



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, 13th December 2022

Time: 11.00 am

Venue: Meeting Room 3, County Hall, Northallerton

This meeting is being held as an in-person meeting that is being broadcast and recorded and will be available to view via the following link - [Live meetings | North Yorkshire County Council](#). The meeting is also 'hybrid', which enables people to attend the meeting remotely using MS Teams. Please contact the named supporting officer for the committee, if you would like to find out more.

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. Public Minutes of the Meeting held on 29 November 2022 (Pages 5 - 12)
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
13	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 8 December 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. **The operation of leisure services in Selby district 2024 onwards (Pages 13 - 34) Recommendations:**

The Executive is asked to:

- i) Note the decisions taken by Selby District Council on 1 September 2022:
 - To support the proposed Selby interim service option, which was the transfer to a Teckal company;
 - Not to re-procure its leisure contract; and
 - Engage with any future proposals that were considered by North Yorkshire's Executive later in the autumn, in relation to a countywide Strategic Leisure Review.
- ii) Approve the interim proposal for Selby Leisure services, with the services being provided by Brimhams Active from August 2024, pending the implementation of a countywide service delivery model for leisure and sport.
- iii) Approve the commencement in 2023 of a countywide Strategic Leisure Review, overseen by a Member Working Group, chaired by the Executive Member for Planning for Growth, with final recommendations to be presented to Executive during 2023/24.
- iv) Approve the allocation of up to £120k for the strategic review, with this to be funded from the earmarked LGR funds.

7. **Reports of the Member Working Group on Planning (Pages 35 - 82) Report A Recommendations:**

The Executive is asked to:

- i. Endorse the recommended approach of the LGR Planning Member Task and Finish Group relating to Planning Governance;
- ii. Consider the options on the proposed number of Planning Committees and indicate their view on the most appropriate way forward so that the necessary preparatory work can be undertaken to prior to the Vesting Day.

Report B Recommendations:

Executive is asked to support the following recommendations relating to Plan Making, and agree they be taken forward for decision by Full Council, i.e. that:

- i) A single local plan is prepared and progressed as far as possible within five years
- ii) Work on the new local plan should start as soon as possible
- iii) A separate Minerals and Waste Local Plan is prepared
- iv) The following plan reviews should be halted in order to focus resources on preparing a new Local Plan:
 - Craven Local Plan
 - Hambleton Local Plan

- Harrogate District Local Plan
 - Richmondshire Local Plan
 - Scarborough Borough Local Plan
- v) The following reviews should continue:
- Harrogate: Maltkiln New Settlement DPD
 - The Ryedale Plan
 - Selby Local Plan
 - Minerals and Waste Joint Plan
- vi) An Interim LDS, including key milestones and programme management arrangements, is prepared on the basis of the above recommendations
- vii) A specific report is prepared setting out the required evidence base and associated costs/resource to support the preparation of the new plan
- viii) Formal governance arrangements should also be established to oversee plan making ahead of transformational change.

8. Report of the Member Working Group on Customer Strategy, (Pages 83 - 88) including Service Standards & Complaints Policy Recommendations

That the Executive consider the contents of the report and the findings of the Working Group and approve:

- i. The development of a customer friendly, accessible customer strategy for an initial period of two years as set out in paragraph 3.7 above. The completed Strategy will be the subject of Executive approval.
- ii. The development of a set of performance standards for the new Council as part of the Customer Strategy as set out in paragraph 3.8 and 3.9 above.
- iii. The new complaints policy as set out in paragraph 3.6 above. The completed policy to be submitted for Executive approval with the customer strategy in due course.

9. Consideration of the building condition at Welburn Hall school (Pages 89 - 130) and potential remedial plans Recommendations:

The Executive are asked to approve that:

- i. A consultation process be undertaken in relation to the pausing of residential provision at Welburn Hall for a two year period from September 2023
- ii. Planning permission be sought to install temporary classroom provision on site
- iii. The local authority will not install temporary accommodation for residential operation

10. Forward Plan (Pages 131 - 144)

11. Confidential Minute of the meeting held on 29 November 2022 (Pages 145 - 146)

12. 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:

Melanie.carr1@northyorks.gov.uk

Website: www.northyorks.gov.uk

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

Monday, 5 December 2022

North Yorkshire County Council

Executive

Public Minutes of the hybrid meeting held on Tuesday, 29th November 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, David Ireton, Karin Sedgwick, Caroline Dickinson, Alyson Baker, Barbara Brodigan, Tom Jones, Andrew Lee, and Malcolm Taylor.

Officers present: Stuart Carlton, Gary Fielding, Richard Flinton, Barry Khan, Richard Webb, Melanie Carr, Vanessa Glover, Mark Kibblewhite, Steve Evans and Dani Reeves.

Other Attendees: Mrs Anne Seex and Ms Helen Tomlinson.

Apologies: Karl Battersby.

Copies of all documents considered are in the Minute Book

120 Introductions

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

121 Minutes of the Meeting held on 8 November 2022

Resolved –

That the public Minutes of the meeting held on 8 November 2022 having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

122 Declarations of Interest

In regard to Agenda item 6, County Councillor Michael Harrison declared a disclosable interest, as an employee of one of the organisations listed in Treasury Management Appendix B. He confirmed he had a dispensation from the Standards Committee enabling him to remain in the meeting and vote on Agenda item 6.

123 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 agenda item 10 – Capital funding request to purchase property in North Yorkshire.

124 Public Questions and Statements

There were to public questions received. The first from Ms Helen Tomlinson, as follows:

'With the new Council being remote and the number of elected representatives being drastically reduced, it is important for local democracy to have effective mechanisms for North Yorkshire residents to be informed about and consulted on important issues.

Regrettably, the current consultation on priorities for the new Council does not give any grounds for optimism. The survey is a jumbled confusion of issues and, crucially, provides the public with none of the information needed to give meaningful answers about Council priorities.

For example, one question asks 'What should be the new council priorities over the next three years' and lists 11 issues to be put into rank order. Strangely, Adult Social Care is mentioned in the preamble and as a front line service but is then not listed as one of the issues to be ranked.

There is no information about what the new Council might do in relation to any of these issues or what costs might be involved. The first issue listed is 'value for money' - a no-cost issue and, surely, important to everyone but we are required to 'rank' it against 'education and childcare' that already accounts for almost £600 million of County Council spending.

I wonder what would happen if all the responses rank 'health and well being' as the top priority or what North Yorkshire residents will get if 'Town Centres' is a top ranking issue. These questions are being put to the public with no monetary or practical information, models or consequences. This suggests that the consultation document is merely paying lip service to democracy and that the council are, rather patronisingly, assuming that the public cannot handle the relevant information. Why are we presented with a quiz rather than an important consultative document?'

In response, Vanessa Glover, Head of Communications confirmed that 'Let's Talk Local' was the start of a conversation with as many people as possible across North Yorkshire's many communities. It was an important first step for the new council to understand priorities across different areas and to make sure that local views inform the way North Yorkshire Council would work with local people, partners and businesses. She noted Let's Talk Local had so far received more than 3,000 responses.

She also confirmed Let's Talk Local has been supported by more than 200 pop up events across communities, and feedback had been extremely positive, with a number of communities joining in who the Authority had not been able to engage with previously. She encouraged as many people and places as possible to contribute and thanked everyone who had taken part in it and the other surveys on the Authority's commonplace platform.

She acknowledged that adult social care and children's services would represent two of the largest areas of spend for the new council and therefore their mention had been just for context. The priority list was based on themes, rather than services, to help start the deeper conversations locally based on local priorities. She also accepted that everywhere was different and suggested that by undertaking the biggest countywide conversation, the new council was setting out its stall clearly as one that wanted to listen and work at a very

local level.

She drew attention to the opportunities in the statutory consultation 'Let's Talk Money', for people to rank specific services rather than themes if they wanted to.

Finally, Vanessa Glover confirmed:

- For Let's Talk Local, where health and wellbeing was a top priority in an area, deeper conversations would follow in that community to understand in more detail.
- Where high streets were a priority – things like public realm improvements, business enhancing and cultural initiatives could potentially be pursued through strong local partnership working. Dependent on what people said was of value locally.
- The aim of Let's Talk was to have conversations with residents about what was important to them.
- Over 5,000 online responses had been received across the three surveys and people from all over the county had come in person to share their views at face-to-face events.
- There were a range of topics included on the Let's Talk online platform with a mix of questions and free text boxes for people who would like to say more.
- The feedback from both the online platform and the face- to- face conversations at the events, would be used to inform a variety of strategies and plans which would be more formally consulted upon, alongside more detailed information in the future.

The second question was submitted by Mrs Anne Seex as follows:

'Having attended a 'Let's Talk Local' consultation event in my community and completed the survey on-line, I am appalled by this poor quality, utterly amateurish process. I would like answers to the following points:

- *Did the Council get advice from any professional public opinion or market research organisations? If so, which one?*
- *Who set the questions in the survey?*
- *Which Councillors approved the survey and when?*
- *What 'consumer testing' was done before launching the survey?*
- *Who will analyse the results?*
- *How many responses are needed for the results to be statistically valid and for the data collected in the 'personal information' section to have any value in analysing the responses to the other sections?*
- *How will the Council use the answers to the question 'what do you think makes a good place to live?' to work with residents at a local level?*
- *Will the Council publish the briefing information issued to the staff who attend the consultation meetings?*
- *When will the results be published?'*

In response, Vanessa Glover, Head of Communications confirmed that North Yorkshire Council aimed to be the most local council in England and that the engagement exercise was the first step in listening to help inform that approach.

She suggested that before its launch next year the new Council wanted to talk to as many people and communities who may not have engaged with the Authority previously, as well as those who had. In an effort to do things differently, in planning Let's Talk Local wanted it to feel like the start of a conversation, something from which stronger community level relationships could be built, to start to establish ways of working that suit local people and their priorities. She confirmed:

- It was not a consultation, but an engagement exercise, as part of which, there had been more than 200 pop up events at the places local people went, alongside wider marketing campaigns.
- So far in excess of 3,000 people have shared their views as part of Let's Talk Local and

more than 2,200 people had signed up to stay in touch.

- Overall across Let's Talk Local, Money and Devolution more than 5,100 people in North Yorkshire have completed surveys.

In regards to Mrs Seex's specific questions, Vanessa Glover confirmed:

- Experienced consultation and engagement officers from across county, district and borough councils had worked on the consultation events and on the broader Let's Talk engagement programme. The Consultation Institute had given some of the officer training undertaken.
- Officers had also worked closely with the team from Commonplace - a Government G-Cloud Supplier and a Dept for Levelling Up, Housing & Communities Engagement Supplier.
- Commonplace were used by 250 organisations including government departments, local authorities, health trusts, consulting firms and corporates to empower people to connect and work together on local projects. Commonplace.
- Let's Talk Local was not designed or intended to be used as a traditional survey but to provide a framework for broader and on-going engagement with communities, through community conversations. Questions were based on national best practice and adapted to support a conversation-style approach to the engagement. They had also been put through Commonplace's quality assurance process.
- The approach to Let's Talk engagement exercise had been considered by portfolio holders for the various subjects.
- Questions had been tested internally involving staff from all eight councils.
- Data analysis and consultation and engagement officers would analyse the responses, working with staff from Commonplace.
- The personal information was being used to target engagement activities to help reach as wide a range of people as possible and to ensure the sample was representative of the wider population. For example if there was a lower response in one area or demographic, additional actions could be taken to try and reach them.
- Results at North Yorkshire level would be very reliable (within +/- 2%) because of the 3,000+ responses.
- Statistical tests would be used to calculate the reliability of the data received in the personal information section, which in turn would inform the process of determining whether there were any statistically significant differences in views between different groups.
- The conversation was just the first step in informing how the new council would work most effectively with different communities. It recognised that everywhere was different.
- The data would help the Authority understand what was most valued in different communities and what felt local to them.
- The approach to working locally would be iterative and reflect local views.
- An internal operational document had been issued to staff who attended the consultation meetings, a copy of which could be made available.
- The results of Let's Talk Local would be published in 2023 alongside further information on the new council's way of working with communities.

The Leader thanked both public participants for their contribution to the meeting.

125 Q2 Performance Monitoring and Budget Report

A joint report of the Chief Executive and Corporate Director - Strategic Resources, bringing together key aspects of the County Council's performance on a quarterly basis.

County Councillor David Chance introduced the section on Quarter 2 performance, which provided an in-depth focus on 'Every adult has a longer healthier and independent life'. He drew attention to the strong performance and leadership across a range of areas, as detailed in the report, and provided an overview of the strengths and challenges in performance across all of the Council's ambitions.

Specifically in regard to the ambition of 'Every adult has a longer healthier and independent life', County Councillor Michael Harrison drew attention to the ongoing resource pressures in social care being experienced right across the sector which included;

- A sustained increase in hospital discharges creating ongoing significant pressure in assessment activity and reduced assessor capacity in front line teams;
- High occupancy levels in residential settings and low availability in the domiciliary care sector;
- An increase in requests for financial support from care providers
- An increase in safeguarding referrals
- Workforce pressures, with a focus on recruitment and retention;

Richard Webb, Corporate Director for Health & Adult Services confirmed that whilst the situation was plateauing and there were some improvements, it was still a challenging time. He drew attention to the benefits arising from international recruitment and the excellent joint working with partners. He also noted the continuing work on prevention and the investment in extra care housing with proposals for new schemes expected.

In regard to the County Council's other ambitions:

Leading for North Yorkshire - County Councillor David Chance confirmed the cost of living crisis continued to cause hardship across all parts of the County, with the County Council taking a proactive lead in Communities, providing access to services and supporting economic growth.

Best Start in Life – County Councillor Janet Sanderson confirmed the ongoing parallels with Health e.g. the number of referrals. County councillor Annabel Wilkinson confirmed the Authority would continue to lobby the DFE for fairer funding settlements for North Yorkshire Schools.

Growth – County Councillor Keane Duncan highlighted the Authority's successes which e.g. its largest capital project ever - Kex Gill, the trialling of Yorbus, with positive feedback from users, the introduction of electric vehicle charging points, with an ambition to deliver 3000 across the county by 2030, and the recently successful bid for £2.2m from the Government's Levi Fund.

In response to questions from members of the Scrutiny Board, it was confirmed that:

- The impact of care market costs was hitting different parts of the market in different ways, including the impact of the rise in labour and energy costs, and notable increase in hardship applications;
- Work was underway to analyse the increase in safeguarding referrals, as there was no obvious reasons for it – it was noted there was a similar emerging pattern in Local Authorities across the region;
- Addressing workforce pressures in social care had been focussed on a combination of overseas recruitment for a number of specific professional roles where the County had struggled with recruitment from the domestic workforce, and a number of specifically targeted apprenticeship schemes;

- The concern around bank branch closures across the county was noted - it was acknowledged the Authority could only encourage banks to maintain the remaining branches and look at alternative venues for provision such as local libraries;
- The age assessment of asylum seekers was done using the 'Merton Judgement' and was an ongoing focus in recognition of the need for their appropriate placement;
- In regard to Ofsted reporting on North Yorkshire primary schools, it was difficult to compare the data with national figures as North Yorkshire was 18 schools short. A risk based approach was being taken with a robust school improvement team in place charged with assessing school plans and providing guidance. It was noted that regular changes in the Ofsted framework were a barrier in maintaining consistency within schools.
- In regard to referrals to Children's Social Care, there had been an increase in demand through Customer Service Centre which could be linked to the ongoing impact of Covid-19 and other factors such as the war in Ukraine and the ongoing financial crisis. In regard to repeat referrals, attention was drawn to the table on page 67 which indicated they were within range and favourably comparable with the national picture.
- Attendance is a core responsibility of a school and the Authority monitors how schools are monitoring it. Intervention happens where there are safeguarding concerns. Currently not all schools provide the Authority with data but there is a government initiative to introduce a national database, which the Authority would welcome. New guidance has also recently been introduced by the Government that comes into force in September 2023. There is concern that this new non-funded guidance would put an additional strain on schools and Local Authorities.
- The whole country saw a significant increase in childhood obesity through the pandemic, which the Authority was responding to by trialling a family weight management programme to encourage parents to work with their children to reduce weight.
- The drivers behind the high rate of general hospital admissions for children under the age of 15 as detailed on page 103 of the report was not clearly understood at this stage and was being assessed through the Authority's safeguarding partnership work. It was noted the reasons were in line with expected age related injuries etc and health advice and public health alerts were regularly issued in response. Young people mental health submissions were an ongoing concern. The situation was not unique to North Yorkshire and was known to be for a variety of reasons and was considered to be a legacy impact of the pandemic.
- The general aspiration regarding Authority owned property post vesting day was to only retain what was necessary thereby reducing CO₂ emissions and both capital and revenue costs. Major pieces of work were ongoing with district/borough councils to fully understand what should be retained in the long term. Work continued to embed hybrid and remote working and it was noted that in regard to recruitment and retention, it had become an expectation, and the LGA was still pushing for government approval to enable virtual decision making meetings.
- In the last 18 months, waste going to landfill had reduced from 15-20% to 8-10%, and work was ongoing to improve throughput by reducing annual shut downs at Allerton Park from 2 to 1, with a reciprocal contingency arrangement in place with Leeds and Sheffield.
- The Kex Gill project was key to the maintenance of east west connectivity across the County. In regard to the funding shortfall, the Authority's contribution of £12.7m was being addressed through its reserves. It was noted that inflation had been considered

at part of the tendering process and the Authority was not contractually liable for inflationary rises in costs. £11.39m capital had been built in to the contract to capture the risk of any future inflation issues. However the Authority had put aside a secondary reserve to address any extra risk on contract overrun arising from supply chain issues as a result of Covid and Brexit. That extra reserve contingency remained in place and could also be used if necessary to address inflation rises.

- There was the potential to roll out the Yorbus scheme to other areas of the County. In order to identify the most appropriate use of the available budget for public transport and to maximise the services provided by the Authority, work was underway to identify the best way forward e.g. through a combination of fixed timetabled routes and demand responsive transport, which included considering national good practice. It was acknowledged that the continued provision of public transport related directly to how much it was used.

Revenue Budget, Treasury Management & Capital Plan

County Councillor Gareth Dadd introduced each section of the report. In regard to Revenue, he drew attention to the £2m underspend but noted it masked an underlying issue i.e. that without use of the contingencies, there would have been an overspend of nearly £21m. Prior to the Autumn statement, the Authority was facing an additional £50m of inflationary pressure next year which added to the structural deficit inherited from the districts could rise to approx. £70m. The analysis and effect of the autumn statement was to come. £22.6m of contingencies had been used this year; together with £7.7m of reserves already budgeted. The overall spend on LGR was not expected to be high as envisaged resulting in savings on the £14m allocated. He also noted that the longer term savings from LGR would take a year or two to materialise and therefore having the Council's reserves available was crucial.

Gary Fielding, Corporate Director – Strategic Resources confirmed the situation could well become more challenging as the majority of the contingencies for the year had already been deployed.

In regard to Treasury Management, County Councillor Gareth Dadd drew attention to the external debt, which was expected to decrease to £208m from the £222m at the start of the financial year.

In regard to the Capital Plan, it was noted that the District's capital deployments were being analysed, and it remained unclear at this stage whether everything could still be delivered, given the financial climate.

Executive Members voted unanimously in favour of all of the recommendations within the report, and it was

Resolved – That the following be noted:

- a. The latest position for the County Council's 2022/23 Revenue Budget, (see paragraph 2.1.2 of the report).
- b. The position on the GWB (paragraph 2.4.1 to 2.4.3).
- c. The position on the 'Strategic Capacity – Unallocated' reserve (paragraphs 2.4.4)
- d. The latest position regarding the Local Government Review transition fund (paragraph 2.5.1)
- e. The position on the County Council's Treasury Management activities during the second quarter of 2022/23

The Executive also agreed to:

- f. Refer the report to the Audit Committee for their consideration as part of the overall monitoring arrangements for Treasury Management.

- g. Approve the refreshed Capital Plan summarised at paragraph 4.2.3; and
- h. Agree that no action be taken at this stage to allocate any additional capital resources (paragraph 4.5.7).

126 The Rural England Prosperity Fund

Considered – A report of the Corporate Director – Business and Environmental Services seeking approval for the Council’s submission to Government for the Rural England Prosperity Fund in North Yorkshire with a total value of £5.4m.

County Councillor Derek Bastiman introduced the report, and attention was drawn to the table at paragraph 2.7 of the report.

Members welcomed the planned investment in micro and small enterprises in rural areas, and it was

Resolved – That the submission to Government of the Rural England Prosperity Fund addendum to the UK Shared Prosperity Fund investment plan, as outlined in this report, be approved.

127 Annual complaints report including LGSCO complaints

Considered – A report of the Chief Executive providing an overview of performance in relation to complaints and information on compliments received by the Council during the year 2020/21.

County Councillor David Chance introduced the report and drew attention to the table at paragraph 4.1 of the report showing the number of complaints for 2020/21 and the root causes listed in paragraph 4.2.

Members accepted that with the sheer scale of transactions undertaken, a number of complaints were inevitable, and acknowledged the work undertaken to understand the lessons learnt.

County Councillor David Chance thanked officers for their work on the report, and it was

Resolved - That the report be noted.

128 Forward Plan

Considered –

The Forward Plan for the period 21 November 2022 to 30 November 2023 was presented.

Resolved - That the Forward Plan be noted.

129 Capital Funding request to purchase property in North Yorkshire

Resolved – That the recommendations in the confidential report be approved.

The meeting concluded at 12.45 pm.

North Yorkshire County Council

Executive

13 December 2022

Shaping the future of Leisure Services in the new North Yorkshire Council

Report of the Corporate Director Health and Adult Services / Local Government Re-organisation Sponsor for Culture, Leisure and Sport

1.0 Purpose of Report

- 1.1 To set out the key issues impacting on Leisure Services following the establishment of the new North Yorkshire Council; to propose a countywide Strategic Leisure Review; and to seek approval for an interim leisure service for Selby whilst the countywide strategic review is undertaken.

2.0 Background

- 2.1 As part of the work to bring 8 councils together to create the new North Yorkshire Council with effect from April 2023, lead officers for leisure and sport have been working together to plan for a safe and legal Day 1 transition and to identify potential medium and longer-term service changes and transformations. As a result of this work, it has been identified that:

Pending the creation of a single service delivery model for leisure services across North Yorkshire, there is a need to identify interim service continuity arrangements for those current district services where operator contracts expire in the early stages of the new council

Given the scale of, and variations between, leisure services (including 4 different service delivery models: in-house, Teckal, private sector provider and charitable trust), it will be necessary to undertake a countywide Strategic Leisure Review within the first year of the new council – this review will cover the range of/support given to grassroots sport and leisure offers, as well as the more formal leisure services commissioned or provided by local government in the county

- 2.2 The public leisure sector has a central role to play in the delivery of Sport England's "Uniting the Movement" strategy. Leisure is a core element of each of the five big issues Sport England has identified as having the greatest potential for preventing and tackling inequalities in sport and physical activity namely:

- Recover and reinvent
- Connecting communities
- Positive experiences for children and young people
- Connecting with health and wellbeing
- Active Environments

- 2.3 Since the onset of Covid-19, it is a challenging trading environment for the leisure sector. The pandemic created lockdown conditions that required facilities to close, coupled with significant social distancing measures when facilities were later able to open which had a significant impact on participation levels. In addition, there has also been a behavioural change that people found other ways to engage in leisure activities and to reduce cost. The 8.9 million participants who participated nationally prior to the pandemic in publicly-owned

leisure assets between April 2019 and March 2020 fell to 5.8 million between the same period in 2021 and 2022, equating to a 35% reduction. Since facilities began to re-open from 12 April 2021, the recovery in participation levels at public sector leisure facilities has generally been good. By the end of March 2022, the participation levels across North Yorkshire had recovered significantly but to a varying degree across the individual councils compared with pre-Covid-19 levels. The cost of living crisis and the impact upon people's disposable income has provided further challenges to the sector.

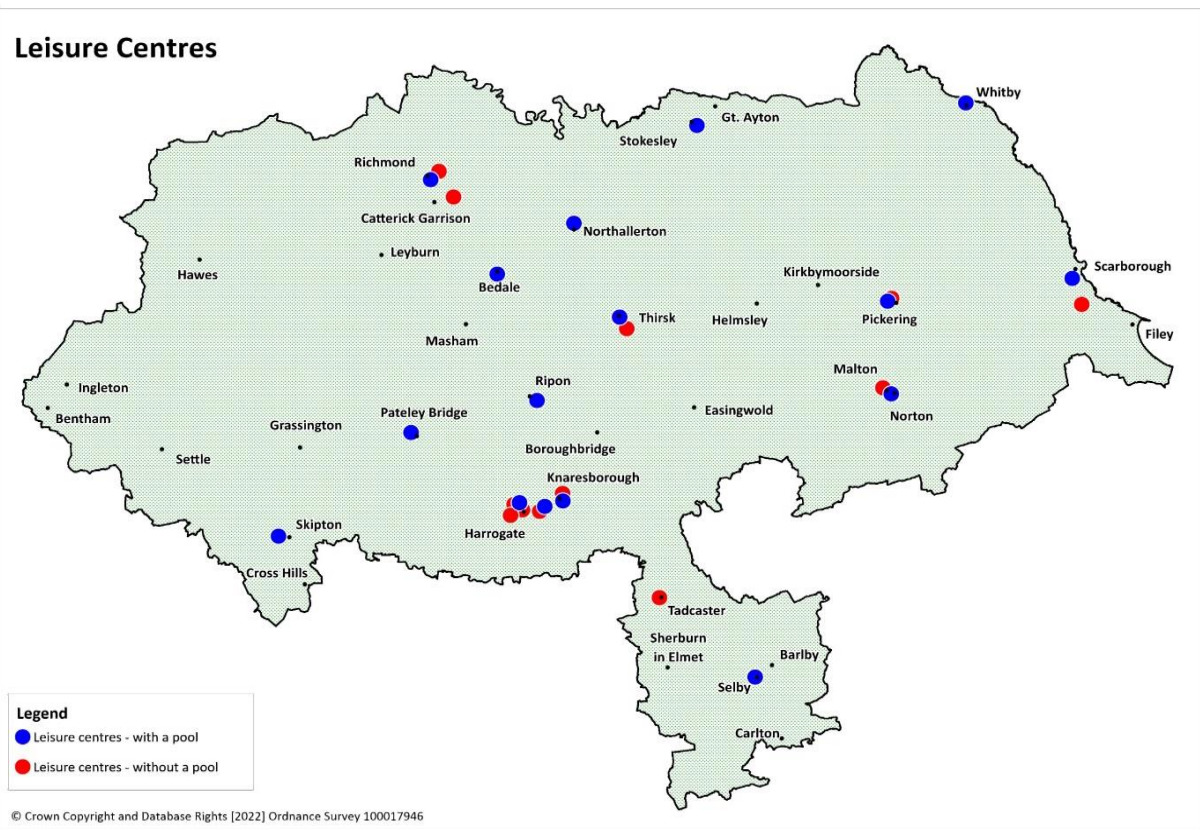
- 2.4 The financial pressures faced by the public leisure sector are now raising important questions around the scale, purpose, approach and affordability of future service delivery. Recent energy cost rises have exacerbated this situation. A combination of Local Government Re-organisation, the impact of the pandemic on leisure services and inflationary pressures provides a clear context as to why a strategic review of leisure services is required to inform the long-term shape and scale of services within the affordability envelope of the new North Yorkshire Council.
- 2.5 North Yorkshire currently has a mixed economy for the delivery of leisure services involving the three conventional leisure service management models (see table 1 below).

Table 1 – Leisure Service Management Models

	Model	Note
A.	Direct delivery – in-house by the local authority	
B.	Devolved governance – via a local authority owned Teckal company	A Teckal company would enable a direct award by the Council to its wholly owned Teckal company without undertaking a procurement. It is also eligible for National Non Domestic Rate (NNDR) and VAT efficiencies
C.	Outsourcing via procurement	Subject to the specific arrangements, can be eligible for NNDR and VAT efficiencies and requires procurement

- 2.6 The comparative benefits of the various leisure service management models are variable in relation to scale economy, commercial and social value approaches, tax efficiencies, risk transfer and service control/ agility.
- 2.7 The combination of facilities provided by the boroughs and districts includes swimming pools, gyms, sports halls, spas and some community facilities. Table 2 below lists the local authority owned or run facilities and provides a numerical breakdown per district/ borough and totals. In addition, there is a range of outdoor sports provision and school facilities that provide public access.

Table 2 - Current District Provided Leisure Facilities



District	Leisure Facilities	Total Number	Number of Pools
Hambleton	Bedale, Northallerton, Stokesley, Thirsk & Sowerby sports village.	5	4
Richmondshire	Richmond Swimming Pool, Liberty Health Club.	2	1
Scarborough	Scarborough Sports Village, Whitby LC, Pindar LC.	3	2
Ryedale	Ryedale Swim & Fitness, Derwent Swim & Fitness, Malton Community Sports Centre, Ryedale Sports Centre	4	2
Harrogate	The Hydro, Jack Laugher Leisure and Wellness Centre, Nidderdale Leisure Centre, Starbeck Baths, Knaresborough Swimming Pool, Turkish Baths Harrogate, Fairfax Wellbeing Hub, Jennyfields Styan Wellbeing Hub, Knaresborough Wellbeing Hub and Little Explorers Day Nursery.	10	5
Craven	Craven Leisure Centre.	1	1
Selby	Selby LC, Tadcaster LC, Summit Indoor Activity (part closed).	3	1
Total		28	16

2.8 Local authority owned or run leisure services across all the districts/ boroughs are managed in a variety of ways via the three conventional models listed in table 1. Table 3 below identifies the management model for each district/ borough along with contractual arrangements when applicable.

Table 3 - Current District Leisure Service Management Models

Authority	Management Model	Service Operator	Contract Length	Contract Start Date	Contract End Date
Scarborough Borough Council	Outsourced	SLM trading as Everyone Active	10 Years	2017	4 th June 2027
Ryedale District Council	Outsourced	SLM trading as Everyone Active	10 Years	Oct 2014	31 March 2025
Hambleton District Council	In house	Hambleton District Council	N/A	N/A	N/A
Harrogate Borough Council	Teckal Company	Brimhams Active Ltd	10 years	2021	2031
Selby District Council	Outsourced	Inspiring Healthy Lifestyles (IHL) (formerly Wigan Leisure Trust)	10 Years	2009	31 August 2024
Richmond District Council	Outsourced	Richmondshire Leisure Trust (two facilities)	10 Years	2012	31 March 2027 (incl. 5 year extension) which has now been taken
Craven District Council	In-house	Craven Leisure	N/A	N/A	N/A

2.9 Summarised in table 4 below are the current service management models within each district/ borough, together with any relevant contractual notice periods, contract expiry dates and potential approvals to transition to a unified preferred management model.

Table 4 - Contract Duration and Notice Periods

Authority	Service Delivery	Contract end Date	Option to Extend	Notice Period
Craven District Council	IN-HOUSE	N/A	N/A	N/A
Hambleton District Council	IN HOUSE	N/A	N/A	N/A
Richmond District Council	OUTSOURCED	31 March 2027	5 Years	6 Months
Selby District Council	OUTSOURCED	31 August 2024	No further extension	12 Months
Ryedale District Council	OUTSOURCED	31 March 2025	A Period of up to 5 Years	6 Months
Scarborough District Council	OUTSOURCED	4th June 2027	A Period of up to 5 Years	6 Months
Harrogate Borough Council	Local Authority Controlled Company	1st August 2031	2 years	6 Months

2.10 It is clear from table 4 above that migrating leisure services into a new management model will take time to achieve due to the differing contract expiry dates. For example, at the time

of local government review in Northumberland, the Council had six leisure operators and over a five-year period consolidated them into one, called Active Northumberland.

- 2.11 It is anticipated that all current contractual arrangements will run to natural expiry as any early termination would be dependent on either a failure in performance or a potentially costly, mutually agreed, early termination. Clearly, there are no contractual arrangements with the services at Craven and Hambleton and from April 2023, Brimhams Active will be a Teckal company wholly owned by North Yorkshire Council. Given the need to deliver financial efficiencies, the migration to a preferred management model will require a phased transition each requiring a mobilisation period linked to contract expiry and therefore no increase in costs to the authority.
- 2.12 It is possible to complete a full migration of services from the current management models to a preferred management model up to the 4th June 2027 when the Scarborough contract expires, on the basis that the contract with Brimhams could be terminated early as it will be a wholly owned company of NYC. In terms of phasing, listed below are the indicative phases of transition:
- April 2023 Brimhams Active transfer to North Yorkshire Council
 - April 2023 Craven and Hambleton leisure transfer to North Yorkshire Council
 - September 2024 interim service commences for the Selby area
 - April 2025 contract for provision in Ryedale is extended or an interim service is agreed
 - March 2027 Richmondshire Leisure Trust will require a short extension or interim service
 - 2027 leisure contract for Scarborough will end and the service will transfer to a new single service model (whether that is externally commissioned, in-house, an arms-length company or some other arrangement).
- 2.13 Should outsourcing be the preferred model it is envisaged that up to an agreed period (likely to be between 12 and 24 months) would be required from completion of the strategic review and Member approval to undertake the procurement process and subsequent contract mobilisation and, depending on a new contract commencement date, interim arrangements may be required to ensure all current contracts are co-terminus. Should in-house or a Teckal arrangement be the preferred model, no procurement process is required and therefore service mobilisation will be much quicker, assuming the appropriate management structures and support services are put in place. For a Teckal arrangement, from vesting day, NYC will own and control Brimhams Active. Legal support and advice is required to ensure the transfer of Brimhams Active remains Teckal compliant after transfer and therefore a vehicle that can be used as a leisure service provider in any North Yorkshire without the need for a procurement exercise i.e. for either interim or long term solutions.

3.0 Background Information to Decision

- 3.1 As detailed in the tables above, Selby Leisure services are out-sourced under contract with IHL and this contract is the first out-sourced contract which is due to terminate on 31st August 2024. The contract has already been subject to a 5 year extension permissible under the existing contract terms – therefore, any further extension is not feasible. Nevertheless, re-tendering the Selby contract would have required a lead-in period of between 18 months and 2 years from September 2022, allowing for a procurement process and contract mobilisation period. A procurement process for the Selby service would incur a significant cost and without undertaking a strategic options review to inform the long term management model across North Yorkshire, the cost would arguably be superfluous. More details are set out in Appendix 1.
- 3.2 At its meeting on 1 September 2022, Selby District Council's Executive made the following decisions:

- Not to re-procure its leisure service when the current contract expires in August 2024
- To support the proposal to be presented to the North Yorkshire Executive to transfer responsibility for Selby leisure services to an interim service option of a Teckal company. For clarity, the intention would be to transfer to Brimhams Active (providing leisure services in the Harrogate, Knaresborough, Ripon and Nidderdale areas), pending the implementation of a countywide service delivery model for leisure and sport. From April 2023, Brimhams Active will be wholly owned by the new North Yorkshire Council.

4.0 Strategic Leisure Review

4.1 In preparing for the new North Yorkshire Council, officers across the 8 current councils have been working towards the Day 1 transition, as well as identifying issues which need to be addressed within the first few years of the new organisation. As outlined in sections 2 and 3 above, there are significant issues facing leisure services, both in terms of the changing economic and customer context and in developing a comprehensive, single service delivery model for the new council.

4.2 It is proposed that a Strategic Leisure Review is commenced in 2023, with the aim of completion by late Summer/early Autumn 2023 so as to inform the 2023/24 budget-setting round. The Review will be overseen by a Member Working Group, chaired by the Executive Member for Planning for Growth and will be undertaken by an officer project team working alongside Members.

4.3 The draft scope for the Review is set out in Appendix 2 and includes key issues such as:

- Creating a single service delivery model across the County by 2027
- Integration with the voluntary, community and other sectors
- Social, health and economic outcomes
- Role, purpose and vision for council-led leisure and sport services (including universal and targeted services)
- Customer and community engagement and expectations
- Value for money, performance, efficiencies/savings opportunities, costs and investment
- Developing and implementing a single service delivery model (for example, in-house or externally commissioned or through a Teckal or other arms-length company)
- Specific requirements in rural and urban areas
- The balance between fixed assets (e.g. leisure centres) and community/natural environment and grassroots sport and leisure services
- The condition, quality, location and suitability of the estate and plans for de-carbonisation
- Income generation through charging and fees for services
- Workforce requirements and opportunities

5.0 Financial Implications

5.1 The financial implications arising from this report relate to additional resources required to undertake or support delivery of the strategic review. Whilst a level of in-house service management and other disciplines (legal, finance, HR, property, performance, IT, and project management) will be required, the constrained timescales and on-going challenges over the coming months mean that additional capacity is likely to be required and it would therefore be prudent to plan for some level of support to supplement the in-house team. A built asset review, strategy and action plan will be a key piece of work that is expected to need external specialist support. In addition, some external leisure and taxation expertise

will be required – the former to provide critical market intelligence and insights and independent challenge, and the latter to explore the complex VAT issues of the various delivery models to be explored.

- 5.2 Given the breadth and depth of the review, an initial estimate of up to £120k is proposed – to be held as an earmarked reserve held by the section 151 officer for the new Council. At this stage the estimate can only be high level and as the review progresses, should further resource be required, then a formal request will be brought forward through the usual LGR resource governance.
- 5.3 It should also be noted that the initial financial assessment of the interim Selby option is notional and only for broad option comparison purposes. Further investigation of the business rates relief suggests a Teckal company could not apply for mandatory relief as originally expected. Eligibility for discretionary relief will be considered against the new North Yorkshire Council's policy in due course. This will have an impact on the differential costs but not sufficient to change the preferred option. The detailed financial implications for the new North Yorkshire Council will need to be worked through as part of the preparations for the planned transition and also as part of the whole strategic review.

6.0 Legal Implications

- 6.1 There are no legal implications arising from commissioning the strategic review for leisure services across North Yorkshire. Any required procurement will comply with the Council's Procurement and Contract Procedure Rules, and where applicable, the Public Contracts Regulations 2015.
- 6.2 Selby District Council's leisure contract is first to expire in 2024, and an interim proposal is required whilst the strategic review is undertaken. The recommendation is to directly award the leisure contract for Selby to Brimhams Active (currently Harrogate Borough Council's Teckal Company). From 1 April 2023, Brimhams Active will transfer to North Yorkshire Council. If Brimhams Active is a Teckal Company wholly owned by North Yorkshire Council (NYC), NYC can directly award the leisure contract to Brimhams Active without undertaking a procurement process in accordance with Regulation 12 of the Public Contracts Regulations 2015.
- 6.3 If Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) apply, there will be protection for current employees, and these will need to be factored into the options as they will transfer into the in-house option or the Teckal Company. These staff will transfer on their existing terms and conditions.

7.0 Climate Change Implications

- 7.1 The strategic review will provide a timely opportunity to consider options for carbon reduction across the leisure estate. For the purposes of this report a screening climate change impact assessment has been completed in conjunction with the climate change officer. It is agreed that for the decisions to be taken in this report, a CCIA is not needed at this stage. The screening CCIA is included in Appendix 3.

8.0 Equalities Implications

- 8.1 A screening Equalities Impact Assessment has been completed with reference to undertaking a Strategic Leisure Review. This has been finalised in conjunction with the named equalities officer and it has been decided that a full EIA will be required to be undertaken as part of the strategic leisure review. The screening EIA documentation is included in Appendix 4.

9.0 Recommendations

9.1 The Executive is asked to:

- i) Note the decisions taken by Selby District Council on 1 September 2022:
 - To support the proposed Selby interim service option, which was the transfer to a Teckal company;
 - Not to re-procure its leisure contract; and
 - Engage with any future proposals that were considered by North Yorkshire's Executive later in the autumn, in relation to a countywide Strategic Leisure Review.
- ii) Approve the interim proposal for Selby Leisure services, with the services being provided by Brimhams Active from August 2024, pending the implementation of a countywide service delivery model for leisure and sport.
- iii) Approve the commencement in 2023 of a countywide Strategic Leisure Review, overseen by a Member Working Group, chaired by the Executive Member for Planning for Growth, with final recommendations to be presented to Executive during 2023/24.
- iv) Approve the allocation of up to £120k for the strategic review, with this to be funded from the earmarked LGR funds.

Richard Webb

Corporate Director – Health and Adult Services / LGR Sponsor for Culture, Leisure and Sport

Report Authors: Keith Cadman, Head of Commissioning, Contracts and Procurement Selby District Council
Richard Webb, Corporate Director, Health and Adult Services, NYCC, Sponsor LGR Culture, Leisure and Sport workstream.
Karen Iveson, Assistant Director, Strategic Resources, NYCC, CFO Selby District Council.

APPENDIX 1

SELBY LEISURE SERVICES

Leisure services in Selby District were outsourced to Wigan Leisure and Culture Trust (WLCT) trading as Inspiring Healthy Lifestyles (IHL) and the contract commenced on 1st September 2009 for an initial 10 year period. The services consisted of the management and operation of Selby leisure centre, Tadcaster leisure centre, Selby park and community leisure. After the fire at Selby leisure centre the contract was varied for the operation of the new leisure centre including a 5 year extension.

The Selby leisure contract expires on 31st August 2024 and a minimum of 18 months is required to prepare and mobilise a service transfer from a current outsourced contract to a replacement arrangement requiring a decision for Selby’s contract replacement by February 2023 at the very latest but preferably sooner. The anticipated timescales for the conclusion of a North Yorkshire Strategic Review is autumn of 2023 and therefore a decision for an interim service for Selby is required to ensure service continuity until at least 4th June 2027.

To assess the best option for an interim service for Selby, the options appraisal has been limited to the three main service options are set out in Table 1. They have been assessed on a *without prejudice* basis in terms of a future North Yorkshire Strategic Leisure Review.

A summary of the three service models is set out below followed by an options appraisal of each to inform the recommendation for an interim service for Selby.

Direct delivery – in house by the local authority.	This would see the transfer of all current services provided by IHL transfer to North Yorkshire Council on contract expiry. As with all options evaluated, it will require a detailed contract exit plan and mobilisation plan for council service provision. It will require the provision of senior service management, central and corporate support such as payroll, HR, finance, IT and legal plus others to be provided by the new council.
Delivery by a TECKAL company – wholly owned by the new council	Harrogate Borough Council recently set up a TECKAL company in 2019 to deliver its leisure services called Brimhams Active. This company will become owned by the new council at vesting day and as such could provide Selby leisure services for an interim period. Transferring services to a Local Authority (TECKAL) company does not require a formal procurement but will require a contract between both parties. An alternative would be for Selby District Council to establish its own TECKAL, or for the new North Yorkshire Council to do so, but that does not seem the best use of resources when there is already a Leisure TECKAL company in existence that will transfer from Harrogate Borough Council to the new North Yorkshire Council.
Re-procure the service – maintain services with a private sector provider.	This option will require a formal above threshold procurement exercise with support from technical and legal consultants to support the tender and contract award process. However, for a contract of less than 3 years duration and a market place that has experienced significant impacts from Covid-19 restrictions it is likely that market interest will be limited. In such circumstances, costs could be abortive if the tendering process fails or limited competition results in excessive bid prices reflecting risk. Insight gathered from sector experts suggests that the procurement market for leisure services is less active (i.e. more selective and cautious) at present due to the impact of Covid-19 on trading conditions - many of the major leisure service operators are consolidating their businesses rather than bidding for new opportunities, and even when bidding takes place, the financial offers and risk profiles are

	far less favourable than pre-Covid-19. In such circumstances, costs could be abortive if the tendering process fails.
--	---

Set out in the tables below are the appraisals of the three interim solutions for Selby.

A. Direct delivery – in house by the local authority

Pros	Cons
<ul style="list-style-type: none"> Leisure management expertise is present in Hambleton and Craven Corporate support structures in place Transfer of staff under TUPE from IHL to NY Council similar to LGR TUPE transfer Will bring three local authority services together with in-house provision across the localities of Craven, Hambleton and Selby Possible alignment with any interim transformation plans for in house leisure Possible alignment with outcomes of strategic review Service transformation is simpler to achieve with an in house service. Removes risk of contractor failure 	<ul style="list-style-type: none"> Capacity of leisure management to manage transferred service. Staff transfer and any associated Terms & Conditions cost increases IHL currently obtain NNDR exemption a transfer in house would incur this cost May not align with outcomes of strategic review No experience of service take on and associated mobilisation

B. Delivery by a TECKAL company – wholly owned by new council

Pros	Cons
<ul style="list-style-type: none"> Leisure management expertise is present within Brimhams Active Corporate support structures in place Transfer of staff under TUPE from IHL similar to Harrogate TUPE transfer Possible alignment with outcomes of strategic review Maintains NNDR exemption Maintain current staff Terms & Conditions Maintains VAT efficiencies Experience of service take on and mobilisation 	<ul style="list-style-type: none"> Brimhams Active organisational capacity to mobilise additional services from Selby Will need an underlying contract with extension option developing but is a much less sophisticated contract than an outsourced contract Retention of current terms & conditions may create staff tension Experience of service mobilisation is limited

C. Re-procure the service – maintain services with a private sector provider.

Pros	Cons
<ul style="list-style-type: none"> Could provide commercial expertise 	<ul style="list-style-type: none"> Cost of re-procurement (technical and legal support) Timescales to undertake a procurement exercise Short contract period may not generate any bids Bids could be cost prohibitive for a short contract

	<ul style="list-style-type: none"> • New contract will need contract extension provision to align with implementation plans of strategic review. • Extension may not be agreed so alignment may not happen. • Possible aborted procurement leaving little time for a plan B. • Post covid 19 market capacity • Will need specific client management
--	--

From the operational, financial and legal appraisals within this report it is recommended that the preferred option for the Selby interim service is the transfer of services from the current provider IHL to the leisure services Teckal company upon contract expiry. This will require a specific project team to prepare a service mobilisation plan to manage the transfer of services for a seamless transition.

Alternative Options Considered

The interim service options for Selby area are set out within this report.

Equalities

There are no equalities implications directly arising from this report

Finance

6.1 It should be noted that as a result of Covid-19 and IHL’s loss of the Wigan Council contract, the Selby DC contract price has moved from expected income paid to the Council of £18k in 22/23 to a subsidy of £991k. Officers are working closely with IHL to build income back to pre-Covid levels and back to the agreed contract sum as quickly as possible.

Core Assumptions:

6.2 On the basis that the re-procurement option is not recommended for the interim solution for Selby (for the reasons highlighted above), an outline appraisal of the in-house and Teckal options has been undertaken. Both options use pre-covid cost and income data from Selby’s current contract, uplifted for inflationary increases, to arrive at a proxy for 22/23 prices. The same inflationary increases are assumed for all options/scenarios.

6.3 It is assumed that support services would be delivered in-house by NYC with a consistent charging methodology for both options and management costs would be absorbed into existing structures. As such these are not expected to create additional/differential costs and accordingly these costs have been excluded from the options appraisal.

VAT:

6.4 Selby DC has previously exercised its option to tax on Selby Leisure Centre. Whilst under the current HMRC rules NYC would need to reapply for any option to tax, for the purpose of this assessment the current option to tax is assumed to continue and no significant impacts to the financial assessment are anticipated.

6.5 There are some complex VAT issues to consider for the strategic review but for the purposes of this options appraisal, two scenarios have been modelled for the in-house option – standard rate for sport and leisure activities (block bookings and education related

income is exempt); and application of the 'Ealing Decision'¹ which allows local authorities to treat sporting income as exempt from VAT.

- 6.6 The treatment of VAT has a significant impact on the potential income for the in-house option – with application of the 'Ealing Decision' generating a further 20% on applicable activities over the alternative standard rated scenario – assuming that existing fees are maintained.
- 6.7 However increasing NYC's exempt income will impact on its 'partial exemption' calculation. It is unlikely that the Selby arrangements alone will breach the 5% partial exemption threshold (NYCC is currently well below the threshold) but further work would be needed to understand the picture for the new council and whole leisure service as part of the assessment of a potential future uniform operating model.
- 6.8 HMRC have stated that applying the 'Ealing Decision' will be a permanent choice they would challenge any attempt to switch in and out of the exemption at will, which could have significant future implications for the strategic review.
- 6.9 Given the issues and risks associated with the application of the 'Ealing Decision' it is not advised to apply this at this interim stage.
- 6.10 The Teckal already has the advantage of VAT exempt income as an eligible body for sporting services² but its company status means it is unable to recover its VAT in the same way a local authority can. An estimated £124k cost has been assumed for irrecoverable VAT in line with current contract costs.
- 6.11 In the longer term there will be other contractual considerations with VAT implications – for example how building maintenance/improvement costs are dealt with, but for the purposes of this appraisal it is anticipated that the existing Selby DC arrangements will be carried forward as appropriate. Any subsequent changes will be a matter for the strategic review.

Business Rates:

- 6.12 Selby's existing provider (a leisure Trust) takes advantage of both mandatory and discretionary rate relief. Mandatory relief is 80% and in addition, occupiers may qualify for up to 20% discretionary top-up. Mandatory relief is funded by Central Government but discretionary relief is funded by Local Authorities. It should be noted that councils are not permitted to award rate relief to themselves but depending on the nature of the operator and occupier of premises (for example a charity or not-for-profit local authority owned company) relief may be available.
- 6.13 Eligibility for discretionary relief is subject to individual council policy. Discretionary rate relief policies (and their associated costs) have been established but awards are yet to be assessed and therefore there is some risk. For the purposes of the options appraisal 80% relief has been included for the Teckal option.

Operator Margin

¹ 'Ealing Decision' – VAT sporting services exemption as a result of the London Borough of Ealing. Non application means that sporting income generated by a council is subject to the standard rate of VAT unless it falls within a different exemption i.e. block bookings or coached activities/education. Since the Ealing Decision councils have the choice to either rely on EU legislation (basis of Ealing decision) or continue to follow UK legislation which precludes LAs from exempting and requires income to be standard rated.

² Eligible body for sporting services in accordance with VAT Notice 701/45 Section 4

- 6.14 Selby's existing contract includes an operator margin which has been excluded from both in-house scenarios. The Teckal option assumes a notional 5% on turnover although in reality as sole shareholder this will ultimately be for the benefit of NYC for reinvestment in services.
- 6.15 A detailed breakdown of income and expenditure for each option/scenario is summarised in the following table:

	In-house £000	In-house (Ealing) £000	Teckal £000	Comments
Income	(1,993)	(2,303)	(2,303)	'Ealing decision' generates a further £310k the on in-house option
Expenditure	2,399	2,399	2,214	The Teckal benefits from discretionary business rates relief but incurs irrecoverable VAT
Operator Margin	0	0	115	T.b.c.
Net (Surplus)/Deficit	406	96	26	

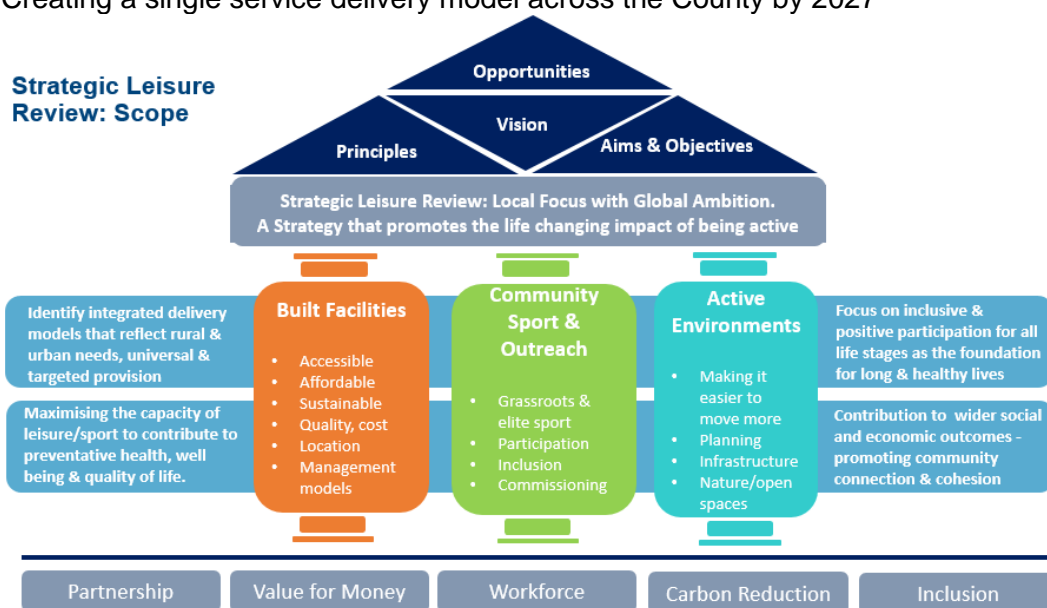
- 6.16 The options appraisal shows that the Teckal option is the most advantageous from a cost perspective, with a net operator cost of £26k. In addition the cost of the discretionary business rates relief under the Teckal option (based on 80% award) would be circa £140k. The In-house (Ealing scenario) shows a net cost of £96k compared to £406k for the in-house (standard rated) scenario. However as set out in paragraph 6.8 above. it is not recommended that the Ealing Decision is applied at this time.

7.0 Legal

- 7.1 There are no legal implications arising from an in-house option, noting the recommendation not to apply the Ealing decision at this time.
- 7.2 If Brimhams Active is a 'Teckal' Company wholly owned by North Yorkshire Council (NYC), NYC can directly award a leisure contract to Brimhams Active without undertaking a procurement process in accordance with Regulation 12 of the Public Contracts Regulations 2015.
- 7.3 If Transfer of Undertakings (Protection of Employment) Regulations 2006 'TUPE' apply, there will be protection for current employees, and these will need to be factored into the options as they will transfer into the in house option or the Teckal company. These staff will transfer on their existing terms and conditions.

DRAFT SCOPE – NORTH YORKSHIRE COUNTYWIDE STRATEGIC LEISURE REVIEW

- Role, purpose and vision for council-led leisure and sport services (including universal and targeted services)
- Customer and community expectations
- Value for money, performance, efficiencies/savings opportunities, costs and investment
- Developing and implementing a single service delivery model (for example, in-house or externally commissioned or through a Teckal or other arms-length company)
- Specific requirements in rural and urban areas
- The balance between fixed assets (eg leisure centres) and community/grassroots sport and leisure services
- The state of the estate and plans for de-carbonisation
- Charging and fees for services
- Workforce requirements
- Creating a single service delivery model across the County by 2027



Local Focus with Global Ambition. A 5 year Strategy that promotes the life changing impact of being active

Aims and Objectives

In the context of the financial challenges facing local government and the affordability envelope for NYC, the review will consider how we:

- Encourage participation in physical activity for all in NY, particularly those who are less active, and provide support to maintain life-long participation;
- Redefine the NY leisure offer to ensure our range of universal and targeted activities are an integral and inclusive part of the health and wellbeing provision;
- Provide an integrated service that improves accessibility to indoor and outdoor facilities and settings (including events) whether council, community or publicly owned;
- Ensure that leisure provision seeks to meet the needs of the urban and rural populations, providing a comprehensive county-wide offer prioritising areas of health inequalities and greatest need;

- Review the existing leisure centre provision with the ambition of providing access to a network of high quality, economically sustainable and carbon efficient leisure facilities;
- Plan and implement an effective and efficient integrated model for the future delivery of leisure services;
- Value, develop and support partnerships and volunteers to maintain and increase participation across NY;
- Identify the potential for savings to improve value for money and social and economic returns for Council investment;
- Ensure that sport and leisure are woven into the cultural DNA of NY, welcoming young and old, new and experienced to the rich opportunities provided;
- Provide fulfilling and rewarding career opportunities, that enable people to develop their skills, qualifications and experiences in order to support and sustain a diverse leisure offer;
- Seize opportunities to maximise external funding into North Yorkshire

Ensure that the wider leisure agenda is effectively communicated to NY internal stakeholders and integrated with other appropriate Council/partnership strategies

Opportunities

- To consider and reflect the challenges of national Government strategies and good policy and practice that seek to encourage and increase participation, for wider health, wellbeing, economic and social benefits.
- To consider the role which leisure plays in preventative health, in terms of physical and mental wellbeing, and the positive impact in reducing the demands on Council's statutory services, shifting investment from reactive support to proactive.
- The coming together of diverse services such as social care, public health, education, planning and leisure provides a great opportunity to work collaboratively across the organisation to improve the lives of NY residents.
- To consider how leisure can further develop its role as an agent for positive change in connecting communities and creating places where people want to live.
- To explore the development of multi-use hubs within new or existing leisure centres and to consider the co-location of health, learning or community services
- To maximise the potential of the natural assets and environment within NY, capitalising on the opportunity to improve physical and mental health. The rural nature of the county provides great opportunities to integrate the use of village and community settings with the programmes and interventions available from the built assets in main towns.
- The impacts of the Covid pandemic fundamentally affected the leisure industry and the financial effects remain today. However, Covid also reinforced positive messages about good physical and mental health and changed the way many people exercised, with running and cycling seeing a positive resurgence. The opportunity exists to learn the lessons from the pandemic and use these to inform the new, resilient, financially sustainable models of delivery.
- Further development of the Council's enabling and facilitating role, alongside the direct provision of services – supporting/influencing other partner organisations, including community and commercial organisations to help people to become more active.

To further weave sport and physical activity into the cultural fabric of NY to help people of all ages and abilities, from grassroots to elite performance, achieve their potential, improve their health and enjoy their county.

Scope

Based on **three key pillars**, the review will take a whole systems approach to develop a detailed framework and operational models through which a new community focused service will be delivered that improves health, well being and quality of life.

Built Facilities

- Development of management model for leisure centres and other council owned facilities

- Consideration of costs, quality and location of facilities – some offer excellent, contemporary provision but others are ageing and poorly located, limited in the services they can provide and in need of significant investment.
- Funding and Investment – current and future opportunities for savings and investment in facilities and provision

Community Sport and Outreach

- Supporting and promoting grassroots sport
- Ensuring pathways into elite sports
- Development of outreach models
- Delivery models that links anchor facilities such as leisure centres with outreach and community provision (hub and spoke)
- Commissioning and delivery of programmes to support health (e.g. weight management, pain management, falls prevention)
- Development & protection of community facilities

Active Environments

“using infrastructure and the natural environment to make it easier to move more”

- Outdoor assets – potential of outdoor spaces/natural environment (green infrastructure) to promote activity
- Active travel / active recreation (especially walking & cycling).
- Place Shaping – opportunities to embed physical activity in the planning system. Use of s.106
- Connectivity between people and places (natural landscape and facilities).

The three pillars are interlinked and are underpinned by five cross cutting principles:

- ❖ Inclusion
- ❖ Partnership
- ❖ Value for Money
- ❖ Workforce
- ❖ Carbon reduction (reflecting the Council’s declaration of a climate emergency and aspiration to achieve net carbon neutrality by 2030)

CLIMATE CHANGE IMPACT ASSESSMENT

Title of proposal	Shaping the future of Leisure Services in the new North Yorkshire Council
Brief description of proposal	<p>To set out the key issues impacting on Leisure Services following the establishment of the new North Yorkshire Council.</p> <p>As part of the work to bring 8 councils together to create the new North Yorkshire Council with effect from April 2023, lead officers for leisure and sport have been working together to plan for a safe and legal Day 1 transition and to identify potential medium and longer-term service changes and transformations. As a result of this work, it has been identified that:</p> <ul style="list-style-type: none"> • Pending the anticipated creation of a single countywide service delivery model for leisure services, there is a need to identify interim service continuity arrangements for those current district services where operator contracts expire in the early stages of the new council • Given the scale of, and variations between, leisure services (including 4 different service delivery models: in-house, Teckal, private sector provider and charitable trust), it will be necessary to undertake a countywide Strategic Leisure Review within the first year of the new council
Directorate	LGR
Service area	Culture Leisure & Sport Workstream
Lead officer	Richard Webb
Names and roles of other people involved in carrying out the impact assessment	Alan Watson – Project Manager NYCC Ollie Braithwaite – Climate Change Officer, Richmondshire Council

Environmental factor to consider	For the county council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	X	Continue to full CCIA:	
Reason for decision	<p>The proposal to review the leisure provision across North Yorkshire and the interim service option for Selby do not warrant a full CCIA to be undertaken at this stage. The review itself will have a negligible impact on climate change, with increases only through data storage in carrying out the work. It should be noted that climate change should be considered throughout the investigation and in deciding which proposals should be taken forward.</p> <p>However, climate impact and de-carbonisation will be an important aspect of the review, as set out in Appendix 2 of this report.</p>			
Signed	Richard Webb			
Date	1 December 2022			

EQUALITY IMPACT ASSESSMENT

Initial equality impact assessment screening form	
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.	
Directorate	LGR
Service area	Culture Leisure & Sport Workstream
Proposal being screened	Shaping the future of Leisure Services in the new North Yorkshire Council
Officer(s) carrying out screening	Alan Watson – NYCC Project Manager
What are you proposing to do?	<p>As part of the work to bring 8 councils together to create the new North Yorkshire Council with effect from April 2023, lead officers for leisure and sport have been working together to plan for a safe and legal Day 1 transition and to identify potential medium and longer-term service changes and transformations. As a result of this work, it has been identified that:</p> <ul style="list-style-type: none"> • Pending the anticipated creation of a single countywide service delivery model for leisure services, there is a need to identify interim service continuity arrangements for those current district services where operator contracts expire in the early stages of the new council • Given the scale of, and variations between, leisure services (including 4 different service delivery models: in-house, Teckal, private sector provider and charitable trust), it will be necessary to undertake a countywide Strategic Leisure Review within the first year of the new council
Why are you proposing this? What are the desired outcomes?	<p>The reason for proposing the strategic leisure review is to gain a full understanding of the range of leisure services available to the residents of North Yorkshire.</p> <p>The reason for proposing an interim service continuity arrangement for districts which currently have external service operators is to ensure that the leisure facilities of such areas remain unaffected by transition from an outsourced provider, to an anticipated single model of leisure delivery for North Yorkshire.</p> <p>The desired outcome of the proposal is the completion of a formal strategic review which will identify a range of information in relation to leisure facilities in North Yorkshire.</p>

<p>Does the proposal involve a significant commitment or removal of resources? Please give details.</p>	<p>The proposal will involve some commitment of the council's financial resources.</p> <p>Resources in terms of assets such as leisure centres will not be affected by conducting a strategic review, or the transfer of leisure facilities into a potential single delivery model.</p>		
<p>Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics 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	
<p>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.</p>	<p>The proposal to conduct a strategic review relates to the leisure service provision in North Yorkshire, where there are known inequalities with relation to rurality and access. However, the proposal is to conduct a review, <i>not</i> to alter facility provision.</p>		
<p>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.</p>	<p>The first part of the proposal concerned with the running of currently externally operated leisure facilities in Selby will have an effect on the operation of the organisation's management. However, that effect will be limited to the management of the facilities, rather than the operational running of the facilities.</p> <p>The second part of the proposal is to hold a strategic review of leisure, which in itself will not have any effect on any groups of people (including those identified above with protected characteristics). However, issues around equality, diversity and inclusion will be key aspects for consideration as part of the review.</p>		

Decision (Please tick one option)	EIA not relevant or proportionate:	X	Continue to full EIA:	
Reason for decision	<p>The proposal is to conduct a Leisure Strategic Review, in itself does not have any impact on equality / access to resources. The review process will include a robust equality impact assessment.</p> <p>It is anticipated that the proposal to identify interim service continuity arrangements will not affect the day-to-day running of externally operated leisure facilities, therefore will not have a negative impact on equality.</p>			
Signed	Richard Webb			
Date	1 December 2022			

This page is intentionally left blank

North Yorkshire County Council

Executive

13 December 2022

Report of the Member Working Group on Planning

Report A - Recommended Approach Relating to Planning Governance for North Yorkshire

Local Government Review (LGR) Planning Workstream:
Workstream Sponsor - Janet Waggott, Chief Executive, Selby District Council Sub Workstream Lead - Martin Grainger, Head of Planning and Interim Head of Regulatory Services, Selby District Council

1.0 Purpose of Report

- 1.1 To brief the Executive on the work of the LGR Planning Member Task and Finish Group relating to Planning Governance and to ask them to endorse the recommended approach.
- 1.2 To consider the options on the proposed number of Planning Committees and indicate their view on the most appropriate way forward so that the necessary preparatory work can be undertaken before vesting day.

2.0 Background

- 2.1 At the meetings of the Planning Task and Finish Group held on 22 August 2022, 12 September 2022, 3 October 2022 and 19 October 2022 issues relating to Planning Governance were discussed. This included different options relating to Planning Committees and the Scheme of Delegation and other issues relevant to the new council's constitution such as elements of the 'Planning Code of Conduct' and the governance surrounding the production of Development Plans. At the final meeting the views of officers assisting the Constitution and Governance Group were also discussed.
- 2.2 This paper summarises the final position of the Planning Task and Finish Group for the consideration of the Council's Executive in making the necessary recommendations to allow this work to be progressed.

3.0 Planning Committee Form

- 3.1 At the meetings of the Planning Task and Finish Group there was clear support for certain types of applications to be considered by a Strategic Planning Committee. This was particularly where the impacts from a development, should it be allowed, would be felt across a wider geography than the proposed Area Based Committees. This did not include simply physical impacts but environmental, economic and social.
- 3.2 It was suggested that this Committee could meet in different locations around the new authority area and could include the chairs of area based planning committees to ensure connectivity.
- 3.3 Beyond the Strategic Committee the Task and Finish Group focused on two related options; as per the business case, both linked future planning committees to the proposed area

committees delineated on parliamentary constituency geographies. Initially Members expressed some concern about this approach. This was essentially down to two factors:

- the loss of connectivity between Planning Committees and adopted development plans; and
- the work of the Boundary Commission may lead to changes to the parliamentary constituencies removing some of the benefits of the proposed approach.

3.4 However, following detailed discussions it was accepted by Members that maintaining committees based on a district geography to address the first point above would present a significant problem in terms of Member numbers and capacity. In several district areas it would be difficult to form workable Planning Committees. This is exacerbated when the need for substitutes is considered for when a Member is unavailable or has a conflict of interest.

3.5 The second concern expressed by Members with regard to moving to the proposed area committee approach related to the potential impacts of the work of the Boundary Commission. Essentially that this work may alter constituency boundaries and thus reduce the benefits of the proposed approach. Given the lack of clarity on the likely final position of the Boundary Commission it was accepted that this issue could not be fully addressed at this time.

3.6 The rationale behind the committee structure included within the business case was accepted by the group and that Area Planning Committees should be a sub-committee of the main Area Committees of between seven to nine Members meeting monthly depending upon workload. It was highlighted that using an approach that links Planning to the main area committees would create consistency with other aspects of decision making and a connectivity with the wider democratic functions of the Council.

3.7 A further option presented at both meetings that would maintain the co-terminosity with the MP Constituencies and thus would be in broad alignment with the business case would be to set up Planning Committees as sub committees of amalgamated area committee geographies. Effectively instead of six there could be three area planning committees with Members drawn from two wider area committees. Potentially this could be done on the following basis:

- Harrogate and Knaresborough and Selby and Ainsty;
- Richmond and Skipton and Ripon;
- Thirsk and Malton and Scarborough and Whitby.

3.8 It was outlined that the latter proposal in reducing the number of committees would clearly bring some benefits in streamlining decision making. It would also help capacity issues in terms of Members and Officers and improve efficiency. That said the geographies and populations covered are inevitably significant.

3.9 Members of the Task and Finish Group were effectively split when considering whether an approach based on three or six area committees was most appropriate.

4.0 Scheme of Delegation

4.1 Critical to the effective future running of Planning Committees within the new Council is ensuring an appropriate scheme of delegation. The scheme of delegation effectively sets the rules which determines whether a planning application will be decided by a Member

Planning Committee or by planning officers under the delegated powers given to them by the council.

- 4.2 The research undertaken combined with an understanding of likely workloads highlighted that to ensure that the new planning authority is able to efficiently deliver the targets identified by Government there needed to be a fairly high threshold in terms of application types that should go to committee. It is an important part of the democratic process however to ensure that complex and significant applications are considered by Members. The proposed contents of the scheme of delegation arising from work of the Member Task and Finish Group are attached as Appendix A to this report. The exact wording of the scheme of delegation will be a matter for legal colleagues working on the new Council's constitution.
- 4.3 The draft scheme of delegation was subject to considerable debate which were considered in putting together the proposed wording included in Appendix A. The key points discussed are summarised below.
- It was questioned whether the threshold of 500 houses for the Strategic Committee should be used; the point was raised that level of concerns was often less about number and more about locations. It was suggested that the ability of Members to call in items would address this issue and there was still a value in including the threshold.
 - The point of whether a commercial and industrial development threshold should be included with regard to the Strategic Committee was also raised. The ability of the Head of Planning to call in items that affected more than one area committee geography was considered to address this point.
 - The draft scheme doesn't include an approach which identifies trigger points relating to levels of objections and instead relies on the ability of Head of Planning in consultation with the Chair to call items into committee following notification by Members. This differs from the approach taken by some District Councils, but the group considered such an addition to be unnecessary.
 - The scheme of delegation for both the Strategic and Area Committees included that applications requiring an Environmental Impact Statement or constituting a departure from the relevant development plan would only be considered by committee if recommended for approval. It was discussed whether all applications of this type should be considered by committee, but it was concluded the proposed wording was appropriate
 - The ability of Members to call in applications was debated at length; the final wording includes the request to call an item in to be considered by the Head of Planning in consultation with the relevant Chair and the need for it to be demonstrated that the application raises significant material planning issues.
 - The group considered whether there should be referral up to the Strategic Planning Committee from the Area Committees in limited circumstances. It was concluded however that it is important that the Area Committees aren't seen as second tier committees and empowered to make decisions.
- 4.4 Using the draft Scheme of Delegation, attached at Appendix A and considering planning decisions made in the North Yorkshire area during Q4 of 2021/22. It is considered that six Planning Committees established as sub committees of the main Area Committees would deal with a manageable workload of around four to eleven applications per quarter.

- 4.5 The proposal for planning decision making to be made across a smaller number of meetings (ie three area planning committees) would also be manageable in terms of workload with between 14 to 16 applications for each committee per quarter. It could be argued that committees considering this level of applications represents a more efficient use of Member and Officer time than the approach including six Area Committees.
- 4.6 During the same period analysis shows that the Strategic Planning Committee would potentially deal with one application.

5.0 Planning Code of Conduct

- 5.1 Probity in planning is about ensuring that decisions on plan making and planning applications are undertaken, on behalf of communities, in a fair, impartial and transparent way. A local planning authority needs a Planning Code of Conduct for Councillors and Officers to set out how this objective will be ensured. Most codes of conduct include the following items:
- a brief overview of the planning system and the role of decision makers
 - councillor and officer conduct
 - registration and disclosure of interests
 - predisposition, predetermination or bias
 - lobbying of and by councillors
 - officer reports
 - public speaking at planning committees
 - decisions which differ from an officer's recommendation
 - committee site visits
 - reviewing past planning decisions and the outcomes
 - complaints and record keeping
 - training.
- 5.2 Most aspects of the code reflect the statutory position relating to Planning. The areas where there tends to be a degree of variation relate to public speaking and site visits. These were considered by the Member Task and Finish Group.
- 5.3 It is suggested that the code should make it clear that wherever possible, objections or representations to planning applications should be made in writing but acknowledge that in some cases that this is not possible or there may be benefits in having individuals speak on certain items.
- 5.4 Where speaking at committee is appropriate it is suggested that each speaker is allowed five minutes, however this may depend on what is agreed for the Council's overall Standing Orders (currently at North Yorkshire County Council it is three minutes). It is also suggested that speaking is undertaken in the following order:
- one speaker representing the objectors (eg a neighbour, an interested individual or a representative of a residents group)
 - the relevant town or parish council representative;
 - a ward member;
 - any other person allowed to speak at the discretion of the committee chairman; and
 - finally, one speaker representing the applicant – usually the applicant themselves or their agent.

- 5.5 Where there is more than one objector, they will be encouraged to agree on a spokesperson who is prepared to cover all the points of concern, so as to make best use of the time available.
- 5.6 To ensure the efficient running of meetings the code will indicate that persons wishing to speak on an application will be limited to those who have previously made representations. All speakers will be expected to register at least 48 hours prior to any meeting.
- 5.7 The key issue debated by the group was the time given to speakers and whether they should be subject to cross examination by Members. It was concluded that a five minute speaking time would be supported and questions would only be allowed at the discretion of the chair.
- 5.8 Local planning authorities should have a clear and consistent approach on when and why to hold a site visit and how to conduct it. This should avoid accusations that visits are arbitrary, unfair or a covert lobbying device. A visit should only be used where the benefit is clear and substantial. The purpose, format and conduct relating to site visits was discussed by the group.
- 5.9 With regard to the Code of Conduct it is suggested that a site visit should be held if the Head of Planning and/or the Planning Development Manager in consultation with Chair of the relevant committee considers it will assist Councillors in reaching their decision. Also, if Members feel a site visit will be necessary after considering the officer report this should be requested at the earliest opportunity in advance of the Planning Committee. When a site visit is held prior to the meeting of the Planning Committee it was highlighted that all Councillors attending the Planning Committee should also attend.
- 5.10 It was discussed that in addition to Planning Committee Members; Division Members and the relevant town or parish councillors will also be invited to the visit. In certain circumstances a representative of the applicant may have to attend to comply with health and safety requirements and in those cases a representative of the objectors will be invited to attend to ensure fairness. The Applicant/Agent will also be informed that a site visit will take place in order to ensure that site access can be arranged.

6.0 Development Plans

- 6.1 At the meetings of the Task and Finish Group the importance of engaging Members during the production of the Local Plan was raised. Whilst the submission of the plan to the Secretary of State will require both Executive and Full Council approval and Executive approval for formal consultation there is a degree of discretion in how Members are involved in plan development. With regard to this the following two points were highlighted:
- Firstly, the need to involve and consult with the Area Committees; and
 - Secondly, the need to include the Strategic Planning Committee in the decision making process
- 6.2 Over and above the involvement of established or formal committees different ways of including Members in Plan Development are used across the North Yorkshire districts, some public and some private. The exception to this would be Harrogate Borough Council which uses a hybrid approach. This is detailed below and recommended as a basis for a future approach.
- 6.3 Harrogate's District Development Committee is a politically proportionate committee that has both a formal and informal role in the preparation of the council's local plan. During the preparation of the Local Plan it meets informally with officers and acts as a sounding

board/advisory body to inform plan making. It means that Members are more informed of the process and officers get a better understanding of the issues that are raised. These meetings are not public. In addition to meeting informally with the committee, there are also all Member workshops and briefings at key points in plan preparation.

- 6.4 The Committee also meets formally in public at key points in plan preparation in order to provide its views on the content of the Local Plan to the Executive before consultation is undertaken. This approach effectively negates the need for a Scrutiny role.
- 6.5 Neighbourhood Plans are also an important component of the Development Plan for the new authority. Before adoption a plan must be approved by Executive and Full Council. Prior to this point however there are several stages of development. The potential involvement of Members at each of the stages was considered by the Member Task and Finish Group and is set out in figure 1 below.

Figure 1: Proposed process and sign-off for stages of neighbourhood plan preparation

Stage	Proposed process and sign-off
Consultation on proposed neighbourhood area (if required)	There should be no approval needed before consultation on a proposed neighbourhood area begins. Information should however be provided to the Executive member with responsibility for planning, the relevant area committee and division councillor(s)
Area Designation	Approval for area designation should be delegated to the Executive Member with responsibility for planning or to the Head of Planning.
Comments on Draft Plan (pre-submission) Consultation	No approval needed for formal comments made in response to the consultation on the draft plan. However, in cases where the draft plan would not meet the Basic Conditions or would not be in conformity with existing or emerging policy comments could be referred to the Strategic Planning Committee for endorsement.
Submission consultation	There should be no approval needed before consultation on a submitted neighbourhood area begins. Information however should be provided to Executive Member with responsibility for planning, the relevant Area Committee and division councillor(s)
Comments on Submission Consultation	Approval for formal comments made on the submitted plan by NYC should be delegated to Executive Member with responsibility for planning. If the plan doesn't meet the Basic Conditions or isn't in conformity with existing or emerging policy should also be referred to the Strategic Planning Committee for endorsement.
Examination	There should be no approval needed before a submitted neighbourhood area is examined.

	However, information should be provided to cabinet member with responsibility for planning, the relevant Area Committee and division councillor(s)
--	--

7.0 Financial Implications

7.1 The financial considerations associated with the report will be considered as part of the final decision making with regard to the final recommendations being approved at Full Council.

8.0 Legal Implications

8.1 Planning decision making is a statutory function. The recommendations included within this report will help ensure that the new North Yorkshire Authority can discharge its statutory duties. The legal implications of drafting the new constitution with the appropriate delegations will be considered through the recommendations of the Constitution Working Group to the Executive and then Full Council.

9.0 Equality Implications

9.1 The Equality Impact Assessment included as Appendix B does not identify any equality issues.

10.0 Environmental Implications

10.1 The Climate Change Impact Assessment Initial Screening form attached as Appendix C does not identify any impacts at this stage but this will need to be evaluated further once a decision has been made on the number of committees.

10.2 Climate change impact can be mitigated by reducing need for private car travel. This includes ensuring that the meeting venues and times are appropriate for the use of public transport – particularly noting the geographic location of the proposed areas and what public transport is available from those areas to the venue. In addition, enabling meetings to be 'hybrid' so that members of the public that wish to speak are able to attend remotely would be beneficial.

11.0 Reasons for Recommendations

11.1 It is important that the statutory planning functions continue as seamlessly as possible post vesting day for the new authority. The last Planning Committees held by the North Yorkshire Districts and the County Council will be, at the latest, in March 2023. Given work volumes and targets for decisions it is important that new committees will be able to stand up in April 2023. To ensure that the correct processes to allow this to happen can be put into place and appropriate briefings and training given it is important that the decision on the matters relevant to planning committee are made in advance of vesting day.

12.0 Recommendations
12.1 The Executive is requested to: <ul style="list-style-type: none">i. Endorse the recommended approach of the LGR Planning Member Task and Finish Group relating to Planning Governance;

- ii. consider the options on the proposed number of Planning Committees and indicate their view on the most appropriate way forward so that the necessary preparatory work can be undertaken to prior to the Vesting Day.

Author: Martin Grainger, Head of Planning and Interim Head of Regulatory Services, Selby District Council

Background Documents: None

Appendices:

Appendix A – Draft Scheme of Delegation

Appendix B – Planning Governance Equalities Impact Assessment

Appendix C – Planning Governance Climate Change Impact Assessment

Draft – Scheme of Delegation

All matters not reserved to Council, Cabinet or Committee are delegated to the Head of Planning other than:

- *planning applications submitted by or on behalf of the Council for development (excluding minor applications relating to the curtilage of a property or external alterations where no significant extensions are proposed);*
- *planning applications submitted by a Councillor or their spouse/partner, or on behalf of a Councillor or spouse/partner;*
- *planning applications involving land/premises owned or controlled by a Councillor or spouse/partner;*
- *where a senior officer (Director/Head of Service or equivalent) of the Council has a pecuniary interest in the outcome of a planning applications;*
- *planning applications on which a Member of the Council has made representations in writing to the Head of Planning (HoP) within the publicity period and the HoP in consultation with the Chair is satisfied that it has been demonstrated that the application raises significant material planning issues;*
- *where the Head of Planning considers a planning application to raise significant planning issues such that it is in the public interest for the application to be considered by committee;*
- *planning applications accompanied by an Environmental Impact Statement where it is intended to recommend approval;*
- *planning applications which are defined as a departure from the adopted development plan for which the Secretary of State must be consulted as identified in the Town and Country Planning (Consultation) (England) Direction 2009 or in any successor document and where it is intended to recommend approval.*

The majority of planning applications would be determined by the area based planning committee, however, it is anticipated that there will be a Strategic Committee which would determine the following:

- *minerals and waste planning applications relating to new sites or significant extension to existing sites and where it is intended to recommend approval;*
- *Planning applications where the Head of Planning considers the application to raise significant strategic planning issues that affect more than one area*

committee geography and it can be demonstrated that it is in the public interest for the application to be considered by committee;

- *Significant energy and physical infrastructure proposals which are accompanied by an Environmental Impact Statement where it is intended to recommend approval;*
- *Planning applications for more than 500 houses and where it is intended to recommend approval;*
- *Responses as a statutory consultee to Nationally Significant Infrastructure Projects for which a Development Consent Order is being sort under the Planning Act 2008 or any successor legislation.*

It is recommended that all issues relating to Planning Enforcement and all other applications under planning legislation are delegated to the Head of Planning.

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

(Form updated April 2019)

Recommended Approach relating to Planning Governance for North Yorkshire

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	Planning
Lead Officer and contact details	Martin Grainger, Head of Planning and Interim Head of Regulatory Services, Selby DC
Names and roles of other people involved in carrying out the EIA	N/A
How will you pay due regard? e.g. working group, individual officer	N/A
When did the due regard process start?	

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?)

The setting up of a new statutory planning service for North Yorkshire.

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.)

Local Government Reorganisation.

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

A new statutory planning service will be created.

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?)

Officer groups and member task and finish groups. The outcome of this work is embedded within the report.

Section 5. 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.

It will be part of the budget considerations for the new North Yorkshire Council.

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	X			
Disability	X			
Sex	X			
Race	X			

Gender reassignment	X			
Sexual orientation	X			
Religion or belief	X			
Pregnancy or maternity	X			
Marriage or civil partnership	X			

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?	X			
...have a low income?	X			
...are carers (unpaid family or friend)?	X			

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	This proposals included within the report will apply to the whole North Yorkshire Geography.
Craven district	
Hambleton district	
Harrogate district	
Richmondshire district	
Ryedale district	
Scarborough district	
Selby district	
If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	

Section 9. 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.**

No.

Section 10. 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.	X
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.) The proposal is part of the creation of a new statutory planning function post LGR.	

Section 11. 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?)

The news structures and processes will be monitored and evaluated to ensure that they are working effectively.

Section 12. 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 13. Summary Summarise the findings of your EIA, including impacts, 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.

There are no equality impacts identified.

Section 14. Sign off section

This full EIA was completed by:

Name: Martin Grainger

Job title: Head of Planning & Interim Head of Regulatory Services

Directorate:

Signature: *Martin Grainger*

Completion date: 1/12/2022

Authorised by relevant Assistant Director (signature): *S Harrington*

Date: 1/12/22

This page is intentionally left blank

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

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

Title of proposal	Recommended approach to Planning Governance for the new North Yorkshire Council
Brief description of proposal	The report covers the recommendations of the LGR Planning Task & Finish Group relating to planning governance.
Directorate	N/A
Service area	Planning
Lead officer	Martin Grainger
Names and roles of other people involved in carrying out the impact assessment	

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the county council	For the county	Overall
Greenhouse gas emissions	Choose an item.	No Effect on emissions	No effect on emissions
Waste	Choose an item.	No effect on waste	No effect on waste
Water use	Choose an item.	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	Choose an item.	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	Choose an item.	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	Choose an item.	No effect on ecology	No effect on ecology
Heritage and landscape	Choose an item.	No effect on heritage and landscape	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	X	Continue to full CCIA:	
Reason for decision				
Signed (Assistant Director or equivalent)	<i>S Harrington</i>			
Date	01/12/2022			

This page is intentionally left blank

North Yorkshire County Council

Executive

13 December 2022

Report of the Member Working Group on Planning

Report B - Recommended Approach to Plan Making for North Yorkshire

Local Government Review (LGR) Planning Workstream:
Workstream Sponsor - Janet Waggott, Chief Executive, Selby District Council
Sub workstream Lead - Linda Marfitt, Acting Head of Place-shaping and Economic Growth,
Harrogate Borough Council

1.0 Purpose of Report

- 1.1 To brief Executive on the recommended approach to plan making for North Yorkshire, taking into consideration legal requirements, local context, an assessment of risks and benefits and feedback from the Members Planning Task and Finish Group held on 3 October 2022.
- 1.2 To ask that Executive support the recommendations set out in section 10 and seek agreement for them to be taken forward for decision by Full Council.

2.0 Background

- 2.1 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended) requires the council to prepare and publish a Local Development Scheme (LDS)¹. This will set out the process and timescales for the preparation of those documents that will collectively form the development plan for North Yorkshire. It will also include project management arrangements, information on the evidence required to support plan preparation, resource requirements and an evaluation of the risks to its preparation.
- 2.2 It is important that officers, Members, local communities, partners and stakeholders have clarity about the future of plan making for the new council, including the scope of the plans and how and when they will be prepared and delivered. This report makes several recommendations about the approach to be set out within the new LDS for North Yorkshire. It has been prepared with input from officers representing all of the current planning authorities across North Yorkshire and in consultation with the two National Parks.
- 2.3 On 3 October 2022 the information set out within this report was presented to the LGR Planning Member Task and Finish Group. All of the recommendations have been supported by the Group.

3.0 Outline of the Issue that a Decision is being sought on

- 3.1 Planning is fundamental to delivering and driving North Yorkshire council's place making, sustainable economic growth (homes and jobs) and climate change agendas. It can help

¹ Subject to any changes introduced as part of the Levelling up and Regeneration Bill

other council services to meet the needs of our communities, such as transport, education, housing, health and social care, alongside new council obligations under the Environment Act.

- 3.2 Central to delivering this is the council's new local plan. Our plan making will shape the future of North Yorkshire; through its implementation we can help deliver the council's wider vision and objectives, support our external partners to develop their programmes with mutual benefit and use it as a basis for levering in external funding opportunities. Through strong and successful engagement with external infrastructure providers, the council can influence other agendas and investment programmes.
- 3.3 Importantly, having an up to date plan that provides an ambitious vision and framework for future growth in the county ensures that we keep control of how and where new development takes place. With a localised focus we can achieve quality place making, sustainable economic growth and prosperous communities (both new and existing) whilst protecting the much loved natural and heritage assets the county is synonymous with.
- 3.4 Planning is a joined up cyclical process. Being proactive about delivery is as important as plan preparation. Effective plan implementation relies on an efficient and customer focussed development management service that gives investors' confidence to do business in our county. But planning does not end with the grant of permission. If we are to realise the council's place making and sustainable economic growth ambitions then a proactive approach to monitoring and delivery is required to ensure that planning permissions turn into completions so that the council has a healthy housing land supply and can give full weight to its local plan policies.
- 3.5 Once adopted, the new local plan will replace the existing district-wide local plans adopted by the District Councils and will form part of the development plan for those parts of North Yorkshire that are outside of the two national park authorities. Within the national parks, the relevant national park authorities will remain responsible for preparing their local plans².
- 3.6 Whilst the National Park Authorities will continue to prepare their own local plans, it will be important to ensure close working between planning authorities, particularly on important cross boundary matters such as nature recovery and climate change. Officers representing the national parks are supportive of the recommendations set out within this report and would be happy to engage with the new council on the format and content of the plan at appropriate stages.
- 3.7 North Yorkshire County Council is the Minerals and Waste Planning Authority for those areas of the county outside of the two National Parks. As indicated in Table 1 below, it has recently adopted a Minerals and Waste Joint Plan (prepared jointly with City of York Council and North York Moors National Park Authority).
- 3.8 Across North Yorkshire we have a number of 'made' Neighbourhood Plans and some that are in production. Once these plans are 'made' they also form part of the development plan. North Yorkshire Council as the planning authority will have a responsibility to provide support for local communities who are currently preparing neighbourhood plans and those who may wish to do so in the future.

Current Progress with the Preparation of Local Plans

² It should be noted that there are also area based DPDs that the North York Moors National Park has prepared jointly with Ryedale and Scarborough (at Whitby and Helmsley) which will need to be referenced in the Interim LDS.

3.9 Table 1 below shows that each of the current councils has in place an adopted local plan with a number of those currently in the process of review. The County Council (along with its partners) has recently adopted a Minerals and Waste Joint Plan. It also sets out the anticipated position on the date of investiture of the new authority.

Table 1: Progress with Local Plans

Local Authority	Current Local Plan	Plan Review³	Anticipated position at Investiture (April 2023)
Craven	Adopted 2019 End date 2032	Required by 2024 End date 2039	Consultation on review scope
Hambleton	Adopted Feb 2022 End date 2036	Early topic specific review: accommodation needs of gypsy and travellers	Preparing for Submission (April 2023)
Harrogate	Adopted 2020 End date 2035 Maltkiln DPD ⁴	Required by 2025 End date 2040	Consulted on Review Scope. Submitted for Examination/Examination
Richmondshire	Adopted 2014 End date 2028	Commenced End date 2039	Consulted on Preferred Option Summer 2021. Reg 19 Consultation Winter 2021delayed.
Ryedale	Adopted 2013 End date 2027	Commenced End date 2038	Publication (Reg.19) is to be agreed February/March 2023 with delegated authority sought to Submit Adoption expected in late 2023
Scarborough	Adopted July 2017 End date March 2032	Commenced End date March 2040	Draft Plan Consultation Winter 2022 Reg 19 consultation Winter 2023
Selby	Adopted 2013 End date 2027	Commenced September 2019 End date 2040	Reg 19 consultation 2022 Submission 2023
Minerals & Waste Joint Plan⁵	Adopted Feb 2022	Early Review anticipated	No timetable yet in place.

Legal Duties for the North Yorkshire Council

3.10 Counsel advice has been sought on a number of legal questions in relation to plan making and underpins the recommendations. A summary of the key points is set out below:

³ The requirement to review a plan within 5 years (para 33, NPPF), relates to making an assessment of whether local plans need to be updated and does not relate to all necessary plan-making processes through to adoption – this can follow on after the five year period

⁴ This will guide development of the new settlement known as Maltkiln and is required by adopted Local Plan policy DM4

⁵ Prepared jointly with City of York Council and North York Moors National Park

- on the date of investiture the Development Plan for North Yorkshire Council will comprise seven separate local plans alongside the Minerals and Waste Joint Plan and any 'made Neighbourhood Plans;
- the Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 (as amended) requires that a single tier council adopts a local development document under section 23 of the 2004 Planning and Compulsory Purchase Act to apply to the whole of its area within a period of five years starting with the date of re-organisation. When reading the various regulations as a whole reference to a Local Development Document should be taken to mean a Development Plan Document; so a Local Plan;
- the existence of full local plan coverage from predecessor authorities does not satisfy the above requirement and as such a new local plan for the area will need to be prepared within five years. It would need to be a full local plan covering all of those elements listed in the 2004 Act. The legal opinion is that the duty to prepare a new local plan would not be met through the preparation of a limited set of strategic policies;
- whilst there is a requirement to have a new plan in place within five years, there is no legislation or guidance to suggest what would happen in the event that this duty is not met, or the weight that should be given to the existing local plans after the five year period if a new plan has not been adopted. In the absence of this, the weight to be attached to those existing local plans would be one for the decision taker to make taking into consideration the level of consistency with national planning policy.
- in addition to the requirement to produce an LDS, the new authority will need to prepare a Statement of Community Involvement (SCI). This should be prepared prior to the first consultation on the new Local Plan. The SCI itself will need to be the subject of public consultation.

3.11 Delivering a new local plan within five years will be extremely challenging as evidenced by progress to adoption of current district local plans and the experience of other councils that have gone through the LGR process. However, the aim should be that by year five the plan is at an advanced stage of preparation in order to reduce uncertainty and support strong economic growth and quality place making. To achieve this it will be important to have sufficient resources to support plan preparation and implementation/delivery.

What Do We Need a New Local Plan to Do?

3.12 The new local plan should set out a clear strategy for growth for the planning authority area of North Yorkshire; setting out the scale of new development that is planned and how and where this should be accommodated. This should look ahead over a minimum period of 15 years from plan adoption. If the growth strategy for the area includes larger scale developments, such as new settlements or significant urban extensions then this should be set within a vision that looks further ahead (at least 30 years) to reflect the longevity of delivering this scale of development.

3.13 The new local plan should include a full suite of strategic and development management policies, site allocations and designations to meet the evidenced needs of the area. Together, the vision and policies of the new local plan should tie in and deliver the council's economic aspirations and support the delivery of the Council's climate change, transport, health, education and social care agendas, alongside new obligations on the Council under the Environment Act and related matters such as biodiversity net gain and nature recovery. The plan will need to ensure that development is accompanied by the necessary

infrastructure. It should also include a set of indicators for the ongoing monitoring of the effectiveness of local plan policies.

- 3.14 A key challenge will be for the new plan to meet the needs of a very diverse geography in terms of quality design and place making. Given this diversity, a 'one size' fits all approach to policy making is unlikely to be appropriate and careful consideration will need to be given to how the plan is drawn up.
- 3.15 In May 2022, the Government published the Levelling up and Regeneration Bill (LURB) which, if enacted, will introduce changes to the planning system, including the changes to the form and content of local plans. Whilst there is still uncertainty at this stage in respect of the proposals, in drawing up the format of the new Local Plan it would be prudent to do so within the context of what is being proposed through LURB. Appendix A to this report provides a summary of the key proposals.
- 3.16 In respect of Minerals and Waste, Planning Practice Guidance advises that local planning authorities can produce combined minerals and waste plans and, where relevant, may also prepare one local plan combining policies on minerals, waste and other planning matters.

The Implications of Stopping/Continuing with Local Plan Reviews

- 3.17 The development plan is at the heart of the planning system and planning decisions must be taken in line with the development plan unless material considerations indicate otherwise. Having an up to date plan, as noted above, allows the council to have control over where and how new development takes place. To be effective, plans need to be up to date; for this reason a number of local authorities are in the process of reviewing their local plans (Table 1).
- 3.18 Plan making is resource intensive; in considering the need to bring forward a new local plan for North Yorkshire within five years of investiture, we also need to consider the implications for achieving this in light of continuing concurrently with individual district plan reviews and also what any implications would be of halting the reviews; acknowledging that the implications may vary in different parts of the County.
- 3.19 One area in particular where having an up to date plan is important is in relation to being able to demonstrate a five year housing land supply. The legal advice received confirms that land supply positions will continue to be judged against the relevant housing requirement for each existing local plan area until a local plan for the new council area is prepared (if less than five years old, or older but has been reviewed). Once plans become out of date the standard method (as calculated at the predecessor plan level) will apply. If housing land supply falls below five years, para 11 of the NPPF only applies to the determination of those applications that fall within the geographical area covered by the relevant local plan.
- 3.20 Appendix B provides a summary of the risks or concerns associated with not continuing with plan reviews as it relates to each existing local plan area.

4.0 Conclusions/Explanation of Recommended Approach to Plan Making

1) That a single local plan is prepared and progressed as far as possible within 5 years

- 4.1 The legal advice confirms that a new local plan to cover the full extent of the geography should be put in place within five years.

- 4.2 It is recommended that a single plan is prepared (subject to the recommendation below regarding minerals and waste) that encompasses both strategic and non-strategic policies, site allocations and designations to meet the evidenced needs of the area.
- 4.3 The exact format of the plan needs further consideration in order that we are able to effectively address the needs of a diverse geography. As evidence base develops, we will have a greater understanding of the geographical differences and areas of commonality.

2) That work on the new local plan should start as soon as possible

- 4.4 As noted above, the five year period set out in legislation is an extremely challenging timescale. It is therefore recommended that work on the new local plan should commence as soon as possible so that it is at an advanced stage at the end of the five year period and therefore reduces the risk of operating with out of date policies.
- 4.5 This work has the potential to start prior to vesting day. In practice this will start with scoping out the evidence base and looking collectively at the spatial portrait of North Yorkshire. A review of existing evidence (one comprehensive list for North Yorkshire) is already underway and will help to inform the prioritisation of this work.
- 4.6 Given the importance of linking housing and economic growth, the production of an Economic Strategy for the new authority is also underway. Work on the Local Plan will need to develop strong linkages with the Economic Strategy.

3) A separate Minerals and Waste Local Plan is prepared

- 4.7 As noted earlier in this report, there is the option for minerals and waste policies to either sit within a standalone plan or to be brought within the local plan that covers other planning matters. It is recommended that Minerals and Waste policies are prepared within a separate plan for the following reasons:

- A single plan that also includes minerals and waste policies is best suited to those areas where the geology may not be quite so complex or the waste issues so controversial. In North Yorkshire the issues are both complex and controversial. A separate plan that deals specifically with minerals and waste matters would allow for more focussed and comprehensive coverage of the issues they raise. Where minerals and waste have been subsumed into broader scope plans, they have been somewhat 'light' on tackling key minerals and waste issues and this is considered to be inappropriate for the complex issues faced within North Yorkshire.
- Currently the Minerals and Waste Plan has been prepared as a joint plan; keeping these policies separate from the wider local plan would also better facilitate a review of those policies jointly with the partner authorities, the City of York Council and the North York Moors National Park.

4) The following plan reviews should be halted in order to focus resources on preparing a new Local Plan:

- **Craven Local Plan**
- **Hambleton Local Pan**
- **Harrogate District Local Plan**
- **Richmondshire Local Plan**
- **Scarborough Borough Local Plan**

- 4.8 A common issue for all of these reviews if work ceases is that a number of policy themes will not be refreshed in line with the envisaged timescale. Of particular importance across all are policies on climate change, but there will be other policies as well, for example issues around second homes within Scarborough District. However, this has to be balanced against the need to progress a new local plan for the whole area. If the new local plan can be delivered by 2028 (or at least be sufficiently advanced that weight can be applied to its content), this will only be a marginal difference in delay for some of those authorities over where they envisaged that they would be in terms of timetables for local plan reviews; in particular Craven and Harrogate.
- 4.9 Craven and Harrogate are on a similar timeline for plan review and both are at the very early stages. In relation to housing land supply, if both plans are not reviewed and become out of date they will be judged against the standard methodology figures which are lower than the plan targets. Whilst this will have an impact on wider social and economic aspirations, application of the lower figure is not considered likely to represent a significant risk to the five year housing land supply position. As with all areas, effective monitoring will be important as will ensuring delivery of key schemes.
- 4.10 Richmondshire had anticipated undertaking regulation 19 consultation in winter 2021 but this has been delayed and the council were already starting to consider whether to continue with plan review in light of Local Government Re-organisation. There are considered to be no risks to the housing land supply position.
- 4.11 Hambleton adopted its plan in 2022, as part of which it was committed to a very focussed review on gypsy and traveller accommodation. The remainder of its plan does not require review until 2027, by which time the new local plan will be well advanced. The issue of Gypsy and Traveller provision will be a county wide matter that will be picked up as part of the new local plan.
- 4.12 Looking at the risks relative to the benefits of continuing with these reviews it is considered that no further work should be undertaken in respect of the reviews of the plans of Craven, Hambleton, Harrogate and Richmondshire other than setting out the position in relation to how up to date the policies are when looked at against the NPPF and how future housing land supply positions will be assessed.
- 4.13 Work on the review of the Scarborough Local Plan has commenced and it is anticipated that consultation will be undertaken on a draft plan in Winter 2022. Halting a review is not considered to bring a risk to housing land supply (although it may have some impact on flexibility of supply); the main area of concern is around the introduction of new policies to tackle local issues. Work on the Scarborough Review should cease following the consultation on the Draft plan.

5) That the following reviews should continue:

- **Harrogate: Maltkiln New Settlement DPD**
- **The Ryedale Plan**
- **Selby Local Plan**
- **Minerals and Waste Joint Plan**

- 4.14 As noted above, the Maltkiln New Settlement DPD is a component part of the Harrogate District Local Plan and importantly it allocates the boundary of the new settlement as well as allocating land as a strategic gap. This document will set the vision and policy framework for the new settlement and includes ambitious climate change policies. Work is

at an advanced stage with Regulation 19 recently completed and submission by end of December 2022/January 2023.

- 4.15 The adopted Ryedale Plan has an end date of 2027. The Ryedale Plan review is tightly focussed: looking at adjusting the spatial approach, additional housing sites and responding to climate change. There are some contentious site submissions which, whilst proposing a really positive rural regeneration strategy are big in scale and contentious and that places a pressure on the team to resource the response to this.
- 4.16 Regulation 19 consultation (Publication) was scheduled to take place in September 2022. However, progress is slightly behind the planned timescale and Members have been advised that the review will be subject to Regulation 19 consultation in late/February March for six weeks. It is also proposed that at the agreement of Council to publish the review, officers will seek to obtain delegated authority to Submit the review, post publication. The eventual Submission of the review would, however, rest with the new authority.
- 4.17 The adopted Selby Core Strategy has an end date of 2027. The Selby Local Plan review is in effect the creation of a new Local Plan. Work is at an advanced stage with Regulation 19 consultation due to take place in 2022 and submission in early 2023.
- 4.18 As noted above it is recommended that Minerals and Waste policies are retained within a separate plan; the plan review should therefore continue in order to ensure that minerals and waste policies are kept up to date; in particular to ensure that future site allocations can be made and that policies on climate change are up to date.

6) That an Interim LDS, including key milestones and programme management arrangements, is prepared on the basis of the above recommendations

- 4.19 It is considered appropriate to prepare an LDS at this stage in order to communicate to key stakeholders and communities how the authority intends to meet its legal duties and to enable a joint approach to enable work to begin. The recommendation that the LDS is an interim version is on the basis of the uncertainties at this stage as to how the new plan will be resourced, together with uncertainties relation to the LUWP.

5.0 Financial Implications

- 5.1 The cost of undertaking local Plan preparation, reviews and delivery will be significant, however the recommendations set out in section 4 above are considered to be the most efficient use of resources, taking into consideration risks, benefits and the legal position. The following recommendations are important in identifying more specific resource requirements and ensuring an efficient way of working prior to a formal new staff structure being in place.

7) That a specific report is prepared setting out the required evidence base and associated costs/resource to support the preparation of the new plan

- 5.2 A key factor in determining the shape and format of the new plan will be the evidence base. It is important to have a comprehensive understanding of the commonalities and differences of this new plan geography. This should be proportionate with a focus on supporting and justifying policies contained within the plan. In relation to preparing the new local plan we are not starting with a blank sheet as we have evidence to draw on from review work that is already underway. However, there will inevitably be a need to prepare new evidence and re-fresh existing pieces of work.

- 5.3 It is recommended that early thought is given to those parts of the evidence base that can be progressed imminently to inform plan making. Early consideration of the suite of evidence needed and an estimate of cost should be undertaken and factored into the council's budgeting process.
- 5.4 Some of this work can be extensive in nature and cost and appropriate budget provision will be required. Decisions will also need to be made as to whether all or some of the evidence is provided in-house or whether it is outsourced.
- 5.5 In addition to costs associated with evidence base work and public consultation, there will be a need for legal support (including contingency for a Kings Counsel to support the team through the Examination process), alongside costs associated with the Examination itself. Further contingency should be considered post adoption to respond to any potential legal challenge.
- 5.6 Important to the smooth running of plan preparation is having an appropriate IT package in place to facilitate efficient plan production, public consultation and monitoring. Currently a variety of systems are used, including Objective. Steps need to be taken to ensure that existing systems can be used by the new council in order that existing plan preparation and consultation arrangements can be fulfilled. It is recommended that Objective be used for the preparation of the new Local Plan as it is the only available software to support the full end to end process of plan production. A satisfactory consultation process and system will need to be in place prior to the first county-wide consultation (which is likely to be on the SCI).
- 5.7 Whilst this paper is not about structures and staffing levels, the key to success will be ensuring that the new council has the right skills and capacity in place to support plan preparation and delivery. Successful plan making requires multidisciplinary expertise and effective linkages with other council functions such as transport and economic development.

8) Formal governance arrangements should be established to oversee plan making ahead of transformational change

- 5.8 It is recommended that the cross-county group of planning managers/officers that have contributed to this report and meet regularly through work on the LGR Plans Policies and Processes sub workstream and the Development Plans Forum, take on a more formal governance role relating to the oversight of plan making work until a new structure is in place. Having clear oversight and leadership through this group will allow informal working arrangements and allocation of current resources to take place ahead of any formal restructure and allow momentum on plan making to continue, which is essential given the challenging timescale set out in legislation.
- 5.9 Early elected member involvement as the plan starts to take shape will be important, and it is recommended that a Member working group is drawn together to support this work. This could be based upon the Committee responsible for plan making, as outline in the constitution for the new council, which would meet informally as a working group as well as having a formal role at key stages of plan preparation.

6.0 Legal Implications

- 6.1 As explained at para 3.10 above, external legal advice has been sought and considered in making the recommendations set out within this report. Internal legal consultation has also taken place on the content of this report and no issues have been raised.

7.0 Equalities Implications

- 7.1 All Development Plan Documents are/will be accompanied by an Equalities Impact Assessment (EIA) to ensure that planning policies do not unlawfully discriminate against any protected characteristic. An EIA to accompany this report is set out at Appendix C. There are no known impacts to report at this stage.

8.0 Climate Change Implications

- 8.1 Plan making presents a key opportunity to set out and deliver a county-wide approach to reduce carbon emissions and mitigate the impact of climate change. Those preparing the plan will need to consider how the plan can help to deliver the council's climate change ambitions. A Climate Change Impact Assessment is set out at Appendix D. There are no known impacts to report at this stage.

9.0 Conclusion

- 9.1 It is considered appropriate to prepare a LDS in line with the recommendations set out in section 10, in order to communicate to key stakeholders and local communities how the new authority intends to meet its legal duties and to enable a coordinated approach to plan preparation. The recommendation that the LDS is an interim version is on the basis of the uncertainties at this stage as to how the new plan will be resourced, together with uncertainties in relation to the LUWP.

10.0 Recommendations

- 10.1 Executive is asked to support the following recommendations and agree they be taken forward for decision by Full Council, i.e. that:
- i) A single local plan is prepared and progressed as far as possible within five years
 - ii) Work on the new local plan should start as soon as possible
 - iii) A separate Minerals and Waste Local Plan is prepared
 - iv) The following plan reviews should be halted in order to focus resources on preparing a new Local Plan:
 - Craven Local Plan
 - Hambleton Local Plan
 - Harrogate District Local Plan
 - Richmondshire Local Plan
 - Scarborough Borough Local Plan
 - v) The following reviews should continue:
 - Harrogate: Maltkiln New Settlement DPD
 - The Ryedale Plan
 - Selby Local Plan
 - Minerals and Waste Joint Plan
 - vi) An Interim LDS, including key milestones and programme management arrangements, is prepared on the basis of the above recommendations
 - vii) A specific report is prepared setting out the required evidence base and associated costs/resource to support the preparation of the new plan
 - viii) Formal governance arrangements should also be established to oversee plan making ahead of transformational change.

Author: Linda Marfitt, Acting Head of Place-shaping and Economic Growth,
Harrogate Borough Council

Background Papers - None

Appendices:

Appendix A – Summary of Points from the Levelling-Up Regeneration Bill (LURB)

Appendix B – Summary of Risks

Appendix C – Equalities Impact Assessment

Appendix D – Climate Change Impact Assessment

This page is intentionally left blank

SUMMARY OF KEY POINTS FROM THE LEVELLING-UP AND REGENERATION BILL (LURB)

Background

The Levelling-up and Regeneration Bill was published on 11 May 2022. The Bill follows on from the 'Levelling Up in the United Kingdom White Paper' published in February 2022 and the Planning for the Future White Paper' from August 2020. It covers a raft of potential changes to law, across a wide range of local government activities. This appendix concentrates on the proposals that will affect planning and plan making.

It should be noted that much of the Bill is 'enabling' legislation, allowing secondary legislation that will set out the detail of how the aims of the Bill will be delivered. Elements of the Bill will also evolve as it moves through the parliamentary process. For these reasons, the precise details of how the measures will affect planning are still to emerge.

The Bill makes several changes to that will affect the preparation and scope of local plans:

- **Plan making** – the Bill requires a single Local Plan to be produced for each local authority, to be prepared within 30 months. The five year review requirement will remain in place.
- **Plan weight** - development plans (local plans, minerals and waste plans, neighbourhood plans) will be given more weight when making decisions on applications, so that there must be strong reasons to override the plan
- **National Development Management Policies** - policies on issues that apply in most areas (such as general heritage protection) will be set out nationally. These will be contained in a suite of National Development Management Policies, which will have the same weight as plans in the decision-making process.
- **Supplementary plans** - A new type of development plan, replacing Supplementary Planning Documents which would be subject to independent public examination, and which could set out policy for individual sites, infrastructure requirements or specific design policies.
- **Design code** - A requirement for local planning authorities to produce a design code for their whole area.
- **Digitisation** - powers in the Bill will allow more standardised and reusable data to inform plan-making, including potential for data compliance for submissions. This should allow both plans and underpinning data to be accessed and understood more easily.
- **Gateway checks** - checks during production will help to identify and address any problems at an early stage.
- **Duty to assist** - there will be a new duty for public bodies such as infrastructure providers to engage in plan making where needed. The current 'duty to cooperate' will be replaced with a more flexible alignment test.
- **Five year housing land supply** - the requirement for authorities to maintain a rolling five-year supply of deliverable land for housing, will be removed where their plan is up to date (adopted within the past five years).
- **Infrastructure Levy** - A new statutory levy (IL), to replace Community Infrastructure Levy (CIL) and to some extent Section 106 agreements (retained to support delivery of large sites). This would see infrastructure and affordable housing provided in new developments, to be deducted from the levy, to be paid on the final value of the development.
- **Infrastructure Delivery Strategy** – This will detail how levy monies will be spent and infrastructure delivered.
- The Bill proposes replacing Strategic Environmental Assessments (SEA, often combined with Sustainability Appraisals) and Environmental Impact Assessments with simpler '**Environmental Outcome Reports**' focused on impacts on the environment.

No timetable for enactment or implementation is available currently, and there are no details about whether there would be transition arrangements for any of the measures. However, there are commitments to consult on various aspects of the measures proposed so full implementation will take some time.

**SUMMARY OF RISKS AND CONCERNS ASSOCIATED WITH NOT CONTINUING WITH
CURRENT PLAN REVIEWS**

Local Authority	Risks/Concerns
Craven	<p>Limited risk given the early stage reached in review process.</p> <p>Prior to the Craven Local Plan becoming out of date (from November 2024 if not reviewed), there is a need to continue housing monitoring in Craven to ensure that a five year housing land supply can be demonstrated. Once the local plan is out of date there is not considered to be a significant risk to housing supply in the Craven District given that housing delivery would then be judged against a lower standard methodology figure (2022 SHM gives a figure of circa 151 dpa). If the current proportion of Craven District's dwelling requirement in the YDNP remains at 15% then the revised standard method would result in a figure for the Craven Plan area of circa 128 dpa, which is lower than the adopted Craven Local Plan objective housing need figure of 206 dpa and the housing requirement figure of 230 dpa).</p> <p>Craven (in common with other NY authorities) has a lot of sensitive landscape areas and pressure for development around attractive but unsustainable smaller towns and villages. If Craven's housing land supply does run out prior to the Craven Local Plan becoming out of date we would be vulnerable to speculative applications with a risk to these sensitive landscapes.</p> <p>There is a need to continue monitoring the uptake and ongoing deliverability of local plan allocations and SHELAA housing sites to ensure any sequential test in terms of flood risk is based on up-to-date information</p>
Hambleton	<p>Risks are limited to the issue of the review, Gypsy and Traveller accommodation. The Local Plan policy states that the review should be submitted within 14 months of the adoption of the plan. It is therefore expected that there would be a risk following this period if the review were not progressed, so from April 2023. The main risk is considered to be a higher possibility of appeals for proposed gypsy and traveller sites.</p> <p>The recent adoption of the Hambleton Local Plan means that planning policy is up to date and will remain current. However, there are issues, such as First Homes that are not addressed. Hambleton is currently able to demonstrate a 5YLS and this is unlikely to change in the next 5 years.</p>
Harrogate: Plan Review	<p>Not continuing with Local Plan Review is unlikely to pose a risk to housing land supply as delivery would be judged against a lower standard methodology figure.</p>
Harrogate: New Settlement DPD	<p>Whilst not a review, it is an important component part of the development plan for Harrogate District which will ensure delivery of the growth strategy in the medium to longer term. If this DPD is not progressed there will not be a plan that defines the boundary of the new settlement and allocates land as a strategic gap. The DPD also provides the vision and detailed policy framework to ensure the effective delivery of the new settlement. Importantly it includes ambitious policies on climate change that go beyond those included in the adopted Local Plan,</p>
Richmondshire	<p>RDC has completed Preferred Options consultation and suggests there is limited risk in halting work to move towards the Submission Plan. If housing land supply is kept up to date and further evidence is collected to</p>

	<p>ensure the housing target and affordable housing policies remain sound, then existing Core Strategy policies are, for the majority, compatible with NPPF. The latest SHMA (2019) suggested a lower housing target and reduction in affordable housing need even though it is based on optimistic economic scenarios including military growth at Catterick Garrison which is no longer going to happen. The changes to economic growth scenarios ideally warrant an update to the SHMA to determine if the housing requirement can be justified.</p>
Ryedale	<p>The Ryedale Plan Local Plan Strategy is 10 years old and runs to 2027, the allocations DPD (Ryedale Plan- Sites Document) was adopted in 2019 and runs to 2027. The Helmsley Plan also runs until 2027.</p> <p>We have over 7 years' worth of housing land supply against the Standard Method (2021) – we are working on the 2022 position at present. Completions have steadied out, so this supply is considered robust.</p> <p>It means that right now we are able to give full weight to the policies in our LP, but if our housing land supply starts to run out prior to the adoption of the NYC LP we would be vulnerable to speculative applications.</p> <p>Our Plan is under review from the key areas of spatial strategy/housing allocations/responding to climate change. It is a key priority for the District Council to review the Ryedale Plan and to reach Publication (Reg.19) prior to vesting date alongside a delegated authority for submission.</p> <p>The existing Local Plan Strategy was written to have a strategic framework by which to consider housing delivery in advance of the allocations, which could be employed in that way going forward in the event of the speculative applications being made if the housing land supply falters.</p>
Scarborough	<p>There is not considered to be a significant risk to five year housing supply in Scarborough Borough. Our standard methodology number is circa 175 dpa and we currently have about an 18 year supply of housing based on that requirement. There is, however, an issue in that a delay in adding new allocated sites could affect the flexibility in housing supply.</p> <p>The bigger risks to this locality is the non-introduction of important policies that have been requested and supported by the local community and local councillors. These are policies we, as a local authority, also support. Examples of this include the requirement for 'better' homes through the requirement of NDSS compliant homes, accessible homes (though it appears M4(2) is going to be mandated through Building Regs BUT not M4(3)), any climate change measures that could be introduced and the introduction of coastal change management areas.</p> <p>A huge issue for this area is second homes and holiday lets and the demand locally for a planning policy intervention has hit national headlines. Whilst it is not a certainty that such a policy would be implemented due to unintended consequences and viability the scrapping of the Scarborough Borough Local Plan review may result in criticism for not addressing (or considering) this issue in the short term. Nevertheless, the potential for Neighbourhood Plans to address this issue has been raised with affected communities. Moving forward, this area of work must be recognised and it</p>

	<p>emphasises the need to ensure an efficient transition to the new authority; ensuring that locally important issues are not left behind.</p> <p>We will be dealing with significantly more viability appraisals when it comes to housing developments. Our Local Plan viability work is suggesting a reduction in affordable housing % and if the current plan is stopped the existing requirements will remain and developers will be required to demonstrate through a VA that they are unable to meet out of date requirements.</p>
Selby	<p>The adopted Core Strategy is over 5 years old and runs to 2027. Not progressing the local plan is likely to result in a lack of five year housing land supply within the next five years, given the high levels of completions in the District.</p>
North Yorkshire	<p>The risks or concerns associated with not continuing with a MWJP review include the potential inability to address shortfalls in mineral supply placing in jeopardy the County's statutory duty to maintain an adequate and steady supply of mineral to market. A number of our allocations within our recently adopted Joint Plan now have the benefit of permission and could potentially be '<i>worked out</i>' before replacement sites are allocated. In addition, work has started (although no formal papers have yet been penned) on the potential crucial impacts of Government initiatives since the time of submission eg, climate change and everything related thereto.</p>

This page is intentionally left blank

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

(Form updated April 2019)

RECOMMENDED APPROACH TO PLAN MAKING FOR NORTH YORKSHIRE

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	LGR Planning Workstream
Lead Officer and contact details	Linda Marfitt, Acting Head of Place-shaping & Economic Growth, Harrogate Borough Council Linda.marfitt@harrogate.gov.uk
Names and roles of other people involved in carrying out the EIA	N/A
How will you pay due regard? e.g. working group, individual officer	Working groups (officers and Members) oversee the preparation of plan making. Each local plan is accompanied by an EIA
When did the due regard process start?	01/12/2022

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?)

This EIA is related to recommendations about the future of plan making for North Yorkshire Council.

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 recommendations seek to ensure a robust approach to plan making to help meet the housing, economic and place-making needs of those who live within, visit and do business within the County.

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

Local plans are evidence based in order to meet the needs of customers over a 15+ year period.

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?)

Each local plan is accompanied by its own EIA, which itself is subject to full public consultation alongside the local plan and its evidence base.

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

Local plan preparation and delivery forms part of current council budgets and staffing and will need to be factored into the running of the new council.

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		X		Ensuring up to date planning policies (based on evidence and subject to full public consultation and independent Examination) to meet the needs of local communities and businesses. E.g. provision of infrastructure and housing, including affordable housing
Disability		X		As above
Sex		X		As above
Race		X		As above

Gender reassignment		X		As above
Sexual orientation		X		As above
Religion or belief		X		As above
Pregnancy or maternity		X		As above
Marriage or civil partnership		X		As above

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?		X		Ensuring up to date planning policies (based on evidence and subject to full public consultation and independent Examination) to meet the needs of local communities and businesses. E.g. provision of infrastructure and housing, including affordable housing
...have a low income?		X		As above
...are carers (unpaid family or friend)?		X		As above

Section 8. Geographic impact – Please detail where the impact will be (please tick all that apply)	
North Yorkshire wide	X
Craven district	X
Hambleton district	X
Harrogate district	X
Richmondshire district	X
Ryedale district	X
Scarborough district	X
Selby district	X
If you have ticked one or more districts, will specific town(s)/village(s) be particularly impacted? If so, please specify below.	

Section 9. 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.

<p>Section 10. 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)</p>	<p>Tick option chosen</p>
<p>1. No adverse impact - no major change needed to the proposal. There is no potential for discrimination or adverse impact identified.</p>	<p>X</p>
<p>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.</p>	
<p>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)</p>	
<p>4. Actual or potential unlawful discrimination - stop and remove the proposal – The EIA identifies actual or potential unlawful discrimination. It must be stopped.</p>	
<p>Explanation of why option has been chosen. (Include any advice given by Legal Services.)</p> <p>The recommendations seek a robust approach to plan-making that is seeking to keep local planning policies up to date in order to meet the diverse needs of local communities.</p>	

<p>Section 11. 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?)</p> <p>All local plan policies are regularly monitored and if necessary reviewed. Results are published in an Annual Monitoring Report.</p>
--

<p>Section 12. 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.</p>				
Action	Lead	By when	Progress	Monitoring arrangements

Section 13. Summary Summarise the findings of your EIA, including impacts, 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.

To prepare local plans in line with statutory processes, including full public consultation and independent examination.

Section 14. Sign off section

This full EIA was completed by:

Name: Linda Marfitt

Job title: Acting Head of Place-shaping & Economic Growth

Directorate: Harrogate Borough Council

Signature:

Completion date: 01/12/2022

Authorised by relevant Assistant Director (signature): Linda Marfitt

Date: 01/12/2022

This page is intentionally left blank

Initial Climate Change Impact Assessment (Form created August 2021)

The intention of this document is to help the council to gain an initial understanding of the impact of a project or decision on the environment. This document should be completed in consultation with the supporting guidance. Dependent on this initial assessment you may need to go on to complete a full Climate Change Impact Assessment. The final document will be published as part of the decision-making process.

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

Title of proposal	Recommended Approach to Plan Making for North Yorkshire
Brief description of proposal	To brief the Executive and seek their support for the recommended approach to plan making for North Yorkshire, taking into consideration legal requirements, local context, an assessment of risks and benefits and feedback from the Members Planning Task and Finish Group.
Directorate	LGR Planning workstream
Service area	LGR Planning workstream
Lead officer	Linda Marfitt, Acting Head of Place-shaping & Economic Growth, Harrogate Borough Council
Names and roles of other people involved in carrying out the impact assessment	N/A

The chart below contains the main environmental factors to consider in your initial assessment – choose the appropriate option from the drop-down list for each one.

Remember to think about the following;

- Travel
- Construction
- Data storage
- Use of buildings
- Change of land use
- Opportunities for recycling and reuse

Environmental factor to consider	For the county council	For the county	Overall
Greenhouse gas emissions	No effect on emissions	No Effect on emissions	No effect on emissions
Waste	No effect on waste	No effect on waste	No effect on waste
Water use	No effect on water usage	No effect on water usage	No effect on water usage
Pollution (air, land, water, noise, light)	No effect on pollution	No effect on pollution	No effect on pollution
Resilience to adverse weather/climate events (flooding, drought etc)	No effect on resilience	No effect on resilience	No effect on resilience
Ecological effects (biodiversity, loss of habitat etc)	No effect on ecology	No effect on ecology	No effect on ecology
Heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape	No effect on heritage and landscape

If any of these factors are likely to result in a negative or positive environmental impact then a full climate change impact assessment will be required. It is important that we capture information about both positive and negative impacts to aid the council in calculating its carbon footprint and environmental impact.

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	X	Continue to full CCIA:	
Reason for decision	The recommendations seek a robust approach to plan making for North Yorkshire. It is too early to say what the effects of future policies will be. However, planning policies will be based on the latest evidence, public consultation and independent examination. New policies will seek to implement the councils climate change and environmental ambitions through the provision of new development and infrastructure and protection of the environment.			
Signed (Assistant Director or equivalent)	Linda Marfitt			
Date	01/12/2022			

This page is intentionally left blank

North Yorkshire County Council

Executive

13 December 2022

Recommendations of the Customer Member Working Group

Report of the Chair of the Customer Member Working Group

1.0 Purpose of the Report

- 1.1 To advise the Executive of the recommendations of the Customer Member Working Group and the process by which it arrived at those recommendations.

2.0 Introduction

- 2.1 The Customer Member Working Group is one of seven such Groups that were established by the Executive on 21st June 2022.
- 2.2 The Working Groups were set up to engage with Members on the necessary decision-making processes that are required prior to vesting day for the new North Yorkshire Council – 1st April 2023.
- 2.3 The Working Groups were established as cross-party Task and Finish bodies to consider, review and make recommendations to the decision taking body on areas within their remit.
- 2.4 The Terms of Reference for the Customer Member Working Group (“the Group”) agreed the following areas of focus:
- Customer Strategy
 - Face to face/telephone/online interactions
 - Complaints procedure
 - Performance standards

3.0 Findings and Feedback from the Group

- 3.1 The Group was chaired by Councillor David Chance. The full Membership and officer support is attached at **Appendix A**.
- 3.2 The Group met on four occasions – 23 August, 5 October, 1 November and 16 November 2022.
- 3.3 The initial meeting provided an overview of key service principles and an outline of challenges and options for a single online and telephony “front door” alongside access to a network of face-to-face access points (jointly agreed with the Locality Workstream). It was highlighted that while the focus is on being “safe and legal” for vesting day, there will be some early transformation to facilitate a positive customer experience. Members gave a steer on a number of issues: -
- The need for plain English in all communications for both customers and Members.
 - That there should not be an over-reliance on on-line contact as this is not suitable for all customers. It was noted that on-line contacts are currently significantly higher than for face to face and that a network of face-to-face access points would continue to be provided across North Yorkshire.
 - A desire to ensure that customers do not have long waiting times when contacting the council by phone.

- Support for retaining community offices and the option for customers to continue to pay by cash if they desired.
- Chatbots were identified as useful but could also be frustrating. It was felt these would be helpful to guide the customer and to support customers with form filling.
- It is important that there are redirects on existing numbers and websites, as many customers will take a while to become aware of the new Council and ways of contacting.
- It is important that the new Council has the capacity to deal with the volume of contacts from day 1.

3.4 The second meeting considered more detailed information about the customer journeys for digital, telephony and face to face services. Members were broadly supportive of the approaches outlined and gave feedback in a number of key areas as follows: -

- Clear signposting required from the website about how to report something that is an emergency.
- To ensure that the natural language IVR can understand a range of voices, accents and dialects.
- Support for the use of the safety net team, where customers cannot navigate the natural voice system.
- Support for not publishing direct dial numbers as these lead to frustration and delays if staff are absent
- Desire to see additional face to face access points across North Yorkshire, particularly as some of the existing main offices are not close to the main centres of population (whilst recognising that existing offices will be used for day 1)
- To ensure that customers can continue to receive their message alerts, where they have signed up for these.
- A desire to see localised social media messaging that is relevant to the local area.
- Members requested additional information about call abandonment rates and current average time to answer calls to inform the discussion at the next meeting.

3.5 The third meeting focused specifically on the development of the customer strategy, customer service standards and the complaints policy. Members considered examples of customer strategies adopted by other authorities that had been through the LGR process. Key feedback points were as follows:

- Members felt the Cornwall document was particularly appealing and customer friendly.
- Case studies were felt to be useful and a mystery shopper approach.
- The approach taken by Cheshire in undertaking a resident survey around customer services was considered to be useful.
- Members favoured a two-year strategy, with an option for review if things were not working.
- The Strategy should be written in plain English.

3.6 Members considered the draft service standards at this third meeting. Further information was requested about existing service standards to give greater context prior to developing recommendations. Members highlighted the importance of targets being “stretching” but also recognised that they needed to be achievable across the customer service centres.

3.7 Members also considered the draft complaints policy, which was commended due to its accessible nature, fair and robust procedures and appropriate timescales. Members suggested it may be helpful to separate out complaints and compliments and put anything procedural at the end of the document. The working group confirmed its endorsement of the proposed policy.

3.8 At the final meeting Members considered further updates and detail in relation to the customer strategy and service standards. Members were happy with the proposed content of the new Strategy and the direction for the “look and feel” of the Strategy.

Members reinforced the need for the new Strategy to be inclusive and to consider the differing needs of customers across the County. They endorsed a strong emphasis on customer feedback and insight and the need for the Strategy to be visually appealing and easy to read and understand.

- 3.9 Members reviewed customer service performance data from across the authorities and recognised some of the initial challenges around achieving consistent standards across eight sites, based on some of the current differences in service breadth, depth and complexity and the current variations in data collection and monitoring.
- 3.10 The variance in staffing numbers across authorities was noted and the difficulty in establishing true staff capacity and service resilience because of the factors highlighted in 3.8 above was discussed. The need for ongoing review of staff capacity against customer service demand to avoid a degradation in service was agreed.
- 3.11 The following headline standards were endorsed:
- To answer calls within 4 minutes (240 seconds)
 - To receive an immediate acknowledgement of receipt of an on-line form.
 - For letters to be responded to with 10 working days (If longer we will tell you why)
 - For emails to be responded to within 5 working days
 - To be seen within 10 minutes of arrival at a face-to-face centre.
- 3.12 Members supported effective monitoring of the new standards through quarterly monitoring reports to the Executive.
- 3.13 Members endorsed the approach to customer delivery through the single digital and telephony journey, supported by a network of face-to-face access points. Members were happy with the proposed new 0300 number for the new council and the proposals for familiarisation prior to vesting day, including the inclusion of the new number on the Council Tax bills.
- 3.14 Members also supported the emerging themes below for transformation of Customer Services, although noted that the wording of these would need to be in plainer English for an external audience.
- Self-service, where appropriate
 - Increased resolution at the first point of contact
 - More proactive provision of targeted services in partnership
 - Single systems, insight and tools to support harmonisation and transformation of services.

4.0 Financial Implications

- 4.1 There are no additional financial implications arising directly from this report. Financial and resourcing requirements have previously been identified and approved as part of the LGR programme for the new, single complaints policy and the day one customer journeys for digital, telephony and face to face.
- 4.2 The broad approach and direction of travel for the customer strategy, service standards and future transformation opportunities was agreed by the Member Working Group. However, the final policies will be the subject of further approvals, which will identify any specific financial implications at that time.

5.0 Legal Implications

- 5.1 There are no direct legal implications arising from the proposals set out in this report.

6.0 Climate Change Assessment

- 6.1 An initial impact assessment has been completed which highlighted the need to progress to full impact assessment of activity within the composite projects, although generally the work of the Customer work stream will result in positive climate impacts. For example, the development of accessible and efficient digital services, alongside an effective approach to telephony should result in a reduced need for customers to travel to access services from face-to-face offices. This will be reflected in the climate change impact assessment completed for the Customer Strategy and available as part of the Executive Report.
- 6.2 A climate change impact assessment will be submitted as part of covering papers for the Complaints policy.

7.0 Equality Implications

- 7.1 The approach to developing the customer strategy is underpinned by principles of equality and accessibility and is based on an understanding of the different needs of customers. The Strategy will set out how this will be achieved in practice and includes the use of practical tools like customer personas to ensure service development is considered from the perspective of customers with differing needs. The approach to service delivery (digital, telephony and face to face) is being developed in line with the government design principles which highlight inclusion and accessibility.
- 7.2 A full Equalities Impact Assessment (EIA) will be completed as part of the development of the full Customer Strategy and available as part of the Executive Report.
- 7.3 An EIA will be submitted as part of covering papers for the Complaints Policy.

8.0 Conclusion

- 8.1 The Group considered carefully the information presented and provided substantive feedback to inform the more detailed development of operational services and policy areas. Overall, the Working Group were happy to endorse the approaches as recommended below.

9.0 Recommendations

- 9.1 That the Executive consider the contents of the report and the findings of the Working Group and approve:
- i. The development of a customer friendly, accessible customer strategy for an initial period of two years as set out in paragraph 3.7 above. The completed Strategy will be the subject of Executive approval.
 - ii. The development of a set of performance standards for the new Council as part of the Customer Strategy as set out in paragraph 3.8 and 3.9 above.
 - iii. The new complaints policy as set out in paragraph 3.6 above. The completed policy to be submitted for Executive approval with the customer strategy in due course.

Councillor David Chance: Chair of Customer Member Working Group
County Hall, Northallerton
30 November 2022

Report Author: Jo Ireland, Head of Customer and Community Services, Scarborough Borough Council (Lead for Customer Workstream, One Front Door)

Appendices: Appendix A – Working Group Membership

Membership

Customer Member Working Group		
	Name of Councillor	Political Group
1	Councillor David Chance (Chair)	Conservative
2	Councillor Richard Foster	Conservative
3	Councillor George Jabbour	Conservative
4	Councillor Nick Brown	Conservative
5	Councillor Melanie Davis	Labour
6	Councillor Yvonne Peacock	Conservative
7	Councillor Malcom Taylor	Conservative
8	Councillor Kirsty Poskitt	Independent (unaffiliated)
9	Councillor Karl Arthur	Conservative
10	Councillor Dave Whitfield	Green Party

Officer and external support	
Name	Role
Wallace Sampson (Harrogate Borough Council)	Project Sponsor
Jo Ireland (Scarborough Borough Council) Julie Gillett (Harrogate Borough Council) Sarah Foley (NYCC) Anne-Louise Arkle (NYCC) David Evans (Harrogate Borough Council)	Subject matter experts
Theresa Dykstra (NYCC)	Project Management Office
Diane Parsons (NYCC)	Democratic Services

This page is intentionally left blank

NORTH YORKSHIRE COUNTY COUNCIL

EXECUTIVE

13th December 2022

Welburn Hall

Report of the Corporate Director for Children and Young People's Services

1.0 PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to provide a brief overview of the building challenges in relation to Welburn Hall Special school, to seek approval for a set of initial decisions in relation to the school (in light of the major challenges that have been identified), and discuss the longer-term strategic plans and investment decisions that will need to be developed and routed back through the Executive in Spring 2023.

2.0 EXECUTIVE SUMMARY

- 2.1 Following a number of breakdowns in the heating system at the school, detailed technical assessments were undertaken in Summer 2022 that identified a range of major deficiencies in the Heating and Drainage systems at the school. The systems face a major risk of serious failure, with the risk that the school operation could be impacted at any point in time, and the challenge that this risk will continue to grow the longer that remedial works are deferred.
- 2.2 It has been necessary, therefore, to assess what the most effective long-term investment strategy to support the school to continue to operate and deliver high quality outcomes for its pupil population.
- 2.3 However, this report is proposing that it is prudent to work on a planning assumption that the House building at the school will be out of operation for two years from September 2023, and to develop a set of proposals that prepare for that scenario, permitting appropriate engagement and consultation with families, school leadership and governing body, and the staff cohort at the school. This is the rationale behind the specific set of recommendations in this report.

3.0 KEY BACKGROUND INFORMATION

- 3.1 As set out above, detailed technical assessments have identified significant deficiencies in the heating and drainage system at the school. The technical assessment is attached as Appendix 2.
- 3.2 Two significant buildings issues to flag at this stage are (a) our working assumption is that the main school building (*1) can remain operative during any period of planned works (but this assumption will need to be continuously reviewed) and (b) costings for full programme of works to fully replace the heating and drainage systems are estimated to cost in the region of £4 to £5 million.

*1 the buildings configuration at Welburn Hall is complicated but principally the "Main Hall Building (or House)" is the base for residential provision, school office and reception, dining and kitchen and some residential facilities. The building is Grade 2 listed and the original parts of the building date back to the 17th century. The bulk of classroom / curricular

delivery takes place in a set of classrooms in a converted Stables block – which for the purposes of this report is referred to as the “main school building”

- 3.3 The school has experienced an increase in its pupil population in recent years, and is currently operating with 98 pupils on roll, and a commissioned number of places of 95 for the academic year 22/23. The school currently has 12 pupils accessing residential provision – of whom 10 are young people who qualified for access to residential provision under our previous criteria but who are all due to complete their programme at the school in Summer 2023.
- 3.4 As discussed above, the residential function operates within the Main Hall building – where the heating system challenges exist – and therefore the residential operation is inevitably impacted by the need to take remedial action. However, because the Main Hall building comprises teaching, administrative and catering facilities on the ground floor and, mainly, sleeping accommodation to the first and second floors, our planning needs to factor in the impact on these non-residential functions as well.
- 3.5 The school is currently assessed as being Good by Ofsted, based upon an inspection undertaken in May 2022. The school was assessed as Good across all inspection categories.
- 3.6 The school has experienced significant financial challenges in recent years. It ended the financial year 21-22 with a cumulative deficit of £1.144 million (which amounts to circa 35% of its annual funding income) and its start budget forecast that the school would still have a cumulative deficit of circa £1.1 million at the end of the five year budget period.

4.0 PROPOSALS REGARDING RESIDENTIAL PROVISION

- 4.1 The working assumption that the Main Hall building is out of circulation from September 2023 for a period of two years is particularly challenging for the continuation of residential provision at Welburn Hall school in the interim period – unless an alternative option can be identified in buildings terms.
- 4.2 The Main Hall building includes all the bedroom spaces and spaces specifically earmarked for the residential function.
- 4.3 The residential offer at Welburn Hall has been modified recently (Executive report – March 2022), so that the eligibility criteria now are now in line with Welburn Hall School’s full age range and up to 7 nights per week term time only, and consequently support a smaller number of residential places but meet the needs of those children with a greater complexity of needs locally. Consequently, there are a very small number of young people in residential provision, whose placements would continue into the 2023/24 academic year, and there are no new placements known about at this stage.
- 4.4 In terms of alternative residential accommodation, we have investigated both other properties which could be occupied without requiring significant conversion work and the possibility of locating temporary residential accommodation on the school site for two academic years. The first option did not identify any suitable properties. The second option was discounted on the grounds that (a) the building rental would be relatively expensive (initial estimates were in the region of £500k per annum, and in addition staffing costs would result in very expensive units costs, and (b) if the provision was ultimately to be only needed for two young people, the offer was considered sub-optimal in terms of socialising opportunities. Consequently, this option was discounted even before we assessed what would have been a complex issue in relation to where the range of units could have been located on the school site.

- 4.5 Consequently, because we have not identified an alternative option in terms of accommodation for the period that the Main Hall building is out of operation, we have determined that a pausing of residential provision for a two year period needs to be proposed.
- 4.6 This proposal will be the subject of a consultative process, which is discussed in Section 6 of this report.
- 4.7 Also, consequent considerations from this proposal will be that we will need to work closely with the very small number of families with young people whose placements would have continued into the 23/24 academic year, to identify appropriate high quality alternative placements. In addition, we will need to closely review the implications for the residential staff cohort (a group of 12 staff) whose current roles will not be required during the transitional period.

5.0 **TEMPORARY ACCOMMODATION**

- 5.1 We have assessed whether there would be benefits in procuring temporary accommodation to locate on the Welburn Hall site which would allow functions undertaken in the Main Hall that relate to non-residential activity to continue during the period where we assess that the Main Hall would be out of action.
- 5.2 In terms of our assessment, we have differentiated between the residential activity within the Main Hall, and the other activities (referred to as non-residential requirements) that current take place in the Main Hall (classroom spaces, reception, office accommodation, dining and sensory spaces). As discussed in section 4 we have discounted the possibility of securing temporary accommodation in relation to the residential provision.
- 5.3 In terms of the non- residential accommodation, there is a compelling case for the school to have access to the following areas, otherwise its capacity to support its current pupil roll of 98 pupils would be compromised :-
- Classroom spaces to enable three groups to be educated
 - Space for all pupils at the school to dine
- 5.4 Prior to exploring the temporary accommodation on site option, it should be noted that we have assessed that we cannot develop a cost effective solution on a different site, and to do so would in any event be incredibly disruptive to the school operation. Without any temporary additional accommodation, we would need to make arrangements to educate a significant number of pupils at an alternative provision (potentially another NYCC Special school).
- 5.5 We have secured ballpark estimates for the cost of renting and arranging installation of two double classroom units. The precise cost of this arrangement will depend upon the precise specification we agree upon and the procurement route we follow. The upper estimate we currently have is £235k for a two year period - but it is proposed that this cost is rounded up to £300k for budgeting purposes, This scale of budget provision provides scope to work collaboratively with the school on the precise spaces required, determining the optimal means to accommodate the displaced activity(which may in some cases be about the repurposing of existing accommodation in the Main School Building) (*1), and also any modifications necessary to incorporate the temporary units into the operation of the school (for example, ensuring secure access to the school site)

(*1) For example, discussions to date have identified that whilst the non-availability of the Main Hall building does require a replacement dining facility to be identified, there is a more

effective solution of freeing up a classroom space in the Main school building and using the temporary accommodation to provide an additional classroom space.

- 5.6 It is proposed that this investment would be treated as capital expenditure, and is met from the elements of School Condition Grant previously earmarked for enhancing specialist provision (this cost has been factored into our planning of the SEN Capital programme). The running costs associated with the units would need to be met from the schools own revenue budget - and have been estimated at £5k per unit per annum.
- 5.7 However, in terms of delivery timescale, we need to be realistic that the installation and units becoming operative will not be feasible until at the earliest potentially the beginning of the Summer term 2023 because of:-
- the need to secure planning permission (whilst we are pursuing the pre-planning stage at present, the most time-consuming element of the process has to be linked to a formal decision to proceed with the set of proposals under consideration in this report)
 - the need to go through a procurement phase post planning. We have sought to shorten this stage of the process by planning an exercise to identify preferred suppliers in advance of the determination of the planning permission – which limits the time required at this stage to scheduling and installation (but this will still require a reasonable time window to put into effect).
- 5.8 In addition, discussions with the school leadership team have identified possible needs for office space, reception space and sensory rooms currently available in the Main Hall. As discussed the optimal way to meet these needs are under discussion with the school leadership and a reasonable contingency has been incorporated into the capital estimate in case these spaces need to form part of the temporary accommodation, or require minor modifications to the main school building.
- 5.9 We will need to secure an arrangement for the school to access school meals. The service is currently provided by NYES. It is recognised that rapid negotiations will need to take place between early December and the date that the temporary accommodation becomes available.
- 5.10 Given the urgent need to ensure that curricular delivery is secure for September 2023 onwards, it is recommended that we proceed with securing temporary accommodation for non-residential activity – with appropriate subsequent activity in relation to securing planning permission and procuring the accommodation

6.0 CONSULTATION PROCESS

- 6.1 The specific scenario under consideration in relation to a temporary pause of residential provision is not specifically covered by any statutory provision or guidance.
- 6.2 However, the approach we are proposing to adopt is that we should undertake a full statutory consultation starting early in the New Year, with the objective being that the outcomes from that consultative process could be reported to Executive on February 14th, 2022. If the proposal were to be endorsed at that stage, we would move into a phase of publishing statutory notices, so that final consideration would be given to the proposals at Executive (April 18th, 2023). The draft consultation document is attached as Appendix 1.
- 6.3 In addition, however, it will be vital that we discuss directly with families at the earliest opportunity the potential impact of these proposals and that activity has been taking place since this report was published.

7.0 LEGAL IMPLICATIONS

7.1 The consideration and determination of school organisation proposals by the Local Authority is set out in Education & Inspections Act 2006, regulations and in guidance produced by the Department for Education¹. Careful regard has been had to these within the development of the proposals. The proposals are in accordance with the statutory requirements.

8.0 FINANCIAL IMPLICATIONS

8.1 (A) Capital Implications

As discussed above the capital implications of the temporary accommodation proposals contained within this report (assuming that the recommendations set out in section 6 are adopted) would be £300k. This outlay would need to be resourced from the SEN Capital Programme.

8.2 It is acknowledged that the longer term options for securing the future of Welburn Hall could require much more significant capital investment (dependent on the option selected) - but those implications will be picked up in further reports in the New Year, when there has been time to progress detailed evaluations.

8.3 (B) Revenue implications

By 2023-24 academic year we had anticipated we would be commissioning 7 extra high needs placements from the high needs budget - at a cost of circa £85k per annum. Whilst there will be a saving in this outlay (which would be realised in the high needs budget), we need to factor in that residential placements we will not have the capacity to prevent otherwise very expensive residential placements.

8.4 Specifically our assessment is that the small number of young people – who would have been in residential placements in the 2023-24 academic year, will need alternative residential placements in independent provision. In our previous review of the potential implications of amending residential provision at Welburn Hall, we discussed that these placements typically have a unit cost of £200k to £225k. These costs would only be applicable for the one academic year that the pupils would have remained in Welburn Hall – and are reflected in table 1 below :-

Table 1 :- Impact on High Needs Budget of discontinuing residential provision from September 23

	FY 23-24	FY24-25	FY25-26	FY26-27
	£000S	£000S	£000S	£000S
High Needs Revenue Budget Saving (no extra high needs cost placements)	-347.1	-743.8	-949.2	-1020.0
Actual Projected Placement Costs (2 cases diverted from Welburn Hall)	262.5	187.5	0.0	0.0
Net Impact - Actual Costs	-84.6	-556.3	-949.2	-1020.0
Notional Additional Expenditure on Independent Residential Placements	525.0	1162.5	1612.5	1800.0
Net Impact - Notional Costs	440.4	606.3	663.3	780.0

¹ School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013; Making significant changes ('prescribed alterations') to maintained schools: Statutory guidance for proposers and decision-makers (October 2018).

- 8.5 The table above evidences that there is forecast to be a tangible saving to the high needs budget of £1.02 million by the 2025-26 financial year, as we would not be purchasing extra high needs places at Welburn Hall. However, the notional analysis indicates that the High Needs budget would be adversely impacted over time because we would have lost the flexibility to divert independent residential placements (which was the rationale for the extra high needs capacity at Welburn Hall).
- 8.6 (C) Revenue implications for school
One important consideration for us is that the plans we initiate do not undermine the schools financial recovery pathway.
- 8.7 Welburn Hall has a significant revenue deficit - standing at £1.140 million at the end of the 2021-22 financial year. The school has incurred significant revenue deficits over the course of the last five years from a previous budget surplus position - our review activity indicated that those financial pressures are linked to the inefficient operation of the Main Hall building (exacerbated by residential pupil numbers dropping in recent years).
- 8.8 The analysis undertaken to accompany the proposals to modify the residential offer at the school (through moving to commissions 12 extra high needs places at a unit cost of circa 85k to 90k per annum) indicated that the school could move to a deficit position of £1.1 million at the end of a five year budget window - and that was reflected in the schools start budget submitted in May 2022.
- 8.9 The latest monitor report submitted by the school shows a marked deterioration in that financial outlook - with a five year deficit position of £2.045 million now being forecast. Initial analysis indicates cost pressures / pay inflation are the major contributory factors.
- 8.10 An exercise has been undertaken to establish whether pausing residential provision would be financially beneficial or detrimental to the school, alongside an assessment of where the school could seek to take remedial action to balance the budget.
- 8.11 Our assessment within this revised analysis is that the potential discontinuation of residential provision from September 2023 has a marginally positive benefit on the schools own financial position – but this will need to continue to be tested closely with the school governing body.
- 9.0 **RISK MANAGEMENT IMPLICATIONS**
- 9.1 The main risks to the implementation of this transformational work and mitigating factors to minimise the risk are detailed in Appendix 3.
- 9.2. It should be emphasised that one of the major risks that is being managed is the potential that the heating system may fail during Winter 2022 and the possibility that it may not be possible to put in place workaround arrangements to enable the House to remain operational (which has been assessed as being a very slim possibility). Contingency arrangements have been developed in discussion with the school to mitigate that particular risk.
- 10.0 **HUMAN RESOURCES IMPLICATIONS**
- 10.1 The main staffing implications will be in relation to the future deployment of the residential care staff at the school. Whilst this staff group are employees of the school, there is a recognition that the risk to their employment status is being generated by a local authority strategic decision.

10.2 We will work closely and collaboratively with the school to ensure that there are clear communications with the staff group, and that due process is followed in relation to any consultation exercises that may need to take place with the staff group.

11.0 **EQUALITIES IMPLICATIONS**

11.1 An initial equalities impact assessment has been undertaken as shown at Appendix 5.

11.2 This position will be kept under review as the longer-term proposals are developed.

11.3 During the consultation process in January 2023 and subsequent decision making process, any identified adverse impact will be fully considered and we will identify how this can be mitigated.

11.4 This proposal is being brought forward directly as a result of the local authority technical assessments regarding the condition of the building and the necessary maintenance works identified, and it has been assessed that the local authority is unable to support residential provision at Welburn Hall through the academic years 2023-24 and 2024-25.

11.5 However, the local authority considers that the proposals being brought forward at this point in time, and the timing of this consultation exercise offer the most constructive response to the challenges faced, and are compatible with supporting Welburn Hall to remain a highly effective Special school, and to enable the local authority to assess how residential provision at the school can potentially be maintained into the future.

12.0 **CLIMATE CHANGE IMPLICATIONS**

12.1 An initial Climate Change impact assessment has been completed – on the basis that the working assumption planned maintenance works are actioned in September 2023. The document is attached as Appendix 6.

13.0 **RECOMMENDATION**

13.1 The Executive are asked to approve that:

- i. A consultation process be undertaken in relation to the pausing of residential provision at Welburn Hall for a two year period from September 2023
- ii. Planning permission be sought to install temporary classroom provision on site
- iii. The local authority will not install temporary accommodation for residential operation

Report Author: Martin Surtees
1 December 2022

Background Documents – N/A

Appendices

Appendix 1 - Draft Public Consultation Document :- Temporary Closure of Residential Provision at Welburn Hall School

Appendix 2 - Welburn Hall : Heating and Drainage - Technical Assessment

Appendix 3 - Welburn Hall : Heating and Drainage - Risk Register

Appendix 4 - Welburn Hall : Heating and Drainage - Project Timeline

Appendix 5 - Welburn Hall : Heating and Drainage Project - Equalities Impact Assessment

Appendix 6 - Welburn Hall : Heating and Drainage Project - Climate Change Impact Assessment

This page is intentionally left blank



Consultation Document

School organisation proposals to temporarily remove residential provision at Welburn Hall Special School for the academic years 2023-24 and 2024-25

Welburn Hall School

December 2022

This paper sets out school organisation proposals by North Yorkshire County Council to temporarily remove residential provision at Welburn Hall School, Welburn, Kirbymoorside

It follows a review of provision and consultation carried out under the Children and Families Act 2014.

This paper gives the background to the proposals. There will be virtual (on-line) public meetings on Tuesday January 10th, 2023, and Wednesday January 18th, 2023 at 6 pm via Microsoft Teams. If you wish to be part of this virtual meeting could you please let us know by emailing schoolorganisation@northyorks.gov.uk and joining instructions will be provided.

Background

North Yorkshire County Council wants all children and young people with Special Educational Needs and Disabilities (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 County Council 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 Disabilities (SEND). Under the same act, the County Council also has responsibility for ensuring that the needs of children and young people with Special Educational Needs and Disabilities (SEND) are suitably assessed and that needs are met.

We have reviewed recently the residential provision at Welburn Hall and following consultation had determined that there was an ongoing need for residential provision, but that access to that provision would in future be via more specific criteria

However, recent technical assessments have identified significant structural challenges in the main House building, which provides the residential accommodation, catering facilities and some teaching and learning space. These challenges relate to the heating and drainage systems at the school. The local authority is planning on the basis that a programme of urgent works to address buildings failure will need to be put in place from Summer 2023, with the unfortunate consequence that the main house building will be out of operation for an expected period of two academic years. We would want to emphasise that our assessment is that the school buildings remain a safe environment for young people to both be educated and reside in the interim.

In the light of the latest technical assessments, the implications for the main house and our concern that we provide clarity at the earliest opportunity to families and school staff, we are consulting at this stage on the potential temporary removal of residential provision at Welburn Hall school.

We appreciate that this is an unexpected development want to emphasise that it is a response to an emergency scenario. We will work closely with colleagues at Welburn Hall school as well as young people and their families to ensure any impact on those accessing the provision is minimised.

Day places will continue to be provided at Welburn Hall in a separate building while these urgent reactive maintenance works are being carried out to the main house.

The school organisation proposals

The County Council is now consulting specifically on the school organisation proposals required to:

Remove residential provision at Welburn Hall School from 1 September 2023, on a temporary basis for a two year period.

Your views on these school organisation proposals are welcomed.

What is this consultation about?

This consultation is about our proposal to temporarily pause the residential offer at Welburn Hall School.

Under these proposals, residential provision would be unavailable at Welburn Hall school for the 2023-24 and 2024-25 academic years - Why do we need to pause the residential offer at Welburn Hall School?

As discussed above, this proposal is a direct consequence of the significant structural failings we have identified in the heating and drainage systems at the school. These impact most significantly upon the House building. Furthermore, the proposals are solely a response to these building challenges – without these challenges, residential provision would be continuing to operate at the school.

Given that we are currently working on the basis of undertaking an urgent reactive maintenance programme over a period of two academic years, we are specifically proposing to pause the residential offer for two years

Whilst the vast majority of young people currently accessing residential provision at Welburn Hall will naturally leave in July 2023 due to their age, we recognise that a small number of pupils will have been expecting to access residential provision until July 2024. The council's SEN Case Work Team have made contact with those families affected and will be providing support to assess all available provision options to continue to meet their assessed needs.

What Happens Next?

Your views about these proposals are welcomed. You can either complete and return the attached response sheet, or submit an online response.

Paper responses should be returned to North Yorkshire County Council at the address below:

FREEPOST RTKE-RKAY-CUJS
Welburn Hall Strategic Planning
North Yorkshire County Council
County Hall
NORTHALLERTON
DL7 8AE

Online responses may be submitted by following this link:

<https://consult.northyorks.gov.uk/snapwebhost/s.asp?k=164914933309>

The closing date for responses is 31st January 2023

All responses to the consultation received by this date will be considered by the County Council's Executive committee on 14 February 2023.

If the County Council's Executive decides to proceed, then statutory proposals would be published on 22 February, 2023 on the County Council's website and statutory notices placed in the local press and on the school gates. These statutory proposals would provide a further four weeks for representations to be made. A final decision would then be made in November by the County Council's Executive (or by the Executive Member for Education, Learning and Skills, if there are no objections to statutory proposals).

Anticipated key dates

All dates are subject to approvals at each stage.

Consultation opens	3 January 2023
Public meetings	10 and 18 January 2023
Consultation closes	31 January 2023
County Council's Executive considers consultation response	14 th February 2023
Statutory Proposals published (4 weeks for representations to be made)	22 February – 22 March 2023
Final decision by County Council's Executive (or the Executive Member for Education and Skills, if there	18 April 2023

are no objections to the statutory proposals)	
Implementation	From 1 September 2023: <ul style="list-style-type: none">•

BLANK PAGE

Welburn Hall School

Remove residential provision at Welburn Hall School from 1 September 2023, on a temporary basis for a two year period.

Observations and/or suggestions:

Please do not disclose any personal data in your response

Interest/Status

e.g. Parent/Governor/Teacher/Community

Name of School

Signed
Date:
Name (Block Capitals)
Address:
.....
.....
Postcode:

To help us assess whether we have provided clear information, please let us know whether you found this consultation easy to understand? YES/NO

Do you have any suggestions for improvement?

.....

Under the provisions of the Freedom of Information Act 2000, responses to the consultation may be published on the County Council’s website where it may be accessed by members of the public. Your personal details will not be published.

Please send this response sheet to the following “FREEPOST” address. You do not need to use a postage stamp.

FREEPOST RTKE-RKAY-CUJS
 Welburn Hall
 Strategic Planning
 North Yorkshire County Council
 County Hall
 NORTHALLERTON
 DL7 8AE
 Or go to:

<https://consult.northyorks.gov.uk/snapwebhost/s.asp?k=164914933309>

and submit your response there

To be received by no later than 31st January, 2023 *We are collecting this information for the purpose of gathering views on the proposal. Your personal data will not be published or passed to any other organisation unless a legal obligation compels us to do so. We may contact you to discuss your views further. For more information about how your personal data is handled at North Yorkshire County Council please visit:*

www.northyorks.gov.uk/privacy-notices

Welburn Hall School

Welburn Hall School is a Special School located near Kirkbymoorside. At present, the school provision is 11-18 for pupils with a range of special educational needs. The school also currently provides residential provision for a proportion of their pupils predominantly those who are in the Sixth Form.

Welburn Hall School comprises a former Country House which occupies an extensive site (76,150 m²) and consists of a total of 16 buildings including a number (e.g. an ornamental folly and boat house) that are not utilised for educational provision but which remain a liability to the School.

The School occupies the two main buildings on the site: -

- The Main Hall, a Grade II listed building that dates, in part, from 1603 but which was further developed in a number of phases after that date. The Hall suffered widespread damage as a result of a fire during the 1930's and was subsequently opened as a School by the County Council in 1951 after extensive refurbishment. The Main Hall comprises teaching, administrative and catering facilities on the ground floor and, mainly, sleeping accommodation to the first and second floors.
- A separate teaching block.

The operational area of the School amounts to a total of approximately 4,000m². Under BB104 (Area Guidance for Special Schools) the recommended floor area would be 2,355.00m² min for a school 90 pupils. This does not include an allowance for residential provision for which there is no area guidance.

As a former Country House, the School is not configured in a way to support the efficient delivery of education, nor does it have the associated building services to fully meet the requirements of the client group served by the School (e.g. limited capacity within lifts).

Heating Infrastructure

The heating at Welburn Hall school is based on separate oil-fired heating systems serving the main hall and the annex teaching block. There is no mains gas supply to the site.

The heating infrastructure is based on an original coal fired heating system, which dates from the 1950's. The original coal fired boilers to the main school block are have been replaced with 2No oil fired boilers, located in a basement plant room adjacent to the front elevation of the main block. A separate oil fired heating system is installed to the annex teaching block.

The primary heating pipework to the main hall building is of cast iron construction, and is understood to be at least 50 years old. The heating pipework provides heating to the main building in 3 separate circuits serving the 3 storey building. The (2No) oil fired boilers to the main hall are understood to be over 30 years old.

The heat emitters to the main hall building are primarily of cast iron type, and are approximately 50 years old. Many of the heat emitters are located behind panelling to reduce visual impact on the listed building and also serve as protection for the building users.

Both the pipework and the ducts are insulated with ACM's (Asbestos Containing Materials) and, therefore, in accordance with the Control of Asbestos Regulations, can only be accessed under controlled conditions.

The original 'Type 2' asbestos survey of the main school block revealed that asbestos is present in many of the ceilings, floors and roof voids. These areas are considered contaminated, and only accessible under controlled conditions, which is extremely disruptive and not possible on a live school site.

Heating System Failures

The oil fired boilers to the main building are understood to be over 30 years old and are considered to be nearing the end of their functional life. The boilers failed on a number of separate occasions during the previous heating season (Fig.1 – Evidence of responsive maintenance orders), leaving the main building without heat. Replacement parts for the boilers are becoming difficult to source and it is considered that the boilers are now obsolete, requiring replacement in the short term.

A significant leak to the primary heating pipework in the main hall occurred in November 2021. The leak resulted in a loss of pressure and a complete failure of the system. The requirement for controlled access to asbestos contaminated ducts meant that it was not possible to locate the leak during the heating season when the school was live. The system was kept operational by continual topping up with mains water during the winter months. This process resulted in a significant increase in the use of mains water during this period.

Two areas were identified as potential locations for the pipework leak. The first being an area adjacent to the passenger lift in the main corridor at ground floor level. A plan was put in place to access this area of duct under controlled conditions during autumn half term period (November 2021). Unfortunately, the leak was not found at this time. The inspection of the pipework and the duct revealed that the pipework was generally extensively corroded (Figs.2/3), and that insulation applied to the pipework was contaminated with 3 types of asbestos (Crocidolite, Amosite and Chrysotile) Fig.4 (Bulk Sample of Asbestos from heating duct). A second attempt was made to repair the heating pipework in a different location (kitchen area) during the Easter holidays 2022. On this occasion, the leak was found, and a repair was completed prior to the school returning following the Easter break. The work involved breaking out a concrete floor slab and removal of fitted kitchen cupboards to access. All the work was completed under controlled conditions under the supervision of an asbestos analyst.

From the investigation and the repair of the heating pipework carried out in the winter of 21/22, it has been established that the pipework is in very poor condition and at risk of catastrophic failure. Such a failure would result in the affected area(s) not being heated and not usable by the School.

Repairs will be extremely problematic given the asbestos contamination within the ducts. In addition, any significant repairs will be extremely disruptive to the school. Many of the ducts are located below the main circulation routes within the hall, requiring closure of these areas to facilitate investigation and repair works. It is likely that the main hall would need to be closed in the event of a failure of the heating system.

Proposals for Heating of Welburn Hall (Main Block)

Given the risk of failure of the heating system to the main hall and the associated threat to educational provision, North Yorkshire County Council have commissioned consultants to advise on the works required to replace the heating infrastructure to the main block at Welburn Hall. The feasibility study will consider the following:

1. Identification of scope of work required including renewal of the heating and hot water systems to the main block
2. Proposed programme including details of phasing of works
3. Establish if any planned work can be completed with the school remaining operational on the site
4. Feasibility cost plan for the proposed works

The following key restrictions will need to be considered:

- Restrictions placed on the work by the listed status of the property
- Asbestos contamination to ducts, floors, walls and roof voids
- Lack of gas connection to the site
- Limitations presented by electrical capacity
- Possible current or future decarbonisation of the heating system

Survey work relating to the heating system are currently ongoing, including investigation of asbestos a number of key areas in the main block.

Temporary Accommodation

In anticipation of significant disruption to the school resulting from the failure of the heating system, North Yorkshire County Council are exploring options for temporary accommodation to maintain educational provision at the site. North Yorkshire County Council are currently engaged with the school, planning authorities and providers to establish the feasibility of installing temporary accommodation on the site to maintain educational provision.

Klargester/Drainage

Welburn Hall does not have a connection to the mains drainage system. Drainage on the site discharges to a packaged treatment plant (Klargester) located to the rear of the site (to the south of

the main hall). Treated water subsequently discharges to the adjacent stream. A holding tank and associated pumps are located adjacent to the Klargester and the stream to mitigate surcharge in the drainage system and prevent untreated sewage from entering the stream.

It is understood that a significant proportion of the drainage on the site is combined (surface water and foul sewage). This causes the system to back up (surcharge) during periods of heavy rain. The rainwater from car park, the roof areas of the main hall and separate teaching block are understood to discharge to the combined system.

There are a significant number of mature trees on the site, and particularly adjacent to the known drainage routes. Root damage has previously affected the drainage system in a number of locations on the site, requiring specialist repair.

A large number of failures in the drainage system have been experienced by the school in recent past and particularly in the last 12 months (Fig.5). This is caused by blockages in the system and failure of the Klargester and pumps. The failure of the drainage system threatens educational provision at the site and is a significant drain on the schools responsive maintenance budget.

The existing Klargester unit is understood to be around 25 years old. The system was designed around the use of the site at the time. It is considered likely that the existing system is unable to provide treatment at the rates required for its current and projected use.

The system needs to accommodate the following students/staff using the site.

Pupils – 100 (including 12 residential)

Staff – 83 (74.55 fte)

It is understood that there is a significant issue with the capacity of the pipework adjacent to the drainage system. In addition, there is historic maintenance issue with root damage to drainage caused by proximity to mature trees on the site. It will need to be investigated if repairs/upgrading of the drainage is required.

It is considered that the existing treatment plant is nearing the end of its functional life. The school has experienced a number of failures due to the capacity of the existing system and drainage defects. The failure of the system threatens educational provision at the school. If the existing Klargester was to be replaced, it would be necessary to make significant alterations to the drainage on the site to separate the existing combined system to create foul and surface water drainage on the site. This would be required in order to comply with current environmental regulations.

Given the risk of failure of the drainage system and the associated threat to educational provision, North Yorkshire County Council have commissioned consultants to advise on the works required to the drainage system to ensure that the system is functioning as required. The feasibility study will consider the following:

1. Assessment of the condition/capacity of the existing packaged treatment plant.
2. Survey of the site drainage to establish the location and condition of existing drainage.
3. Identification of scope of work required including possible separation of foul and surface water system and work to the treatment plant.
4. Proposed programme including details of phasing of works.
5. Feasibility cost plan

The following key restrictions will need to be considered:

- Restrictions placed on the work by the listed status of the property
- Possible working arrangements for undertaking work on a live site
- Treatment of waste water from the hydrotherapy pool

Survey work relating to the drainage system are currently ongoing, including a topographical and utilities survey. A detailed CCTV survey of the drainage is planned for the forthcoming autumn half term.

Order number	Order date	Site	Description
151324	18/10/2021 12:04	E7004: Welburn Hall School	Please repair no heating to the Accommodation Block (kerosene boiler). Reported by Darren Kendell. Please contact site before attending to arrange access. If possible please attend site regarding this

			on a same day response as there are currently children in residence overnight.
151660	21/10/2021 15:19	E7004: Welburn Hall School	Darren Kendall reports: A significant issue with the boiler causing it to be shut down and leaving the site without heating. Thick black smoke is being emitted from the chimney (akin to a coal fire). Please attend on an urgent basis to investigate and repair / replace as appropriate. Tnks Please Note: Please call ahead to ensure access if HCS are unable to attend within the requested time frame as the school will be on half term. For access after 3pm Friday 22/10 please call 07840933125. Tnks
152073	29/10/2021 11:03	E7004: Welburn Hall School	Boiler is running but heat not getting through to parts of the building. HCS currently on site .
152414	03/11/2021 09:39	E7004: Welburn Hall School	Please repair boiler no1 located in the subterranean plant room the motor has failed. Reported by Darren Kendell. Darren has advised that contractors from HCS are currently on site for another job and has asked if they can also look at this issue whilst they are on site.
153090	10/11/2021 00:00	E7004: Welburn Hall School	Investigative work to repair underground pipe leak - Brian Shuttleworth has details
153997	24/11/2021 10:55	E7004: Welburn Hall School	Please repair a radiator located in Classroom 13 which is not heating up (it has been bled by site) - the other radiator located in the classroom is working. Reported by Darren Kendell. Please contact site before attending to arrange access. If possible please attend site regarding this in the next day or so as the weather is due to get colder.
154117	25/11/2021 00:00	E7004: Welburn Hall School	Investigate no heating in main building - Brian Shuttleworth has details
159705	14/02/2022 14:43	E7004: Welburn Hall School	Ongoing issue with air trapped in radiators/cold radiators in the main building, related to an undetected leak. Contact site for access.
161121	04/03/2022 08:56	E7004: Welburn Hall School	Leak in the kitchen coming up from the corner of the floor. Water feels warm. Reported by Dave Smith who said they have had troubles with the heating so could be due to this. Please note the school is covered under structural mass. To arrange access please contact Dave Smith on 07933638907.
161984	16/03/2022 00:00	E7004: Welburn Hall School	Carry out investigative works to find leak in heating system - as per site mtg - Alan Callear - Brian Shuttleworth
162567	23/03/2022 12:29	E7004: Welburn Hall School	Boiler will not turn on.

Fig.1 – Evidence of responsive maintenance orders



Fig2. Asbestos insulation and buried pipes in duct

Note: There are 6No pipes in this duct – 5No are buried under silt/debris



Fig.3 Insulation and buried pipes in contaminated duct

Note: There are 6No pipes in this duct – 3No are buried under silt/debris

Unit 12, Arx House
Technology Centre
James Watt Avenue
East Kilbride
G75 0GD



Tel: 01355 242280

Web: www.hslcompliance.com

HSL Compliance

CERTIFICATE OF ANALYSIS

Contact:	Gemma Pickless	Page:	1 of 1 Page(s)
Customer:	North Yorkshire County Council Property Service Property Contracts & Performance County Hall Northallerton DL7 8AD	Date of Issue:	24 November 2021
Site:	Welburn Hall School	Purchase Order:	FOC
Project No:	S21-03014	Customer Ref:	

2 No. Sample(s) submitted on 22 November 2021 by Chris Monaghan
Samples analysed by Caroline Ide

Lab Sample No.	Customer Sample Ref. or Location of Sample	Item Description	Product Type	Results of Asbestos Type(s)
S001	Room ID: 001, Corridor adjacent lift	Asphalt floor screed and bitumen felt	Bituminous Products	No Asbestos Detected
S002	Room ID: 001, Corridor adjacent lift	Hand applied insulation to pipes within floor duct	Thermal Insulation	Amosite, Chrysotile, Crocidolite

Bulk Analyst

Hsl Compliance

NOTES:

The samples detailed above have been analysed qualitatively for asbestos in accordance with In House Method 001 based on HSG248. Estimates of asbestos content are prohibited under UKAS accreditation by H.S.E. document HSG 248. Opinions & interpretations such as sample description, product type & certain results parameters are outside the scope of accreditation.

Hsl Compliance accept responsibility only for results obtained from samples as received.

No responsibility is accepted for errors which may have arisen during sampling or transportation of samples by a third party.

Results relate only to the items sampled and tested, also where customers have carried out the sampling "the results apply to the sample as received"

* Sample may not be a representative of material sampled due to very small quantity supplied.

Trace asbestos identified - 1 or 2 fibres - see HSG248, Para 4.23

% Water absorption test carried out in accordance with in-house method M006 based on L143, Cl 16 and is not UKAS accredited.

T022a Bulk Analysis Certificate
Issue No: 6, Dec 2021



Fig.4 Bulk Sample of Asbestos from heating duct (November 2021)

Order number	Order date	Site	Description
153924	23/11/2021 12:09	E7004: Welburn Hall School	High level alarm sounding on the Klargestester. Contact site for access
159071	07/02/2022 09:29	E7004: Welburn Hall School	High level alarm activated on sewage plant. Site advise tank was emptied and serviced last week.
159598	14/02/2022 09:42	E7004: Welburn Hall School	High level alarm has activated again on sewage plant.
160251	21/02/2022 10:00	E7004: Welburn Hall School	Please attend to reports of alarms sounding on both the Klargestester system & on the storm tank - please investigate the root cause & rectify as necessary. Reported by Dave Smith. Please contact site/Dave Smith before attending to arrange access. If possible please attend site on a same day response - access is available between 9am-3pm this week.
162386	22/03/2022 09:03	E7004: Welburn Hall School	High level alarm sounding and lights flashing on Klargestester.
165809	17/05/2022 10:33	E7004: Welburn Hall School	Please attend to a report that the high level alarm is going off on the Klargestester System. Reported by Dave Smith. Please contact site before attending to arrange access. If possible please attend site regarding this on a same day response.
167695	16/06/2022 17:41	E7004: Welburn Hall School	Darren Kendell request HCS to attend site. The pump failure alarm is activated on the sewage plant
168486	27/06/2022 11:10	E7004: Welburn Hall School	Please attend to a report that the high level alarm is going off on the Klargestester System..
168738	29/06/2022 13:00	E7004: Welburn Hall School	High level alarm is sounding on Kalargestester system following attendance 28/6/22.
170062	19/07/2022 09:50	E7004: Welburn Hall School	Please attend to a report that the high level alarm is going off on the Klargestester System - please investigate the root cause & rectify as necessary. Reported by Darren Kendell. Please contact site before attending to arrange access. If possible please attend site regarding this on a same day response.
174064	26/09/2022 09:50	E7004: Welburn Hall School	Darren Kendell reports that a high level alarm as activated on the sewage plant. Over the weekend a power failure in the pool plant room has caused the pool to drain allowing a large volume of water to enter the sewage plant, the water contained chlorine so contractors may need to address that situation also. Darren has asked for HCS to also send JP Pools for a faulty filter pump. Site advised that both tanks are full. Site have isolated everything for now. Please attend site ASAP. Contact Darren on 07840933125 to arrange access.

Fig.5 – Evidence of responsive maintenance orders

Risk Log

Project:	SEN Capital Projects
Project Manager:	Martin Surtees / Lucy Wade

ID	Date Raised	Type	Description & Consequences There is a risk that.....	Owner	Level	Workstream	PRE Mitigation Ranking			Mitigation		POST Mitigation Ranking			Last Reviewed Date	Status	
							Current Controls	Likelihood	Impact	Score	Mitigation(s) with action by dates	Date Actioned	Likelihood	Impact			Score
12	14-Sep-22	Service Delivery	School is out of operation and there is discontinuity in their education provision in the interim.	Andrew Dixon	Organisational	Welburn Hall	Any buildings failure will trigger emergency assessment.	Low	High	3	Project Team are keeping contingency planning arrangements under review.		Low	Medium	2	30-Nov-22	Open
13	14-Sep-22	Financial	Cost and timescales are significantly higher than estimated.	Howard Emmett	Directorate	Welburn Hall	Feasibility study will be updated and reviewed on a regular basis.	Medium	High	6	Costs are being planned and investigated fully.		Low	High	3	30-Nov-22	Open
14	14-Sep-22	Reputation	School experiences loss of pupil numbers.	Jane Le Sage	Directorate	Welburn Hall	Ensuring SEN Teams and School leadership are clear on the ongoing need for day provision.	Medium	High	6	Ensuring that all parents of current and potential pupils have clarity on the development status of the project.		Low	High	3	30-Nov-22	Open
15	14-Sep-22	Reputation	School experiences difficulties in relation to the recruitment and retention of staff.	Jane Le Sage	Directorate	Welburn Hall	Ensuring there is a clear communications plan.	Low	High	3	Ensuring that there is effective communications from the local authority with the school community.		Low	High	3	30-Nov-22	Open
16	14-Sep-22	Service Delivery	Ensuring that there is appropriate continuity in placement arrangements for pupils displaced from residential provision in the House, and that these alternatives are recognised by families as being appropriate.	Jane Le Sage	Directorate	Welburn Hall	SEN Casework team evaluating options for different scenarios.	Low	High	3	The Inclusion Team will work collaboratively with the school to support families and young people to find suitable alternatives.		Low	High	3	30-Nov-22	Open
17	14-Sep-22	Financial	Resourcing the project significantly inhibits SEN Capital Programme and/or school condition work.	Howard Emmett	Directorate	Welburn Hall	Reviewing the scope of what projects and capacity can be delivered within the SEND Programme.	Medium	High	6	Working to present the case for additional SEN Capital resources to the DfE.		Medium	Medium	4	30-Nov-22	Open
19	26-Sep-22	Resources	The scale of the transitional work programme creates challenges for the leadership capacity of what is a small/ medium sized special school.	Martin Surtees	Directorate	Welburn Hall	Discussion with HR, Headteacher and School Improvement Team to determine the structure required.	Medium	Medium	4	Local authority representatives working collaboratively with the School Leadership to support them in developing alternative affordable arrangements.		Low	Low	1	30-Nov-22	Open
21	04-Nov-22	Reputation	The longer-term solutions to continuing provision at Welburn Hall may not be compatible / consistent with pausing residential provision for two academic years, leading to a need for a further round of public consultation. There is a risk of adverse reputational outcome if this happens.	Jane Le Sage	Directorate	Welburn Hall	Planning in place to carry out a public consultation for pausing residential provision for 2 years.	Low	Low	1	Recognised need to update stakeholders through the early part of 2023 as to potential longer-term solutions.		Low	Low	3	30-Nov-22	Open

This page is intentionally left blank

SEND Programme - Welburn Hall

Task Name	Est Duration (weeks)	Start	Finish	Date Completed	Status	28/11/22	05/12/22	12/12/22	19/12/22	26/12/22	02/01/23	09/01/23	16/01/23	23/01/23	30/01/23	06/02/23	13/02/23	20/02/23	27/02/23	06/03/23	13/03/23	20/03/23	27/03/23	03/04/23	10/04/23	17/04/23	24/04/23
Decision Making	8	02-Dec-22	20-Dec-22		Planned																						
Papers published on NYCC website	0.2	02-Dec-22	02-Dec-22		Planned	◆																					
Executive Decision	0.2	13-Dec-22	13-Dec-22		Planned		■																				
5 day call in period	1	14-Dec-22	20-Dec-22		Planned		■	■																			
Communication of decision	1	01-Dec-22	02-Dec-22		Planned	▼																					
Meet with Governing Body	0.2	01-Dec-22	01-Dec-22		Planned																						
Inform Union Reps	0.1	30-Nov-22	30-Nov-22		Planned																						
Meet with residential staff	0.2	02-Dec-22	02-Dec-22		Planned																						
Inform the families of students affected	0.2	02-Dec-22	02-Dec-22		Planned																						
Inform families of all students	0.2	02-Dec-22	02-Dec-22		Planned																						
Inform whole staff group	0.2	02-Dec-22	02-Dec-22		Planned																						
Public Consultation	21	03-Jan-23	21-Feb-23		Planned																						
Public Consultation	4	03-Jan-23	31-Jan-23		Planned																						
Public Meetings (10th and 18th January)	2	10-Jan-23	18-Jan-23		Planned																						
Ongoing Review and evaluation of feedback	4	03-Jan-23	31-Jan-23		Planned																						
Final Review and evaluation of feedback	0.2	01-Feb-23	01-Feb-23		Planned																						
Submit report for Executive	0.2	02-Feb-23	02-Feb-23		Planned																						
Papers published on NYCC website	0.2	03-Feb-23	03-Feb-23		Planned																						
Executive Decision	0.2	14-Feb-23	14-Feb-23		Planned																						
5 day call in period	1	15-Feb-23	21-Feb-23		Planned																						
Statutory Proposal Process	11	22-Feb-23	25-Apr-23		Planned																						
Formal notice on NYCC website	0.2	22-Feb-23	22-Feb-23		Planned																						
Formal notice in local newspaper	0.2	22-Feb-23	22-Feb-23		Planned																						
Formal notice on school gates	0.2	22-Feb-23	22-Feb-23		Planned																						
Statutory Proposal period	4	22-Feb-23	22-Mar-22		Planned																						
Draft report for Executive	4	23-Mar-23	05-Apr-23		Planned																						
Submit report for Executive	0.2	06-Apr-23	06-Apr-23		Planned																						
Papers published on NYCC website	0.2	07-Apr-23	07-Apr-23		Planned																						
Executive Decision	0.2	18-Apr-23	18-Apr-23		Planned																						
5 day call in period	1	19-Apr-23	25-Apr-23		Planned																						
HR Consultation		13-Jan-23	04-Mar-23		Planned																						
Invite unions to commencement of consultation meeting	0.2	13-Jan-23	13-Jan-23		Planned																						
Meet with staff (consultation launch)	0.2	27-Jan-23	27-Jan-23		Planned																						
Consultation period	5	27-Jan-23	04-Mar-23		Planned																						

This page is intentionally left blank

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

(Form updated December 2022)

Welburn Hall Temporary withdrawal of 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 پوچھیے۔

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	Martin Surtees, Senior Finance Projects Officer, CYPS 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?	November 2022

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 temporarily pause the existing residential offer at Welburn Hall school, for a period of two academic years from 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.)

This is a specific response to an emergency scenario that the main house building at Welburn Hall school has been identified as having major shortcomings in its heating and drainage systems. Our assessment is that we need to plan on the basis of undertaking a two year programme of urgent works to address buildings failure, placing the House out of action, and that it is not possible for us to replicate the specific environment required on a temporary basis.

Our objectives are to ensure that Welburn Hall school can operate in the future with effective buildings, and that during the transitional period that there is no adverse impact on outcomes for children and young people.

Whilst the vast majority of young people currently accessing residential provision at Welburn Hall will naturally leave in July 2023 due to their age, we recognise that a small number of pupils will have been expecting to access residential provision until July 2024. The council's SEN Case Work Team have made contact with those families affected and will be providing support to assess all available provision options to continue to meet their assessed needs.

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

In the current academic year, 2022-23, the local authority is commissioning 12 residential places at Welburn Hall school, with those young people residing in the Main House building and they access four-night boarding provision

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

- There will be no residential provision at Welburn Hall school during the academic years 2023-24
- it is planned that the functions currently undertaken in the House building relating to day provision can be replicated through the provision of temporary accommodation on the school site

The implications for the team of 12 residential care staff who work to support the young people in their residential environment will need to be assessed and consultation proposals developed for the team

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 Young People's Service
- NYCC Corporate Property team
- School leadership team

Under Education & Inspections Act 2006 public consultation with all stakeholders will be taking place during January 2023, to give all stakeholders, and in particular families with young people currently supported in residential provision, and the residential care staff group an opportunity to contribute to the formulation of this proposal.

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

The most immediate short-term impact will be that the acquisition of temporary accommodation units (subject to planning permission being secured) and the adaptation works required at the school will require an estimated £3 million of capital outlay.

The cost of the planned maintenance programme has been estimated at £4 million to £5 million. Whilst the current working assumption is that this work will be undertaken, necessitating the closure of the House, it needs to be emphasised that at this stage funding has not been identified to enable these works to proceed – and the evaluation of those funding requirements form part of the evaluation of longer-term solutions for the school buildings.

In the interim period, it is recognised that additional costs may be incurred in making alternative arrangements for the small number of families who would otherwise have been accessing residential provision during the 2023-24 academic year (this cost has been estimated at £250k. In addition, the local authority will not have the flexibility to deploy that accommodation, should cases develop in such a way that Welburn Hall would have offered an effective new placement

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			✓	There are a very small number of families (less than five) where placements for young people would have continued into the 2023-24 academic year. For each pupil impacted by this proposal, there will be further consideration as to the appropriate setting to meet their assessed needs, and we would be confident that we can find placements that effectively meet the young person's needs as defined in their EHCPs. However, the local authority's objective was to use the residential provision at Welburn Hall to meet demand for new placements, which would otherwise have required independent residential provision. That flexibility will be unavailable for a two year period, and might result in it being more challenging to find high quality appropriate placements in these scenarios
Disability			✓	It is anticipated that this will make things worse for SEND pupils due to their disability because the local authority will have fewer choices for new cases of pupils and families requiring

				residential provision or each pupil impacted by this proposal, there will be further consideration as to the appropriate setting to meet their needs.
Sex	✓			It is anticipated that there would be no identifiable impact on SEND pupils due to their gender.
Race	✓			It is anticipated there would be no identifiable impact on SEND pupils due to their race.
Gender reassignment	✓			It is anticipated there would be no identifiable impact on SEND pupils due to gender reassignment
Sexual orientation	✓			It is anticipated there would be no identifiable impact on SEND pupils due to sexual orientation
Religion or belief	✓			It is anticipated there would be no identifiable impact on SEND pupils due to religion or beliefs.
Pregnancy or maternity	✓			It is anticipated there would be no identifiable impact on SEND pupils due to pregnancy or maternity.
Marriage or civil partnership	✓			It is anticipated there would be no identifiable impact on SEND pupils due to marriage or civil partnership.

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.
...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.

Given the very small numbers of families impacted by these proposals, it is anticipated that there will be no further impacts from a combination of protected characteristics

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.)	
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.	

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. 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.

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
During the consultation process in January 2023 and subsequent decision making process, any identified adverse impact will be fully considered and identified how this can be mitigated.
This proposal is being brought forward directly as a result of the local authority technical assessments regarding the condition of the building and the necessary maintenance works identified, and it has been assessed that the local authority is unable to support residential provision at Welburn Hall through the academic years 2023-24 and 2024-25 However, the local authority considers that the proposals being brought forward at this point in time, and the timing of this consultation exercise offer the most constructive response to the challenges faced, and are compatible with supporting Welburn Hall to remain a highly effective Special school, and to enable the local authority to assess how residential provision at the school can potentially be maintained into the future.

Section 13. Sign off section

This full EIA was completed by:

Name: Martin Surtees

Job title: Senior Finance Projects Officer

Directorate: CYPS

Signature:

Completion date: 29/11/2022

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

Date:



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

Version 2: amended 11 August 2021

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 the summary section of the form below.

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

Page 125

Title of proposal	Welburn Hall School – Replacement of Heating and Drainage Infrastructure
Brief description of proposal	Significant programme of works to replace heating and drainage infrastructure following the identification of significant failures at the School
Directorate	CYPS
Service area	Strategic Planning
Lead officer	
Names and roles of other people involved in carrying out the impact assessment	Jon Holden, Head of Property Service
Date impact assessment started	24 November 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.

The project proposed to be undertaken at Welburn Hall has been informed by detailed surveys and feasibility studies that have identified the extent of failure and the most effective solutions for addressing the failures within both the heating and drainage infrastructure at the School site. This work has identified significant failures associated with both, and a risk of catastrophic failure that is associated with either / both that would affect the continued educational provision at the School.

Options for the design of the work are limited by the Grade 2* listed planning status of the School and, therefore, the project will include extensive work to remove, and dispose of, significant amounts of asbestos waste that is currently utilised to insulate the existing heating ducts and pipework.

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.

The proposed works will not impact upon the Council's revenue budgets. They will have a positive impact upon the School's revenue budget as a result of: -

1. A reduction in responsive maintenance activity arising from the periodic failure of both heating and drainage; and
2. Reduced expenditure in respect of heating arising from the installation of modern, more efficient oil heating boilers

How will this proposal impact on the environment?		Positive impact (Place a X in the box below where relevant)	No impact (Place a X in the box below where relevant)	Negative impact (Place a X in the box below where relevant)	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		x				
	Emissions from construction			x			
	Emissions from data storage		x				
	Emissions from running of buildings	x			The proposed works will include the replacement of the existing oil fired boilers with new, efficient oil boilers which will enable lower carbon emissions. Alternative low-carbon technologies could not be incorporated because of the age / type / condition of the of the building. The installation of either Air Source or Ground Source Heat Pumps would require an associated programme of building fabric improvement and insulation works that would be beyond the scope of the current project and budget. Such a project would require an assessment of the current electrical supply to the School and, potentially, an upgrade of that supply.		
	Other						

<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 relevant)</p>	<p>No impact (Place a X in the box below where relevant)</p>	<p>Negative impact (Place a X in the box below where relevant)</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>
Minimise waste : Reduce, reuse, recycle and compost e.g. reducing use of single use plastic			x	The proposed construction project will result in the production of waste, including asbestos waste. The County Council will work with its designers / contractors to ensure that waste is minimised		
Reduce water consumption		x				
Minimise pollution (including air, land, water, light and noise)	x		x	The proposed project will improve the drainage infrastructure at the School site and will significantly reduce the risk of pollution in the local environment. The construction project will, however, create some pollution, including noise. The County Council will work closely with its contractors to ensure that this is minimised		
Ensure resilience to the effects of climate change e.g. reducing flood risk, mitigating effects of drier, hotter summers	x			The proposed project will improve both the heating and drainage infrastructure at the School. It will, therefore, improve the resilience of the School to the effects of climate change		
Enhance conservation and wildlife		x				
Safeguard the distinctive characteristics, features and special qualities of North Yorkshire's landscape	x			The proposed project will result in the improvement of a Grade II listed property and will, therefore, contribute to North Yorkshire's heritage		
Other (please state below)						

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

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.

Detailed building surveys have identified that the educational provision at Welburn Hall School is at significant risk arising from the condition of both the heating (Main Hall) and drainage infrastructure serving the School’s site. The condition of both is such that there is a risk of catastrophic failure that would result in the closure of either the Main Hall (heating) or the whole site (drainage) pending the completion of required repair. Arising from the Grade II listed status of the building and its construction significant projects would be required in order to address both the heating and drainage and it is, therefore, recommended that both are addressed via a planned programme of work that provides for continued educational provision at the School during the period of the construction works.

This climate change assessment has demonstrated that the proposed project would have a positive impact upon climate change impact through both the provision of a more effective drainage system (reduced risk of pollution to the local environment) and more efficient oil heating boilers (reduced CO2 emissions). The assessment has noted that the provision of Air Source or Ground Source Heat Pumps would result in a greater reduction in CO2 emissions but that such a proposal would not be suitable for the Main Hall, even in the event that additional fabric / building services improvements were to be implemented. It is noted, however, that the potential exists for such technology to be implemented in addition to the new oil boilers in a future scheme, subject to an assessment of the electricity supply to the School site.

The impact assessment has noted, however, that the proposed construction project will also have negative impacts arising from the waste that will be produced (including hazardous asbestos waste) and noise pollution that will arise. In both cases the County Council will work closely with its contractors to ensure that waste is minimised, and disposed of in accordance with the environmental regulations and that noise pollution is controlled.

Sign off section

This climate change impact assessment was completed by:

Name	
Job title	
Service area	
Directorate	
Signature	
Completion date	

Authorised by relevant Assistant Director (signature):

Date:

FORWARD PLAN

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

Publication Date: 5 December 2022

Last updated: 5 December 2022

Period covered by Plan: 31 December 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
13 Dec 2022	Executive		Review of Leisure Services	Yes	Agree recommended changes to the operation of leisure assets in Selby post vesting day	Richard Webb Sponsor LGR Culture Leisure	No consultation undertaken. The decision is made by the Executive.	Richard Webb, Corporate Director of Health and Adult Services c/o LGR Project Management office, LGRPMO@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	Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	
13 Dec 2022	Executive		Consideration of the building condition at Welburn Hall school and potential remedial plans	Yes	To agree a timeline for evaluating options for addressing building condition issues, to ensure that any planned works do not impact adversely upon the continuity of school operation, and effectiveness of outcomes for young people.	N/A at this stage		Howard Emmett Tel No.: 01609 532188 Howard.Emmett@northyorks.gov.uk	
13 Dec 2022	Executive		Recommendations of the Member Working Group on Licensing	Yes	Executive to consider the recommendations of the Member Working Group on Licensing.	Member Working Group on Licensing	Meetings, emails and reports	Melanie Carr, Principal Democratic Services &	

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
						LGR Workstream on Licensing Member Working Group on the Constitution		Scrutiny Officer Melanie.Carr1@northyorks.gov.uk	
13 Dec 2022	Executive		Report of the Member Working Group on Planning	Yes	Executive to consider the recommendations of the Member Working Group on Planning.	Member Working Group on Planning LGR Workstream on Planning Member Working Group on the Constitution	Meetings, emails and reports	Karl Battersby, Corporate Director for Business and Environmental Services karl.battersby@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.	Assistant Director - Policy, Partnerships and Communities neil.irving@northyorks.gov.uk	
10 Jan 2023	Executive		Community Governance Reviews relating to the unparished town centres in Harrogate and Scarborough	Yes	To consider the draft recommendations arising from the community governance reviews relating to the unparished parts of Harrogate and Scarborough	The public living and working within the relevant areas, and Relevant division Members	Public consultation	Assistant Chief Executive (Legal & Democratic Services) Barry.Khan@northyorks.gov.uk	

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
10 Jan 2023	Executive		Managing Adult Social Care Pressures	Yes	To update Members on actions being taken to address adult social care waiting times and workforce pressures and to set out the evaluation of the Ethical Decision-Making Framework that was put in place in January 2022			Lisa Moore, Relief Head of Service Development, HAS, and Corporate Director of Health and Adult Services richard.webb@northyorks.gov.uk	
Jan 2023	Executive		Mainstream Schools and Special School Budgets	Yes	To approve final details of the Schools Block/ DSG budgets for 2023/24 including: • The level at which the minimum funding guarantee (MFG) protection is set for special schools. • Banded values for Element 3 top up funding For submission to Dept for Education including Minimum Funding Guarantee (MFG).	All mainstream schools and Governing Bodies, North Yorkshire Schools Forum, North Yorkshire special schools	Consultation with all mainstream schools and mainstream academies, discussions with special schools and special academies and discussion at North Yorkshire Schools Forum	Howard Emmett howard.emmett@northyorks.gov.uk	
10 Jan 2023	Executive		Consider the outcome of the consultation on the Taxi Licensing Policy and Conditions	Yes	Consider the outcome of the consultation on the Taxi Licensing Policy and Conditions	Licensing Member Working Group	Public consultation events Meetings	Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	

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
17 Jan 2023	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 LGR	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	
15 Jan 2023	Executive		North Yorkshire Draft Climate Change Strategy Consultation for approval and consideration of York and North Yorkshire Route Map to Carbon Negative	Yes	1 Endorse the York and North Yorkshire Routemap 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	
24 Jan 2023	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	
24 Jan 2023	Executive		Council Pay Policy - To make recommendation	Yes	To comply with the statutory requirement to publish the Council's	Management Board and Group	Meetings Emails	Assistant Chief Executive (Business	

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
			to Full Council		Pay Policy	Leaders		Support) justine.brooksbank@northyorks.gov.uk	
24 Jan 2023	Executive		Closure proposal for Hovingham CE VC Primary School	Yes	To publish statutory proposals and notice for the proposal to close Hovingham CE VC Primary School with effect from 31 March.	Parents, Staff, Governors, Local Elected Members, District Council, Diocesan Boards and other local stakeholders.	Public consultation from 31 October to 28 November 2022. Statutory proposals to be published on NYCC website. Statutory notice to be published in local newspaper and placed on the school gate. Statutory proposals representation period from 6 Jan to 3 Feb 2023. Report to Executive Member for Education, Learning and Skills 18 Oct 2022 Representations may be made in writing to the Corporate Director-Children and Young People's Service, County Hall, Northallerton,	Corporate Director of CYPS stuart.carlton@northyorks.gov.uk	

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
							DL7 8AE, or by email to schoolorganisation@northyorks.gov.uk by 3 Feb 2023		
24 Jan 2023	Executive		Revenue Budget 2023/24 and Medium Term Financial Strategy - To make recommendation to Full Council	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		Council Plan for the new Council - To make recommendation to Full Council	Yes	To consider draft Council Plan for the new council	Corporate and Partnerships Overview and Scrutiny Committee Management Board	Meetings	Assistant Director - Policy, Partnerships and Communities neil.irving@northyorks.gov.uk	
24 Jan 2023	Executive		IRP Recommendations for 2023/24 (Member Allowances) - To make recommendation to Full Council	Yes	To consider the recommendations of the Independent Remuneration Panel for 2023/24	Independent Remuneration Panel Members	Meetings	Barry Khan, Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	

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
24 Jan 2023	Executive		Admission Arrangements 2024/2025	Yes	To seek views on the response to the proposed admission arrangements for Community and Voluntary Controlled schools for the school year 2024/2025 and approval for recommendation to the County Council for determination	Public consultation	Public consultation via the website	Lisa Herdman, Lead for Admissions, Education and Skills lisa.herdman@northyorks.gov.uk	
24 Jan 2023	Executive		Consider the proposal to consult on the Parish Charter	Yes	Consider the proposal to consult on the Parish Charter	Member Working Group on Locality and Governance	Meetings	Assistant Director - Policy, Partnerships & Communities neil.irving@northyorks.gov.uk	
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	
7 Feb 2023	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	

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
7 Feb 2023	Executive		Armed Forces Covenant	Yes	To approve the Armed Forces Covenant for the North Yorkshire Council	Corporate & Partnerships Overview and Scrutiny Committee Members Officers - Key officer Paul Shevlin (Craven DC)	Meeting and emails	Neil Irving, Assistant Director - Policy, Partnerships and Communities neil.irving@northyorks.gov.uk	
7 Feb 2023	Executive		Response to Motion referred from County Council on Fair Tax Declaration	Yes	To consider a Motion on fair tax declaration referred from County Council on 16 November 2022 and make recommendations to County Council on 22 February 2023.	Executive Senior officers and Members	Meetings and emails	Gary Fielding, Corporate Director for Strategic Resources gary.fielding@northyorks.gov.uk	
7 Feb 2023	Executive		Response to Motion referred from County Council on Proportional Representation	Yes	To consider a Motion on proportional representation referred from County Council on 16 Nov 2022 and make recommendations to County Council on 22 February 2023.	Executive Senior officers and Members	Meetings and emails	Barry Khan, Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	
7 Feb 2023	Executive		Response to Motion referred from County Council on Fracking	Yes	To consider a Motion on fracking referred from County Council on 16 November 2022 and make recommendations to County Council on 22 February 2023.	Executive Senior officers and Members	Meetings and emails	Corporate Director for Business and Environmental Services karl.battersby@northyorks.gov.uk	

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
7 Feb 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.	Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	
7 Feb 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 BC Local community	Formal consultation process in line with governance. Informal Open days. Community meetings	Dale Owens, Assistant Director Prevention & Service Development, Commissioning (HAS)	
14 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 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		Gary Fielding, Corporate Director for Strategic Resources, gary.fielding@northyorks.gov.uk	
21 Feb 2023	Executive		Community Networks	Yes	To review options regarding the development of an operating model for community networks.	Member WG on Localities Group Leaders Members Officers	Meetings and email	Assistant Director - Policy, Partnerships & Communities neil.irving@northyorks.gov.uk	

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
21 Mar 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 the procurement.			Head of Housing Marketing Development (Commissioning) , Health and Adult Services michael.rudd@northyorks.gov.uk	
20 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		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	
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 cessation of the District and Borough Councils	District and Borough Councils All Councillors	Emails	Gary Fielding, Corporate Director for Strategic Resources 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	Member Working Group on Customer	Meetings	Robert Ling robert.ling@northyorks.gov.uk	

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
					Policy - Vexatious Customer Policy - Customer Service Standards				
21 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	
21 Mar 2023	Executive		Consider the adoption of the Parish Charter	Yes	Consider the adoption of the Parish Charter	Public consultation with parish and town councils	Public consultation	Assistant Director - Policy, Partnerships & Communities neil.irving@northyorks.gov.uk	
21 Mar 2023	Executive		Redeployment of land to the north and south of Crosshills Lane, Selby	Yes	To approve the proposed redeployment of the property	Executive members & Management Board at the informal Executive meeting on 8 June 2021		Non-Operational Property Manager, NYCC Property Services Philip.Cowan@northyorks.gov.uk	
18 Apr 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	Assistant Director Adult Social Care, Care and	

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
								Support chris.jones-king@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.

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank