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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 8 December 2016**

Present

Councillors Acomb
 Joy Andrews
 Paul Andrews
 Steve Arnold
 Val Arnold
 Bailey
 Burr MBE
 Clark
 Cleary
 Cowling
 Cussons
 Duncan
 Frank
 Gardiner (Chairman)
 Goodrick
 Ives
 Jainu-Deen
 Jowitt
 Di Keal
 Oxley (Vice-Chairman)
 Potter
 Raper
 Elizabeth Shields
 Thornton
 Wainwright
 Windress

In Attendance

Beckie Bennett
Simon Copley
Gary Housden
Peter Johnson
Janet Waggott
Anthony Winship
Anthony Winship

Minutes

52 **Apologies for absence**

Apologies for absence were received from Councillors Farnell, Hope, Maud and Sanderson.

53 **Public Question Time**

The following public question had been submitted by Cllr Martin Dales, Member for Flooding Issues, Malton Town Council, who was unable to attend the meeting:

"What is the role, purpose and function of the proposed Project Manager & a complicated Grant Fund (P&R Minute 37) to progress delivery of the NYCC/Arup Malton, Norton and Old Malton Flood Study (October 2015) when what is needed is funds to go with the £5,000 already raised by Malton Town Council to go towards temporary pumping solutions that are particularly needed at Castlegate, Malton/Church Street, Norton and Town Street, Old Malton to avoid a repeat of last year's and previous years' flooding, road closures and inconvenience for residents, businesses alike and the Multi-Agency task force having to clean up afterwards?"

The Chairman thanked Mr Dales for his question and replied:

- 1. "The role and purpose of the proposed project manager is to progress the delivery of the Malton, Norton and Old Malton Flood Study and drive partnership working between all those partners with a statutory responsibility for flood risk management, and to seek match funding from those same partners for the scheme. The project manager would also co-ordinate the next phase of the development of options and further modeling to support the design and delivery of the final scheme. This detailed work is required to secure the funding allocation from DEFRA of £1.2 million as a contribution to the total cost of £3million. This scheme will deliver permanent pumps for prevention of flooding in Malton, Norton and Old Malton.*
- 2. The grant fund mirrors the scheme which has been operated successfully over a number of years for the allocation of grants to community groups. The grant fund proposed will provide the opportunity for communities to access funding for projects to help to alleviate flooding and can include applications for temporary pumps from town and parish councils. I would anticipate that any town or parish council representing a community affected by flooding would be preparing their bids now ahead of any decision tonight and contacting the County Council to prepare community resilience plans to ensure that measures are in place to alleviate the risk and minimize the disruption caused by any future flooding.*
- 3. The recommendations to be considered this evening have been made in order to improve flood response and increase preparedness across all agencies and communities affected."*

54 Minutes

The minutes of the Ordinary Meeting of Council held on 6 October 2016 were presented.

Resolved

That the minutes of the Ordinary Meeting of Council held on 6 October 2016 be approved and signed by the Chairman as a correct record.

55 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 1972 (as amended):

- Publication of the Joint Minerals & Waste Plan - Arrangements For making Consultation Response At Ryedale District Council.

56 Declarations of Interest

The following interests were declared:

Councillor Val Arnold declared a personal non-pecuniary but not prejudicial interest as a North Yorkshire County Councillor.

Councillor Bailey declared a personal non-pecuniary but not prejudicial interest in the urgent business as Chairman of the North York Moors National Parks Authority, which was a partner in the Joint Minerals & Waste Plan.

Councillor Clark declared a personal non-pecuniary but not prejudicial interest as a North Yorkshire County Councillor in relation to any discussions on fracking and flooding.

Councillor Ives declared a personal non-pecuniary but not prejudicial interest in agenda item 10 - P&R minute 37 (Scrutiny Review - The Role of the Council in Flood Management) as the company he worked for had a commercial relationship with Yorkshire Water.

57 Announcements

The Chairman made the following announcements:

- To ask Members when raising points of order to give reference which rule it was to which they related;
- That he had attended the Armistice Day event in Malton and the Remembrance Day event in Kirkbymoorside;
- That he had presented long service certificates to volunteers at Kirkbymoorside Age UK for their 20th anniversary;
- That he had started races in the Santa Fun Run at Castle Howard for Ryedale Special Families;
- To ask Members to let him know if there were any events in their wards that they would like him to support;

- To say that all were welcome at his charity lunch on Sunday 11 December and that donations were acceptable from anyone unable to attend.

58 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.

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

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

"As you are aware RDC had a Corporate Peer Challenge in October. You were all invited to hear informal feedback on the 21st October and have since had sight of the feedback slides. For me the three most important messages were around improving communication, reviewing our governance model and about shared behaviours for members and staff. The recognition of the difficulties that member conduct at full council meetings is causing was particularly telling. The recommendations within the slides will give us an opportunity to continue with our programme of rolling improvement - both for members and staff. I would also like to thank our partners who attended the Growth and Partnership Working Event for giving their time and also our staff - the three days ran like clockwork and was a credit to them. Initially I was very apprehensive about the peer review - but have to say I enjoyed the entire three days and I am sure the whole process will be of great benefit to our Council.

You will recall that some time ago Members agreed to give a grant towards the creation of a dry stone wall maze in Dalby Forest. Several Members took up the opportunity recently to visit Dalby Forest and see the work completed to date on that maze. I wish more of you had been there to see the outcome from the grant you agreed. The maze, when completed, is going to be absolutely stunning and will, I am sure, become an iconic visitor attraction.

You won't be surprised to hear that I have no updates for you on Devolution.

Opportunity Knocks was again an extremely successful event held at Lady Lumleys school in Pickering - the enthusiasm of the students is so good to see. Again, many thanks to the employers who attended that event.

The good news from the Area Committee meeting was that an experimental weight restriction of 7.5 tonnes is to be introduced on County Bridge between Norton & Malton which will allow us to assess what improvements there are to pollution levels.

I was very pleased to be one of the panel of judges for the very first Ryedale Business Awards. The winners will be announced at a breakfast ceremony at

the White Swan at Ampleforth on the 27th of January - starting at 9am. Tickets are only £15.00 for what promises to be an interesting morning.

Lastly, I would like to use this opportunity to formally congratulate Clare Slater on her appointment as Deputy Chief Executive of RDC."

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

1. From Councillor Paul Andrews

"My question relates to the peer review, first of all when will the full report be received and secondly, it's a question of democracy, democracy is a terrible thing particularly when you have people like Councillor Clark along, you know it really is a problem but it does actually guarantee our freedoms. What I would like to know, it was supposed to be a peer review, a judgement of people of similar authorities to our own and included the Chief Executive of Gloucester City Council, so what I would like to know is and I have asked for this information before, what was the constitution of the Councils for whom the people of the peer review panel came from? Was it from a committee based authority like our own or was it an executive based authority? I would like this information because it does concern me that undue weight may be given to the views of people who come from executive authorities who run their authorities in different ways to what we do and who therefore have different ideas about how a particular Council should be run."

The Leader replied:

"The make up of the authorities who formed the peer review team has been sent out. Yours will have been sent out as a paper copy I assume so it might be in your pigeon hole, I don't know. Only one of the peer reviewers was from an authority that had a committee system however having spoken to a lot of the people who were involved in the peer review, they did have experience both of the committee system, not unitaries, they had experience of both executive and committee systems. I don't think that you could say that it was loaded either way."

2. From Councillor Clark

"My question to the leader alongside the comment to start off with - I think she's put the weight limit in the wrong place, I don't think the weight limit is going to be on the County bridge but if it ends up in the wrong place it's probably better than none at all. In relation to the selection of the Assistant Chief Executive has the Leader of the Council considered the following:

1. The presentation was on a subject closely aligned to only one of the candidates.

2. *The interview was carried out by one lone member of a company contracted to work for Ryedale District Council on the presentation subject.*

3. *One of the candidates had introduced the recruiting company to Ryedale District Council and then worked with the company for almost a year."*

The Leader replied:

"Are you asking me whether I've considered that? Yes. I don't really understand the question I'm sorry but I was perfectly happy with the process, perfectly happy with the subject, I thought it was relevant. I don't really understand what you are asking me."

Councillor Clark clarified:

"The presentation was on Transformation and how we were going to handle it but only one of the 3 candidates had worked on that subject as their work area over the last year. The interview was carried out by a lone member, now that is bad practice if I understand it and I suspect that 3 of the Senior Contracts Working Party probably had in excess of 60 years of recruiting under their belt between them and all 3 of those were uncomfortable with one person doing the interview on behalf of the Council. One of the candidates had introduced the recruiting company to Ryedale now that's just a fact and certainly worked with ...and didn't just say hello Ryedale this is this company....worked with that company for a year. The other 2 candidates had not. What I'm saying to you is had you considered those things, we did ask you in the Senior Contracts Working Party to consider that lot before we started the process but unfortunately off we went."

The Leader replied:

"I've no intention of answering your question in great detail nor do I think that this is the place to be discussing this. You know that we're reconvening that meeting. I repeat that I am perfectly happy with the process that we went through."

Councillor Clark then asked the following supplementary question:

"I am delighted to hear that we're reconvening that meeting as it's now 2 months since it happened, to reconvene it seems hopeful. My supplementary is have the deliberations, decisions, minutes of the Senior Contracts Working Party been kept secret - because they haven't been published in any shape or form - because the process was chaotic, incompetent, biased, illegal or corrupt?"

The Leader then replied:

"Are you saying that it was an illegal meeting and it was a corrupt meeting?"

The Chairman then intervened:

"Councillor Cowling I'm going to call a halt to that because it's getting into territory I don't like - the Leader disagrees."

3. From Councillor Wainwright

"Can I ask the Leader if we're getting a detailed feedback of the peer review and if so when?"

The Leader replied:

"You will be getting a detailed feedback and I'm sorry I can't give you a date yet. I understand they're working on a draft and you will be getting that feedback, it will be the new year though."

4. From Councillor Jowitt

"I welcome the introduction of the trial 7 half tonne limit wherever it is but I wonder if the Leader could advise me whether due consideration has been given where the traffic's going to go and if the County has actually come back to her with information about that? In particular I'm concerned that heavy vehicles are going to be encouraged to travel along Pasture Lane past the primary school, past the narrow bridge and The Croft and through Old Malton by the mini roundabout. I've made a request - I have to admit it was prior to the 7 half tonne limit coming on - to the County Highways. They were quite adamant at that stage that their modelling didn't show any problems but now the 7 half limit's come on I believe that it's fairly important to get some clarification on that."

The Leader replied:

"I'm sorry but that's not information that I have as yet. We've got several County Councillors who represent us at NYCC and I think we'll have to press them for that information. I think we're all concerned about where the displacement of traffic will be and just how that will play out in the future. It's very difficult to model it and say where it will go. Yes it will reduce pollution at Butcher Corner but will it cause chaos elsewhere and I think that's something we do need to know."

5. From Councillor Thornton

"I wonder if the Leader has read the Jacobs report on traffic management and air pollution in Malton and Ryedale, because the concerning information in that is that of the various scenarios of the different potential building areas in the proposed sites document if any of the

arrangements, combinations of those areas is developed we will not meet the standards of the AQA and indeed putting in the weight restriction on whatever bridge it is will also not get us into the right territory for the air quality."

The Leader replied:

"It seems to me that NYCC are damned if they do and damned if they don't. It seems to me that whatever remedial works they do it pleases some people and not others. Whatever measures they put in place will have a knock on effect elsewhere. Our old market towns by their very nature, they are difficult for modern traffic to negotiate and whoever thought that there would be this level of traffic? Somehow or other we've got to learn to deal with it, we've got to find solutions and that is for NYCC to do."

Councillor Thornton then asked the following supplementary question:

"To deal with it we seem to have spent a lot of time, a lot of Committees, a lot of reports and the latest report gives no cause for comfort whatsoever and points out that further development will make air quality worse. I think this needs a very serious sit round a table and work out - looking at all the reports that we've had - because there've been rumblings about this problem right the way through from the start when Brambling Fields was proposed. It is complex but it is very important because you can't learn to live with air pollution given that we are in breach. The government will be chasing us very soon and I think indeed our MP is chasing us on our air quality."

The Leader then replied:

"I think we're chasing ourselves on air quality. I did not say that we should learn to live with pollution, what we need to do is to manage the traffic and minimise air pollution."

6. From Councillor Burr

"If I could just respond as a County Councillor all those fears have been allayed and urgent meetings will need to take place when we are consulting on this because as has rightly been said, we are not meeting our AQA targets at the moment. So we've got a lot of serious, serious work to be had and that is one thing that needs to be thought about. Yes about the 7.5 tonnes it's where the HGVs are going to go. However my question was and I hope you don't mind me asking I'm sure you were as I was disappointed that the local sites development plan wasn't coming to this meeting. I just wondered if you could update us as to what's gone wrong and when it might be coming."

The Leader replied:

"The answer is that NYCC have delayed the plan because some information, they are revisiting some information to do with junctions in Pickering."

Councillor Burr then asked the following supplementary question:

"It's our plan and we know that we've been behind for a long, long time and it's absolutely critical but yet to say that it's a County problem I'm not quite sure that I understand where you're coming from. It's up to us to get a plan on the table, for us to make sure that we ratify it but now we're blaming County that we haven't got our plan."

The Leader then replied:

"We do have a plan on the table and we were about to press the button sending that out so that it would have been on this agenda but NYCC at the very last minute decided to pull some information around traffic information around junctions in Pickering."

7. From Councillor Paul Andrews

"On the question of pollution and traffic where you said Leader that who would have thought it that there would be so much traffic. Will she recall the many times in which I made this point before the Ryedale Plan was confirmed. Would she recall the times when I brought statements by Mr Alan Martin, the former Highways Surveyor of Ryedale District from the County Council's point of view is ... the Development Manager Highways Surveyor that is ... who produced evidence for the inspector that was simply dismissed by both the planning... by all the planning officers present at the enquiry and also by the inspector himself. Will she agree that actually once again I was right?"

The Leader replied:

"It must be really nice to be always right Paul, I wish I was."

8. From Councillor Ives

"Are you able to confirm how much has been saved by making the previous post holder of the Corporate Director position redundant?"

The Leader replied:

"Off the top of my head No but I think you've had that information previously."

Councillor Ives then asked the following supplementary question:

"The reason why I asked that question is that when we made that decision we were told it was going to be I think about a 17 month pay back period but that was dependent on the post not being replaced. It was replaced and then we were told it would be about a 20 odd month pay back period if it was replaced by one of the existing Heads of Service. The problem is that that post has been filled by one of the existing Heads of Service and there have been two new people appointed to the equivalent Head of Service. The question is how much has been saved by making that post redundant because if that position is just going to be filled by another person and that person's position is going to be filled by 2 new people I don't see where the savings have been achieved."

The Leader replied:

"I'll get you a written answer."

9. From Councillor Clark

"The immediate answer to Councillor Ives is that we warned him that this would be happening at the time and he then voted to go ahead with the redundancy but that's a side issue. Could I please have the answer to my supplementary question in some shape or form rather than being ignored."

The Leader replied:

"No."

Councillor Clark then asked the following supplementary question:

"Under which standing order does the leader of Council, when asked a question that is clearly embarrassing, is she in a position to say no when we're talking about a Members' appointment in this Council."

The Chairman then intervened:

"Councillor Clark I listened to that and am not sure I heard a question in what you said but the wording that you were using in it was quite disturbing and I really feel that Councillor Cowling has given what she wants to say to that and that is fine by me."

Councillor Clark responded:

"You may see a copy here, I read it out word for word... it is clearly a question. I'm not insisting on an answer now. I am saying under what standing order, because it is embarrassing to her or to any other leader, can she just not answer a question? Because we've enough things that they can consult with expert advice, they can give written replies etc. I do

not remember where they can say no when it is serious responsibility, closely aligned to Councillor Ives question on the savings of this Council and how this whole process has been handled. If it is embarrassing and you want to put it in writing that's fine. If you want to ignore it, then I will drag it out even more into the public until I do get an answer because this is public money and it is a public appointment and therefore we are entitled to some answer rather than I'm not going to answer it. You should be enforcing an answer Chair. I don't mind how it's done, it doesn't have to be done now, give her time to consult and get all sorts of wonderful ideas from others but there needs to be an answer to questions."

10. From Councillor Burr

"We've been talking tonight about HGVs and relocation etc and I wonder, I didn't want to have to ask you and I've been trying to find out myself previous to this meeting. Have you got any idea of how the livestock market negotiations are taking place. I'm hearing lots and lots of different stories and I've tried to get to the root of it to know exactly how we are going to roll out what we said that we would do because obviously we've allowed a lot of houses to come forth in Malton on the back of this development, we've got a possibility of the livestock market not having anywhere if the lease is terminated and the new build isn't built. I wondered if you would tell me what's happening please?"

The Leader replied:

"There are some things which I'm not free to report obviously because this is a negotiation between other parties. It is an aspiration of this Council that the livestock market in Malton should move to the new site and that we do continue to have a livestock market. As far as I know the developer will be building a livestock market. As yet I don't know who will be running that market."

Councillor Burr then asked the following supplementary question:

"We have allowed an enormous amount of houses to be built in Malton and that was on the back of that I supported for all good reason. I am watching the houses going up and the people moving in and then I'm thinking what's gone wrong? Have we done something, made sure that these houses get built and then we're not going to have our livestock centre. I would like to be reassured by you that everything's going to be fine but I have some good reasons to think that maybe everything's not going to turn out fine."

The Leader then replied:

"It sounds as if you know more than me. This Council - that is their aspiration to have a livestock market on that site and so far as I know I've no reasons to think that that isn't going to happen."

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

3 November 2016 – Overview and Scrutiny Committee

Minute 53 - Treasury Management Mid-Year Review

It was moved by Councillor Keal and seconded by Councillor Acomb that the following recommendations of the Overview and Scrutiny Committee be approved and adopted.

That the report be received and the mid year performance of the in-house managed funds to date be noted.

Upon being put to the vote the motion was carried.

Resolved

That the report be received and the mid year performance of the in-house managed funds to date be noted.

Voting Record

25 For

0 Against

0 Abstentions

24 November 2016 – Policy and Resources Committee

Minute 36 - Localisation of Council Tax Support 2017/2018 Scheme

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

That Council be recommended to approve;

(i) a Local Council Tax Support Scheme for 2017/18 to include a minimum payment of 8.5%, and with the changes proposed to align the new Council Tax Support scheme with changes to Housing Benefit and Universal Credit regulations as follows:

(a) To reduce the length of time someone can be temporarily absent from Great Britain and still receive Council Tax Support from 13 to 4 weeks (some exceptions will apply)

- (b) To change the treatment of Employment and Support Allowance (ESA) cases affecting new claims made after 1 April 2017
 - (c) To limit the number of dependent children within the calculation for Council Tax Support to a maximum of two where the third child is born after 1 April 2017 (some exceptions will apply)
 - (d) To remove entitlement to the Severe Disability Premium where another person is paid Universal Credit (Carers Element) to look after them
 - (e) To use a set income for self employed earners after one years self employment
- (ii) To authorise the Finance Manager in consultation with the Chairman of Policy and Resources Committee to undertake the necessary consultation work to design a scheme for 2018/19, in light of the experience in previous years, to be presented to Policy and Resources Committee in December 2017.

Upon being put to the vote the motion was carried.

Resolved

That Council approve:

- (i) a Local Council Tax Support Scheme for 2017/18 to include a minimum payment of 8.5%, and with the changes proposed to align the new Council Tax Support scheme with changes to Housing Benefit and Universal Credit regulations as follows:
 - (a) To reduce the length of time someone can be temporarily absent from Great Britain and still receive Council Tax Support from 13 to 4 weeks (some exceptions will apply)
 - (b) To change the treatment of Employment and Support Allowance (ESA) cases affecting new claims made after 1 April 2017
 - (c) To limit the number of dependent children within the calculation for Council Tax Support to a maximum of two where the third child is born after 1 April 2017 (some exceptions will apply)
 - (d) To remove entitlement to the Severe Disability Premium where another person is paid Universal Credit (Carers Element) to look after them
 - (e) To use a set income for self employed earners after one years self employment
- (ii) To authorise the Finance Manager in consultation with the Chairman of Policy and Resources Committee to undertake the necessary consultation work to design a scheme for 2018/19, in light of the experience in previous years, to be presented to Policy and Resources Committee in December 2017.

Voting Record

25 For
0 Against
0 Abstentions

Minute 37 - Scrutiny Review - The Role of the Council in Flood Management

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

That Council be recommended to approve;

1. That RDC commits £12,000 funding (up to a maximum of 20%) to resource a project manager to progress delivery of the Malton, Norton and Old Malton Flood Study project and drive partnership working, and seeks match funding from the partners of the Malton and Norton Project Group
2. RDC commits £2.5k (20%) funding towards a CCTV monitoring survey to understand the drainage system in Old Malton.
3. That Natural Flood Management (NFM) considerations should be integral to all local flood management solutions and that RDC continues to facilitate links across the various partners and interested stakeholders endorsing a whole catchment approach
4. That RDC allocates a sum of £50,000 to a grant fund to support local flood solutions which will be allocated through Resources Working Party (similar to the arrangements for the allocation of Community Grants) where the criteria for allocation will also be agreed. Town and Parish Councils would be eligible to apply (including Malton and Brawby), as should any fully constituted community group, with any grant conditional on the preparation of a Community Resilience Plan to ensure sustainability and linkage to NYCC and other flood risk management partner organisations. Any contribution RDC makes towards a local solution involving equipment is on the basis that:
 - a) The community group or parish council engage with NYCC to set up a community resilience group (CRG) with a Community Resilience Plan (CRP)
 - b) The CRG undertake training and take responsibility for deploying and insuring the pump with sign off from NYCC
 - c) That the Resources Working Party make recommendations to the Policy & Resources Committee on the grant applications for this fund, and that the criteria be similar to that used for the Community Grant applications ie;
 - i. Grant must not exceed £5000.00 or 25% of the total cost - whichever is the lowest
 - ii. Grants up to £1000 may be 100% of the total cost.
 - iii. In certain circumstances the above criteria may be waived if it is felt that an application will be of exceptional benefit to a community.

5. That the above spending be funded from the New Homes Bonus Reserve
6. That council may consider that funding be allocated from the New Homes Bonus towards the funding gap of £1.8m of the approved GiA scheme for the alleviation of flooding in Malton, Norton and Old Malton. That any contribution should be to a maximum of 20% of the funding gap.

An amendment was moved by Councillor Burr and seconded by Councillor Paul Andrews:

"Remove Para 4

Money to come from the 1 million plus re RDCs new home bonus.

Agree to provide Brawby with up to £10k for a pump to sort out their desperate problem of raw sewage.

Agree to provide Old Malton with their own pumps to alleviate significant flooding and road closure up to £15k.

Agree to provide Castlegate with up to £15k for their own pump to alleviate closing of the bridge and chaos.

Grants up to £1000 from parishes will be granted (£10k available).

It is recognised the above will be of exceptional benefit to the community money allocated by Full Council."

Upon being put to the vote the amendment was lost.

Voting Record

3 For

18 Against

5 Abstentions

A further amendment was moved by Councillor Clark and seconded by Councillor Thornton:

"In relation to flooding in Ryedale, Ryedale District Council is disappointed with the "pass the parcel" approach of the statutory bodies. If a member of the public has their street or house flooded or sewage in their garden they want the problem solved. Ryedale District Council now has very limited responsibility for flooding other than identifying the health hazard of the sewage.

Our understanding is as follows:-

1. *North Yorkshire County Council is responsible for coordinating flooding issues as lead authority*
2. *Yorkshire Water is responsible for the drains, their capacity and the treatment and transportation of sewage*

3. *The Environment Agency is responsible for the main rivers, catchment areas and major flooding in coordination with North Yorkshire County Council*

Ryedale District Council's role is therefore

- i. *To represent the voice of the victims of flooding/sewage pollution etc*
- ii. *To ensure that these three bodies carry out their statutory functions*

So as to proceed in this direction Ryedale District Council intends to call a "flooding seminar". At this meeting the Environment Agency, Yorkshire Water and North Yorkshire County Council will be held to account as to why these bodies, particularly Yorkshire Water, are allowing sewage to appear in the water and air repeatedly in various places in Ryedale.

Ryedale District Council will ensure that this totally unacceptable track record comes to an end. It is not Ryedale District Council's responsibility to lead, organise or pay for the delivery of other statutory bodies duties.

On the satisfactory completion of the above Ryedale District Council considers the recommendation of the Overview and Scrutiny Committee and the proposed amendment from the Policy and Resources Committee."

Upon being put to the vote the amendment was lost.

Recorded Vote

For

Councillors Joy Andrews, Clark, Jowitt, Potter and Thornton.

Against

Councillor Acomb, Paul Andrews, Steve Arnold, Val Arnold, Bailey, Burr, Cleary, Cowling, Cussons, Duncan, Frank, Gardiner, Ives, Jainu-Deen, Keal, Oxley, Raper, Shields, Wainwright and Windress.

Abstentions

Councillor Goodrick.

Upon being put to the vote the motion was carried.

Resolved

That Council be recommended to approve;

1. That RDC commits £12,000 funding (up to a maximum of 20%) to resource a project manager to progress delivery of the Malton, Norton and Old Malton Flood Study project and drive partnership working, and seeks match funding from the partners of the Malton and Norton Project Group

2. RDC commits £2.5k (20%) funding towards a CCTV monitoring survey to understand the drainage system in Old Malton.
3. That Natural Flood Management (NFM) considerations should be integral to all local flood management solutions and that RDC continues to facilitate links across the various partners and interested stakeholders endorsing a whole catchment approach
4. That RDC allocates a sum of £50,000 to a grant fund to support local flood solutions which will be allocated through Resources Working Party (similar to the arrangements for the allocation of Community Grants) where the criteria for allocation will also be agreed. Town and Parish Councils would be eligible to apply (including Malton and Brawby), as should any fully constituted community group, with any grant conditional on the preparation of a Community Resilience Plan to ensure sustainability and linkage to NYCC and other flood risk management partner organisations. Any contribution RDC makes towards a local solution involving equipment is on the basis that:
 - a) The community group or parish council engage with NYCC to set up a community resilience group (CRG) with a Community Resilience Plan (CRP)
 - b) The CRG undertake training and take responsibility for deploying and insuring the pump with sign off from NYCC
 - c) That the Resources Working Party make recommendations to the Policy & Resources Committee on the grant applications for this fund, and that the criteria be similar to that used for the Community Grant applications ie;
 - i. Grant must not exceed £5000.00 or 25% of the total cost - whichever is the lowest
 - ii. Grants up to £1000 may be 100% of the total cost.
 - iii. In certain circumstances the above criteria may be waived if it is felt that an application will be of exceptional benefit to a community.
5. That the above spending be funded from the New Homes Bonus Reserve
6. That council may consider that funding be allocated from the New Homes Bonus towards the funding gap of £1.8m of the approved GiA scheme for the alleviation of flooding in Malton, Norton and Old Malton. That any contribution should be to a maximum of 20% of the funding gap.

Voting Record

19 For

1 Against

6 Abstentions

Minute 38 - Timetable of Meetings 2017-2018

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

That Council be recommended to approve the timetable of meetings for 2017-2018, attached as Annex A of the report.

An amendment was moved by Councillor Raper and seconded by Councillor Frank:

"That Full Council and Planning Committee should start at 6pm.

That all other meetings start at 4pm.

That these changes take effect from 18 May 2017."

Upon being put to the vote the amendment was lost.

Recorded Vote

For

Councillors Gardiner, Steve Arnold, Cleary, Cowling, Cussons, Frank, Raper and Wainwright.

Against

Councillors Joy Andrews, Paul Andrews, Bailey, Burr, Clark, Duncan, Goodrick, Ives, Jainu-Deen, Jowitt, Keal, Potter, Shields, Thornton and Windress.

Abstentions

Councillors Acomb, Val Arnold and Oxley.

A further amendment was moved by Councillor Keal and seconded by Councillor Shields:

"That we refer this matter to O&S for further discussion and production of a report to be considered by P&R and then Full Council."

Upon being put to the vote the amendment was carried.

Recorded Vote

For

Councillors Steve Arnold, Val Arnold, Bailey, Cleary, Cowling, Gardiner, Jainu-Deen, Keal, Shields, Wainwright and Windress.

Against

Councillors Acomb, Joy Andrews, Paul Andrews, Clark, Duncan, Goodrick, Ives, Jowitt, Potter and Thornton.

Abstentions

Councillor Oxley.

Upon being put to the vote the motion was carried.

Resolved

- (i) That Council approve the timetable of meetings for 2017-2018, attached as Annex A of the report.
- (ii) That we refer this matter [of meeting start times] to O&S for further discussion and production of a report to be considered by P&R and then Full Council.

Recorded Vote

For

Councillors Acomb, Steve Arnold, Val Arnold, Bailey, Cleary, Cowling, Gardiner, Keal, Shields, Wainwright and Windress.

Against

Councillors Joy Andrews, Paul Andrews, Clark, Duncan, Goodrick, Ives, Jainu-Deen, Jowitt, Potter and Thornton.

Abstentions

Councillor Oxley.

61 Notices on Motion Submitted Pursuant to Council Procedure Rule 11

The following motion proposed by Councillor Burr and seconded by Councillor Paul Andrews on 14 January 2016 and referred by the Chairman of Council to the Overview and Scrutiny Committee and the Policy and Resources Committee for consideration had been superseded by Council's decision on the recommendations from the Policy and Resources Committee:

"In the light of recent floods, we call upon the Council to commit reserves to install permanent pumps at Brawby, Old Malton, and Castlegate, Malton/Church Street, Norton."

62 Representation on Outside Bodies

The guillotine having fallen, this item of business was adjourned to the next Ordinary Meeting of Council.

63 Any other business that the Chairman decides is urgent.

Members considered an urgent item - Publication of the Joint Minerals & Waste Plan - Arrangements For making Consultation Response At Ryedale District Council.

The reason for the urgency was the need to agree and submit the consultation response by the deadline of 21 December 2016.

It was moved by Councillor Windress and seconded by Councillor Cowling to:

Agree that the Planning Committee meeting on 20 December 2016 will finalise the consultation response with all Members of Council being invited to attend the Planning Committee and being able to make representations to the Committee with the leave of the Chairman of the Planning Committee. Representations of Members not on the Planning Committee will be taken into account before the Planning Committee agrees the consultation response.

Councillor Clark proposed and Councillor Thornton seconded the following amendment:

"This Council complies with the decision of Planning Committee on 22 December 2015 and holds a Planning Committee and a Full Council both before 21 December."

Upon being put to the vote the amendment was lost.

Recorded Vote

For

Councillors Joy Andrews, Paul Andrews, Burr, Clark, Jowitt, Keal, Potter, Shields and Thornton.

Against

Councillors Steve Arnold, Val Arnold, Bailey, Cleary, Cowling, Cussons, Duncan, Frank, Gardiner, Goodrick, Ives, Jainu-Deen, Oxley, Raper, Wainwright and Windress.

Abstentions

Councillor Acomb.

Councillor Ives then moved and Councillor Cowling seconded a procedural motion to move to the vote.

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

Recorded Vote

For

Councillors Acomb, Steve Arnold, Val Arnold, Bailey, Burr, Cleary, Cowling, Cussons, Duncan, Frank, Gardiner, Goodrick, Ives, Jainu-Deen, Keal, Oxley, Raper, Shields, Wainwright and Windress.

Against

Councillors Joy Andrews, Paul Andrews, Clark, Jowitt, Potter and Thornton.

Abstentions

None.

Upon being put to the vote the motion was carried.

Resolved

Agree that the Planning Committee meeting on 20 December 2016 will finalise the consultation response with all Members of Council being invited to attend the Planning Committee and being able to make representations to the Committee with the leave of the Chairman of the Planning Committee. Representations of Members not on the Planning Committee will be taken into account before the Planning Committee agrees the consultation response.

Recorded Vote

For

Councillors Acomb, Steve Arnold, Val Arnold, Bailey, Cleary, Cowling, Cussons, Duncan, Frank, Gardiner, Ives, Jainu-Deen, Keal, Oxley, Raper, Shields, Wainwright and Windress.

Against

Councillors Joy Andrews, Paul Andrews, Burr, Clark, Jowitt, Potter and Thornton.

Abstentions

Councillor Goodrick.

There being no other business, the meeting closed at 10.50pm.

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