

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 10 May 2021

Dear Councillor

**Notice of Meeting**

Meeting           **Annual Council**

Date               **Tuesday, 18 May 2021**

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

Venue              **Council Chamber, Civic Centre, Stone Cross, Rotary Way,  
Northallerton, DL6 2UU**

Yours sincerely

*J. Ives.*

Dr Justin Ives  
Chief Executive

To:               All Members of Hambleton District Council

**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; Licensing Committee and Audit, Governance and Standards Committee

**Note:** Press and public are welcome to attend meetings of Council. Due to current social distancing restrictions, measures have been implemented which limit the number of attendees able to be physically present in the meeting at any one time. Temporary arrangements are in place for members of the press and public to register their attendance no later than 24 hours in advance of the meeting taking place. Spaces are allocated on a first come first served basis. If you arrive at the Civic Centre to attend the meeting and have not registered in advance a space cannot be guaranteed if there are no vacant seats available. Upon arrival members of the press and public will be asked to sign at reception and further instructions will be provided. Please note that members of the press and public are also able to observe the meeting virtually via Teams. Please click on the link on the website or dial 020 3855 5195 followed by the Conference ID: 541 738 901#

For further information please contact the Democratic Services Officer on telephone 01609 767015 or email [committeeservices@hambleton.gov.uk](mailto:committeeservices@hambleton.gov.uk)

## Agenda

### Page No

1. Chairman  
To elect a Chairman of the Council to serve until the Annual Meeting of Council in May 2022
2. Apologies for Absence
3. Appointment of Vice-Chairman  
To appoint a Vice-Chairman of the Council to serve until the Annual Meeting of Council in May 2022
4. Announcements by the Chairman or Chief Executive
5. Cabinet Members and Delegation of Functions 1 - 14  
Report of the Chief Executive
6. Question Time  
None received
7. Allocation of Seats and Appointments to Committees and Outside Bodies 15 - 24  
Report of the Chief Executive

## **Hambleton District Council**

**Report To:** Council  
**Date:** 18 May 2021  
**From:** Chief Executive  
**Subject:** **Cabinet Members and Delegation of Functions**  
**Wards Affected:** All Wards

---

### **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 appointments to 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 Cabinet portfolios at the Annual Meeting.

### **3.0 Delegation**

3.1 The Scheme of Officer Delegation is required to be approved by Annual Council.

3.2 Attached at Annex A is a copy of the Scheme of Delegation for Officers for approval.

### **4.0 Recommendations**

4.1 Council is recommended to:-

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

Dr Justin Ives  
Chief Executive

**Background papers:** None  
**Author ref:** JI  
**Contact:** Dr Justin Ives  
Chief Executive

## 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, Deputy Chief Executive and all the 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.
- i) To set fees and charges in consultation with the relevant Portfolio Holder.

#### 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;
- iii. To make (in consultation with the Leader of the Council) commercial investment decisions up to a value of £5,000,000;
- iv. To withdraw a club premises certificate in instances where the club ceases to be a qualifying club by virtue of its failure to satisfy the qualification criteria;
- v. To revoke or refuse to renew a hackney carriage and private hire driver's licence for any reasonable cause;
- vi. To revoke a hackney carriage or private hire vehicle licence where, after a period of two months following the suspension of a licence, the Council is not satisfied as to the mechanical fitness of the vehicle; and
- vii. To revoke a gambling premises licence where the annual fee has not been paid in accordance with the relevant regulations.
- viii. In cases of emergency authority is delegated to the Chief Executive, and in the event that the Chief Executive is unavailable (or declares an interest in any decision to be made) to the Deputy Chief Executive, to take any executive decision that could be taken by the Cabinet.
- ix. In cases of emergency authority is delegated to the Chief Executive, and in the event that the Chief Executive is unavailable (or declares an interest in any decision to be made) to the Deputy Chief Executive, to take any decision that would otherwise have been decided at a meeting of Council. As far as emergency situations allow the Leader of the Council will be consulted before any decision is taken under this delegated authority.

- x. In cases of emergency authority is delegated to the Chief Executive and in the event that the Chief Executive is unavailable (or declares an interest in any decision to be made) to the Deputy Chief Executive (or to any other officer authorised in writing by the Chief Executive or Deputy Chief Executive) to determine any matter that would otherwise have been decided at a meeting of the Planning Committee. As far as emergency situations allow the Chairman of the Planning Committee, or in their absence the Vice-Chairman, will be consulted before any decision is taken under this delegated authority.
- xi. In cases of emergency authority is delegated to the Chief Executive and in the event that the Chief Executive is unavailable (or declares an interest in any decision to be made) to the Deputy Chief Executive (or to any other officer authorised in writing by the Chief Executive or Deputy Chief Executive) to determine any matter that would otherwise have been decided at a meeting of the Licensing and Appeals Hearings Panel, unless specifically prohibited by law. As far as emergency situations allow the Chairman of the Licensing Committee, or in their absence the Vice-Chairman, will be consulted before any decision is taken under this delegated authority.
- xii. In cases of emergency authority is delegated to the Chief Executive and in the event that the Chief Executive is unavailable (or declares an interest in any decision to be made) to the Deputy Chief Executive (or to any other officer authorised in writing by the Chief Executive or Deputy Chief Executive) to approve the annual internal audit plan. As far as emergency situations allow the Chairman of the Audit Governance and Standards Committee, or in their absence the Vice-Chairman, will be consulted before any decision is taken under this delegated authority.
- xiii. The Chief Executive in consultation with the Leader shall keep under review the exercise these emergency powers (set out at 4.03 viii – xii above) and shall terminate their use as soon as reasonably practicable.

**Strategy and Policy: (Director of Finance and Commercial - S151 Officer)**

- 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.

**Business Support: (Director of Finance and Commercial - S151 Officer)**

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

**Communications: (Director of Finance and Commercial – S151 Officer)**

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

**Customer Services: (Director of Finance and Commercial – S151 Officer)**

- i. To undertake all functions in connection with the Council's initial point of contact with customers.

**Financial Matters: (Director of Finance and Commercial - S151 Officer)**

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

**Information and Communications Technology: (Director of Finance and Commercial – S151 Officer)**

- 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.

**Revenues and Benefits: (Director of Finance and Commercial - S151 Officer)**

- 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: (Director of Law and Governance)**

- 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: (Director of Law and Governance)**

- 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.

### **Information Governance: (Director of Law and Governance)**

- i. To co-ordinate the response to complaints and Freedom of Information requests.

### **Legal and Procurement: (Director of Law and Governance)**

- 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.

### **Licensing: (Director of Law and Governance)**

- i. To discharge all functions in respect of:-
  - premises licensing;
    - including the power to withdraw a club premises certificate in instances where the club ceases to be a qualifying club by virtue of its failure to satisfy the qualification criteria
  - hackney carriage and private hire licensing;
    - including the power to revoke or refuse to renew a hackney carriage and private hire driver's licence for any reasonable cause; and
    - to revoke a hackney carriage or private hire vehicle licence where, after a period of two months following the suspension of a licence, the Council is not satisfied as to the mechanical fitness of the vehicle
  - charitable collections;
  - gambling;
    - including the power to revoke a gambling premises licence where the annual fee has not been paid in accordance with the relevant regulations
  - lotteries;
  - any other licensing or registration.

## **Personnel: (Director of Law and Governance)**

- i. To formulate employment policies, practices and procedures.

### **Deputy Chief Executive**

- i. To withdraw a club premises certificate in instances where the club ceases to be a qualifying club by virtue of its failure to satisfy the qualification criteria;
- ii. To revoke or refuse to renew a hackney carriage and private hire driver's licence for any reasonable cause;
- iii. To revoke a hackney carriage or private hire vehicle licence where, after a period of two months following the suspension of a licence, the Council is not satisfied as to the mechanical fitness of the vehicle;
- iv. To revoke a gambling premises licence where the annual fee has not been paid in accordance with the relevant regulations
- v. In cases of emergency, and in the event that the Chief Executive is unavailable (or declares an interest in any decision to be made), authority is delegated to the Deputy Chief Executive to take any executive decision that could be taken by the Cabinet.
- vi. In cases of emergency, and in the event that the Chief Executive is unavailable (or declares an interest in any decision to be made), authority is delegated to the Deputy Chief Executive (or to any other officer authorised in writing by the Deputy Chief Executive) to determine any matter that would otherwise have been decided at a meeting of the Planning Committee. As far as emergency situations allow the Chairman of the Planning Committee, or in their absence the Vice-Chairman, will be consulted before any decision is taken under this delegated authority.
- vii. In cases of emergency, and in the event that the Chief Executive is unavailable (or declares an interest in any decision to be made), authority is delegated to the Deputy Chief Executive (or to any other officer authorised in writing by the Deputy Chief Executive) to determine any matter that would otherwise have been decided at a meeting of the Licensing and Appeals Hearings Panel, unless specifically prohibited by law. As far as emergency situations allow the Chairman of the Licensing Committee, or in their absence the Vice-Chairman, will be consulted before any decision is taken under this delegated authority.
- viii. In cases of emergency, and in the event that the Chief Executive is unavailable (or declares an interest in any decision to be made), authority is delegated to the Deputy Chief Executive (or to any other officer authorised in writing by the Deputy Chief Executive) to approve the annual internal audit plan. As far as emergency situations allow the Chairman of the Audit Governance and Standards Committee, or in their absence the Vice-Chairman, will be consulted before any decision is taken under this delegated authority.

- ix. Those functions set out below which are delegated to the Director of Economy and Planning, the Director of Environment and the Director of Leisure and Communities can also be exercised by the Deputy Chief Executive who has overall delegated authority for these functions.

### **Further specific Delegation to Specified Officers**

#### **Building Control: (Director of Economy and Planning)**

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

#### **Data Management and Local Land Charges: (Director of Economy and Planning)**

- 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.

#### **Design and Maintenance: (Director of Economy and Planning)**

- 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;

#### **Development Management: (Director of Economy and Planning)**

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

#### **Economic Development and Tourism: (Director of Economy and Planning)**

- 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.

**Housing Matters: (Director of Economy and Planning)**

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

**Planning Policy: (Director of Economy and Planning)**

- 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.

**Emergency Planning: (Director of Environment)**

- i. Emergency Planning and Business Continuity.

**Environmental Services: (Director of Environment)**

- i. To undertake all functions relating to Environmental Health including:-
  - Public Health;
  - Food Sales, Safety and Standards;
  - Caravan Sites and Licensing;
  - Health and Safety at Work;
  - Pollution Control;
  - Pest Control;
  - Shops and Sunday Trading;
  - Animals and Licensing;
  - 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;

### **Waste and Street Scene Services: (Director of Environment)**

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

### **Community/Partnerships: (Director of Leisure and Communities)**

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

### **Community Safety: (Director of Leisure and Communities)**

- i. To undertake all functions in respect of Community Safety.
- ii. To exercise any appropriate Local Authority Power to deal with Anti-Social Behaviour in accordance with any relevant legislation and 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: (Director of Leisure and Communities)**

- 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.

## 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 Deputy Chief Executive, or other duly authorised officer, 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 Deputy Chief Executive 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 Deputy Chief Executive.
- iv. Proposals which would have a significant impact on the environment in the opinion of the Deputy Chief Executive.
- 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 Deputy Chief Executive, or other duly authorised officer, 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 will be presented to the Licensing and Appeals Hearings Panel for determination.
- ii. If consideration is being given to the revocation of any Licence, Registration or Permit then this will usually be referred to the Licensing and Appeals Hearings Panel for determination, save and except where an urgent decision is required and which warrants the exercise of the powers delegated to the Chief Executive, Deputy Chief Executive, and Director of Law and Governance.

## **Personnel Protocol**

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

This page is intentionally left blank

## **Hambleton District Council**

**Report To:** Council

**Date:** 18 May 2021

**From:** Chief Executive

**Subject:** **Allocation of Seats and Appointments to Committees and Outside Bodies**

**Wards Affected:** All Wards

---

### **1.0 Summary**

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

### **2.0 Committees for 2021/22**

2.1 In accordance with the Council's Constitution, the Council is requested to appoint Committees.

### **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.

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. There are 44 seats on Committees of the Council to which the proportionality rules would apply. This would mean seats are allocated to the political groups and non-group Members on the following proportional basis:-

Conservative Group	= 86% of seats	38 seats
Independent Group	= 7% of seats	3 seats
Liberal Democrat	= 4% of seats	2 seats
Labour	= 4% of seats	2 seats

3.6 As the allocation of seats above equates to a total of 45 seats and there are only 44 seats on Committees of the Council, the Conservative Group forfeits one of their allocated seats to ensure as far as is reasonably practicable political proportionality and the proportionate allocation of seats to those Members who are not in a political group.

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

3.8 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.

3.9 The Licensing Committee comprises 10 Members. Rules on political proportionality do not apply to this Committee.

3.10 The Licensing and Appeals Hearings Panel is a Sub-Committee of the Licensing Committee and comprises three Members, the Chairman of the Licensing Committee and two other Members selected on a rota basis.

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

#### **4.0 Standards Hearings Panel**

4.1 The Standards Hearings Panel comprises three elected Members drawn from a pool on a rota basis. It is recommended that the pool contains seven Members (two from the Conservative Group and one from the Independent Group). The rules on proportionality will need to be waived by Council.

- 4.2 Should it ever be necessary to convene a hearing concerning the Independent Group Member appointed to the Standards Hearings Panel Pool, it would be necessary to request another Member of the Independent Group to sit on the Panel in order for the Panel to consider the matter.
- 4.3 The Standards Hearings Panel also comprises a non-voting Independent Person drawn from a pool of three and a non-voting parish council representative drawn from a pool of three.

## **5.0 Outside Bodies**

- 5.1 The constitution of the Council sets down the main role and responsibilities of Members representing the authority on Outside Bodies.
- 5.2 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.
- 5.3 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.

## **6.0 The North Yorkshire Building Control Partnership**

- 6.1 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 Planning be appointed as the representative on the Partnership.

## **7.0 The North Yorkshire Police and Crime Panel**

- 7.1 Council has previously approved its involvement in the North Yorkshire Police and Crime Panel which performs a scrutiny role in connection with the Police and Crime Commissioner.
- 7.2 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 Deputy Leader of the Council is appointed, this (taken with other proposed appointments) will fit with political proportionality. It is therefore recommended that the Deputy Leader is appointed to the Joint Committee.

## **8.0 The Parking and Traffic Regulation Outside London Adjudication Joint Committee**

- 8.1 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, which has traditionally been the Cabinet Portfolio Holder for Governance. The report seeks approval to replace the current appointment of Portfolio Holder for Governance with Councillor N A Knaption.

## **9.0 Appointment to the York and North Yorkshire Local Enterprise Partnership Limited**

- 9.1 In accordance with the York and North Yorkshire Local Enterprise Partnership's Constitution, one representative is appointed from the Leaders of Ryedale, Richmondshire and Hambleton District Councils respectively, to represent all three Local Authorities on the York and North Yorkshire Local Enterprise Partnership. The appointment is rotated on an annual basis. This appointment is due to rotate this year to the Leader of Hambleton District Council.
- 9.2 A Government led national review of Local Enterprise Partnership governance was undertaken in 2017. Following that review the York and North Yorkshire Local Enterprise Partnership agreed a change in its geography to remove overlapping boundaries with its neighbours. This means that the geography of the Local Enterprise Partnership has been altered and that East Riding now falls under the geography of the Humber Local Enterprise Partnership, and Harrogate is no longer part of the Leeds City Region Local Enterprise Partnership. The Local Enterprise Partnership's geography now consists of York and North Yorkshire.
- 9.3 One of the requirements of the Government's review was for each Local Enterprise Partnership to assume its own legal identity, which could be achieved via different means, including incorporation as a private company or, where appropriate, merging with a combined or mayoral combined authority.
- 9.4 The York and North Yorkshire Local Enterprise Partnership decided to create a new company limited by guarantee (York and North Yorkshire Local Enterprise Partnership Limited), which has its own legal identity. It is a requirement that the Leader as representative of the three Local Authorities is also appointed as a director of the company. In becoming a director of the company, the Leader will have a duty to comply with the relevant company law that attaches to a director.
- 9.5 The York and North Yorkshire Local Enterprise Partnership Limited is a dormant company limited by guarantee, which is registered by the Local Enterprise Partnership, and which is necessary to meet the requirements of the Government's recommendations on Local Enterprise Partnership governance arrangements.

## **10.0 Recommendations**

10.1 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 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 Planning be appointed as the representative on the North Yorkshire Building Control Partnership;
- (7) the Deputy Leader of the Council be appointed as the District Council's Member of the North Yorkshire Police and Crime Panel;
- (8) the Councillor N A Knapton be appointed as the representative on The Parking and Traffic Regulation Outside London Adjudication Joint Committee; and
- (9) the Leader be appointed to the York and North Yorkshire Local Enterprise Partnership Limited in accordance with the requirements of the Local Enterprise Partnership.

Dr Justin Ives  
Chief Executive

**Background papers:** None

**Author ref:** JI

**Contact:** Dr Justin Ives  
Chief Executive

**Annex A**

	<b>Conservative Group</b>	<b>Independent Group</b>	<b>Liberal Democrat</b>	<b>Labour</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	0	<b>7</b>
Investigations and Disciplinary Committee	6	0	1		<b>7</b>
Appeals Committee	6	0	1		<b>7</b>
<b>Total number of seats</b>	<b>37</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>44</b>

<b>Committee</b>	<b>Conservative Group</b>	<b>Independent Group</b>	<b>Total</b>
Licensing Committee	10	0	10
Standards Hearings Panel	6	1	7

**Scrutiny Committee (11)**

Conservative Group (9)	Independent Group (1)	Liberal Democrat/Labour (1)
Councillor P Bardon Councillor K G Hardisty Councillor R Hudson Councillor R Kirk Councillor N A Knapton Councillor Mrs J W Mortimer Councillor J Noone Councillor A Wake Councillor D Watkins	Councillor P Atkin	Councillor G Ramsden (Labour)

**Planning Committee (12)**

Conservative Group (10)	Independent Group (1)	Liberal Democrat/Labour (1)
Councillor P Bardon Councillor M A Barningham Councillor D B Elders Councillor Mrs B S Fortune Councillor K G Hardisty Councillor N Noone Councillor B Phillips Councillor M Taylor Councillor A Wake Councillor D A Webster	Councillor A Robinson	Councillor B Griffiths (Liberal Democrat)

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

Conservative Group (6)	Independent Group (1)
Councillor P Bardon Councillor D B Elders Councillor Mrs B S Fortune Councillor K G Hardisty Councillor R Hudson Councillor N A Knapton	Councillor P Atkin

**Investigations and Disciplinary Committee (7)**

Conservative Group (6)	Liberal Democrat/Labour (1)
Councillor P Bardon Councillor M A Barningham Councillor C Dickinson Councillor K G Hardisty Councillor J Noone Councillor P R Wilkinson	Councillor B Griffiths (Liberal Democrat)

### Appeals Committee (7)

Conservative Group (6)	Liberal Democrat/Labour (1)
Councillor G W Dadd Councillor D B Elders Councillor D Hugill Councillor N A Knapton Councillor B Phillips Councillor S Watson	Councillor G Ramsden (Labour)

### Licensing Committee (10)\* (political proportionality does not apply)

Conservative Group (10)
Councillor P Bardon Councillor M A Barningham Councillor C Dickinson Councillor D B Elders Councillor K G Hardisty Councillor R Kirk Councillor N A Knapton Councillor J Noone Councillor B Phillips Councillor D Watkins

\*The Licensing and Appeals Hearings Panel comprises the Chairman of the Licensing Committee plus two other Members selected on a rota basis.

### Standards Hearings Panel Pool (7)\*

Conservative Group (6)	Independent Group (1)
Councillor P Bardon Councillor D B Elders Councillor Mrs B S Fortune Councillor K G Hardisty Councillor R Hudson Councillor N A Knapton	Councillor P Atkin

\*The Standards Hearings Panel comprises three Elected Members (two from the Conservative Group and one from the Independent Group), one Independent Person and one Parish Council representative, selected on a rota basis.

## Bodies Appointed by Council

Term of Office expires May 2022 unless stated or otherwise specified by the Outside Body

Note: only those bodies marked with an asterisk require appointment

Name of Body	No of Places	Representative or Independent	Appointee 2021/2022
Hambleton Arts	1	Representative	Portfolio Holder for Leisure
Hambleton Over 50s Forum	1	Representative	Portfolio Holder for Leisure 2 Year Term expires AM 2022
Howardian Hills AONB	1	Representative	Councillor D Watkins Term expires AM 2023
Internal Drainage Boards (One appointee represents all the Internal Drainage Board's)	1	Independent	3 Year Term expires AM 2022 Councillor Mrs I Sanderson
Local Government Association	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 Planning
Local Government North Yorkshire and York Spatial Planning and Transport Member Board	1	Representative	Deputy Leader of Council
Yorkshire and Humber (Local Authorities) Employers' Association	1	Representative	Deputy Leader of Council
North York Moors National Park Committee	1	Representative	Councillor D Hugill Term expires AM 2023
North Yorkshire Local Transport Body	1	Representative	Portfolio Holder for Planning
*North Yorkshire Scrutiny of Health Committee	1	Representative	Councillor K G Hardisty Term expires AM 2022
Safer Hambleton Local Delivery Team	1	Representative	Councillor C A Les
Stokesley and District Community Care Association (Trustee)	1	Representative	Councillor Mrs B S Fortune Term expires AM 2023
Thirsk and Sowerby Swimming Baths Charity	5	Independent	Councillors: P Bardon G W Dadd D B Elders Mrs J W Mortimer M S Robson Term expires AM 2023
Welcome to Yorkshire	1	Independent	Deputy Leader
York and North Yorkshire Local Enterprise Partnership Limited	1	Representative	Leader of the Council Term: 1 Year (rotates on an annual basis between the Leaders of Ryedale, Richmondshire and Hambleton District Councils)

This page is intentionally left blank