

# North Yorkshire Council

## Executive

Minutes of the meeting held on Tuesday, 28th November 2023 commencing at 11.00 am.

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

In attendance: Councillors Alyson Baker, Barbara Brodigan, Caroline Dickinson, Andrew Lee, Karin Sedgwick, Andrew Williams, Paul Haslam, Malcolm Taylor, Chris Aldred, Peter Lacey, Cliff Lunn and John Mann.

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Richard Flinton, Nic Harne, Barry Khan, Richard Webb, Melanie Carr, Daniel Harry, Richard Binks, Trudy Forster, Amanda Newbold, Tony Law and Will Boardman.

Other Attendees: Stuart Minting.

Apologies: Councillor Annabel Wilkinson.

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

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### **343 Apologies for Absence**

Apologies were received from Councillor Annabel Wilkinson.

### **344 Public Minutes of the Meeting held on 7 November 2023**

#### **Resolved –**

That the public Minutes of the meeting held on 7 November 2023, having been printed and circulated, be taken as read and confirmed by the Chair as a correct record.

### **345 Declarations of Interest**

In regard to Agenda item 6, Councillor Michael Harrison declared a pecuniary 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.

Councillors Carl Les and Janet Sanderson both declared an interest in Agenda item 9 as they were both Trustees of North Yorkshire Youth and Carlton Lodge Activity Centre.

### **346 Exclusion of the Public**

**Resolved –** That on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 2 & 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 13.

### **347 Public Participation**

There were no public questions or statements.

### **348 Quarter 2 Performance Monitoring and Budget Report**

#### **Q2 Performance Monitoring and Budget Report**

A joint report of the Chief Executive and Corporate Director - 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 a comprehensive performance picture of North Yorkshire Council. 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 the Council's Directorates, which included:

- HAS performance remained strong despite the ongoing care market pressures;
- An increase in safeguarding activity in both Quarter 1 and Quarter 2;
- The average cost of care home placements had risen by 14%;
- package provision had risen by 4%;
- The demand for Adult Services was above the national figure;
- A 10% increase in the number of EHCPs;
- The number of exclusions and referrals to Children's Services had risen;
- An increase in residual waste and a decrease in recycling;
- A year on year reduction in landfill;
- A long term downtrend trend in fly tipping;
- An increase in demand on the Translation and Interpretation Service;
- An increase in demand for customer service interactions;
- A reduction in water quality particularly in South Bay, Scarborough;
- A continued demand under the Homes for Ukraine Scheme;

Executive Members were given the opportunity to provide any further information relevant to their individual portfolio areas, and in response to questions from members of the Scrutiny Board, the following was confirmed:

- The table on customer interaction did not include data on those interactions coming through the website such as applying for a residents parking permit or a green waste bin. Work was ongoing to improve the collection of data representing the whole customer experience for reporting purposes
- The ongoing pressure on domiciliary care was having an impact on the work of the Reablement Team. Short term placements were being constantly reviewed to ensure as many as possible were able to return to home rather than moving to long term care.
- Weight management referrals were increasing but were still below pre-pandemic figures. Work was ongoing to improve referral routes and data was being fed into the ongoing review of Leisure Services.
- Some improvements were required to the NHS Health Checks national programme - it was noted that uptake was slightly higher across the County compared to the national picture
- The data on smoking cessation had improved since the service was taken back in house but had flatlined in recent months. It was noted the figures did not include data on vape users.
- In regard to drug treatment figures, Richard Webb, Corporate Director for Health & Adult Services agreed to provide further information after the meeting.
- The number of children in care had increased but without the unaccompanied asylum

seeker children the figures would have reduced.

- Plans were in place to increase the amount of accommodation available for unaccompanied asylum seekers. Councillor Janet Sanderson acknowledged the concerns raised about the appropriateness of some of the properties being proposed and she encouraged Members to direct any further concerns to her so that she could ensure they were addressed. It was confirmed that finding the right type of accommodation was a key factor in ensuring that asylum seekers placed with the Authority stayed in the county.
- The drop in timely assessments for ECHPs was due to a lack of educational psychologists which was an issue nationally. Stuart Carlton - Corporate Director for Children & Young People's Service confirmed the County had commissioned more assessments than it was capable of completing with the staff available and was pleased to note the recent recruitment of a Principal Psychologist and two further educational psychologists which he ensured Members would help address the assessment backlog.
- There was a limit to what the Authority could do to encourage a greater reduction in the amount of waste generated. It was noted the County's landfill figure of 4% was half that of the national average of 8%.
- In regard to highways insurance claims, the focus was not on their repudiation but on investment in the road network to improve the highways and in turn reduce the number of claims.
- The draft Economic Strategy was recently approved by Full Council.
- As a result of bringing together the data available from the legacy District and Borough Councils it was not possible at this stage to understand whether the number of households in temporary accommodation were the same households as reported in Quarter 4 2022/23 and Quarter 1 2023/24. It was noted that work was underway to collect improved data that would better inform the Authority's KPIs.
- The performance data available in relation to the management of planning applications could be made clearer – Councillor Andrew Lee suggested it be broken down into two categories – those applications determined within the statutory 8 weeks and those with an extension to 13 weeks. He suggested it would also be useful to know who was asking for the extension in time – the applicant or the Authority. It was confirmed that in Quarter 1 all areas were performing above the national requirements with all but Hambleton & Richmond being above the major performance target of 70%.

#### 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 current underspend and the expected in-year budget deficit of £27m.

Gary Fielding, Corporate Director for Resources confirmed the planned £30m deficit budget had been put in place to allow time to plan for the coming years. He was also pleased to report there had been no major shocks as part of the ongoing consolidation work.

In regard to Treasury Management, County Councillor Gareth Dadd noted there was nothing to add to the report, and in regard to the Capital Plan, he drew attention to the addition of £580k to the capital plan for the Scarborough chalets, on an invest to save basis, and the risks associated with capital projects and the ongoing work to mitigate those risks.

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 information in the Q2 Performance Report was to be used as a performance baseline or starting point for the new council
- b. The forecast outturn position against the 2023/24 Revenue Budget, as summarised in paragraph 2.2.2 of the report.
- c. The forecast outturn position for the Housing Revenue Account as set out in paragraph 2.3.1 of the report
- d. The position on the Council's Treasury Management activities during the second quarter of 2023/24

The Executive also agreed:

- e. To approve the move of £10,443k from Strategic Capacity Unallocated to General Working Balances as set out in paragraph 2.5.1 of the report;
- f. To refer the report to the Audit Committee for their consideration as part of the overall monitoring arrangements for Treasury Management;
- g. To approve the refreshed Capital Plan as summarised at paragraph 4.2.3 of the report;
- h. To approve the addition of £580k to the capital plan for the Scarborough chalets, on an invest to save basis; and delegate authority to officers to proceed with the scheme;
- i. That no action be taken at this stage to allocate any additional capital resources.

### **349 North Yorkshire Transforming Cities Fund Projects**

Considered – A report of the Corporate Director of Environment providing an update on the North Yorkshire Transforming Cities Fund (TCF) projects in Skipton, Selby and Harrogate and seeking approval of the revised final project scopes.

Councillor Keane Duncan introduced the report and provided an overview of the current position including the economic challenges resulting from the increase in costs since the Outline Business Cases (OBCs) were first prepared in 2020. He also provided a brief overview of the three individual projects and noted they would lead to landmark improvements for the three towns and give assurances that sub-contractors would be closely monitored to ensure maximum value for money.

Councillor John Mann expressed his support for the revised scheme for Harrogate and confirmed there was increased support from the community. He drew particular attention to the feedback from the Harrogate BID and the Independent Harrogate group who were both in favour of the revised proposal for Harrogate and advocated for their proposal for a relief road for west Harrogate. He noted the Local plan included for an increase in housing in that area which in time would impact further on the existing level of congestion. Whilst he recognised there was no funding for a relief road at present, he asked this be kept under consideration.

In response Councillor Keane Duncan confirmed the overwhelming feedback from the Harrogate Congestion Study showed that rather than a bypass or inner relief road, residents wanted improved sustainable transport options and demand management solutions. He also confirmed the Council was still progressing its Harrogate Transport Improvement Programme and a report was expected in spring 2024. Other traffic mitigation measures were also being considered as well as a potential Park & Ride.

Councillor Gareth Dadd acknowledged the financial risks associated with the three projects should they overrun and queried what checks and balances were in place. Karl Battersby – Corporate Director for Environment accepted that any overrun could have a significant financial impact and confirmed this risk would be mitigated through thorough project oversight and use of contingencies. He also confirmed that work was underway to

understand which elements of the schemes could be delivered inhouse via the Authority's Teckal companies, where it represented good value for money. Finally he drew attention to an error in the Equality Impact Assessment – he noted the schemes would have a positive impact on males and females by way of making the areas safer.

It was suggested the Executive Member for Finance be included as a consultee for accepting the TCF funding for the three schemes, and having noted the three proposed schemes were now affordable whilst not renegeing on the Council's overall vision, it was

**Resolved** – That the following be approved:

- i) the descoping options for Selby, the preparation and submission of a Full Business Case, with approval of the detail delegated to the Corporate Director of Environment in consultation with the Corporate Director of Resources and Executive Member for Highways and Transportation. In the event that the Full Business Case is approved by the West Yorkshire Combined Authority, to delegate the acceptance of the TCF funding to the Corporate Director of Resources in consultation with the Assistant Chief Executive Legal and Democratic Services, the Executive Member for Highways and Transportation, and the Executive Member for Finance subject to the scheme being affordable, acceptable terms and conditions being received, and for a satisfactory TRO outcome, the scheme to be implemented; and
- ii) the descoping options for Skipton, the preparation and submission of a Full Business Case, with approval of the detail delegated to the Corporate Director of Environment in consultation with the Corporate Director of Resources and Executive Member for Highways and Transportation. In the event that the Full Business Case is approved by the West Yorkshire Combined Authority, to delegate the acceptance of the TCF funding to the Corporate Director of Resources in consultation with the Assistant Chief Executive Legal and Democratic Services, the Executive Member for Highways and Transportation, and the Executive Member for Finance, subject to the scheme being affordable, and acceptable terms and conditions being received, and for a satisfactory TRO outcome the scheme to be implemented; and
- iii) the descoping options for Harrogate, the preparation and submission of a Full Business Case, with approval of the detail delegated to the Corporate Director of Environment in consultation with the Corporate Director of Resources and Executive Member for Highways and Transportation. In the event that the Full Business Case is approved by the West Yorkshire Combined Authority, to delegate the acceptance of the TCF funding to the Corporate Director Resources in consultation with the Assistant Chief Executive Legal and Democratic Services, the Executive Member for Highways and Transportation, and the Executive Member for Finance, subject to the scheme being affordable, and acceptable terms and conditions being received, and for a satisfactory TRO and public engagement outcome the scheme to be implemented.

### **350 Local Government and Social Care Ombudsman Public Report**

Considered – A report of the Corporate Director – Health and Adult Services providing an overview of a Public Interest Report from the Local Government and Social Care Ombudsman in respect of Adult Social Care, and the actions taken to address the recommendations

Councillor Michael Harrison introduced the report which outlined the LGSCO's findings into a complaint about North Yorkshire Council and confirmed the Ombudsman had upheld the complaint after it found fault with the Council's use of language when describing / explaining its calculations.

The report acknowledged that improvements were required to ensure the correct language

was used when undertaking financial assessments and calculations, to avoid doubt or ambiguity.

Attention was drawn to the findings and the actions required as a result, as detailed in paragraph 2.3 of the report, those actions taken to date as listed in section 6 of the report, and their impact on Health and Adult Services processes.

**Resolved** – That the following be noted:

- i. The findings and recommendations of the Local Government and Social Care Ombudsman Public Report
- ii. The actions taken.

### **351 Outdoor Learning Service**

Considered – A report of the Corporate Director – Children & Young People’s Service providing a performance update on the Outdoor Learning Service.

Councillor Janet Sanderson introduced the report which detailed the operation of the two outdoor learning centres, Bewerley Park and East Barnby, which provided residential and day-based activities as well as staff training. She confirmed there was no longer a statutory duty on local authorities to provide an outdoor learning service but acknowledged the benefits it brought. She drew specific attention to the proposed two-stage approach of investment.

Members were pleased to note the work of officers to develop a sustainable plan for the future, given how precarious the Service had been and the poor condition of the two centres. It was noted the investment would ensure both sites were fit for purpose moving forward and provide enhanced opportunities for children to experience outdoor education in the county, and Members recognised what a good news story that was for the County.

Councillor Gareth Dadd welcomed the sustainability of the business model but cautioned that stage two would only proceed if phase one proved successful.

**Resolved** – That:

- i) Phase 1 investment up to £4.2m be approved.
- ii) The service return to the Executive in 2027/28 to seek approval for further investment in Phase 2 of the development.

### **352 Forward Plan**

Considered –

The Forward Plan for the period 20 November 2023 to 30 November 2024 was presented.

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

### **353 Date of Next Meeting - 12 December 2023**

### **354 Private Minute of the Meeting held on 7 November 2023**

**Resolved –**

That the exempt Minute of the meeting held on 7 November 2023, having been printed and circulated, be taken as read and confirmed by the Chair as a correct record.

The meeting concluded at 12.20 pm.