



QUARTERLY MEETING

Wednesday, 16 November 2022

**Summons, Agenda, Minutes
and Reports**



NORTH YORKSHIRE COUNTY COUNCIL

You are summoned to attend the Meeting of the County Council. This meeting is being held in the Council Chamber, County Hall, Northallerton on **Wednesday, 16 November 2022 at 10.30 am**, at which the following business will be transacted.

The meeting of the County Council is being held as an in-person meeting and in public. In view of the ongoing COVID-19 pandemic, current government guidance will be observed on 'Living with COVID-19'. The Council Chamber will be well ventilated and air purifiers will be installed. Face coverings and hand sanitiser will be made available. Please try to stay at home if you are unwell, take a test if you have COVID-19 symptoms, and stay at home and avoid contact with other people if you test positive.

The meeting will be available to view once the meeting commences, via the following link - www.northyorks.gov.uk/livemeetings

Please contact the named supporting officer for the committee, if you have any queries or concerns.

BUSINESS

- 1. Minutes of the Council meeting held on 20 July 2022 and Minutes of the Extraordinary meeting held on 17 August 2022**
(Pages 9 - 16)

- 2. Apologies for absence**

- 3. Declarations of Interest**

- 4. Chairman's Announcements**

Any correspondence, communication or other business brought forward by the direction of the Chairman of the Council.

- 5. Statement by the Leader of the Council**

(Pages 17 - 18)

- 6. Public Questions or Statements**

Members of the public may ask questions or make statements at this meeting if they have given notice and provided the text to Barry Khan, Assistant Chief Executive (Legal and Democratic Services) – email: barry.khan@northyorks.gov.uk or in writing to Barry

Khan, Assistant Chief Executive (Legal and Democratic Services), County Hall, Northallerton DL7 8AD by midday on Friday, 11 November 2022. Each speaker should limit themselves to 3 minutes on any item.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman who will instruct anyone who may be taking a recording to cease while you speak.

7. To consider the report and recommendations of the Executive and make decisions on them

- Q1 Budget Report
- North Yorkshire Council Flood Risk Management Strategy
- Council Tax Premiums on Second Homes and Empty Properties
- Consideration of proposed amendments to the Council's Constitution
- Council Tax Reduction Scheme
- Council Tax Harmonisation
- Discretionary Council Tax Relief - Section 13A Policy

(Pages 19 - 26)

8. To consider the report and recommendations of the Audit Committee

- Annual Report

(Pages 27 - 36)

9. To consider the report and recommendations of the Standards Committee

- Annual Report

(Pages 37 - 40)

10. To consider the report and recommendations of the Pension Board

- Annual Report

(Pages 41 - 70)

11. Appointments to Committees and Outside Bodies

(Pages 71 - 72)

12. Statements of Executive Members, in the order set out below, followed by the Statements of the Chairmen of the Overview and Scrutiny Committees

Executive Members:

12(a) Executive Member for Open to Business - County Councillor Derek Bastiman

(Pages 73 - 76)

12(b) Executive Member for Corporate Services - County Councillor David Chance

(Pages 77 - 80)

12(c) Executive Members for Highways and Transportation - County Councillor Keane Duncan

(Pages 81 - 82)

12(d) Executive Member for Health and Adult Services - County Councillor Michael Harrison

(Pages 83 - 86)

- 12(e) Executive Member for Planning for Growth - County Councillor Simon Myers
(Pages 87 - 88)
- 12(f) Executive Member for Children and Young People's Services - County Councillor Janet Sanderson
(Pages 89 - 92)
- 12(g) Executive Member for Working in Localities - County Councillor Greg White
(Pages 93 - 100)
- 12(h) Executive Member for Education, Learning and Skills - County Councillor Annabel Wilkinson
(Pages 101 - 104)
- 12(i) Executive Member for Finance, Assets and Resources and Special Projects - County Councillor Gareth Dadd
(Pages 105 - 106)

Overview and Scrutiny Chairmen:

- 12(j) Scrutiny Board (Chairman: County Councillor Karin Sedgwick)
(Pages 107 - 108)
- 12(k) Corporate and Partnerships Overview and Scrutiny Committee (Chairman: County Councillor David Ireton)
(Pages 109 - 110)
- 12(l) Scrutiny of Health (Chairman: County Councillor Andrew Lee)
(Pages 111 - 112)
- 12(m) Transport, Economy and Environment Overview and Scrutiny Committee (Chairman: County Councillor David Staveley)
(Pages 113 - 114)
- 12(n) Young People Overview and Scrutiny Committee (Chairman: County Councillor Barbara Brodigan)
(Pages 115 - 116)
- 12(o) Transition Overview and Scrutiny Committee (Chairman: County Councillor Malcolm Taylor)
(Pages 117 - 118)
- 12(p) Care and Independence Overview and Scrutiny Committee (Chairman: County Councillor Karin Sedgwick)
(Pages 119 - 122)
13. Executive Recommendations on Motion regarding Climate Change and Environmental/Biodiversity Action referred from the County Council on 20 July 2022
(Pages 123 - 142)

14. Notices of Motion

- 1) Proportional representation

Proposer – Cllr Chris Aldred

Seconder – Cllr Andy Brown

“Council resolves to write to H.M. Government calling for a change in our outdated electoral laws to enable Proportional Representation to be used for General, Local and Mayoral elections

First Past the Post (FPTP) originated when land-owning aristocrats dominated parliament and voting was restricted to property-owning men.

In Europe, only the UK and authoritarian Belarus still use archaic single round FPTP for general elections. Meanwhile, internationally, Proportional Representation (PR) is used to elect parliaments in more than 80 countries. Those countries tend to be more equal, freer and greener.

PR ensures all votes count, have equal value, and those seats won, match votes cast. Under PR, MPs and Parliaments better reflect the age, gender and protected characteristics of local communities and the nation. MPs & Councillors better reflecting their communities leads to improved decision-making, wider participation and increased levels of ownership of decisions taken.

PR would also end minority rule. In 2019, 43.6% of the vote produced a government with 56.2% of the seats and 100% of the power. PR also prevents ‘wrong winner’ elections such as occurred in 1951 and February 1974.

PR is already used to elect the parliaments and assemblies of Scotland, Wales and Northern Ireland. So why not Westminster & Local Government here in North Yorkshire.”

2) **Fracking**

Proposer Cllr. Bryn Griffiths
Seconder Cllr Joy Andrews

“That this Council:

1. Agrees that fracking activities in North Yorkshire are inappropriate for an area where the Council has declared a Climate Emergency and
2. In light of the Government’s statement that it will only frack where there is support, Council therefore wishes to ensure the Prime Minister, the Secretary of State for Business, Energy and Industrial Strategy and the Minister for State (Minister for Climate) are fully aware of the opposition to fracking in North Yorkshire and letters are sent to them to reinforce this Council’s opposition to fracking.”

3) **Fracking**

Proposer Cllr Arnold Warneken
Seconder Cllr Kevin Foster

“This council believes that there is firm scientific evidence that fracking for oil and gas is incompatible with the need to achieve net zero carbon emissions sufficiently rapidly to avoid climate breakdown, furthermore it is in direct conflict with the Councils Carbon Reduction Plan and the emerging Climate Change Strategy, therefore North Yorkshire County Council in line with the current Governments policy is opposed to Fracking in North Yorkshire.”

Note the reasons for the matter being considered at the Council meeting itself have been given as:

1. It is bad practice to delay decision making unnecessarily and members will have had more than adequate time to form a judgement on the motion
2. North Yorkshire County Council has declared that it recognises there is a climate emergency and so issues relating to climate change need addressing with urgency
3. Since the last full council meeting there have been national government policy changes which brought the possibility of fracking back onto the agenda and it is important for the Council to clarify its position at the earliest possible opportunity.”

4) **Fair Tax Declaration**

Proposer Cllr Liz Colling
 Secunder Cllr Neil Swannick

Proposal:

“I propose the council signs up to the Fair Tax Declaration, with required amendments to ensure compliance with the UK Public Procurement.

By signing up to the Councils for Fair Tax Declaration, councils demonstrate alignment to their values and encourage responsible tax practice through:

- leading by example on their own tax conduct
- undertake due diligence, including appropriate and proportionate financial assessment of suppliers within the parameters of the existing regulations
- joining calls for UK public procurement rules to change so that councils can do more to tackle tax avoidance and award points to suppliers that demonstrate responsible tax conduct.”

Full Council resolves to:

1. Approve the “Councils for Fair Tax Declaration”, with required amendments to ensure compliance with the UK Public Procurement.
2. Lead by example and demonstrate good practice in our tax conduct, right across our activities.
3. Ensure IR35 including Public Sector obligations continues to be applied and is implemented robustly and contract workers pay a fair share of employment taxes
4. Undertake due diligence, including appropriate and proportionate financial assessment of suppliers within the parameters of the existing regulations.
5. Promote Fair Tax Mark certification especially for any business in which we have a significant stake and where corporation tax is due.
6. Support Fair Tax Week events in the area, and celebrate the tax contribution made by responsible businesses are proud to promote responsible tax conduct and pay their fair share of corporation tax.
7. Support calls for urgent reform of UK procurement law to enable local authorities to better penalise poor tax conduct and reward good tax conduct through their procurement.

Full Council notes that:

1. This council spends over £500 m per annum with external suppliers
2. The pressure on organisations to pay their fair share of tax has never been stronger.
3. Polling from the Institute for Business Ethics finds that “corporate tax avoidance” has, since 2013, been the clear number one concern of the British public when it comes to business conduct.
4. Two thirds of people (66%) believe the Government and local councils should at least consider a company’s ethics and how they pay their tax, as well as value for money and quality of service provided, when awarding contracts to companies.

2022 polling (2022 ICM Omnibus, a nationally representative omnibus survey of c.2,000 adults across GB between 6 and 11 May 2022) commissioned by the Fair Tax Foundation from ICM.

5. Around 17.5% of public contracts in the UK have been won by companies with links to tax havens. Research commissioned by the Fair Tax Foundation (from DatLab). The estimate relates to the period 2014-19, with the definition of 'tax haven' formulated on the basis of Tax Justice Network index workings.
6. It has been conservatively estimated that losses from multinational profit-shifting could be costing the UK some £17bn per annum in lost corporation tax revenues. Data is derived from <https://missingprofits.world/> and supported by researchers from the University of California, Berkeley and the University of Copenhagen.
7. The Fair Tax Mark offers a means for business to demonstrate good tax conduct, and has been secured by a wide range of businesses across the UK, including FTSE-listed PLCs, co-operatives, social enterprises and large private businesses.
8. Paying tax is often presented as a burden, but it shouldn't be.
9. Tax enables us to provide services from education, health and social care, to flood defence, roads, policing and defence. It also helps to counter financial inequalities and rebalance distorted economies.
10. As recipients of significant public funding, local authorities should take the lead in the promotion of exemplary tax conduct.
11. More action is needed, however, as current and proposed new UK procurement law significantly restricts councils' ability to penalise poor tax conduct.
12. UK cities, counties and towns can and should stand up for responsible tax conduct - doing what they can within existing frameworks and pledging to do more given the opportunity, as active supporters of international tax justice.

15. Use of special urgency procedures since the last meeting of County Council - Report of the Leader of the Council

(Pages 143 - 146)

16. Council Procedure Rule 10 Questions

Evacuation Procedures

(Pages 147 - 150)

RICHARD FLINTON
Chief Executive Officer

BARRY KHAN
Assistant Chief Executive
(Legal and Democratic Services)

County Hall,
NORTHALLERTON

Tuesday, 8 November 2022