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PLEASE NOTE THAT PRAYERS WILL BE HELD AT 6.50PM BEFORE THE COMMENCEMENT OF THE BUSINESS OF THE COUNCIL.

THE MAYOR REQUESTS THAT ANY MEMBER WISHING TO PARTICIPATE IN PRAYERS BE IN ATTENDANCE IN THE COUNCIL CHAMBER BY NO LATER THAN 6.45PM.

Dear Sir/Madam,

You are summoned to attend the meeting of the Annual Council of Newcastle-under-Lyme to be held in the **Council Chamber, Civic Offices, Merrial Street, Newcastle-under-Lyme, Staffordshire, ST5 2AG** on **Wednesday, 18th May, 2016** at **7.00 pm**.

SUPPLEMENTARY AGENDA

BUSINESS

12a Appointment of Committees, Chairs and Vice-Chairs 2016/2017 (Pages 5 - 18)

13a Appointments of Representatives on Outside Bodies (Pages 19 - 26)
2016/2017.

Yours faithfully

A handwritten signature in black ink, appearing to be 'S. J. ...', written over a horizontal line.

Chief Executive

NOTICE FOR COUNCILLORS

1. Fire/Bomb Alerts

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs. Do not stop to collect personal belongings, do not use the lifts.

Fire exits are to be found either side of the rear of the Council Chamber and at the rear of the Public Gallery.

On exiting the building Members, Officers and the Public must assemble at the car park at the rear of the Aspire Housing Office opposite to the Civic Offices. DO NOT re-enter the building until advised to by the Controlling Officer.

2. Attendance Record

Please sign the Attendance Record sheet, which will be circulating around the Council Chamber. Please ensure that the sheet is signed before leaving the meeting.

3. Mobile Phones

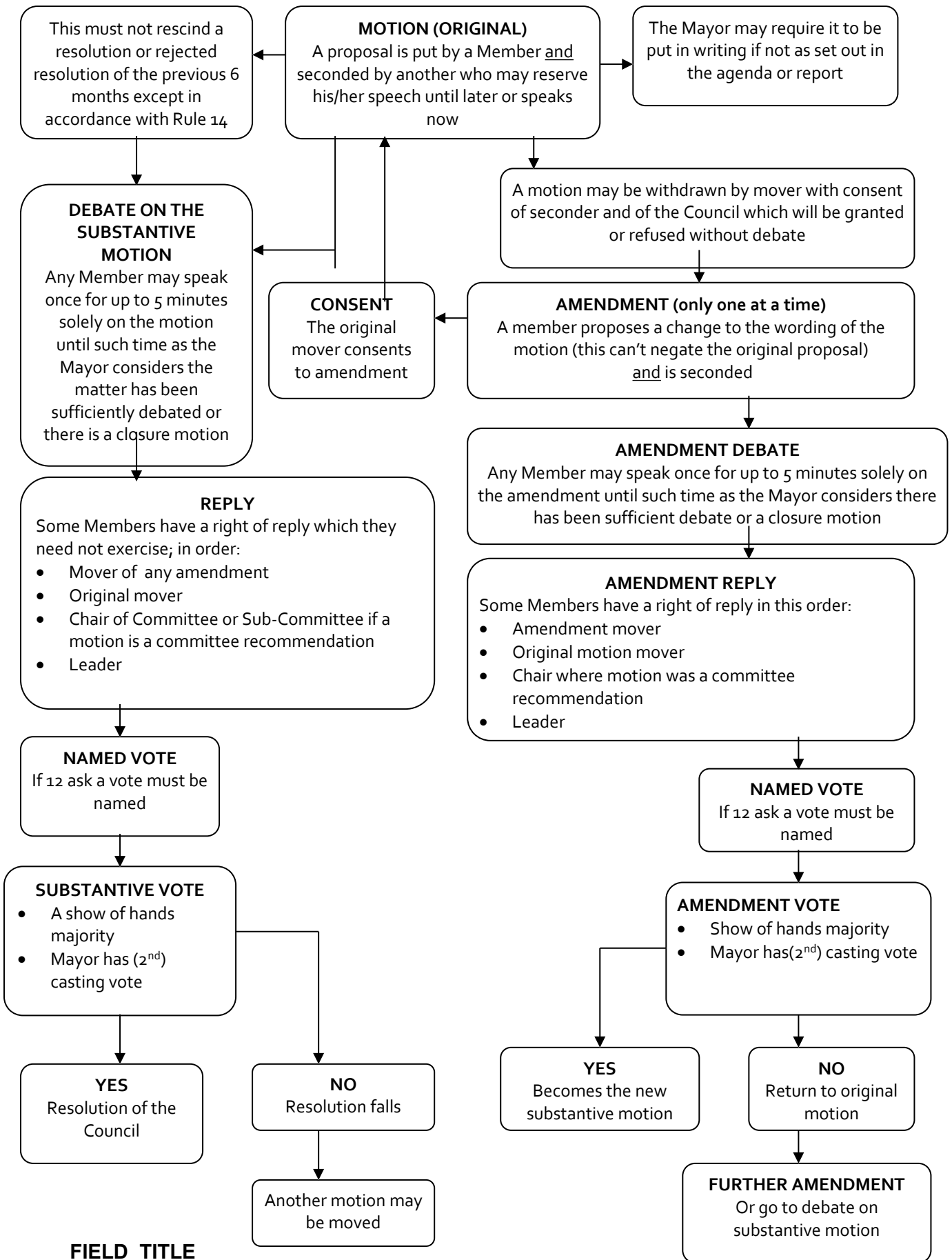
Please switch off all mobile phones before entering the Council Chamber.

4. Tea/Coffee

Refreshments will be available at the conclusion of the meeting, or in the event of a break occurring, during that break.

5. Notice of Motion

A Notice of Motion other than those listed in Standing Order 19 must reach the Chief Executive ten clear days before the relevant Meeting of the Council. Further information on Notices of Motion can be found in Section 5, Standing Order 20 of the Constitution of the Council.



FIELD_TITLE

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APPOINTMENT OF COMMITTEES, CHAIRS AND VICE-CHAIRS 2016/2017

Submitted by: Democratic Services Manager

Ward(s) affected: All

Purpose of the Report

To appoint to committees, and to appoint chairs and vice-chairs for 2016/17.

Recommendations

- (1) That the membership of committees for 2016/2017 be appointed in accordance with the attached nominations;
- (2) That the chairs and vice-chairs of committees for 2016/2017 be appointed in accordance with the attached nominations;
- (3) That the terms of reference and delegations to committees be as set out in the council's constitution
- (4) That substitutes not be appointed for the Planning Committee until there has been further consideration of this matter by the Constitution Review Working Group.

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". Part 1A of the Local Government Act 2000 (updated by the Localism Act 2011) states that executive arrangements by a local authority must include provision for the appointment by the authority of one or more scrutiny committees. 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 (other than the Executive).
- 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 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.

3.3

Committee	Places	Lab	Con	Liberal Democrats	Newcastle Independent Group	UKIP	Borough Independent Group
Finance Resources and Partnerships SC	11	5	4	1			1
Economic Development and Enterprise SC	11	5	4		1		1
Cleaner, Greener and Safer SC	11	5	4	1			1
Active and Cohesive Communities SC	11	5	4		1		1
Health and Well-Being SC	11	5	4	1			1
Planning	16	7	5	1	1	1	1
Conservation Advisory	5	2	2				1
Licensing	15	7	5	1	1		1
Public Protection	13	6	5		1		1
Audit and Risk	7	3	2	1			1
Staffing	11	5	4	1	1		
Employees Consultative	7	3	2	1			1
Standards	8	4	3				1
Grants Assessment	9	4	3		1		1
Member Development	9	4	3	1			1

3.4 The political groups have been requested to submit nominations in accordance with their group allocations, and these are appended.

3.5 The groups' nominations for the chairmanships and vice-chairmanships of committees are also appended.

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), the Local Government Act 2000, the Localism Act 2011 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.

The appointment of scrutiny committees enables the Council to achieve enhanced accountability and transparency of decision making process. Scrutiny is a key element of the Council's executive arrangements and is the main way by which executive decision-makers are held to public account for the discharge of the functions for which they are responsible.

- 7.2 The scrutiny process is a key mechanism for enabling councillors to represent the views of their constituents and other organisations to the cabinet and to the Council and, by examining the operation and impact of the Council's policies, is a useful means of improving the development and delivery of services. Lack of an effective scrutiny function could lead to a lack of democratic accountability for the Council.

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.

Notification of Political Groups of the Borough Council

Members are advised that the Proper Officer has received notification, under the provisions of the Local Government (Committees and Political Groups) Regulations 1990, of the operation of four political groups on the Council namely:-

NAME & NUMBER OF MEMBERS	DESIGNATED LEADER	DESIGNATED DEPUTY LEADER
LABOUR	ELIZABETH SHENTON	TERRY TURNER
CONSERVATIVE	STEPHEN SWEENEY	DAVID LOADES
LIBERAL DEMOCRAT	MARION REDDISH	IAN WILKES
NEWCASTLE INDEPENDENT GROUP	DEREK HUCKFIELD	EILEEN BRAITHWAITE
UKIP	KENNETH OWEN	DAVID HARPER
BOROUGH INDEPENDENT GROUP	BERT PROCTOR	BILLY WELSH

Representation of Political Groups in Committees and Appointment of Members to Committees

		LABOUR	CONSERVATIVE	LIB DEM	UKIP	NEWCASTLE INDEPENDENT GROUP	BOROUGH INDEPENDENT GROUP
Audit & Risk	7	3	2	1	0	0	1
		S Dymond	John Cooper	J Walklate			S White
		S Pickup	P Waring				
		M Stubbs					
Substitutes		3	2	1	0	0	0
		T Hambleton	M Holland	M Reddish			
			S Sweeney				
Independent Member				PHILL BUTTERS			

Employees Consultative	7	3	2	0	0	1	1
		A Beech	John Cooper			D Huckfield	B Proctor
		E Shenton	S Sweeney				
		R Wright					
Substitutes		3	2	0	0	1	1
		T Turner	T Johnson				
			D Loades				
Staffing Committee	11	5	4	0	0	1	1
		L Burch	John Cooper			D Woolley	B Welsh
		T Eagles	A Frankish				
		S Hambleton	M Holland				
		T Kearon	S Sweeney				
		K Robinson					
Substitutes	11	5	4	0	0	1	1
		T Turner	D Loades				
			C Mancey				
Grants Assessment	9	4	3	1	0	0	1
		M Astle	Julie Cooper	J Walklate			B Welsh
		S Burgess	A Parker				
		A Rout	L Wing				
		J Winfield					
Substitutes	9	4	3	1	0	0	1
		A Beech	D Loades	I Wilkes			
			G Heesom				

Licensing	15	7	5	1	0	1	1
		R Bailey	A Frankish	M Reddish			S White
		D Jones	T Johnson				
		T Hambleton	C Mancey				
		S Simpson	A Parker				
		C Spence	S Tagg				
		J Williams					
		J Winfield					
Substitutes	15	7	5	1	0	1	1
		T Kearon	John Cooper	I Wilkes			
		G Williams	D Loades				
			I Matthews				
			P Northcott				
			S Sweeney				
Member Development	9	4	3	1	0	0	1
		L Dillon	T Johnson	I Wilkes			B Proctor
		T Kearon	B Panter				
		A Rout	P Waring				
		T Turner					
Substitutes	9	4	3	1	0	0	1
		A Gardner	G Heesom	J Walklate			
			M Holland				
			I Matthews				
Conservation Advisory	5	2	2	0	0	0	1
		S Hambleton	Julie Cooper				W Naylor
		R Wright	T Johnson				
Substitutes	5	2	2	0	0	0	1
		D Allport	S Sweeney				
Planning	16	7	5	1	1	1	1
		S Burgess	A Fear	M Reddish	K Owen	E Braithwaite	B Proctor

		S Hambleton	G Heesom				
		S Pickup	C Mancey				
		S Simpson	P Northcott				
		M Stubbs	B Panter				
		G Williams					
		J Williams					
Substitutes	16	7	5	1	1	1	1
		T Turner	M Holland	I Wilkes	D Harper		
		J Winfield	D Loades				
			S Sweeney				
Public Protection	13	6	5	0	0	1	1
		D Allport	L Bloor			E Braithwaite	B Welsh
		L Burch	L Hailstones				
		S Dymond	P Hailstones				
		D Jones	I Matthews				
		M Olszewski	J Tagg				
		K Robinson					
Substitutes	13	6	5	0	0	1	1
		T Hambleton	G Heesom				
		J Williams	T Johnson				
		J Winfield	P Waring				
			L Wing				
Standards Committee	8	4	3	0	0	0	1
		A Beech	G Heesom				B Welsh
		S Burgess	T Johnson				

		S Hambleton	C Mancey				
		J Winfield					
Substitutes	8	4	3	0	0	0	1
		R Bailey	John Cooper				
		T Hambleton	P Northcott				
			S Sweeney				
Health & Well Being Scrutiny	11	5	4	1	0	0	1
		R Bailey	L Bloor	J Walklate			W Naylor
		A Gardner	L Hailstones				
		D Jones	D Loades				
		C Spence	P Northcott				
		R Wright					
Substitutes	11	5	4	1	0	0	1
		S Hambleton	M Holland	I Wilkes			
			S Sweeny				
Active & Cohesive Scrutiny	11	5	4	0	0	1	1
		D Allport	Julie Cooper			E Braithwaite	S White
		L Burch	A Frankish				
		S Dymond	G Heesom				
		K Robinson	J Tagg				
		G Williams					
Substitutes	11	5	4	0	0	1	1
		S Burgess	I Matthews				
		M Olszewski	P Waring				
			L Wing				
Economic Development Scrutiny Committee	11	5	4	0	0	1	1
		R Bailey	M Holland			D Huckfield	B Proctor
		S Dymond	D Loades				

		A Gardner	I Matthews				
		T Hambleton	P Northcott				
		G Williams					
Substitutes	11	5	4	0	0	1	1
		S Hambleton	A Fear				
			A Frankish				
			S Sweeney				
			L Wing				
Cleaner, Greener & Safer Scrutiny Committee	11	5	4	1	0	0	1
		D Allport	John Cooper	M Reddish			W Naylor
		S Burgess	P Hailstones				
		L Dillon	C Mancey				
		M Olszewski	B Panter				
		G Williams					
Substitutes	11	5	4	1	0	0	1
		J Winfield	Julie Cooper	J Walklate			
			T Johnson				
			D Loades				
Finance, Resources and Partnerships Scrutiny	11	5	4	1	0	0	1
		T Hambleton	A Fear	I Wilkes			B Proctor
		S Pickup	A Frankish				
		C Spence	D Loades				
		M Stubbs	P Waring				
		J Winfield					
Substitutes	11	5	4	1	0	0	1
		T Eagles	M Holland	M Reddish			
			I Matthews				
			P Northcott				

			S Sweeney				
Governance Review Sub Committee	5	2	2	0			1
		E Shenton	M Holland				B Proctor
		T Turner	T Johnson				

Appointment of Chairs and Vice-Chairs of Committees (in accordance with Standing Order 46(1))

Members are advised of the following nominations for the positions of Chair and Vice-Chair for the various Committees of the Council. Where there are two nominations (**highlighted in bold**), the Council must vote on which Member to appoint:-

COMMITTEE	CHAIR	VICE-CHAIR
Audit & Risk	S Pickup P Waring	John Cooper S Dymond
Conservation Advisory	Julie Cooper W Naylor	T Johnson R Wright
Employees Consultative	PORTFOLIO HOLDER	NO NOMINATION REQUIRED
Grants Assessment	PORTFOLIO HOLDER	NO NOMINATION REQUIRED
Licensing	T Hambleton S Tagg	C Mancey S White
Member Development	T Johnson T Turner	NO NOMINATION REQUIRED
Planning	B Proctor	A Fear S Pickup M Reddish
Public Protection	K Robinson I Matthews	B Welsh
Staffing Committee	John Cooper S Hambleton	NO NOMINATION REQUIRED

Standards Committee	S Hambleton C Mancey	G Heesom J Winfield
Health & Well Being Scrutiny	D Jones P Northcott	L Hailstones R Wright
Active & Cohesive Communities SC	G Heesom G Williams	D Allport Julie Cooper
Cleaner, Greener & Safer Communities SC	W Naylor	S Burgess C Mancey
Economic Development & Enterprise SC	A Gardner D Loades	P Northcott G Williams
Finance, Resources and Partnerships SC	A Frankish J Winfield	C Spence P Waring
MAYOR, DEPUTY MAYOR, LEADER AND DEPUTY LEADER NOMINATIONS		
NOMINATION FOR MAYOR	CLLR IAN WILKES	
NOMINATION FOR DEPUTY MAYOR	G Heesom S White	

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APPENDIX A . *IF MORE THAN ONE NOMINATION A VOTE IS REQUIRED.*

Outside Bodies – Community Groups

	Organisation/Partnership	Number of places	Status of Body	Current Representatives	Nominations 2016/17
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<p>Community Centres Management Committees:</p> <p>Audley Bradwell Lodge Community Centre * Butt Lane Chesterton Clayton Crackley Harriet Higgins Holly Road Knutton Marsh Hall Red Street Silverdale, Park Road Silverdale, Social Centre Whitfield Wye Road</p> <ul style="list-style-type: none"> • CIC – Community Interest Group (Appoints own Directors) 	<p>Up to 3 on each</p>	<p>Community</p>		<p>Ward members automatically become the Council's nominated representatives for community centres situated within their wards for the period of their office, negating the need to make specific nominations each year</p> <p>Ward Members do not have voting rights unless co-opted or elected to the Management Committee</p>
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Outside Bodies – Third Sector

Organisation/Partnership	Number of places	Status of Body	Current Representatives	Nominations 2016/17
Community Council for Staffordshire	1	Third Sector	Simon White	David Loades Simon White
Go Kidsgrove	1	Third Sector	Portfolio Owner for Regeneration/Assets	Portfolio Holder for Town Centres, Business and Assets
North Staffs Victim Support	1	Third Sector		Portfolio Holder for Safer Communities
Stoke-on-Trent and North Staffordshire Theatre Trust Limited (New Victoria Theatre)	1	Third Sector		Leader
The United Charities Trust	4	Third Sector	Mrs Walklate 2/11/17 Mrs Williams 30/11/17 Mrs Winfield 30/11/16 Vacancy	As existing

Aspire Board This parent company ceases with effect from July 2016 therefore there is no need to nominate a replacement representative to this Board. Aspire Housing Board will in effect revert back to the parent company having two direct subsidiaries, PM Training and The Realise Foundation.	1	Local Body	MRS HAMBLETON	
Campaign to Protect Rural England - County Branch	1	Regional Body	Councillor Loades Councillor Naylon	Wenslie Naylon Barry Panter
Local Government Association – General Assembly	1	National Body		Leader
Local Enterprise Partnership	1	Regional Body	Leader	Leader or relevant portfolio holder
Locality Action Partnerships: Audley Butt Lane Betley, Keele and Madeley Clayton Poolfields, Thistleberry and Town East Newcastle Greater Chesterton Kidsgrove Newcastle Rural Partnership of Western Communities	N/A	Local body		The LAP constitutions state that membership is open to “Any County or District Councillor representing any part of the area” - this negates the need to make specific nominations annually.
Business Improvement District	1	Local Body		Portfolio Holder for Regeneration Assets

Newcastle-under-Lyme Partnership (Local Strategic Partnership) (Strategic Board)	1 + sub	Local Body		Leader (substitute Deputy Leader)
“Enjoy Staffordshire” Destination Management Partnership	1	Local Body	Current representative is the Portfolio Holder for Town Centres, Business and Assets	The Portfolio Holder – Leisure, Culture and Localism may be more appropriate
Staffordshire County Council Health Scrutiny Committee	1	Local body		Chair of Health Scrutiny
Staffordshire Health and Wellbeing Board	1	Local body		Leader or relevant portfolio holder (if required)
Staffordshire LGA – Waste Board	1	Local Body		Portfolio Holder for Environment and Recycling
Staffordshire Playing Fields Association	1	Local Body	Portfolio Holder for Environment and Recycling	As existing
Staffordshire Police and Crime Panel	1+ sub	Local Body		Portfolio Holder for Safer Communities
Stoke-on-Trent and Staffordshire Strategic Partnership	1	Local Body		Leader
Waste and Mineral Site Liaison Committee – Acton	1	Local Body		David Loades

Waste and Mineral Site Liaison Committee – Knutton	2	Local Body		Tony Eagles Amelia Rout
Waste and Mineral Site Liaison Committee –Madeley	2	Local Body		Barry Panter Billy Welsh Simon White
Waste and Mineral Site Liaison Committee –Holditch House	1	Local Body		Chris Spence Alison Gardner
Waste and Mineral Site Liaison Committee –Walleys	6	Local Body		Tony Eagles Amelia Rout Derrick Huckfield Eileen Braithwaite Two of the following: Marion Reddish June Walklate Lucinda Wing
West Midland Reserve Forces and Cadets Association	1	Regional Body	MIKE STUBBS	Mike Stubbs

West Midlands Employers	1 + sub	Regional Body		Leader (Substitute – Portfolio Holder for Finance & Resources)
District Councils Network	1	National Body		Leader
LGiU Assembly	1	National Body		Kyle Robinson

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