

Decisions of the meeting of the CABINET held  
at 9.30am on Tuesday 20 March 2012 at the  
Civic Centre, Stone Cross, Northallerton

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Present

Councillor N W Huxtable (In the Chair)

Councillor	R Kirk	Councillor	T Swales
	B Phillips		P R Wilkinson
	M S Robson		

Also in Attendance

Councillor	R A Baker	Councillor	A W Hall
	K Billings		K G Hardisty
	Mrs C S Cookman		R Hudson
	G Ellis		J Noone
	Mrs B S Fortune		M Rigby
	B Griffiths		Mrs S A Shepherd
	Mrs J A Griffiths		

CA.70

**TREASURY MANAGEMENT STRATEGY AND ANNUAL INVESTMENT STRATEGY 2012/13**

All Wards

**The subject of the decision:**

This report presented for approval the proposed Treasury Management Strategy for 2012/13 – attached as Appendix 1 to the report. The Strategy also incorporated the latest requirements set out by the Department for Communities and Local Government (DCLG) in terms of the Annual Investment Strategy.

**Alternative options considered:**

None.

**The reason for the decision:**

To comply with the requirements of the Council's Constitution as recommended by the Chartered Institute of Finance and Accountancy's Code of Practice on Treasury Management 2009.

**THE DECISION:**

That Council be asked to approve the Treasury Management Strategy (including the Annual Investment Strategy) for 2012/13.

CA.71 **POLICE AND CRIME PANEL**

All Wards

**The subject of the decision:**

This report asked Cabinet to recommend to Council the proposed arrangements for the North Yorkshire Police and Crime Panel and to agree in principle to appoint one Member to the Panel.

**Alternative options considered:**

None.

**The reason for the decision:**

To comply with The Police Reform and Social Responsibility Act 2011 which required Local Authorities in each Force area to establish a Police and Crime Panel as a Joint Committee to scrutinise the Police and Crime Commissioners.

**THE DECISION:**

That Council be recommended to agree the proposed arrangements for the North Yorkshire Police and Crime Panel, subject to a satisfactory resolution of funding arrangements.

CA.72 **LOCALISM ACT 2011 – NEW STANDARDS REGIME**

All Wards

**The subject of the decision:**

The Localism Act 2011 significantly amended the Standards Regime as it affected all Councils, including District and Parish Councils. This report suggested amendments to the Council's current structures and processes for dealing with Standards issues.

**Alternative options considered:**

None.

**The reason for the decision:**

To take account of the changes required to the Standards Regime following the implementation of The Localism Act 2011.

**THE DECISION:**

That Cabinet recommend to Full Council:-

- (1) to agree in principle that the current functions of the Standards Committee (as amended by the Localism Act 2011) be transferred to a new Audit, Governance and Standards Committee and that revised Terms of Reference be considered at the next Annual Meeting;
- (2) that the Audit and Governance Committee be given authority to consider and make recommendations to Council on the new Code of Conduct;

- (3) to agree that the Monitoring Officer (in consultation with the Independent Person) be authorised to determine whether allegations under the new Code of Conduct should be investigated and that the Audit, Governance and Standards Committee approve the principles to be applied in reaching a decision;
- (4) that a Panel comprising the Chairman and Vice-Chairman of the Audit and Governance Committee and Councillor M Rigby be authorised to identify an Independent Person (and substitute) to be recommended to Full Council;
- (5) that the proposals for a Standards Hearings Panel as set out in paragraph 4.13 be approved in principle with further details to be approved at the Annual Meeting;
- (6) that the options set out in paragraph 4.14 form the basis of guidance to be provided by the Monitoring Officer to the Standards Hearing Panel about its response to breaches of the Code of Conduct;
- (7) that the proposals for delegation of decisions on dispensations as set out in paragraph 4.15 be approved in principle and further details be approved by the Audit and Governance Committee;
- (8) to note that the Monitoring Officer will continue to maintain Registers of Members' Interests for the District Council and Parish Councils;
- (9) to note that training will be offered to District Council and Parish Council Members on the new regime in due course.

The meeting closed at 10.35am.

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Leader of the Council

**AGENDA ITEM NO:**

**(CA.73 to CA.79)  
Decisions taken under Cabinet  
authority to take effect on 2 April 2012)**

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**Also in Attendance**

Councillor R A Baker  
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Mrs C S Cookman  
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B Griffiths  
Mrs J A Griffiths

Councillor A W Hall  
K G Hardisty  
R Hudson  
J Noone  
M Rigby  
Mrs S A Shepherd

CA.73 **MINUTES**

**THE DECISION:**

That the decisions the meetings held on 14 February and 21 February 2012 (CA.61 - CA.67 and CA.68 – CA.69), previously circulated, be signed as correct records.

CA.74 **COUNCIL PERFORMANCE REPORT 2011/12 – QUARTER 3**

All Wards

**The subject of the decision:**

This report provided an update on the budgetary position of the Council (Revenue, Capital and Reserve Funds) at the end of December 2011 and reported progress on performance against the Council Business Plan.

**Alternative options considered:**

None.

**The reason for the decision:**

To reflect changing priorities whilst maintaining the overall integrity of the financial strategy.

**THE DECISION:**

That:-

- (1) the adjustments to the revenue budget outlook referred to in section 3 of the report be approved;
- (2) the grant referred to in section 4 of the report be paid into the Service Improvement Reserve;
- (3) the position on the capital programme referred to in section 6 of the report be noted and the roll forward of a budget of £1,543,650 to 2012/13 be approved; and
- (4) the position on the reserve funds referred to in section 7 of the report be noted.

CA.75

**CAPITAL PROGRAMME SCHEMES**

All Wards

**The subject of the decision:**

This report sought authority to implement various schemes which were included within the Council's approved ten year capital programme, except for the Springboard car park extension.

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet was satisfied that this would be an efficient use of Council resources and demonstrated value for money in the implementation of the individual schemes.

**THE DECISION:**

That the schemes detailed in paragraph 1.1 of the report and included in the attached Annexes A to J be approved for implementation.

Declaration of Interest

Councillor R Kirk declared a personal interest in the Adoption Works at Thurston Road, Northallerton Business Park as a Trustee relating to 2 premises that use that as an access road.

CA.76

**RECREATIONAL LAND AT SOUTH WEST THIRSK (SOWERBY)**

Sowerby and Thirsk Wards

**The subject of the decision:**

As part of the new developments for the housing site in South West Thirsk (Sowerby) proceeding through the planning process there were a number of components, this report focused solely on the 'off-site recreational facilities'.

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet was satisfied with the proposals for the implementation of the off-site recreational facilities.

**THE DECISION:**

That:-

- (1) the Council will lead the implementation of this project; and
- (2) external support will be sought to help take this forward and up to £20,000 be utilised from the £1.5 million developer contribution to expedite this.

Declarations of Interest

Councillor N W Huxtable declared a personal interest as the North Yorkshire County Council Member for Sowerby.

Councillor M S Robson declared a personal interest as the Ward Member for Sowerby and as Chairman of Sowerby Parish Council.

CA.77

**PUBLIC OPEN SPACE, SPORT AND RECREATION ACTION PLANS**

Bedale, Tollerton and Topcliffe Wards

**The subject of the decision:**

This report sought endorsement of the Public Open Space, Sport and Recreation Action Plans for the parishes of Dalton, Bedale and Tollerton and approval for the allocation of S106 money to Dalton Parish Council.

**Alternative options considered:**

None.

**The reason for the decision:**

To comply with the Council's legal responsibility to ensure funding is used in a way consistent with the individual S106 Agreements.

**THE DECISION:**

That the Public Open Space, Sport and Recreation Action Plans for the parishes of Dalton, Bedale and Tollerton be endorsed.

Declaration of Interest

Councillor N W Huxtable declared a personal interest as the Ward Member for Topcliffe.

CA.78 **FORWARD PLAN**

All Wards

**The subject of the decision:**

This report sought approval of a Forward Plan of items for the period from April – July 2012. The plan would be updated as further items arose or other amendments became necessary.

**Alternative options considered:**

None.

**The reason for the decision:**

To comply with the Council's constitution.

**THE DECISION:**

That the Forward Plan for the period April to July 2012 be endorsed.

CA.79 **REPLACEMENT OF WASTE VEHICLES 2012**

All Wards

**The subject of the decision:**

In agreement with the Leader, this report was tabled as an urgent item. Hambleton's District Council's waste and recycling vehicles were due for replacement this year. The majority of vehicles to be replaced were the 11 general waste vehicles all of which were on lease, including maintenance, which expired in July 2012. The 6 recycling vehicles were due to be replaced in November 2012 the procurement of these vehicles would be influenced by the new recycling contract which commenced on 16 January 2012 and included options for increasing the range of materials collected. The specifications for the recycling vehicles would, subject to costs, facilitate an improvement in income, performance and customer service. Due to time constraints, the most pressing issue was the replacement of the general refuse vehicles and it was recommended that the procurement exercise commence in May 2012.

**Alternative options considered:**

None.

**The reason for the decision:**

Cabinet was satisfied with the proposed course of action which would allow the procurement exercise to commence in May 2012.

**THE DECISION:**

That:

- (1) the split of the procurement of waste vehicles into two projects, with the general waste vehicles being procured first and the recycling vehicles to follow under a separate procurement exercise, be approved; and
- (2) the general waste vehicles be procured in partnership with The City of York Council, that the Procurement Procedure Rules be suspended and delegation of the procurement process to The City of York be approved.

The meeting closed at 10.35am.

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Leader of the Council