

## Council

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Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Main Hall, Milton Rooms, Malton.** on **Thursday 17 February 2022**

### Present

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Councillors Joy Andrews, Paul Andrews, Arnold, Bailey, Brackstone, Burr MBE, Clark, Cleary, Cussons MBE, Docwra, Duncan, Frank (Chair), Garbutt Moore (Vice-Chair), Goodrick, Graham, Hope, Di Keal, Potter, Riby, Thackray and Wass (17.02.22)

### In Attendance

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Stacey Burlet, Lucy Furneaux, Elizabeth Heath, Anton Hodge, Marcus Lee, Nigel McCloy, Christine Phillipson, Harry Rashid, Robert Robinson, Phillip Spurr and Jill Thompson and Margaret Wallace virtually via Teams.

### Minutes

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#### 102 Apologies for absence

The meeting commenced at 7.53pm immediately upon conclusion of the business of the postponed 2 December meeting.

Apologies were received from Councillors Delaney, Hope, King, Mason, Mackenzie, Middleton, Oxley, Raine and Windress for 17.02.22.

Apologies were received from Councillors Arnold, Brackstone, Delaney, Garbutt-Moore, Mackenzie, Middleton, Oxley, Wass and Windress for 24.02.22.

#### 103 Public Question Time

There were no Public Questions.

#### 104 Urgent Business

There were no items of urgent business.

#### 105 Declarations of Interest

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

#### 106 Announcements

The Chair announced that she would take items of business in the following order

Item 8  
Item 13  
Item 9,10,11,12,14,15,16 & 7.

This order was subsequently amended when the meeting reconvened on 24 February, at which the remaining agenda items were taken in the following order

Item 7  
Items 9, 10 & 11  
Items 14,15 & 16

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

108 **To Councillor Frank, Chair of Council, from Councillor Duncan**

*“In relation to the 2<sup>nd</sup> of December Council meeting, can you please:*

*(a) Explain why you decided to act contrary to advice from the Council’s own health and safety advisors that the meeting could proceed safely?”*

Councillor Frank, Chair of Council replied:

*“A risk assessment had been completed for the meeting and health and safety instructions drafted. However, in the weeks leading up to the date of the meeting, considerable concern had been expressed by the Government and their scientific advisors, including the Chief Medical Officer, Professor Chris Whitty, as to the emergence of the Omicron variant. This had been identified in South Africa. The scientific evidence available at the time was that Omicron was highly contagious. Further, uncertainty existed as to whether vaccinations would be effective to limit the severity of the symptoms associated with the infection by the new variant. For that reason, to ensure the health and safety of Members and Officers, specifically those who were deemed vulnerable, I took the decision to adjourn the meeting to a later date.”*

*(b) “Explain why you stated the meeting had been “cancelled”, when legal advice has confirmed the Chairman has now power to cancel a meeting of Council?”*

Councillor Frank replied:

*“The Full Council meeting of 2<sup>nd</sup> of December 2021 was adjourned to a future date of 17<sup>th</sup> of February 2022. Under common law and decided case law, a Chair has the power to adjourn a meeting. Further, it is arguable that the Constitution of the Council grants the Chair the power to alter the date and timings of a meeting. An alternative interpretation states that Rule 26 does not apply to Full Council as it’s under the heading that deals with committees. However, as a common law power exists permitting an adjournment of the*

*meeting, it is not necessary to give further consideration to the interpretation of the Constitution 'Meetings and Proceedings of Committees' pages 105 to 122."*

*(c) State which Members you consulted, and explain your reasoning for including these Members but excluding the majority?"*

Councillor Frank replied:

*"The Monitoring Officer rang me on the morning of 2<sup>nd</sup> December and stated that three of the group leaders had been in touch and asked about the Council being postponed due to the vulnerability of several members of their groups, and I was concerned myself because of the Omicron variant of Covid being so easily transmitted. I asked the Monitoring Officer about the legality of postponing the meeting and he said he would go away and check. He rang me back at 11 o'clock and assured me that it would be legal to postpone and then said it was my decision. He reiterated that three of the group leaders had been in touch with grave concerns about meeting. At that time we didn't know the severity of Omicron but it had been published that it was easily transmitted and I felt that it wasn't worth taking the risk of any of our members or staff being in contact with a potentially deadly virus. With a great deal of thought the meeting was postponed with the very best of intentions."*

*(d) "Provide copies of any emails sent and received by you in your capacity as Chairman of the Council, be they from Members or Officers (copies to be appended to the minutes)?"*

Councillor Frank replied:

*"There were no emails, all contact was by telephone."*

*(e) Confirm how much your decision to "cancel" the meeting cost the taxpayers of Ryedale?"*

Councillor Frank replied:

*"The cost to adjourn the meeting was £3,042.97 for Saville's for audio support. £495 for the Milton Rooms hire."*

Councillor Duncan then asked the following supplementary question:

*"When we met as a Council on the 17<sup>th</sup> of February last Thursday, the infection rate in Ryedale was 473. On the 2<sup>nd</sup> of December, the date of the cancelled meeting, it was 390. On October the 8<sup>th</sup>, the meeting which preceded, it was 352. Given that there is no apparent public health logic behind the meetings that have been allowed and the ones that have not been allowed, can you understand why there might be a perception you did not fulfil your duties as Chairman in the non-partisan and non-political fashion expected?"*

Councillor Frank then replied:

*“I think by the time it got into February we knew more about Omicron, we knew a lot more, the science had moved on about the severity of Omicron. And so I really think that my decision to close, to adjourn the meeting on the 2<sup>nd</sup> of December was with the best of intentions and it was for the health and wellbeing of our Members and staff, no other reason.*

*Thank you.”*

109 **To Councillor Keal, Chair of Policy and Resources Committee, from Councillor Potter**

*“In view of the questions raised about the circa £3,500 cost to RDC of technical backup and live-streaming of Council meetings to comply with Covid-19 regulations, could the Chair of Policy and Resources committee please*

- 1. Provide a precise itemised breakdown of these costs;*
- 2. Inform members which costs are mandatory and under what conditions, and which are voluntary.”*

Councillor Keal, Chair of Policy and Resources replied:

*“Thank you Councillor Potter for your question. The net cost of live streaming and technical support for Council meetings as is the case this evening is as follows: £3,292.97 for audio support and the cost of hiring the Milton Rooms for meetings was £495. Based on the health and safety advice that we have, all costs are mandatory as we were unable to facilitate meetings at Ryedale House when we were meeting at the Milton Rooms, maintaining the required social distancing in order to protect members and officers. And our in-house IT team are unable to provide live streaming of meetings due to insufficient staffing and equipment. Thank you.”*

There was no further supplementary question.

110 **To Councillor Keal, Chair of Policy and Resources Committee, from Councillor Potter**

*“In view of the impending elections for members of the new shadow North Yorkshire Council, the fast approaching implementation of local government reorganisation and the inevitable concern of staff about their future employment, could the Chair of Policy and resources Committee please inform members what progress has been made to convene the first of quarterly Joint works Group (JWG) meetings as agreed by Full Council in February 2021. This to preferably include proposed meeting date as and how participants will be decided – staff, unions, and members. With the fourth meeting of the JWG due soon, why is this group still to meet?”*

Councillor Keal, Chair of Policy and Resources replied:

*“Thank you, Councillor Potter, and thank you for giving me notice of this question. You’ll be pleased to hear that despite the long delay in getting the JWG together, there has recently been the first meeting on the 14<sup>th</sup> of February, and the group is scheduled to meet every quarter going forward until the 31<sup>st</sup> March 2023. In terms of membership, the group is chaired by Harry Rashid, Head of HR, and group leaders, senior managers, heads of service, and Unison were all asked to put forward two representatives from each respective group. The two Members of this Council who attend are Councillor Duncan and myself.*

*The delay was for unfortunate reasons really. A report was commissioned following the decision of Council in February, in April 2021 to consider the purpose and setup of the group, and meetings took place at that time with Unison, officers, managers and group leaders, and the report was completed in May 2021. Group leaders were then asked to provide two names of representative in May 2021. Councillor Clark as Chair of Policy and Resources at the time was keen to discuss details with group leaders, but unfortunately due to his passing this didn’t happen, and that is what really resulted in the far too long delay in setting up this committee.*

*I raised the long-overdue meeting with HR and they continued to follow up. They were sent confirmation of member representatives in December 2021, and following this confirmation the first meeting was organised for February 14<sup>th</sup>. Thank you.”*

Councillor Potter then asked the following supplementary question:

*“Now I could be wrong, but I was under the impression that Council had decided that there were to be six members of staff, six members of union, and six Members involved. Is this correct or incorrect, and why is it only two of each? Thank you.”*

Councillor Keal, Chair of Policy and Resources then replied:

*“I think those figures were changed Councillor Potter, after the report which the Head of HR pulled together in consultation with managers and with unions. It was felt that that size of meeting would be actually quite unwieldy so I think that’s where that decision came about. The report from the Head of HR went to Senior Management Board and I think that’s where that decision came from. And I think it was felt appropriate for myself to sit on the committee as Chair of Policy and Resources and Councillor Duncan to sit on that committee as Staff Champion.”*

## 111 **Revenue and Capital Budgets and Setting of Council Tax 2022/23**

It was moved by Councillor Keal and seconded by Councillor P Andrews that Minute No. 98 (Ryedale’s Financial Strategy 2022-23) of the Policy and Resources Committee held on 3 February 2022 be noted and received by Council, that Council adopt the recommendations in the s151 Officer’s report which has been revised and updated following the meeting of P&R and that

Council approve item 8 paragraph roman numerals I to V relating to the Council's revenue budget

Councillor Burr proposed and Councillor Keal seconded the following amendment to (iii)

To remove £210.53 and replace with £205.63.

Upon being put to the vote the amendment was carried.

### **Voting record**

13 For

7 Against

#### **Recorded Vote**

##### For

Councillors P Andrews, Bailey, Burr, Cleary, Cussons, Docwra, Duncan, Garbutt-Moore, Goodrick, Graham, Keal, Riby and Thackray.

##### Against

Councillors J Andrews, Arnold, Brackstone, Clark, Frank, Potter and Wass.

Councillor Thackray left the meeting on 17 February at 9.02pm.

Councillor Mason joined the meeting on 17 February at 9.15pm.

Councillor Duncan proposed and Councillor Keal seconded the following amendment to (iii)

To remove £205.63 and replace with £195.82.

Upon being put to the vote the amendment was lost.

### **Voting record**

9 For

9 Against

1 Abstention

Chairman's casting vote **Against**

#### **Recorded Vote**

##### For

Councillors Bailey, Burr, Cleary, Docwra, Duncan, Garbutt-Moore, Goodrick, Graham and Keal.

##### Against

Councillors J Andrews, Arnold, Brackstone, Clark, Cussons, Frank, Potter, Riby and Wass.

##### Abstention

Councillor P Andrews

Councillor Docwra proposed and Councillor Bailey seconded the following amendment to (v) (appendix 6)

To replace “Milton Rooms Committee” with “Projects in Ryedale Rural Communities”.

Upon being put to the vote the amendment was carried.

**Voting record**

10 For

7 Against

2 Abstentions

**Recorded Vote**

For

Councillors Arnold, Bailey, Cleary, Cussons, Docwra, Duncan, Frank, Garbutt-Moore, Graham and Riby.

Against

Councillors J Andrews, P Andrews, Brackstone, Burr, Keal, Potter and Wass.

Abstentions

Councillors Clark and Goodrick.

The meeting on 17 February adjourned at 9.40pm and reconvened at 9.45pm.

Councillor Duncan proposed and Councillor Docwra seconded the following amendment

To add £50k to capital programme for the Skate Park.

Upon being put to the vote the amendment was carried.

**Voting record**

11 For

5 Against

3 Abstentions

**Recorded Vote**

For

Councillors P Andrews, Arnold, Bailey, Burr, Cleary, Docwra, Duncan, Garbutt-Moore, Graham, Keal and Riby.

Against

Councillors J Andrews, Brackstone, Clark, Frank and Potter.

Abstentions

Councillors Clark, Goodrick and Wass.

Councillor Goodrick proposed and Councillor Arnold seconded the following amendment.

To transfer £150k from reserves to the Communities Grant Fund.

Upon being put to the vote the amendment was carried.

### **Voting Record**

Unanimous

Councillor Bailey proposed and Councillor Duncan seconded the following amendment

To add

(vii) pay statement to be referred to Policy and Resources for further consideration.

Upon being put to the vote the amendment was carried.

### **Voting record**

Unanimous

### **Resolved**

That Council:

- (i) Approves the following, in addition to the amended recommendations from Policy and Resources Committee.

#### **I Budget 2022/2023**

That the revenue estimates for 2022/2023, as submitted in the Council's Financial Strategy and Revenue Budget 2022/2023 Book be approved subject to the following amendments

- a to freeze council tax at £205.63 for a band D property
- b to replace "Milton Rooms Committee" with "Projects in Ryedale Rural Communities" in v (appendix 6)
- c to add £50k to capital programme for the Skate Park
- d to transfer £150k from reserves to the Communities Grant Fund
- e to add (vii) pay statement to be referred to Policy and Resources for further consideration

#### **II Council Tax Base**

That it be noted that, in accordance with Minute No. 363(d)/2005 of the Policy and Resources Committee held on 8 December 2005, which was subsequently approved by Council at its meeting on 12 January 2006, Ryedale District Council has (pursuant to Section 101 of the Local Government Act 1972) delegated responsibility to adopt the Council Tax base to the Chief Executive and Chief Finance Officer in consultation with the Chairman of the Policy and Resources Committee. The Council



calculated the amounts for the year 2022/23, in accordance with regulations made under Section 31B of the Local Government Finance Act 1992, as amended, as set out in Annex A.

### III **District/Parish Council Tax Rates**

That the following amounts be now calculated by the Council for the year 2022/23, in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992, as amended (the Act):

(a) **District/Parish Gross Expenditure**

£30,326,158.00 being the aggregate of the amounts, which the Council estimates for the items, set out in Section 31A(2) of the Act.

(b) **Income (including Government Grants and Collection Fund Surpluses)**

£24,563,374.00 being the aggregate of the amounts, which the Council estimates for the items, set out in Section 31A(3) of the Act.

(c) **District/Parish Council Tax Requirement**

£5,762,784.00 being the amount by which the aggregate at Part III(a) above exceeds the aggregate at Part III(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year.

(d) **Basic Amount of Tax (including Parish Precepts)**

£259.27 being the amount at Part III(c) above, all divided by the amount at Part II above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.

(e) **Parish Precept and Special Expenses**

£1,192,277.00 being the aggregate amount of all special items referred to in Section 34(1) of the Act.

(f) **Basic Amount of Tax (excluding Parish Precepts)**

£205.63 being the amount at Part III(d) above less the results given by dividing the amount at Part III(e) above by the amount given at Part II above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council

Tax for the year for dwellings in those parts of its area to which no special item relates.

**(g) Basic Amount of Tax in Parishes/Towns**

The details for each Parish as shown in Annex B, column headed “Aggregate amount at Band D”, being the amounts given by adding to the amount at Part III(f) above the amounts of the special item or items relating to dwellings in those parts of the Council’s area mentioned above, divided in each case by the amount at Part II above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

**(h) District/Parish Council Tax Rates**

The details as shown in columns “A” to “H” of Annex B, being the amounts given by multiplying the amounts at Part III(f) and Part III(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in respect of categories of dwellings listed in different valuation bands.

**IV County Council, Police & Crime Commissioner and Fire & Rescue Authority Tax Rates**

That it be noted that for the year 2022/23 precepting Authorities have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, as amended, for each of the categories of dwellings shown below:

<b>BAND</b> £	<b>NORTH YORKSHIRE COUNTY COUNCIL</b> £	<b>NYCC ADULT SOCIAL CARE</b> £	<b>NORTH YORKSHIRE POLICE &amp; CRIME COMMISSIONER</b> £	<b>NORTH YORKSHIRE FIRE &amp; RESCUE AUTHORITY</b> £
<b>A</b>	865.88	112.35	187.37	50.41
<b>B</b>	1,010.19	131.08	218.60	58.81
<b>C</b>	1,154.51	149.80	249.83	67.21
<b>D</b>	1,298.82	168.53	281.06	75.61
<b>E</b>	1,587.45	205.98	343.52	92.41

<b>F</b>	1,876.07	243.43	405.98	109.21
<b>G</b>	2,164.70	280.88	468.43	126.02
<b>H</b>	2,597.64	337.06	562.12	151.22

## V **Total Council Tax Rates**

That having calculated the aggregate in each case of the amounts at Part III(h) and Part IV above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, as amended, hereby sets the amounts set out in Annex C as the amounts of Council Tax for 2022/23 for each of the categories of dwellings shown.

The recommendations from Policy and Resources Committee and Annexes A, B and C as amended are contained within the Minute Annex.

### **Voting record item (i)**

13 For

6 Abstentions

#### For

Councillors J Andrews, P Andrews, Arnold, Brackstone, Burr, Clark, Cussons, Frank, Goodrick, Keal, Potter, Riby and Wass.

#### Abstentions

Councillors Bailey, Cleary, Docwra, Duncan, Garbutt-Moore and Graham.

### **Voting record item (ii-v)**

14 For

6 Abstentions

#### For

Councillors J Andrews, P Andrews, Arnold, Brackstone, Burr, Clark, Cussons, Frank, Goodrick, Keal, Mason, Potter, Riby and Wass.

#### Abstentions

Councillors Bailey, Cleary, Docwra, Duncan, Garbutt-Moore and Graham.

Agenda items 13 and 12 were taken next (minute numbers 121 & 120 respectively) prior to the meeting being adjourned at 11.00pm on 17 February 2022 and reconvened for 24 February 2022 in the Council Chamber at Ryedale House at 6.30pm.

## 112 **Treasury Management Strategy Statement and Investment Strategy 2022/23**

It was moved by Councillor Keal and seconded by Councillor Burr that the following recommendations be approved and adopted.

- (i) Members receive this report;

- (ii) The Operational Borrowing Limit for 2022/23 is set at £7m;
- (iii) The Authorised Borrowing Limit for 2022/23 is set at £12.5m;
- (iv) Councillors delegate authority to the Chief Finance Officer to effect movement within the agreed authorised boundary limits for long-term borrowing for 2022/23 onwards;
- (v) Councillors delegate authority to the Chief Finance Officer to effect movement within the agreed operational boundary limits for long-term borrowing for 2022/23 onwards;
- (vi) The treasury management strategy statement 2022/23 be approved;
- (vii) The minimum revenue provision policy statement for 2022/23 be approved;
- (viii) The treasury management investment strategy for 2022/23 be approved;
- (ix) The prudential indicators for 2022/23 which reflect the capital expenditure plans which are affordable, prudent and sustainable be approved;
- (x) The Capital Strategy for 2022/23 be approved.

**Resolved**

That Council approves

- (i) Members receive this report;
- (ii) The Operational Borrowing Limit for 2022/23 is set at £7m;
- (iii) The Authorised Borrowing Limit for 2022/23 is set at £12.5m;
- (iv) Councillors delegate authority to the Chief Finance Officer to effect movement within the agreed authorised boundary limits for long-term borrowing for 2022/23 onwards;
- (v) Councillors delegate authority to the Chief Finance Officer to effect movement within the agreed operational boundary limits for long-term borrowing for 2022/23 onwards;
- (vi) The treasury management strategy statement 2022/23 be approved;

- (vii) The minimum revenue provision policy statement for 2022/23 be approved;
- (viii) The treasury management investment strategy for 2022/23 be approved;
- (ix) The prudential indicators for 2022/23 which reflect the capital expenditure plans which are affordable, prudent and sustainable be approved;
- (x) The Capital Strategy for 2022/23 be approved.

**Voting Record**

Unanimous

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

114 **Minute 74 - Model Code of Conduct**

It was moved by Councillor Burr and seconded by Councillor Goodrick that the following recommendation be approved and adopted.

That the Local Government Association (LGA) Model Code of Conduct for Councillors be adopted as Ryedale District Council's Code of Conduct for Councillors, subject to minor amendments to replace gender-specific language (e.g. 'him/her') with gender neutral language (e.g. 'their') and to add socio-economic group to the list of characteristics to be protected in the 'Equalities' section.

Councillor Cleary proposed and Councillor Docwra seconded the following amendment

That

"subject to minor amendments to replace gender-specific language (e.g. 'him/her') with gender neutral language (e.g. 'their') and to add socio-economic group to the list of characteristics to be protected in the 'Equalities' section" be removed.

Upon being put to the vote the amendment was carried.

**Voting record**

10 For

8 Against

1 Abstention

**Recorded vote**

For

Councillors Bailey, Cleary, Cussons, Docwra, Duncan, Frank, Graham,

Hope, Riby and Thackray.

Against

Councillors J Andrews, Burr, Clark, Goodrick, Keal, Mason, Potter and Raine.

Abstention

Councillor P Andrews.

The substantive motion, as amended then read.

That the Local Government Association (LGA) Model Code of Conduct for Councillors be adopted as Ryedale District Council's Code of Conduct for Councillors.

**Resolved**

That the Local Government Association (LGA) Model Code of Conduct for Councillors be adopted as Ryedale District Council's Code of Conduct for Councillors.

**Voting record**

17 For

2 Against

**Recorded vote**

For

Councillors J Andrews, Bailey, Burr, Clark, Cleary, Cussons, Docwra, Duncan, Frank, Goodrick, Graham, Hope, Keal, Mason, Potter, Raine and Riby.

Against

Councillors P Andrews and Thackray.

**115 Minute 75 - Appointment of External Auditors**

It was moved by Councillor Burr and seconded by Councillor Riby that the following recommendation be approved and endorsed.

That Council accepts Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

Upon being put to the vote the motion was carried.

**Resolved**

That Council accepts Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023.

**Voting record**

Carried by general affirmation.

116 **Minute 97 - Revenue and Capital Budget Monitoring Q3 2021/22**

It was moved by Councillor Keal and seconded by Councillor Burr that the following recommendation be approved and endorsed.

It is recommended that the content of the report is noted.

Upon being put to the vote the motion was carried.

**Resolved.**

That the content of the report is noted

**Voting record**

Unanimous.

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

118 **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.”*

Councillor Duncan altered the motion with the consent of the seconder and the meeting as follows:

To end the garden tax whereby Ryedale District Council is profiting from its garden waste collection service to the tune of £120,000 per year the Council resolves to:

- a) extend the service to operate all year round in 2022/2023.
- b) reduce the service by £5.00 to £33.00 per year.

Councillor Mason proposed and Councillor Goodrick seconded the following amendment

To delete

- a) extend the service to operate all year round in 2022/2023.

Upon being put to the vote the amendment was lost.

**Voting record**

6 For

10 Against

3 Abstentions

**Recorded vote**

For

Councillors P Andrews, Burr, Frank, Goodrick, Keal and Mason.

Against

Councillors J Andrews, Bailey, Clark, Cleary, Cussons, Docwra, Duncan, Graham, Hope and Potter.

Abstentions

Councillors Raine, Riby and Thackray.

The substantive motion as altered then read

To end the garden tax whereby Ryedale District Council is profiting from its garden waste collection service to the tune of £120,000 per year the Council resolves to:

- a) extend the service to operate all year round in 2022/2023.
- b) reduce the service by £5.00 to £33.00 per year.

Upon being put to the vote the motion was lost.

**Voting record**

5 For

14 Against

**Recorded vote**

For

Councillors Bailey, Cleary, Docwra, Duncan and Graham.

Against

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

**119 Proposed by Councillor Keal and seconded by Councillor Mason**

*“Major flood defences in Malton, Norton and Old Malton protect hundreds of properties adjacent to the River Derwent, but in January 2021 Norton-on-Derwent has yet again been affected by serious and significant flooding*

*In 2000 this Council agreed to abandon badly needed major improvements to permanent flood protection for Norton when agreeing to NYCC plans to protect Malton and Old Malton. Recent events illustrate that this was an unsound decision.*



*We call on council to commit up to £2.5 million of reserves to contribute to partnership funding a permanent pumping solution for Norton to prevent surface water and sewer flooding occurring when water levels in the River Derwent are high.*

*The ARUP report of 2015 identified and costed the work required to protect homes and businesses in Norton and must now need to be acted on.*

*We further call on council to request that officers enter into **immediate** talks with Yorkshire Water, the Environment Agency and NYCC to seek funding contributions towards the scheme that will be required to build a permanent pumping solution.*

*Following recent events in Norton, when flood waters were only kept out of homes and businesses by 24/7 pumping, and property was yet again surrounded by raw sewage – this matter to be considered urgent and requiring **immediate** action.”*

Councillor Keal altered the motion with the consent of the seconder and the meeting as follows:

To delete:

*“We call on Council to commit up to £2.5 million of reserves to contribute to partnership funding a permanent pumping solution for Norton to prevent surface water and sewer flooding occurring when water levels in the River Derwent are high.”*

And replace with:

*“It is recommended that the Council agrees a contribution towards the Yorkshire Water Permanent Scheme for Norton of 20% of the total scheme costs to a maximum of £152,000 (based on total costs of £760,000). This funding will be allocated within the capital budget for 2022/23.”*

The proposed motion by Councillor Keal and seconded by Councillor Mason then read.

*“It is recommended that the Council agrees a contribution towards the Yorkshire Water Permanent Scheme for Norton of 20% of the total scheme costs to a maximum of £152,000 (based on total costs of £760,000). This funding will be allocated within the capital budget for 2022/23.”*

## **Resolved**

“It is recommended that the Council agrees a contribution towards the Yorkshire Water Permanent Scheme for Norton of 20% of the total scheme costs to a

maximum of £152,000 (based on total costs of £760,000). This funding will be allocated within the capital budget for 2022/23.”

**Voting record**

Unanimous

120 **Revised Political Proportionality of Council**

It was moved by Councillor Paul Andrews and seconded by Councillor Bailey that the following recommendations be approved and endorsed

That Council

- (i) approves the division of Committee seats between political groups in accordance with the allocation shown at paragraph 6.6;
- (ii) notes that the appointments made following a review of proportionality, set out in Annex A, comply with this allocation.

Upon being put to the vote the motion was carried.

**Resolved**

That Council

- (i) approves the division of Committee seats between political groups in accordance with the allocation shown at paragraph 6.6;
- (ii) notes that the appointments made following a review of proportionality, set out in Annex A, comply with this allocation.

**Voting record**

Unanimous

Councillors J Andrews and Brackstone left the meeting at 10.40pm.  
Councillor Arnold left the meeting at 10.50 pm.

It was moved by Councillor Duncan and seconded by Councillor Docwra that Council reconvenes on 24 February as decided in the annual programme in the Council Chamber at Ryedale House.

Upon being put to the vote the motion was carried.

**Resolved**

That Council reconvenes on 24 February as decided in the annual programme in the Council Chamber at Ryedale House.

**Voting record**

11 For

4 Against

1 Abstention

**Recorded vote**

For

Councillors Bailey, Burr, Clark, Cussons, Docwra, Duncan, Garbutt-Moore, Graham, Mason, Potter and Riby.

Against

Councillors P Andrews, Frank, Goodrick and Keal.

Abstention

Councillor Wass.

121 **Covid-19 Additional Relief Funding (CARF) Scheme**

It was moved by Councillor Keal and seconded by Councillor Burr that

Full Council supports the proposed Covid-19 Additional Relief Funding (CARF) scheme.

Upon being put to the vote the motion was carried.

**Resolved**

That Council supports the proposed Covid-19 Additional Relief Funding (CARF) scheme.

**Voting record**

Unanimous

122 **Appointments to Outside Bodies**

123 **To Appoint a Representative to the Milton Rooms Management Committee.**

It was proposed by Councillor Duncan and seconded by Councillor Burr that Councillor Docwra be appointed as representative to the Milton Rooms Management Committee.

Upon being put to the vote the motion was carried.

**Resolved**

That Councillor Docwra be appointed as representative to the Milton Rooms Management Committee.

**Voting record**

Carried by general affirmation.

124 **To Appoint a Substitute to the North Yorkshire and York Spatial Planning and Transport Board.**

There were no nominations for the appointment of a substitute to the North Yorkshire and York Spatial Planning and Transport Board.

**125 To Appoint a Substitute to the Safer Ryedale Delivery Team**

Councillor Potter proposed and Councillor Burr seconded that Councillor Joy Andrews be appointed as substitute to the Safer Ryedale Delivery Team.

Upon being put to the vote the motion was carried.

**Resolved**

Councillor Joy Andrews be appointed as substitute to the Safer Ryedale Delivery Team.

**Voting record**

Carried by general affirmation.

**126 To Appoint a Substitute to the Community and Police Consultation Group for Malton Rural East**

It was proposed by Councillor Paul Andrews and seconded by Councillor Burr that Councillor Paul Andrews be appointed as Substitute to the Community and Police Consultation Group for Malton Rural East.

Upon being put to the vote the motion was carried.

**Resolved**

Councillor Paul Andrews be appointed as Substitute to the Community and Police Consultation Group for Malton Rural East.

**Voting record**

Carried by general affirmation.

**127 To Agree a Change of Date of April Full Council Meeting**

In light of recent Government announcements and member views, all Council meetings will return to the Council Chamber in Ryedale House.

The date of the next Full Council meeting is Thursday 7 April 2022 at Ryedale House.

**128 TO RECEIVE A COMMITTEE LEVEL DECISION MADE UNDER URGENCY POWERS, AS REQUIRED UNDER THE CONSTITUTION**

**129 Designation of Interim Monitoring Officer**

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

There being no further items of business the meeting closed at 9.15pm.