

Council

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Main Hall, Milton Rooms, Malton** on **Tuesday 13 July 2021 (and reconvened on 22 July 2021)**

Present

Councillors Joy Andrews, Paul Andrews, Arnold (22.07.21), Bailey, Brackstone (13.07.21), Burr MBE (13.07.21), Clark, Cleary (13.07.21), Cussons MBE, Delaney (13.07.21), Docwra, Duncan, Frank (Chair), Garbutt Moore (Vice-Chair), Goodrick (13.07.21), Graham, Keal (13.07.21), King, MacKenzie, Mason (13.07.21), Middleton (13.07.21), Oxley (13.07.21), Potter, Raper (13.07.21), Riby, Thackray (13.07.21) and Wass (13.07.21)

In Attendance

Stacey Bulet, Simon Copley, Alison Godfrey (13.07.21), Anton Hodge (22.07.21), Gary Housden (13.07.21), Lisa Hutchinson (13.07.21), Nigel McCloy (13.07.21), Christine Phillipson, Haroon Rashid (13.07.21), Kim Robertshaw (13.07.21), Phillip Spurr (22.07.21), Amy Thomas (13.07.21), Margaret Wallace (13.07.21) and Louise Wood

Minutes

14 **Apologies for absence**

Apologies were received from Councillors Arnold, Hope, Raine and Windress on 13 July 2021. Apologies were received from Councillors Brackstone, Burr, Cleary, Goodrick, Hope, Keal, Mason, Middleton, Raine, Raper, Thackray, Wass and Windress on 22 July 2021.

15 **Public Question Time**

There were no public questions.

16 **Minutes of the Ordinary Meeting of Full Council held on 15 April 2021 (and reconvened on 20 April 2021)**

The minutes of the Ordinary Meeting of Council held on 15 April 2021 (and reconvened on 20 April 2021) were presented.

Resolved

That the minutes of the Ordinary Meeting of Council held on 15 April 2021 (and reconvened on 20 April 2021) be approved and signed as a correct record.

The resolution was carried by general affirmation.

17 **Urgent Business**

There were no items of urgent business.

18 **Declarations of Interest**

The Chair advised that the declarations of all Members of North Yorkshire County Council would be taken as given.

Councillor Burr declared a personal, pecuniary and prejudicial interest in item 12b relating to car parking charges, as an owner of commercial properties in Ryedale. Councillor Burr left the meeting and did not participate in the debate or the vote on this item.

Councillor King declared a personal non-pecuniary interest in item 13d (Motion on Notice proposed by Councillor Duncan and seconded by Councillor Graham) as the Chair of the Milton Rooms Trustees. Councillor King left the meeting and did not participate in the debate or the vote on this item.

Councillor Garbutt Moore declared a personal non-pecuniary interest in item 13d (Motion on Notice proposed by Councillor Duncan and seconded by Councillor Graham) as the Ryedale District Council Representative on the Milton Rooms Management Committee. Councillor Garbutt-Moore left the meeting and did not participate in the debate or the vote on this item.

19 **Announcements**

The Chair announced that she would be taking the agenda in the following order:

- 1 Emergency Evacuation Procedure
- 2 Apologies for absence
- 3 Public Question Time
- 4 Minutes
- 5 Urgent Business
- 6 Declarations of Interest
- 7 Announcements
- 12 To consider for Approval the Recommendations in respect of the following Part 'B' Committee Items
- 14 Exempt Information
- 15 To consider for Approval the Recommendations in respect of the following exempt part 'B' Committee Items
- 9 Appointment of a Substitute on the Policy and Resources Committee from the Independent Group
- 10 Appointment of Staff Champion
- 11 Appointment of a Representative to the Police, Fire and Crime Panel
- 13 Motions on Notice Submitted Pursuant to Council Procedure Rule 11
- 8 To receive any Questions submitted by Members Pursuant to Council Procedure Rule 10.2 (Questions on Notice at Full Council)

At the reconvened meeting on 22 July, the Head of Paid Service read extracts from a letter received from the Ministry of Housing, Communities and Local Government, received at 7pm on 21 July in relation to the decision regarding Local Government Reform.

- 20 **To Receive any Questions submitted by Members Pursuant to Council Procedure Rule 10.2 (Questions on Notice at Full Council)**
- 21 **To Councillor Clark, Chair of the Policy and Resources Committee, from Councillor Docwra**

“Can the Chairman of Policy & Resources Committee please confirm when staff whose usual place of work is Ryedale House will return to work there?”

Councillor Clark, Chair of Policy and Resources replied:

“I’ve already answered one question this evening without moving my lips in any sense whatsoever, and unfortunately the answer is no I cannot.”

Councillor Docwra then asked the following supplementary question:

“Slightly taken aback by that Councillor Clark, could you possibly then, as a supplementary, tell me will the return to work arrangements be coming into force any time in the future and will it apply to the senior management board as well who should be visible in the building and here to lead their teams by example when their teams return?”

Councillor Clark then replied:

“Thank you Councillor Docwra, I think you will find that the direction and management of the staff, and I don’t like that term, but it’s what we’ve got, at Ryedale House is the responsibility of the Head of Paid Service, the Chief Executive and does not fall under the purview of P & R.”

22 To Councillor Clark, Chair of the Policy and Resources Committee, from Councillor Mackenzie

“Can the Chairman of Policy & Resources Committee please provide Council with a dated copy of a climate change impact assessment for the Railway Tavern project?”

Councillor Clark, Chair of Policy and Resources replied:

“Thank you Councillor Mackenzie, I would be delighted to do that if there was one, but there isn’t”.

Councillor Mackenzie then asked the following supplementary question:

“This Council agreed to release extra funding for the Railway Tavern subject to a climate change impact assessment. Now it’s in my ward and I see that work has started. Can I ask where we are at with this, have we got one planned or commissioned?”

Councillor Clark then replied:

“Thank you Councillor Mackenzie, the first part of the answer was 100% accurate, but this part is answering the question in greater depth for you. It was planned and hoped that a carbon assessment would be completed and presented to Policy and Resources in July, i.e. next week, so yes we might have had it, we might not have had it, however it’s taken longer than that for the Council to obtain quotes from an external body, we had to find bodies that were capable of doing it. The good news is there is a body that is doing this for us, on this, and is looking at things for us and that may mean that in future, when we have similar things that we need to do, we’ve got the people there that would be able to do it. I’m sorry that answer is not what I would have liked to have

received if I had been in your shoes back in February when we were calling for all of this.”

23 To Councillor Clark, Chair of the Policy and Resources Committee, from Councillor Delaney

Can the Chairman of Policy & Resources Committee please provide an update on delivery of the free car parking as agreed within the Council’s Car Parking Strategy?”

This question was withdrawn.

24 To Councillor Clark, Chair of the Policy and Resources Committee, from Councillor Graham

“Can the Chairman of Policy and Resources Committee please release the minutes of the first meeting of the Joint Works Group to all Councillors?”

Councillor Clark, Chair of Policy and Resources replied:

“Thank you Councillor Graham, a very useful question, but no.”

Councillor Graham then questioned whether the decision of Council was being actioned.

Councillor Clark then replied:

“Thank you Councillor Graham, your supplementary leaves me a little confused in relation to your original question. If you’re telling me this body hasn’t met, from what you’re saying and your experience of it, then how is it you are asking for the minutes? But I’ll ignore that. I do know somebody once who wrote the minutes for a meeting that didn’t happen so maybe this fits into that category. I believe we have to get that works Council there, and done properly, and it appears not to have quite come back in the shape and form that Council agreed. That will hopefully be discussed by Group Leaders to see if we can make it happen. I want it to happen, clearly from the sound of what you’re saying, you want it to happen, but it can’t just happen if happening means it’s not as Council agreed.”

25 To Councillor Clark, Chair of the Policy and Resources Committee, from Councillor Duncan

“Can the Chairman of Policy and Resources Committee please confirm the dates when the urgently-established Livestock Market Working Party has met?”

Councillor Clark, Chair of Policy and Resources replied:

“Thank you Councillor Duncan. The Livestock Working Party, and I believe you were at the meeting where we didn’t have the capacity to hold a working party, when I raised it in February, sometime around then, and as a result of that, I’ve been pushing to get resources in place. We have had one meeting and we have got, I don’t know whether you have seen it or not, the paperwork for P&R shows that we are looking to get resources to cover that gap.”

Councillor Duncan then asked the following supplementary question:

“In summary, the thread through all of these questions, we haven’t had the Livestock Working Party meet for many weeks, it’s been extremely delayed, we haven’t had the Joint Works Group meet in line with the wishes of the Council, we haven’t had a climate change impact assessment, which you called for, and which this Council called for, until construction has started, work has already begun. We now also have our staff left in limbo, where you are shirking responsibility and refusing to even give an answer to a very simple question about when staff might be able to return to Ryedale House. The thread that runs throughout all of this, is that you are refusing to take responsibility, so my question Councillor Clark to you is will you start taking responsibility for the actions of this Council and for the will of this Council and ensure it is implemented ?”

Councillor Clark then replied:

“If that’s the approach, you can’t start something that you are already doing.”

26 Appointment of a Substitute on the Policy and Resources Committee from the Independent Group

It was moved by Councillor Burr and seconded by Councillor Paul Andrews that Councillor Paul Andrews be appointed as substitute on the Policy and Resources Committee from the Independent Group.

Resolved

That Councillor Paul Andrews be appointed as substitute on the Policy and Resources Committee from the Independent Group.

The motion was carried by general affirmation.

27 Appointment of Staff Champion

It was moved by Councillor Docwra and seconded by Councillor Bailey that Councillor Duncan be appointed as Staff Champion.

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

Resolved

That Councillor Duncan is appointed as Staff Champion.

Voting record

Unanimous

Recorded vote

For

Councillors J Andrews, P Andrews, Bailey, Brackstone, Burr, Clark, Cleary, Cussons, Delaney, Docwra, Duncan, Frank, Garbutt-Moore, Goodrick, Graham, Keal, King, Mackenzie, Mason, Middleton, Oxley, Potter, Riby, Thackray and Wass

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

It was moved by Councillor Keal and seconded by Councillor Frank that Councillor Burr be appointed as the representative on the Police, Fire and Crime Panel.

It was moved by Councillor Docwra and seconded by Councillor Duncan that Councillor Cleary be appointed as the representative on the Police, Fire and Crime Panel.

Resolved

That Councillor Burr be appointed as the representative on the Police, Fire and Crime Panel.

Voting record

14 for Councillor Burr

11 for Councillor Cleary

Recorded vote

Councillor Burr

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

Councillor Cleary

Councillors Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt-Moore, Goodrick, Graham, King, Mackenzie and Oxley

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

30 **Minute 7 - Draft Ryedale Housing Strategy 2021-24**

It was moved by Councillor Clark and seconded by Councillor Burr that the following recommendation be approved and adopted:

The objectives and priorities endorsed by Policy and Resources Committee be approved.

Resolved

The objectives and priorities endorsed by Policy and Resources Committee are approved.

The motion was carried by general affirmation.

31 **Minute 8 - Review of the Provision of 3 Hours Free Car Parking following Member Motion in April 2021**

It was moved by Councillor Clark and seconded by Councillor Joy Andrews that the following recommendation be approved and adopted:

That no changes be made to the arrangements for car parking charges in Ryedale and fees continue to be charged.

Councillor Paul Andrews proposed and Councillor Thackray seconded the following amendment:

Add:

And a report be produced to Policy and Resources Committee with proposals for implementing the recommendations of the Car Parking Working Party.

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

Voting record

12 For

1 Against

12 Abstentions

Recorded vote

For

Councillors Joy Andrews, Paul Andrews, Brackstone, Clark, Frank, Keal, Mason, Middleton, Potter, Riby, Thackray and Wass

Against

Councillor Cleary

Abstentions

Councillors Bailey, Cussons, Delaney, Docwra, Duncan, Garbutt-Moore, Goodrick, Graham, King, Mackenzie, Oxley and Raper

Upon being put to the vote the substantive motion, as amended was carried.

Resolved

That no changes be made to the arrangements for car parking charges in Ryedale and fees continue to be charged and a report be produced to Policy and Resources Committee with proposals for implementing the recommendations of the Car Parking Working Party.

Voting record

10 For

14 Abstentions

Recorded vote

For

Councillors Joy Andrews, Paul Andrews, Brackstone, Clark, Frank, Mason, Potter, Riby, Thackray and Wass.

Abstentions

Councillors Bailey, Cleary, Cussons, Delaney, Docwra, Duncan, Garbutt-Moore, Goodrick, Graham, Keal, King, Mackenzie, Middleton, and Oxley.

It was proposed by Councillor Frank and seconded by Councillor Clark that Procedure Rule 8.1 be suspended to allow the meeting to continue past three and a half hours.

Voting record

7 For

18 Against

Recorded vote

For

Councillors J Andrews, P Andrews, Brackstone, Clark, Frank, Potter and Wass

Against

Councillors Bailey, Burr, Cleary, Cussons, Delaney, Docwra, Duncan, Garbutt-Moore, Goodrick, Graham, Keal, King, Mackenzie, Mason, Middleton, Oxley, Riby and Thackray

32 **Motions on Notice Submitted Pursuant to Council Procedure Rule 11**

33 **Proposed by Councillor P Andrews and seconded by Councillor Thackray**

"This Council requires Officers to investigate options and opportunities for Member engagement in air quality work (including the work of the Ryedale District Council Air Quality Steering Group), in liaison with the County Council, and report back to the next meeting of P&R Committee."

The motion stands automatically referred to Policy and Resources under Committee Procedure Rule 11.4.

34 **Proposed by Councillor P Andrews and seconded by Councillor Thackray**

"The Council notes the failure to call meetings of the Flood Liaison Group over the last few years, and requires the Officers to re-establish meetings of this group with immediate effect, Council Members to report to Policy and Resources; Each political group shall be entitled to appoint one member (not limited to members of P&R)".

The motion was withdrawn.

35 **Proposed by Councillor Riby and seconded by Councillor Burr**

"We propose that Officers look in to options of funding to support the Kirkbymoorside / Helmsley cycle route and bring a report as soon as possible back to the Policy and Resources Committee to discuss funding options and implications."

The motion stands automatically referred to Policy and Resources under Committee Procedure Rule 11.4.

36 **Proposed by Councillor Duncan and seconded by Councillor Graham**

"To avoid any unnecessary delay to the Milton Rooms' development plans, Full Council delegates the decision on whether to approve the allocation of capital funding ring-fenced to the Milton Rooms to the Policy & Resources Committee meeting to be held on July 29 2021"

Councillor Paul Andrews proposed and Councillor Burr seconded the following amendment.

Add:

"and the Secretary of State for Communities be advised of the money the Council has ring-fenced for the Milton Rooms and be requested that, should a decision to reorganise councils in North Yorkshire be made, this money should be exempted from any order imposing a moratorium on Council spending"

Upon being put to the vote the amendment was carried

Voting record

17 For

6 Abstentions

Recorded vote

For

Councillors J Andrews, P Andrews, Brackstone, Burr, Clark, Cleary, Cussons, Docwra, Frank, Keal, Mason, Middleton, Oxley, Potter, Riby, Thackray and Wass

Abstentions

Councillors Bailey, Delaney, Duncan, Goodrick, Graham, Mackenzie

Upon being put to the vote the substantive motion, as amended was carried.

Resolved

To avoid any unnecessary delay to the Milton Rooms' development plans, Full Council delegates the decision on whether to approve the allocation of capital funding ring-fenced to the Milton Rooms to the Policy & Resources Committee meeting to be held on July 29 2021 and the Secretary of State for Communities be advised of the money the Council has ring-fenced for the Milton Rooms and be requested that, should a decision to reorganise councils in North Yorkshire be made, this money should be exempted from any order imposing a moratorium on Council spending.

Voting record

Unanimous

Recorded vote

For

Councillors Joy Andrews, Paul Andrews, Bailey, Brackstone, Burr, Clark, Cleary, Cussons, Delaney, Docwra, Duncan, Frank, Goodrick, Graham, Keal, Mackenzie, Mason, Oxley, Potter, Riby, Thackray and Wass

37 Proposed by Councillor Duncan and seconded by Councillor Goodrick

"This Council wishes to reaffirm the 22-5 decision taken on June 27, 2019 in relation to support for dualling the A64 between York and Scarborough, as well as other improvements in between. The Council calls on the Chairman of Policy and Resources to work with our Officers, other local authorities, business leaders and MPs to ensure dualling takes place as quickly as possible".

The motion stands automatically referred to Policy and Resources under Committee Procedure Rule 11.4.

38 Proposed by Councillor Duncan and seconded by Councillor Delaney

"In order to boost Ryedale's recycling rate, this Council calls on Policy and Resources Committee to explore:

- *scrapping the annual fee for green waste recycling, instead providing this service to all homes in Ryedale for free;*

- *extending the time period that green waste is collected from homes each year and report its recommendations back to Full Council as soon as possible.”*

The motion stands automatically referred to Policy and Resources under Committee Procedure Rule 11.4.

The guillotine fell at 10.20pm on 13 July 2021.

The meeting was adjourned at 10.30pm on 13 July 2021 and reconvened at 6.30pm on 22 July 2021 to consider the following remaining items of business:

Agenda items 13g, 13h and 8.

39 Proposed by Councillor P Andrews and seconded by Councillor Burr

“Pursuant to Council Procedure Rule 23.1, the Council hereby suspends Council Procedure Rule 11.4 to allow the full debate of the following motion at the meeting, without standing referred to committee.”

The motion stands adjourned to 9th September 2021.

40 Proposed by Councillor P Andrews and seconded by Councillor Burr

"The Council resolves to engage consultants to take the Council and the public through the revision of the Ryedale Plan, the Consultant to be appointed by the Programme Director (Economic Development, Business and Partnerships) in consultation with the Chairs of Planning and P&R."

The motion stands adjourned to 9th September 2021.

41 Exempt Information

Resolved

To exclude the press and public from the meeting during consideration of the following item 15a (Minute 11 – Leisure Service Delivery Options) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972, as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

The public interest test has been considered and, in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

The motion was carried by general affirmation.

42 To consider for Approval the Recommendations in respect of the following exempt part 'B' Committee Items:

43 Minute 11 - Leisure Service Delivery Options

It was moved by Councillor Clark and seconded by Councillor Joy Andrews that the following recommendation be approved and adopted:

- (i) The recommendations within the report be approved;
- (ii) The Minister be written to, to inform them of the situation regarding leisure service delivery within Ryedale.

Councillor Clark altered the motion with the consent of the meeting as follows:

Add:

Add to the arrangements in Annex A that agreement to make payments be agreed by the Programme Director for Economic Development, Business and Partnerships and the Chief Finance Officer (s151) in agreement with the Chair of Policy and Resources Committee in the month following the request for financial support.

The proposed motion by Councillor Clark and seconded by Councillor J Andrews then read:

- (i) The recommendations within the report be approved;
- (ii) Add to the arrangements in Annex A that agreement to make payments be agreed by the Programme Director for Economic Development, Business and Partnerships and the Chief Finance Officer (s.151) in agreement with the Chair of Policy and Resources Committee in the month following the request for financial support;
- (iii) The Minister be written to, to inform them of the situation regarding leisure service delivery within Ryedale.

Upon being put to the vote the motion was carried

Resolved

- (i) The recommendations within the report be approved;
- (ii) Add to the arrangements in Annex A that agreement to make payments be agreed by the Programme Director for Economic Development, Business and Partnerships and the Chief Finance Officer (s151) in agreement with the Chair of Policy and Resources Committee in the month following the request for financial support;
- (iii) The Minister be written to, to inform them of the situation regarding leisure service delivery within Ryedale.

Voting record

22 For

3 Abstentions

Recorded vote

For

Councillors J Andrews, Bailey, Brackstone, Burr, Clark, Cleary, Cussons, Delaney, Docwra, Duncan, Frank, Garbutt-Moore, Goodrick, Graham, Keal, King, Mackenzie, Mason, Oxley, Potter, Riby and Wass

Abstentions

Councillors P Andrews, Middleton and Thackray

44 **Any other business that the Chair decides is urgent**

There being no items of urgent business the meeting closed at 6.50pm on 22 July 2021.