

North Yorkshire County Council

Executive

Public minutes of the meeting held at County Hall, Northallerton on Tuesday, 4 July 2017 commencing at 11.00 am.

County Councillor Carl Les in the Chair. County Councillors David Chance, Gareth Dadd, Caroline Dickinson, Andrew Lee, Don Mackenzie, Janet Sanderson and Greg White.

Also in attendance: Hollie Bullen observing.

Officers present: Richard Flinton, Justine Brooksbank, Pete Dwyer, Steve Evans, Gary Fielding, Matt George, Barry Khan and Josie O'Dowd.

Copies of all documents considered are in the Minute Book

19. Minutes

Resolved –

That the Minutes of the meeting held on 13 June 2017, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record.

20. Declarations of Interest

County Councillor David Chance advised that Stakesby Community Primary School falls within his division.

21. Exclusion of the Public

Resolved –

That the public be excluded from the meeting during consideration of each of the items of business listed in column 1 of the following table on the grounds that each involves the likely disclosure of exempt information as defined in the paragraph(s) of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local government (Access to Information)(Variation) Order 2006 as defined in column 2.

Item on the Agenda	Paragraph No
13	3

22. Questions and Statements from members of the public

There were no questions or statements from members of the public.

23. Feedback from Area Committees

Considered –

A report of the Assistant Chief Executive (Legal and Democratic Services) relating to meetings of the:-

- ◆ Craven Area Committee - 31 May 2017
- ◆ County Area Committee for the Harrogate District - 1 June 2017
- ◆ Selby Area Committee - 12 June 2017

County Councillor David Chance commented upon the term of office for Co-opted Members nominated by Craven and Harrogate Area Committees. These were proposed for a four year term, whilst those considered for Area Committees held later in the meeting cycle were only proposed for a one year term of office - in view of the impending review of Area Committees. It was therefore proposed that the recommendations from Harrogate and Craven to County Council on 19 July 2017 be amended to achieve consistency across all the Area Committees.

Resolved –

- (a) That the report be noted.
- (b) That the following recommendations from Area Committees concerning their memberships be referred to full County Council 19 July 2017:-
 - (i) That the following seats be created for Co-opted Members on the County Area Committee for the Harrogate District initially for one year in view of the proposed review of Area Committees, until the meeting following the Annual Meeting of the County Council scheduled for May 2018:-
 - ◆ One representative nominated by Community First Yorkshire
 - ◆ One representative nominated by Harrogate District Chamber of Commerce
 - (ii) That the following seats be created for Co-opted Members on the Craven Area Committee initially for one year in view of the proposed review of Area Committees, until the meeting following the Annual Meeting of the County Council scheduled for May 2018:-
 - ◆ One representative nominated by Craven District Council
 - ◆ Four representatives nominated by Parish/Town Councils
 - ◆ Three representatives nominated by the Voluntary Sector
 - (iii) That the following seats be created for Co-opted Members on Selby Area Committee, initially for one year in view of the proposed review of Area Committees, until the meeting following the Annual Meeting of the County Council scheduled for May 2018:-
 - ◆ Four elected Members nominated by Selby District Council.
 - ◆ Two Parish Council representatives representing the north and south of the District
 - ◆ One Voluntary Sector representative

- (iv) The recommendations from Hambleton, Richmondshire, Ryedale and the Yorkshire Coast and Moors County Area Committees will be made direct to County Council 19 July 2017.

24. Proposed Amendments to the Constitution

Considered –

A report of the Assistant Chief Executive (Legal and Democratic Services) presenting for consideration and recommendation to full Council, proposed changes to the County Council's Constitution.

County Councillor David Chance outlined the housekeeping changes required to the Constitution to update: the Joint Health Scrutiny Committee membership lists, the list of Outside Bodies to which County Councillors and their nominees are appointed; also a proposed reduction in speaking times regarding supplemental questions and statements; and an amendment to the Access to Information Procedure Rules.

Resolved –

That the proposed amendments as set out in Appendix 1 of the report are noted and recommended to full Council for approval.

25. Lowering the Age Range of Stakesby Community Primary School

Considered –

A report of the Corporate Director - Children and Young People's Service providing information upon which to make a decision on proposals published by North Yorkshire County Council to change the age range of the school to age 2-11 with effect from 1 September 2017.

County Councillor Janet Sanderson explained that whilst no objections had been received to the proposals, given County Councillor Patrick Mulligan is presently away (the relevant portfolio holder) - it was agreed that the decision should be taken by the Executive. She advised that the Governing Body wish to lower the age range following notification from the present on-site provider, the Rocking Horse Nursery, that they would be ceasing to operate from September 2017.

Pete Dwyer, Corporate Director - Children and Young People's Service, advised that Stakesby Primary is a good school, and high quality provision is anticipated for the lower age range which will contribute well to early years provision.

County Councillor David Chance supported the proposal advising that he had spoken to the Chair of Governors who confirmed that all the Governing Body support the proposal.

Resolved –

- (a) That having undertaken the required preliminary checks, the Executive resolved that the four key issues listed in paragraph 8.2 of the report have been satisfied and there can be a determination of the proposals.
- (b) That the following proposal is determined:

To lower the age range of Stakesby Community Primary School to age 2-11 with effect from 1st September 2017.

26. Young and Yorkshire 2

Considered –

A report of the Corporate Director - Children and Young People's Service presenting Young to Yorkshire 2, the new Children and Young People's Plan (CYPP) for the county, seeking agreement to submit the Plan to the County Council for collective endorsement. This new Plan replaces the first Young and Yorkshire Plan launched in 2014 and due to expire in 2017.

County Councillor Janet Sanderson stated that she was excited to present the report which reflects the voice of the county's young people. She explained that the present Plan expires this year, which reflects long established aspirations. She explained that the latest Plan has been expanded to include place and locality to reflect the diversity of communities across the county. In March 2016 the Children's Trust Board had approved the creation of an editorial group to develop the new Plan and she stressed that young people had been involved at every stage. Between 25 March and 5 May 2017 consultation was undertaken with comments received from a range of partners and stakeholders. She praised the direct approach of the Plan and its punchy style. The style of drafting seeks to achieve a more flexible framework so that the Plan is a living and constantly evolving document - this will allow more time to be spent on the delivery of the objectives. She highlighted the plan on a page at page 7 of the booklet which encapsulates the challenges faced. She particularly acknowledged the great challenge of interpreting such complex data and then presenting the results in a clear and simple way.

Pete Dwyer, Corporate Director - Children and Young People's Service, advised that he chairs the Children's Trust Board which involves other partner agencies – the Board will monitor progress against priorities. He advised that 70% of the last Plan had been either met or significant progress made. He signposted the online version of the Plan which he explained is richer and deeper, providing more detail about how the priorities were derived. The plan on a page will be produced in poster format for wide distribution and display across the county - the public launch will take place later this month with the new Corporate Director - Children and Young People's Service Stuart Carlton. He stated that the Plan is flexible enough to be able to respond to national changes, and he noted that the first chapter of the Health and Wellbeing Strategy will be coherent with Young and Yorkshire 2 and also the Council Plan.

Resolved –

- (a) That the Executive approves the draft Young and Yorkshire 2 plan and recommends it to the County Council for approval at its meeting on the 19 July.
- (b) That it be a recommendation to the County Council that the County Council authorise the Corporate Director - Children and Young People's Service to make any necessary changes to the plan following a formal annual review to ensure it remains relevant, dynamic and aligned with shifting local and national priorities.

27. Changes to Dismissal Arrangements for Officers

Considered –

A joint report of the Assistant Chief Executive (Business) and Assistant Chief Executive (Legal and Democratic Services) presenting for consideration and recommendation to full Council for agreement proposed changes to the formal employee relations processes for the Chief Executive and Statutory Chief Officers and the implementation of the new arrangements and recommending for onward recommendation to full Council for agreement that the pilot arrangements for appeals against dismissal (disciplinary and capability), in place since July 2015, should now be made permanent.

County Councillor David Chance explained the consequential changes which have arisen following changes in legislation regarding statutory officers: the Chief Executive; the Section 151 Officer; and the Monitoring Officer. He advised that the report also covers the arrangements which have been piloted for the Employment Appeals Panel and now that the pilot has successfully run its term, there is a desire to formally adopt the changes. Concluding, he advised that the Members Working Group on the Constitution had supported the proposed changes.

Resolved –

For the reasons set out in this report, it is recommended that, subject to any comments Members may have, the arrangements and changes to the Constitution set out below be recommended to full Council for approval:

- (a) that the Chief Officers Appointments and Disciplinary Committee Terms of Reference and the proposed amendments to it as set out in Appendix 2 of the report, are approved;
- (b) that a Chief Officers Disciplinary Panel is established;
- (c) that appointments be made to the Chief Officers Disciplinary Panel as and when required;
- (d) that the power to appoint to the Chief Officers Disciplinary Panel is delegated to the Assistant Chief Executive (Business Support);
- (e) that the proposed consequential amendments to the delegations to the Assistant Chief Executive (Business Support) and the Assistant Chief Executive (Legal and Democratic Services) in the Officers' Delegation Scheme as set out in Appendix 3 of the report is approved;
- (f) that the proposed consequential amendments to the Staff Employment Procedure Rules as set out in Appendix 4 of the report is approved;
- (g) that the pilot appeals process for conduct/capability dismissals is approved for implementation on a permanent basis;
- (h) that the Employment Appeals Committee Terms of Reference and the proposed amendments to it as set out in Appendix 5 of the report is approved;
- (i) that the Constitution is amended accordingly.

28. Amendments to LGPS Discretions Policy

Considered -

A report of the Assistant Chief Executive (Business Support) presenting for consideration and recommendation to full Council for agreement, proposed amendments to the Council's Discretions Policy.

County Councillor Gareth Dadd introduced the report explaining that reacting to changes following pay awards can create additional strain on the Pension Fund if such changes are not implemented promptly. The proposals in the report enable a flexible and timely response.

Resolved -

That the proposed amendments to NYCC LGPS Discretions Policy as set out in the report be recommended to full Council for approval.

29. Appointments to Committees and Other Bodies

Considered –

A report of the Assistant Chief Executive (Legal and Democratic Services) to enable any appointments to outside bodies, which are to be made by the Executive under the County Council's Constitution, to be considered. Also to enable any appointments to Committees to be recommended for approval by County Council on 19 July 2017.

Resolved –

(a) That the Executive appoint to the outside bodies specified below

NYNet Ltd Board and NYnet 100 Ltd	County Councillor Don Mackenzie
Community First Yorkshire (formerly Rural Action Yorkshire)	County Councillor David Chance
Veritau Ltd (shared Internal Audit Service Board of Directors)	County Councillor David Chance

and defer the NYnet observer and substitute, Yorkshire Regional Flood and Coastal Committee substitute and Yorwaste vacancy appointments to a later meeting.

(b) That it be a recommendation to County Council the appointments set out in paragraph 3.1 of the report.

(c) That any proposals for the re-allocation of seats, if necessary to achieve political proportionality, or for changes to memberships or substitute memberships of committees, or other bodies to which the Council makes appointments put forward by the relevant political group, prior to or at the meeting of the Council, be agreed.

30. Forward Work Programme

The Forward Plan for period 1 June 2017 to 30 June 2018 was presented.

Resolved –

The forward work programme is noted.

The following report was considered in private and the public have no right of access.

31. Redeployment of Land north of Moor Lane, Arkendale

Considered -

The report of the Corporate Director - Strategic Resources setting out proposals for the redeployment of land north of Moor Lane, Arkendale in the best overall interests of the County Council.

Resolved -

The resolution in the report was agreed and another added.

The meeting concluded at 12.40 pm

JO'D/JR