



COUNCIL

Council Summons and Agenda

You are hereby summoned to attend an **Ordinary Meeting of Ryedale District Council** to be held in the **Council Chamber, Ryedale House, Malton** on **Thursday, 10 October 2019** at **6.30 pm** in the evening for the transaction of the following business:

Agenda

- 1 **Emergency Evacuation Procedure**
The Chairman to inform members of the public of the emergency evacuation procedure.
- 2 **Apologies for absence**
- 3 **Public Question Time**
- 4 **Minutes** (Pages 9 - 22)
To approve as a correct record the minutes of the Ordinary Meeting of Council held on 5 September 2019.
- 5 **Urgent Business**
To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.
- 6 **Declarations of Interest**
Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

7 Announcements

To receive any announcements from the Chairman, the Leader and/or the Head of Paid Service.

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

a To Councillor Duncan, Leader of Council, from Councillor Potter

"I understand that the only reason for the Waste Transfer Station not yet operating is the lack of water supply.

I also understand that Yorkshire Water were due to deliver a suitable water supply by 17th July 2019.

On this basis could you please inform me of the cost of the delay caused by Yorkshire Water:-

- 1) To Ryedale District Council per month*
- 2) To North Yorkshire County Council per month*
- 3) And thus the total monthly cost to the people of Ryedale."*

9 Business Adjourned from the Meeting of Council on 5 September 2019 under Council Procedure Rule 8.1

a Appointment of an Independent Remuneration Panel (Pages 23 - 24)

b Policy and Resources Committee - 25 July 2019 - Minute 39 - Treasury Management Annual Report 2018 - 2019 (Pages 25 - 38)

c Motions on Notice Submitted Pursuant to Council Procedure Rule 11 - Motions Previously Referred to and Considered by Committees - Proposed by Councillor Paul Andrews and seconded by Councillor Raine (Pages 39 - 44)

Referred by Full Council on 27 June 2019 and considered by Planning Committee on 13 August 2019

(Officer report and recommendation from Planning Committee attached, details of motion below.)

"In view of the increase in traffic congestion at Malton/Norton likely to be generated by the imminent increase in the number of trains using the Level Crossing at Norton and other matters and the increase and/or likely increase in congestion in Malton/Norton resulting from new development and planned new development; and

In view of the impact or potential impact of new development on the quality of air within the Air Quality Management Area on and around Butcher Corner;
and

In view of the adverse impact of the Ryedale Plan on the number of sites available for development by small local builders,

An independent planning consultant be appointed by the Council Chair in consultation with the Deputy Chief Executive; and

the consultant be given immediate and urgent instructions to do all necessary work

(including public consultation and reference to any public examination) to advise on and to secure, so far as is practicable, the following:

The Ryedale Plan be revised as follows:

- 1. To restrict the percentage of land to be allocated in Malton and Norton for residential development to zero for the rest of the plan period, following the grant of permission for 1,800 houses for the period commencing 1st April 2012;*
- 2. To reduce to zero the future proportion of employment land directed to Malton and Norton following the allocation of sites in the allocations document;*
- 3. To reduce the future proportion of employment and housing land directed to other Ryedale towns following the allocation of sites in the allocations document;*
- 4. To remove the requirement for a local occupancy condition for dwellings built or to be built in village envelopes;*
- 5. To expand the existing village envelopes and town development limits, initially to the areas which were included in village envelopes and town development limits prior to the last Ryedale Local Plan (dated 2002);*
- 6. In order to accommodate demand for development in excess of the numbers currently prescribed in the Ryedale Plan, to expand all village envelopes so as to accommodate at least 60% of all new development for the remainder of the plan period of the Ryedale Plan.*
- 7. To abolish service villages;*
- 8. The current local plans allocation document be revised to include a requirement that no land for new development shall be allocated in Malton/Norton unless it has direct access to a four-way intersection with the A64;*
- 9. The land allocated for development at Ryedale House be de-allocated;*
- 10. Such other modifications as may be necessary to deal with the above points and to ensure that the villages and country areas of Ryedale take their fair share of new development.”*

N.B. Members will see that (with the exception of the Ryedale House site) the above proposals will not stop the allocation of sites already identified, but will protect Malton, Norton and other towns from any major developments which may come forward after the land currently identified is exhausted – as the plan now stands Malton and Norton will have to take 50% of all new development after the completion of the current district wide requirement of permissions for 3,000 houses plus 20%.

In the meantime, the liberalisation of the restrictions for development in the villages will take the pressure off Malton and Norton and other towns.

- 10 Business Adjourned from the Meeting of Council on 5 September 2019 under Council Procedure Rule 23.2**
- a Policy and Resources Committee - 25 July 2019 - Minute 32b -Substitutes at Sub-Committees** (Pages 45 - 52)
- b Policy and Resources Committee - 25 July 2019 - Minute 32c - Management of Meetings** (Pages 53 - 72)
- 11 To Receive a Statement from the Leader of the Council and to Receive Questions and Give Answers on that Statement** (Pages 73 - 74)
- 12 To consider for Approval the Recommendations in respect of the following Part 'B' Committee Items:**

Policy and Resources Committee - 26 September 2019

a Minute 57 - Financial Strategy 2020 - 2024 (Pages 75 - 90)

13 Motions on Notice Submitted Pursuant to Council Procedure Rule 11

a Proposed by Councillor Mason and seconded by Councillor Keal (Pages 91 - 96)
Motions Previously Referred to and Considered by Committees

Referred by Full Council on 27 June 2019 and considered by Overview and Scrutiny Committee on 3 October 2019

(Report attached and recommendation from Overview and Scrutiny Committee to follow, details of motion below.)

“This Council

1. *Notes that the ‘Special Report on Global Warming of 1.5°C’ by the Intergovernmental Panel on Climate Change in October 2018, (a) describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5°C rise, and (b) confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector.*
2. *Notes with concern that the impacts of climate change are already causing serious damage to communities both at home and abroad.*
3. *Congratulates the government in committing the UK to legally binding targets for carbon reduction and recognises that all levels of government have a duty to act and take a lead on actions within their power.*
4. *Recognises that a growing number of local authorities have already passed ‘Climate Emergency’ motions.*
5. *Recognises that local plans need to be compliant with the National Planning Policy Framework (NPPF) which require local plans to “help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience...”*
6. *Recognises it will take political will, resources and policy change to tackle climate change and that strong policies to cut emissions also have associated health, wellbeing and economic benefits.*

We call on this council to

- a. *Declare a ‘Climate Emergency’ that requires urgent and immediate action to achieve net zero carbon emissions across Ryedale by 2030*
- b. *Establish a Climate Change and Environment Committee (CCEC) to design the policy framework and deliver a climate emergency action plan for net zero emissions by 2030.*
- c. *Establish a Climate Change Partnership Working Group by autumn 2019 involving councillors, residents, community groups, academics, businesses and other*

relevant parties to advise the CECC

- d. Recommend that the Chief Executive employs a climate change and environment officer to work with and support councillors and officers to drive forward the climate change action plan.*
- e. Ensure that all Council committees consider, in this council term, low carbon design and construction, energy efficiency and renewable energy generation as well as the impact of climate change when reviewing council policies, plans and strategies and that all approaches are in line with a shift to zero carbon by 2030*
- f. Take a leadership role in offering vision, direction and support to empower residents, community groups, businesses, partner organisations and other relevant stakeholders to take appropriate action to tackle climate change”*

b Proposed by Councillor Paul Andrews and seconded by Councillor Thackray

“The Milton Rooms is a key community facility and performing arts venue for the towns of Malton and Norton and the wider Ryedale district, which operates in accordance with the attached vision statement that was agreed with the Council;

It is Council policy to support the Milton Rooms as a community venue and hub for the arts in Southern Ryedale, and for this purpose it has allocated in its budget the sum of £340,000 for improvements;

The main negative public perception of the Milton Rooms is the age and condition and inaccessibility of the venue’s main toilets, and the refurbishment and modernisation of, including a lift to provide disabled person access to, the toilets is therefore urgently required;

In February the Milton Rooms applied for the drawdown of funds for the cost of refurbishing the foyer and toilets;

The Council’s office has checked this application and provided its own estimate of the cost of the work required;

The Milton Rooms has repeatedly assured by the Council that this matter would be considered. It was considered at the meeting of P&R on 26th September, but the decision was in effect deferred for at least another six months.

In the circumstances, and due to the fact that the toilets are inaccessible to many elderly and non-abled bodied people, the Council hereby resolves to sanction the refurbishment of the toilets and foyer at a cost not exceeding the Council’s estimate. This work to be expedited immediately in order to prevent further damage to council’s reputation and to ensure the Milton Rooms is accessible to all people, regardless of age, or disability.”

MILTON ROOMS VISION STATEMENT

Vision

The Trustees vision is to become a hub for the performing and visual arts in Southern Ryedale with the ambition and potential to attract performers and audiences from a wide area to enjoy high quality events. We also recognise the importance of the Milton Rooms as a community facility, and we intend the Milton Rooms to remain at the heart of life in the two towns. Our vision for the future of the Milton Rooms is tempered by what we think can realistically be achieved by a group of volunteers, working in a time

of financial austerity. We will therefore prioritise the financial sustainability of the Milton Rooms whilst at the same time modernising and improving the facilities, and widening the programme on offer.

- Modernise – tickets sales, office and administration arrangements, website, social media
- Improve – new seats, new toilets, brighter surroundings, catering facilities
- Cultural programme – widen the programme on offer, to become a cross-artform arts centre, embracing different genres and more challenging work
- Develop the audience – through gaining better understanding of the audience and potential audience, better marketing and advertising, aim to increase tickets sales, and be able to guarantee a large, enthusiastic and knowledgeable audience for all types of events in the Milton Rooms
- Financial acumen – make the best possible use of the finance available from a wide range of sources, including our own income from ticket sales and venue hire, in conjunction with grants and donations

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The Milton Rooms is a successful and important community facility, which has been run by volunteers for years without any public subsidy or paid staff (except a caretaker), and the pressure on volunteers is now a serious and urgent issue;

The Milton Rooms wishes to appoint a part-time venue manager, whose salary will be recovered from new streams of business, including the hire of the newly redecorated Georgian Assembly Room;

It may take some time before the Milton Rooms is able to break even and cover the cost of the employment of a venues manager, and the Council is therefore asked to underwrite the cost of this part-time appointment for the first three years.

The Council therefore agrees to underwrite the annual cost of employment, by the Milton Rooms, of a venue manager for a period of three years, up to a total amount of £25,000 a year.”

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d Proposed by Councillor Potter and seconded by Councillor Brackstone

“Scarborough Borough Council is building houses that will add water to the River Derwent.

So as to monitor the base and ongoing impact of the Middle Deepdale development, Scarborough Borough Council has used s106 money for the initial years.

This funding ends in October 2019. It is essential for measuring the flood risk potential in Ryedale that the monitoring is continued.

This council therefore resolves that :-

- 1) *Ryedale District Council pays for the funding for the next twelve months*
- 2) *Ryedale District Council consults with the Vale of Pickering, the Internal Drainage Board, North Yorkshire County Council, the Environment Agency and others, with a view to sharing the cost for the longer term.”*

14 Any other business that the Chairman decides is urgent



Stacey Bulet
Chief Executive

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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 5 September 2019**

Present

Councillors Joy Andrews, Paul Andrews, Arnold, Bailey, Brackstone, Burr MBE, Clark, Cleary (Chairman), Cussons MBE, Delaney, Docwra, Duncan, Frank (Vice-Chairman), Garbutt Moore, Goodrick, Hope, MacKenzie, Mason, Middleton, Oxley, Potter, Raine, Riby, Thackray, Wass and Windress

In Attendance

Stacey Bulet, Simon Copley, Tony Galloway, Anton Hodge, Nicki Lishman, Phillip Spurr and Ellen Walker

Minutes

26 Apologies for absence

Apologies for absence were received from Councillors Graham, Keal, King and Raper.

27 Public Question Time

There were no public questions.

28 Minutes

The minutes of the Ordinary Meeting of Council held on 27 June 2019 were presented.

Resolved

That the minutes of the Ordinary Meeting of Council held on 27 June 2019 be approved and signed by the Chairman as a correct record.

29 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).

30 Declarations of Interest

The Chairman advised that the declarations of all members of North Yorkshire County Council would be taken as given.

The following interests were declared:

Councillor Bailey declared a personal pecuniary but prejudicial interest in item 11b as Chair of the North York Moors National Park Committee.

Councillor Frank declared a personal pecuniary but prejudicial interest in item 11b as a member of the North York Moors National Park Committee.

Councillor P Andrews declared a personal non-pecuniary but not prejudicial interest in item 11b as an attendee at anti-fracking groups.

Councillor Mason declared a personal non-pecuniary but not prejudicial interest in item 11b as an attendee at anti-fracking groups.

31 Announcements

There were no announcements.

32 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.

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

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

“Our district faces a number of significant economic challenges: low wages, high house prices and poor connectivity. We must step up our action against these issues by attracting investment, securing jobs and ensuring our district stays affordable for future generations. Four months into this council, we’re already making progress:

Economic development

Under the leadership of our new programme director, we are assembling a dedicated economic development team of five (its four new posts) officers who will work to support business, attract tourists, shape our arts offer and boost our market towns. This extra resource will hopefully pay almost immediate dividends, with projects expected to come forward very shortly.

LEP

We have secured a seat on the Board of the Local Enterprise Partnership for the first time. The challenge is, as always, to identify key schemes and prepare ‘shovel ready’ bids for consideration. We’ve already successfully received funding in recent years, but we can do better by being more ambitious.

A64

Dualling the A64 is the key infrastructure priority for Ryedale. The Government unveiled last month a £22m upgrade including safety improvements at Crambeck and Rillington. But there is still no decision yet on the dualling between Hopgrove and Barton Hill. Tom Paul, CEO of Kingspan, is the new chair of the A64 Growth Partnership and we’re working closely together to make the strongest possible case along with councillors, businessmen and representatives of our tourist industry.

Housing

Our Local Plan is now sealed, and we are lucky as an authority to have a plan stretching to 2027. Work begins now on reviewing our Plan to ensure it remains fit for purpose into the future. Ryedale District Council is also expanding its own housing stock, with the former Railway Tavern in Norton to be transformed into seven self-contained flats. We need to decide if this is a project we wish to emulate elsewhere, and exactly what this council’s role in housing supply should be in the future.

Our staff

The council is working to set the highest standard as an employer in its own right. We are seeking to 'grow our own', with our HR manager developing policies and procedures aimed at attracting and retaining talent, recruiting a cohort of graduate trainees and providing a new package of benefits to our employees.

There is still more to do, and I welcome the input from all members as we work to ensure Ryedale is a great place to live, visit and do business."

The Leader then added the following:

However there are a few small additions that I would like to make and they're actually thank yous to some people - Members of this Council. The first is Cllr Paul Andrews for meeting with me to discuss the Milton Rooms and giving me an insight into the work that is going on there. He intended to ask me a question on the Milton Rooms and gave me advance notice of it, even though it isn't part of my statement and I said that I would give him a commitment that there will be a report on the Milton Rooms coming to the next meeting of Policy & Resources Committee. That will be there and I can give you that assurance. I hope that's sufficient and again, doing that outside of my intended statement seeing as you asked me so nicely for that.

The second is actually for Cllr Thackray for inviting to the beautiful village of Brawby - gave me an excellent welcome and thank you to him for that. We discussed lots of different items in the spirit of trying to listen to everybody around this Council Chamber.

And finally I would like to say thank you to the Deputy Leader of this Council, Cllr Arnold, who maybe doesn't quite get as much recognition as I think he deserves. We're several months into this Council and I'd like to say thank you to him for the support that he's given me so far as Deputy Leader of this Council.

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

1. From Councillor J Andrews

Are you confident in the accuracy of the word "stays" in the first paragraph of your statement?

The Leader replied:

That is the word that I intended to put there but I understand the point that you're trying to make in that for many people in this district being able to live here is difficult. Getting onto the property ladder is difficult. In certain areas of this district I would say that it's more or less impossible for someone in this district to find somewhere to live. I'm talking about some of the more rural areas where there hasn't been, I think, significant house building taking place. There are limited options for people to be able to find a home. I take on board your point and I hope I've been able to address that in my answer.

Councillor J Andrews then asked the following supplementary question:

So are you saying in that answer that the normal meaning of the word stays, you believe that housing is not affordable in this area?

The Leader then replied:

If you look at the average wage in this district and you look at the average cost of a house, that ratio is one of the highest in the country and that presents a significant issue which we need to address.

2 From Councillor Burr

I was reading the paragraph on economic development and I was thinking about our market towns and as you will be aware that some residents are suffering real hardship in Ryedale and our Food Banks in our towns are under extreme pressure to help these residents. Would the Leader agree that it's a very sad state of affairs that we find ourselves in Ryedale? My question to the Leader is would it be possible that this Council building could have a deposit bin for say tins etc etc because there a lot of people who pass through this building, there are a lot of vulnerable residents out there and this Council and Members etc could contribute quite easily to our Food Banks. So would he agree with me that we should do this?

The Leader replied:

I think that the idea of a deposit bin inside this building is an interesting one, which I think we could and should look at. I've learnt quite a lot about Food Banks particularly in the Ryedale area from my colleague Cllr Mackenzie who, I don't know exactly what his title is, but is very involved with Food Banks in the Ryedale area and I've learnt a lot from him. The idea that you've put forward should be explored.

Councillor Burr then made the following comment:

Thank you and I think that everybody will welcome that and I think that we will be able to help an awful lot of people in Ryedale.

3 From Councillor P Andrews

Just to come to Cllr Duncan's comments on the Milton Rooms. Could he just confirm that the report that will be brought to the next meeting of Policy & Resources Committee will deal specifically with the application for funds for the refurbishment of the toilets and foyer areas please?

The Leader replied:

All I've been told by our officers is that a report will be there as requested and as promised at a previous meeting of this Council. The point that you have raised, is the funding for the toilets and also the Events Manager position that you'd mentioned previously, that will I presume be referenced in the report that will come to Policy & Resources Committee.

Councillor P Andrews then asked the following supplementary question:

Could I ask Cllr Duncan to make very sure that this does actually happen please?

The Leader then replied:

The simple answer Cllr Andrews is Yes.

4. From Councillor Wass

For myself and other new Members, it's to do with the A64 Growth Partnership in terms of transparency and accountability, could you just enlighten us please who Tom Paul is? Obviously his position is mentioned there but in terms of how his position has come about, if he's elected and if he's remunerated for that position.

The Leader replied:

Tom Paul is a successful businessman the CX of Kingspan down the A64. He was elected to that position by the A64 Growth Partnership. How it's membership has come about I don't know but I was invited to it, I chaired the first meeting, I don't know who decided that but the general consensus was that the A64 project, whether you agree with it or not should be driven by businesses who will be most affected by it. That was the view of the A64 Growth Partnership. The membership of that includes representatives from the County Council, representatives from this Council, representatives from the tourist sector and of course business as well. I think the host organisation for that is North Yorkshire County Council and the LEP who seem to do most of the secretarial and preparation work for those meetings. If you require further information I can ask of how it's come about but that's the information that I know at this present time.

Councillor Wass then asked the following supplementary question:

Just about the remuneration as well please.

The Leader then replied:

I forgot to reference that. My understanding is that no member of the A64 Growth Partnership is remunerated. That has never been to me and I imagine that it would have been when we had that discussion at the time but that's my understanding.

5. From Councillor Raine

I just wondered if I'm allowed to ask regarding the A64 why there's nothing in your statement mentioning the climate change or mentioning obviously Highfield Road what's happening there. And I just wondered if I'm allowed to ask why there's nothing in your statement?

The Leader replied:

The statement seeks to make the most important points as I see it at the moment and give an update to Council about where things stand. As I've stated in there, I'm not too confident that we are going to receive the funding this time to dual the A64 as this Council resolved that we would like to fight for. Your particular point about Highfield Road - it's not in there. I can get you more information on that if you'd like and the other point that you made - climate change - we had that here. I'm not sure that I'm in a position to answer that but the view of this Council quite strongly was that we backed the dualling of the A64 and that's what as Leader I'm trying to fight to do on behalf of this Council.

Councillor Raine then made the following comment:

It's basically because to me we've discussed before as we all know that climate change is extremely important but there's nothing mentioned on this statement and also how important, and I do know that it's North Yorkshire County Council, but I would like to have read a little bit that you're concerned, that there is an update and what's happening at Highfield Road.

6. From Councillor Clark

I think if you look at the Growth Partnership there is an answer to Cllr Raine's question there and the answer is in the word growth, because unless we reduce our usage, climate change is finished. It won't be an emergency, it'll be a disaster that we can't stop. I find it strange that he was Chair of this organisation but he didn't know how it came about and he doesn't know who set it up and we don't know how he got on there but presumably he got on there by some system and it seems surprising that whoever got on there didn't have the time to explain to him what it was about and why he was chairing it but he's no longer chairing it. So on that basis can he please explain to me how - oh I'll ignore the business men - the most successful group of entrepreneurs in this country - I hope you would agree with me - are women, so it should be business people, not business men. But that aside, could you please explain how growth is going to fit in with climate change and reducing our greenhouse gas emissions etc in terms of this partnership that he is part of, even if he doesn't know much about it.

The Leader replied:

I think it's worth reminding members of this Council that the Liberal Group including Cllr Clark, led by Cllr Clark is opposed to the dualling of the A64, voted against the motion that we brought to the last Full Council proposing that we should fight as best as we can to dual the A64. He wants to put on hold and stunt the growth of this district in terms of its economy and I think that's a great shame. We put forward that so that I could go to external meetings and state the importance that we feel as a Council that the A64 will have on the economic fortunes of this district. There are a whole host of issues with the A64 not just in terms of the economy, safety issues, potentially environmental issues which you have raised but they have all got to be taken as part of a big picture. That is that the A64 is probably the most important piece of infrastructure that we could fight for as a Council and I will say again that the Conservative Group are not ashamed to fight for this as strongly as we possibly can. As for the A64 Growth Partnership, I was asked to chair the first meeting given that it hadn't met in a while. It is as I say set up through the LEP and NYCC provide officer support to that Growth Partnership.

Councillor Clark then asked the following supplementary question:

I wonder if he is going to answer my question, which I asked in my main question and Cllr Raine asked, how do you reconcile growth with our climate change policy which involves reducing our greenhouse gas emissions. If he can answer that one and tell us how it is done that is world breaking, shattering. The leading scientist in this country that retired last week made the point that you couldn't have growth and reduction in greenhouse gas impact unless you were very careful and worked purely in areas reducing greenhouse gases. So on that basis how does he justify growth and how is he going to reconcile growth with our climate change policy ie reduction in greenhouse gases?

The Leader then replied:

This district I think has got to develop sustainably but I'll go back to the broader point. At the last Full Council meeting this Council spent a significant amount of time weighing up the various benefits, positives, negatives of fighting to dual the A64 and the judgement of this Council, including some people who have asked questions about the environmental impacts - they voted in favour of this Council fighting to dual the A64. That is the position that this Council has and that is the position that I will represent externally, at meetings and I will do my utmost to deliver. That's the answer to Cllr Clark's question.

7. From Councillor Goodrick

Would the Leader agree with me please that the A64 is of paramount importance to growth and economic development? Would he also agree with me that the evolution of the electric car, hydrogen cars, self-charging vehicles might reduce the impact of fossil fuels used in cars on the A64? Now we're a long way from all vehicles being electric or self-charging or hydrogen or whatever. We're also quite a long way from getting the A64 dualled, so I'm hoping by the time we get there the impact will be reduced. Does the Council Leader agree with this statement?

The Leader replied:

I will completely agree with what you have just said. It is worth pointing out that this Council has directly supported the infrastructure required for electric vehicles. We have received grant funding to install electric charging points in our car parks. They are not going to solve all of the environmental questions that we face but we are doing, I think, our bit to ensure that we develop as sustainably as possible. Environmental considerations are important but there are a whole host of very important considerations that we also need to make. I've referenced some of those already and as I say, the view of this Council very strongly was that they wanted to see the A64 dualled as soon as possible.

8. From Councillor Potter

Reference the Housing section where it says our Local Plan is now sealed and we're lucky as an authority to have a plan stretching to 2027. I'd personally like to thank the Planning Committee and of course the officers for this stroke of luck and does the Leader believe that the Planning Committee have made their own luck or our own luck should I say?

The Leader replied:

I'm struggling to understand the question that you've put forward Cllr Potter but I will reiterate what I've said in my statement, hopefully in a bid to clarify, that many authorities around the country do not have a Local Plan. Some are still fighting very bitterly to have one. we do have one, I think that's an achievement for this Council and we do have to pay credit to the Members that have been involved with that. The officers that have been involved with it too and that's, I think my answer to your question Cllr Potter.

Councillor Potter then asked the following supplementary question:

Just to point out that I don't believe there's any luck involved in having a Plan, it just takes good organisation and get the job done.

The Leader then replied:

I'm happy to concur with Cllr Potter's point there. There has had to be compromise, deliberation, sometimes tense, some people not happy with the Local Plan that we have got. Some people feel that it is not what they would look for in a Local Plan but the point I'm trying to make is that at least we've got a Local Plan and obviously very soon we will start the review of the Local Plan.

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

POLICY AND RESOURCES COMMITTEE - 4 JULY 2019

Minute 28 - Funding for Malton, Norton and Old Malton Flood Alleviation Scheme

An assessment of the impact of the scheme on climate change had been provided as requested by the Overview and Scrutiny Committee at its meeting on 24 July 2019.

It was moved by Councillor Duncan and seconded by Councillor Arnold that the following recommendations be approved and adopted.

That Council be recommended to approve:

A 20% contribution towards the Malton, Norton and Old Malton Flood Alleviation Scheme (MNOMFAS) up to a maximum of £320,000 from the New Homes Bonus Reserve.

Councillor Thackray proposed and Cllr Burr seconded the following amendment:

2.1 To recommend to Council a 20% contribution towards the Malton, Norton and Old Malton Flood Alleviation Scheme (MNOMFAS) up to a maximum of £320,000 from the New Homes Bonus Reserve on condition that the temporary diesel powered pump deployments on Castlegate, Sheepfoot Hill and Chandlers Wharf, Malton be replaced by the installation of permanent three phase electrically powered pumps in order to protect the health of the public by preventing exposure to dangerous concentrations of nitrogen dioxide, provided we receive a positive report on the costs and practicality of three phase pumps.

Upon being put to the vote the amendment was carried.

Voting record

Unanimous

Upon being put to the vote the motion was carried.

Resolved

That Council approve:

A 20% contribution towards the Malton, Norton and Old Malton Flood Alleviation Scheme (MNOMFAS) up to a maximum of £320,000 from the New Homes Bonus Reserve on condition that the temporary diesel powered pump deployments on Castlegate, Sheepfoot Hill and Chandlers Wharf, Malton be replaced by the installation of permanent three phase electrically powered pumps in order to protect the health of the public by preventing exposure to dangerous concentrations of nitrogen dioxide , provided we receive a positive report on the costs and practicality of three phase pumps.

Voting record

Unanimous

POLICY AND RESOURCES COMMITTEE - 25 JULY 2019

Minute 32a - Responsibility for Planning Policy

It was moved by Councillor Duncan and seconded by Councillor Arnold that the following recommendations be approved and adopted.

That Council be recommended to approve:

That the responsibility for planning policy be moved from the Planning Committee to Policy and Resources Committee and the Constitution be amended as required. Policy and Resources Committee to appoint a working party made up of members of both the Planning Committee and Policy and Resources Committee to consider planning policy.

Councillor Clark proposed and Councillor Potter seconded the following amendment:

Add:

Prior to any decisions on Planning Policy this Council would like to express its sincere gratitude to Councillor Goodrick for her work on delivering the sites document which 'luckily' runs to 2027.

Upon being put to the vote the amendment was carried.

Recorded vote

For

Councillors Oxley, Cleary, J Andrews, Arnold, Brackstone, Burr, Clark, Cussons, Delaney, Docwra, Duncan, Hope, Mackenzie, Mason, Potter, Frank, Riby, Thackray, Wass and Windress

Against

Councillors Bailey, Garbutt Moore and Middleton

Abstention

Councillors P Andrews, Raine and Goodrick

Upon being put to the vote the motion was carried.

Resolved

Prior to any decisions on Planning Policy this Council would like to express its sincere gratitude to Councillor Goodrick for her work on delivering the sites document which 'luckily' runs to 2027.

That Council approve that the responsibility for planning policy be moved from the Planning Committee to Policy and Resources Committee and the Constitution be amended as required. Policy and Resources Committee to appoint a working party made up of members of both the Planning Committee and Policy and Resources Committee to consider planning policy.

Recorded vote

For

Councillors Oxley, P Andrews, Arnold, Bailey, Cussons, Delaney, Docwra, Duncan, Garbutt Moore, Hope, Mackenzie, Middleton, Frank and Windress

Against

Councillors J Andrews, Brackstone, Burr, Clark, Mason, Potter, Riby, Thackray and Wass

Abstention

Councillors Cleary, Raine and Goodrick

Minute 32b - Substitutes at Sub-Committees

It was moved by Councillor Duncan and seconded by Councillor Mackenzie that the following recommendations be approved and adopted.

That Council be recommended:

To approve the changes set out in Appendix 1 of this report to make explicit provision for substitutes at the Corporate Governance Standards Sub-Committee specifically and at sub-committees generally.

The recommendations then stood adjourned without discussion to the next Ordinary Meeting of Full Council, under Council Procedure Rule 23.2.

Minute 32c - Management of Meetings

It was moved by Councillor Duncan and seconded by Councillor Arnold that the following recommendations be approved and adopted.

That Council be recommended:

- (1) That recommendation (i) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is not approved.
Recommendation: (i) That the Constitution be amended to change the order of business for Full Council to put items for decision first.
- (2) That recommendation (ii) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is not approved.
Recommendation: (ii) That the Constitution be amended to bring forward the guillotine, so that it takes effect after 3 hours.
- (3) That recommendation (iii) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is not approved.

Recommendation: (iii) That the Constitution be amended to require corrections to the minutes to be submitted in writing in advance of the meeting.

- (4) That recommendation (iv) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is not approved.
Recommendation: (iv) That working practices be amended so that questions to officers have to be dealt with ahead of, rather than during, meetings of Full Council.
- (5) That recommendation (v) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is approved so that the Rules of Procedure are amended to include provision for members to receive a written statement from the Leader of Council with the agenda.
Recommendation: (v) That the Constitution be amended to require the circulation of the Leader's Statement with the agenda.
- (6) That recommendation (vi) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is approved and it is confirmed by Council that it is preferable for the Leader's Statement not to be read out at meetings save for in exceptional circumstances.
Recommendation: (vi) That working practices be amended to stop reading out the Leader's Statement at meetings of Full Council.
- (7) That written notice of questions on the Leader's Statement at Council is not required.
- (8) That indicative timings for items of business on meeting agendas are not introduced.

The recommendations then stood adjourned without discussion to the next Ordinary Meeting of Full Council, under Council Procedure Rule 23.2.

35 **Minute 36 - Developing the Council Plan 2019/23**

It was moved by Councillor Duncan and seconded by Councillor Arnold that the following recommendations be approved and adopted.

That Council be recommended to approve:

That this be a Part B item, to enable all elected Members of Ryedale District Council to decide the process and the outcome.

An amendment was moved by Councillor Clark and seconded by Councillor J Andrews:

Delete:

That this be a Part B item, to enable

Add:

Starting with a Members facilitated forum

Upon being put to the vote the amendment was lost.

Recorded vote

For

Councillors J Andrews, P Andrews, Bailey, Brackstone, Burr, Clark, Raine, Mason, Potter, Riby, Thackray and Wass

Against

Councillors Oxley, Cleary, Arnold, Cussons, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Hope, Mackenzie, Middleton, Frank and Windress

Upon being put to the vote the motion was lost.

Resolved

That Council not approve:

That this be a Part B item, to enable all elected Members of Ryedale District Council to decide the process and the outcome.

Voting record

1 For

24 Against

1 Abstention

At 10.10pm, the meeting closed, under Council Procedure Rule 8.1, with the remaining business to be considered at the next Ordinary Meeting of Council on 10 October 2019.

Minute 39 - Treasury Management Annual Report 2018 - 2019

This item had not been considered when the meeting closed, under Council Procedure Rule 8.1 and would be considered at the next Ordinary Meeting of Council.

36 Motions on Notice Submitted Pursuant to Council Procedure Rule 11

Proposed by Councillor Paul Andrews and seconded by Councillor Raine

This item had not been considered when the meeting closed, under Council Procedure Rule 8.1 and would be considered at the next Ordinary Meeting of Council.

37 Proposed by Councillor Oxley and seconded by Councillor Delaney

At the decision of the Chairman, this item was considered earlier in the agenda.

Proposed by Councillor Oxley and seconded by Councillor Delaney.

“In October 2015 Ryedale District Council approved a motion calling for a moratorium of 5 years on fracking. Whilst there is still time to run on this moratorium we now have a new Council and it would seem appropriate to review our position. There is still much debate and discussion on hydraulic fracturing and no definitive answers on the many implications of the process. Given this, and taking into consideration the importance of tourism and the natural environment to people and the local economy, Ryedale District Council should extend the moratorium for the life of this Council. As before the position to be reconsidered if sufficient evidence becomes available on the impact of the process.”

An amendment was moved by Councillor P Andrews and seconded by Councillor Burr:

“The Council would wish to put on record its thanks to the councillors who have fought against fracking in the courts and at the Public Examination into the North Yorkshire Minerals Plan, and to everybody who contributed to the anti-fracking cause, including members of the public who engaged in lawful direct action.

Council requests the Leader of the Council write to the Government stating this position.”

Upon being put to the vote the amendment was carried.

An amendment was moved by Councillor Mason and seconded by Councillor Thackray.

Delete” for the life of this Council”
Add “indefinitely”

Upon being put to the vote the amendment was carried.

An amendment was moved by Councillor Clark and seconded by Councillor Potter.

Delete “for the life of this Council”
Add “review in 2050 in climate change terms”

Upon being put to the vote the amendment was carried.

An amendment was moved by Councillor Clark and seconded by Councillor Potter.

Delete “moratorium” and replace with “complete ban”.

Upon being put to the vote the amendment was lost.

Recorded vote

For: Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Raine, Hope, Mason, Potter, Thackray and Wass.

Against: Councillors Arnold, Bailey, Cussons, Delaney, Dowcra, Duncan, Garbutt Moore, Goodrick, Mackenzie, Middleton, Oxley and Riby.

Abstentions: Councillors Cleary, Frank and Windress

Councillor Duncan proposed and Councillor Dowcra seconded that the question now be put.

Upon being put to the vote the question was put.

Recorded vote

For: Councillors P Andrews, Arnold, Bailey, Burr, Cleary, Cussons, Delaney, Dowcra, Duncan, Frank, Garbutt Moore, Goodrick, Hope, Mackenzie, Mason, Middleton, Raine, Riby and Thackray

Against: Councillors J Andrews, Brackstone, Clark, Potter and Wass.

Abstentions: Councillor Windress

Upon being put to the vote, the substantive motion as amended was carried.

Resolved

In October 2015 Ryedale District Council approved a motion calling for a moratorium of 5 years on fracking.

Whilst there is still time to run on this moratorium we now have a new Council and it would seem appropriate to review our position.

There is still much debate and discussion on hydraulic fracturing and no definitive answers on the many implications of the process.

Given this, and taking into consideration the importance of tourism and the natural environment to people and the local economy, Ryedale District Council should extend the moratorium indefinitely and review in 2050 in climate change terms.

As before the position to be reconsidered if sufficient evidence becomes available on the impact of the process.

This Council requests the Leader of the Council write to the Government stating this position.

Voting Record

18 For

4 Abstentions

38 Appointment of an Independent Remuneration Panel

This item had not been considered when the meeting closed, under Council Procedure Rule 8.1 and would be considered at the next Ordinary Meeting of Council.

39 Any other business that the Chairman decides is urgent

There being no other business, the meeting closed at 10:10pm.



REPORT TO:	COUNCIL
DATE:	5 SEPTEMBER 2019
REPORT OF THE:	DEMOCRATIC SERVICES MANAGER SIMON COPLEY
TITLE OF REPORT:	APPOINTMENT OF AN INDEPENDENT REMUNERATION PANEL
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To recommend to Council the appointment of an Independent Remuneration Panel to make recommendations about the allowances to be paid to Councillors.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that Council approves:
- (i) that an Independent Remuneration Panel be established in accordance with the Local Authorities (Members' Allowances) (England) Regulations 2003;
 - (ii) that Stuart Green, John Richardson and Sally Ann Smith be appointed to serve on the Independent Remuneration Panel;
 - (iii) the Term of Office for Members of the Panel be until 5 September 2024;
 - (iv) that an allowance of £20 be payable for each meeting.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 To comply with the requirements of the Local Authorities (Members' Allowances) (England) Regulations 2003.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks associated with the appointment of the Independent Remuneration Panel.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 Appointing an independent remuneration panel and determining a scheme of allowances is not directly related to the corporate policies or priorities of the Council.

However it is considered that since Parliament requires local authorities to have a Members' Allowance Scheme it is important that the scheme is updated and reviewed when required.

REPORT

6.0 REPORT DETAILS

- 6.1 Regulation 20 of The Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended) requires the District Council to establish an Independent Remuneration Panel to make recommendations to the Council about allowances payable to Members of Ryedale District Council.
- 6.2 The panel shall not include any member who is also a member of an authority in respect of which it makes recommendations or is a member of a committee or sub-committee of such an authority.
- 6.3 A recruitment and selection process has taken place. Following assessment at interview, three applicants are recommended for appointment.
- 6.4 Policy and Resources Committee, at its meeting on 25 July 2019, was advised of the requirement for the Independent Remuneration Panel to review the use of an index for the annual adjustment of allowances and make a recommendation to Full Council.
- 6.5 A meeting of Policy and Resources Committee on 4 July 2019 had also requested the Panel to consider whether an allowance should be paid to the Council's representative on the Police, Fire and Crime Panel.
- 6.6 These matters will be considered by the Panel once appointed.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
- a) Financial
There are no material financial implications of appointing an Independent Remuneration Panel.
 - b) Legal
None.
 - c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)
None.

Simon Copley
Democratic Services Manager

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Background Papers:
None.



REPORT TO: FULL COUNCIL
DATE: 5 SEPTEMBER 2019
SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES
COMMITTEE ON 25 JULY 2019

39 Treasury Management Annual Report 2018 - 2019

Considered – report of the Chief Finance Officer (s151)

Recommendations to Council

That Council be recommended to:

- (i) Note the annual treasury management report for 2018/19; and
- (ii) Approve the actual 2018/19 prudential and treasury indicators in this report.

Voting record

Unanimous

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	24 JULY 2019
REPORT OF THE:	CHIEF FINANCE OFFICER (s151) – ANTON HODGE
TITLE OF REPORT:	TREASURY MANAGEMENT ANNUAL REPORT 2018-19
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 The Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2018/19. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

2.0 RECOMMENDATIONS

- 2.1 That Council is recommended to:
- (i) Note the annual treasury management report for 2018/19; and
 - (ii) Approve the actual 2018/19 prudential and treasury indicators in this report.

3.0 REASON FOR RECOMMENDATIONS

3.1 The Council has adopted the Code. A provision of the Code is that an annual review report must be made to the Full Council relating to the treasury activities of the previous year.

4.0 SIGNIFICANT RISKS

4.1 There are significant risks when investing public funds especially with unknown institutions. However, by the adoption of the CIPFA Code and a prudent investment strategy these are minimised. The employment of Treasury Advisors also helps reduce the risk.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The Council has adopted the CIPFA Code of Practice on Treasury Management in Local Authorities and this report complies with the requirements under this code.
- 5.2 The Council uses the services of Link Asset Services – Treasury Solutions (Link) to provide treasury management information and advice.

REPORT

6.0 REPORT DETAILS

6.1 During 2018/19 the minimum reporting requirements were that the full Council should receive the following reports:

- An annual treasury strategy in advance of the year (Council 22 February 2018)
- A mid year (minimum) treasury update report (Audit, Overview & Scrutiny Committee 25 October 2018)
- An annual review following the end of the year describing the activity compared to the strategy (this report).

6.2 The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is therefore important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by Members.

6.3 This Council also confirms that it has complied with the requirement under the Code to give prior scrutiny to all the above treasury management reports by the Overview and Scrutiny Committee before they were reported to the full Council.

6.4 This report summarises:

- Capital activity during the year;
- Impact of this activity on the Council's underlying indebtedness (the Capital Financing Requirement);
- Reporting of the required prudential and treasury indicators;
- Summary of interest rate movement in the year;
- Detailed borrowing activity;
- Detailed investment activity.

The Council's Capital Expenditure and Financing 2018/19.

6.5 The Council undertakes capital expenditure on long-term assets. These activities may either be:

- Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
- If insufficient financing is available or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.

6.6 The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

	2018/19 Actual (£)	2017/18 Actual (£)
Total Capital Expenditure	842,383	852,664
Resourced by:		
Capital receipts	18,592	86,468
Capital grants and contributions	615,307	652,324
Capital reserves	208,484	113,871
External Borrowing	-	-
Total	842,382	852,664

The Economy and Interest rates

6.7 The Council's treasury advisors Link Asset Services – Treasury Solutions (Link) summarised the key points associated with economic activity in 2018/19 as follows:

- Brexit negotiations have been a focus of much attention during the year;
- UK growth in 2018 was weak initially and then strengthened during the year before falling again in the final quarter;
- As expected the MPC raised Bank Rate from 0.50% to 0.75% on 2 August 2018;
- No further rate rises were expected until uncertainties regarding Brexit were resolved; and
- CPI inflation was on a falling trend throughout the year;

6.8 Deposit rates at the start of 2018/19 have gradually increased, as the rate increases in Q3 17/18 and Q2 18/19 have filtered through into investments placed by the Treasury Fund. As expected, there were no further base rate increases during the final quarter, with the final outturn position at £196k, against a forecast of £168k at Q3.

Overall Treasury Position as at 31 March 2019

6.10 The Council's opening and closing treasury position for the financial year was as follows (excluding finance leases):

	31 March 2019 Principal	31 March 2018 Principal
Total Debt	£1.59m	£1.63m
CFR	£1.62m	£1.66m
Over/(Under) borrowing	-£0.03m	-£0.03m
Total Investments	£22.25m	£19,78m
Net Debt	-£22.22m	-£19.75m

The Strategy for 2018/19

6.11 The Treasury Management Strategy for 2018/19 was approved by members at full Council on 22 February 2018.

6.12 The expectation for interest rates incorporated within the Annual Treasury Management Strategy for 2018/19 was based on officers' views at that time, prepared with assistance from the Council's Treasury Management Advisor (Link Asset Services) and supported by a selection of City forecasts.

6.13 The interest rates for the UK were expected to be as follows:

Bank Base Rate was expected to rise from 0.50% to 0.75%. This increase was pushed back from May to August 2018 due to weak GDP growth. It was not expected that Bank Rate would increase again in 2018/19 as a result of the major uncertainty surrounding Brexit.

PWLB Borrowing rates were forecast to rise gradually throughout the next three years in all periods. Variable and short term rates were expected to be the cheaper form of borrowing over the period.

6.14 Based on the above, the Strategy adopted by the Council for 2018/19 was as follows:

a) Long Term Debt to Finance Capital Expenditure (borrowing strategy 2018/19)

2018/19 was expected to continue as a year of low bank interest rates, extending the current opportunity for the Council to utilise an internal borrowing strategy. Borrowing in advance of need within the constraints of the Prudential Code and approved Prudential Indicators would only be considered in exceptional circumstances.

Consideration would be given to financing capital expenditure by taking borrowing from PWLB/money markets, but the key treasury strategy was to postpone borrowing and maintain an under borrowed position to avoid the cost of holding higher levels of investments and to reduce counterparty risk.

In considering this option however, day to day cash flow constraints and the loss of longer term interest stability would also be taken into account together with the possibility of having to replace the internal borrowing with external borrowing in a subsequent year at higher interest rates.

b) Investment of Surplus cash (investment strategy 2018/19)

The County Council's investment priorities are firstly the security of capital and secondly the liquidity of its investments. The highest return would then be sought provided that proper levels of security and liquidity are achieved. The investment risk appetite of the County Council is low in order to give priority to the security of investments.

The Borrowing Requirement and Debt

6.13 The Council's underlying need to borrow to finance capital expenditure is termed the Capital Financing Requirement (CFR) (excluding borrowing by finance leases).

	31 March 2017 Actual	31 March 2019 Budget	31 March 2019 Actual
Total CFR	£1.659m	£1.624m	£1.624m

Borrowing Rates in 2018/19

6.14 The movement in relevant UK market interest rates for the year was as follows:

a) For Bank Rate

	%
From 1 April 2018 to 1 August 2018	0.50
From 2 August 2018 to 31 March 2019	0.75

b) For PWLB rates (Inclusive of the 0.20% discount rate)

Item	Range during Year %	Start of Year %	End of Year %	Average in Year %
Fixed Interest Maturity				
1 Year	1.28 – 1.64	1.48	1.48	1.50
5 Years	1.50 – 2.07	1.84	1.55	1.80
10 Years	1.80 – 2.50	2.22	1.85	2.19
25 Years	2.33 – 2.93	2.55	2.40	2.65
50 Years	2.16 – 2.79	2.27	2.23	2.46

Borrowing Outturn for 2018/19

6.15 No new borrowing was undertaken during the year and scheduled repayments were made. At the end of the financial year the debt portfolio was as follows:

Lender	Principal	Type	Interest Rate	Maturity
PWLB	£1.00m	Maturity	3.69%	45 years
PWLB	£0.59m	EIP	2.99%	14 years

Investment Rates in 2018/19

6.16 Deposit rates continued into the start of 2018/19 at previously depressed levels but then slowly increased after the 2 November.

Item	Range during Year	Start of Year	End of Year	Average during Year
	%	%	%	%
7 day LIBID	0.35 – 0.59	0.36	0.57	0.51
1 month	0.37 – 0.61	0.39	0.61	0.54
3 month	0.48 – 0.81	0.59	0.72	0.68
6 month	0.59 – 0.92	0.70	0.83	0.79
1 year	0.75 – 1.06	0.88	0.94	0.94

Investment Outturn for 2018/19

- 6.17 The Council's investment policy is governed by MHCLG guidance, which has been implemented in the Annual Investment Strategy approved by the Council on 22 February 2018. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc).
- 6.18 The investment activity during the year conformed to the approved strategy and the Council had no liquidity difficulties.
- 6.19 The following table shows the result of the investment strategy undertaken by the Council and the relative performance of the internally managed funds against the 7-day LIBID un-compounded rate bench mark:

	Average Total Investment (£)	Gross Rate of Return	Net Rate of Return	Benchmark Return
Internally Managed:				
Temporary & On-Call Investments	£6.355m	0.56%	n/a	n/a
Fixed Term Deposits	£18.155m	0.88%	n/a	0.51%

- 6.19 **The interest received by the Council from investments in 2018/19 totalled £196k; this compares to an original estimate of £55k.**
- 6.20 The Council's investment position is organised by the Finance Section in order to ensure adequate liquidity for revenue and capital activities and security of investments. Procedures and controls to achieve these objectives are well established both through Member reporting detailed in the summary, and through officer activity detailed in the Treasury Management Practices. At the beginning and the end of 2018/19 the Council's investments position was as follows:

	31 March 2019 (£)	31 March 2018 (£)
Internally Managed Investments	22,250,142	19,776,864

- 6.21 The maturity of the investment portfolio was as follows;

	31 March 2019 (£)	31 March 2018 (£)
On-call Investments	350,142	2,676,864
Fixed Term Deposits:		
Repayable within 1 month	1,000,000	0
Repayable 1 month to 3 months	6,400,000	2,500,000
Repayable 3 months to 6 months	10,500,000	12,600,000
Repayable 6 months to 12 months	4,000,000	2,000,000
Repayable 12 months to 24 months	0	0
Total	22,250,142	19,776,864

- 6.22 Investments were placed with the following institutions:

Type of Institution	31 March 2018 (£)	31 March 2018 (£)
UK Clearing Banks	4,475,142	12,776,864
Foreign Banks	3,000,000	4,000,000
Building Societies	3,000,000	3,000,000
Local Authorities	11,500,000	0
Total	22,250,142	19,776,864

Compliance with Treasury Limits

6.23 During the financial year the Council operated within the treasury limits and Prudential Indicators set out in the Council's Treasury Management Strategy Statement (annex B).

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
The results of the investment strategy effect the funding of the capital programme.
- b) Legal
There are no legal implications within this report
- c) Other (Equalities, Staffing, Planning, Health & Safety, Climate Change, Environmental, Crime & Disorder)
There are no additional implications within this report.

Anton Hodge
Chief Finance Officer (s151)

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Background Papers: None

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TREASURY MANAGEMENT ANNUAL REPORT 2018/19 - RISK MATRIX – ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
Credit risk - associated with investing with financial institutions that do not meet the credit rating criteria.	Could mean loss of principal sum and interest accrued.	2	D	In response to the economic climate the Council continue to adopt a more stringent credit rating methodology.	1	D
Market risk - Selection of wrong type of investment for higher return.	The poor performance of the chosen investment.	3	B	The number of investment options have been kept to a minimum within the investment strategy.	2	B
Liquidity risk - Use of fixed term deposits and / or instruments / investments with low marketability may mean a lack of liquidity	Unable to take advantage of better investment options. Funds are unavailable to cover capital spend.	1	B	The maturity profile has shortened for investments. Short and medium term cash flow management ensures funds are available when needed.	1	B

Score	Likelihood	Score	Impact
1	Very Low	A	Low
2	Not Likely	B	Minor
3	Likely	C	Medium
4	Very Likely	D	Major
5	Almost Certain	E	Disaster

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PRUDENTIAL AND TREASURY INDICATORS

Prudential Indicators

	2017/18 Actual	2018/19 Estimate	2018/19 Actual
Capital Expenditure	£0.853m	£2.016m	£0.842m
Net borrowing requirement	-£17.89m	-£11.19m	-£20.42m
Capital Financing Requirement as at 31 March (incl. leases)	£2.05m	£1.96m	£1.82m
Annual change in Capital Financing Requirement	-£0.214m	-£0.09m	-£0.23m

Treasury Management Indicators

	2017/18 Actual	2018/19 Original	2018/19 Actual
Authorised Limit for external debt -			
borrowing	N/a	£10.0m	N/a
other long term liabilities	N/a	£ 1.0m	N/a
Total	N/a	£11.0m	N/a
Operational Boundary for external debt -			
borrowing	N/a	£5.0m	N/a
other long term liabilities	N/a	£0.4m	N/a
Total	N/a	£5.6m	N/a
External debt	£1.63m	£1.59	£1.59m
Upper limit for fixed interest rate exposure			
Net principal re fixed rate investments	N/a	100%	N/a
Upper limit for variable rate exposure			
Net principal re variable rate investments	N/a	50%	N/a
Upper limit for total principal sums invested for over 364 days (per maturity date)	N/a	£1.0m	N/a

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REPORT TO: FULL COUNCIL

DATE: 5 SEPTEMBER 2019

SUBJECT: PART 'B' REFERRALS FROM PLANNING COMMITTEE ON 13 AUGUST 2019

63 Notice of Motion - The Ryedale Plan

Recommendation

MOTION REJECTED – as recommended

Voting Record
8 For
1 Against
1 Abstentions

In accordance with the Members Code of Conduct Councillor Cleary declared a personal non-pecuniary but not prejudicial interest.

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	PLANNING COMMITTEE
DATE:	13 AUGUST 2019
REPORT OF THE:	HEAD OF PLANNING AND REGULATORY SERVICES GARY HOUSDEN
TITLE OF REPORT:	NOTICE OF MOTION – THE RYEDALE PLAN
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 For members to consider the Motion and to recommend a response to Council.

2.0 RECOMMENDATION

2.1 It is recommended to Council that:

- (i) The Motion is rejected for the reasons outlined in this report.
- (ii) The policies proposed in the Motion are considered and tested through the development plan review process.

3.0 REASON FOR RECOMMENDATION

3.1 As written the motion is considered to be unlawful and presents a number of significant risks to the Council. The motion would pre-empt and pre-determine the Local Plan review process. It also proposes an unlawful delegation.

4.0 SIGNIFICANT RISKS

4.1 The Council would be unable to demonstrate that the proper plan making process had been followed. This would give rise to a serious risk of revisions to the plan being found unsound by a planning inspector, resulting in significant costs and delay to the lawful review and adoption of the development plan. It could also result in reputational damage to the Council as a whole.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 The Motion has been considered within the context of the legislation and national policy covering the plan-making process and the Council's constitution.

6.0 REPORT DETAILS

6.1 The Notice of Motion was submitted to Full Council on 27 June 2019. The Motion relates to the review of the Local Plan and was automatically referred to this Committee by Council.

6.2 The details of the Motion are included in Appendix 1 to this report. The Motion seeks the appointment of a planning consultant whose instruction would be to do all necessary work to advise on and to secure so as far as is practicable, ten policy revisions to the Ryedale Plan. The motion raises issues relating to the:

- Development Plan process
- Council's appointment procedure

Development Plan process

6.3 Any review of the Ryedale Plan needs to follow the statutory process which is in place to ensure that plans are prepared on an objective and transparent basis. This demands that technical evidence, sustainability appraisal and consultation with stakeholders are used to identify and test policy options and, to inform and justify policy choices.

6.4 As written, the Motion pre-empts the plan review process. An instruction that seeks to revise the plan to include ten changes to policy appears to pre-determine the approach to the identification and assessment of future policies. Review of the development plan is a statutory process that begins with using evidence to inform future policy choices. It is not about identifying policies and then finding the evidence to support the policies and to justify retrospectively why those policies are proposed.

6.5 If the Council fails to follow the statutory process for reviewing a development plan, it would be acting unlawfully. Moreover, the process by which these policies in the Motion have been selected could not be justified or rigorously defended. Failure to follow the proper plan making process would mean that a revised plan would fail to meet the tests of 'soundness' applied as part of the examination process. The Council would not be in a position to adopt the new policies and time and resources would have been wasted.

Council's appointment procedure

6.6 The text of the motion includes the following proposal:

"An independent planning consultant be appointed by the Council Chair in consultation with the Deputy Chief Executive"

6.7 The proposal is unlawful because a single Councillor does not have legal authority under Section 101 of the Local Government Act 1972 (as amended) to take action under the Council's powers. The Council's Contract Procedure Rules also prohibit a single member from entering into a contract (Rule 27.1.1) The District Council may delegate to a committee, a sub-committee or an Officer and relies on Officers to instruct planning consultants having followed appropriate procedures. An unlawful delegation has the potential to render void any action taken in pursuance of it.

6.8 Members are also reminded that where a consultant's fee is likely to be above the

threshold of £50,000, this would trigger procurement process.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

There is a limited existing budget for plan-making work. A budget for a review of the Local Plan is not yet agreed.

b) Legal

The motion is considered to be unlawful for the reasons outlined in the report. The Council's solicitors have provided advice in response to the Motion and external legal advice has also been sought. Legal advice has informed the recommendations of the report.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)

The motion has direct implications for planning and the Council's ability to maintain an up to date development plan.

8.0 NEXT STEPS

8.1 The forthcoming review of the plan will ensure that a range of future policy options are identified and tested through the statutory process. A timetable for the forthcoming review of the plan will be brought to members in the autumn. There is no reason why the process cannot be used to consider and test the policies proposed in the Motion.

Gary Housden

Head of Planning and Regulatory Services

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Background Papers:

National Planning Policy Framework

The Town and Country Planning (Local Planning) (England) Regulations 2012

Ryedale District Council. Council Constitution.

Background Papers are available for inspection at:

<https://www.gov.uk/government/publications/national-planning-policy-framework--2>

<http://www.legislation.gov.uk/uksi/2012/767/made>

<https://www.ryedale.gov.uk/your-council/strategies-plans-policies/constitution.html>

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REPORT TO: FULL COUNCIL

DATE: 5 SEPTEMBER 2019

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 25 JULY 2019

32b Substitutes at Sub Committees

Items 5b and 5c were considered together.

Recommendation to Council

That Council be recommended, through Policy and Resources Committee, to approve the changes set out in Appendix 1 of this report to make explicit provision for substitutes at the Corporate Governance Standards Sub-Committee specifically and at sub-committees generally.

Voting record

8 For

1 Against

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	CONSTITUTION WORKING PARTY
DATE:	22 JULY 2019
REPORT OF THE:	DEMOCRATIC SERVICES MANAGER SIMON COPLEY
TITLE OF REPORT:	SUBSTITUTES AT SUB-COMMITTEES
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To recommend changes to the Constitution to make explicit provision for substitutes at the Corporate Governance Standards Sub-Committee specifically and at sub-committees generally.

2.0 RECOMMENDATION(S)

- 2.1 That Council be recommended, through Policy and Resources Committee, to approve the changes set out in Appendix 1 of this report to make explicit provision for substitutes at the Corporate Governance Standards Sub-Committee specifically and at sub-committees generally.

3.0 REASON FOR RECOMMENDATION(S)

- 3.1 The Overview and Scrutiny Committee has requested that the Constitution be reviewed to make explicit provision for substitutes at the Corporate Governance Standards Sub-Committee.
- 3.2 When agreeing its work programme, the Constitution Working Party agreed to also look at explicit provision for substitutes at sub-committees generally.

4.0 SIGNIFICANT RISKS

- 4.1 There are no significant risks associated with this report. Clarity of arrangements for substitutes at sub-committees assists with ensuring that meetings can go ahead and business be dealt with in a timely manner when Members are unable to attend or have a conflict of interest in participating.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 The context in which these proposals are made is covered in section 3 of this report.

REPORT

6.0 REPORT DETAILS

6.1 The terms of reference in Part 3 of the Constitution set out the composition of the Corporate Governance Standards Sub-Committee as follows:

- (i) *The Corporate Governance Standards Sub-Committee shall comprise three Members of the Overview and Scrutiny Committee.*
- (ii) *Political proportionality is not applied for the Corporate Governance Standards Sub-Committee.*

6.2 Whilst this does not prevent the appointment of substitutes, it makes no explicit provision for their appointment.

6.3 It is therefore proposed that point (i) above is amended to add the wording, “*with up to three named substitutes.*” As political proportionality does not apply, any substitute could cover for any member of the sub-committee.

6.4 The Committee Procedure Rules in Part 4 of the Constitution make the following provisions for the appointment of sub-committees:

25B. SUB-COMMITTEES

- (i) *Every standing committee appointed may appoint sub-committees for purposes to be specified by that committee.*
- (ii) *The Chairman of a standing committee shall be an ex officio member of every sub-committee appointed by that standing committee and shall be ex officio chairman of such sub-committee.*
- (iii) *If the chairman of a sub-committee is absent from a meeting of the sub-committee another member of the sub-committee chosen by the members of the sub-committee present shall preside.*
- (iv) *With the exception of the Licensing Committee, a standing committee may appoint members who do not serve on that standing committee to serve on a sub-committee.*

6.5 Similarly this does not prevent the appointment of substitutes, nor does it make explicit provision for their appointment.

6.6 It is proposed that a point (v) is added to this procedure rule, to read, “*Substitutes may be appointed to sub-committees, subject to any relevant training requirements being fulfilled.*”

6.7 The Committee Procedure Rules set out the following provisions with regards to substitutes:

28. SUBSTITUTE MEMBERS OF COMMITTEES

28.1 Number

For each Committee where substitution is applicable, the maximum number of substitutes in respect of each Political Group at any meeting shall be 50% of that Group's membership on the relevant Committee, rounded up if necessary, subject to a minimum of two.

28.2 Powers and duties

Substitute Members will have all the powers and duties of any ordinary Member of the committee but will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting. Substitute Members shall abide by any voting restrictions which would have applied to the Member for whom they are substituting.

28.3 Substitution

Substitute Members may attend meetings in that capacity only:

- (i) to take the place of the ordinary Member for whom they are the designated substitute;*
- (ii) where the ordinary Member will be absent for the whole of the meeting; and*
- (iii) after notifying the Proper Officer by 12 noon on the day of the meeting of the intended substitution.*

28.4 Overview and Scrutiny Committee

Substitution shall not apply to the Overview and Scrutiny Committee.

28.5 *Where a Member of Overview and Scrutiny Committee has acted as a named substitute at any Policy Committee they may not subsequently scrutinise any decision in which they have been involved.*

28.6 Licensing Committee and Licensing Sub-Committee

Substitution shall not apply to the Licensing Committee and Licensing Sub-Committee.

6.8 These provisions make no reference to sub-committees.

6.9 It is proposed that the title of this procedure rule is changed to be, "*Substitute Members of Committees and Sub-Committees*", and that the references to "*committee*" in 28.1 and 28.2 be changed to "*committee or sub-committee*".

6.10 Appendix 1 of this report summarises all of the proposed changes, with additional wording shown in italics.

7.0 IMPLICATIONS

7.1 The following implications have been identified:
a) Financial
None.

- b) Legal
None.

- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)
None.

Simon Copley
Democratic Services Manager

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Background Papers:
The Constitution.

Background Papers are available for inspection at:
www.ryedale.gov.uk

APPENDIX 1 – SUMMARY OF PROPOSED CHANGES TO THE CONSTITUTION

PART 3 OF THE CONSTITUTION – TERMS OF REFERENCE: CORPORATE GOVERNANCE STANDARDS SUB-COMMITTEE

3. Composition of the Corporate Governance Standards Sub-Committee

- (i) The Corporate Governance Standards Sub-Committee shall comprise three Members of the Overview and Scrutiny Committee, *with up to three named substitutes*.
- (ii) Political proportionality is not applied for the Corporate Governance Standards Sub-Committee.

PART 4 OF THE CONSTITUTION – COMMITTEE PROCEDURE RULES

25B. SUB-COMMITTEES

- (i) Every standing committee appointed may appoint sub-committees for purposes to be specified by that committee.
- (ii) The Chairman of a standing committee shall be an ex officio member of every sub-committee appointed by that standing committee and shall be ex officio chairman of such sub-committee.
- (iii) If the chairman of a sub-committee is absent from a meeting of the sub-committee another member of the sub-committee chosen by the members of the sub-committee present shall preside.
- (iv) With the exception of the Licensing Committee, a standing committee may appoint members who do not serve on that standing committee to serve on a sub-committee.
- (v) *Substitutes may be appointed to sub-committees, subject to any relevant training requirements being fulfilled.*

28. SUBSTITUTE MEMBERS OF COMMITTEES AND SUB-COMMITTEES

28.1 Number

For each Committee *or Sub-Committee* where substitution is applicable, the maximum number of substitutes in respect of each Political Group at any meeting shall be 50% of that Group's membership on the relevant Committee *or Sub-Committee*, rounded up if necessary, subject to a minimum of two.

28.2 Powers and duties

Substitute Members will have all the powers and duties of any ordinary Member of the committee *or sub-committee* but will not be able to exercise any special powers or duties exercisable by the person for whom they are substituting. Substitute Members shall abide by any voting restrictions which would have applied to the Member for whom they are substituting.

28.3 Substitution

Substitute Members may attend meetings in that capacity only:

- (i) to take the place of the ordinary Member for whom they are the designated substitute;
- (ii) where the ordinary Member will be absent for the whole of the meeting; and
- (iii) after notifying the Proper Officer by 12 noon on the day of the meeting of the intended substitution.

28.4 Overview and Scrutiny Committee

Substitution shall not apply to the Overview and Scrutiny Committee.

28.5 Where a Member of Overview and Scrutiny Committee has acted as a named substitute at any Policy Committee they may not subsequently scrutinise any decision in which they have been involved.

28.6 **Licensing Committee and Licensing Sub-Committee**

Substitution shall not apply to the Licensing Committee and Licensing Sub-Committee.



REPORT TO: FULL COUNCIL

DATE: 5 SEPTEMBER 2019

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 25 JULY 2019

32c Management of Meetings

Recommendation to Council

- (1) That recommendation (i) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is not approved.
Recommendation: (i) That the Constitution be amended to change the order of business for Full Council to put items for decision first.
- (2) That recommendation (ii) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is not approved.
Recommendation: (ii) That the Constitution be amended to bring forward the guillotine, so that it takes effect after 3 hours.
- (3) That recommendation (iii) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is not approved.
Recommendation: (iii) That the Constitution be amended to require corrections to the minutes to be submitted in writing in advance of the meeting.
- (4) That recommendation (iv) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is not approved.
Recommendation: (iv) That working practices be amended so that questions to officers have to be dealt with ahead of, rather than during, meetings of Full Council.
- (5) That recommendation (v) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is approved so that the Rules of Procedure are amended to include provision for members to receive a written statement from the Leader of Council with the agenda.
Recommendation: (v) That the Constitution be amended to require the circulation of the Leader's Statement with the agenda.
- (6) That recommendation (vi) of the final report of the Scrutiny Review on Meeting Start Times and Management of Meetings, below, is approved and it is confirmed by Council that it is preferable for the Leader's Statement not to be read out at meetings save for in exceptional circumstances.
Recommendation: (vi) That working practices be amended to stop reading out the Leader's Statement at meetings of Full Council.
- (7) That written notice of questions on the Leader's Statement at Council is not required.
- (8) That indicative timings for items of business on meeting agendas are not introduced.

Voting record

8 For
1 Against

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	CONSTITUTION WORKING PARTY
DATE:	22 JULY 2019
REPORT OF THE:	DEMOCRATIC SERVICES MANAGER SIMON COPLEY
TITLE OF REPORT:	MANAGEMENT OF MEETINGS (INCLUDING SCRUTINY REVIEW REPORT)
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report presents the final report of the scrutiny review on meeting start times and management of meetings for consideration by the Constitution Working Party.
- 1.2 It also presents other recommendations identified in the Constitution Working Party's work programme relating to the management of meetings.

2.0 RECOMMENDATION(S)

- 2.1 To make recommendations to Council, through the Policy and Resources Committee, on each of the recommendations in the final report from the Overview and Scrutiny Committee:
- (i) That the Constitution be amended to change the order of business for Full Council to put items for decision first;
 - (ii) That the Constitution be amended to bring forward the guillotine, so that it takes effect after 3 hours;
 - (iii) That the Constitution be amended to require corrections to the minutes to be submitted in writing in advance of the meeting;
 - (iv) That working practices be amended so that questions to officers have to be dealt with ahead of, rather than during, meetings of Full Council;
 - (v) That the Constitution be amended to require the circulation of the Leader's Statement with the agenda;

- (vi) That working practices be amended to stop reading out the Leader's Statement at meetings of Full Council.
- 2.2 To make a recommendation to Council, through the Policy and Resources Committee, as to whether written notice should be given of questions on the Leader's Statement at Council.
- 2.3 To make recommendations to Council, through the Policy and Resources Committee, on the use of indicative timings for items of business on meeting agenda.
- 3.0 REASON FOR RECOMMENDATION(S)**
- 3.1 To consider the findings from the scrutiny review and other items relating to the management of meetings.
- 4.0 SIGNIFICANT RISKS**
- 4.1 Any risks identified and discussed as part of the review are included in the findings in the main report.
- 5.0 POLICY CONTEXT AND CONSULTATION**
- 5.1 At the time of the review links were made to the corporate aim "to transform the Council" and the strategic objectives "to know our communities and meet their needs" and "to develop the leadership, capacity and capability to deliver future improvements".

REPORT

6.0 REPORT DETAILS

- 6.1 The meeting of Full Council on 8 December 2016 resolved that the Overview and Scrutiny Committee carry out a review of meeting start times.
- 6.2 The meeting of Full Council on 21 February 2017 resolved that the remit of this review be broadened to cover the efficient management of meetings of Full Council.
- 6.3 The scrutiny review was completed and the report was submitted to the Policy and Resources Committee on 21 September 2017, which referred it to the Constitution Working Party.
- 6.4 The Constitution Working Party did not meet until 20 June 2019. At this meeting it reviewed the scrutiny report and requested that it be considered at its next meeting, on 22 July 2019, along with other items in its work programme relating to the management of meetings.
- 6.5 The report from the scrutiny review is attached and its recommendations are listed above.
- 6.6 A related item in the Constitution Working Party's work programme was whether written notice should be given of questions on the Leader's Statement at Council.
- 6.7 A further item relating to the management of meetings, which came from the Democratic Services and Governance health check, was that consideration be given

to the use of indicative timings for items of business on meeting agenda.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- a) Financial
There are no direct financial implications arising from this report.
- b) Legal
There are no legal implications arising from this report
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)
There are no other implications arising from this report. An equality impact assessment has been conducted in relation to meeting start times.

Simon Copley
Democratic Services Manager

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Background Papers:

Minutes of Full Council on 8 December 2016 and 21 February 2017
Minutes of Overview and Scrutiny Committee on 16 February 2017, 30 March 2017, 20 April 2017 and 22 June 2017
Minutes of Policy and Resources Committee on 21 September 2017
Minutes of Constitution Working Party on 20 June 2019
The Constitution

Background Papers are available for inspection at:
www.ryedale.gov.uk

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Scrutiny Review

Meeting Start Times & Management of Meetings

RYEDALE
DISTRICT
COUNCIL



Overview and Scrutiny Committee
April 2017

Executive Summary

This Report sets out the results of a review of meeting start times and management of meetings. This review has been carried out by Ryedale District Council's Overview and Scrutiny Committee.

The aim of the review was to consider meeting start times as requested by Full Council on 8 December 2016, and to also consider the efficient running of proceedings at Full Council, including the length of meetings, as requested by Full Council on 21 February 2017.

The Committee made the following recommendations:

To Policy and Resources Committee and then on to Full Council:

- (i) That the Constitution be amended to change the order of business for Full Council to put items for decision first;
- (ii) That the Constitution be amended to bring forward the guillotine, so that it takes effect after 3 hours;
- (iii) That the Constitution be amended to require corrections to the minutes to be submitted in writing in advance of the meeting;
- (iv) That working practices be amended so that questions to officers have to be dealt with ahead of, rather than during, meetings of Full Council;
- (v) That the Constitution be amended to require the circulation of the Leader's Statement with the agenda;
- (vi) That working practices be amended to stop reading out the Leader's Statement at meetings of Full Council.

The Task Group wishes to thank all those who gave their time in contributing to this review.

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Scope of the review

The terms of reference for the Review were agreed at the Overview and Scrutiny Committee on the 16 February 2017 and revised on 30 March 2017. (See Annex A)

The aim of the review was to consider meeting start times as requested by Full Council on 8 December 2016, and to also consider the efficient running of proceedings at Full Council, including the length of meetings, as requested by Full Council on 21 February 2017.

The scope of the review covered the following:

The implications of both the current meeting start times and possible changes to these, including:

- What were the equalities impacts on Members, Officers and members of the public of daytime and evening meetings, and could these be mitigated?
- What were Members expectations around meeting start times when they decided to stand for election, and should any changes only be introduced at the beginning of a new term and with sufficient notice ahead of elections?
- What was the capacity of the organisation to support evening meetings and what was the impact on both Members and Officers in terms of quality of decision making and work the following day?

The options for improving time management at Full Council meetings, in terms of efficient running of proceedings and reducing the length of meetings, including:

- Was business dealt with in the right order at Full Council or should it be rearranged to put items for decision at the start of the agenda?
- Should the guillotine be brought forward or enforced more rigidly, rather than often extended, at Full Council meetings? When the guillotine falls should debate end on the item being considered and the vote taken?
- Would a timed agenda be helpful at Full Council meetings?
- Should amendments to the minutes be submitted in advance?
- Should amendments be submitted in advance?
- Should any questions to officers be dealt with ahead of the meeting instead of during the meeting?
- Would any measures proposed balance the efficient running of the meeting and the improved quality of decision making earlier in the evening, with the need to debate issues sufficiently thoroughly to reach sound decisions and to represent the views of residents in the democratic process and to hold the ruling group to account?

Membership of the committee

Current : G Acomb (Vice Chairman), D Cussons, K Duncan, B Gardiner, T Jainu-Deen, E Jowitt, D Keal (Chairman), M Potter, J Sanderson, R Wainwright.

Meeting dates of the Scrutiny Review Task Group:

09/03/17 Considered information relating to start times of meetings, including an equality impact assessment, Members' expectations when standing for election, the capacity of the organisation and impact on quality of decision making.

30/03/17 Considered the results of the survey of other local authorities on meeting start times, and the pros and cons of various options for improved management of meetings.

Scrutiny Review Task Group supporting officers:

Simon Copley (Principal Specialist Democracy)

Will Baines (Programmes, Projects & Performance Officer)

Beckie Bennett (Delivery & Frontline Services Lead)

Clare Slater (Deputy Chief Executive)

Methodology

The Committee/Task Group approached the review through:

- A discussion of the implications of meeting start times, including consideration of the equalities impact assessment, and a survey of other similar local authorities;
- An assessment of the pros and cons of different options to improve management of meetings.

Findings

The research undertaken highlighted the following key findings:

Meeting Start Times

- That the equality impact assessment, which covered Members, Officers and members of the public, indicated that different start times suited different groups of people and that any changes to start times were at worst neutral from an equalities perspective;
- That any change to meeting start times should only take place at an election so that any potential candidates had due notice;
- That daytime meetings may discourage younger and working age people from standing for election;
- That meetings running late into the evening has a detrimental impact on the quality of work of both Members and Officers, both at the meeting and the next day;
- That both the Corporate Peer Challenge report and the Independent Person have made reference to the lateness of meetings;
- That a survey undertaken of other councils in North Yorkshire and in Ryedale's "family group" (results attached as Annex B) indicates a range of start times, with the main reason for daytime meetings being to complete business during the normal working day and for evening meetings to allow Members and members of the public who work to attend meetings;
- That type of arrangement, presence/size of majority and length of meeting could also be influencing factors in relation to start times.

Recommendations

The Committee decided to present their findings on meeting start times but not to make any recommendations for further consideration.

Management of Meetings

A range of mechanisms were discussed for making meetings of Full Council more efficient as follows:

- *Changes to the order of business to put items for decision first* - Part B minutes and officer reports would be first, then motions on notice, followed by questions and the Leader's Statement. This would prioritise the most urgent and most important items of business to ensure the decisions were taken to keep the Council running on the date required, with sufficient time and when Members and officers were least tired. The flexibility for the Chairman to vary the order of business could still be retained.
- *Bringing forward the guillotine* - 3 hours was considered a reasonable amount of time for a meeting, although there was some risk that a backlog of business could arise which would have to be carried forward to the next meeting.

- *Enforcing the guillotine more rigidly* - Discretion needed to be retained to deal with this on a case by case basis, depending on the importance of the business, and ensuring it wasn't enforced solely for political reasons.
- *The guillotine taking immediate effect, with debate ending and a move to the vote* - This could curtail debate on key issues at an arbitrary time and effect the quality of the decision made.
- *Timed agenda* - Whilst this could help focus everyone's mind on dealing with the business efficiently and avoid filibustering and repetitive/similar amendments, it would be problematic assigning timings and ensuring there was no political interference in this. Similarly debate could be curtailed at an arbitrary time and the quality of decisions could be effected.
- *Submitting amendments to the minutes in advance of the meeting* - No reasons could be identified as to why this would not be a workable measure as any amendments to minutes could be anticipated in advance.
- *Submitting amendments in advance of the meeting* - The benefits of this including saving time at meetings and avoiding repetitive/similar amendments, allowing officers to provide advice on the legality and costings involved, allowing the Chairman to take a view on any procedural matters, and providing Members with written copies of amendments and time to consider them in advance. The disadvantages included not being able to take account of matters raised in debate and respond to these through drafting amendments, removing the flexibility to propose alternatives, and restricting the operation of Full Council, as the principal decision making forum in a fourth option authority. It was noted that this change could be made by political agreement between Group Leaders, rather than by constitutional requirement, with discretion still left with the Chairman to accept amendments at the meeting where they could not have been reasonably anticipated in advance.
- *Questions to officers ahead of, rather than during, the meeting* - Ryedale was unusual in allowing questions to officers during meetings of Full Council. Dealing with these in advance of the meeting would save time. It was not always possible for officers to fully answer questions without notice at meetings and this change would allow the attendance of fewer officers at meetings and the knock on impact on performance with tiredness next day after late finishes.
- *Circulate the Leader's Statement with the agenda* - This would allow the Statement to be available to Members well in advance of the meeting, to assist them in formulating questions, and also to make it available to the public well ahead of the meeting. Enforcing the constitutional requirement that questions be only about the content of the Statement and no other matters would also save time.
- *Stop reading out the Leader's Statement at the meeting* - No other document attached to the Council agenda is read out for the recording. All documents are available to the public online, including the Leader's Statement. This change would save time at meetings.

It was noted that there was a need to ensure mechanisms to support the efficient running of meetings did not curtail democratic debate on the key issues that matter to Ryedale and its residents.

Recommendations

To Policy and Resources Committee and then on to Full Council:

- (i) That the Constitution be amended to change the order of business for Full Council to put items for decision first;
- (ii) That the Constitution be amended to bring forward the guillotine, so that it takes effect after 3 hours;
- (iii) That the Constitution be amended to require corrections to the minutes to be submitted in writing in advance of the meeting;
- (iv) That working practices be amended so that questions to officers have to be dealt with ahead of, rather than during, meetings of Full Council;
- (v) That the Constitution be amended to require the circulation of the Leader's Statement with the agenda;
- (vi) That working practices be amended to stop reading out the Leader's Statement at meetings of Full Council.

Annexes

Annex A - Terms of Reference

Annex B - Survey Results on Meeting Start Times

Terms of Reference - Scrutiny Review of Meeting Start Times & Time Management at Meetings

<p>Aim of the Review</p>	<p>To consider meeting start times as requested by Full Council on 8 December 2016, when it considered the timetable of meetings for 2017-18 and resolved:</p> <ul style="list-style-type: none"> (i) That Council approve the timetable of meetings for 2017-2018, attached as Annex A of the report. (ii) That we refer this matter [of meeting start times] to O&S for further discussion and production of a report to be considered by P&R and then Full Council. <p>To also consider the efficient running of proceedings at Full Council, including the length of meetings, as requested by Full Council on 21 February 2017, when it considered recommendations from the Corporate Governance Standards Sub-Committee and resolved:</p> <p>That practices around electronic voting and time management at Full Council meetings be improved as follows:</p> <ul style="list-style-type: none"> (a) Any Member leaving a meeting early, to notify the Chairman when they depart and return their voting unit to the front of the room, and the time of their departure to be recorded in the minutes; (b) That the O&S Review into the start times of meetings also looks at the efficient running of proceedings at Full Council to include the length of meetings.
<p>Why has this review been selected?</p>	<p>The issue of meeting start times was raised at Full Council, when the following amendment was moved: <i>"That Full Council and Planning Committee should start at 6pm.</i> <i>That all other meetings start at 4pm.</i> <i>That these changes take effect from 18 May 2017."</i></p> <p>The amendment was lost when put to the vote, so the existing meeting start times were continued for 2017-18.</p> <p>However a further amendment proposed that O&S review the issue looking to the longer term.</p> <p>An informal review of start times was last carried out in December 2010 by the Corporate Director (s151). However there have been changes to the membership of the Council and the way in which it operates since then.</p> <p>The issue of time management at Full Council meetings was raised by the Corporate Governance Sub-Committee at a meeting on 9 February 2017 and subsequently included in its recommendations to Full Council.</p>

Who will carry out the review?	<p>The review will be carried out by a task group including:</p> <ul style="list-style-type: none"> • A minimum of 2 members of the O and S committee (but open to all members of O and S) • Support will be provided by the Democratic Services Manager • With input from other officers as required, including the Monitoring Officer
How the review will be carried out?	<p>The task group will consider the implications of both the current meeting start times and possible changes to these. Potential questions that could be considered in scoping the review include:</p> <ul style="list-style-type: none"> • What are the equalities impacts on Members, Officers and members of the public of daytime and evening meetings, and can these be mitigated? [An equality impact assessment has already been carried out and can be made available to the task group.] • What were Members expectations around meeting start times when they decided to stand for election, and should any changes only be introduced at the beginning of a new term and with sufficient notice ahead of elections? • What is the capacity of the organisation to support evening meetings and what is the impact on both Members and Officers in terms of quality of decision making and work the following day? <p>The task group will consider options for improving time management at Full Council meetings, in terms of efficient running of proceedings and reducing the length of meetings. Potential questions that could be considered in scoping the review include:</p> <ul style="list-style-type: none"> • Is business dealt with in the right order at Full Council or should it be rearranged to put items for decision at the start of the agenda? • Should the guillotine be brought forward or enforced more rigidly, rather than often extended, at Full Council meetings? When the guillotine falls should debate end on the item being considered and the vote taken? • Would a timed agenda be helpful at Full Council meetings? • Should amendments to the minutes be submitted in advance? • Should amendments be submitted in advance? • Should any questions to officers be dealt with ahead of the meeting instead of during the meeting? • Would any measures proposed balance the efficient running of the meeting and the improved quality of decision making earlier in the evening, with the need to debate issues sufficiently thoroughly to reach sound decisions and to represent the views of residents in the democratic process and to hold the ruling group to account?
What are the expected outputs?	<p>It is expected that the task group will produce a report, summarising the evidence they have gathered.</p>

Timescale

It is anticipated that the group will conclude the outcomes of the review by June 2017. Progress reports will be submitted to the committee if required during the review.

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Council	Council Meeting Start Time	Time of day	Setup	Constitution Length of Meetings	Totals	
City of York	6:30pm	Evening	Leader and Cabinet	All Council meetings to end after 3 hours, 40 minutes unless extended by agreement of the Council Vote at 3 hours to adjourn, or may be earlier at the Chairman's discretion. Must end before 7:30pm Adjourn after 3 hours unless majority vote to continue	Morning	1
Craven	7pm	Evening	Committee System		Afternoon (until 5pm)	3
East Riding	2pm	Afternoon	Leader and Cabinet		Evening (after 5pm)	6
Hambleton	2pm	Afternoon	Leader and Cabinet	Adjourn after 3 hours unless majority vote to continue. Also a 10 minute break after two hours Adjourn after 3.5 hours unless majority vote to continue Adjourn after 3 hours unless majority vote to continue		
Harrogate	5:30pm	Evening	Leader and Cabinet			
North Yorkshire	10:30am	Morning	Leader and Cabinet			
Richmondshire	6:30pm	Evening	Committee System			
Ryedale	6:30pm	Evening	Committee System			
Scarborough	2pm	Afternoon	Leader and Cabinet			
Selby	6pm	Evening	Leader and Executive			

CIPFA Family Group	Council Meeting Start Time	Time of day	Setup	Constitution Length of Meetings	Totals	
Babergh	5:30pm	Evening	Leader and Strategy Committee	The duration of any meeting shall be at the absolute discretion of the Chairman Adjourn after 4 hours unless majority vote to continue	Morning	1
Cotswold	10am	Morning	Leader and Cabinet		Afternoon (until 5pm)	2
Derbyshire Dales	6pm	Evening	Committee System	Adjourn after 2.5 hours unless majority vote to continue Adjourn after 3 hours unless majority vote to continue	Evening (after 5pm)	10
Eden	6:45pm	Evening	Leader and Executive			
Maldon	7:30pm	Evening	Committee System	The duration of any meeting shall be at the absolute discretion of the Chairman Adjourn after 3 hours unless majority vote to continue Adjourn after 3 hours unless majority vote to continue		
Malvern Hills	7pm	Evening	Committee System			
Melton	6:30pm	Evening	Committee System			
Mendip	6:30pm	Evening	Leader and Cabinet			
North Dorset	6pm	Evening	Leader and Cabinet			
Ribble Valley	6:30pm	Evening	Committee System			
South Hams	2pm	Afternoon	Leader and Executive			
Staffs Moorlands	6:30pm	Evening	Leader and Cabinet			
West Devon	4:30pm	Afternoon	Committee System			

Comments received as reasons for meeting start times

Morning

Complete business during the working day
No need for staff to work into evening

Afternoon

Complete business during the working day
Councillors who work full-time able to take afternoon off to attend

Evening

Public able to attend and participate
Councillors working full-time are able to attend

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Leader's Statement

"Back to basics"

This is the shortest Leader's Statement so far - but I hope to use it to make an important point.

Politicians, even at a local level, increasingly seek to demonstrate their political prowess with mammoth projects. They aim to construct permanent and expensive landmarks with a gold plaque bearing their name and attesting to their legacy.

But as we know politicians on Ryedale District Council are not quite the same as those elsewhere. We act, think, look and operate in a slightly different way.

This is now no longer a "new council" and we cannot hide behind "historical issues" or be shackled by the decisions of our predecessors. We have looming over us key questions on major projects and we need to find a way forward, but whatever decisions we take must be rooted in reality, be achievable and not distract us from our core duty: to protect the public purse and deliver value for money to the taxpayers of Ryedale.

As we commence outlining our priorities and knuckle down to business, we should not lose sight of the fundamental services we are here to deliver. We need to go "back to basics" and focus on ensuring we can give the very best service to the public in everything we do.

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REPORT TO: FULL COUNCIL

DATE: 10 OCTOBER 2019

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 26 SEPTEMBER 2019

57 Financial Strategy 2020-2024

Considered – report of the Chief Finance Officer (s151)

Recommendation

- (i) The Council be asked to note and approve the content of sections 6, 7, 8, 9 and 10 of the report, which will form the basis of the Council's Financial Strategy. The contents are also summarised in Appendix 12.2
- (ii) Members be also asked to note the proposed timetable for engagement and consultation as set out in section 10

Voting record
Unanimous

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	26 SEPTEMBER 2019
REPORT OF THE:	CHIEF FINANCE OFFICER (s151) ANTON HODGE
TITLE OF REPORT:	RYEDALE'S FINANCIAL STRATEGY 2020-24
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report sets out the basis of the Financial Strategy to be approved by the Council and notes the work that is being and will be undertaken to ensure the Council sets a balanced budget for 2020-21 and allows more time for a more fundamental budget review for 2021-22 and thereafter. It also highlights a new commercial approach to be taken by the Council in ensuring financial sustainability.

2.0 RECOMMENDATIONS

- 2.1 The Council is asked to note and approve the content of sections 6, 7, 8, 9 and 10 of this report which will form the basis of the Council's Financial Strategy. The contents are also summarised in Appendix 1
- 2.2 Members are also asked to note the proposed timetable for engagement and consultation as set out in section 10.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 To ensure proper process is in place to develop the Financial Strategy for the period 2020-24

4.0 SIGNIFICANT RISKS

- 4.1 Section 10 of the Financial Strategy highlights that it will contain a full risk and impact assessment highlighting all relevant mitigating controls.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The Financial Strategy is a key strategy document that affects all service delivery. It links to the Corporate Plan and all other strategic plans as well as providing the means for attaining the Council's objectives and priorities.
- 5.2 The Policy and Resources Committee is the Committee designated to make recommendations to the Council relating to the budget and levels of Council Tax. Consequently, recommendations from this Committee will inform the Council and subsequently the Council Tax resolution.

6.0 REPORT DETAILS

Introduction

- 6.1 The Council's Financial Strategy provides the financial framework to deliver the Council Plan.
- 6.2 It aims to provide financial sustainability, resilience and capacity for the Council in pursuing its objectives and secure the resources necessary to deliver the Corporate Plan, whilst managing the funding cuts we are facing.
- 6.3 This paper seeks to set out the financial background and assumptions (as currently known) which will impact on the Council's budget and seeks approval for a strategic framework to inform draft budget proposals as these are formulated through the Autumn.
- 6.4 This report proposes that the Council adopts a Financial Strategy which will set out the overall approach in which detailed proposals and actions will be developed and considered when agreeing the annual budgets over a four-year period. The strategy notes that work will be undertaken in time for 2020-21 to ensure the Council can set a balanced budget which reflects its priorities, but that a more detailed and fundamental review will take place in time for 2021-22.
- 6.6 This also reflects the one-year funding settlement from central government – and announced on 4 September 2019 – in place of the originally-expected Local Government Spending Review.
- 6.7 The Strategy covers four years, from 2020 to 2024.
- 6.8 Members will be kept informed of work undertaken, including a detailed briefing in September on how the Council spends its money. This will assist both the development of a budget for 2020-21 and especially the work required for the more fundamental review.
- 6.9 As this strategy is being written, the impacts on public sector finances of the UK's exit from the European Union are still not clear.
- 6.10 Against this backdrop of uncertainty the key drivers for the financial strategy remain unchanged as the pressure on Local Government finance continues.

Objectives

- 6.11 With this refresh comes the emphasis on financial self-sufficiency - aiming to secure the resources necessary to deliver the Corporate Plan, whilst managing the funding cuts we are facing – ultimately over the long term achieving a self-sustaining financial model which sees the Council free from reliance on central government funding by raising income locally through Council Tax and Business Rates as well as through charging appropriately for services, maximising investments and commercial activity.
- 6.12 The current Financial Strategy contains the following objectives:
1. Budgets are Prudent and Sustainable in the Long Term;
 2. Financial plans recognise corporate Priorities and Objectives;
 3. Significant risks are identified, and mitigation factors identified;
 4. The Capital Programme is planned over a 4 year period with no further borrowing planned beyond the £1.75m already undertaken for the Brambling Fields project;
 5. Constraints on capital and revenue resources, including the uncertainties around future government funding, are recognised and taken into account;
 6. Council Tax increases will be kept within the Government's expected upper level of increase, and the broad anticipated increase for future years will be set out within the Financial Plans, recognising that these increases may be subject to change;
 7. Prudent levels of general balances, reserves and contingencies are maintained in the context of an assessment of the risks facing the Council;
 8. Value for Money and achievement of improved efficiency and service delivery underpin the Financial Strategy;
 9. The Financial Strategy supports the achievement of Excellence in Financial Management and use of resources.
- 6.13 In agreeing a revised Financial Strategy, members are asked to consider whether these are still appropriate or whether they should be revised to provide more detail. For example to state explicitly:
- a) To maintain a balanced budget by ensuring that in-year expenditure is matched by income from Council Tax, Business Rates, fees and charges and grants from government and other bodies. Funding from reserves will be used to cover one-off investments or temporary initiatives subject to a detailed business case being approved by Members.
 - b) To maximise the Council's income through a Commercial Strategy

7.0 FINANCIAL ASSUMPTIONS

Economic Assumptions

Interest Rates

- 7.1 The bank base rate was increased by 0.25% to 0.5% in November 2017 and then raised again to 0.75% in August 2018. In the latest forecasts received from Link (the Council's treasury management advisors) rates are expected to remain at 0.75% through to September 2020 when a rise to 1.00% is predicted. However these assumptions are based upon a reasonable Brexit outcome, but should this not materialise by 31 October then a cut in Bank Rate could swiftly follow.
- 7.2 Given the on-going economic uncertainty as a result of Brexit, there is a risk that interest rates could reduce and it is therefore important that the general fund is not over reliant on Treasury returns. Until there is more certainty it is proposed that a cap of £200k be placed on budgeted income.

Investment Income	2019-20	2020-21	2021-22	2022-23
Average rate %	1.1%	1.25%	1.5%	1.75%
Interest £000's	200	200	200	200

- 7.3 Rates will be kept under review and forecasts updated as necessary.

Pay and Price Inflation

- 7.4 Provision for the public sector pay award and changes to the NJC pay scale has been included within the MTFS based on the 2 year offer agreed in 2018. For 2020-21 onwards 2% is assumed.
- 7.5 As at June 2019 CPI inflation was running at 2%. However, it remains to be seen how the UK's exit from the European Union will impact on the outlook for the economy and inflation. Current forecasts suggest CPI to remain at around 2% for the next two years, although a no deal Brexit could prompt a rise to around 4%, primarily as a result of import inflation due to a weakening pound. MTFS assumptions therefore range from 2% to 4%, although a provision for inflation will only be included on contractual budgets, income and staff pay.
- 7.6 For pay, an average of 2% has been assumed and an additional contingency of £100k was factored in to cover of the cost of the new national pay award from April 2019, although the outcome of this exercise is still to be finalised.

Settlement Funding

- 7.7 This element of funding has seen the most significant changes in recent years following the localisation of Business Rates and Council Tax Support.
- 7.8 The 2017/18 Local Government Finance Settlement provided figures for Settlement funding through to 2019-20. Settlement Funding includes Revenue Support Grant (RSG), Business Rates Baseline Funding (BRBF) and in addition Rural Services Delivery Grant (RSDG) and Transitional Grant (TG) were included in the settlement.

- 7.9 The government confirmed the 19/20 settlement on 29th January 2019, the final year of the multi-year settlement.
- 7.10 It was assumed that funding after 2019-20 would be subject to the Spending Review which was due to take place sometime after April 2019. However, delays to the Fair Funding Review and review of the Business Rates retention system means that this will be rolled on a further year and details will be updated when we have further information.
- 7.11 On 4 September, the Chancellor's Statement outlined that funding levels in 2020-21 would largely be as per the current year. Although the provisional settlement is not expected until early December, we will be able to work on the figures over the next few weeks and these will feed into the budget process as outlined below.

Business Rates Retention

- 7.12 The Council is now part of a successful bid for 2019-20 in what may be the final year of pilots for Business Rates Retention (75% rather than 100%) prior to the anticipated system reset due from 2020-21. This pilot includes councils in West Yorkshire as well as our colleagues in the North Yorkshire pool and the City of York.
- 7.13 The 4 September statement appears to confirm that Business Rates will continue next year as per 2019-20 levels, with inflation. However our assumption is that the Pilot will not automatically continue.
- 7.14 This would (if it comes to pass) provide funds additional to those noted in the February budget. With these and with the overall Business Rate funding, the Council seeks to see more a link with investment in the economy and local businesses through economic development.

New Homes Bonus

- 7.15 New Homes Bonus (NHB) is an incentive scheme which rewards housing growth. It provides funding based on the number of new properties brought into use with an added element for affordable housing. The calculation provides that 80% of the funding is paid direct to District Councils with the County Council receiving the remaining 20%. The scheme is funded partly by the Government and also by top-slicing the Local Government funding settlement. Ryedale achieved £1.676m p.a. when the scheme reached maturity for 2016/17 (year 6 of the scheme).
- 7.16 However, the Government's evaluation of NHB and consultation early in 2016 resulted in it being scaled back to a 4 year scheme with a 0.4% growth threshold – for 2019-20 £861k is expected.
- 7.17 New Homes Bonus funding is only secured to 2019-20 and it was anticipated that this scheme would be replaced in its entirety from 2020-21 with the Government considering alternative ways to incentivise housing growth. However, it is likely that NHB will continue at least in 2020-21 and a prudent level of growth is currently included in mid-case estimates, giving a forecast income next year of £675k. This is lower than the £861k received in 2019-20 but will be a welcome addition to our medium term forecast which anticipated that the funding would end this year.

- 7.18 In recent years, £188k has been allocated for capital support. A continuation of this would produce the figures shown below.

Year	NHB £000	Revenue Support £000	Capital Support £000	Balance £000
2014/2015 (received)	1,127	175	0	952
2015/2016 (received)	1,387	559	288	540
2016/2017 (received)	1,676	327	188	604
2017/18 (received)	1,420	32	188	1,200
2018/19 (received)	964	0	188	776
2019-20 (due)	861	0	188	673
2020-21 (estimate)	675	0	188	487

Special and Specific Grants

- 7.19 These will be confirmed in due course.

Council Tax

- 7.20 The Council Tax Base in 2019-20 is 21,812 and we have currently estimated a 1% rise forecast thereafter. Every 0.5% increase above this level would add approximately 108 Band D equivalents to our Tax Base which equates to around £21k p.a. at the current Band D charge.
- 7.21 In 2019-20 central Government allowed district councils to increase their Band D charge by 3% or £5 whichever is the highest, without triggering a referendum. Our assumptions are that this will be 2% or £5 per annum in future years.
- 7.22 A £5 increase would equate to an increase of approx. £110k additional income for the Council in 2020-21. The Strategy will therefore note that any Council Tax increase will be between £0 and £5.

Pensions

- 7.23 The Council's employers' contribution rate for the North Yorkshire Pension Fund is set every 3 years based upon actuarial assumptions and investment expectations. Like many other Councils Ryedale's pension fund has a historic deficit - £6.472m at 31 March 2016 when the last valuation was undertaken. The employers' rate is designed to cover future service costs and a contribution towards the historic deficit, which aims to balance the fund over the long term. Changes to the scheme benefits have also been introduced in order to reduce the costs of future pension payments.

Debt Charges

- 7.24 Management of the Council's debt is governed by the Treasury Management Strategy and Prudential Indicators which aim to ensure the Council's capital expenditure plans

are prudent, affordable and sustainable, with decisions on borrowing taken in light of spending plans and available funding, cash flow needs and interest rates (current and future forecasts).

- 7.25 Borrowing enables the Council to spread the cost of capital expenditure over time. Generally speaking it gives rise to 2 charges against the revenue budget: Minimum Revenue Provision (MRP) and interest payable on debt.
- 7.26 MRP is an amount set aside to repay debt in accordance with the approved policy within the Treasury Management Strategy. The current policy is to charge MRP for assets included within the debt liability over the useful life of the asset or finance lease term. The current annual charge to General Fund balances is £35k. Given the high level of reserves held by the Council, one option might be to use these and therefore reduce the charge to the revenue budget. It is suggested that this is explored before finalising the 2020-21 budget.
- 7.27 The Council has resolved to fund the current capital programme through the use of grant funding and reserve balances, thus removing the need to borrow. However, should this position change, the current environment of low returns on cash investments means that it is more favourable to borrow internally (i.e. use available cash earmarked for future spend) than take out new external borrowing. This will be kept under review as part of monitoring the Council's Treasury activities.

8.0 A COMMERCIAL STRATEGY

- 8.1 The Council agreed a Commercialisation and Income Generation Policy in 2017. Although this contains some key actions, these need to be reconsidered and detailed work agreed to achieve these if they are still relevant.
- 8.2 A key driver for such a Strategy is future financial pressures and a need to plug a likely funding gap in future years or to fund investment in services, and to look at how the Council can become self-sufficient other than where specific grants are allocated by central government
- 8.3 The Strategy might also set out that the Council is also keen to ensure that certain discretionary services are funded by those who use them rather than the general taxpayer.
- 8.4 Alongside this is a requirement to ensure that the Council provides the best value for money to the people of Ryedale.
- 8.5 Finally, there is merit in looking at how commercial opportunities can have a positive impact on the Council and the area by:
- Developing the portfolio of services provided by the Council and making it a more attractive place to work
 - Generating additional income which, in addition to plugging any financial gap, can be used to invest in services
 - Working more closely with business and ensuring the Council is a key player in ensuring that we maximise the economic potential of our area and achieve our strategic outcomes across our communities

- 8.6 In recent years, many councils in the country have recognised the need to become more commercial. However what this means in practice can have a variety of meanings. In some definitions this has been taken to mean simply generating additional income – whether through charging for some discretionary services – or by developing traded activities, which can sometimes lead to the setting up of different governance arrangements (such as Council-owned companies).
- 8.7 Although income generation is very important, our Commercial Strategy will also look at how we can ensure that every spending decision is taken with a view to ensuring the best value for money for taxpayers. We will also ensure that we become infuse our procurement and commissioning decisions with an “intelligent client” ethos.
- 8.8 All of these require us to look at culture across the Council and ensure that staff and members feel confident and knowledgeable enough to deliver the strategy.
- 8.9 In summary therefore we will include the following objectives
- Look at all non-statutory services and investigate potential for full cost recovery or increasing user contribution to their cost
 - Shape potential markets for delivering traded services and look at how generated surplus can be used
 - Review our procurement strategy to ensure that a commercial approach is taken
 - Ensure that all purchasing decisions are guided by a value for money approach
- 8.10 Areas of work required to achieve a meaningful Commercial Strategy are set out in Appendix 2.
- 8.11 To do this successfully we will need to ensure that we have the proper support functions in place in designing and delivering the services (e.g. financial and legal advice and marketing support) and that any costs of this are fully recovered in what we charge for the services.
- 8.12 Ensuring we have the right culture across the organisation is also important. We will takes steps to provide staff and members with the relevant skills and expertise in this regard to embed a more commercial mindset across the Council.
- 8.13 An important part of becoming more commercial will involve managing risk and attitudes towards this from officers and members. Our approach will encourage an appetite for calculated risk-taking and being willing to learn lessons from approaches which do not always lead to the success hoped for. This will of course be balanced by a risk management process which ensures we safeguard the council at all times.

9.0 RESERVES AND BALANCES

General Balances

- 9.1 In accordance with the current strategy it is assumed that General Balances are **not** used to support the revenue budget.

9.2 General Balances are funding of last resort. Taking account of the size of the Council's revenue budget and risks being managed, a minimum working balance of £1m would seem appropriate.

9.3 At 1 April 2019 reserve balances were £14.9m revenue and £453k capital receipts. Members are asked to note that a further detailed review will be undertaken as part of the budget process before final decisions are taken. A summary of the current position is shown below:

	Balance at 1 April '18	Transfers Out	Transfers In	Approved Realignment	Balance at 31 March '19
	£'000	£'000	£'000	£'000	£'000
General Reserve	3,331		650		3,981
Capital Fund	2,929	-169	2,763		5,523
Strategic Reserve	0			2,325	2,325
Earmarked Reserves:					
Collection Fund	506	-303	760		963
Equalisation Reserve					
Election Reserve	61	-26	20		55
New Homes Bonus Reserve	3,698	-2,500	889		2,087
Total Earmarked Reserves	4,265	-2,829	1,669	0	3,105
Consolidated Reserve:					
Council Tax Hardship Fund	24		6	-30	0
Ryedale Developm't Fund	94	-47	13	-60	0
Grants Reserve	163		11	-174	0
IT Fund	95	-40	2	-57	0
ICE Fund	807		50	-857	0
Local Developm't Framework Reserve	50			-50	0
Operational Reserve	648	-4	51	-695	0
Restructure Reserve	402			-402	0
Total Consolidated Reserve	2,283	-91	133	-2,325	0
Total Revenue Reserves	12,808	-3,089	5,215	0	14,934
Capital Reserves:					
Capital Receipts	408	-18	63		453
Total Capital Reserves	408	-18	63	0	453
Total Reserves	13,216	-3,107	5,278	0	15,387

10.0 MEDIUM TERM FINANCIAL STRATEGY AND ANNUAL BUDGET PROCESS

- 10.1 The budget process begins in earnest in August although preparatory work within the Finance Team began in July. The need for public consultation (consultation with ratepayers is a statutory requirement) and the lead in time for Policy & Resources mean that to enable full engagement with Policy & Resources members, Senior Management Board, Service and Budget Managers, the process needs to begin as soon as final accounts work is complete. That said, budget managers should consider their future budget requirements as part of service planning and in reality budgeting should be an ongoing process informed by in-year budget management and horizon scanning.
- 10.2 The annual process is the opportunity for Budget Managers to refine and collate detailed proposals for consideration by senior management and members and ultimately for inclusion in the Council's budget for the coming year.

Annual Budget proposed timetable

Who?	When?	What?
Finance	By end of July	Preparatory work – key messages re approach and process ; pay budgets rolled forward based on approved establishment and budgets updated for inflation where appropriate (pay/contracts/utilities) Communications plan agreed with SMB and key messages/timetable circulated to budget managers
Management Teams/Budget Managers (with support from Finance in high risk areas)	July - September	Detailed budget requirements including savings, commitments, growth, strategic programmes (Corporate Plan/AMS/ICT). Aim for service proposals to be collated and signed off by Service Leads by the middle of September
Members	TBC	Members Briefing
P&R	26 September	Formal sign-off for submission to Council in October
O&S	3 October	Consideration of proposals from P&R
Council	10 October	Formal consideration and approval of the Strategy
P&R/SMB 'Away Day/Half Day'??	Late October (t.b.c.)	Present key issues to P&R and seek steer on proposals which are supported, those which require more detail and those which are rejected.
P&R	14 November	Consider draft budget proposals and follow up of issues from first away day.
Public Consultation including Policy Review/member and staff briefings	December - January	P&R draft budget proposals open to public consultation
Policy & Resources	6 February	Budget and Council Tax proposals agreed for submission to Council
Council	20 February	Formal budget and council tax setting

- 10.3 The Strategy will also include an assessment of risk and impact.
- 10.4 As set out in the report to P&R Committee on 25 July 2019, a number of appointments have been made to increase capacity in areas of pressure. Building this capacity will be essential for the transformation of the council and achieving the objectives of the financial strategy. Although some of these appointments have been made within existing budgets, further costs will be proposed as part of the 202-21 and beyond budget process. These will be fully costed before being finalised.

11.0 CAPITAL PROGRAMMES

- 11.1 There will be a new capital programme which will take account of the Council's priorities and objectives.
- 11.2 In putting this together, new schemes will be reviewed against the Council priorities plus a detailed assessment of deliverability prior to consideration by Council. This methodology will be applied to all proposals, regardless of the source of funding, prior to any decision being made to accept external capital support such as grant funding, so that the Council can ensure that they form part of an overall capital investment strategy.
- 11.3 The Council is committed to seeking out innovative partnership and funding opportunities in order to deliver the capital strategy and achieve best value.
- 11.4 The Council will continue to work closely with funding partners. Future projects will continue to be developed through partnership working more likely with the Local Enterprise Partnership (LEP). The Council also recognises the importance of increased community engagement and participation as fundamental to the quality of public services and the health of community life. The Council will therefore seek to develop major projects with the full involvement of local communities and ensure appropriate consultation prior to scheme approval.
- 11.5 Resources to fund capital spending are provided from central government grants, with other external grants and contributions sought. Council funding in the form of capital receipts, use of reserves, borrowing and from revenue sources make up the balance of resources. However, grants provided by central government and resources from other external agencies are often specific to an individual scheme and cannot be used for any other purpose by the Council. The Council has limited scope to generate significant capital receipts other than through the sale of major underutilised assets.
- 11.6 Under the Prudential Regime, which has operated since April 2004, the Council has the responsibility to demonstrate that its capital investment programme is affordable, prudent and sustainable. The Prudential Code requires that this is done by calculating specific indicators for capital expenditure and financing and by setting borrowing limits.
- 11.7 The revenue implications of funding the capital programme will be built into the medium term financial forecasts.

12.0 IMPLICATIONS

12.1 The following implications have been identified:

- a) Financial
Financial implications are explained throughout this report
- b) Legal
There are no legal implications regarding this report.
- c) Other
None to report, although in any report to Committee and Council, it will be noted that any proposals which may impact on Equalities, Staffing, Planning, Health & Safety, Climate Change, Environmental, Crime & Disorder will be assessed as part of the budget process.

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Background Papers:

APPENDIX 1

Contents of Financial Strategy

1. Introduction (sections 6.1 – 6.10 above)
2. Objectives (6.11 – 6.13)
3. Financial Assumptions (section 7)
4. A Commercial Strategy (section 8)
5. Reserves and Balances (section 9)
6. Medium Term Financial Strategy and Annual Budget Strategy Process (section 10)
7. Capital Programmes (section 11)

APPENDIX 2

Commercial Strategy – Areas of Proposed Work

Examples of areas where further work is required are set out below

Income Generation	Fees and Charges – cost recovery and update the policy Traded Services – including defining ambition Customer Approach Overheads and impact on full cost recovery Demand Management Looking at new services that we could provide and options for different delivery vehicles
Procurement and Contract Management	Intelligent Client function – how can we ensure that we are confident in dealing with suppliers
Value for Money	Unit Costs Benchmarking Service Plans Business Cases “Understanding the full cost of decisions”
Culture	Technical and Professional Skills Training Confidence to propose new services without fear of failure



Scrutiny Review

Response to the Climate Change motion to Council on 27 June 2019



1. Introduction

This report sets out the response to the Climate Change motion brought to Council on 27 June 2019 that was referred to the Overview and Scrutiny committee.

This scrutiny review has been carried out by the Ryedale District Council Overview and Scrutiny Committee task group.

The task group wishes to thank all those who gave their time in contributing to this review.

2. Scope of the review

At the meeting of the Overview and Scrutiny committee on 24 July 2019, the membership of the task group and first meeting date was agreed. [[O&S 24.07.19 Minute 28](#)]

The scope of the review was to consider the motion to Council and make recommendations on how Council should respond.

3. Membership of the Committee

A Task Group was formed to undertake the review consisting of Cllr Clark (Chair), Cllr Brackstone, Cllr Keal and Cllr Garbutt Moore. Membership was opened to all Council Members and attendance at Task Group has included:

Cllr J. Andrews, Cllr Arnold, Cllr Graham, Cllr Keal, Cllr Mason, Cllr Potter, Cllr Raper

Scrutiny Review Task Group supporting officers:
Ellie Hardie (Planning and Regulation Technical Support Officer)
William Baines (Programmes, Projects and Performance Officer)

4. Methodology

Council requested the Overview and Scrutiny Committee to undertake this review. [[Council 27.06.19 Minute 23](#)]

A task group was then set-up to carry out the scrutiny review

The Task Group held the following meetings in conducting the scrutiny review:

20.08.19 - Task Group first meeting

12.09.19 - Task Group meeting

24.09.2019 - Task Group meeting

5. Findings

As of result of the task group meetings, the motion has been examined and the following are the conclusions reached:

- a) **Declare a 'Climate Emergency' that requires urgent and immediate attention to achieve net zero carbon emissions across Ryedale by 2030**



The task group does not support the need to declare a climate emergency and the desire of the motion to achieve “net zero carbon emissions across Ryedale by 2030.”

Those in favour of a climate emergency felt it reflected the seriousness of the current situation on climate change and would trigger the council into working quicker to implement the recommendations of the recent scrutiny review, agreed in April 2019, and the other parts of the motion put to Council.

Those against declaring a climate emergency felt that the situation had not reached an emergency point yet, and that it would have a bigger impact if an emergency was declared by the council at a future time.

The desire of the motion to achieve net zero carbon emissions across Ryedale by 2030 was not felt to be realistic and outside of the influence of the council to achieve this across the whole district.

Therefore the task group does not support this part of the motion.

b) Establish a Climate Change and Environment Committee (CCEC) to design the policy framework and deliver a climate emergency action plan for net zero emissions by 2030.

The task group received a presentation from Simon Copley, Democratic Services Manager at the meeting held on 24 September 2019.

The option of creating a sub-committee to make recommendations on climate change was seen by the task group as the preferred option. The option of establishing a working party was also considered, but the ability of a sub-committee to scrutinise items of business across the council where it was felt that the climate change implications had not been considered was a key advantage.

This work would be supplemented by building on the successful start made by the Ryedale Environment Forum, with the forum to meet three to four times a year to harness the ideas of interested parties to feed into the work of the sub-committee.

A third strand to the discussions of the task group was on the need to embed climate change matters more broadly into the wider Constitution, so it becomes everybody’s duty to consider the implications on the work of the council on climate change.

c) Establish a Climate Change Partnership Working Group by autumn 2019 involving councillors, residents, community groups, academics, businesses and other relevant parties to advise the CECC

The task group came to the conclusion that the establishment of a working group was already covered in the Climate Change Scrutiny Review under Recommendation 1 e), f) and g) (see below)

e) Include a Member briefing on Climate Change as part of next cycle of Member training

f) Continue to develop Council policy to influence others by working with partners in the public, private and voluntary sectors and with residents to influence and encourage climate change reduction and adaptation policy and practice throughout Ryedale

g) Facilitate the Ryedale Environment Forum to encourage wider participation of the Ryedale community in the aspirations to reduce Climate Change amongst other issues.



As it is already part of the Climate Change Scrutiny Review agreed by Council, the task group does not support this part of the motion.

- d) Recommend that the Chief Executive employs a climate change and environment officer to work with and support councillors and officers to drive forward the climate change action plan.**

The task group supported this, with an expectation that the post would be at a Service Manager level or similar, subject to job evaluation, and reporting in to a member of Strategic Management Board to give it the necessary responsibility and influence to deliver the climate change agenda at the council.

- e) Ensure that all Council committees consider, in this council term, low carbon design and construction, energy efficiency and renewable energy generation as well as the impact of climate change when reviewing council policies, plans and strategies and that all approaches are in line with a shift to zero carbon by 2030.**

The task group felt that this was already in place as part of the Climate Change Scrutiny Review document under recommendation 2 (Assets and Estates) and 3 (Service Delivery)

As it is already part of the Climate Change Scrutiny Review agreed by Council, the task group does not support this part of the motion.

- f) Take a leadership role in offering vision, direction and support to empower residents, community groups, businesses, partner organisations and other relevant stakeholders to take appropriate action to tackle climate change**

The task group agreed that this was covered by Recommendation 1 f) from the Climate Change scrutiny review.

f) Continue to develop Council policy to influence others by working with partners in the public, private and voluntary sectors and with residents to influence and encourage climate change reduction and adaptation policy and practice throughout Ryedale

As it is already part of the Climate Change Scrutiny Review agreed by Council, the task group does not support this part of the motion.

Recommendations

The task group propose that the following parts of the motion are amended as follows:

- b) i) Establish a Climate Change and Environment Sub-Committee, under the Overview and Scrutiny Committee, ~~to design the policy framework and deliver a climate emergency action plan for net zero emissions by 2030.~~ to scrutinise the climate change work across the council and with powers of call-in.
- ii) The Ryedale Environment Forum will meet three to four times a year to harness the ideas of interested parties to feed into the work of the Sub-Committee.
- iii) Climate Change matters are to be embedded more widely into the Constitution, so that it becomes everybody's duty to consider the implications of the work of the council on climate change.



- d) Recommend that the Chief Executive employs a climate change and environment officer at a Service Unit Manager level or similar, subject to job evaluation, and reporting in to a member of Strategic Management Board to work with and support councillors and officers to drive forward the climate change action plan.

The task group does not support parts a), c), e) and f) of the motion and propose that they are not supported.

Terms of Reference - Scrutiny Task Group: Climate Change

Aim of the Review	To review the motion to Council on 27.06.2019 [Council 27.06.19 Minute 23] and put forward a set of recommendations to be agreed by O&S to send back to Full Council
Why has this review been selected?	Council automatically referred the motion to the Overview and Scrutiny committee on 27.06.2019.
Who will carry out the review?	<p>The review will be carried out by a Task Group including:</p> <ul style="list-style-type: none"> • A minimum of 3 members of the O and S committee [Cllrs Clark, Brackstone, Keal and Garbutt Moore] (but open to all members of Council) was agreed 24.07.19 • Support will be provided by the Planning and Regulation Technical Support Officer • Input from RDC Officers as required.
How the review will be carried out?	The Task Group will work through the measures outlined in the motion on climate change to consider the approach to be taken on each one.
What are the expected outputs?	It is expected that the Task Group will produce a report, summarising the response to the motion to take to Overview and Scrutiny committee to be agreed before going back to Council on 10 October 2019.
Timescale	As soon as possible