

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, 21st February 2023

Time: 11.00 am

Venue: Brierley Room, County Hall, Northallerton, DL7 8AD

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. **Minutes of the Meeting held on 14 February 2023** (To Follow)
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
Agenda Item 8 – Appendix A	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 16 March 2023, 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. Q3 Performance Monitoring and Budget Report (Pages 5 - 160) Recommendations:

That the Executive:

- a. notes the latest position for the County Council's 2022/23 Revenue Budget, as summarised in **paragraph 2.1.2**.
- b. notes the position on the GWB (**paragraphs 2.4.1 to 2.4.3**)
- c. notes the position on the 'Strategic Capacity – Unallocated' reserve (**paragraphs 2.4.4**)
- d. notes the latest position regarding the Local Government Review transition fund (**paragraphs 2.5.1**)
- e. notes the position on the County Council's Treasury Management activities during the second quarter of 2022/23
- f. refers this 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**
- h. Approve the proposal to expand capacity at Springwater School including the associated rationalisation of neighbouring office accommodation (**paragraph 4.4.7.4**)
- i. Agree that no action be taken at this stage to allocate any additional capital resources (**paragraph 4.5.7**)

7. North Yorkshire Hackney Carriage and Private Hire Licensing (Pages 161 - 420) Policy 2023 & Adoption of the Local Government (Miscellaneous Provisions) Act 1976 Recommendations:

Executive is recommended to:

- i. to pass a resolution that the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 (other than section 45) shall be adopted within the administrative area of North Yorkshire Council, with effect on the 1 April 2023, with the caveat of the decision only taking effect if the Hackney Carriage and Private Hire Licensing Policy has been adopted for the 1 April 2023;
- ii. Adopt the proposed Hackney Carriage and Private Hire Licensing Policy as shown in Appendix 1 of the report dated 7 February 2023, with the amendment identified in paragraph 2.4;
- iii. if adopted, to authorise the approval of minor and inconsequential amendments to the policy from time-to-time by a senior officer to reflect legislative changes or correct

any inaccuracies;

- iv. if adopted to give approval for an Inclusive Service Plan to be implemented within 12 months of adoption

8. Creation of new Property and Estates Company – Align 2 (Pages 421 - 434)
Recommendations:

The Executive are requested to:

- a) approve the implementation of a new wholly owned company (APP2), in accordance with the details set out in the Business Case at Appendix A;
- b) approve the setting up of a company limited by shares;
- c) approve the investment of 100 £1 shares in APP2;
- d) delegate the approval of the articles, the company name and any other governance documents associated with new company to Assistant Chief Executive – Legal and Democratic Services;
- e) delegate the Council entering into all other agreements and documents necessary for the establishment of the new company to the Assistant Chief Executive - Legal and Democratic Services;
- f) delegate to the Assistant Chief Executive Legal and Democratic Services in consultation with the Assistant Director, Strategic Resources (BES and Central Services) to conclude all steps to agree a working capital loan for the company, up to a maximum of £200k to be funded from North Yorkshire Council reserves for which a market rate of interest will be charged;
- g) delegate to Assistant Chief Executive Legal and Democratic Services to progress and conclude the working arrangements of APP2 including the method of the provision of support services, staffing and secondment arrangements;
- h) delegate all other necessary steps to secure the implementation of the proposed Option to the Assistant Chief Executive – Legal and Democratic Services;
- i) agree to the appointment of the Corporate Director - Strategic Resources, the Corporate Director - Business and Environmental Services and the Operations Director for Align Property Partners to the Board of Directors of the new company;
- j) agree that the appointed officers to the board of directors of the company will be entitled to indemnity in accordance with the Council's Indemnity Policy for Members and Employees.

9. Closure of Scarborough & Ryedale Community Health and Social Care (Pages 435 - 438)
Recommendations:

The Executive are requested to:

- i. Approve the winding up of the Company;
- ii. Authorise the Company's directors to apply to Companies House to for the voluntarily Strike Off of the Company;
- iii. Delegate any decisions relating to the financial implications of winding up the Company to the Corporate Director (Strategic Resources); and
- iv. Authorise the Assistant Chief Executive (Legal and Democratic Services) to take all other necessary steps to facilitate the strike off of the Company.

10. Community Networks (Pages 439 - 456)
Recommendations:

that the Executive

- i. Accept the report.
- ii. Agree the Terms of Reference for Community Networks as detailed in section 6 of the report

- iii. Agree the proposals in relation to initial governance models as detailed in section 7 of the report.
- iv. Approve Option 2 – Phased Implementation - as detailed in section 9 of the report.

11. Appointments Report (Pages 457 - 458)
Recommendations:

That the Executive

- i) Note the change to the membership of the North Yorkshire Health and Wellbeing Board, as stated in paragraph 2.1 of the report.
- ii) Recommend to the Council that the Executive Member for North Yorkshire Council with responsibility for Housing and Leisure and the Corporate Director for Community Development, North Yorkshire Council (or their nominated representative for Housing and Leisure) become Members of the Board.

12. Forward Plan (Pages 459 - 476)

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

Contact Details

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13 February 2023