



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the meeting of the County Council held at County Hall, Northallerton on 21 February 2018, commencing at 10.30 am

PRESENT:-

County Councillor Helen Swiers in the Chair.

County Councillors Val Arnold, Karl Arthur, Bob Baker, John Blackie, David Blades, Philip Broadbank, Eric Broadbent, Lindsey Burr MBE, Michael Chambers MBE, David Chance, Jim Clark, Richard Cooper, Gareth Dadd, Caroline Dickinson, Stephanie Duckett, Keane Duncan, John Ennis, Caroline Goodrick, Helen Grant, Bryn Griffiths, Michael Harrison, Paul Haslam, Robert Heseltine, David Jeffels, Janet Jefferson, Andrew Jenkinson, Mike Jordan, Andrew Lee, Carl Les, Stanley Lumley, Cliff Lunn, Don Mackay, Don Mackenzie, John Mann, Stuart Martin MBE, John McCartney, Zoe Metcalfe, Heather Moorhouse, Patrick Mulligan, Richard Musgrave, Andy Paraskos, Stuart Parsons, Caroline Patmore, Chris Pearson, Clive Pearson, Joe Plant, Gillian Quinn, Tony Randerson, Janet Sanderson, Karin Sedgwick, Andy Solloway, Peter Sowray, Roberta Swiers, Angus Thompson, Cliff Trotter, Callam Walsh, Geoff Webber, John Weighell OBE, Richard Welch, Greg White, Annabel Wilkinson, Nicola Wilson and Robert Windass.

MINUTES

It was moved and seconded that the Minutes of the meeting of the County Council held on Wednesday, 8 November 2017, having been printed and circulated, are taken as read and confirmed and signed by the Chairman as a correct record.

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

Resolved -

34. That the Minutes of the Meeting of the County Council held on Wednesday, 8 November 2017, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record.

MINUTES

It was moved and seconded that the Minutes of the Extraordinary Meeting of the County Council held on Wednesday, 8 November 2017, having been printed and circulated, are taken as read and confirmed and signed by the Chairman as a correct record.

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

Resolved -

35. That the Minutes of the Extraordinary Meeting of the County Council held on Wednesday, 8 November 2017, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record.

Chairman's Announcements

The Chairman reminded Members of the usual arrangements for the meeting and congratulated Judith Hay and Martin Kelly who received OBEs in the New Year's Honours List in recognition of their contributions, and those of the teams they lead, to children's services in North Yorkshire.

The Chairman acknowledged the death of former County Councillor Elizabeth Mackenzie. She served as a County Councillor from 1977 to 1985, representing Scarborough Falsgrave, she was a long serving Member of Scarborough Borough Council and a former Mayor.

Statement by the Leader

County Councillor Carl Les made a statement, under Contract Procedure Rule 2.3, as Leader of the Council, a summary of the key points of which had previously been circulated and which appear in the Minute Book (pages 9735 to 9736). County Councillor Carl Les then responded to various questions.

Public Questions or Statements

No notice had been received of questions or statements from the public.

Report of the Executive**The Council Plan and Community Plan**

The recommendation in paragraph 1 of the report (which appears in the Minute Book at page 9737) were 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 -

36. That the County Council approves the Council Plan 2018-2022.

That the County Council authorises the Chief Executive to make any necessary changes to the text, including reflecting decisions made by the County Council on the budget, Medium Term Financial Strategy and updated performance data.

That the County Council approves the recommendation that the Council ceases to have a Community Plan and that the requirement to have a Community Plan is deleted from the policy framework in Article 4 of the Council's Constitution.

Medium Term Financial Strategy 2018/19 to 2021/22 and Revenue Budget for 2018/2019

A technical update and corrections to the Medium Term Financial Strategy 2018/19 to 2021/22 and Revenue Budget for 2018/2019 was circulated to County Councillors ahead of the meeting (which appears in the Minute Book pages 9747 to 9761).

The recommendation at paragraph 2 of the report (which appears in the Minute Book at pages 9739 to 9741) were moved and seconded.

An amendment was proposed by County Councillor Eric Broadbent and seconded by County Councillor Geoff Webber:

"We believe that the changes proposed to transport for children with SEND are fundamentally wrong.

Whilst we understand that the Council need to make savings, we believe that this area provides a valuable service to those who are amongst the most vulnerable in society and it is the Council's duty to exhaust all other areas before removing free transport for young people with SEND.

It is therefore proposed that the implementation of the cut is removed and the funding of the saving gap met from Reserves until such time as more acceptable proposals are developed."

A named vote was taken on the amendment and, on a show of hands, the motion was declared defeated with 48 against, 13 for, and 2 abstentions. Votes were recorded as follows:

For the motion: County Councillors John Blackie, Philip Broadbank, Eric Broadbent, Lindsay Burr MBE, Stephanie Duckett, Helen Grant, Bryn Griffiths, Don Mackay, John McCartney, Stuart Parsons, Tony Randerson, Andy Solloway, Geoff Webber.

Against the motion: County Councillors Val Arnold, Karl Arthur, Bob Baker, David Blades, Michael Chambers MBE, David Chance, Jim Clark, Richard Cooper, Gareth Dadd, Caroline Dickinson, Keane Duncan, John Ennis, Caroline Goodrick, Michael Harrison, Paul Haslam, David Jeffels, Andrew Jenkinson, Mike Jordan, Andrew Lee, Carl Les, Stanley Lumley, Cliff Lunn, Don Mackenzie, John Mann, Stuart Martin MBE, Zoe Metcalfe, Heather Moorhouse, Patrick Mulligan, Richard Musgrave, Andy Paraskos, Caroline Patmore, Chris Pearson, Clive Pearson, Joe Plant, Gillian Quinn, Janet Sanderson, Peter Sowray, Helen Swiers, Roberta Swiers, Angus Thompson, Cliff Trotter, Callam Walsh, John Weighell OBE, Richard Welch, Greg White, Annabel Wilkinson, Nicola Wilson and Robert Windass.

Abstentions: County Councillors Robert Heseltine and Janet Jefferson

A named vote was taken on the recommendation at paragraph 2 of the report and, on a show of hands, the motion was declared to be carried with 50 for, 13 against, and no abstentions. Votes were recorded as follows:

For the motion: County Councillors Val Arnold, Karl Arthur, Bob Baker, David Blades, Michael Chambers MBE, David Chance, Jim Clark, Richard Cooper, Gareth Dadd, Caroline Dickinson, Keane Duncan, John Ennis, Caroline Goodrick, Michael Harrison, Paul Haslam, Robert Heseltine, David Jeffels, Andrew Jenkinson, Mike Jordan, Andrew Lee, Carl Les, Stanley Lumley, Cliff Lunn, Don Mackenzie, John Mann, Stuart Martin MBE, Zoe Metcalfe, Heather Moorhouse, Patrick Mulligan, Richard Musgrave, Andy Paraskos, Caroline Patmore, Chris Pearson, Clive Pearson,

Joe Plant, Gillian Quinn, Janet Sanderson, Andy Solloway, Peter Sowray, Helen Swiers, Roberta Swiers, Angus Thompson, Cliff Trotter, Callam Walsh, John Weighell OBE, Richard Welch, Greg White, Annabel Wilkinson, Nicola Wilson and Robert Windass.

Against the motion: County Councillors John Blackie, Philip Broadbank, Eric Broadbent, Lindsay Burr MBE, Stephanie Duckett, Helen Grant, Bryn Griffiths, Janet Jefferson, Don Mackay, John McCartney, Stuart Parsons, Tony Randerson, Geoff Webber.

Abstentions: None

Resolved -

37.

- a) That the Section 25 assurance statement provided by the Corporate Director, Strategic Resources regarding the robustness of the estimates and the adequacy of the reserves (**paragraph 8.11 of the report - see Appendices Booklet page 75**) and the risk assessment of the MTFS detailed in **Section 9 (see Appendices Booklet page 76)** in the report are noted.
- b) That, in accordance with Section 42A of the Local Government Finance Act 1992 (as amended by Section 75 of The Localism Act 2011), a Council Tax requirement for 2018/19 of £287,757,993.86 is approved and that a Council Tax precept of this sum be issued to billing authorities in North Yorkshire (**Section 3.3 and Appendix A of the report - see Appendices Booklet pages 48 and 82**).
- c) That, in accordance with Section 42B of the Local Government Finance Act 1992 (as amended by Section 75 of The Localism Act 2011) a basic amount (Band D equivalent) of Council Tax of £1,248.85 is approved (**paragraph 3.3.10 and Appendix A of the report - see Appendices Booklet page 49 and 82**).
- d) That a Net Revenue Budget for 2018/19, after use of reserves of £361,551k (**Section 4.0 and Appendix D of the report - see Appendices Booklet pages 62 and 90**) is approved and that the financial allocations to each Directorate, net of planned savings, be as detailed in **Appendix F** of the report (**see Appendices Booklet page 109**).
- e) That in the event that the final Local Government Settlement results in a variance of less than £5m in any single year then the difference to be addressed by a transfer to/from the Strategic Capacity Unallocated Reserve in line with **paragraph 3.2.3** of the report (**see Appendices Booklet page 48**) with such changes being made to **Appendix B** of the report as appropriate (**see Appendices Booklet page 86**).
- f) That the Corporate Director – Children and Young People’s Service is authorised, in consultation with the Executive Member for Schools, to take the final decision on the allocation of the Schools Budget including High Needs (**paragraph 3.4.16, see Appendices Booklet page 53**).
- g) That £2.5m is provided from the Strategic Capacity Unallocated Reserve for the rationalisation of property in Northallerton from 2019/20 (**paragraph 3.9.1, see Appendices Booklet page 61**).
- h) That £360k is provided from the Strategic Capacity Unallocated Reserve for Members Highways Locality Budgets in 2018/19 (**paragraph 3.9.1, see Appendices Booklet page 61**) and that authority be delegated to the Corporate Director, Business & Environmental Services in consultation with the Executive Member for Highways to develop and implement proposals on how the scheme should operate.

- i) That £10,816k (split as £5,398k in 2018/19 and a further £5,418k in 2019/20) is provided from the Strategic Capacity Unallocated Reserve to complete the roll- out of the new LED units (**paragraph 3.9.1, see Appendices Booklet page 61**) in order to deliver the saving proposed (**BES 2 in Appendix E1 - Appendices Booklet page 103**).
- j) That the Medium Term Financial Strategy for 2019/20 to 2021/22, and its caveats, as laid out in Section 3.0 and Appendix D of the report is approved (**see Appendices Booklet pages 45 and 90**).
- k) That the Corporate Director - Strategic Resources is authorised, in consultation with the Executive Member for Finance, to apply up to £1m of the Savings Contingency provided for within the Budget/MTFS in any one year to provide for financial pressures on a recurring basis and that any application will be reported to the subsequent quarterly revenue budget monitoring report (**paragraph 3.1.5 – see Appendices Booklet page 46**).
- l) That the Corporate Director – Business and Environmental Services is authorised, in consultation with the Executive Members for BES, to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in Appendix E (**BES 1 to 6 of the report - Appendices Booklet page 103**).
- m) That the Corporate Director – Health and Adult Services is authorised, in consultation with the Executive Members for HAS, to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in **Appendix E (HAS 1 to 14 of the report - Appendices Booklet page 99)**.
- n) That the Corporate Director – Children and Young People’s Services is authorised, in consultation with the Executive Members for CYPS, to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in **Appendix E (CYPS 1 to 12 of the report - Appendices Booklet pages 95-98)**.
- o) That the Chief Executive is authorised, in consultation with the Executive Members for Central Services, to carry out all necessary actions, including consultation where he considers it appropriate, to implement the range of savings as set out in **Appendix E (CS 1 to 13 of the report - Appendices Booklet page 95)**.
- p) That any outcomes requiring changes following Recommendations (l), (m) (n) and (o) above be brought back to the Executive to consider and, where changes are recommended to the existing major policy framework, then such matters to be considered by full County Council.
- q) That the existing policy target for the minimum level of the General Working Balance is retained at £27.27m (**paragraphs 3.6.4 to 3.6.5 and Appendix C – see Appendices Booklet pages 55 and 87**).
- r) That the attached pay policy statement (**Appendix G – see Appendices Booklet page 110**) covering the period 1 April 2018 to 31 March 2019 (**Section 6 – see Appendices Booklet page 67**) be approved.

Capital Plan

The recommendations at paragraph 3 of the report (which appears in the Minute Book at page 9742) were 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 -

38.

- a) That the updated Capital Plan, summarised at **Appendix E** of the report (**see Appendices Booklet page 161**) which incorporates a number of specific refinements reported in **paragraph 4** of the report (**see Appendices Booklet page 148**) is approved.
- b) That no action be taken at this stage to allocate any further additional capital resources (**paragraph 5.4 - see Appendices Booklet page 151**).
- c) That it be a recommendation to the County Council that the Q3 2017/18 Capital Plan, as summarised in **Appendices A to E (see Appendices Booklet pages 153-164)** of the report be adopted.

Treasury Management

The recommendations at paragraph 4 of the report (which appears in the Minute Book at pages 9742 to 9743) were 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 -

39.

- a) That the Treasury Management Policy Statement as attached as **Appendix A (see Appendices Booklet pages 175-179)** of the report is approved
- b) That the Annual Treasury Management and Investment Strategy for 2018/19 as detailed in Appendix B of the report and in particular:
 - i. an authorised limit for external debt of £348.9m in 2018/19
 - ii. an operational boundary for external debt of £328.9m in 2018/19
 - iii. the Prudential and Treasury Indicators
 - iv. a limit of £40m of the total cash sums available for investment (both in house and externally managed) to be invested in Non Specified Investments over 365 days
 - v. a 10% cap on capital financing costs as a proportion of the annual Net Revenue Budget
 - vi. a Minimum Revenue Provision (MRP) policy for debt repayment to be charged to Revenue in 2018/19
 - vii. the Corporate Director – Strategic Resources to report to the County Council if and when necessary during the year on any changes to this Strategy arising from the use of operational leasing, PFI or other innovative methods of funding not previously approved by the County Council
- c) the Capital Strategy as attached as **Appendix C (see Appendices Booklet pages 218-229)**
- d) that the Audit Committee be invited to review **Appendices A, B and C (see Appendices Booklet pages 175-229)** and submit any proposals to the Executive for consideration at the

earliest opportunity.

Revision of Prudential Indicators

The recommendations at paragraph 5 of the report (which appears in the Minute Book at page 9743) were 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 -

40.

- a) That the updated Prudential Indicators for 2018/19 to 2020/21 as set out in Appendix A of the report **(see Appendices Booklet pages 232-241)** is approved.
- b) That an Authorised Limit for External Debt of £348.9m in 2018/19 under Section 3(1) of the Local Government Act 2003 **(paragraph 3.4 of the report - see Appendices Booklet page 231)** is approved.

School Admission Arrangements 2018/19

The recommendations in paragraph 6 of the report (which appears in the Minute Book at page 9744) were moved and seconded.

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

41. Approval of the proposed Admission Arrangements which include:

- a) the proposed admission policy for community and voluntary controlled schools
- b) the proposed admissions policy for nursery schools, schools with nursery and Pre-reception classes, appendices 1 & 2 of the report **(see Appendices Booklet pages 247-251)**
- c) the proposed co-ordinated admission arrangements appendix 3 of the report **(see Appendices Booklet page 252)**
- d) the proposed In Year Fair Access Protocol appendix 3a of the report **(see Appendices Booklet page 274)**
- e) the proposed published admission numbers (PAN's) for community and voluntary controlled.

Appointments to Committees

The recommendations at paragraph 7 of the report (which appear in the Minute Book at page 9744) were 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 -

42.

West Yorkshire Combined Authority

(a) That the amendment of the list of outside bodies in the County Council's Constitution to include, under Category 1 - Partner Bodies, the West Yorkshire Combined Authority - Business Innovation and Growth and Employment and Skills Panel is endorsed.

(b) That the nomination of the following is endorsed:

the Executive Member for Open for Business, County Councillor Andrew Lee, to serve on the West Yorkshire Combined Authority - Business Innovation and Growth Panel

the Executive Member for Education and Skills, County Councillor Patrick Mulligan, to serve on the West Yorkshire Combined Authority - Education and Skills Panel.

Looked After Children Members' Group

That two of the participatory observer members of the group, the Chair of the Young People's Overview and Scrutiny Committee County Councillor Janet Jefferson and the Young People's Champion County Councillor Keane Duncan, become full members of the group.

Report and recommendations of the Audit Committee

The recommendation (which appears in the Minute Book at page 10101) were 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 -

43. That the proposed changes to the terms of reference the Audit Committee, as set out in Appendix 1 to the report, be approved.

Statements by Executive Members and Chairmen of Overview and Scrutiny Committees

County Councillor Janet Sanderson, Executive Member for Children's Services Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10106 to 10108).

County Councillor Patrick Mulligan, Executive Member for Education and Skills Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10109 to 10111).

County Councillor Don Mackenzie, Executive Member for Access Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10113 to 10114), and responded to questions.

County Councillor David Chance, Executive Member for Stronger Communities Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10115 to 10117).

County Councillor Michael Harrison, Executive Member for Health and Adult Services Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10119 to 10120), and responded to a question. County Councillor Michael Harrison also made a correction to his statement as follows: "At the time I wrote my statement, I expected them (Clinical Commissioning Groups) to have been placed into special measures by the time of this meeting. In fact, they are not yet - so I would like to amend my statement to change the words have placed to 'are expected to place'."

County Councillor Caroline Dickinson, Executive Member for Public Health, Prevention and Supported Housing Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10121 to 10122), and responded to questions.

County Councillor Andrew Lee, Executive Member for Open to Business Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10123 to 10124).

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 (pages 10125 to 10127).

County Councillor Gareth Dadd, Executive Member for Finance and Assets and Special Projects Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10129 to 10130), and responded to questions.

The written statements of the Chairmen of the Scrutiny Board and the Overview and Scrutiny Committees having previously been circulated, and which appears in the Minute Book (pages 10131 to 10149) were noted.

Council Procedure Rule 10 Questions

There were no Council Procedure Rule 10 questions.

The meeting closed at 12:30pm