

North Yorkshire County Council

Executive

Minutes of the remote meeting held on Tuesday, 9 June 2020 commencing at 11.00 am.

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.

Other Councillors Present: County Councillor Paul Haslam

Officers present: Richard Flinton, Barry Khan, Richard Webb, Stuart Carlton, Gary Fielding, Andrew Dixon, Jane Le Sage, John Lee and Melanie Carr.

Copies of all documents considered are in the Minute Book

446. Minutes

Resolved –

That the public Minutes of the meeting held on 9 June 2020, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

County Councillor Carl Les, Leader of the Council, took the opportunity to thank all officers, Members and partner organisations for their continued hard work in delivering services and supporting the vulnerable. He also made a statement in response to the Black Lives Matter protests taking place across the world, confirming that black lives did indeed matter and that there was no place in society, the county and the council for discrimination, prejudice or hate in any form. He confirmed that the Council prided itself on being a multicultural, understanding and welcoming place for all, whose services were respectful of all members of the county's diverse communities. He also stated that all lives matter in North Yorkshire.

447. Declarations of Interest

There were no declarations of interest.

448. Exclusion of the Press & Public

Resolved

That on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph(s) specified in column 2 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information)(Variation) Order 2006, members agreed to exclude the public and press from the meeting during consideration of Annexes B & C to agenda item 10.

449. Questions and Statements from members of the public

There were no public questions or statements.

450. Publication of Statutory Notices on Removal, Alterations and Establishment of Special Need Provisions in Mainstream Schools from 1 September 2020

Considered –

A report of the Corporate Director - Children and Young People's Service which sought the Executive's approval to publish statutory proposals and notices to add provision for Special Educational Needs in the form of Targeted Provision at Mainstream Schools and to formally remove Special Educational Needs Provisions from former Enhanced Mainstream Schools. The report also sought approval to implement the new model of Targeted Mainstream Provision as set out in the SEND Strategic Plan for Education Provision 2018-23.

County Councillor Patrick Mulligan introduced the report, which outlined the steps that had been taken to date to make changes to the range of educational provision across the local authority for young people with SEND, and the findings from a recent consultation on proposals to add and remove provision for SEN at nine specific mainstream schools from September 2020.

Jane Le Sage, Assistant Director for Inclusion confirmed this was a key stage in delivering the SEND Strategic Plan for changes in SEN provisions at 31 schools in total. She also confirmed that legal advice was sought to ensure the consultation could be carried out in a meaningful way meeting all legal requirements.

Members noted the focus of consultation responses from the Craven locality and it was confirmed that officers would continue to work with schools in that area to resolve all issues so that may participate in the delivery of SEN provision in the future. In the meantime, outreach provision would continue in that area through multi-disciplinary hubs.

Jane Le Sage confirmed three academies were participating in year one of the roll out, and that a number of schools had already expressed interest in participating in year two of the roll out.

All Members voted in favour of the recommendations and therefore it was

Resolved – That:

- i.) The statutory proposals and notices to add provision for Special Educational Needs in the form of Targeted Provision (SEN Unit) at a number of Mainstream Schools, as listed in the report at paragraph 6.1(i) be published on 19 June 2020.
- ii) The statutory proposals and notices to formally remove Special Educational Needs Provisions from former Enhanced Mainstream Schools, as listed in the report at paragraph 6.1(ii) be published on 19 June 2020.
- iii) A final decision on these proposals be scheduled for an Executive meeting on 18 August 2020.

451. Clapham CE VC Primary School - Closure Proposal

Considered –

Item 1

A report of the Corporate Director - Children and Young People's Service which provided further information on a proposal to cease to maintain Clapham Church of England Voluntary Controlled Primary School with effect from 31 August 2020 and future arrangements for the School's current catchment area.

County Councillor Patrick Mulligan introduced the report, outlining the process that had been undertaken to date, including the consultation that had been carried out, and the responses received during the notice period.

Members noted there had been no objections to the proposed closure but some concern regarding the proposed arrangement for the catchment area.

Andrew Dixon, Strategic Planning Manager for Education & Skills confirmed the rationale behind the decision not to split Clapham CE VC Primary School's catchment area between the three other schools in the area. However, he confirmed the decision would remain under review as the situation in the area could change over time.

All Members voted in favour of the recommendations and therefore it was

Resolved –

- (a) That the required preliminary checks had been undertaken and the issues listed in paragraph 9.2 of the report had been satisfied
- (b) That:
 - i) The Local Authority cease to maintain Clapham CE VC Primary School with effect from 31 August 2020.
 - ii) The catchment area of Austwick CE VA Primary School and Bentham Community Primary School be extended with effect from 1 September 2020 to jointly serve the area currently served by Clapham CE VC Primary School.
 - iii) NYCC Officers would in future engage in annual discussion on local catchment areas with Austwick School, Bentham School and Ingleton School. The first discussion to be held in the summer term 2021.

452. Developer Contributions for Education

Considered –

A report of the Corporate Director - Children and Young People's Service

County Councillor Patrick Mulligan introduced the report which sought approval to implement an updated Policy for developer contributions for education, made in light of changes to legislation and updated government guidance.

John Lee, Strategic Planning Officer for Education & Skills confirmed the updated Policy would maximise the contributions from developers, and that appropriate consultation had taken place on the proposed policy changes.

It was noted the proposals were comparable with those of neighbouring County Councils and the total cost per house would remain below the average for that group. Also, that District and Borough Councils in North Yorkshire would be updating their policies to reflect the changes in legislation.

Item 1

County Councillor Greg White questioned the updated Policy's effect on the future development of low cost housing and it was confirmed that local Planning Authorities were responsible for determining how they would consider NYCC's Policy going forward.

In response to a query from County Councillor Carl Les, it was confirmed that a developer contribution could not be sought if there was surplus school capacity across a local area and that was predicted to remain, even if some individual schools were already operating at their capacity.

Having noted the report, Members voted in favour of the recommendations and therefore it was

Resolved – That:

The revised developer contributions for education policy be implemented from 1 July 2020, using the draft policy set out in Annex 1 of the report.

453. Verbal Update on County Council's Covid 19 Actions

Members received a detailed verbal update from Richard Flinton, Chief Executive on the County Council's actions to date in response to the Covid 19 pandemic. This included information on:

- The preparatory work undertaken pre-lockdown
- The number of cases and deaths in Hospitals and Care homes across the County, including an indication of the number of possible cases in the community that did not have a positive test status
- The peaks in cases
- The enhanced role given to the Public Health Service in support of the NHS and to bring together all key partners
- The ongoing work to protect employees
- Issues around the supply of PPE and the local supply chains that has since been developed
- The costs associated with the provision of PPE
- The support given to those self-isolating and those in the core shielded group (approximately 3000)
- The number of people being supported by volunteer groups on a weekly basis (approximately 5000)
- The number of daily outbound calls to those self-isolating/shielded
- The number of volunteers being relied on
- The huge amount of work being done at a community level in support of their communities
- The efforts of schools to support key workers (approximately 2000 pupils)
- Ongoing work around children in care and those at risk
- Trading standards work to combat those trying to take advantage of the situation
- Emergency Planning
- The re-opening of some services – recycling centres having already re-opened with Libraries, Registrars, Children's Centres and Archive Centres to follow
- The economic impact on local businesses and the support offered by the Council

Richard Webb, Corporate Director for Health & Adult Services confirmed the Council's major objective was to keep people safe and well during what was the longest major incident the Council had worked under.

He confirmed the Council had re-deployed 1800 Adult Social Care workers in order to deliver the services needed, but had not had to trigger its emergency powers. He also confirmed the Council had bought additional beds in care homes to accommodate patients being discharged from hospitals, and that a menu of interventions had been introduced to support care homes

across the county, which included an increase in funding.

Richard Flinton went on to outline the financial challenges resulting from the pandemic, which was expected to result in a deficit of approximately £42m. County Councillor Carl Les confirmed there was much to do to ensure the Council's future financial stability which included seeking further funding from central Government. He also expressed his thanks to The Council's Adult Social Care staff, its partners, the MOD, local MPs and the volunteer sector across North Yorkshire for their support and engagement.

County Councillor Gareth Dadd reiterated those thanks and also praised County Councillors for the flexibility and understanding regarding decision making during the lockdown period. He confirmed that whilst the Council was in position to draw in its financial reserves this would have a knock on effect on budget setting in the future.

County Councillor David Chance also gave thanks to the work of officers and volunteers, in particular the Community Services Team and the contribution of food banks.

Barry Khan, Assistant Chief Executive (Legal & Democratic Services) drew Members attention to the roll-out of the Government's Test & Trace programme across England, and the associated need for a local outbreak management plan. He detailed the planned creation of a local Outbreak Management Advisory Board made up of democratically elected Councillors/politicians, the Police Fire & Crime Commissioner, a representative from the business community, and key partnership agencies. He also provided an overview of the proposed Terms of Reference for the Board – see Annex A.

Members supported the setting up of a Board and noted the proposed inclusion of the appropriate representatives to tackle specific issues as they arise including the involvement of District and Borough councils.

County Councillor Carl Les thanked officers for their detailed update and Members

Resolved – That:

- i) The update on the County Council's Covid 19 Actions be noted.
- ii) A local Outbreak Management Advisory Board be formed in line with the draft ToR at Annex A, to lead on a local approach to COVID 19 outbreak management.

454. Forward Work Plan

The Forward Plan for the period from 28 May 2020 to 31 May 2021 was noted.

455. Children and Young People's Service - Schools Condition Capital Programme 2020/21

Considered –

Report of the Corporate Director - Children and Young People's Service

County Councillor Patrick Mulligan introduced the report which confirmed that North Yorkshire County Council had been allocated £9,783 Schools Condition grant for 2020/21, and detailed the priorities for investment during that period and the rationale behind each element of the programme

Andrew Dixon, Strategic Planning Manager for Education & Skills drew Members attention to the governance principles detailed in paragraph 7.22 of the report, and the proposed SPTCP allocation for 20/21 of £1.6m (28% of the overall allocation).

Members noted the LA's ongoing financial support to schools and that 42% of maintained schools would receive some investment going forward.

County Councillor Greg White commented on the reactive nature of the Local Authority's planned works and expressed some concern that they would not contribute to the County Council's priority of reducing its carbon footprint. In response Andrew Dixon confirmed this would be considered by the forthcoming review of the Local Priority Statement.

Having noted the report all Members voted in favour of the recommendations and therefore it was

Resolved –

That the following be approved:

- i. The proposed Schools Capital Programme for 2020/21 as summarised in Annex A of the report, including the allocation to the Specialist Provision Targeted Capital Programme.
- ii. The governance principles for the Specialist Provision Targeted Capital Programme as set out in paragraph 7.22 of the report
- iii. The list of strategic priority / modernisation schemes as set out in Confidential Annex B
- iv. The Planned Capital Maintenance Programme as set out in Confidential Annex C

Also, that the approach for dealing with any schools which convert to Academy status as laid out in paragraph 3.3 of the report be continued.

The meeting concluded at 12pm
MLC