

North Yorkshire Council

Council

Minutes of the Quarterly Meeting of Council held on Wednesday 19 July 2023 commencing at 10.30 am.

Councillor David Ireton in the Chair. Councillors Chris Aldred, Karl Arthur, Alyson Baker, Derek Bastiman, Philip Broadbank, Eric Broadbent, Barbara Brodigan, Andy Brown, Nick Brown, Lindsay Burr MBE, John Cattanach, David Chance, Liz Colling, Mark Crane, Sam Cross, Felicity Cunliffe-Lister, Gareth Dadd, Caroline Dickinson, Michelle Donohue-Moncrieff, Stephanie Duckett, Keane Duncan, Kevin Foster, Richard Foster, Sam Gibbs, Caroline Goodrick, Hannah Gostlow, Bryn Griffiths, Tim Grogan, Michael Harrison, Paul Haslam, Robert Heseltine, Nathan Hull, George Jabbour, David Jeffels, Janet Jefferson, Tom Jones, Mike Jordan, Nigel Knapton, Peter Lacey, Andrew Lee, Carl Les, Cliff Lunn, John Mann, Pat Marsh, Steve Mason, Rich Maw, John McCartney, Heather Moorhouse, Simon Myers, David Noland, Bob Packham, Andy Paraskos, Stuart Parsons, Yvonne Peacock, Clive Pearson, Heather Phillips, Kirsty Poskitt, Jack Proud, Tony Randerson, John Ritchie, Janet Sanderson, Mike Schofield, Karin Sedgwick, Steve Shaw-Wright, Monika Slater, Andy Solloway, David Staveley, Neil Swannick, Roberta Swiers, Malcolm Taylor, Angus Thompson, Phil Trumper, Matt Walker, Arnold Warneken, Steve Watson, David Webster, John Weighell OBE, Greg White, Annabel Wilkinson, Peter Wilkinson, Andrew Williams and Robert Windass.

Apologies: Councillors Joy Andrews, Philip Barrett, Melanie Davis, Andrew Murday, Subash Sharma and Dave Whitfield.

Copies of all documents considered are in the Minute Book

18 Minutes of the meeting held on 17 May 2023

It was moved and seconded that the Minutes of the Annual Meeting of the Council held on 17 May 2023 having been printed and circulated, are confirmed and signed by the Chairman as a correct record.

The vote was taken and the motion was declared carried unanimously.

19 Apologies for absence

Apologies for absence were received from Councillors Joy Andrews, Philip Barrett, Melanie Davis, Andrew Murday, Subash Sharma and Dave Whitfield.

20 Declarations of Interest

Declarations of Interest were made as follows:

Councillor Karl Arthur regarding Minute 30(i)

Councillor Alyson Baker regarding Minute 32(4) and 32(6).

Councillor Michael Harrison regarding any item involving Health and Adult Services. Councillor Harrison advised that he was relying on a dispensation granted him by the Standards and Governance Committee to enable him to take part in any discussion.

21 Chairman's Announcements

The Chair welcomed the Honorary Aldermen and members of the public and press who were present.

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

The Chair informed Members that there were six Notices of Motion on the agenda and a request had been received that one be debated at the meeting, which was the motion regarding a ban on trail hunting on Council owned land. The Chair was required to give a ruling on whether to follow the normal procedure of referring these motions to the relevant committee or whether they should be debated at the meeting, and ruled as follows:

- (1) Ban on trail hunting on NYC land – motion to be referred to the Corporate and Partnerships Overview and Scrutiny Committee
- (2) A 20mph speed limit in the south and west of Harrogate – motion withdrawn
- (3) Council support for a national ban on the sale of disposable vapes – motion withdrawn
- (4) Northern Powergrid and calls for increased network capacity – motion to be debated at the meeting
- (5) Bathing water application for the River Nidd – motion to be debated at the meeting
- (6) Water quality and the role that the Council has to play – motion to be referred to the Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee

The Chair reminded Members that when considering Notices of Motion a Member can move that the motion can be put now and one Member can speak for five minutes for that Motion and one Member can speak for five minutes against. Motions referred to committee would be moved and seconded without comment.

The death of former North Riding County Councillor Bill Chaytor was noted. Bill was also the first North Yorkshire County Councillor for the North Richmondshire division. Members also noted the recent death of former Hambleton District Councillor John Smith, who served for 17 years as a councillor from 1998 to 2015 and was Chairman of Hambleton District Council in 2009/10.

A minute's silence was held in memory of former County Councillor Bill Chaytor and former Councillor John Smith.

22 Statement by the Leader of the Council

Councillor Carl Les made a statement and answered questions 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 appeared at pages 29 and 30 of the agenda pack and in the Minute Book at pages 137 to 138.

23 Public Questions or Statements

There were five public questions, as follows:

The following public question was submitted by Dr Paul M Hildreth and read out at the meeting:

Councillor Dadd recently said that he wasn't aware of any formalised trail hunting taking place on North Yorkshire council owned land. There are 13 Hunts located across North Yorkshire. Does he therefore believe that these hunts avoid crossing roads, bridleways, disused railway lines?

The following public question was submitted by Hugh Meynell and read out at the meeting:

With the cubbing season less than a month away, organised rural crime gangs are poised ready to hunt and kill foxes with hounds... intentionally and illegally. Hunts across North Yorkshire routinely use the myth of 'Trail Hunting' as a smoke screen for these wildlife crimes.

Speaking from experience as an activist on the front line regularly witnessing illegal fox hunting and crimes against wildlife across North Yorkshire, I would ask you all to please consider the following observations and questions regarding the smoke screen that is trail hunting:

- 1) If legally trail hunting with hounds, following a pre laid scent trail, why are terrier men on quad bikes, equipped with spades and terriers present and active at every hunt meet throughout the season?
- 2) If legally trail hunting why are hounds regularly cast into thick, impenetrable coverts such as Miscanthus grass, black thorn or gorse, where it is impossible to lay a trail for hounds to follow.
- 3) If legally trail hunting why would supposedly well laid trails so often cross busy public highways, railway lines and/or private property and gardens putting the hounds, livestock, pets and the general public at risk of serious injury or worse.
- 4) Why do the hunts respective huntsmen actively encourage and 'hunt on' their hounds with horn and voice calls. Especially when clearly not following a scent trail, instead pursuing the line of a fox, hounds in full cry obviously and blatantly illegally hunting? Studies have shown the horror and distress that a fox suffers when accidentally or indeed purposely pursued by hounds.
- 5) Why, if following a perfectly legal, pre laid trail do Huntsmen, hunt staff, terrier men and hunt supporters act with such extreme animosity towards peaceful, non-violent monitors, saboteurs and indeed concerned members of the public. Why, if trail hunting within the law use horses as weapons, illegally block roads with vehicles and/or horses. Why threaten, abuse and sadly more frequently do the hunts and their supporters resort to abuse and physical violence? If acting within the law what are they trying to hide?

Trail hunting with hounds is a scam, a smoke screen. Cover to continue to commit wildlife crimes and to intentionally and illegally hunt foxes contrary to Section 1 of the Hunting Act 2004.

Thank you

The following public question was read out by Richard Bedford of Unite the Union:

My name Richard Bedford, Regional Coordinating Officer Unite the Union I have responsibility for representing Unite members at Urbaser on the Selby waste management contract.

Our question is to the Council and is; Unite are asking, on behalf of its membership at Urbaser, who operate Selby Waste management contract, that the council take urgent steps to intervene and instruct Urbaser management to engage in positive discussions with Unite representatives to resolve the current dispute by way of enhancing the existing offer that has been rejected by the workforce by way of the agreed collective bargaining process?

Our request to the council is based upon the fact that our membership, and I stress that they do not want to strike, but have been left with no choice, because of the wages they are

paid, which are some of the lowest in the country. The disruption caused to the public is entirely the fault of Urbaser.

The dispute is a result of the workers rejecting a (percentage) pay offer who are on some of the lowest rates in the country for their roles. Bin loaders and grounds workers are paid just £10.64 an hour and refuse lorry drivers, who require an HGV license, are paid just £12.51 an hour.

It is unacceptable that Urbaser thinks it can get away with paying its workers such astonishingly low wages.

North Yorkshire Council should not be allowing such exploitative pay for work that is by its nature dirty, heavy and unpleasant. Unite is absolutely focused on defending and improving our members' jobs, pay and conditions and Urbaser's Selby workforce will receive the union's unflinching support.

It should also be noted that Urbaser at the Welwyn Hatfield Council contract awarded a 13.5% increase in base pay with a commitment to set up a working party within two months to work together on introduction of sick pay for our members and an overtime premium.

The strikes are impacting bin collection, street cleaning and road sweeping services in Selby and will intensify if the dispute is not resolved.

Our members and families are faced with in-work poverty and are having to make unacceptable life choices due to the already low rates and now being proposed to take a real terms pay cut moving forward with a below-inflation increase.

Our members are all local council tax payers and the vested interest, commitment and dedication they show in terms of contract performance is second to none. They are proud of their local area and welcome being part of the New North Yorkshire Council.

Indeed the Government itself have recognised that rates of pay need to increase and have increased the Nationally Living Wage by 9.7% (now £10.42).

Our members' claim is not fuelled by greed, but by the necessity to earn enough to buy the basics and looking at the rate of inflation, which defied expectations by either not coming down as quickly as forecast or by not falling at all.

RPI is at 11.3% is down slightly but remains historically high. CPI remains at 8.7%. So-called 'core' inflation is rising at record levels. Interest rate rises are an aspect of this, affecting mortgage interest payments and flowing through to rents and prices for other services. Indeed, inflation is higher for people on low incomes.

ONS analysis in 2014 showed how changing prices have different effects on the inflation rates faced by people on low and high incomes because of variations in the goods and services they buy.

This highlighted that people living in poverty spend a much higher proportion of their income on food, energy and housing. So the poorest fifth of the population experienced a higher rate of inflation than the rest of the country in much of the last 20 years.

We continue to request constructive dialogue with Urbaser but nothing is forthcoming as they continue to dig their heels in and covering striking workers by paying premium payments to employees working overtime and playing catch up.

One serious incident has already occurred on the picket line that resulted in a serious injury! Again we request that you contact Urbaser to engage in constructive dialogue with us to resolve.

Councillor Greg White provided the following response:

I was sorry to hear about the incident to the individual and their serious injury, and I certainly wish them a speedy recovery. I have been advised the police conducted an investigation at the time and are not taking any further action.

The Council recognises and respects pay negotiations between Urbaser and its staff are a matter for Urbaser to progress and resolve. The Council encourages both parties to engage in positive discussion to the best interest of all stakeholders.

Looking further ahead, and with the decision to bring the contract back in-house from April 2024, the Council continues to work closely with Urbaser and, where appropriate, engage directly with the workforce. There are some differences in wages between Urbaser and what the Council currently pay, they aren't huge but it gets complicated by the arrangements for overtime etc. I really don't want to get involved in that discussion here today, but we urge them to sit down, talk about it and get it sorted thank you.

The following public question was submitted by Sue Hawthornthwaite and read out at the meeting:

If this proposal is passed, how do the hunts intend to ensure that their hounds - and terrier men - do not stray on to council land in pursuit of a fox - will they break the habit of a lifetime and call the hounds back, and who will enforce this, and how?

The following public statement was submitted by Rob Williams and read out at the meeting:

With the introduction of the hunting act that came into force in February of 2005, we saw hunts turn to a new form of hunting, this was re-branded as trail hunting. The idea of trail hunting was to replicate actual pre ban hunting as closely as possible, hoping that at some point a repeal would take place. This would then allow hunts to go back to Fox hunting as it was prior to the ban. Today Fox hunts continue to train hounds in exactly the same way they always have, even using Fox urine or an artificial equivalent as a scent marker when laying trails and even very unwisely laying these trails through areas where there is a high probability that a Fox will be. Hunts continue today to lay trails and send hounds through areas of scrub, gorse, crops, small spinneys, large areas of woodland and extremely thick briers all in my opinion very foolish and negligent, also you have to ask yourself with regards to large areas of briers and Brambles how is it physically possible to take a trail through such inhospitable dense foliage, sadly i believe this to be completely deliberate and has only one aim in mind, that being to flush a fox and then illegally hunt it.

At this point I'd like to draw your attention to the 573 successful prosecutions that have taken place between 2005 and 2021 and more after that with each passing season. These successful prosecutions clearly and legally in law show that hunts are using loopholes in the 2004 hunting act to circumnavigate and cynically break the law time and time again and this shows that trail hunting is nothing more than a smokescreen for the actual hunting of Foxes with hounds.

In August 2020 a series of training webinars which showed senior figures from the Master Of Fox Hounds Association, hunting's governing body at the time and the Countryside Alliance were caught on camera, seeming to admit that trail hunting is a smokescreen for the chasing and killing of foxes. These two quotes are taken word for word from those webinars which can easily be found online, a senior figure from within the Master Of Fox Hounds Association said at the webinar "It's a lot easier to create a smokescreen if you've got more than one trail layer operating and that is what it's all about, trying to portray to the people watching that your going about your legitimate business". The second quote comes from the Countryside Alliance police liaison officer "Now you know more about hunting than

the saboteurs and courts will know but what it will do is create the smokescreen or the element of doubt that we haven't deliberately hunted a fox, so if nothing else you need to record that and it will help us provide a defence to huntsmen" These webinars were leaked to the media, TV considered the webinars to be so significant that they aired a piece on national television and many national newspapers covered the topic discussed in the webinars, these leaked webinars must have clearly laid the seeds of doubt because in November the following year the National Trust made the voted decision to ban all trail hunting on its land, this was followed by suspensions from Forestry England, Lake District National Park and United Utilities who have all at this current time come to the conclusion that trail hunting is ambiguous at best and at worst blatantly illegal and deceitful, a definite shame on the modern society we live in.

Thank you for listening to my statement about why trail hunting should be banned on council land, it is a very brief and nowhere near as adept as I'd like, so much more could be said given the extremely serious nature of wildlife crime, I encourage all those who seek the truth about trail hunting to do some research, go online watch the webinars ,see the insurmountable evidence that shows hunts up and down this land are using trail hunting as a clear smokescreen to evade the law, once again the numerous prosecutions, video evidence and witness statements speak volumes about trail hunting and clearly show it is nothing more than a ruse, ploy and scheme intended to blatantly deceive the law of this land. Thank you for listening to my statement.

Councillor Gareth Dadd provided the following response:

I'm going to first of all deal with the first question that was submitted on behalf of Dr Hildreth. He suggested that, and that I'm summarizing very much now, that hunts use roads, bridle ways, disused railway lines and the likes. I'm sure I'm referenced back in the statement I made in response to Councillor Maw at the last full council meeting. I'm sure Dr Hildreth will be aware I was referring to property and green land, if you like, rather than common infrastructure which is open to all. Our roads and bridle ways are open to all and my personal view is that that should remain the case without prejudicing any debate that will come before this Chamber. I will lump if you like the three further questions together. I don't think there was any direct questions being posed, more a narrative and comment around the general issues. I'm not as I said a moment ago wishing to prejudice any debate that will come to this Chamber as I said other than I will say I do believe we need further advice on how, if the Chamber was minded to implement the ban, it could be enforced and the difficulties that that could pose.

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

Amendments to the Council's Constitution

The recommendation at page 33 of the agenda pack (page 141 of the Minute Book) was moved and seconded.

A vote was taken and the motion was declared carried with 82 votes for, 1 vote against and there were no abstentions.

Resolved –

That Council approves

1. The suggested miscellaneous amendments as set out in the amendments chart in Appendix 1 of the report;
2. The suggested amendments to the membership of the Health and Wellbeing Board and its Terms of Reference as set out in Appendix 2 of the report;

3. The suggested amendments to Council Procedure Rule 5.2 as set out in paragraph 5.3 of the report;
4. The suggested amendments to Council Procedure Rule 9 as set out in paragraph 6.1 of the report;
5. The suggested amendments to Council Procedure Rule 15.1 as set out in paragraph 7.2 of the report; and
6. The suggested amendments to Council Procedure Rule 17 as set out in paragraph 8.1 of the report.

Local Plan Making for North Yorkshire – recommended change to the Council's decision in respect of continuing Development Plan Documents

The recommendation at page 34 of the agenda pack (page 142 of the Minute Book) was moved and seconded.

A vote was taken and the motion was declared carried with 78 votes for, no votes against and there were 5 abstentions.

Resolved -

That work on the Ryedale Local Plan review be halted and that work undertaken to date be considered, as appropriate, in the preparation of the new Local Plan for North Yorkshire.

25 Appointments to Committee according to Political Proportionality

The recommendations at page 39 of the agenda pack (page 147 of the Minute Book) were moved and seconded.

A vote was taken and the motion was declared carried unanimously.

Resolved –

The following appointments be made to committees:

Audit Committee

- Conservatives and Independents Group - Councillor Peter Wilkinson to replace Councillor Nigel Knapton
- Liberal Democrats and Liberals Group – Councillor Felicity Cunliffe-Lister to replace Councillor Matt Walker

General Licensing and Registration Committee

- Conservatives and Independents Group - Councillor Robert Heseltine to replace Councillor Mike Jordan
- Liberal Democrats and Liberals Group - Councillor Joy Andrews to replace Councillor Mike Schofield and Councillor Philip Broadbank to replace Councillor Steve Mason
- Independent Unaffiliated – Councillor Mike Schofield to replace Councillor Heseltine

Statutory Licensing Committee

- Councillor Mike Schofield to replace Councillor Mike Jordan

Pension Fund Committee

- Conservatives and Independents Group - Councillor Andrew Williams to retain the seat previously held as NY Independent and Councillor Sam Gibbs to come off
- North Yorkshire Independent Group – Councillor John Cattanach to replace Andrew Williams

Pension Board

- Conservatives and Independents Group - Councillor Steve Watson to replace Councillor Mike Jordan

Standards and Governance Committee

- Conservatives and Independents Group - Councillors Nigel Knapton, David Ireton and Peter Wilkinson
- North Yorkshire Independent Group - Councillor Andy Solloway

Strategic Planning

- Liberal Democrats and Liberals Group - Councillor Hannah Gostlow to replace Councillor Peter Lacey

Care and Independence and Housing Overview and Scrutiny Committee

- Conservatives and Independents Group - Councillor Robert Heseltine to retain the seat previously held as an Unaffiliated Independent to replace former Councillor Bridget Fortune
- Liberal Democrats and Liberals Group - Councillor Peter Lacey to replace Councillor Joy Andrews
- Independent Unaffiliated – Councillor Tony Randerson to replace Councillor Robert Heseltine

Children and Families Overview and Scrutiny Committee

- Conservatives and Independents Group - Councillor George Jabbour to replace former Councillor Bridget Fortune and Councillor Yvonne Peacock to replace Councillor Peter Wilkinson
- Liberal Democrats and Liberals Group - Councillor Monika Slater to replace Councillor Mike Schofield

Corporate and Partnerships Overview and Scrutiny Committee

- Conservatives and Independents Group - Councillor Andrew Williams to replace Councillor Yvonne Peacock and to become Chair of the committee in place of Councillor Ireton. Councillor Robert Heseltine to retain the seat previously held as an Unaffiliated Independent and Councillor Tom ones to come off
- Labour Group – Councillor Steve Shaw-Wright to replace Councillor Tony Randerson
- Independent Unaffiliated – Councillor Tony Randerson to replace Councillor Robert Heseltine

Transition (LGR) Overview and Scrutiny Committee

- Councillor B Packham replaces Councillor M Davis (this is a change of committee member within the same political group)

Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee

- Conservatives and Independents Group - Councillor Caroline Goodrick to replace

Councillor Mike Jordan

- Independent unaffiliated – Councillor Mike Jordan to replace Councillor Caroline Goodrick

Richmond (Yorks) Area Constituency Planning Committee

- Conservatives and Independents Group - Councillor Tom Jones to replace former Councillor Bridget Fortune

Scarborough and Whitby Area Constituency Planning Committee

- North Yorkshire Independent Group – Councillor Janet Jefferson

Selby and Ainsty Area Constituency Planning Committee

- Green Group – Councillor Arnold Warneken

Skipton and Ripon Area Constituency Planning Committee

- Conservatives and Independents Group - Councillor Andrew Williams to retain the seat previously held as a NY Independent and Councillor Nick Brown to come off. Councillor Andrew Williams to relinquish his vice chair role. Councillor Robert Heseltine to retain the seat previously held as an Unaffiliated Independent.
- North Yorkshire Independent Group - Councillor David Noland (NY Independent seat given to the Green Group) to replace Councillor Andrew Williams
- Green Group - Councillor Andy Brown to become Vice Chair

Thirsk and Malton Area Constituency Planning Committee

- Liberal Democrat and Liberals Group – Councillor Joy Andrews to be appointed vice-chair of the committee
- Independent Unaffiliated – Councillor Sam Cross to replace Councillor George Jabbour. Councillor Joy Andrews to become Vice Chair in his place.

Appeals (Home to School Transport)

- Conservatives and Independents Group - Councillor Mark Crane
- Liberal Democrats and Liberals Group - Councillor Barbara Brodigan to replace Councillor Goodrick (previously given the seat despite not being entitled to this seat by proportionality).

Employment Appeals Committee

- Labour Group – Councillor Rich Maw

North Eastern Inshore Fisheries and Conservation Authority

- Labour Group - Councillor Neil Swannick to replace Councillor Tony Randerson (There are two seats on this outside body that are both allocated to the Conservatives. Councillor Tony Randerson was previously given a seat by the Conservatives.)

26 Appointments of Independent Persons

The recommendations at page 49 of the agenda pack (page 157 of the Minute Book) were moved and seconded.

A vote was taken and the motion was declared carried with 82 votes for, 1 against and there were no abstentions.

Resolved -

That Council:

1. Formally re-appoints:

- Hilary Gilbertson MBE
- Louise Holroyd

as Independent Persons for Standards for the North Yorkshire Council for a four year period (with the ability of the Monitoring Officer to extend in consultation with the Chair of the Standards and Governance Committee).

2. Appoints:

- Richinda Taylor
- James Nelson
- Roy Martin
- Gillian Baker

as additional Independent Persons for Standards for the North Yorkshire Council for a four year period (with the ability of the Monitoring Officer to extend in consultation with the Chair of the Standards and Governance Committee).

27 Application for Exemption from the six month rule on attendance

The recommendations at page 52 of the agenda pack (page 160 of the Minute Book) were moved and seconded.

A vote was taken and the motion was declared carried unanimously.

Resolved –

That Council approves the application for an exemption from the 6 month attendance rule for Councillor Dave Whitfield.

28 Final Recommendations on the Community Governance Reviews for Harrogate and Scarborough

The recommendations at page 58 of the agenda pack (page 166 of the Minute Book) were moved and seconded.

The motion was then debated.

It was moved and seconded that Council now move to the vote and on a vote being taken 47 Members voted for the motion, 22 voted against and there was 1 abstention.

A named vote was requested and over 20 Members stood to request the named vote. The motion was declared carried with 49 votes for, 32 votes against and there were 2 abstentions.

For: Councillors Karl Arthur, Alyson Baker, Derek Bastiman, John Cattanach, David Chance, Mark Crane, Sam Cross, Gareth Dadd, Caroline Dickinson, Keane Duncan, Richard Foster, Sam Gibbs, Caroline Goodrick, Tim Grogan, Michael Harrison, Paul Haslam, Robert Heseltine, Nathan Hull, David Ireton, George Jabbour, David Jeffels, Tom Jones, Mike Jordan, Nigel Knapton, Andrew Lee, Carl Les, Cliff Lunn, John Mann, Heather Moorhouse, Simon Myers, Andy Paraskos, Yvonne Peacock, Clive Pearson, Heather Phillips, Janet Sanderson, Karin Sedgwick, David Staveley, Roberta Swiers, Malcolm Taylor, Angus Thompson, Philip Trumper, Steve Watson, David Webster, John Weighell OBE, Greg White, Annabel Wilkinson, Peter Wilkinson, Andrew Williams and Robert Windass.

Against: Councillors Chris Aldred, Philip Broadbank, Eric Broadbent, Barbara Brodigan, Andy Brown, Lindsay Burr MBE, Liz Colling, Felicity Cunliffe-Lister, Michelle Donohue-Moncrieff, Stephanie Duckett, Kevin Foster, Hannah Gostlow, Bryn Griffiths, Janet Jefferson, Peter Lacey, Pat Marsh, Steve Mason, Rich Maw, John McCartney, David Noland, Bob Packham, Stuart Parsons, Kirsty Poskitt, Jack Proud, Tony Randerson, John Ritchie, Mike Schofield, Steve Shaw-Wright, Monika Slater, Neil Swannick, Matt Walker and Arnold Warneken.

Resolved –

That Council:

1. note the consultation results and equality impact assessment
2. defer making resolutions to conclude the Community Governance Review in order for the following additional work to be undertaken:
 - (a) for the Assistant Chief Executive Legal and Democratic Services to draft up proposed warding arrangements for Scarborough Town Council to be 15 single member wards
 - (b) to propose the preferred warding arrangements for Harrogate Town Council to be 19 single member wards on the former Borough warding arrangements
 - (c) for the Assistant Chief Executive Legal and Democratic Services to carry out the necessary consultation on the revised warding arrangements and for the results of that consultation to be considered at a future Standards and Governance Committee and Council meeting.

29 Annual Overview and Scrutiny Report 2022/23

Resolved –

The Overview and Scrutiny Annual Report 2022/23, at pages 63 to 81 of the agenda pack, be noted.

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

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

30 Executive Member for Health and Adult Services - Councillor Michael Harrison

(a)

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 appeared at pages 83 - 84 of the agenda pack and which appears in the Minute Book (pages 191 to 192).

30 Executive Member for Culture, Arts and Housing - Councillor Simon Myers

(b)

Councillor Simon Myers, Executive Member for Culture, Arts and Housing, made a statement. A summary of the key points of which had previously been circulated and which appeared at pages 85 - 88 of the agenda pack and which appears in the Minute Book (pages 193 to 196).

30 Executive Member for Children and Families - Councillor Janet Sanderson

(c)

Councillor Janet Sanderson, Executive Member for Children and Families, made a statement, a summary of the key points of which had previously been circulated and which appeared at pages 89 – 91 of the agenda pack and which appears in the Minute Book (pages 197 to 199).

30 Executive Member for Managing our Environment - Councillor Greg White

(d)

Councillor Greg White, Executive Member for Managing our Environment, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appeared at pages 93 - 96 of the agenda pack and which appears in the Minute Book (pages 201 to 204).

30 Executive Member for Education, Learning and Skills - Councillor Annabel Wilkinson

(e)

Councillor Annabel Wilkinson, Executive Member for Education, Learning and Skills, answered questions. A summary of the key points of which had previously been circulated and which appeared at pages 97 – 99 of the agenda pack and which appears in the Minute Book (pages 205 to 207).

At 1:00 pm the Chairman adjourned the meeting for lunch.

The meeting was re-convened at 1:45 pm.

30 Executive Member for Finance and Resources - Councillor Gareth Dadd

(f)

Councillor Gareth Dadd, Executive Member for Finance and Resources, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appeared at pages 101 - 102 of the agenda pack and which appears in the Minute Book (pages 209 to 210).

30 Executive Member for Open to Business - Councillor Derek Bastiman

(g)

Councillor Derek Bastiman, Executive Member for Open to Business, answered questions. A summary of the key points of which had previously been circulated and which appeared at pages 103 - 108 of the agenda pack and which appears in the Minute Book (pages 211 to 216).

30 Executive Member for Corporate Services - Councillor David Chance

(h)

Councillor David Chance, Executive Member for Corporate Services, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appeared at pages 109 – 115 of the agenda pack and in the Minute Book (pages 217 to 223).

30 Executive Member for Highways and Transportation - Councillor Keane Duncan

(i)

Councillor Keane Duncan, Executive Member for Highways and Transportation, made a statement and answered questions. A summary of the key points of which had previously

been circulated and which appeared at pages 117 – 118 of the agenda pack and which appears in the Minute Book (pages 225 to 226).

30 Scrutiny Board (Chair: Councillor Karin Sedgwick)

(j)

The written statement of Councillor Karin Sedgwick having previously been circulated and which appeared at pages 119 – 120 of the agenda pack and which appears in the Minute Book (pages 227 to 228), was noted.

30 Children and Families Overview and Scrutiny Committee (Chair: Councillor Barbara Brodigan)

(k)

The written statement of Councillor Barbara Brodigan having previously been circulated and which appeared at pages 121 - 122 of the agenda pack and which appears in the Minute Book (pages 229 to 230), was noted.

30 Transition (LGR) Overview and Scrutiny Committee (Chair: Councillor Malcolm Taylor)

(l)

The written statement of Councillor Malcolm Taylor having previously been circulated and which appeared at pages 123 - 125 of the agenda pack and which appears in the Minute Book (pages 231 to 233), was noted.

30 Care and Independence and Housing Overview and Scrutiny Committee (Chair: Councillor Karin Sedgwick)

(m)

The written statement of Councillor Karin Sedgwick having previously been circulated and which appeared at pages 127 - 128 of the agenda pack and which appears in the Minute Book (pages 235 to 236), was noted. The Chair of the Care and Independence and Housing Overview and Scrutiny Committee then answered questions.

30 Corporate and Partnerships Overview and Scrutiny Committee (Chair: Councillor David Ireton)

(n)

The written statement of Councillor David Ireton having previously been circulated and which appeared at pages 129 of the agenda pack and which appears in the Minute Book (page 237), was noted.

30 Scrutiny of Health (Chair: Councillor Andrew Lee)

(o)

The written statement of Councillor Andrew Lee having previously been circulated and which appeared at pages 131 - 132 of the agenda pack and which appears in the Minute Book (pages 239 to 240), was noted. The Chair of the Scrutiny of Health Committee then answered questions.

30 Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee (Chair: Councillor David Staveley)

(p)

The written statement of Councillor David Staveley having previously been circulated and which appeared at pages 133 – 135 of the agenda pack and which appears in the Minute Book (pages 241 to 243), was noted. The Chair of the Transport, Economy, Environment

and Enterprise Overview and Scrutiny Committee then answered questions.

31 Notices of Motion

The Chair, Councillor David Ireton, advised that six Notices of Motion had been submitted. The proposer and seconder of the motion relating to trail hunting on Council owned land be debated on the day of Council and not referred to the Executive or relevant Committee, for the reasons given on page 5 of the agenda pack. The Chair confirmed that he had ruled as follows on each of the submitted motions:

- (1) Ban on trail hunting on NYC land – motion to be referred to the Corporate and Partnerships Overview and Scrutiny Committee
- (2) A 20mph speed limit in the south and west of Harrogate – motion withdrawn by proposer
- (3) Council support for a national ban on the sale of disposable vapes – motion withdrawn by proposer
- (4) Northern Powergrid and calls for increased network capacity – motion to be debated at the meeting
- (5) Bathing water application for the River Nidd – motion to be debated at the meeting
- (6) Water quality and the role that the Council has to play – motion to be referred to the Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee

31 Motion calling for a ban on trail hunting on council owned land

(1)

North Yorkshire Council does not allow illegal activity on our land. As cited by Chief Supt Matt Longman, the National Police Chief's Council lead on foxhunting, the 2004 Hunting Act is not working effectively and illegal hunting is still common practice. Under the act, hunting mammals with hounds is banned but trail hunts using the scent of animals are allowed to take place. Across the country, hunts are using trail hunts as a loophole to carry on hunting foxes and other animals. So called terrier men are frequently present with shovels and terriers, while scent trails are often not present.

There have even been online sessions that tell people how to avoid being caught by using trail hunting as a smokescreen for the hunting of foxes. The Hunting Act is unworkable and leaves the police caught in the middle of the hunting debate.

Public confidence is being eroded.

A recent FOI request to NYC asking if trail hunting takes place on council owned land produced a reply stating that "we are not aware of any trail hunting activity that takes place on council owned land".

A similar response from the Exec when asked same.

North Yorkshire is the largest county in England. There are thirteen Hunts in North Yorkshire according to "northyorkshirehorse" and the BHSA (British Hounds Sports Assoc): Derwent, Sinnington, York & Ainsty North, Bedale, Bilsdale, Cleveland, Goathland & Glaisdale, Hurworth, Middleton, Staintondale, Highmoor Bloodhounds, West of Yore, York & Ainsty South.

This council has a duty to uphold the law. We must be pro-active. In order to guarantee the safety of North Yorkshire's wildlife I present the following motion to council.

We call upon Council:

"This council resolves to ban trail hunting, exempt hunting, hound exercise and hunt meets outright across all council land where legally possible, including any NEW tenancies where

there are positive covenants attached to the land that currently require the council as owner to allow trail hunting events and formal gatherings.”

We request that the Chairman considers that the matter be debated today at Council without being referred to the Executive or a relevant committee. This is because the hunting season is September to March and therefore this motion requires debating at the July full council as to do so in November will potentially put the lives of wildlife at risk.

Proposer – Councillor Rich Maw
Seconder – Councillor Arnold Warneken

The motion was moved and seconded and referred to the Corporate and Partnerships Overview and Scrutiny Committee.

31 Motion calling for a 20mph speed limit to be introduced across south and west Harrogate
(2)

North Yorkshire Council resolves to: implement a maximum speed of 20mph and other associated infrastructure across south and west Harrogate to protect children and other vulnerable members of the community in Oatlands, parts of Pannal, the Stray, Hookstone, St George’s and the Pannal Ash area.

- a) This will be a standalone work package, separate from NYC 20mph policy (January 2022) and 20mph policy review (26 June 2023) and to note this is the first scheme of its type to address this issue which exists across the County, being a start for further schemes across the County and/or Harrogate & Knaresborough, specifically around schools
- b) It will be integrated into the existing NYC Harrogate traffic management work programme and implemented with immediate effect;
- c) NYC will work directly with the local campaign groups Oatlands Road Safety & Active Travel Campaign and Pannal Ash Safe Streets, the Road Safety School Group (including Head teachers & education leaders) and the Harrogate & Knaresborough Area Constituency Committee (ACC) on the detail and delivery of the package;
- d) NYC will ensure this has no effect on the agreed and committed Sustainable Transport Package of road safety and infrastructure improvements in the Pannal Ash area. This will be ring-fenced and protected (and has a budget of c£565,000 from the National Productivity Investment fund).

Further notes/information:

Schools and Education Settings in area:

Oatlands area:

- Oatlands Infant School
- Oatlands Junior School
- St John Fishers CE School
- St Aidan’s CE School
- Busy Bees Nurseries (South Drive and Hornbeam Park)
- Harrogate College
- Willow Tree Primary School

Pannal Ash area:

- Harrogate Grammar School
- Rossett Acre Primary School
- Rossett School (Secondary)
- Ashville College

- Ashville Sports Centre
- Rossett Sports Centre
- Busy Bees Nursery, Otley Road

Proposer – Councillor Pat Marsh
 Secunder – Councillor Arnold Warneken

The motion was withdrawn by the proposer and seconder as the Executive decision relating to the review of the 20 mph speed limit and zone policy was now the subject of a call-in.

31 Motion calling for a national ban on the sale of disposable vapes
(3)

The recent increase in availability and use of disposal vapes has led to the position where it is estimated that £1.3 million of them are thrown away each week. The recycling and disposal of the vapes poses many challenges as they contain potentially dangerous metals, battery acid, and nicotine. Many of these disposable vapes are also littered in the street and pose an environmental risk as they enter the water course and soil surface. I therefore call upon Council to write to the Secretary of State for Environment, Food and Rural Affairs to urge for a national ban on the sale of disposable vapes.

Proposer – Councillor Kevin Foster
 Secunder – Councillor Rich Maw

The motion was withdrawn by the proposer and seconder as the Leader had committed to make representation to the Secretary of State on this matter.

31 Motion regarding Northern Powergrid and calls for increased network capacity
(4)

The Notice of Motion was moved by Councillor Richard Foster and seconded by Councillor Bryn Griffiths.

The motion was then debated.

An amendment to the motion was moved by Councillor Neil Swannick and seconded by Councillor Jack Proud that

Third paragraph.delete the line “This Council asks Northern Powergrid to:” and replace with:

“This Council instructs its Chief Executive to write to the Office of Gas and Electricity Markets (Ofgem) about Northern Powergrid’s apparent failure to address the implications of the Government’s policy commitment to a fully decarbonised power system by the year 2035; and to ask Ofgem to require Northern Powergrid or any successor Distribution Network Operator (DNO) to:”

The amendment was then debated. It was moved and seconded that Council move to the vote, and on a vote being taken 61 Members voted for the motion, 14 voted against and there was 1 abstention.

On a vote being taken on the amendment 28 Members voted for the amendment, 47 voted against and there was 1 abstention. The amendment therefore fell.

A further amendment was moved by Councillor Steve Mason and seconded by Councillor Sam Cross that the words “as soon as is practical” be deleted from line two. On a vote being taken on the amendment 34 Members voted for the amendment and 46 voted against, there were no abstentions. The amendment therefore fell.

It was moved and seconded that the Council move to the vote on the Notice of Motion as submitted and on a vote being taken the motion to move to the vote was carried.

On a vote being taken on the substantive motion 75 Members voted for the motion, there were no votes against and there was one abstention and therefore the Chair declared the motion carried.

Resolved –

This Council confirms its commitment to:

(1) become carbon neutral in its own operations as soon as is practical.

(2) play a leading role in assisting individuals, communities, businesses and other organisations to dramatically reduce their carbon emissions.

This Council notes that:

(1) delivering many of the proposed projects to reduce carbon emissions in North Yorkshire will require significant additional capacity and connections to the electricity distribution network.

(2) Northern Powergrid, the monopoly supplier of electricity distribution in North Yorkshire, seems unable to deliver the required capacity and connections in a timely or affordable way.

This Council asks Northern Powergrid to:

(1) explain how and when it intends to increase its capacity to enable North Yorkshire to achieve its climate change goals.

(2) increase its investment in the electricity network, including in smart grids, to ensure that the residents and organisations that invest in generating energy locally benefit from higher economic and environmental returns.

(3) outline any barriers that might prevent or delay it increasing network capacity and investment.

(4) explore how this Council might assist it to overcome such barriers.

Proposer – Councillor Richard Foster

Seconder – Councillor Nigel Knapton

31 Motion calling for support for a bathing water application for the River Nidd
(5)

The Notice of Motion was moved by Councillor Paul Haslam and seconded by Councillor Nathan Hull.

The motion was then debated.

It was moved and seconded that the Council move to the vote on the Notice of Motion as submitted and on a vote being taken the motion to move to the vote was carried.

On a vote being taken on the substantive motion the Chair declared the motion carried unanimously.

Resolved –

This council supports a bathing water application to the Department for the Environment,

Food and Rural Affairs (DEFRA) for the Lido on the River Nidd in Knaresborough.

This Council notes that the Nidd Action Group (a group dedicated to improving the water quality in the whole of the River Nidd) is working with other individuals and organisations on a bathing water application for the River Nidd in Knaresborough and that this application requires the support of the local authority which is North Yorkshire Council.

This council believes:

- 1) That the River Nidd is an important resource for the people of Knaresborough and the wider North Yorkshire area.
- 2) That improving the quality of the River Nidd would have significant benefits for the environment, public health, recreation, and the local economy.
- 3) That supporting the bathing water application for the River Nidd is in the best interests of the people of Knaresborough and North Yorkshire.

This Council resolves:

To express its support for the bathing water application for the Lido at the River Nidd in Knaresborough.

Proposer – Councillor Paul Haslam

Seconder – Councillor Nathan Hull

31 Motion regarding water quality for improvements in, health, wildlife, biodiversity and
(6) economy

This Council resolves to:

1. Recognise it has a role to protect the rivers, watercourse and seas in North Yorkshire and precious habitats these support as far as possible from the cumulative impacts of pollution, including in line with its local planning policy and the National Planning Policy Framework.
2. Be aware that there is evidence of deterioration of water quality due to the cumulative impact of nitrates phosphates, micro-plastics, pharmaceuticals, historical metal mining activities, and multiple sewage discharge events from diffuse and point source pollution including private and statutory waste treatment systems and seek to better understand the impact on our local rivers, wildlife and the health of our residents.
3. Draw on relevant evidence that assesses the cumulative impact of pollution so that this is appropriately factored into the emerging North Yorkshire plan, including the overall level of future development
4. Ask the Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee to invite senior representatives from Yorkshire Water, the Environment Agency, Yorkshire Dales River Trust, Nidd Action Group, Natural England, Yorkshire Wildlife Trust and other interested groups to attend a meeting to allow for a better understanding of the current levels of pollution and remedial action being taken in this regard.
5. Ask Yorkshire Water, from this date onwards, in its planning consultation responses for major developments, to clarify which treatment works will be managing the sewage; confirm that these treatment works have the additional capacity to take waste from agreed developments and whether it has the information available to assess the impact on the number or duration of sewage discharges into local rivers or seas, and if it does have this information to share it (noting that this can only be

requested not required).

6. Request that planning assessments, from now onwards, include in all reports on major developments appropriate coverage of the impact on watercourses, including the potential for the development to affect sewage outflow into watercourses, so that this information is clearly and transparently set out. related to this is reducing the impact of surface water and encouraging the installation of Sustainable Urban Drainage systems (SUDs) on new developments. whether this could be a standard for North Yorkshire
7. Ask the Leader and appropriate Executive Members to collaborate with other Local Authorities facing similar water quality problems in order to best understand how we can use our influence to reduce and mitigate the damage done to our watercourses.
8. This Council plays its part in securing bathing water status for the Lido on the River Nidd in Knaresborough and any other applications in North Yorkshire

This motion has been endorsed by the: Yorkshire Dales Rivers Trust; River Ure Conservation Trust.

Proposer – Councillor Arnold Warneken
Seconder – Councillor Mike Schofield

The motion was moved and seconded and referred to the Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee.

32 Report of the Corporate and Partnerships Overview and Scrutiny Committee regarding the Notice of Motion seeking the resignation of the Police Fire and Crime Commissioner that was referred to the committee at the meeting of the Council on 17 May 2023

Council were requested to consider the recommendation of the Corporate and Partnerships Overview and Scrutiny Committee following consideration of a Notice of Motion which had been referred to it by Council at its meeting held on 17 May 2023. The original motion that was to be debated is as detailed below:

“North Yorkshire Council has serious concerns about the performance of the current Police, Fire, and Crime Commissioner, as evidenced by the two recent reports published by His Majesty’s Inspectorate of Constabulary and Fire & Rescue Services.

The council therefore calls for the Commissioner to resign with immediate effect.”

Proposer – Councillor Bryn Griffiths
Seconder – Councillor Mike Schofield

The motion was moved by Councillor Bryn Griffiths and Seconded by Councillor Mike Schofield.

The motion was then debated.

On a vote being taken 7 Members voted for the motion, 64 voted against and there were 5 abstentions. The motion therefore fell.

33 Use of Special Urgency and Call-in Exemption decisions under Access to Information Procedure Rule 16 and Overview and Scrutiny Procedure Rule 16 - Report of the Leader

The report on the Use of Special Urgency Procedures since the last meeting of the Council on 17 May 2023 was considered and the recommendation at page 141 - 144 of the agenda pack (page 252 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 May 2023, be noted.

34 Council Procedure Rule 10 Questions

There were no Council Procedure Rule 10 questions.

The meeting ended at 3.30 pm.