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Council

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday 9 January 2014**

Present

Councillors Acomb
 J Andrews
 P J Andrews
 Arnold
 Bailey
 Clark
 Mrs Cowling
 Cussons
 Mrs Frank (Chairman)
 Fraser
 Mrs Goodrick
 Hawkins
 Hope
 Mrs Hopkinson (Vice-Chairman)
 Ives
 Mrs Keal
 Raper
 Richardson
 Mrs Sanderson
 Mrs Shields
 Wainwright
 Ward
 Windress
 Woodward

In Attendance

Simon Copley
Paul Cresswell
Jill Thompson
Janet Waggott
Anthony Winship

Minutes

82 **Apologies for absence**

Apologies for absence were received from Councillors Mrs Burr, Hicks, Legard, Maud and Walker.

83 **Public Question Time**

There were no public questions.

84 **Minutes**

The minutes of the Ordinary Meeting of Council held on 31 October 2013 were presented.

Resolved

That the minutes of the Ordinary Meeting of Council held on 31 October 2013 be approved and signed by the Chairman as a correct record, with an amendment to minute 77 to remove Councillor Ward from the recorded vote list on the Review of Visitor Information Services.

85 **Urgent Business**

There were no items of urgent business which the Chairman considered should be dealt with as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972 (as amended).

86 **Declarations of Interest**

The following interests were declared:

Councillor Paul Andrews declared a personal non-pecuniary but not prejudicial interest in agenda item 9 (Statement from the Leader of Council) as he had been supporting local businesses for some time in relation to planning applications on the Wentworth Street Car Park site.

Councillor Arnold declared a personal non-pecuniary but not prejudicial interest in agenda item in agenda item 10 (Minute 120 – Publication of the Helmsley Plan) as he had been involved in developing the plan as a member of the working group.

Councillor Bailey declared a personal non-pecuniary but not prejudicial interest in agenda item 10 (Minute 120 – Publication of the Helmsley Plan) as chairman of the North York Moors National Park Authority.

Councillor Mrs Frank declared a personal non-pecuniary but not prejudicial interest in agenda item 10 (Minute 120 – Publication of the Helmsley Plan) as a member of the North York Moors National Park Authority.

87 **Announcements**

The Chairman made the following announcements:

- To congratulate Ryedale residents who had received an MBE in the New Year's Honours List: Elaine Dowell, Jean Kershaw and Jean Thorpe;

- To congratulate Barry Dodd, chair of the LEP, who had received a CBE in the New Year's Honours List.

88 **To Receive any Questions submitted by Members Pursuant to Council Procedure Rule 10.2 (Questions on Notice at Full Council)**

1. Councillor Wainwright submitted the following question:

To Councillor Mrs Cowling, the Leader of Council:

"The fate of an indoor sports facility in Norton presently hangs in the balance. Malton on the other hand has a new Community sports facility that was built at the Secondary School with a substantial grant from Ryedale District Council.

How much of the use of the Malton Community sports facility is reserved for the general public on a "pay and play" basis, how much of the available time is for local sports clubs and organisations and how much of the time is for the sole use of school pupils?"

The Leader of Council, Councillor Mrs Cowling replied

"Thank you for your question:

- *The use of Malton Community Sports Centre regarding general public pay and play was agreed by Full Council January 15 2009.*
- *Cllr Wainwright – You moved the recommendation on this report regarding, approval of the dual use agreement, the level of revenue subsidy (up to a maximum of £50,000 per annum) and the release of £1.5m capital allocation to Malton School.*
- *Clause 5 of the dual use agreement states that during the school term there was to be a minimum of 56 hours per week community use for the sports hall and 50 hrs a week for the Astroturf facility. Of this, 27 hrs per week was to be used for pay and play at the sports centre and 4 hours per week for the astro turf pitch.*
- *Out of term time, community usage was increased to 98 hrs a week.*
- *I hope this answers your question."*

Councillor Wainwright asked the following supplementary question:

"On the subject of the Norton Sports facility I assume that it is now for sale again on the open market and that Paul Creswell's desk is piled this high with offers to buy the site. I know that this goes out on the internet and for those listening on the internet I am indicating a pile of papers 2 feet high or for those in new money almost a meter. Is there a closing date for the close of applications or can we expect the indoor bowling fraternity to be in a state of uncertainty at the start of next September's indoor bowling season?"

Councillor Mrs Cowling replied

"I am not aware of a closing date for expressions of interest in the bowling facility and I'd like to give my own personal guarantee that we won't keep the Bowling Club waiting that long, but I am sure that Officer's will be evaluating any interest in the building and will make a decision as soon as is reasonably possible."

To Receive a Statement from the Leader of the Council and to Receive Questions and Give Answers on that Statement

Councillor Mrs Cowling, the Leader of the Council, presented the following statement:

"I always feel that the New Year is a good time to look back and see what we have achieved over the last 12 months. I think we as a Council have a lot to celebrate.

The adoption of our Local Plan must count as a great relief and cause for celebration for the District. Planning applicants (householders and employers) will have more certainty about their investment decisions and this is good news for everyone in Ryedale.

The opening of the Brambling Fields junction has opened the way for future expansion of employment land in Norton and is expected to contribute to improved air quality and a reduction of traffic in the centre of Malton and Norton.

The roll out of super fast broadband will help existing businesses and hopefully help attract new businesses to our District.

Our apprenticeship scheme was very popular and has supported local businesses over the next 2 years to employ 35 new apprenticeships for young people.

The Opportunity Knocks event was a massive success, connecting young people in our schools with potential future employers.

The opening of Derwent Lodge, our facility for supported accommodation is a great achievement - thanks to our dedicated staff who don't seem to know the meaning of the word 'no'.

Last, but not least, this week we have seen the official start of work to implement the latest stage of the flood alleviation plans for Pickering - which has only been possible because of the money pledged by this Council.

These are just a few of the things we have achieved.

Looking forward to the coming year

We need to continue to work on the Local Plan and the site allocations document for housing and employment land including the Helmsley Plan.

This year should see our community infrastructure levy agreed, examined and in place. Through work with our partners we hope to put in place

infrastructure which will make Ryedale an even more attractive place for employers to locate their businesses.

Hopefully our bids for funding through the Local Enterprise Partnership will be successful, thereby allowing more economic growth in our district.

We have now received planning applications which if approved will aid the relocation of the Livestock Market. In fact the planning department is going to be very busy as we have the resubmitted Gladman's application at Kirkbymoorside and the application for a supermarket on WSCP. To that end resources are being put into the planning department to ensure that we have the capacity to deal with this unprecedented workload.

After we have evaluated the success of our apprenticeship scheme we shall be able to decide if we wish to repeat the scheme and help more young people into work.

Now that our New Homes Bonus is not to be top sliced, we shall have extra money in 2015/16 which we need to decide how to use. That could be for economic development or housing, but we mustn't lose sight of the need to fund the delivery of the LEP projects. On that subject I am very pleased to tell you that Julian has been selected for secondment to the LEP, specifically to work on delivery of their housing responsibilities, this secondment is initially for 3 days a week until the end of March 2014.

It has been awful to hear of the flooding and storms in other parts of the country and I extend my thoughts and sympathy to those who have suffered in recent weeks."

The following questions were received on the Leader's Statement:

1. From Councillor Paul Andrews

"Regarding the local plan and the challenge by Gladmans, what is the state of that challenge and has it been turned down by the courts or is it progressing and if it is progressing at what stage is it at?"

The Leader asked the Council Solicitor to reply on her behalf:

"Just for the sake of clarity RDC currently has 2 legal challenges at the moment. The 1st legal challenge is a challenge by way of judicial review of the grant of planning permission to Gladmans for development at Kirkbymoorside. The 2nd challenge is a Section 113 challenge of the Ryedale local plan strategy. In relation to the 1st JR challenge leave has been granted for that challenge to go to a substantive hearing. However given that Gladmans have submitted a 3rd planning application in relation to proposed residential development at Kirkbymoorside all the parties involved in the Judicial Review action have agreed a stay of proceedings pending the determination of the 3rd planning application, so essentially

that matter has been put on ice until the 3rd planning application has been dealt with. The deadline for the determination of the 3rd planning application is the 14th of February and Officers fully anticipate ensuring that a report goes to either a planning committee or an extraordinary planning committee before that deadline on the 14th February of this year. And in relation to the Section 113 challenge the current position there is that all the papers have been submitted in relation to that and there is a court hearing at the Manchester High Court on the 11th April of this year, so we need to wait until the 11th April to know the outcome of that case.”

Councillor Paul Andrews then asked the following supplementary question:

“Does that mean that leave to proceed has been given by the judge?”

The Leader asked the Council Solicitor to reply on her behalf:

“If Cllr Andrews is talking about the Section 113 challenge of the Ryedale Local Plan Strategy leave does not need to be granted it doesn't involve a leave procedure it is going to a substantive hearing on the 11th April of this year.”

2. From Councillor Woodward

“If we turn to the minutes on page 15 I asked a question regarding the apprenticeship scheme and Cllr Cowling replied that it was regarding speaking to the businesses that had been turned down, and Cllr Cowling replied that it was an Officers job to speak to them not hers but she had spoken to some of them and would speak to the rest of them after tonight which was the 31st October, I just wondered if she had spoken to the rest of them yet?”

The Leader replied:

“I did expect this question but not to come from you, no I haven't because my advice was that I really was treading on Officer's toes if I did that and it really is there job to speak to applicants not mine.”

Councillor Woodward then asked the following supplementary question:

“As a follow up then do we know if Officers have spoken to those businesses yet?”

The Leader then replied:

“Yes they definitely have they have spoken to all of them.”

3. From Councillor Mrs Shields

"I notice that Mrs Cowling says that they are going to evaluate the success of the apprenticeship scheme at sometime presumably at the end of the year is that it, and when they do will they also hopefully include the 4 people or the 4 businesses 2 in Malton and 2 in Norton which were omitted for various reasons not really clear. Will they have the chance to be considered again next time thank you?"

The Leader replied:

"I don't really understand your question but yes when we evaluate the success of the apprenticeship scheme that is just what we will do the apprentices that have been taken on we will look how well that's worked out and how the business feel it has helped them, if as a Council we feel that it was successful and was worth doing and we are going to run it again then it will be open to all businesses in Ryedale to apply again."

Councillor Mrs Shields then asked the following supplementary question:

"Can I just say is that again going to be including people who were ignored last night and turned down for no clear reasons after all the Officers had laid down the criteria and it seemed to fit every single business that actually applied?"

The Leader then replied:

"It will be up to this Council to decide the criteria it sets for any new grants that we decide to give and it will be open to all businesses who fit that criteria of we decide to do it again."

4. From Councillor Ward

"Cllr Mrs Cowling you talk about the roll out of the Superfast Broadband helping existing business and helping to attract new business. The last time I heard anything about that was quite frankly a very disappointing presentation at a Parish Liaison meeting some months ago and I just wonder whether you could update Council on what progress if any has been made?"

The Leader replied:

"What I will do is get Jos to give you a written update on it but if I could just tell you a little anecdote which is my personal experience a few weeks ago I got a letter at my business in Pickering telling me that the fiber optic was available now and if was to get in touch with my provider then I could upgrade to Superfast Broadband, so I did that thought that would be brilliant and they told me not available for businesses. So not a good experience yes."

5. From Councillor Clark

“Could the leader of council please tell us if she expects to be congratulating RDC at the end of the year that we are now in when recycling levels have fallen from 50% plus to under 40?”

The Leader replied:

“I think you are really getting at the new arrangements for green waste aren't you and that it will cause a fall in performance. Well you may be concerned about that, personally I am not. I would far sooner that we were composting and not running about with wagons that do about 4 miles to the gallon which I don't think is good for the environment so if it's a choice between looking after the environment or being really high up in the performance tables, I think the environment wins hands down for me every time.”

Councillor Clark then asked the following supplementary question:

“In view of the fact that these wagons at 4 miles per gallon will be going round collecting green waste from those members of the public who are going to pay how much does she expect the distances travelled by those wagons to be reduced because of what changes her group has made?”

The Leader then replied:

“I will get Phil Long to give you the answer to that and I will ask him to distribute it to the whole of the Council.”

6. From Councillor Clark

“Does the leader of council look forward to congratulating RDC at the end of 2014 for no longer having a regional standard facility in Ryedale i.e. the loss of the bowls club?”

The Leader replied:

“I am afraid I don't have a crystal ball so I can't really say what the position will be at the end of this year so I will have to wait and see whether I am in a position to congratulate them on still being there or commiserate with them if they are no longer there.”

Councillor Clark then asked the following supplementary question:

“Would she not agree with me that the decision to put the Bowls Club on the market was her group and her group alone and the decision as to whether to sell it, leave it on the market or continue with that facility is in her groups' hands, If she is making promises earlier on this evening to Cllr Wainwright as to what will happen and what won't all she has to do is

decide, get her group together get agreement from the whole of her group in one group, and then get on with keeping that facility. It's no good blaming the let's wait and see brigade."

The Leader then replied:

"The decision to market the building that was formally the Ryedale Indoor Bowls Club was taken in response to the RIBC telling us that they could no longer afford to pay the rent. The interest which has come forward from a community group since then is very welcome and I think they know that I wish them every success with that venture and I really hope that it does happen. This Council cannot afford to take on the cost of running another sport facility I think we all know that, so we have to wait and see what that community group can do."

7. From Councillor Wainwright

"My question refers to Broadband, my comments are this - that back in July I had an email from Jos Holmes that said that the Hovingham exchange would be on Broadband by the end of September and we are still waiting. Please could the Leader inform all the Councillors how much of Ryedale is on Broadband and when are the expected dates to implement the remaining exchanges to be on Broadband?"

The Leader replied:

"I will get you a written answer and make sure it goes out to all the Members."

8. From Councillor Mrs Keal

"I would like to very much welcome the Pickering flood defence scheme and the fact that it's actually underway and I wish it well and hope it will protect properties in Pickering. My question is I understand that (I would just like clarification really) the amount RDC is putting forward, could you please confirm that that amount is going to be paid to the Environment Agency and the relevant bodies by installments please?"

The Leader replied:

"Correct it is going to be paid by installments and it is £950 000."

9. From Councillor Paul Andrews

"It arises from the comments in regards to the applications at Kirkbymoorside and the supermarket on Wentworth Street Car Park. To that end you say that resources are being put into the planning department to ensure that we have the capacity to deal with this unprecedented workload. Now I understand that the resources as far as

Wentworth Street Car Park are concerned is a retail consultant and I understand his name is Mr. England and I am concerned we are not getting into a situation whereby we appoint somebody who is going to give us the answer that we want, as opposed to a clear and independent view, so I have to ask these questions. I don't necessarily need the answers at this time but I would like the answers in writing within the next 7 days. First of all who is Mr. England, how was he appointed, who appointed him, who recommended him to whoever for appointment, what other councils has he worked for, what process of selection was gone through before he was appointed and were any Members consulted before he was appointed and if so which Members? I don't expect a full answer at this time but I would like a written answer within 7 days?"

The Chairman confirmed a written answer would be provided.

10. From Councillor Woodward

"Going to the last paragraph of the Leader's statement I just wondered if the Leader would also extend her gratitude to the RSPCA who are co-ordinating the rescue of stranded animals in the floods on the same day that the Head of the Countryside Alliance tweeted he was having a good day blasting pheasants out of the sky?"

The Leader replied:

"Just for once Councillor Woodward I prefer not to answer your question."

11. From Councillor Clark

"Does the Leader look forward to congratulating this Council when over 2014 we have lost the collection of green waste free of charge?"

The Leader replied:

"I don't really understand why you are asking the question. Nothing is free of charge. Everything that we do for the rate payers of Ryedale they pay for through their council tax. We are making the collection of green waste optional and for those who want to have their green waste collected they can pay for it."

Councillor Clark then asked the following supplementary question:

"This is new economics that I don't quite grasp. Nothing is for free, well yes, there are some exceptions but we won't go into those in a public meeting. However would she not agree with me, she is saying paying for them through the council tax is what we did but people are still paying for it through the council tax and no longer getting the service. Now I don't know where that fits in the nothing is for free but it doesn't sound like a

good deal to most of the people that I've talked to on the subject, so if it is part of the council tax, why are we going to be charging for it, and if it's not part of the council tax, it's not for free any more and we go back to the first question, it's no longer part of the council tax and free, so does she look forward to explaining this and congratulating the council at the end of this year on that unexplainable mess."

The Leader then replied:

"Councillor Clark you are being very pedantic in what you are saying. You are also very aware of how successful the introduction of charging for green waste has been in other authorities, as are all of us here, it's been very well accepted. As an environmentalist it doesn't sit well with your beliefs to think that you think we should be running around with wagons collecting stuff that should be composted. I don't get where you are coming from at all, you seem to be disagreeing with what we are doing just for the hell of it."

90 **To consider for Approval the Recommendations in respect of the following Part 'B' Committee Items:**

Planning Committee – 22 October 2013

Minute 87(b) – Howardian Hills AONB Design Guidance for New Agricultural Buildings, and Infrastructure

It was moved by Councillor Raper and seconded by Councillor Windress that the following recommendations of the Planning Committee be approved and adopted.

That the Council has regard to the AONB Design Guidance as a material planning consideration with discharging its statutory functions in the AONB.

Upon being put to the vote the motion was carried.

Resolved

That Council approve:

That the Council has regard to the AONB Design Guidance as a material planning consideration with discharging its statutory functions in the AONB.

Policy and Resources Committee – 5 December 2013

Minute 42 – Localisation of Council Tax Support Scheme

It was moved by Councillor Mrs Cowling and seconded by Councillor Acomb that the following recommendations of the Policy & Resources Committee be approved and adopted.

That Council be recommended to approve:

- (i) A Local Council Tax Support Scheme for 2014/15 which is unchanged from 2013/14; and
- (ii) To authorise the Corporate Director in consultation with the Chairman of Policy & Resources Committee to undertake the necessary consultation work to design a scheme for 2015/2016, in light of the experience in 2013/14 and 2014/15 to be presented to Policy & Resources Committee in December 2014.

Upon being put to the vote the motion was carried.

Resolved

That Council approve:

- (i) A Local Council Tax Support Scheme for 2014/15 which is unchanged from 2013/14; and
- (ii) To authorise the Corporate Director in consultation with the Chairman of Policy & Resources Committee to undertake the necessary consultation work to design a scheme for 2015/2016, in light of the experience in 2013/14 and 2014/15 to be presented to Policy & Resources Committee in December 2014.

Minute 43 – IT Infrastructure Budget Planning

It was moved by Councillor Mrs Cowling and seconded by Councillor Acomb that the following recommendations of the Policy & Resources Committee be approved and adopted.

That Council be recommended to approve:

A capital allocation of £320k for the period 2014/15 – 2017/18 for the investment in the IT infrastructure.

Upon being put to the vote the motion was carried.

Resolved

That Council approve:

A capital allocation of £320k for the period 2014/15 – 2017/18 for the investment in the IT infrastructure.

Minute 44 – Exempt Information

It was moved by Councillor Mrs Cowling and seconded by Councillor Mrs Goodrick that:

The press and public be excluded from the meeting during consideration of item 15 (Asset Purchase Opportunity) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972.

Upon being put to the vote the motion was carried.

Resolved

That the press and public be excluded from the meeting during consideration of item 15 (Asset Purchase Opportunity) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972.

Minute 46 – Asset Purchase Opportunity

It was moved by Councillor Mrs Cowling and seconded by Councillor Bailey that the following recommendations of the Policy & Resources Committee be approved and adopted.

That Council be recommended to approve:

A capital allocation of up to £150k to facilitate the asset purchase, financed from unallocated capital resources.

Upon being put to the vote the motion was carried.

Resolved

That Council approve:

A capital allocation of up to £150k to facilitate the asset purchase, financed from unallocated capital resources.

Planning Committee – 17 December 2013

Minute 120 – Publication of the Helmsley Plan

It was moved by Councillor Raper and seconded by Councillor Windress that the following recommendations of the Planning Committee be approved and adopted.

That the recommendations in the report be approved subject to an amendment to (ii) that the Plan be published to include those changes previously agreed by the North York Moors National Park Planning Committee and considered by Members at the meeting.

Councillor Ward moved and Councillor Clark seconded the following amendment:

To recommendation (v) to say any main modifications to come back to Council for approval.

Upon being put to the vote this amendment was carried.

Upon being put to the vote the substantive motion was then carried.

Resolved

That Council:

- (i) Notes the comments received on the Draft Helmsley Plan (Annexes 1 and 2) and agree responses to them as outlined in Annexe 2;
- (ii) Approves the Publication version of the Helmsley Plan with those changes previously agreed by the North York Moors National Park Planning Committee and considered by Members at the meeting for public consultation and subsequent submission to the Secretary of State for Examination (Annexe 3);
- (iii) Authorises Officers to make minor amendments to the text and format of the Plan prior to publication in conjunction with Officers of the National Park Authority;
- (iv) Authorises Officers and Members of the Joint Member Working Group to prepare a schedule of proposed modifications to the Plan if this is required in order to address comments raised following the Publication of the Plan and any further issues identified during the Examination process;
- (v) Agrees that any modifications to the Plan which represent main modifications, come back to Council for approval;
- (vi) Authorises Officers to make a request to the Inspector appointed to conduct the examination of the Plan to make recommendations that he or she considers to be necessary to address any issues of soundness;
- (vii) Agrees to amend the milestones for the production of the Helmsley Plan included in the Ryedale Plan: Local Development Scheme, as set out in paragraph 6.7 of the report to the Planning Committee on the 17 December 2013 on the Publication of the Helmsley Plan.

91 **Timetable of Meetings 2014-2015**

The Council Solicitor submitted a report (previously circulated) which presented the draft timetable of meetings for 2014-2015 for approval.

Councillor Mrs Cowling moved and Councillor Mrs Goodrick seconded the recommendations in the report.

Councillor Ward moved and Councillor Clark seconded the following amendment:

To amend the dates for the Resources Working Party one day forwards so that they fall on the Thursday rather than the Wednesday.

Resolved

That Council approves the timetable of meetings for 2014-2015, attached as Annex A to the report, with an amendment to the dates of the Resources Working Party one day forwards so that they fall on the Thursday rather than the Wednesday.

92 Treasury Management Mid-Year Review

The Corporate Director (s151) submitted a report (previously circulated) which presented the treasury management activities to date for the financial year 2013/14 in accordance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (the Code).

Councillor Wainwright moved and Councillor Mrs Shields seconded the recommendations in the report.

Resolved

That:

- (i) Members receive the report; and
- (ii) The mid-year performance of the in-house managed funds to date is noted.

93 Business Rate Pooling

The Corporate Director (s151) submitted a report (previously circulated) which updated Members on the proposals for the Council to join a Business Rates Pooling arrangement with other Authorities.

Members noted the updated position and that the Corporate Director (s151) would decide on Business Rate Pool membership by the 14 January 2014.

94 Any other business that the Chairman decides is urgent.

There being no other business, the meeting closed at 8.30pm.

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9 January 2014 – Responses to Supplementary Questions

Questions on the Leader's Statement

From Cllr Ward

“Cllr Mrs Cowling you talk about the role out of the Superfast Broadband helping existing business and helping to attract new business. The last time I heard anything about that was quite frankly a very disappointing presentation at a Parish Liaison meeting some months ago and I just wonder whether you could update Council on what progress if any has been made?”

A confidential response was circulated to Members.

From Cllr Clark

“In view of the fact that these wagons at 4 miles per gallon will be going round collecting green waste from those members of the public who are going to pay how much does she expect the distances travelled by those wagons to be reduced because of what changes her group has made?”

“It is expected that uptake by residents subscribing to the garden waste service will be somewhere between 25% and 35%.

Calling at fewer properties will mean that, during 2014, collection rounds will need to be rationalised, which inevitably will reduce the number of miles being travelled.

In busy summer months, collection vehicles sometimes have to travel back and forth to tip off at various composting sites twice, or three times in one day, in order to complete their rounds. With a reduction of tonnages being collected from fewer properties, these ‘turnaround tip’ cycles will also reduce significantly.

With fewer properties to service, time and fuel savings will be made. Based on “opt-in” forecasts, vehicle mileages are likely to reduce by up to 25%, though this is very much dependant on property distribution across the District.”

From Cllr Wainwright

“My question refers to Broadband, my comments are this - that back in July I had an email from Jos Holmes that said that the Hovingham exchange would be on Broadband by the end of September and we are still waiting. Please could the Leader inform all the Councillors how much of Ryedale is on Broadband and when are the expected dates to implement the remaining exchanges to be on Broadband?”

A confidential response was circulated to Members.

From Cllr Paul Andrews

“It arises from the comments in regards to the applications at Kirkbymoorside and the supermarket on Wentworth Street Car Park. To that end you say that resources are being put into the planning department to ensure that we have the capacity to deal with this unprecedented workload. Now I understand that the resources as far as Wentworth Street Car Park are concerned is a retail consultant and I understand his name is Mr. England and I am concerned we are not getting into a situation whereby we appoint somebody who is going to give us the answer that we want, as opposed to a clear and independent view, so I have to ask these questions. I don’t necessarily need the answers at this time but I would like the answers in writing within the next 7 days. First of all who is Mr. England, how was he appointed, who appointed him, who recommended him to whoever for appointment, what other councils has he worked for, what process of selection was gone through before he was appointed and were any Members consulted before he was appointed and if so which Members? I don’t expect a full answer at this time but I would like a written answer within 7 days?”

“In relation to Wentworth Street Car Park application the Council has employed Dr. John England of England and Lyle Planning Consultants to deal with both retail and planning matters relating to the application.

Dr John England MBE, BA(Hons), Dip TP, PHD, MRTPI is a Director of England and Lyle Consultants. England and Lyle are employed by the Council to give expert retail and planning advice on the application.

John England has 40 years experience in planning, including 20 years in consultancy. He has particular expertise in retail planning, including retail and town centre studies and has a wealth of experience in writing reports on proposals for retail development, particularly food stores. He is very familiar with the application of retail policy. He has extensive experience and has advised numerous Councils in respect of retail planning matters in recent years including Hambleton District Council, Leeds City Council, Rotherham MBC, Barnsley MBC, East Riding of Yorkshire Council, Eden District Council, Tamworth Borough Council, North Lincolnshire Council and Bassetlaw District Council

He has a PHD in Retail Impact Assessment and is the author of the book ‘Retail Impact Assessment: A Guide to Best Practice’ published by Longmans.

He is also a Director of Action for Market Towns and in 2009 was awarded an MBE for services to retail planning.

England and Lyle were chosen following a procurement exercise carried out in 2013. Tenders were received from several consultancies and these were assessed by a panel of officers in the usual manner. The tenders were assessed on the basis of both quality of submission and price criteria.

England and Lyle are a consultancy on a Framework Agreement that Ryedale District Council is a party to, along with Scarborough and Selby Councils'.

Members were not consulted or involved in any respect in relation to this appointment."

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