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Council

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Main Hall, Milton Rooms, Malton** on **Thursday 20 May 2021**

Present

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

In Attendance

Stacey Bulet, Simon Copley, Anton Hodge, Christine Phillipson, Phillip Spurr, Ellen Walker and Margaret Wallace

Minutes

1 Chairman

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

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

Resolved

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

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

Voting record

14 for Councillor Docwra

16 for Councillor Frank

Recorded vote

Councillor Docwra

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

Councillor Frank

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

2 **Vote of thanks to the retiring Chairman**

The Chairman proposed and Councillor Clark seconded a vote of thanks to Councillor Cleary.

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

Members thanked the retiring Chairman, Councillor Cleary, for his three years of service as the Chairman of Council, including through the COVID-19 pandemic.

Councillor Cleary responded and thanked the Vice Chairman, Officers and Members of the Council, the Chaplain, the community, and his family for their support during his term of office as Chairman of the Council.

Voting record

Unanimous

3 **Vice Chairman**

It was proposed by Councillor Bailey and seconded by Councillor Middleton that Councillor Garbutt Moore be elected Vice Chairman of the Council for the ensuing year.

Upon being put to the vote the motion was carried.

Resolved

That Councillor Garbutt Moore be elected 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

Unanimous

4 **Apologies for absence**

There were no apologies for absence.

5 **Minutes of the Annual Meeting of Council held on 8 October 2020**

The minutes of the Annual Meeting of Council held on 8 October 2020 were presented.

Resolved

That the minutes of the Annual Meeting of Council held on 8 October 2020 be approved and signed by the Chairman as a correct record.

The resolution was carried by general affirmation.

6 Urgent Business

There was one item of urgent business regarding car parking charges which was considered under item 14.

The reason for the urgency was the timescale within which a decision was required.

7 Declarations of Interest

There were no declarations of interest given at the beginning of the meeting.

Councillor Burr declared a personal, pecuniary and prejudicial interest in the item of urgent business relating to car parking charges, as an owner of commercial properties in Ryedale. Councillor Burr left the meeting at 8:15pm and did not participate in the debate or the vote on this item.

8 Announcements

The Chairman of Council and Head of Paid Service had no announcements.

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.

No motions were moved in respect of the appointment of a Leader or Deputy Leader of the Council. There will therefore be no Leader or 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 2021-2022

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 constituted 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 5-8 were each moved and seconded en bloc, as follows:

Recommendations 1, 2 and 3

It was moved by Councillor Clark and seconded by Councillor Potter that Council adopts the recommendations shown at Annex A of the report.

Resolved

1. That the 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

The resolution was carried by general affirmation.

Recommendation 4

With reference to recommendation 4 of the report, Members were reminded that the Annual Meeting of Council elects 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.

Roles	Nominee	Proposer	Seconded	Voting record	Outcome
Chairman of Policy and Resources	Cllr Clark	Cllr J Andrews	Cllr Burr	16 For 14 Against	Cllr Clark elected
Vice Chairman of Policy and Resources	Cllr Keal	Cllr Burr	Cllr Frank	17 For 13 Against	Cllr Keal elected
Chairman of Planning	Cllr Goodrick Cllr P Andrews	Cllr Cleary Cllr Burr	Cllr Windress Cllr Thackray	15 Cllr Goodrick 15 Cllr P Andrews*	Cllr P Andrews elected*
Vice Chairman of Planning	Cllr Windress Cllr Potter	Cllr Goodrick Cllr Clark	Cllr Cleary Cllr Burr	13 Cllr Windress 17 Cllr Potter	Cllr Potter elected
Chairman of Overview and Scrutiny	Cllr Middleton	Cllr Keal	Cllr Mason	18 For 11 Against 1 Abstain	Cllr Middleton elected
Vice Chairman of Overview and Scrutiny	Cllr Wass	Cllr Clark	Cllr Potter	18 For 12 Against	Cllr Wass 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 Clark and seconded by Councillor Potter.

Recommendation 5

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

Recommendation 6

That the membership of the Licensing 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 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.

The resolution was carried by general affirmation.

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 Clark |
| (ii) | Vice Chairman | Councillor Keal |

Planning Committee

- | | | |
|------|---------------|----------------------|
| (i) | Chairman | Councillor P Andrews |
| (ii) | Vice Chairman | Councillor Potter |

Overview and Scrutiny Committee

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

- (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 Staff Champion

It was reported that it was necessary for this item to be deferred to the next Ordinary Meeting of Council. This item therefore stands deferred.

12 Appointment of a Representative to the Local Enterprise Partnership - Overview and Scrutiny Board

It was moved by Councillor P Andrews and seconded by Councillor Riby that Councillor Burr be appointed to the Local Enterprise Partnership – Overview and Scrutiny Board.

Upon being put to the vote the motion was carried.

Resolved

That Councillor Burr be appointed to the Local Enterprise Partnership – Overview and Scrutiny Board.

Voting record

17 For

13 Against

Recorded vote

For

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

Against

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

13 Any other business that the Chairman decides is urgent

Councillor Clark proposed and Councillor Potter seconded the following motion:

“This Council defers implementation of the decision on free car parking made by Council on 15th April to the Policy and Resources Committee meeting on 27th

May, with the Policy and Resources Committee recommendation to be the interim position adopted until the matter is consider further by Full Council on 24th June.”

Councillor Burr declared a personal, pecuniary and prejudicial interest as an owner of commercial properties in Ryedale. Councillor Burr left the meeting at 8:15pm and did not participate in the debate or the vote on this item.

Councillor Garbutt Moore left the meeting at 8:25pm.

Upon being put to the vote the motion was carried.

Resolved

This Council defers implementation of the decision on free car parking made by Council on 15th April to the Policy and Resources Committee meeting on 27th May, with the Policy & Resources Committee recommendation to be the interim position adopted until the matter is consider further by Full Council on 24th June.

Voting record

15 For

11 Against

2 Abstentions

Recorded vote

For

Councillors J Andrews, P Andrews, Arnold, Brackstone, Clark, Cussons, Frank, Hope, Mason, Potter, Raine, Riby, Thackray, Wass, Windress

Against

Councillors Bailey, Cleary, Delaney, Docwra, Duncan, Goodrick, Graham, King, Mackenzie, Oxley and Raper

Abstain

Councillors Keal and Middleton

There being no further items of urgent business the meeting closed at 8:40pm.

ANNEX A

RYEDALE DISTRICT COUNCIL

VOTING RECORD – CHAIRMEN AND VICE CHAIRMEN OF COMMITTEES

* Chairman's casting vote

Role	Nominee	Proposer	Seconders	Voting record	Outcome
Chairman of Policy and Resources	Cllr Clark	Cllr J Andrews	Cllr Burr	16 For 14 Against	Cllr Clark elected

Recorded vote

For

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

Against

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

Role	Nominee	Proposer	Seconders	Voting record	Outcome
Vice Chair of Policy and Resources	Cllr Keal	Cllr Burr	Cllr Frank	17 For 13 Against	Cllr Keal elected

Recorded vote

For

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

Against

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

Role	Nominee	Proposer	Seconders	Voting record	Outcome
Chairman of Planning	Cllr Goodrick Cllr P Andrews	Cllr Cleary Cllr Burr	Cllr Windress Cllr Thackray	15 Cllr Goodrick 15 Cllr P Andrews*	Cllr P Andrews elected

Recorded vote

For Councillor Goodrick

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Garbutt Moore, Goodrick, Graham, Hope, King, Mackenzie, Oxley, Raper and Windress
For Councillor P Andrews

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

Role	Nominee	Proposer	Second	Voting record	Outcome
Vice Chairman of Planning	Cllr Windress Cllr Potter	Cllr Goodrick Cllr Clark	Cllr Cleary Cllr Burr	13 Cllr Windress 17 Cllr Potter	Cllr Potter elected

Recorded vote

For Councillor Windress

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

For Councillor Potter

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

Role	Nominee	Proposer	Second	Voting record	Outcome
Chairman of Overview and Scrutiny	Cllr Middleton	Cllr Keal	Cllr Mason	18 For 11 Against 1 Abstain	Cllr Middleton elected

Recorded Vote

For

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

Against

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Goodrick, Graham, Mackenzie, Oxley and Windress

Abstain

Councillor Raper

Role	Nominee	Proposer	Second	Voting record	Outcome
Vice Chairman of Overview and Scrutiny	Cllr Wass	Cllr Clark	Cllr Potter	18 For 12 Against	Cllr Potter elected

Recorded vote

For

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

Against

Councillors Arnold, Bailey, Cleary, Delaney, Docwra, Duncan, Goodrick, Graham, Mackenzie, Oxley, Raper and Windress

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RYEDALE DISTRICT COUNCIL

APPOINTMENT OF MEMBERS TO COMMITTEES

POLICY & RESOURCES COMMITTEE

Conservative	Liberal	Independent	Ryedale First Independent	Independent for Ryedale	Lib Dem & Independent
K C Duncan C W Delaney C Docwra S M Graham	J Andrews J S Clark (C)	L M Burr	S Arnold	J Frank	D E Keal (VC)
Substitutes J R Bailey J Mackenzie	Substitutes M J Potter C Brackstone	Substitutes	Substitutes J A Windress J Raper	Substitutes E Hope D E Cussons	Substitutes S P Mason

OVERVIEW & SCRUTINY COMMITTEE¹

Conservative	Liberal	Independent	Ryedale First Independent	Independent for Ryedale	Lib Dem & Independent
J R Bailey R King W R F H Oxley N Garbutt Moore	C M Wass (VC)	A R Riby A E Raine	J Raper	D E Cussons	T Middleton (C)

¹ 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

Conservative	Liberal	Independent	Ryedale First Independent	Independent for Ryedale	Lib Dem & Independent
C Goodrick M J T Cleary J Mackenzie	C Brackstone M J Potter (VC)	P J Andrews (C) S N R Thackray	J A Windress	E Hope	S P Mason
Substitutes	Substitutes	Substitutes	Substitutes	Substitutes	Substitutes
C Docwra S M Graham	J Andrews J S Clark	A R Riby	S Arnold J Raper	J Frank D E Cussons	D E Keal

LICENSING COMMITTEE

Conservative	Liberal	Independent	Ryedale First Independent	Independent for Ryedale	Lib Dem & Independent
C Goodrick M J T Cleary J Mackenzie	C Brackstone M J Potter	P J Andrews S N R Thackray	J A Windress	E Hope	S P Mason