

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

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Chief Executive

Annex A

	Conservative Group	Independent Group	Liberal Democrat	Labour	Total
Scrutiny Committee	9	1	1		11
Planning Committee	10	1	1		12
Audit, Governance and Standards Committee	6	1	0	0	7
Investigations and Disciplinary Committee	6	0	1		7
Appeals Committee	6	0	1		7
Total number of seats	37	3	2	2	44

Committee	Conservative Group	Independent Group	Total
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)