

North Yorkshire County Council

20 February 2019

The Report of the Executive

The Executive met on Tuesday 27 November 2018. County Councillor Carl Les in the Chair. County Councillors David Chance, Gareth Dadd, Caroline Dickinson, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

Also in attendance: County Councillors Derek Bastiman, Jim Clark, John Ennis, Caroline Goodrick, Paul Haslam, Janet Jefferson and Stanley Lumley.

Key agenda items were:

- Quarterly Performance and Budget Monitoring Report
- Approval to Publish Statutory Notices - Moorside Infant School
- Proposed Development of Extra Care Housing Scheme in Helmsley - Appendix C to this report contained exempt information.

The link to the reports and minutes from this meeting is as follows:

<http://democracy.northyorks.gov.uk/committees.aspx?commid=18&meetid=3782>

The Executive met on Tuesday 4 December 2018. County Councillor Carl Les in the Chair. County Councillors David Chance, Gareth Dadd, Caroline Dickinson, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

Also in attendance: County Councillors Cliff Lunn and Karin Sedgwick.

Key agenda items were:

- Tour de Yorkshire 2019 and 2020
- Implementing the National Pay Award – Changes to the Grading Structure for Council Staff
- Appointments to Committees and Outside Bodies
- Acquisition of part of Whitby Hospital Site - this report contained exempt information.

The link to the reports and minutes from this meeting is as follows:

<http://democracy.northyorks.gov.uk/committees.aspx?commid=14&meetid=4165>

The Executive met on Tuesday 15 January 2019. County Councillor Carl Les in the Chair. County Councillors David Chance, Gareth Dadd, Caroline Dickinson, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

Also in attendance: County Councillors Eric Broadbent, Geoff Webber, Paul Haslam, Janet Jefferson Annabel Wilkinson and David Goode.

Key agenda items were:

- Harrogate Adult Community Services Health and Social Care Integration
- Alternative Investments - Year 1 Review

- Schools Budget
- Changing the Resource Allocation System from Can-Do to a banded system
- Pupil Referral Service and Alternative Provision (PRS/AP) Budget and Fund Modelling
- Changes to Funding Arrangements for Post 16/19 Placements for Young People with Education, Health and Care Plans
- Harrogate Congestion Study.

The link to the reports and minutes from this meeting is as follows:

<http://democracy.northyorks.gov.uk/committees.aspx?commid=18&meetid=3784>

The Executive met on Tuesday 29 January 2019. County Councillor Carl Les in the Chair. County Councillors Gareth Dadd, Caroline Dickinson, Michael Harrison, Andrew Lee, Don Mackenzie, Janet Sanderson and Greg White.

Apologies: County Councillors David Chance and Patrick Mulligan.

Also in attendance: County Councillors John Blackie, Paul Haslam and Annabel Wilkinson.

Key agenda items were:

- Budget 2019/20 and the Medium Term Financial Strategy (MTFS)
- Council Plan
- Future Structure of the Coroner Service in North Yorkshire
- Response by the Scrutiny of Health Committee to the Notice of Motion to County Council on 14 November 2018 on the NHS Patient Transport Service and Community Hospitals.
- LGPS Employer Discretions Policy
- School Admission Arrangements for the School Year 2020/21.

Budget 2019/20 and the Medium Term Financial Strategy (MTFS)

The Budget report made recommendations to Executive and so County Council regarding the Medium Term Financial Strategy (MTFS) for 2019/20 to 2021/22, the Revenue Budget 2019/20 and Council Tax for 2019/20. This included the following elements, which were considered each in turn by Executive:

- Medium Term Financial Strategy
 - Reserves and Balances
 - Savings
 - Investments
- Revenue Budget 2019/20
- Council Tax
- Section 25 Statement
- Draft pay policy statement 2019/20
- Assessment of the key financial risks to the County Council
- Public engagement on the Budget
- Equality Impact Assessment
- Capital Plan to 2021/22
- Treasury Management Policy Statement
- Annual Treasury Management and Investment Strategy and Minimum Revenue Provision Policy for 2019/20
- Prudential Indicators for 2019/20 to 2021/22.

The link to the reports and minutes from this meeting is as follows:

Recommendations by Executive for approval/information at Full Council

1. Budget: This item was considered at Executive on 29 January 2019 where Executive was asked to make recommendations to the County Council regarding the Medium Term Financial Strategy (MTFS) for 2019/20 to 2021/22, the Revenue Budget for 2019/20 and Council Tax for 2019/20.

The Executive RECOMMENDS:

Revenue Plan:

- a) 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 8.17) and the risk assessment of the MTFS detailed in Section 9 be noted.
- b) 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 2019/20 of £305,852,694 be approved and that a Council Tax precept of that sum be issued to billing authorities in North Yorkshire (Section 3.3 and Appendix C).
- c) 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 £1,311.16 be approved (paragraph 3.3.10 and Appendix C).
- d) A Net Revenue Budget for 2019/20, after use of reserves, of £382,018k (Section 4.0 and Appendix F) be approved, and that the financial allocations to each Directorate, net of planned savings, be as detailed in Appendix B.
- e) 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 3.2.8 with such changes being made to Appendix D as appropriate.
- f) The Corporate Director – Children and Young People’s Service be authorised, in consultation with the Corporate Director, Strategic Resources and the Executive Members for Schools and Finance, to take the final decision on the allocation of the Schools Budget including High Needs (paragraph 3.4.16).
- g) £360k be provided for Members Environmental Locality Budgets in 2019/20 in line with paragraph 3.9.2.
- h) A further £1m be provided to fund the on-going 2020 North Yorkshire Programme and its emerging successor (Beyond 2020 Programme) in response to the need to plan for further savings proposals as set out in paragraph 3.9.3.
- i) The Medium Term Financial Strategy for 2020/21 to 2021/22, and its caveats, as laid out in Section 3.0 and Appendix F be approved.

- j) The Corporate Director – Business & Environmental Services be 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 A1 (BES 1 to 7).
- k) The Corporate Director – Health and Adult Services be 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 A1 (HAS 1 to 17).
- l) The Corporate Director – Children and Young People’s Services be 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 A1 (CYPS 1 to 7).
- m) 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 A1 (CS 1 to 17).
- n) Any outcomes requiring changes following Recommendations j), k), l), and m) above be brought back to the Executive to consider and, where changes are recommended to the existing major policy framework, then such matters be considered by full County Council.
- o) The existing policy target for the minimum level of the General Working Balance is retained at £27m in line with paragraphs 3.6.4 to 3.6.5 and Appendix E.
- p) The pay policy statement (Appendix H) covering the period 1 April 2019 to 31 March 2020 be approved as set out in Section 6.
- q) The recommendation of the Chief Officers Appointment and Disciplinary Sub Committee to combine current grades Director 2 and 3 into a single grade be approved as set out in Section 6 and as incorporated within Appendix H.

In addition, the Executive also:

- Noted and agreed the delegation arrangements referred to in Section 10 that authorised the Corporate Directors to implement the Budget proposals contained in the report for their respective service areas and for the Chief Executive in those areas where there were cross-Council proposals.
- Had regard to the Public Sector Equality Duty (identified in Section 7 and Appendix I) in approving the Budget proposals contained in the report.

Capital Plan:

- a) Approved the updated Capital Plan, summarised at Appendix E which incorporated a number of specific refinements reported in paragraph 4 of the report.
- b) Agreed that no action be taken at this stage to allocate any further additional capital resources (paragraph 6.4)
- c) Agreed to Recommend to the County Council that the Q3 2018/19 Capital Plan, as summarised in Appendices A to E be adopted.

Treasury Management Strategy:

- a) The Treasury Management Policy Statement as attached as Appendix A;
- b) The Annual Treasury Management and Investment Strategy for 2019/20 as detailed in Appendix B and Prudential Indicators attached as Schedule E, in particular;
 - i. an authorised limit for external debt of £537.2m in 2019/20;
 - ii. an operational boundary for external debt of £517.2m in 2019/20;
 - iii. the Prudential and Treasury Indicators for 2019/20 to 2020/21
 - 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 2019/20
 - 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
- d) That the Audit Committee be invited to review Appendices A, B and C and submit any proposals to the Executive for consideration at the earliest opportunity.

Please note that the Budget Papers are in full in the Booklet that accompanies the papers for the County Council meeting.

2. Council Plan: This item was considered at Executive on 29 January 2019 where Executive was asked to recommend to full Council the draft Council Plan and authorises the Chief Executive to make any necessary changes to the text, including decisions made by full Council on the budget, Medium Term Financial Strategy and updated performance data.

The Executive RECOMMENDS:

That County Council approve the draft Council Plan and 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.

3. Response by the Scrutiny of Health Committee to the Notice of Motion to County Council on 14 November 2018 on the NHS Patient Transport Service and Community Hospitals: This item was considered at Executive on 29 January 2019 where Executive was asked to consider the recommendations arising from the Scrutiny of Health Committee meeting on 14 December 2018 and in turn make recommendations to Council.

The Executive RECOMMENDS:

That County Council approve the approach that has been adopted by the Scrutiny of Health Committee and the recommendations that were considered by Executive. These are detailed in full as follows:

NHS Patient Transport Service

1. The Clinical Commissioning Groups and Yorkshire Ambulance Service to provide data on:
 - the number of appeals (successful and unsuccessful) as a percentage of the overall number of journeys
 - the financial impact of the changes to the application of the eligibility criteria
 - the number of 'Did Not Attends' for medical appointments that can be linked to the changes in the application of the eligibility criteria.
2. The Clinical Commissioning Groups and the Yorkshire Ambulance Service to consider amending the assessment criteria to explicitly include as considerations:
 - the impact of rurality
 - the level of access to public transport
 - the distances that have to be travelled.
3. The Vale of York CCG and Scarborough and Ryedale CCG to consider amending their criteria so that patients undergoing Chemotherapy, Radiotherapy, Renal and Other Oncology are automatically entitled to patient transport services and do not need an assessment.
4. The appeals process to be simplified and better publicised.
5. The Council's Scrutiny of Health Committee to liaise with the Council's Care and Independence Overview and Scrutiny Committee over changes to adult social care transport charging that are currently being consulted upon.
6. Daniel Harry to draft a report that outlines the Scrutiny of Health Committee response to the Notice of Motion, based upon the discussions today, and circulate to the members of the committee for comment.
7. That an update on the impact of the changes to the way in which the eligibility criteria for the Patient Transport Service are applied is provided to the Scrutiny of Health committee meeting on 21 June 2019.

These were considered by the Executive on 29 January 2019. In addition to the above, Executive also made the following recommendations for Council to consider, that:

- All CCGs operate a consistent approach to the commissioning and operation of Patient Transport Services
- The fourth resolution should be strengthened to say 'The entire appeals policy and process should be simplified, made clearer and more transparent, and better publicised'.

Community Hospitals

At the Scrutiny of Health Committee Mid Cycle Briefing on 1 February 2019, local NHS commissioners and providers started a discussion about what the long term vision could be for small and community hospitals.

4. LGPS Employer Discretions Policy: This item was considered at Executive on 29 January 2019 where Executive was asked to recommend approval of the proposed revisions to the LGPS Employer Discretions:

- Revision in the redundancy pay calculation as a result of employment law change requiring the incorporation of employers' pension contributions into the calculation of a week's pay
- Revision of discretion allowing aggregation of LGPS service for pre-2014 re-joiners
- Revised provision around the application of pension bands to employees' pay.

The Executive RECOMMENDS:

That County Council approve the changes to the LGPS Employer Discretions Policy.

5. School Admission Arrangements for the School Year 2020/21: This item was considered at Executive on 29 January 2019 where Executive was asked

The Executive RECOMMENDS:

That County Council approve the proposed Admissions Arrangements which include:

- i. the proposed admission policy for community and voluntary controlled schools; and
- ii. the proposed admissions policy for nursery schools, schools with nursery and pre-reception classes, Appendices 1 and 2 of the report
- iii. the proposed co-ordinated admission arrangements as set out in Appendix 3 to the report;
- iv. the proposed in Year Fair Access Protocol as set out in Appendix 3a to the report; and
- v. the proposed published admission numbers (PAN's) for community and voluntary controlled schools as shown in Appendices 4 (Primary) and 5 (Secondary).

6. Appointments to Committee and Outside Bodies: The following appointments are to be noted by County Council.

That County Councillors Caroline Goodrick, David Goode and Liz Colling are appointed to the Looked After Children Members' Group.

7. Progress with the three Notices of Motion that went to County Council on 14 November 2018: The following update with the Overview and Scrutiny Committees investigation response to the three Notices of Motion that were raised at the meeting of County Council on 14 November 2018 is as below:

Patient Transport Service and Community Hospitals – as outlined in section 3.

Phasing out of single use plastics and the support for plastic free initiatives within North Yorkshire – The Transport and Environment Overview and Scrutiny Committee resolved to engage in the Government consultation on the Resources and Waste Strategy and the way in which its actions are to be implemented and then establish a task group to work through the local implications and possible responses.

Charter Against Modern Slavery – The Corporate and Partnerships Overview and Scrutiny Committee received a report from Procurement regarding the compliance of the Council with the Charter Against Modern Slavery at their Mid-Cycle Briefing on 21 January 2019. Recommendations will be made to the Executive in March 2019, date to be confirmed.

CARL LES
Chairman
County Hall
Northallerton

12 February 2019