



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the meeting of the County Council held at County Hall, Northallerton on 18 July, 2007

PRESENT:-

County Councillor Michael Knaggs in the Chair.

County Councillors Michelle Andrew, Val Arnold, Andrew Backhouse, Arthur Barker, Keith Barnes, Philip Barrett, William F Barton OBE, Bernard Bateman MBE, David Billing, John Blackburn, John Blackie, Eric Broadbent, Rob Broadley, Peter Brown, Elizabeth Casling, Gordon Charlton, Geoffrey Cullern, Gareth Dadd, Mrs M-A de Courcey-Bayley, John Fletcher, John Fort BEM, Heather Garnett, Graham Gatman, Ron Haigh, Richard Hall, Tony Hall, Roger Harrison-Topham, David Heather, Michael Heseltine, Robert Heseltine, Bill Hoult, Margaret Hulme, David Ireton, Gillian Ivey, David Jeffels, Jane Kenyon, Andrew Lee, Carl Les, Morris Lightfoot, David Lloyd-Williams, Steve Macaré, Patricia Marsburg, Brian Marshall, J W Marshall, Shelagh Marshall, Chris Metcalfe, Leslie Parkes, Stuart Parsons, Caroline Patmore, Chris Pearson, Paul Richardson, John Savage, Caroline Seymour, Brian Simpson, Peter Sowray, Melva Steckles, Helen Swiers, Herbert Tindall, John Watson OBE, John Weighell, Mark Wheeler, Greg White, Andrew Williams, Clare Wood and John Wren.

The Rev Canon John Manchester offered prayers.

MINUTES

RESOLVED –

- 132.** That the minutes of the Annual meeting of the County Council, held on 16 May, 2007, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

CHAIRMAN'S ANNOUNCEMENTS

The Chairman announced the death of a former Member of the Council, Bill Chapman, who was County Councillor for the Flaxton No. 2, later Ryedale Rawcliffe, electoral division from 1977 to 1989.

The Council stood in silence as a mark of respect.

The Chairman reported that another former Member of the Council, Roy Wilson, had been awarded the MBE in the Queen's Birthday Honours List for services to local government and to the community in Selby.

The Chairman informed the Council that, prior to the meeting, he had received a petition from Riccall Parish Council concerning the withdrawal of the Riccall A19 roundabout from the highways work programme and that Parish Councillor John Duggan was to make a statement under item 5 on the agenda. He said that he would pass the petition to the appropriate officers.

A STATEMENT BY THE LEADER OF THE COUNCIL

County Councillor John Weighell made a statement, under Council Procedural Rule 2.3, as Leader of the Council, a summary of the key points which had previously been circulated and which appears in the minute book (page 3673-4). He responded to questions.

PUBLIC QUESTIONS OR STATEMENTS.

John Duggan, parish councillor for Riccall, made a statement regarding the withdrawal from the highways work programme of a roundabout on the A19 at Riccall and the petition which had been presented to the Chairman of the County Council on this matter. A copy of the statement is in the minute book, page 3675.

Mike Deeming, of Ripon, made a statement relating to recent flooding in Ripon and the flood defence project which had been approved, but not implemented. A copy of the statement is in the minute book, page 3677.

REPORT OF THE EXECUTIVE

Revenue Outturn 2006-2007

The recommendations in paragraph 1 of the report (page 3690) having been moved and seconded, it was moved and seconded as an amendment that;

“A new (b) be inserted as follows

- (b) That £150k of the underspendings at Directorate level to be utilised to support the outstanding aspects of the Youth Service Plan.

That the current paragraph (b) be redesignated as paragraph (c) and

That in the new designated paragraph (c) after the word “report” that the words “subject to the amendment contained in paragraph (b)” be inserted”

The Council divided and on a show of hands there were:-

For the amendment – 19

Against the amendment – 40

And the amendment was declared lost.

RESOLVED –

133

- a) That the proposed write off in 2006/07 of Directorate overspendings totalling £244k as detailed in the report, be approved.
- b) That the proposed carry forward of underspending at Directorate level, as detailed in the report, totalling £6569k, be approved.

Capital Expenditure Outturn and Financing 2006-2007

The recommendation in paragraph 2 of the report (page 3697) was moved and seconded subject it referring to “overspending”, not “underspending”. It was

RESOLVED –

- 134.** That the proposed carry forward to 2007/08 of the net overspending totalling £434k, as set out in the report, be approved.

North Yorkshire Minerals and Waste Development Framework – Minerals and Waste Core Strategy Submission Document

County Councillor Caroline Seymour declared a personal interest arising from business interests related to the composting of waste and County Councillor Arthur Barker declared a personal interest as the County Council’s representative on Yorwaste.

The recommendation in paragraph 3 of the report (page 3698) having been moved and seconded, it was

RESOLVED –

- 135.** That, subject to reference being made to reduce the amount of waste going to landfill in the “vision” in the Waste Core Strategy, the Minerals and Waste Development Framework Draft Minerals and Waste Core Strategies, copies of which had been circulated as separate documents marked Appendix A and Appendix B, be approved for submission for examination and that authority be delegated to the Corporate Director – Business and Environmental Services to finalise the text of the documents, prior to formal submission to the Secretary of State.

Motion – Energy Efficiency and Fuel Poverty

The motion having been moved and seconded, it was moved and seconded as an amendment that the following new paragraph be inserted at the end:-

“North Yorkshire County Council also urges Government to reduce to zero the rate of Value Added Tax on equipment, materials and labour which has the purpose of providing renewable energy for individual homes or businesses or public buildings.”

The Council divided and, on a show of hands, the amendment was declared carried.

It was moved and seconded as an amendment:-

“that the words “switch funding from nuclear generation to” be deleted from paragraph 1 of the motion and be replaced with the word “fund” and the words “non-nuclear” be deleted from paragraph 3.”

The Council divided and, on a show of hands, the amendment was declared carried.

RESOLVED –

- 136.** North Yorkshire County Council supports the need for energy efficiency, both as a way of reducing carbon emissions and also in reducing fuel poverty (nearly one in four households in North Yorkshire are subject to fuel poverty).
1. It therefore calls on the Government to fund a range of grants to enable every household in the UK to insulate their homes to current UK building standards.
 2. Council asks that support for this policy is also sought from the Local Government Association and Regional Government as a way of tackling fuel poverty and carbon emissions.
 3. This Council supports a low carbon sustainable energy strategy, based on energy demand reduction, greater energy efficiency, the use of economic instruments, combined heat and power and micro-generation and community-based forms of generation and a mix of renewable energy sources that include bio-mass, wind, wave, tidal and solar, within a more fully liberalised EU energy market.

North Yorkshire County Council also urges Government to reduce to zero the rate of Value Added Tax on equipment, materials and labour which has the purpose of providing renewable energy for individual homes or businesses or public buildings.

Motion – Two Area Committees for Harrogate District

The recommendation in paragraph 5 of the report (page 3709) having been moved and seconded, it was

RESOLVED –

- 137.** That consideration of the motion be postponed.

Motion – Public Transport Timetables

The motion

North Yorkshire County Council is concerned about the lack of consultation on changes to public transport timetables as a result of:-

- * Changes in public subsidy by various public bodies for public transport services.
- * Decisions by the private public transport providers to alter or amend services for commercial reasons.

Council therefore calls on the Transport and Telecommunications Overview and Scrutiny Committee to undertake an investigation of how public consultation can be improved and report back to Council on 18 July 2007.

having been moved and seconded –

The Council divided and, on a show of hands, there were

For the motion – 19

Against the motion – more

And the motion was declared lost

RESOLVED –

138. That the motion not be supported.

Recording and Web Publication of Council Meetings

The recommendation in paragraph 7 of the report (page 3712) having been moved and seconded, it was

RESOLVED –

139. That the practice of making sound recordings of meetings of the full Council and publishing them on the County Council's website should be continued.

Appointments to Committees and Outside Bodies

The recommendation in paragraph 8 of the report (page 3712) having been moved and seconded, nominations for appointments to committees were proposed.

RESOLVED –

140

- a) That County Councillor Martin Smith be appointed as second named substitute for the Conservative Group on the Planning and Regulatory Functions Committee; that County Councillor David Jeffels be appointed as the third named substitute on that Committee; and that County Councillor Geoffrey Cullern be appointed as the fourth named substitute on that Committee.
- b) That the following appointments be made to the Scrutiny of Health Committee:-
Craven District Council – Councillor A Solloway
Hambleton District Council – Councillor Mrs Bridget Fortune (substitutes Councillors David Murkett and Mrs Shirley Shepherd)
Harrogate Borough Council – Councillor Mrs M E Atkinson
Richmondshire District Council – Councillor Rob Johnson (substitute Councillor Yvonne Peacock)
Ryedale District Council – Councillor John Raper
Scarborough Council – Councillor James Preston (substitute Councillor Svetlana Rodgers)
Selby District Council – Councillor Mrs McSherry (substitute Councillor Mrs J Dyson)

- c) That Mrs Anne Swift be appointed to the Young People Overview and Scrutiny Committee as a representative of Primary Schools.
- d) That Councillor Ceredig Jamieson-Ball be appointed to the Pensions Fund Committee as a representative of City of York Council (substitute Councillor Janet Looker)
- e) That County Councillor Liz Casling be appointed to the Audit Committee in place of County Councillor Greg White.
- f) That County Councillor Shelagh Marshall be appointed as second named substitute for the Conservative Group on the Appeals Committee, in place of County Councillor Helen Swiers.
- g) That County Councillor Herbert Tindall be appointed to the Young Peoples Overview and Scrutiny Committee in place of County Councillor John Blackburn and that County Councillor John Blackburn be appointed as first named substitute for the Conservative Group on that Committee.
- h) That County Councillor Brian Marshall be appointed to the Audit Committee in place of County Councillor Graham Gatman.
- i) That County Councillor Brian Marshall be appointed as a substitute member for the Labour Group on the North Yorkshire Fire and Rescue Authority, in place of County Councillor Brian Simpson.
- j) That Councillor Eileen Vickers be appointed to the Scrutiny of Heath Committee to represent Scarborough Borough Council and that Councillors J M Preston and Dr S Rodgers be appointed as first and second named substitutes for the Borough Council on that Committee.
- k) That the James Graves Foundation at Thorpe Bassett and the Links Knaresborough Youth Club Management Committee be added to part 2 of schedule 5 to the Constitution, as appointments to be made by Area Committees.

REPORT OF STANDARDS COMMITTEE

Council Statement re Standards of Conduct

The recommendation in paragraph 1 of the report (page 3877) having been moved and seconded, it was

RESOLVED –

- 141.** That the Statement, outlined in the report, be approved.

Statement for Stakeholders re Ethical Framework

The recommendations in paragraph 2 of the report (page 3877) having been moved and seconded, it was

RESOLVED –

- 142.** That the Statement for Stakeholders re ethical issues, as set out in the report, be approved.

Review of Protocol for Member/Officer Relations

The recommendations in paragraph 3 of the report (Page 3878) having been moved and seconded, it was

RESOLVED –

- 143.** That the amended Protocol for Member and Officer Relations, as set out in Appendix 1 to the report, be approved.

REPORT OF AUDIT COMMITTEE

Audit Committee Terms of Reference

The recommendations in paragraph 1 of the report (page 3889) having been moved and seconded, it was

RESOLVED –

- 144.** That the revised terms of reference for the Audit Committee, as set out in the Appendix to the report, be approved.

STATEMENTS OF EXECUTIVE MEMBERS AND CHAIRMEN OF OVERVIEW AND SCRUTINY COMMITTEES

County Councillor Helen Swiers, Executive Member for Community Services (community planning, community safety, cultural services, economic development, public protection, trading standards and post16 lifelong learning) presented her statement, a summary of the key points of which had previously been circulated and which appears in the minute book (pages 3915-8). She responded to questions, including agreeing to investigate a suggestion that consultation on the site for the Seamer Horse Fair had not been adequate.

County Councillor John Fort BEM, Executive Member for Environmental Services (planning, roads and traffic and archaeology) presented his statement, a summary of the key points of which had previously been circulated and which appears in the minute book (pages 3919-21). He added to his statement by referring to work that had been undertaken in response to recent flooding incidents and asked the Chairman of the Council to write to the staff involved to thank them for their contribution. He responded to questions.

County Councillor Clare Wood, Executive Member for Environmental Services (public rights of way, conservation, waste disposal and public transport) presented her statement, a summary of the key points which had previously been circulated and which appears in the minute book (pages 3923-6) and responded to questions.

County Councillor Carl Les, Executive Member for Corporate Services (corporate affairs, performance management, procurement, asset management and finance, e-government and communications) presented his statement, a summary of the key points of which had previously been circulated and which appears in the minute book (pages 3927-8) and responded to questions.

County Councillor Caroline Patmore, Executive Member for Childrens Services (childrens services issues, special educational needs, special schools, youth service and youth offending team) presented her statement, a summary of the key points of which had previously been circulated and which appears in the minute book (pages 3929-32). She responded to questions and agreed to try to arrange for an executive summary of the Care Matters White Paper to be circulated to all Members.

County Councillor John Watson OBE, Executive Member for Childrens Services (early years education and all school related education issues and advisory services) presented his statement, a summary of the key points of which had previously been circulated and which appears in the minute book (pages 3933-6). He responded to questions, including written questions from County Councillor Bill Hoult relating to digital finger print technology.

County Councillor Chris Metcalfe, Executive Member for Community Services (adult social services, library and information services) presented his statement, a summary of the key points of which had previously been circulated and which appears in the minute book (pages 3937-40). He responded to questions.

The written statements of the Chairmen of the Scrutiny Board and the Overview and Scrutiny Committees having previously been circulated (pages 3941-67), additional statements were made by County Councillors Paul Richardson, John Blackie and Shelagh Marshall.

County Councillor Jane Kenyon declared a personal interest as non executive Director of the Scarborough and North East Yorkshire Health Care Acute Trust in respect of the statement made by County Councillor John Blackie.

COUNCIL PROCEDURE RULE 10 QUESTIONS.

County Councillor Bill Hoult asked County Councillor Jane Kenyon, as Chairman of the North Yorkshire Police Authority, about the recent introduction of charges by the Police for services to events run by voluntary fund raising bodies, where those services had previously been provided free. In response, the Chairman of the Police Authority said that the Authority had raised this matter with the former Chief Constable; that she believed the issue was primarily one of the level of charges being made and she anticipated a further report being brought to the Police Authority.

County Councillor Rob Broadley asked County Councillor Jane Kenyon, as Chairman of the North Yorkshire Police Authority, about the whereabouts of records relating to the maintenance of CCTV cameras located in Whitby from a period before those cameras were taken over by Scarborough Borough Council. In response, the Chairman of the North Yorkshire Police Authority said that the question raised important issues about the whereabouts and availability of information relating to those cameras which needed to be investigated. She said that County Councillor Broadley would receive a response, either from her or from an officer, in due course.

MOTION – FLOODING IN RIPON

County Councillor Bernard Bateman MBE moved and County Councillor David Lloyd-Williams seconded:-

“in view of the recent experience of serious flooding for the second time in seven years within the Ripon area, and the enormous distress and cost caused to residents and businesses, North Yorkshire County Council urges DEFRA and the Environment Agency to take immediate action to reinstate the flood defence project that was postponed, due to lack of funding, for Ripon.”

It was moved and seconded as an amendment:-

That the words “recent experience” be deleted and the words “repeated episodes” be inserted in their place;

That the words “for the second time in seven” be deleted and the words “in recent” be inserted in their place;

That the word “Ripon” in line 2 be deleted and the word “County” be inserted in its place;

That the word “the” in line 4 be deleted and the word “any” be inserted in its place;

That the word “was” be deleted and the words “has been” be inserted in its place; and

That the word “Ripon” at the end of the motion be deleted and the words “the County” be inserted in its place.

The County Council divided and, on a show of hands, the amendment was declared carried.

RESOLVED –

- 145.** In view of the repeated episodes of serious flooding in recent years within the County area and the enormous distress and cost caused to residents and business, North Yorkshire County Council urges DEFRA and the Environment Agency to take immediate action to reinstate any flood defence project that has been postponed, due to lack of funding, for the County