



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the meeting of the County Council held at County Hall, Northallerton on 15 November 2016, commencing at 10.30am

PRESENT:-

County Councillor Val Arnold in the Chair.

County Councillors Margaret Atkinson, Andrew Backhouse, Arthur Barker, Philip Barrett, Derek Bastiman, Bernard Bateman MBE, David Billing, John Blackburn, John Blackie, David Blades, Eric Broadbent, David Chance, Jim Clark, John Clark, Sam Cross, Gareth Dadd, Margaret-Ann de Courcey-Bayley, Caroline Dickinson, Andrew Goss, Helen Grant, Bryn Griffiths, Michael Harrison, Roger Harrison-Topham, Peter Horton, Bill Hoult, David Ireton, David Jeffels, Janet Jefferson, Mike Jordan, Carl Les, Cliff Lunn, Don Mackenzie, Penny Marsden, Brian Marshall, Shelagh Marshall OBE, John McCartney, Heather Moorhouse, Patrick Mulligan, Bob 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 OBE, Richard Welch, Robert Windass and Clare Wood.

MINUTES

It was moved and seconded that the Minutes of the meeting of the County Council held on Wednesday, 9 November 2016, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record – noting the requirement to rectify the omission at page 13 - that the Motion regarding Community Pharmacies is also to be referred to the Scrutiny of Health Committee for consideration.

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

Resolved -

132. That the Minutes of the meeting of the County Council held on Wednesday, 9 November 2016, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record – noting the requirement to rectify the omission at page 13 - that the Motion regarding Community Pharmacies is also to be referred to the Scrutiny of Health Committee for consideration.

Chairman's Announcements

The Chairman acknowledged the death of County Councillor Michael Heseltine on 30 December 2016. He had served as a County Councillor from 1977 to 2016 representing Richmondshire North, and he held office as Chairman of the County Council in 2005 to 2006. He also served on Richmondshire District Council 1991 to 2011, during which time he

held the position of Chairman for 2 years; he also became an Honorary Alderman in 2011. Members stood in silence in his memory.

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 8569-8570). County Councillor Carl Les then responded to various questions.

Public Questions or Statements

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

Report of the Executive

The Council Plan 2017 to 2021

The recommendation in paragraph 1 of the report page 17 was 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 –

133. That County Council approve the Council Plan 2017-2021;

That County Council authorise the Chief Executive to make any necessary changes to the text, including reflecting decisions made by the County Council on the budget, Medium Term Financial Strategy and updated performance data.

Medium Term Financial Strategy 2017/18 to 2020/21 and Revenue Budget for 2017/18

The recommendations in paragraph 2 of the report pages 19 to 21 were moved and seconded, noting the updated information circulated regarding the anticipated Final Local Government Financial Settlement.

The Council voted on the Liberal Democrat amendment to increase funding for Supporting People and on a vote by name, there were 4 for, 53 against and 2 abstentions. Votes were recorded as follows:

For the amendment: Margaret-Ann de Courcey-Bayley, Bryn Griffiths, Bill Houtt and Elizabeth Shields.

Against the amendment: 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, David Chance, Jim Clark, Sam Cross, Gareth Dadd, Caroline Dickinson, Andrew Goss, Helen Grant, Michael Harrison, Roger Harrison-Topham, Peter Horton, David Ireton, David Jeffels, Janet Jefferson, Mike Jordan, Carl Les, Cliff Lunn, Don Mackenzie, Penny Marsden, Brian Marshall, Shelagh Marshall OBE,

John McCartney, Heather Moorhouse, Patrick Mulligan, Robert Packham, Caroline Patmore, Chris Pearson, Joe Plant, Tony Randerson, John Ritchie, Janet Sanderson, Steve Shaw-Wright, David Simister, Andy Solloway, Peter Sowray, Helen Swiers, Cliff Trotter, John Weighell OBE, Richard Welch, Robert Windass and Clare Wood.

Absentions: John Clark and John Savage.

and the amendment was lost.

The named vote was taken and, on a show of hands, the motion was declared carried, with 45 for, 7 against and 7 abstentions. Votes were recorded as follows:

For the motion: Val Arnold, Margaret Atkinson, Andrew Backhouse, Arthur Barker, Philip Barrett, Derek Bastiman, Bernard Bateman MBE, David Billing, John Blackburn, David Blades, Eric Broadbent, David Chance, Jim Clark, Gareth Dadd, Caroline Dickinson, Michael Harrison, Roger Harrison-Topham, Peter Horton, David Ireton, David Jeffels, Mike Jordan, Carl Les, Cliff Lunn, Don Mackenzie, Penny Marsden, Brian Marshall, Shelagh Marshall OBE, Heather Moorhouse, Patrick Mulligan, Robert Packham, Caroline Patmore, Chris Pearson, Joe Plant, Tony Randerson, John Ritchie, Janet Sanderson, Steve Shaw-Wright, Andy Solloway, Peter Sowray, Helen Swiers, Cliff Trotter, John Weighell OBE, Richard Welch, Robert Windass and Clare Wood.

Against the motion: John Blackie, Sam Cross, Andrew Goss, Helen Grant, John McCartney, Stuart Parsons and David Simister.

Absentions: John Clark, Margaret-Ann de Courcey-Bayley, Bryn Griffiths, Bill Hoult, Janet Jefferson, John Savage and Elizabeth Shields.

Resolved -

134.

- a) That the Section 25 assurance statement provided by the Corporate Director, Strategic Resources regarding the robustness of the estimates and the adequacy of the reserves (**paragraph 8.17 - see Appendices Booklet page 62**) and the risk assessment of the MTFs detailed in **Section 9 (see Appendices Booklet page 62 to 64)** are noted.
- b) That, in accordance with Section 42A of the Local Government Finance Act 1992 (as amended by Section 75 of The Localism Act 2011), a Council Tax requirement for 2017/18 of £271,548,611 is approved and that a Council Tax precept of this sum be issued to billing authorities in North Yorkshire (**paragraphs 3.3.3 to 3.3.8 and Appendix A see Appendices Booklet pages 38 to 39 and 68 to 71**).
- c) That, in accordance with Section 42B of the Local Government Finance Act 1992 (as amended by Section 75 of The Localism Act 2011) a basic amount (Band D equivalent) of Council Tax of £1,189.50 is approved (**paragraph 3.3.7 and Appendix A - see Appendices Booklet pages 39 and 68 to 71**).
- d) That a Net Revenue Budget for 2017/18, after use of reserves of £359.203m (**paragraph 4.1 and Appendix D, see Appendices Booklet page 51 to 52 and 76**) are approved and that the financial allocations to each Directorate, net of planned savings, be as detailed in **Appendix F (see Appendices Booklet page 94)**.

- e) That in the event that the final Local Government Settlement results in a variance of less than £5m then the difference to be addressed by a transfer to / from the Strategic Capacity Unallocated Reserve in line with **paragraph 3.2.3 (see Appendices Booklet page 38)** with such changes being made to **Appendix B (see Appendices Booklet page 72)** as appropriate.
- f) That the Corporate Director – Children and Young People’s Service is authorised, in consultation with the Executive Member for Schools, to take the final decision on the allocation of the Schools Block (**paragraph 3.4.6, see Appendices Booklet page 40 to 41**).
- g) That £1.5m is provided for Locality Budgets for the duration of the new County Council (2017/18 to 2020/21) subject to terms to be agreed with the Assistant Chief Executive (Legal & Democratic Services) in consultation with the Executive Member for Stronger Communities, Public Health and Legal & Democratic Services (**paragraph 3.9.1, see Appendices Booklet page 50**).
- h) That a further £250k is provided to fund the cost of elections in May 2017 (**paragraph 3.9.1, see Appendices Booklet page 50**).
- i) That £350k is provided to support community libraries (**paragraph 3.9.1, see Appendices Booklet page 50**).
- j) That £1.0m is earmarked for the 2020 North Yorkshire Programme to support delivery of the Programme and that the Chief Executive is authorised to approve investments in consultation with the Corporate Director, Strategic Resources and the Executive Member for Finance (**paragraph 3.9.1, see Appendices Booklet page 50**).
- k) That the Medium Term Financial Strategy for 2018/19 to 2019/20, and its caveats, as laid out in **Section 3 and Appendix D (see Appendices Booklet pages 35 to 51 and 76)** is approved.
- l) That the Corporate Director – Business & Environmental Services is authorised, in consultation with the Executive Members for BES, to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in **Appendix E (BES 1 to 5), see Appendices Booklet page 81**.
- m) That the Corporate Director – Health and Adult Services is authorised, in consultation with the Executive Members for HAS, to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in **Appendix E (HAS 1 to 10) see Appendices Booklet page 89**.
- n) That the Corporate Director – Children and Young People’s Services is authorised, in consultation with the Executive Members for CYPS, to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in **Appendix E (CYPS 1 to 9) see Appendices Booklet page 85**.
- o) That the Chief Executive is authorised, in consultation with the Executive Members for Central Services, to carry out all necessary actions, including consultation where

he considers it appropriate, to implement the range of savings as set out in **Appendix E (CS 1 to 16) see Appendices Booklet page 92.**

- p) That any outcomes requiring changes following **Recommendations l), m) n) and o)** above be brought back to the Executive to consider and, where changes are recommended to the existing major policy framework, then such matters to be considered by full County Council.
- q) That the existing policy target for the minimum level of the General Working Balance is retained at £27.270m in line with **paragraphs 3.6.4 to 3.6.6 and Appendix C, see Appendices Booklet pages 44 and 73 to 75.**
- r) That the attached pay policy statement (**Appendix G - see Appendices Booklet pages 95 to 101**) covering the period 1 April 2017 to 31 March 2018 (**Section 7 - see Appendices Booklet page 56 to 57**) is approved.

Capital Plan

The recommendation in paragraph 3 of the report page 21 was 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 -

135. That the Q3 2016/17 Capital Plan, as summarised in **Appendices A to E, see Appendices Booklet pages 185 to 192,** is adopted.

Treasury Management

The recommendation in paragraph 4 of the report page 22 was 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 -

136. Approval of the following:

- a) the Treasury Management Policy Statement as attached as **Appendix A (Appendices Booklet pages 202 to 206);**
- b) the Annual Treasury Management and Investment Strategy for 2017/18 as detailed in **Appendix B (Appendices Booklet pages 207 to 246)** and in particular;
 - (i) an authorised limit for external debt of £393.1m in 2017/18;
 - (ii) an operational boundary for external debt of £373.1m in 2017/18;
 - (iii) the Prudential and Treasury Indicators
 - (iv) a limit of £20m of the total cash sums available for investment (both in house and externally managed) to be invested in Non Specified Investments over 364 days;

- (v) a 10% cap on capital financing costs as a proportion of the annual Net Revenue Budget;
 - (vi) a Minimum Revenue Provision (MRP) policy for debt repayment to be charged to Revenue in 2017/18
 - (vii) the Corporate Director – Strategic Resources to report to the County Council if and when necessary during the year on any changes to this Strategy arising from the use of operational leasing, PFI or other innovative methods of funding not previously approved by the County Council;
- c) that the Audit Committee be invited to review **Appendices A and B (Appendices Booklet pages 202 to 246)** and submit any proposals to the Executive for consideration at the earliest opportunity.

Prudential Indicators

The recommendations in paragraph 5 of the report page 23 was 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 –

137.

- (i) approval of the updated Prudential Indicators for 2017/18 to 2019/20 as set out in **Appendix A (see Appendices Booklet pages 249 to 260)**.
- (ii) approval of an Authorised Limit for External Debt of £373.1m in 2017/18 under Section 3(1) of the Local Government Act 2003 (**paragraph 3.4**, see Appendices Booklet page 248).

LGPS Requirements for Asset Pooling

The recommendations in paragraph 6 of the report at pages 23 and 24 was moved and seconded.

A Conservative Group amendment was proposed and seconded and it was agreed to incorporate this into the substantive motion.

The vote was taken and, on a show of hands, the motion as amended was declared carried, with six against - including recorded votes for County Councillors John Blackie and Stuart Parsons, and no abstentions.

Resolved –

138. That County Council, as the administering authority for the North Yorkshire Pension Fund, meet the regulatory requirements to pool Pension Fund assets, by:

1. Agreeing to be a member of the Border to Coast Pensions Partnership and to adopt its arrangements, by:

- i Entering into the Inter-Authority Agreement (Appendix 3 - **Appendices Booklet pages 284 to 310**) between the Council and the Administering Authorities of the other Pool Funds;
 - ii entering into the Shareholder Agreement (Appendix 4 - **Appendices Booklet pages 311 to 355**) between the Council and the Administering Authorities of the other Pool Funds and Border to Coast Pensions Partnership Limited;
 - iii agreeing the Articles of Association to be adopted by Border to Coast Pensions Partnership Ltd (Appendix 5 **Appendices Booklet pages 356 to 381**);
 - iv approving the establishment of the Border to Coast Pensions Partnership Joint Committee as a formal Joint Committee under section 102 of the Local Government Act 1972 of in accordance with and to carry out the functions as set out in the Inter-Authority Agreement (Appendix 3 - **Appendices Booklet pages 284 to 310**).
2. Approving the subscription by the North Yorkshire Pension Fund of 1 Class A voting share in the asset management company, Border to Coast Pensions Partnership Limited.
3. Referring the nomination of the shareholder to the Executive.
4. Approving the subscription by the North Yorkshire Pension Fund for such number of Class B non-voting shares in the Border to Coast Pensions Partnership Limited as shall be necessary to ensure that the Council contributes by way of equity one twelfth of the minimum regulatory capital requirement of the company as determined in by the requirements of the Financial Conduct Authority.
5. Appointing the Chair of the Pension Fund to represent the Council on behalf of the Fund at the Border to Coast Pensions Partnership Joint Committee meetings.
6. Authorising the Assistant Chief Executive - Legal and Democratic Services in consultation with the Pension Fund Committee to make the consequential changes required to the Constitution to reflect these new arrangements.
7. Authorising the Assistant Chief Executive – Legal and Democratic Services in consultation with the Corporate Director – Strategic Resources and the Pension Fund Committee to finalise the approval and execution, where required, of all legal documents necessary to give effect to the above decisions.

School Admission Arrangements 2018/19

The recommendations in paragraph 7 of the report at page 25 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 –

- 139.** Approval of the proposed Admission Arrangements which include:
- i) the proposed admission policy for community and voluntary controlled schools; and
 - ii) the proposed admissions policy for nursery schools, schools with nursery and pre-reception classes, appendices 1 & 2 (**see Appendices Booklet pages 413 to 417**);
 - the proposed co-ordinated admission arrangements appendix 3 (**see Appendices Booklet pages 418 to 438**);
 - the proposed published admission numbers (PAN's) for community and voluntary controlled schools as show in appendices 4 (primary) and 5 (secondary) - **see Appendices Booklet pages 439 to 443 and 444 to 445**;
 - the proposed changes to the catchment areas for Overdale CP and Wheatcroft CP schools, appendix 7 the proposed changes to the catchment areas for Graham School and George Pindar School, appendix 8 (**see Appendices Booklet pages 453 to 455**).

Appointments to Committees and Outside Bodies

The recommendations in paragraph 8 of the report pages 25 and 26 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 –

- 140.**
- **North Yorkshire Fire and Rescue Authority** - County Councillor Helen Swiers to be nominated to serve in the vacant seat until the County Council election 4 May 2017.
 - **Health and Wellbeing Board**
Phil Mettam to be appointed as the representative of the Vale of York CCG and Andrew Phillips is to become the nominated substitute.

Helen Hirst to be the appointed as the nominated substitute for Colin Renwick of the Airedale, Wharfedale and Carven CCG.
 - **Scrutiny of Health**
County Councillor Caroline Dickinson is to replace County Councillor Elizabeth Casling to serve until the County Council election 4 May 2017.

Councillor Wendy Hull and Councillor Linda Brockbank from Craven District Council are to exchange roles, with Councillor Wendy Hull to be appointed the member and Councillor Linda Brockbank to become the nominated substitute.

- **Transport, Economy and Environment Overview and Scrutiny Committee**
County Councillor Caroline Patmore to be appointed to the vacant seat until the County Council election 4 May 2017.

Report and Recommendations of the Members' Independent Remuneration Panel

The recommendations in paragraph 5 at page 28 were moved and seconded.

The vote was taken and, on a show of hands, the motion was declared carried with: one recorded vote against a) – County Councillor Stuart Parsons, four absentions regarding b), one abstention regarding c) and one abstention regarding d).

Resolved –

- 141.** That County Council approves:
- (a) An increase of 2.5% to the Basic Allowance and all Special Responsibility Allowances;
 - (b) The introduction of Special Responsibility Allowances of half a unit value for the two Community members of the North Yorkshire Police and Crime Panel;
 - (c) That Members are invited to voluntarily return a proportion of their allowance if their attendance falls below a benchmark of 60%, except where there are mitigating circumstances such as illness;
 - (d) The Terms of Reference of the Independent Remuneration Panel as set out in paragraphs 1.2 and 1.3 of Appendix A.

Statements of Executive Members and Chairmen of Overview and Scrutiny Committees

County Councillor Chris Metcalfe, the Executive Member for Waste Services, Library and Information Services, economic development, rail strategy, trading standards, made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 8597-8600) and responded to questions.

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 8601-8602) and responded to a question.

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 8603-8606) 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 8607-8608) 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 8609-8614) 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 8615-8618).

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 8619-8622) and responded to questions.

The written statements of the Chairmen of the Scrutiny Board and the Overview and Scrutiny Committees (pages 8623-8640) having previously been circulated, were noted.

Council Procedure Rule 10 Questions

There were no Council Procedure Rule 10 questions.

Meeting closed at 15.10