

North Yorkshire County Council

County Council

Minutes of the remote meeting held on Wednesday, 16th February, 2022 commencing at 10.30 am.

County Councillor Stuart Martin in the Chair and County Councillors Val Arnold, Karl Arthur, Robert Baker, Phillip Barrett, Derek Bastiman, David Blades, Philip Broadbank, Eric Broadbent, Lindsay Burr, Mike Chambers, David Chance, Liz Colling, Richard Cooper, Gareth Dadd, Caroline Dickinson, John Ennis, David Goode, Caroline Goodrick, Helen Grant, Bryn Griffiths, Michael Harrison, Paul Haslam, Robert Heseltine, David Hugill, David Ireton, David Jeffels, Janet Jefferson, Andrew Jenkinson, Mike Jordan, Andrew Lee, Stanley Lumley, Cliff Lunn, Don MacKay, Don Mackenzie, John Mann, Zoe Metcalfe, Heather Moorhouse, Patrick Mulligan, Richard Musgrave, Stuart Parsons, Yvonne Peacock, Chris Pearson, Clive Pearson, Gillian Quinn, Tony Randerson, Janet Sanderson, Matt Scott, Karin Sedgwick, Peter Sowray, David Staveley, Helen Swiers, Roberta Swiers, Angus Thompson, Cliff Trotter, John Weighell, Greg White, Annabel Wilkinson and Robert Windass.

Copies of all documents considered are in the Minute Book

102 Minutes of the Committee meeting held on 17 November 2021

It was moved and seconded that the Minutes of the meeting of the County Council held on 17 November 2021, having been printed and circulated, are confirmed as a correct record.

The vote was taken and the motion was declared carried with 59 for, none against and no abstentions.

Resolved -

That the Minutes of the meeting of the County Council on 17 November 2021, having been printed and circulated, are confirmed as a correct record.

103 Apologies for absence

Apologies for absence were received from County Councillors Margaret Atkinson, Andrew Backhouse, Jim Clark, Stephanie Duckett, Keane Duncan, Mel Hobson, Carl Les, John McCartney, Andy Paraskos, Caroline Patmore, Joe Plant, Andy Solloway and Callam Walsh.

104 Declarations of Interest

There were none.

105 Chairman's Announcements

The Chairman welcomed the Honorary Aldermen and members of the public to the meeting.

The Chairman informed Members of the usual arrangements for the meeting.

The Chairman made a number of announcements relating to work that he was doing in his role as Chairman.

The Chairman noted that Paul Creelman and Alan Clifton were both awarded MBEs in the New Year's Honours. Paul Creelman is currently employed by the Council and has had a long career firstly with the Police, and then with the County Council as a family support worker and working within Youth Justice. Alan Clifton was formerly the Head of Virtual Schools within the County Council, which provides education for young people not in school.

The sad and untimely death of former County Councillor Paul Richardson was noted. Mr Richardson was a County Councillor from 2001 until 2013 and represented the Masham and Fountains division. A minute's silence was held in his memory.

106 Statement by the Leader of the Council

In the absence of County Councillor Carl Les, who had given apologies, County Councillor Gareth Dadd, Deputy Leader, made a statement and answered questions, under Council Procedure Rule 2.3, as Leader of the County Council, a summary of the key points of which had previously been circulated and which appear in the Minute Book (pages 13238 to 13239).

107 Public Questions or Statements

There were none.

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

The report and recommendations of the Executive were considered, as detailed in the following paragraphs.

109 Revenue Budget 2022/23 and the Medium Term Financial Strategy Report

Medium Term Financial Strategy (MTFS) for 2023/24 to 2024/25, the Revenue Budget for 2022/23 and Council Tax for 2022/23

The recommendation at pages 18 to 19 of the report (pages 13243 to 13244 of the Minute Book) was moved and seconded.

A named vote was taken by roll call and the motion declared carried with 53 for, 3 against and 3 abstentions, as follows:

For: County Councillors Val Arnold, Karl Arthur, Bob Baker, Derek Bastiman, David Blades, Eric Broadbent, Mike Chambers, David Chance, Liz Colling, Richard Cooper, Gareth Dadd, Caroline Dickinson, John Ennis, Caroline Goodrick, Helen Grant, Michael Harrison, Paul Haslam, Robert Heseltine, David Hugill, David Ireton, David Jeffels, Janet Jefferson, Andrew Jenkinson, Mike Jordan, Andrew Lee, Stanley Lumley, Cliff Lunn, Don Mackay, Don Mackenzie, John Mann, Stuart Martin, Zoe Metcalfe, Heather Moorhouse, Patrick Mulligan, Richard Musgrave, Yvonne Peacock, Chris Pearson, Clive Pearson, Gillian Quinn, Tony Randerson, Janet Sanderson, Matt Scott, Karin Sedgwick, Peter Sowray, David Staveley, Helen Swiers, Roberta Swiers, Angus Thompson, Cliff Trotter, John Weighell, Greg White, Annabel Wilkinson and Robert Windass.

Against: County Councillors Philip Barrett, Lindsay Burr and Stuart Parsons.

Abstentions: County Councillors Philip Broadbank, David Goode and Bryn Griffiths.

Resolved -

That the Medium Term Financial Strategy (MTFS) for 2023/24 to 2024/25, the Revenue Budget for 2022/23 and Council Tax for 2022/23 be approved.

Capital Five Year Spending Plan and the Treasury Management Strategy 2022/23

These items were taken as one. The recommendation regarding the Capital Five Year Spending Plan at pages 19 to 20 of the report (page 13244 to 13245 of the Minute Book) and the recommendation regarding the Treasury Management Strategy 2021/22 at page 20 of the report (page 13245 of the Minute Book) were moved and seconded.

The vote was taken and the motion was declared carried, with 53 for, 3 against and 3 abstentions.

Resolved -

That the Capital Five Year Spending Plan and the Treasury Management Strategy 2022/23 be approved.

110 Council Plan 2022/2023

The recommendation at page 21 of the report (page 13246 of the Minute Book) was moved and seconded.

The vote was taken and the motion was declared carried, with 56 for, none against and 3 abstentions.

Resolved -

That the draft Council Plan be approved and the Chief Executive be authorised to make any necessary changes to the text, including reflecting decision made on the budget, Medium Term Financial Strategy and the updated performance data.

111 School Admission Arrangements for the School Year 2023/2024

The recommendations at page 21 of the report (page 13246 of the Minute Book) were moved and seconded.

The vote was taken and the motion was declared carried with 59 for, none against and no abstentions.

Resolved -

That the School Admission Arrangements for 2023/2024 be approved, including:

- a) the proposed co-ordinated admission arrangements in Appendix 1
- b) the proposed admission policy for community and voluntary controlled schools in Appendix 2
- c) the proposed admission policy for nursery schools, schools with nursery classes and pre-reception classes, in Appendix 3; and

- d) the proposed published admission numbers (PAN's) for community and voluntary controlled schools as shown in Appendices 4 (Primary) and 5 (Secondary).

112 Arrangements for appointment of the External Auditor from 2023/24

The recommendation at page 22 of the report (page 13247 of the Minute Book) was moved and seconded.

The vote was and the motion was declared carried with 59 for, none against and no abstentions.

Resolved –

- a) That the Public Sector Audit Appointments' invitation to opt into the sector-led option for the appointment of external auditors to principal local government and police bodies for five financial years from 1 April 2023, be approved.

113 Proposed addition of E-Petitions Function to the Council's existing paper-based Petitions Scheme

The recommendation at page 22 of the report (page 13247 of the Minute Book) was moved and seconded.

The vote was taken and the motion was declared carried with 59 for, none against and no abstentions.

Resolved -

That the e-petitions function in the Modern Gov committee management system be enabled and run alongside the existing paper-based scheme.

114 Proposed amendments to the Council's Constitution

The recommendation at pages 22 and 23 of the report (pages 13247 to 13248 of the Minute Book) was moved and seconded.

The vote was taken and the motion was declared carried with 58 for, none against and no abstentions.

Resolved -

- a) (the Assistant Chief Executive (Legal and Democratic Services) should use his delegated powers to update the Constitution at the relevant time following the elections in 2022 to reflect the changes in the County Council's membership and ward areas is approved;
- b) the Assistant Chief Executive (Legal and Democratic Services) should use his delegated powers to update the Constitution at the relevant times to reflect the transitional arrangements which apply in each of the local government reorganisation transitional periods is approved;
- c) the proposed changes to the Constitution set out in Appendices 1 and 2 be recommended to full Council for approval is approved;
- d) the approach to recording officer decisions be reviewed as set out in the body of this report and Appendix 2 and no changes are recommended to be made is approved; and

- e) the Leader formally appoints the Executive Members as the ten County Council Members to the Implementation Executive once it is created under the Structural Change Order.

115 Consideration of proposed amendments to the Council's Members' Code of Conduct

The recommendation at page 23 and the report (page 13248 of the Minute Book) was moved and seconded.

The vote was taken and the motion was declared carried with 59 for, none against and no abstentions.

Resolved -

That:

- a) the proposed amendments to the Council's current Members' Code of Conduct as set out in Appendix 3 to the report; take effect from 5 May 2022;
- b) that the Monitoring Officer be authorised to make consequential amendments to the registration of Members' Interests form proforma, any other relevant standards documentation and the Constitution to reflect the changes made to the Council's Code; and
- c) that tailored guidance, specific to the Council's Members' Code of Conduct, be circulated to the newly elected Members in May.

116 Appointments to Committees and Outside Bodies

The appointments to committees and Outside Bodies were noted.

The Chairman noted that the reports on 'Formal Meetings of the Authority's Committees from 16 February 2022 onwards' and the 'Minerals and Waste Joint Plan' were on the main agenda at items 8 and 9, respectively.

117 Formal Meetings of the Authority's Committees

The recommendations at pages 367 and 386 (pages 13592 to 13593 of the Minute Book) were moved and seconded.

The vote was taken and the motion was declared carried, with 59 for, none against and no abstentions.

Resolved -

That:

- a) The remote access, live broadcast informal meetings of the Council's committees continue with any formal decisions required being taken by the Chief Executive Officer under his emergency decision making powers and after consultation with Officers and Members as appropriate and after taking into account any views of the relevant Committee Members
- b) The continued use of remote access, live broadcast informal meetings is reviewed periodically, taking into account the level of Covid-19 infections and hospitalisation, with a further report being considered at the Council meeting on 18 May 2022.

- c) That the meeting of the County Council on 18 May 2022 is held as an in person meeting.
- d) That the power be delegated to the Chief Executive Officer in consultation with the Leader to determine which committee meetings should be held virtually and which could be held physically, subject to consultation with the relevant committee Chair.

118 Adoption of Minerals and Waste Joint Plan

The recommendations at pages 372 and 373 of the report (pages 13597 to 13598 of the Minute Book) were moved and seconded.

An amendment to the recommendations was moved and seconded, proposing that hydraulic fracking be prohibited under the Minerals and Waste Joint Plan.

The vote was taken on the amendment and was declared defeated with 4 for, 53 against and 2 abstentions.

The vote was then taken on the substantive recommendations and the motion was declared carried with 53 for, 6 against and no abstentions.

Resolved -

That the Council:

- a) note the Inspector's Report and recommended changes and accept the main modifications;
- b) adopt the Minerals & Waste Joint Plan incorporating the Inspector's Modifications circulated with this Report. In doing so, this will replace the current policies in use for development control purposes;
- c) adopt the accompanying Policies Map;
- d) authorise the Corporate Director, Business & Environmental Services to make any further minor typographical amendments or updates in producing the final version of the document and, to take any necessary steps to conclude the adoption process; and,
- e) authorise the publication of the Adoption Statement and Sustainability Appraisal in accordance with Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

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

The statements of the Executive Member and the Chairmen of the Overview and Scrutiny Committees were considered, as detailed in the following paragraphs.

120 Executive Member for Public Health, Prevention and Supported Housing - County Councillor Andrew Lee

County Councillor Andrew Lee, Executive Member for Public Health, Prevention and Supported Housing, made a statement. A summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 13600 to 13602).

121 Executive Member for Open to Business - County Councillor Derek Bastiman

County Councillor Derek Bastiman, Executive Member for Open to Business, made a statement. A summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 13604 to 13606).

122 Executive Member for Climate Change and Customer Engagement - County Councillor Greg White

County Councillor Greg White, Executive Member for Climate Change and Customer Engagement, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 13608 to 13613).

123 Executive Member for Finance and Assets and Special Projects - County Councillor Gareth Dadd

County Councillor Gareth Dadd, Executive Member for Finance and Assets and Special Projects, made a statement. A summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 13614 to 13615).

124 Executive Member for Children's Services - County Councillor Janet Sanderson

County Councillor Janet Sanderson, Executive Member for Children's Services, made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 13616 to 13617).

125 Executive Member for Education and Skills - County Councillor Patrick Mulligan

County Councillor Patrick Mulligan, Executive Member for Education and Skills, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 13618 to 13620).

126 Executive Member for Access - County Councillor Don Mackenzie

County Councillor Don Mackenzie, Executive Member for Access, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 13622 to 13623).

127 Executive Member for Stronger Communities - County Councillor David Chance

County Councillor David Chance, Executive Member for Stronger Communities, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 13624 to 13628).

128 Executive Member for Health and Adult Social Care and Health Integration - County Councillor Michael Harrison

County Councillor Michael Harrison, Executive Member for Health and Adult Services, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 13630 to 13631).

129 Scrutiny Board (Chairman: County Councillor Stanley Lumley)

There were no questions for the Chairman of Scrutiny Board.

130 Scrutiny of Health (Chairman: County Councillor John Ennis)

There were no questions for the Chairman of the Scrutiny of Health Committee.

131 Young People Overview and Scrutiny Committee (Chairman: County Councillor Janet Jefferson)

There were no questions for the Chairman of the Young People Overview and Scrutiny Committee.

132 Care and Independence Overview and Scrutiny Committee (Chairman: County Councillor Karin Sedgwick)

There were no questions for the Chairman of the Care and Independence Overview and Scrutiny Committee.

133 Corporate and Partnerships Overview and Scrutiny Committee (Chairman: Andy Paraskos)

There were no questions for the Chairman of the Corporate and Partnerships Overview and Scrutiny Committee.

134 Transport, Economy and Environment Overview and Scrutiny Committee (Chairman: County Councillor Stanley Lumley)

There were no questions for the Chairman of the Transport, Economy and Environment Overview and Scrutiny Committee.

135 Notices of Motion

No Notices of Motion were received within the deadline.

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

The report on the Use of Special Urgency Procedures since the last meeting of the County Council in July was considered and the recommendation at pages 421 to 424 (page 13648 of the Minute Book) was moved and seconded.

Resolved -

That the report on the Use of Special Urgency Procedures since the last meeting of the County Council in November 2021, be noted.

137 Council Procedure Rule 10 Questions

There were no Council Procedure Rule 10 questions.

The meeting concluded at 12.45 pm.