

North Yorkshire County Council

Executive

Minutes of the remote meeting held on Monday, 23rd May, 2022 commencing at 11.02 am.

County Councillor Carl Les in the Chair. plus County Councillors Annabel Wilkinson, Gareth Dadd, Keane Duncan, Derek Bastiman, David Chance, Michael Harrison, Simon Myers, Janet Sanderson and Greg White.

Officers present: Gary Fielding, Richard Flinton, Barry Khan, Melanie Carr and David Caulfield.

Other Attendees: District Cllrs Angie Dale; Mark Robson & Richard Foster. Borough Cllr Steve Siddons

Apologies: Karl Battersby, Stuart Carlton and Richard Webb.

Copies of all documents considered are in the Minute Book

1 Minutes of the Meeting held on 19 April 2022

Resolved –

That the public Minutes of the meeting held on 19 April 2022, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

2 Declarations of Interest

There were no declarations of interest.

3 Public Questions and Statements

There were no public questions or statements.

4 Section 24 Direction Consent

Considered: A report of the Section 151 Officer and Monitoring Officer seeking the granting of a series of General Consents to the District Councils to enable the business of existing District Councils to continue to proceed in the run up to Vesting Day.

County Councillor Gareth Dadd introduced the report, noting that if a decision were taken to stick rigidly to the Section 24 Notice it would be too stringent for the District and Borough Councils. Instead, he outlined the collaborative approach proposed and suggested it would make it easier for all, and protect the democratic processes and sovereignty of the District and Borough Councils until March 2023.

Barry Khan, Assistant Chief Executive (Legal & Democratic Services) outlined the legal requirements and the consents needed as detailed in the report. He also noted that other Authorities being dissolved (Cumbria & Somerset) were working towards taking the same approach, but North Yorkshire County Council was the first to reach this stage, as a result of the excellent joint working to date.

Gary Fielding, Corporate Director for Strategic Resources outlined the four areas of focus i.e. Revenue Budgets, Capital Projects, Contracts & Procurements and Use of Reserves, and confirmed there would be a weekly update on the consents granted for the relevant Executive Member.

Councillor Steve Siddons, Leader of Scarborough Borough Council welcomed the report but highlighted that whilst most of their funding allocations would fall under general consent, there were some key projects that were not included. He acknowledged there was ongoing dialogue about those projects to ensure they progressed as planned and he sought the Executive's reassurance that this would continue.

County Councillor Gareth Dadd confirmed he was aware of the projects/schemes that would not be covered by the General Consents and drew attention to the opaque decision making process in place for them. He went on to suggest that the political accountability needed strengthening.

In response, Gary Fielding drew attention to the proposal within the report to delegate authority to the Corporate Director for Strategic Resources in consultation with other Section 151 officers. He acknowledged that open dialogue would be key and noted that if in doubt, consideration of a consent could be referred to the relevant Executive Member, and ultimately on to the full Executive if required.

Members discussed the option for the right of appeal to a controversial decision, and again Gary Fielding confirmed a decision could be referred on to the Executive Member if considered necessary, with any really contentious issues referred to the Executive.

Having been reassured about the level of transparency written in to the process, all Members voted in favour of the recommendations in the report and it was

Resolved – That:

- i) The General Consents to the District Councils under the Direction made under Section 24 of the Local Government and Public Involvement in Health Act 2007 as attached in Appendix 2 be approved
- ii) The ability to grant specific consents under the Section 24 Direction be delegated to:
 - the relevant Executive Member; and separately to
 - the Section 151 Officer in consultation with the Deputy Leader, the Monitoring Officer and the Section 151 Officers of the District Councils.

5 Implementation Plan Approval to create the new North Yorkshire Council

Considered – A report of the Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer presenting the proposed governance arrangements for implementation of the new unitary council for North Yorkshire.

Barry Khan, Assistant Chief Executive (Legal and Democratic Services) introduced the report and the draft implementation plan, which had been previously approved by the informal Implementation Executive.

The report provided an overview of the steps taken to date, and confirmed that the Implementation Executive had now been replaced by the Executive of North Yorkshire County Council.

Attention was drawn to the key priorities within the draft Implementation Plan and

Members noted the three additional work streams introduced alongside the original fifteen listed in the report.

Members also recognised the successful collaborative working of the County Council and the District/Borough Councils to date, and the need to continue in that vein, in order to achieve the new Authority's ambitions.

County Councillor Gareth Dadd drew attention to the potential savings and the 5-year timeframe in which they were to be achieved, recognizing that alongside improved localism, it was the biggest driver for the successful transition to the new unitary Authority

All Members voted in favour of the recommendations and it was

Resolved – That:

The Executive approved:

- (a) The Implementation Plan at Appendix A of the report;
- (b) The Implementation Team as identified in paragraph 4.11 of the report.

6 Appointments to Outside Bodies

Considered: A report of the Assistant Chief Executive (Legal and Democratic Services) inviting the Executive to make appointments to those outside bodies which fall to be made by the Executive under the County Council's Constitution.

County Councillor Carl Les introduced the report and confirmed he wished to defer the making of the majority of the appointments to the next Executive meeting, with the exception of the following where the organisations were scheduled to meet before the next Executive meeting:

- County Councillor Greg White – Board Member on NYNet Ltd and NYNet 100 Ltd
- County Councillor Steve Watson - Observer/Substitute on NYNet Ltd and NYNet 100 Ltd
- County Councillor Andrew Lee – Yorwaste Ltd and SJB Recycling Ltd

County Councillor Carl Les also made the following proposals for appointments:

- County Councillor Alyson Baker - Young People's Champion
- County Councillor Caroline Dickinson – Older People's Champion

Resolved – That:

- i) The above proposed appointments be approved;
- ii) That the remaining proposed appointments listed in the report be considered by the Executive at their next meeting on 31 May 2022

7 Forward Plan

Considered –

The Forward Plan for the period 16 May 2022 to 31 May 2023 was presented. It was noted that the 'Dementia care facility in Harrogate' item shown as scheduled to come to the next Executive meeting on 31 May 2022 had now been deferred to a later meeting.

Resolved - That the Forward Plan be noted.

The meeting concluded at 11.35 am.