Council

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday 7 July 2016**

Present

Councillors Joy Andrews
Paul Andrews
Steve Arnold
Val Arnold
Burr MBE
Clark
Cleary
Cowling
Cussons
Duncan
Farnell
Frank
Gardiner (Chairman)
Hope
Ives
Jainu-Deen
Keal
Maud
Oxley (Vice-Chairman)
Potter
Sanderson
Thornton
Wainwright
Windress

In Attendance

Gary Housden
Peter Johnson
Nicki Lishman
Phil Long
Clare Slater
Janet Waggott
Anthony Winship

Minutes

13 **Apologies for absence**

Apologies for absence were received from Councillors Acomb, Bailey, Goodrick, Jowitt, Raper and Shields.

Note: Councillor Clark requested that the notices on motion be brought forward on the agenda. The Chairman did not agree to this request.

[Amended at the meeting on 1 September 2016.]

14 **Public Question Time**

There were no public questions.

15 **Minutes**

The minutes of the Ordinary Meeting of Full Council held on 14 April 2016 were presented.

Resolved

That the minutes of the Ordinary Meeting of Full Council held on 14 April 2016 be approved and signed by the Chairman as a correct record.

16 **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).

17 **Declarations of Interest**

The following interests were declared.

Councillors V Arnold, Burr, Clark and Sanderson declared a personal non-pecuniary but not prejudicial interest in agenda item 11 as North Yorkshire County Councillors.

18 **Announcements**

The Chairman made the following announcements:

Councillor V Arnold, the previous Chairman of the Council, presented cheques to the value of £1160 to each of her chosen charities, Yorkshire Air Ambulance and Macmillan Cancer Support.

Councillor Farnell, Staff Member Champion, presented Staff Celebration Awards to the following members of staff;

- Excellence in Leadership award - Marcus Lee, Team Leader, Revenues and Benefits and Alan McCarten Senior Taxation Officer.
- Innovation by a Team - Karen Hood, Team Leader for Managing Development and Chris Morris, Managing Development Hub Officer.
- Excellence in Customer Service - Phil Ansell, Caretaker at Ryedale House.

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

There were no questions on notice.

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

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

EU Referendum - The decision by our country to leave the EU is one of the biggest changes that most of us will have seen in our lifetime and will have far reaching consequences. I believe it is the start of a new and exciting chapter in the history of our country and will provide opportunities which we, as a council, must be ready to take advantage of. We will need to continue to work with our officers to evaluate the impact on our council.

Tonight on our agenda we have items that are very relevant for the future wellbeing of our district. They now have to be viewed alongside the decision to leave the EU. For the time being I believe they remain relevant and in the best interests of our community.

Our corporate business plan - Delivering the Council's priorities - ensures that we focus on those core priorities - the things that matter to Ryedale and its residents.

Our Budget Strategy and Efficiency Statement sets out our plan to deliver the savings required to live within our budget - working towards 2020.

Our Policy & Resources Committee is recommending the use of reserves to fund the transformation programme that we have in place. Sometimes it is necessary to spend to save, and this is one of those occasions. We have been really clear that any underspend has to be returned to the NHB reserve.

Following tomorrow's LEP Board meeting there is a meeting of LGNY&Y Leaders and CEXS when we shall be discussing - again - Combined Authorities, Devolution and single tier authorities - all viewed now in the light of our exit from Europe and what that will mean. We will be working through some very uncertain times in the coming months and possibly years, so we will need to remain really clear about what our residents and businesses need. Our Chief Executive has coined a phrase "Delivering what matters for Ryedale" and in these difficult financial times it is never more relevant.

From Councillor Thornton

Could the Leader of Council please inform Council how much was in the 2016/17 and the 2015/16 budgets for T2020 and transformation projects?

The Leader replied

I will get you a written answer to that.

Councillor Thornton then asked the following supplementary question

As this process was started in November 2015 and planned earlier and much completed by the budget meeting in March 2016, could you also include in your response, why was there nothing in the 2015/16 budget and why not in the 2016/17 budget and is this not a departure from the 2015/16 and 2016/17 budgets?

The Leader replied

I'll get you a full written response to that.

From Councillor Potter

I managed to highlight a couple of points out of that one - specifically delivering the Council's priorities, the things that matter to Ryedale and its residents, sometimes it's necessary to spend to save and delivering what matters for Ryedale. Would the Leader therefore agree the importance of sound financial management, strict value for money and scrupulously accurate budgets and future spending plans in every aspect of Council business.

The Leader replied

I couldn't possibly argue with that.

From Councillor P Andrews

In regard to core priorities can the Leader confirm that it's not going to be confined to our strict statutory duties but is going to go further than that?

The Leader replied

I don't quite understand what you're asking.

Councillor P Andrews clarified

There are certain functions which the Council has to carry out which are mandatory functions and there are certain functions which are discretionary functions. Can you confirm please that when you're talking about core priorities that you are not restricting the Council's business to mandatory, statutory functions?

The Leader replied

Absolutely. I think one thing this Council has been really clear about and many Councillors who I speak to are really clear that some of the non-statutory are really important and if you look what we've spent money over the years such as flood defences which things we didn't have to do. We didn't have to do Brambling Fields. They are the things that matter to the people of Ryedale and I think that councillors have been really clear that they wish to continue to deliver all those services - all the services that we do, not just the statutory ones and this is why this transformation programme is as it is. This is in order to try to continue to deliver all those services.

From Councillor Wainwright

In the second paragraph of your statement you talk about the future well being of our district and the best interests of our community. At the Ryedale Area Committee meeting last Wednesday the A64 improvements were on the agenda. I understand from that meeting that the improvements that were scheduled for Barton Hill will not now take place. Could you explain why that might happen and what will happen in the future?

The Leader replied

It is simply a financial thing and there's no doubt that at that meeting it was cross party, we were all really, really cross. I think Lindsay, John and Val that you would all agree that everybody explained just how unhappy we were about that. It's simply that it's been bumped out of the budget. All the work's done, the scheme is still there but whether or not it will be financed in the future we don't know. What I can tell you is that Caroline has written to our MP and he's doing all that he can to get it back into the work programme. I can't say how cross we all were about it.

From Councillor Clark

Going back to paragraph four and the T2020. I understand that iEse, that we have a partnership with them. Is this a local authority company? How much was the entry fee and what were our reasons for joining?

The Leader replied

iEse are a public interest company and I will get the answer to your questions written down and it will be sent to all Councillors. It was a very small joining fee as I recall.

Councillor Clark then asked the following supplementary question

It doesn't appear, it seems to be so small that iEse appear to have missed Ryedale Council off their list of partners or maybe they've just failed on their website but my concern is more than that. My concern is that this is a local authority company that we have joined as you Leader has just said, so if we've joined this Techal company and it's therefore subject to the Teckal rules, my understanding is from the Standing Orders, under responsibility for Council functions - and I'll read out to you 1.0 F, "Only the Council will exercise the following functions - All policy matters, new proposals relating to significant partnerships with external agencies and local authority companies". So on that basis we've done that. Could you tell me when that decisions to go down the iEse route was made by Full Council? If not I believe you've broken the Council's Constitution. And that really does require an answer now Chair.

The Leader requested the Chief Executive to answer

Thank you Cllr Clark, I think you've asked lots of these questions before and I think they come up in your motion later this evening. I think the entrance fee was £5. The decision to work with iEse is for tonight at Council now because I have worked under delegations in the amount of resource that I have applied within my delegations and we're asking members if they would like to continue the relationship. The relationship is not breaking Standing Orders in my view because I have a job to do, I've done it within the delegated scheme, the amount of money I have spent is within those delegations and we need to be able to manage the business of the Council. If Members do not wish to enter into this arrangement, then that is for tonight. The decision with iEse has been to a previous Resources Working Party, it has been to Policy and Resources Committee. We have appended the Mandate for Change and the Blueprint for change to Councillors, we've linked that to our strategy on our assets, Scrutiny are looking at the assets so in my view that is where we are and it's for Members this evening, if they wish to continue that relationship. It's no surprise to Members that it's my recommendation because we need help to move on, to save the money that we need to and that is the help that I believe we need.

From Councillor Clark

If the Leader prefers I will refer my next question to the CX because it follows on from that statement which she has just made. It doesn't say all significant decisions to work with local government companies, it says all. But let's just accept that because we have to have flexibility. So far and the CX's authority without going to Committee is £50k - I don't know the figure for June but the figure up until the end of May of £60,307 and there is commitment to considerably more. How does that fit in with the Financial Standing Orders, financial regulations and responsibility for Council functions?

The Leader replied

I think I object to this because it's supposed to be questions to me not to the CX and if there are questions that I can't answer then you'll get a written answer. Now ask me something I can answer.

From Councillor Clark

I will ask you something you can answer. If the Council Standing Orders ad Financial Regulations are being broken is it not your duty to know at least the simple one that the limit of the CX's expenditure is £50k? Is it not your duty to know that if we're going into a partnership costing hundreds of thousands *that it is to go to Full Council under the Tekal agreement not something that you will duck by saying that you will give a written answer later? Is that a question you can answer?*

[Amended at the meeting on 1 September 2016.]

The Leader replied

I do know that the limit is £50k and it is at Full Council tonight.

From Councillor Clark

Why has £60,307 been spent and breaking that without an apology, a comment or anything else?

The Chairman intervened

Councillor Clark you have been told that people will provide answers to these questions that you're raising. We cannot keep going on at this time.

From Councillor Clark

This is the whole crux of tonight's meeting that we are going to be spending £1.2M on redundancies. we're asking for a further £400k. It wasn't to our belief, in the budget last March, it wasn't in the previous budget and on that questions - if we say that we can't answer those questions now, we shouldn't be going down the route that we're going down tonight because the reasons for those questions is because tonight is dependent on the answers to those questions.

The Leader replied

Chairman this is for debate later on

From Councillor J Andrews

If RDC and iEse have an internal agreement, which I think we do, why are we paying them 50p per mile in travel expenses, which is above what we pay staff?

The Leader replied

I'll get you a written answer. It would have been nice - my statement's been out for a week, I could have got you that answer, you could have had it tonight had you let me know what you're question was. You've obviously done your homework very well but do me the courtesy of giving me some notice. That is a very detailed question to be asking me.

The Chairman

The CX wishes to say something.

The Chief Executive

I do appreciate that this your territory Members but this is my profession and I'm being challenged a lot, which is obviously your role. We pay an amount of money as per the agreement and it's in the agreement I sent you, that you have and that's what I sent you. So obviously this is a political game that we're playing but I think when you say that I'm breaking the Constitution, breaking the law and breaking other things I must stand up for myself. I will say that there has been spend over 2 years, I will say that we're working with a company who are a regional improvement and efficiency partnership that have a good track record, that have helped us a lot. That have helped us get to where we need to be in terms of managing change.

There has been a scoping exercise where we spent £10k and it is true that we have paid over £50k to the same company, which has been paid over 2 financial years and I can't stress enough Chairman, that this has been to Resources Working Party, it has been to Policy and Resources Committee and it has been to Council. It's Council tonight and if Members do not wish to continue those arrangements that's absolutely up to Members of course. I'm sure they'll help me understand how I'll do what they want me to do, which is to manage £1.1M of savings before 2020 and at the same time keep frontline services going.

From Councillor Clark

Point of personal explanation. I did not wish those questions to go to the CX. It is up to the Leader of Council to know what the CX is doing, whether she is sticking to the Constitution, whether she is exceeding her limits. She should know that. That is her responsibility, not the CX's to end up having to answer questions that the Leader of Council can't answer.

21 **Request for Support of the Chief Executive to Selby District Council**

Considered - Report of the Chief Executive

It was moved by Councillor Cowling and seconded by Councillor S Arnold that the following recommendation be approved and adopted.

That Council is recommended to approve:

(i) The request from the Leader of Selby District Council that the Chief Executive of Ryedale District Council works, on a part time basis, as the interim Chief Executive of Selby District Council from the 1 August 2016 until further notice.

Councillor Clark moved and Councillor Thornton seconded the following amendment.

Remove the words "until further notice" and add to the recommendation;

(ii) This arrangement to run for a two month period
(iii) Any request for an extension must be referred to Full Council

Upon being put to the vote the amendment was lost.

Voting record
For 4
Against 19
Abstentions 1

Upon being put to the vote the motion was carried.

Resolved

(i) That the request from the Leader of Selby District Council that the Chief Executive of Ryedale District Council works, on a part time basis, as the interim Chief Executive of Selby District Council from the 1 August 2016 until further notice be approved.

Recorded vote
For - Councillors S Arnold, V Arnold, Burr, Cleary, Cowling Cussons, Duncan, Farnell, Frank, Gardiner, Hope, Ives, Jainu-Deen, Keal, Maud, Oxley, Sanderson, Wainwright and Windress
Against - Councillors J Andrews, P Andrews, Clark, Potter and Thornton

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

Planning Committee - 5 July 2016

Minute 21 - Developer Contributions from Small Sites

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

The Planning Committee resolved to recommend to the Council the following approach:

(i) Continue to negotiate the on-site provision of affordable housing in line with Policy SP3 of the Ryedale Plan with the exception that on-site affordable housing contributions will not be sought from sites of 10 dwellings or less and which have a maximum combined gross floor space of no more than 1,000square metres;

(ii) Continue to negotiate the on-site provision of affordable housing in line with SP3 of the Ryedale Plan with the exception that on sites of between six and ten dwellings in parishes outside of Malton, Norton and Pickering, financial contributions will be sought in lieu of the existing on-site policy requirement and that financial contributions of an equivalent of 40% of provision will be sought on such sites in west and south west Ryedale;

(iii) Not seek financial contributions from small residential sites through the planning process towards affordable housing on sites of five dwellings or less under Policy SP3 of the Ryedale Plan.

Upon being put to the vote the motion was carried.

Resolved

(i) Continue to negotiate the on-site provision of affordable housing in line with Policy SP3 of the Ryedale Plan with the exception that on-site affordable housing contributions will not be sought from sites of 10 dwellings or less and which have a maximum combined gross floor space of no more than 1,000square metres;

(ii) Continue to negotiate the on-site provision of affordable housing in line with SP3 of the Ryedale Plan with the exception that on sites of between six and ten dwellings in parishes outside of Malton, Norton and Pickering, financial contributions will be sought in lieu of the existing on-site policy requirement and that financial contributions of an equivalent of 40% of provision will be sought on such sites in west and south west Ryedale;

(iii) Not seek financial contributions from small residential sites through the planning process towards affordable housing on sites of five dwellings or less under Policy SP3 of the Ryedale Plan.

Voting record
For 19
Against 4
Abstentions 1

Policy and Resources Committee - 16 June 2016

Minute 6 - Delivering the Council's Priorities

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

1. That the progress made by the Council in delivering its priorities in 2015/16 and the challenges to be faced in 2016/17 be noted

2. That the Aims and Strategic Objectives of the Council Business Plan for 2016/21 as attached at Annex A of the report be agreed.

Upon being put to the vote the motion was carried.

Resolved

1. That the progress made by the Council in delivering its priorities in 2015/16 and the challenges to be faced in 2016/17 be noted

2. That the Aims and Strategic Objectives of the Council Business Plan for 2016/21 as attached at Annex A of the report be agreed.

Voting record
For 18
Against 4
Abstentions 2

Minute 9 - Budget Strategy and Efficiency Statement

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

1. That Council be recommended to approve the following strategy for the preparation of the 2017/18 budget:

i. Proposals to be brought forward for a £5 increase in Council tax;

ii. Increases in fees and charges to be to a maximum of 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommend 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. Options for service cuts to be provided if necessary. These proposals to be considered by the Resources Working Party and brought to the Policy and Resources Committee and Council.

2. That Council be recommended to approve the Annual Efficiency Plan and that delegated authority be given to the Finance Manager, in conjunction with the Chairman of Policy and Resources Committee, to accept the 4 year funding offer should they deem that it is in the best interests of the Council to accept the offer.

An amendment was moved by Councillor Cowling and seconded by Councillor Arnold.

To add that

"Should there be a significant impact on the economic circumstances of this Council as a result of the EU Referendum, the Council reserves the right to reconsider the Budget Strategy and Efficiency Statement."

Upon being put to the vote the amendment was carried.

Voting record
For 20
Against 0
Abstentions 4

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

Resolved

1. That the following strategy for the preparation of the 2017/18 budget be approved:

i. Proposals to be brought forward for a £5 increase in Council tax;

ii. Increases in fees and charges to be to a maximum of 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommend 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. Options for service cuts to be provided if necessary. These proposals to be considered by the Resources Working Party and brought to the Policy and Resources Committee and Council.

2. That the Annual Efficiency Plan be approved and that delegated authority be given to the Finance Manager, in conjunction with the Chairman of Policy and Resources Committee, to accept the 4 year funding offer should they deem that it is in the best interests of the Council to accept the offer.

3. Should there be a significant impact on the economic circumstances of this Council as a result of the EU Referendum, the Council reserves the right to reconsider the Budget Strategy and Efficiency Statement

Voting record
For 18
Against 5
Abstentions 1

Minute 10 - Member Involvement in Appeal Panels

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

That Council be recommended to approve that the Members Appeals Panel be replaced by an Officer appeals Panel in all appeals against dismissal except where a case cannot be considered by the Head of Paid Service or nominated representative.

Upon being put to the vote the motion was lost.

~~**Resolved**~~

~~That the Members Appeals Panel not be replaced by an Officer Appeals Panel in all appeals against dismissal except where a case cannot be considered by the Head of Paid Service or nominated representative be approved.~~

Recorded Vote
For
Councillors Cowling, Cussons, Frank, Ives, Jainu-Deen and Wainwright.

Against
Councillors Steve Arnold, Val Arnold, Cleary, Duncan, Gardiner, Hope, Oxley, Windress, Maud, Joy Andrews, Clark, Potter, Thornton, Keal, Paul Andrews, Burr.

Abstentions
Councillor Farnell

[Amended at the meeting on 1 September 2016.]

Minute 12 - Towards 2020 - Use of Reserves

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

That Council be recommended to approve:

i. that £958K is transferred from the NHB reserve as follows:

- transfer of £778K to the restructure reserve giving a total balance of £1.2m to fund the cost of further redundancies
-
- transfer of £180K to the ICE Fund as an invest to save measure to accommodate other organisational costs of change, including IT and transformational support and the continued work with iESE.
-

ii. that £150k is transferred from the General Reserve to the ICE Fund as detailed in bullet point 2 above
iii. Any unused funds which have been transferred from the NHB Reserve be returned to the NHB Reserve

Upon being put to the vote the motion was carried.

Resolved

i. that £958K is transferred from the NHB reserve as follows:

- transfer of £778K to the restructure reserve giving a total balance of £1.2m to fund the cost of further redundancies
-
- transfer of £180K to the ICE Fund as an invest to save measure to accommodate other organisational costs of change, including IT and transformational support and the continued work with iESE.
-

ii. that £150k is transferred from the General Reserve to the ICE Fund as detailed in bullet point 2 above

iii. Any unused funds which have been transferred from the NHB Reserve be returned to the NHB Reserve

Voting record
For 17
Against 4
Abstentions 1

Exempt Information

That under Paragraph 1, 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following item as there would be a likely disclosure of exempt information relating to any individual or which is likely to reveal the identity of any individual or the financial or business affairs of a particular person.

Voting record
For 15
Against 4

Minute 12 - Towards 2020 - Senior Staffing Matters

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

That Council be recommended to approve the following matters:

(i) The request for voluntary redundancy for Chief Officer Post CMT 165 be approved;

(ii) That delegated authority be given to the Chief Executive to terminate the employment of postholder CMT165 on the grounds of redundancy on the terms set out in the Council's Redundancy and Redeployment Policy

Upon being put to the vote the motion was carried.

Resolved

(i) The request for voluntary redundancy for Chief Officer Post CMT 165 be approved;

(ii) That delegated authority be given to the Chief Executive to terminate the employment of postholder CMT165 on the grounds of redundancy on the terms set out in the Council's Redundancy and Redeployment Policy

Voting record
For 14
Against 4
Abstention 1

23 **Notices on Motion Submitted Pursuant to Council Procedure Rule 11**

As the meeting had lasted for more than three and a half hours, the Chairman proposed that the meeting continue beyond the time limit of three and a half hours

Upon being put to the vote the motion was lost.

The Chairman declared the meeting closed.

[Note: This procedural motion was dealt with in exempt session.]

[Amended at the meeting on 1 September 2016.]

Consideration of the Motions on the agenda was therefore deferred until the next meeting of the Council.

Voting record
For 4
Against 11

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

There being no other business, the meeting closed at 10.35 pm.

7 July 2016 – Written Responses to Questions

Questions on the Leader's Statement

From Cllr Thornton

"How much was in the 2016/17 and the 2015/16 budgets for T2020 and transformation projects?"

Written response:

"It has been previous practice to use reserves to cover the cost of transformational change and therefore there was no specific Revenue budget earmarked for the T2020 programme.

The MTFP is a key element of the Finance Strategy and budget setting report, in both years it was very clear about the need to make future savings and the requirement to fund those savings from reserves. The 16/17 Finance Strategy report presented to P&R in February 2016 included the emboldened statement in relation to the NHB reserve:

"Officers recommend that this balance be ring fenced subject to a further report to this Committee focusing on transformational support."

The authority to vire budgets is included within the Financial Procedure Rules of the Council, specifically section 3 Budgetary Control.

Virements have been undertaken from various budget head underspends in 2015/16 and 2016/17 to facilitate the iESE spend in line with the budgetary control rules. An element of the Best Value Budget was available to use for the iESE scoping exercise in 15/16, no other specific budget provision was included."

From Cllr Thornton

"Why was there nothing in the 2015/16 budget and why not in the 2016/17 budget and is this not a departure from the 2015/16 and 2016/17 budgets?"

Written response:

"No it is not a departure from the 2015/16 and 2016/17 budgets. Please refer to the previous answer which states that it was made very clear in both years that significant savings would be required and would need to be funded from reserves."

From Cllr Clark

"I understand that iEse, that we have a partnership with them. Is this a local authority company? How much was the entry fee and what were our reasons for joining?"

Written response:

"It is not a local authority company. It is a social enterprise company operating in the public sector, the reason for joining was because we know from experience that we have to resource change because if we do not the demands of keeping the day job

going mean that we would not be able to concentrate on the future and on delivering services in up to date ways and realising the benefits from the new technologies available which our customers use and increasingly wish to access services in different ways.

Membership fee of £1."

From Cllr Clark

"It doesn't appear, it seems to be so small that iEse appear to have missed Ryedale Council off their list of partners or maybe they've just failed on their website but my concern is more than that. My concern is that this is a local authority company that we have joined as you Leader has just said, so if we've joined this Techal company and it's therefore subject to the Teckal rules, my understanding is from the Standing Orders, under responsibility for Council functions - and I'll read out to you 1.0 F, "Only the Council will exercise the following functions - All policy matters, new proposals relating to significant partnerships with external agencies and local authority companies". So on that basis we've done that. Could you tell me when that decisions to go down the iEse route was made by Full Council? If not I believe you've broken the Council's Constitution. And that really does require an answer now Chair."

Written response:

"The relationship with iESE is not classed as a 'significant partnership with external agencies and local authority companies'."

From Cllr Clark

"If the Leader prefers I will refer my next question to the CX because it follows on from that statement which she has just made. It doesn't say all significant decisions to work with local government companies, it says all. But let's just accept that because we have to have flexibility. So far and the CX's authority without going to Committee is £50k - I don't know the figure for June but the figure up until the end of May of £60,307 and there is commitment to considerably more. How does that fit in with the Financial Standing Orders, financial regulations and responsibility for Council functions?"

Written response:

"*See answers above re Financial Procedure Rules. There has been no breach of the Financial Standing Orders. The Chief Executive has used under spends and vired money from budgets which is completely in line with the Financial regulations."*

From Cllr Clark

"If the Council Standing Orders and Financial Regulations are being broken is it not your duty to know at least the simple one that the limit of the CX's expenditure is £50k? Is it not your duty to know that if we're going into a partnership costing hundreds of thousands that it is to go to Full Council under the Tekal agreement not something that you will duck by saying that you will give a written answer later? Is that a question you can answer?"

Written response:

"*This statement is factually incorrect. The Council Standing Orders and Financial Regulations have not been broken. Money has been vired from budget under spends over two years."*

From Cllr Joy Andrews

"If RDC and iEse have an internal agreement, which I think we do, why are we paying them 50p per mile in travel expenses, which is above what we pay staff?"

Written response:

"This is what was agreed and detailed in the information the Chief Executive has already provided in the Towards 2020 support from iESE transformation model November 2015."

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