

North Yorkshire County Council

Executive

Minutes of the remote meeting held on Tuesday, 12th October, 2021 commencing at 11.00 am.

County Councillor Carl Les in the Chair. plus County Councillors Gareth Dadd, Derek Bastiman, David Chance, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan, Janet Sanderson and Greg White.

In attendance: County Councillors Paul Haslam and Caroline Dickinson.

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Barry Khan, Melanie Carr, Andrew Dixon, Jon Holden and Cathy Knight.

Other Attendees: Ms Ruth Annison

Apologies: Richard Flinton and Richard Webb.

Copies of all documents considered are in the Minute Book

649 Introductions

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

650 Minutes of the Meeting held on 21 September 2021

Resolved –

That the public Minutes of the meeting held on 21 September 2021, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

651 Declarations of Interest

There were no declarations of interest.

652 Public Questions and Statements

There were one statement received from a member of the public concerning Agenda item 6 – National Bus Strategy. Ms Ruth Annison attended the meeting and presented the following submission:

I am a long-term resident and employer in rural North Yorkshire - and an almost daily user of public transport for much of the last eight years.

During that time, Carbon Net Zero and Decarbonisation have become phrases in everyday use this year through the forthcoming international COP 26 conference in Glasgow. The UK Government has set robust targets for decarbonisation and bold strategies for the use of technical developments and digital technology in pursuit of

Carbon Net Zero. In turn, many statutory authorities, individuals and a host of organisations have acknowledged the realities of Climate Change and declared a Climate Emergency. Ten days ago, Richmond held its first Climate Action Festival; next week-end is Northallerton's One Planet event. Such activities were becoming embedded in the life of the wider community and recent fuel shortages have nudged a few more motorists into considering alternatives to the private car.

North Yorkshire's Bus Service Improvement Plan (BSIP) is one strand in a national programme of reaction to the challenges so starkly facing us. Yet where is the environmental under-pinning of NYCC's BSIP? Late in the document, it only appears as Section 10 of 11! Where are the references to encouraging modal shift, from car-dependency to reliable, regular and **attractive** public transport with good network connections? How is NYCC planning to provide non-car access into North Yorkshire's two National Parks? (Richmond, Yorkshire, is the only Parliamentary constituency with two National Parks – the Moors and the Dales, one each side of the A1).

The BSIP refers to "*North Yorkshire's status as a leading tourism destination in England*" – but there seems to be little attempt to meet the public transport needs of visitors on Staycations and days out - other than the incredible volunteer-led, self-funded and self-marketed DalesBus and Moorsbus. How about linking the four market towns of Northallerton-Bedale-Leyburn and Hawes with a 7 days a week, instead of only on Sundays with the DalesBus 856?

NYCC is backing a rollout of Demand Responsive Transport (DRT), the scheme being piloted between Ripon, Masham and Bedale. DRT services are pre-booked, from bus stop to bus stop. They are normally booked using a digital App. DRT does have some limited bespoke uses – but for most passengers they are no substitute for scheduled services – that is, buses running to a fixed timetable around which people can plan travel for work, shopping, doctor, leisure, rail connections and cross-boundary journeys. It is significant that Roger French, a national DRT expert, has pointed out that the two vehicles and four drivers on the YorBus service could equally well provide an hourly scheduled turn-up-and-go service on the same route.

The Government is looking for "transformational change" in the Bus Service Improvement Plans submitted to it (*Baroness Vere, Department for Transport, September 2021*). Could North Yorkshire's BSIP propose, for example, the following improvements in public transport:

- a) A more significant passenger growth and mileage target (eg.10% in the next 3 years);
- b) Increased investment in scheduled service provision, to help facilitate growth, including market town connectivity and increased accessibility to the National Parks and coast;
- c) Consideration of car traffic reduction targets.

In response, Cathy Knight – NYCC's Commercial Sector Service Development Manager, confirmed that North Yorkshire's Bus Service Improvement Plan demonstrated ambitious plans to decarbonise the bus network and drew attention to the Plan which stated 'We want bus services across North Yorkshire to be zero emission'. She acknowledged it was not shown until midway through the document but explained this was because the plan had been required to follow a template set out by the Department for Transport. Nevertheless, she confirmed there were ambitious plans to decarbonise the bus fleet in North Yorkshire and a roadmap detailing how this would be delivered. She also confirmed the County Council was accelerating those plans and had been successful in getting through to the second round of a Department for Transport funding opportunity, which, if phase 2 proved successful would see around £20m invested in zero emission buses and supporting infrastructure in Harrogate .

Cathy Knight noted the central theme running throughout the government's Bus Back Better strategy was to make the bus a real alternative to the car, and drew attention to the objectives, projects and targets for delivery set out in North Yorkshire's BSIP, designed to improve bus services. Although she accepted, it did not explicitly state they were designed to achieve modal shift and would in turn have a positive environmental impact.

In terms of tourism, Cathy Knight confirmed the County Council's commitment to exploring innovative ticketing products as part of the marketing strategy, together with how the area could be better promoted to those outside of North Yorkshire. She also noted that the wider roll out of the YorBus service offered attractive public transport option to tourists, and confirmed that tourists from outside of North Yorkshire had already been using the pilot service as had a number of local residents, to access places such as Fountains Abbey and Lightwater Valley.

She accepted there would always be sceptics of new proposals and noted there were some commentators that felt the YorBus service was not meeting local needs. She also confirmed she remained unconvinced that the two vehicles and four drivers on the YorBus service could equally well provide an hourly scheduled turn-up-and-go service on the same route. She suggested they may well be able to provide such a service over part of the YorBus zone, but would not be able to provide coverage to other areas of the zone such as Grantley, Kirkby Malzeard, Grewelthorpe and Bishop Thornton. She noted that whilst some were not in favour, there had been overwhelming support for the service from many people, as evidenced by the number using the service and the number of regular users. She drew attention to the YorBus pilot service, designed to work in tandem and complement the existing public transport services, and highlighted that residents within the pilot zone could now travel to Ripon and connect with Transdev 36 service, giving wider transport options and access to the national transport network.

Given the impacts of the Covid19 pandemic, Cathy Knight accepted the targets for passenger growth were ambitious, given that bus patronage nationally was not expected to return to pre-Covid levels for three years. She noted however, the North Yorkshire Bus Service Improvement Plan set a target of returning to pre-Covid levels by March 2023. She also drew attention to key strands of the plan i.e. to take an evidence and place based approach to bus priority, understanding where the greatest benefits from interventions and improvements could be delivered, improving bus journey times and making the bus a more attractive option than the car.

Finally, in terms of investment in scheduled services, she drew attention to the report, which detailed that £13.5m bus revenue support was sought as part of the plan to deliver the BSIP. She stressed how important it was that the improvements made through the Bus Service Improvement Plan were sustainable, and confirmed the bus revenue support funding would therefore target bus services that could demonstrate their sustainability. She also confirmed the County Council still retained a revenue support budget for services that were not financially sustainable in their own right.

Ms Annison requested a copy of the officer response. She also confirmed that in her view the BSIP was weighted towards vehicles and the access of money, rather than to the outcomes for passengers across the county. She therefore requested consideration be given to building in some wording that would allow the Authority to retreat from the direct response transport service except for as a supplementary to good linear routes.

653 Academy closure proposal for Baldersby St James Church of England Primary School.

Considered - A report of the Corporate Director - Children and Young People's Service proposing the closure of Baldersby St James CE Primary School with effect from 31

August 2022 and the future arrangements for the School's current catchment area.

County Councillor Patrick Mulligan introduced the report and confirmed it was the first closure proposal for an academy school, which would ultimately be a decision for the Secretary of State. He drew Members' attention to the process required for the closure and the reasons for the proposed closure as detailed in paragraph 5.2 of the report. He also confirmed it was the Authority's statutory duty to ensure there were sufficient school places in the area when the closure of a school was under consideration.

He noted the proposal within the report was that the Local Authority should notify the Hope Sentamu Learning Trust and DfE that it had no objection to the closure, but proposed instead, that the Authority:

- Recommend that the DfE, the school's Trust and the School's Commissioner engage with the School to determine whether a credible business plan could be established to allow the school to remain open
- Request that any closure be delayed for a period of 12 months to allow appropriate engagement between the community and the Learning Trust

Executive Members expressed support for the proposed revision to the recommendations in the report. County Councillor Michael Harrison noted that technically as there was capacity elsewhere, the Authority could accept closure, but from a community point of view it was always better for a rural school to remain open if possible.

Stuart Carlton, Corporate Director for Children & Young People's Services noted that the Secretary of State had already made a substantive decision on the closure of the school and that the public 'Listening Period' was now underway. However he agreed that during the consultation period the Authority could ask that they engage with the school community and the school to understand whether a credible business case could be put together. He also noted the Authority was not party to all the information on the school i.e. its financial position, because it was an Academy and not a Local Authority school.

Andrew Dixon, Strategic Planning Manager for Education & Skills confirmed that the number of children on the school's roll had reduced since the announcement to close the school. At the start of the academic year the number was 23 and it was currently 19, with a further small but significant number of parents having now applied for alternative schools as from September 2022.

Resolved:

Executive Members agreed to recommend to the Chief Executive Officer that using his emergency delegated powers he:

- i. Recommend that the Secretary of State and the Regional Schools Commissioner consider deferring closure of Baldersley St James CofE Primary School for a period of 12 months for further engagement between the community and Hope Sentamu Learning Trust, to see if a credible business case can be created;
- ii. Agree to a stakeholder consultation (and subsequent process) in conjunction with Elevate MAT, on the catchment proposals to be effective from September 2022, such that:
 - The northern part of the Baldersby St James catchment area (Baldersby Civil Parish) including Baldersby village to become part of the catchment area for Carlton Miniott Primary Academy
 - The southern part of the Baldersby St James catchment area (Rainton with Newby Civil Parish) including Rainton village to become part of the catchment area for both Dishforth CE Primary School and Topcliffe CE Academy.

654 National Bus Strategy

Considered – A report of the Corporate Director – Business and Environmental Services seeking Executive Members’ consideration of the County Council’s draft Bus Service Improvement Plan.

County Councillor Don Mackenzie thanked Ruth Annison for her public statement submission and acknowledged her commitment to public transport and her ongoing and helpful engagement.

In regard to the ongoing demand responsive pilot in the north Ripon area, he noted it had had a good start and that the positive feedback outweighed the negative. He confirmed the trial was only three months in and that so far the signs were good but it was still too soon to decide whether it should be introduced elsewhere.

He went on to introduce the report and provided an overview of the background to the report and the requirements of the National Bus Strategy, “Bus Back Better”. He confirmed the importance of bus services, and outlined the cost of those services to the Authority. He also noted the ongoing challenge of providing regular sustainable bus services to its sparse population throughout the vast geography of North Yorkshire. He recognised the BSIP was ambitious and noted the BSIP was designed to achieve a high quality co-ordinated integrated bus network, with simple payments and tickets, clear and concise information, and excellent customer service.

Michael Leah, Assistant Director for Travel & Environment, Waste and Countryside Services, provided an outline of the timeframe for the creation of the BSIP and went on to give an overview of the set of asks within it. He highlighted the necessary third party funding contributions to deliver specific elements of the BSIP, and the total funding required to achieve its full delivery. Finally he drew attention to the planned stakeholder and public consultation event.

In considering the proposed BSIP, Members noted the tight timescale for its completion and the further amendments still required. They also noted the approach that would be taken should the full funding not be realised.

Resolved:

Having considered the report, Executive Members agreed to recommend to the Chief Executive Officer that using his emergency powers he:

- i. Agree to the publication of the Bus Service Improvement Plan at Annex 1;
- ii. Delegate authority to the Corporate Director Business and Environmental Services in consultation with the Corporate Director Strategic Resources to submit the final BSIP,
- iii. Authorise the Corporate Director Strategic Resources to accept the funding;

655 Review of the Council’s Property Procedure Rules

Considered – A report of the Corporate Director Strategic Resources, informing Members of the outcome of the review of the Property Procedure Rules (PPR) and presenting proposed changes to the PPR and consequential amendments to the Constitution.

County Councillor David Chance introduced the report and outlined the propose amendments to the PPR and drew attention to the consequential amendments that would be required to the Executive Members’ Delegation Scheme, should the proposed

amendments to the PPR be approved, as detailed in Annex 3 of the report.

Finally, County Councillor David Chance proposed the establishment of a forward plan of property transactions to ensure the Corporate Director for Strategic Resources and the portfolio holder had advanced knowledge of all decisions required.

Gary Fielding, Corporate Director for Strategic Resources confirmed it had been over a decade since the PPRs were significantly changed, during which time property values had greatly increased. He also confirmed the Audit Committee had endorsed the proposed amendments.

Resolved:

Executive Members agreed to recommend to the Chief Executive Officer that using his emergency powers he recommend to full Council at its meeting on 19 November 2021:

- i) Approval of the suggested amendments to the Property Procedure Rules as set out at Appendix 2 and the suggested consequential amendments to the Executive Members' Delegation Scheme set out at Appendix 3;
- ii) That authority be given to the Assistant Chief Executive (Legal and Democratic Services) to make any further consequential amendments required to the Constitution in light of the changes to the PPR.
- iii) That a forward schedule of decisions, as set out under paragraph 1.11 of Appendix 2, be shared with the Executive Member with responsibility for Property, on a no less than quarterly basis to assist in matters of property planning;

656 Formal meetings of the Authority's Committees

Considered – A report of the Assistant Chief Executive (Legal & Democratic Services) presenting options for holding formal committee meetings from 17 November 2021 onwards.

County Councillor Carl Les introduced the report and acknowledged the benefits associated with remote access meetings, as detailed in section 3 of the report, particularly the savings that had been delivered in time, cost and carbon.

However they also recognised the County Council's leadership role and the importance of leading by example, by returning to a more normal, pre- pandemic ways of working.

He also confirmed he had taken a sounding from Members across all political parties and that there was still a desire within the Council to continue with virtual meetings, but to allow Committee Chairs to consult with both the Leader and Chief Executive on a case-by-case basis should they wish to hold a meetings in person. He also confirmed the Council's aspiration to return to face-to-face meetings as quickly as possible, bearing in mind that Covid was still present, with increases in cases across the county. He expressed hope that the February 2022 Council meeting would be held in person as it was the budget setting meeting. He also confirmed the Executive would start to meet in person as of its next meeting in November.

Finally, he noted that the next scheduled meeting of the Executive in November 2021 clashed with the County Council Network Conference and therefore requested that an alternative date for the Executive meeting be identified.

It was therefore agreed to make the following proposal to the Chief Executive Officer for recommendation, under his emergency delegated powers, to full Council for review at their meeting on 17 November 2021:

- To continue with informal virtual committee meetings, but to allow Committee Chairmen to consult with both the Leader and Chief Executive on a case-by-case basis, should they wish to hold a meeting in person

657 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 a recent meeting of the Area Constituency Committees.

County Councillor Michael Harrison drew specific attention to the feedback from a recent meeting of the Harrogate and Knaresborough Area Constituency Committee, at which members had confirmed their view that the ongoing pilot travel scheme in Harrogate should be allowed to run its course.

Resolved - That the report be noted.

658 Forward Plan

Considered –

The Forward Plan for the period 4 October 2021 to 31 October 2022 was presented.

County Councillor David Chance noted two items of business shown as scheduled for this meeting that were not on the agenda and therefore needed deferring to a later meeting date, and County Councillor Carl Les reiterated the need to revise the Executive meeting date for November.

Resolved - That the Forward Plan be noted.

The meeting concluded at 12:04pm