



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the Annual General meeting of the County Council held at County Hall, Northallerton on 20 May 2015 at 10.30 am.

Present:-

County Councillor Tim Swales in the Chair.

County Councillors Val Arnold, Margaret Atkinson, Andrew Backhouse, Robert Baker, Arthur Barker, Derek Bastiman, Bernard Bateman MBE, David Billing, John Blackburn, John Blackie, David Blades, Eric Broadbent, Lindsey Burr, Jean Butterfield, Liz Casling, David Chance, Jim Clark, John Clark, Richard Cooper, Sam Cross, Gareth Dadd, Margaret-Ann de Courcey-Bayley, John Ennis, John Fort BEM, Andrew Goss, Bryn Griffiths, Tony Hall, Michael Harrison, Roger Harrison-Topham, Michael Heseltine, Robert Heseltine, Peter Horton, Bill Houtt, David Ireton, David Jeffels, Janet Jefferson, Anne Jones, Mike Jordan, Andrew Lee, Carl Les, Cliff Lunn, Don Mackenzie, Penny Marsden, Brian Marshall, Chris Metcalfe, Heather Moorhouse, Patrick Mulligan, Robert Packham, Stuart Parsons, Caroline Patmore, Chris Pearson, Joe Plant, Tony Randerson, John Ritchie, Janet Sanderson, John Savage, Steve Shaw-Wright, Elizabeth Shields, David Simister, Andy Solloway, Peter Sowray, Helen Swiers, Cliff Trotter, John Weighell, Robert Windass and Clare Wood.

Election of Chairman

It was moved by County Councillor Derek Bastiman and seconded by County Councillor Helen Swiers that County Councillor David Jeffels be elected as Chairman of the County Council to serve until the Annual Meeting of the Council in 2016.

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

Resolved -

83. That County Councillor David Jeffels is elected as Chairman of the County Council, to serve until the Annual Meeting of the Council in 2016.

County Councillor David Jeffels then made his declaration of acceptance of the office of Chairman of the County Council.

County Councillor David Jeffels in the Chair

The Chairman thanked the Council for his election and it was then moved by him 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 Tim Swales as Vice-Chairman of the County Council from 2013 to 2014 and as Chairman of the County Council from 2014 to 2015 and also places on record its thanks to Sally Swales for the unfailing support which she has given the Chairman during his terms of office.”

Leaders of other political groups spoke in support.

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

Resolved –

84. That this Council places on record its appreciation of the exceptional service rendered to it by County Councillor Tim Swales as Vice-Chairman of the County Council from 2013 to 2014 and as Chairman of the County Council from 2014 to 2015 and also places on record its thanks to \$ 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 Tim Swales.

County Councillor Tim Swales responded.

Minutes

It was moved and seconded that the Minutes of the meeting of the County Council held on Wednesday, 18 February 2015, the having been printed and circulated, are taken as read and confirmed and signed by the Chairman as a correct record.

The vote was taken and, on a show of hands, the motion was declared carried with none against and no abstentions.

Resolved -

85. That the Minutes of the meeting of the County Council held on Wednesday, 18 February 2015, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record.

Appointment of Vice-Chairman

It was moved by County Councillor John Fort BEM and seconded by County Councillor Cliff Lunn that County Councillor Val Arnold be appointed as Vice-Chairman of the County Council, to serve until the Annual Meeting of the Council in 2016.

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

Resolved –

86. That County Councillor Val Arnold is appointed as Vice-Chairman of the County Council, to serve until the Annual Meeting of the Council in 2016.

County Councillor Val Arnold then made her declaration of acceptance of the office of Vice-Chairman of the County Council and thanked the Council for her appointment.

Chairman's Announcements

The Chairman noted the apologies for absence received from County Councillors Philip Barrett, Helen Grant, Shelagh Marshall OBE, John McCartney, and Richard Welsh, and he welcomed Honorary Aldermen John Marshall and the graduate trainees who were present to the meeting.

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 appear in the Minute Book (pages 7047-7048).

Public Questions or Statements

Mr Steve Hawley, Brigade Secretary of the North Yorkshire Fire Brigades Union made the following statement:

"North Yorkshire fire and rescue Service (NYFRS) has undertaken a review of the Fire cover within North Yorkshire. Fire cover is the term used by the Service to refer to; the number of fire appliances and equipment, available within the Service to respond to fires and other emergencies. This has led to seven proposals being put forward on alternative ways of providing fire cover within North Yorkshire with little or no evidence provided to support them.

The UK is facing ever-changing risks and the Fire and Rescue Service plays a vital role in managing these risks which in North Yorkshire include dealing with an ageing population which is disproportionate to the rest of the UK, an increase in the housing demand and the fact that many domestic premises are overcrowded. The vulnerability to climate change and freak weather means we need an effective emergency response backed up by professionally trained staff at all times.

NYFRS are looking at increasing response times in one of their proposals to 15 minutes and even an hour in some places. What if an incident occurred in the area of the station on an extended response time?

The Department for Communities and Local Government clearly state that the primary purpose of the fire and rescue service is the prompt and efficient mobilisation of the fire-

fighters in response to a fire or other related incident in order to save and protect property. This is a key aspect of public safety.

The Sir Ken Knight Report of May 2013 on behalf of the Government highlights the need for more part-time fire-fighters. One of the most difficult problems encountered by NYFRS is the recruiting and retaining of Retained Duty Staff (RDS). This system requires a massive commitment on staff and one NYFRS need to provide as part of a cost effective service to the public. Since January 2011, we have lost over 150 members of staff for various reasons including full time work commitments and the number of hours committed to being on-call. NYFRS regularly have up to 12 or 13 RDS Appliances unavailable per day and an average of 5 to 7 RDS appliances unavailable in any one period of the day. This is now becoming an increasing problem on a weekend. When crewing allows, Whole-time staff do provide cover which must continue, but will become increasingly difficult to achieve with any reduction of Whole –time staff. We must address our current RDS problems. The implementation of an RDS support manager since 2008 has not resolved this problem.

The geographical layout of North Yorkshire and its rural roads mean that attendance times to incidents are already affected in some areas. We know that attendance times have increased over the past decade since Fire and Rescue Authorities have implemented cuts and changes to frontline services. What reassurances will the public get that this will not be the case within in England's largest county?

Although incidents appear to have decreased between 2004 to 2014, the importance of prompt intervention remains a priority to prevent the public being put at risk. The number of Road Traffic Collisions in North Yorkshire continues to be a concern with casualty numbers not falling. We must continue to work to reduce our biggest risk which will become even more difficult if the on duty crew cannot be more than 4 minutes from the fire station? This limits the area they can cover to carry out important prevention work and evidence shows a lot of prevention work is undertaken outside of 4 minutes of the station.

The introduction of 12 hour shifts from 10:00hrs to 22:00hrs – will increase the risk to the public during their most vulnerable time (when asleep)?

Of the 18 fire deaths in York and North Yorkshire during the five years up to the end of January 2014, only 5 were within the 10:00hrs to 22:00hrs period and 13 outside this period.

Further evidence is of our latest fire fatality which occurred at approximately 01:00hrs on the 29th April 2015.

We ask you to look at preserving your Fire and Rescue Service by ensuring current problems are dealt with and ask the necessary questions before the wrong decisions are made. “

Report of the Executive Highways Infrastructure Asset Management Plan (HIAMP) Policy

The recommendations in paragraph 1 of the report (page 7052) were moved and seconded.

The vote was taken and, on a show of hands, the motion was declared carried, with none against and one abstention.

Resolved –

87. That County Council approve the Highway Infrastructure Asset Management Policy.

Constitution Review 2015 – Tranche One

The recommendations in paragraph 2 of the report (pages 7062-7063) having been moved and seconded, it was moved by County Councillor Bill Hoult and seconded by County Councillor Bryn Griffiths as an amendment:

That at the end of recommendation (d) concerning proposed changes to the current process for Disciplinary/Capability Dismissal Appeals the following text be inserted:

“...subject to the inclusion of the right for the staff member submitting the appeal to choose for the appeal to be heard before an Employment Appeals Committee as currently constituted.”

After debate, the Council divided and, on a show of hands, the amendment was declared lost. Of those voting for the amendment, County Councillors: John Blackie; Sam Cross; John Clark; Bryn Griffiths; Peter Horton; Stuart Parsons; Tony Randerson; David Simister; and John Savage asked for their votes to be recorded.

Points of clarification were raised regarding the content of the report concerning the proposed changes to the current process for Disciplinary/Capability Dismissal Appeals and as these could not be resolved during the meeting, it was agreed to defer this particular decision until the following meeting 22 July 2015.

Following further debate the Council divided on the motion, reflecting the deferral of decision taking on recommendation (d); the vote was taken and, on a show of hands, the motion was declared carried, with none against and no abstentions.

Resolved –

88. (a) That County Council notes the changes to the Contract Procedure Rules following the change in legislation since the last meeting of County Council 18 February 2015.

That County Council approve:-

- b) The changes proposed to the remit and terms of reference for the Looked After Children Members' Group;
- c) The changes proposed to the Protocol on Audio/Visual Recording and Photography at public meetings.
- d) To defer a decision on the proposed changes to the current process for Disciplinary/Capability Dismissal Appeals until the next meeting 22 July 2015.
- e) The changes proposed to clarify appeal arrangements for Chief Officers and Chief Executives.

Appointments to Committees and Outside Bodies

The recommendations in paragraph 3 of the report (page 7063) having been moved and seconded, the Council was informed of a number of nominations.

The vote was taken and, on a show of hands, the motion was declared carried, with none against and no abstentions.

Resolved -

89. Corporate and Partnerships Overview and Scrutiny Committee:-

County Councillor Bryn Griffiths (Liberal Democrat) to be appointed in place of County Councillor Elizabeth Shields (Liberal Democrat)

Transport, Economy and Environment Overview and Scrutiny Committee:-

County Councillor Andrew Backhouse (Conservative) to be appointed Chairman in place of County Councillor David Jeffels (Conservative)

Young People's Overview and Scrutiny Committee:-

County Councillor Janet Jefferson (NY Independent) to be appointed Chairman in place of County Councillor Elizabeth Shields (Liberal Democrat)

County Councillor Lindsay Burr (NY Independent) to be appointed in place of County Councillor Anne Jones (Liberal Democrat)

County Councillor Tony Hall (Conservative) to be appointed in place of County Councillor Janet Sanderson (Conservative)

Chief Officer Appointment and Disciplinary Committee:-

County Councillor John Blackie (NY Independent) to be appointed in place of County Councillor Bill Hault (Liberal Democrat)

Audit Committee:-

County Councillor Robert Baker (Conservative) to be appointed in place of County Councillor Andrew Backhouse (Conservative)

County Councillor John Fort BEM (Conservative) to be appointed in place of County Councillor David Chance (Conservative)

Planning and Regulatory Committee:-

County Councillor Robert Windass (Conservative) to be appointed in place of County Councillor Janet Sanderson (Conservative)

Statements of Executive Members and Chairmen of Overview and Scrutiny Committees

County Councillor Don Mackenzie, the Executive Member for public health and prevention made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 7117-7118).

County Councillor Carl Les, the Executive Member for central and 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 7119-7120).

County Councillor Tony Hall, the Executive Member for children's services, special education needs youth justice, youth service and adult learning made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 7121-7124).

County Councillor Arthur Barker, 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 7125-7128).

County Councillor Clare Wood, the Executive Member for adult social care and health integration made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 7129-7130) and responded to a question.

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 7131-7132) and responded to questions.

County Councillor Chris Metcalfe, the Executive Member for rural services, waste disposal, public passenger transport, trading standards, economic development and library services presented a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 7133-7139) and responded to questions.

The Scrutiny Annual report for 2014/2015 which incorporates statements from the Overview and Scrutiny Committees Chairmen (pages 7141-7156) having previously been circulated; the Chairmen of the Scrutiny Board, the Care and Independence Overview and Scrutiny Committee, the Corporate and Partnerships Overview and Scrutiny Committee, the Scrutiny of Health Committee, the Transport, Economy and Environment Overview and Scrutiny Committee, and the Young People's Overview and Scrutiny Committee presented their statements and responded to questions.

Council Procedure Rule 10 Questions

There were no Council Procedure Rule 10 questions.

Appointment of new Council Leader

It was moved by County Councillor John Weighell and seconded by County Councillor Gareth Dadd that County Councillor Carl Les be elected as **Leader** of the County Council to serve until the Annual Meeting of the Council in 2017.

The Council divided and, on a show of hands, the motion was declared carried, with one recorded vote against - County Councillor John Blackie, and no abstentions.

Resolved -

90. That County Councillor Carl Les is elected as Leader of the County Council, to serve until the Annual Meeting of the Council in 2017.

The Leader thanked the Council for his election and it was then moved and seconded:-

“That this Council places on record its appreciation of the exceptional service rendered to it by County Councillor John Weighell as Leader of the County Council from 2001 to 2015.”

Leaders of other political groups and other County Councillors spoke in support.

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

Resolved –

91. That this Council places on record its appreciation of the exceptional service rendered to it by County Councillor John Weighell as Leader of the County Council from 2001 to 2015.

County Councillor John Weighell responded.

Statement of New Leader

The newly elected Leader announced the membership of the Executive:

- Councillor County Carl Les - Leader, Budget, Communications;
- Councillor County Gareth Dadd - Deputy Leader, Performance Management, Assets, Staff, Central Services;
- Councillor County David Chance – Stronger Communities, Area Committees, Public Health;
- Councillor County Clare Wood – Adult Social Care and Health Integration;
- Councillor County Janet Sanderson – Children and Young People: Fostering and Adoption; Children’s Social Care; Prevention;
- Councillor County Arthur Barker - Children and Young People: Schools and early Years;
- County Councillor Don Mackenzie – Highways, Road Safety, **Access** to the Countryside (including broadband and mobile phone coverage), Public Transport;
- County Councillor Chris Metcalfe – Waste Services, Library and Information Services, Economic Development, Devolution, Rail Strategy, Trading Standards.

It was also noted that County Councillor Liz Casling was to be appointed as the Young People’s Champion.

Any other appointments to Committees

No other consequential appointments were made.