

North Yorkshire County Council
Transport, Economy and Environment
Overview and Scrutiny Committee

Minutes of the Meeting held at County Hall, Northallerton on Wednesday 22 January 2014 at 10.00 am.

Present:

County Councillor David Jeffels in the Chair

County Councillors Robert Baker, Bernard Bateman (substitute for Margaret Atkinson), David Chance, Andrew Goss, Bryn Griffiths, Michael Heseltine, Robert Heseltine, Peter Horton, Penny Marsden, Bob Packham, Richard Welch and Robert Windass

Officers:

David Bowe, Corporate Director (BES), Ian Fielding, Assistant Director: Waste & Countryside Services (BES), Emma Hobbah, LNP Development Officer (BES), Andy Holmes, Service Improvement Officer (BES), Barrie Mason, Assistant Director Highways and Transportation (BES), Matt Millington, Projects & Partnerships Officer (BES), Richard Owens, Assistant Director for Integrated Passenger Transport (BES) and Jonathan Spencer, Corporate Development Officer (Central Services)

Present by Invitation:

Phil Jepps, Divisional Manager (Ringway) and John Nicolson, Regional Director (Ringway)

There were no members of the public present

Copies of all documents considered are in the Minute Book

23. Minutes

That the Minutes of the meeting held on 19 December 2013, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

24. Public Questions or Statements

It was noted that there were no general public questions or statements.

25. Business & Environmental Services Directorate

Considered –

The oral update from the NYCC Corporate Director - Business and Environmental Services highlighting some of the recent issues considered by the Executive since

the last meeting of the Committee and identifying some of the key issues and priorities for the coming months.

The key issues reported by David Bowe were as follows:

- The full range of bus subsidy reductions had been approved by the Executive at its meeting on 21 January. At the same meeting reference had been made to the implications of the County Council having to make an additional £77m in savings from 2015/16 to 2018/19. This would have a serious impact on all services. A review of winter maintenance would be undertaken to implement efficiencies and ensure uniformity of service across the county, including in terms of the provision of salt heaps and bins. The vast majority in the county would not notice a difference. A review of the grass-cutting service would also be undertaken, with a view to reducing the number of grass cuts per year in order to save in the region of £700,000. There was potential to mitigate the reduction in grass cuts through communities delivering grass-cutting through their own resources and funding. Where parish councils had taken over and contracted the grass cutting service the grass cut was generally done to a higher standard albeit at a higher cost.
- The road closures for the Yorkshire stage of the Tour de France had been published to ensure that businesses and residents could plan ahead. Affected roads would be closed for a minimum eight hours. If people travelled to the event a long time in advance there might be a need to close some roads earlier to the public apart from local residents.
- North Yorkshire's 4A and 4B category roads had deteriorated especially in the last two winters. Once weakened the structure of these roads was more easily undermined than higher category roads. This was due to them not having been engineered to the same degree as higher category roads. Mechanisms to gain investment to assist the Authority were being looked into by utilising its own resources to match-fund opportunities with the Department for Transport either directly or indirectly through the local growth fund money. Having a good road network was important to the county's economic development not just in terms of attracting new businesses but also in terms of protecting existing businesses.

Members made the following comments:

- The number of potholes on minor roads in the county was the number one complaint in rural areas. At the same time the County Council was not honouring insurance claims. David Bowe responded by noting that the County Council needed to be robust in its defence. When potholes were reported to the Authority an inspection was undertaken and if a repair was required then this would be undertaken. An issue was that some emergency repairs did not provide sufficient longevity especially during the winter months. Resource allocation meant that category 1 to 3 roads were given a higher priority for repairs. The state of the rural road network in the county was a cause of concern though. In terms of insurance claims the County Council had to demonstrate that it was not negligent and could show that it had a robust safety inspection regime in place. The vast majority of Category 4A and 4B roads were inspected once a year.
- The Chairman asked if due to the mild winter to date it would be possible to re-allocate some of the funding normally set aside to grit the roads to repair outstanding highways maintenance. David Bowe said that that was a debate for the Executive to have in how to utilise the central reserve. However spend on winter maintenance had been low and at the current rate would come under the projected budget by between £1m to £2m. However the months of February and March could bring wintry conditions. The high rainfall had

caused pothole damage. There could be an opportunity to put in a highways maintenance bid into the central reserve.

- The cost of bringing the road network up to a good standard. David Bowe responded by saying that the financial figures relating to the condition of the road network frequently changed and so it was difficult to take a view precisely about the level of investment that was needed. However it would cost between £250m and £400m to carry out the structural repairs needed to bring the road network into a good condition. To then maintain the roads in order to stop on-going deterioration would be a further £50m to £60m per annum. The County Council currently prioritised its road maintenance programme to ensure that there were as many safe routes available as possible within the current budget constraints.
- A number of bus service issues were raised chiefly relating to bus services in Scarborough district. A Member suggested re-routing a commercial service in Scarborough to cover an area left by the withdrawal of the Number 4 bus service. This would help to ensure better value for money. Another Member noted that two estates in his Division were now without access to a bus service, which was of particular concern to elderly residents. David Bowe said that the County Council would continue to negotiate with commercial bus providers to get the best service and it was sometimes the case that commercial providers did not spot the opportunities. Ultimately however it was down to the commercial operator to decide whether to divert a route. The Authority would look to provide mitigating solutions via a community-enhancement approach in areas not covered by regular bus services. He said that he would welcome Members continuing to bring to the Authority's attention area-specific concerns so that it could see what alternative solutions could be put in place.
- The future plans for community-run transport solutions such as the Little White Bus to enable people without access to a car living in rural areas to be able to access services. David Bowe noted that the aspiration was to try to ensure that rural communities had access to service hubs via a community-led transport approach. This would help reduce the risk of those without access to a car from being isolated, particularly for older people. This could be for example via the provision of a volunteer car scheme or dial a ride service.
- Safety issues if the number of grass-cuts were reduced or removed entirely. David Bowe said that the County Council would continue to ensure that grass was cut where there were safety issues, notably at roads junctions. The Chairman noted that an item on grass-cutting would be brought to a future meeting.

Resolved –

That the oral update from the NYCC Corporate Director - Business and Environmental Services be noted.

26. Household Waste Recycling Centre Savings - Consultation

Considered –

The report of the Corporate Director – Business and Environmental Services, to inform the Committee of the outcome of the recent consultation on proposals relating to savings in the provision of the Household Waste Recycling Centre (HWRC) service.

Ian Fielding introduced the report. He also referred to the report on this issue going to the Executive in February, which provided more details about the results of the consultation exercise. The savings were part of the overall Council budget that had to be made up to and including 2014/15. The Council's current HWRC policies were adopted in 2005. In 2008 the Council published guidance in relation to these policies. The guidance limited the largest type of construction and demolition waste being disposed of at HWRCs. Residents could deliver the equivalent of two car boot loads of soil and rubble free of charge each month. The cost of the receipt and disposal of inert non-household waste was £240,000 per annum. A 10 week consultation exercise was carried out between October and December 2013. The primary purpose of the consultation was to seek views on the disposal of soil and rubble and other similar materials such as plasterboard at HWRCs. However the opportunity was taken to consult on other areas of the HWRC service at the same time. 1126 responses were received. Most respondents agreed that the County Council should continue to accept soil, rubble and plasterboard at HWRCs but there was not overwhelming support to charge. Concerns included fly-tipping of soil and rubble if a charging regime was introduced.

Ian Fielding went on to note that fly-tipping had not increased in 2008 when the amount of soil and rubble that could be disposed of without charge was reduced. Fly-tipping had also not increased when the opening hours were restricted at the county's HWRCs. The County Council worked with the Environment Agency and district councils to tackle fly-tipping. The recommendation in the report was to introduce a charging regime for soil and rubble and plasterboard. If the County Council could not reach an agreement with its contractors to charge then it would have to stop taking soil and rubble and plasterboard at HWRCs.

Members made the following key comments:

- Isolated cases of fly-tipping had occurred recently with builders rubble tipped on a car park. The offender had been traced. Councils should be more proactive in fining people especially as fly-tipping is likely to increase when the charging regime is brought in. Ian Fielding replied that the enforcement agency was the Environment Agency. The district councils also had some powers in this regard. The County Council did not have the power to fine. He said that there was a need to be diligent particularly with regards to fly-tipping in the immediate vicinity of HWRCs. However such incidents tended to be local to a specific HWRC and work was done with the local parish council and Environment Agency to gather evidence for prosecution.
- Cross-border issues of people living outside the county being in the habit of travelling into North Yorkshire to use the HWRCs. There was the danger that those same journeys would continue but the waste would be dumped illegally. Ian Fielding said that in order to reduce the risk of fly-tipping the County Council would be negotiating with contractors to ensure that a fair charging regime was put into place based upon the amount of waste that individual customers were intending to dispose of at a HWRC.
- Referring to paragraph 7.2 of the report a Member noted the risk that in the event that the HWRC operating contractors did not agree to take responsibility for charging for soil and rubble etc., the County Council would have to stop taking soil and rubble at HWRC. He expressed concern that this could result in different levels of service provision across the county. Ian Fielding replied that there were two operating contracts in place in the county. Whilst he could not guarantee the same agreement for both, the County Council could influence Yorwaste as it was the majority shareholder of the

company. He anticipated that agreement to introduce the same charging regime would be reached with both contractors in due course.

- The questions in the consultation were targeted on the savings up until the end of 2014/15. In terms of people's responses to the other areas of the HWRC service that were consulted upon, how useful had this information been in view of the fact that respondents would not have been aware at that point of the additional savings required across the Council from 2015/16? Ian Fielding replied that there had been a number of useful suggestions but there would likely be a future consultation on any specific proposals.
- A Member commented that the previous change to the service to close one day a week had not enlisted a high number of complaints received and reducing the opening hours further could be another way to make savings.
- A question was asked about the practicalities of charging customers for delivering soil and rubble at HWRCs when they had mixed these with other materials that were not chargeable. Ian Fielding replied that the County Council would be working through different scenarios with the contractors. The HWRC operators would need to be reasonable in the way in which they applied the charging regime especially if customers brought only small amounts of non-household waste.
- The need to restrict the size of vehicle using facilities. Andy Holmes replied that the current policy did provide restricted vehicle access. The vehicle limit was 3.5 tonnes. In the past restrictions had been placed on trailers but these had been suspended. This could be re-introduced in the future as part of further savings.

Resolved –

- a) That the Committee notes the report.
- b) That the Committee recommends that the Executive agrees the changes to HWRC operating contracts that:
 - enable the continued receipt of soil and rubble, and plasterboard at all HWRCs at no cost to the Council (including allowing operating contractors to charge for this waste) from 1 April 2014 or as soon as practicable thereafter or,
 - in the event that agreements with the HWRC operating contractors cannot be completed by 1 April 2014, make the necessary arrangements such that the Council shall stop accepting soil and rubble and plasterboard at the appropriate HWRCs from that date.

27. North Yorkshire and York Local Nature Partnership

Considered –

The report of the NYCC Corporate Director – Business and Environmental Services, to update Members on the progress of the North Yorkshire & York Local Nature Partnership and to provide Members with the opportunity to comment on the draft LNP Strategy.

Ian Fielding introduced the report. He explained that Local Nature Partnerships were designed to help their local area manage the natural environment effectively and embed the environment within local decisions for the benefit of nature, people and the economy. North Yorkshire and York successfully applied to be a LNP, achieving official status from the government in July 2012. The North Yorkshire & York LNP covered the sub-region excluding the Yorkshire Dales National Park and Nidderdale Area of Outstanding Natural Beauty. A shadow board was in place. Referring to section 3 of the report Ian Fielding went on to refer to the benefits that the LNP would bring to North Yorkshire. He also referred to section 4 of the report relating to the strategy document. Although the LNP would have no additional funding it would provide the platform to lever in funding and inform future funding bids. The vision integrated aspects of nature conservation. The four key themes in the strategy were: nature; people and communities; economy; and climate change. Specific geographical areas had been identified as priority areas: seven rural areas and two urban areas. The strategy was currently out to consultation and would be finalised in the summer. The strategy would be reviewed after five years.

Members made the following key comments:

- The Chairman asked if the LNP Shadow Board had involved the Howardian Hills AONB and Welcome to Yorkshire. Ian Fielding replied that Howardian Hills AONB had representation on the Board. Welcome to Yorkshire had been contacted and there was on-going dialogue to try to engage that organisation more fully in the future. The LNP would also have strong connections with the Local Enterprise Partnership.
- Referring to the strategy document a Member suggested that the references made to the 'preservation of peatlands' should include the word 'restoration' of peatlands. He went on to praise the Cayton and Flixton Carr Wetland Project near Scarborough.
- Mention should be made in the strategy of the legacy benefits of the Tour de France in the strategy both in terms of the economic benefits that it would bring with increased tourism and in terms of the health and wellbeing benefits of cycling. Ian Fielding mentioned that the LNP had had some engagement with the Tour de France working groups. The event would be held before the strategy had been adopted. However he agreed that reference could be made in the strategy to the potential legacy benefits of the Tour de France.
- A Member said that the LNP seemed short on resources to implement projects on the ground. Bearing this in mind what were the possibilities of being able to tap into the environmental cross-compliance aspects of the Single Farm Payment from April 2015? Ian Fielding said that the LNP was in discussions with the Local Enterprise Partnership about the opportunities arising from the reform to the Common Agricultural Policy. However the LNP would not be receiving direct funding from this source. This was because of the nature of the LNP and because and also much of the strategy would be delivered through a community-led approach. Matt Millington added that Natural England was undertaking initiatives that focused on land stewardship, and was likely to be at the centre of discussions relating to CAP reform. There would be links there to the work of the LNP.
- A Member noted that it would be useful to receive an update report later in the year after the consultation period had closed, detailing the responses that had been received and the changes made to the final strategy document. He went on to ask if planners in the district councils and National Parks Authority had been made aware of the strategy and whether the strategy would be taken into account when significant planning proposals were being considered. Ian Fielding said that the planning authorities were being

consulted. He noted that whilst LNPs did not have a statutory status they were being actively promoted by Government.

Resolved –

- a) That the report be noted.
- b) That an update report be provided to Members later in the year detailing the results of the consultation.

28. Ringway Performance 2013/14 (April – September 2013)

Considered –

The report of the NYCC Corporate Director – Business and Environmental Services, to advise Members of Ringway's performance under the Highways Maintenance Contract (HMC) 2012 during the period 1 April 2013 – 30 September 2013.

Barrie Mason introduced the report. He explained that the report arose from the request made by the Transport, Economy & Environment Overview and Scrutiny Committee meeting to receive an interim report. The annual report would be presented to the Committee in July. The interim report related to the period April to September 2013. The Chairman of the Transport, Economy & Environment Overview and Scrutiny Committee had attended the Performance Review meeting in November on which the interim report was based.

Barrie Mason reminded the Committee of the design of the contract including the potential to reduce the contract term if the performance of the contractor fell below the agreed level, and the 'claw back' and 'win back' mechanisms.

Barrie Mason referred to paragraph 2.15 of the report detailing the discussions at the Performance Review meeting and appendices A to G. It had been noted at the meeting that when compared to the end of 2012/13, the overall performance against the Primary Performance Indicators (PPIs) had improved whilst performance against the Secondary Performance Indicators (SPIs) had marginally dropped. Should current performance levels be taken as the position at the end of the 2013/14 financial year, it would be likely that a recommendation would be made to the Evaluation Panel to reduce the contract term by one year. Ringway's anticipated performance for the period October 2013 to March 2014, however, was projected to be much better due to a number of reasons including changes in management.

Barrie Mason went on to refer to paragraph 2.16 of the report and Appendix H relating to communications to Members about the progress of planned and current highways works. Ringway was proposing to introduce a Member's portal so that Members could track the progress of planned and current works. It was hoped that this would be rolled out shortly. There had been a delay in introducing the portal however due to the fact that the County Council needed to be confident that Ringway would be carrying out the highways works in the agreed timescales.

John Nicolson said he wished to reinforce the commitment Ringway had to the contract. He was personally committed to delivering a high quality service that met the County Council's aspirations. He acknowledged that Ringway had fallen short of achieving this particularly in Year One of the contract but believed that over the last six

months Ringway's performance had improved significantly in terms of the level of service that it was providing to the County Council. Ringway would work with the County Council to innovate and introduce best practice used in the other contracts that Ringway had with local authorities elsewhere in the country. He hoped that Ringway would be able to work with the County Council for the full contract term.

Members made the following key comments:

- Members expressed a number of concerns about the delays in road-marking being carried out by Ringway. The example of Harrogate district was cited where Members had had to chase up progress several times before the work was undertaken. Harrogate Borough Council was considering introducing its own road-marking team as a result. Another Member reported that Staithes, in Scarborough district, was still waiting for a delayed programme of road marking to be carried out. Due to this delay some permit holders were selling back their permits as they felt that the current standard of road markings meant that parking offences were no longer enforceable. Barrie Mason said that work was being undertaken with Ringway to establish what orders had been placed and for where. He would then be able to share this information with Members on an individual basis. John Nicolson said that he was not aware of jobs outstanding in the system for Staithes and gave an assurance that he would identify with the County Council if an order had been placed for this work to be carried out.
- The quality of the road-marking materials was below par and the question was asked if Ringway had sufficient resources to undertake road marking and gully-emptying across the county. Phil Jepps replied that the performance of gully-emptying related to programmed works. Ringway was however also responding to a significant number of requests for unscheduled emptying, which had resourcing implications. With regards to road marking Phil Jepps said that he accepted there needed to be improvements in standard road marking but was committed to ensure that the service improved. Ringway had two road-marking gangs in the county. Specially manufactured materials were used for road marking and they had a good track record in terms of longevity. Barrie Mason confirmed that the level of resource provided by Ringway to undertake road marking was at a higher level than had been available under the previous contract. He said that it was critical for road markings to be kept up to date because of the County Council's responsibility for civil parking enforcement issues. A regular three month meeting was held with Ringway representatives to address road marking issues. Road marking was given a high priority.
- A further question was asked about how far behind schedule Ringway was for road marking programmed works. Barrie Mason said that there was still a backlog in place from last year, though additional resources had now been provided in order to reduce the backlog. Ringway's performance in relation to carrying out roadmarking programmed works was still not up to the standard expected by the County Council. He went on to note that Ringway was trying to improve its performance on road markings and there was a need for the County Council when ordering works to provide a reasonable time frame for Ringway to carry out the work. A guidance manual was being put together so that officers ordered work within a consistent timeframe and so there were clear definitions about which highway defects needed to be repaired or monitored.
- The inspection regime in place to inspect the work carried out by Ringway. Barrie Mason explained that there were a number of inspectors across the county operating out of the Area Offices. A key part of their work in inspecting the highways network was to make random inspections of the work carried out

by Ringway. Under the contract Ringway was responsible for its own quality control. The County Council was looking at bringing in some additional inspection resource. The Chairman suggested that Members should have regular meetings with their local Area Highways Office Managers. Phil Jepps said that he was happy to work with whatever regime was in place. Overall Ringway offered a high quality service with a high degree of internal self-checking.

- Lack of communications to Members and concerns expressed by parish councils about the state of the highway network generally and lack of local information about when work was scheduled to be carried out. Barrie Mason referred to his earlier comments about planned communications to Members. He said that the County Council in partnership with Ringway was wanting to ensure that Members were informed at an early stage about work that was about to commence and were kept briefed about the progress of existing works. This information would in turn allow Members to report back accurate information to their local parish councils. It was important however that the County Council was confident about the accuracy of the information provided by Ringway. Barrie Mason went on to remind Members to make use of the Customer Care Officers in the Area Highways Offices for information about work being carried out in their Division. Phil Jepps said that Ringway had a history of working with local authorities so was aware of the need to provide comprehensive information.
- The Chairman asked if the mild weather during the winter to date had allowed Ringway to reduce its highway maintenance backlog and had meant that more of the targets for the Secondary Performance Indicators were being met. Barrie Mason said that the latest information from Ringway for the period up to December 2013 did present a better picture than for April to September 2013. He noted however that although it had been a mild winter, the storm surge event affecting the Yorkshire coast in October had led to unscheduled work repairs needing to be carried out in the Sandsend area. The high rainfall during the winter period had also created flooding problems, which had in turn created more potholes.

Resolved –

That Ringway's performance under the Highways Maintenance Contract 2012 during the period 1 April 2013 to 30 September 2013 be noted.

29. Work Programme

Considered –

The report of the Scrutiny Team Leader asking the Committee to:

- (a) Note the information in this report.
- (b) Confirm, amend or add to the areas of work shown on the work programme schedule (attached at Annex A).
- (c) Approve the draft scope of the Local Bus Services Review.

Jonathan Spencer, Corporate Development Officer referred to the draft scope of the Local Bus Services Review at Annex B of the report. He noted that the review arose from the Committee's resolution at its meeting on 19 December 2013 to conduct an in-depth review of local bus services in rural and urban areas of the county to establish how local bus services could be put on a more sustainable footing, including investigating alternative ways of running bus services suited to local needs.

Jonathan Spencer noted that the review would be a focused piece of work because there was a short window of opportunity to be able to inform the next round of bus subsidy reduction proposals coming into effect from 2015/16. He suggested that the scope of the review should be about maintaining access to services and looking at a range of transport solutions, not just buses. The review could establish what passenger transport provision needed to look like in the future in order for people to continue to be able to access services. He advised that the review should cover both rural and urban areas. The urban aspect would focus mainly on those town services that were previously subsidised; as the issue there was to establish how they could become profitable and remain profitable. The method of the review was to have a mixture of visits and round the table discussions with the organisations listed in Annex B. Members were invited to consider which other organisations the Committee should be consulting with for the purposes of the review.

Richard Owens added that the review should focus on establishing the access needs of communities in North Yorkshire and how these might best be met using a range of transport options. Getting the view of bus users would be essential. He noted that Northamptonshire County Council had already reduced its bus subsidy two years ago and it would be interesting to see what solutions had been put in place to ensure that communities were still able to access services there.

Jonathan Spencer went on to recommend that the Committee set up a task group to take forward the detail of the review with the aim to produce a report for the Committee meeting in July.

Resolved –

- a) That the work programme report be noted.
- b) That the draft scope of the Local Bus Services Review as submitted be further refined to highlight the access to services remit of the review, and then signed off by the Task Group.
- c) That the following Members be appointed to the Task Group: County Councillors David Jeffels, Robert Heseltine, Michael Heseltine, Bob Packham, Peter Horton, David Chance, Penny Marsden and Andrew Goss.

The meeting concluded at 1.10pm

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North Yorkshire County Council
Transport, Economy and Environment
Overview and Scrutiny Committee

Minutes of the Meeting held at County Hall, Northallerton on 7 February 2014 at 10.00 am

Present:-

County Councillor David Jeffels in the Chair

County Councillors Margaret Atkinson, Robert Baker, John Blackburn (substitute for Penny Marsden) David Chance, Andrew Goss, Bryn Griffiths, Michael Heseltine, Robert Heseltine, Peter Horton, Steve Shaw-Wright (substitute for Robert Packham), Richard Welch, and Robert Windass

Members invited to attend: Executive County Councillor Chris Metcalfe

Signatories to the call in: County Councillors John Clark, Stuart Parsons and John Savage

Other Members present: County Councillors Gareth Dadd, Carl Les, Penny Marsden and Cliff Trotter

Officers attending: David Bowe, Corporate Director (BES), Richard Owens, Assistant Director: Integrated Passenger Transport (BES) and Jonathan Spencer, Corporate Development Officer (Central Services)

Approximately 12 members of the public were in attendance

Copies of all documents considered are in the Minute Book

30. Chairman's Introduction

The Chairman County Councillor David Jeffels took Members through the order of business for the call in meeting as set out in the report shown on pages 1 and 2 of the papers.

31. Public Questions or Statements

It was noted that there were no general public questions or statements, as all the speakers who were present wished to speak on item 3 on the agenda.

32. Call in of the decision of the Executive taken 21 January 2014 regarding Reduction in Bus Subsidies.

The reasons given for the call in were:

- i. No information was made available to the Executive of the possible/likely impact on the budgets/costs of CYPs and HAS. Therefore the Executive could not make

an informed “One Council” decision and instead resorted to adopting a “silo” approach to decision making.

- ii. No information was made available to the Executive on the possible financial implications of their decision on the cost of providing healthcare within the County. If there have been discussions with our partners then details (and the conclusions reached) of those discussions should have been in the public domain prior to the Executive considering the item.
- iii. BES is advocating the cutting of services to the most vulnerable in our communities at the same time that they are maintaining expenditure for the healthy car drivers within the County. How does this agree with the Equality Impact Assessment (EqIA)?
- iv. The decision did not allow for small flexible cash reserves to be retained which would have enabled Parish and District Councils to consider contributing to the continuation of bus services in their areas.
- v. There is no evidence of consultation having been undertaken with groups representing the elderly, vulnerable or the disabled.
- vi. The EqIA reported to the Executive states “The EqIA also noted the mitigation measures that are to be carried out, and concluded that these will minimise any adverse impacts.” In the case of the Richmond Town Service this is blatantly untrue as the proposals exclude any service provision to the geographical extremes of the town and no mitigation measures are proposed. If this is the proven case for Richmond then it will also be the case for other communities.

The Chairman introduced the report and invited the Decision Taker (the Executive) to respond.

Executive County Councillor Chris Metcalfe said that as colleagues were aware, in July 2013 a range of proposals had been brought forward to the Executive to close the funding gap in 2014/15. The Executive agreed that the public transport subsidy should be reduced by a minimum of £1.1m. This was reported to the Transport, Economy & Environment Overview and Scrutiny Committee on the 19 December 2013. On the 21 January 2014 a report on the proposed reductions in bus subsidy was submitted to the Executive. Although the consultation referred to a £1.1m subsidy reduction the complete set of proposals amounted to £1.7m. The difference in the figures was to allow an element of choice to be provided. The savings were now estimated to be £2m per annum. The actual service implications had subsequently been found to be less than in the consultation even though the overall budgetary position of the County Council from 2015/16 onwards would be far worse than previously anticipated. The Executive decided to accept the recommendations to make savings of £2m savings per annum.

The Chairman invited the call in signatories to present their reasons for calling in the decision taken by the Executive on 21 January 2014.

County Councillor Stuart Parsons, a signatory to the call in, said that he did not believe the decision that had been reached was a whole Council decision. Account had not been taken of the potential impact on the services provided by the Children and Young Peoples Services (CYPS) directorate and the Health and Adult Services (HAS) directorate. He mentioned that Julia Mulligan, the Police and Crime Commissioner (PCC) had voiced similar concerns when she had spoken at the County Council’s Corporate & Partnerships Overview and Scrutiny Committee on 3 February 2014. The PCC felt that local authorities in North Yorkshire had not been

working together to mitigate the impact of the cuts and in particular she was concerned about the impact that this omission would have on young people. She had suggested that further work needed to be done. Councillor Parsons went on to state that the implications for the CYPS directorate were that if a child was not able to access services the CYPS directorate would suffer additional costs. No conversation had been had with the district councils to ascertain the impact that the reduction in bus subsidy proposals would have on their services. The costs associated to health and social services had not been addressed. The Executive could not be sure that by reducing the bus subsidy by £2m they had not inadvertently increased expenditure in other budgets. There would for example be increased journey costs for people having to attend hospital, which the health service would need to subsidise.

County Councillor Parsons noted that the County Council Leader, Councillor John Weighell, had acknowledged in a recent radio interview about the need to provide opportunities for young people in the county. However these proposals ran counter to that. He also noted that County Councillor Clare Wood had acknowledged at the recent Executive meeting that the overwhelming majority of older people wished to remain in own homes. These proposals however would isolate old people in their homes or force them to move. No substantive information had been provided on the impact that the bus subsidy reduction would have on tourism. Tourism was a vital element of the economy but no impact assessment had been undertaken on the impact to the local economy. There would also be a negative impact on the environment as more people would be forced to drive in order to be able to access services. No consideration had been made to the increased use of vehicles on the road both in terms of increased traffic congestion and the condition of the road. Motorists already had to queue at the traffic lights in Richmond for lengthy periods at peak times. However this would increase further as a result of the withdrawal of the bus subsidy for the local bus service. This was a situation that was likely to be replicated across the county.

County Councillor Parsons went on to repeat his view expressed at the Executive meeting on 21 January that the Equality Impact Assessment did not stand up to scrutiny. He noted that Richmond town was built on hills making walking very difficult for older people. He had been recently informed that there would be some element of transport provision following the withdrawal of the Town service. However the new service would avoid three large social housing estates and other areas of the town. He said that in the entire Equality Impact Assessment there was no evidence that disability groups and those representing the elderly had been consulted. This meant that the Council did not know collectively what the impact would be on these vulnerable groups. The Executive had based their decision on very limited grounds by not looking at the impact that the decision would have on the County Council's entire budget and those of its partners. This would have catastrophic repercussions for all public services in North Yorkshire.

County Councillor John Clark, a further signatory to the call-in spoke. He said that he realised that although the issue at stake was the County Council's problem to handle, it had not been caused by the County Council but caused by government cuts. Much as he was in favour of free public transport this was not the world in which we now lived in. The Executive's decision was made to save £2m in respect of bus services but it did not know what the impact would be of having done this. He had hoped, and continued to hope, that the Executive would put in some flexibility to give time to consider the impact of the reduction in bus subsidy. As things stood the County Council did not know what the impact and demands would be on the CYPS, HAS and Business & Environmental Services (BES) directorates. County Councillor Clark went on to note that although County Councillor Metcalfe had said that the implications for subsidised bus services in the county were less than the implications

that had been consulted upon, the problem was that the Council did not know what the impacts were. Referring to the Pickering town service County Councillor Clark said that he hoped that everything was done to replace the service but the problem was there were no estimated numbers who would need HAS services as a result of isolation.

The Chairman then invited the Decision Taker to respond to the points raised.

Executive County Councillor Chris Metcalfe said that he would take each point listed in the call in in turn.

“No information was made available to the Executive of the possible/likely impact on the budgets/costs of CYPS and HAS. Therefore the Executive could not make an informed “One Council” decision and instead resorted to adopting a “silo” approach to decision making.” County Councillor Metcalfe said that the County Council’s Integrated Passenger Transport Unit in fact commissioned services for the CYPS and HAS directorates on their behalf; it did not act in a silo. The unit had discussed the bus subsidy reduction proposals in detail with the CYPS directorate. It was also made clear in the consultation that no action would be taken that had a consequential impact on costs to the CYPS directorate. The CYPS directorate had no objections to the consultation proposals. Discussions had also been had with the Director of Public Health, and as part of mitigating the impact of the bus subsidy measures, access to care services for those who required it would be in place. The reality was that 80% of public transport was provided on a commercial basis. Of those services subsidised by the County Council most would not be removed. The level of subsidy had been reduced by £2m but part of the saving had arisen from the procurement exercise on Home to School Transport.

“No information was made available to the Executive on the possible financial implications of their decision on the cost of providing healthcare within the County. If there have been discussions with our partners then details (and the conclusions reached) of those discussions should have been in the public domain prior to the Executive considering the item.” County Councillor Metcalfe said that the reality was that no proposals had been identified as having a direct impact on the costs of providing healthcare. The proposals reduced the number of journeys available rather than withdrawing entire services and leaving communities isolated. Where there were elements of hardship serious consideration would be given to putting in place mitigations.

“BES is advocating the cutting of services to the most vulnerable in our communities at the same time that they are maintaining expenditure for the healthy car drivers within the County. How does this agree with the EqIA?” County Councillor Metcalfe said that this was comparing apples with oranges. The County Council had a statutory responsibility for maintaining a safe highway network, and had also reduced its highway budget. No service had had the luxury of being excluded from scrutiny.

“The decision did not allow for small flexible cash reserves to be retained which would have enabled Parish and District Councils to consider contributing to the continuation of bus services in their areas.” County Councillor Metcalfe said that building upon the success of community-run libraries he was keen to work with communities on alternative ways for delivering services. Mitigating measures could include funding for dial a ride. Parish and Town Councils would be able to fund services if they wished. He went on to refer to the replacement for the Pickering Town Service referred to by County Councillor John Clark. He noted that arising from a meeting with Pickering Town Council a solution for an alternative bus service had been found there. This was one such example of a community working together to provide alternative provision.

“There is no evidence of consultation having been undertaken with groups representing the elderly, vulnerable or the disabled.” County Councillor Metcalfe said that the consultation was very well publicised and the amount of interest generated showed that no one could have said that they were not aware of the proposals. There had been numerous articles in the local press and the consultation had been advertised on buses and in local libraries. Those who wished to respond and who were not able to reply on-line had been assisted by library staff. Also anyone who could not post their response had been given the option of taking it to their local library for collection. The consultation had been as widespread and comprehensive as possible.

“The EqIA reported to the Executive states “The EqIA also noted the mitigation measures that are to be carried out, and concluded that these will minimise any adverse impacts.” In the case of the Richmond Town Service this is blatantly untrue as the proposals exclude any service provision to the geographical extremes of the town and no mitigation measures are proposed. If this is the proven case for Richmond then it will also be the case for other communities.” County Councillor Metcalfe said that he was the first to agree that Richmond was not built on the flat and that one of the housing estates was at the top of a large incline. The details of the proposed commercial service had not been finalised. As things stood, there were alternative bus services within two tenths to three tenths of a mile. Once the details of the service were finalised consideration would be given to establishing whether further mitigating measures were required. He went on to state that 80% of bus services in North Yorkshire were commercially-run. The proposals to be implemented did not mean that there would be a 20% cut in bus services; there would instead be a reduction in service. Mobility was just one facet of people being able to live longer but these proposals were not about removing mobility, they were instead about a reduction of choice. In another recommendation accepted by the Executive, the HAS directorate would be investing in further preventative measures. Local community provision was important and ensuring that people were able to keep fit in their local community. Investment in these and other similar preventative measures would help older people stay independent for as long as possible.

The Chairman invited members of the public who had given prior notice to speak. He took each notified question or statement in turn, starting with that forwarded by Shelia Simms.

Shelia Simms read out a written statement which had been circulated to the Committee and is shown below. The written statement referred to the 159 route which ran between Richmond and Ripon, stopping at Leyburn three times a day, with another 159 bus travelling between Leyburn and Richmond return between these three longer journeys.

“This bus starts off from Richmond and passes through Downholme, Bellerby and Leyburn to make the first pick up in Middleham at 9.23a.m. It then returns to Leyburn by 9.30 and leaves for Richmond at 9.35. From there it makes a complete return journey to Ripon.

I can remember when this first bus picked up passengers at Downholme Lane End, Bellerby and Dale Grove (by the mini roundabout on the Richmond Road) on its way into Leyburn. I am asking for these stops to be reinstated as it would give people getting on at them half an hour to shop, collect their paper, go to the chemist etc. in Leyburn before getting it back as it returns to Richmond. Under the new timetable with the intermediate buses between Leyburn and Richmond no longer running, anyone wanting to come into Leyburn on the 159 would have to wait for the 10.05

leaving Richmond, getting into Leyburn at 10.30. They would then have to wait until 12.35 (over 2 hours) to get the bus back to these 3 stops.

Leyburn has a much higher than usual percentage of elderly people, many of whom either can't drive or don't have a car. Whilst, according to your report, they should walk or ride their bike into Leyburn from Bellerby or the outskirts of Leyburn, they are unable to do so – especially as the return journey is up hill and there is no footpath between Leyburn and Bellerby. Many older people are gravitating to the Dale Grove and Mount Drive housing estates as there are many one level properties there. There is due to be an extension to the Dale Grove estate in the near future and fields adjoining the Mount Drive estate are also earmarked for more housing.

This request is about making better use of a bus which at present travels empty but would be a valuable 'town service' for elderly residents of Leyburn. Our town is not big enough to warrant a proper 'town service' like Richmond but this would go a long way to assist elderly residents with little, if any, delay to the bus.

Whilst a one hour gap between buses in Leyburn is useable, over 2 hours is a waste of people's time and I can't think how they would fill it – other than sitting in the bus shelter once they had finished whatever they came to do. We may be retired but time is still precious to us as we know it is running out faster than we would wish!"

Ruth Annison read out a written statement which had been circulated to the Committee in advance of the meeting and is shown below.

"My name is Ruth Annison and, as a North Yorkshire employer since 1975, I became interested in local public transport because of the need to ensure that staff could get to and from work.

The CONSULTATION has brought to public attention the life-changing consequences and real deprivation that will follow if these cuts are implemented as proposed. They will have a devastating effect on the lives of hundreds, possibly thousands, of North Yorkshire residents and visitors - and deprive many people of the chance to use centralised services that are supported by ratepayers.

SINCE I BECAME DEPENDENT OVERNIGHT ON PUBLIC TRANSPORT, I have talked to many passengers who will be adversely affected. There is great anxiety – indeed dread and desperation – and I share these feelings. For example, the present 5 buses a day in each direction through ASKRIGG will be cut to 3 each way each day. The first bus will not reach Hawes until after the doctors' surgery closes. How are we to get to see the doctor, please? And appointments at the hospitals in Northallerton and Middlesbrough? In future we shall have only 2 hours 7 minutes to shop in Northallerton, our County Town, with a 3-bus journey to get here. And what chance will there be to reach work - or centralised services such as Hambleton's swimming pool in Bedale, which is appealing for more users!

I don't think councillors have an accurate picture of some proposed changes. For example, the two bus services in Wensleydale, one along each side of the valley, are described as "the combined 156/157 hourly service." This is incorrect as ONLY the starting and finishing points and village of Bainbridge, where roads for both bus services meet, have a 'combined service;' for Askrigg and other villages, 3 buses a day isn't 'an hourly service!'

TO MAKE MATTERS WORSE, there is still no suggestion of integrating the resources of school and public transport.

THE COUNCIL'S APPARENT RELIANCE ON COMMUNITY SERVICES to plug the gaps in timetables is unrealistic. Will you all be offering to fund-raise and drive for these services? And what about access to the vehicles – especially for people with limited mobility to reach any but the seats nearest the door in a minibus? Have you tried this for yourselves, carrying a walking stick in one hand, shopping bag in the other?

ALL IS NOT LOST HOWEVER! As Councillors there are questions you could ask before making your recommendation, including:

- (a) Why do some services require more subsidy than others? Perhaps the timetable don't meet passengers' real travel needs?)*
- (b) Which connections will be lost with the proposed timetables?*
- (c) Are any more changes to be made to the proposed timetables, subject to re-negotiation between officers and operators that we don't yet know about?*
- (d) Will passengers be able to get there and back, with enough time at the destination to complete the purpose of the journey?*
- (e) Will NYCC's Social Services Department become liable for residential costs if elderly people are unable to live independently through cuts in bus services?*
- (f) For the third time at a public meeting, I ask you to postpone cuts until after summer 2014, to allow time for a full review of public transport and what is required in the future? Must stress money should be spent look at present timetables and marketing to see what can be done to provide better services than proposed. Could make savings without drastic cuts. Went to see William Hague MP eight different examples of timetables inconsistencies some buses run at different times other services left out. Delay costs use goodwill of those signed petition to get best service can for people we have.*

East Ayton Parish Councillor David Tomlinson spoke on behalf of East Ayton Parish Councillor Tricia Colling who had submitted a written statement which had been circulated to the Committee in advance of the meeting and is shown below.

"The Parish Councils of both East and West Ayton are outraged to hear the recent decision taken by the Executive Committee at North Yorkshire County Council regarding the removal of subsidy for numbers 8 and 9 bus services. This subsidy removal has had the effect that Esk Valley Coaches cannot operate without the subsidy and have now made the decision to withdraw both services as of April this year.

These bus services are vital to both Parishes and are crucial in order to ensure that there is no isolation for those who are elderly and infirm. It is conceded that most users are concessionary pass holders; however, to remove one service which is the local access to facilities outside both villages and another which is access to supermarket shopping is incomprehensible.

Residents feel incensed about the loss of these two bus routes. East Ayton Parish Council held an Extra-Ordinary meeting on Friday 31 January to which over 90 residents attended to air their grievances against the cuts. A sample of residents comments are as follows:-

- "We rely on these bus services to enable us to maintain our independence".*
- "Isolation and loneliness leads to depression and withdrawal from the community which will affect our quality of life".*

We understand that a Task Group is to be set up to discuss a way forward, the Task Group will not complete its findings until September of this year and withdrawal of our services takes effect as of April this year. Surely it would have been more efficient to have a “back-up plan” in place before any decision was made to cut the subsidy?

The Parish Councils wish to state the following:

- *The recent consultation from 9 August 2013 – 25 November 2013 was deeply flawed, in that it was non-inclusive of residents who did not have access to the Internet. These residents are the majority bus users and they feel totally let down by the lack of due process. Notices on the buses were so small that anyone with failing eyesight could not read them.*
- *There was no opportunity offered beforehand by the County Council for a public meeting to be held to allow residents to discuss, raise and express their concerns on the proposals.*
- *Dial-a-Ride has been mentioned as an alternative mode of transport; they do not have the necessary Public Bus Licence. 37,000 people used the No 8 bus last year, Dial a Ride certainly do not have the resources to accommodate this number of residents.*

As this recent decision has been “called in”, we request that this letter is included in the deliberations scheduled for Friday 7 February 2014.”

Mr Tomlinson added to the statement by saying that one of the things he was most concerned about the consultation process was that a lot of elderly people did not have internet access. The consultation had however assumed that people wishing to respond did have internet access. The withdrawal of the service in East and West Ayton was of great concern, as demonstrated by the high public turnout at a recent local meeting. He said that no viable alternative was being put in place as he was not convinced Dial a Ride was the answer especially for those needing to travel to hospital. Responding to an earlier comment made he said that for elderly people, walking two tenths to three tenths of a mile was equivalent to a marathon for an able-bodied person. The withdrawal of the subsidised bus service would have serious implications for the elderly in terms of loneliness and isolation.

The Chairman then asked if anyone else wished to speak.

Richmond Town Councillor John Harris said that the Richmond town bus service travelled up hills of considerable height and he asked Executive County Councillor Chris Metcalfe if he had used the service. He went on to state that personal experience had not been figured in to the withdrawal of the bus subsidy for the Richmond town bus service.

The Chairman directed the Committee to other statements submitted by people who had not been able to attend the meeting. He explained that all the written statements received had been circulated to the Committee prior to the meeting.

The Chairman referred to a letter sent by a resident of East Ayton parish to Robert Goodwill MP. Mr Peacock had asked his letter to be forwarded to the Transport, Economy & Environment Overview and Scrutiny Committee.

Dear Mr Goodwill

As our MP and in your role as Parliamentary Under Secretary of State for Transport I request your urgent intervention in to the decision taken by North Yorkshire County Council to withdraw the subsidy to the above service from April 2014.

At an emergency East Ayton Parish Council meeting last night, attended by 70 members of the public, who turned out in appalling weather conditions, almost all elderly and those affected by the decision, it was clearly exposed that the process and the decision making was flawed.

The decision of the Executive committee has been recalled by an oversee and scrutiny committee to be heard next Friday and request that you personally involve yourself in ensuring that this committee addresses the following points raised at the meeting.

The consultation process was flawed. Those undertaking the public consultation failed to identify that the population most affected by their decision making were those least capable of using the method they insisted on the public using, namely that all responses had to be done on line. A member of our parish spoke clearly about her elderly mother's submission in writing to the County Council which was returned to her with a note telling her to make her case on line? I am not aware of an Act of Parliament that has ruled that all individuals can only express their views via a keyboard and cannot use pen and paper.

The process did not make clear that their process was going to make an all or nothing decision, almost all present last night recognised that reductions are an inevitability and could even accept that the service No 8 which runs 3 journeys a day 6 days a week could have been reduced to as little as 1 journey 3 days a week. This would be a massive reduction in the subsidy while still retaining a service which afforded the elderly the opportunity to meet socially and retain their independence. This type of option was not discussed or offered in the paper tabled to the executive.

With regards the paper that was presented to the committee this can only be described as a travesty of public responsibility. Given that the public consultation was flawed the paper has only compounded the flawed decision. The author may just as well have stated that they pay for the service with Monopoly money!

The paper proposed that one option was for Parish councils levy for the cost through the precept. This is illogical given that currently our total precept only brings in around £10,000 and the annual cost of the No8 bus is (based on Councillor Jeffels data that it costs £400 a day to run the bus) would be around £125,000!

The paper also proposed that Dial a Ride be asked to run a vehicle as a replacement service yet Dial a Ride do not have any vehicles capable of carrying the number who use it every day, the 9:30am bus is about a 30 seater and is full most days. The author clearly has no idea how well used the bus is used! My next door neighbour is deaf and cannot have a conversation on the phone. How will he arrange a Dial a ride pick up?

The Equity & Equality evaluation statement with the paper is a disgrace and is just a tick box statement and not an evaluation. It makes no reference to the demographic composition of the users and the rural circumstances that exist in the locality. Neither did it identify the wider population and services that could take marginal reductions or changes which could distribute the impact of the required cuts more equitably.

The paper has absolutely no reference to the Counties wider responsibilities on Health and Wellbeing and well known problems of rural isolation and deprivation. It was said last night that it is accepted that social isolation has just as negative impact on health as smoking 20 a day. The decision if left as it is will lead to the early death of members of your electorate this is a fact not an exaggeration! I have two elderly

households (over 85) close by who are totally independent with no input from social or health to maintain the social and wellbeing and it is the access to the bus which provides a focal point for their week. The suggestion in the executive paper that the service 128 can be used by these people is false as they may be able to walk to the bus but could not walk back with their shopping.

Finally the paper has no impact assessment on the wider budgets the Council has responsibility, specifically the social care budget which will pick up the cost of the affected members of public as they lose their independence and wellbeing and place a burden on the social care budget. Neither does it recognise the impact it will have on its partner organisation the NHS which again the County Council now has a responsibility under its Public Health responsibilities.

With regards options which may cost nothing, it has been put forward that the service 128 which runs through both East & West Ayton in to Scarborough could turn off the main route and follow the route of the No8 in West Ayton, back on to the main route and then in East Ayton follow the route of the No8 around the Broadlands estate and then in to Scarborough via the 6th Form college. This would be instead of traveling via Seamer and the A64 communities which are already served by the Coastliner bus and buses every 10 minutes to Eastfield. Such a change in the route would add only 2 minutes to the current bus time in to Scarborough. This is because the route via the A171 is quicker.

Disturbingly the operator of the 128 has stated that he did not believe the route could take the size of bus used on the 128 yet the No9 bus which runs on exactly the same route is operated by his company and uses a double deck bus of the same size. Your intervention here may be the greatest way out of this mess the County Council have created and one you could take credit for.

With regards the campaign from county to make changes to the Free Bus pass scheme the community do support changes as the current scheme is being identified as the reason small rural communities are being targeted and being in the position of having a Free Bus Pass and the bizarre situation of being unable to use and then being blamed because they pay nothing for the provision of public transport. The scheme must change urgently but to use the change as a solution to this specific problem it is not an answer and you should ignore this. It will not stop the decision made it will be after the next election before any party will have the courage to make such a change.

I request that you make contact with the West and East Ayton Parish councils urgently and agree to meet with them to see the route affected, how practical changes could be made and also to meet with those affected to hear how they have been failed by County, its Executive, its Officers and its County Councillors.”

The Chairman referred to a written statement submitted by Jan Stalworthy concerning the Ilkley to Grassington Bus 74 Service.

“I am unable to attend the Scrutiny Committee Meeting in person on Friday 7th February when the call in of the Decision of the Executive taken on 21st January 2014 regarding the Reduction in Bus Subsidies will be discussed. I am therefore providing a short written statement for the Committee’s consideration. I have linked my own comments to the reasons for the call in identified on the Agenda. I have also highlighted an additional concern regarding the bus timetables included in the original Public Consultation.

(i) No information was made available to the Executive of the possible/likely impact on the budgets/costs of Children and Young Peoples Services and

Health and Adult Services. Therefore the Executive could not make an informed “One Council” decision and instead resorted to adopting a “silo” approach to decision making.

The Public Consultation papers said that the strategy and priority for its proposals was to focus on work, education, health, shopping and personal business whereas it was very clear that the impacts and implications of the proposals could go far wider than the Business and Environmental Services sphere of responsibility and the Public Transport budget and might challenge or conflict with other Council strategies.

For example I was surprised that the original proposals for Bus Service 74 dismissed the need for the service as it was “leisure use which is a low priority for the Council”. I was not convinced there was an understanding within BES of the importance or value that leisure, tourism and visitors bring to the County and to Wharfedale in particular.

And in my response to the Public Consultation I made it clear that there needed to be an examination of the wider social, economic and environmental impacts and their fit with all Council strategies as the proposals clearly could have implications for such things as numbers of visitors, viability of local businesses, levels of employment, council tax revenues and the ability of local people to access key services. The financial information included in the report to the Executive was brief and made no mention of any consequential impacts on other Council services or partners.

The Executive’s decision on the package of proposals to cut the bus subsidy should have been informed by evidence and analysis set out in a Business Case and a value for money statement. Has such a Business Case been prepared? Were the Executive provided with information on the financial and service implications of the proposals including any implications for other Council Services and partners?

The preparation of a Business Case should not be regarded as a paper exercise but rather it is the key document that demonstrates whether or not there is a case for change and a value for money solution. HM Treasury guidance in the Green Book makes clear that such a Business Case should have examined in detail whether the proposals:

- *are supported by a robust case for change that fits with wider Council’s public policy objectives – the ‘strategic case’;*
- *demonstrate value for money – the ‘economic case’;*
- *are commercially viable – the ‘commercial case’;*
- *are financially affordable – the ‘financial case’; and*
- *are achievable – the ‘management case’.*

The economic case should assess the proposals to identify all their impacts, beneficial and adverse, and whether they represent value for money or otherwise. The impacts considered in the Business Case should not be limited to those which can be costed. The economic, environmental, social and distributional impacts of the proposals should also be examined, using qualitative, quantitative and financial information. In assessing value for money, all of these are consolidated to determine the extent to which a proposal’s benefits outweigh its costs.

The Business Case and analysis should have been updated following the Public Consultation to take account of changes made to the original proposals. It is usual in most organizations to seek assurance and sign-off of the Business Case by those services and partners who are impacted by the proposals to ensure that assumptions, analysis and costings are robust and the savings are deliverable.

If there are impacts on CPYS, HAS, the cost of healthcare or anything else then these need to be identified in the Business Case and included in the briefing and Value for Money statement presented to the Executive.

If there has not been a detailed analysis of all the impacts of the proposals then there is a risk that unforeseen consequences and costs could arise that could put pressure on Council Budgets.

It does appear that the Executive may have been poorly briefed on the implications of the proposals to cut the bus subsidy.

(ii) No information was made available to the Executive on the possible financial implications of their decision on the cost of providing healthcare within the County. If there have been discussions with our partners then details (and the conclusions reached) of those discussions should have been in the public domain prior to the Executive considering the item.

As discussed above, the Executive's decision on the package of proposals to cut the bus subsidy should have been informed by evidence and analysis set out in a Business Case and a value for money statement. The analysis in the Business Case should have examined all the impacts and implications of the proposals including the costs of providing healthcare.

The financial information included in the report to the Executive was brief and made no mention of any consequential impacts on other Council services or partners. Were the Executive provided with information on the financial and service implications of the proposals for other Council Services and partners to inform their decisions on the bus subsidy?

It does appear that the Executive may have been poorly briefed on the implications of the proposals to cut the bus subsidy.

(iii) BES is advocating the cutting of services to the most vulnerable in our communities at the same time that they are maintaining expenditure for the healthy car drivers within the County. How does this agree with the EqIA?

(vi) The EqIA reported to the Executive states "The EqIA also noted the mitigation measures that are to be carried out, and concluded that these will minimise any adverse impacts." In the case of the Richmond Town Service this is blatantly untrue as the proposals exclude any service provision to the geographical extremes of the town and no mitigation measures are proposed. If this is the proven case for Richmond then it will also be the case for other communities.

I was unhappy with the Equality Impact Assessment. The EqIA was general rather than specific. It failed to quantify and pinpoint where the issues were likely to impact by category, services, and geographic area. It also fails to identify what specific mitigations would be applied to address each impact. And in my response to the Public Consultation I had recommended that there should an assessment bus service by bus service.

I am also unsure what relevance the percentages of responders to the Public Consultation have to the analysis in the Equality Impact Assessment. I would have thought that those most affected by the proposals – older people and disabled – are less likely to have responded to the Public Consultation and therefore not represented in the percentages quoted.

Assuming that the social and distributional impacts have been analysed as part of the Business Case – (has they?) - and I would expect public transport accessibility by vulnerable groups would form a significant part of such analysis - then this work should inform the evidence to be used in the EqlAs. The Department for Transport has produced a range of Transport Analysis Guidance, readily available on GOV.co.uk, describing how such analysis should be undertaken.

This sort of analysis and evidence is missing from the current EqlA and I am not clear what impacts and mitigation measures are proposed for Services 72 and 74 in Wharfedale.

(v) There is no evidence of consultation having been undertaken with groups representing the elderly, vulnerable or the disabled.

I suspect that those most affected by the proposals – older people and disabled – are less likely to have responded to the Public Consultation as there was little publicity from the Council and detailed information on the proposals was only available via the web and internet access by these vulnerable groups tends to be lower than other groups.

Public Consultation on Proposed Timetables

I would also like to raise an additional concern regarding the Public Consultation and Scrutiny in relation to the proposed bus timetables for those services that will be supported by the bus subsidy.

The Public Consultation documentation included the proposed bus timetables and for many people it will not be all the words or the EqlA but the timetables that would be the most important information to judge what the proposals meant for them. Would they still be able to get on with their lives – get to the GP, Supermarket, Bank, Hospital Appointment, meet up with friends and relatives, possibly go to the cinema or theatre – and would they be able to get back home again? For some the proposals would prove very limiting and they may well have responded to the Public Consultation but for others they could just about manage with the proposed level of service and will have not complained.

Following the Public Consultation some changes were made to the original proposals – Service 74 being one which was reinstated, albeit reduced from 5 to 3 journeys per day. The new timetable for this service was not included in the reports to the Scrutiny Committee or to the Executive – and therefore was not automatically available to the public for scrutiny. I requested a copy of the proposed timetable for Service 74 from BES officers and was able to review it and provide concerns on it in my written statement to the Executive.

I am not sure whether there were other bus services where a new timetable was produced following the Public Consultation that should also have been made available to the public.

However I now gather that the timetables provided by operators were not necessarily firm proposals but “illustrative only” of the sort of service they could operate. I am not sure how many operators this applies to but this does cast serious doubts over the value of responses to the Public Consultation.

But it could also provide an opportunity to address criticisms of the timetables, for the final timetables. In the case of Services 72 and 74 - can I again put in a plea for there

to be further engagement with local people for these timetables to be revised to ensure these services:

- *are better integrated with bus and train services at Ilkley and Skipton to avoid unnecessary delays with onward journeys;*
- *provide earlier buses to allow workers to get to work,*
- *provide earlier buses to support morning appointments with GPs in Grassington;*
- *provide earlier buses for walkers and allow sufficient time for visitors to shop and lunch and support local businesses before catching the return bus for those people not wanting to be out all day.*

Thank you for the opportunity to provide a statement. I hope you will give favourable consideration to my concerns and recommendations.”

The Chairman then invited Members of the Transport, Economy and Environment Overview and Scrutiny Committee to speak.

County Councillor Penny Marsden explained that she was not taking part in the meeting due to personal reasons relating to the proposed withdrawal of a bus service in her Division. She noted that County Councillor John Blackburn was substituting for her on the Committee.

County Councillor Andrew Goss said that he was concerned that there had been no consultation with bus drivers regarding timetables. The reduction in bus services would mean that service users would have lengthy waits for their return journeys. He referred to the issues raised by some of the public speakers that on some routes the returning bus would leave before the outgoing bus had arrived at the same destination. He was also concerned about the impact that the reduction in bus services would have upon elderly people. County Councillor Chris Metcalfe replied that the timetabling issue was an operational matter for bus operators and they had been consulted on the proposals. He would however feedback the timetabling issues raised at the meeting back to the bus operators.

County Councillor Steve Shaw-Wright said that as a substitute Member for the Transport, Economy and Environment Overview and Scrutiny Committee he came to the meeting with a fresh pair of eyes. Selby district, in which he held his Division, had suffered some reduction in bus services. However he was particularly concerned about those areas such as the Yorkshire Dales where accessing services was more difficult. He referred to the issues raised by Ruth Annison earlier in the meeting. County Councillor Shaw-Wright said that he felt that the consultation had not looked at the overall effect that the reduction in bus subsidy would have upon people trying to access services including libraries and children centres. He went on to mention that he had worked in community transport and in his experience community transport was fine but only if people booked in advance. He had looked at the County Council's procurement plan and noted that it was spending £1.5m on pension advice, and that the CYPS directorate had spent £100,000 on baby massages. In his view these aspects needed to be scrutinised before a £2m cut was made to the bus subsidy risking non-car owners in places like Askrigg not being able to travel.

The Chairman invited the Decision Taker to respond.

Executive Member County Councillor Chris Metcalfe said that the intention was to encourage community-led transport provision to enable people to still be able to access services. He cited an example in Tadcaster where the Youth Service provided a service to allow young people from the outlying villages to travel in to the

Youth Club in Tadcaster in the absence of an evening bus service. The County Council had and would continue to provide support to community volunteer organisations such as the provision of grants to purchase vehicles. Most were adapted for disabled people. The reality was that the Council would no longer be able to provide services in the way that it did today. In the future different ways would have to be found to provide services. In response to the point raised by Mr Tomlinson about the online consultation exercise, County Councillor Metcalfe reiterated that library staff and volunteers had been trained to assist the public in replying to the consultation. This was in recognition of the fact that not everyone was IT literate. He noted that loneliness was a big issue for elderly people and in recognition of this the HAS directorate would be continuing to invest in preventative services.

The Chairman noted that the Transport, Economy and Environment's Overview and Scrutiny Committee had agreed to set up a task group to look at all aspects of passenger transport in North Yorkshire. It was the case that there was a need to provide access to services differently in the future due to the economic climate that the Council found itself in. The first meeting of the task group would be held in February and he assured those present that the issue of tackling loneliness and rural isolation would be taken on board. A host of transport solutions would be looked into. He noted that the Executive at its meeting on the 21 January had agreed to lobby all the North Yorkshire Members of Parliament on revisiting the concessionary fares scheme. As a result of this a debate would be held in Parliament shortly called by Ann McIntosh MP.

County Councillor Robert Heseltine said that politics was the art of the possible and so the County Council could not always achieve what it wished to do. He referred to the economic and political backdrop in which the County Council was being forced to operate. He said that no Member present at today's meeting had entered public life in order to reduce services but local government was now in a dark place. Over the course of 30 years or so governments of different colours had quietly grown and improved public services but the last three years had put this into reverse. Many of the comments raised at today's meeting had been discussed at the Committee's meeting in December. He said he accepted the concerns raised by County Councillor John Clark about not knowing at this stage what the impact and demands would be on other services as a result of reducing the bus subsidy. The coalition government had, however, put local authorities in an impossible position due to the funding cuts: a situation that was set to become more acute in the next few years. He said that the call in had been reasonably and honestly responded to and believed that those officers present had listened to and would give proper consideration to the views expressed. He recommended that the Committee did not refer the decision to the Executive or to the whole Council.

County Councillor Bryn Griffiths referred to point 5 of the call in (*"There is no evidence of consultation having been undertaken with groups representing the elderly, vulnerable or the disabled."*). He said that consultation was a two way and asked if there had been evidence of this. County Councillor Chris Metcalfe said that dialogue had taken place with the respective organisations representing these groups. The consultation had gathered views and intelligence for example around the difficulties that people would face. The size of the response was large made-up predominantly of older people who used the bus services.

County Councillor Bryn Griffiths referred to paragraph 8.5 of addendum 3 of the report, noting that the original proposal of a £1.1m reduction in bus subsidy was estimated to result in a loss of 63 FTE staff. With a £1.7m cut what were the equivalent projected FTE job losses? County Councillor Chris Metcalfe replied that

he did not have the figure for this and that this was a matter for the bus operators in terms of how they would deploy their staff.

County Councillor Bryn Griffiths went on to refer to paragraph 9.4 of addendum 3 of the report which mentioned that: *the Equality Impact Assessment had concluded that in most cases the proposals would have an impact on people with protected characteristics but that wherever possible the Council would seek to minimise the impact by maintaining at least a minimum level of service or ensuring alternatives were available.* He asked how this would be undertaken. County Councillor Chris Metcalfe said that this would be from the evidence base from customers and from community solutions. The challenge was to be more creative in providing access to services. As part of this the County Council would be talking to communities, voluntary groups such as community car scheme providers, and to bus operators. He said that he could not say at present what the solutions would be but hopefully they would meet the minimum aspiration of communities.

County Councillor Bryn Griffiths said that he did understand the County Council's financial situation but that the bus subsidy proposals as they stood would have an adverse impact on communities. No clear business case had been put forward to justify this. The fact remained that the savings proposals exceeded the required saving of £1.1m and so the Executive should look again at the overall budget to see if it could minimise the adverse impacts on particular communities.

County Councillor John Blackburn said that he wished to second County Councillor Robert Heseltine's motion that the Committee did not refer the decision back to the Executive or to the whole Council. County Councillor Blackburn said that the financial situation that the County Council was placed in meant that people needed to be realists. Furthermore the cuts that the Council was making related to a whole host of services not just public transport. A lot had been said regarding the consultation but in his view it had been carried out in a comprehensive manner. He had not received any complaints from members of the public in his Division about the bus subsidy reduction proposals. Over the years his Division had seen a reduction in bus services but the remaining buses often carried few passengers. He noted the opportunities that communities could play in putting in place alternative solutions and cited an example of a local community in his Division working with the County Council to put in place changes to the bus service. Communities had choices and he noted that people in his area had chosen not to retain the library at Humanby.

County Councillor Richard Welch said he concurred with the points raised by County Councillor John Blackburn. The cuts that the County Council had made since 2011/12 had not in the main affected frontline service delivery. However the scale of the cuts that the County Council was required to make in the next four years meant that there was no choice but to make cuts to frontline services. He said that he had spent most of his working life in transport and knew that it was extremely difficult for a bus company to provide a 6am to 6pm service. This was because drivers' hours were dictated by statutory breaks; if two drivers were employed rather than one the costs to the bus company increased. He felt that the task group was a good idea but it would be better done at district level via the Area Committees rather than at county level. This was due to there being different issues in different districts. He concluded by noting that even if more consultation had been done into the bus subsidy reduction proposals, the same conclusions would have been reached and so probably the best solution had been produced.

County Councillor Andrew Goss reiterated his concerns that an investigation should have been carried out to ensure the connectivity of bus timetables prior to the public consultation being carried out. Elderly people would be isolated which would in turn affect their health and make it more difficult for them to attend hospital appointments.

The decision that the Executive had made was premature in view of the fact that alternative arrangements relating to community transport and rural transport in general were still very vague.

Executive Member County Councillor Chris Metcalfe replied by saying that the Executive had to take a high level strategic decision. The issues that County Councillor Andrew Goss had raised were in the main operational issues. He said though that the County Council's Passenger Transport Unit had an excellent track record of working with communities to come up with alternative transport solutions. He referred to the community-led transport solutions in the Upper Dales and in Scarborough district. The reality was that services were being reduced not withdrawn and that great effort would be made to put in place alternative solutions.

County Councillor Margaret Atkinson said that she had listened to everything that had been said. Her Division included 15 parish councils and all 15 had been invited to discuss the bus subsidy reduction proposals. The majority had not responded as they felt there was no need to make a comment. She noted that part of the issue was that people had got used to having more buses in recent years. She went on to refer to her childhood when she used to cycle to work and when there were no community buses. She noted that young people could cycle but the elderly were obviously more vulnerable. However if older people could not get out of their house they would not be able to get on a bus. In those instances it was for the HAS directorate to find a solution not the BES directorate. Preventative health measures were not just about transport and she noted that a number of the villages in her Division had clubs for the over 60s allowing elderly people to take part and for others to volunteer. She concluded by saying that she felt that the consultation on the bus subsidy reduction proposals had been well-publicised.

The Chairman invited the call in signatories and Decision Taker to sum up.

County Councillor Stuart Parsons said that he had listened to County Councillor Metcalfe with interest when he had said that the BES directorate would not take action that impacted upon CYPS and HAS related services. However he questioned how County Councillor Metcalfe could know if this would be the case when no work had been done to establish the impacts that the bus subsidy cuts would have upon the other directorates. Partner organisations had raised concerns and they did have a wealth of experience of their area.

County Councillor Parsons went on to refer to the issues mentioned about community-led solutions and said that there came a point whereby communities could no longer provide volunteer assistance to run services. If the County Council continued to expect volunteers to run services the public would rightly ask what the point was of paying Council Tax to support County Council services.

County Councillor Parsons referred to the point made by County Councillor Robert Heseltine that the government had put the County Council in a difficult budgetary position. He said that whilst this was the case the decision to reduce the bus subsidy had been taken by the County Council not by the government. The County Council could still make choices. Cumbria County Council for instance had not cut back its subsidy and was at the same time making a further investment of £1m. The decision that the Executive had made had been done prematurely without work being carried out to investigate the impacts on other public services. The Task Group was too little too late.

County Councillor Parsons expressed his disappointment that parish councils had not been contacted to see whether they would be willing to contribute to bus services provision. As it was, it was now too late in the year for parish councils to be able to

assist due to parish councils having already submitted their precepts to the relevant local authorities. He went on to note the issues raised by County Councillor Steve Shaw-Wright about the £1.5m pension advice and money spent on baby massages. These were areas where savings could be made and the County Council needed to justify how it could spend on these items whilst seemingly not being able to provide fundamental services.

County Councillor John Clark said that he had listened to the long debate including the serious contributions by members of the public both in person and via their written submissions. Their views however appeared to have been ignored. In the course of the meeting no figures had been produced to show the impact that the reduction in bus subsidy would have upon CYPS or HAS-related services. He referred to County Councillor John Blackburn's comments and stated that Humanby library had closed not because the local community no longer wanted a library but because there were no volunteers prepared to volunteer to run it. The same risk applied to community transport solutions in place of bus services. Volunteers in communities were already stretched to capacity. He looked forward to a solution being put into place for Pickering to replace the subsidised bus service but as yet the costs were not known. He reiterated that the Executive should be called upon to utilise the budget to provide some flexibility.

Executive Member County Councillor Chris Metcalfe said that local government was faced with making difficult choices. The reality was that the County Council was required to make £94m in savings up to 2014/15. He said that he wished to reassure those present that the County Council would continue to work closely with communities to find alternative solutions to accessing services in North Yorkshire. The County Council would also continue to work with bus operators and use its own vehicle fleet to provide transport solutions.

- Motion -

County Councillor Robert Heseltine moved and County Councillor John Blackburn seconded the following motion:

“That the Transport, Economy & Environment Overview and Scrutiny Committee does not refer the decision relating to the reduction in bus subsidies back to the Executive for reconsideration or to the full Council.”

County Councillor Peter Horton moved and County Councillor Andrew Goss seconded an amendment to the motion:

“That the Transport, Economy & Environment Overview and Scrutiny Committee does refer the decision relating to the reduction in bus subsidies back to the Executive for reconsideration or to the full Council, on the grounds that a consultation exercise with parish councils should be undertaken to ascertain if, in future years', parish councils would be prepared to provide a financial contribution to help support non-commercial bus services in their area.”

The Chairman invited votes on the amendment to the motion.

The Committee divided and, on a show of hands, there were 4 votes for the amendment to the motion and 9 votes against the amendment to the motion. The amendment to the motion was not carried.

The Chairman invited votes on the motion.

The Committee divided and, on a show of hands, there were 9 votes for the motion and 4 votes against the motion. The motion was carried.

Resolved –

- (i) That the Transport, Economy & Environment Overview and Scrutiny Committee does not wish to refer the decision relating to the reduction in bus subsidies back to the Executive for reconsideration or to the full Council.
- (ii) That the decision taken by the Executive on 21 January 2014 relating to the reduction in bus subsidies is therefore upheld.

The meeting concluded at 12.15 pm.

JS/JD