



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the meeting of the County Council held at County Hall, Northallerton on 16 December 2009

PRESENT:-

County Councillor John Savage in the Chair.

County Councillors Val Arnold, Karl Arthur, Andrew Backhouse, Arthur Barker, Philip Barrett, Bernard Bateman, MBE, John Batt, Keith Barnes, John Blackburn, John Blackie, David Blades, Elizabeth Casling, Bill Chatt, Jim Clark, John Clark, Michael Cockerill, Gareth Dadd, Margaret-Ann de Courcey-Bayley, John Fort BEM, John Fox, Heather Garnett, Andrew Goss, Ron Haigh, Tony Hall, Roger Harrison-Topham, Michael Heseltine, Robert Heseltine, Bill Hault, Margaret Hulme, Neville Huxtable, David Ireton, Mike Jordan, Jane Kenyon, Michael Knaggs, Andrew Lee, Carl Les, Don Mackenzie, John McCartney, Patricia Marsburg, Penny Marsden, Brian Marshall, J W Marshall, Shelagh Marshall, Chris Metcalfe, Heather Moorhouse, Patrick Mulligan, Stuart Parsons, Caroline Patmore, Chris Pearson, Dave Peart, Joe Plant, Peter Popple, Paul Richardson, Caroline Seymour, Stephen Shaw, Brian Simpson, Melva Steckles, Peter Sowray, Tim Swales, Helen Swiers, Herbert Tindall, Cliff Trotter, John Watson OBE, John Weighell, Richard Welch, Andrew Williams and Clare Wood,

The Chairman's Chaplain, Linda Billenness, offered prayers.

MINUTES

RESOLVED -

29. That the minutes of the County Council held on Wednesday, 14 October 2009, and the minutes of the Extraordinary County Council held on that day, 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 welcomed Honorary Aldermen Bill Barton and Steve Macare to the meeting and, in particular, Honorary Alderman David Lloyd-Williams. He informed the Council that, as Honorary Alderman David Lloyd-Williams could not be at the meeting of the Council on 14 October 2009, when the Council resolved to make him an Honorary Alderman in recognition of his past service, he has therefore been invited to attend today, so that his proposer and seconder could speak and so that he could be presented with his Honorary Alderman's badge and certificate.

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The Chairman announced the death of former County Councillor John Wren, who represented Bilton Electoral Division from June 2001 to May 2005 and Harrogate Bilton and Nidd Gorge Electoral Division from May 2005 to June 2009 and the death of Rachel Cuncliffe, who was the County Councillor for Selby North Electoral Division from May 1989 to May 1997. The Council stood in silence in their memory.

County Councillors J W Marshall and Caroline Seymour addressed the Council on conferring the title of Honorary Alderman of North Yorkshire County Council on David Lloyd Williams. The Chairman of the County Council presented Honorary Alderman David Lloyd Williams with an Honorary Alderman's badge of office and a framed illuminated certificate.

Honorary Alderman David Lloyd Williams thanked the Chairman and the County Council for the honour which had been conferred on him.

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 and which appears in the Minute Book (page 372).

PUBLIC QUESTIONS OR STATEMENT

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

REPORT TO THE EXECUTIVE

Corporate Procurement Strategy and Implementation Plan

The recommendations in paragraph 1 of the report (page 375) having been moved and seconded, it was

RESOLVED -

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| <p>30. That the Corporate Procurement Strategy and Corporate Procurement Strategy Implementation Plan, attached as Appendices 1A and 1B respectively to the report, be adopted.</p> |
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Corporate Risk Management Policy and Strategy

The recommendations in paragraph 2 of the report (page 377) having been moved and seconded, it was

RESOLVED -

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| <p>31. That the Corporate Risk Management Policy and Strategy, attached as Appendix 2A to the report, be approved.</p> |
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Ofsted Inspections of Safeguarding Arrangements and Services for Look After Children – Post-Inspection Action Plan

The recommendations in paragraph 3 of the report (page 378) having been moved and seconded, it was

RESOLVED -

- 32.** That the Post Inspection Action Plan relating to the Ofsted Inspection of Safeguarding and Looked After Children's Services, attached as Appendix 3B to the report, be approved.

Employment Appeals Committee – Appeals Against Dismissal on the Grounds of Redundancy and Selection for Redundancy

The recommendations in paragraph 4 of the report (page 379-80) having been moved and seconded, it was

RESOLVED -

- 33.** That the terms of reference of the Employment Appeals Committee be amended to delete reference to the handling of appeals against dismissal on the grounds of redundancy and selection for redundancy, as set out in Appendix 4 to the report and the Constitution be amended accordingly; and;

That authority be delegated to a Chief Officer, or a senior Manager s/he has authorised to act in his/her place, (in consultation with an HR adviser) to determine appeals against selection for redundancy and dismissal on grounds of redundancy and that the Officer Delegation Scheme at Schedule 4 of the Constitution be amended to include the following:

- 3.9** Chief Officers are authorised to determine, or authorise senior managers to determine, appeals against selection for redundancy and dismissal on grounds of redundancy (in consultation with an HR adviser).

Appointments to Committees and Outside bodies

The recommendations in paragraph 5 of the report (page 380) having been moved and seconded, it was

RESOLVED -

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- 34.** That seats for three External Members be re-established on the Audit Committee, one of which shall be for a Member of the Standards Committee, preferably the Chairman, but not a County Councillor, and that the remaining two seats be filled following advertisement, short-listing and interview, the appointments being for the remaining life of the County Council plus up to a further 12 months.

That County Councillor John Blackie be appointed as first named substitute for the North Yorkshire Independents Group on the Chief Officer's Appointments Committee;

That County Councillor Margaret Hulme be appointed to the Scrutiny of Health Committee in place of County Councillor Tony Hall;

That County Councillor Michael Knaggs be appointed to the North York Moors National Park Authority in place of County Councillor Ron Haigh;

That County Councillor Chris Pearson be appointed to the North Yorkshire Fire and Rescue Authority in place of County Councillor Michael Knaggs and that County Councillor Stephen Shaw be appointed as a substitute Member on that Authority in place of County Councillor Chris Pearson.

REPORT OF THE INDEPENDENT PANEL ON MEMBERS REMUNERATION

All County Councillors present at the meeting declared personal interests in this item as Members of the Council.

The recommendations in the report (page 541) having been moved and seconded, it was

RESOLVED -

- 35.** That:
- (a) A Scheme of Allowances, attached as Appendix B to the report, and a list of approved duties, attached as Appendix C to the report, for 2010/2011;
 - (b) A Scheme of Discretion in respect of Councillor Membership of the Local Government Pension Scheme, as set out in Appendix E to the report; and
 - (c) A revised procedure for the appointment of Members of the Independent Panel, with related transitional arrangements, as set out in Appendix F to the report;
- be approved.

County Councillor Caroline Patmore, the Lead Executive Member for Children's Services (Childrens Act 2004), Special Educational Needs and Youth Justice, made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 568-9).

County Councillor Jim Clark, the Executive Member for Schools, 16-19 year old Education and Early Years Provision, made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 570-1) and responded to questions, including a written question from County Councillor Keith Barnes relating to the Primary Capital Strategy.

County Councillor Chris Metcalfe, the Executive Member for Adult and Library Services made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 572-3) and responded to questions.

County Councillor Heather Garnett, the Executive Member for Community Planning and Engagement and Youth Services, made a statement, a revised summary of the key points of which was circulated and which appears in the Minute Book (pages 574-5) and responded to a question.

County Councillor John Fort BEM, the Executive Member for Highways and Planning Services, made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 576-7) and responded to questions, including a written question from County Councillor Keith Barnes relating to the Highways Depot building programme.

County Councillor Clare Wood, the Executive Member for Rural Services, Waste Disposal, Public Passenger Transport and Trading Standards made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 578-9) and responded to questions, including a written question from County Councillor Bill Hoult relating to Scarborough Power and Yorwaste. **County Councillor Arthur Barker declared a personal interest, as the matter was only before the Council in a question and not for decision, in this issue as a non-Executive Director of Yorwaste.**

County Councillor John Watson OBE, the Executive Member for Partnerships and Economic Development, made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 580-2) and responded to questions.

County Councillor Carl Les, the Executive Member for Corporate Services, Finance, Performance Management and Procurement, made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 584-5) and responded to a written question from County Councillor Bill Hoult relating to Traveller sites.

The written statements of the Chairmen of the Scrutiny Board and Overview and Scrutiny Committees (pages 586-610) having previously been circulated, the Chairmen of the Scrutiny Board, the Care and Independence Overview and Scrutiny Committee, the Corporate Affairs Overview and Scrutiny Committee, the Environment and Heritage Overview and Scrutiny Committee and the Scrutiny of Health Committee made additional statements. The Chairmen of the Scrutiny Board and the Scrutiny of Health Committee responded to questions.

COUNCIL PROCEDURE RULE 10 QUESTIONS

County Councillor Andrew Goss asked County Councillor John Fort BEM, as Chairman of the North Yorkshire Fire and Rescue Authority, why that Authority had decided to increase its Council Tax precept by 1%. ~~In response, County Councillor John Fort BEM~~ referred to the increase in service demands because of the increase in the incidence of flooding and the possible impact on available funding for future years.

County Councillor Michael Knaggs offered congratulations to County Councillor Jane Kenyon, as Chairman of the North Yorkshire Police Authority, on recent arrests in respect of incidents of arson. County Councillor Jane Kenyon said she would pass those comments on to the Chief Constable.