



Agenda

Meeting: Executive

Members: Councillors Carl Les (Chairman), Derek Bastiman, David Chance, Gareth Dadd, Keane Duncan, Michael Harrison, Simon Myers, Janet Sanderson, Greg White and Annabel Wilkinson.

Date: Tuesday 16th April 2024

Time: 11.00 am

Venue: Council Chamber, Civic Centre, St Luke's Avenue, Harrogate HG1 2AE

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the Democratic Services Officer whose contact details are below if you would like to find out more.

This meeting is being held as an in-person meeting that is being broadcasted and recorded and will be available to view via www.northyorks.gov.uk/livemeetings. The meeting is also 'hybrid', which enables people to attend the meeting remotely using MS Teams. Please contact the Democratic Services Officer whose contact details are below if you would like to find out more.

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, please give due regard to the Council's protocol on audio/visual recording and photography at public meetings, a copy of which is available to download below. Anyone wishing to record is asked to contact, prior to the start of the meeting, the Democratic Services Officer whose details are at the foot of the first page of the Agenda. We ask that any recording is clearly visible to anyone at the meeting and that it is non-disruptive.

Business

1. **Apologies for Absence**
2. **Minutes of the Meetings held on 12 March 2024 and 19 March 2024** (Pages 5 - 16)
3. **Declarations of Interest**
4. **Public Participation**

Members of the public may ask questions or make statements at this meeting if they have given notice to Elizabeth Jackson, Principal Democratic Services Officer, elizabeth.jackson@northyorks.gov.uk and supplied the text by midday on Thursday 11 April 2024, three working days before the day of the meeting. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);
- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

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

5. **Amendments to the Council's Constitution** **(Pages 17 - 152)**

Recommendations:

- (a) the proposed amendments to the Constitution set out in **Part A of Appendix 1** be proposed to full Council for approval;
- (b) Members note the amendments to the Constitution set out in **Part B of Appendix 1** to this report, made by the Assistant Chief Executive Legal and Democratic Services under his delegated powers, for reporting back to full Council for information;
- (c) Members note the consequential amendments to the Procurement and Contract Procedure Rules as set out in **Appendices 2a and 2b** to this report made by the Assistant Chief Executive Legal and Democratic Services under his general delegations in Article 15.02(c) of the Constitution and specific delegated power from full Council on 15 November 2023, for reporting back to full Council for information;
- (d) Members note the Development Plan Committee Terms of Reference and Delegated Powers consequentially included in the Constitution and attached at **Appendix 3** to this report for reporting back to full Council for information;
- (e) there be 5 full Council meetings per year, the fourth meeting to consider the Council Budget and Council Plan only and the reserve date to be used for the rest of Council business:
 - i. for 2025, the scheduled meeting on 19 February 2025 be the additional Council meeting dedicated to the consideration of the Budget and the Council Plan and all other business normally scheduled for 19 February 2025 be moved to the reserve date of 21 February 2025;
 - ii. for 2026, the meetings be spaced so that the dedicated Budget and Council Plan meeting is held in February and the other meeting held in March or April;
 - iii. for 2026, a reserve date should be kept for the Budget and Council Plan meeting; instead of this being on the Friday in the week of the meeting, it is recommended that the reserve date be on the following Wednesday (a week after the Budget and Council Plan Council meeting);
- (f) the Executive consider whether the proposed amendments to Council Procedure Rules 9.2 and 9.4 set out in **Appendix 4** should apply to all committee meetings or just full Council meetings and the Assistant Chief Executive Legal and Democratic Services be authorised to make any further amendments as Members may wish to the Council Procedure Rules for recommendation to full Council for approval;
- (g) the proposed amendments to the Council Procedure Rules set out in section 6 of

this report and **Appendix 4** be recommended to full Council for approval and the Assistant Chief Executive Legal and Democratic Services be authorised to make any further consequential amendments which may be required to the Constitution;

- (h) the Transition (LGR) Overview and Scrutiny Committee should formally cease as of the 15 May 2024 Council meeting and that any outstanding work should be re-allocated, in liaison with Scrutiny Board, to the other overview and scrutiny committees (with the exception of matters relating to leisure); that the proposed amendments to the overview and scrutiny committee terms of reference in Article 6 of the Constitution as set out by way of tracked changes in **Appendix 5b** be recommended to full Council for approval; and that the Assistant Chief Executive Legal and Democratic Services be authorised to make any further consequential amendments which may be required to the Constitution;
- (i) a new Housing and Leisure Overview and Scrutiny Committee of 16 Members and politically balanced (as per the other overview and scrutiny committees) be created at the 15 May 2024 Council meeting, appointments to which to be made at that meeting of full Council and the first meeting of the new overview and scrutiny committee to follow in June 2024; that the proposed amendments to the overview and scrutiny committee membership lists in Part 3, Schedule 3 of the Constitution as set out by way of tracked changes in **Appendix 5c** be recommended to full Council for approval; and that the Assistant Chief Executive Legal and Democratic Services be authorised to make any further consequential amendments which may be required to the Constitution;
- (j) the proposed revised Terms of Reference for the Council's Independent Remuneration Panel on Member Allowances that have been proposed by the Panel Members as set out at **Appendix 7**, be recommended to full Council for approval;
- (k) Members give initial consideration to the full review of the Constitution post 12 months' operation and to the scope and form of the review, indicating whether there are any specific areas of focus Members would wish to suggest.

6. Domestic Abuse Policy for Housing Service - Approval of the Proposed New Policy following Consultation (Pages 153 - 188)

Recommendations:

- i) That Executive notes the contents of the report, the proposed Domestic Abuse Policy for the Housing Service, consultation responses and the Equality Impact Assessment.
- ii) That Executive approves the Domestic Abuse Policy for the Housing Service.

7. Scrutiny Task and Finish Group - Special Educational Needs and Disability (SEND) Provision in the Scarborough and Whitby Area (Pages 189 - 210)

Recommendation:

That the suggestions set out in Section 7 of the report be endorsed by the Executive at its meeting on 16 April 2024.

8. Forward Plan (Pages 211 - 226)

9. Any Other Items

Any other items which the Leader agrees should be considered as a matter of urgency because of special circumstances

10. Date of Next Meeting - 7 May 2024

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Contact Details:

Enquiries relating to this agenda please contact Elizabeth Jackson, Principal Democratic Services Officer

Tel: 01423 556409 or e-mail: elizabeth.jackson@northyorks.gov.uk

Website: www.northyorks.gov.uk

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)
County Hall
Northallerton

Monday 8 April 2024