

North Yorkshire County Council

Transport, Economy and Environment Overview and Scrutiny Committee

Minutes of the Meeting held at County Hall, Northallerton on 12 June 2019 at 2.00pm.

Present:-

County Councillor Stanley Lumley in the Chair.

County Councillors Margaret Atkinson (substitute for Caroline Patmore), Robert Baker (substitute for Roberta Swiers), Derek Bastiman (substitute for David Jeffels), Paul Haslam, Robert Heseltine, Andy Paraskos, Chris Pearson (substitute for Karl Arthur), Clive Pearson, Peter Sowray (substitute for Richard Welch).

Other Members present were:

Executive County Councillor Patrick Mulligan
Executive County Councillor Janet Sanderson
County Councillor John Blackie
County Councillor Helen Grant.

NYCC Officers attending: Stuart Carlton, Director, Children and Young Peoples Services; Howard Emmett, Assistant Director, Strategic Resources; Gail Chester, SEND Transport Manager, Children and Young Peoples Services.

Apologies for absence had been received from County Councillors Karl Arthur, David Jeffels, John McCartney, Caroline Patmore, Roberta Swiers and Richard Welch.

Copies of all documents considered are in the Minute Book

70. Chairman's introduction

County Councillor Lumley welcomed everyone to the meeting and thanked members for attending the meeting at such short notice. County Councillor Lumley recorded the apologies that had been received.

County Councillor Lumley referred committee members to the report at page 6 of the agenda pack which outlined the 'call in' process, in particular, section 3 on page 7, the 'Order of Business'.

County Councillor Lumley reminded committee members that the 'call in' is of the Executive decision made on 21 May 2019 by Stuart Carlton, Corporate Director of Children and Young People Services (CYPS) in consultation with Executive Member, County Councillor Patrick Mulligan. The decision was:

"That the contribution rate for post-16 home to school transport be set at £600 per annum for the 2019/20 academic year. This will place the authority at the mode rate, and within the majority of County Council current rates of contribution."

County Councillor Lumley then said that the aim of this meeting was to consider the

ITEM 1(b)

reasons for the decision taken and then determine what course of action to take. This could include one of the following:

- (a) make no referral in relation to the matter; or
- (b) refer the matter back to the decision taker for reconsideration; or
- (c) refer the matter to full Council.

County Councillor Lumley said that if a referral was to be made with a recommendation that the decision be re-considered, clear reasons must then be given for the referral.

71. **Declarations of Interest**

Resolved -

There were no declarations of interest to note.

72. **Public Questions or Statements**

There were no public questions or statements.

73. **Call in of the Executive decision made on 21 May 2019 by Stuart Carlton, Corporate Director of CYPS in consultation with Executive Member, County Councillor Patrick Mulligan**

Considered -

The report of Jonathan Spencer, Principal Scrutiny Officer, detailing the decision taken, the 'call in' process and courses of action open to the committee.

County Councillor Stanley Lumley invited the decision taker, Stuart Carlton, Corporate Director Children and Young People's Service, to explain the circumstances and reasons for the decision.

Stuart Carlton made the following comments:

- The provision of post-16 home to school transport is discretionary
- Charges for post-16 home to school transport were introduced in 2006
- Home to school transport is a demand-led service which has an overall annual budget of £21.7 million compared to an annual expenditure of £24.1 million
- Post-16 home to school transport costs £2.8 million per annum and contributions made to help cover the cost amount to £0.5 million. As such, the service is heavily subsidised
- There are significant budgetary pressures upon both the Council and the department. There was a £7 million overspend in 2018/19
- Of the 26 county councils in England, only 4 do not charge at present. Two of these are currently considering charging
- The County Council has some of the lowest charges at present
- The charges in 2013/14 were £360, in 2014/15 the rose to £480 and have only been increased by £10 since then
- The majority of county councils charge between £600 and £700
- There options considered were: increase to £570; increase to £600, which is the mode rate; and increase to £650, which is the average rate. The decision was to charge £600.

County Councillor Stanley Lumley invited County Councillor John Blackie, as a

ITEM 1(b)

signatory of the call-in the position, to outline the reasons for request for the scrutiny committee to consider the issue.

County Councillor John Blackie made the following comments:

- A total of 16 reasons were submitted as the basis for the call in, all of which are listed in the agenda
- The call in has been made by County Councillors concerned about all of the rural areas of the county and the difficulties that people experience accessing services
- The arguments that have been put forward to support the increases in fees have been focused solely upon finances. The impact upon children and their families does not appear to have been considered.
- The proposed increase from £490 to £600 is a 22.5% increase that has been imposed without consultation or gathering of views
- The more remote rural communities will be hit the hardest by the increased fees and there is a very real concern that people on low incomes will be further disincentivised from accessing further education
- The increase is so significant that it may be beyond the means of many low income households
- This will create additional pressures that will hasten the departure of young families from rural areas of the county
- If the changes to the fees have to be made, then they could be made incrementally over a 4 year period. This would equate to £25 per annum.

County Councillor Stanley Lumley invited the decision taker to respond. County Councillor Patrick Mulligan made the following comments:

- The Council is facing significant financial challenges and all opportunities to reduce spend, reduce costs and generate income need to be considered
- The Council has a good track record of consulting with the public and responding to the issues raised
- It is not possible to consult on everything. The increase in fees is not a change in policy and so the Council is not obliged to consult.
- Low income families will only be charged 50% of the fees. Additional financial support is available through a bursary scheme, which provides up to £1,200 per annum.

There were no members of the public present and so County Councillor Stanley Lumley invited County Councillors, who were in attendance, to speak.

County Councillor Janet Sanderson said that there was a need to focus upon the budget and providing good quality services that were within the means of the Council. She said that county councils had been poorly funded over time and that this created additional financial pressures.

County Councillor Helen Grant noted her support for the comments made by County Councillor John Blackie and raised her concerns about the impact of the proposed increase in charges upon rural communities.

County Councillor Stanley Lumley then opened up the discussion to the Members of the Transport, Economy and Environment Overview and Scrutiny Committee. The following comments were made:

- Advice and financial support is in place for families on low incomes
- The real challenge to the long term sustainability of rural communities is the rising

ITEM 1(b)

- cost of houses and the rising number of second homes
- The fees are a flat rate that does not take into account the distances travelled. As such, people in urban areas may be subsidising people in rural areas
- There is a need to focus upon the budget and the costs to the Council. Local government funding is such that the Council has to make hard decisions which it would prefer not to do but has no choice
- The proposed savings for the Children and Young Peoples' Services were detailed in the Mid Term Financial Plan that went to County Council in February 2019. As such, none of this should come as a surprise.

County Councillor Derek Bastiman noted that it may have been better to consult on the proposed increase or even to have staggered the increase over a longer period of time. He asked whether other local authorities formally consulted on changes to charges.

In response, Stuart Carlton said that only a new policy would be consulted upon and not a change in fees.

County Councillor Paul Haslam queried whether any assessment had been made of the differential impact of the increased charges across different communities in the county.

In response, Stuart Carlton said that such an assessment had not been undertaken as there was no change in policy being proposed.

County Councillor Stanley Lumley invited the decision taker to sum up.

County Councillor Patrick Mulligan referred back to the comments previously made by himself and Stuart Carlton. He added that the Council has a responsibility to maintain strong financial management and ensure that all communities in the county can access the best possible services within the financial constraints that exist. County Councillor Patrick Mulligan said that the charges had to be increased but that it was important to note that there was still a subsidy in place of approximately £300 per person, per annum.

County Councillor Stanley Lumley invited County Councillor John Blackie, as a signatory of the call-in, to respond and sum up his position.

County Councillor John Blackie made the following comments:

- It would have been good practice to have a consultation on the proposed changes to the fees
- The financial support that is available to low income families is welcomed but it is highly unlikely that it will be taken up even where most needed
- There remain concerns about the ability of people to pay whose income is just above the threshold for financial assistance
- The increase in fees are yet another factor in the rising cost of living in the Dales, which is driving young families away
- Rural areas are at a disadvantage as people living there face long journey times to services and so are reliant upon transport and have few choices
- The financial position of the Council is well known but the decision to increase the fees charged by £110 or 22.5% with no consultation and with little notice does the Council no credit whatsoever
- The impact upon rural families will be significant and the worry remains that a generation of children will be discouraged from accessing further education and so

ITEM 1(b)

not be helped to fulfil their potential.

County Councillor Stanley Lumley summed up the discussions, reminding committee members that the choices available to the committee were to:

- (a) make no referral in relation to the matter; or
- (b) refer the matter back to the decision taker for reconsideration; or
- (c) refer the matter to full Council.

County Councillor Derek Bastiman proposed a motion that no referral be made in relation to this matter.

This was seconded by County Councillor Andy Paraskos.

A vote was taken and the motion passed with 8 in favour, with 1 abstention and none against.

Resolved -

To make no referral in relation to the matter.

74. Other business that the Chairman agrees should be considered as a matter of urgency because of special circumstances

There was none.

The meeting concluded at 3.15pm

DH