



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the Annual meeting of the County Council held at County Hall, Northallerton on 21 May, 2008

PRESENT:-

County Councillor Michael Knaggs in the Chair.

County Councillors 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, Eric Broadbent, Rob Broadley, Peter Brown, Elizabeth Casling, Gordon Charlton, Geoffrey Cullern, Gareth Dadd, Mrs M-A de Courcey-Bayley, Polly English, John Fletcher, Heather Garnett, 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, Michael Knaggs, Andrew Lee, Carl Les, Morris Lightfoot, David Lloyd-Williams, Steve Macaré, Patricia Marsburg, Brian Marshall, J W Marshall, Shelagh Marshall, Leslie Parkes, Stuart Parsons, Caroline Patmore, Chris Pearson, Paul Richardson, John Savage, Caroline Seymour, Steve Shaw-Wright, Brian Simpson, Martin Smith, Jim Snowball, Peter Sowray, Melva Steckles, Timothy Swales, Helen Swiers, Herbert Tindall, Cliff Trotter, John Watson OBE, John Weighell, Mark Wheeler, Greg White and Clare Wood.

The Reverend Canon John Manchester led the Council in prayers.

ELECTION OF CHAIRMAN

It was moved by County Councillor John Watson OBE and seconded by County Councillor Gareth Dadd that County Councillor Peter Sowray be elected as Chairman of the County Council to serve until the Annual meeting of the Council in 2009.

RESOLVED -

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| <p>172. That County Councillor Peter Sowray be elected as Chairman of the County Council, to serve until the Annual meeting of the Council in 2009.</p> |
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County Councillor Peter Sowray then made his declaration of acceptance of office as Chairman of the County Council.

COUNTY COUNCILLOR PETER SOWRAY IN THE CHAIR

The Chairman thanked the Council for his election. It was then moved by County Councillor Peter Sowray and seconded by County Councillor John Weighell:-

“That this Council places on record its appreciation of the exceptional service rendered to it by County Councillor Michael Knaggs as Vice-Chairman of the County Council from 2006 to 2007 and as Chairman of the Council from 2007 to 2008, and also places on record its thanks to Cecily Knaggs for the unfailing support which she has given the Chairman during his term of office.”

RESOLVED -

173. That this Council places on record its appreciation of the exceptional service rendered to it by County Councillor Michael Knaggs as Vice-Chairman of the County Council from 2006 to 2007 and as Chairman of the Council from 2007 to 2008, and also places on record its thanks to Cecily Knaggs for the unfailing support which she has given the Chairman during his term of office.

County Councillor Michael Knaggs responded, thanking the Chairman of the Council and paying tribute to officers and Cecily Knaggs for the support they had provided.

MINUTES**RESOLVED -**

174. That the minutes of the quarterly meeting of the County Council, held on 20 February 2008, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

APPOINTMENT OF VICE-CHAIRMAN

It was moved by County Councillor Heather Garnett and seconded by County Councillor Michael Knaggs that County Councillor John Savage be nominated as Vice-Chairman of the County Council, to serve until the Annual meeting of the Council in 2009.

It was moved by County Councillor Bill Houtt and seconded by County Councillor Stuart Parsons that County Councillor Caroline Seymour be nominated as Vice-Chairman of the Council, to serve until the Annual meeting of the Council in 2009.

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

For County Councillor John Savage – 46

For County Councillor Caroline Seymour – 18

The appointment of County Councillor John Savage as Vice-Chairman of the Council, to serve until the Annual meeting of the Council in 2009, was then proposed.

The Council divided and the motion was declared carried.

RESOLVED -

- 175.** That County Councillor John Savage be appointed as Vice-Chairman of the County Council, to serve until the Annual meeting of the Council in 2009.

County Councillor John Savage then made his declaration of acceptance of office as Vice-Chairman of the County Council and thanked his proposer and seconder and the Council for appointing him.

CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed welcomed Honorary Aldermen David Ashton and Miss Beth Graham to the meeting. From the public gallery Honorary Alderman Miss Beth Graham informed the Council that, when attending the previous meeting of the Council, she had a persistent nose bleed and wished to mention the response by the Friarage Hospital in Northallerton and to record what an excellent facility that was. Thanks were also given to the Chairman's Secretary for assisting Honorary Alderman Miss Beth Graham.

The Chairman referred to a press release relating to sponsorship for an event being undertaken by the Yorkshire Regiment for the Army Benevolent Fund, which had been placed around the Chamber and he asked Members to consider proving sponsorship for the event.

A STATEMENT BY THE LEADER OF THE COUNCIL

County Councillor John Weighell made a statement, under Council Procedure Rule 2.3, as Leader of the Council, a summary of the key points of which had previously been circulated which appears in the Minute Book (Page 4881-2) and responded to questions, including a question from County Councillor Brian Simpson regarding Knipe Point, Osgodby, of which notice had been given.

PUBLIC QUESTIONS OR STATEMENTS

There were no questions or statements from members of the public.

REPORT OF THE EXECUTIVE**Council Plan 2008/11**

The recommendations in paragraph 1 of the report (page 4883) having been moved and seconded, it was

RESOLVED -

- 176.** That the draft Council Plan 2008/11, a copy of the text of which was attached to the report marked Appendix 1, be approved.

Sustainable Community Strategy for North Yorkshire 2008/18

The recommendations in paragraph 2 of the report (page 4886) having been moved and seconded, it was

RESOLVED –

- 177.** (i) That the proposed Sustainable Community Strategy for North Yorkshire 2008/18, attached as Appendix 2 to the report, be adopted;
- (ii) That Article 4 of the Council's Constitution be amended to refer to "Sustainable Community Strategy" rather than "Community Strategy".

Draft Local Area Agreement

The recommendations in paragraph 3 of the report (page 4888) having been moved and seconded, it was

RESOLVED –

- 178.** (i) That the draft North Yorkshire Local Area Agreement 2, attached as Appendix 3 to the report, be approved;
- (ii) That all functions relating to the Local Area Agreement (including approval and modification of it) be Executive functions; and that the Council's Constitution be amended to make clear that functions under Sections 106, 110, 111 and 113 of the Local Government and Public Involvement in Health Act 2007, relating to Local Area Agreements, is an Executive function.

Appointments to Committees and Outside Bodies

The recommendations in paragraph 4 of the report (pages 4888-9) having been moved and seconded, nominations for appointments to Committees were proposed.

RESOLVED –

- 179.** (i) That Mrs Suzanne Morris (a parent governor at King James School, Knaresborough) and Dr. Patricia Stowell (a parent governor at Western Primary School, Harrogate) be appointed to the Young People Overview and Scrutiny Committee as parent governor representatives.
- (ii) That the substitute Members for the North Yorkshire Fire and Rescue Authority for the Conservative Group be: (2) Chris Pearson; (3) Cliff Trotter; (4) David Jeffels; and (5) Michael Knaggs.

That County Councillor Tim Swales be appointed to the Young People Overview and Scrutiny Committee in place of County Councillor Tony Hall; that County Councillor Martin Smith be appointed in place of County Councillor Herbert Tindall; and County Councillor Gillian Ivey be appointed as fourth named Conservative substitute.

That County Councillor David Heather be appointed to the Communications Overview and Scrutiny Committee in place of County Councillor Rob Broadley.

That County Councillor Rob Johnson be appointed as the representative of the North Yorkshire District Councils on the Pension Fund Committee and that Councillor John Blackie be the third named substitute for the District Councils on that Committee.

That as County Councillor Patricia Marsburg has left the Labour Group, a seat allocated to the Labour Group on Audit Committee and the seat held by County Councillor Jim Snowball on the Young People Overview and Scrutiny Committee be transferred to the Independent Members and that County Councillor Philip Barrett be appointed to the vacancy on the Audit Committee, but that County Councillor Jim Snowball remain on the Young People Overview and Scrutiny Committee in the seat allocated to the Independent Members.

- (iii) That the appointment of a representative to the Robin Hood Airport Consultative Committee, by the Executive, be added to Part 1 of Schedule 5 to the Constitution.
- (iv) That the appointment of local authority Members to the Management Committees of Pupil Referral Units on the nomination of the political group to whom the right of nominations has been allocated, be delegated to the Corporate Director – Children and Young Peoples Service and be added to paragraph 4.2(c) of Schedule 4 to the Constitution.

REPORT OF THE AUDIT COMMITTEE

Terms of Reference

The recommendations in paragraph 1 of the report (page 4974) having been moved and seconded, it was

RESOLVED -

180. That the Terms of Reference of the Audit Committee, as set out in the County Council's Constitution, be amended by replacing paragraph 4 with the following:-

4. In respect of **financial statements**

For both the County Council and the North Yorkshire Pension Fund

- to approve the respective annual Statements of Final Accounts
- to reserve and review the Annual Audit Letters and associated documents issued by the External Auditor
- to approve changes in accounting policy

STATEMENTS OF EXECUTIVE MEMBERS AND CHAIRMEN OF OVERVIEW AND SCRUTINY COMMITTEES

County Councillor Caroline Patmore, Executive Member for Children's Services, (children's services issues, SEN, special schools, youth service and Youth Offending Team), presented her statement, a summary of the key points which had previously been circulated and which appears in the minute book (pages 4975-7) and responded to questions.

County Councillor John Watson OBE, Executive Member for Children's Services, (early years education and all school related education issues and advisory services), presented his statement, a summary of the key points which had previously been circulated and which appears in the minute book (pages 4979-81) and responded to questions, including giving an assurance to County Councillor Jim Snowball that he would be kept informed about provision of a site for a Pupil Referral Unit in Selby.

County Councillor Helen Swiers presented the statement for County Councillor Chris Metcalfe, Executive Member for Community Services, (adult social services and library and information services), a summary of the key points which had previously been circulated and which appears in the minute book (pages 4983-7) and responded to questions.

County Councillor Helen Swiers, Executive Member for Community Services, (community planning, community safety, cultural services, economic development, public protection, and post-16 lifelong learning), presented her statement, a summary of the key points which had previously been circulated and which appears in the minute book (pages 4989-91) and responded to questions.

County Councillor Clare Wood presented the statement for County Councillor John Fort BEM, Executive Member for Environmental Services, (planning, roads and traffic and archaeology), a summary of the key points which had previously been circulated and which appears in the minute book (pages 4993-4) and responded to questions, including undertaking to give a written answer to County Councillor Steve Macaré on funding for the Bilton to Ripley cycleway.

County Councillor Polly English declared a personal interest in the next item because of her husband's involvement with community transport.

County Councillor Clare Wood, Executive Member for Environmental Services, (public rights of way, conservation, waste disposal, public passenger transport and trading standards), presented her statement, a summary of the key points which had previously been circulated and which appears in the minute book (pages 4995-8) and responded to a questions, including undertaking to give County Councillor David Lloyd Williams a written response to his written question about Norton Household Waste Recycling Site.

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 which had previously been circulated and which appears in the minute book (pages 4999-5003) and responded to questions.

The written statements of the Chairmen of the Scrutiny Board and Overview and Scrutiny Committees having been circulated (pages 5005-5040), the Chairmen of the Care and Independence Overview and Scrutiny Committee; the Young People Overview and Scrutiny Committee; the Safe and Sustainable Overview and Scrutiny Committee; the Communications Overview and Scrutiny Committee and the Corporate Affairs Overview and Scrutiny Committee made additional statements and responses were given to questions.

COUNCIL PROCEDURE RULE 10 QUESTIONS

There were no Council Procedure Rule 10 questions.