

**COUNCIL OF THE CITY OF RIPON**

**MINUTES OF THE COUNCIL MEETING HELD ON MONDAY 7 SEPTEMBER 2015 AT 8.20PM IN THE COUNCIL CHAMBER, THE TOWN HALL, RIPON**

PRESENT: Cllr P McHardy – The Right Worshipful The Mayor  
 Cllr L P A Barnes  
 Cllr M Chambers  
 Cllr P Horton  
 Cllr S Jones  
 Cllr A I Morgan  
 Cllr P Pearson  
 Cllr C E Powell  
 Cllr M Stanley  
 Cllr M Waiting  
 Cllr R Willis

The Clerk  
 Admin Assistant  
 The Mayors Chaplain  
 City Development Manager  
 42 members of the public

Late Arrivals: None

Early Departures: None

Prior to the commencement of the meeting the Mayors Chaplain said prayers.

		Action By:
65/15.	<p><u>To receive apologies for absence</u></p> <p>Apologies were received from Cllr J Bate, Cllr S J Hawke, Cllr S Martin &amp; Cllr Williams.</p> <p>The Mayor asked the Clerk to read out the e-mail she had received from Cllr Williams earlier in the day with the reasons for his apologies for absence.</p>	
66/15.	<p><u>To request any Disclosure of an interest in relation to any matter under consideration at this meeting (financial or otherwise) &amp; to consider any written requests for dispensation</u></p> <p>Cllr Chambers declared a non-prejudicial interest in Agenda Item 72/15 as a Harrogate Borough Councillor as the North Yorkshire Police &amp; Crime Commissioner sits on his portfolio at Harrogate Borough Council.</p>	
67/15..	<p><u>Members of the public are invited to question, seek clarification or make representation to members of the Council on any agenda item as listed below.</u></p> <p>4 members of the public asked to speak to the Council.</p> <p>1 member of the public spoke on agenda items 66/15 &amp; 69/15 &amp;</p> <p>1 member of the public spoke on agenda item 71/15</p> <p>1 member of the public spoke on agenda item 69/15 &amp; 71/15</p>	

	<p>1 member of the public spoke on agenda item 69/15</p> <p>Members of the public were concerned that questions asked of members at previous meetings had not been answered. The Mayor suggested that if any member of the public had any question that had not been answered satisfactorily then the member of the public should write to the Clerk.</p>	
68/15.	<p><u>To approve the Minutes of the Council Meeting held on 29 June 2015</u></p> <p>Proposed – Cllr Willis      Seconded – Cllr Morgan</p> <p>“That the Minutes of the Council Meeting held on 29 June 2015 be approved”</p> <p><b>RESOLVED</b></p>	
69/15.	<p><u>To approve the Minutes of the Council Meeting held on 27 July 2015</u></p> <p>Proposed – Cllr Horton      Seconded – Cllr Powell</p> <p>“That the Minutes of the Council Meeting held on 27 July 2015 be approved”</p> <p><b>RESOLVED</b></p>	
70/15.	<p><u>To receive the following committee meeting minutes for information only</u></p> <p>a. <u>Finance &amp; General Purposes Committee Meeting held on 29 June 2015 &amp; 27 July 2015 &amp; 5 August 2015</u></p> <p>Proposed – Cllr Pearson      Seconded – Cllr Chambers</p> <p>“ That the minutes of the said meetings be received”</p> <p><b>RESOLVED</b></p> <p>b. <u>Planning Committee Meeting held on 6 July 2015</u></p> <p>Proposed – Cllr Horton      Seconded – Cllr Powell</p> <p>“ That the minutes of the said meetings be received”</p> <p><b>RESOLVED</b></p> <p>c. <u>Hugh Ripley Hall Committee Meeting held on 8 June 2015</u></p> <p>Proposed – Cllr Morgan      Seconded – Cllr Waiting</p> <p>“ That the minutes of the said meetings be received”</p> <p><b>RESOLVED</b></p>	
71/15.	<p><u>To consider the legal advice relating to the motion presented to Council, agenda items 47/15 meeting held on 29 June 2015 &amp; the update on the implementation of the motion, agenda item 61/15, meeting held on 27 July 2015</u></p>	

a. to consider any action to take following receipt of the advice

Councillors had received the written advice from the NALC solicitor via YLCA. Cllr Stanley believed that the council had acted legally in its remit when the original motion was passed as it was unambiguous, person non-specific & like all other motions of the council should have been enacted at the time the motion was passed on 29 June 2015.

Cllr Horton suggested that the advice received could be challenged in terms of its reasonableness & should be disregarded in order to safeguard the Councils funds & avoid possible legal challenge & the costs which may follow. He proposed that the resolution previously passed should be rescinded & struck off the record.

The Clerk advised the Mayor that the motion could not be rescinded within 6 months without the signatures of 7 Councillors.

The Clerk asked the Mayor to ask questions to the Council to assist the Council in making their decision on this matter as follows

1. What did Council intend the resolution to mean when the resolution was passed?
2. What date did Council intend the resolution to take effect?
3. Did Council intend this to apply to any member of the Council whether an existing committee member or not?

Cllr Stanley believed the motion had been made quite clear & was now a new standing order of this Council & should the Clerk have been concerned about his request for the agenda item she could have withdrawn it & taken to YLCA at the time which she didn't.

The Clerk informed members that as the resolution had been challenged, further clarity was needed & whilst the resolution could not be altered it could be added to to make the intentions of the Council clear when the motion was passed.

Cllr Pearson, having considered the advice believed that the council had not exceeded its remit on passing the original motion & that the motion had been quite clear.

Cllr Pearson proposed that Cllr Williams remained an 'elected' member of the Finance & General Purposes Committee for Moorside Ward but as the resolution said that he cannot 'sit' on the committee, although Cllr Williams is free to appoint a substitute in his place at each meeting.

This proposal was seconded by Cllr Jones

**RESOLVED**

b. to confirm F & GP membership from Moorside Ward

The membership of the Committee was confirmed in the resolution made above at 71/15a.

*All members of the public except 5 left the meeting.*

72/15

To consider the North Yorkshire Police & Crime Commissioner Annual Report

	<p><u>2014-15 – referred for consideration from the Finance &amp; General Purposes Committee 27.07.15, agenda item 36/15c.</u></p> <p>It was <b>RESOLVED</b> to receive the report &amp; also to contact the Police &amp; Crime Commissioner to invite her to speak to the Council on the report.</p>	
73/15.	<p><u>To discuss the devolution proposal of the Local Government Re-organisation in Yorkshire – including any observations &amp; overview from County &amp; District Councillors</u></p> <p>There has been very little information circulated on this topic but members felt that the topic is too important not to discuss &amp; it was proposed that this is brought back to each meeting of Council if &amp; when further information is available. It was also suggested that a question should be asked to the Chief Executive at Harrogate Borough Council at the Parish Consultation evening.</p>	
74/15.	<p><u>Harrogate Borough Council Local Plan – report from City Development Manager</u></p> <p>The City Development Manager spoke to the Council on this item. It was <b>RESOLVED</b> to note the report &amp; that the City Development Manager be given the delegated responsibility to prepare &amp; submit a response on behalf of the City Council.</p>	
75/15.	<p><u>To receive reports from external organisations</u></p> <p>a. <u>Ripon Ring – distributed to all Councillors 30.07.15</u></p> <p>It was <b>RESOLVED</b> to receive &amp; note this report</p> <p>b. <u>Ripon In Bloom 25.06.15 – distributed to all Councillors - 01.08.15</u></p> <p>It was <b>RESOLVED</b> to receive &amp; note this report</p>	
76/15.	<p><u>To receive a report from Harrogate Borough Councillors if appropriate</u></p> <p>Cllr Chambers reported that HBC are looking at taking a number of Syrian refugees into the district.</p>	
77/15.	<p><u>To receive a report from North Yorkshire County Councillors if appropriate</u></p> <p>Cllr Bateman reported on road repairs that are due to be taking place in &amp; around Ripon in the near future.</p>	
78/15.	<p><u>Mayoral Announcements – for information only</u></p> <p>1.The Mayor wished to thank everyone who had assisted with her first charity event which raised £360.04</p> <p>2. The Mayor asked all Councillors attending the Specially convened meeting on Tuesday to arrive at the Town Hall no later than 10.20am</p> <p>3. There will be a flypast on Sunday over the Market Square &amp; Town Hall for Battle of Britain.</p> <p>4. The Mayor asked if any Councillors could attend an event at Yesss Electrical where the Walking with the Wounded charity were arriving to finish their Walk of</p>	

The meeting closed at 9.55pm

SIGNED \_\_\_\_\_

DATE \_\_\_\_\_

THE RIGHT WORSHIPFUL THE MAYOR

TO BE APPROVED