

North Yorkshire County Council

Transport, Economy and Environment Overview and Scrutiny Committee

Minutes of the Meeting held at County Hall, Northallerton on 24 January 2019 at 10.00 am.

Present:-

County Councillor Stanley Lumley in the Chair.

County Councillors Karl Arthur, David Goode, Robert Heseltine, David Jeffels, Don Mackay, Andy Paraskos, Clive Pearson, Roberta Swiers, Richard Welch

Other Members present were:

Executive County Councillor Carl Les

Executive County Councillor Don MacKenzie

County Councillor Karin Sedgwick

NYCC Officers attending: James Farrar, NYCC Assistant Director – Economic Partnership Unit (BES), Alistair Gourley, Head of Adult Learning and Skills Service (CYPS), Darren Griffiths, Senior Engineer - Traffic Engineering (BES), Barrie Mason, Assistant Director - Highways & Transportation (BES), Catherine Price, Contract and Commissioning Manager (BES) and Jonathan Spencer, Principal Scrutiny Officer (CSD).

Apologies for absence had been received from County Councillors Paul Haslam, John McCartney and Caroline Patmore.

Copies of all documents considered are in the Minute Book

49. Minutes

Resolved -

That the Minutes of the meeting held on 25 October 2018 be confirmed and signed by the Chairman as a correct record subject to noting that County Councillor Roberta Swiers had not been present at the meeting and that County Councillor David Goode had been present at the meeting in the public audience.

50. Declarations of Interest

Resolved -

There were no declarations of interest to note.

51. Exclusion of the Public and Press

Resolved –

That on the grounds that they each involve the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972

as amended by the Local government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting during consideration of:

i) Agenda item 10, Future Delivery of the Highway Service

52. Public Questions or Statements

There were no general public questions or statements from members of the public concerning issues not on the agenda.

53. York, North Yorkshire & East Riding Local Enterprise Partnership

Considered -

The report of the Corporate Director - Business and Environmental Services updating on the performance of the York, North Yorkshire and East Riding LEP Partnership and seeking Members' views on the proposed merger of the Leeds City Region LEP.

James Farrar presented the report. He provided an overview of each section in the report: the Local Growth Fund, Wider Infrastructure Development, Skills funding and initiatives, Support to businesses, the financial position of the LEP and the LEP Review.

James Farrar explained that in order for a LEP to be compliant with the LEP Review and be eligible to receive funding from the Shared Prosperity Fund, any overlapping boundaries must be removed. In discussions with the relevant local authorities it had been clear that City of York Council wished to retain its relationship with Leeds City Region LEP. It was deemed to be not sensible to split Hull from East Riding due to the interdependency of their economies. This effectively left North Yorkshire to merge with Leeds City Region LEP.

James Farrar said that he was positive about what could be achieved by North Yorkshire and York merging with the Leeds City Region LEP and it was important to remember that West Yorkshire had extensive rural areas as well. The merged LEP would be one of the largest in the country, both geographically and economically and had the potential to provide North Yorkshire with more national influence as a consequence. A concern would be if North Yorkshire's priorities were not projected into the new operating model of the merged LEP. It would be important therefore to ensure that the governance model and structure took into account the nature and priorities of North Yorkshire's economy, reflecting both rural, towns and coastal. Currently, the operating model of Leeds City Region LEP was urban-centric, whereas the YNYER LEP ran a different model based on the smaller dispersed nature of its partners in a very rural area.

Members made the following key comments:

- A Member referred to paragraph 3.4 of the report relating to digital improvements in the county. He noted that the emphasis was on mobile connectivity in rural areas but pointed out there were problems accessing the fibre network in towns such as Knaresborough. He asked if there were any plans to extend the fibre network. James Farrar said that NYNet was investing in the next generation ultra-fast fibre connecting public buildings in town centres, with the potential to provide 'spurs' off at a much reduced cost to customers. He went on to note the importance of investing in digital infrastructure. With an increase in people working from home, it had become an essential service if we wished to attract

people to the region.

- A Member referred to page 17 of the report relating to the European Social Fund. He asked what source of funding would replace the ESF once the UK had left the EU. James Farrar explained that the UK Shared Prosperity Fund was intended by government to provide the replacement funding vehicle. LEPs would be able to bid for a share of the funding through implementing their Local Industrial Strategies. James Farrar went on to refer to the work that the LEP was doing in relation to supporting farming post-Brexit, including the 'Grow Yorkshire' initiative. The Member went on to ask what would happen to the EU funding currently provided to farmers post-Brexit. James Farrar replied that from 2021 funding to large landowners would be capped at £100,000 each year. Some of the money saved would be reinvested in piloting new schemes. The £100k cap was the primary change prior to 2026. The government approach beyond this date was being developed however it was likely to focus on 'public money for the public good'. There was work to do locally to ensure that farmers had robust business plans in place to understand the impact of these changes.
- A Member said that he was concerned that DEFRA's criteria did not include food production in relation to future farming payments being based upon public money for the public good. The two principles of government were the defence of the nation and feeding the population and so he hoped that the Rt. Hon Michael Gove MP would have a rethink. James Farrar explained about a payment by results scheme being trialled in the Yorkshire Dales National Park Authority area.
- A Member said that it seemed a logical outcome for the LEP boundary review to respect the outcome of devolution, which he hoped would be a One Yorkshire model. He said that he was very concerned that the Chair of the West Yorkshire Combined Authority could control initiatives in North Yorkshire if YNYER LEP was merged into the Leeds City Region LEP. He asked that the Chairman of the Transport, Economy and Environment Overview and Scrutiny Committee be kept informed about developments by the Leader of North Yorkshire Council, Executive County Councillor Carl Les. Executive County Councillor Carl Les replied that a working group comprising representatives from the Leeds City Region LEP and the YNYER LEP had been set up and had held its first meeting in December, which he had attended. The meeting had been positive. He said that in his view if there was a takeover by the Leeds City Region LEP of the YNYER LEP it would be a disaster. The process was being called a merger but must be seen as creating a completely new entity. Both LEPs had good working practices and a diverse skills set that could be pulled together and each learn from the other. There would be immense opportunities in relation to the size of the geographic area that the new LEP would cover. The LEP was about much more than funding however and was about business and the public sector working together. The next meeting would discuss the practicalities of the merger and governance arrangements. He said that he would be happy to brief the Chairman of the Transport, Economy and Environment Overview and Scrutiny and Group Spokespersons on the outcome of the meeting.
- A Member referred to paragraph 7.2 of the report, noting that there was limited time left for both LEP Boards to approve the merger in March 2019 considering that there had only been one meeting to date. James Farrar explained that there had been numerous officer meetings to work up the detail, including consideration of the challenges and options. Executive County Councillor Carl Les said each LEP would go its separate way if agreement was not reached.

Resolved -

- a) That the Committee notes the progress of the LEP
- b) That the Committee supports the potential that a single LEP covering North Yorkshire, York and the Leeds City Region could bring for North Yorkshire but notes that North Yorkshire's priorities must be projected into the new operating model in the first instance.

54. Update report from Adult Learning and Skills Service on progress since the last Ofsted Inspection

Considered –

The report of the NYCC Corporate Director – Children and Young Peoples Services presenting an update for the Adult Learning and Skills Service, including progress against actions identified following the last Inspection in June 2017.

Alistair Gourley presented the report.

Members made the following key comments:

- A Member referred to Appendix 3 noting that whilst progress had been made between 2016/17 to 2017/18 in relation to achievement and retention rates, they were still below national minimum standards. He asked if there was a service improvement plan with targets to achieve about the national minimum. Alistair Gourley replied that in respects of apprenticeships they were a 'slow burn' as they took on average 18 months to complete. A significant issue was in relation to apprenticeships not the NVQ qualification. Most learners gained vocational qualifications but the figures did not show this unless the learner had achieved an NVQ qualification. Maths and English was where a number of learners failed to achieve as they were not academic but still had to achieve a certain level in English and Maths. There was a requirement for an industry-wide NVQ but it was not part of the apprenticeship framework. The Adult and Skills Service was now frontloading Maths and English to help people prior to starting the apprenticeship.
- A Member noted that Ofsted was in the process of introducing a new inspection regime in schools from September 2019 which would be geared towards enriching the curriculum. He asked to what extent the service improvement plan took this into account. Alistair Gourley noted that in the past, the focus had been overwhelmingly on outcomes rather than on the learner experience as well. The latest programme included responding to mental health, anxiety and stress. The service had already been moving in that direction and continued to do so. The previous Ofsted report had recognised that as a strength of the service.

The Chairman sought nominations from the Committee to serve on the Adult Learning and Skills Service Governance Board.

Resolved -

- a) That the Committee notes the update on the Adult Learning and Skills Service.
- b) That County Councillor Caroline Patmore be nominated to serve on the Adult Learning and Skills Service Governance Board.

55. Public Transport Services Briefing

Considered -

The report of the Corporate Director – Business and Environmental Services providing an update on public transport related matters in North Yorkshire.

Catherine Price presented the report. Key issues included the Area Transport Review (Harrogate, Hambleton and Richmondshire areas), Operator Resilience, English National Concessionary Travel Scheme (bus passes), Section 19/22 Licenses and Community Transport.

Executive County Councillor Don MacKenzie noted that as a result of the swift response of the Integrated Passenger Transport Unit, on every occasion when bus operators had ceased trading without notice to the County Council no pupils had been left without transport. Other challenges had been the reduction in the bus subsidy but he noted the innovative ways that had been introduced by community transport and car schemes in the county to provide access to transport in rural areas. The Concessionary Fares Scheme was another challenge due to the fact that the funding received from the government was substantially less than the cost of the scheme to run in the county. With reference to the consultation on Scarborough Park & Ride, he noted that the Executive would be looking at various options.

Members made the following key comments:

- A Member said that it was heartening to see that the recommendations put forward by the Committee in 2014 from its task group review on access to services had been introduced, leading to innovation. He noted that in addition to community transport, residents in Craven would be lost without the County Council's own fleet of vehicles operating there. He asked to be provided with information on the growth in the County Council's fleet of vehicles and the cost to maintain the fleet. He advised that should further commercial services be withdrawn, the County Council should step in as the provider of last resort.
- A Member said that he hoped that with regards to the Scarborough Park & Ride facility, the proposals would go out for public consultation as well. Ways should first be explored to increase use-age before making any drastic changes. In principle, it made good sense to have the facility as it alleviated town centre parking and congestion and improved the air quality in the town. He queried whether in relation to the Concessionary Fares Scheme, it would be possible for operators to seek voluntary contributions from passengers eligible for a concessionary fare. Executive County Councillor Don MacKenzie replied that with reference to the Scarborough Park & Ride facility, the problem was that use-age had been declining over the past seven years. Scarborough Borough Council and the County Council could increase parking charges in the town centre in order to try to increase use-age. However the general public had over the years shown a reluctance to use the facility during the winter months. In respect of the concessionary fares scheme, people had offered to make a contribution towards their journey. However in general the scheme did not allow bus operators to take money from public, though people had the option of paying a fare without showing their bus pass. Catherine Price noted that Arriva bus services had tried to introduce voluntary contributions but had subsequently been challenged.
- A Member queried what due diligence had been undertaken with commercial operators to check their viability and any work done on examining the reasons

why the operators had failed. Catherine Price replied that discussions had taken place with each of the operators prior to their collapse but there had been no common themes and no warning given. In one instance, the sole trader had died and so other family members were not able to take over. Arising from this the County Council had visited other sole traders in the county to discuss their contingency plans. In another instance the existing operator had been taken over by another operator to sell on. An operator's collapse was often sudden and unexpected and there then followed a long process of liquidators and other administrators being brought in. Essentially though once a company had gone it had gone. She went on to note that the loss of commercial operators was a national issue.

Resolved -

That the Committee notes the update in relation to public transport.

56. Vehicle Activated Signs

Considered -

Darren Griffiths gave a verbal update on the progress of the Vehicle Activated Signs (VAS) protocol allowing parishes to purchase and maintain VAS.

He explained that officers responsible for the delivery of the existing VAS protocol and programme had taken the steer from the Committee's report to start to develop a new VAS protocol allowing for parishes and other community groups to purchase, deploy and maintain its own VAS. The general principle of the new protocol was to develop a management and support mechanism for community led schemes, providing a detailed process through the application, purchase and commissioning stages. In summary the protocol would cover the following elements:

- Application and Site assessment of locations - signs must be temporary and not a permanent fixture
- Legal agreement – covering funding, deployment and rotation, safety management and risk assessment, consultation and complaints, public liability insurance and maintenance
- Purchase
- Site preparation
- Safety management including training
- Installation and Maintenance
- Site management

Darren Griffiths went on to explain that the intention was for the new protocol to operate in parallel with the existing NYCC VAS programme throughout the length of its current contract. Traffic Engineering Officers were currently speaking with potential suppliers and were in the process of finalising the protocol to allow parishes to purchase temporary VAS. The intention was for the scheme to be operational by 1 April 2019. To date NYCC Highways had been contacted by over 30 parishes interested in the scheme.

Executive County Councillor Don MacKenzie thanked the officers for the work put in to developing the new protocol. He said that the process remained on track for the scheme to be in place by 1 April 2019. A report requesting approval by the Executive of the finalised protocol would be published on 19 March 2019 to be presented to the Executive on 26 March 2019. He invited Members to raise issues if there were aspects that they needed clarification on. He said that he wished to repeat what he had previously said that if there was an accident record in a settlement, additional road

safety measures had and would continue to be put in place. North Yorkshire's road network remained very safe. Participation in the scheme though allowed parishes to show in a practical way how they were spending their precept and that they were taking action and adding to existing safety measures.

Members made the following key comments:

- A Member queried the statement made that the VAS signs must be 'temporary'. Barrie Mason explained that temporary did not mean temporary ownership of the signs but meant instead rotation between locations of the sign. He went on to note that in line with the existing NYCC VAS protocol, permanent VAS were only located where there was a history of speed related accidents. In most cases parishes would use the signs between two or more villages or at either end of the same village. However if a number of parishes chose to club together to fund the sign/s they could arrange for the sign to be rotated between parishes. The County Council's intention was to be as flexible as possible whilst making sure that there was not a cost to the County Council and no compromise in road safety.

Resolved -

That the verbal update on progress of the Vehicle Activated Signs (VAS) protocol allowing parishes to purchase and maintain VAS be noted.

57. Work Programme

Considered -

The report of the Principal Scrutiny Officer asking the Committee to confirm, amend or add to the areas of the work listed in the Work Programme schedule (Appendix 1 to the report).

The Chairman introduced the report. He noted that the National Research project by the DfT examining 20 mph speed limits had been published. Group Spokespersons would be discussing the timescales and scope of the review at the mid cycle briefing meeting on 7 March 2019. The Committee would then be asked to approve the scope of the review at its meeting on 17 April 2019.

County Councillor David Goode explained about the County Council Motion of 14 November 2018 relating to the use of plastics. The motion asked the Committee to set up a task group or join with other local environmental group initiatives and businesses to create a robust strategy to encourage local businesses, other organisations and residents to reduce the use of single-use plastic. He noted the forthcoming consultation on the government's Resources & Waste Strategy, which would provide a useful starting point to establish how the County Council alongside other partners could reduce single-use plastic. The Chairman noted that it was an important piece of work and suggested that the Committee should respond initially to the government's consultation. This would either be at its next committee meeting on 17 April 2019 or at its mid cycle briefing meeting on 7 March 2019 depending upon whether the consultation was eight or 12 weeks in length. Following this the Committee could then set up a task group later in the year once the detail of the government's proposals was known and following on from the completion of the Committee's review of 20mph speed limit policy.

Resolved -

- a) That the work programme be noted.
- b) That the Motion referred to the Transport, Economy and Environment Overview and Scrutiny Committee relating to the use of plastics be taken forward by the Committee.

Agenda item 10 was considered in private and the public have no right of access to this section of the Minutes.

58. Future Delivery of the Highway Service

The report of the Corporate Director detailing the process adopted and the progress made in deciding the appropriate delivery model for the delivery of the highways service on completion of the current Highways Maintenance (HMC) and Highway Engineering & Design Consultancy (HEDC) contracts.

Resolved -

That the recommendations in the report be approved.

The meeting concluded at 12.32pm

JS