

# Public Document Pack

**HAMBLETON**  
DISTRICT COUNCIL

## AGENDA

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Committee Administrator: Louise Hancock (01609 767015)

Friday, 2 May 2014

Dear Councillor

### NOTICE OF MEETING

Meeting            **ANNUAL COUNCIL**

Date                **Tuesday, 13 May 2014**

Time                **2.15 pm (or on the rising of the ordinary Council meeting whichever is the later)**

Venue              **Council Chamber, Civic Centre, Stone Cross, Northallerton**

Yours sincerely

*P. Morton.*

Phillip Morton  
Chief Executive

To:                All Members of Hambleton District Council

## **AGENDA**

### **Page No**

1. CHAIRMAN  
To elect a Chairman of the Council for the ensuing year.
2. APOLOGIES FOR ABSENCE
3. VICE-CHAIRMAN  
To appoint a Vice-Chairman of the Council for the ensuing year.
4. ANNOUNCEMENTS BY THE CHAIRMAN OR CHIEF EXECUTIVE
5. QUESTION TIME  
None received.
6. MANAGEMENT RESTRUCTURE - AMENDMENTS TO CONSTITUTION 1 - 4  
To receive a report of the Chief Executive.
7. CABINET MEMBERS AND DELEGATION OF FUNCTIONS 5 - 14  
To receive a report of the Chief Executive.
8. ALLOCATION OF SEATS AND APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES 15 - 24  
To receive a report of the Chief Executive.

### **Note**

At the conclusion of business, the following Committees will meet to elect a Chairman and appoint a Vice-Chairman for the forthcoming Municipal Year:-

Scrutiny Committee  
Planning Committee  
Audit, Governance and Standards Committee

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Annual Council  
13 May 2014

**From:** Chief Executive

**Subject:** **MANAGEMENT RESTRUCTURE – AMENDMENTS TO CONSTITUTION**

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### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 The Council's Constitution sets out the role of various Officers of the Council. Following the recent management restructure there is a need to designate new posts as Section 151 Officer and Monitoring Officer and to authorise Officers to deal with certain official documents. There is also a need to make certain consequential amendments to the Constitution to reflect the management changes.
- 1.2 This report asks Council to make the necessary changes.

### **2.0 APPOINTMENT OF SECTION 151 OFFICER AND MONITORING OFFICER:**

- 2.1 The Council is required to appoint a Section 151 Officer and a Monitoring Officer. This is reflected in Article 11 of the Constitution. A summary of the roles is attached in the extract from Article 11 which is attached as an Annex to this report.
- 2.2 It is recommended that the Director of Support Services be designated as the Council's Section 151 Officer and the Head of Legal and Information Services be designated as the Monitoring Officer. Each of those Officers may appoint a deputy from time to time.

### **3.0 OTHER AMENDMENTS TO THE CONSTITUTION:**

- 3.1 Article 14 of the Constitution provides for the authentication of documents and the witnessing of sealing of documents. It is recommended that the Head of Legal and Information Services be authorised to do this and authorise others to do the same.
- 3.2 Other minor and consequential amendments to the Constitution may be required as a result of changes in designation following the management restructure. It is recommended that the Chief Executive be authorised to make the necessary changes.

### **4.0 LEGAL IMPLICATIONS:**

- 4.1 It is a legal requirement to appoint a Section 151 Officer and a Monitoring Officer.

### **5.0 FINANCIAL IMPLICATIONS:**

- 5.1 None.

## **6.0 RECOMMENDATIONS:**

6.1 It is recommended that:-

- (1) the Director of Support Services be designated as the Council's Section 151 Officer;
- (2) the Head of Legal and Information Services be designated as the Council's Monitoring Officer;
- (3) the Head of Legal and Information Services be authorised to authenticate documents and attest the sealing of documents and authorise others to do the same;
- (4) the Chief Executive be authorised to make any minor or consequential amendments to the Constitution required by the management restructure.

PHILLIP MORTON

**Background papers:** None

**Author ref:** JI/GN

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Gary Nelson  
Head of Legal and Information Services  
Direct Line No: (01609) 767012

**EXTRACT FROM ARTICLE 11 OF THE CONSTITUTION**

**11.03 Functions of the Monitoring Officer**

- a) **Maintaining the Constitution.** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and public.
- b) **Ensuring lawfulness and fairness of decision making.** After consulting with the Head of Paid Service and Section 151 Officer, the Monitoring Officer will report to the full Council or to the Cabinet in relation to an executive function if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- c) **Supporting the Audit, Governance and Standards Committee.** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Audit, Governance and Standards Committee.
- d) **Conducting investigations.** The Monitoring Officer will conduct investigations into matters referred by the Audit, Governance and Standards Committee or its Standards Hearings Panel and make reports or recommendations in respect of them.
- e) **Proper Officer for access to information.** The Monitoring Officer will ensure that Cabinet decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- f) **Advising whether Executive decisions are within the Budget and Policy Framework.** The Monitoring Officer will advise whether decisions of the Cabinet are in accordance with the budget and policy framework.
- g) **Providing advice.** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors.
- h) **Restrictions on posts.** The Monitoring Officer cannot be the Director of Resources or the Head of Paid Service.
- i) **Appointing a deputy.** The Council will from time to time appoint a Deputy Monitoring Officer who will carry out the functions of the Monitoring Officer in his/her absence.

**11.04 Functions of the Section 151 Officer**

- a) **Ensuring lawfulness and financial prudence of decision making.** After consulting with the Head of Paid Service and the Monitoring Officer, the Section 151 Officer will report to the full Council or to the Cabinet in relation to an executive function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- b) **Administration of financial affairs.** The Section 151 Officer will have responsibility for the administration of the financial affairs of the Council.
- c) **Contributing to corporate management.** The Section 151 Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

- d) **Providing advice.** The Section 151 Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors and will support and advise Councillors and officers in their respective roles.
- e) **Give financial information.** The Section 151 Officer will provide financial information to the media, members of the public and the community.

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Annual Council  
13 May 2014

**From:** Chief Executive

**Subject:** **CABINET MEMBERS AND DELEGATION OF FUNCTIONS**

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### **1.0 PURPOSE AND BACKGROUND:**

1.1 The Council's Constitution requires that the Leader of the Council informs the Council at the Annual Meeting of any proposals for Cabinet in the following year. It is also necessary to set out proposals for delegation of functions in the following year. This report deals with both matters.

### **2.0 CABINET:**

2.1 The Leader will announce the appointments to the portfolios.

### **3.0 DELEGATION:**

3.1 The Scheme of Officer Delegation needs to be approved by Annual Council. Attached as Annex 'A' is a revised Scheme of Delegation which takes account of the recent changes to the management structure. Although functions are reassigned, there are no additional delegated powers for officers.

### **4.0 RECOMMENDATIONS:**

4.1 Council is recommended to:-

- (1) note the appointments to Cabinet by the Leader;
- (2) approve the Scheme of Delegation for Officers;

PHILLIP MORTON

**Background papers:** None

**Author ref:** JI/GN

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130514 Cab Members and Delegation of Functions

**REVISED SCHEME OF OFFICER DELEGATION**

**4.0 SCHEME OF OFFICER DELEGATION**

**4.01 GENERAL CONDITIONS APPLYING TO ALL DELEGATED POWERS:**

- a) All delegated powers shall be exercised in accordance with:-
- i. the Constitution of the Council;
  - ii. any relevant policies of the Council;
  - iii. approved budgets;
  - iv. decisions of the Cabinet/Council/Committees;
  - v. decisions of the Chief Executive, Management Team (MT) and/or Management Boards appointed by the Chief Executive or MT.
- b) Officers shall undertake delegated powers in accordance with any specific instructions of the Chief Executive.
- c) An officer need not exercise his delegated power and shall not do so if in his opinion the matter involves questions of policy not yet determined by the Council.
- d) Unless prohibited by statute an officer may delegate any power to another officer and authorise other officers by designation to exercise defined powers.
- e) Delegated powers shall include the carrying out of all duties and powers covered by the function including administrative and procedural acts, the exercising of discretion and the making of determinations.

**4.02 GENERAL POWERS DELEGATED TO CHIEF EXECUTIVE AND ALL DIRECTORS**

- a) To undertake the day-to-day management of the services for which they are responsible, including the deployment of personnel, premises, vehicles, plant, equipment and other resources under their control.
- b) Within the approved establishment to recruit, manage and, where necessary, dismiss staff under their control and in particular:-
- to authorise pay and conditions (including honoraria);
  - to undertake disciplinary proceedings;
  - to defend and, if necessary, settle any claims made against the Council;
  - to be responsible for the health and safety at work of staff;
  - to implement all employment policies, practices and procedures;
  - to operate the Council's Grievance Procedure.
- c) To acquire, dispose of, grant and obtain rights in land, premises vehicles and other equipment and property on such terms and conditions as considered appropriate.
- d) To provide and commission goods and services and to undertake and commission works.
- e) To provide grants and other financial assistance.
- f) After consultation with the Leader (or in his/her absence the Deputy Leader of the Council) to authorise urgent action not covered by the Council's Scheme of Delegation and which requires an urgent decision.
- g) To sign any contract or agreement on behalf of the Council.
- h) To issue any Notice or make any Order in connection with the service for which they are responsible.



#### 4.03 FUNCTIONS DELEGATED TO SPECIFIC OFFICERS

##### **CHIEF EXECUTIVE**

- i. To act as Head of Paid Service for the Council and in particular to have authority over all other officers;
- ii. To act as Electoral Registration Officer and Returning Officer

##### **DIRECTOR OF SUPPORT SERVICES AND DEPUTY CHIEF EXECUTIVE (SECTION 151 OFFICER)**

###### **Strategy and Policy: (Head of Resources)**

- i. To formulate and co-ordinate advice on strategic and corporate policy and Best Value issues.
- ii. To develop and implement performance management systems.
- iii. To undertake strategic risk management functions.

###### **Design and Maintenance: (Head of Resources)**

- i. To undertake all functions in connection with:-
  - public lighting;
  - the provision, maintenance and management of car parks;
  - the management, construction, maintenance and operation of the Council's land, buildings, property, vehicles and plant which is not part of the operational responsibility of another Director;
  - land drainage;
  - markets;

###### **Business Support: (Head of Resources)**

- i. To provide all central administrative and clerical support.
- ii. To be responsible for the Council's insurances.
- iii. To administer the creditors system.

###### **Financial Matters: (Head of Resources)**

- i. To undertake financial functions including:-
  - accountancy matters;
  - investments;
  - bank accounts and banking arrangements;
  - Treasury Management;
  - Internal Audit

###### **Revenues and Benefits: (Head of Resources)**

- i. To undertake all functions in respect of Housing and Council Tax Benefits and the Local Council Tax Reduction Scheme.
- ii. To undertake all functions in respect of Council Tax and National Non-Domestic Rates and other revenues.

**Democratic Services: (Head of Legal and Information Services)**

- i. To undertake all administrative functions of the Council relating to meetings of the Council, Cabinet, Committees and Panels.
- ii. To undertake all functions relating to Member support and development.
- iii. To undertake all functions relating to Civic Matters.

**Electoral Services: (Head of Legal and Information Services)**

- i To undertake all functions relating to electoral registration matters and the conduct of elections.
- ii To undertake all functions relating to community governance by Parish and Town Councils and Parish Meetings.

**Legal and Procurement: (Head of Legal and Information Services)**

- i To undertake all legal functions including:-
  - governance;
  - the commencement, defence and settlement of any legal proceedings;
  - the issue and/or service of any Notice or Order not the responsibility of another Chief Officer.
- ii. To maintain property ownership records for all land and premises.
- iii. To undertake all functions relating to strategy on efficiency and procurement.

**Personnel: (Head of Legal and Information Services)**

- i. To formulate employment policies, practices and procedures.
- ii To deal with payroll and pensions matters.

**Information and Communications Technology: (Head of Legal and Information Services)**

- i. To provide all strategic ICT functions including:-
  - determination of corporate standards;
  - determination of operating platforms;
  - determination of software applications;
  - determination of information management systems.
- ii. To provide all support functions for ICT.

**DIRECTOR OF CUSTOMER AND LEISURE SERVICES**

**Customer Services: (Head of Customer and Economy Services)**

- i. To undertake all functions in connection with the Council's initial point of contact with customers.
- ii. To co-ordinate the response to complaints and Freedom of Information requests.

**Economic Development and Tourism: (Head of Customer and Economy Services)**

- i. To undertake all functions in respect of Economic Development and Tourism including:-
  - developing business parks;
  - developing and managing business units;
  - providing advice and assistance;
  - financial assistance.

- ii. To undertake all functions in connection with climate change and sustainability.
- iii. To undertake all functions in respect of support for public transport.

**Communications: (Head of Customer and Economy Services)**

- i. To undertake all functions relating to communications and public relations.

**Community Safety: (Head of Customer and Economy Services)**

- i. To undertake all functions in respect of Community Safety.
- ii. To issue Anti-Social Behaviour Orders where appropriate in liaison with the Police.
- iii. To issue Exclusion Orders where appropriate in liaison with the Police.
- iv. To manage CCTV functions.

**Leisure: (Head of Leisure and Community Services)**

- i. To undertake all functions in respect of Leisure Services including:-
  - providing and operating indoor and outdoor leisure facilities;
  - providing leisure courses;
  - facilitating the provision of leisure facilities;
  - financial assistance;
  - all functions in respect of museums.
- ii. To undertake all functions in respect of provision of and support for the arts.
- iii. To undertake all functions in connection with co-ordinating services for young persons.
- iv. To undertake all functions relating to public health.

**Community/Partnerships: (Head of Leisure and Community Services)**

- i. To undertake all functions in connection with:-
  - producing and implementing the Community Plan;
  - community grants;
  - community engagement and partnerships.

**Emergency Planning: (Head of Leisure and Community Services)**

- i. Emergency Planning and Business Continuity.

**DIRECTOR OF ENVIRONMENTAL AND PLANNING SERVICES**

**Development Management: (Head of Planning and Housing)**

- i. To undertake all functions in respect of:-
  - Development Management;
  - Hazardous Substances;
  - National Parks;
  - Hedgerows;
  - High Hedges.

**Planning Policy: (Head of Planning and Housing)**

- i. To undertake all functions in respect of the Local Development Framework and Supplementary Planning Documents.

- ii. To undertake all non-development management functions in connection with Conservation Areas, Listed Buildings and the built heritage.

**Housing Matters: (Head of Planning and Housing)**

- i. To undertake all functions in respect of Housing including:-
  - facilitating the provision of housing;
  - homelessness;
  - harassment/unlawful eviction;
  - standards in private housing.

**Data Management and Local Land Charges: (Head of Planning and Housing)**

- i. To carry out all functions in connection with development data (including street naming and numbering).
- ii. To undertake all functions relating to data management (including GIS).
- iii. To undertake and/or co-ordinate all functions relating to Local Land Charges/Enquiries

**Building Control: (Head of Planning and Housing)**

- i. To carry out all functions in connection with the North Yorkshire Building Control Partnership.

**Waste and Street Scene Services: (Head of Environmental Services)**

- i. To undertake all functions in connection with:-
  - Recycling;
  - Waste Collection and Disposal;
  - Street Cleaning;
  - Litter;
  - Dogs;
  - Graffiti, fly tipping and abandoned vehicles

**Environmental Services: (Head of Environmental Services)**

- i. To undertake all functions relating to Environmental Health including:-
  - Public Health;
  - Food Sales, Safety and Standards;
  - Caravan Sites;
  - Health and Safety at Work;
  - Pollution Control;
  - Pest Control;
  - Shops and Sunday Trading;
  - Animals;
  - Home Safety;
  - Water Supply, Standards and Safety;
  - Housing Conditions, Standards and Safety;
  - Housing Improvement and Renovation;
  - Public Nuisance;
  - Private Drainage and Sewers;
  - Smoking in public places;

**Licensing: (Head of Environmental Services)**

- i. To discharge all functions in respect of:-
  - animal licensing;
  - caravan site licensing;
  - premises licensing;

- hackney carriage and private hire licensing;
- charitable collections;
- gambling;
- lotteries;
- any other licensing or registration.

#### 4.04 OFFICER SCHEME OF DELEGATION PROTOCOLS:

##### **Introduction**

Under the Council's Scheme of Delegation most operational and administrative matters are delegated to Officers. These Protocols set out how the Officers propose to exercise these powers with a view to ensuring that Members still have adequate opportunity to comment on and be involved in the decision making process as appropriate.

##### **DEVELOPMENT MANAGEMENT PROTOCOL**

##### **a) Planning and Related Applications**

Listed below are the circumstances where any planning or related application would be presented to the Planning Committee for decision. The Director of Environmental and Planning Services will determine all other planning and related applications, unless any Member of the Council requests, in writing, that an application be presented to the Planning Committee. Such a request should be made to the Director of Environmental and Planning Services within 28 days of the validation of the application.

Matters to be presented to Planning Committee:-

- i. Proposals which are contrary to the provisions of an approved or draft development plan, and which are recommended for approval.
- ii. Proposals which are contrary to approved Council development control policies, standards or guidance and which are recommended for approval.
- iii. Proposals which are potentially controversial or likely to be of significant public interest in the opinion of the Director of Environmental and Planning Services.
- iv. Proposals which would have a significant impact on the environment in the opinion of the Director of Environmental and Planning Services.
- v. Proposals submitted by or on behalf of the Council for its own developments, or on Council owned land, except for the approval of routine, minor developments to which no objection has been received.
- vi. Proposals submitted by or on behalf of a Member of the Council (or a relative) or by any employee of the Council (or a relative).

##### **b) Enforcement**

Listed below are the circumstances where enforcement matters will be presented to the Planning Committee. All other matters will be dealt with by the Director of Environmental and Planning Services unless any Member of the Council has requested, in writing, that a decision on an enforcement matter be made by the Planning Committee.

- i. Where the case involves a Member of the Council (or a relative) or any employee of the Council (or a relative).
- ii. Where there is a contravention of planning control involving the Council's own development that is unresolved through the planning system.
- iii. Issues of significant public interest.

## **BUDGETARY CONTROL AND FINANCIAL SERVICES PROTOCOL**

### **Matters to be presented to Cabinet:**

- i. Quarterly revenue budget monitoring statements for determination.
- ii. Quarterly capital programme monitoring statements for determination.
- iii. Quarterly statements showing utilisation of reserves for determination.
- iv. Biannual reports on the performance of the Council's fund management for information.

## **INFORMATION AND COMMUNICATION TECHNOLOGY PROTOCOL**

Cost benefit analysis of proposals for new systems will be presented to the Cabinet for determination.

## **PROTOCOL FOR PROPERTY MATTERS**

- i. Acquisitions/disposals of property will only be undertaken after receiving advice from a fully qualified valuer.
- ii. Where practicable the principle of acquiring land will be reported to the Cabinet for determination. Details of all acquisitions/disposals of land will be reported to the Cabinet for information.

## **PLANNING POLICY PROTOCOL**

### **a) Planning Policy Consultation Documents**

- i. Consultation on the Local Transport Plan and some Government planning policy documents will be reported to the Cabinet for determination.
- ii. The relevant Cabinet Portfolio Holder will be consulted on responses to policy documents of neighbouring Authorities.

### **b) Powers to Secure Repairs to Listed Buildings**

These powers will be exercised in consultation with the relevant Cabinet Portfolio Holder.

## **ECONOMIC DEVELOPMENT PROTOCOL**

### **a) Partnership Arrangements for Funding of Economic Development Projects**

These will be reported to the Cabinet for determination.

### **b) Economic Development Grant Schemes**

- i. Grants over £5,000 will be made in consultation with the Ward Member and the relevant Cabinet Portfolio Holder.
- ii. Annual grants exceeding £5,000 will be reported to the Cabinet for information.
- iii. All applications by Members and officers will be reported to the Cabinet for determination.

### **c) Responses to Consultation Documents**

The Cabinet will be asked to determine responses to the County Council's Economic Development Strategy.

## **PARTNERSHIPS PROTOCOL**

### **a) Responses on Consultation Documents**

The Cabinet will be asked to determine responses to consultations relating to sustainable development and Community Planning issues which have significant implications for the District.

**b) Community Grant Schemes**

- i. Grants over £5,000 will be made in consultation with the relevant Cabinet Portfolio Holder.
- ii Annual grants exceeding £5,000 will be reported to the Cabinet for information.
- iii. Applications by Members and officers will be reported to Cabinet for determination.

**LICENSING PROTOCOL**

- i. Where an objection is lodged to a Licence the matter would be presented to the Licensing Hearings Panel for determination.
- ii. If consideration is being given to the revocation of any Licence, Registration or Permit then this would be referred to the Licensing Hearings Panel for determination.

**PERSONNEL PROTOCOL**

All proposals to alter the Council's staffing establishment which will involve increased expenditure will be presented to the Cabinet for determination.

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## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Annual Council  
13 May 2014

**From:** Chief Executive

**Subject: ALLOCATION OF SEATS AND APPOINTMENTS TO COMMITTEES AND OUTSIDE BODIES**

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### **1.0 SUMMARY:**

1.1 The purpose of this report is to facilitate the appointment of Committees and Outside Bodies.

### **2.0 COMMITTEES FOR 2014/15:**

2.1 In accordance with the Council's Constitution, the Council is requested to appoint Committees. Council resolved in December 2013 that, with effect from the Annual Meeting, there would be changes to the Committee structure of the Council. This report reflects those changes.

### **3.0 ALLOCATION OF SEATS:**

3.1 Committees must be constituted on the basis of available seats being allocated in accordance with the Council's overall political proportionality (so far as is "reasonably practicable") unless some other basis of allocation has been approved without any Member voting against the proposal.

3.2 Normally, the allocation of seats on Committees must be in accordance with the principles set out below. In summary they provide that:-

- (i) representation on Committees must, so far as possible, be proportional to the number of Members any political Group has on the Council as a whole;
- (ii) because seats on Committees and Sub-Committees are allocated to Groups proportionally to the Group's size, the remaining seats on Committees need to be allocated to Members who are not part of a Group. There are currently no Members who are not part of a Group.

3.3 The allocation of seats is a two-stage process:-

- (i) Council determines seat allocation to each Group further to the rules of proportionality. The allocation is largely self-determining and depends on the size of each Group. Final adjustment is required by Council to ensure that no Group is over represented. These adjustments are decisions of the Council, which the views of Groups may assist;

(ii) when the Council has determined the allocation of seats between Groups, the Council must decide which Members sit on which Committees. In carrying out this process the Council must follow the wishes expressed by Groups and can consider (but is not compelled to follow) the wishes of Members who are not part of a Group.

3.4 All political Groups have been notified of their proposed allocations across all Committees as described in this report which represents the best proportional fit and have been asked to express their wishes as to which Member sits on which Committees.

3.5 The total number of seats allocated to each particular Group on all Committees must be in the same proportion as is borne by the number of Members of that Group on the Council. If the Committees set out in Annex 'A' are appointed there will be 30 seats on Committees of the Council to which the proportionality rules would apply. This would mean seats are allocated to the political Groups on the following proportional basis:-

Conservative Group	= 84% of seats	25 seats
Liberal Democrat Group	= 4.5% of seats	2 seats
Independent Group	= 11.5% of seats	3 seats

3.6 Proportionality does not apply to the appointment of the Cabinet.

3.7 The Council is required to have provision for crime and disorder issues to be scrutinised from time to time. It is therefore recommended that this role continues to be performed by the Scrutiny Committee.

3.8 The Licensing and Appeals Hearings Panel will comprise three Members drawn from a pool on a rota basis. It is recommended that the pool contain seven Members, five from the Conservative Group and one each from the other two Groups. It will be necessary to waive the requirement for political proportionality on this Panel.

3.9 The Standards Hearings Panel comprises three elected Members drawn from a pool on a rota basis. It is recommended that the pool contain seven Members, five from the Conservative Group and one each from the other two Groups. The rules on proportionality will need to be waived by Council.

3.10 Nominations from each of the Groups based on the Committees in Annex 'A' are contained in Annex 'B' to this report.

#### **4.0 OUTSIDE BODIES:**

4.1 The constitution of the Council sets down the main role and responsibilities of Members representing the authority on Outside Bodies.

4.2 A list of the Outside Bodies to which appointments are made is attached at Annex 'C'. Those requiring an appointment at this meeting are indicated with an asterisk together with a suggested appointee from the Leader of the Council.

4.3 The appointee(s) will serve on the Outside Body until the next election of the full Council unless the governing rules of the Outside Body determine a different period.

## **5.0 THE NORTH YORKSHIRE BUILDING CONTROL PARTNERSHIP**

- 5.1 The North Yorkshire Building Control Partnership is a Joint Committee involving Hambleton and other North Yorkshire Councils. Hambleton has one Member on the Board. It is therefore recommended that the Cabinet Portfolio Holder for Customer Services be appointed as the representative on the Partnership.

## **6.0 THE NORTH YORKSHIRE POLICE AND CRIME PANEL**

- 6.1 Council has previously approved in principle its involvement in the North Yorkshire Police and Crime Panel which performs a scrutiny role in connection with the new Police Commissioner.
- 6.2 The Panel is technically a Joint Committee of the County Council, City of York Council and each District Council in the County. Each authority will nominate one Member (two from the City of York) but the total membership of the Panel must be politically proportionate across North Yorkshire. If the Leader of the Council is appointed, this (taken with other proposed appointments) will fit with political proportionality. It is therefore recommended that the Leader is appointed to the Joint Committee.

## **7.0 THE PARKING AND TRAFFIC REGULATION OUTSIDE LONDON ADJUDICATION JOINT COMMITTEE:**

- 7.1 The Parking Adjudication Joint Committee is made up of all Councils outside London operating Civil Parking Enforcement. It oversees the operation of adjudication "appeals" against parking tickets. The Council has one Member on the Committee and this has been the Cabinet Portfolio Holder for Customer Services and Asset Management.

## **8.0 RECOMMENDATIONS:**

- 8.1 It is recommended that:-

- (1) the Council appoints the Committees indicated at Annex 'A';
- (2) proportionality rules be waived in respect of the membership of the Licensing and Appeals Hearings Panel and the Standards Hearings Panel;
- (3) Membership of the Committees be that shown at Annex 'B';
- (4) the Council appoints as the Council's representatives on Outside Bodies identified with an asterisk within Annex 'C' those Members indicated against those Outside Bodies;
- (5) the Scrutiny Committee be responsible for crime and disorder issues;
- (6) the Cabinet Portfolio Holder for Customer Services and Asset Management be appointed as the representative on the North Yorkshire Building Control Partnership;
- (7) the Leader of the Council be appointed as the District Council's Member of the North Yorkshire Police and Crime Panel;

- (8) the Cabinet Portfolio Holder for Customer Services and Asset Management be appointed as the representative on The Parking and Traffic Regulation Outside London Adjudication Joint Committee.

PHILLIP MORTON

**Background papers:** None

**Author ref:** JI/GN

**Contact:** Justin Ives  
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Gary Nelson  
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130514 Allocation of Seats

**ANNEX 'A'**

	<b>Conservative Group</b>	<b>Independent Group</b>	<b>Liberal Democrat Group</b>	<b>TOTAL</b>
Scrutiny Committee	9	1	1	<b>11</b>
Planning Committee	10	1	1	<b>12</b>
Audit, Governance and Standards Committee	6	1	0	<b>7</b>
	<b>25</b>	<b>3</b>	<b>2</b>	<b>30</b>

<b>Committee</b>	<b>Conservative Group</b>	<b>Independent Group</b>	<b>Liberal Democrat Group</b>	<b>TOTAL</b>
Standards Hearings Panel	5	1	1	<b>7</b>
Licensing and Appeals Hearings Panel	5	1	1	<b>7</b>

**Scrutiny (11)**

<u>Conservative Group</u> (9)	<u>Independent Group</u> (1)	<u>Liberal Democrat Group</u> (1)
Mrs C S Cookman Mrs F M Greenwell G J F Key Mrs I Sanderson Mrs S A Shepherd A Wake Mrs J Watson S Watson A W Wood	K Billings	B Griffiths

**Audit, Governance and Standards Committee (7)**

<u>Conservative Group</u> (6)	<u>Independent Group</u> (1)	<u>Liberal Democrat Group</u> (0)
R A Baker G W Dadd R W Hudson J N Smith Mrs C Patmore Mrs J Watson	M Rigby	

**Planning Committee (12)**

<u>Conservative Group</u> (10)	<u>Independent Group</u> (1)	<u>Liberal Democrat Group</u> (1)
D E Adamson P Bardon D M Blades G W Ellis K G Hardisty J Noone C Rooke P Sowray Mrs M Skilbeck D A Webster	J Coulson	Mrs J A Griffiths

**Licensing and Appeals Hearings Panel Pool (7)**

<u>Conservative Group</u> (5)	<u>Independent Group</u> (1)	<u>Liberal Democrat Group</u> (1)
P Bardon K G Hardisty Mrs F M Greenwell Mrs I Sanderson Mrs C Patmore	A Robinson	Mrs J A Griffiths

**Standards Hearings Panel Pool (7)**

<u>Conservative Group</u> (5)	<u>Independent Group</u> (1)	<u>Liberal Democrat Group</u> (1)
G W Dadd R W Hudson K R Kirk Mrs C Patmore J N Smith	M Rigby	B Griffiths

**BODIES APPOINTED BY COUNCIL**

**Term of Office Expires May 2015 Unless Stated or Otherwise Specified by the Outside Body**

**Note: only those bodies marked with an asterisk require appointment**

<b>Name of Body</b>	<b>No of Places</b>	<b>Representative or Independent</b>	<b>Appointee 2014/2015</b>
*Hambleton and Richmondshire Citizens' Advice Bureau (Board of Trustees)	1	Independent	1 Member (currently vacant)
Hambleton Arts	1	Representative	Portfolio Holder for Leisure and Health
Hambleton Community Safety Partnership	1	Representative	Portfolio Holder for Customers
Hambleton Over 50s Forum	1	Representative	Portfolio Holder for Customers 2 Year Term expires AM 2016
Howardian Hills AONB	1	Representative	Councillor Mrs C S Cookman Term expires AM 2015
*Internal Drainage Boards (One appointee represents all the IDB's)	1	Independent	3 Year Term expires AM 2017 Appoint: Councillor R A Baker
Local Government Association	1	Representative	Leader of Council
Local Government Association Rural Commission	1	Representative	Leader of Council
Local Government North Yorkshire and York	1	Representative	Leader Substitute: Deputy Leader
Local Government North Yorkshire and York Housing Board	1	Representative	Portfolio Holder for Housing, Planning and Waste
Local Government North Yorkshire and York Spatial Planning and Transport Member Board	1	Representative	Deputy Leader of Council
Local Government, Yorkshire and Humber	1 + Sub	Representative	Leader of Council
Local Government, Yorkshire and Humber Employers' Forum	1	Representative	Deputy Leader of Council
North York Moors National Park Committee	1	Representative	Councillor D Hugill – Term expires AM 2015
*North Yorkshire County Council Hambleton Area Committee	2	Representative	4 Year Term expires AM 2017 Appoint Councillors: D E Adamson A Wake
North Yorkshire Local Transport Body	1	Representative	Portfolio Holder for Housing, Planning and Waste
North Yorkshire Pension Fund Advisory Panel	1	Representative	Deputy Leader of Council



<b>Name of Body</b>	<b>No of Places</b>	<b>Representative or Independent</b>	<b>Appointee 2014/2015</b>
*North Yorkshire Scrutiny of Health Committee	1	Representative	Appoint: Councillor P Bardon Sub: Councillor D M Blades
*Stokesley and District Community Care Association (Trustee)	1	Representative	Appoint: Councillor Mrs B S Fortune Term expires AM 2015
*Thirsk and Sowerby Swimming Baths Charity	5	Independent	Appoint Councillors: D A Adamson R A Baker P Bardon G Dadd M S Robson
Welcome to Yorkshire	1	Independent	Deputy Leader
*Yorkshire Energy Partnership Ltd	1	Representative	Appoint: Councillor S Watson

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