



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the meeting of the County Council held at County Hall, Northallerton on 18 May 2011, commencing at 10.30 am.

PRESENT:-

County Councillor Caroline Seymour in the Chair.

County Councillors Val Arnold, Karl Arthur, Andrew Backhouse, Arthur Barker, Keith Barnes, Philip Barrett, Bernard Bateman, MBE, John Batt, John Blackburn, John Blackie, David Blades, Liz Casling, Bill Chatt, Jim Clark, John Clark, Michael Cockerill, Gareth Dadd, Margaret-Ann de Courcey-Bayley, Polly English, John Fort BEM, John Fox, Heather Garnett, Andrew Goss, Ron Haigh, Tony Hall, Roger Harrison-Topham, Michael Heseltine, Robert Heseltine, Bill Houlton, Margaret Hulme, Neville Huxtable, David Ireton, David Jeffels, Janet Jefferson, Jane Kenyon, Michael Knaggs, Andrew Lee, Carl Les, John McCartney, Pat Marsburg, Penny Marsden, Brian Marshall, J W Marshall, Shelagh Marshall, John McCartney, Chris Metcalfe, Heather Moorhouse, Patrick Mulligan, Stuart Parsons, Caroline Patmore, Chris Pearson, Dave Peart, Joe Plant, Paul Richardson, 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 and Clare Wood,

The Chairman's Chaplain, the Reverend Lisa Quarmby, offered prayers.

ELECTION OF CHAIRMAN

It was moved by County Councillor Carl Les and seconded by County Councillor John Blackburn that County Councillor John Fort BEM be elected as Chairman of the County Council to serve until the Annual Meeting of the Council in 2012.

RESOLVED -

85. That County Councillor John Fort BEM be elected as Chairman of the County Council, to serve until the Annual Meeting of the Council in 2012.

County Councillor John Fort BEM then made his declaration of acceptance of the office of Chairman of the County Council.

COUNTY COUNCILLOR JOHN FORT BEM IN THE CHAIR

The Chairman thanked the Council for his election and it was then moved by County Councillor John Fort BEM 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 Caroline Seymour as Vice-Chairman of the County Council from 2009 to 2010 and as Chairman of the County Council from 2010 to 2011 and also places on record its thanks to John Seymour for the unfailing support which he has given the Chairman during her terms of office.”

RESOLVED –

86. That this Council places on record its appreciation of the exceptional service rendered to it by County Councillor Caroline Seymour as Vice-Chairman of the County Council from 2009 to 2010 and as Chairman of the County Council from 2010 to 2011 and also places on record its thanks to John Seymour for the unfailing support which he has given the Chairman during her terms of office.

The Chairman presented a past Chairman’s badge to County Councillor Caroline Seymour.

County Councillor Caroline Seymour responded.

MINUTES

The Chairman informed the Council that, although the Minutes of the meeting of the Council on 15 December 2010 had already been agreed as a correct record, he had been asked to bring to the Council’s attention that only two of the members of the public who addressed the Council at that meeting did so as representatives of NYWAG, the other speakers spoke on their own behalf or as representatives of eight local parish councils.

RESOLVED -

86. That the minutes of the meeting of the County Council held on Wednesday, 16 February 2011, 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 Michael Heseltine and seconded by County Councillor Herbert Tindall that County Councillor Cliff Trotter be appointed as Vice-Chairman of the County Council, to serve until the Annual Meeting of the Council in 2012.

RESOLVED –

87. That County Councillor Cliff Trotter be appointed as Vice-Chairman of the County Council, to serve until the Annual Meeting of the Council in 2012.

County Councillor Cliff Trotter then made his declaration of acceptance of the office of Vice-Chairman of the County Council and thanked the Council for his appointment.

CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed Honoray Aldermen David Ashton and Bill Barton OBE and Councillor Mrs Grange in the public gallery, together with Mr David Gripton who wished to ask a question.

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 2980). He added that the Local Enterprise Partnership might now receive funding for administrative costs. He informed the Council of changes to the membership of and portfolios on the Executive, which would come into effect at the end of the Council meeting, (page 3104 in Minute Book), and thanked County Councillor Caroline Patmore for almost nine years service in Children's Services. He noted forthcoming changes relating to public health and indicated that a further member of the Executive might be appointed, in future, with a portfolio related to health. He responded to questions, including a written question from County Councillor Geoff Webber relating to political assistants and support given to senior officers.

PUBLIC QUESTIONS OR STATEMENTS

Mr David Gripton asked the following question, of which notice had been received, on behalf of the Parish Councils Group.

"The budget shows that services must be cut to reduce costs. What steps have you taken to investigate and implement the savings of up to £13 million per year that could be achieved by abandoning the disastrously expensive and risky contract with AmeyCespa and replacing it with a system such as was put forward in December last year and again in February 2011?"

County Councillor John Weighell responded.

REPORT OF THE EXECUTIVE**Revenue Budget 2011/12 and Medium term Financial Strategy 2011/15**

The recommendation in paragraph 1 of the report (page 2991) having been moved and seconded, it was

RESOLVED -

88. That the shortfall in funding for the Revenue Budget 2011/12 and MTFS 2011/15 be addressed as follows -

(a) for 2011/12 and 2012/13 the additional savings proposals totalling £6.9m summarised below and set out in detail in the report are approved;

	£m
(i) BES - on-street parking / concessionary travel	1.0
(ii) ACS - demographic demand and related issues	3.0
(ii) CYPS - utilisation of additional grants	0.5
(iv) Pay award provision not required	0.5
(v) Corporate Miscellaneous	1.9
	£ 6.9

(b) for 2013/14 and 2014/15 the savings arising from the One Council change programme be used to offset the shortfall.

Council Plan

The recommendations in paragraph 2 of the report (pages 2993) having been moved and seconded, it was

RESOLVED -

89. That the draft Council Plan is approved and that the Chief Executive is authorised to make any necessary changes to the text, including reflecting decisions made by the County Council on the Medium Term Financial Strategy and updated performance data.

Motion – Closure of Libraries

County Councillor John Clark moved and County Councillor John Savage seconded the following motion:

“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."

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

- **for the motion – 11**
- **against the motion – more**

and the motion was declared lost.

RESOLVED -

90. That the motion not be supported.

Review of Financial, Contract, Property Procedure Rule

The recommendations in paragraph 4 of the report (pages 2996) having been moved and seconded, it was

RESOLVED -

91. That the changes to the Financial Procedure Rules detailed in Appendix 4A; the changes to the Contract Procedure Rules detailed in Appendix 4B; and the changes to the Property Procedure Rules detailed in Appendix 4C are approved; subject to Financial Procedure Rule 13.4 being amended to read: "Individual petty cash purchases must not exceed £100 per item and must always be supported by authenticated receipts, other than in exceptional circumstances."

Appointments to Committees and outside bodies

The recommendations in paragraph 5 of the report (pages 2996) having been moved and seconded, additional nominations were put forward. It was

RESOLVED -

- 91.**
- a) That County Councillor Jim Clark be appointed as this Council's representative on the Regional Joint Health Scrutiny Committee to look into the proposals/recommendations arising from the Children's Congenital Cardiac Services review.
 - b) That County Councillor Geoff Webber be appointed to the Chief Officers Appointments Committee in place of County Councillor Keith Barnes.

- c) That Mr Graham Richards be appointed to the Young People's Overview and Scrutiny Committee as the representative of the Church of England in place of the Reverend Adrian Judd.
- d) That County Councillor Caroline Patmore replace County Councillor Paul Richardson as the Conservative Group's 4th Substitute on the Standards Committee.
- e) That County Councillor Robert Heseltine be appointed to the Independent Group Vacancy on the Audit Committee.
- f) That County Councillor Paul Richardson be appointed to the Independent Group Vacancy on the Chief Officer's Appointments and Disciplinary Committee and that the Conservative Substitutes on the Committee be:
- 1st County Councillor Clare Wood.
 - 2nd County Councillor Arthur Barker.
 - 3rd County Councillor Gareth Dadd.
 - 4th County Councillor Caroline Patmore.
- g) That County Councillor Val Arnold replace County Councillor Arthur Barker on the Employment Appeals Committee.
- h) That County Councillor David Jeffels replace County Councillor Paul Richardson and County Councillor Jim Clark replace County Councillor Heather Moorhouse on the Young People's Overview and Scrutiny Committee and that County Councillor Herbert Tindall replace County Councillor Arthur Barker as Conservative Group 1st Substitute.
- i) That County Councillor Michael Heseltine replace County Councillor Paul Richardson as Conservative Group 4th Substitute on the Scrutiny of Health Committee.
- j) That County Councillor Penny Marsden replace County Councillor Arthur Barker on the Transport, Economy and Environment Overview and Scrutiny Committee.
- k) That County Councillor Margaret Hulme replace County Councillor Joe Plant on the Care and Independence Overview and Scrutiny Committee and that County Councillor John McCartney replace County Councillor Peter Pople as a Member and Vice-Chairman of that Committee.

REPORT OF THE STANDARDS COMMITTEE

Appointment of an Independent Member

The recommendations in paragraph 1 of the report (page 3066) having been moved and seconded,.

RESOLVED -

92. That Dr Janet Holt is re-appointed as an Independent Member of the Standards Committee until the Annual meeting of the County Council in 2013.

STATEMENTS OF EXECUTIVE MEMBERS AND CHAIRMEN OF OVERVIEW AND SCRUTINY COMMITTEES

County Councillor John Watson OBE, the Lead Executive Member for Children's services (Childrens Act 2004), special educational needs and youth justice and 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 3068-9). He responded to questions.

County Councillor 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 3070-1). He responded to questions, including a question from County Councillor Keith Barnes of which written notice had been given concerning backlog of invoices for Adult Services.

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 3072-3). He 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 3074-5). She 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 3076-8).

The written statements of the Chairmen of the Overview and Scrutiny Committees (pages 3080-3103) having previously been circulated, the Chairman of the Care and Independence Overview and Scrutiny Committee responded to a question.

COUNCIL PROCEDURE RULE 10 QUESTIONS

County Councillor Geoff Webber asked the Chairman of the North Yorkshire Police Authority the following question:

A Police Authority press release was issued on 10 May 2011 regarding the charge of gross misconduct against the Chief Constable. The press release included the following paragraph, "It is perhaps regrettable that Mr Maxwell did not admit his guilt late last year. He could have avoided organisational and personal turmoil and unnecessary cost to the council tax payer. Instead, Mr Maxwell has sought, over the last 6 months, to avoid being held to account for his actions by pursuing spurious legal remedies and unsustainable arguments in his defence".

Would the Chairman of the Police Authority tell us how much this enquiry has cost and what action the Authority is taking to ensure that the costs are not borne by the taxpayer?

In response, County Councillor Jane Kenyon said that it was, at this stage, too early to say what the costs of enquiry would be but, when known, it was intended that that information be placed in the public arena. She stressed that police officer misconduct processes were heavily controlled and that the Police Authority had had little discretion in the matter.

The meeting concluded at 3.30 pm.