

# North Yorkshire Council

## Full Council

Minutes of the meeting held on Wednesday 15th May 2024 commencing at 10.30 am.

Councillor David Ireton in the Chair and Councillors Chris Aldred, Joy Andrews, Karl Arthur, Alyson Baker, Philip Barrett, Philip Broadbank, Eric Broadbent, Andy Brown, Nick Brown, Lindsay Burr MBE, David Chance, Liz Colling, Mark Crane, Sam Cross, Felicity Cunliffe-Lister, Gareth Dadd, Melanie Davis, 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, David Hugill, Nathan Hull, George Jabbour, David Jeffels, Janet Jefferson, Tom Jones, Mike Jordan, Nigel Knapton, Peter Lacey, Andrew Lee, Carl Les, Cliff Lunn, John Mann, Steve Mason, Rich Maw, Heather Moorhouse, Andrew Murday, 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, Subash Sharma, Steve Shaw-Wright, Dan Sladden, Monika Slater, Andy Solloway, David Staveley, Neil Swannick, Roberta Swiers, Malcolm Taylor, Angus Thompson, Andrew Timothy, 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: Derek Bastiman, Barbara Brodigan, John Cattanach and John McCartney.

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### Copies of all documents considered are in the Minute Book

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#### **74 To elect a Chair of the Council to serve until the May 2025 AGM**

It was moved and seconded that Councillor Roberta Swiers be elected Chairman of the Council to serve until the Annual Meeting of the Council in 2025.

The vote was taken and the motion was declared carried with 85 votes for, none against and one abstention.

#### **Resolved -**

That Councillor Roberta Swiers is elected Chairman of the Council, to serve until the Annual Meeting of the Council in 2025.

Councillor Roberta Swiers then made her declaration of acceptance of office of Chairman of the Council and thanked the Council for her appointment.

<b>Councillor Roberta Swiers in the Chair</b>
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#### **75 Minutes of the meeting held on 21 February 2024**

It was moved and seconded that the Minutes of the Quarterly Meeting of the Council held on 21 February 2024 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.

## **76 Apologies for absence**

Apologies for absence were received from Councillors Derek Bastiman, Barbara Brodigan, John Cattanach and John McCartney.

## **77 To elect a Vice-Chair of the Council to serve until the May 2025 AGM**

It was moved and seconded that Councillor George Jabbour be elected Vice-Chairman of the Council, to serve until the Annual Meeting of the North Yorkshire Council in 2025.

It was also moved and seconded that Councillor Phillip Broadbank be elected Vice-Chairman of the Council, to serve until the Annual Meeting of the North Yorkshire Council in 2025.

On a vote being taken on each of the nominations there were 50 votes for Councillor George Jabbour and 25 votes for Councillor Phillip Broadbank.

### **Resolved -**

That Councillor George Jabbour is elected Vice-Chairman of the Council, to serve until the Annual Meeting of the Council in 2025.

Councillor George Jabbour then made his declaration of acceptance of office of Vice-Chairman of the Council and thanked the Council for his appointment.

## **78 Declarations of Interest**

Declarations of Interest were made as follows:

Councillor Karl Arthur at Minute 88(f) as he worked for Network Rail

Councillor Gareth Dadd at Minute 89(2)

Councillor Stephanie Duckett at Minute 86

Councillor Michael Harrison declared an interest at Minute 82 in respect of his employer and for which he had been granted an exemption. He also declared an interest in Minute 16(2).

Councillor Mike Jordan at Minute 77

Councillor Yvonne Peacock at Minute 89(1) as she was a private hire driver

## **79 Chairman's Announcements**

The Chairman welcomed the Honorary Aldermen and members of the public and press who were present. The Chairman also welcomed Councillor Andrew Timothy to his first meeting of the Council following his election to the Stray, Woodlands and Hookstone division on 11 April 2024.

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

The Chairman informed Members that there were five Notices of Motion on the agenda. The Chairman 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) A call to place a moratorium on any school closures until the new North Yorkshire local plan is developed – motion to be debated at the meeting
- (2) A request for the Leader to write a letter to the Secretary of State regarding hospice funding and support – motion to be debated at the meeting
- (3) A call to join over sixty other local councils in the UK by treating care experience as if it is a protected characteristic - motion to be referred to the Scrutiny Board to determine the most appropriate overview and scrutiny committee
- (4) A call to promote un-used public land for the cultivation for food or biodiversity and expand allotment provision –motion to be referred to the Scrutiny Board to determine the most appropriate overview and scrutiny committee
- (5) A call to halt the proposed cuts to free school bus services in the county (Home to School Transport policy) - motion to be referred to the Executive

The Chairman 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 Yorkshire Councillor Caroline Patmore in February was noted. Caroline was elected to the County Council for the first time in 1997 and represented the Stillington ward through to 2022. She was a member of the Executive and Caroline was made an Honorary Alderman in November 2022.

A minute's silence was held in memory of former County Councillor Caroline Patmore.

## **80 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 43 and 45 of the agenda pack and in the Minute Book at pages 1209 to 1211.

The Leader announced the following changes to membership of the Executive:

- a) Cllr Mark Crane to replace Cllr Derek Bastiman as Executive Member for Open to Business
- b) Cllr Heather Phillips to replace Cllr David Chance as Executive Member for Corporate Services

## **81 Public Questions or Statements**

There was one public question, as follows:

### **1. The following public question was read out by Mr Towse:**

The parish charter lays out how North Yorkshire Council and the parish sector will work together in partnership to:

- promote and protect social, economic and environmental well-being for the benefit of our local communities, to ensure vibrancy and future sustainability

- strive to eliminate all forms of discrimination and promote equality of opportunity
- promote an active democracy to ensure all members of every North Yorkshire community are able to have a say in our future and to help develop a shared vision, identity and sense of belonging
- welcome all feedback and aim to act quickly and efficiently to address issues within their power
- respect and promote the role of both elected and co-opted councillors as representatives of their communities through positive communication, leadership and engagement, all undertaken to high ethical standards
- give importance and recognition to issues and ideas raised at each level of local government
- ensure efficient, effective and value for money management, supported by adequate training.

The people of Newby and Scalby we see no evidence of this, in fact what was there has been dismantled and is now a matter of public interest. This is particularly disturbing as a member of your executive was until a week ago the vice Chairman of the Town council.

Can you assure the people of Newby and Scalby that North Yorkshire Council stand by the words of the Parish Charter.

**Councillor David Chance, Executive Member Corporate Services, provided the following response:**

We agree that the parish charter lays out how North Yorkshire Council and parishes will work together in partnership.

That partnership recognises that Parish Councils and North Yorkshire Council are separate, stand alone, autonomous legal entities which are elected to independently and are each responsible for their own governance, policy and decision making.

I can confirm that North Yorkshire Council does support the Parish Charter.

Mr Towse then asked a supplementary question in relation to the operation of the Newby and Scalby Wellbeing Hub, and Councillor Chance responded that parish councils were their own separate legal entities and were responsible for the decisions they made. The Council could not interfere in those decisions.

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

The Executive had recommended two matters to Council for a decision. These were:

- Amendments to the Council's Constitution
- The Approval and Adoption of the North Yorkshire Council Housing Strategy 2024 to 2029

Both decisions were considered separately at the meeting at Minutes 10 and 13 respectively.

**83 Amendments to the Council's Constitution**

The recommendations at page 62 and 63 of the agenda pack (pages 1228 to 1229 of the Minute Book) were moved and seconded.

- 1) The following amendment had been proposed by Councillor Dan Sladden and was accepted by the mover of the original motion without debate

I propose an AMENDMENT to Item 6.2.c).i as follows:

- i. Motions on notice should be moved higher up the order of business, to after any questions or statements from members of the public

That is, items (vii) (“motions on notice”) and (viii) (“questions or statements from members of the public”) on p. 138 should be switched in the recommended Order of Business for Ordinary Meetings.

The motivation behind this proposed amendment is to give better certainty to members of the public who wish to ask questions of or make statements to council as to the time at which they would be required to address council. This would significantly reduce disruption to their valuable workdays potentially caused by having to wait whilst council debates motions on notice for an indeterminate amount of time and enable them to leave the chamber substantially earlier should they so wish. In turn this would better encourage the public to engage directly with the council, improving transparency and accountability.

Proposer – Cllr Dan Sladden  
Secunder – Cllr Bryn Griffiths

- 2) The following amendment was then moved by Councillor Chris Aldred and seconded by Councillor Peter Lacey

a) The number of Public Meetings (Page 54).

6.2 a) vi “no public questions or statements to be allowed at the Council meeting dedicated to the Budget and Council Plan” – This Recommendation be deleted.

b) Public Questions (Page 54).

6.2 b) i – If 6.2 a) vi (above) is deleted there is no need for 6.2.b) i and all subsequent numbering in 6.2 will need to be amended accordingly.

6.2 b) iv. that there should be only one question or statement per individual, organisation or group in a given 6-month, period (from the point at which the initial question was asked) for the Executive and Council meetings- This Recommendation be deleted.

6.2 b) v. that there should be no supplementary questions allowed at meetings of full Council – This Recommendation be deleted.

6.2 b) vii. the Chair of Council can refuse to accept questions/statements submitted to full Council or refer them to other committees; Amend to read – “the Chair of Council can refer any question/statement submitted to full Council to other committees, should this be deemed more appropriate”.

c) Motions

6.2 c) iii. that the provision in Council Procedure Rule 14 (Previous Decisions and Motions) regarding the proposer of a motion and 15 other members being able to call back something for re-debate be amended to provide for a 6 month embargo on bringing matters back for review/re-debate unless there has been a substantial material change in circumstances – This Recommendation be deleted & Council Procedure Rule 14 remain as it is in the Constitution.

Proposer – Cllr Chris Aldred  
Secunder – Cllr Peter Lacey.

The amendment was then debated.

On a vote being taken the motion was declared defeated with 33 votes for, 46 against and 7 abstentions.

A vote was then taken on the substantive motion which was declared carried, with 45 votes for, 31 against and 4 abstentions.

**Resolved –**

- (a) the proposed amendments to the Constitution set out in Part A of Appendix 1 be approved;
- (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 and reported 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, and reported 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, reported back to full Council for information;
- (e) full Council agree that 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; and:
  - i) that 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) that 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 proposed amendments to the Council Procedure Rules set out in section 6 of this report and Appendix 4 be approved, with the amendment that items (vii) (“motions on notice”) and (viii) (“questions or statements from members of the public”) should be switched in the recommended Order of Business for Ordinary Meetings; and the Assistant Chief Executive Legal and Democratic Services be authorised to make any further amendments to the Council Procedure Rules that Members may require;
- (g) 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 approved; 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;

- (h) 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 approved; 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) 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 approved;
- (j) instead of a detailed review of the Constitution post 12 months' operation of the new authority, the current process of ongoing review by the Members' Working Group on the Constitution be continued.

#### **84 Appointments to Committees according to proportionality**

The recommendations at page 185 of the agenda pack (page 1351 of the Minute Book) were moved and seconded.

On a vote being taken the motion was declared carried unanimously

#### **Resolved -**

- (a) Care and Independence Overview and Scrutiny Committee  
One of the North Yorkshire Independent Group vacant seats allocated to the Liberal Democrat and Liberal Group – Councillor Joy Andrews appointed
- (b) Children and Families Overview and Scrutiny Committee  
The vacant Green Group seat allocated to the Liberal Democrat and Liberal Group - Councillor Steve Mason appointed
- (c) Harrogate and Knaresborough Area Constituency Planning Committee  
Independent Unaffiliated lose a seat to Liberal Democrat and Liberal Group on the Harrogate and Knaresborough Area Constituency Planning Committee – Councillor Paul Haslam to come off and Councillor Peter Lacey to be appointed.
- (d) North York Moors National Park Authority  
Councillor Donohue- Moncrieff to retain the seat on the North York Moors National Park Authority. This is a North Yorkshire Independent seat but has been allocated to the unaffiliated independents.
- (e) Police Fire and Crime Panel  
Councillor Rich Maw to come off the Police Fire and Crime Panel and be replaced by Councillor Steve Shaw-Wright
- (f) Scarborough and Whitby Area Constituency Planning Committee  
Councillor Maw retains a seat on the Scarborough and Whitby Area Constituency Planning Committee, as an unaffiliated independent.
- (g) A Labour group seat on Ordinary Committees to be allocated to the Liberal Democrats and Liberals

- (h) A Labour group seat on Scrutiny Committees to be allocated to the Unaffiliated Independents

## 85 Appointments to Committees and Outside Bodies

The recommendations at page 192 of the agenda pack (page 1043 of the Minute Book) were moved and seconded.

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

### Resolved –

- (a) Appeals Committee (Home to School Transport)  
Councillor Heather Phillips to step down and Councillor Caroline Goodrick to be appointed.
- (b) Audit Committee  
Councillor Mark Crane to step down and Councillor David Chance to be appointed
- (c) Care and Independence Overview and Scrutiny Committee  
1 x Conservative and Independents vacancy – Councillor Robert Windass appointed  
1 x Liberal Democrat and Liberals vacancy – Councillor Monika Slater appointed  
1 x North Yorkshire Independent Group vacancy (former Cllr Barrett seat) not appointed to.
- (d) Children and Families Overview and Scrutiny Committee  
1 x Conservative and Independents vacancy (former Cllr George Jabbour seat) – Councillor Andy Paraskos appointed  
Councillor Heather Phillips to step down and Councillor Caroline Goodrick appointed to the committee as Vice Chair  
Councillor Monika Slater to step down and Councillor Andrew Murday appointed
- (e) Corporate and Partnerships Overview and Scrutiny Committee  
A Labour Group seat on Scrutiny Committees to be allocated to the unaffiliated independents. Councillor Steve Shaw Wright to come off – not appointed to.
- (f) Development Plan Committee  
1 x Liberal Democrat and Liberal vacancy - Councillor Steve Mason appointed  
Councillor Hannah Gostlow to step down and Councillor Phillip Broadbank appointed  
Councillor Derek Bastiman to step down as Chair and Councillor Mark Crane appointed to the committee and as Chair
- (g) Employment Appeals Committee  
A Labour Group seat on Ordinary Committees to be allocated to the Liberal Democrats and Liberals. Councillor Rich Maw to come off, vacancy not appointed to.
- (h) General Licensing and Registration Committee, including the Sub-Committee  
1 x Conservative and Independents vacancy – not appointed to  
1 x North Yorkshire Independent vacancy – not appointed to
- (i) Pension Fund Committee  
Councillor Andrew Williams to step down and Councillor Peter Wilkinson appointed  
Councillor Matt Walker to step down and Councillor Dan Sladden appointed.

- (j) Police Fire and Crime Panel  
 1 x Conservative and Independents vacancy – Councillor Malcolm Taylor to be appointed  
 Councillor Felicity Cunliffe-Lister to be appointed as the named substitute for the Liberal Democrats and Liberals
- (k) Richmond Yorks Area Constituency Planning Committee  
 Cllr Kevin Foster to replace Cllr Stuart Parsons, with Cllr Bryn Griffiths as the named substitute (Cllrs Foster and Griffiths will manage attendance between them).
- (l) Scrutiny of Health  
 1 x North Yorkshire Independent vacancy – not appointed to  
 Councillor Andrew Murday to step down and Councillor Andrew Timothy appointed  
 Councillor Rich Maw retains his seat as an unaffiliated independent (former Labour seat)
- (m) Statutory Licensing  
 1 x Liberal Democrat and Liberal vacancy – not appointed to  
 Councillor Malcolm Taylor to step down and Councillor Andrew Lee to be appointed.
- (n) Strategic Planning  
 1 x North Yorkshire Independent vacancy – not appointed to  
 Councillor Steve Mason to step down and Councillor Andrew Timothy to be appointed.
- (o) Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee  
 1 x Conservative and Independents vacancy – Councillor Andrew Williams appointed  
 Councillor Caroline Goodrick to step down and Councillor Heather Moorhouse appointed  
 Councillor Mark Crane to step down and Councillor Derek Bastiman appointed.
- (p) Housing and Leisure Overview and Scrutiny Committee

<b>Councillors (16)</b>			
	Councillors Name	Chair/Vice Chair	Political Group
1	ARTHUR, Karl		Conservative and Independents
2	DICKINSON, Caroline		Conservative and Independents
3	FOSTER, Richard		Conservative and Independents
4	KNAPTON, Nigel		Conservative and Independents
5	MANN, John		Conservative and Independents
6	PEACOCK, Yvonne		Conservative and Independents
7	PEARSON, Clive		Conservative and Independents
8	TAYLOR, Malcolm	Chair	Conservative and Independents
9	TRUMPER, Phil		Conservative and Independents
10	MASON, Steve		Liberal Democrat and Liberal

11	SLADDEN, Dan		Liberal Democrat and Liberal
12	PACKHAM, Bob		Labour
13	RITCHIE, John	Vice Chair	Labour
14	PARSONS, Stuart		North Yorkshire Independent
15	POSKITT, Kirsty		North Yorkshire Independent
16	FOSTER, Kevin		Green or Unaffiliated Independents

### **York and North Yorkshire Combined Authority Committee Places**

The appointments to the York and North Yorkshire Combined Authority Committees are:

### **York and North Yorkshire Combined Authority**

<b>Member</b>	<b>Constituent Authority</b>	<b>Substitute Member</b>	<b>Substitute Member</b>
Councillor Carl Les (Lead Member)	NYC	Councillor Michael Harrison	Councillor Simon Myers
Councillor Gareth Dadd	NYC	Councillor Janet Sanderson	Councillor Annabel Wilkinson

### **York and North Yorkshire Combined Authority Overview & Scrutiny Committee**

Chair to be determined by the Committee, although cannot be from the same Group as the Mayor. Nominated members may not be Members or Substitute Members of the York and North Yorkshire Combined Authority.

<b>Member</b>	<b>Constituent Authority</b>	<b>Group</b>	<b>Substitute Member</b>
Cllr Lindsay Burr	NYC	NY Independent	TBC
Cllr Richard Foster	NYC	Conservative and Independents Group	TBC
Cllr Clive Pearson	NYC	Conservative and Independents Group	TBC
Cllr Steve Shaw-Wright	NYC	Labour	TBC
Cllr Steve Watson	NYC	Conservative and Independents Group	TBC
Cllr Andrew Williams	NYC	Conservative and Independents Group	TBC

### **York and North Yorkshire Combined Authority Audit & Governance Committee**

Chair to be determined by the Combined Authority. Nominated members may not be Members or Substitute Members of the York and North Yorkshire Combined Authority.

<b>Member</b>	<b>Constituent Authority</b>	<b>Group</b>	<b>Substitute Member</b>
Cllr Cliff Lunn	NYC	Conservative and Independents Group	TBC

Cllr Caroline Goodrick	NYC	Conservative and Independents Group	TBC
Cllr Arnold Warneken	NYC	Green Group	TBC
Cllr Philip Broadbank	NYC	Liberal Democrats and Liberal Group	TBC

### **York and North Yorkshire Combined Authority Skills and Employability Working Group**

<b>Member</b>	<b>Constituent Authority</b>
Councillor Mark Crane	NYC
Councillor Annabel Wilkinson	NYC

### **Transport for the North**

<b>Committee</b>	<b>Member</b>	<b>Constituent Authority</b>	<b>Substitute</b>	<b>Constituent Authority</b>
General Purposes Committee	Councillor C Les	NYC	Councillor Kilbane	PCYC
Rail North Committee	Councillor Kilbane	PCYC	Councillor C Les	NYC
Overview and Scrutiny Committee	Councillor Haslam	PNYC	Councillor Melly	RCYC

## **86 Housing Strategy 2024 to 2029**

The recommendations at page 195 of the agenda pack (page 1361 of the Minute Book) were moved and seconded.

An amendment was moved and seconded that at section 4.1 of the Strategy, second bullet point, the words “a minimum of” be inserted before “500 new council homes”, and this was accepted by the mover and seconder of the Strategy.

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

### **Resolved –**

That Council adopt the Housing Strategy 2024 to 2029 as recommended by Executive following consideration of the report ‘Housing Strategy 2024 to 2029’ at their meeting on 19 March 2024, and incorporating the amendment detailed in the preamble to the minute.

At 1:10 pm the Chairman adjourned the meeting for lunch.

The meeting was re-convened at 2:05 pm.

**87 To consider the Annual Report and recommendations of the Standards and Governance Committee**

The recommendations at page 213 of the agenda pack (page 1379 of the Minute Book) were moved and seconded.

**Resolved –**

That the Council receives and notes the Annual Report of the Standards and Governance Committee.

**88 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.

**88 Executive Member for Managing our Environment - Councillor Greg White**

**(a)**

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 219 - 222 of the agenda pack and which appears in the Minute Book (pages 1385 to 1388).

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

**(b)**

Councillor Annabel Wilkinson, Executive Member for Education, Learning and Skills, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appeared at pages 223 – 226 of the agenda pack and which appears in the Minute Book (pages 1389 to 1392).

**88 Executive Member for Finance and Assets - Councillor Gareth Dadd**

**(c)**

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 227 - 230 of the agenda pack and which appears in the Minute Book (pages 1393 to 1395).

**88 Executive Member for Open to Business - Councillor Derek Bastiman**

**(d)**

Councillor Derek Bastiman, Executive Member for Open to Business, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appeared at pages 231 - 234 of the agenda pack and which appears in the Minute Book (pages 1397 to 1400).

**88 Executive Member for Corporate Services - Councillor David Chance**

**(e)**

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 235 – 238 of the agenda pack and in the Minute Book (pages 1401 to 1404).

**88 Executive Member for Highways and Transportation - Councillor Keane Duncan**  
**(f)**

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 239 – 240 of the agenda pack and which appears in the Minute Book (pages 1405 to 1406).

**88 Executive Member for Health and Adult Services - Councillor Michael Harrison**  
**(g)**

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 241 - 242 of the agenda pack and which appears in the Minute Book (pages 1407 to 1408).

**88 Executive Member for Culture, Arts and Housing - Councillor Simon Myers**  
**(h)**

Councillor Simon Myers, Executive Member for Culture, Arts and Housing, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appeared at pages 243 - 246 of the agenda pack and which appears in the Minute Book (pages 1409 to 1412).

**88 Executive Member for Children and Families - Councillor Janet Sanderson**  
**(i)**

Councillor Janet Sanderson, Executive Member for Children and Families, made a statement and answered questions. A summary of the key points of which had previously been circulated and which appeared at pages 247 – 250 of the agenda pack and which appears in the Minute Book (pages 1413 to 1415).

**88 Scrutiny Board (Chair: Councillor Karin Sedgwick)**  
**(j)**

The written statement of Councillor Karin Sedgwick having previously been circulated and which appeared at pages 251 – 252 of the agenda pack and which appears in the Minute Book (pages 1417 to 1418), was noted. The Scrutiny Board Chair then answered questions.

**88 Care and Independence and Housing Overview and Scrutiny Committee (Chair: Councillor Karin Sedgwick)**  
**(k)**

The written statement of Councillor Karin Sedgwick having previously been circulated and which appeared at pages 253 - 256 of the agenda pack and which appears in the Minute Book (pages 1419 to 1421), was noted. The Chair of the Care and Independence and Housing Overview and Scrutiny Committee then answered questions.

**88 Corporate and Partnerships Overview and Scrutiny Committee (Chair: Councillor Andrew Williams)**  
**(l)**

The written statement of Councillor Andrew Williams having previously been circulated and which appeared at pages 257 - 258 of the agenda pack and which appears in the Minute Book (page 1423), was noted.

**88 Scrutiny of Health (Chair: Councillor Andrew Lee)**  
**(m)**

The written statement of Councillor Andrew Lee having previously been circulated and which appeared at pages 259 - 262 of the agenda pack and which appears in the Minute Book (pages 1425 to 1427), was noted. The Chair of the Scrutiny of Health Committee then answered questions.

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

The written statement of Councillor David Staveley having previously been circulated and which appeared at pages 263 – 266 of the agenda pack and which appears in the Minute Book (pages 1429 to 1431), was noted.

**88 Children and Families Overview and Scrutiny Committee (Chair: Councillor Barbara Brodigan)**  
**(o)**

The written statement of Councillor Barbara Brodigan having previously been circulated and which appeared at pages 267 - 268 of the agenda pack and which appears in the Minute Book (pages 1433 to 1434), was noted.

**88 Transition (LGR) Overview and Scrutiny Committee (Chair: Councillor Malcolm Taylor)**  
**(p)**

The written statement of Councillor Malcolm Taylor having previously been circulated and which appeared at pages 269 - 270 of the agenda pack and which appears in the Minute Book (pages 1435 to 1436), was noted. The Chair of the Transition (LGR) Overview and Scrutiny Committee then answered questions.

**89 Notices of Motion**

The Chair, Councillor Roberta Swiers, advised that five Notices of Motion had been submitted. The Chair confirmed that she had ruled as follows on each of the submitted motions:

- (1) A call to place a moratorium on any school closures until the new North Yorkshire local plan is developed – motion to be debated at the meeting
- (2) A request for the Leader to write a letter to the Secretary of State regarding hospice funding and support – motion to be debated at the meeting
- (3) A call to join over sixty other local councils in the UK by treating care experience as if it is a protected characteristic – motion to be referred to the Scrutiny Board to determine the most appropriate overview and scrutiny committee
- (4) A call to promote un-used public land for the cultivation for food or biodiversity and expand allotment provision – motion to be referred to the Scrutiny Board to determine the most appropriate overview and scrutiny committee
- (5) A call to halt the proposed cuts to free school bus services in the county (Home to School Transport policy) - motion to be referred to the Executive

### **89(1) Our schools are the future**

The closure of rural schools in North Yorkshire has many significant negative social impacts on residents, communities and children.

The loss of schools and other associated infrastructure leaves villages without the necessary services to support families now and into the future.

We call on this council to place a moratorium on any school closures until the new North Yorkshire local plan is developed.

Proposer - Cllr Steve Mason  
Seconder - Cllr Andrew Murday

The notice of motion was moved by Councillor Steve Mason and seconded by Councillor Andrew Murday.

The motion was then debated.

On a vote being taken 15 Members voted for the motion, 68 against and there was one abstention. The motion therefore fell.

### **89(2) Hospice Funding**

This Council recognises:

1. The invaluable care that the Hospice movement provides to people at the end of life and the tremendous public support that they command.
2. The unfortunate, but inevitable demographic changes in our society that has led in recent years, notwithstanding the impact of COVID, to increasing numbers of people who could benefit from Hospice, Palliative and End of Life Care, particularly for people with complex needs or who experience high levels of frailty in their last year of life.
3. The desire of the Hospice sector to protect its independent status whilst having its contribution to supporting people at the end of life recognised through fair and consistent funding arrangements across and within the new Integrated Care Board statutory responsibility to commission Hospice, Palliative and End of Life Care services.

This council therefore regrets that ICB funding for Hospices has not kept up with inflation, and it recognises the detrimental effect this is having on Hospice service provision across North Yorkshire. We call on the local ICB to ensure that it meets its statutory requirements, and that it commits to paying Hospices the full cost of any commissioned clinical services that would be otherwise be provided by the NHS.

Further, in fulfilling its own responsibilities to improve the health and wellbeing of its population this Council is concerned that the failure to adequately fund the sector will undermine its own ability to fulfil that responsibility.

We therefore request that the Leader of the Council writes to the Secretary of State for Health and Social Care to ask her to ensure that NHS England gives greater support to Integrated Care Boards, enabling them to better understand their responsibilities for Hospice and End of Life Care services, and thus ensuring a fair contribution for the work they do and greater consistency across England, taking note of changing needs.

Proposed – Cllr Peter Lacey  
Seconded – Cllr Andrew Lee

The notice of motion was moved by Councillor Peter Lacey and seconded by Councillor Andrew Lee. In moving the motion Councillor Lacey proposed that in the final paragraph after the words “End of Life Care services” the words “encouraging collaboration at a local level” be added and this was accepted.

The motion was then debated.

On a vote being taken the notice of motion was approved unanimously.

### **89(3) Care Leavers**

Young people leaving social care are already in a vulnerable situation, and they are often subject to discrimination when attempting to get a job or find a place to live. Indeed, some housing providers directly stipulate “no care leavers”.

The effect of this discrimination is to push these young people, who are already vulnerable, into hostels and shelters where they are easy targets for exploitation and victimisation by criminal gangs.

We call on this council to join over sixty other local councils in the UK by treating care experience as if it is a protected characteristic by:

- Ensuring that during development of future policy and service provision, impact on those who have had care experience is considered alongside impact on those with other protected characteristics.
- Including care leavers and children in care in its equality objectives and reports, alongside those with other protected characteristics.
- Proactively seeking out and listening to people who have experience of care, especially when considering decisions which affect them.
- Formally calling on central government to add care experience as a protected characteristic in the Equality Act, as recommended by the 2022 Independent Page 5 Review of Children’s Social Care.
- Formally calling on other bodies, such as academy trusts, housing providers, and the new combined authority to treat care experience as if it is a protected characteristic in similar ways.

Proposed – Cllr Andrew Timothy  
Seconded – Cllr Andrew Lee

The motion was moved and seconded and referred to the Scrutiny Board to determine the most appropriate overview and scrutiny committee.

### **89(4) Right to Grow**

This Council notes:

- Its own commitment to conserving biodiversity in order to help mitigate climate change by increasing capture and storage of carbon in ecosystems, and support adaptation to climate impacts.
- That trees and green space in urban environments can help prevent floods, cool streets, sequester carbon emissions, filter air pollution, and provide an important habitat for insect and plant-life.

- The increasing need to put the health and well-being of residents at the heart of our Council strategies.
- The powerful evidence which demonstrates the link between people's health and wellbeing and the availability of fresh locally produced food.
- That the cost-of-living crisis is creating real hunger reinforcing the need for healthy fresh food at an affordable price.
- That communities coming together to grow can radically reduce costs to NHS and social care budgets by reducing loneliness and providing healthy food.
- That there is plenty of under-used publicly owned land which could be used for community food growing while also improving the public realm.

This Council agrees:

- Identify and produce a map of all Council owned land suitable for community cultivation that is publicly available at no cost to residents, and actively promoted across all wards.
- Land should be considered suitable for cultivation for food or biodiversity unless containing proven hazards or unless development is due within 24 months.
- Make this land available for cultivation by a simple license to community organisations at no cost.
- Ensure the license does not contain conditions that present a significant barrier to residents in terms of financial or practical requirements.
- Ensure that where community groups cultivating on public realm land for food growing or wildlife spaces, the groups are given an opportunity to bid for the land should it be tendered to sale.
- Allow the necessary infrastructure such as access to water and/or for water harvesting to enable sustainable cultivation for all.
- Ensure that allotment provision adheres to the 1969 Thorpe Report which recommends a minimum provision equivalent to 15 plots per 1,000 households. In the 2011 census, 256,594 households were recorded in North Yorkshire.

Proposer – Cllr Hannah Gostlow

Secunder – Cllr Steve Mason.

The motion was moved and seconded and referred to the Scrutiny Board to determine the most appropriate overview and scrutiny committee.

#### **89(5) Home to School Transport**

A significant proportion of the NYC Home to School Travel Service is governed by legislation. However, proposals to bring the policy in line with the DfE requirements by removing some areas of discretionary provision has some risks:

- estimated annual savings of £3.2m are based on a number of assumptions which are difficult to predict
- the full financial impact of the changes won't be seen for seven years
- families with more than one child could have different eligibility, with children from the same family being forced to attend schools in different locations
- restricting eligibility to nearest school only will have a significant & disproportionate impact on rural communities
- potential changes to the pattern of admissions at schools where transport provision is a factor

- a house move within the area could mean children are forced leave their current school.
- North Yorkshire will be paying other authorities to educate its own children while perfectly good schools inside the county lose out.

We call on this council to halt the drastic cuts to free school bus services in the county and to use the £6.2m of emergency central government funding for its intended purpose of supporting frontline services.

Proposer – Cllr Barbara Brodigan  
Seconder – Cllr Felicity Cunliffe-Lister.

The motion was moved and seconded and referred to the Executive.

**90 Use of special urgency procedures since the last meeting of Full Council - Report of the Leader**

The report on the Use of Special Urgency Procedures since the last meeting of the Council on 21 February 2024 was considered and the recommendation at page 271 - 276 of the agenda pack (page 1440 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 Council in February 2024, be noted.

**91 Council Procedure Rule 10 Questions**

There were no Council Procedure Rule 10 questions.

The meeting concluded at 3.42 pm.