

Policy and Resources Committee

Held at Ryedale House, Malton
on Thursday 10 February 2011

Present

Councillors Legard (in the Chair), Arnold, Bailey, Mrs Burr, Keal, Knaggs and Woodward

Substitutes: Councillor Hope (for Councillor Acomb)
Councillor Ms Warriner (for Councillor Wainwright)

By Invitation of the Chairman: Councillor Mrs Keal

Overview & Scrutiny Committee Observer: Councillor Mrs Shields

In Attendance

T Anderson, Mrs L Carter, S Copley, Mrs D Hewitt, G Housden, J Rudd, Mrs C Slater,
Mrs J Thompson, Miss J Waggott and A Winship

Minutes

51 Apologies for absence

Apologies for absence were received from Councillors Acomb and Wainwright.

52 Minutes of a Meeting of the Policy & Resources Committee held on 9 December 2010

The minutes of a meeting of the Policy & Resources Committee held on 9 December 2010 were presented.

Resolved

That the minutes of a meeting of the Policy & Resources Committee held on 9 December 2010 be approved and signed by the Chairman as a correct record.

53 Minutes of a Meeting of the Resources Working Party held on 11 January 2011

The minutes of the last meeting of the Resources Working Party held on 11 January 2011 were submitted.

Resolved

That the minutes of the last meeting of the Resources Working Party held on 11 January 2011 as submitted be endorsed.

54 Urgent Business

The Chairman reported that there were no items which he considered should be dealt with as a matter of urgency by virtue of Section 100(4)(b) of the Local Government Act 1972.

55 **Declarations of Interest**

The following declarations of interest were received:

Item 15 - (Relocation of Malton Scouts) Councillor Arnold declared a personal and prejudicial interest as he is involved with the Malton Scouts Group. Councillor Legard declared a personal interest in the item as his wife is Chairman of the Governors at Malton School.

Item 16 - (Ryedale Plan Policy Approach to Conservation Deficit) Councillors Knaggs and Keal declared personal interests as they had been lobbied. Councillor Mrs Burr declared a personal interest as she is a friend of Mrs Howard. Councillor Hope as his wife works at Castle Howard. Councillor Legard declared a personal interest as his family own a house of historical interest.

PART 'A' ITEMS - MATTERS TO BE DEALT WITH UNDER DELEGATED POWERS OR MATTERS DETERMINED BY COMMITTEE

56 **Delivering the Council Plan**

The Head of Transformation circulated a report, which presented for information and comment the performance, and progress made against the Council's agreed aims and strategic objectives as set out in the Council Plan for 2009/2013:

- Aim 1 – Housing Need
- Aim 2 – Economic Success
- Aim 3 – High Quality Environment
- Aim 4 – Active Communities
- Aim 5 – Transform the Council

The report outlined progress on the delivery of the Council Plan to the end of January 2011 in terms of actions delivered and performance levels achieved. The Head of Transformation reported that overall the delivery of the Council Plan was progressing well.

Resolved

That the report be received.

57 **Harrison Collection**

The Head of Economy & Housing submitted a report, which sought support for the Harrison Project, subject to the revised phasing arrangements as proposed in the report.

It was recommended that Members note the revised phasing arrangements and confirm their continued financial support for the Harrison Collection project at Ryedale Folk Museum, based on a £194,000 contribution to Phase 1a of the High Barn scheme and £36,000 to Phase 1B.

No additional funding was being requested but the approach to delivering the proposed scheme had been changed. Members were requested to support the revised approach as outlined in the report.

Resolved

That the revised phasing arrangements for the Harrison Collection Project at Ryedale Folk Museum be noted and that financial support, based on a £194,000 contribution to Phase 1a of the High Barn Scheme and £36,000 to Phase 1b, be reaffirmed.

58 Revenue Budget Monitoring

The Corporate Director (s151) submitted a report, which presented the Revenue Budget Monitoring report for 2010/2011. The report provided the position as at 31 December 2010 and summarised the significant variances within the Council's revenue accounts in the current year, 2010/2011 derived from the information contained within the EMIS reports plus additional significant budgets within the Authority. Members were reminded that EMIS reports were considered at the Resources Working Party.

Resolved

That the report be noted.

59 Treasury Management Monitoring Report

The Corporate Director (s151) submitted a report the purpose of which was to report on treasury management activities to date for 2010/2011 and to update Members on current investments in accordance with the Chartered Institute of Public Finance (CIPFA) Code of Practice on Treasury Management (the Code).

The Council aimed to achieve the optimum return on investments commensurate with the proper levels of security and liquidity. In the current economic climate it was considered appropriate to keep investments short-term and only invest with highly credit rated financial institutions.

Resolved

That the report be received and the current investments and performance in 2010/2011 be noted.

PART 'B' ITEMS - MATTERS REFERRED TO COUNCIL

60 Safeguarding Children and Vulnerable Adults Policy & Procedures

The Corporate Director submitted a report the purpose of which was to recommend for approval the new Council policy for safeguarding children and vulnerable adults.

The policy and procedures, a copy of which was appended to the report, had been developed in consultation with North Yorkshire County Council, the sub-regional lead officers group, Unison and the Ryedale Safeguarding Panel, which included the Member Champions for Adults and Children.

The Committee congratulated officers on the production of the policy and requested that thanks to staff for their hard work be recorded in the minutes.

Resolved

That Council be recommended to approve the adoption of the Safeguarding Children and Vulnerable Adults Policy.

61 Flexible Retirement Policy

The Head of Organisational Development submitted a report the purpose of which was to recommend for approval the new Council policy for Flexible Retirement.

The Flexible Retirement Policy applied to all employees who were members of the Local Government Pension Scheme (LGPS). Under the LGPS Regulations the Council had the discretion to allow an employee to reduce their working hours and/or undertake a lower graded post whilst being able to be in receipt of some or all of their LGPS benefits early. This was known as flexible retirement.

Employees who were not members of the LGPS may request flexible working through the Council's Flexible Working Request Policy.

Resolved

That Council be recommended to approve the adoption of the Flexible Retirement Policy.

62 Community Governance Review Malton and Norton on Derwent

The Council Solicitor & Monitoring Officer submitted a comprehensive report the purpose of which was to consider and respond to a community governance petition, which had been submitted under the provisions of Section 80 of the

Local Government and Public Involvement in Health Act 2007 (The 2007 Act) requesting the District Council to conduct a community governance review to consider:

- Amalgamating the two existing Town Councils of Malton and Norton on Derwent to constitute and create a single Town Council;
- Constitute a new single Parish from the existing two Parishes
- Making recommendations as to the name of the new Parish

The following recommendations to Council were set out in the report:

- (a) A Community Governance Review of the areas of Malton Town Council and Norton on Derwent Town Council be undertaken;
- (b) The terms of reference for the review, as attached to the report, be agreed; and
- (c) Either –

OPTION A

A local poll be conducted to ascertain the views of the local government electors of the areas of Malton and Norton on Derwent on the proposed amalgamation of the two existing Town Councils of Malton and Norton on Derwent and the name of the single Town Council, such a poll to be conducted on a date to be determined after the local government elections on 5 May 2011.

OPTION B

Consultation of local government electors be conducted by means of a questionnaire by post.

- (d) Other persons or bodies be consulted by mailing the questionnaire. Such persons or bodies to include:
 - Malton Town Council
 - Norton on Derwent Town Council
 - Malton and Norton Area Partnership
 - The Fitzwilliam (Malton) Estate

and any other groups brought to the attention of the Council Solicitor that he considers appropriate.

The Council Solicitor & Monitoring Officer reported that the Council was required to publish the terms on which the review was to be undertaken and the draft Terms of Reference were circulated with the report. Members were of the opinion that the Terms of Reference should be readily understandable and as

user friendly and concise as possible. The Council Solicitor reported that the Terms of Reference would be revised as requested and submitted to Council on 10 March 2011 for approval. In addition, the Council Solicitor submitted for information a process timetable (circulated at the meeting).

The Committee expressed support for a postal consultation, as outlined in Option B of the recommendation. It was moved by Councillor Knaggs and seconded by Councillor Keal that the recommendation at paragraph 2.1 (b) of the report be amended to read "That the drafting of the terms of reference for the review be delegated to Officers, Chairman of the Policy & Resources Committee and the Leader of the Council and a revised report be submitted to Council on 10 March 2011". Upon being put to the vote the amendment was carried.

Resolved

That Council be recommended to approve:

- (a) That a Community Governance Review of the areas of Malton Town Council and Norton on Derwent Town Council be undertaken
- (b) The redrafted Terms of Reference as delegated to Officers, Chairman of the Policy & Resources Committee and the Leader of the Council as agreed by the Policy & Resources Committee at its meeting on 10 February 2011
- (c) That consultation of local government electors be conducted by means of a questionnaire by post (Option B)
- (d) That Other persons or bodies be consulted by mailing the questionnaire. Such persons or bodies to include:
 - Malton Town Council
 - Norton on Derwent Town Council
 - Malton and Norton Area Partnership
 - The Fitzwilliam (Malton) Estate

and any other groups brought to the attention of the Council Solicitor.

63 Fees and Charges - Pre-Application Advice

The Head of Planning submitted a report, which set out the proposed Fees and Charges for 2011/12 for pre-application advice, which fell within the remit of the Policy & Resources Committee. The proposals introduced an alternate fee structure.

It was recommended that the discretionary fees for Development Enquiry forms and pre-application advice to householders should not exceed those set for 2010/11. It was considered that this would encourage potential applicants to

continue to engage with the Council and to mitigate the risk of householders proceeding with alterations to their properties without obtaining the appropriate written advice.

Details of the proposed discretionary charging structure were set out at Annex B to the report.

Resolved

That Council be recommended to approve the Development Management Pre-Application Advice Fees, as set out at Annex B to the report.

64 Relocation of Malton Scouts

The Corporate Director (s151) submitted a report the purpose of which was to consider financial support to aid the relocation of the Malton Scout Group.

The report considered the relocation of the Malton Scout Group in the light of the expiry of their lease on 31 March 2011 and the Council decision to sell Wentworth Street Car Park (WSCP). This support demonstrated the Council's commitment to the Scouts and facilitated a development at Malton School for the benefits of the scouts, the school and the wider community. This early support would assist in attracting other grant funding.

Prior to, and subsequent to, the Council decision to sell WSCP, the Council had been in discussions with Malton Scout Group with a view to finding suitable alternative accommodation. Investigations had been carried out with Malton School regarding the possibility of relocation to some part of the school site. A proposal had been developed and initially costed to convert an existing on-site small underused gym. The total cost of the conversion work was estimated to be £150k - £160k. The current estimates were that the School, Scouts and external grant may be able to deliver three-quarters of this amount and the Council was requested to consider a contribution of up to £40k.

Resolved

That Council be recommended to support the relocation proposals for Malton Scouts with a contribution of up to £40k from unallocated capital resources.

NB In accordance with the Members' Code of Conduct, Councillor Arnold declared a personal and prejudicial interest in the above item as he is involved in the Malton Scout Group. Councillor Arnold withdrew from the meeting during consideration of the item and did not vote.

Councillor Legard declared a personal interest in the item as his wife is the Chair of Malton School Governors. Councillor Legard abstained from voting on the item.

65 **Ryedale Plan - Policy Approach to Conservation Deficit**

The Head of Planning submitted a report the purpose of which was to consider comments submitted in response to consultation on this issue and to agree the approach to conservation deficit in the Ryedale Plan.

The report recommended:

That Council be recommended:

- (i) Not to agree to the inclusion of a policy approach in the Ryedale Plan to allocate development to fund conservation deficits of local, national and regional importance
- (ii) To agree that the Ryedale Plan makes reference to the national enabling development policy as an appropriate mechanism to address the conservation deficits associated with historic assets of national, regional or local significance and that the Plan includes reference to the criteria against which, enabling development proposals will be considered, including any locally relevant criteria;
- (iii) With regard to the Castle Howard Estate, the principle of a detailed criteria-based policy on the basis of that outlined in the report, is agreed for inclusion in the Ryedale Plan subject to the independent verification of income information, further detailed information relating to the Estate's wider repair and restoration programme and to confirmation that a mechanism to secure affordable housing contributions can be agreed.

It was moved and seconded that the recommendations in the report be approved.

An amendment was moved by Councillor Knaggs and seconded by Councillor Bailey that part (iii) of the recommendation be deleted. Upon being put to the vote the amendment was carried.

Resolved

- (i) Not to agree to the inclusion of a policy approach in the Ryedale Plan to allocate development to fund conservation deficits of local, national and regional importance
- (ii) To agree that the Ryedale Plan makes reference to the national enabling development policy as an appropriate mechanism to address the conservation deficits associated with historic assets of national, regional or local significance and that the Plan includes reference to the criteria against which, enabling development proposals will be considered, including any locally relevant criteria.

NB In accordance with the Members' Code of Conduct Councillors Knaggs, Arnold and Keal declared personal interests in the above item as they had been lobbied. Councillor Hope declared a personal interest as his wife works at Castle Howard. Councillor Legard declared a personal interest as his family own a house which is a national heritage site. Councillor Mrs Burr declared a personal interest in the item as she is a personal friend of Mrs Howard.

66 Any other business that the Chairman decides is urgent.

There being no urgent business the Chairman closed the meeting at 8.45 pm.