



Agenda

Meeting: Executive

To: Councillors Carl Les (Chairman), Gareth Dadd, Derek Bastiman, Michael Harrison, Simon Myers, Janet Sanderson, David Chance, Keane Duncan, Greg White and Annabel Wilkinson.

Date: Tuesday, 8th November 2022

Time: 11.00 am

Venue: Meeting Room 3, County Hall, Northallerton

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The government position is that of learning to live with COVID-19, removing domestic restrictions while encouraging safer behaviours through public health advice. In view of this, hand cleanser and masks will be available for attendees upon request. The committee room will be well ventilated and attendees encouraged to avoid bottlenecks and maintain an element of social distancing. Please contact the named supporting officer for the committee, if you have any queries or concerns about the management of the meeting and the approach to COVID-19 safety.

Please do not attend if on the day you have COVID-19 symptoms or have had a recent positive Lateral Flow Test.

Business

1. **Introductions**
2. **Minutes of the Meetings held on 18 October 2022 and 25 October 2022** (Pages 5 - 14)
3. **Declarations of Interest**
4. **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:**

Item number on the agenda	Paragraph Number
15	3

5. Public Questions and Statements

Members of the public may ask questions or make statements at this meeting if they have given notice to Melanie Carr of Democratic and Scrutiny Services and supplied the text (contact details below) by midday on Thursday 3 November 2022, three working days before the day of the meeting. Each speaker should limit themselves to 3 minutes on any item. Members of the public who have given notice will be invited to speak:-

- at this point in the meeting if their questions/statements relate to matters which are not otherwise on the Agenda (subject to an overall time limit of 30 minutes);
- when the relevant Agenda item is being considered if they wish to speak on a matter which is on the Agenda for this meeting.

If you are exercising your right to speak at this meeting, but do not wish to be recorded, please inform the Chairman who will instruct anyone who may be taking a recording to cease while you speak.

6. Fees and Charges Policy and approach to establishing charges for the new Council, including proposed inflationary uplift(s) for the 23/24 financial year to support budgeting and medium term financial planning (Pages 15 - 24)

Recommendations:

It is recommended that the Executive:

- i. Approve the Fees and Charges Policy set out in Appendix A to the report;
- ii. Approve the proposed inflationary uplift of 6% for 2023/24 on relevant income budgets;
- iii. Delegate the consultation on taxi licensing fees, consideration of the consultation responses and final decision to adopt taxi licensing fees to the S151 Officer in consultation with the Executive Member for Open for Business.

7. North Yorkshire Council Branding (Pages 25 - 32)

Recommendations:

That the Executive agree:

- i. The brand design for North Yorkshire Council.
- ii. The approach and costs outlined for the deployment of branding.

8. Electric Vehicle Rollout Strategy (Pages 33 - 60)

Recommendations: The Executive are asked to approve:

- i. The proposed public consultation draft of the Electric Vehicle (EV) Public Charging infrastructure Rollout Strategy for North Yorkshire.
- ii. The launch of a public consultation on the priority actions and measures contained in the strategy.

9. Double Devolution - process for the consideration of identifying pilot town/parish Councils (Pages 61 - 72)

Recommendations:

The Executive are asked to:

- i. To agree a pilot inviting town and parish councils to submit expressions of interest in managing services and assets on behalf of North Yorkshire Council.
- ii. To agree the process, criteria and outline timetable as set out in the report.

10. Report on progress since the publication of the report of the North Yorkshire Rural Commission in July 2021 (Pages 73 - 92)

Recommendations:

The Executive are asked to:

- i. Receive and consider the report on progress since publication of the report of the North Yorkshire Rural Commission in July 2021.
- ii. Integrate the challenges set out by the Rural Commission and the work undertaken by the Rural Task Force into the strategy and delivery of North Yorkshire Council.
- iii. Lobby the Government again on the need for it to recognise the distinctive challenges experienced by rural communities and place the rural dimension and rural problems at the heart of the national policy framework. In particular by the provision of fairer funding for super-sparse schools, more support for electric vehicle charging infrastructure, more support for the farming sector and additional resources to achieve digital inclusion in rural communities.

11. Review of Special Educational Needs and Disabilities Provision (Pages 93 - 162)

Recommendations: That the Executive, having undertaken the required preliminary checks, resolve that:

- i. The four key issues listed above in paragraph 7.3 of the report have been satisfied and therefore there can be a determination of the proposals.
- ii. The following proposals be determined:
 - To remove residential (boarding) provision at Brompton Hall School from 1 September 2024, with no new residential placements made from September 2023.
 - To change from single-sex (boys) to co-educational provision at Brompton Hall School from 1 September 2023.
 - To introduce a phased increase in the number of day places at Brompton Hall School from 67 to up to 85 from 1 September 2023

12. Area Constituency Committee Feedback Report (Pages 163 - 172)

Recommendation: That the Executive notes the report and considers any matters arising from the work of the Area Constituency Committees, that merits further scrutiny, review or investigation at a county-level.

13. Appointments To Outside Bodies (Pages 173 - 174)**14. Forward Plan (Pages 175 - 186)****15. Confidential Minute of the Meeting held on 25 October 2022 (Pages 187 - 188)****16. Other business which the Leader agrees should be considered as a matter of urgency because of special circumstances****Contact Details**

Enquiries relating to this agenda please contact Melanie Carr Tel: 01609 533849 or e-mail:

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Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)

County Hall
Northallerton

31 October 2022

North Yorkshire County Council

Executive

Minutes of the remote meeting held on Tuesday, 18th October 2022 commencing at 11.00 am.

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

In attendance: County Councillors Eric Broadbent and Paul Haslam.

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Barry Khan, Melanie Carr, Daniel Harry and Anton Hodge.

Other Attendees: Sharon Cousins, Dean Richardson Marcus Lee, Mark Heaton, Simon Fisher, and Kerrie Metcalfe

Apologies: Richard Flinton and Richard Webb.

Copies of all documents considered are in the Minute Book

84 Minutes of the Meeting held on 20 September 2022

Resolved –

That the public Minutes of the meeting held on 20 September 2022, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

85 Declarations of Interest

There were no declarations of interest.

86 Public Questions and Statements

There were no public questions or statements.

87 Council Tax Reduction Scheme

Considered: A report of the Corporate Director for Strategic Resources seeking approval for the implementation of the North Yorkshire Council's Council Tax Reduction (CTR) Scheme with effect from 1st April 2023.

County Councillor Gareth Dadd introduced the report confirming the challenges around developing one scheme appropriate for all areas of the new authority, where previously seven had existed. He also noted the excellent joint working by officers that had contributed to the development of the new proposed scheme. He suggested the scheme should be considered alongside that of the Discount and Premiums Scheme agreed at the Executive's last meeting, as that scheme would claw back the additional costs of this scheme. Finally, he confirmed the majority of consultation responses had been very

positive.

Gareth Dadd, Corporate Director for Strategic Resources drew attention to the recommendations within the report and the particular the proposed delegations.

County Councillor Eric Broadbent questioned whether more could be done to support who would struggle financially and suggested the addition of an agent supported scheme may be a good way forward.

Marcus Lee, Ryedale District Council S151 Officer confirmed work was ongoing to provide appropriate support to those seeking financial assistance, and it was noted that modelling work had shown that 16.5K of working aged claimants would be better off, whereas 2.5K would receive less support.

The Executive noted the report and it was

Resolved – That:

- i. The consultation responses on the draft CTR proposals be noted;
- ii. It be recommended that Full Council approve the new, income banded / grid Council Tax Reduction scheme for working age applicants with effect from 1st April 2023; as detailed within Sections 5 and 6 of the report;
- iii. Authority to approve the accompanying Exceptional Hardship Scheme be delegated to the S151 Officer in consultation with the Portfolio Holder for Finance, Assets and Resources and Special Projects;
- iv. The authority to grant relief under the Exceptional Hardship Scheme be delegated to the S151 Officer.

88 Council Tax Harmonisation

Considered – A report of the Corporate Director Strategic Resources advising the Executive of the recommendations of the Council Tax Harmonisation Member Working Group and the process by which it arrived at those recommendations.

Gary Fielding, Corporate Director Strategic Resources introduced the report and provided a brief overview of the work undertaken by the Working Group, as detailed in the report. He also acknowledged the valuable contribution of District Council officers and independent experts who had supported the process.

Finally, Gary Fielding drew attention to the cross party Working Group's agreed conclusions that:

- Straight-line harmonisation was the most appropriate option as it was deemed to offer the fairest and most straight forward solution; and
- Council Tax yield should be protected and the weighted average Band D Council Tax charge should be maintained throughout the period of harmonisation.
- Council Tax charges across the North Yorkshire Council area be harmonised over two financial years

County Councillor Gareth Dadd recognised that harmonisation was only part of the story given that residents in some areas were also paying one or more precepts as well.

County Councillor Carl Les thanked the Working Group and supporting officers for their work and having noted the findings of the Working Group, the Executive

Resolved – That it be recommended in principle to Council, subject to the outcome of the public consultation, that:

- i. The Council Tax levels for the North Yorkshire Council be harmonised over a two year period, commencing in the financial year commencing 1 April 2023;
- ii. The weighted average Council Tax level be maintained for Council Tax harmonisation purposes and that harmonisation be applied on a straight-line basis over the two-year period.

89 Taxi Licensing Policy and Conditions

Considered: A report of the Chair of the Licensing Member Working Group presenting a draft Hackney carriage and private hire licensing policy for the Executive's consideration, which had been drawn up to demonstrate the Council's commitment to securing public safety, provide clarity for applicants and licence holders, assist decision making, facilitate enforcement activities and help safeguard against legal challenge.

County Councillor Derek Bastiman, Chair of the Licensing Member Working Group, introduced the report and confirmed the new draft policy promoted the highest possible standards, whilst also providing a consistent approach for both the licensed trade and the public.

He went on to encourage participation in the planned consultation and suggested the options for how to contribute to the consultation should be widened to maximise participation. Finally to provided an overview of the timetable for the future decision.

Sharon Cousins, Licensing Manager at Selby District Council clarified that a single zone would enable drivers of wheelchair accessible vehicles to work anywhere across the county, increasing the availability of that vehicle type for wheelchair users.

Having noted the report, the Executive

Resolved – That:

- i. The provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 (other than section 45) be adopted within the administrative area of North Yorkshire Council, with effect from the 1 April 2023, with the caveat of the decision only taking effect if the Hackney Carriage and Private Hire Licensing Policy has been adopted for the 1 April 2023;
- ii. The proposed Hackney Carriage and Private Hire Licensing Policy as shown in Appendix 1 of the report be endorsed;
- iii. A 12-week public consultation on the new North Yorkshire Council Hackney Carriage and Private Hire Licensing Policy be commenced.

90 Forward Plan

Considered –

The Forward Plan for the period 10 October 2022 to 31 October 2023 was presented.

Resolved - That the Forward Plan be noted.

91 Other business which the Leader agrees should be considered as a matter of urgency because of special circumstances

In regard to a vacancy in the Shareholder Committee membership, the Executive

Resolved - That Cllr Derek Bastiman be appointed to the Shareholder Committee

The meeting concluded at 11.26 am.

North Yorkshire County Council

Executive

Minutes of the remote meeting held on Tuesday, 25th October 2022 commencing at 11.00 am.

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

In attendance: County Councillors Paul Haslam, Bob Packham and Steve Shaw-Wright.

Officers present: Richard Flinton, Barry Khan, Gary Fielding, Karl Battersby, Stuart Carlton, Daniel Harry, Mark Kibblewhite, John Lee, Louise Wallace and Laura Wilson.

Other Attendees: Sherri Williamson, Wallace Sampson and Paula Lorimer,

Apologies: Richard Webb.

Copies of all documents considered are in the Minute Book

92 Introductions

County Councillor Carl Les welcomed everyone to the meeting and took the opportunity to formally record his congratulations to North Yorkshire MP Rishi Sunak for becoming Prime Minister.

93 Minutes of the Meeting held on 18 October 2022

Resolved –

That the public Minutes of the meeting held on 18 October 2022, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

94 Declarations of Interest

There were no declarations of interest.

95 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 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local government (Access to Information) (Variation) Order 2006, the public was excluded from the meeting during consideration of Appendices A, and its associated

96 Public Questions and Statements

There were no public questions or statements.

97 Woodfield Community Primary School, Harrogate

Considered – A report of the Corporate Director for Children & Young People’s Services providing the Executive with information upon which to make a decision on proposals published by North Yorkshire County Council to close Woodfield Community Primary School in Harrogate from 31 December 2022, together with the future arrangements for the School’s current catchment.

County Councillor Annabel Wilkinson introduced the report and provided an overview of the issues that had led to the proposed closure, together with an outline of the proposed revisions to the catchment areas. She also confirmed the previous decision of the Executive to enter in to a consultation period and the outcomes of that consultation.

It was noted that there had been a late objection submitted

County Councillor Paul Haslam expressed concern that negative comments on social media had been the catalyst for the Ofsted inspection, which had led to the school becoming subject to special measures. He suggested it would be worthwhile carrying out a review of the events. Members expressed sympathy that external factors had eventually led the closure proposal, and noted the impact of negative unrefuted social media was a national issue. In response, Stuart Carlton - Corporate Director for Children & Young People’s Services confirmed he would be happy to meet with Cllr Haslam and the Chair of Governors.

County Councillor Annabel Wilkinson thanked the School’s leadership team and its governors for all their hard work in trying to find an alternative solution to close, but having accepted that the Executive had no option but to follow the legislation, Executive Members

Resolved – That:

- i. The four key issues listed above in paragraph 7.3 of the report had been satisfied and there could be a determination of the proposals
- ii Woodfield Community Primary School cease to be maintained from 31 December 2022
- iii. The catchment area of Woodfield Community Primary School be made a shared catchment area for both Bilton Grange Primary School and Grove Road Community Primary School from 1 January 2023.

98 Grant of new leases to Community Libraries

Considered – A report of the Corporate Director, Strategic Resources seeking approval for the granting of new leases to a number of Community Libraries.

County Councillor Greg White introduced the report confirming the current model of community led libraries had been introduced 5 years previously in response to a period of austerity and the need to reduce costs.

Executive Member expressed their pride at the Library Services, which they agreed was a testament to the staff and volunteers that ran the community libraries. It was noted that a series of service level agreements were coming to the end of their 5yr period and were up for renewal, and that some of them were based on peppercorn rents and a number were based on contributions to utilities.

Specifically in regard to Sherburn Library, County Councillor Bob Packham highlighted his concerns that the rapid rise in fuel costs would hit the library hard. He suggested this be considered, particularly in light of the library being situated within an otherwise unused council owned building, where the heating was on throughout, resulting in higher than necessary bills.

County Councillor Greg White agreed further consideration should be given to those libraries affected in such a way, to see if a saving could be made for both parties.

Gary Fielding – Corporate Director for Strategic Resources agreed to take account of the issues raised at the meeting when considering the appropriate terms for the new leases.

Finally, Executive Members acknowledged the success of the current model for library services and recognised their contribution to communities in response to local needs. It was therefore

Resolved – That the County Council should proceed with the proposed leases, on terms to be approved by the Corporate Director, Strategic Resources.

99 Discretionary Council Tax Relief - Section 13A Policy

Considered – a report of the Corporate Director for Strategic Resources seeking approval for the policy in respect of S13A(1)(C) of the Local Government Finance Act 1992 for the coming financial year commencing 1st April 2023.

County Councillor Gareth Dadd introduced the report confirming the proposed policy introduced a standard approach to awarding reductions in Council Tax liability for individuals leaving the care system, which, whilst possible to award under existing policies within the Districts and Boroughs, were not individually identified as a specific class of recipient.

County Councillor Janet Sanderson welcomed the changes in regard to Care Leavers, and it was noted that the proposal together with other council tax proposals previously endorsed by the Executive, would be presented together to Full Council for approval ahead of 1st April 2023.

The Executive agreed to note the contents of the report, and it was

Resolved – That:

- i. It be recommended Full Council approve the implementation of the S13A(1)(C) policy, as attached at Appendix A of the report, with effect from 1st April 2023;
- ii. Authority to grant relief under the Policy be delegated to the S151 Officer.

100 The UK Shared Prosperity Fund Delivery Framework

Considered – A report of the Corporate Director for Strategic Resources outlining progress on the development and management of the UK Shared Prosperity Fund in North Yorkshire, which provided further detail of the recently announced Rural England

Prosperity Fund, and sought approval for a UK Shared Prosperity Fund Delivery Framework in North Yorkshire, in order to progress delivery of the fund in the current financial year and to begin commissioning of the programmes within it.

County Councillor Carl Les introduced the report, and Mark Kibblewhite, Senior NYCC Policy Officer provided an overview of the work undertaken to date to progress delivery of the Government's UKSPF prospectus in North Yorkshire and to draft a Delivery Framework detailing the deployment and delivery of the UKSPF with input from the Local Partnership Group.

County Councillor Derek Bastiman welcomed the report and the capital funding from the UKSPF.

County Councillor Simon Myers recognised the opportunities the funding would bring to address rural housing and broaden the cultural uptake across the county.

It was noted the UKSPF could be used to support local initiatives and it was

Resolved – That:

- i. The UK Shared Prosperity Fund Delivery Framework be approved, including the proposals to deliver the UK SPF in North Yorkshire through Council and LEP services.
- ii. The ongoing work to delivery year 1 of the Shared Prosperity Fund as outlined in the report and the attached Delivery Framework be approved.
- iii. The UK Shared Prosperity Funding of £16.9m from the UK Government, covering the period up to March 2025 be accepted subject to the Assistant Chief Executive Legal and Democratic approving the terms of the finalised funding agreement.
- iv. The preparation and approval of funding agreements with recipients be delegated to the Assistant Chief Executive Legal and Democratic in consultation with the Corporate Director Business and Environmental Services

101 Director of Public Health Annual Report - Learning from Covid-19

Considered – A report of the Director of Public Health presenting her Annual Report 2021-2022: Lessons learned from the COVID-19 pandemic.

County Councillor Michael Harrison introduced the report confirming it was also due to be considered by the Care & Independence Overview & Scrutiny Committee in December 2022.

Louise Wallace, Director of Public Health noted the 2021/22 report looked at the wider issues associated with the impact of Covid-19 and confirmed the impact of the pandemic would become clearer over coming months and would be reported in future next annual reports. She also thanked all the contributors to the report and noted the public's positive contribution to supporting their communities through the pandemic.

Executive Members welcomed the report. County Councillor Simon Myers confirmed it spoke well of the strengths of North Yorkshire communities, and identified areas where lessons could be learnt.

County Councillor Gareth Dadd confirmed he had received positive feedback on the online sexual health service, which suggested it was working well.

County Councillor Paul Haslam suggested future reports should have a greater focus on nutrition.

Executive Members thanked the Director of Public Health for her very comprehensive report and it was

Resolved: That the Annual Report for 2021-22 be noted.

102 Section 24 consent for the sale of a former indoor swimming pool site in Scarborough

Resolved – That the report seeking Section 24 consent for the sale of a former indoor swimming pool site in Scarborough be withdrawn.

103 Section 24 Consent for Appointment of preferred contractor for Harrogate Convention Centre Redevelopment Project

Considered – A report of the Corporate Director for Strategic Resources seeking consideration of a request from Harrogate Borough Council (HBC) to grant Section 24 consent to HBC to award a contract, at an estimated cost of £3.3m, to the preferred contractor for the development of the design, price and programme for Phase 1 works at the Harrogate Convention Centre (HCC) to progress technical design to the end of RIBA stage 4.

Gary Fielding, Corporate Director for Strategic Resources introduced the report confirming the request from HBC breached the financial threshold and therefore required Section 24 consent.

Wallace Sampson, Chief Executive of Harrogate Borough Council thanked NYCC officers and the Executive for the time they had taken to get up to speed on the project, noting the project had been under consideration for several years. He also

County Councillor Gareth Dadd thanked NYCC and HBC officers for their work to date concerning the redevelopment plans for Harrogate Convention Centre, noting its contribution to the local and wider economy.

Executive Members agreed to move into private session to consider the information contained within the exempt appendices to the report, and it was subsequently

Resolved – That consent be granted under Section 24 of the Local Government and Public Involvement in Health Act 2007 to enable Harrogate Borough Council to appoint a contractor in order to take the redevelopment of the Harrogate Convention Centre to RIBA stage 4.

The public meeting concluded at 11:40am.

104 Forward Plan

Considered –

The Forward Plan for the period 17 October 2022 to 31 October 2023 was presented.

Resolved - That the Forward Plan be noted.

The meeting concluded at 12.15 pm.

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NORTH YORKSHIRE COUNTY COUNCIL

EXECUTIVE

Date 8 November 2022

North Yorkshire Council Fees and Charges Policy

1.0 Purpose of Report

- 1.1 To approve the proposed Fees and Charges Policy for North Yorkshire Council and the approach to setting fees and charges for 23/24.

2.0 Background

- 2.1 As part of preparations for Local Government Re-organisation in North Yorkshire, the Finance work stream has engaged with services in order to establish an approach to fees and charges for 23/24 prior to vesting day.
- 2.2 Together, income from discretionary fees and charges is budgeted to total £113m in 22/23 and when compared to Council Tax, Business Rates and Government grant funding, it is a key source of funding for local services (approximately 11% of total income).
- 2.3 From financial management and service sustainability perspectives, maintaining and even growing this vital income stream is important in the context of the savings challenge facing the new council.

3.0 Fees and Charges Policy

- 3.1 The attached policy (at **Appendix A**) has been drafted following review of the various policies in place across the Councils in North Yorkshire. It seeks to bring together the best of the policies to achieve a workable, pragmatic approach for the new Council from 1 April 2023.
- 3.2 The policy aims to ensure a consistent and transparent approach to setting fees and charges for discretionary services; an approach which confirms full cost recovery as the Council's 'default' but enables both subsidised and 'cost-plus' charges where the Council's priorities, legal powers and wider policies deem appropriate.

4.0 Fees and Charges approach for 2023/24

- 4.1 Bringing 8 councils together into a single new organisation requires consideration of fees and charges and the potential for harmonising these across legacy areas.
- 4.2 Given the anticipated issues across many services in relation to historic costs and delivery methods, and critically the capacity to ensure safe and legal from 1 April 2023, wholesale harmonisation is not considered appropriate or necessary immediately. Instead, services have been asked to identify, by exception, where service delivery issues are such that harmonisation for 23/24 is the only credible option.
- 4.3 The following charges have been identified for harmonisation from Day 1:

- 1) Taxi licences
- 2) Court costs

- 4.4 Beyond 1 April 2023 as services begin to transform and review their service levels and operating models, a full review of fees and charges (where applicable), including consideration of harmonisation, should be part of this work.
- 4.5 For 2023/24 it is proposed that all existing fees and charges across all legacy council areas, unless specifically excepted, should be increased by an appropriate level of inflation. Given the current volatility in the wider economy average estimated pay award for 2023/24 is proposed - 6% is assumed.
- 4.6 Importantly all relevant income budgets for 2023/24 will be uplifted by the proposed 6% - should Directorates/workstreams decide not to increase some fees and charges then any resulting financial shortfalls will have to be bridged by other additional income sources or expenditure savings. The rationale for any such exceptional approach will have to be clearly explained as part of the budget process.

5.0 Harmonisation proposals for 1 April 2023

5.1 Taxi Licences

- On 1 April 2023 North Yorkshire Council will be the sole licensing authority. It is therefore important that one set of harmonised fees be established. The risk of not creating one set of fees is that applicants could apply to pay the lowest fee from the previous district councils' fee structures thus creating an imbalance on cost recovery and confusion for the trade.
- The relevant legislation provides that the licensing authority can recover a reasonable fee for the relevant licences. The fees must be set at a level which ensures that the Council does not make a profit and any deficit or surplus should be taken into consideration in subsequent fee reviews over a three year cycle.
- It is intended that a single taxi licensing policy will be adopted by the Executive to take effect on vesting date (subject to consultation). Taxi licensing fees must also be formally consulted upon before being adopted.
- It is proposed that the Members delegate the consideration of consultation responses and the decision on the final fees to the Section 151 Officer in consultation with the Executive Member for Open for Business in line with the assumptions above.

5.2 Court Fees

- Court Fees are based on full cost recovery and are required to be submitted to court when undertaking summons and liability orders for non payment of Council Tax and NNDR.
- It is expected that this harmonisation will be budget neutral and will include the proposed 6% inflation uplift above.

6.0 Financial Implications

- 6.1 Assessment of income budgets across all councils shows the following for broad service budgets and the application of the proposed inflationary uplifts:

Discretionary Income Budget Area	2021/2022 Actuals £000	2022/2023 Budget £000	2023/2024 6% Increase £000
Adult Social Care	26,879	22,345	1,341
Central Services to the Public	1,595	2,016	121
Children's and Education Services	2,099	2,874	172
Corporate and Democratic Core Costs	8,043	8,966	538
Cultural and Related Services	8,430	8,901	534
Environmental and Regulatory Services	28,815	27,190	1,631
General Fund/Council Fund Housing	1,001	798	48
Highways and Transport Services	21,684	28,500	1,710
Planning Services	10,402	11,733	704
Total	108,948	113,323	6,799

7.0 Legal Implications

- 7.1 The Fees and Charging Policy applies to services where there is a legal power to charge for the service, and discretionary services. Section 93 of the Local Government Act 2003 and Section 3 of the Localism Act 2011 gives local authorities power to charge for discretionary services. Discretionary services are those services that a local authority is not required to provide but may do so voluntarily.
- 7.2 The charging powers do not apply where there is a power to charge for a particular service elsewhere in other legislation, or where other legislation expressly excludes an authority from charging.
- 7.3 In exercising its charging powers a local authority is under a duty to ensure that taking one financial year with another the income from any charges for a service does not exceed the cost of providing the relevant service. Generally, the reinvestment of any income generated in excess of the cost of providing the service would not represent a surplus.
- 7.4 Taxi licensing fees are ordinarily a decision of Full Council¹ (usually delegated to a Licensing Committee), however, in accordance with the Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008/2867 and the North Yorkshire Structural Changes Order 2022 the Executive has power to undertake this function up until vesting date.

8.0 Equalities Implications

- 8.1 There are no equalities implications arising directly from this report. Specific decisions on individual fees and charges are for Directorate consideration. The inflationary uplift proposed supports delivery of the Council's medium term financial strategy and there is flexibility within the policy to provide for different approaches should these be deemed necessary.

9.0 Climate Change Implications

- 9.1 There are no climate change implications arising directly from this report. Specific decisions on individual fees and charges are for Directorate consideration, and equalities implications shall be a key consideration at that stage. The policy does however, enable fees and charges to be used support delivery of wider Council objectives and to influence customer behaviour, and such opportunities should be considered when fees and charges are reviewed.

¹ Reg. 2, Local Authorities (Functions and Responsibilities) (England) Regulations 2000

10.0 Recommendations

10.1 It is recommended that the Executive:

- i. Approve the Fees and Charges Policy set out at **Appendix A**;
- ii. Approve the proposed inflationary uplift of 6% for 2023/24 on relevant income budgets;
- iii. Delegate the consultation on taxi licensing fees, consideration of the consultation responses and final decision to adopt taxi licensing fees to the S151 Officer in consultation with the Executive Member for Open for Business.

Presenter of report: Gary Fielding, Corporate Director, Strategic Resources
Author: Karen Iveson, Assistant Director Strategic Resources

Date: 8 November 2022

Appendix A – Draft Fees & Charges Policy

North Yorkshire Council

Fees & Charges Policy

1.0 Introduction and Context

- 1.1 Income generation is an important part of the Council's overall resources. Fees and charges can help to achieve income to support frontline service delivery and future investment, can influence customer behaviour and can help to ensure the council's policy objectives are achieved.
- 1.2 In total in 22/23 the former 8 councils in North Yorkshire expect to generate £113m from discretionary fees and charges - 11% of total income budgeted for the year. An effective Fees and Charges Policy will help to maximise income raised and lower the burden to Council Tax payers of providing various council services, instead ensuring that where appropriate, it is the direct users of these services that are paying towards the costs of these services.
- 1.3 The principle aims of this Fees and Charges Policy are to support future budget setting and medium-term financial planning processes and to provide a framework for the Council's approach to charging for services.
- 1.4 With this in mind, this Policy has been developed, to provide Service Managers with a centralised framework to consider when reviewing their fees and charges, helping to ensure a consistent approach across the Council.

2.0 Scope

2.1 This Policy applies to:

- Non-Discretionary (Statutory) Services that a Local Authority is mandated, or has a duty to provide, where charging is permissible in the legislation;
- Discretionary Services that a Local Authority has the power, but is not obliged, to provide and may cost recover for providing such services.

2.2 This Policy does not apply to:

- Any service where there is no ability to cost recover (charge) for such services;
- Council Tax and Business Rates – local taxation charges are covered by separate legislation;
- Fees and Charges that are set in statute and regulations, for example, Planning Application Fees;
- Services that are free of charge at the point of delivery, under legislation, for example domestic general waste collection;
- Contributions to the cost of care, as defined by social care legislation;
- Housing Revenue Account (HRA) housing rents – a separate HRA rents policy covers these particular charges;
- Services traded through North Yorkshire Education Services (NYES) and
- Wholly controlled companies – as separate legal entities (within the NYC Group) fees and charges are set separately in accordance with their approved objectives, business plans and governance arrangements.

3.0 Roles and Responsibilities

- 3.1 Within the Council's Constitution, Directors are responsible for establishing and reviewing fees and charges for their directorate in accordance with this corporate policy framework, the legal framework which enables such charges and the approved budget envelope.
- 3.2 The Corporate Director of Resources is responsible for reviewing this policy and providing advice and guidance for its implementation.

4.0 Objectives

- 4.1 With the ever-increasing budget pressures facing the public sector, it is important for the Council to increase resilience and independence wherever possible. One of the main areas this can be explored through is Fees and Charges.
- 4.2 In line with the Council's savings requirements and commercial stance, it is vital to regularly review the continuing provision of those discretionary services where the council is unable, or unwilling, to recover the full costs of service. It is also important to ensure that where there is an opportunity to introduce new fees and charges, this opportunity is investigated fully to understand the implications of doing so.
- 4.3 The Fees and Charges Policy therefore has the following objectives:

4.3.1 Maximising consistency across services:

As part of local government reorganisation, there is a need to move towards a consistent approach to fees and charges to ensure charges reflect service costs and are fair across the whole of North Yorkshire. This Policy acknowledges that there will be different fees and charges in operation across North Yorkshire as services work towards single operating models. This Policy does not specify if, when or how the various fees and charges across all 8 former councils should be harmonised but as services are brought together, it provides a unified set of principles for services to follow.

Any departure from the agreed Policy should be clearly documented and clearly explained. A corporate list of fees and charges is maintained by Finance and will allow Directors and Service Managers to record when a charge was last reviewed and what was considered. To assist with this process, a Fees and Charges calculation tool/guidance has been developed. (Link to Intranet)

4.3.2 Ensuring Fees and Charges are robust and up to date:

All fees and charges are to be reviewed on an annual basis. Whilst it is acknowledged that a full review of each fee and charge implemented by the Council is not practicable each financial year, it is considered that as a minimum the fees and charges already charged by the Council are to be adjusted in line with inflation each year. This will ensure that any inflationary change to the costs of providing a service will be matched by a corresponding change to the charge made for the service. The inflation rate to be applied each year will be notified by the Corporate Director of Resources as part of the budget setting process. All fees and charges must be subject to a detailed review at least every 3 years.

4.3.3 Ensuring that Fees and Charges are clearly understood:

As part of the review of Fees and Charges, the cost of providing each service, and any legislation pertaining to this service, is to be considered. As services start to work together under local government reorganisation and budgets are re-worked, services will be better placed to understand the costs of providing services and will help inform future decisions around fees and charges. The Fees and Charges calculation tool will allow Directors and

Service Managers to calculate the cost of providing a service and record any relevant legislation and store this information for future reference.

4.3.4 Maximising Council income:

When reviewing existing fees and charges, or when considering the implementation of a new charge, the charge should be set at such a level as to maximise the income received by the Council. Please see (Link to intrant) for further guidance on the approach to use when determining a fee and charge.

Service income budgets will rise in line with inflation in each year. As budgeted income targets are set to increase, it is important for fees and charges to be regularly reviewed and updated to help in meeting this increased level of budgeted income.

It is also important to ensure that fees and charges are reflective of the council's costs of service provision, to ensure that services are not being inadvertently subsidised without a positive decision to this effect.

5.0 Implementation

5.1. The following costing approach to fees and charges should be adopted:

- When introducing or reviewing a fee or charge, the Council will follow one of three models set out below.
- As a general rule, Fees and Charges should be aimed towards full-cost recovery, including an appropriate share of corporate and departmental overheads.
- If the Council is unable, or unwilling, to recover the full costs of providing a discretionary service, then as part of the annual review, the continued provision of this service should be considered along with the rationale of the charging policy adopted.
- When finalising the costs of each fee and charge, consideration should be given to any wider implications of setting the charge at the proposed rate, to avoid any unintended consequences.

Costing Model	Objective	Key Considerations
1. Full Cost Recovery	To cover the full costs of delivering the service ensuring no element of subsidy from local taxpayers.	<ul style="list-style-type: none"> • This is the Council's default charging method; • Charges should recover the full costs, including overheads, capital charges and recharges;
2. Cost Plus	To cover the full costs of delivering the service plus a margin to contribute to re-investment in services.	<ul style="list-style-type: none"> • In limited circumstances it may be appropriate to add a margin to full cost recovery, for example to contribute to re-investment in services where the income will not generate a surplus or profit against the service in totality. Guidance from Finance should be obtained before considering such charges

3. Subsidised	To cover all or part of the costs of service delivery with support from local taxpayers.	The level of subsidy should have regard to the full cost of service delivery and there should be a clear and agreed rationale for subsidy
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- 5.2 Fees and Charges should be benchmarked against other local authorities to help identify potential best practice. When appropriate to the Fee and Charge in question, benchmarking against other relevant competitors in the market should also be undertaken.
- 5.3 Each Directorate is responsible for ensuring that their Fees and Charges are appropriately monitored and up to date. Each Directorate's list of Fees and Charges is to be overseen by the Directorate's lead Finance Business Partner.
- 5.4 Annual reviews should consider the following factors:
- Inflationary pressures, and when a flat rate uplift might not be the most appropriate option due to specific changes to the cost-of-service delivery;
 - Service-level budget targets, with the context of council-wide targets and advice from lead Finance Business Partners;
 - Cost of administration;
 - Scope for new charging areas, this might be entirely new discretionary service to deliver, or existing services that are currently not charged for;
 - Demand/volume and sensitivity to price changes;
 - Use stakeholder engagement and comparative data, where appropriate, to ensure that charges do not adversely affect the take up of services or restrict access to services (other than where this is a desirable outcome).
- 5.5 If a decision is taken to not increase some fees and charges the budget shortfall that this creates will need to be bridged through other operational and cost savings. Conversely, if charges are increased above inflation this can contribute to Directorate savings targets.
- 5.6 Service users should be given a reasonable period of notice before the introduction of new or increased charges and there may be a requirement to consult.
- 5.7 To ensure cost effectiveness and efficiency when setting and amending charging levels, the following are to be considered:
- The desirability of increasing the Council's market share e.g., temporarily reducing a fee or charge in order to stimulate demand for a service, leading to increased income generation;
 - Obstacles to maximising full cost recover when providing the service;
 - Future investment required to improve or maintain the service;
 - If full cost recovery would require a sudden and large uplift and may reduce market share, it may be prudent to phase-in that price rise over a longer period with a temporary agreed discount;
 - The desirability of reducing the uptake of a given service, i.e., raising charges during peak times.
- 5.8 Once the review of existing fees and charges has been completed, or any proposal for a new fee or charge has been developed, these will need to pass through each Directorate's agreed approval process before implementation.

5.9 Further guidance is available as part of the Fees and Charges Calculation Tool.

6.0 Regularity of Review

6.1 The Policy is to be reviewed every four years as a minimum and any required amendments will be subject to approval of the Executive.

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NORTH YORKSHIRE COUNTY COUNCIL

EXECUTIVE

8 November 2022

Brand Design and Deployment for the new North Yorkshire Council

1.0 PURPOSE OF THE REPORT

1.1 To outline a recommended best value approach to the brand design and brand deployment for the new North Yorkshire Council, based on the following four main criteria:

- Incurring minimum costs;
- Ensuring North Yorkshire Council is safe and legal for day one;
- Providing appropriate clarity for our customers;
- Capitalising on low-cost but high-value cultural opportunities so that all employees feel like one team from the outset.

2.0 BACKGROUND

- 2.1 From 1 April 2023, a new single council will replace the eight councils currently operating across the county. North Yorkshire Council will provide all the services currently delivered by the county, five district and two borough councils. Restructuring local government in North Yorkshire was a prerequisite for being eligible for the strongest possible devolution deal. A draft deal for a Mayoral-led Combined Authority with City of York is currently out for public consultation. Ending the two-tier system of county and district councils will also deliver tens of millions in financial savings to shore up public services over the coming years. North Yorkshire Council will be geographically the largest council in England and the third largest by population.
- 2.2 The new North Yorkshire Council is legally required to adopt an identity. It is not possible to utilise any of the eight council brands currently in place. Therefore, this paper suggests a staged and proportionate approach to satisfying those legal requirements, while recommending a relatively low-cost approach to limited symbolic branding. Legal requirements include areas such as finance, licensing, public protection and safeguarding, planning and certain public facing signage, including some relating to public parking etc.
- 2.3 To ensure the recommended approach is proportionate and in line with other similar exercises elsewhere, the approach and costs incurred by other unitised councils have been explored. Costs for rebranding exercises for seven councils looked at range from circa **£475,000 to circa £727,000**.
- 2.4 Applying the four main considerations to the detailed cost analysis which has been completed for this paper, it is estimated that the cost of branding deployment for North Yorkshire Council **will not exceed £400,000, as outlined in the table below**.

Category	Cost
Legal – listed later in paper	£125,669
Customer - signage including main access points, libraries, registrar offices, crematoriums, adult social care venues and county records office. Waste fleet door vinyl panels only (to be phased in over next 12 months).	£60,450
Staff – lanyards and ID badges only.	£21,475
System output changes – letterhead, email, certificate, licences, consents, permissions and orders. Paper and online. Any other form of communications issued from, and after, the launch date, that has a legal impact or from which legal consequences flow.	£186,375
TOTAL	£393,969

- 2.5 **For context, there are currently 545 IT systems** in place across the eight councils.
- 2.6 **It is important to note that the vast majority of costs association with rebranding and system output changes in this paper are legal requirements.** However, while some systems and assets will be required to display the new council's identity from day one, where it is appropriate, a staged approach to the deployment of brand is recommended. This will ensure costs are spread across multiple financial years, that every opportunity to reduce costs is explored and that staff are not unnecessarily diverted onto rebranding activity instead of providing public services.
- 2.7 This report outlines the approach taken to date to identify, categorise and prioritise items and assets for rebranding for day one of North Yorkshire Council.
- 2.8 **To note** - It is not proposed that a wholesale rebranding exercise of council assets is undertaken. This would not be best value for money or make the most of the time of council officers. The vast majority of assets carrying branding will only be replaced as they wear out. This includes many public-facing assets, including bins, most signage and many buildings, bus stops, schools and vehicles. **These may carry retired brands for many years.**
- 2.9 The research, preparation and evidence supporting this paper has been led by the Communications, Engagement and Branding workstream, which is one of the 15 workstreams established to support the Local Government Reorganisation (LGR) programme in North Yorkshire. It has involved colleagues from across the marketing, communications and graphic design functions from all eight councils, as well as a much broader staff base in terms of testing ideas and designing the identity. In preparing the approach to brand design and deployment, considerable effort has gone into ensuring input from staff is reflected in the recommendations. This inclusive approach is important to support the building of a single team spirit as well as the formation of the new council's culture and values. Our staff are our greatest asset and the progress and success to date of the LGR programme is only possible because of their concerted efforts and professionalism. Becoming one team for a new council is integral to the new council's culture and values and staff from all eight councils have been clear this matters to them.
- 2.10 A branding audit has taken place across the existing eight councils to determine the type and the extent of assets that display an existing brand identity. The audit data has been reviewed and analysed and the results have been grouped into a number of logical categories and sub categories. The subject matter experts in each area have also been asked to evaluate the risks versus benefits of the timing of any rebrand on their assets which are legally required. Therefore, no opportunity to evaluate, reduce and manage costs has been missed.

2.11 Work will now continue across all workstreams to manage the deployment of the legally required items and so that the proportionate approach outlined is consistently applied.

3.0 BRAND IDENTITY

3.1 The term 'brand' represents and articulates an organisation's purpose, proposition, positioning, and personality. The brand includes the organisational vision, values, behaviours, strategic goals and tone of voice. A 'brand identity' is the visible elements of a brand, such as colour, design and logo that identify and distinguish the organisation in residents' or stakeholders' minds.

3.2 A corporate brand identity plays an important role in the way the council will present itself to internal and external stakeholders. The brand identity comprises four functions:

- Provides a quality assurance mark ensuring residents know that the new authority exists, what services are available, how to access services and where to go for information;
- Contributes to the image of the council and therefore its reputation;
- Enables a relationship between external stakeholders and the council to be easily identified;
- Allows employees to identify with the organisation and represent it with pride.

3.3 The design of an identity for North Yorkshire Council has been developed entirely using internal experience and expertise from the eight councils involved in LGR. There have therefore been **no external costs incurred**.



North Yorkshire Council Brand concept



North Yorkshire Council Brand concept

4.0 DEPLOYMENT OF BRANDING

4.1 As outlined at the start of this report, in recommending an approach to deploying a new brand the options were benchmarked against the following criteria:

- Incurring minimum costs;
- Ensuring we are safe and legal for day one;
- Providing appropriate clarity for our customers;
- Capitalising on low-cost but high-value cultural opportunities so that all employees feel like one team from the outset.

4.2 Legal

A range of assets are legally required to be rebranded, including some categories of signage, documentation, taxi licences and warrant cards. Full details can be seen in the legal implication section below.

4.3 Customer

To provide clarity for customers, a number of areas have been prioritised, such as external directional signage at key buildings and customer access points and rebranding of online services.

4.4 Staff

To bring staff together to feel like one team, staff lanyards and ID badges have been prioritised.

4.5 Natural wastage/replacement/worn out - a no additional cost approach to rebranding.

These are items which either turnover relatively quickly or the impact of old branding is minimal. We are proposing that existing authority brand identities will still be visible on

many assets for many years to come, and that replacement for some assets will take place only when they have worn out.

- Bus stops/shelters
- Caravan parks and beach chalets
- Cemeteries
- Cultural venues
- Domestic and commercial wheeled bins, refuse/recycling bags, boxes and/or sacks
- Elderly people's homes, extra cares, supported living, short breaks
- Flags and banners
- Highways signage
- Household waste recycling centres
- Interpretation boards
- Lower-priority vehicle fleet
- Park and ride sites
- Parks, outdoor spaces and children's play area signage
- Public rubbish/waste/recycling/litter bins
- Road and street signage
- Schools
- Staff uniform
- Tourist information centres

5.0 OTHER BRAND IDENTITIES

5.1 In addition to the main North Yorkshire Council brand, the eight councils have more than 100 other brand identities in use.

5.2 These other brands and sub brands will continue until they are reviewed as part of the transformation programmes after the new council is launched.

5.3 Use of existing brand assets

Existing brand identities remain legally valid until 11.59pm on 31 March 2023.

5.4 Principles for owners of existing branded assets are set out below:

- Don't waste perfectly useable materials. Run down existing physical stock (such as headed paper) and consider switching to a digital version when physical stock is exhausted. Do not order more unless needed, and only order what you need on these occasions.
- Look for opportunities to remove existing main brand identities where possible (internal notices/signs, graphics on windows or signage) where the removal will have no material effect or it is not customer facing.
- If you need to order essential new uniform/PPE, continue to do so. For large assets, such as vehicles, consider whether any new additions to the fleet can initially be put on the road unbranded.
- Only replace existing branded assets on a like-for-like basis when there is compelling reason to do so (for example a sign on a building is worn out or needs to be removed for safety).
- If possible, wait and order replacements when the new branding is available.

6.0 CONCLUSION

6.1 This paper outlines a practical and proportionate approach to the deployment of branding for North Yorkshire Council which makes the most of the new council's resources. It also ensures we do not miss relatively small but valuable opportunities to assist customers and to reflect the views of the staff working for all eight councils. By using only in-house expertise and consulting with our staff on the design, we have also taken every opportunity to be inclusive and reduce costs.

7.0 FINANCIAL IMPLICATIONS

7.1 The cost of not being legally compliant for launch day is not included in this paper and is impossible to estimate. The estimated costs for the approach recommended is not more than £400,000.

8.0 LEGAL IMPLICATIONS

8.1 Legal advice has been sought on what items will need to be legally branded with the new identity for launch day. The full legal advice is set out below:

8.2 North Yorkshire Council is a local authority created under The North Yorkshire (Structural Changes) Order 2022 SI No. 328. The new council will come into being on 1 April 2023 and will exist as a legal entity from that date. From 1 April 2023, the new council becomes responsible for all the functions previously carried out by the district councils and county council.

8.3 It is not a legislative requirement for local authorities to use a logo/brand in addition to their name. However, this is standard practice and the logo/brand should be available in readiness for 1 April 2023. **The new council must, however, identify itself on a broad number of assets as a legal requirement.**

8.4 Legal Matters

The following lists the assets where it is legally necessary for the new council to display its identity to be legally compliant on the launch date:

- Letterheads, email sign-offs, templates for notices, licences, consents, permissions, certificates, orders, and any other form of communications issued from and after the vesting date that has a legal impact or from which legal consequences flow.
- All paper or online application forms made available to the public.
- Employee IDs and warrant cards used by officers for rights of entry on to sites for inspection and enforcement purposes.
- All bills, invoices, reminders, formal demands and legal proceedings.
- Statutory registers which are open to public inspection in hard copy form or displayed on the council's website.
- Tariff boards in all council owned or operated car parks, all tickets, all enforcement/penalty charge notices, all civil enforcement officer uniforms and all signs subject to enforcement control that state the enforcing authority's name i.e. suspension of parking bays.
- CCTV notices
- Council's constitution, register of members' interests, and agenda/report templates for committee and council meetings.
- Registers of gifts and hospitality for members and officers.
- Registers for births, deaths and marriages.
- New corporate seal for sealing legal documents

- 8.5 Please also note that the following legal matters (currently being actioned by other workstreams) relate to the corporate identity of the new council and are required in readiness for 1 April 2023:
- Postal, DX and email addresses and telephone numbers.
 - VAT registration number and any other registrations with HM Revenues and Customs for tax purposes.
 - Data protection number.
 - Public indemnity insurance and any other insurance policies required for the new council.
 - Any statutory or compulsory registrations of the new council as a local authority with third parties.
 - Any statutory or compulsory IT systems or applications that must be available for use by the new council on the vesting date.

9.0 CLIMATE CHANGE IMPLICATIONS

- 9.1 Avoiding a wholesale brand deployment limits environmental impact by reducing unnecessary journeys to deploy brand where it can be done under natural wastage as assets wear out.

10.0 EQUALITIES IMPLICATIONS

- 10.1 The approach to the brand design and deployment has been inclusive. It has utilised the expertise and experience of all eight communications teams and involved engagement with staff from all eight councils via focus groups. As part of the Organisational Development workstream, 277 colleagues from across the county, five district and two borough councils participated in the brand development.

11.0 REASONS FOR RECOMMENDATIONS

- 11.1 The paper outlines the significant work undertaken to ensure a pragmatic, proportionate and value-for-money approach to ensuring the new council is legally compliant for day one.

12.0 RECOMMENDATIONS

- 12.1 That the Executive agree:
- i. The brand design for North Yorkshire Council.
 - ii The approach and costs outlined for the deployment of branding.

Richard Flinton, Chief Executive, North Yorkshire County Council.

28 October 2022.

Report Author: Vanessa Glover, Head of Communications

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North Yorkshire County Council

Executive

8 November 2022

Electric Vehicle Public Charging Infrastructure - Rollout Strategy for Public Consultation

Report of the Corporate Director – Business and Environmental Services

1.0 Purpose of Report

- 1.1 To inform Members of the background and to provide an update on the development of an Electric Vehicle (EV) Public Charging Infrastructure Rollout Strategy for North Yorkshire.
- 1.2 To seek approval to launch a public consultation regarding the Electric Vehicle Public Charging Infrastructure Rollout Strategy.

2.0 Glossary of Terms

- 2.1 There are a significant number of abbreviations in the report so please refer to the glossary of terms below:

3.0	Electric Vehicle	EV
	Electric Vehicle Charge Point	EVCP
	Battery Electric Vehicle (fully electric)	BEV
	Plug in Hybrid Electric Vehicle	PHEV
	Ultra-Low Emission Vehicles	ULEV
	Local Transport Plan 4	LTP4
	North Yorkshire County Council	NYCC
	Department for Transport	DFT
	Office for Zero Emission Vehicles	OZEV
	Local Enterprise Partnership	LEP
	Distribution Network Operator	DNO
	Local Electric Vehicle Infrastructure Fund	LEVI
	Internal Combustion Engine	ICE

Background

- 3.1 Over the past two years, the York and North Yorkshire Local Enterprise Partnership (Y&NY LEP) has been leading the development of a 'York and North Yorkshire Routemap to Carbon Negative'. This routemap will provide a clear, co-owned plan to achieve net zero by 2034 and carbon negative by 2040. This focus on transformative decarbonisation has also been at the heart of the, 30-year Devolution Deal for York and North Yorkshire that was announced by Government on 1 August 2022. The York and North Yorkshire Routemap to Carbon Negative: scale of ambition is to achieve net zero by 2034, and carbon negative by 2040 and has the following priorities and actions for the period 2022-2027 which include:
 - i. Decarbonise and increase use of public transport
 - ii. Enable the shift to low carbon vehicles
 - iii. Enable cleaner logistics
- 3.2 More specifically the Routemap sets out its ambition targets for Transport as one of the highest emitting sectors including:

- Roll-out of battery electric buses, ensuring they account for 25% of the fleet by 2030 and 95% by 2038.
- Roll-out of battery electric vehicles, ensuring they account for 33% vehicles on the road by 2030, and 76% by 2038 (Battery electric vehicle sales to be in the order 20,000 per year by 2038)
- Sales of zero emissions heavy goods vehicles increasing from around 250 per year in 2030 to close to 700 per year by 2038

3.3 The North Yorkshire Local Transport Plan (2016), which details how the transport services and infrastructure provided by NYCC aims to contribute towards the NYCC Vision and Council Plan priorities, pledges to protect the environment and prevent climate change. The Plan highlights how NYCC supports measures to promote environmentally friendly forms of transport, including supporting and making provision for the use of Ultra Low Emission Vehicles (ULEV). This aligns to the North Yorkshire Draft Air Quality Strategy (2020); one of the key objectives of which is to support the use of ULEVs in North Yorkshire, including the provision of EV charging infrastructure. The LTP is being rewritten to accommodate the significant policy and technology changes that have occurred since the plan was adopted and the Devolution Deal.

3.4 In April 2020 North Yorkshire County Council (NYCC), jointly with the Local Enterprise Partnership (LEP) commissioned the Electric Vehicle Charging Deployment Study. The study identifies measures NYCC and the district/borough councils and National Park Authorities (NPAs) can, or should, be taking to overcome barriers to electric vehicle charge point (EVCP) rollout. The study also identified the number of EVCPs required between now and 2030, when there will be a ban on the sale of vehicles with internal combustion engines, based on a forecasted uptake of Electric Vehicles (EV). Please see section 4.0 for more information about this Study.

3.5 The next phase of work is to establish where charge points should be located, how we can overcome the aforementioned barriers to delivery and what policy changes need to take place to achieve this. The development of this EV Public Charging Infrastructure Rollout Strategy commenced in October 2021, funded by the NYCC Beyond Carbon Pump Priming fund, and completed in October 2022. Now we hope to launch a public consultation for the Strategy in November with a view to the County Council adopting the strategy in the first half of 2023.

4.0 Key outputs from the 2020 Electric Vehicle Charging Deployment Study

4.1 The 2020 Electric Vehicle Charging Deployment Study identified the key barriers to delivery as:

- Grid Constraints/Capacity and associated grid connection costs

As the uptake of EVs increases across the County the demand on the electrical network will also increase and many places, especially those that are already nearing capacity, will require costly reinforcements be made to ensure that the grid can supply and match the demand.

In some cases, there may be an existing energy supply, with adequate power capacity, and which is within reasonable distance of the proposed EVCPs. In which case a new DNO connection is not required. However, if a new connection needs to be made there can be significant variability in the grid connection costs subject to the local conditions, the distance of the connection and whether any upgrades are required.

- The rural nature of large parts of North Yorkshire

The rural nature of North Yorkshire results in a number of transport issues, including a higher car dependency due to a lack of alternative options and the need for long drives. Range anxiety –a concern over battery charging running out before the next EVCP can be reached –is exacerbated by such long trips and is preventing people in rural areas from making the switch to EV. North Yorkshire has over 50 primary substations and a significant proportion of primary substations show no/limited spare capacity. Issues of high connection costs and low utilisation rates means that the private sector is typically less interested in delivering rural EVCPs. As such, there is a risk of ‘charging deserts’ across North Yorkshire’s rural areas, deterring EV uptake if the public sector doesn’t step in.

- The volume of on-street parking, particularly in residential areas
21% of households in North Yorkshire do not have access to off-street parking. The ability to charge an EV cheaply and conveniently at home is one the major attractions of switching to an EV. Conversely, being more reliant on the public charging network is known to be a major concern of would be EV adopters, and so presents a significant barrier to uptake. A potential alternative for those parking on-street, with no access to public chargers, is for them to trail a cable over the footway and charge from their own domestic charge point or wall socket but this solution comes with issues of poor visual aesthetic, public liability and ownership/maintenance challenges which are yet to be successfully resolved.

- 4.2 There were 12 recommendations made in the 2020 study that aimed to provide a series of actions that NYCC and its partners could carry out to overcome the barriers to EVCP rollout. The recommended actions were based on the evidence gathered in the study, and forecast EV uptake and EVCP requirements:
- i. Accelerate charge point deployment to promote EV uptake
 - ii. Focus on establishing good charge point coverage and plugging gaps
 - iii. Deliver the right solution for the right location
 - iv. Make the most of available funding opportunities
 - v. Take a balanced approach to delivering charging infrastructure, inviting private investment but retaining control
 - vi. Let the private sector take the strain and carry the risk where possible
 - vii. Seek LEP funding to deliver chargers reliant on public funding
 - viii. Leverage your scale via a County-wide procurement
 - ix. Promote EV charging at tourist destinations
 - x. Undertake promotional activities and awareness raising
 - xi. NYCC should take a county co-ordination role
 - xii. Establish a North Yorkshire EV Forum and EV strategy to be adopted by all partner authorities
- 4.3 The actions outlined in the subsequent EV Public Charging Infrastructure Rollout Strategy will help us to realise these recommendations.
- 4.4 The 2020 Study showed that in Q3 2020 there were 1,961 EV’s registered in North Yorkshire and 142 publicly available chargers. It also showed there are 288,289 ICE vehicles meaning 0.4% of all vehicles in North Yorkshire are EV’s. In comparison, the Study showed that across the UK 0.7% of all registered vehicles are EVs, meaning North Yorkshire has almost half of the national average percentage registered vehicles being EVs. This study predicted North Yorkshire would need an additional 615 publicly available charge points by 2030 (448 of which need to be delivered by 2025) this was based on a forecast 95,070 people across the region registering EV’s by 2030. See table 1.0 below.

Table 1.0

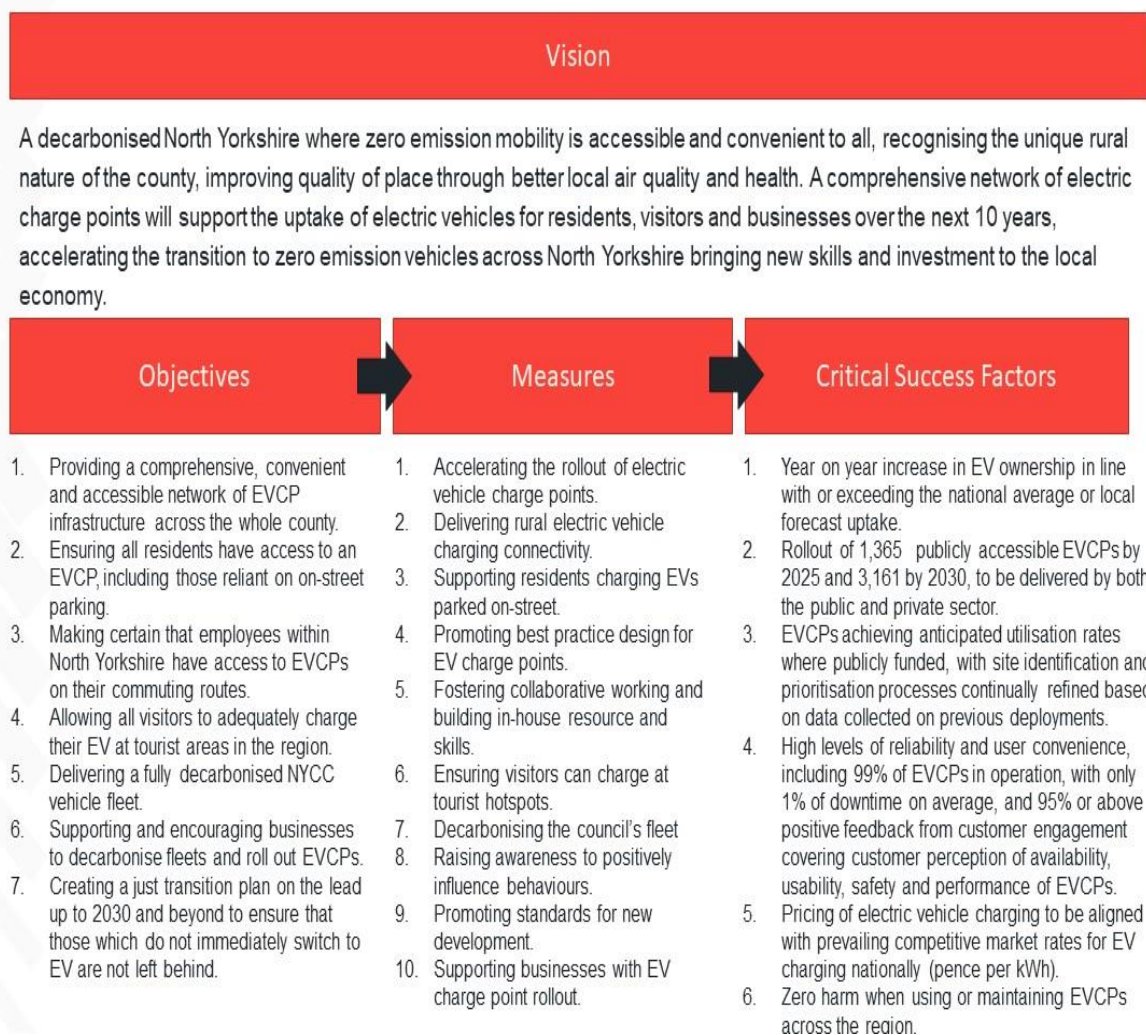
Forecast Publicly Funded EVCP Requirement	2020	2025	2030
Fewer EVCPs per EV (High Ratio)	-38	178	300
Mid-range EVCPs per EV (Mid Ratio)	-12	448	615
More EVCPs per EV (Low Ratio)	37	687	1,317

- 4.5 The assessment of EVCP requirements completed for this study considered a wide range of variables, including forecast EV growth by vehicle type, vehicle mileage, vehicle efficiency, EVs with access to off-street parking, proportion of charging (kW) delivered via public chargers, average charge rate (kW), average charger utilisation and the proportion of charging (kW) delivered by charger type. Based on all these factors, Low, Mid and High ratios were determined for the number of EVs per EVCPs,
- Low –means fewer EVs per EVCP, i.e. a more generous level of public charging provision, assuming each charger is utilised less intensively, with lower average charging rates.
 - High –means more EVs per EVCP, i.e. fewer public charge points, assuming chargers are optimally deployed, with higher average charge rates.
 - Mid –is a middle ground between these two extremes, assuming increasing utilisation and charging rates
- 4.6 For the purpose of this assessment, conservative mid-range assumptions were applied, assuming the majority of charging continues to take place from home/ workplaces, but with an increase from 20% to 31% of kW drawn from public chargers by 2030, based on the share of EVs registered at households without off-street parking rising from 10 % to 15%, and the share of public charging for those with off-street parking increasing from 12% to 20%.
- 5.0 Key Outputs/updates from 2022 Electric Vehicle Public Charging Infrastructure Rollout Strategy**
- 5.1 The Electric Vehicle Public Charging Infrastructure Rollout Strategy aims to be both an ambitious and practical document that, following on from the recommendations in the 2020 Study, describes what we need to achieve by 2030, where in the county we should be focusing our efforts and specific actions we should be taking so we can begin to deliver EVCPs. A copy of the consultation version of the strategy is included as **Appendix A**.
- 5.2 The key outputs from this work are:
- An EV Infrastructure Rollout Strategy which includes the following key outputs;
 - A vision, Objectives and Priority Measures
 - A revised forecast of EVCP's required by 2030
 - A budget figure to achieve this
 - A review of options to serve households without off-street parking including cable gullies and trailing cables
 - A policy review

➤ A transition plan for beyond 2030 – to ensure no one is left behind

- Technical advice to aid planning
- Detailed priority site selection where EVCPs should be delivered

5.3 The vision, objectives and priority measures can be found below. In the strategy each of the measures has a detailed recommendation which outlines how the objectives can be achieved, they can be found at pages 20-36. There is a section on funding within the report which outlines possible options for funding to achieve these objectives, they include grant and private funding and Local Authority assigned budgets.



5.4 The Strategy confirms there were 3,969 electric vehicles registered and 225 publicly available EVCPs in North Yorkshire as of Q3 2021 (up from 2,287 and 142 respectively in Q3 2020). 3,969 vehicles equate to 1.14% of all vehicles in North Yorkshire. When compared to the rest of the UK, the vehicle fleet in North Yorkshire has less EVs than the national average of 1.64%. However, uptake in North Yorkshire has been rising rapidly year on year. In 2015 (Q3) there were only 270 EVs, which equates to an increase of almost 15 times in six years,

5.5 Across the UK, there are currently 29,740 EVCPs located at 18,639 locations, which is an increase of 263% over the last five years. Whilst there has been a substantial increase in recent years, the proportion of EVCPs available per kilometre of road will need to increase

further to match the rising number of EV's on the road. In North Yorkshire, the number of publicly accessible EVCPs is low but has been growing year on year. Between 2020 and 2022 the number of EVCPs has risen from 142 to 225 units an increase of 59%. Both the public and private sector (including District and Borough Authorities) have been engaged in the installation of charge points in North Yorkshire, although to date the majority of units installed have been privately funded. EV charging provision is unequally distributed across the county and there remain many areas in North Yorkshire that do not have any EVCP provision yet in place. Table 2.0 shows the existing distribution of chargers by local authority. The slow rise in EVCPs compared with EV uptake is likely attributed to the aforementioned issues regarding the rural nature of North Yorkshire, high grid connection costs and capacity issues making the sites commercially unattractive (even when offset with more lucrative sites), and the volume of on-street parking across the county.

Table 2.0 – Existing Chargers per local authority

Authority	Existing charge points		
	Fast	Rapid	TOTAL
Craven	25	4	29
Hambleton	28	10	38
Harrogate	44	12	56
Richmondshire	10	10	20
Ryedale	47	4	51
Scarborough	19	1	20
Selby	7	4	11
North Yorkshire	180	45	225

- 5.6 The strategy forecasts that 3161 public charge points are required by 2030 (1,365 of which need to be delivered by 2025). It is anticipated that the public sector will need to fund 1529, or half, of the overall charge point requirements by 2030 at an approximate cost of £10.3m. There is currently no identified funding for this. This figure is based on a mid-range estimate of forecast EVCP's as well as mid-range costs per unit. The £10.3m is an estimate which includes grid connection costs but does not include grid upgrades or maintenance costs. EVCP's are currently expected to have a lifespan of around 8-12 years before replacement is required. Assessments will need to be carried out by the Distribution Network Operator (DNO), Northern Powergrid to calculate the grid upgrade costs at each new EVCP site. Quotes received to date range between £2,400 to £636,000 depending on the site constraints, number and type of chargers proposed.
- 5.7 To arrive at the forecast for the level of EV uptake expected across North Yorkshire up to 2030 modelling was undertaken. Firstly, national trends in EV uptake were calculated by averaging a range of industry forecasts, combined with information on the impact of upcoming EV model launches by vehicle manufacturers and national government policies. Further data was then used to calculate specific uptake values for North Yorkshire. This data includes trends in total vehicle sales, vehicle age and turnover rates, the localised propensity to purchase an EV in the local population, vehicle ownership levels and reliance on on-street parking, to provide an objective and measured assessment of EV uptake across the region. Subsequently modelling was undertaken to forecast the number of EVCPs required up to 2030, using the forecast EV uptake values, additionally, a wide range of variables were calculated, including:
- Charging habits –use of public vs private charging and rapid vs slow chargers.
 - Off-street parking availability.

- Trends in vehicle technologies –which will increase range and efficiency.
- Trends in charger technologies –which will increase charging speeds.
- Vehicle mileage and ownership trends.
- Uptake of PHEVs and BEVs.
- Ratio of PHEV miles in electric mode.

By combining information on all of the above, a reasonably accurate estimation of the charging requirements could be calculated.

- 5.8 It is now estimated that 724 chargers need to be delivered by 2025. The overall requirement is circa 900 more chargers than was forecast in 2020 but this reflects the significant increase (74%) in uptake of EV's between 2020 and 2021. See Table 2.0 below.

Table 2.0

	2020 Existing	2022 Existing	2020 Forecast to 2030	2022 Forecast to 2030
EV Ownership (North Yorks)	2287	3969	95,070	134,271
EV Chargers (North Yorks)	142	225	615	1529

- 5.9 A key next stage, following the publication of this strategy, will be to quickly move into the delivery phase for the next rounds of publicly accessible EVCPs. We have completed an initial assessment for two of our districts (Richmondshire and Scarborough). A site selection exercise was undertaken to identify the priority locations for EVCPs in these districts, following a process which we will then look to replicate across North Yorkshire. In section 5.6 of this report we reference that we received quotes for these sites from the DNO which range between £2,400 to £636,000 depending on the site constraints, number and type of chargers proposed. The latter estimate is for a site with no spare capacity and currently the connecting customer, in this case NYCC, is responsible for paying for both reinforcement and connection costs, however, a recent Ofgem report indicates that, from 1 April 2023, a customer wanting to connect to the network for a 'demand' purpose would no longer be responsible for paying for any reinforcement or upgrade work needed. The connecting customer would therefore only be responsible for paying connection costs. The reinforcement costs would instead be covered by the DNO, who would recoup these via Distribution Use of System (DUoS) charges (part of your overall electricity bill) up to a high-cost threshold. Above this threshold, the connecting customer would be responsible for paying the excess reinforcement costs.
- 5.10 NYCC and the LEP already has a good working relationship with the main local Distribution Network Operator (DNO), Northern Powergrid, and we will continue working closely with them to align our strategy for the rollout of EVCPs with their business planning for grid capacity upgrades. Partnership working with the DNOs will enable us to streamline grid capacity and charging demand assessments. The Strategy highlights actions NYCC can take to address the grid capacity and connection issues that are highlighted as a barrier to the rollout of EVCP's in the 2020 Electric Vehicle Charging Deployment Study.
- 5.11 NYCC will also investigate and deliver innovative ideas to address the challenges of delivering EVCPs in rural areas. The recent successful bid for £2m of Local Electric Vehicle Infrastructure (LEVI) funding will see us deliver on this commitment and will enable the total number of chargers required to be reduced by 70. We will co-locate EVCPs with battery storage and use energy generated by a renewable source (either a hydroelectric generator or solar panels) to offset all or some of the power required to run the EVCP. We are

committing to deliver 10 chargers over two rural sites in each of our seven Districts/Boroughs. These will provide a solution that can be tested and, if successful, rolled out more widely to overcome the challenges of delivery of EVCP's in rural areas. It should be noted that although we have committed to 10 chargers over two rural sites per district, this is scalable. We need to review the 14 sites identified in the bid for suitability with the DNO, where a site is not suitable or cannot accept the proposed amount of EVCP's we will reduce the volume being delivered at that particular site and this could provide an opportunity for additional sites to be delivered. The spending deadline for LEVI is 31 March 2025.

- 5.12 Also included in the strategy is a review of options to serve households that do not have access to off-street parking, solutions to overcome this have been identified including lamp column/kerbside charging, nearby overnight charging hubs and permitting trailing of cables and cable channels over the footway. We are regularly asked by the public to consider trailing cables/cable channels to enable them to charge an electric vehicle at their home, however, we are not advocating this at the moment given the potential implications for pedestrian safety. We have signalled our intention in the strategy to carry out a review of the outcome of existing pilots in other parts of the country (which are still ongoing) and any policy changes that are needed should any suitable on-street methods be identified, before making a decision on how to proceed.
- 5.13 Finally, the Strategy includes an objective to create a 'just transition plan' to ensure no one in the county is left behind once the ban on the sale of new internal combustion engine (ICE) vehicles is enforced in 2030. This involves ensuring charging infrastructure is available to those in areas that may otherwise not be able to make the change to an electric vehicle. The strategy seeks to tackle this important issue by meeting the demand for affordable and accessible charging infrastructure to enable everyone to be able to charge. This includes tackling the issues of rural connectivity, incentivising and encouraging behaviour change (through offering car share initiatives or offering lower cost charging for certain locations) and working with businesses to ensure the total charging demand is met. LEVI is an important first effort to overcome some of these challenges. There will also be people, who for many different reasons, will still be driving an ICE vehicle and they still need to be able to fuel their vehicle with petrol or diesel, so making sure fuel is still accessible for them will be an important part of the 'just transition plan' which we will develop in tandem with the delivery of the EVCP roll out.

6.0 Commercial Opportunities

- 6.1 The method of funding the proposals is still to be worked through and agreed. Wherever possible and appropriate, we will seek to minimise cost to NYCC by applying for grant funding or by partnering with the private sector through a concessionary business model, with the majority of funding (70-80%) for charging infrastructure expected to come from the private sector by 2030.
- 6.2 A concessionary delivery model is where the investment is part funded by both the public and private sector. Charge points are installed and funded by the public sector, or part funded by public and private sector, and operated and maintained by a CPO for an agreed period under a profit share arrangement. For example, the local authority may complete the enabling works and electrical connection, for the CPO to then install and operate the charger. A concessionary model can enable a balanced approach to delivering charging infrastructure, using grant funding alongside private sector investment to expand the local charging network and ensure adequate coverage.
- 6.3 In addition, by packaging up a number of sites and inviting concessionaires to operate the sites to agreed terms, authorities can seek to offset the less commercially viable sites with

others that are more attractive to operators. This avoids a scenario where an authority is left with only the hard to deliver sites, which are likely to be loss making, though the share of revenue will be significantly lower than in fully public owned model.

- 6.4 Further we expect to attract private sector investment as a result of the LEVI funding; we could use the business case to go to market or develop it ourselves as a commercial venture, with a benefit back to local residents and businesses.

7.0 Public Consultation

- 7.1 The proposal is to launch a public consultation for this strategy with the aim of seeking views regarding where barriers and challenges to EV uptake exist (to confirm our assumptions in this strategy are correct) and seek opinions on the measures being proposed as part of NYCCs EV strategy to overcome them.
- 7.2 The public consultation asks some initial questions about EV ownership, and the challenges faced by existing EV owners or barriers to someone making the switch from an ICE Vehicle. We then ask to what extent the responder agrees with the ten proposed measures from the strategy and provides an opportunity for the writer to give an explanation for their response. This can be found at **Appendix A**.
- 7.3 We will provide a link to the proposed measures which will summarise each one, why it is needed and then lists the specific actions required to achieve this. This template can be found at **Appendix B**. In summary the ten measures which are also listed in section 4.3, are as follows:
- i. Accelerating the rollout of electric vehicle charge points
 - ii. Delivering rural electric vehicle charging connectivity
 - iii. Supporting residents charging EVs parked on-street
 - iv. Promoting best practice design for EV charge points
 - v. Fostering collaborative working and building in-house resource and skills
 - vi. Ensuring visitors can charge at tourist hotspots
 - vii. Decarbonising the council's fleet
 - viii. Raising awareness to positively influence behaviours
 - ix. Promoting standards for new development
 - x. Supporting businesses with EV charge point rollout
- 7.4 The consultation will be live from 10th November to 11th December 2022 and available on the NYCC website. A survey platform called Smart Survey will be used to collect the responses and a link to the survey will be provided on the NYCC website, on the EV Strategy page. The consultation will be promoted mainly through social media but also using internal stakeholder groups and existing contacts for parish/town councils, CPO's and other partners.
- ## 8.0 Next Steps
- 8.1 We expect that public consultation will inform some changes to the actions, which will affect the final strategy. Following receipt of the final strategy document, NYCC Members will need to make some decisions on next steps and potentially adopt the strategy and establish an EVCP budget.
- 8.2 Following the adoption of the strategy, we will use it as our guide for network planning across North Yorkshire, which will lead to mass rollout of EVCPs. It will also be an

important supplementary document for the LTP. It is important to note that the contracts for EVCPs that have already been developed by Districts and Boroughs, primarily in public car parks in market towns and urban centres, will novate to the new North Yorkshire Council as part of the Local Government Reorganisation process and form a part of the network plans.

- 8.3 The Electric Vehicle Public Charging Infrastructure Rollout Strategy is a plan to 2030 and beyond that is front loaded with the majority of EVCPs being delivered in the first five years? There is a potential for funding through future funding settlements that could come as a result of the Devolution Deal from 2024/25 onwards.
- 8.4 We have completed an initial assessment for two of our districts and the next piece of work will be to map out the other five districts in the coming months to then establish a more detailed implementation programme.
- 8.5 Concurrently, we will continue to deliver the LEVI Pilot scheme which focuses on delivery in rural areas. We will engage further with the Rural Task Force and use this as a mechanism to highlight the challenge that we face and ask for support in raising awareness of this issue.
- 8.6 The full LEVI fund is expected to be launched in the next financial year (2023/24) and we intend to bid into this fund to support further EVCP delivery.

9.0 Equalities

- 9.1 Consideration has been given to the potential for any equality impacts arising from the recommendations. It is the view of officers that at this stage the recommendations do not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010. A copy of the Equality Impact Assessment screening form is attached as **Appendix C**.

10.0 Finance

- 10.1 There are no direct financial implications arising from this update to note the strategy and approve the launch of the consultation – the project development fees of £63,075 for the EV Strategy, which includes the cost for public consultation, are being funded by the Beyond Carbon Pump Priming Fund.
- 10.2 There will be financial implications in the future to roll out the strategy and there is currently no identified funding for this beyond the LEVI grant of £2m and an associated local contribution of up to £200k from the Civil Parking Enforcement Reserve. The LEVI funding delivers approximately 70 EVCPs and the countywide roll out strategy forecasts a required budget figure of £10.3m to fund 1529 EVCPs between now and 2030, this figure includes grid connection costs but does not include grid upgrades (which vary based on remaining capacity and the particular locations distance from the nearest substation). Further details of funding options will be included in future reports to Executive at the appropriate time.
- 10.3 The Electric Vehicle Public Charging Infrastructure Rollout Strategy for North Yorkshire will inform and support any future bids, enabling us to respond quickly when funding opportunities are announced.

11.0 Legal

- 11.1 The consultation is to be undertaken having regard to legal guidance and principles on consultation. In the event that partnering opportunities arise to assist in delivering the future strategy the Council's financial and contract procedure rules will be adhered to.

12.0 Climate Change

- 12.1 There are no climate change issues arising from this report. A copy of the Climate Change Impact Assessment screening form is attached as **Appendix D**.

13.0 Recommendation

13.1 The Executive are asked to approve:

- i. The proposed public consultation draft of the Electric Vehicle (EV) Public Charging Infrastructure Rollout Strategy for North Yorkshire.
- ii. The launch of a public consultation on the priority actions and measures contained in the strategy.

Karl Battersby
Corporate Director – Business and Environmental Services

Author of Report: Keisha Moore

Background Documents: None

Appendices:

Appendix A – Public Consultation

Appendix B – Template *Text for EV Study webpage on NYCC website*

Appendix C – Equality Impact Assessment

Appendix D – Climate Change Impact Assessment

Introduction:

North Yorkshire County Council (NYCC) is committed to reducing our carbon impact by accelerating the shift from petrol and diesel to electric vehicles (EVs). In order to do so, it is crucial that the infrastructure is in place to support this shift and to allow drivers to transition easily to using EVs. Part of this is ensuring that EVs can be charged easily and conveniently. While many consumers will charge their EVs at home, there is a need for a publicly accessible charging network for those who have no access to electric vehicle charge points (EVCPs) at home or work, to help quell any anxiety related to charging and driving range. To help in meeting this aim, NYCC is implementing a strategy to help overcome barriers and support implementation of a charging network.

We now need your help, by completing this short questionnaire, you can let us to identify where barriers and challenges to EV uptake exist and let us know what you think of the measures being proposed as part of NYCCs EV strategy.

1. Do you currently own a fully Electric Vehicle (EV) or hybrid vehicle?

- Yes (*Please answer Q2*)
 No (*Please skip to Q5*)

2. Please let us know the TOP THREE challenges you face as an EV owner... Please write in

1st	
2nd	
3rd	

3. Which of these options best describes your electric vehicle (EV)?

- A fully electric vehicle
 A plug-in hybrid vehicle
 A self-charging hybrid vehicle

4. Which of the following best describes the location where you park your EV when you are at home?

- A private garage or driveway
 A designated parking bay
 On-street parking
 Public car park
 Other (please write in)

--

Please skip to Q6

5. Please let us know the TOP THREE barriers to you owning an EV... Please write in

1st	
2nd	
3rd	

6. Are there any publicly accessible EV charging points within a 5-10 minute walk of your home?

- Yes, within a 5 to 10 minute walk
 Yes, less than a 5 minute walk away

- No
- Don't know / not sure

NYCC have worked with consultants WSP to develop an Electric Vehicle (EV) Infrastructure Rollout Strategy to accelerate the delivery of EV charging infrastructure and support the Council to meet its objective to accelerate the shift from petrol and diesel to EVs.

Please consider the actions proposed in the Strategy and let us know to what extent you agree with each of them below.



ACTION 1

7A. Accelerating the rollout of EV charge points

– NYCC installing public accessible EV charge points to ensure network coverage is fairly distributed across North Yorkshire

Strongly Agree Agree Neutral Disagree Strongly Disagree

Please explain your answer:



ACTION 2

7B. Delivering rural EV charging connectivity

– overcoming barriers to EV charging delivery in rural areas

Strongly Agree Agree Neutral Disagree Strongly Disagree

Please explain your answer:



ACTION 3

7C. Supporting residents charging EVs parked on-street – proactively delivering publicly accessible EV charge points in areas of demand for on-street charging

Strongly Agree Agree Neutral Disagree Strongly Disagree

Please explain your answer:



ACTION 4

7D. Promoting best practice design for EV charge points – ensuring high standards for EV charge point delivery

Strongly Agree Agree Neutral Disagree Strongly Disagree

Please explain your answer:



ACTION 5

7E. Fostering collaborative working and building in-house resources and skills – fully utilising in-house skills and engaging with wider stakeholders

Strongly Agree Agree Neutral Disagree Strongly Disagree

Please explain your answer:



ACTION 6

Strongly Agree Agree Neutral Disagree Strongly Disagree

7F. Ensuring visitors can charge at tourist hotspots – ensuring EV charging network coverage in key tourist destinations and stopovers

Please explain your answer:



ACTION 7

7G. Decarbonising the council’s fleet – leading by example on transitioning our fleet to zero emissions, where possible

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain your answer:



ACTION 8

7H. Raising awareness to positively influence behaviours – informing residents of the benefits of EV ownership

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain your answer:



ACTION 9

7I. Promoting standards for new development – developing more ambitious, collective EV charge point standards

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain your answer:



ACTION 10

7J. Supporting businesses with EV charge point rollout – supporting businesses with guidance, advice and information sharing

Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please explain your answer:

8. Are there any measures that haven’t been included that you’d like to see in order to accelerate the rollout of charging infrastructure across North Yorkshire?

Please write in

9. Are you responding to this survey as...

- An individual
- On behalf of an organisation *(please write details in below and skip to Q12)*

10. Which age group do you belong to...

- 18 – 24 years

- 25 – 34 years
- 35 – 45 years
- 46 – 55 years
- 56 – 65 years
- 66 – 75 years
- Over 75 years

11. Do you have any condition which affects your mobility?

- No
- Yes - short term condition (lasting less than six months)
- Yes - long term condition (lasting more than six months)

**12. Please provide us with the first half of your postcode
(e.g. if your postcode is EG1 2BC – write in 'EG1')**

Thank you for taking the time to complete this questionnaire – we greatly value your feedback.

Text for EV Study webpage on NYCC website:

About the strategy

We are committed to reducing our carbon emissions by accelerating the shift from petrol and diesel to electric vehicles (EVs). To allow this shift over time, we need facilities to allow drivers to charge their EVs easily and conveniently.

A public charging network is needed for those without access to charging at home or work. NYCC is therefore delivering a strategy to help overcome barriers and support development of a charging network.

The strategy builds upon the EV Charge Point Deployment Study we commissioned WSP (engineering consultants) to produce in 2020. The study identified measures and recommendations that NYCC, and the districts, boroughs, and national park authorities, could take to overcome barriers.

OUR VISION: A decarbonised North Yorkshire where zero emission mobility is accessible and convenient to all, recognising the unique rural nature of the county, improving quality of place through better local air quality and health. A comprehensive network of electric charge points will support the uptake of electric vehicles for residents, visitors and businesses over the next 10 years, accelerating the transition to zero emission vehicles across North Yorkshire bringing new skills and investment to the local economy.

Our key objectives

1. Provide a comprehensive, convenient, and accessible network of EV charging points across the whole county.
2. Ensure all residents have access to EV charge points, including those with on-street parking.
3. Ensure commuters within North Yorkshire have access to EV charge points on their routes to work.
4. Allow all visitors to adequately charge their electric vehicle at tourist sites in the region.
5. Deliver zero emission vehicles for use by NYCC.
6. Support and encourage businesses to switch to zero emission vehicles and roll out EV charge points.
7. Ensure those who do not immediately switch to an Electric Vehicle are still supported, by providing them with the facilities and awareness to make the change when they are ready.

The strategy sets out how many public EV charge points will be needed by 2030 to support the increased EV use across the region. It also sets out where the most demand is expected to be. It is forecast that by 2030, a total of 3,161 public EV charging points will be needed, consisting of 2,734 fast chargers and 427 of the faster 'rapid chargers'.

Our proposed measures (actions)

We have developed 10 EV actions, which are priorities to help us meet our vision and key objectives. These key actions, what we are proposing to do and why they are needed, are detailed below. We would like your feedback to help shape the rollout of EV charging

infrastructure and policy across the county. So please read the information below on the 'EV Actions' and have your say.

How to have your say...

Please take just 10 minutes to complete our quick and easy feedback questionnaire. Share your views on the proposed actions and tell us what you think about the rollout of EVs and what you feel are the key challenges to EV use. Just follow the link below:



ACTION 1: ACCELERATE THE ROLLOUT OF ELECTRIC VEHICLE CHARGE POINTS

Why is this action needed?

Many drivers will rely on public charge points in the future, including those with on-street parking at home, visitors to the region and those topping up during a journey.

The private sector will install most chargers, but there will not be enough in areas that are less attractive to the businesses who operate chargers (the private sector). Here the public sector (NYCC) will need to deliver EV charging points to ensure a fair spread across the county.

What we are proposing to do...

1. Install on and off-street chargers in areas not served by the private sector provision to ensure EV charging is fairly distributed across North Yorkshire.
2. Install a mix of fast and rapid chargers to meet the needs of different types of EV drivers.
3. Plan a network of EV chargers across the county that aims to ensure that any resident without access to private off-street charging is within 10 minutes' walk of a public EV charge point.
4. Seek government funding and commercial partnerships to minimise cost to NYCC.



ACTION 2: DELIVERING RURAL ELECTRIC VEHICLE CHARGING CONNECTIVITY

Why is this action needed?

North Yorkshire is a rural county with a sparsely distributed population. Full coverage of EV charge points across these areas is critical to reduce range anxiety and serve those living, visiting or travelling through these areas.

The private sector will install most chargers, but there will not be enough in areas that are less attractive to the businesses who operate chargers (the private sector). Here the public sector (NYCC) will need to deliver EV charging points to ensure a fair spread across the county.

What we are proposing to do...

1. Ensure coverage of EV chargers in rural areas and appropriate EV charge point provision at rural locations that cater for long travel distances.
2. Lead funding bids and use rural character as a unique selling point for unlocking funding.
3. Work in partnership with the local Power Network Operator to ensure alignment with business planning for upgrades.
4. Encourage innovative solutions for EV charging infrastructure, such as combining local generation with renewables and battery storage.






ACTION 3: SUPPORTING RESIDENTS CHARGING EVS PARKED ON-STREET



Why is this action needed?



Whilst North Yorkshire is predominantly rural, the county also has areas of terraced housing, historic buildings, flats, and other properties without off-street parking (21% of households). Being able to charge an EV cheaply and conveniently at home is a key consideration in switching to an EV.

What are we proposing to do?

1. Take a proactive approach to delivering charging points, targeted at areas of demand for on-street EV charging, achieving a good base level of coverage, where all residents who need it have convenient access to a public charger. This will include:
 - a. Residents' charging hubs in nearby car parks, featuring rapid chargers where there are gaps in the privately funded network and supporting amenities are in place.
 - b. On-street chargers.
2. Investigate the feasibility of allowing trailing cables and installing cable channels as short-term measures for those charging an EV parked on street from home.
3. Establish a user-friendly website to invite expressions of interest from residents on potential locations for EV charge points to better understand local demand.

	<ol style="list-style-type: none"> 4. Put together a strong case for investment from the Office for Zero Emission Vehicles through the Local EV Infrastructure fund. 5. Engage with the market to ensure our approach attracts the best tenders from potential charge point operators, who will work as long-term partners with local authorities, and in the best interests of residents.
	<p>ACTION 4: PROMOTING BEST PRACTICE DESIGN FOR EV CHARGE POINTS</p> <p>Why is this action needed? Low quality public charge point provision means drivers are not confident they can charge when needed, which is a barrier to EV uptake. NYCC will develop guidance which draws on best practice from elsewhere, refined to suit our local needs.</p> <p>What are we proposing to do?</p> <ol style="list-style-type: none"> 1. Develop NYCC guidance on key design principles, specification, and steps to building an EV charge point network. 2. Create a distinctive NYCC EV charging brand.
	<p>ACTION 5: FOSTERING COLLABORATIVE WORKING AND BUILDING IN-HOUSE RESOURCES AND SKILLS</p> <p>Why is this action needed? NYCC is committed to ensuring that we have the expertise within the council needed to make investment decisions in EV infrastructure rollout in what is a fast-moving landscape. The Local Government Reorganisation (in effect from 2023) provides an opportunity to pool existing talent and bring together our EV skills, knowledge and experience from across NYCC and the districts, boroughs and National Park authorities.</p> <p>What are we proposing to do?</p> <ol style="list-style-type: none"> 1. Audit the teams that already exist and where skills are located to ensure resources are best used. Introduce a dedicated EV Lead Officer role to coordinate EV programmes, groups, and resources. 2. Expand the NYCC internal working group to include EV officers from each authority, to share knowledge and to develop standards. 3. Engage with rural landowners, parish councils and town councils to minimise knowledge gap and encourage EV charge point investment.
	<p>ACTION 6: ENSURING VISITORS CAN CHARGE AT TOURIST HOTSPOTS</p> <p>Why is this action needed? Tourism is key for North Yorkshire's economy, and additional traffic comes to the area during the peak seasons. In years to come, it is expected that more of these tourists will be driving EVs. As such, it is important for the region to have reliable and comprehensive charge points at key destinations to serve visitors to the region and cope with additional demand during peak season. This includes the</p>

	<p>potential impact on residents using public chargers when there is increased demand by tourists.</p> <p>What are we proposing to do?</p> <ol style="list-style-type: none"> 1. Ensure coverage of EV charging infrastructure in tourism hot spots, providing the right speed of charger that serve tourists needs depending on the location. Seek to secure grants for hard-to-reach areas, working with Coastal Tourism Advisory Board. 2. Work with hospitality industry and tourist attractions, as well as small business advisory groups, providing advice on the installation of EV charge points on their premises. 3. Install EV charge points in prominent positions with universally recognisable designs that are easy to locate by tourists.
	<p>ACTION 7: DECARBONISING THE COUNCIL'S VEHICLE FLEET</p> <p>Why is this action needed? To accelerate the uptake of EVs across North Yorkshire, NYCC will lead by example by transitioning our fleet to zero emission vehicles, where possible, by 2030. While challenging, this transition will send a strong message of confidence in EVs to the community, encouraging people to purchase an EV themselves.</p> <p>What are we proposing to do?</p> <ol style="list-style-type: none"> 1. Undertake comprehensive fleet review, including wider scope for streamlining the number of vehicles the council requires to meet our needs. Develop a workable plan and timescales for bringing these EVs into service? 2. Undertake a review of depots and car parks where vehicles would be charged and feasibility assessments of prioritised sites for charging infrastructure. 3. Prepare an action plan setting out the short, medium, and long-term phasing out of petrol and diesel vehicles. 4. Update procurement processes to specify EVs going forwards, introduce in a phased approach based on preceding review. Introduce requirements for EVs for Council supply chains.
	<p>ACTION 8: RAISING AWARENESS TO POSITIVELY INFLUENCE BEHAVIOURS</p> <p>Why is this action needed? As a relatively new technology, one key barrier to EV adoption is lack of understanding about the benefits of EV ownership and the practicalities of running an EV. While some may proactively seek information about the new technology, other drivers may be more inclined to continue with a petrol or diesel car they know and understand. There is a need to better inform everyone about the positives of choosing an EV.</p> <p>What are we proposing to do?</p> <ol style="list-style-type: none"> 1. Carry out a marketing campaign promoting the benefits of EVs and 'myth busting'.

	<ol style="list-style-type: none"> 2. Expand the NYCC EV website to become a valuable resource for all residents wishing to switch to EVs. 3. Appoint a local 'EV Champion' to promote the use of EVs in North Yorkshire.
	<p>ACTION 9: PROMOTING STANDARDS FOR NEW DEVELOPMENT</p> <p>Why is this action needed? New developers have a key role to play in including EV charge points as part of new developments. This ensures that residents of developments can charge their EV when at home.</p> <p>From June 2022, EV charge points in new developments will be legally required. However, NYCC plans to update local policies to be exceed these standards, particularly for the delivery of EV charge points in non-residential new developments and major renovations. The Local Government Reorganisation will bring all the local districts, boroughs and National Park Authorities under one new council with one planning policy framework.</p> <p>What are we proposing to do?</p> <ol style="list-style-type: none"> 1. Develop more ambitious, common EV charging infrastructure standards across North Yorkshire for some non-residential land uses. 2. Build up internal awareness and understanding of the amended Building Regulations for delivering EV charge points. 3. Work with developers and landowners to interpret and apply new building regulations and planning policies.
	<p>ACTION 10: SUPPORTING BUSINESSES WITH EV CHARGE POINT ROLLOUT</p> <p>Why is this action needed? Commuting to a place of work, travelling for business and the use of fleet vehicles account for a large proportion of vehicle miles. As such, businesses have a particular role to play in both supporting and promoting the transition to EVs.</p> <p>Companies operating fleet vehicles can move to EVs and can also influence their supply chains and support their employees to move to EVs by providing charging points or incentives such as salary sacrifice schemes. Whilst NYCC cannot directly place charging infrastructure in local businesses, we recognise our important role in supporting them with guidance and advice.</p> <p>What are we proposing to do?</p> <ol style="list-style-type: none"> 1. Supporting businesses with guidance, advice, and information. This may include sign posting and promoting available funding from the likes of the Office for Zero Emission Vehicles (OZEV). 2. Hosting EV business focus events throughout the year. 3. Investigate the scope for introducing a Right-to-Charge policy with property managers. 4. Engage proactively with those managing business parks and retail parks. 5. Engage with freight and logistics sector.

Initial equality impact assessment screening form			
<p>This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.</p>			
Directorate	BES		
Service area	H&T		
Proposal being screened	Electric Vehicle Rollout Strategy for Public Consultation		
Officer(s) carrying out screening	Keisha Moore		
What are you proposing to do?	<ul style="list-style-type: none"> Launch a public consultation regarding the Electric Vehicle Rollout Strategy. 		
Why are you proposing this? What are the desired outcomes?	<ul style="list-style-type: none"> To seek views regarding where barriers and challenges to EV uptake exist (to confirm our assumptions in this strategy are correct) and seek opinions on the measures being proposed as part of NYCCs EV strategy to overcome them 		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No, at this stage the bid for funding does not require significant commitment or removal of resources..		
<p>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics</p> <p>As part of this assessment, please consider the following questions:</p> <ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? <p>If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.</p>			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
NYCC additional characteristics			

People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	No.		
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	No		
Decision (Please tick one option)	EIA not relevant or proportionate:	<input checked="" type="checkbox"/>	Continue to full EIA:
Reason for decision	It is the view of officers that at this stage the recommendations do not have an adverse impact on any of the protected characteristics identified in the Equalities Act 2010		
Signed (Assistant Director or equivalent)	<i>Barrie Mason</i>		
Date	31/10/2022		



Climate change impact assessment

The purpose of this assessment is to help us understand the likely impacts of our decisions on the environment of North Yorkshire and on our aspiration to achieve net carbon neutrality by 2030, or as close to that date as possible. The intention is to mitigate negative effects and identify projects which will have positive effects.

This document should be completed in consultation with the supporting guidance. The final document will be published as part of the decision making process and should be written in Plain English.

If you have any additional queries which are not covered by the guidance please email climatechange@northyorks.gov.uk

Please note: You may not need to undertake this assessment if your proposal will be subject to any of the following:

Planning Permission
Environmental Impact Assessment
Strategic Environmental Assessment

However, you will still need to summarise your findings in in the summary section of the form below.

Please contact climatechange@northyorks.gov.uk for advice.

Title of proposal	Electric Vehicle Rollout Strategy for Public Consultation
Brief description of proposal	Launch a public consultation regarding the Electric Vehicle Rollout Strategy.
Directorate	BES
Service area	Highways and Transportation
Lead officer	Keisha Moore
Names and roles of other people involved in carrying out the impact assessment	
Date impact assessment started	18/10/2022

Options appraisal

Were any other options considered in trying to achieve the aim of this project? If so, please give brief details and explain why alternative options were not progressed.

An in person meeting was considered as an alternative to an online proposal, however, this was not felt relevant or proportionate and more people could be reached, without a significant impact on the climate, by doing the survey and promotion online.

What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

Please explain briefly why this will be the result, detailing estimated savings or costs where this is possible.

At this stage the public consultation does not require significant commitment or removal of resources. There are no direct financial implications arising from this consultation – the project development fees for the EV Strategy are being funded from already approved budgets.

How will this proposal impact on the environment? N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.		Positive impact (Place a X in the box below where	No impact (Place a X in the box below where	Negative impact (Place a X in the box below where	Explain why will it have this effect and over what timescale? Where possible/relevant please include: <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	Explain how you plan to mitigate any negative impacts.	Explain how you plan to improve any positive outcomes as far as possible.
Minimise greenhouse gas emissions e.g. reducing emissions from travel, increasing energy efficiencies etc.	Emissions from travel		*				
	Emissions from construction		*				
	Emissions from running of buildings		*				
	Other		*				
Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic			*				
Reduce water consumption			*				
Minimise pollution (including air, land, water, light and noise)			*				

<p>How will this proposal impact on the environment?</p> <p>N.B. There may be short term negative impact and longer term positive impact. Please include all potential impacts over the lifetime of a project and provide an explanation.</p>	<p>Positive impact (Place a X in the box below where</p>	<p>No impact (Place a X in the box below where</p>	<p>Negative impact (Place a X in the box below where</p>	<p>Explain why will it have this effect and over what timescale?</p> <p>Where possible/relevant please include:</p> <ul style="list-style-type: none"> • Changes over and above business as usual • Evidence or measurement of effect • Figures for CO₂e • Links to relevant documents 	<p>Explain how you plan to mitigate any negative impacts.</p>	<p>Explain how you plan to improve any positive outcomes as far as possible.</p>
<p>Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers</p>		<p>*</p>				
<p>Enhance conservation and wildlife</p>		<p>*</p>				
<p>Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape</p>		<p>*</p>				
<p>Other (please state below)</p>		<p>*</p>				

Are there any recognised good practice environmental standards in relation to this proposal? If so, please detail how this proposal meets those standards.

N/A

Summary Summarise the findings of your impact assessment, including impacts, the recommendation in relation to addressing impacts, including any legal advice, and next steps. This summary should be used as part of the report to the decision maker.

Accepting the recommendation to launch a public consultation online will have no significant impact. Prior to construction of any EVCPs, a report will be written, which is the intended outcome of this strategy, and an associated climate change impact assessment completed. The intended overall outcome is to have a positive impact by encouraging and facilitating greater use of electric vehicles.

Sign off section

This climate change impact assessment was completed by:

Name	Keisha Moore
Job title	Transport Planning Officer
Service area	Highways and Transportation
Directorate	BES
Signature	Keisha Moore
Completion date	18/10/2022

Authorised by relevant Assistant Director (signature): Barrie Mason

Date: 31.10.22

North Yorkshire County Council

Executive

8 November 2022

Double Devolution to Town and Parish Councils

Report of the Assistant Director – Policy, Partnerships & Communities

1. Aim of report

- 1.1. To seek agreement to a pilot inviting town and parish councils to submit expressions of interest in managing services and assets on behalf of North Yorkshire Council, commonly known as double devolution.

2. Background

- 2.1. The proposal for local government organisation (LGR) submitted by North Yorkshire County Council included a commitment to provide opportunities for town and parish councils and community groups who want to manage services and assets on behalf of the new council.
- 2.2. This commitment is one of four strong and interconnected pillars in the locality-based delivery model for the new council:
 - i. local services and access – locally based and integrated council, partner and community services;
 - ii. local accountability – six area committees, political accountability for the discharge of statutory functions and services at local level;
 - iii. local action – local people, partners and communities coming together in new community networks to identify and deliver against priorities; and
 - iv. local empowerment – devolution of powers to community groups and town and parish councils to run assets and services where they want to.
- 2.3. The LGR proposal stated that transfers must be cost neutral to the new council and have a solid business case and delivery plan. The LGR proposal also stated that there would be a pilot and it would be very unlikely any transfer would take place before April 2024.
- 2.4. Double devolution is entirely separate from the proposed devolution deal between the Government and the local authorities in York and North Yorkshire.
- 2.5. Double devolution has operated for over 10 years in some other parts of the country, including Cornwall and Wiltshire. There is also significant experience of existing councils in North Yorkshire successfully transferring services and assets to community groups and to town and parish councils.
- 2.6. However, given the current work pressures linked to the LGR programme, it is proposed that the pilot is restricted to town and parish councils, with the invitation subsequently being extended to community groups (e.g. community trusts) as well as town and parish councils (including those who participate in the pilot).

- 2.7. Town and parish councils are independent statutory bodies. They can be an integral part of vibrant communities, alongside community groups. They have a wide range of powers, including raising money locally, but limited duties. They vary greatly in size and capacity.
- 2.8. This proposal has been the subject of communication and engagement with town and parish councils over the last three years during the development of the LGR proposal and subsequently, through webinars and many one-to-one discussions. This proposal was also considered at a recent meeting of the Member Working Group – Locality and Governance.

3. Proposed pilot

- 3.1. It is proposed that town and parish councils are invited to formally submit expressions of interest in managing specific services and assets within their own geographical area on behalf of North Yorkshire Council.
- 3.2. The invitation would be issued in late November 2022 with a closing date of 31 March 2023. The draft invitation to town and parish councils is attached (appendix 1) as well as the required information for expressions of interest (appendix 2).
- 3.3. Expressions of interest could be for a wide range of services and assets. It is proposed that town and parish councils are able to choose what they would like to be considered, rather than being invited to choose from a limited list determined in advance.
- 3.4. However, it would be made clear that:
 - expressions of interest with regard to devolution of decision making (for example planning or traffic regulation orders) would not be considered; and
 - expressions of interest with regard to services and assets that generate a significant net income for the new council would not be considered unless the lost net income will be offset by the town or parish council accepting full responsibility for additional services of equal cost that the new council would otherwise have to pay for.
- 3.5. It is proposed that North Yorkshire Council would evaluate the expressions of interest received and select up to six to explore further with the relevant town or parish council to develop a full business case.
- 3.6. The decision on which expressions of interest will be developed into full business cases would be made by the Executive of North Yorkshire Council, following consultation with the relevant local North Yorkshire Council councillors and Area Committees.
- 3.7. It is proposed that the evaluation process is based on:
 - a formal commitment by town or parish council (at full council);
 - the town or parish council having the legal competence (powers) to deliver the service or manage the asset;
 - the likelihood that the expression of interest will result in a solid business case and delivery plan;
 - the likelihood that the town or parish council will (if necessary, with reasonable initial help) have the ability to deliver the service or manage the asset effectively and safely;
 - the likelihood that the transfer will be cost neutral to the new council;

- the likelihood that the transfer will not have a negative impact on the new council's strategic objectives or service delivery;
 - the likelihood that the transfer will have a positive benefit for the local community; and
 - the aim to have a range of pilots across different services and geographical areas.
- 3.8. It is proposed that North Yorkshire Council would work in partnership with the selected town and parish councils to develop full joint business cases. North Yorkshire Council would play a full part in this, contributing reasonable time and skills of its officers. The town or parish councils would also be expected to play a full part in this, contributing reasonable time and skills of their councillors and paid employees. North Yorkshire Council would not fund town or parish councils for their contribution or for the employment of consultants or additional staffing.
- 3.9. Town and parish councils would need to make a formal commitment (at their full council) to the full business case.
- 3.10. North Yorkshire Council would evaluate the full business cases. The decision on which full business cases will be implemented would be made by the Executive of North Yorkshire Council, following consultation with the relevant local North Yorkshire Council councillors and Area Committees.
- 3.11. The proposed outline timetable is:
- invite town and parish councils to submit expressions of interest – late November 2022
 - closing date for expressions of interest – 31 March 2023
 - evaluation of expressions of interest – summer 2023
 - North Yorkshire Council Executive decision on up to six to develop a full business case – autumn 2023
 - joint development of full business cases – autumn 2023 to spring 2024
 - evaluation of full business cases – spring 2024 (on a case-by-case basis as they become ready for evaluation)
 - North Yorkshire Council Executive decision on which full business cases to progress – spring 2024 (on a case-by-case basis as they become ready for a decision)
 - transfer date – very unlikely before April 2024 (on a case-by-case basis as they become ready for implementation)

4. Risks and mitigations

- 4.1. There are significant risks arising from transferring services and assets through double devolution. However, the experience of double devolution elsewhere in the country, and the experience of existing councils in North Yorkshire successfully transferring assets to community groups and to town and parish councils, demonstrates that these risks can be successfully mitigated and services can be very beneficial for local communities when delivered in this way.
- 4.2. The details of the risk and mitigations will depend on the individual service or asset and the capability and capacity of the organisation that takes on responsibility for the service or asset. The risks and mitigations of each expression of interest will need to be considered individually during the relevant evaluation and decision-making stages.

- 4.3. The general risks could include loss of service delivery, financial expenditure in excess of budget, litigation and damage to reputation. These risks could impact on service users, on the new council, and on the organisation that takes on responsibility for the service or asset.
- 4.4. The general mitigations to the risks include:
- piloting double devolution, as it is unlikely that one set of rules designed in advance will be effective for all circumstances;
 - having a two-stage selection process including expressions of interest and joint full business case, both of which will be evaluated;
 - the criteria used during the evaluation of expressions of interest;
 - town and parish councils needing to formally commit at both stages;
 - town and parish councils being encouraged to only consider services and assets that are not disproportionately larger than their existing services and assets;
 - the requirement for Executive decisions at both stages;
 - the development, as part of the joint full business case, of appropriate legal and service level agreements and performance monitoring framework; and
 - a maximum of one full business case and one pilot (which might be a package of linked transfers) with a town or parish council.

5. Financial implications

- 5.1. There are no significant financial implications at this stage. Some officer time will be required to invite and evaluate expressions of interest, with a further requirement for officer time to support the development of selected expressions of interest into full business cases and selected full business cases into implementation.
- 5.2. The financial implications of individual expressions of interest and full business cases will need to be considered during the relevant evaluation and decision-making stages. One of the criteria to be used during the evaluation of expressions of interest is the likelihood that the transfer will be cost neutral to the new council.

6. Legal implications

- 6.1. There are no legal implications at this stage.
- 6.2. The legal implications of individual expressions of interest and full business cases will need to be considered during the relevant evaluation and decision-making stages. One of the criteria to be used during the evaluation of expressions of interest is that the town or parish council has the legal competence (powers) to deliver the service or manage the asset.
- 6.3. It is anticipated that a legal agreement will be required in respect of each full business case that is approved for implementation and that this will be considered as part of developing the full business case. Depending on the service or assets, the transfer might have to include a TUPE transfer of staff (Transfer of Undertakings (Protection of Employment)).

7. Climate change implications

- 7.1. There are no climate change implications at this stage.

7.2. The climate change implications of individual expressions of interest and full business cases will need to be considered during the relevant evaluation and decision-making stages. The criteria to be used during the evaluation of expressions of interest include the likelihood that the transfer will not have a negative impact on new council's strategic objectives or service delivery, and the likelihood that the transfer will have a positive benefit for the local community.

8. Equalities implications

8.1. There are no equalities implications at this stage.

8.2. The equalities implications of individual expressions of interest and full business cases will need to be considered during the relevant evaluation and decision-making stages. The criteria to be used during the evaluation of expressions of interest include the likelihood that the transfer will not have a negative impact on new council's strategic objectives or service delivery, and the likelihood that the transfer will have a positive benefit for the local community.

9. Recommendations

9.1. The Executive are asked to:

- i. To agree a pilot inviting town and parish councils to submit expressions of interest in managing services and assets on behalf of North Yorkshire Council.
- ii. To agree the process, criteria and outline timetable as set out in the report.

Neil Irving
Assistant Director - Policy, Partnerships and Communities.
28 October 2022

Appendices

Appendix 1 - Draft invitation to town and parish councils

Appendix 2 - Draft required information for expressions of interest

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Draft invitation to town and parish councils

North Yorkshire Council Invitation to submit expression of interests for piloting double devolution

1. Introduction

- 1.1. North Yorkshire Council is inviting expressions of interest from town and parish councils that would like to participate in the piloting of double devolution.
- 1.2. Double devolution is about town and parish councils and community groups managing services and assets on behalf of the new council. It is entirely separate from the proposed devolution deal between the Government and York and North Yorkshire.
- 1.3. The proposal for local government reorganisation in North Yorkshire included a commitment to pilot double devolution and provide opportunities for town and parish councils and community groups that would like to manage services and assets on behalf of the new council. It stated that all instances of double devolution would need to have a solid business case and delivery plan and be cost neutral to the new council. It also stated that double devolution would be piloted and it would be very unlikely any transfer would take place before April 2024.
- 1.4. The pilot stage is restricted to town and parish councils, with the aim of identifying and selecting up to six expressions of interest which can be developed to full business cases. Subsequent stages will be open to local community groups (e.g. community trusts) as well as town and parish councils (including those who participate in this pilot).

2. Services and assets that could be included in the pilot

- 2.1. Many new council services that are delivered, and assets that are based, within an individual town or parish could be considered.
- 2.2. Devolution of decision making (for example planning or traffic regulation orders) will not be considered.
- 2.3. Services and assets that generate a significant net income for the new council will not be considered unless the lost net income will be offset by the town or parish council accepting full responsibility for additional services of equal cost that the new council would otherwise have to pay for
- 2.4. Depending on the service or assets, the transfer might have to include a TUPE transfer of staff (Transfer of Undertakings (Protection of Employment)). This would need to be considered as part of developing the full business case.
- 2.5. This is a pilot and will involve significant changes and risks for participating town or parish councils and for the new council. Town and parish councils are strongly encouraged to only consider services and assets that are not disproportionately larger than their existing services and assets. There will be opportunities in the future for town and parish councils to submit further expressions of interest for additional services and assets.
- 2.6. Double devolution is in addition to, and does not replace, existing arrangements through which the County Council can pay town or parish council a financial contribution for cutting the visibility and safety areas of urban highway grass (<https://www.northyorks.gov.uk/grass-cutting-verge-hedge-and-tree-maintenance>) and support town and parish councils who want to provide a higher level of winter maintenance in their area (<https://www.northyorks.gov.uk/community-gritting-partnerships>).

3. Process

- 3.1. Any town and parish councils can submit expressions of interest for the pilot. This is the expression of interest stage; a full business case is not required at this stage.
- 3.2. North Yorkshire Council will evaluate all the expressions of interest received and select up to six that it wishes to explore further with the relevant town or parish council to develop a full business case. The decision on which expressions of interest will be developed into full business cases will be made by the Executive of North Yorkshire Council, following consultation with the relevant local North Yorkshire Council councillors and Area Committees.
- 3.3. The evaluation process will be based on:
 - 3.3.1. A formal commitment by town or parish council (at full council)
 - 3.3.2. The town or parish council having the legal competence (powers) to deliver the service or manage the asset
 - 3.3.3. The likelihood that the expression of interest will result in a solid business case and delivery plan
 - 3.3.4. The likelihood that the town or parish council will (if necessary, with reasonable initial help) have the ability to deliver the service or manage the asset effectively and safely;
 - 3.3.5. The likelihood that the transfer will be cost neutral to the new council
 - 3.3.6. The likelihood that the transfer will not have a negative impact on the new council's strategic objectives or service delivery
 - 3.3.7. The likelihood that the transfer will have a positive benefit for the local community
 - 3.3.8. The aim to have a range of pilots across different services and geographical areas
- 3.4. North Yorkshire Council will work in partnership with the selected town and parish councils to develop full joint business cases. North Yorkshire Council will play a full part in this, contributing reasonable time and skills of its officers. The town or parish councils will also be expected to play a full part in this, contributing reasonable time and skills of their councillors and paid employees. North Yorkshire Council will not fund town or parish councils for their contribution or for the employment of consultants or additional staffing.
- 3.5. Town and parish councils will need to make a formal commitment (at full council) to the full business case.
- 3.6. North Yorkshire Council will evaluate the full business cases. The decision on which full business cases will be implemented will be made by the Executive of North Yorkshire Council, following consultation with the relevant local North Yorkshire Council councillors and Area Committees.
- 3.7. It is envisaged that the decision on which expressions of interest will be developed into full business cases will be taken in autumn 2023, but much will depend on the number and complexity of submitted expressions of interest.
- 3.8. It is envisaged that the decision on which full business cases are progressed will be taken in spring 2024. It is very unlikely any transfer would take place before April 2024.
- 3.9. The nature of transfers will need to be considered as part of developing the full business cases and will depend on what was being transferred and the circumstances but might

include a service level agreement regarding a service, a lease or permanent transfer of an asset, and a TUPE transfer of staff.

4. Outline timetable:

- Invite town and parish councils to submit expressions of interest – late November 2022
- Closing date for expressions of interest – 31 March 2023
- Evaluation of expressions of interest – summer 2023
- North Yorkshire Council Executive decision on up to six to develop a full business case – autumn 2023
- Joint development of full business cases – autumn 2023 to spring 2024
- Evaluation of full business cases – spring 2024 (on a case-by-case basis as they become ready for evaluation)
- North Yorkshire Council Executive decision on which full business cases to progress – spring 2024 (on a case-by-case basis as they become ready for a decision)
- Transfer date – very unlikely before April 2024 (on a case-by-case basis as they become ready for implementation)

5. How to make an expression of interest

- 5.1. Submit by email one document in PDF format containing all Information requested (see below) to XXXXX no later than 31 March 2023.
- 5.2. A full business case is not required at this stage, just the information requested.
- 5.3. A town or parish council may submit more than one expression of interest, but there will be a maximum of one full business case developed (which might be a package of linked transfers) with a town or parish council
- 5.4. Information about assets owned by the existing eight councils is available at:
 - 5.4.1. Craven District Council <https://www.cravencd.gov.uk/data-and-transparency/open-data/>
 - 5.4.2. Hambleton District Council <https://www.hambleton.gov.uk/transparency/local-authority-land/1>
 - 5.4.3. Harrogate Borough Council <https://www.harrogate.gov.uk/data-protection-freedom-information/data-transparency>
 - 5.4.4. North Yorkshire County Council https://northyorks.concerto.co.uk/content/site_public_page.aspx
 - 5.4.5. Richmondshire District Council <https://www.richmondshire.gov.uk/council-and-democracy/council-information/council-data/local-authority-land-and-building-assets/>
 - 5.4.6. Ryedale District Council <https://hub.datanorthyorkshire.org/dataset/local-authority-land-nad-assets-information-for-ryedale-district-council>
 - 5.4.7. Scarborough Borough Council <https://www.data.gov.uk/dataset/5cdc1994-d85e-4f5f-9de8-4df332105022/land-and-property-assets>
 - 5.4.8. Selby District Council <https://www.selby.gov.uk/datasets>
- 5.5. Information about services delivered by the existing eight councils is available at:
 - 5.5.1. Craven District Council <https://www.cravencd.gov.uk>
 - 5.5.2. Hambleton District Council <https://www.hambleton.gov.uk>
 - 5.5.3. Harrogate Borough Council <https://www.harrogate.gov.uk>

- 5.5.4. North Yorkshire County Council <https://www.northyorks.gov.uk>
- 5.5.5. Richmondshire District Council <https://www.richmondshire.gov.uk>
- 5.5.6. Ryedale District Council <https://www.ryedale.gov.uk>
- 5.5.7. Scarborough Borough Council <https://www.scarborough.gov.uk>
- 5.5.8. Selby District Council <https://www.selby.gov.uk>

- 5.6. Information about the budget and staffing of services or assets is not available at this stage and is not necessary for completion of the expression of interest form. This information will be provided for expressions of interest, which are to be developed into full business cases.

- 5.7 Questions and requests for informal discussions about the process should be emailed to
XXXXXX

Draft required information for expressions of interest

North Yorkshire Council

Information required when submitting expression of interest for piloting double devolution

- A. Full name of town or parish council
- B. Name and contact details of town or parish council clerk / responsible finance officer including job title, postal address, email address and telephone number
- C. The town or parish council must agree to the submission of this expression of interest at a full town or parish council meeting. Attach a copy of the minutes of the meeting signed by the mayor of the town or chair of the parish council.
- D. Describe (maximum one side of A4) the services that the council currently delivers and the assets that it currently manages
- E. Total income of the council in financial year 2021/22
- F. Income raised by precept in financial year 2021/22
- G. Total expenditure in financial year 2021/22
- H. Attach a copy of the council's final accounts for the financial year 2021/22
- I. Anticipated total income of the council in financial year 2022/23
- J. Anticipated income raised by precept in financial year 2022/23
- K. Anticipated total expenditure in financial year 2022/23
- L. Attach a copy of the council's budget for the financial year 2022/23
- M. Describe (maximum one side of A4) the roles that the council currently employs paid staff to undertake and the numbers of paid staff
- N. Describe (maximum one side of A4) the services that the council wants to deliver or assets it wants to manage through the double devolution pilot
- O. Has the council adopted the General Power of Competence as set out in the [Parish Councils \(General Power of Competence\) \(Prescribed Conditions\) Order 2012](#)? Yes / No? If yes, attach a copy of the minutes of the relevant meeting signed by the chair/mayor of the council. If no, specify which legislation the council will be using to give it the legal power to deliver the services or manage the assets.
- P. Describe (maximum one side of A4) why the council wants to deliver the services or manage the assets through the double devolution pilot, including the main benefits for the local community, how this fits with wider plans and local partnerships, and any public consultation already undertaken
- Q. Describe (maximum one side of A4) the skills, knowledge and experience the council already has that will enable it to deliver the services or manage the assets; and those which it will need to acquire and how it will acquire these
- R. Describe (maximum one side of A4) any changes the council envisages making to the services or assets, and how these will be funded
- S. Describe (maximum one side of A4) the main risks the council will need to manage to deliver the services or manage the assets and how it will mitigate these risks
- T. Any additional information (maximum one side of A4) that the town or parish council wishes to provide

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North Yorkshire County Council

Executive

8 November 2022

Progress since publication of the report of the North Yorkshire Rural Commission

Report of the Assistant Director Policy, Partnerships & Communities

1. Aim of report

- 1.1. To provide the Executive with an update on progress since the launch of the Rural Commission report in July 2021.

2. Background

- 2.1. The Rural Commission was assembled by the County Council in 2019.
- 2.2. The Rural Commission was an independent Commission, comprised of eight key figures from across the region. The Very Reverend John Dobson (DL), Dean of Ripon Cathedral, chaired the Commission. It was supported administratively by the County Council and by a Reference Group, chaired by the Leader of the County Council.
- 2.3. The main aim of the Rural Commission was to investigate the challenges faced by the most rural communities across the County and to identify actions to tackle the challenges.
- 2.4. The Rural Commission report: *Rural North Yorkshire: The Way Forward*, was published on 14 July 2021 and launched at the Great Yorkshire Show.
- 2.5. The report included 57 recommendations. Twenty-six of the actions contained in the report were allocated to the County Council. The Commission concluded that the 57 actions set out in the report would need to be implemented in the coming years in order to fulfil the Commission's vision for rural North Yorkshire: *Beautiful, connected, and embracing the future*.
- 2.6. The Commission's report also recommended that the County Council should establish an Advisory Task Force, chaired by the County Council Chief Executive, to advise how to take forward the recommendations of the Rural Commission.
- 2.7. The full report of the Commission is available at www.northyorks.gov.uk/north-yorkshire-rural-commission

3. North Yorkshire Rural Task Force

- 3.1. Following a previous Executive Report on 21 September 2021, the Rural Task Force was assembled in October 2021.
- 3.2. The Rural Task Force is a strategic forum for key partners to work together to ensure that the vision and challenges identified by the Rural Commission are considered and taken forward.

- 3.3. Membership of the Task Force includes representation from the County Council and district councils, Local Enterprise Partnership, National Park Authorities, National Farmers Union, Yorkshire Agricultural Society, Community First Yorkshire, and Askham Bryan College. There are 15 core members on the Task Force and, in line with the recommendation of the Rural Commission, the Chief Executive of the County Council chairs the Task Force. The full list of people and organisations represented on the Task Force is available at appendix 1.
- 3.4. Since it was called together, the Task Force has met four times to share progress on the actions and activities that partners are taking in order to implement the recommendations made by the Rural Commission. Partners also support, advise and encourage each other in this work, which includes a number of additional smaller meetings and offline conversations on specific issues.

Rural Task Force Action Plan

- 3.5. In order to manage and monitor progress, the Task Force agreed at its first meeting to adopt an action plan approach. The action plan sets out the agreed actions and activity that the Task Force will take to ensure delivery of the recommendations made by the Rural Commission. Each of the core policy areas covered in the action plan is managed by a nominated lead officer (member of the Task Force) and is underpinned by a robust performance regime.
- 3.6. Actions within the plan are broadly (but not entirely) in line with the original actions recommended by the Rural Commission. Amendments to actions mainly include some rewording to ensure effective delivery and the merger of some actions in order to arrange them in a more practical way for implementation and monitoring. The Task Force also recognised that the challenges faced by the most rural communities across the County are long standing and deep rooted.
- 3.7. The amendments made by the Task Force have resulted in ten fewer actions overall, compared with the original actions that were recommended in the Rural Commission report – down from 57 actions in the original report to 47 actions in the agreed action plan. To provide assurance to the Executive, all reworded and merged actions can be tracked back to the original recommendations made by the Rural Commission.
- 3.8. Progress with delivery of the action plan since establishment of the Task Force is good. The table below provides a summary of progress on the 47 actions contained in the action plan. Most actions are currently ongoing and have a medium-term completion date of one-to-five years.

Policy Area	Not started	Ongoing	Completed	Total
Economy	0	4	0	4
Energy	0	5	0	5
Digital	0	8	0	8
Farming	0	5	2	7
Schools	0	3	1	4
Housing	0	8	0	8
Transport	0	7	0	7
Cross-cutting	0	3	1	4
Total	0	43	4	47

- 3.9. The Rural Task Force Action Plan is available at Appendix 2.

Key Achievements

3.10. Rural Economy:

- To ensure the right use of investment in the region, one of the Rural Commission's main recommendations called on the national Government to agree a devolution deal as a matter of urgency. The proposed £750m devolution deal for York and North Yorkshire was announced on 1 August 2022 and is currently going through a formal public consultation process. The devolution deal is historic for the county and will liberate York and North Yorkshire to make local decisions, exercise local powers and provide more funding for major policy areas such as local transport, housing, digital connectivity, education and skills development, and economic growth and business support.
- A further feature of the Rural Commission's recommendations urged the County Council and Local Enterprise Partnership to work with a range of public and private partners to encourage future investment within the region. The county continues to exploit a number of national funding streams in order to achieve this, principally the Shared Prosperity Fund, Levelling-Up Fund and Northern Powerhouse Investment Fund. A Shared Prosperity Fund Plan has been submitted to central Government for approval and the County Council has submitted a number of Levelling-Up Fund bid applications. Led by the Local Enterprise Partnership, a new Inward Investment Prospectus for North Yorkshire is also under development and will be published by March 2023. The new Rural England Prosperity Fund is another welcome boost, which includes an additional allocation of £5.4 million to support development in rural areas in North Yorkshire.
- A major aspect of the Rural Commission's recommendations proposed that the County Council and Local Enterprise Partnership should develop a clear strategic ambition for North Yorkshire and set out the strategies and policies needed to achieve the economic vision. The Task Force is pleased to report that a new economic policy framework is under development that will set the strategic direction for achieving growth in North Yorkshire in the coming years. Major policies include the York and North Yorkshire Plan for Growth, which will be published in line with the timeframe for devolution; a new North Yorkshire Council Economic Strategy, which will be published in line with the start of the new Council; and, the new York and North Yorkshire Routemap to Carbon Negative, which has been drafted and is currently being reviewed by Councillors. It is worth noting that the devolution deal also includes ambitions to publish a new Natural Capital Investment Plan and new Arts, Culture and Heritage investment Plan.

3.11. Energy Transition:

- In line with the Rural Commission's recommendation to advocate for investment in clean energy infrastructure, Local Area Energy Plans have been developed, which set out the level of cost and investment required in North Yorkshire. As the County Council and Local Enterprise Partnership continue to press the case for rural investment, it is worth noting that the devolution deal has already secured £7m for net-zero projects.
- Consistent with the Commission's recommendation to investigate and advise on upgrades to improve energy efficiency in traditional buildings, new pilot projects in Richmondshire and Scarborough will be completed by December 2022 and will be used to inform future retrofitting activity in older buildings, to ensure that they are fit-for-purpose.
- In keeping with the Commission's recommendation to prioritise the net-zero agenda and ensure that rural areas are not left behind in this space, a new project has been

commissioned to map development of community energy initiatives across the county and engage more closely with people and organisations on these agendas.

3.12. Digital Connectivity:

- In line with the Commission's recommendation to see more central Government investment in digital technologies in North Yorkshire, the Government's Project Gigabit continues to be rolled out across the country and in North Yorkshire. The County Council continues to work with a range of partners to compete for Government funding from Project Gigabit and the digital element of the new devolution deal will open up new opportunities in this area.
- With the intention to install digital technology in the hardest-to-reach rural places and in step with the Commission's recommendation that the County Council should work more closely with alternative, entrepreneurial providers, the Task Force is pleased to report that NYnet continues to work as a gateway for a number of alternative suppliers. This includes confirmed delivery from Zzoomm (Thirsk, Northallerton, Easingwold, Sherburn, and Stokesley), Swish Fibre (Sherburn), Full Fibre (Boroughbridge), Grain Fibre (Scarborough) and City Fibre (Harrogate).
- In keeping with the Commission's recommendation to promote digital inclusion and develop the skills agenda in this space, a new Digital Inclusion Group has been established to look at digital skills development in North Yorkshire, as the county's libraries have now resumed their digital support offer, which already provides a physical route for those with skills and connectivity. Also in keeping with the Commission's recommendation to utilise community facilities, such as village halls, to ensure rural communities are digitally connected and to promote rural inclusion, Community First Yorkshire have submitted a recent bid to equip a number of village halls with connectivity and technology equipment, in order to test how these services can be installed in future.

3.13. Farming and Land Management:

- In response to the Rural Commission's recommendations on the establishment of a new Farm Business Task Force and the establishment of Producer Groups, the Rural Task Force is pleased to report that much of the activity in these areas is already in progress and is supported and coordinated by the Yorkshire Agricultural Society and National Farmers Union. Moving forward, much of the activity related to these actions will be managed by Grow Yorkshire.
- In step with the Rural Commission's recommendations on business mentoring and support for farm businesses, new funding from Defra has been made available to support business resilience activity within the sector. This funding will be used to build local understanding of the farming industry and identify what types of support will be most useful for farm businesses in the future.
- In relation to the recommendation that Defra must have a more integrated approach to farming, land management and the environment, this work is ongoing, but clearly, this is a national piece of work relating to future environmental and agricultural policy for England. The Task Force and its partners will continue to promote this recommendation with Defra.

3.14. Rural Schools, Education and Training:

- In support of the Commission's recommendation that the Department for Education (DfE) must revise its National Funding Formula to provide a fairer allocation of funding for rural schools, the County Council has issued a number of letters and briefings to the DfE and MPs to press the case for increased funding. The Task Force is pleased to

report that the County Council has received a positive response on this issue from Government and a proposed increase in funding for super sparse schools is now part of a Government consultation process.

- In keeping with the Commission's proposition that the County Council should work with partners to promote and support effective careers guidance in schools, the Task Force is pleased to report on the regular engagement between the County Council and Careers Hubs, schools and colleges, which is now part of business as usual. It is worth noting the positive remarks from Ofsted since the requirement to comment on this issue in inspection reports.
- In step with the Commission's recommendation that the County Council should lead on a review of post-16 provision in North Yorkshire, analysis of the latest data is now underway which includes interrogation of the Council's Growing Up in North Yorkshire Survey and latest performance data. A dedicated resource will be assigned to undertake other aspects of the review, in relation to student choice and access, in due course. It is worth noting that the new devolution deal also includes new opportunities in this area.

3.15. Rural Housing:

- In response to the Rural Commission's recommendation that the County Council should be enabled to have the power to levy a charge on second homes, the Task Force is pleased to report that a recent decision was made by the Council's Executive to double the level of council tax paid by people with a second home in the county. This important measure recognises the pressure that local communities are under in certain parts of the county from large numbers of second homes and the difficulties for local residents to find affordable housing. The policy will likely raise much needed funding to help address the issue of affordable housing and may act as a deterrent.
- In line with the Commission's recommendation to build new affordable houses in every parish across the county over the next 10 years, the North York Moors and Yorkshire Dales National Park Authorities have agreed housing objectives which are very much in step with this action, including small housing developments in very small villages over the next ten years. It is worth noting that North Yorkshire Council's new Housing Strategy will also cover this objective from April 2023 and will include actions to support essential and low paid workers to access affordable housing in deeply rural places.
- In relation to the Rural Commission's recommendation that the Country Land and Business Association (CLA) should work with the local planning authorities to encourage landowners to increase housing provision in estate villages, the Task Force is pleased to report that a planned event with estates from across North Yorkshire will take place on 17 November. The networking event has been organised by the Task Force and will take place at the Hovingham Estate. In keeping with the Commission's recommendation, examples of good practice will be shared and delegates will explore opportunities to increase housing provision in estate villages.

3.16. Rural Transport:

- In relation to the Rural Commission's recommendation on the installation of fast-charging infrastructure for electric vehicles, the Task Force is very pleased to report that a recent bid to the Local Electric Vehicle Infrastructure Fund by the County Council's Highways and Transportation Service was successful. The service has been awarded £2 million which will go towards the installation of 70 new charging points in grid constrained rural areas across the county. In keeping with the Commission's recommendation, this piece of work will include an element of community car sharing and community ownership.

- In line with the Commission’s recommendation that the County Council should review the need for car parking spaces at train stations and invest in expanding provision where needed, the Council continues to work with the rail industry and landowners to explore opportunities where viable land could come forward for car parking in the future. Thirsk Station has recently increased its car park size and a landowner close by is looking to develop a private car park. There are also plans to increase car parking at Cattal, Scarborough, Selby and Seamer rail stations.
- In step with the Commission’s recommendation that the County Council should take up the opportunity to provide more innovative passenger transport, YORbus was successfully piloted and continues to operate across parts of the county. It is worth noting that as part of its settlement at the Spending Review, Defra has received funding to replace EU funding which allowed local communities to respond imaginatively to local needs around transport. Defra will set out over the coming months how the additional funding for rural areas can be used to deliver small-scale capital grants for businesses as well as rural community infrastructure.

Challenge Sessions & External Validation

- 3.17. One key feature of the work of the Task Force has been a programme of external validation sessions to provide the appropriate level of external challenge and endorsement, in addition to the internal challenge provided by the Task Force. As part of the external challenge process, it was proposed that the Task Force should also engage with members of the Rural Commission.
 - 3.18. Three challenge sessions took place in July 2022: Rural Housing (6 July); Rural Transport (12 July); Rural Schools, Education & Skills (20 July).
 - 3.19. Challenge sessions were tailored to provide external stakeholders with a review of the actions and progress from Task Force representatives in key policy areas and provided plenty of opportunity for discussion and debate between all participants. Each challenge session included at least one member of the Rural Commission and between three and five other external stakeholders.
 - 3.20. Outcomes from the challenge sessions have been positive and feedback was constructive. External partners stated that the actions and activities of the Task Force generally felt appropriate and suitable and were on track to be delivered effectively. For example, for rural transport, one participant stated, *“A really interesting session, I enjoyed hearing about the progress, which is considerable.”*
 - 3.21. Stakeholders helpfully suggested a number of additional activities to support delivery of some of the recommendations in a more effective way - for example, for rural housing, the planned networking seminar with estates from across North Yorkshire on 17 November.
 - 3.22. More sessions have been scheduled for the autumn and the work being undertaken by the Rural Task Force will be considered at a meeting of the Ripon Cathedral Rural Forum on 18 November.
- 4. Discussion**
- 4.1. Since the publication of the Rural Commission Report, the world looks like a very different place. The fast-changing world context does have an effect on the countryside economy and the communities situated in deeply rural places as much as in the towns and cities across the county.

- 4.2. The knock-on effects of the war in Ukraine continue to influence the rural economy in North Yorkshire, while the full implications of the UK's departure from the EU is still not clear as the country struggles to reset itself after the pandemic. Key Government strategies, such as support to farmers, taxation and public expenditure, are also under review.
- 4.3. The achievements and ongoing work of the Task Force take place against a challenging national backdrop of economic recession, rising prices (especially on food and fuel) and the continued energy crisis. New research on the rural cost of living highlights the lived reality of rising prices and the squeeze on household budgets on the day-to-day lives of thousands of ordinary families but especially the vulnerable. Rural residents working in rural economies typically earn significantly less compared with urban areas and face higher costs for housing, heating, food, transport and energy. Rural house prices are on average 39% higher than urban house prices (excluding London) and can be up to 55% higher in smaller rural villages and hamlets. Rural households spend around £114 per week on transport costs, compared with £76 for urban households, whilst the average estimated energy costs for predominantly rural dwellings is approximately 10% higher. Weekly food shopping for rural households is also 2% higher on average at £66 per week and is higher still for rural households where access to food shops or digital access to online shopping is an issue (Kovia Consulting, 2022).
- 4.4. Despite the higher costs of service provision and greater need for public services in rural places, current Government calculations on national funding allocations results in lower levels of public funding for rural areas. Rural areas currently receive 37% less from the national Settlement Funding Assessment (SFA) grant, compared to urban areas (equivalent to £105 per head) and have less to spend on discretionary services, such as transport, which often provide a lifeline for rural communities (Rural Services Network, 2022). The County Council manages its own finances very well but the additional expenditure on energy, adult social care and increases in staff pay will cost the County Council an additional £51 million this financial year.
- 4.5. The Government's recent review of the Green Book process was the latest missed opportunity to level out the rural imbalance with proportionate funding for capital schemes in rural areas. Under this process, rural areas currently receive 44% less from Government capital funding, compared to urban areas (equivalent to £133 per head) (Munro and Pragnell, 2021). It also contradicts the national commitment to tackle regional inequality and level up the country.
- 4.6. Despite the changing and challenging context, the Task Force has responded successfully and effectively to the challenges laid down by the Commission and has built momentum to tackle the range of issues in deeply rural areas.
- 4.7. Moving forward, it is essential that the new North Yorkshire Council picks up and embeds this approach within its own organisational structures, strategy and delivery mechanisms and plays an enhanced role in tackling the long-standing and deep-rooted challenges faced by the most rural communities across the County.
- 4.8. It is also important that the new North Yorkshire Council continues to utilise the collective power of organisations within the County to engage more effectively with the Government and ensure that rural issues are at the forefront of national policy development.
- 4.9. It is anticipated that the membership and format of the Task Force will change over the next year, following the formation of North Yorkshire Council and the consequential restructuring of many partnerships in the County, for example by it becoming an integral part of a revised Chief Executives Group, which brings together chief executives of local public sector organisations and key representatives of other sectors.

- 4.10. The ongoing work still needed to tackle these types of issues also requires the Government to recognise the distinctive challenges experienced by rural communities and place the rural dimension and rural problems at the heart of the national policy framework.
- 4.11. The challenges faced by rural communities in North Yorkshire cannot be separated out from the national context and the development and direction of national policy. Government recognition and intervention is critical across all policy areas covered in this work programme. This ranges from electric vehicle charging infrastructure, to digital connectivity and digital inclusion, to school funding allocations, to support for farmers, and so on. In all these instances and more, increased funding, additional support and resource allocation and a genuine commitment to fairness and equality in rural areas are critical if the Government is serious about realising its own ambitions to level up the country. In the vein of the Task Force, the Government will need to actively support, lean in and put its own shoulder to the wheel.

5. Financial implications

- 5.1. The action plan is a high-level strategic document that sets out the direction of travel. As such, it does not contain detailed information about specific policy changes or service delivery. The financial implications at specific policy or service delivery level has been and/or will be impact assessed as these are developed.

6. Legal implications

- 6.1. The action plan is a high-level strategic document that sets out the direction of travel. As such, it does not contain detailed information about specific policy changes or service delivery. The legal implications at specific policy or service delivery level has been and/or will be impact assessed as these are developed.

7. Climate change implications

- 7.1. The action plan is a high-level strategic document that sets out the direction of travel. As such, it does not contain detailed information about specific policy changes or service delivery. The climate change implications at specific policy or service delivery level has been and/or will be impact assessed as these are developed. The action plan aims to have a positive impact on the environment, to reduce carbon emissions and to increase the resilience of the County to climate change.

8. Equalities implications

- 8.1. The action plan is a high-level strategic document that sets out the direction of travel. As such, it does not contain detailed information about specific policy changes or service delivery. The equalities implications at specific policy or service delivery level has been and/or will be impact assessed as these are developed. The action plan aims to have a positive impact for people who live in the most rural parts of the County by increasing access to employment, infrastructure, housing, education and other services.

9. Recommendations

- 9.1 The Executive are asked to:
- i. Receive and consider the report on progress since publication of the report of the North Yorkshire Rural Commission in July 2021.

- ii. Integrate the challenges set out by the Rural Commission and the work undertaken by the Rural Task Force into the strategy and delivery of North Yorkshire Council.
- iii. Lobby the Government again on the need for it to recognise the distinctive challenges experienced by rural communities and place the rural dimension and rural problems at the heart of the national policy framework. In particular by the provision of fairer funding for super-sparse schools, more support for electric vehicle charging infrastructure, more support for the farming sector and additional resources to achieve digital inclusion in rural communities.

Neil Irving
Assistant Director - Policy, Partnerships and Communities.
28 October 2022

Author: Anthony Ruddy, Senior Strategy Officer - Policy, Partnerships and Communities.

Appendices:

Appendix 1: Membership of Rural Task Force.
Appendix 2: Rural Task Force Action Plan.

Background papers relied upon in the preparation of this report:

- Kovia Consulting (2022) *Rural Cost of Living: Overview of key differences in cost of living between rural and urban locations*, July 2022. [New report shows devastating triple blow pushes rural communities into a cost-of-living emergency - Rural Services Network \(rsnonline.org.uk\)](https://rsnonline.org.uk/news/new-report-shows-devastating-triple-blow-pushes-rural-communities-into-a-cost-of-living-emergency)
- Munro, R. and Pragnell, M. (2021) *Towards a Greener Green Book Process: Delivering the promise of proportionate public funding for rural communities*, February, 2021, Pragmatix Advisory. [Towards a greener Green Book process \(cpre.org.uk\)](https://cpre.org.uk/towards-a-greener-green-book-process)
- Rural Commission (2021) *Rural Commission Report: Rural North Yorkshire: The Way Forward*, July 2021. www.northyorks.gov.uk/north-yorkshire-rural-commission
- Rural Services Network (2022) *Reducing Rural Inequalities: Impact of current approach on rural communities*, September 2022. [Rural Fair Funding Campaign - Rural Services Network \(rsnonline.org.uk\)](https://rsnonline.org.uk/news/rural-fair-funding-campaign)

Membership of Rural Task Force**Membership**

Adam Bedford	National Farmers Union
Jane Colthup	Community First Yorkshire
James Farrar	York & North Yorkshire Local Enterprise Partnership
Richard Flinton (Chair)	North Yorkshire County Council
Chris France	North York Moors National Park Authority
Mike Greene	Scarborough Borough Council
Dr Justin Ives	Hambleton District Council
Robert Ling	North Yorkshire County Council
Barrie Mason	North Yorkshire County Council
Amanda Newbold	North Yorkshire County Council
Allister Nixon	Yorkshire Agricultural Society
Liz Small	North Yorkshire County Council
Gary Smith	Yorkshire Dales National Park Authority
David Smurthwaite	Craven District Council
Tim Whitaker	Askham Bryan College

Supporting

Vanessa Glover	North Yorkshire County Council
Neil Irving	North Yorkshire County Council
Paul Jeeves	North Yorkshire County Council
Rachel Linehan	Defra (observer)
Anthony Ruddy	North Yorkshire County Council

Rural Task Force Action Plan

Policy Theme: Rural Economy | Lead Officer: James Farrar (LEP)

Key Structure / Delivery Mechanism: North Yorkshire Unitary Growth Plan

	Action	Progress	Timescale	Organisation
1	Devolution is critical to ensuring the right use of investment in the region and the Commission calls on the Government to agree a deal as a matter of urgency.	Ongoing	Medium term	National Government
2	The North Yorkshire Council must work with both public and private partners to encourage investment in the region.	Ongoing	Long term	NYC & YNYLEP
3	The North Yorkshire Council and LEP must ensure ambitious economic plans and strategies which: <ul style="list-style-type: none"> • Create a clear strategic ambition for the region • Realise the potential of our natural capital in food, farming, forestry and renewable energy • Develop place plans for each of our market towns; and • Promote a carefully managed, sustainable tourism industry. 	Ongoing	Medium term	NYC & YNYLEP
4	The Commission believes that greater business support is needed for small to medium enterprises. Mentoring, coaching, and skills, from accessing finance to marketing, are required. The LEP Business Support function must ensure support is available for rural and remote rural areas, working closely with local networks and partners.	Ongoing	Medium term	YNYLEP

Policy Theme: Energy Transition | Lead Officer: James Farrar (LEP)
 Key Structure / Delivery Mechanism: YNYLEP Carbon Abatement Pathway

	Action	Progress	Timescale	Organisation
5	The LEP and North Yorkshire County Council must advocate for investment in rural electricity infrastructure to ensure new clean energy technology is a viable commercial enterprise for the County. Government investment must be measured and influenced. LEP & NYC to lobby for rural investment.	Ongoing	Medium term	YNYLEP / NYCC / NYC
6	The LEP and Councils must continue to develop the 'Routemap to Carbon Negative' with supporting integrated implementation plans.	Ongoing	Medium term	YNYLEP
7	The North Yorkshire Council and National Park Authorities should provide advice on measures and upgrades to buildings that can be undertaken to increase energy efficiency of traditional buildings to ensure a 'fit-for-purpose' future within the North Yorkshire Council area.	Ongoing	Long term	NYC / NPAs
8	North Yorkshire's Investment Plan for Shared Prosperity Funding must prioritise net zero ensuring rural areas are not left behind, whilst leveraging new investment to seed-fund new business opportunities and research behaviour change.	Ongoing	Medium term	YNYLEP / NYCC / NYC
9	The Yorkshire and Humber Climate Commission will ensure the specific rural challenges and opportunities are fully reflected through invited representation on (1) the net zero working group and (2) the land and nature panel.	Ongoing	Medium term	YHCCC

	Action	Progress	Timescale	Organisation
10	North Yorkshire County Council's Digital Advisory Group should consider and agree national guidance and best practice (produced by DCMS and national park authorities) for integrating new digital infrastructure into protected landscapes.	Ongoing	Short term	NYCC / NPAs / AONBs
11	National government and Ofcom must understand digital connectivity as a human right. This is as much a human right for people in rural and remote areas as it is in urban areas. The Commission advocates that the Government begin by connecting its most remote citizens to avoid the typical lagging-behind model.	Ongoing	Long term	Ofcom
12	DCMS must place a higher priority on digital inclusion in rural communities and set out a strategic approach to address the issue for North Yorkshire and other sparsely populated areas. The Shared Prosperity Fund could be used as a vehicle to address this issue.	Ongoing	Long term	DCMS
13	The County Council must follow best practice and work with alternative providers that are committed to connecting remote and rural areas. The County Council must follow best practice and work with smaller, entrepreneurial providers, including those based locally within the County, to install digital technology in the hardest-to-reach rural places. Community facilities must be fully utilised and financially supported to promote digital inclusion.	Ongoing	Long term	NYCC
14	The County Council must work with village hall trustees and faith communities to develop a strategy to invest in and use their buildings to ensure remote rural communities are connected.	Ongoing	Long term	NYCC
15	The County Council must, as planned, lead on digital education, digital champions and ensure rural and remote North Yorkshire understands the benefits of superfast broadband. The County Council must ensure that a comprehensive training programme is delivered to ensure residents of all ages in rural and remote areas have the necessary skills to maximise the benefit of digital connectivity.	Ongoing	Medium term	NYCC
16	The Council must encourage businesses and industry to apply for the funding Project Gigabit has made available to encourage industry to use new wireless equipment, low orbit satellites or high-altitude platforms to connect remote communities.	Ongoing	Long term	NYCC
17	The Commission would like to see central government continue the investment into North Yorkshire utilising the capabilities within the wider partnership to run exciting and innovative digital trials.	Ongoing	Long term	National Government

	Action	Progress	Timescale	Organisation
18	Defra must have a more integrated approach to farming, land management and the environment, looking at the whole holding rather than just parts of it. It must recognise that farming and land management practices are central to achieving environmental targets. Working with Nature, rather than substituting for it, will deliver the most profitable farms in conjunction with the most sustainable Nature. NFU will continue to lobby Defra on these issues.	Ongoing	Long term	Defra
19	The County Council, in conjunction with the Yorkshire Agricultural Society, should facilitate a new Farm Business Task Force to direct the culture change needed for the farming future and to ensure changed business practice meets environmental targets. This should liaise closely with the national Agricultural Productivity Task Force.	Completed	Short term	NYCC / YAS
20	Defra must provide free business coaching and mentoring support to help farm businesses survive and restructure, whilst ensuring support is in place to help farmers exit the industry with dignity.	Completed	Short term	Defra
21	Defra business mentoring must be targeted at the farm family rather than a 'farmer' to achieve culture change.	Ongoing	Medium term	Defra
22	Land based colleges must review how they teach the curriculum and assess what skills might be needed in future.	Ongoing	Medium term	Land based colleges
23	The Yorkshire Agricultural Society must continue to lead by example and help establish producer groups that focus on the whole food cycle, its relationship to Natural Capital and not just an economies-of-scale production approach.	Ongoing	Short term	YAS
24	Defra, the Forestry Commission, landowners, interest groups and the public must work together to ensure North Yorkshire's trees, woodlands and forests meet the evolving needs and requirements of the region.	Ongoing	Long term	Defra / Forestry Commission

	Action	Progress	Timescale	Organisation
25	The Commission believes that the Department for Education (DfE) must revise its National Funding Formula to ensure increased support for rural super-sparse secondary schools. The Commission fully endorses the County Council's request to consider providing a weighting of 3 to the sparsity funding level of small, rural, "super-sparse" secondary schools where the average sparsity road distance is greater than 9 miles (3 times the standard 3 miles distance). This would provide the necessary funding to ensure the future of these secondary schools. NYCC will submit another letter to the DfE before the end of the financial year - March 2022	Ongoing	Medium term	NYCC
26	The County Council must work with ESFA and providers to lead a review of Post 16 provision in the county, ensuring a greater understanding of areas where there is limited choice for academic and technical provision and enabling providers to reflect and adjust their offers where possible. NYCC will lobby ESFA to support schools, colleges and training providers to promote choice of provision.	Ongoing	Medium term	NYCC / ESFA / Post 16 providers
27	NYCC should encourage schools and colleges to gain formal accreditation of their careers programmes. NYCC must work alongside the LEP, CEC and Careers Hub to promote and support effective careers guidance in schools.	Now integrated into normal business	Medium term	NYCC / Schools and colleges / CEC / YNYLEP
28	NYCC should lobby for fairer funding, new investment and opportunities that ensure greater access to suitable early years, school and Post 16 offer for all children and young people in NY, particularly those living in rural areas.	Ongoing	Medium term	NYCC

Policy Theme: Rural Housing | Lead Officer: Justin Ives (HDC)

Key Structure / Delivery Mechanism: Housing Strategy Board & LGR Housing Workstream (supported by NPAs and District Councils)

	Action	Progress	Timescale	Organisation
29	The formula for designating affordable housing must be revised by The Department for Levelling Up, Housing and Communities so that it does not reflect market value in an area but rather average income in the area.	Ongoing	Short term	DLUHC
30	The local authority should be enabled to have the power to levy a charge on second homes which must stay in the County and be used to further affordable housing.	Ongoing	Medium term	NYC / DCs
31	To deliver 4,759 quality new homes per year, of which 1,326 each year will be affordable; with delivery spread across as many parishes as possible whilst targeting parishes with the most acute housing need.	Ongoing	Long term	Local Planning Authorities
32	A scheme must be developed which prioritises the access of essential and low-paid workers to affordable homes in rural and remote areas.	Ongoing	Medium term	NYCC / DCs
33	North Yorkshire Council will work with our partners to maximise and promote affordable housing products.	Ongoing	Long term	DCs / NPAs
34	The Country Land and Business Association (CLA) should work with the local planning authorities to encourage landowners to increase housing provision in estate villages. Examples of good practice must be shared.	Ongoing	Long term	CLA
35	Local authorities must work with estate owners to establish 10/20/50 year plans for estate villages.	Ongoing	Long term	CLA / NYCC / DCs / NPAs
36	The North Yorkshire Council will promote and deliver (directly and indirectly) energy efficiency advice and initiatives to improve energy efficiency in the housing stock and reduce fuel poverty.	Ongoing	Medium term	NYCC / DCs

	Action	Progress	Timescale	Organisation
37	The Commission believes that Defra must make it clear what rural fund will replace the loss of the EU Rural Development Programme funding which allowed local communities to respond imaginatively to local needs around transport.	Ongoing	Short term	Defra – reallocated to DfT
38	Until the devolved authority is established, the County Council must have the power to use Shared Prosperity Funds and Levelling Up Funds to design relevant schemes for rural and remote areas in North Yorkshire.	Ongoing	Medium term	NYCC / DCs
39	The Commission believes that the County Council should take up the opportunity to provide more innovative passenger transport such as demand responsive transport across the county, as outlined in the Government’s national bus strategy, Bus Back Better, opening up the travel choice options of rural and remote areas. The Bus Back Better funding must invest in these services and the technology required to support them, together with innovative improvements to promoting these and other services.	Ongoing	Medium term	NYCC
40	The Commission supports the installation of fast charging infrastructure for electric vehicles, with financial support to buy a number of electric vehicles which can be made available for community rental. The Levelling Up/ Shared Prosperity Fund must provide some seed funding to allow the raising of matched funding from business and industry.	Ongoing	Medium term	NYCC
41	The Commission recommends that the County Council reviews the need for car parking spaces at train stations and invests in expanding provision where needed.	Ongoing	Medium term	NYCC
42	The Commission expects large rural employers to work collaboratively with regional councils and communities to help identify innovative travel-to-work solutions in rural areas.	Ongoing	Medium term	NYCC
43	The Commission believes that the County Council should promote active transport where appropriate. To facilitate this, the County Council must examine and develop the necessary infrastructure: more cycle lanes, cycle routes and safe places to “park” a bike.	Ongoing	Medium term	NYCC

Policy Theme: Crosscutting

	Action	Progress	Timescale	Organisation
44	Devolution is critical to securing long-term investment into the region and the Commission calls on the Government to agree a deal as a matter of urgency. This will allow North Yorkshire to ensure best use of Levelling Up Funds for its remote and rural regions.	Ongoing	Medium term	National Government
45	The County Council must establish an Advisory Task Force to include civil servants, rural business, banking and industry, academic and scientific expertise, and communities. This Task Force will advise how to take forward the recommendations of the Rural Commission and advise on appropriate time frames when the capacity and budget of the devolved authority becomes clear. It will advise the County Council and the devolved administration. It must be chaired by the Chief Executive Officer of the County Council, and subsequently the Mayor.	Completed	Short term	NYCC
46	The Commission urges the Government to ensure Levelling Up Funds recognise the needs of sparsely populated northern regions as much as the needs of northern industrial regions.	Ongoing	Medium term	National Government
47	Community and social infrastructure are critical. The Government must ensure Levelling Up Funds protect social infrastructure in remote and rural regions.	Ongoing	Medium term	National Government

Abbreviations and acronyms used in action plan:

AONBs	Areas of Outstanding Natural Beauty
CEC	Careers & Enterprise Company (government established national body for careers education)
CLA	Country Land and Business Association
DCMS	Department for Digital, Culture, Media & Sport (government department)
DCs	district and borough councils
Defra	Department for Environment, Food and Rural Affairs (government department)
DfE	Department for Education (government department)
DfT	Department for Transport (government department)
DLUHC	Department for Levelling Up, Housing and Communities; formerly the Ministry for Housing, Communities and Local Government (government department)
ESFA	Education and Skills Funding Agency (government agency accountable for funding education and skills).
LEP	Local Enterprise Partnership
NPA	National Park Authority
NY	North Yorkshire
NYC	North Yorkshire Council (unitary council replacing NYCC and DCs in April 2023)
NYCC	North Yorkshire County Council
Ofcom	Office of Communications (regulatory authority for broadcasting, telecommunications and postal industries)
Ofsted	Office for Standards in Education, Children's Services and Skills (non-ministerial government department)
YAS	Yorkshire Agricultural Society
YHCCC	Yorkshire and Humber Climate Commission
YNYLEP	York and North Yorkshire Local Enterprise Partnership

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NORTH YORKSHIRE COUNTY COUNCIL

THE EXECUTIVE

8 November 2022

REVIEW OF SPECIAL EDUCATIONAL NEEDS AND DISABILITIES PROVISION: PROPOSALS TO CHANGE PROVISION AT BROMPTON HALL SCHOOL

Report by the Corporate Director – Children and Young People’s Service

1 PURPOSE OF REPORT

- 1.1 To provide the Executive with information upon which to make a decision on proposals published by North Yorkshire County Council to cease residential provision at Brompton Hall School, extend the designation of the school to co-educational, and increase the number of day places at the school.

2 EXECUTIVE SUMMARY

- 2.1 On 21 June 2022 the Executive gave approval for further consultation on proposals to cease residential provision at Brompton Hall School, extend the designation of the school to co-educational, and increase the number of day places. The consultation commenced on 22 June 2022 and closed on 8 September 2022.
- 2.2 The Executive met on 20 September 2022 and considered the outcome of the consultation. They agreed to publish statutory proposals on 29 September giving 4 weeks until 27 October for representations to be made.

3 BACKGROUND

- 3.1 The Education and Inspections Act 2006 sets out the procedures for making changes to a maintained school. These are detailed in School Organisation regulations and guidance.¹ The regulations and guidance apply to Local Authorities and governing bodies proposing to make changes to schools, and to Local Authorities (including the County Council’s Executive and Executive Members) acting as decision-makers.

4 PROPOSALS

- 4.1 North Yorkshire County Council proposes to:

- 1) Remove residential (boarding) provision at Brompton Hall School from 1 September 2024, with no new residential placements made from September 2023.
- 2) Change from single-sex (boys) to co-educational provision at Brompton Hall School from 1 September 2023.
- 3) Phased increase in the number of day places at Brompton Hall School from 67 to up to 85 from 1 September 2023.

These three proposals are linked and will only be implemented subject to all the proposals being approved.

¹ The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013 and Department for Education statutory guidance Making significant changes (‘prescribed alterations’) to maintained schools Statutory guidance for proposers and decision-makers, October 2018.

5 RESPONSES TO STATUTORY PROPOSALS

- 5.1 The Statutory Proposals were published on 29 September 2022 with a representation period of 4 weeks (Appendix 1). The public notice, placed on the school gates, in the local newspaper and on the County Council's website, invited written objections or comments to be submitted by 27 October 2022.
- 5.2 No responses to the statutory proposals have been received.

6 FINANCIAL IMPLICATIONS

- 6.1 The implications for revenue and capital funding were set out in the report to Executive on 21 June 2022.

7 LEGAL IMPLICATIONS

REGULATIONS AND GUIDANCE

- 7.1 The consideration and determination of school organisation proposals by the Local Authority is set out in regulations and in guidance (Appendix 2) produced by the Department for Education. Careful regard has been had to these provisions.

PRELIMINARY CHECKS

- 7.2 The guidance requires that the Decision Maker must consider, on receipt of each proposal, whether any information is missing; whether the published notice of the proposal complies with statutory requirements; whether the statutory consultation has been carried out prior to the publication of the notice; and whether the proposal is related to other published proposals.
- 7.3 Having undertaken an audit of these preliminary checks, the Assistant Chief Executive (Legal and Democratic Services) advises that:
- all information required has been supplied;
 - the published notice complies with statutory requirements;
 - statutory consultation has been carried out prior to publication of the notice;
 - and that the preliminary points for consideration have been dealt with sufficiently to permit the Executive to proceed to determine this proposal.

TYPES OF DECISION THAT CAN BE MADE

- 7.4 In considering proposals for making changes to school provision, the Executive, as Decision Maker can decide to:
- reject the proposals;
 - approve the proposals;
 - approve the proposals with a modification;
 - approve the proposals subject to them meeting a specific condition (these conditions are set out in paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations, and are not considered applicable to this proposal).

8 EQUALITIES IMPLICATIONS

- 8.1 A full Equalities Impact Assessment is attached as Appendix 3 and contains the following summary:
- 8.2 Following the second consultation period, steps will be taken to make decisions to implement these proposals, there may be adverse impacts for those people who fall under the protected characteristics of age, gender and disability.
- 8.3 During the second consultation and decision making process, any identified adverse impact will be fully considered and identified how this can be mitigated. Mitigations are already identified if proposals are taken though residential provision will be phased out to ensure that this impacts the least amount of pupils, and as each pupil has assessed needs and provision to meet their needs, they will have individual consideration as to how any adverse impacts can be mitigated in their individual case.
- 8.4 This proposal is likely to make things better for girls with SEND as there will be a special school offer within the Scarborough, Whitby, Ryedale locality which may enable them to remain closer to their families and allow them to be educated in their local community. This is currently not an option for girls with primary assessed needs of SEMH.
- 8.5 This proposal is likely to reduce costs across council budgets. By having a maintained offer for girls who have an assessed of SEMH there will be a more cost effective option than the current independent and out of county placements which need to be used. It will also create more places for both boys and girls so more young people can access the provision they need.
- 8.6 Key stakeholders have been involved in the development of the proposal and have included NYCC Children and families service, including Disabled Children's Service. Under section 27 of the Children & Families Act 2014 public consultation with all stakeholders was required and has taken place.

9 CLIMATE CHANGE IMPLICATIONS

- 9.1 A Climate Change Impact Assessment accompanied the report to Executive on 21 June 2022.

10 PROCEDURE FOR THE MEETING

- 10.1 The Executive agreed on 25 September 2007 that in making a decision on school organisation proposals:
- (a) The Executive must have regard to decision makers' guidance published by the DfE and to the Executive Procedure Rules laid down in the North Yorkshire County Council Constitution.
 - (b) All decisions must give reasons for the decision, indicating the main factors/criteria for the decision.

11 REASONS FOR THE RECOMMENDATION

- 11.1 Ceasing the residential offer at Brompton Hall School will improve SEND services as:
- More young people with SEMH needs grow up in a family environment.
 - More young people with SEMH needs will be able to access day and extended day places at a school close to their families and communities.
 - The viability of the school will be improved.

- Girls will have a local special school offer which does not currently exist.
- 11.2 Changing the designation of Brompton Hall School from single sex, boys, to co- educational will improve SEND services for people as there will be a maintained local offer for day and extended day placements for girls and those who identify as non-binary with SEMH needs in the Scarborough, Whitby, Ryedale area.
- 11.3 In June 2021 the school was subject to an Ofsted inspection as a result of which the school was rated as 'Inadequate' in all areas. The school currently has an acting Headteacher and an Interim Executive Board has been established to provide governance. The local authority has been working closely with the school to address the various concerns highlighted. Under the direction of the Regional Schools Commissioner the school has been instructed to convert to an Academy and Venn Multi Academy Trust have been identified as the preferred trust to run the school in future.
- 11.4 Moving forward it is essential to the improvement of the school under the direction of an Academy Trust or otherwise that the local authority's commissioning intentions are clear so they are able to rapidly improve standards and contribute to meeting the growing need of children with SEMH needs requiring specialist placements.
- 11.5 The local authority has a duty to ensure that assessed care needs of children are met and whilst the Brompton Hall offer provides one option for such the local authority will always preference the provision of such care in a family based setting wherever possible and appropriate.

12 RECOMMENDATIONS

- 12.1 That having undertaken the required preliminary checks, the Executive resolve that:
- i. The four key issues listed above in paragraph 7.3 have been satisfied and therefore there can be a determination of the proposals.
 - ii. The following proposals be determined:
 - To remove residential (boarding) provision at Brompton Hall School from 1 September 2024, with no new residential placements made from September 2023.
 - To change from single-sex (boys) to co-educational provision at Brompton Hall School from 1 September 2023.
 - To introduce a phased increase in the number of day places at Brompton Hall School from 67 to up to 85 from 1 September 2023

Stuart Carlton
Corporate Director – Children and Young People's Service

Report prepared by Chris Reynolds - Head of SEND Strategic Planning and Resources

List of Appendices

Appendix 1: Statutory Notice and Statutory Proposal
Appendix 2: School Organisation Guidance for Decision Makers
Appendix 3: Equalities Impact Assessment

Background documents

Reports to Executive, 21 June, 20 September 2022
Report to Executive Members 25 January 2022

NORTH YORKSHIRE COUNTY COUNCIL

Brompton Hall School

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that North Yorkshire County Council, County Hall, Northallerton, DL7 8AD, intends to make prescribed alterations to Brompton Hall (Community Special) School, High Street, Brompton-by-Sawdon, Scarborough, North Yorkshire, YO13 9DB.

These proposals are (1) to remove residential (boarding) provision at Brompton Hall School from 1 September 2024, with no new residential placements made from September 2023; (2) to change from single-sex (boys) to co-educational provision at Brompton Hall School from 1 September 2023; and (3) to increase the number of day places at Brompton Hall School from 67 to up to 85 from 1 September 2023. These three proposals are linked and will only be implemented subject to all the proposals being approved.

Copies of the complete proposals can be obtained from Strategic Planning - Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AD and are available on the County Council's website at <https://www.northyorks.gov.uk/current-consultations>

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposals by sending them to Strategic Planning - Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AD, or by emailing schoolorganisation@northyorks.gov.uk by 5pm on 27 October 2022.

Signed: B. Khan
Assistant Chief Executive
(Legal and Democratic
Services)
Publication Date: 29 September 2022

School organisation proposals to remove residential provision, to change from single sex to co-educational provision, and to increase the number of day places at Brompton Hall School

School and Local Authority details

Proposals published by North Yorkshire County Council, County Hall, Northallerton, DL7 8AD, to make significant changes ('prescribed alterations') to Brompton Hall Community Special School, High Street, Brompton-by-Sawdon, Scarborough, North Yorkshire, YO13 9DB.

Description of alterations and evidence of demand

Proposals by North Yorkshire County Council to:

- 1) Remove residential (boarding) provision at Brompton Hall School from 1 September 2024, with no new residential placements made from September 2023.
- 2) Change from single-sex (boys) to co-educational provision at Brompton Hall School from 1 September 2023.
- 3) Phased increase in the number of day places at Brompton Hall School from 67 to up to 85 from 1 September 2023.

These three proposals are linked and will only be implemented subject to all the proposals being approved.

As part of the statutory responsibilities of the Local Authority to keep its special educational provision under review, and to ensure that the needs of children and young people with Special Educational Needs and Disabilities (SEND) are suitably met, a review of residential provision at Brompton Hall School has been undertaken.

Brompton Hall is one of two maintained special schools in North Yorkshire that offer 4 night per week residential provision. It provides day, extended day and residential provision for children and young people aged 8 – 16 years with Social, Emotional and Mental Health needs. The school's current designation is as a single sex, boys' school.

Between 2018 and 2021 there has seen a steady decline in demand for residential placements, from 38 to 29. The forecast for the next 3 years, with placements based on assessed care and educational needs, indicates a sharp decrease which will have significant implications for the viability of the school budget.

The falling demand for the residential offer at Brompton Hall School is highly likely to continue. Demand in the East of the county for Social, Emotional and Mental Health (SEMH) special school provision is continually outstripping supply. There is an inequity in the offer that currently exists in the East of the county where there is no specialist provision for girls with SEMH.

Objectives (including how the proposal would increase educational standards and parental choice)

Ceasing the residential offer at Brompton Hall School will improve SEND services as:

- More young people with SEMH needs grow up in a family environment.
- More young people with SEMH needs will be able to access day and extended day places at a school close to their families and communities.
- The viability of the school will be improved.
- Girls will have a local special school offer which does not currently exist.

Changing the designation of Brompton Hall School from single sex, boys, to co-educational will improve SEND services for people as:

- There will be a maintained local offer for day and extended day placements for girls and those who identify as non-binary with SEMH needs in the Scarborough, Whitby, Ryedale area.

In June 2021 the school was subject to an Ofsted inspection as a result of which the school was rated as 'Inadequate' in all areas. The school currently has an acting Headteacher and an Interim Executive Board has been established to provide governance. The local authority has been working closely with the school to address the various concerns highlighted. Under the direction of the Regional Schools Commissioner the school has been instructed to convert to an Academy and Venn Multi Academy Trust have been identified as the preferred trust to run the school in future.

Moving forward it is essential to the improvement of the school under the direction of an Academy Trust or otherwise that the local authority's commissioning intentions are clear so they are able to rapidly improve standards and contribute to meeting the growing need of children with SEMH needs requiring specialist placements.

The local authority has a duty to ensure that assessed care needs of children are met and whilst the Brompton Hall offer provides one option for such the local authority will always preference the provision of such care in a family based setting wherever possible and appropriate.

The effect on other educational institutions within the area

There is not expected to be any effect on other schools, academies and educational institutions.

Project costs and indication of how these will be met, including how long-term value for money will be achieved

In constructing the financial analysis, it has been assumed that:-

- no new residential placements are made at Brompton hall from September 2022 onwards - and that all residential provision is discontinued with effect from September 2024

- all pupils who would otherwise have been admitted into residential provision will access extended day provision (in the same percentages and funding rates as applicable to the rest of the school population)
- no other placement costs are incurred as a result of the discontinuation of residential provision

The financial analysis at this point has not considered potential severance costs incurred as a result of the proposed changes, and it has not taken into account the potential capital spend that will need to be incurred to convert spaces to facilitate an increase in the day capacity at the school. However, high level assessments are being undertaken to ascertain any potential works that may be needed.

An assumption has been made that, in the future, pupils who would otherwise have been in residential provision will require transport to school on a daily basis, and costed on the basis of average journey distance of 15 miles, two pupils per route and an average cost of £5 per mile. The costs necessarily require some speculation because we are assessing the needs of pupils not yet known to the local authority (i.e. future cases where pupils attend on a day basis rather than are allocated residential placements)

Applying these assumptions generates a reduction in spend of approximately £408k in a full financial year (2025/26) to the high needs budget or £237k to the overall local authority resources when the additional transport costs are taken into account.

Brompton Hall School ended the financial year 21/22 with a positive balance of £350k, but the position had deteriorated to a deficit balance of £102k by the end of the 22/23 financial year. The school has recently reviewed and submitted a revised five year financial plan predicated upon the changes to residential provision taking effect and residential provision discontinuing from summer 2023, and that proposed change being is accompanied by expansion of day placements to approximately 85 over a three year period. The resultant budget projections are that the school will have a cumulative negative balance of £218k by the end of the 2026/27 financial year. However, efficiency review work undertaken in Autumn 2021 identified a number of significant further opportunities – which have not been incorporated into the budget at this juncture, with the school potentially converting to academy status in the near future. This has led the local authority to conclude that the school can both have a sustainable budget position and not be adversely impacted by the changes proposed to residential provision.

The particular challenge relating to Brompton Hall will be the risk of the residential provision not being viable during the 2 year transitional period - because the school is unable to safely reduce staffing levels directly in proportion to the planned reductions in the number of residential placements. Any proposed changes to residential funding to support the school through this period would need to be ratified by North Yorkshire School's Forum.

Implementation plan

Residential placements for those pupils who currently have one will continue until September 2024. This will enable the majority of young people to naturally reach the end of their time at the school in year 11 and move on. The County Council's services and the

school will work together to ensure that the most appropriate support is put in place for young people to transition to new arrangements based on their individual circumstances.

Consultation

The County Council consulted under the Children and Families Act 2014 from 7 February to 25 March 2022 on proposals to change special educational provision at Brompton Hall School. This first consultation included stakeholder events for parents and professionals. The responses made were set out in the report to the Executive on 21 June 2022.

The County Council consulted specifically on the school organisation proposals from 29 June to 8 September 2022. A copy of the consultation paper is attached as Appendix 1. A list of the consultees is attached as Appendix 2. Two online public consultation meetings were held and notes of these meetings are attached as Appendix 3. The consultation responses received are attached as Appendix 4.

Related proposals

This proposal is not related to any other proposals

Procedure for making responses (support, objections and comments)

Within four weeks from the date of publication of this proposal, any person may object to or make comments on the proposal by sending them to Corporate Director- Children and Young People's Service, North Yorkshire County Council, County Hall, Northallerton, DL7 8AE, or emailing schoolorganisation@northyorks.gov.uk by 5pm on 27 October 2022.

Appendices

Appendix 1 - consultation paper – see Appendix 1 of the 20 September Executive report
Appendix 2 - list of consultees – see Appendix 2 of the 20 September Executive report
Appendix 3 - consultation responses – see Appendix 3 of the 20 September Executive report
Appendix 4 - notes of public consultation meetings – see Appendix 8 of the 20 September Executive report

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Department
for Education

Making significant changes (‘prescribed alterations’) to maintained schools

**Statutory guidance for proposers and
decision-makers**

October 2018

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1: Summary

About this guidance

This is statutory guidance from the Department for Education. This means that recipients must have regard to it when making 'prescribed alterations' to maintained schools.

The purpose of this guidance is to ensure that good quality school places can be provided quickly where they are needed; that local authorities (LAs) and governing bodies (GBs) do not take decisions that will have a negative impact on other schools in the area; and that changes can be implemented quickly and effectively where there is a strong case for doing so. In line with these aims it is expected that, where possible, additional new places will only be provided at schools that have an overall Ofsted rating of 'good' or 'outstanding'. Schools which do not fall within the above categories should only be expanded where there are no other viable options.

A GB, LA or the [Schools Adjudicator](#) must have regard to this guidance when exercising functions under [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](#) ('the Prescribed Alterations Regulations'). It should be read in conjunction with Parts 2 and 3 and Schedule 3 of the [Education and Inspections Act \(EIA\) 2006](#) and the Prescribed Alterations Regulations. It also relates to the [Establishment and Discontinuance Regulations](#) and [The School Organisation \(Removal of Foundation, Reduction in the Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations \(2007\)](#) ('the 'Removal Regulations').

It is the responsibility of LAs and GBs to ensure that they act in accordance with the relevant legislation when making changes to a maintained school and they are advised to seek independent legal advice where appropriate.

Review date

This guidance will be reviewed in October 2019.

Who is this guidance for?

Those proposing to make changes and making decisions on changes to maintained schools (e.g. GBs, LAs and the Schools Adjudicator), and for information purposes for those affected by a proposal (trustees of the school, diocese or relevant diocesan board, any other relevant faith body, parents etc.).

This guidance is relevant to all categories of maintained schools (as defined in section 20 of the [School Standards and Framework Act \(SSFA\) 1998](#)), unless explicitly stated. It is not relevant to [Pupil Referral Units](#). Separate advice [on making significant changes to an academy](#) and [opening and closing a maintained school](#) is available.

Please refer to the '[Further Information](#)' section for the full website address should you be unable to access documents via the hyperlinks provided.

Terminology

Definitions of common terms used in this guidance:

Schools with a religious character - All schools designated as having a religious character in accordance with the [SSFA](#).

Foundation Trust - For the purpose of this guidance the term 'foundation trust' refers to a foundation complying with the requirements set out in section 23A of the SSFA.

Parent(s) - The Education Act 1996 defines 'parent' as including someone who has care of, or legal responsibility for, the child. Therefore, a parent can include, for example, a grandparent, other family member or foster carer if they have care of or responsibility for the child.

Main points

- All proposals for prescribed alterations must follow the processes set out in this guidance.
- Where a LA proposes to expand a school that is eligible for intervention as set out in Section 59 of the [Education and Inspections Act 2006](#), they should copy the proposal to the relevant [Regional Schools Commissioner \(RSC\)](#) at the point of publication.
- To enable the department to monitor potentially contentious proposals, the proposer should copy any proposal, which falls within the definitions set out in [part 3](#), to the School Organisation mailbox as soon as it is published schoolorganisation.notifications@education.gov.uk.
- LAs and GBs proposing to make a significant change to a school which has been designated as having a religious character should engage the trustees of the school, and in the case of Church schools the diocese or relevant

diocesan board, or any other relevant faith body, where appropriate at the earliest opportunity.

- Where a LA is the decision maker, it must make a decision within a period of two months of the end of the representation period. Where a decision is not made within this time frame, the LA must refer the proposal to the Schools Adjudicator for a decision.
- It is not possible for any school to gain, lose or change religious character through a change of category. Information on the process to be followed is available in the [opening and closing maintained schools guidance](#).
- Once a decision has been made the proposer (GB or LA) must make the necessary changes to the school's record in the department's system [Get Information About Schools](#) (GIAS) by the date the change is implemented.
- Where a school wishes to change their name, the GB will need to amend the Instrument of Government in line with regulation 30 of [The School Governance \(Constitution\) \(England\) Regulations 2012](#). Once that is done, either the school or the LA will need to update the school record in the department's GIAS system.

2: Prescribed alteration changes

Enlargement of premises (expansion)

Under section 14 of the [Education Act 1996](#), LAs have a statutory duty to ensure that there are sufficient schools for primary and secondary education in their areas. The department expects LAs to manage the school estate efficiently and to reduce or find alternative uses for surplus capacity (for example, increasing the provision of early education and childcare) to avoid detriment to schools' educational offer or financial position. LAs are encouraged to consider the use of modular construction solutions for any physical building expansion and to consider all options for the reutilisation of space including via remodelling, amalgamations, or closure where this would be the best course of action.

Where additional places are needed, including where there is a local demand for a particular category of places (for example in schools designated as having a religious character), the LA can propose an enlargement of the capacity¹ of premises.

The statutory process should be followed to enlarge premises as set out in the [Prescribed Alterations Regulations](#) (see [part 5](#)) if:

- the proposed enlargement is permanent (longer than three years) and **would increase the capacity of the school** by:
 - more than 30 pupils; **and**
 - 25% or 200 pupils (whichever is the lesser).
- the proposal involves making permanent any temporary enlargement (which was intended to be in place for no more than three years) that meets the above threshold.

GBs of all categories of mainstream schools and LAs can propose small scale expansions that do not meet the thresholds above without the need to follow the formal statutory process in [part 4](#). In many cases this can be achieved solely by increasing the school's published admissions number² (PAN); please see the [School Admissions Code](#). The thresholds do not, however, apply to special schools. Details of how special schools can increase their intake³ are covered below.

¹ Net capacity as calculated using the DfE Guidance Assessing the Net Capacity of Schools (2002).

² All admission authorities must set a published admission number (PAN) for each 'relevant age group' when they determine their admission arrangements. So, if a school has an admissions number of 120 pupils for Year 7, that is its PAN.

³ The number of pupils admitted into the school at a particular time

Examples of when mainstream schools would/would not need to publish 'enlargement' proposals

A secondary school with a capacity of 750 (5 form of entry - 30 pupils per class, 5 year groups) **could** enlarge its premises to add 1 form of entry (30 extra pupils x 5 year groups = increase of 150 pupils) bringing the capacity to 900 pupils, **without** having to publish statutory proposals. Although the increase would be by 'more than 30' pupils, it is less than '200', and also less than '25%' of the current capacity (i.e. by less than 187).

A small primary school with a capacity of 50 **could** enlarge its premises to increase its capacity by up to 29 pupils **without** having to publish statutory proposals, because although it would be more than '25%', it is less than 30.

A school of any size enlarging its premises to enable it to add 300 places **would** need to follow the statutory process as the increase would be **both** 'more than 30' **and** '200' (it may or may not be more than '25%' but that is irrelevant if the 200 threshold would be met).

A primary school with a capacity of 210 enlarging its premises to enable it to add 105 places (1.5 forms of entry 45 x 7 = 315), **would** need to follow the statutory process as the increase would be 'more than 30' and **more than** '25%' (it would be less than 200 but this is irrelevant as the 25% threshold would be met).

The quality of new places created through expansion

We expect LAs to consider a range of performance indicators and financial data, before deciding whether a school should be expanded. Where schools are underperforming, we would not expect them to expand, unless there is a strong case that this would help to raise standards. We expect LAs to create new places in schools that have an overall Ofsted rating of 'good' or 'outstanding'. If, however, there are no other feasible ways to create new places in the area, the LA should notify their Pupil Places Planning adviser⁴. In cases where there is a proposal to expand a school that is rated inadequate, the LA should also send a copy of the proposal to the [relevant RSC](#) so that they can ensure appropriate intervention strategies are in place.

The table below sets out who can propose an enlargement of premises and what process must be followed:

⁴ Advisers.PPP@education.gov.uk

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community	Enlargement of premises that meets the threshold	Statutory process	LA	CofE Diocese RC Diocese
LA for voluntary or foundation	Enlargement of premises that meets the threshold	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
LA for voluntary and foundation	Enlargement of premises (below the threshold)	Non statutory process	LA	N/A
GB of all categories mainstream	Enlargement of premises (below the threshold)	Non statutory process	GB	N/A

Expansion onto an additional site (or ‘satellite sites’)

Where proposers seek to expand onto an additional site they will need to ensure that the new provision is genuinely a change to an existing school and not in reality the establishment of a new school. Where a LA decides that a new school is needed to meet basic need, they should refer to the [guidance for opening new schools](#).

Decisions about whether a proposal represents a genuine expansion will need to be taken on a case-by-case basis, but proposers and decision makers will need to consider this non-exhaustive list of factors which are intended to expose the extent to which the new site is integrated with the existing site, and the extent to which it will serve the same community as the existing site:

The reasons for the expansion

- What is the rationale for this approach and this particular site?

Admission and curriculum arrangements

- How will the new site be used (e.g. which age groups/pupils will it serve)?
- What will the admission arrangements be?
- Will there be movement of pupils between sites?

Governance and administration

- How will whole school activities be managed?
- Will staff be employed on contracts to work on both sites? How frequently will they do so?
- What governance, leadership and management arrangements will be put in place to oversee the new site (e.g. will the new site be governed by the same GB and the same school leadership team)?

Physical characteristics of the school

- How will facilities across the two sites be used (e.g. sharing of the facilities and resources available at the two sites, such as playing fields)?
- Is the new site in an area that is easily accessible to the community that the current school serves?

The purpose of considering these factors is to determine the level of integration between the two sites; the more integration, the more likely the change will be considered as an expansion.

LAs should copy any proposal to expand a school onto a satellite site to schoolorganisation.notifications@education.gov.uk for monitoring purposes.

Expansion of existing grammar schools

Legislation prohibits the establishment of new grammar schools⁵. Expansion of any existing grammar school onto a satellite site can only happen if the new site is genuinely part of the existing school. Decision-makers must consider the factors listed above when deciding if an expansion is a legitimate enlargement of an existing school.

Changes to the published admissions number (PAN) where an enlargement of premises has not taken place

Admission authorities⁶ must set a PAN for each 'relevant age group' when determining their admission arrangements. If an admission authority of a mainstream school wishes to increase or decrease PAN, without increasing the overall physical

⁵ Except where a grammar school is replacing one of more existing grammar schools

⁶ The LA in the case of community and voluntary controlled (VC) schools or the GB in the case of voluntary aided (VA) and foundation schools

capacity of the buildings, this would be classed as an admissions change, not a prescribed alteration. The statutory process described in this guidance would not need to be followed (please see the [School Admissions Code](#) for further details of the processes admission authorities must follow).

Change in number of pupils in a special school

The School Admissions Code does not apply to special schools. GBs of all categories of special school, and LAs for community special schools, may seek to increase the number of places by following the statutory process in [part 5](#), if the increase is by:

- 10%; or
- 20 pupils (or 5 pupils if the school is a boarding-only school),

(whichever is the smaller number).

The exception to this is where a special school is established in a hospital.

GBs of all categories of special school, and LAs for community special schools, may seek to decrease the number of pupils, by following the statutory process in [part 5](#).

The table below sets out who can propose a change in the number of pupils in a special school and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
GB foundation special	Increase by 10% or 20 pupils (5 for boarding special) or decrease numbers	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB community special	Increase by 10% or 20 pupils (5 for boarding special) or decrease numbers	Statutory process	LA	CofE Diocese RC Diocese
LA for community special and foundation special	Increase by 10% or 20 pupils (5 for boarding special)	Statutory process	LA	CofE Diocese RC Diocese

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for foundation special	Increase by 10% or 20 pupils (5 for boarding special)	Statutory process	LA	GB/Trustees
LA for community special	Decrease of numbers	Statutory process	LA	CofE Diocese RC Diocese

Change of age range

For changes that are expected to be in place for more than 2 years (as these are considered permanent increases):

LAs can propose:

- a change of age range of up to 2 years (except for adding or removing a sixth form) for voluntary and foundation schools by following the non-statutory process, see [part 4](#).
- a change of age range of 1 year or more for community schools (including the adding or removal of sixth form or nursery provision) and community special schools or alter the upper age limit of a foundation or voluntary school to add sixth form provision by following the statutory process, see [part 5](#).

GBs of foundation and voluntary schools can propose:

- an age range change of up to 2 years (except for adding or removing a sixth form) by following the non-statutory process, see [part 4](#).
- an age range change of 3 years or more (including adding or removing a sixth form) by following the statutory process, see [part 5](#).

Before making such a proposal, the GB should consult with LAs, and where the school is designated as having a religious character the trustees of the school, dioceses or relevant diocesan boards, or any other relevant faith body, to understand the place management needs of the area.

GBs of community schools can propose the alteration of their upper age limit to add sixth form provision following the statutory process, see [part 5](#).

GBs of community special and foundation special schools can propose a change of age range of 1 year or more following the statutory process, see [part 5](#).

Where a proposed age range change would also require an expansion of the school's premises, the LA or GB must also ensure that they act in accordance with the requirements for proposals for the [enlargement of premises](#).

In cases where the age-range of the school has changed, this should be altered on GIAS. For example if the age-range is changed so that the school no longer caters for pupils below compulsory school age, the lower age range of the school would need to be increased so as not to include that age group.

The table below sets out who can propose a change of age range and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for voluntary and foundation	Alteration of upper or lower age range of up to 2 years (excluding adding or removing a sixth form)	Non statutory process	LA	NA
GB of voluntary and foundation	Alteration of upper or lower age range by up to 2 years (excluding adding or removing a sixth form)	Non statutory process	GB	N/A
GB of voluntary and foundation	Alteration of upper or lower age range by 3 years or more	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
LA for community and community special	Alteration of upper or lower age range by 1 year or more (for community schools including the adding or removal of sixth form or nurse provision)	Statutory process	LA	CofE Diocese RC Diocese
GB foundation special	Alteration of upper or lower age range by one year or more	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB community special	Alteration of upper or lower age range by one year or more	Statutory process	LA	CofE Diocese RC Diocese
LA for community	Alteration of upper age range so as to add or	Statutory process	LA	CofE Diocese RC Diocese

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
	remove sixth form provision			
LA for voluntary and foundation	Alteration of upper age range so as to add sixth form provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of voluntary and foundation	Alteration of upper age range so as to add sixth form provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of community	Alteration of upper age range so as to add sixth form provision	Statutory process	LA	CofE Diocese RC Diocese
GB of voluntary and foundation	Alteration of upper age range so as to remove sixth form provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

Adding a sixth form

The department wants to ensure that all temporary (which is anticipated will be in place for no more than 2 years) and permanent provision is of the highest quality and provides genuine value for money. There is a departmental expectation that proposals for the addition of sixth form provision will only be put forward for secondary schools that are rated as 'good' or 'outstanding' by Ofsted. Proposers should also consider the supply of other local post-16 provision in the area and assess if there is a genuine need for the additional provision.

In deciding whether new sixth form provision would be appropriate, proposers and decision makers should consider the following guidelines:

- **Quality:** The quality of pre-16 education must be good or outstanding (as rated by Ofsted) and the school must have a history of positive Progress 8 scores (above 0);
- **Size:** The proposed sixth form will provide at least 200 places and there should be sufficient demand for those places;
- **Subject Breadth:** The proposed sixth form should - either directly or through partnership - offer a minimum of 15 A level subjects. LAs may wish to consider the benefits of delivering a broader A level curriculum through

partnership arrangements with other school sixth forms. Working with others can offer opportunities to:

- Improve choice and attainment for pupils
- Deliver new, improved or more integrated services
- Make efficiency savings through sharing costs
- Develop a stronger, more united voice
- Share knowledge and information.

Schools proposing a partnership arrangement must include evidence of how this will operate on a day-to-day basis, including timetabling and the deployment of staff;

- **Demand:** There should be a clear demand for additional post-16 places in the local area (including evidence of a shortage of post-16 places and a consideration of the quality of Level 3 provision in the area). The proposed sixth form should not create excessive surplus places or have a detrimental effect on other high quality post-16 provision in the local area;
- **Financial viability:** The proposed sixth form should be financially viable (there must be evidence of financial resilience should student numbers fall). The average class size should be at least 15, unless there is a clear educational argument to run smaller classes – for example to build the initial credibility of courses with a view to increasing class size in future.

Not all changes in age range to add a sixth form will necessitate a change to the school's admissions arrangements, for example a school may set up sixth form provision solely for its own pupils. However, if the intention is to also admit external applicants to the sixth form the school will need to adopt a sixth form PAN and may also wish to add academic entry requirements on changing its age-range.

The addition of post-16 provision requires a change of age-range, therefore, where a decision-maker is considering a proposal to add post-16 provision, they should refer to the section on changing an age range.

Closing an additional site

For foundation and voluntary schools that are already operating on a satellite site(s), GBs must follow the statutory process in [part 5](#) if they are proposing the closure of one or more sites, where the main entrance at any of the school's remaining sites is one mile or more from the main entrance of the site which is to be closed. The LA may make such a proposal for a community school following the statutory process in [part 5](#).

The table below sets out who can propose the closure of an additional site and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community	Closure of one or multiple sites	Statutory process	LA	CofE Diocese RC Diocese
GB voluntary or foundation	Closure of one or multiple sites	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

Transfer to a new site

Where the main entrance of the proposed new site for a school would be more than two miles from the main entrance of the current school site, or if the proposed new site is within the area of another LA:

- **LAs** can propose the transfer to an entirely new site for community schools, community special schools and maintained nursery schools following the statutory process in [part 5](#).
- **GBs of voluntary, foundation, foundation special and community special** schools can also propose a transfer to a new site following the statutory process in [part 5](#).

The table below sets out who can propose a transfer to a new site and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community, community special and maintained nursery	Transfer to new site	Statutory process	LA	CofE Diocese RC Diocese
GB voluntary foundation or foundation special	Transfer to new site	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB community special	Transfer to new site	Statutory process	LA	CofE Diocese RC Diocese

Changes of category

GBs of all categories of maintained schools, apart from GBs of foundation special schools, may propose to change category by following the statutory process. The [addition or removal of a foundation](#) is described in [part 6](#). Where GBs are proposing a change of category covering a change in provision (e.g. from mainstream to special school) they are encouraged to seek advice by emailing schoolorganisation.notifications@education.gov.uk.

For a proposal to change the category of a school to voluntary-aided, the decision-maker should be satisfied that the GB and/or the foundation are able and willing to meet their financial responsibilities for building work. The decision-maker may wish to consider whether the GB has access to sufficient funds to enable it to meet 10% of its capital expenditure for at least five years from the date of implementation, taking into account anticipated building projects.

Guidance on adding or changing a designated religious character can be found in the [Opening and closing maintained schools](#) guidance.

The table below sets out who can propose a change of category and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
GB of voluntary	VC to VA VA to VC	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of voluntary	VC or VA to foundation school VC or VA to foundation school and acquire a foundation VC or VA to foundation school, acquire a foundation and majority foundation governors on GB	Statutory process	GB	For proposals at a VA school when decided by the GB: LA CofE Diocese RC Diocese
GB of foundation	Foundation school to VC or VA	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
GB of foundation	Acquire foundation Acquire a majority of foundation governors on the GB Removal of foundation and/or reduction in majority of foundation governors on GB	Statutory process	GB	N/A
GB of community	Community to VC or VA	Statutory process	LA	CofE Diocese RC Diocese
GB of community	Community to foundation school Community to foundation school and acquire foundation Community to foundation school and acquire majority of foundation governors on GB	Statutory process	GB	N/A
GB of foundation special	Remove foundation and/or reduce majority of foundation governors on GB	Statutory process	GB	N/A

Single sex school becoming co-educational (or vice versa)

Proposers can seek to change their school from single sex to co-educational (or vice versa) when they can show that this would better serve their local community. A co-educational school cannot change its nursery or post-16 provision to single sex. When making a decision, LAs will need to consider the demand for and balance of school places for boys and girls in line with the [Equality Act 2010](#).

The table below sets out who can change a school from single sex to co-educational (or vice versa) and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community or community special	To co-ed or single sex provision	Statutory process	LA	CofE Diocese RC Diocese
GB of foundation. foundation special or voluntary	To co-ed or single sex provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of community special	To co-ed or single sex provision	Statutory process	LA	CofE Diocese RC Diocese

Mainstream school: establish/remove/alter special educational needs (SEN) provision

When considering any reorganisation of provision that the LA recognises as reserved for pupils with special educational needs, including that which might lead to children being displaced, proposers will need to demonstrate how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for those children.

The table below sets out who can propose to establish, remove or alter SEN provision and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community	Establish, remove or alter SEN provision	Statutory process	LA	CofE Diocese RC Diocese
LA for voluntary and foundation	Establish or remove SEN provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of foundation	Establish, remove or alter SEN provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
and voluntary				

Change the types of need catered for by a special school

The table below sets out who can propose a change to the type of need catered for by a special school and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community special	Change designation and categories of SEN provision	Statutory process	LA	CofE Diocese RC Diocese
LA for foundation special	Change designation and categories of SEN provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of community special	Change designation and categories of SEN provision	Statutory process	LA	CofE Diocese RC Diocese
GB of foundation special	Change designation and categories of SEN provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees

Boarding provision

The introduction of boarding provision can require the statutory process to be followed (depending on the type of school in question – see table below). LAs and GBs will need to consider how the Prescribed Alterations Regulations apply in conjunction with this guidance and, where there is any doubt, seek independent legal advice, as the department cannot advise on individual cases.

LAs can propose for:

- community schools; the establishment, removal or alteration (decrease by 50 pupils or 50% whichever is the greater) of boarding provision by following the statutory process in [part 5](#).

- community special schools; the establishment, removal or alteration (increase or decrease by 5 places or more where there are both day and boarding places) of boarding provision following the statutory process in [part 5](#).

GBs of voluntary and foundation schools can propose the establishment or increase of boarding provision following the non-statutory process in [part 4](#) and the removal or alteration (decrease by 50 pupils or 50% whichever is the greater) of boarding provision by following the statutory process in [part 5](#).

GBs of special schools can add or remove boarding provision or, where the school makes provision for day and boarding pupils, can increase or decrease boarding provision by five pupils or more following the statutory process in [part 5](#).

The table below sets out who can propose to establish, change or remove boarding provision and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
LA for community	Add, remove or change (decrease by 50 pupils or 50% whichever is greater) boarding provision	Statutory process	LA	CofE Diocese RC Diocese
LA for community special	Add, remove or change (increase or decrease by 5 pupils or more) boarding provision	Statutory process	LA	CofE Diocese RC Diocese
GB of foundation or voluntary	Add boarding provision	Non-statutory process	GB	N/A
GB of foundation or voluntary	Remove or change (decrease by 50 pupils or 50% whichever is greater) boarding provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of foundation special	Add, remove or change (increase or decrease by 5 pupils or more) boarding provision	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of community special	Add, remove or change (increase or decrease by 5 pupils or more) boarding provision	Statutory process	LA	CofE Diocese RC Diocese

In making a decision on a proposal to remove boarding provision from a school, the decision-maker should consider whether there is a state funded boarding school within reasonable distance from the school and whether there are satisfactory alternative boarding arrangements for those currently in the school and those who may need boarding places in the foreseeable future, including the children of service families.

Remove selective admission arrangements at a grammar school

The table below sets out who can propose the removal of selective admission arrangements⁷ and what process must be followed:

Proposer	Type of proposal	Process	Decision-maker	Right of appeal to the adjudicator
GB of voluntary or foundation	Remove selective admission arrangements	Statutory process	LA	CofE Diocese RC Diocese GB/Trustees
GB of community	Remove selective admission arrangements	Statutory process	LA	CofE Diocese RC Diocese

Amalgamations

The LA and/or GB (depending on school category) can publish a proposal to close one school (or more) and enlarge/change the age range/transfer site (following the statutory process as/when necessary) of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its phase has changed.

Alternatively, LAs may propose to close all the schools involved and replace them with a new school. For more information, please consult the separate guidance on [opening and closing a maintained school](#).

⁷ In accordance with s.109 (1) of the School Standards and Frameworks Act 1998

3: Contentious proposals

When proposing changes, LA's and GBs should act reasonably, and in line with the principles of public law, to ensure that the changes do not have a negative impact on the education of pupils in the area.

To enable the department to monitor potentially controversial proposals, LAs and GBs should notify schoolorganisation.notifications@education.gov.uk of the publication of any proposals which would:

- involve [expansion onto a separate 'satellite' site](#); or
- where objections have been raised that the proposed change could potentially undermine the quality of education in the local area by creating additional places where there is surplus capacity.

4: Changes that can be made outside of the statutory process

LAs and GBs of mainstream maintained schools can make limited changes (see [part 2](#) for the exact detail) to their schools without following a statutory process, including some temporary changes; they are nevertheless required to adhere to the usual principles of public law. They MUST:

- act rationally;
- take into account all relevant and no irrelevant considerations; and
- follow a fair procedure.

The department expects that in making these changes, LAs and GBs will work together and will:

- liaise with the trustees of the school, and in the case of schools designated as having a religious character the diocese or relevant diocesan board, or any other relevant faith body, to ensure that a proposal is aligned with wider place planning/organisational arrangements, and that any necessary consents have been gained;
- not undermine the quality of education provided or the financial viability of other 'good' and 'outstanding' schools in the local area;
- not create additional places in a local planning area where there is already surplus capacity in schools, taking the quality and diversity of the provision into account as well as cross boundary impacts; and
- ensure open and fair consultation with parents, any affected educational institutions in the area (e.g. primary, secondary, special schools, sixth form and FE colleges as required) and other interested parties. The [consultation principles guidance](#) can be referenced for examples of good practice.

Before making any changes GBs should ensure that:

- they have consulted with the LA to ensure the proposal is aligned with local place planning arrangements
- they have secured any necessary funding;
- they have identified suitable accommodation and sites;

- they have secured planning permission and/or agreement on the transfer of land where necessary⁸. The proposal can be approved subject to planning permission being granted;
- they have the consent of the site trustees or other land owner where the land is not owned by the GB;
- where a school is designated as having a religious character, they have the consent of the trustees of the school, the diocese or relevant diocesan board, or any other relevant faith body, where appropriate; and
- the admissions authority is content for the published admissions number (PAN) to be changed where this forms part of expansion plans, in accordance with the School Admissions Code.

Once a decision on the change has been made, the proposer (i.e. LA or GB) is responsible for making arrangements for the necessary changes to be made to the school's record in the department's [GIAS](#) system. These changes must be made no later than the date of implementation for the change and can be input in advance, once a decision is made.

⁸ Including, where necessary, approval from the Secretary of State for change to the use of playing field land under Section 77(1) of the SSFA 1998.

5: Statutory process: prescribed alterations

The statutory process for making prescribed alterations to schools has four stages:

Stage	Description	Timescale	Comments
Stage 1	Publication (statutory proposal/notice)		
Stage 2	Representation (formal consultation)	Must be 4 weeks	As set out in the 'Prescribed Alterations' regulations
Stage 3	Decision	LA should decide a proposal within 2 months otherwise it will fall to the Schools Adjudicator	Any appeal to the adjudicator must be made within 4 weeks of the decision
Stage 4	Implementation	No prescribed timescale	It must be as specified in the published statutory notice, subject to any modifications agreed by the decision-maker

Although there is no longer a statutory 'pre-publication' consultation period for prescribed alteration changes, there is a strong expectation that schools and LAs will consult interested parties in developing their proposal prior to publication, to take into account all relevant considerations. Schools should have the consent of the site trustees and where a school is designated as having a religious character the trustees of the school, the diocese or relevant diocesan board, or any other relevant faith body.

When considering making a prescribed alteration change, it is best practice to take timing into account, for example:

- by holding consultations and public meetings (either formal or informal) during term time, rather than school holidays and, where appropriate, extend the consultation period if it overlaps school holidays etc;
- plan where any public and stakeholder meetings are held to maximise response;
- take into account the admissions cycle for changes that will impact on the school's admission arrangements.

A number of changes can impact admissions necessitating reductions in PAN, new relevant age groups for admission or the adoption of revised admission criteria. Changes to admission arrangements can be made by the admission authority in one of two ways:

- the consultation on changing the admission arrangements (as set out in the [School Admissions Code](#)) takes place sufficiently in advance of a decision on the prescribed alteration so that the change to admissions can be implemented at the same time as the proposals; or
- a variation is sought, where necessary, in view of a major change in circumstances, from the [Schools Adjudicator](#) so that the changes to the admission policy can be implemented at the same time as the prescribed alteration is implemented.

Decision-makers should, so far as is possible, co-ordinate with the admission authority, if different, to ensure they avoid taking decisions that will reduce a PAN or remove a relevant age group for admission after parents have submitted an application for the following September (e.g. 31 October for secondary admissions or 15 January for primary admissions).

Publication

A statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. [Annex A](#) sets out the minimum that this should include. The proposal should be accessible to all interested parties and should therefore use 'plain English'.

Where the proposal for one change is linked to another, this should be made clear in any notices published. Where a proposal by a LA is 'related' to a proposal by other proposers (e.g. where one school is to be enlarged because another is being closed) a single notice could be published.

The full proposal must be published on a website (e.g. the school or LA's website) along with a statement setting out:

- how copies of the proposal may be obtained;
- that anybody can object to, or comment on, the proposal;
- the date that the representation period ends; and
- the address to which objections or comments should be submitted.

A brief notice (including details on how the full proposal can be accessed e.g. the website address) must be published in a local newspaper. If the proposal is published by a GB then notification must also be posted in a conspicuous place on the school premises and at all of the entrances to the school.

Within one week of the date of publication on the website, the proposer must send a copy of the proposal and the information set out in the paragraph above to:

- the GB/LA (as appropriate);
- the parents of every registered pupil at the school - where the school is a special school;
- if it involves or is likely to affect a school which has been designated as having a religious character:
 - the local Church of England diocese;
 - the local Roman Catholic diocese; or
 - the relevant faith group in relation to the school;
- proposals affecting a special school should go to any LA that has commissioned a place at the school (i.e. all relevant authorities who have made an out of county/borough placement there); and
- any other body or person that the proposer thinks is appropriate e.g. any affected educational institutions in the area.

Within one week of receiving a request for a copy of the proposal, the proposer must send a copy to the person requesting it.

There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation. However, proposers will be expected to show good reason (for example an authority-wide reorganisation) if they propose a timescale longer than three years.

Representation (formal consultation)

The representation period must last for four weeks from the date of the publication. During this period, any person or organisation can submit comments on the proposal to the LA to be taken into account by the decision-maker. It is also good practice for representations to be forwarded to the proposer to ensure that they are aware of local opinion.

Decision

The LA will be the decision-maker in all cases except where a proposal is 'related' to another proposal that must be decided by the [Schools Adjudicator](#)⁹.

Decision-makers will need to be satisfied that the appropriate fair and open local consultation and/or representation period has been carried out and that the proposer has given full consideration to all the responses received. Decision-makers should not simply take account of the numbers of people expressing a particular view. Instead, they should give the greatest weight to responses from those stakeholders likely to be most affected by a proposal – especially parents of children at the affected school(s).

Decisions must be made within a period of two months of the end of the representation period or they must be referred to the Schools Adjudicator.

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA and/or GB (as appropriate); or
- approve the proposal, with or without modification – subject to certain conditions¹⁰ (such as the granting of planning permission) being met.

A proposal can be withdrawn by the proposer at any point before a decision is taken. When doing so, the proposer must send written notice to the LA or the GB (as appropriate); or the Schools Adjudicator (if the proposal has been sent to them). A notice must also be placed on the website where the original proposal was published.

Within one week of making a decision the LA must publish their decision and the reasons for it, on the website where the original proposal was published and send copies to:

- the LA (where the Schools Adjudicator is the decision-maker);
- the Schools Adjudicator (where the LA is the decision-maker);

⁹ For example where a change is conditional on the establishment of a new school under section 10 or 11 of EIA 2006 (where the Schools Adjudicator may be the default decision maker).

¹⁰ The prescribed events are those listed in paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations

- the GB/proposers (as appropriate);
- the trustees of the school (if any);
- the local Church of England diocese;
- the local Roman Catholic diocese;
- the parents of every registered pupil at the school – where the school is a special school; and
- any other body that they think is appropriate (e.g. other relevant diocese or diocesan board, faith organisation and any affected educational institutions in the area).

If the [Schools Adjudicator](#) is the decision-maker they must notify the persons above of their decision, together with the reasons, within one week of making the decision. Within one week of receiving this notification the LA must publish the decision, with reasons, on the website where the original proposal was published.

Related proposals

Where proposals appear to be related to other proposals, the decision-maker must consider the related proposals together. A proposal should be regarded as related if its implementation (or non-implementation) would prevent or undermine the effective implementation of another proposal.

Conditional approval

For many types of proposal, decision-makers may make their approval conditional on certain prescribed kinds of events¹¹. The decision-maker must set a date by which the condition should be met but can modify the date if the proposer confirms, before the date expires, that the condition will be met later than originally thought.

The proposer should inform the decision-maker when a condition is met. If a condition is not met by the date specified, the proposal should be referred back to the decision-maker for fresh consideration.

¹¹ Under paragraph 8 of Schedule 3 to the Prescribed Alterations Regulations

Education standards and diversity of provision

Decision-makers should consider the quality and diversity of schools in the relevant area and whether the proposal will meet or affect the needs of parents, raise local standards and narrow attainment gaps.

Equal opportunities issues

The decision-maker must comply with the Public Sector Equality Duty (PSED), which requires them to have 'due regard' to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- advance equality of opportunity between people who share a relevant protected characteristic and people who do not share it; and
- foster good relations between people who share a relevant protected characteristic and people who do not share it.

Further information on the considerations can be found on the [Equality and Human Rights Commission](#) website.

Community cohesion

Schools have a key part to play in providing opportunities for young people from different backgrounds to learn with, from, and about each other; by encouraging through their teaching, an understanding of, and respect for, other cultures, faiths and communities. When considering a proposal, the decision-maker should consider its impact on community cohesion. This will need to be considered on a case-by-case basis, taking account of the community served by the school and the views of different groups within the community.

Travel and accessibility

Decision-makers should satisfy themselves that accessibility planning has been properly taken into account and the proposed changes should not adversely impact on disadvantaged groups.

The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable walking or cycling routes. A proposal should also be considered on the basis of how it will support and contribute to the LA's duty to promote the use of sustainable travel and transport to school.

Further information is available in the statutory [Home to school travel and transport guidance](#) for LAs.

Funding

The decision-maker should be satisfied that any necessary funding required to implement the proposal will be available and that all relevant local parties (e.g. trustees of the school, diocese or relevant diocesan board) have given their agreement. A proposal **cannot** be approved conditionally upon funding being made available.

Where proposers are relying on the department as the source of capital funding, there can be no assumption that the approval of a proposal will trigger the release of capital funds from the department, unless the department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposal should be rejected, or consideration deferred until it is clear that the capital necessary to implement the proposal will be provided.

Rights of appeal against a decision

The following bodies may appeal to the Schools Adjudicator against a decision made by a LA decision-maker, within four weeks of the decision being made:

- the local Church of England diocese;
- the local Roman Catholic diocese; and
- the governors and trustees of a foundation, foundation special or voluntary school that is subject to the proposal.

On receipt of an appeal, a LA decision-maker must then send the proposal, representations received and the reasons for their decision to the Schools Adjudicator within one week of receipt. There is no right of appeal on determinations made by the Schools Adjudicator.

Implementation

The proposer must implement a proposal in the form that it was approved, taking into account any modifications made by the decision-maker.

Modification post determination

Proposers can seek modifications from the decision-maker before the approved implementation date. However, proposals cannot be modified to the extent that new proposals are substituted for those that have been published.

Details of the modification must be published on the website where the original proposals were published.

Revocation of proposals

If the proposer no longer wants to implement an approved proposal, they must publish a revocation proposal to be relieved of the duty to implement, as set out in the Prescribed Alterations Regulations.

Land and buildings

Foundation, foundation special or voluntary controlled schools

Where a LA is required to provide a site for a foundation, foundation special or voluntary controlled school, the LA must¹²:

- transfer their interest in the site and in any buildings on the site which are to form part of the school's premises to the trustees of the school, to be held by them on trust for the purposes of the school; or
- if the school has no trustees, to the GB, to be held by that body for the purposes of the school.

In the case of a dispute as to the persons to whom the LA is required to make the transfer, the adjudicator will make a decision.

Voluntary aided schools

Where a LA is required to provide a site for a voluntary aided school, they must transfer their interest in the land to the trustees of the school, and must pay the reasonable costs to the GB in connection with the transfer.

¹² Under paragraph 17 of schedule 3 of the Prescribed Alterations Regulations

School premises and playing fields

Under the School Premises (England) Regulations 2012, all schools maintained by local authorities are required to provide suitable outdoor space in order to enable physical education to be provided to pupils in accordance with the school curriculum; and for pupils to play outside safely.

[Guidelines](#) setting out suggested areas for pitches and games courts are in place although the department has been clear that these are non-statutory.

6: Statutory process: foundation proposals

Changing category to foundation, acquiring a foundation trust and/or acquiring a foundation majority

A 'foundation trust school' is a foundation school with a charitable foundation complying with the requirements set out in SSFA 1998¹³. These include that the foundation trust must have a charitable purpose of advancing education and must promote community cohesion.

The term 'acquire a foundation majority' means acquiring an instrument of government whereby the school's foundation trust has the power to appoint a majority of governors on the GB.

Where a school's GB considers changing category to foundation or acquiring a foundation trust and/or acquiring a foundation majority on the school's GB, the following five-stage statutory process must be followed:

Stage	Description	Timescale	Comments
Stage 1	Initiation		The GB considers a change of category to foundation/acquisition of a foundation trust/acquisition of a foundation majority
Stage 2	Publication		Having gained consent where appropriate
Stage 3	Representation (formal consultation)	Must be 4 weeks	As set out in the prescribed alteration regulations. The LA may refer a foundation trust proposal to the Schools Adjudicator during this period if it considers the proposal to have a negative effect on standards at the school
Stage 4	Decision	The GB must decide within 12 months of the date of publication	Unless the LA has referred the proposal to Schools Adjudicator at Stage 3
Stage 5	Implementation	No prescribed timescale	Must be as specified in the statutory notice, subject to any modifications agreed by the decision-maker

¹³ Section 23A

Initiation

For a proposal to change the category of a school to a foundation school, the GB should inform the LA in writing, at least seven days in advance of a meeting, if a motion to consult on a change of category proposal is to be discussed.

Before the GB can publish a proposal to change category from a voluntary school to a foundation school, the existing trustees and whoever appoints the foundation governors must give their consent.

Publication

A statutory proposal must contain sufficient information for interested parties to make a decision on whether to support or challenge the proposed change. Part 1 of [Schedule 1 to the Prescribed Alterations Regulations](#) specifies the information that the statutory proposal must contain. Further details on the publication stage can be found in [Part 5](#).

Representation (formal consultation)

The representation period starts on the date of the publication of the proposal and must last four weeks. During this period, any person or organisation can submit comments on the proposal to the GB, to be taken into account when the decision is made.

During the representation period, the LA has the power to require the referral of a proposal to acquire a foundation trust/foundation majority to the [Schools Adjudicator](#) for decision, if they consider it will have a negative impact on standards at the school.

The LA does not have this power in respect of a proposal solely to change the category to foundation¹⁴.

Where a proposal is referred to the [Schools Adjudicator](#), the GB must forward any objections or comments it has received to the Schools Adjudicator within one week of the end of the representation period.

¹⁴ However, where such a proposal is related to a proposal to acquire a trust, then the whole set of proposals will be referred to the Schools Adjudicator

Decision

Unless a proposal has been referred to the Schools Adjudicator (as set out above), the GB will be the decision-maker and must make a decision on the proposal within 12 months of the date of publication of the proposal.

Where a proposal to acquire a foundation trust or a foundation majority is linked to a proposal to change category to a foundation school, they will be decided together.

When issuing a decision, the decision-maker can:

- reject the proposal;
- approve the proposal without modification;
- approve the proposal with modifications, having consulted the LA;
- approve the proposal with or without modifications but conditional upon:
 - the making of any scheme relating to any charity connected with the school; and
 - the establishment of a foundation¹⁵.

Where the LA has referred a proposal to acquire a foundation trust/foundation majority to the Schools Adjudicator for decision, any related proposal(s) (including a change of category to foundation) will also fall to be decided by the Schools Adjudicator.

Decision-makers should consider the impact of changing category to foundation school, and acquiring or removing a foundation trust on educational standards at the school. In assessing standards at the school, the decision-maker should take account of recent reports from Ofsted and a range of performance data. Recent trends in applications for places at the school (as a measure of popularity) and the local reputation of the school may also be relevant context for a decision.

If a proposal is not considered strong enough to significantly improve standards at a school that requires it, the decision maker should consider rejecting the proposal. Foundation trusts have a duty¹⁶ to promote community cohesion, and decision-makers should carefully consider the foundation trust's plans for partnership working with other schools, agencies or voluntary bodies.

¹⁵ As defined in section 23A of the SSFA 1998

¹⁶ Under section 23A(6) of the SSFA 1998.

Foundation schools acquiring a foundation trust

For foundation trust schools the decision-maker should be satisfied that the following criteria are met for the proposal to be approved:

- the proposal is not seeking for a school to alter, acquire, or lose a designated religious character. These alterations cannot be made simply by acquiring a foundation trust;
- the necessary work is underway to establish the foundation trust as a charity and as a corporate body; and
- that none of the foundation trustees are disqualified from exercising the function of foundation trustee, either by virtue of:
 - o disqualifications from working with children or young people;
 - o not having obtained a criminal record check certificate¹⁷;
 - o [Charities Act 2011](#)¹⁸ which disqualify certain persons from acting as charity trustees.

Suitability of partners

Decision-makers will need to be satisfied of the suitability of foundation trust partners and members. They should use their own discretion and judgement in determining on a case-by-case basis whether the reputation of a foundation trust partner is in keeping with the charitable objectives of a foundation trust, or could bring the school into disrepute. However, the decision-maker should make a balanced judgement, considering the suitability and reputation of the current/potential foundation trust.

The following sources may provide information on the history of potential foundation trust partners:

- [The Health and Safety Executive Public Register of Convictions](#)¹⁹
- [The Charity Commission's Register of Charities](#); and
- [The Companies House web check service](#).

¹⁷ Under section 113A of the Police Act 1997

¹⁸ section 178 onwards

¹⁹ Appearance on this database should not automatically disqualify a potential trust member; decision-makers will wish to consider each case on its merits

Within one week of making a decision the GB must publish a copy of the decision (together with reasons) on the website where the original proposal was published and send copies to:

- the LA;
- the local Church of England diocese; and
- the local Roman Catholic diocese.

Where a proposal has been decided by the GB and is to change the category of a VA school to foundation (with or without the acquisition of a foundation trust/foundation majority), the following bodies have the right of appeal to the [Schools Adjudicator](#)²⁰:

- the LA;
- the local Church of England diocese(s); and
- the local Roman Catholic diocese(s).

Conditional approval

For many types of proposal, decision-makers may make their approval conditional on certain prescribed kinds of events²¹. The decision-maker must set a date by which the condition should be met but can modify the date if the proposer confirms, before the date expires, that the condition will be met later than originally thought.

The proposer should inform the decision-maker when a condition is met. If a condition is not met by the date specified, the proposal should be referred back to the decision-maker for fresh consideration.

Implementation

The GB must implement any approved proposal by the approved implementation date, taking into account any modifications made by the decision-maker.

Within one week of implementation, the GB must provide information to the Secretary of State²² about foundation proposals that have been implemented. Copies of the statutory proposals and decision record should be submitted to

²⁰ The specific circumstances in which a referral can be made are prescribed under paragraph 15 of Schedule 1 to the Prescribed Alterations Regulations

²¹ under paragraph 16 of Schedule 1 to the Prescribed Alterations Regulations

²² Paragraph 18 of Schedule 1 of the Prescribed Alterations Regulations

schoolorganisation.notifications@education.gov.uk in order for the school record to be updated on GIAS.

Modification post determination

Modifications can be made to a proposal by the governing body after determination but before implementation.

Revocation

If the proposer no longer wants to implement an approved proposal they must publish a revocation proposal to be relieved of the duty to implement, as set out in Paragraph 19 of Schedule 1 of the Prescribed Alterations Regulations.

Governance and staffing issues

Schedule 4 of the Prescribed Alterations Regulations provides further information on the requirements about:

- the revision or replacement of the school's instrument of government;
- reconstitution or replacement of the GB;
- current governors continuing in office;
- surplus governors;
- transfer of staff; and
- transitional admission arrangements.

Land transfer issues

Requirements as to land transfers, when a school changes category or acquires a foundation trust, are prescribed in Schedule 5 of the Prescribed Alterations Regulations.

Removing a foundation trust and/or removing a foundation majority

There are five or six statutory stages (depending on the proposal and circumstances) to remove a foundation trust and/or to reduce a foundation majority. It may be triggered in two different ways – either by a majority or a minority of the GB:

Stage	Description	Timescale	Comments
Stage 1	Initiation		<p>Majority A majority of governors considers publishing a proposal to remove a foundation trust/reduce the number of governors appointed by the foundation.</p> <p>or</p> <p>Minority A minority (of not less than a third of the governors) notify the clerk of the GB of their wish to publish a proposal to remove a foundation trust/reduce the number of governors appointed by the foundation</p>
Stage 2	Land Issues (applicable only to removal of trusts)	If not resolved within 3 months, disputes must be referred to the Schools Adjudicator	In cases of removing foundation trusts, the GB, trustees and the LA must resolve issues related to land and assets before a proposal is published
Stage 3	Consultation	<p>Majority A minimum of 4 weeks is recommended.</p> <p>or</p> <p>Minority No consultation required</p>	<p>Majority It is for the GB to determine the length of consultation</p>
Stage 4	Publication and representation	<p>Majority 6 week representation period.</p> <p>or</p> <p>Minority</p>	

Stage	Description	Timescale	Comments
		Where there are no land or asset issues – publish within 3 months of receipt of notice by GB clerk – followed by a 6-week representation period. Where there are land issues, publish within 1 month of receipt of School Adjudicator’s determination – followed by a 6-week representation period	
Stage 5	Decision	Within 3 months	A proposal initiated by a minority of governors may not be rejected unless at least two-thirds of the GB are in favour of the rejection
Stage 6	Implementation	No prescribed timescale	But must be as specified in the statutory notice, subject to any modifications agreed by the decision-maker

Initiation

A proposal for removing a foundation trust and/or removing a foundation majority can be triggered by:

- a) a majority²³ of the GB or a committee deciding to publish a proposal. The decision to publish must be confirmed by the whole GB at a meeting held at least 28 days after the meeting at which the initial decision was made; or
- b) at least one-third²⁴ of the governors requesting in writing to the clerk of the GB, that a proposal be published. No vote of the GB is required as they are obliged to publish a proposal. To prevent on-going challenges

²³ Regulation 4 of the Removal Regulations

²⁴ Regulation 5 of the Removal Regulations

there are a number of prescribed circumstances²⁵ in which there is no obligation to follow the wishes of the minority of governors.

Land and assets (when removing a foundation trust)

Before publishing proposals to remove a foundation trust, the GB must reach agreement with the trustees and LA on issues relating to the school's land and assets. Where such issues remain unresolved within three months of the initial decision (majority) or receipt of notice by the clerk (minority), they must be referred to the [Schools Adjudicator](#) for determination.

On the removal of the foundation trust, all publicly provided land held by the foundation trust for the purposes of the school will transfer to the GB²⁶. Where the land originated from private sources (for example, where land was gifted on trust), the land will transfer to the GB in accordance with a transfer agreement, providing for consideration to be paid by the GB to the foundation trust where appropriate. However, there may be land which has benefited from investment from public funds which remains with the trustees under the transfer agreement.

Alternatively, there may have been investment by trustees in the publicly provided land or from public funding in the land provided by the trustees. In either of these cases, it may be appropriate for either the trustees or the public purse to be compensated. The possibility of stamp duty land tax may also need to be taken into account.

The Schools Adjudicator will announce its determination in writing to both parties.

Consultation

Where a minority of governors initiated the process, this stage does not apply.

Where a majority of governors initiated the process, before publishing a proposal the GB must consult:

- families of pupils at the school;
- teachers and other staff at the school;
- the trustees and, if different, whoever appoints foundation governors;
- the LA;

²⁵ See regulation 5(4) of the Removal Regulations

²⁶ By virtue of regulation 17(1) of the Removal Regulations

- the GBs of any other foundation or foundation special schools maintained by the same LA for which the foundation acts as a foundation;
- any trade unions who represent school staff;
- if the school has been designated as having a religious character, the appropriate diocesan authority or other relevant faith group in relation to the school;
- any other person the GB consider appropriate.

Publication

Where the decision to publish a proposal was made by a majority of governors, the GB at this stage must decide whether to go ahead with publishing the proposal.

Where the decision to publish a proposal was made by a minority of governors and there are no land issues to be determined, the GB must publish the proposal within 3 months of the receipt of the notice by the clerk. If land issues were referred to the [Schools Adjudicator](#), the proposal must be published within 1 month of receipt of its determination.

Proposals to remove a foundation trust or to alter the instrument of government so that foundation governors cease to be the majority of governors must contain the information set out in [The School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007](#). Further details on the publication stage can be found in [Part 5](#).

At the same time as publishing the proposals, the GB must send copies of the proposals to the LA, trustees, and the Secretary of State via schoolorganisation.notifications@education.gov.uk.

Representation

The representation period starts on the date of the publication of the proposal and must last six weeks. During this period, any person or organisation can submit comments on the proposal to the GB to be taken into account when the decision is made.

Unlike the foundation trust acquisition process, there is no power for the LA to refer a proposal to the Schools Adjudicator to remove a school's foundation trust or to reduce the number of governors appointed by the foundation trust. However, GBs

must bear in mind that failure to follow the requirements of the statutory process could lead to a complaint to the Secretary of State under Section 496/497 of the Education Act 1996, and/or ultimately be challenged through judicial review.

Decision

The GB is the decision-maker for a removal proposal and must determine the proposal within 3 months of the date of its publication.

If a proposal was brought forward by a majority of governors, then it may be determined by a majority vote of those governors present²⁷.

If a proposal was brought forward by a minority of governors, then the GB may not reject the proposal unless two thirds or more of the governors indicate that they are in favour of its rejection²⁸.

When deciding a proposal for the removal of a foundation trust, the GB should consider the proposal in the context of the original proposal to acquire the foundation trust, and consider whether the foundation trust has fulfilled its expectations. Where new information has come to light regarding the suitability of foundation trust partners, this should be considered.

All decisions must be taken in accordance with the processes prescribed in [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](#)²⁹.

The GB must notify the relevant LA, trustees and the Secretary of State via schoolorganisation.notifications@education.gov.uk of their decision.

Implementation

The GB is under a statutory duty to implement any approved proposal, as published, by the approved implementation date, taking into account any modifications made. In changing category, an implementation period begins when the proposal is decided and ends on the date the proposal is implemented. During this period the LA and GB are required to make a new instrument of government for the school, so enough time must be built into the timeframe for this to happen. The GB must then be reconstituted in a form appropriate to the school's new category and also in accordance with the appropriate instrument of government taking into account the [School Governance \(Constitution\) \(England\) Regulations 2012](#).

²⁷ As per the School Governance (Roles, Procedures and Allowances) (England) Regulations 2013.

²⁸ As per regulation 11(2) of the Removal Regulations.

²⁹ Except as otherwise provided by the Removal Regulations.

When removing a foundation trust or a foundation majority, a governor may continue as a governor in the corresponding category (e.g. staff governor, parent governor) if that category remains under the new instrument of government. A member of a current GB who continues as a governor on these grounds holds office for the remainder of the term for which he or she was originally appointed or elected. Where a school with a religious character has no foundation trust, the GB must appoint partnership governors with a view to ensuring that the religious character of the school is preserved and developed in accordance with the School Governance (Constitution) (England) Regulations 2012. There is nothing to prevent the appointment of a former foundation governor being reappointed by the GB as a partnership governor.

The terms of the trust on which land is held for a voluntary or foundation school often include very specific provisions regarding the conduct of the school and the use of any fund held by the foundation trust for the use of the school and premises. When making a proposal to change category, proposers will need to consider whether the current terms on which the school's land is held on trust allows for the change in category proposed. If in doubt, or if a variation in the foundation trust is clearly necessary, promoters and the relevant site trustees are advised to make early contact with the Charity Commission to apply for the terms of the trust to be varied under the relevant trust law.

Modification of proposals

Modifications can only be made to the implementation date and the proposed constitution of the governing body.

Annex A: Information to be included in a prescribed alteration statutory proposal

A statutory proposal for making a prescribed alteration to a school must contain sufficient information for interested parties to make a decision on whether to support the proposed change. A proposal should be accessible to all interested parties and therefore use 'plain English'.

Proposers will need to be mindful of the factors that will inform the decision-makers assessment when determining the proposal.

As a minimum, the department would expect a proposal to include:

- school and LA details;
- description of alteration and evidence of demand;
- objectives (including how the proposal would increase educational standards and parental choice);
- the effect on other educational institutions within the area;
- project costs and indication of how these will be met, including how long-term value for money will be achieved;
- implementation plan; and
- a statement explaining the procedure for responses: support, objections and comments.

Annex B: Further Information

This guidance primarily relates to:

- [The School Organisation \(Prescribed Alterations to Maintained Schools\) \(England\) Regulations 2013](http://www.legislation.gov.uk/uksi/2013/3110/contents/made)
www.legislation.gov.uk/uksi/2013/3110/contents/made
- [The School Organisation \(Removal of Foundation, Reduction in Number of Foundation Governors and Ability of Foundation to Pay Debts\) \(England\) Regulations 2007](http://www.legislation.gov.uk/uksi/2007/3475/contents/made) www.legislation.gov.uk/uksi/2007/3475/contents/made
- [The School Organisation \(Requirements as to Foundations\) \(England\) Regulations 2007](http://www.legislation.gov.uk/uksi/2007/1287/contents/made) www.legislation.gov.uk/uksi/2007/1287/contents/made
- [The Education and Inspections Act 2006](http://www.legislation.gov.uk/ukpga/2006/40)
www.legislation.gov.uk/ukpga/2006/40
- [The School Standards and Framework Act 1998](http://www.legislation.gov.uk/ukpga/1998/31/contents)
www.legislation.gov.uk/ukpga/1998/31/contents

It also relates to:

- [The School Organisation \(Establishment and Discontinuance of Schools\) Regulations 2013](http://www.legislation.gov.uk/uksi/2013/3109/contents/made) www.legislation.gov.uk/uksi/2013/3109/contents/made
- [The School Governance \(Constitution\) \(England\) Regulations 2012](http://www.legislation.gov.uk/uksi/2012/1034/contents/made)
www.legislation.gov.uk/uksi/2012/1034/contents/made
- [The School Governance \(Constitution and Federations\) \(England\) \(Amendment\) Regulations 2014](http://www.legislation.gov.uk/uksi/2014/1257/pdfs/uksi_20141257_en.pdf)
www.legislation.gov.uk/uksi/2014/1257/pdfs/uksi_20141257_en.pdf
- [The School Governance \(Miscellaneous Amendments\) \(England\) Regulations 2015](http://www.legislation.gov.uk/uksi/2015/883/pdfs/uksi_20150883_en.pdf) www.legislation.gov.uk/uksi/2015/883/pdfs/uksi_20150883_en.pdf
- [The School Governance \(New Schools\) \(England\) Regulations 2007](http://www.legislation.gov.uk/uksi/2007/958/pdfs/uksi_20070958_en.pdf)
www.legislation.gov.uk/uksi/2007/958/pdfs/uksi_20070958_en.pdf
- [The School Governance \(Roles, Procedures and Allowances\) \(England\) Regulations 2013](http://www.legislation.gov.uk/uksi/2013/1624/contents/made) www.legislation.gov.uk/uksi/2013/1624/contents/made
- [The Childcare Act 2006](http://www.legislation.gov.uk/ukpga/2006/21/contents) www.legislation.gov.uk/ukpga/2006/21/contents
- [The School Premises \(England\) Regulations 2012](http://www.legislation.gov.uk/uksi/2012/1943/contents/made)
www.legislation.gov.uk/uksi/2012/1943/contents/made

- [Making Significant Changes to an Existing Academy](http://www.gov.uk/government/publications/making-significant-changes-to-an-existing-academy)
www.gov.uk/government/publications/making-significant-changes-to-an-existing-academy
- [Academy/Free School Presumption – departmental advice](http://www.gov.uk/government/publications/establishing-a-new-school-free-school-presumption)
www.gov.uk/government/publications/establishing-a-new-school-free-school-presumption
- [Establishing New Maintained Schools – departmental advice for local authorities and new school proposers](http://www.gov.uk/government/publications/establishing-new-maintained-schools)
www.gov.uk/government/publications/establishing-new-maintained-schools
- [The School Admissions Code](http://www.gov.uk/government/publications/school-admissions-code--2) www.gov.uk/government/publications/school-admissions-code--2
- [Education Act 1996](http://www.legislation.gov.uk/ukpga/1996/56/contents) www.legislation.gov.uk/ukpga/1996/56/contents
- [Equality Act 2010](http://www.legislation.gov.uk/ukpga/2010/15/contents) www.legislation.gov.uk/ukpga/2010/15/contents
- [Police Act 1997](http://www.legislation.gov.uk/ukpga/1997/50/contents) www.legislation.gov.uk/ukpga/1997/50/contents
- [Charities Act 2011](http://www.legislation.gov.uk/ukpga/2011/25/contents) www.legislation.gov.uk/ukpga/2011/25/contents
- [Public Sector Equality Duty](http://www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty) www.equalityhumanrights.com/en/advice-and-guidance/public-sector-equality-duty
- [Home-to-school travel and transport - GOV.UK](http://www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance)
www.gov.uk/government/publications/home-to-school-travel-and-transport-guidance
- [Get information about schools - GOV.UK](http://www.get-information-schools.service.gov.uk/) www.get-information-schools.service.gov.uk/
- [Consultation principles: guidance - GOV.UK](http://www.gov.uk/government/publications/consultation-principles-guidance)
www.gov.uk/government/publications/consultation-principles-guidance
- [School land and property: protection, transfer and disposal - GOV.UK](http://www.gov.uk/guidance/school-land-and-property-protection-transfer-and-disposal)
www.gov.uk/guidance/school-land-and-property-protection-transfer-and-disposal

Annex C: Contact details for RSC offices

- East and North East London - RSC.EASTNELONDON@education.gov.uk
- North - RSC.NORTH@education.gov.uk
- East Midlands and Humber - EMH.RSC@education.gov.uk
- Lancashire and West Yorkshire - LWY.RSC@education.gov.uk
- South Central England and North West London - RSC.SCNWLON@education.gov.uk
- South East and South London - RSC.SESL@education.gov.uk
- South West - RSC.SW@education.gov.uk
- West Midlands - RSC.WM@education.gov.uk



Department
for Education

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Equality impact assessment (EIA) form: evidencing paying due regard to protected characteristics

(Form updated May 2015)

Brompton Residential Proposals

If you would like this information in another language or format such as Braille, large print or audio, please contact the Communications Unit on 01609 53 2013 or email communications@northyorks.gov.uk.



যদি আপনি এই ডকুমেন্ট অন্য ভাষায় বা ফরমেটে চান, তাহলে দয়া করে আমাদেরকে বলুন।

如欲索取以另一語文印製或另一格式製作的資料，請與我們聯絡。

اگر آپ کو معلومات کسی دیگر زبان یا دیگر شکل میں درکار ہوں تو برائے مہربانی ہم سے پوچھئے۔

Equality Impact Assessments (EIAs) are public documents. EIAs accompanying reports going to County Councillors for decisions are published with the committee papers on our website and are available in hard copy at the relevant meeting. To help people to find completed EIAs we also publish them in the Equality and Diversity section of our website. This will help people to see for themselves how we have paid due regard in order to meet statutory requirements.

Name of Directorate and Service Area	Inclusion - CYPS
Lead Officer and contact details	Jane Le Sage, AD Inclusion
Names and roles of other people involved in carrying out the EIA	Sarah Jane Hill, SEND Strategic Plan Implementation Officer Wendy Butterfield, Lead SEND Development Officer Alice Wild, Project Manager Linda Wilson, Project Manager Lucy Wade, Project Manager Chris Reynolds, Head of SEND Provision and Resources
How will you pay due regard? e.g. working group, individual officer	Working Group

When did the due regard process start?	July 2021 June 2022 updates in Blue August 2022 updates in Green October 2022 updates in Red
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Section 1. Please describe briefly what this EIA is about. (e.g. are you starting a new service, changing how you do something, stopping doing something?)

~~It is proposed to seek permission to further consult with proposals to cease the existing residential offer at Brompton Hall school, with no further residential placements from September 2023 and a phasing out period for existing placements. It is also proposed to seek permission to further consult with proposals to change the designation of the school to co-educational in order to be able to admit girls into the school.~~

It is proposed to seek permission to cease the existing residential offer at Brompton Hall school, with no further residential placements from September 2023 and a phasing out period for existing placements. It is also proposed to change the designation of the school to co-educational in order to be able to admit girls into the school, and to increase the number of day places at Brompton Hall School from 67 to up to 85, no sooner than September 2023.

Section 2. Why is this being proposed? What are the aims? What does the authority hope to achieve by it? (e.g. to save money, meet increased demand, do things in a better way.)

The LA has a statutory responsibility under the Children and Families Act 2014 to keep its special educational provision under review, to ensure sufficiency in placements to meet the needs of children and young people with special educational needs and/or disabilities (SEND), working with parents/carers, young people and providers.

Our vision is for all children and young people with SEND in North Yorkshire:

- To have the best educational opportunities so that they achieve the best outcomes.
- To be able to attend a school or provision locally, as close to their home as possible, where they can make friends and be part of their local community.
- To make progress with learning, have good social and emotional health, and to prepare them for a fulfilling adult life.

The number of children requiring the current maintained residential offer is declining, and is forecast to continue to fall, and will therefore present a viability issue within the next few years. There is currently no maintained provision for girls with SEMH needs in the Scarborough, Whitby, Ryedale locality.

Section 3. What will change? What will be different for customers and/or staff?

Currently the LA commissions seventy day places at Brompton Hall school of which 24 pupils currently access four-night boarding provision. Criteria for residential placement was updated in 2017, and since that time the number of new placements has fallen to an average of 2 per year.

Subject to consultation process, if the proposals are implemented the following differences will be seen from the current model:

- There will be no residential provision at Brompton Hall school (once the existing pupils' residential provision has been phased out)

- Girls, and those who identify as non-binary, with an assessed primary need of SEMH will be able to attend the school on a day / extended day placement.
- There will be an increase in the number of day and extended day places available for more children with these needs

Section 4. Involvement and consultation (What involvement and consultation has been done regarding the proposal and what are the results? What consultation will be needed and how will it be done?)

Key stakeholders have been involved in the development of the proposal and have included:

- NYCC Children and families service, including Disabled Children's Service

Under section 27 of the Children & Families Act 2014 public consultation with all stakeholders has taken place. This took place in February and March and gave all stakeholders and residents of North Yorkshire the opportunity to respond in a variety of ways.

~~Under section 19 of the Education & Inspections Act 2006 further consultation will be required for any proposed change of designation to move forward.~~

The second consultation took place across July, August and early September and gave all stakeholders and residents of North Yorkshire the opportunity to respond in a variety of ways.

Statutory notice was given, closing 27th October, four weeks from date of publication.

Details of all the consultations, were published on the North Yorkshire County Council website and followed the agreed procedure.

Section 5. What impact will this proposal have on council budgets? Will it be cost neutral, have increased cost or reduce costs?

This proposal is likely to **reduce costs** across council budgets. By having a maintained offer for girls who have an assessed of SEMH there will be a more cost effective option than the current independent and out of county placements which need to be used. It will also create more places for both boys and girls so more young people can access the provision they need.

Section 6. How will this proposal affect people with protected characteristics?	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Age			✓	It is anticipated that this will make things worse for SEND pupils due to their age as there will no longer be a maintained school option to meet residential needs of boys aged 8-16 years old with SEMH. However, this will be mitigated by the fact that no child or young person will lose their provision as the residential provision at Brompton Hall will be phased out, in addition

				<p>the requirement for residential is assessed on an individual basis with a statutory duty by the local authority to make the required provision. For each pupil impacted by this proposal, there will be further consideration as to the appropriate setting to meet their assessed needs.</p> <p>It is anticipated that for girls, there may be a positive impact due to age.</p>
Disability			✓	<p>It is anticipated that this will make things worse for SEND pupils due to their disability as there will no longer be a maintained school option to meet residential needs of boys aged 8-16 years old with SEMH. However, this will be mitigated by the fact that no child or young person will lose their provision as the residential provision at Brompton Hall will be phased out, in addition the requirement for residential is assessed on an individual basis with a statutory duty by the local authority to make the required provision. For each pupil impacted by this proposal, there will be further consideration as to the appropriate setting to meet their needs.</p> <p>It is anticipated that for girls, there may be a positive impact due to disability.</p>
Sex		✓		<p>There would be a new special school option for girls with SEMH needs living in the Scarborough, Whitby, Ryedale area which would allow them to be educated close to their families and communities. This would be a significant improvement for girls in the local area</p>
Race	✓			<p>It is anticipated there would be no identifiable impact on SEND pupils due to their race.</p>
Gender reassignment		✓		<p>The school would admit young people identifying as female with SEMH needs living in the Scarborough, Whitby, Ryedale area which would allow them to be educated close to their families and communities.</p>
Sexual orientation	✓			<p>It is anticipated there would be no identifiable impact on SEND pupils due to sexual orientation</p>
Religion or belief	✓			<p>It is anticipated there would be no identifiable impact on SEND pupils due to religion or beliefs.</p>
Pregnancy or maternity	✓			<p>It is anticipated there would be no identifiable impact on SEND pupils due to pregnancy or maternity.</p>
Marriage or civil partnership	✓			<p>It is anticipated there would be no identifiable impact on SEND pupils due to marriage or civil partnership.</p>

Section 7. How will this proposal affect people who...	No impact	Make things better	Make things worse	Why will it have this effect? Provide evidence from engagement, consultation and/or service user data or demographic information etc.
Live in a rural area?		✓		It is anticipated there would be no identifiable impact on SEND pupils due to living in a rural area. It is anticipated that for girls living in rural area there may be a positive impact.
...have a low income?	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their family receiving a low income.

Section 8. Will the proposal affect anyone more because of a combination of protected characteristics? (e.g. older women or young gay men) State what you think the effect may be and why, providing evidence from engagement, consultation and/or service user data or demographic information etc.

This proposal may adversely affect those who have protected characteristics of gender (male), age and disability more than others, however steps will be taken to mitigate any adverse impacts. As provision for special educational needs and disabilities is made on an individual basis and the local authority has a statutory duty to deliver this, any adverse impact will be mitigated therefore no one will lose provision as a result of these proposals. [Further individual consultation will be undertaken with those pupils and families in addition to their Annual Reviews where alternative education options will be explored if these are required.](#)

[The proposal will positively affect those who have protected characteristics of gender \(female\), age and disability as it is likely that they will be able to be educated within their local community as if the proposals are implemented there will be new provision.](#)

Section 9. Next steps to address the anticipated impact. Select one of the following options and explain why this has been chosen. (Remember: we have an anticipatory duty to make reasonable adjustments so that disabled people can access services and work for us)	Tick option chosen
1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.	
2. Adverse impact - adjust the proposal - The EIA identifies potential problems or missed opportunities. We will change our proposal to reduce or remove these adverse impacts, or we will achieve our aim in another way which will not make things worse for people.	
3. Adverse impact - continue the proposal - The EIA identifies potential problems or missed opportunities. We cannot change our proposal to reduce or remove these adverse impacts, nor can we achieve our aim in another way which will not make things worse for people. (There must be compelling reasons for continuing with proposals which will have the most adverse impacts. Get advice from Legal Services)	✓
4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.	
Explanation of why option has been chosen. (Include any advice given by Legal Services.)	
There may be adverse impacts as discussed above, if these proposals are taken through consultation to be implemented.	

Adverse impacts have been identified, however, steps will be taken to mitigate adverse impacts, and as provision is made for pupils on an individual needs basis this provides further steps to mitigate any identified adverse impact. Further individual consultation will be undertaken with those pupils and families in addition to their Annual Reviews where alternative education options will be explored if these are required.

Whilst it is recognised that there are adverse impacts, the consultation has also indicated that there will be positive impacts on particular groups including both girls and boys have been identified and outlined above.

Section 10. If the proposal is to be implemented how will you find out how it is really affecting people? (How will you monitor and review the changes?)

This EIA will be kept under review during the consultation and decision making process, and post implementation if decisions are made on these proposals. Number of placements at independent or out of county residential settings for children and young people with SEMH primary needs will be monitored, as will placements of girls with SEMH needs.

Feedback will be sought from parents/carers of children and young people with SEND to determine lived experience impact. This is likely to be through EHCP annual reviews and ongoing engagement with North Yorkshire Parent Carer Voice.

Section 11. Action plan. List any actions you need to take which have been identified in this EIA, including post implementation review to find out how the outcomes have been achieved in practice and what impacts there have actually been on people with protected characteristics.

Action	Lead	By when	Progress	Monitoring arrangements

Section 12. Summary

Following the second consultation period, steps will be taken to make decisions to implement these proposals, there may be adverse impacts for those people who fall under the protected characteristics of age, gender and disability.

During the second consultation and decision making process, any identified adverse impact will be fully considered and identified how this can be mitigated. Mitigations are already identified if proposals are taken though residential provision will be phased out to ensure that this impacts the least amount of pupils, and as each pupil has assessed needs and provision to meet their needs, they will have individual consideration as to how any adverse impacts can be mitigated in their individual case.

This proposal is likely to make things **better** for girls with SEND as there will be a special school offer within the Scarborough, Whitby, Ryedale locality which may enable them to remain closer to their families and allow them to be educated in their local community. This is currently not an option for girls with primary assessed needs of SEMH.

This proposal is likely to **reduce costs** across council budgets. By having a maintained offer for girls who have an assessed of SEMH there will be a more cost effective option than the current independent and out of county placements which need to be used. It will also create more places for both boys and girls so more young people can access the provision they need.

Key stakeholders have been involved in the development of the proposal and have included:

- NYCC Children and families service, including Disabled Children's Service

Under section 27 of the Children & Families Act 2014 public consultation with all stakeholders was required and has taken place.

Under section 19 of the Education & Inspections Act 2006 consultation will be required for any proposed change of designation to move forward. It is proposed that the consultation take place over 7 weeks and will give all stakeholders and residents of North Yorkshire the opportunity to respond in a variety of ways.

Further consultation has now taken place over 7 weeks. It is proposed that the preferred option is now given permission to proceed to publication of statutory proposals. This will give a further four weeks for representations to be made, before a final decision is taken by the County Council's Executive on 8 November 2022.

Following the completion of the consultations, the four week representation period is currently underway before a final decision is taken by the County Council's Executive on 8th November 2022.

Section 13. Sign off section

This full EIA was completed by:

Name: Sarah-Jane Hill

Job title: SEND Strategic Plan Implementation Officer

Name: Wendy Butterfield

Job title: Lead SEND Development Officer

Directorate: Inclusion

Signature:

Completion date: 23.07.2021

Updated: 6.6.22

Updated: 8.9.22

Updated: 21.10.22

Authorised by relevant Assistant Director (signature): Jane Le Sage

Date: 9.9.22

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North Yorkshire County Council

Executive

8 November 2022

Area Constituency Committee Feedback

1.0 Purpose of the Report

To bring to the attention of the Executive key issues considered at recent meetings of the Area Constituency Committees.

2.0 Skipton and Ripon Area Constituency Committee – 1 September 2022

- 2.1 The meeting was attended by the Rt Hon Julian Smith MP. Some of the key issues raised in his update were as follows: recognition that the local authorities in North Yorkshire are all working well together to deliver on the new unitary authority and the devolution deal; looking forward to the next iteration of the Area Constituency Committees and how they will work to support local delivery and accountability; the support provided to Ukrainian refugees has been extremely well organised; and the Cost of Living Crisis poses a greater financial and economic challenge to the government than the pandemic.
- 2.2 The committee received presentations on the North Yorkshire Cultural Framework and the priorities, challenges and opportunities relating to economic development in the Craven District Council area. The synergies between culture, tourism and the local economy were noted, as was the role that access to a range of cultural experiences had to play in attracting and retaining younger people and families in the area and so helping maintain a flexible and skilled workforce. The committee resolved to review the economic development 'masterplan' for Ripon at their next meeting and, where possible, conduct a site visit of some of economic assets identified in the plan.
- 2.3 The committee received an overview of some of the key issues relating to fuel poverty in their area. This item had been requested due to concerns about the impact of the cost of living crisis, particularly in the more rural parts of the Dales.
- 2.4 An update was received on the first 12 months of the pilot of the Digital Demand Responsive Bus Service. In general, the need for a pilot was acknowledged and the move to look for innovative solutions for rural transport was welcomed. There were concerns, however, regarding the financial viability of the scheme and whether the money would better be spent subsidising an existing, timetabled bus service.

3.0 Richmond (Yorks) Area Constituency Committee – 5th September 2022

- 3.1 An update on the development of the Catterick Integrated Care Campus was provided by Lisa Pope CICC Programme Leader and Deputy Director (Primary Care), North Yorkshire Integrated Care Board. Issues discussed included:-
- The timeline for the development and the nature of the development (buildings and services)
 - Transport to and from the facility, particularly from remote areas
 - Dental Service provision and the potential for MoD facilities to be used for the community.

- How costs would be divided (NHS, MoD)
 - The possible location of ambulance and pharmacy facilities at the Campus.
- 3.2 The development was expected to start in 2023 and Members asked that an update be provided to the Committee when the construction had commenced.
- 3.3 Area Highways Manager, Jayne Charlton, presented an update on the North Northallerton Bridge development, which highlighted
- The Highway Authority were currently awaiting the results of the safety audit by the developer, which was required by the end of the week;
 - No opening date could be provided until the results of the safety audit were known;
 - Approval of the safety audit was also required from Network Rail.
- 3.4 Members noted their disappointment that the bridge was yet to open it was noted that, ultimately the opening of the bridge was in the hand of the developer and could not be opened until the safety audit was completed satisfactorily. It would be determined whether the bridge could be opened for pedestrians in the interim. It was noted that much of the funding for the project came from external sources and was not able to be held back until completion.
- 3.4 Peter Stockton, Head of Sustainable Development, Yorkshire Dales National Park Authority gave a presentation in respect of the Yorkshire Dales Local Plan 2023 to 2040, and it was noted:
- The need to control the number of developments for second homes and holiday lets to ensure that the local community had access to housing in the area.
 - Ensuring that land was available for suitable development for homes for the local community.
 - Addressing carbon issues and climate change concerns through suitable development and development controls.
 - Exploring devolution as a possible means to obtain land for suitable local development.
 - Considering the development of HMOs to address concerns in respect of the availability of workers in rural locations.
 - Concerns regarding the possible reduction of Members on National Park Authorities and the disparity in respect of the current representation of the population by Members.
- 3.5 At the request of members an urgent item was agreed by the Chair in respect of the street furniture and temporary outside Accommodation for bars/restaurants/cafes/etc. and the forthcoming cessation of the relaxation of the regulations, which had been introduced at the time of the COVID restrictions. It was noted that the temporary legislation had now been extended to the end of Spring 2023, which would allow an opportunity for establishments to apply for permanent orders, if they required these.

4.0 Harrogate and Knaresborough Area Constituency Committee – 12 October 2022

- 4.1 The Committee decided to refer a Public Question or Statement from Pannal and Burn Bridge Parish Council, together with the response provided by officers at the Committee's meeting, to both:-
- NYCC's Executive, as members wish to obtain a clear policy from the Executive about its view concerning the urban expansion to the west of Harrogate; and
 - Harrogate Borough Council, because the Parish Council has asked for the Maltkiln survey to be shelved until the matters regarding the lanes and former cart tracks to the

west of Harrogate have been solved. This survey is a Harrogate Borough Council planning consultation.

- 4.2 The statement from Pannal and Burn Bridge Parish Council, together with the response provided by officers at the Committee's meeting, are at **Appendix 1** to this report.
- 4.3 Other Public Questions and Statements put to the Committee's meeting were from:
- Harlow and Pannal Ash Residents' Association regarding concerns about the Otley Road Cycleway scheme.
 - Harrogate and District Cycle Action regarding a lack of progress on three schemes and their suggestions to address this.
 - Harrogate Civic Society, who wish to play an active and constructive role with the new North Yorkshire Council.
 - 20's Plenty for North Yorkshire Harrogate, seeking support for making 20mph the default speed limit in towns and villages in the Harrogate and Knaresborough constituency area.
- 4.4 The committee considered a report on the existing 20mph Speed Limit and Zone Policy and decided to advise the Executive "that the Harrogate and Knaresborough Area Constituency Committee wishes a 20mph speed limit to be piloted throughout towns and villages in the constituency area where a need has been identified, and that the Executive be asked to recommend the Transport, Economy and Environment Overview and Scrutiny Committee, when it considers the County Council's 20mph Speed Limit and Zone Policy on 19 January 2023, to consider appropriate amendments to the existing policy to enable such a pilot to be introduced".
- 4.5 Officers advised that the introduction of 20mph across the Harrogate and Knaresborough area, was likely to cost more than £1million and would take 12-18 months for options testing, surveys and analysis, assuming that various tasks were run concurrently. Engineering measures to support 20 mph limits, and enforcement of 20mph limits, were discussed.
- 4.6 Key points made by committee members who supported the motion in the first paragraph of 4.3 were:
- 20mph limits would:- improve the environment, air quality and the well-being of residents; reduce traffic by getting more people to walk and cycle safely; support a modal shift, which was a key objective of the existing policy.
 - More evidence was now available to show that traffic pollution potentially caused cancers. Particulates were a key issue in changing speed between 20mph and 30mph.
 - A 20mph limit was needed throughout a journey, rather than only around a school.
 - The new Maltkiln development would be exemplar in terms of active travel but this would be "useless" if cycling was less user-friendly at the Maltkiln boundary marked on the planning application.
 - The current policy was self-fulfilling, ie by considering requests on a case-by-case basis, and there needed to be a culture change.
 - 20mph should be introduced now rather than in 20 or 40 years' time.
 - The benefits for pedestrians and cyclists, of having 20mph limits, need to be treated with greater importance.
 - Many parish councils within the Harrogate Borough Council area had said they wanted 20mph limits in their parishes.
- 4.7 Key points made by members who did not support the motion were:

- Existing 20mph limits with only “signs and lines” did not necessarily result in reduced traffic speeds. Therefore, the issue came down to the arguments of enforcement and capital spend.
- There was reluctance to ask for anything which would have a revenue spend because there were items relating to local Divisions that Highways needed to look at, which had been requested a long, long time previously, but there had been no money to get them done. Members wanted money spending to remedy those items first.
- The motion put to the committee’s meeting had been contradicted by statements made by members who supported it, namely, the motion referred to 20mph speed limit being piloted throughout “towns and villages” but members who supported the motion had referred to a 20mph limit at Maltkiln being “useless” beyond the Maltkiln boundary. In any event, the whole area would need to be reviewed to determine where the ‘red line’ for a 20mph limit was, and there would be a cost associated with carrying out such a review.
- No framework had been put forward for identifying “a need” within the phrase “... 20mph speed limit to be piloted throughout towns and villages in the constituency area where a need has been identified ...”

4.8 The majority of members supported the Transport, Economy and Environment Overview and Scrutiny Committee being asked to approach Oxfordshire and Lancashire about how their 20mph limits were going.

4.9 Progress of stage 2 of the Harrogate Transport Improvements Programme was reported to the committee. This programme builds on the findings of the extensive Harrogate Congestion Study public engagement of 2019. The findings and recommendations will be reported back to the committee at the conclusion of the study i.e. in the first half of 2023. Committee members expressed various points which they asked the officers to take into account.

4.10 The committee considered the Cultural Framework for North Yorkshire as part of an on-going conversation to provide an overarching direction of travel, and to act as a catalyst for conversation, partnership brokering and investment. Committee members expressed several criticisms regarding the Framework, in particular its top-down approach and its many omissions. The committee sought details of the procurement process through which Mustard& had been commissioned, and how much the Framework had cost the County Council, and for a written response to be sent to all committee members.

5.0 Scarborough and Whitby Area Constituency Committee – 23 September 2022

5.1 The committee considered a statement from a representative from Scarborough’s Civic Society in which they expressed concern about the future structure of local government in North Yorkshire especially in the unparished parts of Scarborough. They also queried whether:

- All current services be maintained at the same level;
- There would still be a planning department based in Scarborough as well as locally based Ecology Officers and Conservation Officers;
- What would happen to the Town Hall which is an important cultural asset packed with historical artefacts
- There would be asset stripping by NYC with the sale of Scarborough SBC properties and the transfer of revenues such as parking charges from Scarborough to NYC

5.2 In response it was confirmed all the assets and services that were currently provided by Scarborough Borough Council and North Yorkshire County Council would become the responsibility of North Yorkshire Council on 1 April 202, and all staff would be transferred across with be no gap in service provision. Also, whilst no decisions had been made as yet, including in respect of Scarborough’s Town Hall, the Council was committed to

retaining offices in all areas of the County in order to administer services locally. Attention was also drawn to an ongoing public consultation, currently underway to identify whether there was interest in and support for the establishment of parish councils for the unparished areas in Scarborough and Harrogate.

- 5.3 The Committee received a verbal update on performance at Scarborough Hospital - the first since July 2021, which provided an overview of the key issues, including:
- The hospital had invested in additional nursing staff but it was still a struggle to attract staff to the east coast - agency staff were still being used together with an internal bank system – the hospital was desperate to recruit more substantive staff;
 - the volume of demand at the front door, and back door discharges – there were currently 90 patients awaiting some form of package of care and ways to expedite discharges were being explored
 - an upturn in Covid-19 numbers, with a return to the use of masks in clinical areas;
- 5.4 In regard to previous standards of care issues considered by the committee, Simon Morritt confirmed that in the main they had been addressed and that a paediatrically training doctor in emergency was expected to be in place within the next couple of months. He also agreed to provide data on:
- The number of consultations taking place online - he confirmed that face to face outpatients would not disappear;
 - Response times for blood results from labs
- 5.5 Director of Public Health presented a progress update on Coastal Health and drew attention to the nine themes arising from the report, the three recommendations, and the ongoing work to address them. Members also received an overview of the public health advice available to address the many challenges.
- 5.6 The Committee noted the need for equity in access to care services and agreed there were multiple ways to address the wider determinants of health. However they were disappointed to note that 80% of poverty in North Yorkshire was in the Scarborough borough area.

6.0 Thirsk and Malton Area Constituency Committee – 30th September 2022

- 6.1 Daniel Harry (Democratic Services and Scrutiny Manager) and Chris Phillipson (Principal Democratic Services Officer), who provide clerking services to the Scrutiny of Health Committee, attended the meeting to assist with the Committee's scoping of issues related to NHS Services, specifically GP services, dentistry and Ambulance waiting times, with a view to obtaining information on these issues from a local perspective. Details of issues considered by the Scrutiny of Health on these matters were outlined.
- 6.2 A public question/statement outlined the difficulties currently being experienced within the NHS by staff in terms of higher numbers using services with less staff available, and asked how this was to be addressed. A response from NHS Communications and the Yorkshire Ambulance Service emphasised that everything was being done to try and address the issues raised whilst acknowledging the current issues being experienced by staff and patients.
- 6.3 Members highlighted the following:-
- The delays being experienced in local hospitals with long wait times transferring from ambulances to A&E, then further long waits, without any supervision, in A&E itself.
 - A huge amount of people in the area covered by one GP practice that was not delivering effectively for its patients.

- Local access to NHS dentistry is very limited with many people on waiting lists and unable to access services.
 - The need to compare local data to determine the service level being delivered against performance indicators and consider where services are not being provided effectively.
- 6.4 Appropriate data would be submitted to the next meeting of the Committee to enable a comprehensive analysis of the provision of NHS services in the Constituency area to be undertaken.
- 6.5 Graham North (Strategy and Performance Officer, Policy, Partnerships and Communities) provided an overview of the North Yorkshire County Council and Ryedale District Council Levelling Up Fund round two submissions, consisting of two schemes within the Thirsk and Malton constituency area, relating to improvements at Thirsk and Malton Railway Stations.
- 6.6 Members highlighted the following:-
- The need for the improvements highlighted for the benefit of the two towns, and, should the bids be unsuccessful, that other funding opportunities be sought to deliver the proposals.
 - Ensuring that the project in Malton is appropriate for what is required, including the provision of adequate car parking and linking in to Norton.
 - The need for improvements to the standard of trains, particularly those serving the east coast.
- 6.7 Members discussed the format of meetings and considered utilising remote and hybrid meetings occasionally, to encourage increased participation.
- 6.8 Finally, an update was provided by the Area Highways Manager in respect of the annual maintenance taking place on Sutton Bank.

7.0 Selby and Ainsty Area Constituency Committee – 19th October 2022

- 7.1 Two public questions were submitted in respect of the recent reductions in bus services in the area, with some communities not receiving any services, as a result and highlighted the detrimental impact this was having on those communities.
- 7.2 The Committee undertook a discussion on the reductions in bus services and were assisted by Michael Leah (Assistant Director – Travel Environmental and Countryside, Transport, waste and Countryside Services) who provided details as to why the services had been removed, together with action that had been taken to try and mitigate the impact.
- 7.3 Members highlighted the following:-
- The need for public transport services to enable local communities to access essential services.
 - The lack of funding received by operators from concessionary fares reduced their capacity to operate cost effectively, leading to the reduction in services.
 - Services were operating up to the North Yorkshire boundary from outside the area, but were then turning around, preventing access to areas where many obtained health services, shopping, etc.
 - Details were provided as to how some of the service reductions were being addressed by NYCC, but it was emphasised that all the services could not be replaced.
 - Alternative community transport options were required and community leaders should consider how to best develop these through Passenger Transport Services.
 - The issue of bus services would remain on the agenda for meetings, going forward.
- 7.4 The Leader of the Council, county Councillor Carl Les, led a discussion with Members of the Committee on a range of issues, including the following:-

- Investment Zones – it was noted that expressions of interest had been required quickly and District Councils had assisted in identifying potential areas for submission. The process for the appointment and development of these Zones was not yet known and the ACC would have a role in determining how these would be best utilised, going forward.
- Area Constituency Committees were expected to evolve as the unitary authority was put in place, with local decision making being paramount for many issues, including planning and licensing. The exact framework for this was currently being developed through the Member Working Groups.
- Further developments would continue to be fed into the ACCs.

7.5 Members considered the details of the report highlighting the Cultural Framework that was being developed for North Yorkshire. Mark Kibblewhite, Senior Policy Officer, North Yorkshire County Council and Danielle Daglan, Cultural Services Manager, Craven District Council, presented the report and assisted Members with their consideration of the issues within the report. Members highlighted the following:-

- The presented report was out of date and incomplete in respect of the details provided for the Constituency area.
- Members considered that many of the details from the various local communities were missing from the report, despite many cultural activities taking place in those areas, with Selby town being the main focus. It was emphasised that this was the initial development of a framework and this would be enhanced as the Authority transformed into a unitary authority. Members suggested that a future, updated report, taking account of the issues raised, be submitted to a future meeting of the ACC.

7.4 Members noted a response from the Police, Fire and Crime Commissioner in respect of the potential closure of the Fire Control Room back-up service, and agreed to keep Police, Fire and Crime resource issues on the agenda.

7.5 The Constituency MP, Nigel Adams, submitted a report highlighting current issues in the area which was noted by the Committee.

8.0 Recommendation

8.1 That the Executive notes the report and considers any matters arising from the work of the Area Constituency Committees detailed above, that merit further scrutiny, review or investigation at a county-level.

Barry Khan
 Assistant Chief Executive (Legal and Democratic Services)
 County Hall
 Northallerton

**Statement from Pannal and Burn Bridge Parish Council for Harrogate and
Knaresborough Area Constituency Committee - Wednesday 12 October 2022 at
10.00AM**

Relating to item 7 on the agenda, Pannal and Burn Bridge Parish Council wish to make the following comments:

For the first time, to our knowledge, (HTIP recap 3.3) reference has been made in the public domain to the plight of Pannal and Burn Bridge relating to the explosion of housing and projected employment sites to the west of Harrogate. It is amazing that, despite our making NYCC aware of this prior to 2019, there is at last some recognition and realisation that, apart from tinkering at the edges, nothing of significance has been planned to mitigate what will be gridlock in Harrogate's Western Arc.

We believed that all relevant factors were taken into account but it appears the wheel is being reinvented. In HTIP recap 3.1, it refers to the conclusion of the first stage of HTIP. We're still awaiting the second stakeholder meeting (promised for October) concerning the fully costed and detailed implementation plan that was missing from the West of Harrogate Parameters Plan. So how can the first stage of HTIP be complete? The Otley Road cycle path, increased bus frequency and active travel were meant to be the panacea for all ills to mitigate congestion into Harrogate. None of these plans would have any real effect on the huge increase in traffic through Pannal and Burn Bridge arising from the Western Arc developments.

Consultations with, and consultants from, developers and others seem to have delivered next to nothing since 2019. The timescales in points 4.1 to 4.4 allude to kicking the can further down the road as if there is something new and unforeseen that has arisen since 2019. There isn't anything other than what we in the Western Arc have been telling NYCC and HBC for years.

There are now so many acronyms that we have lost track of what is going on. Some clarification is needed please – HTIP (Mk 1 or 2), WHIDP, WHIDS, IDS, IDP, WoH (that's brand new for us), WHPP, etc. Does HTIP v 2 include WHIDS as it would appear to concentrate on the A61 rather than what is needed to Harrogate's west? Has the costed and detailed plan for traffic on the west of Harrogate that was promised, been shelved, delayed - once again - or incorporated into HTIP v 2 or WoH or both?

We're sure a detailed response to our comments will be provided by NYCC but, as HBC will cease to exist within a few months, has it given up the ghost with its participation with NYCC but continues with its liaison with developers? Efforts are being made to have a complete plan for Maltkiln, which is probably many years away – something that was sadly lacking for the Western Arc of Harrogate. Please shelve the Maltkiln survey until you have solved the urgent matters for what is happening now in the lanes and former cart tracks to the west of Harrogate.

We come to item 9 in the report where recommendation is made to merely "consider this update and note its content". Our recommendation is for Members to effect the equivalent of a kick up the backside (immediate action) to get meaningful results now rather than procrastination and excuses.

Howard West
Chairman, Pannal and Burn Bridge Parish Council

**Response to the statement from Pannal and Burn Bridge Parish Council from
Louise Neale (Team Leader Transport Planning, Highways and Transportation)**

There are two main workstreams which are separate but very closely linked. HTIP is the Harrogate Transport Improvement Programme which is being lead by NYCC as the Local Transport Authority,

the focus of which is "...to improve facilities for all road users, but would particularly seek to improve provision for pedestrians and cyclists, provide bus priority to enhance the experience of using passenger transport, and also seek to tackle some of the most problematic junctions in the study area." This workstream seeks to address existing congestion issues and promote more sustainable modes of transport. Upon completion of the study work, it is anticipated that a business case will be submitted to the DfT to secure funding to deliver the works on site.

The other workstream is focussed on mitigating the impacts of the developments in the West of Harrogate urban expansion, which seeks to deliver 2500 new houses, two schools, local centres and employment land. The promoters have commissioned a transport consultant to prepare a transport study, which looks at the cumulative impact of all of the developments, as well as other committed developments in the study area and identifies junctions and links which require mitigation as a result of these developments. This work will be funded by the developers through Section 106 contributions and delivered by the Local Highway Authority. Should the bid for funding for HTIP be unsuccessful, then there would still be an intention to deliver these improvements through the Section 106 contributions.

As such, the workstreams are separate, but intrinsically linked, and any delay in one work stream can unfortunately impact the other. Much of the relevant information is being worked up by consultants representing different development companies, plus planning officers from HBC working with our own officers to understand the assessment of highway impact and then consider potential approaches to mitigation. Due to the complexity of the planning matters involved, including the number of developers, the timelines to which they are working, and the cumulative effect of the developments overall, that work in itself has been extremely time consuming and complex, and much of the detail relevant to HTIP has only recently become available.

NYCC have engaged with an external consultant, RPS, to undertake a buildability and costing exercise on their behalf. Since the mitigation works are being constructed by the Local Highway Authority (LHA) and funded through S106 contributions, the LHA requires certainty that enough funding will be secured, and also that the proposals being brought forth by the promoters can be delivered. This workstream is also still ongoing, though good progress has been made and it is nearing its conclusion. The outcome from this work and the cumulative transport strategy will feed into the West Harrogate Infrastructure Delivery Strategy.

NYCC and HBC are working closely on all West of Harrogate workstreams and this will continue after local government reorganisation.

Supplementary Question from Pannal and Burn Bridge Parish Council

Parish Councillor Howard West commented that there were actually 4,000 new houses, rather than 2,500 as mentioned in the response.

Parish Councillor Howard West asked where, in all the work carried out by the County Council, Borough Council and developers, was there any clarity or commitment on deliverables that would truly off-set the effects of the excessive developments proposed for the western arc of Harrogate. So far, everything the Parish Council was seeing constituted tinkering around the edges, is process driven, and lacks real solutions. Compare this with what has happened in Maltkiln. Two totally different worlds.

Allan McVeigh (Head of Network Strategy, Highways and Transportation) responded that a huge amount of work was already in progress regarding junction mitigation. This is the RPS study mentioned by Louise Neale. Officers are also pushing the process very hard in relation to Active Travel and Sustainable Transport. Proposals were coming forwarded which included bus service improvements too. An awful lot of work is on-going but, at the moment, it is still 'work in progress'

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North Yorkshire County Council

Executive

8 November 2022

Appointments to Outside Bodies

Report of the Assistant Chief Executive (Legal and Democratic Services)

1.0 Purpose of the Report

- 1.1 To enable appointments to Committees and Outside Bodies to be considered.

2.0 Harrogate and District NHS Foundation Trust Council of Governors

- 2.1 The appointments to Outside Bodies made by the Executive in 2017 County Council elections were for a period of 4 years up to May 2021. Due to the deferment of County Council elections in 2021, the appointments to committees and some Outside Bodies were extended by one year until the County Council AGM in May 2022.
- 2.2 North Yorkshire County Council has one seat on the Harrogate and District NHS Foundation Trust Council of Governors. In May 2022, County Councillor John Mann was re-appointed to the Council of Governors through to May 2027, having first been appointed in May 2017.
- 2.3 County Councillor John Mann has recently decided to stand down and therefore the Council of Governors is seeking a replacement.
- 2.4 Detailed information in respect of each outside body, including the following, is available to Members on request to Democratic Services:-
- Purpose of outside body
 - Meetings – frequency per year; venue; time of day/evening meetings held
 - Recent Minutes

3.0 Recommendation

- 3.1 That the Executive agree a new appointment to the Harrogate and District NHS Foundation Trust Council of Governors

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)
County Hall
Northallerton

31 October 2022

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FORWARD PLAN

The decisions likely to be taken by North Yorkshire County Council in the following 12 months are set out below:

Publication Date: 31 October 2022

Last updated: 31 October 2022

Period covered by Plan: 31 October 2023

PLEASE NOTE:-

In accordance with the Local Authorities (Executive Arrangements)(Meetings and Access to information)(England) Regulations 2012, at least **28 clear days' notice**, excluding the day of notification and the day of decision taking, must be published on the Forward Plan of any intended key decision. It is also a requirement that **28 clear days' notice** is published of the intention to hold a Executive meeting or any part of it in private for the consideration of confidential or exempt information. For further information and advice please contact the Democratic Services and Scrutiny Manager on 01609 533531.

FUTURE DECISIONS

Likely Date of Decision	**Decision Taker	In Consultation with (Executive Member or Corporate Director)	Description of Matter – including if the report contains any exempt information and the reasons why	Key Decision YES/NO	Decision Required	Consultees (i.e. the principal groups to be consulted)	Consultation Process (i.e. the means by which any such consultation is to be undertaken)	Contact details for making representations (Tel: 0845 034 9494) unless specified otherwise)	Relevant documents already submitted to Decision Taker
8 Nov 2022	Executive		North Yorkshire Council Branding	Yes	To gain approval for the new branding for North Yorkshire Council	Member Working Group and Members and officers	Meetings and emails	Vanessa Glover, Head of Communications vanessa.glover@northyorks.gov.uk	
8 Nov 2022	Executive		Electric Vehicle Rollout Strategy	Yes	To seek approval to open a public consultation in response to the contents of the Electric Vehicle Rollout Strategy	Members of the public	On line and postal responses	Keisha Moore keisha.moore@northyorks.gov.uk	
8 Nov 2022	Executive		Fees and Charges Policy and approach to establishing charges for the new Council, including proposed inflationary uplift(s) for the 23/24 financial year to support budgeting and medium term financial planning.	Yes	Approval of the Fees and Charges Policy for North Yorkshire Council, including inflationary uplift(s) for 23/24. Approval of approach to any proposed harmonization and specific exceptions to the proposed policy	Audit Committee Members on the proposed policy	Comments to be invited from members of Audit Committee	Karen Iveson karen.iveson@northyorks.gov.uk	
8 Nov 2022	Executive		Double Devolution - process for the consideration of identifying pilot	Yes	Proposal to launch the process to all town and parish councils to submit an expression	Executive members, senior officers,	Meetings and emails.	Neil Irving, Assistant Director - Policy, Partnerships	

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			town/parish Councils		of interest to work to become pilots for double devolution of unitary council services or assets. This decision is the launch of the expressions of interest process only.	parish and town councils		and Communities neil.irving@northyorks.gov.uk	
7 Nov 2022	Executive		Report on progress since the publication of the report of the North Yorkshire Rural Commission in July 2021	No	To receive and consider report on progress since the publication of the report of the North Yorkshire Rural Commission in July 2021	Rural Task Force	Meetings	Neil Irving, Assistant Director - Policy, Partnerships & Communities neil.irving@northyorks.gov.uk	
8 Nov 2022	Executive		Review of Special Educational Needs & Disabilities Provision: proposals to change provision at Brompton Hall School	Yes	To consider the response to statutory notices and determine the decision to change school designation			Chris Reynolds, Head of SEND Strategic Planning and Resources chris.reynolds@northyorks.gov.uk	
29 Nov 2022	Executive		Annual complaints report	No	Annual complaints report	None.	None.	dani.reeves@northyorks.gov.uk; 01609 532272 or stuart.carlton@northyorks.gov.uk 01609 532146	
29 Nov 2022	Executive		Caedmon College, Whitby - targeted	Yes	This item is subject to approval by Executive on 20 September 2022	Parents, Staff, Governors,	Public consultation from 16 June to 29 July.	Chris Reynolds, Head of SEND Strategic	

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Page 178			mainstream provision.		to publish statutory proposals. If statutory notices have been published and there are no objections received, the decision will be taken by the Executive Member for Education, Learning and Skills Following the publication of statutory proposals, to determine whether to add a targeted mainstream provision for Special Educational Needs at Caedmon College, Whitby.	Local Elected Members, District Council, and other local stakeholders.	Statutory proposals representation period from 29 September to 27 October 2022. Representations in writing to the Corporate Director-Children and Young People's Service, County Hall, Northallerton, DL7 8AE, or by email to schoolorganisation@northyorks.gov.uk by 27 October 2022	Planning and Resources chris.reynolds@northyorks.gov.uk	
	29 Nov 2022	Executive	Q2 Performance Monitoring and Budget Report	Yes	Financial and Performance Monitoring report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators.	Management Board.		Gary Fielding, Corporate Director for Strategic Resources gary.fielding@northyorks.gov.uk	
	29 Nov 2022	Executive	To outline the current accommodation position for Unaccompanied Asylum Seeking Children (UASC)	Yes	To agree capital funding for the potential purchase of a number of properties within North Yorkshire to accommodate Unaccompanied	No formal consultation. However, information will be shared with partner	N/A	Mel Hutchinson mel.hutchinson@northyorks.gov.uk	

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			and seek approval for capital funding for the development and purchase of a number of properties within North York		Asylum Seeking Children (UASC)	agencies as and when properties are identified			
Page 179 9 Nov 2022	Executive		Potential purchase of land/property within North Yorkshire.	Yes	To approve the acquisition of land/property within the county to deliver the Council's obligations to Unaccompanied Asylum Seeking Children and to delegate authority to specified officers to negotiate final terms.	Internal	None	Jon Holden, Head of Property Services jon.holden@northyorks.gov.uk	Special Urgency and Exempt Information Notice - Potential purchase of land/property within North Yorkshire.
13 Dec 2022	Executive		Ethical Decision Making Framework Review	Yes	To update members on the review of the Ethical Decision Making Framework undertaken in April 2022 with recommendations and proposals for future application.	NYCC Adult Social Care (ASC) staff who use the framework, lead officers including Governance, Practice and ASC leadership team.	Meetings and correspondence	Chris Jones-King, Assistant Director Adult Social Care, Care and Support, Richard Webb, Corporate Director of Health and Adult Services lisa.moore@northyorks.gov.uk,	
13 Dec 2022	Executive		Review of Leisure Services	Yes	Agree recommended changes to the	Richard Webb	No consultation undertaken. The	Richard Webb, Corporate	

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					operation of leisure assets in Selby post vesting day	Sponsor LGR Culture Leisure	decision is made by the Executive.	Director of Health and Adult Services c/o LGR Project Management office, LGRPMO@northyorks.gov.uk	
13 Dec 2022	Executive		Local Area SEND Strategy Adoption	Yes	Executive to recommend to Full Council adoption of the Local Area SEND Strategy			Chris Reynolds, Head of SEND Strategic Planning and Resources chris.reynolds@northyorks.gov.uk	
13 Dec 2022	Executive		North Yorkshire Climate Change Strategy Consultation Draft for approval and consideration of York and North Yorkshire Route map to Carbon Negative	Yes	1 Endorse the York and North Yorkshire Route map to Carbon Negative. 2 Approve the North Yorkshire Council Climate Change Strategy Consultation Draft	Internal political consultation	N/A	Jos Holmes climatechange@northyorks.gov.uk	
13 Dec 2022	Executive		Agree creation of Mayoral Combined Authority subject to consultation responses	Yes	Agree creation of Mayoral Combined Authority subject to consultation responses	Management Board Members' Seminar Group Leaders	Meetings and emails	Barry Khan, Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	

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13 Dec 2022	Executive		Future arrangements for the Harrogate and Rural Alliance	Yes	To approve the continuation of the Harrogate and Rural Alliance and agree the proposed legal framework and consultation process.	NHS Commissioners and Providers	Correspondence, meetings and Council website	Assistant Director Adult Social Care, Care and Support chris.jones-king@northyorks.gov.uk	
13 Dec 2022	Executive		Approval of New Constitution for North Yorkshire Council and Delegation to Chief Executive Officer of transitional powers to approve internal operational policies during transitional period of local government reorganisation	Yes	To approve the Constitution for the new Unitary Authority and the approval of the delegation to the Chief Executive Officer, during the second transitional period of local government reorganisation, of transitional powers to approve internal operational policies.	Executive Corporate and Partnerships Overview and Scrutiny Committee	Formal meetings of those committees	Barry Khan, Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	
13 Dec 2022	Executive		Redeployment of land to the north and south of Crosshills Lane, Selby	Yes	To approve the proposed redeployment of the property	Executive & Management Board at the informal Executive meeting held 8 June 2021		Philip Cowan, Non-Operational Property Manager, NYCC Property Services Philip.Cowan@northyorks.gov.uk	
7 Feb 2023	Executive		Proposed extra care housing scheme	Yes	To approve funding to support the development of an extra care housing scheme in Whitby. To review the proposed scheme and outcome of			Head of Housing Marketing Development (Commissioning) Health and Adult Services	

FUTURE DECISIONS

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					the procurement.			michael.rudd@northyorks.gov.uk	
10 Jan 2023	Executive		Approval of consultation with Town and Parish Council on the draft Parish Charter for the new Council	Yes	Approval of consultation with Town and Parish Council on the draft Parish Charter for the new Council	Parish and Town Councils. Relevant officers and members.	Meetings and emails.	Neil Irving, Assistant Director - Policy, Partnerships & Communities neil.irving@northyorks.gov.uk	
10 Jan 2023	Executive		Community Networks	Yes	To review options regarding the development of an operating model for community networks.	Member Working Group on Localities Group Leaders Members Officers	Meetings and email	Neil Irving, Assistant Director - Policy, Partnerships and Communities neil.irving@northyorks.gov.uk	
10 Jan 2023	Executive		Creation of a wholly owned Council company providing ICT and connectivity services	Yes	Creation of a wholly owned trading company to provide ICT and connectivity services.	Executive Members.	Report and meetings.	Barry Khan, Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	
24 Jan 2023	Executive		Council Pay Policy	Yes	To comply with the statutory requirement to publish the Council's Pay Policy	Management Board and Group Leaders	Meetings Emails	Justine Brooksbank, Assistant Chief Executive (Business Support) justine.brooksbank@northyorks.gov.uk	

FUTURE DECISIONS

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24 Jan 2023	Executive		Revenue Budget 2023/24 and Medium Term Financial Strategy	Yes	To consider and recommend to Council the Revenue Budget for 2023/24 and the Medium Term Financial Strategy (MTFS) including the: • Revenue Plan • Capital Plan • Treasury Management • Prudential Indicators	Proposals will be subject to the appropriate consultation process.	Budget consultation process.	Gary Fielding, Corporate Director for Strategic Resources gary.fielding@northyorks.gov.uk	
24 Jan 2023	Executive		Care market proposals for South Craven	No	To update Executive on proposals for the development of the adult social care market in South Craven and secure formal approval for the proposals	Local stakeholders	Stakeholder meetings	Head of Housing Marketing Development (Commissioning), Health and Adult Services michael.rudd@northyorks.gov.uk	
24 Jan 2023	Executive		Council Plan for the new council	Yes	To consider draft Council Plan for the new council	Corporate & Partnerships Overview and Scrutiny Committee, Management Board	Meetings	Neil Irving, Assistant Director - Policy, Partnerships & Communities neil.irving@northyorks.gov.uk	
24 Jan 2023	Executive		Admission Arrangements 2024/2025	Yes	To seek views from members on the response to the proposed admission arrangements for Community and Voluntary Controlled	Public consultation	Public consultation via the website	Lead for Admissions, Education & Skills lisa.herdman@northyorks.gov.uk	

FUTURE DECISIONS

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					schools for the school year 2024/2025 and approval for recommendation to the County Council for determination				
24 Jan 2023	Executive		Outdoor Learning Service	Yes	To consider the outcome of the strategic review and full business case for the Outdoor Learning Service.	Not applicable	Not applicable	Assistant Director, Education & Skills amanda.newbold@northyorks.gov.uk	
24 Jan 2023	Executive		Harrogate Development	Yes	To seek approval to construct and operate an NYCC owned dementia care facility in Harrogate	Other service providers Service users, CQC, Harrogate Borough Council, Local community	Formal consultation process in line with governance. Informal Open days. Community meetings	Dale Owens, Assistant Director Prevention & Service Development, Commissioning (HAS)	
7 Feb 2023	Executive		Future arrangements for the Harrogate and Rural Alliance	Yes	To consider feedback from the consultation and approve the final legal framework.	NHS Commissioners and Providers	Correspondence and meetings	Chris Jones-King, Assistant Director Adult Social Care, Care and Support chris.jones-king@northyorks.gov.uk	
7 Feb 2023	Executive		Armed Forces Covenant	Yes	To approve the Armed Forces Covenant for the North Yorkshire	Corporate and Partnerships	Meeting and emails	Neil Irving, Assistant Director - Policy,	

FUTURE DECISIONS

Likely Date of Decision	**Decision Taker	In Consultation with (Executive Member or Corporate Director)	Description of Matter – including if the report contains any exempt information and the reasons why	Key Decision YES/NO	Decision Required	Consultees (i.e. the principal groups to be consulted)	Consultation Process (i.e. the means by which any such consultation is to be undertaken)	Contact details for making representations (Tel: 0845 034 9494) unless specified otherwise)	Relevant documents already submitted to Decision Taker
					Council	Overview and Scrutiny Committee Members by email Officers by email - Key officer Paul Shevlin (Craven DC)		Partnerships and Communities neil.irving@northyorks.gov.uk	
21 Feb 2023	Executive		Q3 Performance Monitoring and Budget Report	Yes	Q3 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators.	Management Board		Director for Strategic Resources, gary.fielding@northyorks.gov.uk	
21 Feb 2023	Executive		Devolution	Yes	Devolution: decision regarding mayoral combined authority	Members	Emails	Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	
21 Mar 2023	Executive		Confirm Statutory Instrument to create Combined Authority	Yes	Confirm Statutory Instrument to create Combined Authority	Members' Seminar Management Board & Group Leaders	Meetings and emails	Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	
21 Mar 2023	Executive		Appointment to District Companies and Outside Bodies	Yes	To appoint where necessary to the positions that will be vacated upon the	District and Borough Councils All	Emails	Corporate Director for Strategic Resources	

FUTURE DECISIONS

Likely Date of Decision	**Decision Taker	In Consultation with (Executive Member or Corporate Director)	Description of Matter – including if the report contains any exempt information and the reasons why	Key Decision YES/NO	Decision Required	Consultees (i.e. the principal groups to be consulted)	Consultation Process (i.e. the means by which any such consultation is to be undertaken)	Contact details for making representations (Tel: 0845 034 9494) unless specified otherwise)	Relevant documents already submitted to Decision Taker
					cessation of the District and Borough Councils	Councillors		gary.fielding@northyorks.gov.uk	
21 Mar 2023	Executive		Approval of Customer Service Standards and Policies	Yes	Approval of Customer Service Standards and Policies: - Corporate Complaints Policy - Vexatious Customer Policy - Customer Service Standards	Member Working Group on Customer	Meetings	Robert Ling robert.ling@northyorks.gov.uk	
18 Mar 2023	Executive		Pilots town/parish councils who have additional powers and responsibilities for the unitary council	Yes	Process for the consideration of identifying a number of pilots town/parish councils who have additional powers and responsibilities for the unitary council and the process for considering such transfers	Member Working Group on Locality	Meetings of the Member Working Group	Barry Khan, Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	

Should you wish to make representation as to the matter being discussed in public please contact Daniel Harry
Email: (daniel.harry@northyorks.gov.uk) Tel: 01609 533531.

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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