

## **Council**

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Minutes of Proceedings

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

### **Present**

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

### **In Attendance**

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Jill Baldwin  
Simon Copley  
Peter Johnson  
Phil Long  
Bridget Skaife  
Janet Waggott  
Anthony Winship

### **Minutes**

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55      **Apologies for absence**

Apologies for absence were received from Councillors Hicks and Legard.

**56 Public Question Time**

There were no public questions.

**57 Minutes**

That the minutes of the Ordinary Meeting of Council held on 4 September 2014 were presented.

**Resolved**

That the minutes of the Ordinary Meeting of Council held on 4 September 2014 be approved and signed by the Chairman as a correct record.

**58 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).

**59 Declarations of Interest**

There were no declarations of interest.

**60 Announcements**

The Chief Executive Janet Waggott made the following announcements:

- That the road closure details for the Plusnet Yorkshire Marathon were available on the website.
- That the Galtres Festival funding allocation had been incorrectly reported in the press. That the details given were for last year and not the current year.

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

1. Councillor Clark submitted the following question.  
To Councillor Mrs Cowling, the Chairman of Policy and Resources

Could the chair of Policy and Resources please inform Council how well the 'Picture Pickering' consultation is proceeding ?

The Leader of the Council, Councillor Mrs Cowling replied:

*'Well John. I'd like to thank you first of all for asking this question because it's nice to be able to report back on how well Pickering is doing. The Picture Pickering consultation isn't actually proceeding. It was a one day event and the issues that were raised on that day feed into the work that our Officers now do. The results of the consultation is used and is what is proceeding and if we could we could have a quick trot through some of the successes in Pickering. It was a very good day - the Picture Pickering event - I think all 4 Pickering district councillors attended it and a number of other councillors were there as well. A lot of the issues which were raised were to do with traffic management, road humps and the condition of the road which John you might be able to report on better than me , you being an NYCC County Councillor. Other issues were - a lot of people were concerned about 2 sites in particular in Pickering that were quite untidy. One was the local cinema which a lot of you will be aware now is being demolished and being turned into a new development. The other was the coal yard and that is now a thriving Lidl store which is very well used in Pickering and I have to say has had a very positive impact on Pickering for lots of different reasons. For some reason, ever since the day that Lidl opened Pickering is much busier, it's eased the parking situation - I think they have about 40 car parks at Lidl - and that's freed up the car park on the Ropery in Pickering so that's had a very positive impact.*

*There were comments about improving the quality of the market. Well I regularly go up the market on a Monday and I have to say that since officers implemented the work to monitor the mix of stalls on the market it is really good. There is a fabulous mix of stalls on the market and the farmers market on a Thursday once a month is also a very good event in Pickering.*

*A lot of people asked about improved provision of open spaces and the open space up Whitby Road is continuing. We're working with officers from Ryedale, we're working with Pickering Town Council to use Section 106 money to improve that space.*

*Improving circulation around the town. I didn't really know what was meant by that but I do know that the rephrasing of the traffic lights at the Ropery has certainly improved traffic movement around that area.*

*Parking issues around the town have always been of great concern and the introduction of decriminalisation of parking and the new regime that we have with traffic wardens is working well but I won't say it's 100%. I went up the Market Place today and there were three vehicles with disabled stickers in parked on the double yellow lines in the Market Place and it was making it*

*extremely difficult for people to get up and down the Market Place, so there probably is still a bit of work to do there.*

*Housing need for young people - that is a problem that's been recognised throughout the whole of North Yorkshire and beyond and I'm very interested in looking at alternative ways of providing housing for young people. At the moment we're addressing it quite well; Ryedale is delivering very well on affordable homes.*

*Diversity of economy - I think we have an Economic Development department that is working really well with businesses in the whole of Ryedale but particularly in Pickering, we were very successful in delivering planning permission very quickly for Rosti McKechnie so they could expand their premises and I believe there are around 200 new jobs that will be provided there eventually.*

*The other thing that was commented on a lot was the flood defences and that is a massive thing for Pickering that those flood defences have been delivered successfully.*

*A lot of comments about Wells Walk and the lack of access to what was a very popular public footpath and we have to thank NYCC for dealing with that. It was a long process but it was successful in the end.*

*One of the other comments was that people wanted more recycling. Three years ago we introduced recycling of plastic and cardboard throughout the district and of course in Pickering as well.*

*I think the other important think to mention was that a lot people wanted the facilities and equipment updating in the leisure facilities at Lady Lumleys and at the Pool in Pickering and Derwent Pool and of course that will be happening'*

Councillor Clark then asked the following supplementary question:

*'Traffic management, well I think we've done alot of that, we've sent it off to Scarborough and as for road humps, I've campaigned against the road humps in Middleton Road since before I was on this Council and have continued to do since. If anybody can give me any idea that can stop the County having the view that car wrecking road humps are a good idea, particularly alongside potholes, I'd be very impressed but so far nowhere. I wonder - this is a very impressive list but this is the first time we've heard this list, the last time I asked Councillor Cowling for this she didn't know what I was referring to and she was, and told many people at the consultation, going to bring it to Committee. With that list of*

*things could we hope that it will come to the Committee? I'm a little concerned about the promise for more recycling because I think, more recycling, yes, but we're going to charge you £30 odd for doing it wasn't exactly mentioned at the time. On that basis, when could we expect the requests from the public and the analysis done by the officers to go to Committee?*

The Leader then replied:

*'I'm not 100% sure that it a piece of work that needs to go to Committee. The results of the work and the comments that people made are available for you to see, if that's what you want to see I can forward that on to you. As I said, the consultation and the results of the consultation is a piece of work that Officers use in connection with Pickering, so I'm not quite sure what you hope to achieve by taking it to Committee but perhaps we can have a talk about that outside of this meeting'*

2. Councillor Clark submitted the following question;  
To Councillor Mrs Cowling, the Leader of the Council;

Does the Leader of Council agree with proposed cuts suggested by the Fire Authority to Ryedale District Council ?

The Leader of the Council, Mrs Linda Cowling replied:

*'I think the first point to make is that the Fire Authority is a separate authority to Ryedale District Council and any cuts in the district are regrettable of course and these cuts will affect some properties in Ryedale. I'm sure that the Fire Authority have considered these cuts very carefully and they, like us, are subject to cuts in their budget and I think that this will be, in their opinion, the least damaging way of making cuts. I'm sure they wouldn't want to increase the risk to any properties in the district'*

Councillor Clark then asked the following supplementary question:

*'I thank the Leader of Council for her reply, I'm not sure she can justify a cut in service that would mean that one fire appliance, if there was an automatic fire alarm from Malton Hospital, one fire attendant would arrive rather than two. Up until now it's been two arriving, in other words two units of people so that one group can work to get the people out and the other can be there to deal with the fire. But if she does agree with it, tell me why she didn't reply to this consultation or did she think that the Tory controlled Fire Authority was quite good enough to make a cuts decision and it would help to keep it quiet?'*

The Leader replied:

*'First of all I wasn't aware that the Fire Authority is a political organisation but I've learnt something tonight from you. I believe that there was only one authority did respond to the consultation and I think that perhaps it's regrettable that we were one of those who didn't but I'm not sure it was my job to do the response. I don't think I would be qualified to do that.'*

3. Councillor Raper submitted the following question:  
To Councillor Luke Ives, Chairman of Council:

Can council look into the situation of the crossing closure proposed by Network Rail in Norton. Pedestrian access later in the day appears to have been overlooked, and also early to work residents are also going to be disadvantaged by the current proposals. Section 17 of the police and crime act place an obligation upon councils to endeavour to reduce crime by planning adequate measures for its population. I can foresee that access to the railway via Malton station will be occurring by residents not wishing to take a longer route.

Network rail also have a duty under the act. This council must ensure that access is maintained for pedestrians at all times. Thereby eliminating the potential for criminal acts to take place.

The Chairman of Council, Councillor Ives replied:

*'The question to me exactly, specifically is can the Council look into this situation. My role as Chairman of Council I cannot direct this Council to do anything like that. I look after procedure, the civic side of things and the constitution. I have spoken to the Corporate Director on this matter who said that in terms of what this Council can do is very limited. It is for Network Rail, nevertheless I will update you on the situation which I've got an answer for you here.'*

*My understanding is that the situation has been addressed from feedback from residents. Hours of closure have been reduced. In addition, Network Rail will have a minibus shuttle service in operation on both sides of the level crossing to help pedestrians, wheelchair users and people with collapsable pushchairs and bicycles to make their journey across the level crossing while it is closed. People will be able to access this service as and when they need it. In addition, during the closures and when engineering work allows there will be limited pedestrian and cyclist access over a temporary footbridge.'*

*Members should note that the closures are essential to allow the track beneath the closure to be renewed and for the final completion of track works’.*

Councillor Raper’s response

*‘Not specifically supplementary Chairman just thank you for using your office to glean this extra information that I don’t think alot of people were quite aware of especially with the minibus service because, as I understood it, this aspect had been deleted from them because it was a cost implication. I know personally members of the public who travel to work across that crossing at 5 am in the morning and this would have been outside the access times that have been currently proposed as I understood them but thank you for your efforts’.*

**62 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:

*“What an interesting time since we last met as Council.*

*The result of the Scottish Referendum has continued to set ripples through various regions and sub regions. The discussions taking place about devolution and devolved powers are taking place more regularly than ever at Leaders’ meetings at the regional and sub regional level. This is linked to the other agendas including Combined Authorities and the York, North Yorkshire and East Riding LEP about proposed joint committees are discussions we continue to consider for and about Ryedale District Council.*

*We continue to work with the LEP via Julian’s good offices to promote rural schemes particularly those most closely linked to Ryedale and those which have a wider impact on the surrounding area.*

*At the Local Government North Yorkshire and York (LGNY&Y) meeting the Director of Public Health’s Annual Statement and Report was presented. A copy of this report is in the Members’ Room if you are interested. There are 7 main recommendations to the report which have an impact on Ryedale. Another interesting report was the City of York’s Local Plan which as a near neighbour is important to us in terms of highways infrastructure and housing.*

*Tonight we concentrate our energy on the Budget Strategy for the Council and I would personally like to place on record my thanks to Peter and the team for firstly preparing this Strategy and for getting a clean bill of health from the Auditor and the Audit Committee. A great achievement under lots of pressure.*

*This weekend is 'War Weekend' in Pickering so another opportunity for Ryedale to promote its many opportunities and attractions including the Book Festival in Malton.*

*I have attended a couple of events at Derwent Training Association. The first was to meet the new intake and the second was last night to help present some of the awards to apprentices who are progressing through their apprenticeships.*

*There is increasing interest from Authorities within North Yorkshire and York on alternative methods of delivering appropriate housing for local people who cannot afford to buy houses. This issue was discussed at the LGNY&Y Housing Board and a housing summit was proposed at the LGNY&Y Board meeting.*

*Last but not least those of you who managed to attend last Thursday will have seen the presentation from our new leisure provider, SLM – Everyone Active. I would like to take this opportunity to thank the Board and staff of CLL for providing a splendid service to our communities over many years and for a smooth handover to the new operator.”*

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

1. From Councillor Wainwright.

*‘Within your statement you talk about the War Weekend in Pickering and the Book Festival in Malton providing an opportunity for Ryedale to promote its many opportunities and attractions. Another one of those opportunities and attractions in Ryedale is the Hovingham village market which takes place the first Saturday in every month. Would you be willing to congratulate the organisers of the Hovingham village market in their winning of the Duke of York Community Initiative Award for 2014?’*

The Leader replied:

*‘Had I known that it would have absolutely been in my Leaders Statement yes and if you would pass on congratulations from the whole of this Council - I’m really really pleased about that. I often get visitors into our tea shop in Pickering who tell me just how wonderful this market is and I think they’ve been rewarded for that. I’m really pleased about it.’*

2. From Councillor Clark



*'I'm a little surprised in your Leader's Statement that you make no reference to the motion that was passed at Full Council for this Council to write to the LGA and to the Government. Could you let me know what their replies were?'*

The Leader replied:

*'If we've had a reply I will get you a copy of it.'*

3. From Councillor Woodward

*'Talking of the War Weekend and the number of visitors it will bring to Ryedale and in particular to Pickering what is going to be done to ensure that visitors do not return home from Pickering with memories spoilt by swarms of flies?'*

The Leader replied:

*'I wasn't aware that there was a problem in Pickering with swarms of flies. Earlier in the year yes there was a problem but at the moment I'm not aware that there is a problem and I think working in a kitchen on a daily basis I would be aware if we were swarmed by flies. I know our Environmental Health do work with some places that are outside of Pickering to deal with problems like that but I think that was rather a strange question.'*

Councillor Woodward asked the following supplementary question:

*'Coming from a representative for Pickering West and the Leader of Council, I think that was rather a strange answer. It's been all over the local media about the flies, it's been raised I think by the other three representatives for Pickering, it's been raised with the Environmental Health department of this Council and the people of Pickering seem to think they're getting nowhere so I'll ask again. Is there anything the Leader can do to make sure that tourists don't go away - it's even been mentioned on tourist forums and I don't think that a handful of intensive farmers should be potentially spoiling probably the largest industry in Pickering.'*

The Leader replied:

*'I am aware that there was a problem earlier in the year and that our Environmental Health department did deal with that but I'm not aware that there's a problem now.'*

4. From Councillor Walker

*'With reference to the final paragraph of your statement will this Council have representation on the governing body of SLM? I did ask it before but I didn't get an answer'.*

The Leader replied:

*'I think the answer last time was that it would be dealt with by the Scrutiny Committee and the answer is the same now'.*

The Chairman invited Councillor Wainwright to clarify:

*'I understand that the Scrutiny Committee will be looking into the new provider of sports provision but I was not aware that we would be putting a member on the Board'.*

The Leader replied:

*'Sorry that isn't what I meant at all. What I was meaning that you would be monitoring the performance. I think there has been a written answer to your question Cllr Walker'.*

Councillor Walker asked the following supplementary question:

*'For clarification, I received a reply but they didn't answer the question. The reply referred to the Scrutiny Committee and various good management practices and monitoring procedures and all sort of Sir Humphrey Appleby codswallop but quite frankly it didn't answer my question as to whether there's going to be Council representation on the SLM Board of Management? Simple answer yes or no?'*

The Leader replied:

*'No.'*

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

**Policy & Resources Committee – 25 September 2014  
Minute 25 – Constitutional Changes: Electronic submission of Notices on Motion and revision of deadlines for questions on notice.**

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

(i) The addition of the wording shown in italics below to Council Procedure Rule 11.1:

Except for motions which can be moved without notice under Rule 12, written

notice of every motion, signed by at least two Members, must be delivered to the proper officer not later than 5pm, eight *working* days before the date of the meeting. These will be entered in a file open to public inspection.

*Written notice of motions may be given by email, from a ryedale.gov.uk email address. Signatures are not required in these instances but consent must be received from each Member who has put their name to the motion by email from a Ryedale.gov.uk email address.*

(ii) The addition of the wording shown in italics below to Council Procedure Rule 14.1:

A motion or amendment to rescind a decision made at a meeting of Council within the past six months cannot be moved unless the notice of motion is signed by at least one quarter of the whole number of Members of the Council.

*Such notice of motions may be given by email, from a ryedale.gov.uk email address. Signatures are not required in these instances but consent must be received from each Member who has put their name to the motion by e mail from a ryedale.gov.uk email address.*

(iii) The addition of the wording shown in italics below to Council Procedure Rule 10.4:

A Member may only ask a question under Rule 10.2 or 10.3 if either:  
(a) he/she has given notice in writing of the question to the Proper Officer *not later than 5pm, eight working days before the date of the meeting;*  
or

(b) the question relates to an urgent matter, he/she has have the consent of the chairman to whom the question is to be put and the content of the question is given to the Proper Officer by *12 noon* on the day of the meeting. *An urgent matter must be one which the Member could not have reasonably known about eight working days before the date of the meeting and which must be dealt with before the next ordinary meeting of Council.*

That the motion to amend the Council Procedure Rules then stood adjourned without discussion to the next Ordinary Meeting of Council, to be held on Thursday 18 December 2014, under Council Procedure Rule 23.2.

## **Minute 26 – Budget Strategy**

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

That Council be recommended to approve the following strategy for the preparation of the 2015/2016 budget:

- (i) Proposals to be brought forward for a 1.99 increase in Council Tax;
- (ii) Increase in fees and charges to be 3.5% - 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommend above or below this figure to be considered by the relevant policy committee;
- (iii) Efficiencies to be maximised; and
- (iv) The use of New Homes Bonus in line with the medium term financial plan.

Councillor Mrs Cowling moved and Councillor Arnold seconded an amendment to:

Amend the recommendation within the Budget Strategy Report as follows:

- (v) Members approve the continuation of this Council's membership of the North Yorkshire Business Rates Pool in 2015/16; and
- (vi) Delegation is given to the Finance Manager (s151) in consultation with the Chairman of the Policy and Resources Committee to decide on Ryedale's continuation in the pool from 2016/17 onwards should be satisfied that such an arrangement is likely to be in the financial interests of the Council.

Upon being put to the vote, this amendment was carried.

#### Voting Record

18 For

6 Against

2 Abstentions

Councillor Fraser moved and Councillor Bailey seconded a further amendment:

To change recommendation (ii) of the budget strategy report as follows:  
Increase in fees and charges to be up to a maximum of 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommended above this figure to be considered by the relevant policy committee.

Upon being put to the vote, this amendment was carried.

#### **Recorded Vote**

For

Councillors Ives, Acomb, Arnold, Bailey, Collinson, Mrs Cowling, Cussons, Mrs Frank, Fraser, Mrs Goodrick, Hope, Mrs Hopkinson, Raper, Mrs Sanderson, Wainwright, Windress.

Against

Councillors J Andrews, Mrs Burr, Clark, Mrs Keal, Maud, Richardson, Mrs Shields, Walker, Ward, Woodward

Councillor Woodward moved and Councillor Clark seconded a third amendment to:

Delete '1.99%', and add zero % in recommendation (i)

Upon being put to the vote, this amendment was lost.

Voting Record

8 For

14 Against

4 Abstentions

The substantive motion was then put to the vote and carried.

**Resolved:**

That Council approve the following strategy for the preparation of the 2015/2016 budget.

- (i) Proposals to be brought forward for 1.99% increase in Council Tax;
- (ii) Increase in fees and charges to be up to a maximum of 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommended above this figure to be considered by the relevant policy committee.
- (iii) Efficiencies to be maximised; and
- (iv) The use of New Homes Bonus in line with the medium term financial plan.
- (v) Members approve the continuation of this Council's membership of the North Yorkshire Business Rates Pool in 2015/2016; and
- (vi) Delegation is given to the Finance Manager (s151) in consultation with the Chairman of the Policy and Resources Committee to decide on Ryedale's continuation in the pool from 2016/17 onwards should he be satisfied that such an arrangement is likely to be in the financial interests of the Council.

Voting Record

17 For

9 Against

0 Abstentions

64 **Representation on Outside Organisations**

To appoint a representative and substitute to the board of the Ryedale Folk Museum.

It was moved and seconded that the representative to the board of the Ryedale Folk Museum be Councillor G Acomb and the substitute be Councillor Mrs J Frank.

**Resolved**

That the representatives of the Ryedale Folk Museum are;

Representative : Councillor G Acomb  
Substitute : Councillor Mrs J Frank

Voting record

17 votes for  
5 Abstain

65 **Any other business that the Chairman decides is urgent.**

There being no other business, the meeting closed at 8.00pm