



## NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the Annual General meeting of the County Council held at County Hall, Northallerton on 22 July 2015 at 10.30 am.

### **Present:-**

County Councillor David Jeffels in the Chair.

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

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### **County Councillor David Jeffels in the Chair**

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### **Minutes**

It was moved and seconded that the Minutes of the meeting of the County Council held on Wednesday, 20 May 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 -**

**90.** That the Minutes of the meeting of the County Council held on Wednesday, 20 May 2015, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record.

### Chairman's Announcements

The Chairman noted the apologies for absence received from County Councillors Bob Baker, Chris Metcalfe, David Simister, and he welcomed Honorary Aldermen Michael Knaggs and David Lloyd-Williams, and the graduate trainees who were present to the meeting.

### Statement by the Leader of the Council

County Councillor Carl Les 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 7165 - 7166). County Councillor Carl Les then responded to various questions.

### Public Questions or Statements

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

### Report of the Executive Revenue Budget 22014/2015

The recommendations in paragraph 1 of the report (pages 7168 - 7169) were moved and seconded.

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

### Resolved –

#### 91.

That County Council:-

(i) notes the position on the draft outturn position for the County Council's 2014/15 Revenue Budget as summarised in **paragraph 4.6**

(ii) approves the proposed carry forward of certain unspent budgets at Corporate and Directorate level totalling £23,397k as detailed in **paragraphs 4.19 and 4.20**

(iii) notes the latest position on the GWB (**paragraphs 4.31 to 4.45 and Appendix I**

(iv) note the position of other earmarked reserves as detailed in **paragraph 4.46 to 4.53 and Appendix J**

(v) notes the procedure that will be followed by the Audit Committee in respect of the approval of the statutory Statement of Accounts as described in **paragraphs 4.75 to 4.81**

(vi) notes the investments approved by the Executive (**paragraphs 4.54 to 4.74**) as below

a) authority is delegated to the Corporate Director, Business and Environmental Services in consultation with the Corporate Director, Strategic Resources and the Executive Members for both Highways and Finance to agree terms as necessary to drawdown up to £1,212k of funding from General Working Balances for the South Cliff works in Scarborough as set out in paragraphs 4.56 to 4.65.

b) authority is delegated to the Corporate Director, Children & Young People's Services to progress with the Education in Scarborough initiative as outlined in paragraphs 4.66 to 4.69 with funding of £750k from General Working Balances.

c) £792k is provided for County Councillor Locality Budgets from General Working Balances (in line with paragraphs 4.70 to 4.73) and that a further report is brought back to the Executive to agree a scheme for application of the locality budgets.

### **Capital Outturn 2014/2015**

The recommendations in paragraph 2 of the report (pages 7169 - 7170) were moved and seconded.

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

**Resolved –**

**92.** That County Council:

(a) notes the position on capital outturn as detailed in Appendices A to E;

(b) approves the proposed carry forward to 2014/15 of the net capital underspend totalling £1,418k as set out in paragraph 5.12;

(c) notes the financing of capital expenditure, as detailed in paragraph 5.14 and Appendix F including the use of County Farms capital receipts to finance capital spending as explained in paragraph 5.22, approved by the Executive 16 June 2015;

(d) notes the financing of ICT infrastructure as detailed in paragraphs 5.32 to 5.34 approved by the Executive 16 June 2015;

(e) notes that with the exception of (d) above that no action be taken at this stage to allocate any further additional capital resources (paragraph 5.30)

### **Highway Infrastructure asset Management Plan (HIAMP) Strategy**

The recommendations in paragraph 3 of the report (page 7171) 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 –**

**93.** That County Council approve adoption of Highway Infrastructure Asset Management Strategy.

### Working Together – North Yorkshire Compact

The recommendations in paragraph 4 of the report (page 7172) were moved and seconded.

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

**Resolved –**

**94.** That the County Council adopts the refreshed North Yorkshire Compact.

### Appointments to Committees and Outside Bodies

The recommendations in paragraph 5 of the report (pages 7173 - 7174) and the addendum circulated during the meeting were moved and seconded.

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

**Resolved -**

**95.**

(i) That the appointments made and clarified by the Chief Executive using his delegated authority since the last meeting are noted:

Care and Independence Overview and Scrutiny Committee

County Councillor Bill Hoult (Liberal Democrat) to replace Lindsay Burr (NY Independent)

Scrutiny of Health Overview and Scrutiny Committee

Vice Chairman - County Councillor Margaret-Ann de Courcey-Bayley (Liberal Democrat) to replace County Councillor Philip Barrett (NY Independent).

Transport, Economy and Environment Overview and Scrutiny Committee

County Councillor Chance removed from this Committee.

Clarification: County Councillor Jeffels retains his seat on this Committee although he is no longer Chairman.

Young People Overview and Scrutiny Committee

Clarification: County Councillor Shields retains her seat on this Committee although she is no longer Chairman.

(ii) That the following appointments are approved:

Care and Independence

County Councillors Tim Swales, Jim Clark and Val Arnold are appointed in place of County Councillors Joe Plant, Liz Casling and Penny Marsden.

Corporate and Partnerships

County Councillor Cliff Lunn is appointed in place of County Councillor John Ennis

Pension Fund Committee

County Councillor Bill Hoult replaces Lindsay Burr as the Liberal Democrat substitute.

Pension Board

County Councillor Mike Jordan, as Chairman of Audit Committee, is appointed to the newly formed Pension Board as the North Yorkshire Council representative.

Other Pension Board members - for information:

Name	Position
David Portlock	Chair
County Cllr Mike Jordan	Employer representative
Cllr Ian Cuthbertson	Employer representative
Cllr Brian Phillips	Employer representative
Louise Branford-White	Employer representative
Ben Drake	Scheme Member representative
Stella Smethurst	Scheme Member representative
Mandy Swithenbank	Scheme Member representative
Gordon Gresty	Scheme Member representative

Scrutiny of Health

District Council Representatives:

Craven - Councillor Linda Brockbank

Substitute Councillor Wendy Hull replaces David Staveley

Hambleton - Councillor Kevin Hardisty replaces Peter Bardon (no named substitute)

Harrogate – Substitute Councillor Paul Haslam replaces Helen Flynn

Richmondshire – Councillor Karin Sedgwick replaces Tony Pelton

Substitute Councillor Jamie Cameron replaces Tony Duff

Ryedale – Councillor Bob Gardiner replaces John Paper

Selby – Councillor Judith Chilvers replaces Kay McSherry (no named substitute)

County Councillor Cliff Trotter is appointed in place of County Councillor Patrick Mulligan

Health & Wellbeing Board

District Councils Representative: Councillor Richard Foster, Leader Craven District Council - replaces Councillor John Blackie, Richmondshire District Council.

NHS England, North Yorkshire and Humber Area Team - Julie Warren replaces Matt Nelligan.

(For information: County Councillors Janet Sanderson and David Chance have replaced County Councillors Tony Hall and Don Mackenzie.)

North Yorkshire Fire and Rescue Authority

County Councillor Elizabeth Shields is appointed second Liberal Democrat substitute.

North York Moors National Park Authority

County Councillor David Jeffels is nominated to replace County Councillor David Chance.

**Report of the Assistant Chief Executive (Legal and Democratic Services)  
Constitution Review 2015  
Proposals to change the current process for  
Disciplinary/Capability Dismissal Appeals**

The recommendations in paragraph 6 of the report (page 7294) having been moved and seconded, it was moved by County Councillor Bill Houlton and seconded by County Councillor Bryn Griffiths as an amendment:

That at the end of recommendation, after “approved” the following sentence be inserted regarding the proposed exemption:

“Nothing in the foregoing sentence will prejudice the right of the staff member affected to choose for the appeal to be heard before the Employment Appeals Committee comprising three elected members.”

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

**After further debate, the Council divided and, on a show of hands, the motion was carried, with 23 against and 2 abstentions. Of those voting against the motion, a number of County Councillors asked for their votes to be recorded including: John Blackie; John Clark; Sam Cross; Andrew Goss; Helen Grant; Bill Houlton; Peter Horton; Anne Jones; Stuart Parsons.**

**Resolved –**

**96.** That the proposed changes to the current process for Disciplinary/Capability Dismissal Appeals are approved.

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

County Councillor Gareth Dadd, the Executive Member for Central Services specifically Finance and HR issues made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 7301 - 7302) and responded to questions.

County Councillor Arthur Barker, the Executive Member for Children and Young People’s Services responsibilities for schools and early years made a statement, a summary

of the key points of which had previously been circulated and which appears in the Minute Book (pages 7303 - 7305) and responded to questions.

County Councillor David Chance, the Executive Member for Stronger communities, public health, Legal and Democratic Services and the role of area committees made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 7307 – 7310) and responded to questions.

County Councillor Don Mackenzie, the Executive Member for Highways, road safety, access to the countryside (including Broadband, mobile phone coverage) public transport made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 7311 - 7312) and responded to questions.

County Councillor Carl Les made a statement, in the absence of Chris Metcalfe, the Executive Member for Waste Services, Library and Information Services, economic development, rail strategy, trading standards, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 7313 - 7318) and responded to questions.

County Councillor Janet Sanderson, the Executive Member for Children and Young People's Services with responsibility for fostering and adoption, children's social care 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 7319 - 7322) and responded to questions.

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 7323 - 7324) and responded to questions.

The written statements of the Chairmen of the Scrutiny Board and the Overview and Scrutiny Committees (pages 7325 - 7342) having previously been circulated, and responded to questions.

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

There were no Council Procedure Rule 10 questions.

Meeting closed at 13.00.