

Council

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday 1 November 2012 and Tuesday 20 November 2012**

Present

Councillors Acomb
 Andrews
 Bailey
 Mrs Burr MBE
 Clark
 Mrs Cowling
 Cussons
 Fraser
 Mrs Goodrick
 Hawkins
 Hicks
 Hope (Chairman)
 Mrs Hopkinson
 Ives
 Knaggs
 Mrs Knaggs
 Legard
 Richardson
 Mrs Sanderson
 Mrs Shields
 Wainwright
 Ward
 Woodward

For the reconvened meeting on 20 November 2012:

Councillors Acomb
Andrews
Arnold
Bailey
Mrs Burr MBE
Clark
Mrs Cowling
Cussons
Mrs Frank (Vice Chairman)
Fraser
Mrs Goodrick
Hawkins
Hicks
Hope (Chairman)
Mrs Hopkinson
Ives
Mrs Keal
Knaggs
Raper
Richardson
Mrs Sanderson
Mrs Shields
Wainwright
Walker
Ward
Woodward

In Attendance

Simon Copley
Paul Cresswell
Peter Johnson
Marie Payne
Janet Waggott
Anthony Winship

Minutes

173 **Honorary Alderman Bob Eccles**

A minute's silence was held in memory of Honorary Alderman Bob Eccles who had recently died.

174 **Apologies for absence**

Apologies for absence were received from Councillors Arnold, Mrs Frank, Maud, Raper, Walker and Windress.

For the reconvened meeting on 20 November 2012, apologies for absence were received from Councillors Mrs Knaggs, Legard, Maud and Windress.

175 **Public Question Time**

Question 1

The following question was submitted by Sue Cowan.

“How up to date are Ryedale District Council with enforcement issues in Pickering and how many enforcement officers are there?”

The Chairman thanked Ms Cowan for her question and replied that:

“The Council is up to date with its investigations and have 12 No. active cases in Pickering (covering a variety of different matters, including S.215 and also possible breach of conditions) which are dealt with by a part-time Enforcement Officer post (0.5 FTE). In addition to the Enforcement Officer post the receipt of complaints, acknowledgements and general administration of cases are dealt with by a number of officers who are located within the Council’s Managing Development support team.”

Ms Cowan then asked the following supplementary question:

“If there are outstanding enforcement issues can someone submit a further application without the existing issues being enforced?”

The Chairman confirmed a written reply would be provided to this question.

Question 2

The following question was submitted by Alison Fuller.

“What is the Council's policy and procedure to enforce planning enforcement notices and planning conditions?”

The Chairman thanked Ms Fuller for her question and replied that:

“The Council’s policy and procedure relating to the enforcement of a confirmed Enforcement Notice is to record and monitor the confirmed compliance date and to inspect the site(s) in question shortly after the compliance date has passed. Prior to the compliance date the owner of the site is contacted in writing to advise (for the avoidance of doubt) what is required to comply with the terms of the confirmed Enforcement Notice.

Planning conditions are monitored by both Planning Officers and the Enforcement Officer. If further compliance is required (and if it is expedient to do so) a landowner/developer would be advised in writing and a period of compliance given.”

Ms Fuller then asked the following supplementary question:

“Other Councils have registers of Breach of Condition Notices and other enforcement/stop notices, why does Ryedale not have these on the internet?”

The Chairman confirmed a written reply would be provided to this question.

176 **Minutes**

The minutes of the Ordinary Meeting of Council held on 6 September 2012 were presented.

Resolved

That the minutes of the Ordinary Meeting of Council held on 6 September 2012 be approved and signed by the Chairman as a correct record.

177 **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).

178 **Declarations of Interest**

The following interests were declared:

Councillor Andrews declared a personal non pecuniary but not prejudicial interest in any discussions relating to the Livestock Market and the Wentworth Street Car Park, as a supporter of local businesses.

Councillor Bailey declared a personal non pecuniary but not prejudicial interest in Agenda Item 10, minute 78 (New Homes Bonus) as Chairman of the North York Moors National Park Authority.

Councillor Hope declared a personal pecuniary and prejudicial interest in Agenda Item 12 (Community Governance Review – Foston and Thornton-Le-Clay) as a member of the Parish Council for that area. The Vice Chairman took the chair and he left the room and took no part in the debate or vote on the item.

Councillor Ives declared a personal non pecuniary but not prejudicial interest in Agenda Item 10, minute 76 (Future Arrangements for Payment of Bills Issued by the Council) as he had a business relationship with All Pay Ltd.

Councillor Mrs Knaggs declared a personal non pecuniary but not prejudicial interest in Agenda Item 13 (Representation on Outside Organisations) as a Trustee of Ryedale Voluntary Action (Northern).

Councillor Andrews declared a personal non pecuniary but not prejudicial interest in Agenda Item 10, minute 79 (Maintenance of Closed Churchyards) as a member of the Church of England.

Councillor Mrs Shields declared a personal non pecuniary but not prejudicial interest in Agenda Item 10, minute 79 (Maintenance of Closed Churchyards) as a member of the Church of England.

Councillor Mrs Goodrick declared a personal non pecuniary but not prejudicial interest in Agenda Item 10, minute 79 (Maintenance of Closed Churchyards) as a member of the Church of Scotland.

Councillor Mrs Sanderson declared a personal non pecuniary but not prejudicial interest in Agenda Item 10, minute 79 (Maintenance of Closed Churchyards) as a contributor to Church of England collections.

179 **Announcements**

The Chairman announced that he would be laying a wreath at War Memorial in Malton at 11am on Sunday 11 November 2012.

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

1. Councillor Mrs Burr submitted the following question:

To Councillor Mrs Cowling, Chair of the Commissioning Board:
"What leisure activities (and other community benefits) take place at the RIBC?"

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied
"RDC leases the building to the RIBC to utilise the facilities in accordance with that lease, primarily for Bowls. They have no duty to report their other activities to the Council, the question is therefore better answered by them."

2. Councillor Mrs Burr submitted the following question:

To Councillor Mrs Cowling, Chair of the Commissioning Board:
"Do you believe that closing the RIBC will:

- Reduce social exclusion
- Improve health
- Increase community safety"

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied
"This very much depends on what a purchaser of the site plans to do, it could be that the issues raised in the question benefit from the sale. It also depends on what RDC does with the capital proceeds."

3. Councillor Walker submitted the following question:

To Councillor Knaggs, Leader of the Council:
"Will you please impress on the Sports Champion the need for indoors bowls provision in Ryedale?"

The Leader of the Council, Councillor Knaggs replied
"No, firstly because he is well capable of making up his own mind and secondly because there may be a desire for indoor bowls but it is not a need. There are genuine needs in Ryedale which have a much stronger claim on our time and resources."

4. Councillor Walker submitted the following question:

To Councillor Mrs Cowling, Chair of the Commissioning Board:

“What is the annual footfall at RIBC?

a) for bowlers

b) for non-bowlers, i.e. users of other facilities.”

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied

“The answer is the same as for question 1.”

5. Councillor Woodward submitted the following question:

To Councillor Acomb, Chair of the Policy & Resources Committee:

“How much has been spent over the last 15 years in repairs and maintenance on the RIBC by RDC?”

The Chairman of the Policy & Resources Committee, Councillor Acomb replied

“RIBC had a full repairing lease so repairs and maintenance were not the council’s responsibility £840 had been spent by RDC”

Councillor Woodward then asked the following supplementary question:

“Given that the RIBC had cost £50k and £840 had then been spent, do you think RDC has done well out of this agreement?”

Councillor Acomb replied:

“I can’t dispute that.”

6. Councillor Woodward submitted the following question:

To Councillor Acomb, Chair of the Policy & Resources Committee:

“How much has been paid in rent by RIBC to RDC over the last 15 years?”

The Chairman of the Policy & Resources Committee, Councillor Acomb replied

“The question is irrelevant because it has no bearing on the decision. The answer is £400k over 15 years starting at £40k per year and diminishing to £10k per year. What is relevant is that the club only felt able to pay a rental of £10,000 a year in future.”

Councillor Woodward then asked the following supplementary question:

“On this basis has RDC done well with this agreement?”

Councillor Acomb replied:

“It’s not opinion, it’s a business.”

7. Councillor Woodward submitted the following question:

To Councillor Knaggs, Leader of the Council:

“How much does RDC expect to receive from the sale of the RIBC site?”

The Leader of the Council, Councillor Knaggs replied
“The site and property is valued at £400,000. The Chairman of the club has stated in writing that the site could be worth a million pounds, so we would be foolish not to find out, but the basis for his figure is unknown.”

8. Councillor Wainwright submitted the following question:

To Councillor Hope, Chairman of Council:

“As the Chair of Council, had you seen the RIBC business plan prior to the vote being taken at the September Council?”

The Chairman of Council, Councillor Hope replied

“No, officers reported that a sustainable business plan existed for the bowls club with part occupation of the site, although the council were never given a copy of the plan. The business plan was not a factor in my decision to support the sale.”

Councillor Wainwright then asked the following supplementary question:

“Would it not have been better for all Councillors to see the business plan and to defer the decision until they had seen it?”

Councillor Hope replied:

“Possibly in hindsight.”

9. Councillor Ward submitted the following question:

To Councillor Acomb, Chair of the Policy & Resources Committee:

“What activities were undertaken for the ‘soft marketing’ of the rest of the site (75% non bowling) and what responses were there (positive and negative)?”

The Chairman of the Policy & Resources Committee, Councillor Acomb replied

“The Council contacted known leisure providers direct with details of the site in February 2010, there was one site visit.”

Councillor Ward then asked the following supplementary question:

“Some marketing had been done a year and half ago, why had more not been done?”

Councillor Acomb confirmed a written reply would be provided.

10. Councillor Ward submitted the following question:

To Councillor Acomb, Chair of the Policy & Resources Committee:

“How many hours of work have gone into the ‘sales process’ since September Full Council?”

The Chairman of the Policy & Resources Committee, Councillor Acomb replied

“A few hours to date in identifying potential firms to market the site, their proposals are being evaluated. The decision had to be taken in September to give the bowls club good notice and whichever option had been taken, the council needed to carry through a successful marketing operation before the end of the current bowling year (April). In

addition I was aware that postponing the decision until after the Norton West by-election might well be regarded as politically motivated.”

Councillor Ward then asked the following supplementary question:

“Given that very little had been done and the By Election date was not then known can you explain why this was rushed through the last full Council and if it would have been better to go through the committee structure like other similar decisions?”

Councillor Acomb confirmed a written reply would be provided.

11. Councillor Andrews submitted the following question:

To Councillor Mrs Cowling, Chair of the Commissioning Board:

“What is the current rental ‘market value’ for the rest of the RIBC (i.e. 75% non bowlers)?”

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied

“£30k but it would obviously be subject to negotiation, the works required to separate the building, and the nature of the proposed use.”

12. Councillor Andrews submitted the following question:

To Councillor Acomb, Chair of the Policy & Resources Committee:

“If the interest on the capital received for the RIBC is less than the present rent, what would be the benefit to the council tax payers of Ryedale?”

The Chairman of the Policy & Resources Committee, Councillor Acomb replied

“The sale generates a capital receipt for investment in Ryedale as members see fit. The Council presently has no unallocated capital resources.”

Councillor Andrews then asked the following supplementary question:

“If £400k was received and invested in 2% interest rate you’d receive £8k per year rather than £10k per year from the RIBC; can you confirm?”

Councillor Acomb replied:

“I can’t deny those figures.”

13. Councillor Mrs Shields submitted the following question:

To Councillor Mrs Cowling, Chair of the Commissioning Board:

“Can you please confirm that bowls is the second most popular sport played by those over 65?”

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied

“No I can’t. It depends which figures you use on one set bowling is third but this is quite an old set of figures and includes all types of bowling.”

14. Councillor Mrs Shields submitted the following question:

To Councillor Mrs Cowling, Chair of the Commissioning Board:

“In reference to the RIBC:

What consultation has taken place with

- (i) The people of Norton
- (ii) People throughout Ryedale

Prior to the decision to close the facility.”

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied
“There is no duty to consult on the decision to sell the site as land owner. It’s a financial decision for a small facility costing £30k per annum subsidy and used by a small number of people.”

Councillor Mrs Shields then asked the following supplementary question:

“Why had the very few people who brought this to the meeting at short notice not had the courtesy to inform ward members or Norton Town Council?”

Councillor Mrs Cowling replied:

“The matter had been going on a long time and I appreciate that as committee chairman I may have more information than others. It had been discussed at P&R and was generally known. I will track the history of the decision and provide a written response.”

15. Councillor Richardson submitted the following question:

To Councillor Mrs Cowling, Chair of the Commissioning Board:

“How does the sale of the RIBC site fit in with the Sports Strategy for Ryedale?”

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied
“The Sports Strategy is silent on bowls provision. A new strategy will come before the Commissioning Board shortly but the draft I have seen makes no reference to RIBC.”

Councillor Richardson then asked the following supplementary question:

“How does this fit in with Corporate Aim 4: Encouraging active lifestyles?”

Councillor Mrs Cowling replied:

“This is an underused asset worth money that could be invested in sport and which we could hopefully get more out of.”

16. Councillor Richardson submitted the following question:

To Councillor Knaggs, Leader of the Council:

“In the report to Full Council in September 2012, the financial implications were 7.1(a)

- Will create a £10k revenue budget pressure

Is this really the right time to reduce the revenue income to the Council?”

The Leader of the Council, Councillor Knaggs replied

“There is a trade off between generating a capital receipt, which could be used to generate revenue or value in some other way, and a revenue pressure. The Council has no unallocated capital resources at present. I am surprised Members are taking a narrow accountancy based approach and if we can generate a £400k receipt, it has a value of more than 2% interest as it can be used for many other things.”

Councillor Richardson then asked the following supplementary question:

“Will RDC be selling any other assets in the future that you are aware of?”

Councillor Knaggs replied:

“I have no proposals to bring at this time but if we can put other assets to better use for the community as a whole, then we will bring these forward.”

17. Councillor Richardson submitted the following question:

To Councillor Mrs Cowling, Chair of the Commissioning Board:

*“What was the cost to RDC of the solar panels fitted to the RIBC?
What is the amount of electricity produced each year?
Has this money been paid to RDC?”*

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied

“£13,111.

I do not have this figure but the income is estimated at £1,900 a year.

No.”

Councillor Richardson then asked the following supplementary question:

“Could you clarify, does the income figure include feed-in tariff and where has the money gone?”

Councillor Mrs Cowling replied:

“The money had not been paid to RDC owing to a paperwork problem at Scottish Power. A written answer will be provided regarding the feed-in tariff.”

18. Councillor Maud submitted the following question:

To Councillor Mrs Cowling, Chairman of the Commissioning Board:

“What consultation has taken place with the users of RIBC, in reference to the Sunday Older Peoples Group who regularly meet for Sunday Lunch?”

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied

“The Council has no relationship with the Sunday Older Peoples Group, that is a matter for RIBC. I am aware that the chairman of the club has described it in his last 6 AGM statements as “a small business that just happened to have a bowling club attached”. By charging a below-market rent we have subsidised unfair competition with the many other businesses competing for wedding and function trade.”

19. Councillor Maud submitted the following question:

To Councillor Mrs Cowling, Chairman of the Commissioning Board:

“The Sports Strategy was last produced in 2001. Was the updating of this strategy part of the Sports Officers job description?”

The Chairman of the Commissioning Board, Councillor Mrs Cowling replied
“Surprisingly perhaps, no.”

20. Councillor Clark submitted the following question:

To Councillor Knaggs, Leader of the Council:

“In this year of the Paralympic Games are you aware that there are facilities for disabled bowlers at RIBC?”

The Leader of the Council, Councillor Knaggs replied

“I am pleased to hear that RIBC complied with its statutory responsibilities. I hope in generating a capital receipt, your implied suggestion for facilities for disabled people is one possible use.”

Councillor Clark then asked the following supplementary question:

“Would you agree although they are complying the point is to provide for disabled people and the decision may result in loss of provision?”

Councillor Knaggs replied:

“No, it depends on the assumptions made as to what happens after.”

21. Councillor Clark submitted the following question:

To Councillor Knaggs, Leader of the Council:

“Will you please impress on the Older Peoples Champion the need for sport provision for older people in Ryedale?”

The Leader of the Council, Councillor Knaggs replied

“The Champion requires no lessons from me on how to carry out her work, in which she has been far more active than any previous champion.”

Councillor Clark then asked the following supplementary question:

“In view of the answers tonight, you do not know what happens at the RIBC, you have not looked into it, you do not care. What is planned has not been outlined, you are giving more value to something that is not known, rather than something that you do not know the value of. Do you agree?”

Councillor Knaggs replied:

“You’ve answered your own question, what else is there to say?”

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

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

“It is not the role of this statement to act as an obituaries column but I can’t let this one pass without noting the tragic death of Cllr Judith Denniss, which leads to a by-election on November 15, and the recent death of Alderman Bob Eccles who in his day made a major contribution to the work of Ryedale Council.

This is the time of year when finance and budgetary matters take centre stage. So far local councils have benefited in their programmes of spending reduction from a relatively benign public attitude towards austerity. But we can now see a hardening in public attitude towards cuts which affect local public services combined in Ryedale’s case with the need to adjust expectations about grants in particular. In a year when the County Council has to find £13 million plus of savings and Ryedale has a target of £750,000, we must engage local communities and individuals more in the difficult choices we all face.

I would go further. We need to debate what the Council is actually for. Should we still deliver services ourselves or should we explore new vehicles like social enterprises? Do we have a “whole council” mindset which recognizes that we are only one player amongst many and need to act collaboratively? Or are we stuck with our stand-alone processes and structures? At a time when the traditional method of housing delivery – basically affordable homes were paid for by continually rising house prices- has broken down, are we prepared to explore alternative solutions? Are we prepared for the demographic timebomb?

One of the responses to the Scrutiny Review of the voluntary sector said “cut back what you’re doing to zero and redistribute in accordance with your real priorities”. Not easy but makes a lot of sense to me. And under current circumstances our key priority has got to be more and better quality jobs; providing a better future for our young people and so helping them get a foot on the housing ladder; and enabling businesses to create the wealth needed to meet the challenge of an older population and contribute to the well-being and prosperity of society as a whole.”

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

1. From Councillor Andrews

Following the supporting statement issued regarding the livestock market application, can the Leader confirm that the amount of costs claimed is £200k?

The Leader replied:

This is not part of my statement and I cannot and will not confirm any figures, it is a partial award of costs and there is some work to do deciding what ‘partial’ means. A briefing note has been tabled by the Corporate Director S151.

Councillor Andrews then asked the following supplementary question:

Given the decision is obviously flawed and was your flagship project, are you going to resign?

The Leader then replied:

The proposal was from the Fitzwilliam Estate, therefore I am surprised you view it as my flagship project.

2. From Councillor Woodward

Could the Leader explain the paradox of how you get more affordable houses by ever rising house prices?

The Leader replied:

Developers were prepared to agree to a proportion of affordable housing because they knew the value of land and housing was going up. Rising prices subsidised provision and the model has now broken down.

Councillor Woodward then asked the following supplementary question:

Would you agree that the traditional method is for government to fund rather than expecting developers to bribe planning authorities with affordable housing provision?

The Leader then replied:

No

3. From Councillor Wainwright

Would the Leader agree that the wording in the first line of the fourth paragraph of his statement should read “core funding to zero, then decide what to core fund in line with priorities?”

The Leader replied:

I accept the correction, I had not seen the final version of the report when I wrote the statement.

4. From Councillor Richardson

What are the real priorities mentioned in the statement?

The Leader replied:

They are the key priorities in the last paragraph of the statement.

5. From Councillor Woodward

Does “To cut back to zero” still make a lot of sense?

The Leader replied:

I may not recommend we do it but it does make sense, it is a similar idea to zero based budgeting.

6. From Councillor Clark

Has your statement been misleading. The final sentence conjures up images of the Bowls Club and then of it's closure. Where you refer to "society as a whole" do you mean the well off?

The Leader replied:

I take that as a rhetorical question. There are approximately 10 bowling clubs in Ryedale, there is just going to be one less.

Councillor Clark then asked the following supplementary question:

Do you mean 10 indoor bowls clubs and if not, how many?

The Leader then replied:

Bowls clubs of all kinds, it may not be 10 but it is in double figures.

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

Licensing Committee – 20 September 2012

Minute 30 – Gambling Act 2005 Draft Statement of Principles – Consultation Response

It was moved by Councillor Hope and seconded by Councillor Mrs Cowling that the following recommendation of the Licensing Committee be approved and adopted:

That Council be recommended to approve the Gambling Act 2005 – Statement of Principles.

Upon being put to the vote the motion was carried.

Resolved

That the Gambling Act 2005 – Statement of Principles be approved.

Policy and Resources Committee – 27 September 2012

Minute 75 – Community Right to Challenge

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

1. That the Council notes the Community Right to Challenge (CRC) provisions in the Localism Act 2011.

2. That the Council approves the approach set out in section 6 of the report, in particular:
 - (i) To accept expressions of interest (Eol) under the CRC duty during the period from 18th February to 31st March each year.
 - (ii) To specify individually for each Eol, by 30th April in the year in which it was submitted, the maximum period that it will take for the Council to notify the relevant body of its decision and to publish details of the specification; and to delegate this decision to the Chief Executive (in consultation with the Chairman of the Commissioning Board).
 - (iii) For services that are not currently contracted out, the maximum period that it will take to notify the relevant body of its decision and to publish details of the specification will be individually determined but normally 30th September in the year that the Eol was submitted. For services that are currently contracted out, the maximum period will be individually determined so as to fit with the relevant commissioning cycle.
 - (iv) The procurement process arising from the acceptance of any Eol will start no sooner than two months and no later than six months after acceptance.

Upon being put to the vote the motion was carried.

Resolved

1. That the Council notes the Community Right to Challenge (CRC) provisions in the Localism Act 2011.
2. That the Council approves the approach set out in section 6 of the report, in particular:
 - (i) To accept expressions of interest (Eol) under the CRC duty during the period from 18th February to 31st March each year.
 - (ii) To specify individually for each Eol, by 30th April in the year in which it was submitted, the maximum period that it will take for the Council to notify the relevant body of its decision and to publish details of the specification; and to delegate this decision to the Chief Executive (in consultation with the Chairman of the Commissioning Board).
 - (iii) For services that are not currently contracted out, the maximum period that it will take to notify the relevant body of its decision and to publish details of the specification will be individually determined but normally 30th September in the year that the Eol was submitted. For services that are currently contracted out, the maximum period will be

individually determined so as to fit with the relevant commissioning cycle.

- (iv) The procurement process arising from the acceptance of any EoI will start no sooner than two months and no later than six months after acceptance.

Minute 76 – Future Arrangements for Payment of Bills issued by the Council

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

That Council is recommended to approve:

- (i) officers to implement barcoding of all Council invoices to enable payments to be made at any Post Office or PayPoint outlet within the district;
- (ii) following implementation of the above the area cash office service be removed; and
- (iii) the savings achieved from the implementation of the above to be considered as part of the Council's 2013/2014 budget strategy process.

Councillor Clark proposed and Councillor Ward seconded an amendment to refer back to the Policy and Resources Committee because information was missing. On being put to the vote, this amendment was lost

Recorded Vote

For

Councillors Andrews, Mrs Burr, Clark, Richardson, Mrs Shields, Ward and Woodward.

Against

Councillors Acomb, Bailey, Mrs Cowling, Cussons, Fraser, Mrs Goodrick, Hawkins, Hicks, Mrs Hopkinson, Ives, Knaggs, Mrs Knaggs, Legard and Mrs Sanderson.

Abstentions

Councillors Hope and Wainwright.

Upon being put to the vote the motion was carried.

Resolved

That Council approve:

- (i) That officers implement the barcoding of all Council invoices to enable payments to be made at any Post Office or PayPoint outlet within the district;
- (ii) Following implementation of the above the area cash office service be removed; and
- (iii) The savings achieved from the implementation of the above to be considered as part of the Council's 2013/2014 budget strategy process.

Minute 77 – Budget Strategy 2013/2014

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

That Council is recommended to approve the following parameters for the preparation of the 2013/2014 budget:

- (i) Proposals be brought forward for a 2.5% increase in Council tax;
- (ii) Increases in fees and charges to be 3.5% - 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommend above or below this figure to be considered by the relevant policy committee;
- (iii) Efficiencies to be maximised;
- (iv) Options for service cuts to be provided. These proposals to be considered by the Resources Working Party and the Policy and Resources Committee.

Councillor Knaggs proposed and Councillor Acomb seconded an amendment to recommendation (i) to replace "2.5%" with "nil".

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

Councillor Clark proposed and Councillor Woodward seconded a further amendment to replace "nil" with "range 0 – 2%".

Councillor Ives moved and Councillor Mrs Cowling seconded that the question be now put and on being put to the vote this was carried.

On being put to the vote the amendment was lost.

Recorded Vote

For

Councillors Andrews, Bailey, Clark, Richardson, Ward and Woodward.

Against

Councillors Acomb, Mrs Cowling, Cussons, Fraser, Mrs Goodrick, Hawkins, Hicks, Hope, Mrs Hopkinson, Ives, Knaggs, Mrs Knaggs, Legard, Mrs Sanderson and Wainwright.

Abstentions

None

Councillor Mrs Cowling moved and Councillor Ives seconded that the question be now put and on being put to the vote this was carried.

Upon being put to the vote the motion was carried.

Resolved

That Council approve the following parameters for the preparation of the 2013/2014 budget:

- (i) That proposals be brought forward for a nil increase in Council tax;
- (ii) That increases in fees and charges be 3.5% - 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommended above or below this figure be considered by the relevant policy committee;
- (iii) That efficiencies be maximised;
- (iv) That options for service cuts be provided. These proposals would be considered by the Resources Working Party and the Policy and Resources Committee.

Minute 78 – New Homes Bonus

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

That Council be recommended to approve in principle that the entire allocation of £439,779 is ringfenced into a Ryedale Development Fund for spending on projects which deliver or protect employment within Ryedale. The allocation of this funding to be made by Council based on recommendations from the Policy and Resources Committee.

Councillor Knaggs proposed and Councillor Mrs Cowling seconded an amendment to insert the following words after “entire allocation”:

“subject to making provision for continuation of CCTV and Norton Skateboard Park.”

Upon being put to the vote the amendment was carried.

Recorded Vote

For

Councillors Andrews, Bailey, Mrs Cowling, Cussons, Fraser, Hope, Ives, Knaggs, Mrs Knaggs, and Mrs Sanderson.

Against

Councillors Clark, Legard, Richardson, Wainwright, Ward and Woodward.

Abstentions

Councillor Acomb

Councillor Clark proposed and Councillor Woodward seconded a further amendment to add the following wording after “in principle”:

“and subject to the budget process.”

At 9.25pm the meeting was adjourned as it became inquorate.

The meeting was reconvened at 6.30pm on 20th November 2012.

Upon being put to the vote the amendment was lost.

Recorded Vote

For

Councillors Clark, Richardson, Wainwright, Ward and Woodward.

Against

Councillors Acomb, Andrews, Bailey, Mrs Cowling, Cussons, Fraser, Mrs Goodrick, Hawkins, Hope, Mrs Hopkinson, Ives, Knaggs and Mrs Sanderson.

Abstentions

None

Upon being put to the vote the motion was carried.

Resolved

That Council approve in principle that the entire allocation, subject to making provision for continuation of CCTV and Norton Skateboard Park, of £439,779 is ringfenced into a Ryedale Development Fund for spending on projects which deliver or protect employment within Ryedale. The allocation of this funding to be made by Council based on recommendations from the Policy and Resources Committee.

Minute 79 – Maintenance of Closed Churchyards

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

That Members recommend to Council option 2 from paragraph 6.13 of the report, to apply a Special Expense to those parishes in which the closed churchyard is located to cover in full the maintenance costs.

Councillor Clark proposed and Councillor Knaggs seconded the following amendment:

Minute 79 page 14 amend to become:

- 1) 'Support option 2 from paragraph 6.13 of the report to apply a Special Expense to those parishes in which the close churchyard is located to cover in full the maintenance costs' in principle and to be considered further as part of the budget and Council Tax proposals presented to council.
- 2) Calls upon HMG to repeal the relevant part of the LG Act (1972) 'maintenance of closed churchyards', the aim being to ensure that all religious bodies maintain their own buildings and land. Thus avoiding the council tax payers having to pay for the costs of other peoples' religion.
- 3) Writes to our MP, other local authorities and appropriate local and national government offices to request support.'

Upon being put to the vote the amendment was carried.

Councillor Andrews requested that his vote against the amendment be recorded.

Upon being put to the vote the motion was carried.

Resolved

That Council:

- 1) Support option 2 from paragraph 6.13 of the report to apply a Special Expense to those parishes in which the close churchyard is located to cover in full the maintenance costs' in principle and to be considered further as part of the budget and Council Tax proposals presented to council.
- 2) Calls upon HMG to repeal the relevant part of the LG Act (1972) 'maintenance of closed churchyards', the aim being to ensure that all

religious bodies maintain their own buildings and land. Thus avoiding the council tax payers having to pay for the costs of other peoples' religion.

- 3) Writes to our MP, other local authorities and appropriate local and national government offices to request support.

Minute 80 – Exempt Information

That under Section 100(A)(4) of the Local Government Act 1972 that the public be excluded from the meeting for the following item as there would be a likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Act as the information relates to any business or financial affairs of a company.

Minute 81 – Applications for Hardship Relief for Non Domestic Rates

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

That Members are recommended to award non-domestic rates hardship relief for 2012/2013 for the application referred to in this report financed from the ICE fund.

Upon being put to the vote the motion was carried.

Resolved

That Council award non-domestic rates hardship relief for 2012/2013 for the application referred to in this report financed from the ICE fund.

183 The Localism Act 2011 - Assets of Community Value (England) Regulations 2012

The Head of Planning and Housing submitted a report (previously circulated) which proposed a decision making process for the listing of community assets and other related processes in order for the Council to fulfill its obligations to hold a list of assets of community value under the Localism Act 2011.

Councillor Hope moved and Councillor Woodward seconded the recommendations in the report.

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

Resolved

That Council approve:

- (i) The Community Right to Bid policy outlined in this report;

- (ii) That delegated responsibility for the determination of whether or not assets are listed as Assets of Community Value be given to the Head of Planning and Housing in consultation with the Chairman of the Commissioning Board;
- (iii) That delegated responsibility for the determination of reviews against the listing of an asset by the owner be given to the Corporate Director (s151) in consultation with the Chairman of the Policy and Resources Committee;
- (iv) That delegated responsibility for the determination of whether or not compensation is payable to an owner of an asset and if so what amount be given to the Head of Planning and Housing in consultation with the Chairman of the Commissioning Board;
- (v) That delegated responsibility for the determination of reviews against the payment, or not of compensation and/or the amount by an owner be given to the Corporate Director (s151) in consultation with the Chairman of the Policy and Resources Committee; and
- (vi) That in the absence of the Head of Planning and Housing or the Corporate Director (s151) the delegation be exercised by any Head of Service or the Council Solicitor.

184 **Community Governance Review - Foston and Thornton-Le-Clay**

The Council Solicitor and Monitoring Officer submitted a report (previously circulated) which presented the outcome of the public consultation (Community Governance Review) which had taken place in the Parishes of Foston and Thornton-le-Clay on the proposal to increase the number of Parish Councillors from five to seven and to make recommendations for a Community Governance Review (under the provisions of Part 4 of the Local Government and Public Involvement in Health Act 2007).

Councillor Knaggs moved and Councillor Clark seconded the recommendations in the report.

Councillor Woodward moved and Councillor Fraser seconded that the question be now put, and on being put to the vote this was carried.

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

Resolved

That Council:

- (i) Note the results of the consultation;
- (ii) Agree that the final recommendation be: "To accept the majority vote from the people of Foston and Thornton-le-Clay and to agree to increase the number of Parish Councillors to seven of whom 5 shall be elected to represent the parish of Thornton-le-Clay and 2 to represent the parish of Foston";

(iii) Authorise the Council Solicitor to draw up a Re-organisation Order to give effect to the recommendations and to confirm the Grouping Order arrangements for the parishes of Foston and Thornton-le-Clay; and

(iv) Agree to contact the statutory agencies to effect the requested alteration to increase the number of Parish Councillors to seven.

185 Representation on Outside Organisations

It was clarified that there was just one vacancy to fill at Ryedale Voluntary Action.

The Chairman deferred the appointment of representatives to Community and Police Consultation Groups - Malton Norton (Town) and Ryedale Voluntary Action – Central to the next meeting of Council.

186 Any other business that the Chairman decides is urgent.

There being no items of urgent business, the meeting closed at 7.50pm.