



## NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the Annual Meeting of the County Council held at County Hall, Northallerton on 17 May 2017, commencing at 10.30am

### **PRESENT:-**

County Councillor Val Arnold in the Chair.

County Councillors Karl Arthur, Margaret Atkinson, Andrew Backhouse, Robert Baker, Philip Barrett, Derek Bastiman, John Blackie, David Blades, Philip Broadbank, Michael Chambers MBE, David Chance, Jim Clark, Liz Colling, Richard Cooper, Gareth Dadd, Caroline Dickinson, Stephanie Duckett, Keane Duncan, John Ennis, Caroline Goodrick, Helen Grant, Bryn Griffiths, Michael Harrison, Paul Haslam, Robert Heseltine, Mel Hobson, David Hugill, David Ireton, David Jeffels, Janet Jefferson, Mike Jordan, Andrew Lee, Carl Les, Stanley Lumley, Cliff Lunn, Don Mackenzie, John McCartney, Zoe Metcalfe, Heather Moorhouse, Patrick Mulligan, Richard Musgrave, Andy Paraskos, Stuart Parsons, Caroline Patmore, Clive Pearson, Chris Pearson, Joe Plant, Gill Quinn, Tony Randerson, Janet Sanderson, Karin Sedgwick, Andy Solloway, Peter Sowray, Roberta Swiers, Helen Swiers, Angus Thompson, Cliff Trotter, Callam Walsh, John Weighell OBE, Richard Welch, Nicola Wilson, Greg White, Annabel Wilkinson and Robert Windass.

### **Election of Chairman**

It was moved and seconded that County Councillor Helen Swiers be elected as Chairman of the County Council to serve until the Annual Meeting of the Council in 2018.

**The vote was taken and, on a show of hands, the motion was declared carried, with none against, and no abstentions.**

### **Resolved -**

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|---|
| <p>1. That County Councillor Helen Swiers is elected as Chairman of the County Council, to serve until the Annual Meeting of the Council in 2018.</p> |
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County Councillor Helen Swiers then made her declaration of acceptance of the office of Chairman of the County Council.

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### **County Councillor Helen Swiers in the Chair**

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The Chairman thanked the Council for her election and it was then moved by her and seconded:

“That this Council places on record its appreciation of the exceptional service rendered to it by County Councillor Val Arnold as Vice-Chairman of the County Council from 2015 to 2016 and as Chairman of the County Council from 2016 to 2017 and also places on record its

thanks to her husband Steve for the unfailing support which he has given the Chairman during her terms of office.”

Leaders of other political groups spoke in support.

**The vote was taken and, on a show of hands, the motion was declared carried with none against, and no abstentions.**

**Resolved –**

2. That this Council places on record its appreciation of the exceptional service rendered to it by County Councillor Val Arnold as Vice-Chairman of the County Council from 2015 to 2016 and as Chairman of the County Council from 2016 to 2017 and also places on record its thanks to her husband Steve for the unfailing support which he has given the Chairman during her terms of office.

The Chairman presented a past Chairman’s badge to County Councillor Val Arnold.

County Councillor Val Arnold responded.

**Minutes**

It was moved and seconded that the Minutes of the meeting of the County Council held on Wednesday, 15 February 2017, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record – acknowledging one correction to page 7, where reference to “2017/18 only” had been omitted from the Liberal Democrat amendment regarding increasing funding for Supporting People.

**The vote was taken and, on a show of hands, the motion was declared carried with none against and no abstentions.**

**Resolved -**

3. That the Minutes of the meeting of the County Council held on Wednesday, 15 February 2017, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record – acknowledging one correction to page 7, where reference to “2017/18 only” had been omitted from the Liberal Democrat amendment regarding increasing funding for Supporting People. .

**Appointment of Vice-Chairman**

It was moved and seconded that County Councillor Robert Windass be appointed as Vice-Chairman of the County Council, to serve until the Annual Meeting of the Council in 2018.

**The vote was taken and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

**Resolved –**

4. That County Councillor Robert Windass is appointed as Vice-Chairman of the County Council, to serve until the Annual Meeting of the Council in 2018.

County Councillor Robert Windass then made his declaration of acceptance of the office of Vice-Chairman of the County Council and thanked the Council for his appointment.

**Chairman's Announcements**

The Chairman acknowledged the death of former County Councillor Harry Tempest who sadly passed away recently. He served on the County Council from 1973 to 1985, and he also held the position of Deputy Lieutenant for the county from 1981 to 1998. Members stood in silence in his memory.

**Election of Leader**

It was moved and seconded that County Councillor Carl Les be elected as Leader of the County Council to serve until the Annual Meeting of the County Council in 2021.

**The Council divided and, on a show of hands, the motion was declared carried, with none against.**

**Resolved -**

5. That County Councillor Carl Les be elected as Leader of the County Council, to serve until the Annual Meeting of County Council in 2021.

**Statement by the Leader of the Council**

County Councillor Carl Les welcomed the Members of the former Council who had returned to the Chamber and the new members of the Council. He then thanked the former Members of the Council who had retired, or had not returned, for their past contributions to the work of the Council. He made a statement, under Council Procedure Rule 2.3, as Leader of the Council, setting out details of his appointments of the Deputy Leader and Executive Members and their portfolios. He then responded to questions.

**Public Questions or Statements**

A public statement was made by Mr Michael Hornsby:

"The concrete based roads in the Broomfield Area have been poor for over 20 years. Following my own and numerous Residents tyre and suspension damage, I conducted a survey in June 2016. 1701170 were dissatisfied. This was handed to Highways with utmost difficulty, with a request for a site meeting with an engineer to discuss why the problems with these roads are occurring. The response up to now from NYCC has been very dismissive to non-existent. We have also had no response from County Councillor Mackenzie and very

limited response from our local County Councillor David Blades. The survey has very definitely been dismissed. All avenues have been blocked. Our original request under the Data Protection Act only resulted in some redacted internal emails which were frankly gibberish. We are still awaiting the result of a second request backed by the Chief Executive's office. Yorkshire Water are involved with road repairs in this area. We contacted Yorkshire Water over misinformation from the Council and found their approach to be efficient, professional, prompt and polite. NYCCs response is very poor in comparison. More detailed information is available if required.

So you are here today - 72 of you - as winners in the recent election and rightly so, but I believe that over time you represent the Council not the Ratepayers. The tone for you here at County Hall, is set by the Council with your own car park and your seating arrangements here in the Council Chamber, whilst the public are diverted to here. Rates become Council money to be allocated around, some of it to County Councillors expenses. Whilst some of you do not claim expenses and others claim for lost earnings (which is quite acceptable) for the majority of you expenses are very lucrative and I believe the old saying "He who pays the piper calls the tune" is 100% correct.

Michael Hornsby"

In response County Councillor Don Mackenzie commented that it is not unreasonable that elected members, some of whom have in excess of 100 mile round trips to travel to County Hall for meetings to represent their electors, should have a space to park their car. He also explained that funding for the upkeep of County Hall and its facilities such as car parks, is not taken from the Council's highway maintenance budget. County Councillor Don Mackenzie advised that prior to coming to the meeting he had visited the Broomfield Estate to see for himself the condition of the road surfaces in that area – stating that they are very similar to the condition of many of estate roads - not perfect but adequate. He observed that there was some weed growth at the roadsides and he stated that he would contact the Area 2 Highways Office to point that out. He confirmed that the decision on whether a particular road or section of road needs to be repaired is an operational one - elected members agree policy and assessment criteria, officers are responsible for day to day operations.

Mr Hornsby asked a supplementary question and County Councillor Don Mackenzie responded.

### **Report of the Allocations Committee**

#### **Allocation of seats on and appointments to Committees subject to proportional representation**

The recommendations in the report of the Allocations Committee (pages 9181 - 9205 in the Minute Book) were moved and seconded, together with nominations to those Committees and Chairmen and Vice-Chairmen of Overview and Scrutiny Committees as set out in the supplementary report circulated at the meeting. This was subject to one correction: the listing for Hambleton Area Committee indicated the wrong political group for County Councillor Bryn Griffiths, this should have been Liberal Democrat.

**The vote was taken and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

**RESOLVED –**

- 6.**
- (a) That the numbers of seats on each of the Committees and the allocation of those seats to each group and the Independent Members be as set out in paragraph 1 of the Report of the Allocations Committee are approved.
  - (b) That the Members nominated to serve on those Committees by the group to which the seat has been allocated, which nominations are set out on pages 9181 - 9205 in the Minute Book, are appointed, subject to the correction set out above, together with substitute members.
  - (c) That the Members nominated as Chairmen and Vice-Chairmen of the Overview and Scrutiny Committees set out on pages 9183 - 9187 in the Minute Book are appointed.
  - (d) That the powers delegated in the Constitution to the Committees by the Council, as set out in the Constitution, are confirmed.

**Report of the Executive**

**Funding of Community Pharmacies - Response to the Scrutiny of Health Committee to the Motion at County Council on 9 November 2016:**

The recommendation in paragraph 1 of the report page 18 was moved and seconded.

**The vote was taken and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

**Resolved –**

- 7.**
- (a) That the North Yorkshire Scrutiny of Health Committee maintains a watching brief on the impact of Government reductions to community pharmacy funding over the next two years, with regular updates to the Scrutiny of Health.
  - (b) That the North Yorkshire Scrutiny of Health Committee works with Public Health and other agencies and organisations to consider ways in which the potential impact of the reductions in funding can be better understood, in particular:
    - The impact upon GPs and A&E.
    - The impact upon vulnerable people.
    - The impact upon people living in the more deprived areas of the county.

**Amendments to Constitution - Review of Contract Procedure Rules**

The recommendation in paragraph 2 of the report at page 20 was moved and seconded.

**The vote was taken and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

**8.** That the proposed changes to the Contract Procedure Rules as set out in the table of amendments at pages 30 to 48 of the report, and as set out in the report, are approved.

#### **Audit of Outside Bodies**

The recommendation in paragraph 3 of the report at page 21 was moved and seconded.

**The vote was taken and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

- 9.**
- (a) That the list of Outside Bodies in the County Council's Constitution be amended as set out at pages 70 to 72 of the report and in (b) below.
- (b) That Citizens Advice Hambleton, Richmondshire and Selby be included within the list of Outside Bodies within the County Council's Constitution with one seat - the appointment to be made by the Executive in future.

#### **Any other appointments required - not covered under Item 8**

##### **North Yorkshire Health and Wellbeing Board - Membership 2017-2021**

The recommendation in paragraph 4 of the report at page 22 was moved and seconded.

**The vote was taken and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

- 10.** That the membership of the North Yorkshire Health and Wellbeing Board is noted.

#### **Report of the Standards Committee**

The recommendation of the report at page 73 was moved and seconded.

**The vote was taken and, on a show of hands, the motion was declared carried, with none against and no abstentions.**

- 11.** That the proposed amendments to the arrangements for dealing with allegations of a breach of the Members' Code of Conduct, as set out in Appendix 1 of the report, is approved.

### **Statements by Executive Members and Chairmen of Overview and Scrutiny Committees**

County Councillor Gareth Dadd, the Executive Member for Finance and Assets and Special Projects made a statement a summary of the key points of which had previously been circulated and which appears in the Minute Book (page 9273).

County Councillor Janet Sanderson, the Executive Member for Children's Services made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 2975 to 9276) and responded to a question.

County Councillor Patrick Mulligan, Executive Member for Education and Skills made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (page 9277 - 9278) and responded to a question.

County Councillor Don Mackenzie, Executive Member for Access made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (page 9279) and responded to questions.

County Councillor David Chance, Executive Member for Stronger Communities made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 9281 - 9282) and responded to questions.

County Councillor Michael Harrison, Executive Member for Health and Adult Services made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 9283 - 9284) and responded to a question.

County Councillor Caroline Dickinson, Executive Member for Public Health, Prevention and Supported Housing made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (page 9285).

County Councillor Andrew Lee, Executive Member for Open to Business made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (page 9287) and responded to a question.

County Councillor Greg White, Executive Member for Customer Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (page 9289).

In place of individual statements from the Chairmen of the Overview and Scrutiny Committees, the Overview and Scrutiny Annual Report, which had previously been circulated and which appears in the Minute Book (pages 9291 - 9298), was presented by County Councillor Jim Clark, Chairman of the Scrutiny Board.

### **Council Procedure Rule 10 Questions**

The Leader of the Council responded to a question regarding consultation over the potential amalgamation of North Yorkshire Fire and Rescue with North Yorkshire Police. He advised that Members should have the opportunity to debate the matter at the July meeting of County Council, if the Police and Crime Commissioner's business plan is published in time.

Meeting closed at 12.45 pm