

Council

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday 12 October 2017**

Present

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

In Attendance

Rachael Balmer
Beckie Bennett
Simon Copley
Jos Holmes
Gary Housden
Peter Johnson
Angela Jones
Julian Rudd
Clare Slater
Jill Thompson
Anthony Winship

Minutes

38 **Apologies for absence**

Apologies for absence were received from Councillors Acomb, Cussons, Frank and Sanderson.

39 Public Question Time

There were no public questions.

40 Minutes

The minutes of the Ordinary Meeting of Council held on 31 August 2017 were presented.

Resolved

That the minutes of the Ordinary Meeting of Council held on 31 August 2017 be approved and signed by the Chairman as a correct record.

41 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):

Discussion of a matter relating to the appointment of an agency to run the recruitment process for the post of Chief Executive.

Councillor Clark had requested that the Chairman take this item as urgent business and that it should be considered in exempt.

42 Declarations of Interest

The following interests were declared:

Councillor Paul Andrews declared a personal non-pecuniary but not prejudicial interest in agenda item 9, Policy and Resources Committee minute 25 (Town Centre CCTV System Upgrade and Extension: Request for Financial Support from the New Homes Bonus) and a personal non-pecuniary but prejudicial interest in Policy and Resources Committee minute 26 (Milton Rooms Redevelopment Project). With the latter item, he made a statement and then the room for the discussion and vote on the matter.

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

Councillor Burr declared a personal non-pecuniary but not prejudicial interest in agenda item 9, Policy and Resources Committee minute 25 (Town Centre CCTV System Upgrade and Extension: Request for Financial Support from the New Homes Bonus) as she owned properties in Malton and Norton and in Planning Committee minute 81 (The Ryedale Plan – Local Plan Sites Document

and Policies Map) for the same reason and as a North Yorkshire County Councillor.

Councillor Cleary declared a personal non-pecuniary but not prejudicial interest in agenda item 9, Policy and Resources Committee minute 25 (Town Centre CCTV System Upgrade and Extension: Request for Financial Support from the New Homes Bonus) as he had been lobbied and Policy and Resources Committee minute 27 (Malton to Pickering Cycle Route) as Chairman of the North Yorkshire Cycle Forum.

Councillor Duncan declared a personal non-pecuniary but not prejudicial interest in agenda item 9, Planning Committee minute 81 (The Ryedale Plan – Local Plan Sites Document and Policies Map) as he lived near to an allocated site and as a North Yorkshire County Councillor.

Councillor Farnell declared a personal non-pecuniary but not prejudicial interest in agenda item 9, Planning Committee minute 81 (The Ryedale Plan – Local Plan Sites Document and Policies Map) as a parish councillor for Slingsby, South Holme and Fryton.

Councillor Goodrick declared a personal non-pecuniary but not prejudicial interest in agenda item 9, Planning Committee minute 81 (The Ryedale Plan – Local Plan Sites Document and Policies Map) as a North Yorkshire County Councillor.

Councillor Ives declared a personal non-pecuniary but not prejudicial interest in agenda item 9, Policy and Resources Committee minute 25 (Town Centre CCTV System Upgrade and Extension: Request for Financial Support from the New Homes Bonus) as he had been lobbied and in Planning Committee minute 81 (The Ryedale Plan – Local Plan Sites Document and Policies Map) as he owned multiple properties in Norton.

Councillor Potter declared a personal non-pecuniary but not prejudicial interest in agenda item 9, Policy and Resources Committee minute 25 (Town Centre CCTV System Upgrade and Extension: Request for Financial Support from the New Homes Bonus) as he had been lobbied and in Policy and Resources Committee minute 27 (Malton to Pickering Cycle Route) as a cyclist.

43 Announcements

There were no announcements from the Chairman or the Chief Executive (Interim).

44 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.

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

Overview and Scrutiny Committee - 27 July 2017

Minute 22 – Treasury Management Annual Report 2016-17

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

That Council is recommended to:

- (i) Note the annual treasury management report for 2016/17; and
- (ii) Approve the actual 2016/17 prudential and treasury indicators in this report

Upon being put to the vote the motion was carried.

Resolved

That Council:

- (i) Note the annual treasury management report for 2016/17; and
- (ii) Approve the actual 2016/17 prudential and treasury indicators in this report

Voting Record

26 For

0 Against

0 Abstentions

Minute 27 – Revised Local Code of Corporate Governance

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

That Council be recommended:

That the updated Local Code of Corporate Governance be approved.

Upon being put to the vote the motion was carried.

Resolved

That the updated Local Code of Corporate Governance be approved.

Voting Record

26 For

0 Against

0 Abstentions

Policy and Resources Committee - 21 September 2017

Minute 25 – Town Centre CCTV System Upgrade and Extension: Request for Financial Support from the New Homes Bonus

It was moved by Councillor Ives 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 £22,000 grant for Ryedale Cameras In Action for the town centre CCTV system upgrade, £19,100 to be funded from the New Homes Bonus Reserve and £2,900 from the s106 relating to the provision and / or improvement to youth and / or adult sports facilities within the vicinity of the land within Norton and Malton.
- (ii) That RDC will not be involved in the purchase or administration of the town centre CCTV system upgrade and will not be involved in the administration of the system or payment of invoices following the upgrade.

Councillor Goodrick moved and Councillor Burr seconded the following amendment:

To add –

- (iii) *Given that the CCTV system is to be used for the specific purpose of detecting crime, this authority writes as a matter of urgency to the Police and Crime Commissioner for the North Yorkshire Police and ask her for a substantial contribution towards continuing provision.*

Upon being put to the vote the amendment was carried.

Recorded vote

For - Councillors Paul Andrews, Steve Arnold, Val Arnold, Bailey, Burr, Cleary, Cowling, Duncan, Farnell, Gardiner, Goodrick, Hope, Ives, Jainu-Deen, Jowitt, Di Keal, Maud, Oxley, Raper, Elizabeth Shields, Wainwright and Windress.

Against - Councillors Joy Andrews, Clark, Potter and Thornton.

Abstentions – None.

Upon being put to the vote the motion was carried.

Resolved

That Council approve:

- (i) A £22,000 grant for Ryedale Cameras In Action for the town centre CCTV system upgrade, £19,100 to be funded from the New Homes Bonus Reserve and £2,900 from the s106 relating to the provision and / or improvement to youth and / or adult sports facilities within the vicinity of the land within Norton and Malton.
- (ii) That RDC will not be involved in the purchase or administration of the town centre CCTV system upgrade and will not be involved in the administration of the system or payment of invoices following the upgrade.
- (iii) Given that the CCTV system is to be used for the specific purpose of detecting crime, this authority writes as a matter of urgency to the Police and Crime Commissioner for the North Yorkshire Police and ask her for a substantial contribution towards continuing provision.

Recorded vote

For - Councillors Paul Andrews, Steve Arnold, Val Arnold, Bailey, Burr, Cleary, Cowling, Duncan, Farnell, Gardiner, Goodrick, Hope, Ives, Jainu-Deen, Jowitt, Di Keal, Maud, Oxley, Raper, Elizabeth Shields, Wainwright and Windress.

Against - Councillors Joy Andrews, Clark, Potter and Thornton.

Abstentions – None.

Minute 26 – Milton Rooms Redevelopment Project

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

That Council is recommended to approve funds from the New Homes Bonus Reserve towards the Milton Rooms Redevelopment Project totalling £321,160, subject to match funding being in place, split as follows:

- (i) A funding commitment of £171,110 towards Part 1 of the Redevelopment Project in support of the submitted Heritage Lottery Funding (HLF) Bid and,
- (ii) A funding commitment of £150,050 towards Part 2 of the Redevelopment Project.

Upon being put to the vote the motion was carried.

Resolved

That Council is recommended to approve funds from the New Homes Bonus Reserve towards the Milton Rooms Redevelopment Project totalling £321,160, subject to match funding being in place, split as follows:

- (i) A funding commitment of £171,110 towards Part 1 of the Redevelopment Project in support of the submitted Heritage Lottery Funding (HLF) Bid and,
- (ii) A funding commitment of £150,050 towards Part 2 of the Redevelopment Project.

Voting Record

25 For

0 Against

0 Abstentions

Minute 27 – Malton to Pickering Cycle Route

It was moved by Councillor Ives 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) The Council acting as applicant for Rural Development Programme for England (RDPE) funding and lead organisation for subsequent implementation;
- (ii) The procurement of consultants to undertake project development up to a maximum of £75k;
- (iii) Funding of up to £75k from the general reserve towards costs of project development.

Upon being put to the vote the motion was carried.

Resolved

That Council approve:

- (i) The Council acting as applicant for Rural Development Programme for England (RDPE) funding and lead organisation for subsequent implementation;
- (ii) The procurement of consultants to undertake project development up to a maximum of £75k;
- (iii) Funding of up to £75k from the general reserve towards costs of

project development.

Voting Record

26 For

0 Against

0 Abstentions

Planning Committee - 11 October 2017

Minute 81 – The Ryedale Plan - Local Plan Sites Document and Policies Map

It was moved by Councillor Farnell and seconded by Councillor Burr that the following recommendations of the Planning Committee be approved and adopted.

That Council be recommended to approve:

- (i) The Sites Document at Appendix 1 of the report is agreed for formal publication and submission for examination;
- (ii) The Policies Map at Appendix 2 of the report is agreed for formal publication and submission for examination with the addition of the ATS site in Norton as a committed housing site;
- (iii) Members note the summaries of the comments received following consultations in 2015 and 2016 at Appendices 3 and 4 and the summary of the representation in relation to site 666 which will be added to Appendix 3;
- (iv) Authority is delegate to the Head of Planning in conjunction with the Chairman of the Planning Committee to make any necessary minor typographical and grammatical changes to the Sites Document and to correct any technical mapping inaccuracies and glitches prior to the formal publication of the documents;
- (v) Authority is delegated to the Officer team to provide a response to all questions, issues and matters raised during the examination and to the Head of Planning to agree minor modifications to the Plan and Main Modifications for consultation as part of the examination process;
- (vi) Delegate Authority to the Officer team to make a request to the Inspector appointed to examine the Plan to recommend, if necessary, modifications to the documents which would make them sound;
- (vii) To update the Local Development Scheme in order to specify the dates for the subsequent formal stages in the process as outlined in paragraph 6.34.

Members recorded their thanks to officers for their work on the Sites Document and Policies Map.

Upon being put to the vote the motion was carried.

Resolved

That Council approve:

- (i) The Sites Document at Appendix 1 of the report is agreed for formal publication and submission for examination;
- (ii) The Policies Map at Appendix 2 of the report is agreed for formal publication and submission for examination with the addition of the ATS site in Norton as a committed housing site;
- (iii) Members note the summaries of the comments received following consultations in 2015 and 2016 at Appendices 3 and 4 and the summary of the representation in relation to site 666 which will be added to Appendix 3;
- (iv) Authority is delegate to the Head of Planning in conjunction with the Chairman of the Planning Committee to make any necessary minor typographical and grammatical changes to the Sites Document and to correct any technical mapping inaccuracies and glitches prior to the formal publication of the documents;
- (v) Authority is delegated to the Officer team to provide a response to all questions, issues and matters raised during the examination and to the Head of Planning to agree minor modifications to the Plan and Main Modifications for consultation as part of the examination process;
- (vi) Delegate Authority to the Officer team to make a request to the Inspector appointed to examine the Plan to recommend, if necessary, modifications to the documents which would make them sound;
- (vii) To update the Local Development Scheme in order to specify the dates for the subsequent formal stages in the process as outlined in paragraph 6.34.

Voting Record

24 For

1 Against

0 Abstentions

Note: Councillor Paul Andrews requested that his vote against the motion be recorded.

Council considered the appointment of a representative to the Yorkshire Leaders' Board.

Councillor Ives moved and Councillor Steve Arnold seconded the following motion:

“If the Council has a Leader, then the Leader represent the Council on the Yorkshire Leaders’ Board, with the Chairman of the Policy and Resources Committee as substitute, or the Vice Chairman where the same person holds both positions.

If the Council has not got a Leader, then the Chairman of the Policy and Resources Committee is the representative, with the Vice Chairman of the Policy and Resources Committee as substitute.”

Councillor Clark moved and Councillor Potter seconded the following amendment:

“This decision be referred to the Constitution Working Party for consideration.”

Upon being put to the vote the amendment was carried.

Recorded vote

For - Councillors Joy Andrews, Paul Andrews, Burr, Clark, Cowling, Hope, Jowitt, Di Keal, Maud, Potter, Raper, Elizabeth Shields, Thornton, Wainwright and Windress.

Against - Councillors Cleary, Duncan, Farnell, Gardiner, Goodrick, Ives, Jainu-Deen and Oxley.

Abstentions – Councillor Val Arnold.

Upon being put to the vote the motion was carried.

Resolved

That this decision be referred to the Constitution Working Party for consideration.

Voting Record

19 For

4 Against

2 Abstentions

47 Any other business that the Chairman decides is urgent.

There was one item of urgent business.

The Chairman moved and Councillor Cowling seconded that the item of urgent business be dealt with in exempt session.

Resolved

That under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the item of urgent business as it contains information relating to the financial or business affairs of any particular person (including the authority holding that information).

Council considered a matter relating to the appointment of an agency to run the recruitment process for the post of Chief Executive.

Advice was provided by the Monitoring Officer and it was agreed that a briefing paper prepared by the Monitoring Officer and the Section 151 Officer be circulated to Members.

Councillor Wainwright moved and Councillor Ives seconded the following motion:

“That the Council continue with the recruitment process.”

Upon being put to the vote the motion was carried.

Resolved

That the Council continue with the recruitment process.

Voting Record

19 For

0 Against

5 Abstentions

The Chairman thanked all officers involved in preparing reports and making arrangements for the meeting for their hard work.

There being no other business, the meeting closed at 9.50pm.