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Council

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday 4 November 2010**

Present

Councillors Hemesley OBE (Chairman)
Acomb
Andrews
Arnold
Mrs Arnold
Bailey
Clark
Cottam
Mrs Cowan
Mrs Cowling
Cussons
Mrs De Wend Fenton
Mrs Frank
Hawkins
Mrs Hodgson
Hope
Mrs Keal
Keal
Knaggs
Legard
Maud
Raper
Mrs Shields
Wainwright
Mrs Wilford
Windress
Woodward

In Attendance

Paul Cresswell
Gary Housden
Marie-Ann Jackson
Janet Waggott
Anthony Winship
Fiona Farnell

Minutes

49 **Apologies for absence**

Apologies for absence were received from Councillors Mrs Warriner and Spencer.

50 **Public Question Time**

Question 1

The following question was submitted by Nelly Trevelyan:

“I have been talking to an employee of Yorwaste who tells me that Yorwaste is now able to offer trade waste recycling collection in some areas, that is cheaper than the councils non sorted trade waste collection service. I was also told that uptake has been poor, despite all local businesses having been approached and informed about this option. The reasons were obscure but he thought that it was perceived that slightly more effort was required, and that for slightly more money they still had the option of not sorting their rubbish. When Kirkbymoorside environment group has asked about trade waste recycling we have been told that it is too expensive and difficult. In this time of cuts, will the council withdraw the option of having unsorted trade waste collected, in the areas where Yorwaste are able to offer this service?

Would this council agree that:

- a) this could save money, both by reducing waste going to landfill, and by reducing unnecessary collections?
- b) that this would increase the recycling rates for Ryedale?
- c) that it supports the waste hierarchy?”

The Chairman thanked Nelly Trevelyan for her question and replied that:

“Ryedale DC operates a trade waste service on a commercial basis in an open and competitive market. Businesses are able to choose from a range of commercial operators who collect their trade waste. Recycling options offered by other Commercial trade waste operators are generally limited to collections of Paper, Plastics and Cans. At best this accounts for a small % of the total waste tonnage that businesses produce. It is highly unlikely that firms could manage without a residual waste collection in order to legally comply with their Duty of Care. This would be costly due to the need for collections from two separate vehicles.

Trade waste recycling does not contribute towards Ryedale’s recycling rates these are solely concerned with recycling from domestic properties.

Waste prevention and Re-use should be the preferred options for businesses to consider in order to reduce costs and comply with their Duty of Care requirements.”

Question 2

The following question was submitted by Mr Stephen Shaw:

“What provision is Ryedale District Council making to replace the approximately 300 long stay parking places that will be lost should the decision be made on 17 November to sell Wentworth Street Car Park for development?”

Mr Shaw went on to comment that he felt there would be a long term problem with a shortage of long stay car parking places if other areas of Malton were also developed. Long stay parking spaces are needed for commuters and people working in Malton.

The Chairman again thanked Mr Stephen Shaw for his questions and responded as follows:

"If the Council decide on 17 November 2010 to dispose of land at Wentworth Street long stay car park 300 car parking spaces will not be lost. The decision by Council on 29 July 2010 to retain ownership of the upper deck at Wentworth Street Car Park guarantees the availability of at least 150 parking spaces at the site for long stay use. Further information about the recommended bid for the remaining land at Wentworth Street and the implications of this for both short and long stay parking provision will be detailed in the report that is being prepared for the 17 November meeting of Council."

Mr Shaw responded by asking where the Council would create the 150 parking spaces that would be lost from the sale of Wentworth Street Car Park. The Chairman informed Mr Shaw that the answer to his supplementary question would be put in writing to him.

51 **Minutes**

The minutes of the Ordinary Meeting of the Council held on 2 September 2010 (previously circulated) were submitted.

Resolved

That the minutes of an Ordinary Meeting of the Council held on the 2 September 2010 be approved and signed by the Chairman as a correct record.

52 **Urgent Business**

The Chairman reported that there were no items to be considered under urgent business.

53 **Declarations of Interest**

In accordance with the Members' Code of Conduct the following declarations of interest were received:

Councillor Mrs Arnold declared a personal interest in any items of Council business which covered North Yorkshire County Council as a North Yorkshire County Councillor.

Councillor Clark declared a personal interest in Item 10 minute no 22 – A 64 Brambling Fields Junction Improvement and any item on the agenda with regards to Waste Management as a North Yorkshire County Councillor.

Councillor Raper declared a personal interest in Item 10 minute no. 23 – Special Expenses as a resident of a Parish Council who will benefit from the recommendation.

54 **Announcements**

The Chairman made the following announcements:

The Chairman reminded Councillors that a Member Development Session was scheduled for Monday 8 November at 17.30 in the Council Chamber on Partnership Working and that an Extraordinary meeting of the Council would take place on Wednesday 17 November at Malton School to discuss the single item of the Sale of Wentworth Street.

The Chief Executive made the following announcement as Head of Paid Service:

The Chief Executive informed Councillors that a very successful 'Opportunity Knocks' event that taken place earlier in the week between local businesses and young people. The initiative showed good engagement and all organisations and young people who took part should be congratulated.

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

Councillor Wainwright submitted the following question:

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

Councillor Mrs Shields replied:

"We welcomed members and officers to our meeting, including Messrs. John Ritchie and Alistair Lens from Deloitte, our external Auditors.

After the initial items, the minutes of 19 August were presented and following the verification of points on the final report on Sickness Absence Review raised by a member at the July meeting, the report was received. I would like to thank Louise Sandall for all the hard work she put into this document.

We then had a presentation of the Final Audit Report from the representatives of Deloitte. After several questions and answers, Members received the Report which had already been to Policy and Resources Committee.

Our next item was a report from Phil Long, Head of Environment, on the up-to-date situation regarding the repairs to Malton Town Hall. After questions and general discussion the report was received and the contents noted.

Louise Sandall introduced the Service Risk register for organisational development and once again members commended the well set out details for the various sections.

Head of Transformation, Clare Slater, presented the half yearly Management Actions Monitoring report and the Corporate Director informed members on progress made for identified actions for the year 2009-10 noted in the Annual Governance Statement.

We then discussed the future arrangements for the Overview and Scrutiny in its capacity as the Council's Crime and Disorder Committee. With reference to the possible co-option of a member of the Police Authority to the Committee, we decided unanimously, after considering the statutory guidance, that we would like to address us as and when appropriate and that they would be welcome if they initiated a meeting. In fact they would like to address us in December and I therefore extend an invitation to all members of Council to attend. There will be details nearer the time.

Several other reports were listed which could be considered by Overview and Scrutiny, including the Safer Ryedale Partnership, which was agreed to review annually.

With reference to the two topics we have undertaken to scrutinise, would members please note that the Post Office Group will meet on Monday 15 November and the Healthy Weight one on 22 November. Both at 6.30pm.

We noted reports from the Commissioning Board and Policy and Resources Committee and finally looked at the Council's Annual Report. As I am sure, all members are aware, this is an excellent document and quite the best I have ever seen. It makes easy reading and the photos, pictures and diagrams perfectly complement the writing along side. Many thanks were expressed by members to the respective contributors.

There being no further business to discuss, the meeting closed about 8.30pm."

Councillor Wainwright submitted a further question:

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

Councillor Mrs Cowling replied:

“At the first meeting of the Commissioning Board Members were given two very interesting presentations in order to assist them in selecting their commissioning priorities. The first one was by Seamus Breen (Assistant Director Commissioning & Partnerships, NYCC) around services for older people and in particular independent living. The second, given by Julian Rudd, was a “Needs Assessment for Ryedale” and provided a range of information about Ryedale’s population, health, economy etc. The meeting in September heard a presentation by Jos Holmes on Local Economic Partnerships.

The Board appointed 2 working parties at its first meeting: Economy & Housing and Active & Environment who have each agreed their priority service for commissioning. The Economy & Housing group are undertaking a review of Tourism and the Active & Environment group are looking at leisure.

JCG Economy and Housing.

The JCG has embarked upon the commissioning of the tourism service. This was a timely decision as the Moors and Coast Tourism Partnership is to cease operational activity in March 2011 and we also have a number of tourism related contracts also ending in March.

- In July, a presentation was made outlining the tourism service that we currently deliver, including some cost comparison figures with our best value family group authorities.
- The following JCG in October was a stakeholder consultation event with tourism businesses in Ryedale. Over 50 people attended an interactive session which sought to ascertain the businesses’ priorities for the tourism service going forward, particularly anticipating a reduction in resource available. This was followed up with a questionnaire to around 500 businesses and the result of this will be presented to the Commissioning Board in November.”

Councillor Mrs Arnold replied:

JCG Active and Environment

Two meetings have been held to date regarding the Active and Environment JAG regarding the development of a strategy for Sport and Leisure with two further meetings scheduled the following week. Members have considered a wide range of information regarding Sport and Leisure and determined a range of consultees required regarding the development of a strategy.

This is a large project and will involve significant consultation with key stakeholders, sports clubs and the general public and will require external support for the strategy development process

THE OVERARCHING AIM OF THE STRATEGY IS TO IMPROVE SATISFACTION WITH SPORTS AND LEISURE REGARDING SPORTING INFRASTRUCTURE AND ACTIVITIES WITH A GENERAL GOAL OF ENCOURAGING A MORE ACTIVE LIFESTYLE, ULTIMATELY TO HELP REDUCE THE HIGHER THAN NORMAL OBESITY LEVELS AMONG THE RYEDALE COMMUNITY. IT IS PROPOSED THAT THE STRATEGY WILL COVER THREE KEY AREAS:

1. Active Living (Walking, dog walking, Cycling, Play, gardening, workplace activity, allotments)
2. Active Recreation (Outdoor Adventure, Gym, riding, Swimming, Dance)
3. Sport (Talent Development, Sports Clubs, School Sports)

The Commissioning Board has also agreed the sub-regional Homelessness Strategy Action Plan, the Food Safety Plan, and the Health & Safety Plan; they have adopted the use of Fixed Penalty Notices for dog fouling and delegated the Head of Environment to authorise a greater range of persons to be authorised to issue such penalties including police Community Support Officers.”

Councillor Clark asked the following question:

“Could the Leader of the Council please update Council on the current situation regarding each of the Ryedale District Council Partnerships

1. Waste
2. Audit
3. Building Control

Councillor Knaggs, The Leader of the Council informed Councillors that a full response had been circulated as additional paper prior to the meeting starting and therefore did not read out the answer in full.

1 Waste Partnership Update

The Waste partnership is currently considering three main areas of focus
Clinical waste - A report has been prepared by Enviros regarding consideration of the handling of clinical waste with recommendations regarding service improvement and potential efficiencies. The report will be tabled at the next meeting of the officers group for discussion.

Waste textiles - A partnership approach regarding the above is being considered alongside existing waste minimisation campaign.

JWAAP (Joint Waste Authority Advance Partnership Programme) funding - £50K has been secured from the above to support a project investigating areas of cashable and non cashable efficiencies in waste collection across Ryedale, Hambleton, Richmondshire and Craven District Councils. The project started in October and is due for completion in March 2011. RDC is the lead authority.

2 Audit Partnership Update

There are five partners in the Audit Partnership, Ryedale, Selby, Hambleton, Richmondshire and Scarborough District Councils. The current partnership agreement runs to the 31 March 2012. The finances of the partnership are sound with reserves of £33,000 as at 31 March 2010.

Discussions have taken place with a view to a possible merger of the Audit Partnership with Veritau at the end of the current agreement. Veritau is the company formed by the City of York Council and North Yorkshire County Council to provide their internal audit. This is with a view to deliver cashable and non cashable efficiencies. A report to members will be presented in spring setting out the possible options for the future service delivery.

3 Building Control Update

There are now five partners in the partnership, Ryedale, Scarborough, Hambleton, Richmondshire and Selby District Councils. The work of Building Control Partnership has been significantly affected by the recession. This has resulted in staffing reductions and each of the member Council's making an additional financial contribution in 2009/2010. A restructure of the service together with revised charging mechanism has set the service up to return to a surplus making situation for 2010/2011 and beyond. Further investment in IT rationalisation is being considered to improve working methods and customer service.

Councillor Clark asked a supplementary question:

"Does the Council feel in control of its Partnerships with regards to the flow of information especially between the Waste and Audit Partnerships and the Council?"

Councillor Knaggs answered that he noted Councillors Clark's question and would respond in full in writing.

Councillor Clark asked a further question:

"Could the Chair of the Commissioning Board please give me the recycling targets for Ryedale for the following years:

1. 2010
2. 2015
3. 2020

Councillor Mrs Cowling answered the questions:

The recycling targets are as follows:

1. 2010 = 40%
2. 2015 = 45%
3. 2020 = 50%

Councillor Clark asked a supplementary question:

“Did the figures come to committee for approval? They are not too ambitious.”

Councillor Mrs Cowling answered that the Council were doing exceptionally well with regards to the recycling figures and that there was no intention to go backwards.

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

The Leader’s Statement was (previously circulated).

The Leader of the Council, Councillor Knaggs verbally updated Councillors on two points:

1. From mid January all expenditure by the Council over £500 would be available for inspection on the website. He thanked Officers for delivering this project ahead of schedule.
2. The Leader attended the ‘Opportunity Knocks’ exhibition held in Pickering earlier in the week and informed Councillors that it had been a big event to organise and that he was greatly impressed. He thanked all who had been involved.

57 To consider for Approval the Recommendations in respect of the following Part ‘B’ Committee Items:

**a. Commissioning Board – 23 September 2010
Minute No 14 – Commercial Waste Review**

It was moved by Councillor Mrs Cowling and seconded by Councillor Mrs Arnold that the following recommendation of the Commissioning Board Minute 14 – Commercial Waste Review be approved and adopted:

“That Council be recommended to approve:

- i. To approve the sale of the Council’s commercial waste service through a competitive process.
- ii. That the successful tenderer be required to ensure that they provide a service to any organisation within the Council’s boundaries that requests it and that consistent pricing be applied to the service.

- iii. That the revenue implications of the sale, growth of approximately £125,000 in 2011/12, be managed through the budget strategy process; and
- iv. That the outcome of the sale is reported to a future meeting of the Commission Board”.

An amendment was moved by Councillor Mrs Cowling and seconded by Councillor Mrs Arnold to delete paragraphs I to iv and insert the following text:

“That the Council’s Commercial Waste Service is not sold at the present time. In the event that the County Council proposed reduced charges are not confirmed the matter be brought back before members for consideration.”

Councillor Clark asked that the amendment be revised to include referral back to the Commissioning Board and this was agreed.

Upon being put to the vote as the substantive motion, the recommendation of the Commissioning Board as amended was carried.

Resolved

That the Council’s Commercial Waste Service is not sold at the present time. In the event that the County Council’s proposed reduced charges are not confirmed the matter be brought back to the Commissioning Board for consideration.

b. Licensing Committee – 23 September 2010

Minute No 8 – Licensing Act 2003 – Results of Consultation on Review of Licensing Policy

It was moved by Councillor Mrs Arnold and seconded by Councillor Mrs Cowling that the following recommendation of the Licensing Committee Minute No 8 – Licensing Act 2003 – Results of Consultation on Review of Licensing Policy be approved and adopted:

“That Members approved that:

- i. the Licensing Policy is amended as outlined in Annex C with the change at Reference Part 4 para 4.21 of the word ‘authorisation’ to ‘notification’.

That the Licensing Policy, as amended, be adopted.

An amendment was moved by Councillor Clark and seconded by Councillor Woodward that the matter be referred back to the Licensing Committee.

Upon being put to the vote this amendment was lost.

A further amendment was moved by Councillor Clark and seconded by Councillor Woodward that an additional recommendation be added at iii to read "that subject to there being no legal restriction that the Parish/Town Councillors are informed".

Upon being put to the vote this amendment was lost.

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

Resolved

- (i) the Licensing Policy is amended as outlined in Annex C with the change at Reference Part 4 para 4.21 of the word 'authorisation' to 'notification'.
- (ii) the Licensing Policy, as amended, be adopted with effect from 7 January 2011.

c. Licensing Committee – 23 September 2010

Minute No 9 – Regulations of Lap Dancing and Other Sexual Entertainment Venues

The Chairman of Council read out the wording that was needed for the resolution as follows :

"That pursuant to Part II of the Local Government (Miscellaneous Provisions) Act 1982 Ryedale District Council adopts Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (As amended by Section 27 of the Police and Crime Act 2009) which shall come into force throughout the District Of Ryedale on 1 March 2011."

It was moved by Councillor Mrs Arnold and seconded by Councillor Mrs Cowling that the motion be as read out by the Chairman of Council to implement the following recommendation of the Licensing Committee Minute No 9 – Regulations of Lap Dancing and Other Sexual Entertainment Venues :

That Council is recommended to pass a resolution s authorised under Section 2 of The Local Government (Miscellaneous Provisions) Act 1982, to adopt Schedule 3 (as amended by Section 27 of the Police and Crime Act 2009) of the Local government (Miscellaneous Provisions) Act 1982.

Upon being put to the vote the motion was carried.

Resolved

That pursuant to Part II of the Local Government (Miscellaneous Provisions) Act 1982 Ryedale District Council adopts Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (As amended by Section 27 of the Police and Crime Act 2009) which

shall come into force throughout the District Of Ryedale on 1 March 2011.

d. Policy and Resources Committee – 30 September 2010

Minute No 18 – Minutes of a Meeting of the Senior Management Contracts Working Party held on 14 September 2010

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 18 – Minutes of a Meeting of the Senior Management Contracts Working Party held on 14 September 2010 be approved and adopted:

That the minutes of a meeting of the Senior Management Contracts Working Party held on the 14 September 2010 be endorsed and that Council be recommended to approve minute 6 (Corporate Management Team – Future Arrangements) of the Senior Management Contractors Working Party held on the 14 September 2010.

Upon being put to the vote the motion was carried.

Resolved

- (i) That the voluntary redundancy request from postholder CMT160 be approved;
- (ii) That delegated authority be given to the Chief Executive to terminate the employment of postholder CMT160 on the grounds of redundancy in the terms set out in the Council's Redundancy and Redeployment Policy;
- (iii) To approve deletion of post CMT160 from the establishment at a date to be agreed in consultation with the officer, the Chief Executive and the Chairman of Policy and Resources Committee.

e. Policy and Resources Committee – 30 September 2010

Minute No 19 – The Implications of the Revocation of the Regional Spatial Strategy

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 19 – The Implications of the Revocation of the Regional Spatial Strategy be approved and adopted:

That Council is recommended that:

- i. Members note the implications of the revocation of the RSS as they are known and interpreted by officers at this stage.

- ii. Members agree to the use of an interim renewable energy policy in the determination of planning applications pending the adoption of the Core Strategy, namely that set out at paragraph 5.2
- iii. Members agree to use the former RSS housing provision rates as a basis for managing housing supply in the decision making process prior to the adoption of the Core Strategy.

It was moved by Councillor Cottam and seconded by Councillor Mrs Cowling that an amendment be made to delete resolved portion (ii) and add 'that the Council's existing renewable energy policy be utilised until such time as the LDF Core Strategy in this respect has been before the appointed Inspector and has become an approved policy of this Council.'

Upon being put to the vote the amendment was lost.

It was moved by Councillor Knaggs and seconded by Councillor Mrs Cowling that an amendment be made to delete " 5.2" in paragraph (ii) of the motion and insert "8.10" in paragraph (ii).

Upon being put to the vote the amendment was carried.

A further amendment was moved by Councillor Woodward and seconded by Councillor Clark that (iii) delete 'prior to adoption of the Core Strategy' and replace with 'until the LDF is in place, provided all development (except in exceptional circumstances of a particular case) is within the development limits of the settlement of Ryedale.'

The meeting was adjourned for 10 minutes.

The Chairman informed Councillors that this amendment was out of order pursuant to Council Procedure Rule 13.6a as set out in the Council's Constitution since it was not relevant to the motion and the issue raised in the amendment was not adequately covered within the Officer report.

A fourth amendment was moved by Councillor Andrews and seconded by Councillor Clark that (iii) delete 'prior to the adoption of the Core Strategy' and substitute with 'until the adoption of the Core Strategy, subject to no extension of existing commercial limits.'

The Chairman informed Councillors that the fourth amendment was out of order pursuant to Council Procedure Rule 13.6a as set out in the Council's Constitution since it was not relevant to the motion and the issue raised in the amendment was not adequately covered within the Officer report.

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

Resolved

- (i) Members note the implications of the revocation of the RSS as they are known and interpreted by officers at this stage.

- (ii) Members agree to the use of an interim renewable energy policy in the determination of planning applications pending the adoption of the Core Strategy, namely that set out at paragraph 8.10;
- (iii) Members agree to use the former RSS housing provision rates as a basis for managing housing supply in the decision making process prior to the adoption of the Core Strategy.

NB Councillors Mrs Cowan, Woodward and Clark recorded their votes against the above decision. Councillor Andrews recorded a vote of abstention.

**f. Policy and Resources Committee – 30 September 2010
Minute No 20 – Budget Strategy 2011/12**

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 20 – Budget Strategy 2011/12 be approved and adopted:

That Council is recommended to approve the following parameters for the preparation of the 2011/12 budget:

- i. Proposals be brought forward for a 2.5% increase in Council tax;
- ii. Increase 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; and
- iii. Efficiencies to be maximised and identified together with any potential cuts required to services once the draft grant settlement is announced in November/December. These proposal will be considered by the Resources Working Party.

An amendment was moved by Councillor Knaggs and seconded by Councillor Legard that (i) read 'proposals be brought forward for a zero increase in council tax'.

Upon being put to the moved the amendment was carried.

A further amendment was moved by Councillor Clark and seconded by Councillor Woodward that (ii) delete 'and only those charges officers recommend above or below this figure to be considered by the relevant policy committee; and' and be replaced with 'all charges to be considered by the relevant policy committee; and.'

Upon being put to the vote the amendment was lost.

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

Resolved

That Council approves the following parameters for the preparation of the 2011/12 budget:

- (i) Proposals be brought forward for a zero increase in Council tax;
- (ii) Increase 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; and
- (iii) Efficiencies to be maximised and identified together with any potential cuts required to services once the draft grant settlement is announced in November/December. These proposal will be considered by the Resources Working Party.

**g. Policy and Resources Committee – 30 September 2010
Minute No 21 – Charging for Street Naming and Numbering**

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 21 – Charging for Street Naming and Numbering be approved and adopted:

That Council is recommended to approve the fees and charges as set out in the attached sheet, Annex A for the period 1 January 2011 to 31 March 2012.

Upon being put to the vote the motion was carried.

Resolved

That Council is recommended to approve the fees and charges as set out in the attached sheet, Annex A for the period 1 January 2011 to 31 March 2012.

**h. Policy and Resources Committee – 30 September 2010
Minute No 22 – A64 Brambling Fields Junction Improvement**

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 22 – A64 Brambling Fields Junction Improvement be approved and adopted:

That Council is recommended to:

- i. Include in the Council's capital programme an increase of £420K in this Council's agreed contribution to the Brambling Fields junction upgrade to give a maximum Ryedale District Council contribution of £2.73m – subject to the agreed contribution from NYCC, to be financed from the borrowing approval for the Vivis Lane junction scheme (now withdrawn);
 - li Endorse the seeking of appropriate developer contributions towards the entire Ryedale District Council costs and appropriate North Yorkshire County Council costs incurred through the Brambling Fields scheme. However, the situation will be reviewed once the specified level of developer contributions (as detailed within this report) has been received towards the local authority contributions; and

- iv. Consider a further report regarding the conclusion of the detailed design stage, including the public consultation, before proceeding to formal legal agreement to implement upgrading of the A64 Brambling Fields Junction.

An amendment was moved by Councillor Clark and seconded by Councillor Woodward that and an additional point be added '(iv) subject to a financial limit (in writing legally binding) from North Yorkshire County Council and/or Highway Authority.'

Upon being put to the vote the amendment was lost.

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

Resolved

That Council :

- i. Includes in the Council's capital programme an increase of £420K in this Council's agreed contribution to the Brambling Fields junction upgrade to give a maximum Ryedale District Council contribution of £2.73m – subject to the agreed contribution from NYCC, to be financed from the borrowing approval for the Vivis Lane junction scheme (now withdrawn);
- ii. Endorses the seeking of appropriate developer contributions towards the entire Ryedale District Council costs and appropriate North Yorkshire County Council costs incurred through the Brambling Fields scheme. However, the situation will be reviewed once the specified level of developer contributions (as detailed within this report) has been received towards the local authority contributions; and
- iii. Considers a further report regarding the conclusion of the detailed design stage, including the public consultation, before proceeding to formal legal agreement to implement upgrading of the A64 Brambling Fields Junction.

NB Councillor Clark recorded his vote against the above decision. Councillors Andrews and Mrs Cowan recorded a vote of abstention.

**j. Policy and Resources Committee – 30 September 2010
Minute No 23 – Special Expenses**

Councillor Raper declared a personal interest in this item as a resident of a Parish who will benefit from the recommendation.

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 23 – special expenses be approve and adopted:

That Council is recommended to approve the removal of Parishes from the Special Expenses where no street lighting provision presently exists from the 1 April 2011.

Upon being put to the vote the motion was carried.

Resolved

That Council approves the removal of Parishes from the Special Expenses where no street lighting provision presently exists from the 1 April 2011.

58 Notices on Motion Submitted Pursuant to Council Procedure Rule 11

It was moved by Councillor Woodward and seconded by Councillor Clark that:

“This Council resolves that until the LDF is in place all development (except in exceptional circumstances of a particular case) is within the development limits of the settlement of Ryedale.”

The Chairman ruled that the motion be referred to the Policy and Resources Committee under Rule 11.4 of the Council’s Constitution.

It was moved by Councillor Clark and seconded by Councillor Woodward that:

“Ryedale District Council has a superb record in recycling. We are still the leader in North Yorkshire and Humber. However to stay at the top any organisation must continue to innovate. Running in parallel with this is Ryedale District Council’s need to renew its collection vehicles. This Council therefore resolves:

1. To improve it’s recycling
2. To call upon Officers as a matter of urgency to present to the next Commissioning Board the information available and the possible course of action to enable Ryedale District Council to recycle food waste, plastics and cardboard.

The Chairman moved and Councillor Mrs Cowling seconded that Standing Orders should be suspended.

Upon being put to the vote the motion was lost.

59 Appointment of a Member Champion for Health & Safety Enforcement

Councillor Mrs Wilford nominated Councillor Spencer seconded by Councillor Mrs Shields.

Councillor Mrs Cowling nominated Councillor Hope seconded by Councillor Bailey.

Upon being put to the vote Councillor Hope was elected Member Champion for Health and Safety Enforcement.

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

There was no urgent business.

61 **Personal Statement by Chairman**

The Chairman made a personal statement to Councillors outlining the work that he puts in before Full Council meetings.

Councillors asked that the Chairman make his personal statement again at the start of the next meeting of Full Council.

The meeting closed at 10.20pm