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## Council

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Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday 6 March 2014**

## Present

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

## In Attendance

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Jill Baldwin  
Simon Copley  
Paul Cresswell  
Peter Johnson  
Phil Long  
Jill Thompson  
Janet Waggott  
Anthony Winship

## Minutes

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104 **Apologies for absence**

Apologies for absence were received from Councillors Collinson, Hope and Ward.

105 **Public Question Time**

There were no public questions.

106 **Minutes**

The minutes of the Ordinary Meeting of Council held on 9 January 2014 were presented.

**Resolved**

That the minutes of the Ordinary Meeting of Council held on 9 January 2014 be approved and signed by the Chairman as a correct record.

The minutes of the Budget Meeting of Council held on 25 February 2014 were presented.

**Resolved**

That the minutes of the Budget Meeting of Council held on 25 February 2014 be approved and signed by the Chairman as a correct record.

107 **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).

108 **Declarations of Interest**

The following interests were declared:

Councillor Paul Andrews declared a personal non-pecuniary but not prejudicial interest in agenda item 11 (Notices of Motion) as a supporter of local businesses in Malton and Norton.

Councillor Bailey declared a personal non-pecuniary but not prejudicial interest in agenda item 14 (Howardian Hills Area of Outstanding Natural Beauty: Management Plan) as a member of the North York Moors National Park Authority where this had already been discussed.

Councillor Mrs Frank declared a personal non-pecuniary but not prejudicial interest in agenda item 14 (Howardian Hills Area of Outstanding Natural Beauty:

Management Plan) as a member of the North York Moors National Park Authority where this had already been discussed.

Councillor Fraser declared a personal non-pecuniary but not prejudicial interest in agenda item 11 (Notices of Motion) as a supporter of local businesses in Malton and Norton.

Councillor Mrs Hopkinson declared a personal non-pecuniary but not prejudicial interest in agenda item 11 (Notices of Motion) as a supporter of local businesses in Malton and Norton.

Councillor Ives declared a personal non-pecuniary but not prejudicial interest in agenda item 10 minute 64 (Hardship Relief) as he knew people employed by the applicant and in agenda item 11 (Notices of Motion) as he had been lobbied.

Councillor Legard declared a personal non-pecuniary but not prejudicial interest in agenda item 10 minute 62 (A64 Memorandum of Understanding) owing to the location of Scampston in relation to the A64, and took no part in the discussion and vote thereon, and in agenda item 11 (Notices of Motion) as a supporter of local businesses in Malton and Norton.

Councillor Wainwright declared a personal non-pecuniary but not prejudicial interest in agenda item 10 minute 64 (Hardship Relief).

109 **Announcements**

There were no announcements.

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

1. Councillor Clark submitted the following question:

To Councillor Raper, Chairman of the Planning Committee:

“Have you re-considered your position as Chair of the Planning Committee?”

The Chairman of the Planning Committee, Councillor Raper replied

*“My first response would have been to say no comment but as Chairman of the Planning Committee I have encouraged Member training on planning matters in the past. We have another one on Monday 10<sup>th</sup> and I hope some of the Liberal Members might be attending that. I’m Chairman until May 14<sup>th</sup> this year and it will be Annual Council and Members at that time to determine whether I continue or not. I’m staying where I am at the moment, I see no reason not to.”*

Councillor Clark asked the following supplementary question:

“Does the Chair of Planning consider that he’s got the confidence of his fellow councillors, that’s one, and two, has he got the confidence of the general public?”

Councillor Raper replied

*"I couldn't possibly comment on the second one and I'm certain I have got a great deal of confidence from my own group."*

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

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

*"I have a brief statement to make today as we have only just had Budget Council and have had an opportunity to debate at length matters relating to Ryedale District Council.*

*Item 15 on the agenda, Local Enterprise Partnership, has been deferred. The meeting of Local Government North Yorkshire & York meets tomorrow where the proposals will be reported which may require contributions from Councils. This will then be reported to Policy and Resources Committee on 3 April 2014.*

*As this is Paul Cresswell's last Council meeting as Leader of the Council I would like to take this opportunity to thank Paul for all his hard work and to wish him well for the future. Ryedale's loss is North Yorkshire County Council's gain."*

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

**Licensing Committee – 23 January 2014**

**Minute 26 – Licensing Act 2003 – Results of Consultation on Review of Licensing Policy**

It was moved by Councillor Windress and seconded by Councillor Mrs Cowling that the following recommendations of the Licensing Committee be approved and adopted.

That the Licensing Policy is referred to Council in March for final adoption.

Councillor Clark moved and Councillor Woodward seconded an amendment to defer until Full Council on 15 May 2014.

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

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

**Resolved**

That Council adopt the Licensing Policy.

## **Policy and Resources Committee – 13 February 2014**

### **Minute 62 – A64 Memorandum of Understanding**

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

That Council be recommended to approve:

The Ryedale District Council commitment to and participation in the Memorandum of Understanding on the A64 trunk road improvement strategy.

Upon being put to the vote the motion was carried.

#### **Resolved**

That Council approve:

The Ryedale District Council commitment to and participation in the Memorandum of Understanding on the A64 trunk road improvement strategy.

### **Minute 63 – Exempt Information**

It was moved by Councillor Mrs Cowling and seconded by Councillor Raper that the meeting move into exempt session.

Upon being put to the vote the motion was carried.

#### **Resolved**

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 will be a likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act as the information provided relates to individuals.

### **Minute 64 – Hardship Relief**

It was moved by Councillor Mrs Goodrick and seconded by Councillor Raper that the following recommendations of the Policy and Resources Committee be approved and adopted.

That non-domestic rates hardship relief for 2013/14 for the application referred to in the report, financed through the Business Rates Retention Scheme, be approved.

Upon being put to the vote the motion was carried.

**Resolved**

That Council approve:

Non-domestic rates hardship relief for 2013/14 for the application referred to in the report, financed through the Business Rates Retention Scheme.

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

1. It was moved by Councillor Paul Andrews and seconded by Councillor Mrs Burr

The Council recognises that:

- The whole Council has a vested financial interest in the outcome of Application No. 11/00927/FUL and related applications in regard to the proposed superstore on Wentworth Street Car Park; and
- These applications represent the most critical decisions for the community of Malton and Norton for a generation; and
- Council members for Malton and Norton are under-represented on the Planning Committee, and therefore the debate on this matter may not clearly reflect community opinion;

And the Council therefore resolves to consider these applications in full Council and to suspend all standing orders or requirements of the Constitution which might prevent this.

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

**114 Final Report- Scrutiny Review of Member Roles on Outside Bodies and as Member Champions**

The Overview and Scrutiny Committee submitted a report (previously circulated) which set out their findings and recommendations arising from their review of Member Roles on Outside Bodies and as Member Champions.

Councillor Wainwright moved and Councillor Mrs Shields seconded each of the recommendations in the report.

Upon being put to the vote, recommendations (i)-(vii) were carried.

Upon being put to the vote, recommendation (viii) was lost.

## Resolved

- (i) That the following outside bodies be removed from the list: Supporting People NY Joint Committee (agreed at Annual Council on 16 May 2013), Endowment Governors Charity called Malton School, LG Yorkshire & Humber Elected Members Cohesion Group (agreed at Annual Council on 16 May 2013), Rural Action Yorkshire (formerly YRCC);
- (ii) That substitute representatives be appointed for outside bodies, where their governance arrangements permit, and that it be the nominated representatives responsibility to notify the substitute if they are unable to attend a meeting of the outside body;
- (iii) That a précis from Member representatives on outside bodies be published on the website following each meeting, subject to the approval of the outside bodies, to ensure feedback of key decisions and discussions relevant to the Council is available, and including their attendance record;
- (iv) That appointments to outside bodies be for four year terms, from 2015 onwards to coincide with the District elections, subject to an annual review by the Overview and Scrutiny Committee to address any issues with attendance or publication of précis;
- (v) That nominations of representatives to outside bodies should be made by Council based on their skills and expertise, in addition to attendance records, and that Members be asked to provide an oral statement of this upon nomination.
- (vi) That the Independent Remuneration Panel be requested to review allowances payable to representatives on outside bodies, where a payment is currently made;
- (vii) (a) That subject to the exceptions in sub paragraph (b) below , all Members note that any representative on an outside body cannot be involved in any financial or regulatory decision taken by the Council that relates to that body. They can make representations, either through the public speaking opportunity for a relevant application at Planning Committee, or for other committees and Full Council by addressing the meeting at the chairman's discretion;
- (b) The exceptions where Members may participate and vote are the setting of council tax or a precept under the Local Government Finance Act 1992 or where a dispensation has been granted.

The Council Solicitor submitted a report (previously circulated) which set out the review of polling districts, polling places and polling stations carried out in accordance with the Council's statutory obligations as prescribed by the Electoral Registration and Administration Act 2013.

Councillor Raper moved and Councillor Cussons seconded the recommendations in the report.

**Resolved**

That Council approve the relocation of polling places and polling stations as set out in Annex 1.

**116 Howardian Hills Area of Outstanding Natural Beauty: Management Plan (2014-2019)**

The Head of Planning and Housing submitted a report (previously circulated) which presented the new Management Plan for the Howardian Hills Area of Outstanding Natural Beauty (AONB) for 2014-2019 for formal adoption.

Councillor Raper moved and Councillor Wainwright seconded the recommendations in the report.

**Resolved**

That Council adopts the Howardian Hills AONB Management Plan (2014-2019).

**117 Local Enterprise Partnership (to follow)**

This item was withdrawn from the agenda for the meeting as detailed in the Leader's Statement.

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

There being no other business, the meeting closed at 8.55pm.