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## COUNCIL

**IMPORTANT:** The Council fully recognises and respects the role and importance of democratic meetings and is committed to protecting the health and safety of Elected Members and Officers who participate. Risk assessments are undertaken in advance of each meeting, and are reviewed on an ongoing basis. The intention is to hold democratic meetings in-person where it is safe to do so. However, if, as a result of risk assessment it is determined that a physical meeting cannot safely occur, the meeting will proceed virtually and details of this will be made available on the Council's website.

In the event of a physical meeting, social distancing measures will be in place throughout, however it is important that you **do not attend** the meeting **if you or anyone in your household** has symptoms of COVID-19.

In the event of a virtual meeting, this will take place via Microsoft Teams and details of how to join the meeting will be provided to Members of the Council in due course. A telephone dial-in facility will also be available.

For the purpose of public transparency and accountability, the meeting will be live streamed online. Details of how to access the live stream will be made available on the Council's website in due course. For health and safety reasons and in accordance with our risk assessment, members of the public are asked to follow the meeting via this method rather than attending any physical meeting in person. If you are unable to access the meeting this way, please contact us so that we can explore whether any safe alternative option is possible in the event of a physical meeting. The media will be able to report on proceedings from the live stream.

## Council Summons and Agenda

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You are hereby summoned to attend the **Annual Meeting of Ryedale District Council** to be held in the **Main Hall, The Milton Rooms, Malton** on **Thursday, 8 October 2020** at **6.30 pm** in the evening for the transaction of the following business:

### Agenda

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#### 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 the retiring Chairman**
- 4 **Vice Chairman**  
To elect a Vice Chairman of the Council for the ensuing year.
- 5 **Apologies for absence**
- 6 **Minutes** (Pages 5 - 20)  
To approve as a correct record the minutes of the Annual Meeting of Council held on 16 May 2019.
- 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, the Leader 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) to decide whether to appoint a Leader and Deputy Leader and, if these are to be appointed, to decide who they shall be.
- 11 **The allocation of seats on Committees between political groups and the appointment of Members to Committees** (Pages 21 - 30)
  - (a) Committees for 2020/21
  - (b) The allocation of seats on Committees between political groups
  - (c) The appointment of Chairmen and Vice Chairmen of Committees
  - (d) The appointment of Members to Committees
- 12 **Appointment of a Representative to the Milton Rooms Management Committee**

To appoint a new representative to the Milton Rooms Management Committee, following Councillor Delaney's decision to step down from this role.

**13 Appointment of a Representative to the Police, Fire and Crime Panel**

To appoint a new representative to the Police, Fire and Crime Panel, following Councillor Middleton's decision to step down from this role.

**14 Any other business that the Chairman decides is urgent**



Stacey Burlet  
Chief Executive

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## Council

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Minutes of Proceedings

At the **Annual Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday 16 May 2019**

## Present

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Councillors Joy Andrews, Paul Andrews, Arnold, Bailey, Brackstone, Burr MBE, Clark, Cleary (Chairman), Cussons MBE, Docwra, Duncan, Frank, Garbutt Moore, Goodrick, Graham, Hope, Di Keal, King, MacKenzie, Mason, Middleton, Oxley, Potter, Raine, Raper, Riby, Thackray, Wass and Windress

## In Attendance

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Will Baines, Stacey Burlet, Simon Copley, Nicki Lishman, Ellen Walker and Anthony Winship

Val Arnold – retiring Vice Chairman

## Minutes

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### 1 Chairman

It was moved by Councillor Duncan and seconded by Councillor Clark that Councillor Cleary be elected Chairman of the Council for the ensuing year.

#### Resolved

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

Councillor Cleary 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 24

Abstentions 5

### 2 Vote of thanks to the retiring Chairman

There was no vote of thanks to the retiring Chairman as Councillor Cleary had been re-elected. However, Val Arnold, the retiring Vice Chairman was thanked for her service in that role.

### 3 Vice Chairman

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

#### Resolved

That Councillor Frank 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 Frank thanked Members for her appointment. The Chairman then invested Councillor Frank with the Vice Chairman's Chain and Badge of Office.

**Voting record**

For 23

Against 1

Abstentions 5

**4 Apologies for absence**

Apologies for absence were received from Councillor Delaney.

**5 Minutes**

The minutes of the Annual Meeting of Council held on 17 May 2018 were presented.

**Resolved**

That the minutes of the Annual Meeting of Council held on 17 May 2018 be approved and signed by the Chairman as a correct record.

**Voting record**

For 19

Abstentions 10

**6 Urgent Business**

The Chairman announced that a report seeking nominations to the roles of Member Champions would be considered as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972 (as amended). He proposed that this item be considered before Item 12 of the agenda. The reason for urgency was to ensure there were no vacant posts pending a review process.

**7 Declarations of Interest**

The Chairman noted that a number of Members were North Yorkshire County Councillors.

The following interests were declared:

Councillor P Andrews declared a personal non pecuniary but not prejudicial interest as a Trustee of the Milton Rooms Management Committee.

Councillor Arnold declared a personal non pecuniary but not prejudicial interest as a Trustee of the YMCA.

Councillor Goodrick declared a personal non pecuniary but not prejudicial interest as a Trustee of Ryedale Citizens Advice Bureau.

Councillor Thackray declared a personal non pecuniary but not prejudicial interest as a Trustee of the Milton Rooms Management Committee.

8 **Announcements**

There were no announcements.

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 Arnold and seconded by Councillor Bailey that Ryedale District Council elect a Leader of the Council for the ensuing year.

Upon being put to the vote the motion was carried.

**Voting record**

For 17

Against 11

Abstentions 1

It was proposed by Councillor Arnold and seconded by Councillor Bailey that Councillor Duncan be elected Leader of the Council.

It was proposed by Councillor Thackray and seconded by Councillor P Andrews that Councillor Thackray be elected Leader of the Council.

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

**Voting record**

Councillor Duncan 17

Councillor Thackray 5

Abstentions 2

It was moved by Councillor Duncan and seconded by Councillor Bailey that Ryedale District Council does appoint a Deputy Leader for the ensuing year.

Upon being put to the vote the motion was carried.

**Voting record**

For 17

Against 12

It was proposed by Councillor Duncan and seconded by Councillor Bailey that Councillor Arnold be elected Deputy Leader of the Council.

Upon being put to the vote the motion was carried.

**Voting record**

For 17

Against 12

**Resolved**

- (a) That a Leader of the Council be appointed;
- (b) That Councillor Duncan be appointed Leader of the Council for the ensuing year;
- (c) That a Deputy Leader of the Council be appointed;
- (d) That Councillor Arnold be appointed Deputy Leader of the Council for the ensuing year.

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

The Council Solicitor and Monitoring Officer submitted a report which detailed the following:

A. Committees for 2019-2020

In accordance with the Council's Constitution, the Council was requested to appoint the Committees as indicated in Annex A 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.

The recommendations 1-3 and 5-6 were each moved and seconded en bloc, as follows:

**Recommendation 1, 2 and 3**

It was moved by Councillor Clark and seconded by Councillor Arnold that Council adopts the recommendations shown at Annex A of the report.

**Resolved**

That Council;

- 1. appoints those Committees indicated at Annex A
- 2. the size of the Committees be that specified in Annex A
- 3. that Committee seats be divided between political groups in accordance with the allocation shown in Annex A

**Voting record**

Unanimous



The following recommendations were the put to the meeting.

#### **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.

<b>Role</b>	<b>Nominee</b>	<b>Proposer</b>	<b>Second</b>	<b>Voting record</b>	<b>Outcome</b>
Chairman of Policy & Resources	Cllr Duncan	Cllr Arnold	Cllr Bailey	24 For 4 Against 1 Abstention	Cllr Duncan elected
Vice Chairman of Policy & Resources	Cllr Arnold	Cllr Duncan	Cllr Bailey	22 For 5 Against 1 abstention	Cllr Arnold elected
Chairman of Overview & Scrutiny	Cllr Clark	Cllr Potter	Cllr J Andrews	28 For 1 Abstention	Cllr Clark elected
Vice Chairman of Overview & Scrutiny	Cllr Brackstone	Cllr Clark	Cllr J Andrews	21 Cllr Brackstone	Cllr Brackstone elected
	Cllr Keal	Cllr Mason	Cllr Burr	8 Cllr Keal	
Chairman of Planning	Cllr Goodrick	Cllr Duncan	Cllr Bailey	22 Cllr Goodrick	Cllr Goodrick elected
	Cllr P Andrews	Cllr Burr	Cllr Thackray	7 Cllr P Andrews	
Vice Chairman of Planning	Cllr Windress	Cllr Arnold	Cllr Raper	Cllr Windress 22	Cllr Windress elected
	Cllr P Andrews	Cllr Burr	Cllr Mason	Cllr P Andrews 7	

#### **Recommendation 5**

That the membership of the Committees be that as shown at Annex B of the report as circulated at the meeting with the addition of the councillors named by the Chairman of the Council.

#### **Recommendation 6**

That membership of the Licensing Committee be the same members as appointed to the Planning Committee

### **Recommendation 7**

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 8**

That the Chief Executive in consultation with the Council Solicitor and Monitoring Officer be authorised to make consequential amendments to the Constitution arising from the changes referred to above.

### **Voting record**

Passed with the unanimous consent of the meeting.

### **Resolved**

- (a) 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 and Resources Committee

- |      |               |                   |
|------|---------------|-------------------|
| (i)  | Chairman      | Councillor Duncan |
| (ii) | Vice-Chairman | Councillor Arnold |

#### Overview & Scrutiny Committee

- |      |               |                       |
|------|---------------|-----------------------|
| (i)  | Chairman      | Councillor Clark      |
| (ii) | Vice-Chairman | Councillor Brackstone |

#### Planning Committee

- |      |               |                     |
|------|---------------|---------------------|
| (i)  | Chairman      | Councillor Goodrick |
| (ii) | Vice-Chairman | Councillor Windress |

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

### **11 Representation on outside organisations**

Members considered a list of outside organisations and the appointment or nomination of representatives to serve on the various bodies.

**Resolved**

That the appointment or nomination of representatives to serve on outside organisations for the 2019-2023 municipal term be as indicated in Annex A to these minutes.

Note: under procedure rule 8, the meeting closed before this item was concluded and those appointments not considered will be dealt with at the next ordinary meeting of Council.

Councillor Riby left the meeting following the vote for the substitute representative on the North Yorkshire, City of York and East Riding Strategic Housing Board.

Councillors Burr, Middleton and Raine left the meeting following the vote for the representative to the Police, Fire and Crime Panel.

**MEMBERS ON OUTSIDE ORGANISATIONS 2019-23**

**12 Any other business that the Chairman decides is urgent**

The Democratic Services Manager submitted a report (previously circulated) which set out information regarding the Member Champion role and sought nominations to fill any or all of the positions that were currently vacant.

Councillor Duncan moved and Councillor Oxley seconded an amendment to the recommendations as follows;

Add 2.4 That all appointments as Member Champions stand only until the outcome of the review detailed in 2.3.

Councillor Clark moved and Councillor J Andrews seconded an amendment to the recommendations that;

That the posts of Member Champions be fitted appropriately into the Constitution.

Both movers and seconders then agreed that the two amendments could be combined into one amendment as follows;

Add 2.4 That all appointments as Member Champions stand only until the outcome of the review detailed in 2.3 and that the posts of Member Champions be fitted appropriately into the Constitution.

Upon being put to the vote the amendment was carried.

**Voting record**

Unanimous

**Resolved**

- 1) That Council notes the information in the report
- 2) That Council agrees the appointments to the Member Champion roles listed below

<b>Subject/Service</b>	<b>Member</b>
Children & Young People	Cllr Graham
Older People/Adult Safeguarding	Cllr Keal
Staff Issues/Equalities	Cllr Clark
Waste Management/Climate Change	Cllr Potter
Sport & Physical Recreation	Cllr Cleary
Health & Safety Enforcement	Cllr Raper

- 3) That Council instructs the Democratic Services Manager and the Council Monitoring Officer to undertake a review of Members Champion role, bringing any recommendations back to Policy and Resources for consideration and final Agreement by Full Council
- 4) That all appointments as Member Champions stand only until the outcome of the review detailed in 2.3 and that the posts of Member Champions be fitted appropriately into the Constitution.

The Annual Council meeting closed at 6.40 pm. The unfinished business relating to part of the appointments of councillors to outside bodies and the accompanying report was referred to the next council meeting on 27 June 2019.

## ANNEX A

### RYEDALE DISTRICT COUNCIL

#### APPOINTMENT OF MEMBERS TO COMMITTEES

##### POLICY & RESOURCES COMMITTEE

<b>Conservative</b>	<b>RFI</b>	<b>Liberal</b>	<b>Liberal Democrat</b>	<b>Independent</b>
K C Duncan (C)	S Arnold (VC)	J Andrews		A R Riby
C W Delaney C Docwra R King	J Frank	C M Wass		S N R Thackray
<b>Substitutes</b> N Garbutt Moore M J T Cleary	<b>Substitutes</b> J A Windress J Raper	<b>Substitutes</b> M J Potter J S Clark	<b>Substitutes</b>	<b>Substitutes</b> P J Andrews L M Burr

##### OVERVIEW & SCRUTINY COMMITTEE

<b>Conservative</b>	<b>RFI</b>	<b>Liberal</b>	<b>Liberal Democrat</b>	<b>Independent</b>
W R F H Oxley N Garbutt Moore	J R Raper D E Cussons	J S Clark (C) C Brackstone (VC)	D E Keal	A E Raine
T Middleton J R Bailey				



## ANNEX A

### PLANNING COMMITTEE

<b>Conservative</b>	<b>RFI</b>	<b>Liberal</b>	<b>Liberal Democrat</b>	<b>Independent</b>
C G Goodrick (C) M J T Cleary J MacKenzie S M Graham	J A Windress (VC) E Hope	M J Potter	S P Mason	P J Andrews L M Burr
<b>Substitutes</b> C Docwra J R Bailey	<b>Substitutes</b> J Frank D E Cussons	<b>Substitutes</b> J Andrews J S Clark	<b>Substitutes</b> D E Keal	<b>Substitutes</b> A R Riby S N R Thackray

### LICENSING COMMITTEE

<b>Conservative</b>	<b>RFI</b>	<b>Liberal</b>	<b>Liberal Democrat</b>	<b>Independent</b>
C G Goodrick M J T Cleary J MacKenzie S M Graham	J A Windress E Hope	M J Potter	S P Mason	P J Andrews L M Burr

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## REPRESENTATION ON OUTSIDE ORGANISATIONS

ORGANISATIONREPRESENTATIVES2019 – 2023**COMMUNITY & VOLUNTARY SECTORS**

Ryedale Citizens' Advice Bureau (All Wards)	Representative: Cllr Graham Substitute: Cllr Middleton
Ryedale Community Transport – Ryecat Project (All Wards)	Representative: Cllr Docwra Substitute:
Ryedale YMCA Board of Management (All Wards)	Representative: Cllr Arnold Representative: Head of Paid Service or Nominated Representative Substitute:

**LEISURE/ARTS/CULTURAL**

Harrison Collection Trust (Dales Ward)	Representative: Substitute:
Malton Community Sports Centre Finance and Premises Governors (All Wards)	Representative: Cllr Middleton Substitute: Cllr ??
Milton Rooms Management Committee (Malton Ward)	Representative: Cllr Delaney Substitute: Cllr King
Ryedale Folk Museum (Dales Ward)	Representative: Cllr Frank Substitute:
Ryedale Tourism Advisory Board (All Wards)	Representative: Cllr Oxley Substitute: Cllr Cleary
Welcome to Yorkshire Annual General Meeting (All Wards)	Representative: Cllr Docwra Substitute: Cllr Windress

**LOCAL GOVERNMENT**

District Councils' Network (All Wards)	Representative: Leader of Council or Chairman of Policy and Resources Committee if no Leader
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Local Government Association - SPARSE (All Wards)	Representative: Cllr Arnold (No substitutes permitted)
Local Government Association General Assembly (All Wards)	Representative: Chairman of Policy and Resources Committee (No substitutes permitted)
Local Government North Yorkshire & York (All Wards)	Representative: Leader of the Council or Chairman of Policy and Resources Committee if no Leader Representative: Head of Paid Service or Nominated Representative
North York Moors National Park Authority (Wards: Ampleforth, Cropton, Dales, Helmsley, Kirkbymoorside, Pickering West, Sinnington, Thornton Dale)	Representative: Cllr Bailey Representative: Cllr Frank
North Yorkshire County Council – Scrutiny of Health Committee (All Wards)	Representative: Cllr Clark Substitute: Cllr Keal
North Yorkshire, City of York and East Riding Strategic Housing Board (All Wards)	Representative: Cllr Goodrick Substitute: Cllr Windress
Yorkshire & Humber Local Authority Employers' Association (All Wards)	Representative: Cllr Duncan Substitute: Cllr Arnold
Yorkshire Leaders' Board (All Wards)	Representative: Leader of the Council or Chairman of Policy and Resources Committee if no Leader

#### **PARTNERSHIPS/JOINT COMMITTEE**

North Yorkshire Building Control Partnership (All Wards)	Representative: Cllr Goodrick Substitute: Cllr Windress
Police, Fire and Crime Panel (All Wards)	Representative: Cllr Middleton
White Rose Home Improvement Agency Partnership (All Wards)	Representative: Chairman of Policy and Resources Committee Substitute: Vice Chairman of Policy and Resources Committee

**PLANNING/ECONOMY/ENVIRONMENT**

Howardian Hills Area of Outstanding Natural Beauty - Joint Advisory Committee  
(Wards: Amotherby, Ampleforth, Derwent, Helmsley, Hovingham, Ryedale South West, Sheriff Hutton, Sinnington)

Representative: Cllr Graham  
Representative: Cllr Docwra  
Substitute: Cllr Mason

Malton & Norton Area Partnership Board  
(Wards: Malton, Norton East and Norton West)

Representative:  
Substitute:

North Yorkshire and York Spatial Planning and Transport Board  
(All Wards)

Representative:  
Substitute:

Parking and Traffic Regulations outside London (PATROL)  
(All Wards)

Representative: Chairman of Policy and Resources Committee

Reserve Forces & Cadet Association for Yorkshire and the Humber

Representative:  
Substitute:

Vale of Pickering Internal Drainage Board  
(Wards: Amotherby, Ampleforth, Cropton, Derwent, Helmsley, Hovingham, Kirkbymoorside, Malton, Norton East, Norton West, Pickering East, Pickering West, Rillington, Sherburn, Sinnington, Thornton Dale)

Representative:  
Representative:  
Substitute:

York, North Yorkshire and East Riding Local Enterprise Partnership:

- Infrastructure Programme Board  
(All Wards)

Representative:

**POLICE**

Safer Ryedale Delivery Team  
(All Wards)

Representative:  
Representative:  
Substitute:  
Substitute:

**Community & Police Consultation Groups:**

Kirkbymoorside and Helmsley  
(Wards: Ampleforth, Dales, Helmsley, Kirkbymoorside, Sinnington)

Representative:  
Substitute:

Malton and Norton  
(Wards: Malton, Norton East, Norton West)

Representative:  
Substitute:

Malton Rural East  
(Wards: Derwent, Rillington, Sherburn, Wolds)

Representative:  
Substitute:

Malton Rural West  
(Wards: Amotherby, Hovingham,  
Ryedale South West, Sheriff Hutton)

Representative:  
Substitute:

Pickering and Area  
(Wards: Cropton, Pickering East, Pickering  
West, Thornton Dale)

Representative:  
Substitute:



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REPORT TO:	ANNUAL COUNCIL
DATE:	8 OCTOBER 2020
REPORT OF THE:	HEAD OF CORPORATE GOVERNANCE AND MONITORING OFFICER SIMON COPLEY
TITLE OF REPORT:	THE ALLOCATION OF SEATS ON COMMITTEES BETWEEN POLITICAL GROUPS AND THE APPOINTMENT OF MEMBERS TO COMMITTEES
WARDS AFFECTED:	ALL

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## 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 2020/2021.

### 2.0 RECOMMENDATIONS

That Council decides the political composition of the Committees.

The Officer recommendations are as follows:

1. That the Council appoints those Committees indicated at **Annex A**
2. That the size of the Committees is that specified in **Annex A**
3. That the Council divides Committee seats between political groups in accordance with the allocation shown at the attached **Annex A**
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. Membership of the Committees to be that shown on **Annex B** (subject to provision of details from the remaining two groups at the meeting).
6. That the membership of the Licensing Committee be the same Members as appointed to the Planning Committee.
7. 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.

8. That the Chief Executive in consultation with the Head of Corporate Governance and Monitoring Officer be authorised to make consequential amendments to the Constitution arising from the changes referred to above.

### **3.0 REASON FOR RECOMMENDATIONS**

- 3.1 To comply with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990 as amended.

### **4.0 SIGNIFICANT RISKS**

- 4.1 There are no significant risks related to the recommendations in this report, which seek to ensure compliance with legal requirements.

### **5.0 POLICY CONTEXT AND CONSULTATION**

#### **A. Committees for 2020/21**

- 5.1 In accordance with the Council's Constitution, the Council is requested to appoint the Committees as shown in **Annex A**.

#### **B. The Allocation of Seats on Committees between Political Groups and the Appointment of Members to Committees**

- 5.2 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.

- 5.3 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.

- 5.4 The distribution of Committee places between the groups needs to have regard to these rules.

- 5.5 A political group is any group of two or more Councillors who notify the Chief Executive that it wishes to be considered as a political group. In law it is a "group" only for the purposes of allocating places on Committees. It is a matter for individual groups to decide whether to get together for political purposes such as a coalition.

- 5.6 In making appointments to Committees the Council must be guided by the following principles:-

- (a) Not all seats on the Committees can be allocated to one political party;
- (b) The majority of seats should be awarded to a group having a majority on the Council;

(c) Subject to (a) and (b) the total number of places allocated on all Committees must be proportionate to the political strength on the Council as a whole;

(d) Subject to (c) the places on each Committee must be proportionate to political strength.

5.7 One effect of the rules is that there is no requirement for all political groups to be represented on all Committees unless the figures justify such representation. If the Committee size means a smaller group does not get a place, then that is not unlawful. It is a matter for the Council to decide on the size of Committees and the distribution of places between the groups, and for the political groups to determine their individual membership.

5.8 Political proportionality on Committees is achieved in the following two stages:-

5.8.1 the first stage is the allocation of numbers of seats on Committees to each political group.

5.8.2 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

\* The Overview and Scrutiny Committee also acts as the District Council's Audit Committee and Corporate Governance Standards Committee.

## REPORT

### 6.0 REPORT DETAILS

6.1 The strength of the political groups on the Council of 30 Members is as follows:-

Conservative	12 (40%)
Ryedale First Independent (RFI)	6 (20%)
Liberal	5 (16.6%)
Independent	5 (16.6%)
Liberal Democrat	2 (7%)

6.2 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	<u>30</u>

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

- 6.3 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	Ryedale First Independent	Liberal	Independent	Lib Dem	Total
Committees	12	6	5	5	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	12
Ryedale First Independent	6
Liberal	5
Independent	5
Liberal Democrat	2
	<b>30</b>

- 6.4 Council needs to divide committee seats between political groups.
- 6.5 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.
- 6.6 The Head of Corporate Governance and Monitoring Officer has discussed political proportionality and Committee membership with all political Group Leaders in advance of the Annual Council meeting to clarify the position of the political groups on those issues as far as is reasonably practicable. Group Leaders are thanked for assisting this process.
- 6.7 In terms of appointments of Members to Committees, Council is requested to note the following constitutional provisions:
1. Each Councillor may only sit on one Committee ;
  2. Each political group may have substitutes to cover the absence of members of the group on the Policy and Resources Committee and the Planning Committee. Most political groups are entitled to two named substitutes.
  3. There are no substitutes on the Overview and Scrutiny and the Licensing Committee.
  4. In relation to choosing substitutes on the Policy and Resources Committee and the Planning Committee, one named substitute for each political group can be drawn from the Overview and Scrutiny Committee but the substitute cannot scrutinise a decision they were part of say on the Policy and Resources Committee.
- 6.8 **Annex C** outlines the procedure should any political group not make nominations of Members to fill Committee seats.

## 7.0 IMPLICATIONS

- 7.1 The following implications have been identified:



- a) Financial  
None.
- b) Legal  
This report ensures compliance with the Local Government & Housing Act 1989 and associated regulations.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)  
None.

**Simon Copley**  
**Head of Corporate Governance and Monitoring Officer**

**Author:** Simon Copley, Head of Corporate Governance and Monitoring Officer  
**Telephone No:** 01653 600666 ext: 43277  
**E-Mail Address:** [simon.copley@ryedale.gov.uk](mailto:simon.copley@ryedale.gov.uk)

**Background Papers:**

None.

**Background Papers are available for inspection at:**  
Not applicable.

**DIVISION OF MAIN COMMITTEE****SEATS FOR 2020/2021****Part 1 COMMITTEE SEATS**

<b><u>Political Group</u></b>	<b>Policy &amp; Resources</b>	<b>Overview &amp; Scrutiny Committee</b>	<b>Planning Committee</b>	<b>Total (30 Seats)</b>
Conservative	4 (4)	4 (4)	4 (4)	12
Ryedale First Independent	2 (2)	2 (2)	2 (2)	6
Liberal	2 (1.66)	2 (1.66)	1 (1.66)	5
Independent	2 (1.66)	1 (1.66)	2 (1.66)	5
Lib Dem	0 (0.66)	1 (0.66)	1 (0.66)	2
	<b>10</b>	<b>10</b>	<b>10</b>	<b>30</b>

**Part 2 LICENSING COMMITTEE**

	Licensing Committee
Conservative	4
Ryedale First Independent	2
Liberal	1
Independent	2
Lib Dem	1

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

<u>Conservative</u>	<u>RFI</u>	<u>Liberal</u>	<u>Liberal Democrat</u>	<u>Independent</u>
K C Duncan C W Delaney C Docwra S M Graham	S Arnold  J Frank	-		
<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>	<u>Substitutes</u>
N Garbutt Moore J MacKenzie	J A Windress J Raper			

OVERVIEW & SCRUTINY COMMITTEE

<u>Conservative</u>	<u>RFI</u>	<u>Liberal</u>	<u>Liberal Democrat</u>	<u>Independent</u>
W R F H Oxley N Garbutt Moore T Middleton R King	J R Raper D E Cussons		D E Keal	

**PLANNING COMMITTEE**

**Conservative**

C G Goodrick  
M J T Cleary  
J MacKenzie  
J R Bailey

**RFI**

J A Windress  
E Hope

**Liberal**

**Liberal Democrat**

S P Mason

**Independent**

**Substitutes**

C Docwra  
S M Graham

**Substitutes**

J Frank  
D E Cussons

**Substitutes**

**Substitutes**

D E Keal

**Substitutes**

**LICENSING COMMITTEE**

**Conservative**

C G Goodrick  
M J T Cleary  
J MacKenzie  
J R Bailey

**RFI**

J A Windress  
E Hope

**Liberal**

**Liberal Democrat**

S P Mason

**Independent**

**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 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 on 3 December 2020.

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).

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