

SCARBOROUGH BOROUGH COUNCIL

Town Hall
Scarborough
YO11 2HG

Date 10 May 2019

To: Members of the Council

Dear Councillor

Council - Monday, 13 May 2019

Please find attached the following reports which were not available when the agenda was circulated:

3. Minutes of the meeting of the Council held on 7 May 2019 to be read or taken as read as the case may be. (Pages 1 - 2)

Attached

8. Appointment to Committees 2019/20 (Pages 3 - 10)

To consider a report by the Chief Executive (reference 19/115) attached

9. Appointment of Representatives on Outside Bodies (Pages 11 - 16)

To consider a report by the Chief Executive (reference 19/116) attached

Yours sincerely

St John Harris

St John Harris
Democratic Services Manager

Enc

NOTES

COUNCIL

Minutes of the proceedings of a Meeting of the Scarborough Borough Council held in the
on Tuesday, 7th May, 2019 pursuant to Summons.

Present:-

The Deputy Mayor (Councillor Dilys Vine Cluer) in the Chair;
Councillors A Abbott, J Atkinson, G A Backhouse, A Bailey, D J Bastiman,
E Broadbent, S Campbell, J Casey, D A Chance, W Chatt, M J Cockerill,
Ms E Colling, G Coulson, S Cross, Ms M Donohue-Moncrieff, W Forbes,
G Goodberry, S B Green, J Grieve, N Heritage, D C Jeffels, Mrs J Jefferson,
P Kershaw, Mrs H Lynskey, Mrs H F Mallory, C D Maw, Ms J Maw, R Maw,
Mrs J E Mortimer, Ms E Murphy, Miss R K Murphy, Ms T Norton, C Pearson,
Mrs H Phillips, P G Popple, T Randerson, P Riley, N Robinson, S Sharma,
S Siddons, G W L Smith, M Stonehouse, Ms R Swiers, P H Trumper, Ms S Tucker
and Mrs M Watson

Apologies

The Mayor, Councillor J Plant

1. DECLARATIONS OF INTERESTS.

No declarations of interest were received.

2. APOLOGIES FOR ABSENCE.

See above.

3. MINUTES OF THE MEETING OF THE COUNCIL HELD ON 1 MARCH 2019 TO BE READ OR TAKEN AS READ AS THE CASE MAY BE.

RESOLVED that the minutes of the meeting held on 1 March 2019 be taken as read and signed by the Chairman as a correct record.

4. TO CONSIDER ANY ANNOUNCEMENTS BY THE CHIEF EXECUTIVE

There were no announcements.

5. ELECTION OF LEADER


Members were advised that one nomination for the position of Leader of the Council had been received: Councillor Steve Siddons. Councillor Siddons then addressed the Council in support of his nomination, outlining his vision and plans for the Borough. The appointment of Leader was then put to the vote using voting slips with the following result arising from the first preference votes cast:

Councillor Siddons – 33

Reopen nominations – 13

Councillor Siddons was therefore declared Leader of the Council for the ensuing four years. The outgoing Leader Councillor Bastiman then offered his congratulations to Councillor Siddons.

Chairman

	REPORT TO THE COUNCIL TO BE HELD ON 13 MAY 2019
	Key Decision NO Forward Plan Ref No
Corporate Plan: Council	Cabinet Portfolio Cllr Derek Holder Bastiman The Leader

REPORT OF: CHIEF EXECUTIVE – 19/115

WARDS AFFECTED: All

SUBJECT: APPOINTMENT TO COMMITTEES 2019/20

RECOMMENDATION (S):

That the Council considers the lists of appointments to the committees for 2019/20 appended to this report and determines the appointments to be made for ratification at Annual Council on 5 June 2019.

REASON FOR RECOMMENDATION (S):

To ensure the good governance of the Council.

HIGHLIGHTED RISKS:

If appointments are not made there is a risk to the governance of the Council

1. INTRODUCTION

1.1 Section 15 of the Local Government and Housing Act 1989 and the regulations made thereunder, require the Council to review regularly the political composition of the Council and to determine the size and constitution of its committees to ensure that the political balance is reflected and maintained in those committees by allocating seats on each committee to each group in direct proportion to each group’s overall representation on the Council.

- 1.2 The membership of the Cabinet is determined by the Leader of the Council and does not have to be politically balanced.

2. CORPORATE AIMS

- 2.1 The recommendation supports the Corporate Aim to be an efficient and effective council which is financially sustainable for the future.

3. BACKGROUND AND ISSUES

- 3.1 As a consequence of the Borough Council elections held on 2 May 2019, the new political composition of the Council is as follows:

Conservative	16 seats
Labour	13 seats
Green	2 seats
Independent	10 seats
Cluster of Independent Members	3 seats
UK Independence Party	1 seat
No political affiliation	1 seat
TOTAL	46 seats

- 3.3 The minimum number of members to constitute a political group on the Council is two. Those of no political affiliation or who are the solitary representative of a political group therefore rely on the gifts of the Council's political groups to sit on the Council's non-executive committees. For the purposes of calculating the political composition of the Council's non-executive committees, the political composition of the Council in numerical order is as follows:

Conservative	16 seats	36.4%
Labour	13 seats	29.5%
Independent	10 seats	22.7%
Cluster of Independent Members	3 seats	6.8%
Green	2 seats	4.6%
TOTAL	44 seats	100%

- 3.4 The new political compositions of the non-executive committees are indicated in the spreadsheet annexed at Appendix A.

- 3.5 Councillor Steve Siddons was elected Leader of the Council on 7 May.

4. CONSULTATION

- 4.1 Nominations from the Group Leaders have been sought for the membership of the committees in accordance with these political proportions, and for the

positions of Chairs and Vice-Chairs. Where there is competition for Chairs and Vice-Chairs, a secret ballot will be undertaken.

5. ASSESSMENT

5.1 The principles of political balance require that:

- (i) not all the seats on any committee are allocated to the same political group;
- (ii) the majority of seats on the committee is allocated to a particular group if that group has a majority of seats on the Council;
- (iii) subject to (i) and (ii) above, that the number of seats allocated to any group on the total of all committees have the same proportion to the proportion on the full Council; and
- (iv) subject to (i), (ii) and (iii) above, that the number of seats on each committee allocated to each group bears the same proportion to the proportion on the full Council.

6. IMPLICATIONS

6.1 There are no legal, policy, financial or equality and diversity implications arising from this report.

7. ACTION PLAN

7.1 Appointments to the committees will receive final approval at the Annual Meeting of the Council on 5 June 2019.



Jim Dillon
Chief Executive

Author: St John Harris, Democratic Services Manager, Town Hall, St Nicholas Street, Scarborough, Telephone No: 01723 383556, Fax No: 0870 238 4159
E-mail address: stjohn.harris@scarborough.gov.uk

Background Papers: None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT, PLEASE CONTACT
ST JOHN HARRIS ON 01723 383556 e-mail stjohn.harris@scarborough.gov.uk

Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	May 2019	The membership of Council committees is not updated to reflect political composition of the Council	Council is not being governed according to the requirements of the Local Government and Housing Act 1989 – legal challenge and disruption	Consult with Group Leaders to agree membership of relevant committees according to the political composition of the Council	B2	B2	S Harris	As in report

Glossary of Terms

Risk	An event which may prevent the Council achieving its objectives
Consequences	The outcome if the risk materialised
Mitigation	The processes and procedures that are in place to reduce the risk
Current Risk Score	The likelihood and impact score with the current mitigation measures in place
Corporate Objectives	An assessment of the Corporate Objectives that are affected by the risk identified.
Target Risk Score	The likelihood and impact score that the Council is aiming to achieve
Service Unit Manager	The Service Unit or Officer responsible for managing the risk
Action Plan	The proposed actions to be implemented in order to reduce the risk to the target score

Risk Scoring

Impact	5					
	4					
	3					
	2					
	1					
		A	B	C	D	E
	Likelihood					

Likelihood:

- A = Very Low
- B = Not Likely
- C = Likely
- D = Very Likely
- E = Almost Certain

Impact

- 1 = Low
- 2 = Minor
- 3 = Medium
- 4 = Major
- 5 = Disaster

SCRUTINY FUNCTION

Overview and Scrutiny Board 9 Members	G Coulson (CON) D Jeffels (CON) C Pearson (CON)	Chair nominations: G Coulson
CON 3	A Bailey (LAB)	Vice-Chair nominations Ms M Donohue-Moncrieff
LAB 3	Ms J Maw (LAB)	
IND 2	Ms S Tucker (LAB)	
CIM 1	Ms M Donohue-Moncrieff (IND) Ms J Jefferson (IND) (GRN)	(CIM gift)


REGULATORY & OTHER COMMITTEES

Planning & Development Committee 17 Members	G Goodberry (CON) D Jeffels (CON) C Pearson (CON) Ms R Swiers (CON)	Chair nominations P Trumper
CON 6	P Trumper (CON)	Vice-Chair nominations J Casey
LAB 5	Ms M Watson (CON)	
GRN 1	E Broadbent (LAB)	
IND 4	S Campbell (LAB)	
CIM 1	S Sharma (LAB) M Stonehouse (LAB) Vacant (LAB) W Forbes (GRN) J Casey (IND) J Grieve (IND) P Kershaw (IND) P Riley (IND) P Popple (CIM)	
Licensing Committee 15 Members	A Abbott (CON) A Backhouse (CON) S Green (CON) Ms J Mortimer (CON) Ms R Swiers (CON)	Chair nominations Ms R Swiers Ms R Murphy
CON 6	Ms M Watson (CON)	Vice-Chair nominations Ms J Mortimer
LAB 4	S Campbell (LAB)	
GRN 1	S Sharma (LAB)	
IND 3	M Stonehouse (LAB)	
CIM 1	Vacant (LAB) (GRN) J Casey (IND) Ms R Murphy (IND) G Smith (IND) N Heritage (UKIP)	(CIM gift)
Appointments Committee 6 Members	Members nominated for each recruitment exercise etc	
CON 2		
LAB 2		
IND 2		
Appeals Panel 3 Members selected from:	(a) non-executive Members in respect of appeals from employees in connection with disciplinary matters and conditions of service, (b) the Licensing Committee (ie Sub-committee) in respect of	

	<p>appeals from Officer decisions upon applications under part B of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, (c) the Audit Committee in respect of appeals in relation to registration and grant applications, (d) the Licensing Committee in respect of appeals from Officer decisions upon matters relating to the management of a Harbour.</p>
--	---

GOVERNANCE COMMITTEES

<p>Audit Committee 6 Council Members</p> <p>CON 2 LAB 2 IND 2</p>	<p>D Chance (CON) Ms H Mallory (CON) A Bailey (LAB) C Maw (LAB) S Cross (IND) Ms M Donohue-Moncrieff (IND)</p> <p>1 CO-OPTED MEMBER VACANCY</p>	<p>Chair nominations D Chance S Cross</p>
<p>Standards Committee 8 Council Members</p> <p>CON 3 LAB 2 IND 2 CIM 1</p> <p>2 non voting co-opted members from Parish Councils</p>	<p>G Goulson (CON) S Green (CON) Ms R Swiers (CON) Ms T Norton (LAB) Ms S Tucker (LAB) Ms E Murphy (IND) Ms J Jefferson (IND) W Chatt (CIM)</p> <p>B Marley (Parish) R Thompson (Parish)</p>	<p>Chair nominations S Green</p>
<p>Independent Remuneration Panel 3 Co-opted Individuals (make recommendations only)</p>	<p>Ms K Chiverall R Smith R Tasker</p>	
<p>Standards Complaints - Independent Person Meeting 2 Co-opted non- voting Individuals</p>	<p>C Langley (Co-optee) Ms R Taylor (Co-optee)</p>	

	REPORT TO COUNCIL TO BE HELD ON 13 MAY 2019
	Key Decision N/A Forward Plan Ref No N/A
Corporate Plan: Council	Cabinet Portfolio Holder The Leader

REPORT OF THE CHIEF EXECUTIVE - 19/116

WARDS AFFECTED: ALL

SUBJECT: APPOINTMENT OF REPRESENTATIVES ON OUTSIDE BODIES

RECOMMENDATION (S):

That Council:

- (i) considers the list of representatives on outside bodies for 2019-23 appended to this report and determines such amendments as may need to be made to the lists for ratification at Annual Council on 5 June 2019.

REASON FOR RECOMMENDATION (S):

To ensure good governance and promote partnership working within the Borough.

HIGHLIGHTED RISKS:

None.

1. INTRODUCTION

- 1.1 The list of Council representatives, annotated to indicate where there is competition for nominations, is attached at the appendix to this report.
- 1.2 The Council is invited to consider the list and agree the appointments of representatives to serve on the various outside bodies.

2. CORPORATE AIMS/PRIORITIES

- 2.1 The recommendation supports the Corporate Aim to be an efficient and effective council which is financially sustainable for the future.

3. BACKGROUND AND ISSUES

- 3.1 The Council appoints elected members to a number of outside bodies that have organisational objectives that the Council supports and where there are areas of mutual interest. Many of these appointments are attached to the responsibility of a portfolio holder or another position on the Council. The remaining positions are nominated through the political group leaders for approval by full Council for the life of the Council (four year term). Appointees are not expected to 'represent' the Borough Council but are rather appointed based on an expectation that they will apply their skills and experience in the best interests of the body to which they are appointed.
- 3.2 Generally, the term of appointment for the outside body coincides with the term of the Council that appoints the representative. This four year term gives stability to the role and allows the representative to learn more about their position on the outside body. Council appointments are therefore reviewed at the start of the new Council to enable new nominations to be made. Where there is competition for nominations indicated in the appendix, then the matter will be put to the vote. For any changes to the Council's representation on outside bodies which need to be made during the four year term, the Council has delegated responsibility for this decision to the Leader. The Leader will then include any such Council appointments in his statement to the next Council meeting.
- 3.3 In March 2019, the Council approved a new Protocol for Members on Outside Bodies. The new Protocol places a limit on the length of service on outside bodies to two consecutive terms on the same organisation, subject to the exceptions below:
- (a) Any appointment which forms part of the portfolio of an Executive Member, shall not be restricted by the maximum term
 - (b) Where an appointment is made to fill a vacancy subsequent to Annual Council, the balance of the term shall not count toward the maximum length of service on the external body
 - (c) A Member continuing to serve past the end of their term, until a successor is appointed
 - (d) Where insufficient applications have been received for an appointment.
- 3.4 Those representatives who have served at least two consecutive terms are marked as underlined in the appendix.

4. CONSULTATION

4.1 Elected Members have been consulted on the recommendations.

5. ASSESSMENT

5.1 The list of outside bodies on which Elected Members sit are categorised according to the purpose of the body and therefore the role and responsibilities of the Council representative. Further details on these roles and responsibilities can be found in the new Protocol at this link (Item 5d): [Council meeting agenda 1 March 2019](#)

6. IMPLICATIONS

6.1 I have considered whether the following implications arise from this report and am satisfied that there is no identified implication that will arise from this decision.

7. ACTION PLAN

7.1 The recommendations will receive final approval at the Annual Meeting of the Council on 5 June 2019.



Jim Dillon
Chief Executive

Author: St John Harris, Democratic Services Manager, Democratic and Legal Services, Town Hall

Telephone No: 01723 383556

Fax No: 0870 238 4159

E-mail address: stjohn.harris@scarborough.gov.uk

Background Papers:

None

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT ST JOHN HARRIS ON 01723 383556 e-mail stjohn.harris@scarborough.gov.uk

NOTES

Category	Appointment Body	Partnership Name	Lead Partner/ Accountable body	Nature	Governance Arrangements	Purpose	No of Member Seats	Appmnt expiry date	SBC Accountable Officer	Representative/s	Nominations in competition	Contract/partnership/member/officer/ grant/other
Governance												
Sub-Reg Gov	Council	North York Moors National Park Authority (18/7/27)	Not applicable	Statutory Body, Environment Act 1995	Statutory body	Conservation of the natural beauty, wildlife and cultural heritage of the National Park	2	May-23	Democratic Services Manager	Cllrs G Coulson and C Pearson		governance only
Sustainability and the Environment	Council	Vale of Pickering Drainage Board	Yorkshire Water	Statutory Partnership	Established by Statute	Provision of drainage in the Vale of Pickering	1	May-23	Democratic Services Manager	Cllr S Green		governance only
External Governance	Council	Scarborough United Scholarships Foundation with John Kendall Trust	Not applicable	Charity	Trust deed	Grant giving body	4	May-23	Democratic Services Manager	The Mayor [ex-officio], Cllrs Jeffels, Swiers, Bailey		governance only
External Governance	Council	The Scarborough Municipal Charity	Not applicable	Charity	Trust deed	Grant giving body	4	May-23	Democratic Services Manager	The Mayor [ex-officio], Cllrs Jeffels, Jefferson, Bailey		governance only
External Governance	Council	Whitby United Charities	Not applicable	Charity	Trust deed	Grant giving body	6	May-23	Democratic Services Manager	Cllrs Goodberry, Chance, Mortimer		governance only
External Governance	Council	Staithes Harbour Commissioners	Not applicable	Port Authority	Statute	Management of Staithes Harbour	1	May-23	Democratic Services Manager		Cllrs Stonehouse and Watson	governance only
Sub-Reg Gov	Council	Reserve Forces and Cadets Association	Defence Council	Statutory body , Reserve Forces Act 1996	Established by Statute	To advise and assist the Defence Council on issues concerning tri-service reserves and cadets in the region.	1	May-23	Democratic Services Manager	Cllr Coulson		governance only
Sub-Reg Gov	Council	North Yorkshire Scrutiny of Health Committee	North Yorkshire County Council	Joint Scrutiny Committee	Statutory Committee	Joint Scrutiny Committee	1 + sub	May-23	Democratic Services Manager		Cllrs Mortimer and Tucker	governance only
Sub-Reg Gov	Council	Overview and Scrutiny Group of York, North Yorkshire and East Riding LEP	North Yorkshire County Council	Joint Scrutiny Committee	Not formally constituted	Joint Scrutiny Committee	1	May-23	Democratic Services Manager	Chair of Overview and Scrutiny Board	N/A	governance only
External Governance	Council	Scarborough and District Citizens Advice	Not applicable	Charity	Company limited by Guarantee	Free information and advice service	1	May-23	Democratic Services Manager	Cllr Colling		governance only
Representation - Trade Organisations/Associations/Lobbying Groups etc												
Sports provision	Council	Scarborough Borough Cycling Forum	Not applicable	Representative body	Unincorporated forum with terms of reference	To promote cycling opportunities	1	May-23	Customers, Communities and Partnerships Manager	Cllr Backhouse		member organisation/trade assn
National Representation	Council	Local Government Flood Forum	Gloucestershire County Council	National Representative body	Within Local Government Information Unit	Representative body	1	May-23	Principal Coastal Officer	Cllr Bastiman		member organisation/trade assn
National Representation	Council	Local Government Association Special Interest Group on Coastal Issues	Not applicable	National Representative body	Within LGA Constitution	Representative body	1	May-23	N/A	Cllr Bastiman		member organisation/trade assn

Regional Representation	Council	North Yorkshire & Cleveland Coastal Forum	Not applicable	Representative body	Unincorporated Forum with terms of reference	Representative body	3	May-23	Principal Coastal Officer	Cllrs Jeffels, Mortimer, Norton		member organisation/trade assn
Regional Representation	Council	Community First Yorkshire	Not applicable	Charity	Company limited by Guarantee	Empowering rural communities	1	May-23	Democratic Services Manager	Cllr Jeffels		member organisation/trade assn
Sustainability and the Environment	Council	Yorkshire Coast Community Rail Partnership	Not applicable	Company limited by guarantee	Memorandum and Articles	Safeguarding rail services in the Yorkshire Coast region	1	May-23	None	Cllr Campbell		member organisation/trade assn
Sustainability and the Environment	Council	The Esk Valley Railway Development Company	Not applicable	Company limited by guarantee	Memorandum and Articles	Safeguarding rail services in the Esk Valley	1	May-23	None	Cllr Campbell		member organisation/trade assn
National Representation	Council	Rural Services Network (SPARSE Rural)	Not applicable	National Representative body	Within LGA Constitution	Representative body	1	May-23	Chief Executive	Cllr Mortimer		member organisation/trade assn
Sustainability and the Environment	Council	Raincliffe Woods Community Enterprise	Not applicable	not for profit distributing company limited by guarantee	Memorandum and Articles	To manage Raincliffe Woods, Forge Valley and Row Brow, following the transfer of the asset through the Community Asset Transfer scheme	2	May-23	Customers, Communities and Partnerships Manager	Cllr Sharma		member organisation/trade assn
Partnerships												
Sports provision	Council	Scarborough & District Sports Council	Not applicable	Sports Association	Constitution	To support the voluntary sports sector	3	May-23	Customers, Communities and Partnerships Manager	Cllrs Jeffels, Jefferson & C Maw		partnership