



Summons and Agenda for the
Annual Council Meeting

to be held on
15 MAY 2012

at
4.00pm

SELBY

DISTRICT COUNCIL



To: All District Councillors

cc: Chief Officers
Directors

You are hereby summoned to attend the Annual Meeting of the Selby District Council to be held in the Council Chamber, Civic Centre, Doncaster Road, Selby on **TUESDAY 15 MAY 2012** starting at **4.00pm**. The Agenda for the meeting is set out below.

Chief Executive
4 May 2012

Refreshments will be served in the Civic Centre from 3:00 pm

Group photographs will be taken at 3:30 pm - please meet in the foyer

Opening Prayers

AGENDA

1. Apologies for Absence

To receive apologies for absence

2. Disclosures of Interest

To receive any declarations of personal or prejudicial interest in any items set out in the Agenda.

3. Election of Chairman

a) Nominations

To invite nominations for the election of Chairman of the Council for the 2012/2013 Municipal Year.

The Chairman will ask for nominations from the floor for Chairman for the ensuing year 2012/2013. If there is more than one nomination then a vote on each nomination will be taken in the order that the nominations are made.

b) Investiture of Chairman

The newly elected Chairman will stand and be invested with the Chairman's Chain of Office by the retiring Chairman. The retiring Chairman will then exchange seats with the newly elected Chairman.

c) Declaration of Acceptance of Office

The newly elected Chairman will make and sign the Declaration of Acceptance of Office and then take the Chair.

d) Retiring Chairman's Valedictory Address

The retiring Chairman will be invited to give her valedictory address.

The presentation by the Chairman of a Silver Salver and Past Chairman's Badge to the retiring Chairman will take place at this time.

Expressions of appreciation of the work of the retiring Chairman may be made from the Chamber at this point in the proceedings.

e) Investiture of Chairman's Lady

The Chairman of the Council will call upon the past Chairman's Consort to invest the newly elected Chairman's Lady with the Chain of Office.

The past Chairman's Consort will stand, remove her Chain of Office and duly invest the newly elected Chairman's Lady.

A presentation of flowers to the Chairman's Lady and the past Chairman's Consort will take place.

The retiring Chairman will take her seat in the body of the Council Chamber.

f) Newly Elected Chairman's Address

The newly elected Chairman will address the meeting.

4. Appointment of Vice Chairman

a) Nominations

To invite nominations for the appointment of Vice Chairman of the Council for the 2012/2013 Municipal Year. If there is more than one nomination then a vote on each nomination will be taken in the order that the nominations are made.

b) Investiture of Vice Chairman

The Vice Chairman will approach the dais and be invested by the Chairman with the Vice Chairman's Chain of Office and take the Vice Chairman's place on the dais.

c) Declaration of Acceptance of Office

The newly appointed Vice Chairman will make and sign the Declaration of Acceptance of Office.

d) Investiture of Vice Chairman's Consort

The Chairman of the Council will call for the newly appointed Vice Chairman's Consort to be invested with the Chain of Office.

The newly appointed Vice Chairman's Consort will stand and be duly invested.

A presentation to the Vice Chairman's Consort will take place.

5. Minutes

To confirm as a correct record the minutes of the proceedings of the meetings of the Council held on 24 April 2012 (pages 6 to 14 attached).

6. Communications

To consider any communications received by the Chief Executive or Chairman and to pass resolutions thereon if deemed necessary.

7. The Leader's Report

To receive a report from the Leader of the Council setting out information regarding the discharge of executive functions for the year ahead (pages 15 - 17 attached).

8. Appointments to the Committees of the Council and Appointments of Chairs and Vice Chairs

To consider appointments to Committees for the 2012/13 Municipal Year and make appointments of Chairs and Vice Chairs of each Committee. (Nominations will be circulated at the meeting).

9. Appointments to the Access Selby Board

To consider appointments to the Access Selby Board.

10. Appointment of Chairs of Community Engagement Forums

To appoint Chairs of Community Engagement Forums for the 2012/13 municipal Year. (Nominations will be circulated at the meeting)

11. Time of Commencement of Meetings

To agree times of commencement for the Council's Executive and Committee meetings for 2012/13.

Attached for information are the relevant start times from 2011/12 (page 18 attached).

12. Non Executive Appointments to Outside Bodies

A list of appointments of representatives on Non Executive outside bodies for 2011/2012 including revisions will be circulated at the meeting. Councillors are asked to agree nominations for 2012/2013.

Council

Venue: Council Chamber
Date: 24 April 2012

80	Apologies for Absence
81	Disclosures of Interest
82	Minutes
83	Communications
84	Announcements
85	Petitions
86	Public Questions
87	Councillors' Questions
88	Reports from the Executive
89	Reports from Committees
90	The Localism Act 2011 – The Amended Standards Regime
91	Police and Crime Panel Arrangements
92	Urgent Action
93	Sealing of Documents
94	Private Session
95	Reports from the Executive

Present: Councillor Mrs K McSherry in the Chair

Mrs E Casling, I Chilvers, M Crane, J Crawford, Mrs D Davies, Mrs M Davis, J Deans, Mrs S Duckett, M Dyson, K Ellis, M Hobson, W Inness, Mrs G Ivey, M Jordan, C Lunn, D Mackay, Mrs P Mackay, Mrs C Mackman, J Mackman, B Marshall, J McCartney, Mrs M McCartney, C Metcalfe, R Musgrave, Mrs W Nichols, I Nutt, R Packham, C Pearson, A Pound, R Price, I Reynolds, Mrs S Ryder, R Sayner, Mrs A Spetch, S Shaw-Wright, R Sweeting and J Thurlow

Apologies for Absence: Councillors D Peart, J Cattanach and Mrs E Metcalfe

Also Present: Chief Executive, Deputy Chief Executive, Executive Director S151, Executive Director Communities Selby, Managing Director of Access Selby, Director of Business Services, Senior Solicitor, Democratic Services Manager.

Press: 0
Public 8

80. Apologies for Absence

Apologies were received from Councillors J Cattanach, D Peart and Mrs E Metcalfe.

81. Declarations of Interest

There were no declarations of interest.

82. Minutes

In considering the minutes of 28 February 2012, Councillor R Price felt that the minutes did not adequately explain the exchange between Councillor J Mackman and himself concerning the increase in Internal Drainage Board precepts.

The Council resolved to amend the relevant section at minute 68 to read:

‘Following a question from Councillor R Price, Councillor J Mackman explained the circumstances behind the notable precept increase by the Internal Drainage Board’.

Resolved:

Subject to the above amendment, to approve the minutes for signing by the Chairman.

83. Communication

London Organising Committee of the Olympic Games and Paralympic Games Ltd (LOCOG)

The Chief Executive reported correspondence received from LOCOG with regard to the route of the Olympic Torch. The letter was in response to requests by the Council and others to change the route of the Olympic Torch relay. LOCOG stated that it could not change the route and asked that the Council and local communities work with themselves and attend at their closest viewing point.

Resolved:

To note the correspondence.

The Political and Constitutional Reform Select Committee

The Chief Executive reported correspondence received from the Political and Constitutional Reform Select Committee. The correspondence formed part of the Committee's consultation on the codification of the principles and mechanics of the relationship between central and local government. The Chief Executive would circulate the relevant details should councillors wish to submit a response.

Resolved:

To note the correspondence.

84. Announcements

The Leader of the Council provided an update on the latest developments from the Examination in Public (EIP) and the impact of the recently published National Planning Policy Framework on the Core Strategy. He detailed the key issues resulting from EIP and the need for the Council to move quickly to make any necessary amendments to the Core Strategy.

To facilitate a speedy response, the Council agreed to hold an Extraordinary meeting on 29 May 2012 and to temporarily suspend the constitutional requirement for Policy Review Committee to first comment on the report.

Resolved:

- i) To note the announcement;**
- ii) To hold an Extraordinary meeting of Council on 29 May 2012;**
- iii) To suspend the requirement for any amendments to the Core Strategy to be reviewed by Policy Review Committee until 29 May 2012.**

85. Petitions

None received.

86. Public Questions

None received.

87. Councillor's Questions

Councillor R Packham had submitted a written question to the Leader of the Council regarding Olympia Park and the discussion which had taken place with the Executive.

The Leader of the Council explained that the Council had not changed procedure. The Executive had discussed the Olympia Park development with the developers in the same way that the Policy and Resources Committee would have previously. In response to a supplementary question, the Leader clarified that Planning Committee would still take the necessary Local Planning Authority decisions on Olympia Park.

Councillor S Shaw-Wright had submitted a written question to the Leader of the Council regarding the administration of the Police and Crime Commissioner elections in November 2012. In response, the Leader of the Council highlighted that it was the role of the Returning Officer to manage the election process. He stated that, as in previous years, there would be involvement from Access Selby staff. The Leader responded to a supplementary question from Councillor S Shaw-Wright regarding his views on Police Commissioners.

88. Reports from the Executive

The Leader of the Council had submitted a report on items considered by the Executive since the last meeting of Council. He provided an update on the latest position in respect of the New Homes Bonus and the purchase of a replacement gym whilst Abbey Leisure Centre was out of action. Councillor Mrs G Ivey also offered thanks to the community groups who had offered the use of their premises to help with the delivery of replacement leisure services. The Leader of the Council would provide an update on his work as part of the Leeds City Region in private session.

Councillor Mrs G Ivey, Deputy Leader of the Council and Lead Executive Member for External Relations and Partnerships reported on the work she had undertaken regarding establishment of the Police and Crime Panel. She responded to questions on the '5 Big Things'.

In response to Councillor Mrs G Ivey's report, councillors raised the effects of Anti Social Behaviour by some Council tenants on the quality of life of others. Councillors then discussed the background information they received on tenants moving to properties within their wards and how this had been affected by the Data Protection Act. Councillor Mrs G Ivey offered to look at what information could be provided to councillors with regard to new tenants. The Leader of the Council also offered to examine whether the situation in Selby District was exacerbated by accepting problem tenants from elsewhere.

Councillor C Lunn, Lead Executive Member for Finance, reported on the work he had undertaken since the last meeting of Council. He clarified that the programme of works at Tadcaster Leisure Centre was timetabled over the full period of the 10 year maintenance plan.

Councillor J Mackman, Lead Member for Place Shaping, provided a detailed update on the reconvened EIP which had taken place on the 18 and 19 of April 2012. The update provided further detail on the impact of the NPPF on the Core Strategy. The Council heard that there would be a further consultation period and that the EIP would reconvene on the 5 and 6 of September 2012. Councillor J Mackman clarified the position in respect of provision for Travellers, Gypsies and Showpeople

Councillor C Metcalfe, Lead Member for Communities, gave an update on his work toward 'Tackling the Tough Stuff'. He also responded to questions on the current situation at Barlow Common and on his work with the Council's Community Engagement Forums.

Resolved:

To receive and note the reports from the Executive.

89. Reports from Committees

The Chair of Policy Review Committee, Councillor M Jordan, reported on work undertaken since the last Council meeting. Councillor M Jordan felt that the Committee's Annual Report demonstrated an effective level of scrutiny over the last year.

Councillor Mrs W Nicholls, the Chair of Scrutiny Committee, outlined the recent work of the Committee, this included scrutiny of the Communities Selby Project and the Access Selby Review.

Councillor Mrs E Casling, the Chair of Audit Committee, gave a verbal update to Council regarding the matters covered at the last meeting. The Council heard that the Committee had received an update on the Council's Closed Burial Grounds and the Staff Survey Report.

Resolved:

To receive and note the reports from the Committees.

Councillors J and Mrs McCartney left the meeting.

90. The Localism Act 2011 – The Amended Standards Regime

Councillor C Lunn presented the report which described the necessary changes and possible courses of action for the Council to implement a revised Standards Regime in response to the Localism Act.

Councillor C Lunn outlined that the District Council remained responsible for dealing with complaints about breaches of its local code of conduct and for dealing with complaints against parish and town

councillors. The process by which this was undertaken needed to be established by the Council.

The Council discussed the options available and decided to not continue with a Standards Committee. Councillor Lunn offered his thanks to the current Standards Committee.

Resolved:

- i) To not to establish a Standards Committee;**
- ii) To instruct the Monitoring Officer to draft, for consideration and approval by Council, a Code of Conduct for Councillors and Co-opted Members which complies with the Localism Act 2011;**
- iii) To authorise the Monitoring Officer, after consultation with the Chair of Council, to amend the draft Code where he considers it to be necessary or appropriate following publication of the Disclosable Pecuniary Interests Regulations;**
- iv) To appoint the Monitoring Officer as the Proper Officer to receive complaints of failure to comply with the Code of Conduct;**
- v) To give delegated power to the Monitoring Officer, after consultation with the Independent Person, to determine whether a complaint merits further action or investigation and, where appropriate, to arrange a hearing or investigation;**
- vi) To instruct the Monitoring Officer to seek resolution of complaints without formal action wherever practicable and grant the Monitoring Officer discretion to refer decisions on further action to Council where he feels that it is inappropriate for him to take the decision, and to report regularly on the discharge of this function;**
- vii) Where a hearing finds no evidence of failure to comply with the Code of Conduct, to require the Monitoring Officer to close the matter, providing details of the findings to the complainant and to the member concerned, and to the Independent Person;**
- viii) Where a hearing finds evidence of a failure to comply with the Code of Conduct, to authorise the Monitoring Officer, after consultation with the Independent Person and in appropriate cases, to seek local resolution of the complaint to the satisfaction of the complainant. Where such local**

resolution is not appropriate or not possible, he is to report the findings of the hearing, together with a recommendation on sanctions to the Council for determination;

- ix) To authorise the Monitoring Officer to make recommendations to the Council in respect of a member who is found on hearing to have failed to comply with the Code of Conduct;
- x) To adopt the “Arrangements for dealing with standards allegations under the Localism Act 2011” set out at Appendix 1 which reflect the principles set out above;
- xi) To authorise the Monitoring Officer, after consultation with the Chair of Council, to set the allowances and expenses for the Independent Person and any Reserve Independent Persons;
- xii) To advertise a vacancy and begin the process of appointment of 1 Independent Person and 1 Reserve Independent Person;
- xiii) To delegate to the Monitoring Officer authority to short-list and interview candidates, and to make a recommendation to Council for appointment;
- xiv) To authorise the Monitoring Officer to prepare and maintain a new register of councillors interests to comply with the requirements of the Act and the Council’s Code of Conduct, and ensure that it is available for inspection as required by the Act;
- xv) To require the Monitoring Officer to ensure that all councillors and co-optees are informed of their duty to register interests;
- xvi) To authorise the Monitoring Officer to prepare and maintain new registers of councillors’ interests for each Parish Council to comply with the Act and any Code of Conduct adopted by each Parish Council and ensure that it is available for inspection as required by the Act;
- xvii) To ask the Monitoring Officer to make arrangements to inform and train Parish Clerks on the new registration arrangements;
- xviii) To amend the Council Procedure Rules to require that a member must withdraw from the meeting room, including from the public gallery, during the whole of consideration of any item of business in which s/he has a Declarable

Pecuniary Interest, except where s/he is permitted to remain as a result of the grant of a dispensation;

- xix) To delegate the power to grant dispensations to the Monitoring Officer;**
- xx) To ask the Monitoring Officer to seek appropriate agreement with other Local Authority Monitoring Officers to act jointly in exercising the delegations granted by the Council in connection with the arrangements for dealing with complaints;**
- xxi) To authorise the Monitoring Officer to make any necessary or consequential changes to the Constitution to ensure compliance with these recommendations.**

91. Police and Crime Panel Arrangements

Councillor Mrs G Ivey presented the report which she asked Council to agree the proposed arrangements for the North Yorkshire Police and Crime Panel as a joint committee in compliance with the Police Reform and Social Responsibility Act 2011.

Councillor Mrs G Ivey outlined that the Police Reform and Social Responsibility Act introduced significant changes in police governance and accountability, particularly in the introduction of an elected Police and Crime Commissioner.

Resolved:

- i) To agree the proposed arrangements for the North Yorkshire Police and Crime Panel as a joint committee of Craven District Council, Hambleton District Council, Harrogate Borough Council, North Yorkshire County Council, Richmondshire District Council, Ryedale District Council, Scarborough Borough Council, Selby District Council and City of York Council;**
- ii) To appoint one member to the panel at Annual Council.**

92. Urgent Action

The Chief Executive reported urgent action he had taken in commissioning the appointment of legal support in respect of an appeal on decision at Cleek Hall by Planning Committee. The Chief Executive would clarify outside the meeting why a number of councillors had received correspondence on this matter from the Council.

The Chief Executive had also taken urgent action with regard to the purchase of Walkers Bingo Hall to provide temporary provision of leisure facilities.

Resolved:

To approve the action taken by the Chief Executive.

93. Sealing of the Documents

To authorise the sealing of any documents necessary to action decisions of this Council Meeting, or any of its Committees and Boards for which delegated authority is not already in existence.

Resolved:

To grant authority for the signing of, or the Common Seal of the Council being affixed to, any documents necessary to give effect to any resolutions hereby approved.

94. Private Session

Resolved:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and public during discussion of the following item as there will be disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 9 of Part 1 of Schedule 12(A) of the Act.

95. Reports from the Executive

The Leader of the Council provided an update on his work with Leeds City Region Leaders.

The Chief Executive also responded to questions raised regarding his use of emergency powers.

The meeting closed at 8.07pm

To: Annual Council
Date: 15 May 2012
Author: Keith Dawson - Director
Lead Officer: Keith Dawson – Director
Executive Member: Councillor Mark Crane

Title: The Leader's Report to Council

Summary:

This Report satisfies the requirements set out in the Constitution that the Leader of the Council presents a report setting out information regarding the discharge of executive functions for the year ahead. The information required for 2012/13 is set out below.

Recommendations:

To receive and note the Leader's Report to Council on the Discharge of Executive Functions.

Reasons for recommendation

To meet the obligations set out in the Executive Procedure Rules paragraph 1 (page 92) of the Constitution.

1. Role and Composition of the Executive

The Executive Procedure Rules require that the Leader of the Council reports on the discharge of executive functions for the year ahead. For 2012/13 the arrangements shall be as follows

a. Members of the Executive

Councillor Mark Crane – Leader of the Council

Councillor Gillian Ivey – Lead Councillor for External relations/partnerships and Deputy Leader of the Council

Councillor Clifford Lunn – Lead Councillor for Finance and Resources

Councillor John Mackman – Lead Councillor for Place Shaping

Councillor Christopher Metcalfe – Lead Councillor for Communities

b. Executive Committees

No Executive Committees were established in 2011/12 and there are no plans to appoint any Executive Committees in the year ahead.

c. Executive Delegations

No standing Executive Delegations to Members of the Executive were established in 2011/12 and there are no plans to establish any standing Executive Delegations in the year ahead. From time to time specific delegations may be considered appropriate to deal with matters specified at the time.

d. Executive Delegations to Officers

The full Scheme of Delegations to Officers is set out in Part 3 of the Council's Constitution and there are no proposals to amend the delegations set out in that part of the Constitution.

e. Executive Delegations to Community Engagement Forums

The full Scheme of Delegations to Committees and other Bodies, including Community Engagement Forums is set out in Part 3 of the Council's Constitution and there are no proposals to amend the delegations set out in that part of the Constitution.

f. Executive Delegations to Joint Committees

The Council undertakes the following functions by way of Joint Committees and the Executive Councillors appointed to serve under those arrangements are set out below:

Building Control (North Yorkshire Building Control Partnership) –
Councillor John Mackman

Procurement (North Yorkshire Procurement Partnership) –
Councillor Mark Crane (with Cllr Cliff Lunn as substitute)

From April 2012 the former Joint Committee responsible for delivering Internal Audit services (North Yorkshire Audit Partnership) ceased to operate and from that date Internal Audit services are provided by a Joint Venture Company (Veritau) to which the Council is a shareholder. There are no Executive Councillors appointed to serve under this arrangement.

2. Legal/Financial Controls and other Policy matters

None arising from this report

3. Background Documents

None

Contact Details:

Keith Dawson
Director of Community Services

Start Times for Committees in 2011/12

Meeting	Start Time
Council	6.00pm
Annual Council	4.00pm
Executive	4.00pm
Licensing	10.00am
Planning	4.00pm
Access Selby Board	5.00pm
Policy Review	5.00pm
Scrutiny	5.00pm
Audit	5.00pm
Standards	5.00pm