

North Yorkshire Council

Full Council

Minutes of the meeting held on Wednesday, 24th July, 2024 commencing at 10.30 am.

Councillor Roberta Swiers in the Chair. plus Councillors Karl Arthur, Alyson Baker, Derek Bastiman, Philip Broadbank, Eric Broadbent, Andy Brown, Lindsay Burr MBE, John Cattanach, David Chance, Liz Colling, Mark Crane, Sam Cross, Gareth Dadd, Caroline Dickinson, Michelle Donohue-Moncrieff, 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, Janet Jefferson, Tom Jones, Mike Jordan, Nigel Knapton, Peter Lacey, Andrew Lee, Cliff Lunn, John Mann, Rich Maw, John McCartney, Heather Moorhouse, Andrew Murday, Simon Myers, David Noland, Bob Packham, Andy Paraskos, Stuart Parsons, Yvonne Peacock, Clive Pearson, Heather Phillips, Jack Proud, Tony Randerson, Janet Sanderson, Karin Sedgwick, Subash Sharma, Steve Shaw-Wright, Dan Sladden, Monika Slater, David Staveley, Neil Swannick, 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: Councillors Chris Aldred, Joy Andrews, Philip Barrett, Barbara Brodigan, Nick Brown, Felicity Cunliffe-Lister, Melanie Davis, Stephanie Duckett, David Jeffels, Carl Les, Steve Mason, Kirsty Poskitt, John Ritchie, Mike Schofield and Andy Solloway.

Copies of all documents considered are in the Minute Book

92 Minutes of the meeting held on 15 May 2024

It was moved and seconded that the Minutes of the Annual General Meeting of the Council held on 15 May 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.

93 Apologies for absence

Apologies for absence were received from Councillors Chris Aldred, Joy Andrews, Philip Barrett, Barbara Brodigan, Nick Brown, Felicity Cunliffe-Lister, Melanie Davis, Stephanie Duckett, David Jeffels, Carl Les OBE, Steve Mason, Kirsty Poskitt, John Ritchie, Mike Schofield, and Andy Solloway.

94 Declarations of Interest

Declarations of interest were made as follows:

Councillor Karl Arthur at Minute 108(e) as he worked for Network Rail which was involved in the Transforming Cities Fund programme.

Councillor Yvonne Peacock at Minutes 99 and 101(pecuniary) since she was a school

transport operator and was a Board Member of the Upper Dales Community Partnership which ran a school transport contract.

Councillor Michael Harrison at Minute 100 (Revenue Budget, Treasury Management and Capital Plan) in respect of his employer and for which he had been granted an exemption.

95 Chairman's Announcements

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

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

The Chairman informed Members that there was one Notice of Motion which she had determined be debated at the meeting.

The Chairman also advised that she had decided to amend the order of the agenda to enable the Proposed Home to School Transport Policy to be considered ahead of the Motion that had come back to Council on that policy. The relevant Minute items should therefore be read in the following order: 98, 101, 99, 100, 102 and so on.

On behalf of the Council, the Chairman then extended congratulations to Wendy Nichols, the former President of UNISON, who had been awarded an OBE for political service in the recent King's Birthday Honours List.

96 Statement by the Leader of the Council

In the absence of the Leader of the Council, the Deputy Leader, Councillor Gareth Dadd made a statement and answered questions under Council Procedure Rule 2.3, a summary of the key points of which had previously been circulated and which appeared at page 25 of the agenda pack and in the Minute Book at page 1461.

97 Public Questions or Statements

There were two public questions, as follows:

1. The following public question was read out by Mr Simon Peach:

Good morning, my name is Simon Peach, I am the Chair of Governors for Settle College. I ask you to look at the proposal to drop catchment, and ask yourself a simple question: given there are no guaranteed savings, is it worth the price that will be paid by schools and by families.

We understand the need to balance the budget; at Settle College we have avoided going into deficit because we understand the need to balance the budget. However, here is no guarantee that dropping catchment will help to balance the budget.

It is guaranteed that the proposal will impose costs on schools and families. Settle College could lose £300,000 income every year.

Families who chose to stick with Settle College will face hundreds and possibly thousands of pounds in travel costs.

Let those costs be borne by schools and families say the Executive. But in return, they

cannot guarantee savings.

All they say is that savings are “expected” and that the changes have the potential to offer “up to” a certain level. They set out seductively precise tables showing numbers down to the exact pound for different assumptions.

But, they have no idea how many families will choose the nearest school rather than their preferred school and still be entitled to free transport. They have no idea whether students travelling to Kirkby Lonsdale rather than Settle will mean more or fewer buses are needed.

Our analysis does not show there would definitely be fewer buses. And if a taxi is needed to pick up students from a remote farm and take them to the bus stop, that cost will be there whether they are heading to Settle or Kirkby.

We understand why the proposal is at it is. Removing a non-statutory entitlement is obvious. Once the idea is struck, officers and the Executive member naturally want to win the argument. But the proposal is one that makes no real savings, instead it seeks to move costs onto parents.

Real savings can be found, and the proposal alludes to this, hinting at “exploring potential opportunities for more efficient procurement processes”. Quite right. We have students travelling from Skipton. The cost to parents is becoming prohibitive.

We are in negotiation with transport providers and, with changes to schedules and a minor change to when the school day starts, we can make savings well in excess of 50% and possibly 70%.

This is work in progress, but these are real savings that, when the time comes, we will guarantee to parents. It can be done with effort, imagination and collaboration. In conclusion, I cannot look my parents, teachers, headteacher in the eye and admit that the price they are being asked to pay comes with no guarantee of savings.

I would ask whether you are willing to do so. Are you willing to look the member of my staff, threatened with redundancy, in the eye and admit that it is costing just as much to transport students to Kirby Lonsdale as it would for them to come to Settle.

I ask you to send the proposal back to officers, vote it down today and ask them to think again. Thank you for listening.

Councillor Annabel Wilkinson, Executive Member Education, Learning and Skills, provided the following response:

I would like to thank Mr Peach for the time that he has taken to attend today’s meeting and to make his statement.

I should like to reiterate that the implementation of this policy will – over time - simply bring the council’s policy into line with the Department for Education’s statutory guidance for the provision of home to school travel.

In doing so the council will be addressing an anomaly in the current policy that allows some parents to exercise choice about home to school transport that is not available to all parents. Indeed parents in some areas of the Settle College catchment can choose their nearest school which is outside of the catchment, and the council is current transporting about 150 children to that school, other families in the same location are being transported to Settle College so the councils is providing travel to two school locations from the same

starting point. This is above and beyond the requirements of the council.

The modelling that has been undertaken by the council has considered the potential savings that could arise from the implementation of the policy. Mr Peach, you are right to note, however, that the extent of the savings that will arise will be dependent upon a broad range of factors, including the extent to which parents continue to exercise choice over where their children are educated. You have already stated that Settle College, a successful and popular school that it is, attracts children from outside of its catchment area; currently these children make up a good proportion of your pupil cohort, about 20%. Parents make choices about where to send their children that does not always take account of catchment or indeed distance and your school benefits from this.

You are also right to note that the council will also be implementing other changes to improve the efficiency of the procurement and management of home to school transport. It is intended that we identify as many savings as possible whilst still meeting the council's duty to provide transport to eligible pupils. There are some details about this in section 6 of the Executive report

I am pleased to note that the College are reviewing such measures with the providers of school-arranged transport between Skipton and Settle, and that this will provide continued opportunity for children in Skipton – which is outside of the college's catchment area – to be supported to attend the college as their preferred school.

I have spoken to education and finance officers in Children and Young People's Services and they have reported that they will continue to work with your school in order to ensure that the potential impact of any policy change can be managed over the implementation period, monitoring, as they currently do, any fluctuations in pupils numbers over time.

Thank you Mr Peach.

2. The following public question was read out by Mr Gordon Stainsby:

I am the headteacher for Reeth and Gunnerside Schools. Thank you for the opportunity to share this statement today, that represents the views of schools, parents, parish councils and the community of Swaledale and Arkengarthdale.

We fully understand the requirement to save money and recognise that much of the policy is fit for purpose and in line with Department for Education guidance. We recognise the diverse geography of North Yorkshire and appreciate that the challenge of providing services to rural communities is significant. We do, however, have specific concerns beyond those shared at the previous meeting of the executive on Tuesday 16th July, primarily associated with safety.

For the benefit of councillors that did not attend the executive meeting, Swaledale and Arkengarthdale, the northernmost of the Yorkshire Dales, sit in a remote corner of our county; to put this in perspective, our schools in Reeth and Gunnerside serve a catchment of over 200 square miles. The B6270 to Richmond (our catchment school) is the only low level route to a nearby town. The proposal for children to attend their nearest school would result in secondary age pupils travelling over high altitude moorland to schools beyond Swaledale. These upland routes are 420m, 468m and 515m above sea level.

As detailed in the report to the executive, the issue of safety has been raised by many respondents to the council's survey. We would expect the response to reassure those with concerns, and it does not do that. We are concerned that the response is inadequate and

falls short of addressing the issues raised.

- The response includes data on the number of occasions when school transport has been unable to operate, but this is based on existing routes, not those that are proposed. We know that the high level routes become impassable sooner and more often than the low level route to Richmond. Using this evidence, which is based on the current situation, in no way captures the potential for school transport to be cancelled, or the impact of that on school attendance. A more effective measure would be to analyse road closure data for other high altitude passes such as Snake Pass, Derbyshire (510m) and Kirkstone Pass, Cumbria (455m), while noting that these roads are larger roads than those out of Swaledale.
- The response informs that the council's winter maintenance policy is not derived from school bus routes. We hope that you can appreciate that this is not reassuring, and only adds to concerns regarding road safety in winter on high level routes. We also know that coordination on gritting between counties is not effective on the routes required to transport pupils to their nearest secondary school.
- The response explains that the terms and conditions of the council's transport contract 'require that providers risk assess the routes that they are proposing to use.' We presume that this means that the council has not yet risk assessed the high level routes that will be needed to reach secondary schools that are marginally closer than Richmond. The Department for Education statutory guidance for local authorities *Travel to school for children of compulsory school age*, paragraph 86 states: 'Health and safety law requires local authorities to put in place reasonably practicable control measures to protect their employees and others (including the children for whom they arrange travel) from harm. Under the *Management of Health and Safety at Work Regulations 1999*, they must:
 - identify hazards – things that could cause injury or illness;
 - assess the risk – how likely it is that someone could be harmed and how seriously;
 - put in place proportionate measures to eliminate the hazard or control the risk;
 - record their findings; and
 - regularly review and update their risk assessments
- The Department for Education guidance does not seem to be met, in that the council's approach, as detailed in its response, delegates this responsibility to transport providers. What training do transport providers have in risk assessment? What oversight of its duties does the council retain? Has any risk assessment been completed for the routes required to fulfil the new policy? What would happen if an accident happened as a direct consequence of this policy change? We presume that the council retains higher-level duty of care. That responsibility is dictated by national guidance, and the council needs to comply.
- The response details how the integrated passenger transport team are advised of all road closures and that this information is passed on to all contract providers. We know that road conditions can change very quickly, particularly on the higher routes, well before any official road closure is in place. Relying on high level routes will only add to the need for bus drivers to make dynamic risk assessments that are not checked, validated or fully informed.

Parents within our community have questioned if the council will conclude, within the context of the new policy, that the nearest suitable school for Swaledale residents is in fact

in Richmond. If this is the case, it would be very helpful to hear that (and have it in writing). Paragraph 119 of the Department for Education guidance explains that a school travel policy 'should be clearly written so that parents may easily understand it.' While the nearest school principle is easy to understand in most contexts, its application in our region is less obvious and much more uncertain, leading to the concerns that we have shared with you.

As it stands, parents in our area are faced with an unfair and unreasonable decision – to send their child to the nearest school via a dangerous route, or pay for them to be transported to their catchment school. This rural inequality is unfair.

The impact on pupil's education cannot be underestimated. Poor attendance caused by the proposed policy is at odds with the Department for Education guidance *Working together to improve school attendance* and that provided through articles 3 and 28 of *The United Nations Convention on the Rights of the Child*. Pupils that will start Year 6 in September are worried about where they will go to school. Their parents are uncertain and that is having a detrimental impact on children's wellbeing.

We recognise that to some extent the points raised are specific to our area. We are, however, part of North Yorkshire, and pupils that live here deserve to be represented by you. In stating that, we also represent other communities based in places with distinct topography, that isolates them from services that other areas of the county can benefit from more easily.

We realise the benefits of a clear policy that can be applied across the whole county. However, further information is required to meet the needs of families to bring this policy in line with requirements and make it fit for purpose:

- An exception for specific upland regions;
- Details of the routes that the council proposes to use;
- Confirmation that high altitude roads will not be used

We think that an amendment (with further information, clarity and assurance) or deferral of the decision is required today. Thank you for your time and consideration.

Councillor Annabel Wilkinson, Executive Member Education, Learning and Skills, provided the following response:

Thank you to Mr Stainsby for the time that he has taken to attend the meeting today, for attending the Executive last week and for providing his statement.

The Council should be aware that Home to School transport is currently provided across North Yorkshire serving children from many communities and utilising a broad range of routes, including isolated routes and tracks. As has been noted these requirements are met using an equally broad range of vehicle types, each identified according to its suitability for the number of children and the route being travelled.

Within this context I consider that the statistics that were provided in the report to the Executive were appropriate in providing an indication of the extent to which home to school transport is affected by weather conditions.

In the event that the proposed policy is adopted then route assessments will be undertaken by the Council in respect of all new routes that are likely to be utilised in the provision of Home to School Transport. This will occur when the council has an indication – during the admissions process – of where there is eligibility for travel. As you know, in typical circumstances parents will make applications from the autumn term for a school place the next autumn. Allocation of places in schools occurs in the spring/early summer term and

then transport requirements arise as a result of that process.

As we have noted previously route assessment, which can include consultation with providers, will inform the detail of the commissioning of the transport. This route assessment includes information relating to the suitability of the vehicle to be utilised, including the suitability of its size on each required route. Due to the geography of the county not all routes require 'buses', smaller vehicles are contracted where necessary, currently approximately 50% of the contracted vehicles (used for mainstream schools) transport 8 or fewer children because the route and/or the pupil numbers demand this.

As also noted previously the contracted providers, once appointed, undertake both route-based risk assessments, and daily risks assessments to identify and plan for hazards.

To reiterate and to reassure you and the community you represent, as part of the council's contracting arrangements now, and in the future, providers are instructed not to attempt any journey that they do not consider can be completed safely.

The particular concerns of residents from Swaledale have been noted. Where issues arise with individual routes then the council will undertake work to monitor the arrangements established for contract delivery, including through the completion of additional risk assessments, to ensure the safety of passengers.

The Council's transport service has a compliance team that undertake monitoring of, for example, the maintenance of vehicles that are utilised in the provision of transport and other operational arrangements (pick up points etc). In the event that issues are raised by parents, schools, providers or other stakeholders then the compliance team will undertake a review of the arrangements associated with the delivery of an individual route and its associated risk assessment.

The suggestion about the monitoring of road conditions is noted. I would reiterate that the council monitors all information about road closures and advises contract providers of any changes as quickly as possible of any issues.

In the event that the policy is adopted then the definition of the nearest suitable school (with places available) will be applied consistently across North Yorkshire. This will ensure that the council is consistent in its service delivery, and will achieve compliance with the government's statutory guidelines.

Thank you Mr Stainsby.

98 Notices of Motion

Motion calling for support for a bathing water application for the River Swale

This council supports a bathing water application to the Department for the Environment, Food and Rural Affairs for the River Swale in Richmond.

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

This council believes:

- a) That the River Swale is an important resource for the people of Richmond and the wider area of North Yorkshire.
- b) That improving the quality of the Swale will have significant benefits for the

- environment, public health, recreation and the local economy.
- c) That supporting the bathing water application for the River Swale is in the best interests of both the people of Richmond and of North Yorkshire.

This council resolves:

To express support for the bathing water application for the River Swale in Richmond.

It has been requested that the motion be debated at the meeting of Council on 24 July 2024.

Proposer – Councillor Stuart Parsons
Seconder – Councillor Kevin Foster

The Notice of Motion was moved by Councillor Stuart Parsons and seconded by Councillor Kevin Foster.

Other members voiced their support for the motion.

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

99 Motion calling on Council to halt the proposed cuts to free school bus services in the County (Home to School Transport Policy) - Recommendation from the Executive

Since this matter had been determined at Minute 101, the proposer, Councillor Bryn Griffiths withdrew this motion.

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

Revenue Budget, Treasury Management and Capital Plan

The recommendation at page 34 of the agenda pack (page 1470 of the Minute Book) was moved and seconded.

A vote was taken and the motion was declared carried with 73 votes for, 2 votes against and no abstentions.

Resolved –

That the proposed carry forward to 2023/24 of the net capital underspend totalling £12.4m be noted.

Administrative amendments to the LGPS Discretions Policy

The recommendation at page 34 of the agenda pack (page 1470 of the Minute Book) was moved and seconded.

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

Resolved –

That delegation be given to the Assistant Chief Executive – HR and Business Support to make in-year minor administrative amendments to the LGPS and that consequential amendments be made to the Constitution by the Assistant Chief Executive Legal and

Democratic Services to reflect the delegation.

10 Proposed Changes to the Council's Home to School Travel Policy

1

The recommendations at page 38 of the agenda pack (pages 1474 of the Minute Book) were moved and seconded.

1. The following amendment to the recommendations was moved by Councillor Andrew Timothy and seconded by Councillor Monika Slater:

Remove item 7.1.(iv) - "to remove travel assistance to children attending designated religious character primary schools as part of the future travel policy."

The reason behind the amendment was that religion, belief, or lack thereof was a protected characteristic under the 2010 Equality Act. The proposer and seconder therefore contended that no family, regardless of socio-economic background, should be required to send their children to a religious primary school, or prevented from doing the same, through the requirement to pay for, or otherwise arrange, transport to any school which was not the geographically closest school.

Proposer – Councillor Andrew Timothy
Secunder – Councillor Monika Slater

The amendment was then debated.

On a vote being taken the motion was declared defeated with 15 votes for, 55 against and 4 abstentions.

2. The following amendment to the recommendations was moved by Councillor Bryn Griffiths and seconded by Councillor Hannah Gostlow:

Remove recommendation vi) from Para 7.1 - "amend the criterion to match the statutory requirement, meaning that in future eligibility on catchment grounds would no longer apply as part of the future travel policy."

The reason behind the amendment was that the proposer and seconder contended that the climate change implications in the supporting documentation were flawed – they only considered those pertaining to North Yorkshire Council and did not include those arising from increased effects on the consequential public travel. Further, the report stated that it was not possible to provide an accurate estimate of the carbon dioxide savings that would be achieved.

Proposer – Councillor Bryn Griffiths
Secunder – Councillor Hannah Gostlow

The amendment was then debated.

On a vote being taken the motion was declared defeated with 20 votes for, 52 against and 2 abstentions.

Debate then ensued on the substantive motion.

It was moved and seconded that Council now move to the vote and on a vote being taken 71 Members voted for the motion, 2 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 48 votes for, 26 votes against and no abstentions.

For: Councillors Karl Arthur, Alyson Baker, Derek Bastiman, Eric Broadbent, John Cattanach, David Chance, Liz Colling, Mark Crane, Gareth Dadd, Caroline Dickinson, Keane Duncan, Richard Foster, Sam Gibbs, Caroline Goodrick, Tim Grogan, Michael Harrison, David Hugill, Nathan Hull, George Jabbour, Tom Jones, Nigel Knapton, Andrew Lee, Cliff Lunn, John Mann, Heather Moorhouse, Simon Myers, Bob Packham, Andy Paraskos, Clive Pearson, Heather Phillips, Jack Proud, Janet Sanderson, Karin Sedgwick, Subash Sharma, Steve Shaw-Wright, Neil Swannick, 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 Philip Broadbank, Andy Brown, Lindsay Burr MBE, Sam Cross, Michelle Donohue-Moncrieff, Kevin Foster, Hannah Gostlow, Bryn Griffiths, Paul Haslam, Robert Heseltine, David Ireton, Janet Jefferson, Mike Jordan, Peter Lacey, Rich Maw, John McCartney, Andrew Murday, David Noland, Stuart Parsons, Tony Randerson, Dan Sladden, Monika Slater, David Staveley, Andrew Timothy, Matt Walker and Arnold Warneken.

Resolved –

That the Council consider the appended report on Proposed Changes to the Home to School Travel Policy and adopt the policy with effect from 1 September 2024 as recommended by the Executive, including each of the following recommendations:

- i) to retain this extended eligibility in reception year as part of the future travel policy.
- ii) to retain this extended eligibility in Year 3 as part of the future travel policy.
- iii) to remove transport assistance to second address as part of the future travel policy.
- iv) to remove travel assistance to children attending designated religious character primary schools as part of the future travel policy.
- v) a proposal that travel on transition is assessed on a case-by-case basis in accordance with the EHCP as part of the future policy.
- vi) amend the criterion to match the statutory requirement, meaning that in future eligibility on catchment grounds would no longer apply as part of the future travel policy.
- vii) use its discretionary powers to extend the eligibility for travel assistance for secondary age pupils from low income families to attend one of their three nearest suitable schools provided it is more than 2 miles but not more than 12 miles (an increase from 6 miles) from their home as part of the future travel policy.

(In accordance with her declaration at Minute 94, Councillor Yvonne Peacock withdrew from the meeting during the debate and determination of this item).

10 Council Size Submission to Local Government Boundary Commission for England 2 (LGBCE) Electoral Boundary Review

The recommendations at pages 459 to 460 of the agenda pack (pages 1895 and 1896 of the Minute Book) were moved and seconded.

The following amendment to the recommendations was moved by Councillor Philip Broadbank and seconded by Councillor Peter Lacey:

Delete existing recommendation 14.1 (iii) and replace with the following:

OFFICIAL

“The LGCBE takes into account the current and forecast population, as well as geographical size and rurality of North Yorkshire and recommends a Council size of 97.”

Insert an additional recommendation (vi) -

“For budgetary purposes, the allocation of annual members allowances remains at the total figure currently set for its existing membership number”.

Proposer – Councillor Philip Broadbank

Seconder – Councillor Peter Lacey

The amendment was then debated.

On a vote being taken the motion was declared defeated with 23 votes for, 49 against and 3 abstentions.

A vote was then taken on the substantive motion which was declared carried, with 54 votes for, 20 against and 1 abstention.

Resolved –

That the Council approves:

- i) The submission of a formal request to the LGBCE for a single member division review, as part of subsequent phases of the Electoral Boundary review process.
- ii) The 2030 Electorate Forecast for submission to the LGBCE.
- iii) The Member Working Group’s recommendations within the draft Council Size Submission document (Appendix D) for a council size of 89 members.
- iv) The submission of all required information to the LGBCE.
- v) Delegated authority to the Assistant Chief Executive – Local Engagement to make any required minor amendments to the Electorate Forecast for accuracy, in consultation with the Chairman of the BRMWG, prior to submission.

At 1:20pm the Chairman adjourned the meeting for lunch.

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

10 Final Recommendations on the Community Governance Reviews for Harrogate and 3 Scarborough

The recommendations at pages 507 to 510 of the agenda pack (pages 1943 to 1946 of the Minute Book) were moved and seconded.

The following amendment to the recommendations was moved by Councillor Liz Colling and seconded by Councillor Rich Maw:

Paragraph 9.0 recommendations

Amend item

B SCARBOROUGH

Delete entire section (5)

Insert New 5) Parish be divided into wards named:

Castle

Falsgrave And Stepney

Northstead

Weaponness and Ramshill

Woodlands.

Delete entire section (7)

Insert new 7) The number of parish councillors to be elected for each ward shall be:

Castle 3

Falsgrave And Stepney 3

Northstead 3

Weaponness and Ramshill 3

Woodlands 3

The reason for the amendment was to respect the results of the public consultation.

Proposer – Councillor Liz Colling

Seconder – Councillor Rich Maw

The amendment was then debated.

On a vote being taken the motion was declared carried with 64 votes for, 8 against and no abstentions.

A vote was then taken on the new substantive motion which was declared carried, with 63 votes for, 7 against and 2 abstentions.

Resolved –

That the Council:

i) considers the consultation results and equality impact assessment

ii) approves the following:

A) HARROGATE

(1) to create a new parish for the unparished area of Harrogate

(2) the new parish be named Harrogate

(3) the new parish have a parish council and to name that parish council Harrogate Town Council

(4) the parish come into effect from 1 April 2025 for administrative purposes, and the first election for the town council be 2 May 2025 for a reduced term of two years, with ordinary elections taking place in 2027 and every four years thereafter

(5) the parish be divided into wards, named

Bilton Grange

Bilton Woodfield

Central

Coppice Valley

Duchy

Fairfax

Harlow

High Harrogate

Hookstone

Kingsley

New Park

Oatlands

Old Bilton

Pannal

Saltergate
St Georges
Starbeck
Stray
Valley Gardens

(6) there should be 19 councillors elected to the parish

(7) the number of parish councillors to be elected for each ward shall be

Bilton Grange 1
Bilton Woodfield 1
Central 1
Coppice Valley 1
Duchy 1
Fairfax 1
Harlow 1
High Harrogate 1
Hookstone 1
Kingsley 1
New Park 1
Oatlands 1
Old Bilton 1
Pannal 1
Saltergate 1
St Georges 1
Starbeck 1
Stray 1
Valley Gardens 1

(8) the change take effect on 15 October 2024 for electoral purposes (ahead of publication of the revised register planned for 1 December 2024)

(9) the boundaries of the new parish and wards should be as shown on the map at Annex A.

B) SCARBOROUGH

(1) to create a new parish for the unparished area of Scarborough

(2) the new parish be named Scarborough

(3) the new parish have a parish council and to name that parish council Scarborough Town Council

(4) the parish come into effect from 1 April 2025 for administrative purposes, and the first election for the town council be 2 May 2025 for a reduced term of two years, with ordinary elections taking place in 2027 and every four years thereafter

(5) the parish be divided into wards, named

Castle
Falsgrave And Stepney
Northstead
Weaponness and Ramshill
Woodlands

(6) there should be 15 councillors elected to the parish

7) The number of parish councillors to be elected for each ward shall be:

Castle 3

Falsgrave And Stepney 3

Northstead 3

Weaponness and Ramshill 3

Woodlands 3.

(8) the change take effect on 15 October 2024 for electoral purposes (ahead of publication of the revised register planned for 1 December 2024)

(9) the boundaries of the new parish and wards should be as shown on the map at Annex A.

C) EASTFIELD

(1) the north-eastern boundary line of Eastfield Town Council be extended towards the A165 to match the Eastfield Division and Ward boundaries (and consequentially excluding the 3 known anomalous properties at Osgodby)

(2) the changes take effect on 1 April 2025 for administrative purposes

(3) the change takes effect on 15 October 2024 for electoral purposes (ahead of publication of the revised register planned for 1 December 2024)

(4) the changes should be as shown on the map at Annex A

D) NEWBY AND SCALBY

(1) to extend Newby & Scalby Town Council boundary to include all of Charles Williams Apartments, to become coterminous with the Newby Division)

(2) the changes take effect on 1 April 2025 for administrative purposes.

(3) the change takes effect on 15 October 2024 for electoral purposes (ahead of publication of the revised register planned for 1 December 2024)

(4) the changes should be as shown on the map at Annex A

E) OSGODBY

(1) to extend Osgodby Parish Council boundary to include those 3 properties currently outside of the parish, at the norther boundary line, and to become coterminous with the Cayton Division

(2) the changes take effect on 1 April 2025 for administrative purposes.

(3) the change takes effect on 15 October 2024 for electoral purposes (ahead of publication of the revised register planned for 1 December 2024)

(4) the changes should be as shown on the map at Annex A

(iii) authority be granted to the Assistant Chief Executive Legal and Democratic Services in consultation with the Corporate Director of Resources to implement the decisions including making reorganisation orders which amongst other things will set the precept for the first year of the town councils to take effect from 1 April 2025.

10 North Yorkshire Joint Health and Wellbeing Strategy 2023-2030

4

The recommendations at page 546 of the agenda pack (page 1982 of the Minute Book) were moved and seconded.

The motion was then debated.

A vote was taken and the motion was declared carried with 71 votes for, none against and one abstention.

Resolved –

That Council adopt the North Yorkshire Local Joint Health and Wellbeing Board Strategy 2023 – 2030 as recommended by Executive following consideration of the report ‘North Yorkshire Local Health and Wellbeing Board Strategy 2023 to 2030’ at their meeting on 18th June 2024.

10 Amendments to the Council's Constitution

5

The recommendations at page 574 of the agenda pack (page 2010 of the Minute Book) were moved and seconded.

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

Resolved –

That:

- (a) the proposed amendments to the Constitution set out in **Part A of Appendix 1** of the report be approved;
- (b) Members note the amendments to the Constitution set out in **Part B of Appendix 1** to the report, made by the Assistant Chief Executive Legal and Democratic Services under his delegated powers, for information;
- (c) the proposed amendments to the Procurement and Contract Procedure Rules as set out in **Appendix 2** to the report be approved;
- (d) the proposed amendments to the definition of a Key Decision, as set out in **Appendix 3** to the report be approved;
- (e) the proposed amendments to the Financial Procedure Rules as set out in **Appendix 5** to the report be approved;
- (f) the proposed consequential amendments to the Executive Members’ Delegation Scheme as set out in Appendix 6 to the report be approved.

10 Appointments to Committees and Outside Bodies

6

The recommendations at page 626 of the agenda pack (page 2062 of the Minute Book) in respect of the appointments to committees and to the Mayoral Combined Authority including the additional nominations made through the report supplement were moved and seconded.

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

There were three nominations for the role of Member Champion for Climate Change: Councillor David Hugill, Councillor Steve Mason and the current postholder Councillor Paul Mason.

On a vote being taken there were 37 votes for Councillor Hugill, 15 votes for Councillor Mason, and 12 votes for Councillor Haslam. A vote was then taken on the appointment of Councillor Hugill and the motion was declared carried with 58 for, 10 against and 2 abstentions.

Resolved –

- (a) Corporate and Partnerships Overview and Scrutiny Committee
Councillor Tony Randerson to be appointed to the vacant unaffiliated independents seat.

- (b) Police Fire and Crime Panel
Councillor David Chance to be appointed as substitute for the Conservatives and Independents.

- (c) Selby and Ainsty Area Planning Committee
Councillor Mark Crane to come off the committee and Councillor Karl Arthur to be appointed.

- (d) Scarborough and Whitby Area Planning Committee
Councillor Heather Phillips to come off the committee and Councillor Derek Bastiman to be appointed.

- (e) General Licensing and Registration Committee

Councillor Paul Haslam to come off the committee following his change from being a Conservative councillor to being unaffiliated independent.

Councillor Derek Bastiman to be appointed to the vacant Conservative & Independents seat

Councillor Malcolm Taylor to be appointed to the vacant Conservative & Independents seat

Councillor Mike Jordan to be appointed to the vacant North Yorkshire Independent seat.

- (f) Statutory Licensing Committee

Councillor Andrew Timothy to be appointed to the vacant Liberal Democrat and Liberal seat

- (g) Employment Appeals Committee
Councillor Dan Sladden to be appointed to the vacant Liberal Democrats and Liberal seat.

- (h) Care and Independence Overview and Scrutiny Committee
Councillor Tony Randerson (unaffiliated independent) to be appointed to the North Yorkshire Independent vacancy.

- (i) Scrutiny of Health Committee
Councillor Michelle Donohue-Moncrieff (unaffiliated independent) to be appointed to the North Yorkshire Independent vacancy.

- (j) Strategic Planning Committee
Councillor John Cattnach to be appointed to the vacant North Yorkshire Independent seat.

Mayoral Combined Authority

- (k) Audit and Governance Committee
Councillor Arnold Warneken to come off the committee and Councillor Clive Pearson to be appointed.
- (l) Overview and Scrutiny Committee
Councillor Clive Pearson to come off the committee and Councillor Arnold Warneken to be appointed.
- (m) Business Committee
Councillor Mark Crane and Councillor Derek Bastiman to be appointed.

Member Champion for Climate Change

- (n) Councillor David Hugill to be appointed.

10 Annual Overview and Scrutiny Report 2023/2024

7

Resolved –

The Overview and Scrutiny Annual Report 2023/24, at pages 627 to 646 (pages 2063 to 2082 of the Minute Book) of the agenda pack, be noted.

10 Statements of Executive Members and Chairs of Overview and Scrutiny Committees

8

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

8(a)

-) Councillor Annabel Wilkinson, Executive Member for Education, Learning and Skills, made a statement and answered questions. In presenting her statement she corrected the figures given under the section School Performance thus: of the 80 published inspections, 68 were of primary schools, 7 of secondary schools, 2 pupil referral units and 3 special schools. A summary of the key points of which had previously been circulated and which appeared at pages 647 – 649 of the agenda pack and which appears in the Minute Book (pages 2083 to 2085).

10 Executive Member for Finance and Assets - Councillor Gareth Dadd

8(b)

-) 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 651 - 653 of the agenda pack and which appears in the Minute Book (pages 2087 to 2089).

10 Executive Member for Open to Business - Councillor Mark Crane

8(c)

-) Councillor Mark Crane, 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 655 - 658 of the agenda pack and which appears in the Minute Book (pages 2091 to 2094).

10 Executive Member for Corporate Services - Councillor Heather Phillips

8(d)

-) Councillor Heather Phillips, 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 659 - 664 of the agenda pack and which appears in the Minute Book (pages 2095 to 2100).

10 Executive Member for Highways and Transportation - Councillor Keane Duncan

8(e)

-) 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 665 - 666 of the agenda pack and which appears in the Minute Book (pages 2101 to 2102).

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

8(f)

-) 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 667 - 668 of the agenda pack and which appears in the Minute Book (pages 2103 to 2104).

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

8(g)

-) 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 669 - 674 of the agenda pack and which appears in the Minute Book (pages 2105 to 2109).

10 Executive Member for Children and Families - Councillor Janet Sanderson

8(h)

-) Councillor Janet Sanderson, 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 675 - 678 of the agenda pack and which appears in the Minute Book (pages 2111 to 2113).

10 Executive Member for Managing our Environment - Councillor Greg White

8(i)

- 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 679 - 684 of the agenda pack and which appears in the Minute Book (pages 2115 to 2119).

10 Scrutiny Board (Chair: Councillor Karin Sedgwick)

8(j)

- The written statement of Councillor Karin Sedgwick having previously been circulated and which appeared at pages 685 – 686 of the agenda pack and which appears in the Minute

Book (pages 2121 to 2122), was noted.

10 Corporate and Partnerships Overview and Scrutiny Committee (Chair: Councillor Andrew Williams)
8(k)
)

The written statement of Councillor Andrew Williams having previously been circulated and which appeared at pages 687 – 688 of the agenda pack and which appears in the Minute Book (page 2123), was noted.

10 Scrutiny of Health (Chair: Councillor Andrew Lee)
8(l)

The written statement of Councillor Andrew Lee having previously been circulated and which appeared at pages 689 – 692 of the agenda pack and which appears in the Minute Book (pages 2125 to 2127), was noted.

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

The written statement of Councillor David Staveley having previously been circulated and which appeared at pages 693 – 694 of the agenda pack and which appears in the Minute Book (pages 2129 to 2130), was noted.

10 Children and Families Overview and Scrutiny Committee (Chair: Councillor Barbara Brodigan)
8(n)
)

The written statement of Councillor Barbara Brodigan having previously been circulated and which appeared at pages 695 – 696 of the agenda pack and which appears in the Minute Book (pages 2131 to 2132), was noted.

10 Housing and Leisure Overview and Scrutiny Committee (Chair: Councillor Malcolm Taylor)
8(o)
)

The written statement of Councillor Malcolm Taylor having previously been circulated and which appeared at pages 697 – 698 of the agenda pack and which appears in the Minute Book (page 2133), was noted.

10 Care and Independence Overview and Scrutiny Committee (Chair: Councillor Karin Sedgwick)
8(p)
)

The written statement of Councillor Karin Sedgwick having previously been circulated and which appeared at pages 699 – 700 of the agenda pack and which appears in the Minute Book (page 2135), was noted.

10 Use of special urgency procedures since the last meeting of Council - Report of the Leader
9

The report on the Use of Special Urgency Procedures since the last meeting of the Council on 15 May 2024 was considered and the recommendation at page 704 of the agenda pack (page 2140 of the Minute Book) was moved and seconded.

Resolved –

OFFICIAL

That full Council receives and notes the report.

11 Council Procedure Rule 10 Questions
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There were no Council Procedure Rule 10 questions.

The meeting concluded at 3.52 pm.