



## NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the meeting of the County Council held at County Hall, Northallerton on 10 October, 2012 commencing at 10.30 am.

### **PRESENT:-**

County Councillor Cliff Trotter in the Chair.

County Councillors 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, Michael Cockerill, Gareth Dadd, Margaret-Ann de Coursey-Bayley, Polly English, John Fox, Heather Garnett, Andrew Goss, Helen Grant, Tony Hall, Roger Harrison-Topham, Michael Heseltine, Robert Heseltine, Bill Hoult, Margaret Hulme, Neville Huxtable, David Ireton, David Jeffels, Janet Jefferson, Michael Knaggs, Andrew Lee, Carl Les, Don Mackenzie, Brian Marshall, J W Marshall, Shelagh Marshall, John McCartney, Chris Metcalfe, Heather Moorhouse, Patrick Mulligan, Stuart Parsons, Caroline Patmore, Joe Plant, Peter Popple, Paul Richardson, Janet Sanderson, John Savage, Caroline Seymour, Stephen Shaw, Brian Simpson, Peter Sowray, Tim Swales, Helen Swiers, Herbert Tindall, John Watson OBE, Geoff Webber, John Weighell, Richard Welch and Clare Wood,

### **Minutes**

It was moved and seconded that the Minutes of the meeting of the County Council held on Wednesday, 18 July 2012, having been printed and circulated, be taken as read and are confirmed and be signed by the Chairman as a correct record.

**The Council divided and, on a show of hands, the motion was declared carried, with seven voting against.**

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

### **Resolved -**

**143.** That the Minutes of the meeting of the County Council held on Wednesday, 18 July 2012, having been printed and circulated, are taken as read and are confirmed and be signed by the Chairman as a correct record.

### **Chairman's Announcements**

The Chairman reported the apologies for absence received from a number of Members.

### **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 (pages 4221-4222). He welcomed Gary Fielding, the new Corporate Director – Central Services, to his first Council meeting. He commented that, although his statement had indicated that this would not be the final meeting of the Council attended by Cynthia Welbourn, the Corporate Director – Children and Young People's Service, he now understood that it would be the last time she was at a meeting of full Council. He, the Chairman of the Council, other Executive Members, the current and former Chairmen of the Young People's Overview and Scrutiny Committee and representatives of other Groups all thanked her for her contribution to the work of the Council. County Councillor John Weighell responded to questions, including a written question from County Councillor Geoff Webber relating to the backlog in maintenance and repairs.

### **Public Questions or Statements**

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

### **Report of the Executive**

#### **Capital Plan**

The recommendations in paragraph 1 of the report (page 4234) having been moved and seconded:

**The Council divided and, on a show of hands, the motion was declared carried, with none against and one abstention.**

#### **Resolved -**

<p><b>144.</b> That the updated Capital Plan, summarised in Appendices 1A-1G, is adopted.</p>
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### **Prudential Indicators 2012/13-2014/15**

The recommendation in paragraph 2 of the report (page 4235) having been moved and seconded:

**The Council divided and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

**Resolved -**

**145.** That the revised Prudential Indicators for the period 2012/13 to 2014/15, as set out in Appendix 2, are adopted.

**Local Code of Corporate Governance**

The recommendation in paragraph 3 of the report (page 4236) having been moved and seconded:

**The Council divided and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

**Resolved -**

**146.** That the updated Local Code of Corporate Governance, attached as Appendix 3 to this report, is adopted.

**Scheme of Delegation**

The recommendation in paragraph 4 of the report (page 4237) having been moved and seconded:

**The Council divided and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

**Resolved -**

**147.** That the delegation of power to the Chief Executive, in consultation with the Corporate Director – Finance and Central Services (Corporate Director Strategic Resources from 1 October 2012), to approve PIP funds for projects up to a limit of £50k, subject to any such allocations being reflected in the PIP statement in the next available quarterly monitoring report and the delegation of power to the Chief Executive to determine the maximum period that it will take to notify the relevant body of the decision and to publish details of the specification for each EOI, in consultation with a relevant Executive Member, be added to the Officers' Scheme of Delegation.

**Appointments to Committees and Outside Bodies**

The recommendation in paragraph 5 of the report (page 4237) having been moved and seconded, together with a further nomination for appointment

**The Council divided and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

**Resolved -****148.**

That Rachel Newton and Graham Crerar are appointed as Parent Governor representatives on the Young People Overview and Scrutiny Committee; that Councillor Helen Flynn is appointed to serve on the Scrutiny of Health Committee in place of Councillor Stan Beer; and that Mary Louise Holroyd is appointed as the second of the Council's two Independent Persons for the purpose of the new ethical framework.

**Report of the Audit Committee**

The recommendations in the report (page 4287) having been moved and seconded:-

**The Council divided and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

**Resolved -****149.**

That the annual report of the Audit Committee, including the additional issue as requested by the Committee, as set out in the Appendix to the report, is noted.

**Statements of Executive Members and Chairmen of Overview and Scrutiny Committees**

County Councillor Clare Wood, the Executive Member for Health and 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 4297-4298) 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 4299-4300) and responded to questions.

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 4301-4304) and responded to a question.

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 4305-4307) and responded to questions.

County Councillor Carl Les, the Executive Member for Chief Executive Group Services made a statement, a summary of the key points of which had previously been circulated and which appear the Minute Book (pages 4309-4310) and responded to questions.

County Councillor Tony Hall, the Lead Executive Member for Children's Services, (Children's 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 appear the Minute Book (pages 4311-4314) and responded to questions.

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 4315-4316) and responded to questions.

The written statements of the Chairmen of the Scrutiny Board and the Overview and Scrutiny Committees (pages 4317-4334) having previously been circulated, the Chairmen of the Scrutiny Board and the Scrutiny of Health Committee added to their statements and the Chairmen of the Scrutiny Board and the Scrutiny of Health Committee responded to questions.

### **Council Procedure Rule 10 Questions**

County Councillor Polly English asked the Chairman of the North Yorkshire Police Authority the following question: (page 4335)

"Could the Chairman of the Police Authority confirm the allegations of the prospective Conservative Police Commissioners candidate, Julia Mulligan, that anti social behaviour makes life "dangerous and a misery for villagers" (I believe this is a village within her mothers County seat).

It is alleged that it has been going on for six years.

Has it now been investigated by the police and has this allegation been substantiated?

Given that anti social behaviour is recorded at an all time low across the County due to the excellence of our Police Force and its commitment to partnership working. I would be interested in the response."

The Chairman of the County Council said that, as the Chairman of the Police Authority was not at the meeting, the question would be referred to her, so a written response could be provided to County Councillor Polly English.

The meeting concluded at 1.00pm