

## **Council**

---

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Monday 18 July 2011**

### **Present**

---

Councillors    Acomb  
                  Andrews  
                  Arnold  
                  Bailey  
                  Mrs Burr MBE  
                  Clark  
                  Mrs Cowling  
                  Cussons  
                  Ms Denniss  
                  Mrs Frank  
                  Fraser  
                  Ms Goodrick  
                  Hawkins  
                  Hicks  
                  Hope  
                  Ms Hopkinson  
                  Ives  
                  Knaggs  
                  Mrs Knaggs  
                  Maud  
                  Raper  
                  Richardson  
                  Ms Sanderson  
                  Mrs Shields  
                  Wainwright  
                  Walker  
                  Ms Ward  
                  Windress  
                  Woodward

### **In Attendance**

---

Trevor Anderson  
Nicki Lishman (Secretary)  
Phil Long  
Janet Waggott  
Anthony Winship

### **Minutes**

---

24        **Minute's Silence for Honorary Alderman Colin Todd**

The Chairman of the Council requested that all attendees and Members stand for a minute in silence to remember Honorary Alderman Colin Todd who had recently passed away.

25 **Apologies for absence**

Apologies for absence were received from Councillor Legard.

26 **Public Question Time**

The following question was submitted by D D Barber.

"James Murdoch, of News International, in his McTaggart lecture in 2009, argued that "There is an inescapable conclusion that we must reach if we are to have a better society. The only reliable, durable and perpetual guarantor of independence is profit.

Bearing in mind that many councils in this country are contracting our services to "for profit organisations" has or is this council considering doing likewise?. If so which services are likely to be contracted out?"

The Chairman thanked Mr Barber for his question and replied that:

"This Council currently has no plan to contract out services to for profit organisations. The Council is aware of the White Paper, released last week from the Government, on Open Public Services and is considering this accordingly. The White Paper sets out the principles for reforming public services and how they apply to existing policies and outlines a range of wider ambitions which councils will be consulted on."

27 **Minutes**

The minutes of an Ordinary Meeting of the Council held on 19 May 2011 were presented.

**Resolved**

That the minutes of an Ordinary Meeting of the Council held on 19 May 2011 be approved and signed by the Chairman as a correct record.

28 **Urgent Business**

There were no items of urgent business which the Chairman considered 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 (as amended).

29 **Declarations of Interest**

The following declarations of interest were received:

Councillor Raper declared a personal interest in Minute No 9 (Capital Proposal regarding Ryedale Pool (Pickering) Gym Facility) as a member of Derwent Gym.

Councillor Mrs Cowling declared a personal interest in Minute No 7 (Review of Civic Budget) as Vice-Chairman of the Council.

Councillor Arnold declared a personal interest in Minute No 7 (Review of Civic Budget) as Chairman of the Council.

Councillor Clark declared a personal interest in Item 11 Motion 1 as he is an agnostic.

### 30 **Announcements**

The Chairman announced the following;

The Chairman is hosting an Auction of Promises at Helmsley Walled Garden on 10 September 2011 in aid of the Chairman's charity *Ryedale Scouts & Guides and Marie Curie Cancer Care [as amended at the meeting of Full Council held on 1 September 2011]*.

### 31 **To Receive any Questions submitted by members Pursuant to Council Procedure Rule 10.2 (Questions on Notice at Full Council)**

Councillor Acomb submitted the following question:

"Would the Chairman of the Overview and Scrutiny Committee please update Members on the work of that Committee?"

The Chairman of the Overview & Scrutiny Committee, Councillor Wainwright replied:

"At our first meeting on the 7<sup>th</sup> of July the first part of the meeting was work involving our Audit role and the draft Annual Governance statement with Alastair Lince from Deloitte's in attendance. Their final visit will start on 25<sup>th</sup> July and last 4-5 weeks.

There will be an additional meeting of the Committee on Monday September 26<sup>th</sup> to discuss the final report before its presentation at P & R on September 29<sup>th</sup>. Alastair Lince will also be attending this meeting.

In the second part we discussed past Scrutiny reviews and the progress of present Scrutiny reviews. It is anticipated that the report on the first phase of the Healthy Weight review will be presented in November. The review on the Impact of Post Office closures will be completed before March 2012.

Suggestions were then invited for the next review and two subjects were put forward by members of the Committee.

They are;

- Renewable energy, how can we manage the potential of renewable energy in Ryedale whilst managing its impact on the countryside? And
- Ryedale's allocation of grants.  
There is an expectation that the voluntary and community sector will deliver a greater proportion of services. How can we ensure that we are funding the right organisation to deliver the right services to the right people and, at the same time obtaining value for money?

These two subjects are now with officers for scoping work to be completed.

Cllr Raper and I, with the Head of Transformation, attended a Regional Scrutiny network event in Rotherham when the topic was Self Regulation which also covered audit and inspection. Over 60 members and officers attended this informative event."

Councillor Acomb submitted the following question:

"Would the Chairman of the Commissioning Board please update Members on the work of that Board?"

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied that a written update would be emailed to all Members.

Councillor Clark submitted the following question:

To the Chairman of Overview and Scrutiny.

"What are his views on the relationship between RDC decision making processes and the Overview and Scrutiny Committee?"

The Chairman of the Overview & Scrutiny Committee, Councillor Wainwright replied:

"The Overview and Scrutiny Committee have the role within the Council's decision making process to question and challenge any decision before it is implemented.

We have the important role of holding the Council, the Policy Committees, their Chairmen, the Leader of the Council and Officers to account.

We attend the Policy Committees as observers, examine their agendas and minutes and have the "call in" procedure if necessary.

The Committee also provides valuable information and recommendations from their Scrutiny reviews to assist the Policy Committees in their decisions.

I believe that the impartiality of the Committee is paramount and therefore believe that the Members of Policy Committees attending the Scrutiny Committee as substitutes would be placed in an unenviable position if any Council decision were to be challenged.

Lastly, the Committee has another important role which is to protect the interests of our Community and its Residents.”

Councillor Clark then submitted the following supplementary question:

“Which policies did the Chairman of Overview and Scrutiny hold to account at the last meeting of Overview and Scrutiny?”

The Chairman of the Overview & Scrutiny Committee, Councillor Wainwright replied:

“No policies were held to account at the last meeting of the Overview & Scrutiny Committee.”

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

Councillor Knaggs, Leader of the Council, submitted the following statement:

“This council has had a quiet start although it may not feel like it to new members who have had a huge amount to absorb. They will welcome the summer lull in August but behind the scenes there is a lot going on to fulfill some of the themes set out in the first leader statement of this Council. I refer in particular to the work on next year’s budget, the further efficiency gains and opportunities to generate income needed as part of that budget, and options for service changes which members will need to consider. I refer also to the final changes, reflecting consultation responses, to the Local Development Framework which will come to Council for final decision on 1 September. Before then we may expect a formidable volume of technical reports which constitute the evidence base behind the LDF.

The last Edwardian-style Prime Minister, Harold Macmillan, famously replied to a question about what was most difficult in government “events, dear boy, events”. We’ve had an “event” – the decision of the Environment Agency not to proceed with the plan for bunds above Pickering, paid for largely by this council. This shocking decision was challenged by Ann McIntosh MP at a Westminster Hall debate and although the ministerial reply stuck closely to the Environment Agency line I am hopeful that after the usual huffing and puffing we will find a way forward. Somehow we seem to have institutionalised a lack of common sense and of genuine practical “know-how” within the over-complex government and administration of this country.

Other things coming up will include the results of the Malton and Norton governance review and the formal contractual commitment to Brambling Fields junction. We'll have plenty for members to get involved in this autumn. Finally, along with the leaders of some other North Yorkshire councils I have signed the Armed Forces Covenant which pledges that those who serve or have served in the armed forces will face no disadvantage compared to other citizens in the provision of public and commercial services, and may receive special consideration in some cases."

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

**Commissioning Board – 2 June 2011**

**Minute No. 13 – Private Sector Housing Grants – Revision to Capital Programme Allocations**

It was moved by Councillor Mrs Cowling and seconded by Councillor Mrs Sanderson that the following recommendation of the Commissioning Board be approved and adopted:

That Council be recommended to approve the revised Housing Capital Programme as follows:

<b>Type Of Loan/Grant</b>	<b>2011/2012 (Current)</b>	<b>2011/12 (Proposed)</b>
Home Appreciation Loan	0	£20K
Empty Property Grant	£30K	£30K
HMO Grant	£30K	£30K
Decent Home Loans	0	£30K
Home Repair Loans	£165K	£45K
Energy Efficiency Grants	0	£70K

Upon being put to the vote the motion was carried.

**Resolved**

That the revised Housing Capital Programme as detailed in the report and as set out at pages 9 and 10 of the Council agenda be approved and adopted.

**Policy and Resources Committee – 23 June 2011**

**Minute No. 7 – Review of Civic Budget**

It was moved by Councillor Acomb and seconded by Councillor Ives that the following recommendation of the Policy and Resources Committee be approved and adopted:

- a) "That the Civic Budget be reduced to £6,000 to include the Chairman's Allowance, Chairman's Travel Allowance and Civic Hospitality."
- b) "That the Civic Car be disposed of and not replaced."

An amendment was moved by Councillor Mrs Knaggs and seconded by Councillor Raper that;

"The £10,000 limit for the Chairman's allowance, travel allowance, Vice-Chairman's allowance and hospitality be restored but with any surplus at the end of the year returned to the Council's funds. In future years both the Chairman and Vice-Chairman allowances be included in the scheme of Member's Allowances at amounts to be decided after this year's experience of reduced Chairmanship activity."

Upon being put to the vote the amendment was carried.

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

#### **Resolved**

- a) That the £10,000 limit for the Chairman's allowance, travel allowance, Vice-Chairman's allowance and hospitality be restored but with any surplus at the end of the year returned to the Council's funds. In future years both the Chairman and Vice-Chairman allowances be included in the scheme of Member's Allowances at amounts to be decided after this year's experience of reduced Chairmanship activity.
- b) That the Civic Car be disposed of and not replaced.

Members requested that a recorded vote be taken.

#### **Recorded Vote For the Motion**

Councillors Mrs Sanderson, Knaggs, Hope, Mrs Hopkinson, Mrs Goodrick, Mrs Knaggs, Raper, Mrs Cowling, Hicks, Mrs Frank, Hawkins, Windress, Bailey, Fraser and Cussons.

#### **Against the Motion**

Councillors Mrs Shields, Ward, Clark, Walker, Andrews, Mrs Denniss, Woodward, Richardson, Ives, Mrs Burr, Maud and Wainwright

#### **Abstained**

Councillors Acomb and Arnold

#### **Policy and Resources Committee - 23 June 2011**

#### **Minute No. 9 – Capital Proposal Regarding Ryedale Pool (Pickering) Gym Facility**

It was moved by Councillor Acomb and seconded by Councillor Ives that the following recommendation of the Policy and Resources Committee be approved:

“That Council be recommended not to include the development of a new gym facility at Ryedale Pool in the capital programme.”

An amendment was moved by Councillor Clark and seconded by Councillor Mrs Burr that;

“Item 9 be referred back to Commissioning Board, followed by Policy and Resources Committee.”

Following debate Members agreed that there was insufficient information for a decision to be made at this point and upon being put to the vote the amendment was carried.

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

**Resolved**

That Minute No. 9 (Capital Proposal Regarding Ryedale Pool (Pickering) Gym Facility) be referred back to the Commissioning Board, followed by Policy and Resources Committee.

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

1. It was moved by Councillor Woodward and seconded by Councillor Ward

This Council resolves that prayers at Full Council should be moved from the Council Chamber and instead take place prior to the meeting in a separate room.

Upon being put to the vote the motion was lost.

2. It was proposed by Councillor Clark and seconded by Councillor Woodward that this Council decided in certain circumstances to only recognise political groups of four or more members (Full Council decision July 2004).

This Council now resolves to reverse this decision and recognise any group of two or more members in all situations.

Upon being put to the vote the motion was carried.

**35 Annual Report - Delivering the Council's Priorities**

The Chief Executive submitted a report (previously circulated) which presented the content of the Council's Annual Report of delivery against priorities and sought to reaffirm the Aims and Strategic Objectives of the Council Plan.

A draft of the Annual Report 2010/11 was appended to the Agenda for Members comments and observations.

The Annual Report was a key element of the Council's performance management framework . The intended audience for the annual report was the public.

The report stated the Council's five aims adopted in the Council Plan 2009-13;

- To meet housing need
- To create the conditions for economic success
- To have a high quality clean and sustainable environment
- To have safe and active communities
- To transform the Council

The report outlined the objectives adopted to meet these aims and reminded Members that progress in delivering the Council's priorities was reported quarterly to the Policy and Resources Committee. The Annual Report 2010/11 summarised the Council's delivery against its priorities.

The report went on to outline the challenges to meeting the adopted aims for the year 2011/12.

It was moved by Councillor Raper and seconded by Councillor Cowling that the following recommendation be carried.

- i. That Council endorses the content of the Annual Report 2010/11.
- ii. That Council re-affirms the Aims and Strategic Objectives of the Council Plan.

Upon being put to the vote the recommendation contained in the report was carried.

**Resolved**

- i. That the content of the Annual Report 2010/11 be endorsed.
- ii. That Council re-affirms the Aims and Strategic Objectives of the Council Plan.

Councillor Andrews requested that his abstention be recorded.

**36 Treasury Management Annual Report 2010/11**

The Corporate Director (s151) submitted a report (previously circulated).

It was moved by Councillor Wainwright and seconded by Councillor Mrs Shields that the following recommendation be approved.

- i. That the annual treasury management report for 2010/11 be noted

- ii. That the actual 2010/11 prudential and treasury indicators in the report be approved.

Upon being put to the vote, the recommendation contained in the report was unanimously carried.

**Resolved**

- i. That the report be noted.
- ii. That the actual 2010/11 prudential and treasury indicators in the report be approved.

**37 The Appointment of Members to Committees and Joint Working Group**

The Chief Executive submitted a report (previously circulated) which dealt with the following issues:-

- 1. Members were recommended to appoint a Member to fill a vacant seat on the Planning Committee. Accordingly nominations were invited for the vacant seat on the Planning Committee.

Councillor Cowling nominated Councillor Hicks seconded by Councillor Mrs Knaggs.

Councillor Mrs Burr nominated Councillor Mrs Shields seconded by Councillor Maud.

Councillor Clark nominated Councillor Andrews seconded by Councillor Richardson.

Upon being put to the vote Councillor Hicks was appointed to fill the vacant seat on the Planning Committee.

- 2. It was moved by Councillor Raper and seconded by Councillor Mrs Cowling that the following recommendations be approved.

(a)Accept the resignation of Members of the Liberal Group from Committees to which they were appointed at the Annual Meeting of Council on 19 May 2011.

(b)Make the following appointments of Liberal Group Members to Committees:-

Liberal Positions on Committees

		<b>Substitutes</b>
Policy & Resources	Tommy Woodward	John Clark Sarah Ward
Commissioning Board	Luke Richardson	Tommy Woodward

& Licensing	John Clark	
Planning	Tommy Woodward	John Clark Luke Richardson
Overview & Scrutiny	Sarah Ward	John Clark Tommy Woodward

Upon being put to the vote the motion was carried.

Councillor Knaggs requested that a report on substitution rules be presented to a future meeting of the Policy and Resources Committee.

3. Members were recommended to appoint a Conservative Member to fill the vacant seat on the Standards Committee. Accordingly nominations were invited for the vacant seat on the Standards Committee.

Councillor Maud nominated Councillor Cussons seconded by Councillor Mrs Cowling.

Upon being put to the vote Councillor Cussons was appointed to fill the vacant seat on the Standards Committee.

4. (a) Members were recommended to approve the establishment of a joint Helmsley Development Plan Member Working Group with the North York Moors National Park Authority (NYMNPA) comprising eight Members with four Members from NYMNPA and four Members from Ryedale District Council. The Working Group would appoint its own Chairman and would make recommendations to each authority on the arrangements for the production of a joint Development Plan Document for the whole of Helmsley.

- (b) Members were recommended to appoint four Members to the Helmsley Development Plan Member Working Group. Accordingly nominations were invited for four seats on the Helmsley Development Plan Member Working Group.

Members were advised that the Helmsley Development Plan Member Working Group with the North York Moors National Park Authority (NYMNPA) had been revised to comprise six Members with three Members from NYMNPA and three Members from Ryedale District Council.

Councillor Knaggs moved and Councillor Raper seconded the revised recommendation that three Members be appointed to the Helmsley Development Plan Member Working Group.

Councillor Mrs Cowling nominated Councillors Arnold, Hawkins and Mrs Frank and this was seconded.

Councillor Clark nominated Councillors Ward, Arnold and Hawkins seconded by Councillor Woodward.

Upon being put the vote Councillors Arnold, Hawkins and Mrs Frank were appointed to the Helmsley Development Plan Member Working Group.

### **Resolved**

1. Councillor Hicks was appointed to fill the vacant seat on the Planning Committee.
2. (a) To accept the resignation of Members of the Liberal Group from Committees to which they were appointed at the Annual Meeting of Council on 19 May 2011.  
(b) To make the following appointments of Liberal Group Members to Committees:-

### Liberal Positions on Committees

		<b>Substitutes</b>
Policy & Resources	Tommy Woodward	John Clark Sarah Ward
Commissioning Board & Licensing	Luke Richardson John Clark	Tommy Woodward
Planning	Tommy Woodward	John Clark Luke Richardson
Overview & Scrutiny	Sarah Ward	John Clark Tommy Woodward

3. Councillor Cussons was appointed to fill the vacant seat on the Standards Committee.
4. (a) That the establishment of a joint Helmsley Development Plan Member Working Group with the North York Moors National Park Authority (NYMNPA) comprising six Members with three Members from NYMNPA and three Members from Ryedale District Council be approved. The Working Group would appoint its own Chairman and would make recommendations to each authority on the arrangements for the production of a joint Development Plan Document for the whole of Helmsley.  
(b) Councillors Arnold, Hawkins and Mrs Frank were appointed to the Helmsley Development Plan Member Working Group.

### **Duration of Meeting**

The Chairman of Council referred to Part 4 of the Constitution – Rules of Procedure – Rule 8 Duration of Meeting – and it was moved by Councillor Mrs Cowling and seconded by Councillor Raper to suspend standing orders to allow

the meeting to continue after 10.00 p.m in order to complete the business on the agenda. Members unanimously agreed to this course of action.

**38 Representation on Outside Organisations**

Councillor Mrs Cowling nominated Councillor Fraser seconded by Councillor Hicks to represent the Council at Ryedale Sports Executive.

Councillor Mrs Cowling nominated Councillor Mrs Frank seconded by Councillor Hawkins to represent the Council at Ryedale Voluntary Action.

Upon being put to the vote Councillor Fraser was elected to represent the Council at Ryedale Sports Executive and Councillor Mrs Frank to represent the Council at Ryedale Voluntary Action.

**Resolved**

1. Councillor Fraser to represent the Council at Ryedale Sports Executive.
2. Councillor Mrs Frank to represent the Council at Ryedale Voluntary Action.

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

There were no items of urgent business.

The meeting closed at 10.05 p.m.