

# North Yorkshire County Council

## Executive

Minutes of the remote meeting held on Tuesday, 21st June 2022 commencing at 11.00 am.

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

In attendance: County Councillors David Ireton, Karin Sedgwick, David Staveley, Alyson Baker  
Caroline Dickinson, Paul Haslam, Bryn Griffiths and Tom Jones.

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Richard Flinton, Barry Khan,  
Melanie Carr, Daniel Harry, Tony Law and Louise Wallace.

Apologies: County Councillors Simon Myers and Janet Sanderson. Richard Webb and Julie  
Brooksbank.

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**Copies of all documents considered are in the Minute Book**

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### **17 Introductions**

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

### **18 Minutes of the Meetings held on 23 May 2022 and 31 May 2022**

#### **Resolved –**

That the public Minutes of the meeting held on 23 May and 31 May 2022, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

### **19 Declarations of Interest**

County Councillor Michael Harrison declared a pecuniary interest in the Treasury Management section of the Qtr4 Performance Monitoring Report at Agenda item 5G, and agreed to leave the meeting room during discussion and decision taking for that section of the report.

Gary Fielding Corporate Director for Strategic Resources declared an interest in Agenda item 7 as a Chair of the Interim Executive Committee for the school.

### **20 Public Questions and Statements**

There were no public questions or statements.

### **21 Q4 Performance Monitoring and Budget Report**

Considered – A joint report of the Chief Executive and Corporate Director -

Strategic Resources, bringing together key aspects of the County Council's performance on a quarterly basis.

County Councillor Carl Les introduced the Quarter 4 performance monitoring and budget report, confirming the performance section provided an introductory focus on all of the ambitions of the County Council, for the benefit of the new County Councillors.

County Councillor David Chance presented the Executive performance report summary, confirming the performance report provided evidence of the Council's continued strong performance despite COVID-19, and continued progress in delivering its wide-range of ambitions.

County Councillor Carl Les introduced each ambition and individual Executive Members highlighted a number of specific issues associated with the ambitions linked to their portfolio.

In regard to ambitions of 'Leading for North Yorkshire' and 'Innovative and Forward Thinking' County Councillor David Chance confirmed:

- The rollout of free public wi-fi to 20 towns across the county, against an original target of 16;
- The growing percentage of the County's business and residential properties with Superfast broadband (93.4%);
- The continued support for communities as they continued to respond to and recover from the pandemic;
- The continued support for the delivery of the Household Support Fund, to address the rising food, energy and essential living costs;
- Over 300 Ukrainian guests were being supported by their sponsors and NYCC to access immediate funds, support and essential services;
- £1.7m in savings delivered through the new ways of working;
- Staff working from home had led to significant reductions in staff travel and printing costs;
- Social media and website usage continued to return towards pre-pandemic levels;
- An increase in staff illness including Covid related illnesses, chest problems, back pains and mental health related absence in 2021-22;
- Staff turnover was at nearly 16% which was the highest level recorded, with wage inflation across the labour market and rising living costs resulting in staff leaving for higher salaries;
- Difficulties in recruitment, in line with the national picture for local authorities;

In regard to the ambition of 'Every adult has a longer, healthier and independent life', County Councillor Michael Harrison confirmed:

- The Public Health Grant continued to be used to support Living Well and the work of the Stronger Communities team;
- Access to NHS health checks was still being impacted by Covid;
- The social care sector continued to be under stress, particularly from those moving from hospital to a care setting. Recruitment remained a focus;
- There was a commitment to re-opening the services paused due to Covid e.g. day care services and short breaks;

In regard to the ambitions of 'Growth' and 'North Yorkshire is a place with a strong economy and a commitment to sustainable growth', County Councillor Duncan Keane confirmed a commitment to ongoing and confirmed projects and the submission of bids for further 'Levelling Up' funding.

In response to Scrutiny Board members' queries, it was confirmed that:

- The risks associated with staff turnover were not just a result of LGR, as it was a

common position across the country. A recruitment campaign was being developed, in response to the competition with the private sector across all Directorates and skill sets;

- Retention discussions were ongoing with District and Borough Council staff, particularly in Planning Teams and Legal Services;
- The County Council offered a wraparound care offer to the Ukrainian guests across the County, which included access to education, healthcare and social care. It also provided welfare and safety checks to those Ukrainian families with children;
- The County Council was limited in what it could do to address the impact on the cost of living and fuel, as a result of the rurality of the County. It did offer some mitigation in regard to travel costs, through subsidised bus services etc. There were also plans to mitigate the cost of living crisis for those who were really struggling, and attention was drawn to the use of the Local Assistance Fund and Household Support Fund detailed in the report.
- The intention was to extend the Yorbus pilot initially with the addition of pre-booking, extended operating hours and area covered. It was noted that 10 further areas had been identified where the service would work well but it would always require subsidy;
- Delivery of the Northallerton link road was progressing. It was also noted that other market towns across the County had similar traffic problems;
- A more joined up strategic approach to improving highways infrastructure would be required in the longer term, helped by LGR and improved working with neighbouring authorities;
- A lot of work had been done to ensure children were accessing health checks and immunisations, even though the national rates for childhood immunisations were falling. The delivery of the Covid vaccination for school aged children continued, in line with the national picture;
- Overall, Covid was no longer affecting many of the County Council's services;

County Councillor Paul Haslam raised the issue of improving nutrition and its benefits, and suggested improved metrics were needed. Members recognised that education on diet would be a harder sell than on stopping smoking.

County Councillor Carl Les thanked officers for the performance report and acknowledged the clear focus on the challenges facing the Authority. It was recognised that as the Quarter 4 report was a backward look at performance, there was still a strong focus of Covid and its effects on services, and that future performance updates would reflect the changing situation.

#### Revenue Budget, Treasury Management & Capital Plan

County Councillor Gareth Dadd introduced each section of the report. In regard to the Revenue budget, he drew attention to the headline figures and the table on page 133 of the report and the Authority's possible future deficits. He noted that:

- £3.1m of last year's budget had come from reserves;
- The deficits shown did not include the deficits from the districts and borough councils. He confirmed it was still too early to understand what the picture would look like on vesting day.

He went on to draw specific attention to LGR funding pot and its top up to £38m, and the request for £1.5m from that pot to fund a required Microsoft 365 platform.

Gary Fielding, Corporate Director for Strategic Resources drew attention to a number of

corrections required to the table at paragraph 2.2.1 of the report:

- The BES final turnout figure should have read £72,344, a variance on the budget figure of £2,500;
- The Corporate Misc. figure should have read £7,560, with a variance on the budget figure of £10,556;

He also highlighted a number of moving parts in the last financial year i.e.:

- The high number of Covid grants that had significantly distorted the picture;
- The long term impact of Covid on services;
- The increasing inflationary pressures across the board;

County Councillor Michael Harrison left the meeting room at this point due to a declared interest associated with the Treasure Management section of the report.

In regard to the Performance Indicators and Treasury Management, he confirmed that the Authority's debt was down again and he paid tribute to the work of the Treasury Management support team. He also noted that the alternative investments were performing well and that since the Quarter 4 period, interest rates has risen.

In regard to the Capital Plan, he highlighted the £2.5m carry forward, the request for a further £1.2m for extra costs associated with Selby Free School and inflationary pressures. He suggested the Capital Plan may need adjusting going forward.

Gary Fielding drew attention to paragraph 423 of the report and the unallocated figure of £21.1m and suggested it would be affected by the inflation in construction costs of approximately a 35-40%.

County Councillor Carl Les referred Members to the recommendations in the report, and having considered the report in full and the information provided at the meeting, members of the Executive agreed to note:

- (i) The outturn position for the County Council's 2021/22 Revenue Budget, as summarised in paragraph 2.1.2 of the report;
- (ii) The position on the GWB (as shown in paragraphs 2.4.1 to 2.4.3 of the report);
- (iii) The position on the 'Strategic Capacity – Unallocated' reserve (as shown in paragraphs 2.4.4 to 2.4.7);
- iv) The performance of the Treasury Management operation during 2021/22 and the outturn position on Prudential Indicators
- v) the position on capital outturn as detailed in **Appendices A to E** of the report;

They also agreed to approve:

- (vi) The top up of the LGR reserve to £38m as per business case (**paragraph 2.5.1**) and notes the position at **paragraph 2.5.2**.
- (vii) The request for £1.5m of one-off funding from the LGR Transitional Fund for a single Microsoft 365 platform for the new council as set out in **paragraphs 2.5.4 to 2.5.5**.
- viii) The financing of capital expenditure as detailed in **paragraph 4.16** and **Appendix F** of the report.
- ix) To approve capital funding of up to £1.2m in line with the conditions set by the DfE, in relation to the delivery of a special needs Free School in Selby as detailed in **paragraph 4.28** of the report. Authority to drawdown the funding to be delegated to the Corporate Director for Strategic Resources in consultation with the Corporate Director for Children & Young People's Services, the Deputy Leader and the Executive Member for Education, Learning and Skills.

Finally, Executive Members agreed to:

- x) Delegate authority to the Corporate Director in consultation with the Executive Member for Finance to approve subsequent “approved” bids from the LGR Transitional Fund as set out in paragraph 2.5.6 of the report;
- xi) Recommend to the County Council, the proposed carry forward to 2022/23 of the net capital underspend totalling £2.5m as set out in paragraph 4.14 of the report;

## **22 Closure proposal for Weaverthorpe CE VC Primary School**

Considered – A report of the Corporate Director for Children & Young People’s Services seeking approval to cease to maintain Weaverthorpe Church of England Voluntary Controlled Primary School with effect from 31 August 2022, together with the future arrangements for the School’s current catchment area.

County Councillor Annabel Wilkinson introduced the report, providing an overview to the background of the school that had led to the proposal. She also confirmed the consultation that had taken place and the one response received from the local Parish Council. Having thanked all those who had tried to save the school, she confirmed that the only option now available was to close the school.

County Councillor Carl Les confirmed the Executive never took a decision of that nature lately, but agreed that in this instance it was regrettably the appropriate way forward.

All Executive members voted in favour of the recommendation and it was

**Resolved** – That:

- (a) The issues listed in section 9 of the report had been satisfied and therefore the proposals could be determined.
- (b) The following proposals be determined:
  - i) Weaverthorpe CE VC Primary School cease to be maintained with effect from 31 August 2022.
  - ii) The catchment area of Luttons Community Primary School be expanded from 1 September 2022, to include the current Weaverthorpe School catchment area; with the exception of the current joint catchment area of Weaverthorpe and Hertford Vale CE Primary Schools (serving Butterwick), which would remain part of Hertford Vale’s catchment area

## **23 Review of Special Educational Needs and Disabilities Provision: proposals to change provision at Brompton Hall School**

Considered – A report of the Corporate Director for Children & Young People’s Services providing an update from the feedback of the first consultation in relation to proposals to cease residential provision at Brompton Hall School and extend the designation of the school to co-educational.

County Councillor Annabel Wilkinson introduced the report which detailed the finding from the 34 responses to the first consultation, noting that 30% of them had been from parents and carers, 65% had agreed the designation of Brompton Hall School should be changed to co-educational, and 64% had disagreed with the proposal that residential should be phased out.

Member noted:

- There was still significant interest in maintaining some residential care but accepted there was a lack of demand for it.
- The proposed second consultation would run from 22 June to 8 September 2022, after which time a further report would be brought to the Executive.

Having noted the report, Executive Members

**Resolved** – To move forward with further consultation as set out in the table at paragraph 6.1 of the report.

## 24 **Proposal for a new Overview and Scrutiny Committee**

Considered - A report of the Assistant Chief Executive (Legal & Democratic Services) proposing changes to the overview and scrutiny arrangements during the period July 2022 to March 2023 and other (minor) changes to the Constitution.

County Councillor David Chance introduced the report, which detailed the three available options for overview and scrutiny of the large number of significant decisions that would be made by the Executive in the lead up to the creation and implementation of the new unitary authority.

He also drew attention to two proposed minor changes to the Constitution i.e. a change of name for the Members' group currently identified in the Constitution as the 'Looked After Children's Members' Group', and a minor amendment to the Contract Procedure Rules to allow the Assistance Chief Executive (Legal and Democratic Services) to delegate gateway approvals to other officers to ensure speedy responses to requests.

Members noted the feedback for the Constitutional Working Group on the proposals and having considered the recommendations in the report, it was

**Resolved** – That it be recommended to County Council that:

- a) A new overview and scrutiny committee be constituted for the period July 2022 to March 2023, whose role and remit was to scrutinize the significant decisions made by the Executive regarding the creation of the new unitary authority.
- b) The proposed amendments to the Constitution regarding the Looked After Children's Members' Group and the Contract Procedure Rules be adopted

## 25 **Proposed Decision making for Transitional Arrangements**

Considered - A report of the Assistant Chief Executive (Legal & Democratic Services) presenting proposals for engaging with members on the necessary decision making processes that were needed prior to vesting date.

County Councillor David Chance introduced the report which detailed a proposal to enable greater member engagement in the work to deliver the aims identified in the North Yorkshire (Structural Changes) Order 2022 Case for Change.

Attention was drawn to remits of the seven proposed working groups listed in paragraph 3.2 of the report, and the planned informal working arrangements for those groups;

Members queried how the District Council functions not covered by those remits would fit and it was confirmed that a number of District Council services e.g. Street Scene would simply be lifted and shifted to the new Council following vesting day. It was also noted the

Member Working Groups would sit alongside the officer led working groups leading on the LGR work streams.

Cllr Bryn Griffiths suggested that each Member Working Group should be made up of 9 Councillors and not 10. He also questioned whether a Working Group focussed on achieving Net Zero Carbon by 2030 might be helpful.

In response, it was confirmed that the work of the Member Working Groups would be focussed only on immediate transitional issues that needed addressing in preparation for vesting day, and not on Council's medium to long-term ambitions.

All Executive members voted in favour of the report recommendations, and it was

**Resolved** - That:

- i. The creation of the 7 Cross Party Working Groups identified in paragraph 3.2 of the report be approved;
- ii. All Political Groups in the Council appoint relevant members onto the Groups;
- iii. The Groups report back their findings and recommendations to the Executive (and/or relevant Scrutiny Committee) as appropriate;

## **26 Levelling Up Fund Bid - submission and acceptance**

Karl Battersby, Corporate Director for Business, Environmental and Economy Services introduced the agenda item confirming that work was still ongoing to prepare a bid to submit to the Levelling Up fund, and that a full report containing up to date information would be ready for the Executive's consideration at its next meeting on 5 July 2022.

**Resolved** – that the agenda item be deferred to the next meeting of the Executive on 5 July 2022

## **27 Forward Plan**

Considered –

The Forward Plan for the period 13 June 2022 to 30 June 2023 was presented.

**Resolved** - That the Forward Plan be noted.

The meeting concluded at 12.38 pm.