

Minutes of the meeting of the HAMBLETON
DISTRICT COUNCIL held at 2.00pm on
Tuesday 10 December 2013 at the Civic
Centre, Stone Cross, Northallerton

Present

Councillor R A Baker (In the Chair)

Councillor	D E Adamson	Councillor	J Noone
	P Bardon		Mrs C Patmore
	A W Barker		B Phillips
	K Billings		M J Prest
	D M Blades		M Rigby
	Mrs C S Cookman		A Robinson
	J Coulson		M S Robson
	G W Dadd		C R Rooke
	S P Dickins		Mrs I Sanderson
	G W Ellis		Mrs S A Shepherd
	Mrs B S Fortune		Mrs M Skilbeck
	Mrs F M Greenwell		D H Smith
	B Griffiths		J N Smith
	Mrs J A Griffiths		P G Sowray
	A W Hall		T Swales
	K G Hardisty		A P Wake
	R W Hudson		Mrs J Watson
	J D Hugill		S Watson
	R Kirk		P R Wilkinson
	N A Knapton		A W Wood
	C A Les		

(An apology for absence was received from Councillor D A Webster.)

C.18 **MINUTES**

THE DECISION:

That the minutes of the meeting held on 17 September 2013 (C.12 - C.17), previously circulated, be signed as a correct record.

C.19 **ANNOUNCEMENTS BY THE CHAIRMAN OR THE CHIEF EXECUTIVE**

The Chairman announced that a staff choir would be performing on the conclusion of business at the Council Meeting.

The Chairman presented awards to apprentices as part of the 'Changing Lives Building Business Scheme'. Two awards were presented one to Holly Watkins of Arty Party in Thirsk, for Outstanding Apprentice in the Private Sector and one to Joe McKechnie from Leisure and Health Services, for Outstanding Apprentice in the Council.

C.20

STATEMENT FROM THE LEADER AND REFERRALS FROM CABINET

The Leader made a statement regarding Budgets, the Council's financial position, Council Tax, the Capital Programme, the New Homes Bonus and being in the fortunate position of not having to make any service cuts.

The Leader moved Cabinet minutes CA.41 – CA.44, CA.48 – CA.55 and CA.59 – CA.65.

THE DECISION:

That the reports, resolutions and recommendations of the following meetings of the Cabinet be received, approved and adopted:-

<u>Body</u>	<u>Date of Meeting</u>	<u>Minute Nos</u>
Cabinet	8 October 2013	CA.41 – CA.44
Cabinet	5 November 2013	CA.48 – CA.55
Cabinet	3 December 2013	CA.59 – CA.65

C.21

CABINET PORTFOLIO HOLDER STATEMENTS

- (a) Councillor P R Wilkinson, Portfolio Holder for Support Services and Economic Development made a statement regarding ICT Services, Revenues and Benefits, Corporate Finance, Central Northallerton Masterplan, Economic Study, Working with the Local Enterprise Partnership, and Working with Hambleton Business. Councillor B Griffiths questioned the cost of the ICT separation project from Richmondshire District Council; Councillor Wilkinson agreed to provide a written response.
- (b) Councillor Mrs S A Shepherd, Portfolio Holder for Leisure and Health made a statement regarding Sports Awards, Open Weekend at the Leisure Centres, Public Health, Stokesley Leisure Centre Squash Court Conversion, Protecting the Public, Northern Echo Local heroes Awards and Husthwaite Recreation Area. Councillor G W Dadd questioned the process of food rating for businesses; Councillor Mrs Shepherd agreed to provide a written response
- (c) Councillor N A Knapton, Portfolio Holder for Customer Services and Asset Management made a statement regarding the Civic Centre, Thirsk Market Place, Part-Nighting, Customer Services, Communities and Community Safety. Councillor B Griffiths questioned the membership of the Anti Social Behaviour Working Group; Councillor Knapton agreed to provide a written response
- (d) Councillor B Phillips, Portfolio Holder for Housing, Planning and Waste Management made a statement regarding the Review of the Local Development Framework (LDF), Pre-Application Discussions, Enforcement, the Recycling Contract, Apprentices in Waste and Street Scene, Street Scene Fleet and Rural Housing Enabling. A question regarding affordable housing allocations was asked and responded to.

C.22 **REFERRALS FROM THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE**

THE DECISION:

That the reports, resolutions and recommendations of the following meeting of the Audit, Governance and Standards Committee be received, approved and adopted:-

<u>Body</u>	<u>Date of Meeting</u>	<u>Minute Nos</u>
Audit, Governance and Standards Committee	30 October 2013	AGS.17 – AGS.20

C.23 **NEW ELECTORAL ARRANGEMENTS – CHANGES TO COUNCIL STRUCTURES**

The Director of Corporate Services submitted a report regarding New Electoral Arrangements: Changes to Council Structures which considered the recommendations of the New Structures Working Group. The Working Group gave consideration to Committee Structures, representation on Outside Bodies and other associated matters.

The Working Group's proposals for Committees were detailed at Annex A to the report. This provided for the Cabinet, one Scrutiny Committee, the Planning Committee and an Audit, Governance and Standards Committee. There would be two Hearings Panels, one for Standards and one for Licensing and Appeals. The Hearings Panels would be comprised of three Members drawn from a pool of seven in each case. The functions of the Licensing Committee, other than dealing with hearings, would be transferred to Cabinet. It was also recommended that the new Licensing and Appeals Hearings Panel not deal with employment matters.

A reduction in the number of Outside Bodies on which the Council was represented was recommended, the revised list was detailed at Annex B to the report, but the Working Group retained all of those bodies on which the Council was represented by the Leader or Cabinet Portfolio Holders. The Leader recommended that the following Outside Bodies be included, Internal Drainage Board, Scrutiny of Health Committee, North Yorkshire County Council Hambleton Area Committee and Howardian Hills Area of Outstanding Natural Beauty.

Given the reduction in Members, the Working Group also felt that the Constitution should be changed so that no Member could be Chairman or Vice-Chairman of more than one Committee and that some revisions should be made to the normal functions of the role of Chairman of the Council these were detailed in an amended Annex C which was circulated at the meeting.

Arising from some recommendations there would be a requirement to make amendments to the Scheme of Delegation in the Constitution to transfer some functions of the Licensing Committee to Cabinet.

Changes in Committee structures and representation on Outside Bodies would affect the responsibilities of all Councillors and those with Special Responsibilities under the Council's Members' Allowances Scheme. It was therefore recommended that Council ask the Remuneration Panel to look at the remuneration of Members under the Allowances Scheme.

The number of Councillors was due to reduce to twenty eight with effect from May 2015. It was therefore recommended by the Working Group that the new arrangements take effect from May 2014 to establish whether there were any issues that needed to be dealt with before the formal reduction to twenty eight Members. It was noted that this would mean that there were fewer Committee places available during the 2014/15 Council year and that some Members might not be members of a Committee. It was also felt that it should continue in existence during 2014/15 with a view to considering any issues that might arise under the new structures.

THE DECISION:

That:

- (1) the Committee structure contained in Annex A of the report be approved to take effect from the Annual Meeting in May 2014;
- (2) the list of representation on Outside Bodies contained in Annex B of the report be approved to take effect from the Annual Meeting in 2014, with the inclusion of Internal Drainage Board (1 representative), Scrutiny of Health Committee (1 representative), North Yorkshire County Council Hambleton Area Committee (2 representatives) and Howardian Hills Area of Outstanding Natural Beauty (1 representative);
- (3) the Constitution be amended so that no Member can be Chairman or Vice-Chairman of more than one Committee;
- (4) the outline of the Chairman's functions as contained in Annex C of the report as amended be approved with effect from May 2014;
- (5) the Remuneration Panel be asked to convene to consider how the Allowances Scheme should apply from May 2015 based on the arrangements approved;
- (6) the functions of the Licensing Committee (with the exception of dealing with hearings) be delegated to the Cabinet with effect from the Annual Meeting in 2014;
- (7) the Licensing and Appeals Hearings Panel does not deal with employment matters with effect from the Annual Meeting in 2014;
- (8) the Chief Executive be authorised to make any amendments to the Constitution necessary for the implementation of the above decisions.
- (9) the existing New Structures Working Group remain in existence to consider issues during 2014/15 at the discretion of the Chairman of the Working Group.

C.24

ALLOCATION OF SEATS AND APPOINTMENT TO COMMITTEES

The Director of Corporate Services submitted a report regarding necessary amendments to the allocation of seats on Committees due to recent changes in political groups on the Council and a specific request from the Conservative Group in respect of the Planning Committee. The Council currently had 43 Members, with one seat vacant. The recent move of a Councillor from the Conservative Group to the Independent Group had an effect on the political proportionality of the Council and required consideration of changes to the allocation of seats on Committees.

Committees must be constituted on the basis of available seats being allocated on the Council's overall political proportionality (so far as was "reasonably practicable") unless some other basis of allocation had been approved without any Member voting against it. The allocation of seats was a two-stage process; Council determined seat allocations to each Group based on proportionality and decided which Members sat on which Committees. In carrying out this process the Council must follow the wishes expressed by Groups. Proportionality did not apply to Cabinet and was currently waived for the Licensing Hearings Panel and the Standards Hearings Panel. The allocation of Committee places was agreed as Annex B of the report, which gave two seats on the Licensing and Environmental Protection Committee to the two non-Conservative groups. This required one of the current Independent Group Members to be removed from Scrutiny Committee 1 and replaced with a Conservative Group nominee. Two Conservative Group Members were removed from the Licensing and Environmental Protection Committee and one nominee each from the Independent Group and Liberal Democrat Group were appointed to that Committee.

The Group Leaders had been consulted on the proposals and agreed that Councillor D H Smith be removed from Scrutiny Committee 1, Councillor J Noone be appointed to Scrutiny Committee 1 and the remaining seat remain vacant. Councillors C A Les and S P Dickins be removed from the Licensing and Environmental Protection Committee and Councillors K Billings and B Griffiths be appointed to that Committee. The Conservative Group had requested that Councillor Mrs I Sanderson be replaced by Councillor S P Dickins on the Planning Committee.

THE DECISION:

That:

- (1) proportionality rules continue to be waived in respect of the Licensing Hearings Panel and the Standards Hearings Panel;
- (2) the allocations for political groups for the remaining Committees be as set out in Annex B of the report;
- (3) the changes of membership of Committees as detailed above be approved.

The meeting closed at 2.20pm.

Chairman of the Council