



Summons and Agenda for the
Annual Council Meeting

to be held on
TUESDAY 16 MAY 2017

at
4.00pm





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 16 MAY 2017** starting at **4.00pm**. The Agenda for the meeting is set out below.

Janet Waggott
Chief Executive

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to:- (i) the recording being conducted under the direction of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact, prior to the start of the meeting, Palbinder Mann – Democratic Services Manager via pmann@selby.gov.uk or 01757 292207. Any recording must be clearly visible to anyone at the meeting and be non-disruptive.

Light 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 receive nominations for the election of Chairman of the Council for the 2017/2018 Municipal Year.

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.

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

e) Investiture of Chairman's Consort

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

The past Chairman's Consort will duly invest the newly elected Chairman's Consort.

A presentation of a gift will take place to the Chairman's Consort.

The retiring Chairman's Consort will take his 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 receive nominations for the appointment of Vice Chairman of the Council for the 2017/2018 Municipal Year.

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 of a gift to the Vice Chairman's Consort will take place.

5. Minutes

To approve as a correct record the minutes of the Council meeting held on 25 April 2017 (to follow).

6. Communications

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

7. Review of Standards Arrangements and Updates to the Constitution

To receive a report proposing changes to the Council's Constitution and Standards arrangements (pages 1 to 37 attached).

8. The Leader's Report on the Exercise of Executive Functions

To receive a report from the Leader of the Council setting out information regarding the discharge of executive functions for the year ahead (pages 38 to 45 attached).

9. Appointments to the Committees of the Council, Chairs of the Community Engagement Forums and the Calendar of Meetings for the 2016/17 Municipal Year.

To consider appointments to Committees, the Chairs of Community Engagement Forums and the Calendar of Meetings for the 2017/17 Municipal Year (pages 46 to 49 attached).

10. Council Appointments to Outside Bodies

To consider appointments to Non-Executive Outside Bodies for the 2017/18 Municipal Year (pages 50 to 51 attached).

Following the meeting, everyone is invited to a buffet reception which will be held in the Café area.



Public Session

Report Reference Number: C/16/21 Agenda Item No: 7

To: Council
Date: 16 May 2017
Lead Officer: Gillian Marshall, Solicitor to the Council

Title: Review of Standards Arrangements and Updates to the Constitution

Summary:

This report highlights the proposed changes to the Constitution and the Standards Arrangements and asks Council to approve the changes with immediate effect.

As part of the preparations for Annual Council a review of the Constitution is undertaken to ensure it is up to date and fit for purpose.

In the 2017 Review it has been identified that updates could be made to the Scheme of Delegation for planning to deal with a Written Ministerial Statement on affordable housing contributions which has necessitated the creation of a Planning Sub Committee and to the Officer Code of Conduct. These amendments have been considered by Audit and Governance Committee and are recommended for approval by Council.

In addition, on 13 December 2016, full Council received a report from the Monitoring Officer on the operation of the current standards regime for Selby District Council and Parish Councils within Selby District. The report considered the complaints history and concluded that, whilst the arrangements were satisfactory and met legal duties, there were areas for improvement and recommended a review be undertaken. Council resolved to ask Audit and Governance Committee to review the Standards Arrangements and to report back to Council if they consider any changes should be made.

Recommendation:

- (i) to adopt the revised Standards Arrangements set out at Appendix A;**

- (ii) to establish a **Standards Sub-Committee** as a sub-committee of the **Audit and Governance Committee** with the **Terms of Reference** at **Appendix B**;
- (iii) that the membership of the **Standards Sub-Committee** be **3 District Councillors** from the **Audit and Governance Committee** and **two co-opted members** from a **Parish Council**;
- (iv) that consequential amendments be approved to **Article 9** as set out in **Appendix C**.
- (v) To note and endorse the changes to the **Scheme of Delegation** at **Part 3** of the **Constitution** as set out in **Appendix D**
- (vi) To approve the revised **Officer Code of Conduct** and **Appendix E** and grant a delegation to the **Chief Executive** to make further amendments in consultation with the **Leader of Council**.

Reasons for recommendation

To ensure the Standards Arrangements and Constitution are up to date and fit for purpose.

1 Introduction and background

- 1.1 In December 2016 the Monitoring Officer made a report to full Council on the operation of the current standards regime for Selby District Council and Parish Councils within Selby District. The report considered the complaints history since the arrangements were adopted in 2011 and concluded that, whilst the arrangements were satisfactory and met legal duties, there were areas for improvement and recommended a review be undertaken.
- 1.2 Full Council resolved to ask Audit and Governance Committee to conduct a Review. The Committee appointed a working group consisting of Councillors Jordan, J Chilvers and Marshall which met on 2 March 2017. Audit and Governance Committee considered and endorsed the findings and recommendations of the working group on 19 April 2017.
- 1.3 As part of the preparations for Annual Council a review of the Constitution was undertaken by the Council's Leadership Team to ensure it is up to date and fit for purpose. .

2 Conclusions from the Review of Standards Arrangements

- 2.1 It was noted that the arrangements introduced by Selby District Council in response to the Localism Act 2011 did not provide for councillor involvement, and required that all factual matters were determined by

the Monitoring Officer with advice from the Independent Persons. The issue of sanctions was reserved to full Council. The Working Group considered representations from the Independent Persons, both of whom supported changes to the standards arrangements to include greater councillor involvement and the changes recommended by Audit and Governance Committee achieve that objective.

- 2.2 Audit and Governance Committee endorsed the Working Group recommendation that a hearings committee be formed as a sub-committee of the Audit and Governance Committee. The revised arrangements include timescales for the various stages and assessment criteria to guide the Monitoring Officer in deciding which cases should progress to hearing. It was also noted that under such an arrangement the Monitoring Officer would be able to provide a quarterly report to the Committee to summarise the volume and nature of complaints received.
- 2.3 The Working Group considered the involvement of Parish Councils, as the District Council is required to determine standards matters relating to parishes. The Working Group and Audit and Governance Committee agreed that Parish Council involvement was important and recommended that the membership of the Standards Sub-Committee should include two co-opted Parish Councillors. A pool of Parish Councillors will be created by the Monitoring Officer to ensure that at least one will be available and that they are not from the same Council as the subject of the complaint.
- 2.4 Under the revised arrangements an Investigating Officer will be appointed to conduct any investigations and the role of the Monitoring Officer and the Independent Persons at any hearing would be to advise the Standards Sub-Committee.
- 2.5 The proposed revised arrangements and Terms of Reference are attached as Appendix A and B.
- 2.6 As a result of these changes consequential amendments will be needed to Article 9. A draft revision is attached at Appendix C.

3 Conclusions from the Constitution Review

- 3.1 The 2017 Review highlighted that changes could be made to
 - The Scheme of Delegation for Planning
 - The Officer Code of Conduct

Planning Delegations

- 3.2 As a result of a Written Ministerial Statement (WMS) dated 28 November 2014, proposals for an affordable housing contribution from sites of 1-9 dwellings which were required by policy SP9 of the Core Strategy are no longer being sought. Nor is on-site provision being

sought for schemes of 10 units. The WMS is being treated as a material consideration which justifies a departure from the adopted development plan. However the Scheme of Delegation requires that all applications which are a departure from the development plan be determined by Members and not officers. As a result, a Planning Sub-Committee has been formed to consider these applications.

- 3.3 As a result of the creation of the Planning Sub Committee a significant level of additional resources are required in terms of increased planning officer time, plus support from other services including legal, democratic and business support services and Member time over and beyond what would be required to determine an application under delegated powers.
- 3.4 An amendment is therefore sought to the Scheme as follows :-

Current	Proposed
Any major or minor applications which are recommended to be approved contrary to the requirements of the Development Plan	Any major or minor applications which are recommended to be approved contrary to the requirements of the Development Plan with the exception of minor applications for residential development which are in accordance with the NPPF and the Written Ministerial Statement of 28 November 2014.

- 3.5 Officers consider that the benefits of not having the Sub Committee would bring significant benefits such as faster decision making with those applications contributing towards the 5 year housing supply, providing a more effective service for applicants by improving the speed of which decisions are made, more officer time will be available to put towards other case work and more time available for members who currently sit on the Sub Committee to deal with other matters. It is also considered that there would be financial savings in terms of reduction in the costs of administering the meetings.
- 3.6 Since the first Sub Committee was re-established on 26 July 2016 there have been 78 applications that have been presented to the Sub Committee (an average of 9 per Sub Committee) of which there have been 14 cases where third parties (applicant, agent or objector) have registered to speak. There have been no cases at the Sub Committee that have resulted in a decision to seek the affordable housing contributions.
- 3.7 Planning is a council function and therefore this change must be approved by full Council.

Other changes in Scheme of Delegation

- 3.8 Authority was previously granted to the Solicitor to the Council to make changes to the Scheme to reflect the new organisational structures. Some in year changes have been made and now that the full Structure is in place, the Scheme has been further updated. No changes of substance to the level of delegations have been made but the Scheme has been rewritten and clarified.
- 3.9 The full revised scheme is attached at Appendix D. Where the functions listed are council functions, the ultimate decision maker is council. Where they are executive functions they are at the discretion of the Leader and are updated annually in the Leader's Report at the Annual meeting.

The Officer Code of Conduct

- 3.10 The Officer Code is incorporated into the Terms and Conditions of employment for officers and helps to set organisational culture as well as being referred to in disciplinary matters. The draft Code at Appendix B has been updated as shown in for clarity and reflecting experience of issues arising over the past few years.
- 3.11 Unison has been consulted and has raised no issues with the proposed changes.
- 3.12 As the Code is part of the Constitution it can only be changed by full Council. However as the document does need to be refreshed periodically in the light of experience and to reflect best practice it would be beneficial to give the Chief Executive delegated authority to make further changes in consultation with the Leader of Council.
- 3.13 All the above changes are supported by the Audit and Governance Committee.

3 Legal/Financial Controls and other Policy matters

3.1 Legal issues

- 3.1.1 Under s 27 of the Localism Act the Council is under a duty to promote and maintain high standards of conduct by Councillors and co-optees. Primary responsibility for the discharge of this duty falls to the Monitoring Officer.
- 3.1.2 A local authority is under a duty to prepare and keep up to date its constitution under s.9P Local Government Act 2000 as amended.

3.2 Financial Issues

None identified.

4 Conclusion

- 4.1 That Council should consider and approve the proposed changes.

5 Background Documents/Contacts

Contact Officer: *Gillian Marshall, Solicitor to the Council*

Appendices:

Appendix A: Draft revised Standards Arrangements

Appendix B: Draft proposed Terms of Reference

Appendix C: Draft revision to Article 9

Appendix D: Draft revised Scheme of Delegation

Appendix E: Draft revised Code of Conduct

Arrangements for dealing with standards allegations under the Localism Act 2011

These “Arrangements” set out how you may make a complaint that an elected or co-opted member of Selby District Council (or of a parish or town council within its area) has failed to comply with that Council’s Code of Conduct, and sets out how the Council will deal with allegations of a failure to comply with the Council’s Code of Conduct.

Under Section 28(6) and (7) of the Localism Act 2011, the Council must have in place “arrangements” under which allegations that a member or co-opted member of the Council (or of a parish or town council within the Council’s area), or of a Committee or Sub-Committee of the Council, has failed to comply with that Council’s Code of Conduct can be investigated and decisions made on such allegations.

Such arrangements must provide for the Council to appoint at least one Independent Person, whose views must be sought by the Council before it takes a decision on an allegation which it has decided shall be investigated, and whose views can be sought by the Council at any other stage, or by a member (or a member or co-opted member of a parish or town council) against whom an allegation has been made.

The Code of Conduct

Selby District Council has adopted a Code of Conduct for members, which is set out at Part 4 of this Constitution and available for inspection on the Council’s website and on request at Access Selby in Selby Town Centre.

Each parish or town council is also required to adopt a Code of Conduct. If you wish to inspect a Parish or Town Council’s Code of Conduct, you should inspect any website operated by the parish or town council or request the clerk to allow you to inspect that council’s Code of Conduct.

1 Making a complaint

If you wish to make a complaint, please write or email to –

The Monitoring Officer
Selby District Council
Civic Centre
Doncaster Road
Selby YO8 9FT

Or –

standards@selby.gov.uk

The Monitoring Officer is a senior officer of the Council who has statutory responsibility for maintaining the register of members’ interests and who is

responsible for administering the system in respect of complaints of Councillor misconduct.

2. Procedure for Dealing with Complaints

In order to ensure that we have all the information which we need to be able to process a complaint, complainants are asked to complete and send us the standard complaint form, which can be downloaded from the Council's website, next to the Code of Conduct, and is available on request from the Customer Contact Centre. Complainants who choose not to use the standard form must ensure that they provide us with all of the equivalent information; otherwise we may not be able to deal with their complaint.

The Council does not normally investigate anonymous complaints, unless there is a clear public interest in doing so.

The Monitoring Officer will acknowledge receipt of a complaint within 5 working days of receiving it. He/she will keep parties informed of the progress of a complaint.

The Monitoring officer will also normally inform the subject Councillor that a complaint has been made and send them a copy of it. If a complainant has a genuine reason why their details should be withheld from the subject Councillor they should advise the Monitoring Officer of this. The Monitoring Officer may decide to withhold the details or advise the complainant that in the interests of fairness the details will not be withheld. In that case the complainant may choose not to proceed with the complaint.

The following presumptions will apply to the procedure

- There will be a working assumption that details of the allegations made against a Councillor should not be made public until the end of the process and only if there is an investigation (subject to the rules on access to information).
- There will be recognition from the outset of any complaint that the action that can be recommended at the end of any process must be proportionate to the need to ensure effective administration of the Council, the welfare of its staff or the reputation of the Council.
- There will be an overriding presumption that complaints should be settled quickly, efficiently and informally and in a way that represents value for money and takes into account the limited action that can be taken against a Councillor.

Assessment stage

The Monitoring Officer will review every complaint received and apply the assessment criteria at Appendix 1. He/she will, after consultation with the Independent Person, take a decision as to whether it merits further formal action.

This decision will normally be taken within 14 days of receipt of a complaint. Where the Monitoring Officer has taken a decision, he/she will inform the complainant and the subject Councillor of his/her decision and the reasons for that decision.

Where he/she requires additional information in order to come to a decision, he/she may come back to the complainant for such information, and may request information from the member against whom the complaint is directed. Where a complaint relates to a Parish or Town Councillor, the Monitoring Officer may also inform the Parish or Town Council of the complaint and seek views before deciding whether the complaint merits formal investigation.

In appropriate cases, the Monitoring Officer may seek to resolve the complaint informally, without the need for further formal action. Such informal resolution may involve the Councillor against whom the complaint is made accepting that his/her conduct was unacceptable and offering an apology, or other remedial action by the Councillor.

Where the Councillor or the Council make a reasonable offer of local resolution, but the complainant is not willing to accept that offer, the Monitoring Officer will take account of this in deciding whether the complaint merits further formal action.

If a complaint identifies criminal conduct or breach of other regulation by any person, the Monitoring Officer has the power to call in the Police and other regulatory agencies.

The Investigation Stage

If the Monitoring Officer decides that a complaint merits further formal action he/she will appoint an Investigating Officer who will arrange for an investigation to take place.

There will be a presumption that any investigations will be completed quickly and where possible by correspondence.

Wherever possible the investigation will conclude and report within 6 weeks of the matter being referred for investigation.

The Hearings Stage

On receipt of the investigation report and where the report indicates that a breach of the Code has occurred the Monitoring Officer will arrange a Hearing. The Monitoring Officer will make reasonable efforts to ensure that the date for the hearing is suitable to all parties but will not tolerate unreasonable delay.

The Hearing will be before the Standards Sub-committee of the Audit and Governance Committee. The Sub-committee will consist of 3 District Councillors who will not all be from the same political party. Where a complaint is in relation to a Town or Parish Councillor the panel will also include one ~~two none-voting~~ co-opted Town or Parish Councillor. The co-opted Parish representatives will not be from the same parish as the subject councillor.

The Complainant will be offered the opportunity to set out their complaint and comment on the investigation report.

The Subject Councillor will have an opportunity to respond to the Complaint and the investigation report.

The Sub-committee will then decide whether a breach has occurred and announce their findings. If the Hearing finds no breach of the Code of Conduct they will close the hearing and close the complaint.

If the hearing finds a breach of the Code of Conduct the Sub-committee may, after consulting the Independent Person, seek a local resolution. Such resolution may include the Councillor accepting that his/her conduct was unacceptable and offering an apology, and/or other remedial action by the Councillor. If the Councillor complies with the suggested resolution, the Monitoring Officer will report the matter to the Council (or the Parish or Town Council) for information, but will take no further action.

However, if no local resolution is possible or appropriate, the Monitoring Officer will refer the matter to the relevant Council and indicate the Sub-committee's views and recommendation on the appropriate sanction.

Recommended Action

The Sub-committee may recommend any sanction which is in accordance with the law and is proportionate to the findings. Examples of such sanctions include:

- 1.1 That Council pass a motion of censure against the Councillor concerned.
- 1.2 Publishing the findings in respect of the member's conduct;
- 1.3 Recommending to the Councillor's Group Leader (or in the case of ungrouped Councillors, recommend to Council or to Committees) that he/she be removed from any or all Committees or Sub-Committees of the Council;
- 1.4 Recommending to the Leader of the Council that the Councillor be removed from the Cabinet, or removed from particular Portfolio responsibilities;
- 1.5 Arranging training for the Councillor;
- 1.6 Removing (or recommend to the Parish or Town Council that the member be removed) from all outside appointments to which he/she has been appointed or nominated by the Council (or by the Parish or Town Council);

- 1.7 Withdrawing (or recommend to the Parish or Town Council that it withdraws) facilities provided to the member by the Council, such as a computer, website and/or email and Internet access; or
- 1.8 Excluding (or recommend that the Parish or Town Council exclude) the Councillor from the Council's offices or other premises, with the exception of meeting rooms necessary for attending Council, Committee and Sub-Committee meetings.

The Council has no power to suspend or disqualify the Councillor or to withdraw Councillors basic or special responsibility allowances.

Revision of these arrangements

These arrangements will be kept under review and may be amended by resolution of the Audit and Governance Committee.

Appeals

There is no right of appeal for complainants or for the Councillor against a decision of the Monitoring Officer or Sub-committee.

Appendix 1

Jurisdiction and Assessment Criteria

Jurisdiction

Before assessment of a complaint begins, the Monitoring Officer, in consultation with the Independent Person, should be satisfied that the complaint meets the following tests:

1. it is a complaint against one or more named Members/voting co-opted Members (“Members”) of the authority or of a Parish Council within the District;
2. the named Member was in office at the time of the alleged conduct and the Code of Conduct was in force at the time.
3. the complaint, if proven, would be a breach of the Code under which the Member was operating at the time of the alleged misconduct.

If the complaint fails one or more of these tests it cannot be investigated as a breach of the Code, and the complainant must be informed that no further action will be taken in respect of the complaint.

Assessment Criteria

All complaints falling within the jurisdiction of the standards regime will be assessed by the Monitoring Officer, in consultation with the Independent Person, in accordance with the criteria below.

More than one criteria may be applicable to a complaint.

1. Capacity

Was the Councillor acting in in the capacity of councillor at the time of the alleged conduct?

If the answer is **no**, the Code did not apply to the Councillor at the time of the alleged conduct and therefore there can be no breach of the Code.

2. Triviality

Is the complaint too trivial to warrant further action?

If the answer is **yes**: the Monitoring Officer may decide the matter does not warrant further investigation

3. Sufficient Information

Has the complainant submitted enough information to satisfy the Monitoring Officer assessing the complaint that the complaint should be referred for investigation or other action?

If the answer is **no**: the Monitoring Officer may decide the matter does not warrant further investigation

4. Prior Investigation/Action

Has the complaint already been the subject of an investigation or other action relating to the Code of Conduct? Similarly, has the complaint been the subject of an investigation by other regulatory authorities?

If the answer is **yes**: the Monitoring Officer may decide the matter does not warrant further investigation

5. Passage of Time

Is the complaint about something that happened so long ago that there would be little benefit in taking action now?

If the answer is **yes**: the Monitoring Officer may decide the matter does not warrant further investigation

6. Underlying Motivation

Does the complaint appear to be simply malicious, vexatious, politically motivated or tit-for-tat?

If the answer is **yes**: the Monitoring Officer may decide the matter does not warrant further investigation

8. Anonymous Complaints

Is the complaint under consideration anonymous?

If the answer is **yes**, the Monitoring Officer will only refer such a complaint for investigation or some other action if it includes documentary or photographic evidence indicating an exceptionally serious or significant matter and/or if there is a significant public interest in doing so.

9. Requests for Confidentiality

Has the complainant asked for his/her identity to be withheld?

If the answer is **yes**, the Monitoring Officer will need to consider the request by the complainant for confidentiality alongside the substance of the complaint itself.

As a matter of fairness and natural justice, Members will usually be told who has complained about them. Requests for confidentiality should only be granted in exceptional circumstances and at the discretion of the Monitoring Officer, in consultation with the Independent Person. The following considerations may assist the Monitoring Officer's deliberations in this respect:

(a) Whether the complainant has reasonable grounds for believing that they will be at risk of physical harm if their identity is disclosed;

(b) Whether the complainant is an officer who works closely with the subject Councillor and they are afraid of the consequences to their employment or of losing their job if their identity is disclosed (NB: this should be covered by the Council's Whistle-Blowing Policy);

(c) Whether the complainant suffers from a serious health condition and there are medical risks associated with his/her identity being disclosed. In such circumstances, the Monitoring Officer may wish to request medical evidence of the complainant's condition. In such cases, the Monitoring Officer may give the complainant the option of requesting a withdrawal of his/her complaint;

(d) Whether the disclosure of the complainant's identity is necessary for the investigation of the complaint; for example, this may be relevant in a bullying allegation. In such cases, the Monitoring Officer may give the complainant the option of requesting a withdrawal of his/her complaint;

(e) Whether it is possible to investigate the complaint without making the complainant's identity known;

(f) Whether the public interest in proceeding with an investigation outweighs the complainant's wish to have their identity withheld from the subject Member.

Where the Monitoring Officer decides to refuse a request by a complainant for confidentiality, s/he may, in the particular circumstances, decide to offer the complainant the option to withdraw the complaint, rather than proceed with their identity being disclosed.

10. Withdrawal of Complaints

Has the complainant indicated that s/he wishes to withdraw his/her complaint?

If the answer is **yes**, the Monitoring Officer will need to decide whether to grant the request.

The following considerations may assist the deliberations in this respect:

(a) Does the public interest in taking some action on the complaint outweigh the complainant's desire to withdraw it?

(b) Is the complaint such that action can be taken on it, for example an investigation, without the complainant's participation?

(c) Is there an identifiable underlying reason for the request to withdraw the complaint? For example, is there information to suggest that the complainant may have been pressured to withdraw the complaint?

Possible decisions

The Monitoring Officer assessing a complaint may decide to refer the complaint for investigation or seek local resolution (eg training, conciliation); or may decide that no action should be taken in respect of the complaint.

DRAFT

3.5.3 Audit and Governance Committee

1. To monitor and report on the effectiveness of the Council's Constitution.
2. To receive reports from the Monitoring Officer on the effectiveness of the Standards Arrangements adopted by the Council.
3. To scrutinise and approve the Council's Annual Governance Statement, statement of accounts, income and expenditure and balance sheet or records of receipts and payments (as the case may be).
4. To be satisfied that the Council's assurance statements, including the Annual Governance Statement, have been properly developed and considered by councillors.
5. To scrutinise and monitor the control systems, procedures and risk management systems operating at the Council.
- 5-6. To receive, but not direct, internal audit service strategy and plan and monitor performance.
- 6-7. To receive the annual report of the internal audit service
- 7-8. To review summary internal audit reports and the main issues arising, and seek assurance that action has been taken where necessary
- 8-9. To consider the effectiveness of the Council's risk management arrangements, the control environment and associated anti-fraud and anti-corruption arrangements.
- 9-10. To seek assurances that action is being taken on risk-related issues identified by auditors and inspectors.
- 10-11. To consider the reports of external audit and inspection agencies relating to the actions of the Council.
- 11-12. To ensure that there are effective relationships between external and internal audit, inspection agencies and other relevant bodies, and that the value of the audit process is actively promoted.
- 12-13. To review the financial statements, external auditor's opinion and reports to councillors, and monitor management action in response to issues raised by external audit.

13.14. To issue reports and make recommendations, where appropriate, and in relation to any matters listed above, for consideration by the Council, Executive or the relevant committee of the Council.

14.15. To monitor the Council's use of the Regulation of Investigatory Powers Act (RIPA) 2000 for the use and authorisation of surveillance.

Standards Sub-Committee

To include two Parish Council representatives as co-opted members

1. Functions relating to standards of conduct of members under any relevant provision of, or regulations made under, the Localism Act 2011.

Article 9 - Standards Arrangements

9.1 Standards Arrangements

The Council [has](#) adopted a local Code of Conduct and Standards Arrangements ~~on 26 June 2012 to come into effect on 1 July 2012~~. A copy of the code of conduct and the Standards Arrangements are attached to this Constitution at Part 5

PART 3.9 - OFFICER DELEGATION SCHEME

3.9.1 General

- (a) Councillors set policy priorities and strategies to reflect local interests and needs and are also responsible for allocating funding between individual priority areas. The Chief Executive, Directors, the Solicitor to the Council, the Chief Finance Officer and Heads of Service and their staff implement these strategies and policies. It is officers therefore, who have responsibility for managing the Council's day to day operations, within a policy and budgetary framework laid down by Councillors.
- (b) Under the executive arrangements adopted by the Council, both full Council and the Executive have specific functions and many of these can be delegated to committees or officers. Where Council or the Executive have established a committee to discharge their respective functions then subject to any limitations imposed by the Council/Executive respectively, that committee can also delegate its functions to an officer.
- (c) The functions delegated to officers by the Executive and Council are set out in the delegations below

3.9.2 General conditions applying to all delegated powers:

- (a) Functions must be discharged by officers in the manner set out below and at all times in accordance with:
 - (i) the Constitution of the Council;
 - (ii) any relevant policies, directions, rules of procedure and codes of practice of the Council;
 - (iii) approved budgets; and
 - (iv) decisions of the Executive and Council and their committees.
- (b) The Council can, without prejudice to any action already taken, amend or revoke this scheme of delegation at any time (in accordance with the arrangements for amending this Constitution as set out in Article 15);
- (c) Named officers may arrange for functions to be discharged by others, but will remain accountable for those functions. Where such further delegation takes place the relevant authorisation shall be set out in writing.
- (d) An officer shall not incur, nor commit the Council to, any expenditure for which there is no budget provision, or for which specific approval is required and has not been received, except in an emergency. In such

circumstances, the agreement of the Leader of the Council and the Chief Finance Officer S151) will first be obtained, and the circumstances subsequently reported to the Executive.

- (e) Any matter which, in the judgement of the officer exercising powers under this Scheme, is likely to give rise to unusual difficulty, or the circumstances of which are likely to give rise to controversy or other extraordinary consideration, shall be dealt with only after consultation with the Leader of the Council, appropriate Executive Councillor or Committee Chair.
- (f) Notwithstanding the provisions of this Scheme, the officer may bring before the Executive or appropriate committee for determination any matter which, having regard to his or her knowledge and understanding of the circumstances, should more appropriately be decided by the Executive or decision making body or which involves questions of policy not yet determined by the Council.
- (g) An Executive Councillor may request that an officer refrains from exercising a delegated executive authority in respect of a particular matter and refer it instead to the Executive, for a decision. The Officer shall have regard to this request before deciding how to proceed.
- (h) Any reference within this Scheme to `Chair' shall be taken to apply to the Vice-Chair where contact with the Chair cannot be made.
- (i) Delegated powers shall include the carrying out of all duties and powers covered by the function including administrative and procedural acts, the exercising of discretion and the making of determinations.

3.9.3 Specific Functions delegated to the Chief Executive

- (a) To act as Head of Paid Service for the Council and in particular:
 - (i) to have authority over all other officers (except the Monitoring Officer and the Section 151 Officer when either act in that capacity) and to be able to approve sub delegation any of their functions in their absence;
 - (ii) to formulate employment practices and procedures; and
 - (iii) to deal with routine matters of day-to-day administration, management and control of matters which are necessary for the proper performance of the Chief Executive's terms of appointment.
- (b) To exercise all the functions of the Proper Officer of the Council under all legislation in relation to both executive and non-executive functions except where that legislation or this Scheme delegates

such functions to another named officer.

- (c) To formulate and co-ordinate professional advice to all parties in the decision-making process and, in particular, to advise on strategic and corporate policy and to ensure that appropriate arrangements are in place to give effect to the strategies, plans and policies of the Council.
- (d) To sign on behalf of the Council any document necessary to give effect to any decision of the Council in relation to both executive and non-executive functions.
- (e) To act as the authorised representative of the Council in respect of (1) its membership of any limited company to give effect to any decision of the Council in relation to executive functions or (2) any partnership or (3) any external bodies which are required by statute or the Council.
- (f) To act as the Returning Officer and undertake all functions relating to elections and electoral registration.
- (g) Under the Data Protection Act 1998 and Freedom of Information Act 2000, and guided by the Access to Information Procedure Rules, to decide appeals as to whether applications by councillors for access to material should be refused.
- (h) To amend the approved establishment and staffing structure, provided any changes are consistent with the budget and policy framework.
- (i) To approve (in consultation with the Leader) any matter, including funding agreements, necessary to give effect to any resolution of the West Yorkshire Combined Authority in respect of recommendations of the Leeds City Region LEP affecting the Selby District.¹
- (j) To discharge any function of the Council not otherwise delegated to Chief Officers, or other named officers.
- (k) Limits, controls and conditions
 - (i) After consultation with the Leader of the Council:
 - to exercise all the Council's functions in emergency or urgency situations which, in the Chief Executive's opinion, seriously affect the functions of the Council and/or the well-being of the Council's area; and
 - to receive and consider proposals for the Executive's

¹ This function has also been delegated concurrently by the Leader to the Director of Regeneration and Place

Forward Plan and annual work programmes of committees and make recommendations on those work programmes to the Council.

- (ii) After consultation with the relevant Group Leader to authorise any amendments or changes to the appointment of councillors and substitute councillors to committees or outside bodies.
- (iii) After consultation with the Chief Finance Officer (s151) to approve supplementary estimates up to and including £10,000 (up to an overall limit of £50,000 in any one year) and to report details of all such approvals to the Executive on a quarterly basis.

3.9.4 Specific Functions delegated to the Directors

- (a) To deputise for the Chief Executive when the Chief Executive is absent or unable to act in that capacity:

3.9.5 Specific Functions delegated to the Solicitor to the Council

- (a) To act as the Deputy Returning Officer
- (b) To act as the Monitoring Officer:
 - (i) To be the proper officer to receive complaints of failure to comply with the local Councillor Code of Conduct;
 - (ii) To take all of the actions necessary to implement and operate the arrangements adopted from time to time by the Council for dealing with complaints of failure to comply with the local Councillor Code of Conduct;
 - (iii) To prepare and maintain a register of councillors interests to comply with the requirements of the Localism Act 2011 and the Council's Code of Conduct, and ensure that it is available for inspection as required by the Act
 - (iv) To prepare and maintain registers of councillors' interests for each Town and Parish Council to comply with the Act and any Code of Conduct adopted by each Town or Parish Council and ensure that it is available for inspection as required by the Act;
 - (v) To grant dispensations from the rules concerning councillor interests
 - (vi) To determine requests for councillors' interests to be considered and dealt with as sensitive interests

- (vii) To make administrative changes to the Constitution or changes to names, titles or designations and changes consequential to legislative changes, where the Council does not have a discretion on how the changes should be implemented or which do not alter the purpose or intent of this Constitution.
- (viii) To deal with complaints (including complaints relating to maladministration) and to authorise without prejudice payments or other benefits up to a value of £1000
- (d) To undertake all of the Council's functions in connection with:
 - Local Authority Legal Services
 - Local Land Charges and Searches/Enquiries
 - Community Legal Service
 - Data Protection and Freedom of Information
 - National Assistance Act 1948 and subsequent legislation
- (e) To deal with routine matters of day-to-day administration, management and control within the remit of the Solicitor to the Council or matters which are necessary for the proper performance of the Solicitor to the Council's terms of appointment.
- (f) To institute, defend, participate in or settle any legal proceedings in any case where such action is necessary to give effect to decisions of the Council, ensure the implementation of Council policy or to protect the Council's interests, including issuing instructions to Counsel.
- (g) To authenticate any documents necessary for the exercise of any function of the Council.
- (h) To sign Statements of Truth in civil proceedings as required by the Civil Procedure Rules 1998
- (i) To have overall responsibility for information governance
- (j) To carry out the licensing functions of the Council relating to
 - (i) Taxi, food and miscellaneous licensing, health and safety and certain deposits on the highway as set out in Sections B, C and I(22) of Schedule 1 of the Local Authorities (Responsibilities for Functions) (England) Regulations 2000 as from time to time in force
 - (ii) Contaminated land, control of pollution and the management of air quality as set out in Schedule 2 of the Local Authorities (Responsibilities for Functions) (England) Regulations 2000 as from time to time in force
 - (iii) Decisions as to the revocation of HMO licences under the Housing

Act 2004

- (iv) Smoke free premises under the Health Act 2006.
- (v) Motor salvage and scrap metal
- (vi) Functions under the Licensing Act 2003 including applications for and variations to premises licences, club premises certificates and provisional statements where a relevant representation has been made and not withdrawn and imposing appropriate conditions*
- (vii) Licensing functions under the Gambling Act 2005
- (k) Limits and Controls

Licences and registrations may be issued, under delegated authority, but not refused.

3.9.5 Specific Functions delegated to the Chief Finance Officer (s151)

- (a) To have responsibility for the Council's financial affairs in accordance with s151 of the Local Government Act 1972 and to act as financial adviser to the Council, Executive and committees.
- (b) To have overall responsibility for the Council's finance functions, systems and controls either directly (where services are under the management of the s151 Officer) or indirectly (where the services are managed elsewhere within or external to the Council), including:
 - (i) Accountancy (including banking)
 - (ii) Investments, borrowing and financing
 - (iii) Insurances
 - (iv) Housing and Council Tax Benefits
 - (v) Council Tax, NNDR and other Revenues
 - (vi) Internal Audit (including matters arising from the Internal Audit Company)
 - (vii) Debtors and Creditors
 - (viii) The Collection Fund
 - (ix) Investigation of fraud and financial impropriety
 - (x) The control of funds and reserves
 - (xi) Risk Management
 - (xii) Financial governance
- (c) To deal with routine matters of day-to-day administration, management and control within the remit of the Chief Finance Officer (s151) or matters which are necessary for the proper performance of the Chief Finance Officer (s151) terms of appointment.

- (d) Limits, controls and conditions
- (i) Where satisfied that recovery is not economically possible, to write off as irrecoverable, any debt, charge, penalty or arrears owing to the Council up to an amount of £50,000 in each case and to write off amounts over £50,000 only after consultation with the Leader of the Council (or the Lead Member for Finance in the Leader's absence).
 - (ii) To authorise expenditure arising in the case of emergencies/disasters of up to £20,000 under Section 38 of the Local Government Act 1972, subject to a report back to the Executive.
 - (iii) To grant ex gratia payments of up to £300 in appropriate circumstances to staff suffering loss in the course of their duties that is not covered by insurance.
 - (iv) After consultation with the Chief Executive, to administer the operation of the Car Loan Scheme, in accordance with Council Policy for all officers within the Scheme (except in the case of a car loan for the Chief Executive when there shall be prior consultation with the Leader of the Council).

3.9.6 General (executive and non-executive) Functions delegated to Directors

- (a) To deal with routine matters of day-to-day administration, management and control or matters which are necessary for the proper performance of their terms of appointment.
- (b) To undertake the day-to-day management of the services and functions for which they are responsible, including the deployment of personnel, premises, vehicles, plant, equipment and other resources under their control.
- (c) Within the budget and policy framework to recruit, manage and, where necessary, dismiss staff under their control and in particular:
 - (i) to authorise pay and conditions (including honoraria);
 - (ii) to undertake disciplinary proceedings;
 - (iii) to defend and, if necessary (and subject to the approval of the Executive Director with s.151 responsibilities if it involves claiming on the Council's insurance), settle any claims made against the Council following consultation with the Solicitor to the Council;
 - (iv) to be responsible for the health and safety at work of staff;
 - (v) to implement all employment policies, practices and procedures;

- (vi) to operate the Council's Grievance, Disciplinary and Competency Procedures;
 - (vii) to authorise appropriate changes to post titles; and
 - (viii) to issue and revise statutory authorities to officers.
- (e) To acquire, dispose of, grant and obtain rights in land, premises, vehicles and other equipment and property for the purposes of delivering the Council's functions on such terms and conditions as are considered appropriate.
 - (f) To provide, procure, and commission goods and services and to undertake, procure and commission works.
 - (g) After consultation with the Head of Service Contracts, Commissioning and Procurement, to accept a tender where delay could prevent a contractor commencing in accordance with the date of site possession.
 - (h) To provide grants and other financial assistance.
 - (i) After consultation with the Chief Executive, to authorise the issuing of an essential variation order which would increase the contract sum where delay would substantially increase the cost.

3.9.7 General (executive and non-executive) Functions delegated to Heads of Service

- (a) To deal with routine matters of day-to-day administration, management and control within the remit of the Head of Service or matters which are necessary for the proper performance of their terms of appointment.
- (b) To undertake the day-to-day management of the services and functions for which they are responsible, including the deployment of personnel, premises, vehicles, plant, equipment and other resources under their control.
- (c) Within the budget and policy framework to recruit, manage and, where necessary, dismiss staff under their control and in particular:
 - (i) to authorise pay and conditions (including honoraria);
 - (ii) to undertake disciplinary proceedings;
 - (iii) to defend and, if necessary (and subject to the approval of the Chief Finance Officer (S151) if it involves claiming on the Council's insurance), settle any claims made against the Council following consultation with the Solicitor to the Council;
 - (iv) to be responsible for the health and safety at work of staff;
 - (v) to implement all employment policies, practices and procedures;
 - (vi) to operate the Council's Grievance, Disciplinary and Competency Procedures;

- (d) To provide, procure, and commission goods and services and to undertake, procure and commission works.
- (e) After consultation with the Head of Service Contracts, Commissioning and Procurement, to accept a tender where delay could prevent a contractor commencing in accordance with the date of site possession.

3.9.9 **Specific Officer Delegations for Non Executive (council) functions**

Planning and Development Management

The Director of Economic Regeneration & Place and Head of Service Strategic Planning, Policy and Economic Development are authorised to carry out the following functions

- (a) All functions relating to Town and Country Planning and development management as specified in Section A of Schedule 1 of the Local Authorities (Responsibilities for Functions) (England) Regulations 2000 as from time to time in force including enforcement and all powers under planning legislation to obtain information as to interests and particulars of persons interested in land.

- (c) Limits, controls and conditions

This delegation is limited and shall not apply to:

- (i) Any application which is accompanied by an Environmental Impact Statement.
- (ii) Any application which is defined as a significant departure from the adopted development plan [for which the Secretary of State must be consulted](#) as identified in [the Town and Country Planning \(Consultation\) \(England\) Direction 2009](#) ~~planning circular 02/09~~ or in any successor document (~~see definition below~~) and where officers wish to approve the development.
- (iii) Any major or minor applications which are recommended to be approved contrary to the requirements of the Development Plan [with the exception of minor applications for residential development which are in accordance with the NPPF and the Written Ministerial Statement](#).
- (iii) Any application made by or on behalf of a District Councillor or his/her partner.
- (iv) Any application made by any employee within the planning

service or any employee of the Council of Principal Officer grade or above (or the partner of any such employee).

- (v) Any major or minor application where 3 or more consultees object to a planning application and where officers would otherwise determine the application contrary to the specific representations raised by those consultees.
- (vi) Any major or minor application where 10 or more letters of representation are received which in the view of a Director raise material planning considerations and where officers would otherwise determine the application contrary to these representations.
- (vii) Any application which the ward councillor for the area where the proposal lies requests to be heard by the committee in writing within 21 days of the publication of the application in the weekly list and where the request gives valid material planning reasons for doing so. For the avoidance of doubt, matters such as the loss of a view, loss in value of a property or comments such as 'to allow this matter to be heard in the public arena' are not valid material planning considerations.
- (viii) Any proposed tree preservation order which is the subject of a valid objection.

(c) Definitions

Significant departures are [those applications listed defined in the Town and Country Planning \(Consultation\) \(England\) Direction 2009 as following in circular 02/09](#) where the Local Planning Authority wishes to approve the proposal in terms of the following:

- (i) Inappropriate development on land allocated as Greenbelt in an adopted plan or development plan document which consists of :
 - (a) The provision of a building or buildings where the floor space to be created by the development is 1,000 square metres or more:

OR

 - (b) Any other development which, by reason of its scale or nature or location, would have a significant impact on the openness of the Greenbelt.
- (ii) Development [outside town centres](#) which includes or consists of retail, leisure or office use and which:

- (a) Is to be carried out on land which is edge of centre, out of centre or out of town; **AND**
- (b) Is not in accordance with one or more provisions of the development plan in force in relation to the area in which the development is to be carried out; **AND**
- (c) Consists of or includes the provision of a building or buildings where the floor space to be created by the development is:
 - 5,000 square metres or more; **OR**
 - Extensions of new development of 2,500 square metres or more which when aggregated with existing floorspace, would exceed 5,000 square metres.
- (iii) Development having an adverse impact on the outstanding universal value, integrity, authenticity and significance of world heritage sites or their setting, including any buffer zone or its equivalent, and being development to which English Heritage has objected to and that objection not having been withdrawn.
- (iv) Playing field development where the land subject of the application:
 - (a) Is land of a local authority: **OR**
 - (b) Is currently used by an educational institution as a playing field; **OR**
 - (c) Has at any time in the 5 years before the application is received been used by an education institution as a playing field: **AND**
 - (d) Sport England has been consulted and has objected on one or more of the following grounds:
 - That there is a deficiency in the provision of playing fields in the area of the Local Planning Authority;
 - That the proposed development would result in such a deficiency; **OR**
 - That the proposed development involves a loss of playing field and an alternative or replacement playing field is proposed, that alternative or replacement does not match (whether in quantity,

quality or accessibility) that which would be lost.

- (v) Major development in a flood risk area to which the Environment Agency has made an objection that it has not been able to withdraw even after discussion with the Local Planning Authority.

(d) Major applications are defined as follows:

- ten (10) or more units of residential accommodation or site area exceeding 0.5 hectares where it is not known how many dwellings are to be created
- new ~~none residential~~ commercial development over 1,000 square metres or where the site area is 1 hectare or more
- change of use over 1,000 square metres
- amendment or removal of a condition relating to a major development
- ~~site area exceeding 0.5 hectares where it is not known how many dwellings are to be created~~
- development site area is one (1) hectare or more

(e) Minor applications are defined as follows:

- Residential - 1-9 units (including change of use) or less than 0.5 hectare site area
- Non-residential - 50-1,000 square metres floorspace or less than one (1) hectare site area

(f) Other applications are defined as follows:

- Changes of use
- Householder Development
- Advertisements
- Listed building consents (to demolish and alter/extend)
- Conservation Area Consents
- Certificate of Lawful Development

SELBY DISTRICT COUNCIL

CODE OF CONDUCT FOR OFFICERS

1. Standards

Employees of Selby District Council are expected to give the highest possible standard of service to the public and, where it is part of their duties, to provide appropriate advice to Councillors and fellow employees with impartiality. Employees will be expected to bring any impropriety or breach of procedure to the attention of the appropriate line manager. Such information will be treated in the strictest confidence.

Employees should:

- [Accept responsibility for their own professional actions and behaviours](#)
- [Establish, maintain and develop business relationships based on confidence, trust and respect](#)
- [Safeguard all confidential, commercially sensitive and personal data acquired as a result of business relationships](#)

2. Disclosure

It is generally accepted that open government is best. The law requires that certain types of information must be available to Councillors, Auditors, Government Departments, service users and the public. Employees should make themselves aware of which information at the Council is open and which is not and act accordingly, particularly relating to Committee/Board meetings.

Employees should not use any information obtained in the course of their employment for personal gain or benefit, nor should they pass it on to others who might use it in such a way. Any particular information received by an employee from a Councillor which is personal to that Councillor and does not belong to the Council, should not be divulged by the employee without the prior approval of that Councillor, except where such disclosure is required or sanctioned by the law.

3. Political Neutrality

Employees serve the Council as a whole. It follows they must serve all Councillors and not just those of the controlling group and must ensure that the individual rights of all Councillors are respected.

Where employees are required to advise political groups, they must do so in ways which do not compromise their political neutrality. Both employees and Councillors should be aware of this requirement.

Employees must follow every lawful expressed policy of the Council and must not allow their own personal or political opinions to interfere with their work.

The political activities of certain post holders are restricted due to the seniority, or political sensitivity of the post. Details of these restrictions are incorporated into individual

contracts of employment. A list of politically restricted posts is detailed on the last page of this document.

4. Private Purchasing

Employees must not use the Council's purchasing systems to purchase items for private use or to secure personal advantage. Employees are not entitled to receive any discount or advantage as a result of their employment with the Council unless this is expressly permitted by the Council, for example through corporate employee discount or voluntary benefit schemes which have been agreed for all employees.

4.5. Relationships

Councillors

Employees are responsible to the Council through its senior managers. Mutual respect between employees and Councillors is essential to good Local Government. Close personal familiarity between employees and individual Councillors can damage the relationship and prove embarrassing to other employees and Councillors and should, therefore, be avoided.

Local Community and Service Users

Employees should always remember their responsibilities to the community of the district and ensure courteous, efficient and impartial service delivery to all groups and individuals within the community as defined by the policies of the Council.

Contractors

All relationships of a business or private nature with external contractors or potential contractors should be made known to the appropriate senior manager. Orders and contracts must be awarded on merit by fair competition against other tenders and no special favour should be shown to businesses run by, for example, friends, partners or relatives in the tendering process. No part of the local community should be discriminated against.

Employees who engage or supervise contractors or have any other official relationship with contractors, and have previously had or currently have a relationship in a private or domestic capacity with contractors, should declare that relationship to the appropriate senior management.

5.6. Appointment and Other Employment Matters

As set out in the Council's recruitment and selection manual, employees involved in appointments should ensure that these are made on the basis of merit. In order to avoid any possible accusation of bias, employees should not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him or her.

Similarly employees should not be involved in decisions relating to discipline, promotion or pay adjustment for any other employee who is a relative, partner etc.

6.7. Outside Commitments

Employee's off duty hours are their own concern but they should not subordinate their duty to their private interests or put themselves in the position where their duty and private interests conflict.

Employees whose grades include Senior Officer level (band 3a) or above may not engage in any other business or take up any other additional appointment without the express consent of the Council. Such consent is obtained through formal application to the appropriate senior manager.

No outside work of any sort should be undertaken in the office and the use of facilities (computers, laptops, telephones etc.) is forbidden.

7.8. Personal Interests

Employee must declare, to their line manager, where the appropriate statements are true:

- Any non-financial interests that they consider could bring about conflict with the Council's interests (e.g. member of pressure group potentially opposed to the Council's work).
- Any financial interests which could conflict with the Council's interests.

Employees should also declare to the Council, via the Chief Executive, membership of any secret societies. The definition of "secret society" is as follows:

Any lodge, chapter, society, trust or regular gathering or meeting which:

- is not open to members of the public who are not members of that lodge, chapter, society or trust.
- Includes, in the grant of membership, a requirement on the part of the member to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, trust, gathering or meeting and;
- includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting.

Employees should notify the Chief Executive in writing of such membership.

8.9. ~~Equality Issues~~ Equality Issues

Employees must ensure that they treat colleagues, service users, members of the public and Councillors fairly, impartially and with dignity and respect. Language and behaviour in the workplace must be conducive to productive and harmonious relationships

Employees should apply the provisions of the Council's Equal Opportunity policies in all activities. All members of the local community, customers and other employees have a right to be treated with fairness and equality.

9.10. Separation of Roles during Tendering

Employees involved in the tendering process and dealing with contractors should be clear on the separation of client and contractor roles within the Council. Senior employees who have both client and contractor responsibility must be aware of the need for accountability and openness.

Employees in contractor or client units must exercise fairness and impartiality when dealing with all customers, suppliers, other contractors and sub-contractors.

Employees who are privy to confidential information on tenders or costs for either internal or external contractors should not disclose that information to any unauthorised party or organisation.

Employees should ensure that no special favour is shown to current or recent former employees or their partners, close relatives or associates in awarding contracts or business run by them, or employing them in a senior or relevant managerial capacity.

10.1. Corruption

Employees must be aware that it is a serious criminal offence for them corruptly to receive or give any gift loan, fee, reward or advantage for doing anything or showing favour or disfavour to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

11.2. Use of Financial Resources

Employees must ensure that they use public funds entrusted to them in a responsible and lawful manner. They should strive to ensure value for money to the local community and to avoid legal challenge to the Council.

12.3. Hospitality

Employees should only accept offers of hospitality if there is a genuine need to impart information or represent the Council in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the Council should be seen to be represented. It should be properly authorised and recorded. The Chief Executive will obtain authority from the Chairman of the Policy and Finance Committee and all other officers will refer to the Chief Executive.

When hospitality has to be declined, the person who offers the hospitality should be courteously but firmly informed of the Council's procedures and standards.

Employees should not accept significant personal gifts from contractors and outside suppliers, although the employees may use their judgement to accept insignificant items such as pens, diaries etc.

When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the Council may be taking affecting those providing the hospitality.

Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the Council gives consent in advance and where the Council is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment etc. are required, employees should ensure that the Council meets the cost of such visits to avoid jeopardising the integrity of subsequent purchasing decisions.

13.4. Sponsorship

Where an outside organisation wishes to sponsor or is seeking to sponsor a Local Government activity, either by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance or gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.

Where the Council wishes to sponsor an event or service, neither an employee nor any partner, spouse or relative must benefit from such a sponsorship in a direct way without there being a full disclosure to the relevant senior manager of any such interest. Similarly, where the Council - through sponsorship, grant aid, financial or other means - gives support in the community, employees should ensure that impartial advice is given and there is no conflict of interest involved.

15. Copyright

All records, documents and other papers relating to the Council's business which are made or obtained by employees in the course of their employment are the property of the Council. The copyright on all such original records, documents, papers (including copies and summaries thereof) belongs to the Council.

16. Private Trading

Employees are not permitted to carry out private trading in relation to goods, services, or any form of intellectual property (including the posting and distribution of private trading literature) on the Council's premises nor may they do so elsewhere whilst on Council duties.

17. Committee procedures and contact with the media

Employees must not disclose to the public or media the contents of a confidential or exempt report made to a Committee or the Council. Where a Committee considers matters in confidential session, those proceedings, including all documentation before the Committee, must not be disclosed to members of the public unless required by law or expressly authorised.

Employees must not make statements on matters of policy to the media without consulting their Head of Service. They must also comply with the Protocol for staff engagement with the media.

18. Safeguarding

The Council has a statutory duty to ensure the safety and welfare of children, young people and adults at risk. All employees who, during the course of their employment, have direct or indirect contact with children or adults at risk, or who have access to information about them, have a responsibility to safeguard and promote the welfare of children and adults at risk. The Safeguarding Policy is available via the employee's manager and compliance with it is mandatory.

19. Personal Use of Social Media by Employees

Employees must not assume that their comments on social media will remain private.

Employees must ensure that, in their use of social media, they do not make comments about other employees, councillors or the Council that are or could be perceived to be derogatory, abusive, damaging to the individual's or the Council's reputation or amount to harassment, even where such comments are made outside working hours. They should be mindful that such comments could give rise to legal action.

Employees must ensure that no information is made available that could provide a person with unauthorised access to the Council's confidential information and they must refrain from recording any confidential information regarding the Council on any social networking website.

The Council will take action to prevent misuse of social networking sites as the Council as employer may be vicariously liable for the acts of an employee in certain circumstances. The Council will consider what action to take to address any malicious, untrue or otherwise inappropriate allegations which may circulate on social media sites.

20. Personal appearance

The Council expects employees to observe a standard of personal appearance which is appropriate to the nature of the work undertaken, follows operational requirements and which portrays a professional approach which the public will have confidence in.

In order that employees can be easily identified ID badges must be worn at all times.

14.21 General

The sanctions against employees who breach the rules on conduct are serious, including dismissal. Where there is any doubt, employees should err on the side of caution in the areas covered in this policy. Any uncertainties about this policy should be directed to Lead Officer (Human Resources).

15.22. Politically Restricted Posts

Below is a list of current posts which are deemed politically restricted:

- Chief Executive
- Director of Economic Regeneration & Place
- Director of Corporate Services & Commissioning
- Solicitor to the Council
- Head of Service – Business Development & Improvement
- Head of Service – Commissioning, Contracts & Procurement
- Head of Service – Community, Partnerships & Customers
- Head of Service – Operational Services
- Head of Service – Strategic Planning, Policy & Economic Development
- Business Transformation & ICT Manager
- Communications & Marketing Manager
- Customer, Business & Revenues Service Manager
- Democratic Services Manager
- Economic Development & Regeneration Manager
- Housing & Environmental Health Service Manager
- Planning Development Manager
- Planning Policy Manager
- Property & Commercial Services Manager

Public Session

Report Reference Number: C/16/22

Agenda Item No: 8

To: Council
Date: 16 May 2017
Author: Gillian Marshall – Solicitor to the Council
Lead Officer: Janet Waggott – Interim Chief Executive
Executive Member: Councillor Mark Crane, Leader of the Council

Title: The Leader's Report to Council on the Discharge of Executive Functions

Summary:

Under the terms of the Constitution the Leader of Council must present a Report to the Annual Meeting of Council regarding the way in which executive functions are to be discharged in the forthcoming year.

This report satisfies that requirement and sets out

- The names of Councillors appointed to the Executive and their portfolios
- The terms of reference of, appointments to and governance of any Executive Committees
- The nature and extent of any delegation of an executive function to an individual member of Executive
- The nature and extent of any delegation of an executive function to officers
- The nature and extent of any delegation of executive functions to community engagement forums, other authorities or joint arrangements including the names of Executive Members appointed under such arrangements

The Leader may subsequently change the arrangements made in this report but on doing so must give written notice to the Chief Executive and to the person, body or committee concerned. The Chief Executive will then make arrangements to report the changes to the next ordinary meeting of Council.

Recommendations:

- (i) 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 within the Council's 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 2017/18 the arrangements shall be as follows

a. Members of the Executive

Councillor Mark Crane – Leader of the Council with specific responsibility for strategic matters, external relations and partnerships

Councillor John Mackman – Lead Councillor for Place Shaping and Deputy Leader of the Council

Councillor Clifford Lunn – Lead Councillor for Finance and Resources

Councillor Christopher Metcalfe – Lead Councillor for Communities and Economic Development

Councillor Richard Musgrave – Lead Councillor for Housing, Leisure, Health and Culture

b. Executive Portfolios

The Leader

Main Role

To exercise the Executive Leader powers vested in the Leader in accordance with the Local Government Act 2000 as amended by section 62 of the Local Government and Public Involvement in Health Act 2007.

To provide visible political leadership in relation to citizens, stakeholders and partners in the overall co-ordination of Council policies, strategies and service delivery.

To lead the development of external relations and local, regional, national and European policy and strategic partnerships.

Main Duties and Responsibilities

- i. To Chair the Executive.

- ii. To represent and act as an ambassador for the Authority and to lead in developing strategic partnerships with agencies, citizens and stakeholders in relation to the delivery of strategic objectives in the Corporate Plan and the provision of services to citizens.
- iii. To have overall responsibility for:
 - (a) Strategic Policy and Budget issues
 - (b) Development, monitoring and implementation of the Policy Framework
 - (c) Communicating the Council's values, vision and objectives to councillors, staff and to citizens, partners and stakeholders
 - (d) The York, North Yorkshire and East Riding and Leeds City Region Local Enterprise Partnerships and Combined Authority.
- iv. To lead on external communications for the Council.
- v. To lead on major projects.
- vi. To take up corporate membership of any appropriate body or organisation whose objectives are considered to be beneficial to the pursuit of the Authority's own activities.
- vii. To monitor the performance of the Council including the implementation of the Corporate Plan and other major plans by:-
 - (a) Setting strategic performance targets
 - (b) Ensuring corporate goals and milestones are met
 - (c) Developing new policies and strategies
- viii. To ensure that systems exist to appraise the performance of senior managers.
- ix. To determine the ways in which the Council spends the funds allocated to the Programme for Growth
- x. Lead political responsibility for corporate support functions such as democratic services, HR, communications and legal services

Deputy Leader and Place Shaping Portfolio

Overall responsibility for the promotion, development and delivery of land use and planning activities, as an integral part of making Selby a great place to live in accordance with the Corporate Plan.

Representing the Council on regional groups relating to land use planning, such as duty to co-operate groups.

Responsibility for overseeing relationships with outside bodies which do not fall within any other portfolio (such as Internal Drainage Boards)

Main Duties and Responsibilities

- i. To chair Executive Meetings when the Leader is not present
- ii. To deputise for the Leader at Leeds City region, LEP and Combined Authority meetings as necessary.
- iii. To lead on the development, promotion and delivery of policies and strategies in connection with Land Use Planning and Development.

Finance and Resources Portfolio

Overall Responsibility for co-ordinating and developing the responsibilities and activities of the Council in relation to the effective and efficient use of its resources, monitoring the budget, delivering value for money and the savings plan, debt control, procurement, assets, council tax, revenues and benefits as an integral part of delivering great value in accordance with the Corporate Plan.

Main Duties and Responsibilities

- i. To lead on the provision of guidance for the capital and revenue budgetary priorities of the Council together with the implementation of strategic budget monitoring policies which will ensure the proper administration of the financial affairs of the Council.
- ii. Lead political responsibility for audit and risk management.
- iii. Lead political responsibility for debt control, procurement, council tax, revenues and benefits, counter fraud and property and asset management.

Communities and Economic Development Portfolio

Overall Responsibility for communities and economic development as an integral part of making Selby a great place to do business and to make a difference, in accordance with the Corporate Plan.

Main Duties and Responsibilities

- i. Lead political responsibility for inward investment, economic development and business partnerships such as STEP
- ii. Lead political responsibility for Community Engagement Forums, funding and support of local community and voluntary sector organisations and Community Safety.

- iii. Lead political responsibility for the access to services agenda and embedding customer focus within services.
- iv. Lead political responsibility for Equality and Diversity.

Housing, Leisure, Health and Culture Portfolio

Overall responsibility for public and private sector housing, leisure, culture and health as an integral part of making Selby a great place to live in accordance with the Corporate Plan.

Main Duties and Responsibilities

- i. Lead political responsibility for public and private sector housing including representation of the Council in North Yorkshire and Leeds City Region housing strategies.
- ii. To lead on the development promotion and delivery of policies and strategies in connection with Culture, Leisure and Sport, Tourism and events.
- iii. To promote and develop effective partnership working arrangements with public, private and voluntary stakeholders to promote the District as a centre of cultural development and as an attractive tourist destination.
- iv. Lead political responsibility for the development and delivery of policies and strategies in connection with the provision of effective and efficient environment services. This includes streetscene services, waste collection and disposal, parks and other public spaces, enforcement and environmental health.
- v. Lead political responsibility for health including environmental health and licensing functions

c. Executive Committees

No Executive Committees are to be established.

d. Executive Delegations

For 2017/18 the Leader continues to reserve individual decision making powers to himself in respect of

- (i) Any executive decisions (including key decisions), in a situation where the matter is so urgent that it does not allow time for a report to the Executive.
- (ii) the allocation of funds within the Programme for Growth.

It is not expected that these individual decision making powers will be exercised on a regular basis but the reservation of powers will allow the Council to respond quickly to emerging projects and priorities through

decision making and by allocating funding. Key decisions will be taken in accordance with the Executive Procedure Rules.

An individual delegation is given to the Lead Councillor for Finance and Resources. This delegation is to approve virements above the limits delegated to officers in the financial procedure rules up to a maximum of £75 000.

Individual decisions made by the Leader and the Lead Councillor – Finance and Resources will be recorded and published in line with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.

From time to time specific delegations may be made to other Lead Councillors to deal with matters specified at the time.

e. Executive Delegations to Officers

The full Scheme of Executive Delegations to Officers is contained in Part 3 of the Council's Constitution. This has been updated following the organisational review.

f. Executive Delegations to Community Engagement Forums

No changes are proposed to the arrangements for CEFs. The executive delegations remain as set out in part 3 of the Constitution.

g. 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 Cliff Lunn

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

The Leeds City Region Partnership Committee, an Advisory Committee of the West Yorkshire Combined Authority whose terms of reference are to act as a consultative forum for matters referred to it by the WYCA and advise the WYCA in relation to i) its accountable body functions ii) duty to co-operate matters iii) appointments to the Leeds City Region LEP.

The WYCA has appointed the Leader of Selby District Council to the LCR Partnership Committee. The Leader appoints the Deputy Leader as named substitute and gives the Chief Executive and the Director of Regeneration and Place concurrent delegated authority to approve, in

consultation with the Leader, any matter including funding agreements necessary to give effect to any resolution of the WYCA in respect of LEP funding arrangements for the Selby District.

h. Executive Delegations to other Authorities

Breathing Space

Breathing Space is a regional mortgage assistance loan scheme, operated by Wakefield Metropolitan District Council (Wakefield Council), on behalf of local authorities across the Yorkshire and Humber region, to enable them to offer loans to help home owners in the District experiencing difficulties with their mortgage and/or secured loan payments.

To enable Wakefield Council to act as the Accountable Body for the scheme and to act as administrative body and banker, formal approval is given to allow Wakefield to discharge these functions on behalf of Selby District Council under the provisions of the Local Government Act 2000 and Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2000, in accordance with the Council's well-being powers under Section 2 of the Local Government Act 2000. The Leader delegates to the Director of Corporate Services and Commissioning the power to approve amendments to the delegation to cover any changes to the scheme which do not affect its overall purpose and intent.

Homeless Reviews

Under s202 of the Housing Act 1996 the Council (as Housing Authority) is required to carry out reviews of decisions on eligibility and priority need in homelessness cases. This is a highly specialised area of law and as such it is important that the reviewing officer has a detailed knowledge and understanding of the relevant statutory provisions and caselaw. Under the Deregulation and Contracting Out Act 1994 and the Local Authorities (Contracting Out of Allocation of Housing and Homelessness Functions) Order 1996, the Council can ask that the reviews be undertaken by another person or someone employed by another. This provision enables the Council to buy in the relevant expertise as and when required.

Pursuant to that provision the Leader delegates the power to carry out a review under s202 Housing Act 1996 (and ancillary functions) to Melanie Cant LLB (Hons) CIHM, Homelessness Review Officer. The Leader delegates to the Director of Corporate Services and Commissioning the power to approve amendments to the delegation to cover any changes to the arrangements which do not affect the overall purpose and intent.

e) Urgent Decisions

In August 2016 an urgent decision was taken to make an offer to purchase property in Tadcaster for development. This decision was a key decision that had not been placed on the forward plan due to the unexpected marketing of the property and the need to move swiftly to take advantage of the opportunity. The decision was taken in accordance with para 5.6 of the Executive Procedure Rules.

f) Legal/Financial Controls and other Policy matters

None arising from this report

4. Background Documents

None

Contact Details:

**Gillian Marshall
Solicitor to the Council
X 42095**

DRAFT



Public Session

Report Reference Number: C/16/22

Agenda Item No: 9

To: Council
Date: 16 May 2017
**Author: Palbinder Mann – Democratic Services
Manager**
Lead Officer: Gillian Marshall – Solicitor to the Council
**Executive Member: Councillor Mark Crane – Leader of the
Council**

**Title: Appointments to the Committees of the Council, Chairs of the
Community Engagement Forums and the Calendar of Meetings
for the 2017/18 Municipal Year.**

Summary:

This report provides, for approval, the calendar of meetings, the group nominations for the appointment of Councillors to Committees and the appointments of CEF Chairs at Annual Council on 16 May 2017.

Recommendations:

- i) That the Council appoints the Chairs, Vice Chairs and Committee Members as outlined in Appendix A for the 2017/18 municipal year.**
- ii) That Council appoints the CEF Chairs as outlined in Appendix B for the 2017/18 municipal year.**
- iii) That Council approves the Calendar of Meetings 2017/18 as outlined in Appendix C.**

Reasons for recommendations

To meet legislative requirements and to enable the proper functioning of the Council in the 2017/18 municipal year.

1. The Report

- 1.1 Each year Annual Council receives Group Leaders' nominations for appointments to Chairs and Vice Chairs and for the membership and substitutes for Council committees. The list of nominations for the Chairs, Vice Chairs and members and substitutes for Council committees for 2017/18 (Appendix A) will be circulated at the meeting.
- 1.2 Council also receives nominations for the post of CEF Chair for each CEF. The CEFs operate as advisory committees in that they include in their membership persons who are not Councillors of the District. The nominations for the posts of CEF Chairs for 2017/18 are outlined at Appendix B.
- 1.3 Each year Council also approves the calendar of meetings. The proposed calendar is attached at Appendix C.

3 Legal/Financial Controls and other Policy matters

3.1 Legal Issues

Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to allocate seats on Ordinary Committees of the Council between the political groups in accordance with the following principles :-

- a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
- b) That the majority of seats on each committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
- c) That subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
- d) Subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.

The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.

For the purpose of this process there are three political groups making up the Council; the Conservative Group, the Labour Group and the Independent Group. A group consists of two or more members of Council who have indicated that they wish to be treated as a group. Councillors that are not members of political groups have no entitlement to an allocation of seats on Committees. Political groups are entitled to their proportion of seats and once their entitlement has been reached, any remaining seats may be filled by Councillors not belonging to a political group. Such Councillors are called 'non-aligned'.

These rules apply to the Planning Committee, Overview and Scrutiny Committee and Policy Review Committee. They do not apply to Licensing Committee which is a statutory committee. Nonetheless nominations for seats on that Committee have been received in line with the general principles outlined above and are included in the Appendices.

3.2 Financial Issues

Councillors are entitled to claim for travel expenses incurred when attending meetings.

4. Conclusion

That the Council makes its appointments to Committee places, appoints CEF Chairs and approves the calendar of meetings, for the 2017/18 municipal year.

Contact Details

Palbinder Mann
Democratic Services Manager
pmann@selby.gov.uk

Appendix A – 2017/18 - Appointments of Committee Chairs/Vice Chairs and Committee Members (To Follow).

Appendix B – 2017/18 – Appointment of CEF Chairs (To Follow)

Appendix C – 2017/18 – Calendar of Meetings

		2017/18																									
		2017																									
		May	June	July	August	September	October	November	December	January	February	March	April	May													
M	1	Bank Hol		3	Licensing		2	Licensing		1	Bank Hol		2	Bank Hol	M												
T	2			4		1	3			2			3	1	T												
W	3			5	Central CEF Partnership Board	2	4	Central CEF Partnership Board	1	3	Central CEF Partnership Board		4	Central CEF Partnership Board	2	W											
T	4	ELECTION	1	Executive	6	SCRUTINY	3	Executive		5		2	Executive	1	Executive	1	Executive	5	Executive	3	Executive	T					
F	5	COUNT	2		7		4		1	6		3		1	5		2		2		6		4		F		
M	8		5	Licensing	10	Tadcaster CEF Partnership Board	7	Licensing	4	Licensing	9	6	Licensing	4	Licensing	8	5	Licensing	5	Licensing	9	Licensing	7	Bank Hol	M		
T	9		6		11	Western CEF Forum	8		5	Western CEF Partnership Board	10	7		5	9		6		6		10		8		T		
W	10	Planning	7		12	Planning	9	Planning	6	Planning/Southern CEF Forum	11	8	Planning	6	Planning	10	7	Planning	7	Planning	11	Planning/Audit	9	Planning	W		
T	11		8	Southern CEF Forum	13		10		7	Executive	12	Executive/Southern CEF Partnership Board	9	7	Executive/Southern CEF Forum	11	Southern CEF Partnership Board	8		8	Southern CEF Forum	12	Southern CEF Partnership Board	10		T	
F	12		9		14		11		8		13		10		8		9		9		13		11		F		
M	15	Licensing	12	Tadcaster CEF Forum	17		14		11	Tadcaster CEF Partnership Board	16	13	Tadcaster CEF Partnership Board	11		15	Licensing/Tadcaster CEF Partnership Board	12		12	Tadcaster CEF Partnership Board	16		14	Licensing	M	
T	16	ANNUAL COUNCIL	13	POLICY REVIEW	18	COUNCIL	15		12	POLICY REVIEW	17	POLICY REVIEW (Provisional)	14	POLICY REVIEW (Provisional)	12	COUNCIL	16	POLICY REVIEW	13	Western CEF Forum	13	POLICY REVIEW (Provisional)/Western CEF Forum	17	POLICY REVIEW	15	ANNUAL COUNCIL	T
W	17		14	Planning/AUDIT	19	Eastern CEF Forum	16		13	Central CEF Forum	18	Eastern CEF Partnership Board	15	Eastern CEF Forum	13	Central CEF Forum	17	AUDIT	14		14	Central CEF Forum	18		16		W
T	18	Executive/Executive BRIEFING	15	Executive BRIEFING	20	Executive BRIEFING	17	Executive BRIEFING	14		19	Executive BRIEFING	16	Executive BRIEFING	14	Executive BRIEFING	18	Executive BRIEFING	15	Executive BRIEFING	15	Executive BRIEFING	19	Executive BRIEFING	17	Executive BRIEFING	T
F	19		16		21		18		15		20		17		15		19		16		16		20		18		F
M	22	Tadcaster CEF Partnership Board	19		24		21		18		23		20		18		22		19		19		23		21		M
T	23	Western CEF Forum	20		25	POLICY REVIEW	22		19	COUNCIL	24	Western CEF Forum	21		19		23	Western CEF Partnership Board	20	COUNCIL	20	Western CEF Partnership Board	24	COUNCIL	22		T
W	24		21	Eastern CEF Partnership Board	26	AUDIT	23		20	Eastern CEF Forum	25		22		20		24		21		21		25	SCRUTINY (Provisional)/Eastern CEF Partnership Board	23		W
T	25	EXTRA ORDINARY COUNCIL	22		27	Southern CEF Partnership Board	24		21	Executive BRIEFING	26	SCRUTINY (Provisional)	23	SCRUTINY (Provisional)	21	SCRUTINY (Provisional)	25	SCRUTINY	22	Scrutiny (Provisional)	22	SCRUTINY	26		24		T
F	26		23		28		25		22		27		24		22		26		23		23		27		25		F
M	29	Bank Hol	26		31		28	Bank Hol	25	Tadcaster CEF Forum	30		27		25	Bank Hol	29	Tadcaster CEF Forum	26		26		30		28	Bank Hol	M
T	30		27	Western CEF Partnership Board			29		26		31		28		26	Bank Hol	30		27		27				29		T
W	31	Central CEF Forum	28				30		27	AUDIT			29		27		31	Eastern CEF Partnership Board	28		28	Eastern CEF Forum			30		W
T			29	Executive			31		28	SCRUTINY			30		28					29					31		T
F			30						29						29					30	Bank Hol						F

Public Session

Report Reference Number: C/16/22

Agenda Item No: 10

To: Council
Date: 16 May 2017
**Author: Palbinder Mann – Democratic Services
Manager**
Lead Officer: Gillian Marshall – Solicitor to the Council
Executive Member: Councillor Mark Crane – Leader of the Council

Title: Council Appointments to Outside Bodies

Summary:

This report informs Council of the proposed representatives for 2017/18 on Outside Bodies which it appoints and seeks approval of the proposals.

Recommendations:

- i) That Council make its appointments to outside bodies for the 2017/18 municipal year.**
- ii) To authorise those appointed to act on behalf of the Council in accordance with the legal and constitutional requirements of both the Council and the outside body.**

Reasons for recommendation

To ensure the Council is represented on Outside Bodies as necessary in 2017/18.

1. Introduction and background

Under Executive arrangements, the responsibility for appointing representatives on Outside Bodies is split between the Executive and the Council. This report asks Council to consider those appointments within its remit.

2. The Report

- 2.1** The proposals for Council appointments to Outside Bodies will be circulated at the meeting and the Council is asked to consider the list and confirm its appointments for 2017/18.
- 2.2** To ensure the Council is kept informed and its interests are represented, it is essential that representatives attend all outside body meetings they have been allocated.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

None within the context of the report.

3.2 Financial Issues

Travel expenses may be incurred for Councillors attending meetings.

4. Conclusion

That Council should make its appointments to Outside Bodies for 2017/18

Contact Details

Palbinder Mann
Democratic Services Manager
X 42207
pmann@selby.gov.uk

Appendix A – Proposed Council Representatives on Outside Bodies 2017/18 (To Follow)