92</b>	<b>40</b>	<b>27</b>	<b>3</b>

3.3 The political groups have been requested to submit nominations in accordance with their group allocations, and these will be circulated prior to the meeting.

3.4 The groups' nominations for the chairmanships and vice-chairmanships of committees will also be circulated.

#### **4. Legal and Statutory Implications**

4.1 The establishment of committees and the allocation of seats are undertaken in accordance with the relevant legislation, primarily the Local Government Act 1972, the Local Government and Housing Act 1989, the Local Government (Committees and Political Groups) Regulations 1990 (as amended) and the Licensing Act 2003.

#### **5. Equality Impact Assessment**

5.1 No equality or diversity issues have been identified in the preparation of this report.

#### **6. Financial and Resource Implications**

6.1 There are no significant direct financial or resource implications arising from the proposals. There is no change to the number of chairmanships or vice-chairmanships so no impact on members' allowances.

#### **7. Major Risks**

7.1 It is essential that the council's decision making structures and processes are robust and established in line with the relevant legislation and principles of good governance, to minimise the risk of legal challenge. The proposed approach seeks to ensure those aims are met.

#### **8. List of Appendices**

8.1 The nominations for committee places, chairmanships and vice-chairmanships from each group are appended.

9. **Background Papers**

9.1 None.

## Outside Bodies – Community Groups

	Organisation/Partnership	Number of places	Status of Body	Current Representatives	Nominations 2013/14
1.	Audley Community Centre Management Committee	3	Community	Mrs Beech Mrs Cornes Wilkes	
2.	Bradwell Community Centre Management Committee	1	Community	Mrs Hambleton	
3.	Butt Lane Community Centre Management Committee	3	Community	Mrs Burgess Robinson Taylor	
4.	Chesterton Community Centre Management Committee	3	Community	Boden Mrs Johnson Mrs Simpson	
5.	Clayton Community Centre Management Committee	2	Community	Mrs Heames Sweeney	
6.	Crackley Community Centre Management Committee	3	Community	Boden Mrs Johnson Mrs Simpson	
7.	Harriet Higgins Community Centre Management Committee	3	Community	Jones Miss Reddish Miss Walklate	
8.	Knutton Community Centre Management Committee	2	Community	Eagles Snell	
9.	Marsh Hall Community Centre Management Committee	3	Community	Bannister Matthews Tagg	
10.	Park Road, Silverdale Community Centre Management Committee	2	Community	Cairns Lawton	
11.	Ramsey Road Community Centre Management Committee	3	Community	Winfield Williams Mrs Williams	
12.	Red Street Community Centre Management Committee	3	Community	Boden Mrs Johnson Mrs Simpson	
13.	Silverdale Social Centre Community Centre Management Committee	2	Community	Cairns Lawton	

14.	Whitfield Community Centre Management Committee	3	Community	Jones Miss Reddish Miss Walklate	
15.	Wye Road Community Centre Management Committee	3	Community	Fear P Hailstones Miss Mancey	
16.	Friends of Bathpool Park*	1	Community	Mrs Astle	
17.	Friends of Lyme Valley *	1	Community	M Taylor	
18.	Friends of Madeley Pool*	1	Community	White	
19.	Friends of Thistleberry Park*	1	Community	Miss Reddish	
20.	Friends of Wolstanton Park*	1	Community	M Olszewski	

\* Although the council may nominate to these organisations, it does not have an automatic right of representation and it is up to the organisation itself to determine whether to make the appointment.



## Outside Bodies – Third Sector

	Organisation/Partnership	Number of places	Status of Body	Current Representatives	Nominations 2013/14
21.	Age Concern North Staffordshire	1	Third Sector	Mrs Hambleton	
22.	Citizens Advice Bureau Management Committee	1	Third Sector	Turner	
23.	Community Council for Staffordshire	1	Third Sector	Boden	
24.	Newcastle-under-Lyme Almshouses Charity Trustees	3	Third Sector	The three Cross Heath ward members (Mrs Williams, Williams and Mrs Winfield)	
25.	Newcastle-under-Lyme Community & Voluntary Support	2	Third Sector	Miss Baker Lawton	
26.	Newcastle-under-Lyme Sports Council	12	Third Sector	Mrs Winfield Williams Mrs Williams Mrs Hambleton Kearon Mrs Shenton Mrs Walklate Wilkes Bannister Miss Mancey Mrs Heesom Sweeney	
27.	Newcastle Chamber of Trade – Executive Board	1	Third Sector	Boden	
28.	North Staffs Special Adventure Playground for the Handicapped	1	Third Sector	Mrs Hambleton	
29.	North Staffs Relate	1	Third Sector	Miss J Cooper	
30.	North Staffs Victim Support	1	Third Sector	Kearon	
31.	Sir John Offley Almshouses Trust	1	Third Sector	Welsh	

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32.	Stoke-on-Trent and North Staffordshire Theatre Trust Limited (New Victoria Theatre)	1	Third Sector	M Clarke	
33.	The Lady Katherine and Sir Richard Leveson Charity	1	Third Sector	Vacant	
34.	The United Charities Trust	4	Third Sector	Mrs Walklate and Mrs Williams (terms of office expire November 2013 – nominations/renominations now required)  Snell and Mrs Winfield	Terms of office expire November 2016
35.	Trustee of Maddock, Leicester and Burslem Education Charity	1	Third Sector	D Clarke	Term of office expires May 2014
36.	Wenger House Committee	1	Third Sector	Mrs Shenton	

## Outside Bodies – Local, Regional and National Organisations

	Organisation/Partnership	Number of places	Status of Body	Current Representatives	Nominations 2013/14
37.	Aspire Housing	3	Local Body	Cairns Williams Mrs Beech	
38.	The Alliance (formerly the Coalfield Communities Campaign)	1	National Body	Portfolio Holder for Regeneration, Planning and Town Centres (Boden)	
39.	Campaign to Protect Rural England	1	Regional Body	Loades	
40.	Keele University Court	3	Local Body	Snell Kearon Vacancy	
41.	Local Government Association – Annual Conference	2	National Body	Leader and Deputy Leader (Snell and Boden)	
42.	Local Government Association – General Assembly	1	National Body	Leader (Snell)	
43.	Local Government Association – Rural Commission	1	National Body	Leader (Snell)	
44.	Local Government Association – Urban Commission	1	National Body	Portfolio Holder for Regeneration, Planning and Town Centres (Boden)	
45.	Locality Action Partnership – Area 1 (Kidsgrove, Butt Lane, Newchapel, Ravenscliffe and Talke)	2	Local Body	Robinson (Butt Lane) Turner (Kidsgrove)	
46.	Locality Action Partnership – Area 2 (Audley, Bignall End and Halmer End)	1	Local Body	Mrs Cornes	
47.	Locality Action Partnership – Area 3 (Balterley, Betley, Wrinehill and Madeley)	1	Local Body	Becket	
48.	Locality Action Partnership – Area 4 (Chapel & Hill Chorlton, Loggerheads, Maer and Whitmore)	1	Local Body	Loades	
49.	Locality Action Partnership – Area 5 (Keele, Silverdale AND Parksite)	1	Local Body	Cairns	

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50.	Locality Action Partnership – Area 6 (Chesterton and Holditch)	1	Local Body	Mrs Johnson	
51.	Locality Action Partnership – Area 7 (Bradwell, May Bank, Porthill and Wolstanton)	1	Local Body	S Tagg	
52.	Locality Action Partnership – Area 8 (Knutton and Cross Heath)	1	Local Body	Mrs Williams	
53.	Locality Action Partnership – Area 9 (Poolfields, Thistleberry and Town)	1	Local Body	Miss Reddish	
54.	Locality Action Partnership – Area 10 (Clayton, Seabridge and Westlands)	1	Local Body	Sweeney	
55.	Newcastle-under-Lyme Partnership (Local Strategic Partnership) (Strategic Board and Delivery Group)	1 + sub	Local Body	Leader (Snell) (substitute Deputy Leader (Boden))	
56.	North Staffs LIFT Strategic Partnership Board	1	Local Body	Portfolio Holder for Stronger & Active Neighbourhoods (Williams)	
57.	RENEW Transition Group	1	Local Body	Portfolio Holder for Regeneration, Planning and Town Centres (Boden)	
58.	Stoke-on-Trent and Staffordshire Strategic Partnership	1	Local Body	Leader (Snell)	
59.	Staffordshire and Stoke-on-Trent Local Enterprise Partnership	1	Local Body	Leader (Snell)	
60.	West Midlands Leaders Board	1	Regional Body	Leader of the Council (Snell)	
61.	Keele University Nominations Committee	1	Local Body	Kearon	
62.	Aspire Board	1	Local Body	Mrs Hambleton	
63.	Staffordshire County Council Health Scrutiny Committee	1	Local body	Chair of Health Scrutiny (Eastwood)	

64.	Staffordshire Planning Forum	2 + sub	Local Body	Chair of Planning (Fear) and Portfolio Holder for Regeneration, Planning and Town Centres (Boden) (substitute Mrs Hambleton)	
65.	Staffordshire Police and Crime Panel	1	Local Body	Portfolio Holder for Safer Communities (Kearon)	
66.	Staffordshire Health and Wellbeing Board	1	Local Body	Portfolio Holder for Culture and Leisure (Mrs Bates)	
67.	West Midland Reserve Forces and Cadets Association	1	Regional Body	Stubbs	
68.	Newcastle Town Centre Partnership	1	Local Body	Portfolio Holder for Regeneration, Planning and Town Centres (Boden)	

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