

## **Policy and Resources Committee**

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Held at Ryedale House, Malton  
on Thursday 1 April 2010

### **Present**

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Councillors Wainwright (in the Chair), Acomb, Mrs Burr, Mrs Hodgson, Legard, Maud and Woodward

Substitutes: Councillor Mrs L Cowling for Councillor Knaggs

### **In Attendance**

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T Anderson, Mrs L Carter, P Cresswell, Mrs C Slater, Mrs J Thompson, Miss J Waggott, A Winship and Ms E Woodland

### **Minutes**

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#### **71 Apologies for absence**

Apologies for absence were received from Councillors Arnold, Bailey and Knaggs.

#### **72 Minutes of an Ordinary Meeting of the Policy & Resources Committee held on 3 December 2009 and the Minutes of a Special Meeting of the Policy & Resources Committee (Budget) held on 4 February 2010**

The minutes of an Ordinary Meeting of the Committee held on 3 December 2009 and the minutes of a Special Meeting (Budget) of the Committee held on 4 February 2010 were presented.

#### **Resolved**

That the minutes of an Ordinary Meeting of the Committee held on 3 December 2009 and the minutes of a Special Meeting (Budget) of the Committee held on 4 February 2010 be approved and signed by the Chairman as a correct record.

#### **73 Urgent Business**

The Chairman reported that there were no items 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.

#### **74 Declarations of Interest**

There were no declarations of interest.

**75 Minutes of a Meeting of the Constitution Review Working Party held on 27 January 2010**

The minutes of a meeting of the Constitution Review Working Party held on 27 January 2010 were presented.

**Resolved**

That the minutes of a meeting of the Constitution Review Working Party held on 27 January 2010 as submitted be endorsed.

**76 Minutes of meetings of the Resources Working Party held on 13 January 2010 and 24 March 2010**

The minutes of meetings of the Resources Working Party held on 13 January 2010 and 24 March 2010 were submitted.

**Resolved**

That the minutes of meetings of the Resources Working Party held on 13 January 2010 and 24 March 2010 as submitted be endorsed.

**PART 'A' ITEMS - MATTERS TO BE DEALT WITH UNDER DELEGATED POWERS OR MATTERS DETERMINED BY THE COMMITTEE**

**77 Minutes of meetings of the Resources Working Party held on 13 January 2010 and 24 March 2010**

Resources Working Party Minute 41 - ICT Programme Approvals

That the Policy And Resources Committee approve the expenditure of £135k from the 2009/2012 ICT Capital Programme allocation.

**78 Aim 5 Performance and Finance**

The Senior Management Team submitted a report the purpose of which was:

- To present for comment the performance and finance reports for Council Aim 5

- To inform Members of progress made against the Council's agreed aims and strategic objectives, as agreed by Members in the Council Plan 2009/13
- To present the refreshed Council Plan for 2010/13

Members were reminded that the Council had adopted the Council Plan for 2009/13 in March 2009. The Financial Strategy had been agreed in February 2009. The report provided progress on the delivery of the Council Plan to the end of February 2010 in terms of actions delivered and performance levels achieved against Aim 5 together with a review of the financial implications to date. The report included the performance and finance information for Aim 5, which fell within the terms of reference for the Policy & Resources Committee.

In addition, the report outlined the schedule of performance reports to be presented to Members throughout the year and the links to the corporate planning framework.

**Resolved**

- (a) That the performance and finance report be endorsed
- (b) That the revisions to the Council Plan for 2010/13 be noted.

**79 Revenue Budget Monitoring**

The Corporate Director (s151) submitted a report, which presented the revenue budget monitoring report for 2009/2010.

The report included a summary of the significant variances within the Council's revenue accounts in the current year, 2009/2010. The report was derived from the information contained within the EMIS reports plus additional significant budgets within the Authority. EMIS reports were considered at each Resources Working Party meeting.

**Resolved**

That the report be noted.

**PART 'B' ITEMS - MATTERS REFERRED TO COUNCIL**

**80 Matters Referred from Council/Other Committees**

**Community Services Committee - 25 March 2010**

**Minute No. 70/2009 - Relocation of Malton Museum**

The Head of Economy & Housing submitted a report, which had been considered at a meeting of the Community Services Committee held on 25 March 2010.

The Community Services Committee:

- (a) Endorsed the relocation of Malton Museum as part of the Derventio Fort project
- (b) Recommended that the Policy & Resources Committee recommend to full Council that the Malton Museum Relocation Project be included in the Council's Capital Programme, with an allocation of £50,000, subject to an appropriate investment contract with the York Archaeological Trust. The investment contract should require the development of links with Castle Gardens and it should also specify that the racing and brewing industries be fully represented in the Museum.

The Corporate Director (s151) reported that since the meeting of the Community Services Committee, the Authority had been notified that the York Archaeological Trust's stage one application for Heritage Lottery Funding of £50,000 had been unsuccessful.

In the light of this information it was recommended that the Policy & Resources Committee endorse the relocation of Malton Museum as part of the Derventio Fort Project and defer any funding decision until a new funding package had been identified.

#### **Resolved**

- (a) That the relocation of Malton Museum as part of the Derventio Fort Project be endorsed
- (b) That any funding decision be deferred until a new funding package has been identified for the project.

#### **81 Howardian Hills Area of Outstanding Natural Beauty (AONB) Partnership Agreement**

The Head of Planning circulated a report the purpose of which was to inform Members of the new Partnership Agreement and to seek approval for the Chief Executive to sign the agreement on behalf of the Council.

AONB Partnership Agreements provide a framework for the delivery of duties and obligations arising from part IV of the Countryside and Rights of Way Act 2000, including the operation and management of an AONB Partnership, the provision of a staff unit to act on behalf of the Partnership and the publishing, reviewing and monitoring of the AONB Management Plan. The Agreement also sets out the shared vision and expectations on all partners.

The new Partnership agreement is, essentially, a newer version of the existing Memorandum of Understandings that are in place for different AONB partnerships across the country.

Members are aware that currently, the Howardian Hills AONB is managed as a partnership between Natural England, North Yorkshire County Council, Hambleton District Council and Ryedale District Council. The existing Memorandum of Understanding has been agreed by all partners and covers the period 2005-2011. It was subject to review in 2008.

Natural England, the successor to the Countryside Agency, is keen to ensure that a consistent framework for partnership agreements are in place across the Country. The individual Memorandum of Understandings that are currently in place vary in their scope and content and many do not contain clauses relating to redundancy. Redundancy clauses are included in the new Partnership Agreement and this represents the main change for many of the existing Memorandum of Understandings. Further minor changes included in the new agreement template were outlined in Section 8 of the report.

### **Resolved**

That Council be recommended to authorise the Chief Executive to sign the Howardian Hills Area of Outstanding of Natural Beauty Partnership Agreement.

## **82 Ampleforth Conservation Area Character Appraisal and Management Plan**

The Head of Planning circulated a report in connection with the Ampleforth Conservation Area Character Appraisal and Management Plan, a copy of which was appended to the report. Members were requested to consider the Plan and to recommend it to full Council for approval and adoption.

The document provided detailed background information about the character of the Ampleforth Conservation Area and provided advice on new development and management and enhancement proposals. The appraisal amplified the policies and statements contained within PPS 5 - Planning and the Historic Environment. The production of the appraisal emphasised the importance placed on retaining the historic built environment in Ryedale and on enhancing our villages with good quality new design, as prioritised in the Ryedale Community Plan (Landscape and Environment Theme). Adoption of the document as SPD would ensure that it was given appropriate weight in the decision making process.

A comprehensive analysis of the special qualities that contributed to the character of the conservation area could help in better proposals for development and may result in a reduction in the amount of officer time spent in

negotiations with applicants. The refusal of unsuitable applications for development also became more justifiable with appropriate guidance in place.

### **Resolved**

That Council be recommended to:

- (a) note the comments received following consultation
- (b) agree the amendments to the Ampleforth Conservation Area Character Appraisal and Management Plan
- (c) adopt the Ampleforth Conservation Area Appraisal and Management Plan as a Supplementary Planning Document subject to this also being agreed by the North York Moors National Park Authority.

## **83 Ryedale Local Development Scheme**

The Head of Planning circulated a report, which sought agreement to amendments to the Local Development Scheme.

The Local Development Scheme (LDS) was the three-year, rolling project plan for the Local Development Framework (LDF). The current LDS had been agreed with Government Office early last year. It looked to progress the production of three main Development Plan Documents (DPD's):

- Core Strategy DPD
- Facilitating Development DPD
- Helmsley DPD

The report outlined the milestones that had been set leading to the adoption of the documents. It was reported that whilst the Council had achieved the milestones relating to the scoping consultation and initial consultation, the Core Strategy had not been published at the end of 2009. This had been largely due to:

- The scale of consultation responses received following the Summer 2009 consultation
- A need to undertake additional technical work that had not been previously anticipated
- The complexities of the technical evidence base. In particular, the Strategic Transport Assessment for Malton and Norton.

The report detailed the proposed revisions to the Core Strategy milestones, together with the implications for the other Development Plan Documents.

### **Resolved**

That Council be recommended to approve the proposed revisions to the Local Development Scheme as outlined in Sections 8.9, 8.11 and 8.12 of the report.

#### **84 Officer Code of Conduct**

The Council Solicitor & Monitoring Officer circulated a report the purpose of which was to consider and recommend to Council the approval of a revised Officer Code of Conduct.

The Action Plan for implementation in relation to the Annual Governance Statement included reference to the need for a bespoke Officer Code of Conduct document. The Council's existing Officer Code of Conduct had been prepared in 1995. There was also express legislative power for Central Government to introduce an Officer Code of Conduct. The commitment of Central Government to the idea of a Code of Conduct for Local Government was outlined in the report. It was pointed out that the production of a local Code of Conduct for Officers was not intended to imply distrust but that it existed for the avoidance of doubt. Although the March 1995 Officer Code of Conduct had been updated, it was in need of revision, details of which were given in the report.

### **Resolved**

That Council be recommended to approve the revised Officer Code of Conduct with immediate effect for inclusion within Part 5 of the Council's Constitution.

#### **85 Collective Disputes Policy**

The Head of Organisational Development submitted a report, which recommended the implementation of a new policy and procedural requirements with regard to Collective Disputes; a copy of the proposed policy was appended to the report.

The Council fully recognised the importance of communicating with staff as openly and effectively as possible and to involve staff as far as was practicable in the decision making process. It was recognised that in exceptional circumstances employees may have remaining complaints or problems relating to change, which they might wish to raise through the Trade Union, claims to employment tribunal.

### **Resolved**

That Council be recommended to approve the Collective Disputes Policy.

**86 Criminal Records Bureau/Independent Safeguarding Authority (CRB/ISA) Policy**

The Head of Organisational Development submitted a report, which sought agreement to the implementation of a new Criminal Records Bureau/Independent Safeguarding Authority Policy, a copy of which was appended to the report.

Following consideration of the report and the financial implications for the Authority, it was

**Resolved**

That the matter be deferred to a future meeting of the Committee.

**87 Member Involvement in Appeal Panels**

The Head of Organisational Development submitted a report, which sought Member approval for a principle change that affected three Human Resources Policies: the Disciplinary Procedure, the Capability (Capability Performance) and Management Attendance Policy. The principal change was to replace the current provision for Member Appeal Panels, for appeals against dismissal, with Officer Appeals Panels.

Following consideration of the report, it was

**Resolved**

That Council is recommended not to approve the replacement of Member Appeal Panels for appeals against dismissal with Officer Appeals Panels.

**88 Capital Programme Additions**

The Corporate Director (s151) circulated a report the purpose of which was to consider two schemes for inclusion in the Council's Capital Programme; Repairs and Preservation Works to the Assembly and Milton Rooms, and the Repair of the Castle Garden Wall Ancient Monument.

The repairs to the Assembly and Milton Rooms were required in order to prevent further deterioration of the fabric of the building, which was listed and held under lease by the Council.



The Castle Garden Wall repairs were to ensure that the Council met its legal responsibilities for the maintenance of the freehold asset.

**Resolved**

That Council be recommended to approve the addition of the following schemes to the Council's Capital Programme:

- (a) Repairs and Preservation Works to Assembly and Milton Rooms, Malton at a value of £350,000 in 2010/2011
- (b) Repairs to Castle Garden Wall Ancient Monument, options 4 and 5 as set out in the report, totalling £150,000 in 2010/2011.

89 **Any other business that the Chairman decides to be urgent.**