



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	6 DECEMBER 2012
REPORT OF THE:	HEAD OF ECONOMY AND INFRASTRUCTURE JULIAN RUDD
TITLE OF REPORT:	COMMITTEE RESPONSIBILITY FOR ECONOMIC DEVELOPMENT
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report seeks to re-allocate economic development responsibilities from the Commissioning Board to the Policy and Resources Committee.

2.0 RECOMMENDATION

- 2.1 That Members recommend to Council that economic development duties transfer from the Commissioning Board to the Policy and Resources Committee and that the Constitution be amended accordingly.

3.0 REASON FOR RECOMMENDATION

- 3.1 Economic development activities are a central strategic role of the Council. There is an extremely close relationship between the Council's LDF / Local Plan / planning policies (which are the remit of the Policy and Resources Committee) and the support that can be provided through economic development activities. There is also a close alignment between many economic interventions and the capital and resource decisions that are the remit of the Policy and Resources Committee.
- 3.2 In view of the above factors, and taking account of the inter-relationship between the activities of the Council's Policy and Resources Committee and those of the Ryedale Business Forum and the York and North Yorkshire and East Riding Local Economic Partnership, it is considered appropriate that economic development duties are transferred to that Committee.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks in considering this re-allocation of responsibilities. Policies and proposals will still be subject to the same level of rigorous analysis and,

when required Council will still act as the final decision maker.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 'To create the conditions for economic success' is one of the Council's corporate aims and is a major policy and investment focus for the Authority.
- 5.2 Consultation has been undertaken with the Chairmen of both the Commissioning Board and the Policy and Resources Committee regarding this reallocation of economic development responsibilities and both are understood to be supportive of the approach set out below. This potential change has also been supported at the Resources Working Party.

REPORT

6.0 REPORT DETAILS

- 6.1 The Constitution sets out how any changes to its content should be taken forward:

'Approval. The Council is responsible for approving any alterations to the Constitution after consideration of a proposal from the Head of Paid Service or by way of Members proposing a motion on notice in accordance with Council Procedure Rule 11 after consulting with the Head of Paid Service. Such changes can reflect decisions of the Council, for example to alter the alternative arrangements or Standing Orders, decisions of Committees, for example to alter delegations to Officers, or from changes to national legislation. In order to keep the Constitution up to date as a central reference point for the rules by which the Authority operates, the Council has delegated power to the Head of the Paid Service to amend the Constitution as required to reflect decisions of the Council, of Committee or legislative changes.

Any other amendments will continue to require the express resolution of Council. Where those changes involve the change to or from a Mayoral form of Executive, the change can only be made with the consent of the Mayor and the endorsement of a local referendum.'

- 6.2 For the reasons set out in paragraphs 3.1 and 3.2 above it is considered that economic development duties at the District Council should transfer from the Commissioning Board to the Policy and Resources Committee. In accordance with the process set out above the required amendments to the Council's constitution to reflect this change of responsibilities is a matter that can only be agreed by Council.
- 6.3 The allocation of responsibilities for committees is detailed in the Council constitution. In order to confirm the reallocation of economic development there are minor changes required. These are detailed at Annex A.

7.0 IMPLICATIONS

- 7.1 There are no significant financial, legal or other implications that would result from this reallocation of Committee duties.

Julian Rudd
Head of Economy and Infrastructure

Author: **Julian Rudd**, Head of Economy and Infrastructure
Telephone No: 01653 600666 ext: 218
E-Mail Address: julian.rudd@ryedale.gov.uk

Background Papers:
Council Constitution

PROPOSED CHANGES TO THE COUNCIL CONSTITUTION:

PART 2 - RE-WORD PARAGRAPH 7.1 OF ARTICLE 7 (PAGE 21) TO READ:

'The Policy and Resources Committee and Commissioning Board

The Council will appoint a Policy and Resources Committee responsible for policy, including Planning Policy, *and economic development* and budget formulation and a Commissioning Board to deal with Community *and Tourism* related issues and the Environment. The functions attributed to those Committees are set out in Part 3 of this Constitution entitled "Responsibility for Functions.'

CHANGE TERMS OF REFERENCE FOR COMMISSIONING BOARD (PART 3 'RESPONSIBILITY FOR FUNCTIONS' PAGES 51-53:

TERMS OF REFERENCE: COMMISSIONING BOARD

MEMBERSHIP:

The Commissioning Board is comprised of 11 Members of the Council.

FUNCTIONS:

To discharge all the following functions and duties conferred on the Council:-

A. Strategic Commissioning

- § *Facilitate the development and adoption of a Commissioning strategy and model;*
- § *Develop sustainable procurement policies;*
- § *Oversee the commissioning cycle;*
- § *Provide the necessary corporate challenge for existing services and existing delivery vehicles;*
- § *To support the Council in its move to a mixed economy for service delivery by providing the means to explore new approaches to contracting, procurement, grant allocations and collaboration;*
- § *To give political guidance on proposals arising from the appraisal of options for service delivery;*

- § ***The governance of major commissioned projects and contracts;***
- § ***To provide Member approvals for resource allocation and budgeted spend in line with the Council's schemes of delegation and financial standing orders;***
- § ***To monitor the performance of commissioned services and contracts against agreed community outcomes.***

B. Housing, ~~Economy~~ & Community

Community Safety

- § ***Community Safety***
- § ***Anti-Social Behaviour***
- § ***Local Child Curfews under Section 14 of the Crime and Disorder Act 1998***
- § ***CCTV***
- § ***Prolific and Priority Offenders***

Cultural and Tourism Services

- § ***Arts, Heritage and Voluntary & Community Services***

Economic Development

- § ~~***Economic Development***~~
- § ~~***Business Support and advice***~~
- § ~~***Private Sector investment***~~
- § ***Tourism promotion & Tourist Information Centres***

Housing Services

- § ***Housing Strategy***
- § ***Private Sector Renewal***
- § ***Housing Investment Programme***
- § ***Housing Options – including Homelessness***
- § ***Ryecare Services***
- § ***Affordable Housing***
- § ***Enabling role with Registered Social Landlords***

C. Environment

Health & Environmental Services

- § ***Climate Change (Agenda 21)***
- § ***Sustainable development***
- § ***Environmental standards***
- § ***Public Health***
- § ***Environmental Health including abatement of nuisances, food and drink, pollution control, health and safety in work places, pest control, community health***
- § ***Sport and Active Recreation***
- § ***Sports facilities and leisure centres***
- § ***Dog Warden Service and Animal Welfare***
- § ***Contaminated Land***
- § ***Local Air Quality Management***
- § ***Pollution Prevention and Control - Environmental Permits***
- § ***Private Water Supplies***
- § ***Smoke free premises and vehicles***

Streetscene

- § **Car Parking**
- § **Waste Collection & Recycling**
- § **Public Conveniences**
- § **Clean Neighbourhoods**
- § **Fleet Management**
- § **Provision and management of Council retail markets**
- § **Public Open Spaces and recreation grounds including: parks; picnic areas; woodlands; nature reserves; amenity areas and play areas**

D. Customer Services

- § **Reception, Area Office and Front of House services**
- § **Customer Standards**

E. Other Functions

Any function delegated to an Officer which in the opinion of the Officer should be determined by the Community Services Committee.

DELEGATION OF FUNCTIONS:

All those matters referred to in Section 1.2 are delegated to the officers specified, subject to the limitations specified.

The area of responsibility of the Head of Economy & ~~Housing~~ Infrastructure includes the functions and responsibilities of the Commissioning Board relating to Community Safety and; Cultural and Tourism Services; ~~Economic Development and~~. The Head of Planning and Housing is responsible for the functions and responsibilities of the Board relating to Housing Services.

The area of responsibility of the Head of ~~Resources~~ Corporate Services includes the functions and responsibilities of the Commissioning Board relating to Customer Services.

The area of responsibility of the Head of Environmental Services includes the functions and responsibilities of the Commissioning Board relating to Health & Environment and Streetscene.

Environmental Health Officers - As authorised in accordance with their individual qualifications and experience to exercise the powers of Inspectors contained in Section 19 of the Food and Environment Protection Act 1985, Part II of the Food Safety Act 1990, Sections 108 and 109 of the Environment Act 1995 and Part 1 of the Health and Safety at Work etc Act 1974.

Health Officers –

(a) That all Consultants in Public Health Medicine either properly appointed or working in locum capacity to the North Yorkshire Health Protection Agency or its successor organisations be appointed as Proper Officer for the purposes of:

- § **The Public Health (Control of Disease) Act 1984 and regulations made there under;**

- § *The National Assistance Act 1948 and National Assistance (Amendment) Act 1951 and any enactments amending or replacing the aforementioned legislation;*
 - § *In relation to any reference to the Medical Officer of Health, or District Officer of Health or a District or Borough in any enactment passed before or during the 1971/72 Session of Parliament in any instrument made before 26 October 1972, power to sign and issue such notices the signature and issue of which is not otherwise provided for.*
- (b) *That the Proper Officer be given delegated authority to act on behalf of the Council in making any necessary application in accordance with Section 47 of the National Assistance Act 1948 as amended.*
- (c) *That the Council Solicitor be given delegated power to take all necessary legal action on behalf of the Proper Officer in the exercise of his functions.*

**CHANGE TERMS OF REFERENCE FOR POLICY AND RESOURCES COMMITTEE
(PART 3 'RESPONSIBILITY FOR FUNCTIONS' PAGE 54:**

TERMS OF REFERENCE: POLICY & RESOURCES COMMITTEE

MEMBERSHIP:

The Policy & Resources Committee is comprised of 10 Members of the Council.

FUNCTIONS:

To discharge all the following functions and duties conferred on the Council:-

1. *All functions not listed in Section 1.1 above which are not otherwise the responsibility of the Council in particular:-*
 - (a) *To provide overall leadership and direction of the Council;*
 - (b) *To ensure that the Council has strategies and policies in place which support the work of the Council and to fulfil statutory obligations;*
 - (c) *To ensure co-ordination of the policies and activities of the Council;*
 - (d) *To ensure effective performance of the Council in relation to stated policies and activities;*
 - (e) *To lead the search for Best Value in all that the Council does;*
 - (f) *To make recommendations to the Council on all strategic financing matters, including the setting of the Council Tax;*

- (g) To ensure that the best interests of the Council are protected in its work;**
- (h) All matters to do with the implementation of strategies and policies not within the Terms of Reference of other Committees.**
- (i) All matters to do with Economic Development, including**
- Economic Development**
 - Business Support and advice**
 - Private Sector investment**

- 2. Any function delegated to an Officer which in the opinion of the Officer should be determined by the Policy and Resources Committee.**

DELEGATION OF FUNCTIONS:

All those matters referred to in Section 1.2 are delegated to the officers specified, subject to the limitations specified.