

North Yorkshire County Council

Executive

Minutes of the remote meeting held on Tuesday, 13th July 2021 commencing at 11.00 am.

County Councillor Carl Les in the Chair. plus County Councillors Gareth Dadd, David Chance, Caroline Dickinson, Andrew Lee, Don Mackenzie, Janet Sanderson and Greg White.

In attendance: County Councillors Paul Haslam and Philip Broadbank

Officers present: Richard Flinton, Gary Fielding, Barry Khan, Richard Webb, Neil Irving, Vicki Dixon, Louise Wallace, Melanie Carr and Daniel Harry.

Other Attendees: Ms Bridget Holmstrom

Apologies: County Councillors Michael Harrison and Patrick Mulligan. Plus, Karl Battersby and Stuart Carlton.

Copies of all documents considered are in the Minute Book

610 Introductions

Members of the Executive and Corporate Management Team introduced themselves, followed by other Councillors present at the meeting.

611 Public Minutes of the Informal Meeting held on 22 June 2021

Resolved –

That the public Minutes of the informal meeting of Executive Members held on 22 June 2021, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

612 Declarations of Interest

In regard to Agenda item 10 – Support for Tour de Yorkshire, County Councillor Carl Les did not declare an interest but confirmed that he would recuse himself from the meeting for that item as he held a role on Welcome to Yorkshire and the item would involve discussion about funding. He therefore confirmed consideration of agenda item 10 would be moved to the end of the meeting.

613 Exclusion of the public from the meeting during consideration of each of the items of business listed in Column 1 of the following table on the grounds that they each involve the likely disclosure of exempt information as defined in the paragraph(s) specified in column 2 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information)(Variation) Order 2006:-

Resolved –

That the Committee would not need to go into private session for consideration of

Appendix 1 to Agenda Item 12 or Agenda item 13 – Private Minutes of the informal meeting held on 22 June 2021, as there were no substantive questions or debate required in relation to those documents.

614 Public Questions and Statements

County Councillor Carl Les confirmed that a written statement had been submitted by Ms Bridget Holmstrom on behalf of the Climate Action Stokesley and Villages. He welcomed Ms Holmstrom to the meeting and confirmed she would be given the opportunity to present her statement at the start of Agenda item 6 – Carbon Reduction Plan.

615 Carbon Reduction Plan

Considered – A report of the Chief Executive presenting a draft Carbon Reduction Plan for Executive Members' consideration.

County Councillor Greg White introduced the report that confirmed the Council's aspiration to achieve net carbon neutrality by 2030, the work undertaken to date and the plans to be put in place over the next few years.

The Chairman invited Ms Holstrom to present her public submission to Executive Members, which had been circulated to Executive Members ahead of the meeting. The written statement submitted by Ms Holstrom stated:

“Climate Action Stokesley and Villages are pleased that the North Yorkshire County Council have developed a carbon reduction plan with the objective of reaching Carbon Net Zero by 2030. It is a concern that this is not binding as there is the caveat of ‘as near to that date as possible’.

Clearly a lot of work has gone into producing this carbon reduction plan, so well done NYCC. There is much to like here, for example the 2030 net zero target, LED street lighting, a building efficiency programme, a heat decarbonisation plan and £1 million to pump-prime business cases. However, by focussing on its own operations, we think that NYCC is missing out on opportunities to use its influence to drive urgently needed change across the county on an even more ambitious scale.

NYCC has a key role to play in ensuring delivery of climate reduction including (according to Near You data):

- Installation of 2800 EV charging points by 2030 (which is North Yorkshire's fair share of the UK target – the NYCC plan aims for 615 – less than a quarter of what is needed)
- Installation of 3000GWh of renewable energy across the county the plan mentions solar energy but fails to put a target on how much.
- The UK Climate Change Committee's target on eco-heating systems would mean around 50000 systems e.g. air and ground source heat pumps fitted around North Yorkshire. The council rightly identify the need for a Heat Decarbonisation Strategy for their own building stock but fail to mention the need to contribute to the building stock across the county.
- There's a similar story around the need to insulate buildings where we know we need to insulate tens of thousands of leaky homes across the county.

We are also appreciative of the North Yorkshire Highways initiative to work with Plantlife to encourage biodiversity on the verges. As climate change cannot be fixed without addressing the biodiversity breakdown it is hoped that NYCC will use its influence and resources to ensure that existing flora and fauna are protected. It is therefore important that all steps are taken to ensure that not only is carbon reduction and biodiversity are included in the NYCC decision making process.

Education within the various council departments at all levels is essential because it can seem that the climate change concerns of the Councillors and Executive have not filtered down to the employees on the ground. Communication of the plan and its progress against measurable outcomes will be key to success.

In essence, it is good that the council is getting its own house in order but needs to exert its influence and its potential role of enabling action across the county. Along with other community groups across the county, we look forward to working with the council to develop an even more ambitious plan to ensure that we achieve net carbon neutrality by 2030.”

Ms Holstrom was given the opportunity to precis her written statement and confirmed the Climate Action Stokesley and Villages group were encouraged by the introduction of the Council’s Plan but felt there other things that needed addressing in more detail e.g. the number of e.v. charging points to be installed; the lack of a target for renewable/solar energy; the Council’s contribution to the building stock/eco heating systems across the county, and building insulation;

County Councillor Greg White thanked Ms Holmstrom for her written submission and her constructive comments and thanked the Climate Action Stokesley and Villages group for their engagement. He also drew attention to a written response that had been provided to Ms Holmstrom, which stated:

‘This was the first Carbon Reduction Plan that the County Council had produced and the constructive comments from Climate Action Stokesley and Villages were welcomed.

This first plan had an emphasis on the Council’s own carbon footprint and services. It was essential progress was made on those. The plan also emphasised work with partners, including district councils and the Local Enterprise Partnership, regarding the carbon footprint of the county’s residents and businesses. It recognised that this element of the plan would need further development over the next year.

It confirmed The County Council:

- Would review the Plan annually and incorporate it into the annual Council Plan, so carbon reduction sat at the very heart of the Council’s ambitions and strategy. The plan would develop as the Council learned from the work of itself and others; and as there were developments in legislation, and new technology on the market.
- was fully committed to the ambition of achieving net zero by 2030. Nevertheless, it could not guarantee that it would be achieved as it would not be able to tackle every aspect of carbon reduction nor achieve net carbon neutrality without government support and action through legislation and fiscal measures; and significant changes in national infrastructure, e.g. in generation, distribution and/or storage of electricity.
- had introduced a climate change impact assessment tool which officers were required to complete and submit to decision makers to help ensure that carbon reduction and biodiversity were included in the NYCC decision making.
- was starting to see increased numbers of commercial EV charging points, and had a role to play in encouraging and facilitating, but did not have the powers or resources to install or manage them on the scale that was needed.
- was communicating the importance of its work to all staff and many staff were personally committed as well as professionally committed to net zero e.g. the recent Chief Executive’s webinar for all staff included a significant section on the Council’s carbon reduction work, and the development of joint carbon literacy training for staff in partnership with district councils and the Local Enterprise Partnership
- would regularly monitor progress as part of its corporate performance management framework including quarterly performance reports to its Management Board and Executive’

Specifically in response to Ms Holmstrom's comments at the meeting, Cllr Greg White confirmed that in regard to e.v. charging points, the Council was keen to ensure the right e.v. charging points were rolled out across the county, and that the Council would not be solely responsible for their provision. He confirmed the focus of the report was on the Council's own activities and associated emissions as per the mandate given in July 2019, but confirmed the Council would also work with the LEP and district councils to lead on carbon reduction across the county.

The Chairman thanked Ms Holmstrom for her contribution at the meeting.

It was confirmed that other groups had been in contact with individual Executive members e.g. 'Zero Carbon Harrogate' and 'Thirsk Friends of the Earth' Their contributions were welcomed and it was suggested that moving forward it might be useful to have one engagement point for the Plan. Attention was also drawn to the limited resources of the Council to address CO₂ reduction and climate change, and the difficult decisions that may need to be taken in the future.

In response to a request from Zero Carbon Harrogate for more detailed information on the steps to be taken to reduce carbon in the organisation and what the Council was doing as a leader in North Yorkshire to influence the behaviour of others, County Councillor Don Mackenzie drew attention to the work on street lighting, the Council's annual spend on home to school transport, subsidised bus services, digital infrastructure improvements across the county and the development of active travel schemes to encourage green travel.

County Councillor Greg White reassured members that work was underway to look at how the Council could demonstrate the work it was doing, and how best to work with the Council's suppliers to support them in their journey towards carbon reduction.

It was confirmed the Transport, Economy and Environment Overview & Scrutiny Committee would lead on scrutinising the Council's carbon reduction work, with the Scrutiny Board keeping a watching brief.

County Councillor Philip Broadbank welcomed the Plan and the direction of travel, but suggested the Council could also look at its procurement policies, Allerton Waste Recovery Park, LA Schools, Buying Local, and working with commercial companies to boost the number of e.v. charging points.

County Councillor Paul Haslem also welcomed the report and the £1m set aside to kick start the Council's plans, but suggested the Council would benefit from having a governance and audit framework in place to assess progress. He also recognised that behavioural change was critical and saw the role of the Council not only as a leader and influencer, but also as an enabler.

County Councillor Greg White thanked members for their comments and contributions and agreed to look at them in detail and to take forward them where appropriate and possible. He also recognised the Council would need to be careful not to make commitments that it was not empowered to deliver.

The Executive Member present voted in favour of the recommendations in the report and it was

Resolved –

That the draft Carbon Reduction Plan be proposed to the Chief Executive Officer for his consideration and approval, using his emergency delegated powers.

616 Formal meetings of the Authority's Committees

Considered – A report of the Assistant Chief Executive (Legal and Democratic Services) presenting options for holding formal committee meetings from 21 July 2021 onwards.

County Councillor Carl Les introduced the report acknowledging the advantages of the two options currently available i.e. meetings held remotely (the savings to be made in time, cost and carbon) and meetings held in person (the benefits gained from social interaction for members pre-meeting and the Members being seen to make the decisions).

He suggested that meetings continue to be held remotely until after the summer, with a review in September based on the Covid infection rates over summer, the number of hospitalisations and deaths, and the ping rates for social-isolation. He highlighted the present uncertainty around the rates going up and proposed a further recommendation to July Council, that the November Council meeting also be held remotely. He suggested the proposed September review could look again at the need for the November Council meeting to be held remotely, and if required, the Chief Executive Officer could be asked to take a further decision on whether that was still necessary.

He also suggested the review could take account of any decision by the government regarding the introduction of new regulations that enabled lawful remote access formal committee meetings to take place, expected later in the year.

Executive Members agreed it was a sensible approach. They noted the increased engagement of the public in decision-making meetings because of them being held virtually, and agreed some form of virtual meetings could be beneficial going forward. However the benefits of face to face meetings was also recognised and therefore it was suggested that a hybrid approach should also be considered, subject to the appropriate technology being put in place.

Executive Members therefore agreed to propose option 1 in paragraph 5.7 of the report i.e. to carry on holding the remote access, live broadcast informal meetings with any formal decisions required by those committees subsequently being taken by the Chief Executive Officer under his emergency delegated powers, taking into account the views of the committee Members and all relevant information.

Attention was also drawn to paragraph 5.10 of the report, which suggested a continuation of virtual meetings would require full Council to agree that not attending a physical meeting in person for a 6 month period (as opposed to continuing to attend virtual informal meetings), would not disqualify a county councillor under the automatic vacation of office provisions set out in section 85 of the Local Government Act 1972. Members agreed that should also be included in their recommendations.

Resolved – That the following proposals be put to the Chief Executive Officer for his recommendation to full Council, using his emergency decision making powers:

- i. Remote access, live broadcast informal meetings be continued with any formal decisions required by those committees subsequently being taken by the Chief Executive Officer under his emergency delegated powers, taking into account the views of the committee Members and all relevant information;
- ii. The continued use of remote access, live broadcast informal meetings be reviewed in September 2021, to include giving further consideration to the benefits of remote working e.g. carbon reduction, financial savings and greater public participation, with a report to full Council in November 2021;
- iii. The meeting of the County Council on 17 November 2021 be held as a remote access, live broadcast informal meeting;
- iv. Any decisions necessary to enable virtual meetings for members to continue and to determine which committee meetings should be held virtually (as informal meetings) and which should be held physically (as formal meetings) continue to be delegated to

the Chief Executive Officer, in consultation with the Leader, This to be reviewed in September 2021;

- v. Not attending a physical meeting in person for a 6 month period (as opposed to continuing to attend virtual informal meetings) will not disqualify a county councillor under the automatic vacation of office provisions set out in section 85 of the Local Government Act 1972.

617 Proposed changes to the Terms of Reference for the Independent Remuneration Panel

Considered – Report of the Assistant Chief Executive (Legal and Democratic Services) outlining proposed changes to the Terms of Reference for the Independent Remuneration Panel (IRP).

County Councillor David Chance introduced the report confirming that the review of the IRP's terms of reference undertaken earlier this year, had resulted in the proposals detailed in the report for some additions/amendments relating to the recruitment, induction and performance of new members of the panel and the duration of the term of office. He also drew attention to the rationale for the proposed changes, as detailed in the report.

Barry Khan, Assistant Chief Executive (Legal & Democratic Services) provide a brief overview of the background to, and role of the Independent Remuneration Panel.

County Councillor David Chance questioned the need for three of the four proposals i.e. the suggested reduction in size of the Panel, the introduction of a probationary period and the extension of the term of office period to six years. He proposed that further investigation and discussions take place with Panel members, to better understand their thinking.

Executive Members agreed with the concerns raised, but all agreed with the proposal that the Chair of the IRP should be included in the interview panel for new IRP members.

County Councillor Gareth Dadd suggested that it would be more appropriate nationally if the MCHLG appointed Panel Members, in order maintain true independence.

Resolved – That

- i. It be proposed to the Chief Executive Officer that using his emergency decision making powers he recommend to full Council on 21 July 2021, the Chair of the IRP be included in future interview panels for new IRP members
- ii. Further investigation and discussions take place with the IRP regarding their other three proposals, as detailed in paragraph 3.3 of the report

At this stage, County Councillor Don Mackenzie left the meeting to attend a meeting of LNER

618 Area Constituency Committee Feedback Report

Considered – A report of the Assistant Chief Executive (Legal & Democratic Services) providing an overview of the key issues considered at recent meetings of the Area Constituency Committees.

Resolved - That the report be noted.

County Councillor Carl Les recused himself from the informal meeting at 12:14pm, on the basis that he held a non-pecuniary role on Welcome to Yorkshire.

619 Support for the Tour de Yorkshire 2022

Considered – Report of the Chief Executive Officer seeking approval for a £100k fee to Welcome to Yorkshire towards staging the Tour de Yorkshire in 2022, and in the event that Welcome to Yorkshire are unable to secure sufficient race sponsorship, a further fee of up to £100K for the event.

County Councillor Gareth Dadd introduced the report that sought allocation of the previously agreed sum of £100k to host the event this year, to the hosting of the event in 2022 instead. He confirmed that the event organisers were also requesting the underwriting of an additional £100k, in case Welcome to Yorkshire failed to secure the sponsorship required. He stressed the additional sum was not a guaranteed cost to the County Council, and that all other Councils hosting a stage of the race had also been asked to underwrite the event.

He went on to suggest that post the event, two reviews be undertaken. One in terms of the event's sponsorship and the media coverage the county received due to the event etc. The other, a wider review of the principal of supporting one-off events.

County Councillor David Chance suggested that rather than it being a further fee, it was in fact a guarantee that was being requested. Gary Fielding – Corporate Director for Strategic Resources confirmed it was a guarantee that manifested itself as a further fee contingent upon certain conditions taking place, and had been deliberately worded as such.

Resolved – That it be recommended to the Chief Executive Officer that using his emergency delegated powers he:

- i. approve funding of £100k to Welcome to Yorkshire as a fee for staging the 2022 Tour de Yorkshire;
- ii. approve the provision of a further fee of up to £100k in the event that Welcome to Yorkshire are unable to generate sufficient sponsorship for the 2022 event and that this provision be funded from the Strategic Capacity Unallocated; and
- iii. delegate authority to the Corporate Director, Business & Environmental Services in consultation with the Corporate Director, Strategic Resources to make any payment to Welcome to Yorkshire which becomes due after appropriate due diligence is carried out;
- iv. Approve the undertaking of two reviews post the Tour de Yorkshire event in 2022 – the first to review the event's sponsorship and the resulting media coverage the county received. The second a wider review of the principal of supporting one-off events;

620 Forward Plan

Considered –

An Executive extract from the Forward Plan for the period 5 July 2021 to 31 July 2022 was presented.

Resolved - That the Executive Forward Plan be noted.

621 North Yorkshire Integrated Sexual Health Service

Considered – A report of the Corporate Director Health and Adult Services and Director of Public Health, providing an update and revised position on the Section 75 agreement between NYCC and York and Scarborough Teaching Hospitals NHS Foundation Trust (YSFT).

County Councillor Caroline Dickinson introduced the report confirming that following a review of the Sexual Health Service and a re-tendering exercise, the County Council was looking to extend its arrangements through a Section 75 Agreement. It was noted that Covid had impacted on the progression of the previously proposed Section 75 Agreement, so a detailed review of the position had since been undertaken. This had resulted in amendments to the financial position, the service model and the initial length of the Section 75 Agreement.

Attention was drawn to the proposed service changes detailed in the report, which would be subject to a 60-day public consultation and virtual workshops for partners.

As there was no discussion about the content of the exempt Appendix 1, the Executive choose not to go into private session. Instead it was

Resolved – That it be recommended to the Chief Executive Officer that using his emergency powers he:

- i. Approve the revised budget for the Section 75 agreement and delegate any amendments to that budget to the Corporate Director for Health and Adult Services in consultation with the Corporate Director for Strategic Resources;
- ii. Delegate the approval of the consultation on the proposed new service model to the Corporate Director for Health and Adult Services in consultation with the Director of Public Health and the Executive Member for Public Health.

622 Private Minute of the Informal Meeting held on 22 June 2021

As there was no discussion about the content of the exempt draft Minute, Executive Members choose not to go into private session, and it was

Resolved –

That the private Minute from the informal meeting of Executive Members held on 22 June 2021, having been printed and circulated, be taken as read and confirmed, and signed by the Chairman as a correct record.

The meeting concluded at 12.22 pm.