



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the meeting of the County Council held at County Hall, Northallerton on 16 May, 2012 commencing at 10.30 am.

PRESENT:-

County Councillor John Fort BEM 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, Elizabeth Casling, Jim Clark, John Clark, Mike Cockerill, Gareth Dadd, Margaret-Ann de Courcey-Bayley, Polly English, John Fox, Heather Garnett, Andrew Goss, Helen Grant, Tony Hall, Michael Heseltine, Robert Heseltine, Bill Hault, Margaret Hulme, Neville Huxtable, David Ireton, David Jeffels, Janet Jefferson, Mike Jordan, Jane Kenyon, Michael Knaggs, Andrew Lee, Carl Les, Don Mackenzie, Pat Marsburg, Penny Marsden, Brian Marshall, J W Marshall, John McCartney, Chris Metcalfe, Heather Moorhouse, Patrick Mulligan, Stuart Parsons, Caroline Patmore, Chris Pearson, Dave Peart, Joe Plant, Peter Pople, Paul Richardson, Janet Sanderson, John Savage, Caroline Seymour, Stephen Shaw, Brian Simpson, Peter Sowray, Tim Swales, Helen Swiers, Herbert Tindall, Cliff Trotter, John Watson OBE, Geoff Webber, John Weighell, Richard Welch, Andrew Williams and Clare Wood,

Election of Chairman

It was moved by County Councillor Jim Clark and seconded by County Councillor John Batt that County Councillor Cliff Trotter be elected as Chairman of the County Council to serve until the Annual Meeting of the Council in 2013.

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

Resolved -

<p>126. That County Councillor Cliff Trotter is elected as Chairman of the County Council, to serve until the Annual Meeting of the Council in 2013.</p>

County Councillor Cliff Trotter then made his declaration of acceptance of the office of Chairman of the County Council.

County Councillor Cliff Trotter in the Chair

The Chairman thanked the Council for his election and it was then moved by County Councillor Cliff Trotter and seconded by County Councillor John Weighell:-

“That this Council places on record its appreciation of the exceptional service rendered to it by County John Fort BEM as Vice-Chairman of the County Council from 2010 to 2011 and as Chairman of the County Council from 2011 to 2012 and also places on record its thanks to Jennifer Fort for the unfailing support which she has given the Chairman during his terms of office.”

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

Resolved –

127. That this Council places on record its appreciation of the exceptional service rendered to it by County Councillor John Fort BEM as Vice-Chairman of the County Council from 2010 to 2011 and as Chairman of the County Council from 2011 to 2012 and also places on record its thanks to Jennifer Fort for the unfailing support which she has given the Chairman during his terms of office.

The Chairman presented a past Chairman’s badge to County Councillor John Fort BEM.

County Councillor John Fort BEM responded.

Minutes

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

Resolved -

128. That the Minutes of the meeting of the County Council held on Wednesday, 15 February 2012, having been printed and circulated, are taken as read and are confirmed and be signed by the Chairman as a correct record.

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Appointment of Vice-Chairman

It was moved by County Councillor Mike Jordan and seconded by County Councillor Michael Knaggs that County Councillor Bernard Bateman MBE be appointed as Vice-Chairman of the County Council, to serve until the Annual Meeting of the Council in 2013.

The Council divided and, on a show of hands, the motion was declared carried, with one abstention.

Resolved –

<p>129. That County Councillor Bernard Bateman MBE be appointed as Vice-Chairman of the County Council, to serve until the Annual Meeting of the Council in 2013.</p>
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County Councillor Bernard Bateman MBE 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 County Councillor Helen Grant to the Chamber for her first meeting of this Council, having been elected to represent the Central Richmondshire electoral division, following the resignation of Melva Steckles from the Council.

The Chairman formally announced to the Council the deaths of two former Members of the Council: David Murkett, who was County Councillor for Thirsk electoral division from 1989 to 1993 and 1997 to 2001, and John Parfect MBE, who was County Councillor for Stillington electoral division from 1981 to 1992. Members of the Council stood in their memory.

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 4105), including announcing that, from the conclusion of the meeting, issues relating to health would be added to the adult services portfolio, currently held by County Councillor Clare Wood, and the membership of the Executive would be increased to eight, with County Councillor Tony Hall becoming the Lead Executive Member for Children's Services and Executive Member for Special Educational Needs and Youth Justice. He responded to questions, including a written question from County Councillor Keith Barnes relating to the roles and responsibilities of the Lead Member for Children's Services.

Public Questions or Statements

No notice had been received of questions or statements from members of the public.

Report of the Executive

Police and Crime Panel

The recommendations in paragraph 1 of the report (page 4110) having been moved and seconded:

The Council divided and, on a show of hands, the motion was declared carried, with two abstentions.

Resolved -

130.

- (a) That the proposed arrangements for the North Yorkshire Police and Crime Panel to be established in accordance with Schedule 6 of the 2011 Act as a joint committee of Craven District Council, Hambleton District Council, Harrogate Borough Council, North Yorkshire County Council, Richmondshire District Council, Ryedale District Council, Scarborough Borough Council, Selby District Council and City of York Council, as set out in appendix 1 to this report, are agreed and
- b) That County Councillor John Watson OBE is appointed to the North Yorkshire Police and Crime Panel, with authority to take all decisions necessary to participate in undertaking the functions of the Panel.

Constitutional Changes

The recommendation in paragraph 2 of the report (page 4113) having been moved and seconded, it was moved and seconded as an amendment:

“That recommendation c) be amended by deleting the words “from 5:8:1 to 8:18:1” and inserting in their place “to 8.18:1”

and further recommendations be added

- d) That the current Member Code of Conduct be carried forward until the Council meeting on 18 July when the new proposals will be presented, and
- e) That if the statutory changes to the interest provisions come into force before 18 July, those provisions shall take effect in accordance with the statutory requirements, and
- f) That the Monitoring Officer be authorised to proceed with the arrangements for the appointment of the independent persons, the appointment to be reported to full Council for approval on 18 July 2012. “

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

It was moved and seconded as a second amendment:

That the following words be added after "Scheme" in recommendation a) "together with the following words being added at that point.

"Other parties with less than 10% of all members will be entitled to observer status on all informal member meetings and groups. Group leaders of all groups of less than 10% of all members to be informed of date, time and place of all such meetings."

The Council divided and, on a division by name, there were:

For the second amendment: County Councillors Keith Barnes, Phillip Barrett, John Blackie, John Clark, Mike Cockerill, Margaret-Ann de Courcey Bayley, Polly English, John Fox, Andrew Goss, Helen Grant, Bill Houlton, Janet Jefferson, J W Marshall, John McCartney, Stuart Parsons, Peter Popple, Paul Richardson, John Savage, Caroline Seymour, Brian Simpson, Geoff Webber and Andrew Williams. (22)

Against the second amendment: County Councillors Val Arnold, Karl Arthur, Andrew Backhouse, Arthur Barker, Bernard Bateman MBE, John Batt, John Blackburn, David Blades, Elizabeth Casling, Jim Clark, Gareth Dadd, John Fort BEM, Heather Garnett, Tony Hall, Michael Heseltine, Robert Heseltine, Margaret Hulme, Neville Huxtable, David Ireton, David Jeffels, Mike Jordan, Jane Kenyon, Michael Knaggs, Andrew Lee, Carl Les, Don Mackenzie, Pat Marsburg, Penny Marsden, Brian Marshall, Chris Metcalfe, Heather Moorhouse, Patrick Mulligan, Caroline Patmore, Chris Pearson, Dave Peart, Joe Plant, Janet Sanderson, Stephen Shaw, Peter Sowray, Tim Swales, Helen Swiers, Herbert Tindall, Cliff Trotter, John Watson OBE, John Weighell, Richard Welch and Clare Wood, (47)

And the second amendment was declared lost.

The Council divided on the motion, as amended, and, on a show of hands, there were:

For the motion, as amended – more

Against the motion, as amended – 17

And the motion, as amended, was declared carried.

Resolved -

131.

- a) That, subject to the addition of the words “(currently 8)” after the words “over 10% of all Members” in Schedule 1, Section 1 of the Members’ Allowances Scheme, the changes proposed to the Constitution, set out in appendix 2A to this report, be approved.
- b) That the power to take decisions (in consultation with the relevant Executive Member(s)) on recommendations made by the York, North Yorkshire and East Riding Local Enterprise Partnership Board relating, primarily, to the award of grants and loans relevant to the role of the County Council as Accountable Body for the LEP, is delegated to the Corporate Director Business and Environmental Services.
- c) That the median average salary figure in the Pay Policy Statement be amended from £27,456 to £19,567 and the ratio between the median salary and the highest salary be amended to 8.18:1.
- d) That the current Member Code of Conduct be carried forward until the Council meeting on 18 July when the new proposals will be presented, and
- e) That if the statutory changes to the interest provisions come into force before 18 July, those provisions shall take effect in accordance with the statutory requirements, and
- f) That the Monitoring Officer is authorised to proceed with the arrangements for the appointment of the independent persons, the appointment to be reported to full Council for approval on 18 July 2012.

County Councillors John Blackie, John Clark, Polly English, John Fox, Andrew Goss, Helen Grant, Bill Hault, Janet Jefferson, J W Marshall, John McCartney, Stuart Parsons, Peter Popple, John Savage, Brian Simpson and Andrew Williams asked that it be recorded in the minutes that they voted against the motion, as amended.

Appointments to Committees and Outside Bodies

The recommendation in paragraph 3 of the report (page 4114) having been moved and seconded:

The Council divided and, on a show of hands, it was

Resolved -

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132. That the seat allocated to the independent Councillors, on the Audit Committee, and held by County Councillor Robert Heseltine, on their nomination, is transferred to the North Yorkshire Independents Group and that County Councillor Robert Heseltine remains in that seat.

That the seat held by County Councillor David Ireton on the Corporate and Partnerships Overview and Scrutiny Committee, allocated to the Conservative Group, be transferred to the North Yorkshire Independents Group and County Councillor Helen Grant be appointed to that seat and the Richmondshire Area Committee.

That County Councillor David Ireton be appointed to the Conservative Group vacancy on the Care and Independence Overview and Scrutiny Committee and that County Councillor Don Mackenzie serve as the Chairman of that Committee.

Report of the Audit Committee

The recommendations in the report (page 4162) having been moved and seconded:

The Council divided and, on a show of hands, it was

Resolved -

133.

- (a) That Mr Henry Cronin be re-appointed as a non-voting External Member of the Audit Committee, to serve for the remaining life of the County Council plus up to a further 12 months.
- (b) That the existing provision (approved by the County Council on 16 December 2009), that one of the three seats for External Members on the Audit Committee should be for a Member of the Standards Committee, preferably the Chairman, but not a County Councillor, be removed.

Statements of Executive Members and Chairmen of Overview and Scrutiny Committees

County Councillor Carl Les, the Lead Executive Member for Children's Services, Special Educational Needs, Youth Justice and Chief Executive Group Services made a statement, including statements from the Chairman of the Looked After Children's Members Group and from the Young People's Champion a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 4163-4170) and responded to questions, including a written question from County Councillor Keith Barnes relating to the Barnardo's Cutting Them Free campaign for which a written response was provided.

County Councillor Arthur Barker, the Executive Member for Schools, 16-19 year old education, Early Years Provision and Youth Service, made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 4171-4172) and responded to questions including a written question from County Councillor Keith Barnes relating to the Early Years Development and Child Care Partnership for which a written response was provided.

County Councillor Clare Wood, the Executive Member for Adult Services, made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 4173-4174) and responded to questions, including a written question from County Councillor Bill Hault about support for the Stroke Association for which a written response was provided.

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 4175-4176) and responded to questions, including a written question from County Councillor Geoff Webber about updated estimates for the Bedale bypass scheme.

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County Councillor Chris Metcalfe, the Executive Member for Rural Services, Waste Disposal, Public Passenger Transport, Economic Development 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 4177-4180) and responded to questions, including offering to provide a written response on current estimates of haulage costs under the proposed long term waste management service contract .

County Councillor John Watson OBE, the Executive Member for Financial Services, including assets, IT 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 4181-4184) and responded to questions.

The written statements of the Chairmen of the Scrutiny Board and the Overview and Scrutiny Committees (pages 4185-4208) having previously been circulated, the Chairman of the Care and Independence Overview and Scrutiny Committee added to his final statement and the Chairman of the Scrutiny of Health Committee responded to questions.

Council Procedure Rule 10 Questions

County Councillor Michael Knaggs asked County Councillor Jane Kenyon, the Chairman of the North Yorkshire Police Authority why the contract for the Chief Constable had not been extended.

In response, County Councillor Jane Kenyon said that the current contract with the Chief Constable had come to an end and, after consideration, the Police Authority had decided not to renew it.

The meeting concluded at 13.15.