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## Council

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Minutes of Proceedings

At the **Annual Meeting of the District Council of Ryedale** . This was a hybrid meeting, part held virtually and part held physically at The Main Hall, Milton Rooms, Malton on **Thursday 8 October 2020**.

## Present

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Councillors Joy Andrews, Paul Andrews, Arnold, Bailey, Brackstone, Burr MBE, Clark, Cleary (Chairman), Cussons MBE, Delaney, Docwra, Duncan, Frank, Garbutt Moore, Goodrick, Graham, Hope, Di Keal, King, MacKenzie, Mason, Middleton, Oxley, Potter, Raine, Raper, Riby, Thackray, Wass and Windress

## In Attendance

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Stacey Bulet, Simon Copley, Andrew Ellis, Christine Phillipson, Ellen Walker, Margaret Wallace and Louise Wood

## Minutes

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### 1 Chairman

It was moved by Councillor Duncan and seconded by Councillor Arnold that Councillor Cleary be elected Chairman of the Council for the ensuing year.

It was moved by Councillor Burr and seconded by Councillor Clark that Councillor Frank be elected Chairman of the Council for the ensuing year.

#### Resolved

That Councillor Cleary be elected Chairman of the Council for the ensuing year until his successor becomes entitled to act as Chairman.

Councillor Cleary thereupon took the Chair, having first made the Declaration of Acceptance of Office as Chairman of Ryedale District Council, and thanked Members for his election.

#### Voting record

15 for Councillor Cleary

15 for Councillor Frank

Chairman's casting vote for Councillor Cleary

#### Recorded vote

##### Councillor Cleary

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, King, Mackenzie, Middleton, Oxley, Raper and Windress

##### Councillor Frank

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Hope, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

### 2 Vote of thanks to the retiring Chairman

There was no vote of thanks to the retiring Chairman as Councillor Cleary had been re-elected. However, Councillor Frank, the retiring Vice Chairman was thanked for her service in that role.

### 3 **Vice Chairman**

It was moved by Councillor Duncan and seconded by Councillor Oxley that Councillor Garbutt Moore be appointed Vice Chairman of the Council for the ensuing year.

It was moved by Councillor Clark and seconded by Councillor Cussons that Councillor Burr be appointed Vice Chairman of the Council for the ensuing year.

#### **Resolved**

That Councillor Garbutt Moore be appointed Vice Chairman of the Council for the ensuing year.

Having first made the Declaration of Acceptance of Office, as Vice Chairman of the Council, Councillor Garbutt Moore thanked Members for his appointment.

#### **Voting record**

15 for Councillor Garbutt Moore

14 for Councillor Burr

#### **Recorded vote**

##### Councillor Garbutt Moore

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, King, Mackenzie, Middleton, Oxley, Raper and Windress

##### Councillor Burr

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

### 4 **Apologies for absence**

There were no apologies for absence.

### 5 **Minutes**

The minutes of the Annual Meeting of Council held on 16 May 2019 were presented.

#### **Resolved**

That the minutes of the Annual Meeting of Council held on 16 May 2019 be approved and signed by the Chairman as a correct record.

#### **Voting record**

29 For

1 Abstention

#### **Recorded vote**

##### For

Councillors J Andrews, P Andrews, Arnold, Bailey, Brackstone, Burr, Clark, Cleary, Cussons, Docwra, Duncan, Frank, Garbutt Moore, Goodrick, Graham,

Hope, Keal, King, Mackenzie, Mason, Middleton, Oxley, Potter, Raine, Raper, Riby, Thackray, Wass and Windress

Abstain

Councillor Delaney

## 6 **Urgent Business**

There were no items of urgent business which the Chairman considered should be dealt with as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972 (as amended).

## 7 **Declarations of Interest**

The Chairman noted that a number of Members were North Yorkshire County Councillors.

Councillor King declared a personal non pecuniary but not prejudicial interest as a Trustee of the Milton Rooms Management Committee.

## 8 **Announcements**

On behalf of the Council, the Chairman offered condolences and sincere sympathy following the recent passing of Brian Cottam, who served on Ryedale District Council between 1999 and 2011. A minute of silence was held in Mr Cottam's memory.

## 9 **Leader of the Council and Deputy Leader of the Council**

It was reported that in accordance with the Council Constitution (Part 4 – Rules of Procedure) the Council may at its Annual Meeting elect a Leader of the Council and a Deputy Leader of the Council for the ensuing year.

It was proposed by Councillor Duncan and seconded by Councillor Arnold that Ryedale District Council elect a Leader of the Council for the ensuing year.

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

### **Voting record**

15 For

15 Against

Chairman's casting vote – For

### **Recorded vote**

#### For

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, King, Mackenzie, Middleton, Oxley, Raper and Windress

#### Against

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Hope, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

It was proposed by Councillor Arnold and seconded by Councillor Oxley that Councillor Duncan be elected Leader of the Council.

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

**Voting record**

17 For

13 Against

**Recorded vote**For

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, Keal, King, Mackenzie, Mason, Middleton, Oxley, Raper and Windress

Against

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Hope, Potter, Raine, Riby, Thackray and Wass

It was moved by Councillor Duncan and seconded by Councillor Arnold that Ryedale District Council does appoint a Deputy Leader for the ensuing year.

Upon being put to the vote the motion was carried.

**Voting record**

15 For

15 Against

Chairman's casting vote – For

**Recorded vote**For

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, Mackenzie, Middleton, Oxley, Raper and Windress.

Against

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Hope, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

It was proposed by Councillor Duncan and seconded by Councillor Oxley that Councillor Arnold be elected Deputy Leader of the Council.

Upon being put to the vote the motion was carried.

**Voting record**

15 For

15 Against

Chairman's casting vote – For

**Recorded vote**For

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, King, Mackenzie, Middleton, Oxley, Raper and Windress

Against

Councillors Andrews J, Andrews P, Brackstone, Burr, Clark, Cussons, Frank, Hope, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

**Resolved**

(a) That a Leader of the Council be appointed;

- (b) That Councillor Duncan be appointed Leader of the Council for the ensuing year;
- (c) That a Deputy Leader of the Council be appointed;
- (d) That Councillor Arnold be appointed Deputy Leader of the Council for the ensuing year.

10 **The allocation of seats on Committees between political groups and the appointment of Members to Committees**

The Head of Corporate Governance and Monitoring Officer submitted a report which detailed the following:

A. Committees for 2020-2021

In accordance with the Council's Constitution, the Council was requested to appoint the Committees as indicated in Annex A of the report.

B. The Allocation of Seats on Committees between Political Groups and the Appointment of Members to Committees

Ryedale District Council is to be treated as being divided into different political groups for the purposes of the Local Government and Housing Act 1989, because at least one political group has been consulted in the prescribed way.

The Local Government & Housing Act 1989 and associated regulations, requires the distribution of seats on Committees and Sub-Committees to be on the basis of political proportionality so far as it is "reasonably practicable" between the political groups of the Council unless every Member of the Council agrees that some other basis of allocation should be used.

Members considered the recommendations in the report.

The recommendations 1-3 and 5-6 were each moved and seconded en bloc, as follows:

**Recommendation 1, 2 and 3**

It was moved by Councillor Duncan and seconded by Councillor King that Council adopts the recommendations shown at Annex A of the report,

**Resolved**

1. That Council appoints those Committees indicated at Annex A of the report
2. That the size of the Committees is that specified in Annex A of the report
3. That the Council divides Committee seats between political groups in accordance with the allocation shown at Annex A of the report

**Voting record**

Unanimous

**Recommendation 4**

With reference to recommendation 4 of the report, Members were reminded that the Annual Meeting of Council elected the Chairmen and Vice Chairmen of Committees, with the exception of the Licensing Committee.

It was recommended that the Licencing Committee appoint its own Chairman and Vice Chairman at its next meeting.

Nominations were then sought for the Chairmen and Vice Chairmen of Committees.

<b>Role</b>	<b>Nominee</b>	<b>Proposer</b>	<b>Second</b>	<b>Voting record</b>	<b>Outcome</b>
Chairman of Policy and Resources	Cllr Duncan Cllr J Andrews	Cllr Arnold Cllr Clark	Cllr Oxley Cllr Burr	15 Cllr Duncan* 15 Cllr J Andrews	Cllr Duncan elected
Chairman of Planning	Cllr Goodrick Cllr P Andrews	Cllr Duncan Cllr Clark	Cllr Arnold Cllr Thackray	15 Cllr Goodrick* 15 Cllr P Andrews	Cllr Goodrick elected
Vice Chairman of Planning	Cllr Windress Cllr Potter	Cllr Duncan Cllr Clark	Cllr Arnold Cllr Riby	16 Cllr Windress 14 Cllr Potter	Cllr Windress elected
Chairman of Overview and Scrutiny	Cllr Raper Cllr Keal	Cllr Duncan Cllr Mason	Cllr Arnold Cllr Frank	16 Cllr Raper 14 Cllr Keal	Cllr Raper elected
Vice Chairman of Overview and Scrutiny	Cllr Middleton Cllr Brackstone	Cllr Duncan Cllr Clark	Cllr King Cllr J Andrews	15 Cllr Middleton* 15 Cllr Brackstone	Cllr Middleton elected

\*Chairman's casting vote

Recorded votes are detailed in Annex A.

### **Recommendations 5, 6, 7 and 8**

The following recommendations 5, 6, 7 and 8 were moved by Councillor Duncan and seconded by Councillor Arnold.

#### **Recommendation 5**

That membership of the Committees be that as shown at Annex B of the report with the addition of the Councillors named by the Chairman of the Council

#### **Recommendation 6**

That membership of the Licencing Committee be the same members as appointed to the Planning Committee.

### **Recommendation 7**

That the terms of reference of the Policy and Resources Committee, Licensing Committee, Overview and Scrutiny Committee, Planning Committee and the Scheme of Officer Delegation are those set out in Part 3 of the Council's Constitution.

### **Recommendation 8**

That the Chief Executive in consultation with the Head of Corporate Governance and Monitoring Officer be authorised to make consequential amendments to the Constitution arising from the changes referred to above.

### **Voting record**

Unanimous

### **Resolved**

- (a) That, with the exception of the Licensing Committee Chairman and Vice Chairman, who were to be appointed at the next Committee meeting, the Chairmen and Vice Chairmen of Committees be appointed as follows:

#### Policy and Resources Committee

- |      |               |                   |
|------|---------------|-------------------|
| (i)  | Chairman      | Councillor Duncan |
| (ii) | Vice Chairman | Councillor Arnold |

#### Planning Committee

- |      |               |                     |
|------|---------------|---------------------|
| (i)  | Chairman      | Councillor Goodrick |
| (ii) | Vice Chairman | Councillor Windress |

#### Overview and Scrutiny Committee

- |      |               |                      |
|------|---------------|----------------------|
| (i)  | Chairman      | Councillor Raper     |
| (ii) | Vice Chairman | Councillor Middleton |

- (b) That membership of Committees be as indicated at Annex B to these minutes;
- (c) That the membership of the Licensing Committee be the same Members as appointed to the Planning Committee;
- (d) That the terms of reference of the Policy and Resources Committee, Licensing Committee, Overview and Scrutiny Committee and Planning Committee and the Scheme of Officer Delegation be those set out in Part 3 of the Council's Constitution
- (e) That the Chief Executive in consultation with the Head of Corporate Governance and Monitoring Officer be authorised to make consequential amendments to the Constitution arising from the changes referred to above.

11 **Appointment of a Representative to the Milton Rooms Management Committee**

The guillotine fell at 10:10pm and this item was deferred.

12 **Appointment of a Representative to the Police, Fire and Crime Panel**

This item was deferred.

13 **Any other business that the Chairman decides is urgent**

The Annual Council meeting closed at 10:30pm.

## ANNEX A

### RYEDALE DISTRICT COUNCIL

#### VOTING RECORD – CHAIRMEN AND VICE CHAIRMEN OF COMMITTEES

\* Chairman's casting vote

Role	Nominee	Proposer	Second	Voting record	Outcome
Chairman of Policy and Resources	Cllr Duncan	Cllr Arnold	Cllr Oxley	15 Cllr Duncan*	Cllr Duncan elected
	Cllr J Andrews	Cllr Clark	Cllr Burr	15 Cllr J Andrews	

#### **Recorded vote**

##### Councillor Duncan

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, King, Mackenzie, Middleton, Oxley, Raper and Windress

##### Councillor J Andrews

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Hope, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

Role	Nominee	Proposer	Second	Voting record	Outcome
Vice Chair of Policy and Resources	Cllr Arnold	Cllr Duncan	Cllr Oxley	15 Cllr Arnold*	Cllr Arnold elected
	Cllr Frank	Cllr Cussons	Cllr Clark	15 Cllr Frank	

#### **Recorded vote**

##### Councillor Arnold

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, King, Mackenzie, Middleton, Oxley, Raper and Windress

##### Councillor Frank

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Hope, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

Role	Nominee	Proposer	Second	Voting record	Outcome
Chairman of Planning	Cllr Goodrick	Cllr Duncan	Cllr Arnold	15 Cllr Goodrick*	Cllr Goodrick elected
	Cllr P Andrews	Cllr Clark	Cllr Thackray	15 Cllr P Andrews	

**Recorded vote**Councillor Goodrick

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, King, Mackenzie, Middleton, Oxley, Raper and Windress

Councillor P Andrews

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Hope, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

<b>Role</b>	<b>Nominee</b>	<b>Proposer</b>	<b>Second</b>	<b>Voting record</b>	<b>Outcome</b>
Vice Chairman of Planning	Cllr Windress Cllr Potter	Cllr Duncan  Cllr Clark	Cllr Arnold  Cllr Riby	16 Cllr Windress 14 Cllr Potter	Cllr Windress elected

**Recorded vote**Councillor Windress

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, Hope, King, Mackenzie, Middleton, Oxley, Raper and Windress

Councillor Potter

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

<b>Role</b>	<b>Nominee</b>	<b>Proposer</b>	<b>Second</b>	<b>Voting record</b>	<b>Outcome</b>
Chairman of Overview and Scrutiny	Cllr Raper Cllr Keal	Cllr Duncan  Cllr Mason	Cllr Arnold  Cllr Frank	16 Cllr Raper 14 Cllr Keal	Cllr Raper elected

**Recorded Vote**Councillor Raper

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, Hope, King, Mackenzie, Middleton, Oxley, Raper and Windress

Councillor Keal

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

<b>Role</b>	<b>Nominee</b>	<b>Proposer</b>	<b>Second</b>	<b>Voting record</b>	<b>Outcome</b>
Vice Chairman of Overview and Scrutiny	Cllr Middleton Cllr Brackstone	Cllr Duncan  Cllr Clark	Cllr King  Cllr J Andrews	15 Cllr Middleton* 15 Cllr Brackstone	Cllr Middleton elected

**Recorded vote**

Councillor Middleton

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, King, Mackenzie, Middleton, Oxley, Raper and Windress

Councillor Brackstone

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cussons, Frank, Hope, Keal, Mason, Potter, Raine, Riby, Thackray and Wass

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## ANNEX B

### RYEDALE DISTRICT COUNCIL

#### APPOINTMENT OF MEMBERS TO COMMITTEES

##### POLICY & RESOURCES COMMITTEE

<b>Conservative</b>	<b>RFI</b>	<b>Liberal</b>	<b>Liberal Democrat</b>	<b>Independent</b>
K C Duncan (C) C W Delaney C Docwra S M Graham	S Arnold (VC)  J Frank	J S Clark  J Andrews		L M Burr  A R Riby
<b>Substitutes</b>	<b>Substitutes</b>	<b>Substitutes</b>	<b>Substitutes</b>	<b>Substitutes</b>
N Garbutt Moore J MacKenzie	J A Windress J Raper	M J Potter		P J Andrews

##### OVERVIEW & SCRUTINY COMMITTEE<sup>1</sup>

<b>Conservative</b>	<b>RFI</b>	<b>Liberal</b>	<b>Liberal Democrat</b>	<b>Independent</b>
W R F H Oxley N Garbutt Moore T Middleton (VC) R King	J R Raper (C)  D E Cussons	C Brackstone  C M Wass	D E Keal	A E Raine

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<sup>1</sup> In accordance with the Council's Constitution, where a Member of Overview and Scrutiny Committee has acted as a named substitute at any Policy Committee they may not subsequently scrutinise any decision in which they have been involved.

**PLANNING COMMITTEE**

<b>Conservative</b>	<b>RFI</b>	<b>Liberal</b>	<b>Liberal Democrat</b>	<b>Independent</b>
C G Goodrick (C) M J T Cleary J MacKenzie J R Bailey	J A Windress (VC)  E Hope	M J Potter	S P Mason	P J Andrews  S N R Thackray

<b>Substitutes</b>	<b>Substitutes</b>	<b>Substitutes</b>	<b>Substitutes</b>	<b>Substitutes</b>
C Docwra S M Graham	J Frank D E Cussons	J Andrews J S Clark	D E Keal	L M Burr

**LICENSING COMMITTEE**

<b>Conservative</b>	<b>RFI</b>	<b>Liberal</b>	<b>Liberal Democrat</b>	<b>Independent</b>
C G Goodrick M J T Cleary J MacKenzie J R Bailey	J A Windress  E Hope	M J Potter	S P Mason	P J Andrews  S N R Thackray