



COUNCIL

Council Summons and Agenda

You are hereby summoned to attend the **Annual Meeting of Ryedale District Council** to be held in the **Council Chamber, Ryedale House, Malton** on **Thursday, 17 May 2018 at 3.00 pm** in the afternoon for the transaction of the following business:

Agenda

1 Emergency Evacuation Procedure

The Chairman to inform Members of the Public of the emergency evacuation procedure.

2 Chairman

To elect a Chairman of the Council for the ensuing year.

3 Vote of Thanks to Retiring Chairman

4 Vice Chairman

To elect a Vice Chairman of the Council for the ensuing year.

5 Apologies for absence

6 Minutes (Pages 3 - 10)

To approve as a correct record the minutes of the Annual Meeting of Council held on 18 May 2017.

7 Urgent Business

To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

8 Declarations of Interest

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

9 Announcements

To receive any announcements from the Chairman and/or the Head of Paid Service.

10 Leader of the Council and Deputy Leader of the Council

In accordance with the Council Constitution (Part 4 – Rules of Procedure) the Council may, at its Annual Meeting, elect a Leader of the Council and appoint a Deputy Leader of the Council for the ensuing year. It follows from the wording of the Constitution that the Council can decline to make these appointments.

11 The Allocation of Seats on Committees between Political Groups and the Appointment of Members to Committees (Pages 11 - 20)

- a) Committees for 2018/2019
- b) The allocation of seats on Committees between political groups and the appointment of Members to Committees
- c) The appointment of Chairmen and Vice Chairmen of Committees

12 Any other business that the Chairman decides is urgent.



Clare Slater
Chief Executive (Interim)

Council

Minutes of Proceedings

At the **Annual Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday 18 May 2017**

Present

Councillors	Acomb
	Joy Andrews
	Paul Andrews
	Steve Arnold
	Val Arnold
	Burr MBE
	Clark
	Cleary
	Cowling
	Cussons MBE
	Duncan
	Farnell
	Frank
	Gardiner (Chairman)
	Goodrick
	Hope
	Ives
	Jainu-Deen
	Jowitt
	Di Keal
	Oxley (Vice-Chairman)
	Potter
	Raper
	Sanderson
	Elizabeth Shields
	Thornton
	Wainwright
	Windress

In Attendance

Will Baines
Beckie Bennett
Simon Copley
Peter Johnson
Nicki Lishman
Julian Rudd
Clare Slater
Janet Waggott
Anthony Winship

Minutes

1 **Chairman**

It was moved by the Chairman and seconded by Councillor S Arnold that Councillor Oxley be elected Chairman of the Council for the ensuing year.

It was moved by Councillor Keal and seconded by Councillor Frank that Councillor Mrs Shields be elected Chairman of the Council for the ensuing year.

Upon being put to the vote the nomination for Councillor Oxley was declared carried.

Resolved

That Councillor Oxley be elected Chairman of the Council for the ensuing year until his successor becomes entitled to act as Chairman.

Councillor Oxley thereupon took the Chair, having first made the Declaration of Acceptance of Office as Chairman of Ryedale District Council, and thanked Members for his election.

Voting record

For Councillor Oxley 16

For Councillor Mrs Shields 11

2 Vote of thanks to retiring Chairman

The Chairman proposed and Councillor Cleary seconded a vote of thanks to Councillor Gardiner.

Upon being put to the vote the motion was carried.

The Chairman then thanked the retiring Chairman, Councillor Gardiner, for the efficient, able and courteous manner in which he had carried out his duties and highlighted the excellent work he had done for his charities. The Chairman concluded by presenting a Past Chairman's Badge to Councillor Gardiner.

Councillor Gardiner responded and thanked his Chaplains, Andrew De Smet and Susan Binks and Members and Officers of the Council for their support during his term of Office as Chairman of the Council.

Mrs Gardiner then invested Mrs Oxley with the Chairman's Consort's chain and badge of office.

3 Vice Chairman

It was moved by Councillor Clark and seconded by Councillor Frank that Councillor Wainwright be appointed Vice Chairman of the Council for the ensuing year.

Resolved

That Councillor Wainwright be appointed Vice Chairman of the Council for the ensuing year.

Having first made the Declaration of Acceptance of Office, as Vice Chairman of the Council, Councillor Wainwright thanked Members for his appointment. The Chairman then invested Councillor Wainwright with the Vice Chairman's Chain and Badge of

Office. Councillor Wainwright announced that his consort was to be Mrs Wainwright who would be invested with the Vice Chairman's consort's chain and badge of office at a later date.

4 Apologies for absence

Apologies for absence were received from Councillors Bailey and Maud.

5 Minutes

The minutes of the Annual Meeting of Council held on 17 May 2016 were presented.

Resolved

That the minutes of the Annual Meeting of Council held on 17 May 2016 be approved and signed by the Chairman as a correct record, subject to the Annex to the minutes being amended to show Councillor S Arnold, not Councillor V Arnold as Vice Chairman of Policy and Resources Committee..

Voting record

26 For

2 Abstentions

6 Urgent Business

There were no items of urgent business which the Chairman considered should be dealt with as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972 (as amended).

7 Declarations of Interest

Councillors V Arnold, Duncan, Goodrick and Sanderson declared a personal non pecuniary but not prejudicial interest as Members of North Yorkshire County Council.

8 Announcements

The Chairman announced:

- a) That his Chaplain was to be Father Anthony Pritchett
- b) That his Charities for the year were to be Ryedale Charities Together

9 Leader of the Council and Deputy Leader of the Council

It was reported that in accordance with the Council Constitution (Part 4 - Rules of Procedure) the Council may at its Annual Meeting elect a Leader of the Council and a Deputy Leader of the Council for the ensuing year.

It was proposed by Councillor Ives and seconded by Councillor S Arnold that Ryedale District Council not elect a Leader of the Council or a Deputy Leader of the Council for the ensuing year.

Upon being put to the vote the motion was carried.

Resolved

That a Leader and Deputy Leader of the Council not be appointed;

Voting Record

Unanimous

10 The allocation of seats on Committees between political groups and the appointment of Members to Committees

The Chief Executive submitted a report (previously circulated) which detailed the following:

A. Committees for 2017-2018

In accordance with the Council's Constitution, the Council was requested to appoint the Committees as indicated in Annex A or alternative option as presented to the Council by the Chief Executive.

B. The allocation of seats on Committees between political groups and the appointment of Members to Committees

Ryedale District Council was to be treated as being divided into different political groups for the purposes of the Local Government & Housing Act 1989, because at least one political group had been constituted in the prescribed way.

The Local Government & Housing Act 1989 required the distribution of seats on committees and sub-committees to be on the basis of political proportionality so far as 'reasonably practicable' unless different provision is made in such manner prescribed by regulations and without any Member voting against them.

Members considered the recommendations in the report.

Recommendation 1

It was moved by Councillor Ives and seconded by Councillor S Arnold that the Council divide Committee seats between political groups in accordance with the allocation shown at Annex A1 of the report..

Upon being put to the vote the motion was carried.

Resolved

That the Council divides Committee seats between political groups as set out in Annex A1 of the report

Voting record

21 For
7 Against

Recommendation 4

With reference to recommendation 4 of the report, Members were reminded that the Annual Meeting of Council elected the Chairmen and Vice Chairmen of Committees, with the exception of the Licensing Committee.

It was recommended that the Licensing Committee appoint its own Chairman and Vice-Chairman at its next meeting.

Nominations were then sought for the Chairmen and Vice Chairmen of Committees.

Names were provided by Group Leaders to populate Annex B of the report.

The recommendations 2-3 and 5-6 were moved and seconded en bloc, as follows:

Recommendation 2

That membership of the Committees be that shown in Annex B.

Recommendation 3

That the Membership of the Licensing Committee be the same as appointed to the Planning Committee.

Recommendation 5

That the terms of reference of the Policy & Resources Committee, Licensing Committee, Overview & Scrutiny Committee, Planning Committee and the Scheme of Officer Delegation are those set out in Part 3 of the Council's Constitution as amended.

Recommendation 6

That the Chief Executive be authorised to make consequential amendments to the Constitution arising from the changes referred to above.

Upon being put to the vote, the motion was carried.

Voting Record

Unanimous

Resolved

- a) That the Council divides Committee seats between political groups as set out in Annex A1 of the report
- b) That membership of Committees be as indicated at Annex A to these minutes
- c) That the membership of the Licensing Committee be the same Members as appointed to the Planning Committee
- d) That, with the exception of the Licensing Committee Chairman and Vice Chairman, who were to be appointed at the next Committee meeting, the Chairmen and Vice-Chairmen of Committees be appointed as follows:

Policy & Resources Committee

- (i) Chairman Councillor Ives
- (ii) Vice-Chairman Councillor S Arnold

Overview & Scrutiny Committee

- (i) Chairman Councillor Clark
- (ii) Vice-Chairman Councillor Acomb

Planning Committee

- (i) Chairman Councillor Farnell
- (ii) Vice-Chairman Councillor Cleary

- e) That the terms of reference of the Policy & Resources Committee, Licensing Committee, Overview & Scrutiny Committee and Planning Committee and the Scheme of Officer Delegation be those as set out in Part 3 of the Council's Constitution
- f) That the Chief Executive be authorised to make consequential amendments to the Constitution arising from the changes referred to above.

Note: Councillor Ives requested that his vote for Councillor Acomb to be Vice Chairman of Overview and Scrutiny Committee be recorded.

11 Representation on outside organisations

The Chairman deferred this item to the next Ordinary meeting of Full Council.

12 Any other business that the Chairman decides is urgent.

There being no items of urgent business, the meeting closed at 4.35 pm.

RYEDALE DISTRICT COUNCIL

APPOINTMENT OF MEMBERS TO COMMITTEES – 18 MAY 2017

POLICY & RESOURCES COMMITTEE

<u>Conservative</u>	<u>Independents</u>	<u>Liberal</u>	<u>Liberal Democrat</u>	<u>New Independents</u>
S Arnold (VC) V M Arnold J R Bailey L P Ives (C) W R F H Oxley	L Cowling J R Raper C R Wainwright	M Potter		P J Andrews
<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>
M J T Cleary F A Farnell C G Goodrick	E Hope B Maud J Windress	J Andrews J S Clark		L M Burr

OVERVIEW & SCRUTINY COMMITTEE

<u>Conservative</u>	<u>Independents</u>	<u>Liberal</u>	<u>Liberal Democrat</u>	<u>New Independents</u>
G Acomb (VC) K C Duncan R W K Gardiner J E Sanderson	D E Cussons J Frank	J S Clark (C) T J Thornton	D E Keal	W E Jowitt

PLANNING COMMITTEE

<u>Conservative</u>	<u>Independents</u>	<u>Liberal</u>	<u>Liberal Democrat</u>	<u>New Independents</u>
M J T Cleary (VC) F A Farnell (C) C G Goodrick R T Jainu-Deen	E Hope B Maud J Windress	J Andrews	E L Shields	L M Burr
<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>
S Arnold V M Arnold J E Sanderson	L Cowling J R Raper C R Wainwright	T J Thornton J S Clark	D E Keal	P J Andrews

LICENSING COMMITTEE

<u>Conservative</u>	<u>Independents</u>	<u>Liberal</u>	<u>Liberal Democrat</u>	<u>New Independents</u>
M J T Cleary F A Farnell C G Goodrick R T Jainu-Deen	E Hope (C) B Maud (VC) J Windress	J Andrews	E L Shields	L M Burr

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REPORT TO:	ANNUAL COUNCIL
DATE:	17 MAY 2018
REPORT OF THE:	CHIEF EXECUTIVE (INTERIM) CLARE SLATER
TITLE OF REPORT:	THE ALLOCATION OF SEATS ON COMMITTEES BETWEEN POLITICAL GROUPS AND THE APPOINTMENT OF MEMBERS TO COMMITTEES
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to recommend the allocation of seats on committees to political groups and the appointment of Members to Committees for 2018/2019.

2.0 RECOMMENDATIONS

That Council decides the following:.

1. That the Council divides Committee seats between political groups in accordance with the allocation shown at the attached **Annex A or such alternative option which is agreed** .
2. Membership of the Committees to be that shown on **Annex B to be circulated at the Annual Meeting** .
3. That the membership of the Licensing Committee be the same Members as appointed to the Planning Committee.
4. That the Annual Meeting of Council elects the Chairmen and Vice-Chairmen of the Standing Committees with the exception of the Licensing Committee.
5. That the terms of reference of the Policy & Resources Committee, Licensing Committee, Overview & Scrutiny Committee, Planning Committee and the Scheme of Officer Delegation are those set out in Part 3 of the Council's Constitution .
6. That the Interim Chief Executive be authorised to make any consequential amendments to the Constitution arising from the above.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 To allow for the allocation of seats and appointment of members to committees to which Group Leaders have agreed.
- 3.2 To comply with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

4.0 BACKGROUND AND INTRODUCTION

- 4.1 Ryedale District Council is to be treated as being divided into different political groups for the purposes of the Local Government and Housing Act 1989, because at least one political group has been constituted in the prescribed way.
- 4.2 The Local Government & Housing Act 1989 and associated regulations, requires the distribution of seats on Committees and Sub-Committees to be on the basis of political proportionality so far as it is “reasonably practicable” between the political groups of the Council unless every Member of the Council agrees that some other basis of allocation should be used.
- 4.3 The distribution of Committee places between the groups needs to have regard to these rules.
- 4.4 Political proportionality on Committees is achieved in the following two stages:-
 - 4.4.1 the first stage is the allocation of numbers of seats on Committees to each political group.
 - 4.4.2 the second stage is the giving effect to such allocations by appointing individual Members.

If Council adopts **Annex A** the political proportionality rules apply to the following Committees of the Council:-

COMMITTEE	
1.	Policy & Resources Committee
2.	Overview & Scrutiny Committee
3.	Planning Committee

REPORT

5.0 POLICY CONTEXT

- 5.1 The strength of the political groups on the Council of 30 Members is as follows:-
 - 13 (43%) Conservatives
 - 8 (27%) Independents
 - 4 (13%) Liberals
 - 3 (10%)New Independents
 - 2 (7 %) Liberal Democrats
- 5.2 Given the political composition of the Council, political proportionality is considered to be achieved with the following Committee sizes:-

Policy & Resources	10
Overview & Scrutiny	10
Planning Committee	10

Total 30

The seats on Committees which can be allocated between the political groups is, therefore, total 30 seats.

- 5.3 The numerical entitlements have been divided as follows (these being the nearest divisions for mathematical accuracy and having regard to the fact that whole numbers must be attained):-

	Conservative	Independent	Liberal	New Independent	Lib Dem	Total
Committees	13	8	4	3	2	30

Against this background and on the basis of group constitutions the number of seats recommended to be allocated to each political group is as follows:-

Conservative	13
Independents	8
Liberal	4
New Independents	3
Liberal Democrat	<u>2</u>
	30

- 5.4 Council needs to divide committee seats between political groups. The allocation of seats on committees to political groups approved by the Annual Council meeting on 18 May 2017 is shown on the attached Annex A. Given the previous decision of Annual Council on this issue this is the recommended allocation of seats. There are other options to that in Annex A which are attached as Annexes A1 and A2. It is for Council to ultimately decide which option it would prefer. To avoid the unnecessary use of Officer time, the best approach is for all political groups to agree the allocation of seats on committees to political groups before the Annual Meeting of Council. I will discuss this matter with all the political Group Leaders prior to the Annual Meeting. I will report the outcome of these discussions to Members at the Annual Meeting.
- 5.5 The legal obligation to ensure that there is proportionality in the political composition of Committees extends only to proportionate representation of members of political groups and does not require ungrouped single members to be proportionally represented.
- 5.6 **Annex C** outlines the procedure should any political group not make nominations.

6.0 FINANCIAL IMPLICATIONS

- 6.1 None

Clare Slater
Chief Executive (Interim)

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Background Papers:

Local Government & Housing Act 1989 as amended.

Background Papers are available for inspection at:
Ryedale House
www.ryedale.gov.uk

ANNEX A

DIVISION OF MAIN COMMITTEE SEATS FOR 2018/2019

Part 1. COMMITTEE SEATS

<u>Political Group</u>	Policy & Resources	Overview & Scrutiny Committee	Planning Committee	Total (30 Seats)
Conservative	5 (4.33)	4 (4.33)	4 (4.33)	13
Independents	3 (2.66)	2 (2.66)	3 (2.66)	8
Liberal	1 (1.33)	2 (1.33)	1 (1.33)	4
New Independents	1 (1)	1 (1)	1 (1)	3
Lib Dem	0 (0.66)	1 (0.66)	1 (0.66)	2
	10	10	10	30

Part 2. LICENSING COMMITTEE

	Licensing Committee
Conservative	4
Independents	3
New Independents	1
Liberal	1
Lib Dem	1

ANNEX A1

DIVISION OF MAIN COMMITTEE SEATS FOR 2018/2019

Part 1. COMMITTEE SEATS

<u>Political Group</u>	Policy & Resources	Overview & Scrutiny Committee	Planning Committee	Total (30 Seats)
Conservative	4 (4.33)	4 (4.33)	5 (4.33)	13
Independents	3 (2.66)	2 (2.66)	3 (2.66)	8
Liberal	1 (1.33)	2 (1.33)	1 (1.33)	4
New Independents	1 (1)	1 (1)	1 (1)	3
Lib Dem	1 (0.66)	1 (0.66)	0 (0.66)	2
	10	10	10	30

Part 2. LICENSING COMMITTEE

	Licensing Committee
Conservative	5
Independents	3
New Independents	1
Liberal	1
Lib Dem	0

ANNEX A2

DIVISION OF MAIN COMMITTEE SEATS FOR 2018/2019

Part 1. COMMITTEE SEATS

<u>Political Group</u>	Policy & Resources	Overview & Scrutiny Committee	Planning Committee	Total (30 Seats)
Conservative	4 (4.33)	5 (4.33)	4 (4.33)	13
Independents	3 (2.66)	2 (2.66)	3 (2.66)	8
Liberal	2 (1.33)	1 (1.33)	1 (1.33)	4
New Independents	1 (1)	1 (1)	1 (1)	3
Lib Dem	0 (0.66)	1 (0.66)	1 (0.66)	2
	10	10	10	30

Part 2. LICENSING COMMITTEE

	Licensing Committee
Conservative	4
Independents	3
New Independents	1
Liberal	1
Lib Dem	1

RYEDALE DISTRICT COUNCILAPPOINTMENT OF MEMBERS TO COMMITTEES – 17 MAY 2018POLICY & RESOURCES COMMITTEE

<u>Conservative</u>	<u>Independents</u>	<u>Liberal</u>	<u>New Independents</u>	<u>Liberal Democrat</u>
	-			
<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>

OVERVIEW & SCRUTINY COMMITTEE

<u>Conservative</u>	<u>Independents</u>	<u>Liberal</u>	<u>New Independents</u>	<u>Liberal Democrat</u>
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PLANNING COMMITTEE

Conservative

Independents

Liberal

New
Independents

Liberal
Democrat

Substitutes

Substitutes

Substitutes

Substitutes

Substitutes

LICENSING COMMITTEE

Conservative

Independents

Liberal

New
Independents

Liberal
Democrat

NON-APPOINTMENT OF MEMBERS TO COMMITTEES

If any political group does not make nominations the procedure is as follows:-

Regulation 15 of the Local Government (Committees and Political Groups) Regulations 1990 makes provision for appointments to Committees in circumstances where a political group has failed to express its wishes in relation to the appointment of its members to Committees.

The Annual Council meeting on 17 May 2018 would review the allocation of seats to all political groups;

The next day the proper officer gives the group formal notice of the allocation of seats to that political group;

The group then has three weeks beginning with the date on which notice is received to make nominations;

There would be a vacancy in respect of the Committee seats allocated to the group not making a nomination of a Member for the seat until the next subsequent Council meeting after Annual Council ;

In the absence of a group making nominations within the three week period mentioned above, Council may make such appointment to that Committee seat as it thinks fit. In that event the political group may not have a seat on the Committee(s).