

North Yorkshire County Council

Chief Executive Decision Session Consultation with the Executive

Minutes of the virtual meeting held on Tuesday, 28 April 2020 commencing at 10.00 am.

County Councillors present via Skype and phone: Carl Les, David Chance, Gareth Dadd, Caroline Dickinson, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

Officers present via Skype: Richard Flinton, Barry Khan, Gary Fielding, David Bowe, Ken Moody and Melanie Carr.

Copies of all documents considered are in the Minute Book

39. Welcome by the Leader

The session was chaired by County Councillor Carl Les, who confirmed that the role of the Executive at this informal session was to consider the reports and give a view to the Chief Executive. It was noted that this was not a formal decision making meeting and that where a decision was required, the Chief Executive would use his own discretion after considering the views of the Executive.

40. Minutes

It was agreed that the Minutes of the decision session held on 21 April 2020, having been printed and circulated, be taken as read and confirmed by the Chief Executive as a correct record.

41. Declarations of Interest

In regard to Agenda Item 4, County Councillor Carl Les declared a non-disclosable pecuniary interest as a Board Member of the LEP, and County Councillor Andrew Lee declared a non-disclosable pecuniary interest as a member of a LEP sub-committee.

42. A1(M) Junction 47 & Harrogate Rail Line Funding Arrangements –

Considered – David Bowe, Corporate Director for Business & Environment Services introduced a draft report which confirmed a further £2m of funding was required for the Junction 47 Scheme. He provided a detailed verbal update on proposed changes to the funding arrangements for the two schemes in order to address the funding shortfall, which included a proposal to request an additional £0.5m of YNYER LEP funding.

He also confirmed that a letter had been received from the YNYER LEP confirming that a formal LEP Committee decision would be required for both the additional contribution and the associated rebalancing between the two schemes, and that the required decisions would not be made until the LEP Committee was next due to meet in June 2020.

David Bowe went on to provide an overview of the risks associated with the proposed changes to the funding arrangements and the alternative funding options should the YNYER LEP Committee decide not to approve those changes, which included the use of CPE surplus and the major scheme development fund. He also confirmed that due to the delay in the decision from the YNYER LEP, work would not start on the Junction 47 scheme until July 2020.

It was confirmed that the draft report was being revised to reflect the information provided at the meeting and that a decision by the Chief Executive was being sought based on the updated information, and subject to confirmation from the YNYER LEP on whether request for an additional contribution had been approved.

Members noted:

- The two schemes were being considered together as both were on the same corridor and would provide improved east west connectivity.
- The revised scheme estimates for both schemes
- A Highways England contribution of between £200-£250K would underwrite the potential contractor costs associated with the impact of COVID-19.
- The variance in tenders
- The associated legal issues that had been considered, as detailed in the report
- The need for a decision by the Chief Executive before 30th April 2020 in line with the procurement framework for the two schemes

County Councillor Don Mackenzie thanked the YNYER LEP for its ongoing commitment to the two schemes, and having considered all of the information provided, **the members of the Executive recommended to the Chief Executive that –**

- i) The proposed funding arrangements for A1(M) junction 47 improvements be approved. It should be noted if additional funding from the LEP is not approved the gap will be funded from CPE and the Major Scheme Development fund as explained in paragraph 5.8 of the report.
- ii) The proposed funding arrangements for Harrogate Rail Line be approved.

Resolved –

The Chief Executive considered the views of the Executive provided at the consultative session and the revised report subsequently provided, and decided to use his emergency powers to implement the recommendations of the Executive.

Please note that this decision has been treated under the special urgency procedure in Access to Information Procedure Rule 16 and call-in has therefore been exempted by the Chairman of the County Council under Overview and Scrutiny Procedure Rule 16.

The meeting concluded at 10:40am