



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the meeting of the County Council held at County Hall, Northallerton on 16 February 2011.

PRESENT:-

County Councillor Caroline Seymour in the Chair.

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

The Chairman's Chaplain, the Reverend Paul Hutchinson, offered prayers.

MINUTES

RESOLVED -

79. That the minutes of the meeting of the County Council held on Wednesday, 15 December 2010, 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 the members of the public who were present and advised Members of the Council that, under the terms of the Code of Conduct, it would only be necessary for Members who were also school governors to declare their personal interest in item 4 of the report of the Executive if and when they spoke on that item. If they did not wish to speak on the item, Members who were also school governors were free to vote on the issue without making a declaration of interest on those grounds. She informed Members of the Council that she did not believe that it would be appropriate for the Council to take a decision, on this day, on the motion relating to public libraries which was listed as item 9 on the agenda, as the public consultation process on the public library service was still underway.

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 2642) and responded to a question.

PUBLIC QUESTIONS OR STATEMENTS

Notice had been received of questions or statements from two members of the public. The Council was addressed by Mr Brian Cooper and Mr Nick Wilson.

County Councillor John Weighell responded and County Councillor Caroline Patmore, to whom one of the questions had been addressed, indicated that she had nothing to add.

Mr Brian Cooper asked a supplementary question to which County Councillor John Weighell responded.

Copies of the statements are in the Minute Book (pages 2644-47).

REPORT OF THE EXECUTIVE

Revenue Budget 2011/12 and Medium term Financial Strategy 2011/15

The recommendations in paragraph 1 of the report (pages 2654-5) having been moved and seconded, it was moved and seconded as an amendment that the following words be added

“(n) No precipitate action will be taken to close any libraries currently under consultation until all consultation is completed and all offers of community assistance have been properly assessed and progressed, taking into account any residual NYCC funding.”

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

For the amendment – more

Against the amendment – 1

And the amendment was declared carried.

(County Councillor John Clark asked that it be recorded in the minutes that he voted against the amendment.)

It was moved and seconded as an amendment that the following be added at the end of the motion:

“(o) That, from 1 April, 2011, Member mileage allowances be reduced to the Inland Revenue recognised rate (currently 40p) for the first 8,500 miles per annum, and additional miles in excess of 8,500 per annum at 25p per mile, and that the Members’ Allowances Scheme be amended accordingly”

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

For the amendment – more

Against the amendment – 0

Abstentions - 10

And the amendment was declared carried.

It was moved and seconded as an amendment that the following be added at the end of c)

“and that the cut to funding for 16 – 19 year old SEN students’ home to school transport, detailed in Supplementary Paper 4 (Project 7), be deleted and the funding (approximately £70K pa) be initially funded by draw down from reserves, with alternative savings proposals for this relatively minor expenditure brought back for Members’ decision at the May 2011 meeting.”

The mover and seconder then agreed to modify the terms of their amendment to:

“and that the cut to funding for 16 – 19 year old SEN students’ home to school transport, detailed in Supplementary Paper 4 (Project 7), be deleted and the funding (approximately £70K pa) be found from elsewhere within the home to school transport budget.

The Council divided and the amendment, as modified, was declared carried unanimously.

It was moved and seconded as an amendment that:

“This Council notes with considerable concern the damage that will be caused by the cuts in services provided by this Authority as a consequence of the Government’s reduction in grant funding. The Council notes with anger the Government’s intention to spend a further £450 million on its contribution to the European Union budget. The Council resolves to lobby all our MPs and to write to the Prime Minister demanding a reversal of this decision, and that the money saved should be redirected back to Local Government.”

The mover and seconder then agreed to modify the terms of their amendment to:

“This Council notes with considerable concern the damage that will be caused by the cuts in services provided by this Authority as a consequence of the Government’s reduction in grant funding. The Council notes the Government’s intention to spend a further £450 million on its contribution to the European Union budget. The Council resolves to lobby all our MPs and to write to the Prime Minister and the DCLG demanding a reversal of this decision, and that the money saved should be redirected back to Local Government.”

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

For the amendment, as modified – 23

Against the amendment, as modified – 34

Abstentions - 3

And the amendment was declared lost.

It was moved and seconded as an amendment that:

Increase the savings from £994,000 to £1.019m by:

- | | | | |
|-------|--------------------------------------------------------------|-------------|-----------|
| (i) | reducing three week mobile visits to once per calendar month | a saving of | £ 375,000 |
| (ii) | reduce to book distribution frequency | a saving of | £ 93,000 |
| (iii) | reduce book fund by 20% | | £ 189,000 |
| (iv) | reduce the opening hours of <u>all</u> libraries by 20% | | £ 537,000 |
| (v) | reduction of managers by 10 | | £ 281,000 |

£1.475 m

First year £1.019m

Second year £494 m

This results in:

- i) a complete mobile library service
- ii) keeping all libraries open.

It was moved that the question be now put.

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

For the motion that the question be now put – more

Against the motion that the question be now put – 2

And the motion that the question be now put was declared carried.

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

For the amendment – 6

Against the amendment – more

Abstentions - 2

And the amendment was declared lost.

(County Councillor Stuart Parsons asked that it be recorded in the minutes that he voted for the amendment.)

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

For the motion, as amended – 49

Against the motion, as amended – 14

Abstentions - 2

And the motion, as amended, was declared carried.

(County Councillors John Blackie, Polly English, Stuart Parsons and Brian Simpson asked that it be recorded in the minutes that they voted against the motion, as amended.)

RESOLVED -

80. (a) That, in accordance with Section 44 of the Local Finance Act 1992, for the year beginning 1 April 2011, a Council Tax precept of £245,954k be issued to billing authorities in North Yorkshire, such precept to be paid in instalments on dates to be determined by the billing authorities
- (b) in accordance with Section 43 of the Local Finance Act 1992, that a net Revenue Budget requirement for 2011/12 of £368,670k be approved
- (c) that the financial allocations to each Directorate, various corporate initiatives, and precepts/levies/contributions be as detailed in Appendix 1C and the Supplementary Papers to this report, subject to the Corporate Director – Children and Young People’s Service being authorised, in consultation with Executive Members, to take the final decision, in March 2011, on the allocation of the Schools Block and that the cut to funding for 16 – 19 year old SEN students’ home to school transport, detailed in Supplementary Paper 4 (Project 7), be deleted and the funding (approximately £70K pa) be found from elsewhere within the home to school transport budget.
- (d) that the arrangements under which additional funds are allocated each year in respect of Social Care for older people and the Waste Strategy are reviewed at least annually
- (e) that the level of budget provision now allocated to concessionary fares (£10m) be reassessed annually in the light of action taken by BES to reduce expenditure on this Budget
- (f) that, whilst no specific Value for Money targets are proposed for 2011/12 et seq, the Chief Executive ensures that all Corporate Directors are required to maximise efficiency measures as a way of offsetting the potential funding shortfalls in the MTFS period.
- (g) the continuation of the Pending Issues Provision, as detailed in paragraph 11.18 of Appendix 1.
- (h) that the funding hitherto provided to Areas Committees for the purposes of making grants is discontinued with effect from 2011/12.
- (i) that, in relation to the Community Fund, no further funds are made available from 2011/12 onwards for other than known commitments at this date, as detailed in paragraph 10.3(c) of Appendix 1.
- (j) that the implementation of the proposed methodology for the allocation of Performance Reward Grant generated under Local Area Agreement 1 be as detailed in paragraph 12.10 et seq of Appendix 1.
- (k) that the policy target for the level of the General Working Balance be retained at 2% of the net Annual Revenue Budget.
- (l) That the Medium Term Financial Strategy 2011/2015, and its caveats, as laid out in Section 10 and Appendix C of Appendix 1 be approved.
- (m) That the County Council notes the Section 25 assurance statement (and its proviso) provided by the Corporate Director – Finance and Central Services regarding the robustness of the estimates and the adequacy of the reserves in paragraph 14.16 of Appendix 1 and the risk assessment of the MTFS detailed in paragraph 13.6 of Appendix 1.

- (n) No precipitate action will be taken to close any libraries currently under consultation until all consultation is completed and all offers of community assistance have been properly assessed and progressed, taking into account any residual NYCC funding.
- (o) That, from 1 April, 2011, Member mileage allowances be reduced to the Inland Revenue recognised rate (currently 40p) for the first 8,500 miles per annum, and additional miles in excess of 8,500 per annum at 25p per mile, and that the Members' Allowances Scheme be amended accordingly.

Prudential Indicators

The recommendation in paragraph 2 of the report (page 2657) having been moved and seconded, it was

RESOLVED -

81. (i) that the updated Prudential Indicators for 2011/12 to 2013/14 as set out in Appendix 2, be approved.
- (ii) that an Authorised Limit for External Debt of £466.6m in 2011/12 under Section 3(1) of the Local Government Act 2003 is approved.

Treasury Management

The recommendations in paragraph 3 of the report (pages 2667-8) having been moved and seconded, it was

RESOLVED -

82. (a) That the Annual Treasury Management and Investment Strategy for 2011/12 as detailed in Appendix 3B be approved and, in particular
- (i) an authorised limit for external debt of £466.6m in 2011/12
 - (ii) an operational boundary for external debt of £446.6m in 2011/12
 - (iii) a borrowing limit on fixed interest rate exposure of 60% to 100% of outstanding principal sums and a limit on variable interest rate exposure of 0% to 40% of outstanding principal sums
 - (iv) borrowing from the money market for capital purposes is to be limited to 30% of external debt outstanding at any one point in time
 - (v) an investment limit on fixed interest rate exposure of 0% to 30% of outstanding principal sums and a limit on variable interest rate exposure of 70% to 100% of outstanding principal sums
 - (vi) a limit of £12m of the total cash sums available for investment (both in house and externally managed) to be invested in Non Specified Investments over 364 days

- (vii) an 11% cap on capital financing costs as a proportion of the annual Net Revenue Budget.
 - (viii) a Minimum Revenue Provision (MRP) policy for debt repayment to be charged to Revenue in 2011/12 as set out in paragraph 11 of Appendix 3B.
 - (ix) the Corporate Director - Finance and Central Services to report to the County Council if and when necessary during the year on any changes to this Strategy arising from the use of operational leasing, PFI or other innovative methods of funding not previously approved by the County Council
- (b) That the Audit Committee be invited to review Appendix 3B and submit any proposals to the Executive for consideration at the earliest opportunity.

School Admission Arrangements 2012/13

The recommendations in paragraph 4 of the report (page 2675) having been moved and seconded, it was

RESOLVED -

83. That the

- Proposed Admissions Policy for Community and Voluntary Controlled Schools including Nursery Schools and Schools with Nursery or Pre reception classes for the academic year 2012/13 as shown in appendices 4a and 4b are adopted.
- Proposed Admissions Policy for the three Harrogate Community Secondary Schools for 2012/13 as shown in appendix 4c is adopted.
- Proposed Co-ordinated Admissions Schemes for Primary and Secondary schools including the Fair Access Protocol 2012/13 as shown in appendix 4d is adopted.
- Proposed Published Admission Numbers for Community and Voluntary Controlled schools 2012/13 as shown in appendices 4e and 4f are adopted and the limits for Voluntary Aided, Foundation and Trust schools 2012/13 as also shown within appendices 4e and 4f are noted.

Appointments to Committees and outside bodies

The recommendation in paragraph 5 of the report (page 2675) having been moved and seconded, it was

RESOLVED -

84. That County Councillor Chris Pearson be appointed as the 5th named substitute Member for the Conservative Group on the Appeals Committee

STATEMENTS OF EXECUTIVE MEMBERS AND CHAIRMEN OF OVERVIEW AND SCRUTINY COMMITTEES

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 2938-40).

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 2942-4) and responded to questions. (County Councillor Joe Plant declared a personal interest as his son had married into a family who were providers for the Me Too scheme.)

County Councillor John Watson OBE, the Executive Member for Schools, 16-19 year old education, early years provision and youth provision, made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 2946-7) and responded to questions

County Councillor John Weighell presented a statement on behalf of Chris Metcalfe, the Executive Member for Adult and library services, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 2948-9) and responded to questions.

County Councillor Gareth Dadd, 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 2950-1) and responded to questions.

County Councillor Clare Wood, the Executive Member for Rural services, waste disposal, public passenger transport, trading standards 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 2952-3) and responded to questions.

The written statements of the Chairmen of the Overview and Scrutiny Committees (pages 2954-69) having previously been circulated, the Chairmen of the Care and Independence Overview and Scrutiny Committee and the Scrutiny of Health Committee made additional statements. There were no questions.

COUNCIL PROCEDURE RULE 10 QUESTIONS

There were no questions under Council Procedure Rule 10.

MOTION – CLOSURE OF LIBRARIES

The Chairman ruled that the motion should stand referred to the Care and Independence Overview and Scrutiny Committee and the Executive for consideration and report back to the Council.

County Councillor John Clark formally moved and County Councillor John Savage formally seconded, without comment:-

“Free access to books and other sources of information is a cornerstone of a civilised society. The Library Consultation has caused immense unease and foreboding throughout North Yorkshire. In the present financial climate this has to be balanced with the totally unreasonable reduction in government grants to Local Authorities and hence the need for cuts.

The Consultation proposals have left many residents of North Yorkshire with the justified view that the ‘we are all in it together’ approach does not apply.

Those in the smaller communities are going to bear the brunt of the ‘cuts’ while those in the larger towns are to be left unscathed. This Council therefore resolves that:

- i) 6 of the 10 Mobile Libraries will be retained
- ii) All the smaller Libraries will be kept open, albeit with reduced hours.
- iii) There will be a reduction in the opening hours of the main Libraries.
- iv) The proposed Super Mobile Library will not be proceeded with.”