

## **Council**

---

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday 16 May 2013**

### **Present**

---

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

### **In Attendance**

---

Paul Cresswell  
Gary Housden  
Nicki Lishman  
Phil Long  
Janet Waggott  
Anthony Winship

### **Minutes**

---

14 **Apologies for absence**

There were no apologies for absence.

15 **Staff Celebration Awards Presentation**

The Member Champion for Staff Issues, Councillor Mrs Burr, presented the following Staff Celebration Awards:

- Excellence in Leadership – Angela Jones, Business Support Manager
- Outstanding Achievement by a Team – The Canteen Staff
- Service Transformation – Suzanne Dewsnap, Sam Hawes and Lynn Kennedy
- Community Focus Award – Owen Davidson, Streetscene
- Innovation and Improvement – Business Support “The Hub”
- Excellence in Customer Service – Jane Kitching

16 **Public Question Time**

There were no public questions.

17 **Minutes**

The minutes of the Ordinary Meeting of the Council held on 7 March 2013 and an Extraordinary Meeting of the Council held on 9 May 2013 were presented.

**Resolved**

That the minutes of the Ordinary Meeting of the Council held on 7 March 2013 and an Extraordinary Meeting of the Council held on 9 May 2013 be approved and signed by the Chairman as a correct record.

**Recorded Vote for the approval of the minutes of the Extraordinary Meeting of Council held on 9 May 2013**

For

Councillors Mrs Frank, Acomb, Andrews, Arnold, Bailey, Collinson, Mrs Cowling, Cussons, Fraser, Mrs Goodrick, Hawkins, Hicks, Hope, Mrs Hopkinson, Ives, Mrs Keal, Legard, Maud, Raper, Mrs Sanderson, Mrs Shields, Wainwright, Walker and Windress.

Against

Councillor J Andrews, Clark, Richardson, Ward and Woodward.

Abstentions

Councillor Mrs Burr

18 **Urgent Business**

There was one item 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 as amended.

## 19 **Declarations of Interest**

Councillors Clark and Mrs Sanderson declared a personal non-pecuniary but not prejudicial interest in Item 13 as members of North Yorkshire County Council.

Councillor Fraser declared a personal non-pecuniary but not prejudicial interest in Item 11 as the Councils representative on the board of Community Leisure Ltd.

Councillor Ward declared a personal non-pecuniary but not prejudicial interest in Item 16 as a member of Kirkbymoorside Town Council.

Councillor Andrews declared a personal non-pecuniary but not prejudicial interest in Items 13 and 14 as he was involved with businesses in Malton.

Councillor Mrs Frank declared a personal non-pecuniary but not prejudicial interest in Item 16 as she knew the Chief Executive of the company concerned.

## 20 **Announcements**

The Chairman made the following announcement.

The Malton Ward Walk, organised by Fitzwilliam Estate, will take place on 12 June 2013. The walk will start at 6.00 pm at the Fitzwilliam Estate Office, Old Maltongate, Malton.

## 21 **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.

## 22 **To Receive a Statement from the Leader of the Council and to Receive Questions and Give Answers on that Statement (to be circulated at the meeting)**

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

First of all thank you for electing me as your Leader for this next year. I will continue to work hard to represent the Ryedale District locally and at regional and sub regional meetings.

Congratulations to Councillors Joy Andrews and Shane Collinson on your Election to Ryedale District Council. Congratulations also to Cllrs Mrs Burr, Clark, Mrs Sanderson

and Mrs Shields on their election to North Yorkshire County Council, not forgetting also congratulations to Cllrs Clare Wood and Val Arnold. I and the rest of the council will look forward to working with you in your roles as District and County Councillors to achieve the very best we can for our communities.

My vision for Ryedale has not changed since I was elected as Leader last December and I repeat what I said then - which is that I would continue to work hard with you to improve job opportunities and housing in Ryedale.

I intend to work collaboratively with other political groups within the Council. You will have noticed in the afternoon meeting that we have changed the Resources working party from being Conservative only to include members of other political groups. There is a meeting of that group on 4 June 2013 to continue the financial planning of Ryedale and the delivery of the medium term financial plan. I intend to work openly for the good of Ryedale.

We shall have to face up to the challenges of what the Chancellor will inevitably be telling us later in June in his comprehensive spending review. I am pretty sure that there will be even less money available and further cuts to budgets will be inevitable. We therefore need to work on what our priorities are. We will have to be absolutely clear about what is important to the residents and businesses of Ryedale, be very upfront and clear about what is not, and what we can no longer do.

We will continue to work in collaboration with other Districts and the County Council to make sure we provide the best possible services in the most efficient way. When things have to be cut, we need to talk to people, make sure there are no surprises and help the tax payers understand why the cuts are necessary.

Later in June, Policy and Resources Committee will consider the Capital programme and we will have to prioritise our capital projects, so that we ensure that our resources are put to best use.

I am interested in looking at innovative ways to deliver affordable housing in Ryedale.

Yesterday we held a Skills Summit at Ryedale House, at which we had a fantastic attendance. The summit was aimed primarily at identifying ways of helping young people into skilled work and providing better access to potential employees for local businesses. The support from employers was brilliant. The input from schools, employers and indeed young people themselves has identified a lack of joined up working that we can address with the help of these other organisations. This piece of work supports our priorities for the economy and jobs.

We will have to keep on eye the implications of the City of York Council moving away from the York, North Yorkshire and East Riding LEP to face the Leeds City region. It is too early to say exactly what the consequences are to Ryedale and the wider LEP but we know that we must continue to have a good working relationship with CYC and the University of York, particularly relating to the opportunity for up to 800 jobs and related growth at the FERA site in Sand Hutton. This is dependant on a number of things not least the A64 improvement at that junction.

You will be aware that the inspector for our Local Plan is here for a further three days from 22-24 May 2013 and after that we hope he is in a position to produce a final report, which Council will consider when that is produced. The proposed changes and

the council's response to the consultation on those changes is an item on the agenda tonight, so I do not intend to say any more about that now.

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

**Commissioning Board – 21 March 2013**

**Minute 113 – Sport and Active Lives Strategy**

It was moved by Councillor Mrs Cowling and seconded by Councillor Fraser that the following recommendations of the Commissioning Board be approved and adopted.

That Council be recommended to:

- i. Approve the Sports and Active Lives Strategy
- ii. Approve in principle support for future capital funding requirements for Ryedale and Derwent Pools and a request a report is brought to the Commissioning Board regarding cost implications for the capital programme; and
- iii. Support consideration of potential options for replacement of Derwent Pool from 2023 onwards.

Councillor Clark moved and Councillor Richardson seconded the following amendment:

“Refer back to the Commissioning Board”

Upon being put to the vote the amendment was lost.

Councillor Clark moved and Councillor Richardson seconded the following amendment:

“To put the Sports Strategy out to public consultation”

Upon being put to the vote the amendment was lost.

Upon being put to the vote the motion was carried.

**Resolved**

- i. That the Sports and Active Lives Strategy be approved
- ii. That support, in principle, for future capital funding requirements for Ryedale and Derwent Pools be approved and that a report be brought to a future meeting of the Commissioning Board regarding cost implications for the capital programme; and
- iii. That Council supports the consideration of potential options for replacement of Derwent Pool from 2023 onwards.

**Policy and Resources Committee – 4 April 2013**

## **Minute 126 – Ryedale Apprenticeship Project**

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 that the Ryedale Apprenticeship Project, as set out in Annex B, be implemented, subject to the following amendments:

1. 'Eligibility for the grant' – Replace first three bullet points with "The scheme will be open to any business that has been established or operational for at least three months in Ryedale."
2. 'Eligibility for the grant' – Add a new bullet point to read, "The following factors may be relevant in considering eligibility: Number of employees; turnover; whether the business has had apprentice/s before."
3. To reflect amendments 1 and 2, amend 'Criteria for the application form' by replacing the first bullet point with: 'Priority to be given to those businesses who have not had an apprentice before or those businesses that, as a result of the funding, can take on more apprentices than they normally would.'

Upon being put to the vote the motion was carried.

### **Resolved**

It was approved that the Ryedale Apprenticeship Project, as set out in Annex B, of the report, be implemented, subject to the following amendments:

1. 'Eligibility for the grant' – Replace first three bullet points with "The scheme will be open to any business that has been established or operational for at least three months in Ryedale."
2. 'Eligibility for the grant' – Add a new bullet point to read, "The following factors may be relevant in considering eligibility: Number of employees; turnover; whether the business has had apprentice/s before."
3. To reflect amendments 1 and 2, amend 'Criteria for the application form' by replacing the first bullet point with: 'Priority to be given to those businesses who have not had an apprentice before or those businesses that, as a result of the funding, can take on more apprentices than they normally would.'

## **24 Notices on Motion Submitted Pursuant to Council Procedure Rule 11**

- (i) It was proposed by Councillor Ives and seconded by Councillors Mrs Hopkinson, Mrs Goodrick, Hicks, Cussons, Mrs Keal and Maud.

The 2012 Air Quality Action Plan for Ryedale District Council is amended so that the action point 9, installation of idling/cut engine signage, is removed as a mitigating measure. Officers are delegated the authority to make the necessary

changes to the action plan in order to reflect the above amendment at the earliest opportunity. In addition, officers are requested to work with NYCC to remove the signage as soon as possible.

Upon being put to the vote the motion was lost.

(ii) Proposed by Councillor Ives and seconded by Councillor Mrs Goodrick

The entire new homes bonus received for the 2013/14 financial year, equivalent to c. £707,000, is allocated to unallocated capital reserves.

Councillor Woodward moved and Councillor Clark seconded the following amendment:

Insert after New Homes Bonus “subject to making provision for the continuation of indoor bowling at Ryedale Indoor Bowls Club”.

Upon being put to the vote the amendment was lost.

### **Recorded Vote**

#### For

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

#### Against

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

#### Abstentions

Councillors Collinson and Legard.

Upon being put to the vote the motion was carried.

### **Recorded Vote**

#### For

Councillors Mrs Frank, Acomb, Arnold, Bailey, Collinson, Mrs Cowling, Cussons, Fraser, Mrs Goodrick, Hawkins, Hicks, Hope, Mrs Hopkinson, Ives, Legard, Maud, Raper and Mrs Sanderson.

#### Against

Councillors J Andrews, Andrews, Mrs Burr, Clark, Mrs Keal, Richardson, Mrs Shields, Wainwright, Walker, Ward, Windress and Woodward

(iii) Proposed by Councillor Ives and seconded by Councillor Mrs Goodrick

The £707,000 within the unallocated capital reserves as a result of the 2013/14 new homes bonus is allocated as a potential grant towards a new livestock market within Ryedale. This commitment is made in principle only, and any future distribution of the funds is subject to further approval by full council.

The motion was withdrawn.

## 25 **The Introduction of County Wide Civil Parking Enforcement (CPE)**

The Head of Environment, Streetscene, Facilities and IT submitted a report (previously circulated) which sought final approval from Members for the introduction of county-wide Civil Parking Enforcement across Ryedale.

Councillor Mrs Cowling moved and Councillor Walker seconded the recommendations in the report.

Upon being put to the vote the motion was carried.

### **Resolved**

- (i) That the introduction by NYCC of CPE across Ryedale on the basis that any additional costs incurred as a result by RDC will be reimbursed by NYCC for a three year trial period after which reimbursement of costs will be reviewed as agreed in the Joint Underwriting Agreement; be endorsed
- (ii) That Approve the introduction of a centralised back office and joint enforcement car parking operation managed by Scarborough Borough Council on a three year trial basis, with a mechanism for RDC retaining local influence over off-street enforcement and retention of all surplus off-street income, minus the costs of operation as agreed in the SBC Service Level Agreement be approved
- (iii) That the Chairman of Commissioning Board be approved as the Councillor Representative to the Parking & Traffic Regulation Adjudication System.
- (iv) That the Council Solicitor be authorised to make the required order consolidating the individual Ryedale District Council Car Parking Orders into one Order under the provisions of the Road Traffic Regulation Act 1984.

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

## 26 **The Ryedale Plan - Local Plan Strategy Examination**

The Head of Planning and Housing submitted an information report (previously circulated), which provided Members with an update on the Local Plan Strategy examination.

The report provided Members with the opportunity to familiarise themselves with the changes to the plan which had been proposed as part of the examination process and with the Council's response to comments received following consultation on these changes, prior to the Council receiving the Inspectors final report.



Councillor Mrs Cowling moved and Councillor Arnold seconded the recommendations in the report.

Upon being put to the vote the motion was carried.

**Resolved**

That the report be received.

Councillor Mrs Cowling moved and Councillor Raper seconded the suspension of Standing Order 8.1 to allow the meeting to continue beyond 10 pm. Upon being put to the vote, the motion was carried.

27 **Exempt Information**

**Resolved**

That the press and public be excluded from the meeting during consideration of the following Item 16 (Sale of Council Property) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972, as the information provided related to the financial or business affairs of any particular person (including the authority holding that information).

28 **Sale of Council Asset**

The Corporate Director (s151) submitted a report (previously circulated) which considered proposals to sell a Council property at 21-25 Dove Way, Kirby Mills Industrial Estate, Kirkbymoorside.

Councillor Raper moved and Councillor Hope seconded the following recommendation:

That Council approves the sale of 21-25 Dove Way, Kirby Mills Industrial Estate, Kirkbymoorside.

Upon being put to the vote the motion was carried.

**Resolved**

That the sale of a Council property at 21-25 Dove Way, Kirby Mills Industrial Estate, Kirkbymoorside be approved.

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

The Corporate Director (s151) advised Members of the agreement reached between the Council and Fitzwilliam (Malton) Estate regarding legal costs of the appeal against the Council's refusal of planning permission on the Livestock Mark, Malton site and made the following recommendation:

Members approve the funding for payment of the legal costs arising from the partial award of costs against the Council for the Livestock Market Planning Appeal in the sum of £148,000 from the Operational Reserve (£100,000) and the Improvement, Contingency and Emergency Fund (£48,000).

Councillor Clark moved and Councillor Woodward seconded the following amendment:

Replace after the words "£148,000 from" with "...the whole of Unallocated in the budget, the remainder from the Improvement, Contingency and Emergency Fund".

Upon being put to the vote the amendment was lost.

Upon being put to the vote the motion was carried.

#### **Recorded Vote**

##### For

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

##### Against

Councillors Mrs Frank, Acomb, Arnold, Bailey, Collinson, Mrs Cowling, Cussons, Fraser, Mrs Goodrick, Hope, Ives, Legard, Raper, Mrs Shields, Wainwright.

##### Abstentions

Councillor Mrs Hopkinson

#### **Resolved**

That the funding for payment of the legal costs arising from the partial award of costs against the Council for the Livestock Market Planning Appeal in the sum of £148,000 from the Operational Reserve (£100,000) and the Improvement, Contingency and Emergency Fund (£48,000) be approved.