

**Annual Council Meeting**

24 May 2012

**Report of the Assistant Director, Governance & ICT**

**Allocation to Seats and Appointments to the Council Structure  
and Outside Bodies for 2012/13**

**Summary**

1. At its Annual General Meeting, Full Council considers the allocation to seats on Committees and other bodies every year and makes appropriate appointments for the coming Municipal Year.

**Background**

2. Council is now asked to makes those appointments and to allocate those places on the committees and other bodies that it wishes to set up, in accordance with the political balance requirements under the 1989 Local Government & Housing Act.

**Constitutional Matters**

3. Following the enactment of the Local Government and Public Involvement in Health Act 2007, which requires councils to adopt new executive arrangements, the Cabinet Leader is now appointed for his full term of office and is empowered to appoint the members of Cabinet and to approve their portfolios. The existing Cabinet Leader has, in fact, reshuffled his Cabinet as of Monday 14 May 2012. In accordance with the Constitution the Monitoring Officer is required to report the consequential changes to the portfolios described in Part 3B, paragraph 2 of the Constitution as follows:

**Leader – James Alexander**

Economic Development and Regeneration  
Policy, Strategy and Partnerships  
Business and Policy Support

Staff Relations  
Business and Skills Development

**Deputy Leader – Tracey Simpson-Laing**

Deputies for Leader as required  
Civic and Democratic Services (inc. Scrutiny and Electoral Services)

**Transport, Planning and Sustainability – Dave Merrett**

Planning  
City Development and Transport  
Environment Strategy  
Carbon Reduction  
Conservation and Urban Design  
Parking Strategy  
Highways Strategy  
Flood Protection  
Air Quality

**Corporate Services – Julie Gunnell**

Customer Services  
Legal Services  
Human Resources and Payroll  
Financial Services  
Financial Procedures and Risk Management  
ICT  
Performance and Business Assurance  
Procurement Services  
Business Change  
Health and Safety  
Fraud  
Property Services  
Council Accommodation  
Business Continuity  
Financial Inclusion

**Environmental Services – Sandy Fraser**

Smarter York  
Cleaning Services  
Waste Management

Street Environment  
Civil Engineering and Highways  
Parking Services  
Waste Management Strategy (Client)

**Health, Housing and Adult Social Services – Tracey Simpson-Laing**

Assessment and Personalisation  
Older People, Mental Health, Respite  
Commissioning and Partnerships  
Service and Delivery Transformation  
Housing Landlord (HRA)  
Housing General

**Leisure, Culture and Tourism – Sonja Crisp**

Libraries  
Leisure  
Parks  
Arts and Culture  
Heritage  
Tourism  
City Centre Management, Markets and Events  
Equalities and Inclusion (Transferring to Crime and Stronger Communities once peer review is complete)

**Education, Children and Young People – Janet Looker**

School Improvement and Staff Development  
Children and Families  
Partnerships and Early Intervention  
Resource Management  
Lifelong Learning  
Youth Services

**Crime and Stronger Communities – Dafydd Williams**

Safer Neighbourhoods  
Anti-Social Behaviour  
Licensing and Enforcement  
Trading Standards  
Emergency Planning  
Youth Offending

Environmental Health  
Alcohol and Drugs Action  
Neighbourhood Management  
Volunteering  
Licensing and Bereavement  
Registrar  
Communications and Media  
Equalities and Inclusion (Transferring from Leisure, Culture  
and Tourism once peer review is complete)

4. As Members are aware a recent departmental restructure has resulted in some changes in the allocation of functions between Directorates. Members are advised that consequential changes will be made by the Monitoring Officer to job titles and to functions attached to posts described in the Officers Delegation Scheme.

### **Allocation of Seats**

5. Under agenda item 5(b), Full Council is asked to approve appointments to those available seats to which the political balance rules must be applied under the terms of the Local Government & Housing Act 1989. Council is also asked to consider applying the rules to the remaining bodies it chooses to set up, in accordance with previous practice. Full details are contained in Annex A to this report.

### **Practice Relating to Substitutes**

6. It is proposed to continue with the flexibility of the new substitute system introduced following last year's Annual Meeting. In the first instance Members who need a substitute must approach a named substitute appointed by Council. As usual, Members should approach the first named substitute and only if that person is not available can they approach the second, and so on. If, however, no named substitute is available, the Chief Executive and the Monitoring Officer will be authorised to make changes to the membership of the Committee by appointing another member of the group as substitute for a specific meeting. That appointment will be made in accordance with an instruction of the relevant political group

## **Appointments to Committees, Working Groups, Outside & Partnership Bodies**

7. Further to the allocation of seats referred to above, under agenda item 5, Full Council is asked make appointments to those Committees and other bodies set out in Annex B. These include outside and partnership bodies, together with Chairs and Vice Chairs of Committees and membership of Ward Committees.
8. Council is asked to note that it is being asked to approve appointments to the current Statutory Standards Committee and to a non statutory Joint Standards Committee. The Statutory Committee will be abolished from the 1<sup>st</sup> of July in line with the provisions of the Localism Act 2011. From that date the Joint Committee will begin to operate. Council has already approved the establishment of a Joint Standards Committee made up of three parish Councillor representatives and four City Councillors including a member from each of the political groups represented on the Council. Nominations for the Parish representatives have been obtained through the York Local Councils Association. Council is asked to note that the proposed City Council membership does not comply with the strict proportionality rules. The law allows Councils to depart from the rules provided that no Member votes against the proposal.

## **Consultation**

9. In accordance with the usual process for gathering nominations to available places at the Annual Council Meeting, all party Groups have been consulted on and provided with the necessary information on available places.

## **Options**

9. Options open to the Council are:
  - (i) to approve or not approve the allocation of seats in accordance with the arrangements set out in Annex A;
  - (ii) to make the appointments to Committees and other bodies set out in Annex B, or propose alternatives;

## **Council Plan 2011-15**

10. Establishing an appropriate decision making and scrutiny structure, contributes to the Council delivering its core priorities set out in the Council Plan, effectively.

### **Implications**

11. There are no known implications in relation to the following in terms of dealing with the specific matter before Members, namely to consider the allocation of seats and places and the nominations to the Cabinet, Cabinet Leader and other bodies :

- **Financial**
- **Human Resources (HR)**
- **Equalities**
- **Crime and Disorder**
- **Property**
- **Other**

### **Legal Implications**

12. The Council is statutorily obliged to make appointments to committees, advisory committees, sub Committees and certain other prescribed bodies in accordance with the political balance rules. These rules may only be waived where no Member votes against the proposal.

### **Risk Management**

13. In compliance with the Council's risk management strategy, there are no known risks associated with the recommendations in this report, other than the failure to meet the above legal requirements and the risk of a Council operating with no agreed political management arrangements (in the form of a decision making and scrutiny structure) should Annual Council fail to make any such arrangements.

## Recommendations

14. Members are asked to consider the annexes attached to this report and:

- (i) Note the constitutional amendments as set out in paragraph 3 and 4 above;
- (ii) Agree the allocation of seats in accordance with Annex A ; and
- (iii) Approve appropriate nominations to Committees and outside or partnership bodies, as well as appointments to Chairs and Vice-Chairs.

### Reason:

To fulfil the Council's statutory requirements.

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#### Chief Officer Responsible for the report:

Andrew Docherty  
Assistant Director, Governance & ICT

Report  
Approved



Date 15/5/2012

**Specialist Implications Officer(s)** None

**Wards Affected:**

All

**For further information please contact the author of the report**

### Annexes

**Annex A** - Allocation of seats 2012/13

**Annex B** - Appointments to Committees and other bodies 2012/13, including outside bodies, Chairs/Vice-Chairs to Committees and Ward Committees

## **Background Papers**

None.