

# North Yorkshire Council

## Executive

Minutes of the meeting held on Tuesday 16th July, 2024 commencing at 11.00 am.

Councillor Carl Les in the Chair. Councillors Mark Crane, Gareth Dadd, Keane Duncan, Michael Harrison, Simon Myers, Heather Phillips, Janet Sanderson, Greg White and Annabel Wilkinson.

In attendance: Councillors Caroline Dickinson, Kevin Foster, David Ireton, Stuart Parsons, Philip Broadbank, Caroline Goodrick and George Jabbour. Councillors Kevin Foster, Paul Haslam, Janet Jefferson and Tony Randerson (remote attendees).

Officers present: Richard Flinton, Barry Khan, Gary Fielding, Karl Battersby, Nic Harne, Richard Webb, Amanda Newbold, Howard Emmet, Jon Holden, Matt George, Rachael Hansen, Joe Morrison, Philip Cowan, Helen Jackson, Maddie Hoskin, Jennifer Norton, Rachael Balmer, Hannah Brown, Rachel Bowes, Daniel Harry and Elizabeth Jackson.

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

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### **496 Apologies for Absence**

There were no apologies for absence.

### **497 Declarations of Interest**

Councillors Mark Crane and Carl Les declared an interest in Minute 502 – Provision of Wide Area Network Solution and Proposed Public Sector Collaboration on the basis that they were Directors of NYnet and left the room during consideration of the item.

Councillor Greg White declared an interest in Minute 499 – Proposed Changes to the Council's Home to School Travel Policy, as his wife was an unpaid trustee of Arete Learning Trust. As this was not a pecuniary interest Councillor White remained in the meeting and took part in the debate and vote.

### **498 Public Participation**

There were 10 public questions and statements submitted in relation to Minute 499 – Proposed Changes to the Council's Home to School Travel Policy as follows:

#### **1. Statement from Gareth Whitaker – Headteacher of Settle College**

I'm Gareth Whitaker, headteacher of Settle College, I would also like to introduce Claire Pearson Headteacher of both Bentham Primary School and Austwick Primary School and Jo College Headteacher of Ingleton Primary School.

Thank you for taking the time to listen to a matter of great concern to our community and, more importantly, to the future of Settle College and the education of our children.

I want to share with you the words of a mother with a Year 6 child, who spoke at one of our consultation meetings. She was visibly upset, fearing she had made the wrong decision for September 2024 by choosing Settle College, the school she believed best suited her child's needs. Her concern was chilling—a parent selecting their nearest catchment school, now doubting her choice amid widespread support from the local community and stakeholders.

This morning, we gather in force as part of a plea to be heard. The recent transport consultation by North Yorkshire Council has highlighted proposals that could significantly impact how our families access education. Settle College has long been the preferred choice for many families in Bentham and Ingleton. It's not just about proximity; it's about the quality of education and the community that has flourished around this institution.

However, the council's proposal to require families to pay for school transport could impose a financial burden that many cannot bear, amounting to over £2,000 annually for two children. This is not just about numbers on a balance sheet; it's about the choices and futures of our families. Being forced to choose a secondary school based on transport costs rather than educational preference undermines the very principle of educational freedom.

For every child that travels outside of North Yorkshire because their families cannot afford these fees, Settle College stands to lose a significant amount in government funding. This is not savings—this is a loss—a loss for our children, our school, and our county's education system. The brilliance, diversity, and unique contributions of pupils from Bentham and Ingleton are at risk. Travelling to their nearest school QES will not save money for the local authority as the distances are negligible and students require the transport.

While it is a relief that current pupils and those joining this autumn will not be affected, we must consider future generations and the anxiety parents now feel as a result of this consultation. What precedent does this set? Will financial constraints dictate the quality of education our children receive? The council's proposal does not offer a sustainable solution. It simply shifts the financial burden onto families, potentially segregating education by income rather than by choice or merit.

This is why it is crucial that we, as a community, make our voices heard. We must communicate not only our disagreement but also the distress and concern this decision has caused among parents who have already chosen Settle College for their children and now face uncertainty about the future of their younger children's education.

We are fortunate and privileged to work with young people in North Craven, and this morning, the strength of leadership across this area is on full display. I shall now pass over to two of our colleagues, one from Ingleton and the other from Bentham and Austwick, to share their perspectives.

*[Jo College to speak]*

Remember, education is a right, not a privilege that comes with a price tag. It is our duty to ensure that every child has access to their first choice of school, without financial barriers that could alter the course of their education and, indeed, their lives.

In conclusion, we ask that you reinstate the catchment based eligibility before the proposals go to the full council; we recognise the need to manage costs and are ready to work with officers to identify other ways in which actual efficiencies in transport costs can be achieved.

Thank you for your attention.

## **2. Statement from Claire Pearson – Headteacher of Bentham Community Primary School – read out by Jo College**

Over the past few years Settle College has made it a priority to forge strong and successful partnerships with our feeder primary schools. The relationships formed between staff, pupils and parents are ones which should not be underestimated. They add to the curriculum we are able to provide, they offer support across key stages and they facilitate the critical transition from primary to secondary. These partnerships have evolved and grown.

If the choice of secondary education is removed and our primary schools become feeder schools to a different local authority secondary education, the cohesive way in which we work as a cluster of schools will be eroded. The leadership of both Bentham and Ingleton primary schools will no longer have reason to work collaboratively with Settle College, ending decades of strong, educational practice.

## **3. Statement from Jo College – Headteacher of Ingleton Primary School**

I'd like to speak about the difficult decisions facing families in Ingleton and Bentham if these proposals go ahead.

We have children with older siblings attending Settle College and these children have always known they too will go to the college. The vast majority of parents would prefer to have their children attend the same secondary school, in the same local authority, with the same school holidays. At the very well attended public consultation meeting in Ingleton on March 21st, parents voiced their concerns passionately about their fear, yes fear, that they would be forced, for financial reasons, to send their children to the nearest secondary school which is in Cumbria. QES is over twice the size of Settle College, has a different holiday pattern to Settle College and the leadership team does not share the ethos of close working relations with its feeder primary schools, there are simply too many.

The future our parents face is one where their teenagers could be in different schools and the whole sense of family, community and continuity will be lost in North Craven.

## **4. Statement from Ian Dawson – Governor at Richmond School**

If the proposed change '*Amendment to the main eligibility criterion to be 'nearest school (with places available)' to match the statutory requirement'*' results in significant losses of pupils to any one school then what plan has North Yorkshire Council put in place that responds to the following points:

### **1 Impact on school finances -**

A loss of 20 students equates to a reduction in annual capitation to the school of about £120,000. The salary of four teaching staff,

### **2 Impact on school staffing -**

A reduction in capitation restricts the ability of a school to retain its teaching staff. If redundancies are announced then this upsets many of the people working in the school and especially those directly affected by a redundancy situation.

If this loss of students - as in 1 above - occurs year on year then after a five year cycle approximately £600,000 is wiped off the school's budget - the equivalent of 20 teaching posts. If scenarios like this are predicted and the projections are correct then staff will decide to leave before they are asked to go. Some of the best staff will see little future in that establishment. A downward spiral.

### **3 Impact on curriculum breadth - less staff, less pupils and the curriculum has to shrink. Less options are available to students in terms of GCSEs and the possibility could arise of schools losing their 6th Forms. Ofsted's desire for a broad and balanced curriculum**

would become an impossible aim for schools with declining numbers.

4 Impact on families - in particular: Dales Families who by tradition and desire send their children to Richmond School - parents are already concerned about alternative transport routes. Some are considering leaving their jobs and their homes to move to Richmond so that their children can attend the school of their choice. To survive, the dales villages need young people. We cannot afford to lose them. There are almost 80 children in the Primary Schools of Reeth and Gunnerside. At the age of 11 some of the friendships that have been created during Key Stages 1 and 2 will be broken.

5 The eligibility criterion to attend the nearest school to home would in effect put many children at increased risk as some of the higher dales roads are often impassible in winter and even more so by bus but these routes would be used under the new proposal.

Here are two examples to illustrate this last point of view:

a) Children in upper Arkengarthdale attend Richmond School or Wensleydale School. The amendment would have them travel to Teesdale School in Barnard Castle. The Stang road would be the direct route and with its hairpin bends and 1 in 4 hills it's a non starter for a normal school bus. In winter it can be impassable. This route from Whaw is 13.4 miles if passable and being 3.6 miles shorter than the route to Richmond School. It becomes 31.4 miles in ice and snow with the only safe route being via Richmond passing a few hundred yards from the school that most of those students would have gone to under the existing scheme.

b) Reeth to Wensleydale School - the direct route and shortest route is over Grinton Moor but this has a steep hairpin and narrow sections including a bridge with a weight limit that would be difficult for a school bus to negotiate and it would be out of bounds in snow and ice. The alternative would be a drive around Wathgill Camp. This road is narrow in places with difficult 'T' junctions and blind summits (NB: This slightly safer but less direct route is 1.9 miles shorter than the safer route to Richmond School).

Two buses arrive at Richmond School each day. Under the new proposals this number could increase to at least four in number: buses to Richmond School, Wensleydale School, Teesdale School and to Kirby Stephen. Potentially four contracts instead of one.

In summary: looking at the increased risks of travelling on high routes that are narrower and unsuitable for normal school buses and perilous in winter allied with the very short distances saved by the proposed changes - 2 miles and 3.6 miles - then it seems incredible that this proposal has come this far and has caused so much upset in the community that lives and works in Swaledale and in the main sends its children to Richmond School.

Could I suggest that the '*Amendment to the main eligibility criterion to be 'nearest school (with places available)' to match the statutory requirement*' is abandoned.

## **5. Question from Jenna Potter – Headteacher of Richmond School and Sixth Form College**

Due to the rural nature of North Yorkshire, the travel to school policy should necessarily be different to the minimum statutory requirement. Costs will, of course, be higher due to the larger area the county covers. School travel spend will be a larger proportion in North Yorkshire than in urban areas. The increases in transport costs as shown in the consultation document, will come from national increases in travel expenses due to the rise in fuel and insurance costs which have been passed on to the authority and all other authorities via the coach and taxi companies. It is misleading and unhelpful to show the table of increasing costs, insinuating that it is the existing policy of funding transport to

schools that has led to the price increases when it is external factors outside the control of North Yorkshire Council, that are significantly affecting costs.

There has, quite rightly, been a strong response to the consultation from families who live in the Upper Dales. Should the proposals be approved, unless families are able to finance and/ or facilitate an alternative means of travel, their children will be made to travel along routes that are dangerous- and potentially unpassable during winter months. At a time when as a nation we need to be supporting our younger generation better than ever before, we will be adding to what are already significant levels of concern in relation to children's anxiety and wellbeing and also potentially increasing absence rates from school.

We know of generations of a very significant number of families for whom Richmond school is more than just a school- it is a way of life and one that has been loyally supported for decades.

We have already calculated the potential changes to the curricular and enrichment offers we would have to implement, should we see a fall of 140 students over 5 years as has been projected in the analysis of impact of the consultation. Without a doubt, there would be a substantial cut in courses across the whole school, reducing the rich offer of sport, STEM subjects and performing arts subjects amongst others. These courses are especially important for our more vulnerable learners, especially those with SEND as it is often in these areas that these students thrive. Staff will be made redundant or will not be replaced, leading to an erosion of the genuine subject expertise we now enjoy. Smaller year groups across the school will inevitably lead to fewer students accessing our sixth form college and could potentially jeopardise the future of school based Post 16 education provision in The Dales.

## **6. Question from Claire Calvert**

We, the parents in upper swaledale do not agree to this proposal due to the risks we would have to take just to get our children to school! The nearest school proposal compared to the current catchment area does not suit our uniqueness. We believe that NYC should retain its discretionary powers continuing with catchment area for Upper Swaledale.

The proposal to move the children of upper swaledale to Kirkby Stephen has one common dangerous feature. They all involve transporting children over high moor, ungritted and single-track roads. Diversion onto gritted roads in our case would involve a 60-mile detour impacting on education.

The road to Kirkby Stephen is unsuitable and dangerous in winter. It is not ideal at any time, poorly maintained with limited passing places. We consider the road a danger to childrens safety and well-being. Who will manage and monitor the extremes in weather deciding when children can and cannot travel to school or home?! We would love to know how you've come to the conclusion that this is the best route to travel for school, even when the risks outweigh the distance and cost of travel, given there is an extra 3 routes added to the Dale?

## **7. Statement from Councillor Beverley Rutter – Vice-chair of Reeth, Fremington and Healaugh Parish Council**

I will be speaking on behalf of Reeth, Fremington and Healaugh Parish Council as well as a concerned parent.

I would like to discuss the safest route for the children to travel to school all year around,

some of the roads are unclassified and therefore not gritted as a priority.

This year we have had to have traffic lights while the main road was closed as the bus is unable to pass other vehicles on 2 stretch's of the road it is having to use.

The alternative route in winter would go along a narrow road with no white lines so making it difficult for the bus to pass other vehicles or would it have to reverse to be able to pass.

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The closest school to Muker children is now Kirkby Stephen, the road from the top of the dale over to Kirby is terrible and definitely not suitable for a large bus.

## **8. Statement from Richard Good**

My name is Richard Good, I was the last Richmondshire District Council member for the Lower Swaledale and Arkengarthdale Ward before the council merger.

Despite me no longer being a Councillor, I was inundated with emails and calls when your Council announced its proposals for home to school transport. I advised parents to contact the Council and several of them are here today. There are many concerns about these proposals. I will highlight just a few.

First there is great concern about the suggestion that children from Arkengarthdale should go to the schools in Barnard Castle. This is of course in another Education Authority, and one assumes will cost more than education in a North Yorkshire school. If they attend schools in Barnard Castle, it will require a journey over the Stang road which ascends to a great height and is often closed in winter due to snow or ice. It will also mean children will be crossing the A66 twice a day. A road which is reputed to be one of the most dangerous in the North of England.

The same concerns apply to the suggestion that children from Keld and beyond attend schools in Cumbria.

I understand new contracts were signed with bus and taxi companies on 1st April this year for providing transportation for the next five years. If you carry out your proposals will these bus contracts have to be broken?

I am informed that there may not be enough local transport companies able to supply the extra buses that will be needed. Indeed, currently a taxi company based in Ripon is transporting children from Arkengarthdale.

As a former Councillor I fully understand the financial pressure North Yorkshire Council is under. Surely these proposals will cost more than the current arrangements.

Others will speak today about breaking up communities.

Thank you.

## **9. Statement from Brenda Price, Chair of Governors, Reeth and Gunnerside Schools - read by Gordon Stainsbury, Headteacher of Reeth and Gunnerside Schools**

This statement represents the views of the Governing Body of Reeth and Gunnerside Schools.

Understanding our location is fundamental to decision making on school transport in our area. Reeth and Gunnerside are located in Swaledale, 12 miles and 18 miles west of Richmond, respectively. Our schools serve a large area that includes Arkengarthdale, and have a catchment of over 200 square miles. The B6270 to Richmond is the only low level route to a nearby town.

The proposed changes will make a big difference to secondary school transport for our community. None of the pupils that live in Swaledale will be eligible for funded transport to their catchment secondary school in Richmond. Pupils that live in Reeth and Gunnerside will be offered funded transport to Leyburn. Pupils that live in Upper Swaledale will have funded transport to Kirkby Stephen. Pupils that live in Arkengarthdale will be transported to Barnard Castle. All of these journeys involve minor, steep, single track roads over high moorland. In winter, all of these routes become impassable before (and more often than) the low level route to Richmond. The route to Leyburn reaches an altitude of 420m, the road to Kirkby Stephen reaches 468m and the journey to Barnard Castle reaches 515m. We are worried that the policy change could have an impact on pupil safety and school attendance.

There is very low population density in our area, with only about 10 pupils per year group across our two schools. Despite this, there is very good community cohesion, no doubt supported partly by pupils going to the same secondary school. The policy change could result in fragmentation of the community and increased rural isolation. Transition from key stage 2 to key stage 3, a big step from a small school to a much larger secondary, is also aided by pupils going to the same destination.

There is also environmental sense in most pupils from Swaledale and Arkengarthdale attending Richmond School. If the policy change is implemented, one bus service to Richmond would be replaced by at least 4 buses travelling to multiple destinations.

It is recognised that remote rural communities can experience deprivation due to the increased fuel costs and reduced access to services. Both government and charities, including The Royal Countryside Fund, founded by HM King Charles III, have worked to support rural areas. Having identified that Richmond School offers benefits in terms of safety, attendance, community cohesion and transition, to implement a policy that effectively charges parents that make that choice seems both unfair and out of step with the good work that has been done to redress rural disadvantage.

Richmond School has been the catchment secondary for Swaledale and Arkengarthdale for a long time. Perhaps it is useful to ask why that is the case. No doubt decision makers of the past had safety and common sense in mind and we urge you to consider that too at this time.

One last word – our current Year 5 cohort is on the leading edge of this policy decision. They don't know which secondary school they will be going to one year from now and this uncertainty could impact on their wellbeing. With their best interests in mind, we owe it to them to reach a timely conclusion on this matter.

#### **10. Question from Michael Cleminson – Clerk to Muker Parish Council**

Given the topography and Winter complications of the high proposed routes for Upper Swaledale children. Are these proposals cost effective in the short, medium and long term when compared to current costs, for example will more than one bus be required as pupil numbers increase?

#### ***Response of the Executive Member for Education, Learning and Skills, Councillor Annabel Wilkinson***

I would like to thank everyone who has taken the time to submit their views on the proposed Home to School Travel Policy, and for attending and speaking at the meeting this morning.

As the Executive Member responsible for this policy proposal, I am aware that there are

many people with strong and sincerely held views about the proposals and I would like to assure those that are here today, and everyone who participated in the consultation exercise, that their views have been heard and taken on board in the development of the policy proposal.

My response today is one that is consolidated to address all the points that have been raised: -

Firstly, to any parents who have expressed concerns about their choice of school for their child for this September, I would like to reassure them that any changes to the policy will apply for applications on or after 1 September 2024. This means that any transport eligibility that has been decided before 31<sup>st</sup> August this year will not be affected, this includes the cohorts of children due to start new schools at the start of the autumn term.

The comments that have been made about the impact upon parental choice are noted, and have been addressed within the report, including at Paragraph 5.26

The policy being considered today relates to eligibility for travel assistance only, and not directly to admissions. Parents will continue to be able to express their admissions preference for different schools as part of the admissions process.

There is no reason why secondary schools should not continue with their long established relationships with primary schools located within their admissions catchment areas or elsewhere, although this would be within the context of changed arrangements for eligibility for assistance. We are proposing extended support for those families who are in receipt of low income.

The Executive does not consider that the proposed change to the main eligibility criterion represents an undermining of the principle of educational freedom, as one of you have stated. Rather, in seeking to align the policy with the Department for Education's statutory guidance, we consider that the proposed policy change would address an anomaly that exists within the current arrangements. As a reminder, the DfE guidance states, 'Suitable school' does not mean the most suitable school for a child. Schools are able to meet a wide range of needs. The nearest secondary school to the home of a child of secondary school age, for example, will almost always be their nearest suitable school (provided it would be able to admit them).

We know that across the council approximately 1 in 3 secondary age children already attend schools that are not their catchment school, and parents are already making choices outside of the catchment boundary. In primary schools, this figure is more than 2 in 5 primary children. More detail about this and other questions relating to school catchment areas are addressed at within sections 4 and 5 of the report.

The comments received about the potential impact upon individual schools are also noted and addressed within the report at section 5.26.

The Executive has sought to mitigate the impact on schools and other stakeholders through a phased implementation of the policy. This allows school leaders and governors more time to review and respond, where necessary, to any changes arising from the implementation of the policy. Every year schools are required to set a budget and a curriculum model that reflects their school's circumstances, including any local fluctuation in pupil numbers.

It is acknowledged, however, that the phased implementation of the policy may impact upon some families where the eligibility for assistance with travel may be different for younger children in the same household who apply for travel assistance after 1 September 2024. Whilst the potential for inconvenience is acknowledged, the Executive's view is that it is preferable for the policy to be implemented on a phased basis, rather than



immediately. Details about how term dates are set are included in section 5.24.

A number of comments have been made about the safety of children in circumstances that could arise from the proposed policy amendment, and this issue has been a key feature of the consultation feedback.

The issue is addressed at paragraphs 5.19 and 5.20 within the report which cover how safety issues are considered in arranging and delivering school transport and in the assessment of walked routes to school respectively.

The question as to whether the proposed policy changes will be cost effective in the short, medium or longer term is noted and is addressed in more detail within section 7 of the report that covers financial implications.

Again, the Executive has taken the view that the implementation of the policy should be phased over a 7 year period rather than to implement it immediately. In this way, the Council would be able to align its policy with the legislative requirements over time and without disrupting the education of individual pupils already in schools. This extended roll out is likely to reduce the potential cash savings (of up to £10million) to the Council in the short term.

I can confirm that assistance with travel will be provided to all eligible pupils to their nearest suitable school with places available, irrespective as to whether transport is already provided to that school.

In the event that a preference is made for a school other than the nearest suitable school then it is possible that parents would be able to secure a paid-for permit for their child, but only where there is capacity for one to be made available, once the requirements of all eligible children have been met.

The arrangements for the commissioning of home to school travel arrangements are set out in the report at section 5.19.

I regret that no guarantee can be made that either:

- transport will be available to a school that is not a child's nearest suitable school with available places; or
- that a paid-for permit would continue to be available for the duration of a pupil's attendance at a school for which the pupil does not have eligibility under the policy

The provision of paid for seats remains unchanged from the current policy and has not been subject to the recent consultation process.

As the Executive Member responsible for this policy proposal, alongside my fellow Executive Member Cllr Duncan whose portfolio includes transport, I am confident that efficiencies can, and should, be made across the provision of home to school travel (beyond those achieved through the policy change) – details about these efficiencies are included in section 6.

Mr Cleminson, Clerk to Muker Parish Council, then asked a supplementary question in relation to the costs of implementing the policy. The Assistant Director – Education and Skills referred to paragraph 4.7 which set out the current costs of the policy, and paragraph 5.17 which detailed financial savings over the medium and long term should the policy be amended.

Two further public questions were received in relation to Minute 503 – Scarborough Harbour West Pier – Appropriation of a Parcel of Land as follows:

**1. Question from James Corrigan, Scarborough**

Please explain why the proposal to appropriate the toilet block from the Scarborough Harbour is in the best interests of the working harbour providing key infrastructure to the fishing industry and the proposed new services that Scarborough Harbour will become a substantial port for Crew Transfer Vessels and support vessels servicing the offshore wind farms at Dogger Bank and Hornsea 3.

How can you be certain that this proposal will not adversely impact the economic opportunities for skilled employment until the Council has completed the report it has commissioned in identifying the economic opportunities provided by the offshore wind farms.

***Response of the Executive Member for Open to Business, Councillor Mark Crane:***

The appropriation of the land currently occupied by the public toilet block does not affect the operation of the harbour or the fishing industry. Public toilet provision will be re-provided and there will be improvements to the separate welfare facilities for harbour users as part of the regeneration scheme.

The appropriation of this small parcel of land would not preclude further development of the West Pier and wider harbour area for economic activity associated with the Off-shore industry.

In response to a supplementary question from Mr Corrigan, the Executive Member confirmed that he did not feel the proposals would stop the Council from working positively with off-shore wind farms, and they may even provide an incentive for them.

**2. Question from Bob Roberts, Scarborough**

Has any consideration been given to exploring the possibility of the offices in their present form as individual offices been given to the plethora of companies within the marine supply chain?

I know of at least 3 companies who could provide expressions of interest. This would maintain the maritime legacy for which the building was intended to fulfill and was built.

***Response of the Executive Member for Open to Business, Councillor Mark Crane:***

The building occupied by the land subject to the appropriation is in a bad state of repair and is urgent in need of renovation. The business case examined the economic benefit of the proposed scheme compared to retaining the existing uses. The benefits to town were significantly higher, providing a boost to the local economy and supporting the fishing industry. Office space is provided elsewhere in the scheme and interested parties are invited to contact the estates team.

In response to a supplementary question from Mr Roberts, the Executive Member advised that the proposals were currently going through the planning process however there may be opportunities later in the process for other companies to work with the Council on this.

Six written representation were received in relation to Minute 507 – Council-run Care Services in Malton and Pickering

**1. Representations from [REDACTED]**

I have been made aware of your intending closure of Ashfield Care home Malton and I'm

deeply upset about this decision!

This care home is run by the most caring, wonderful team of staff and my father [REDACTED] is a resident there.

His needs are met to the highest quality and he is incredibly happy and settled here. Due to my father having a major stroke some years ago the decision to place my father in residential care was hard to make and he has taken some time to settle into the surroundings and the staff to understand his needs being non verbal. Ashfield has a wonderful homely feel to it and he receives fabulous care, surrounded by his friends with a lovely bedroom with a view of the gardens.

A change in not only my dads circumstances, and also the other residents who have been there for many years is going to affect their mental health and well-being.

Moving them to Pickering to a home which is just like a school environment ( it's not homely at all! ) hence why I chose Ashfield for my father for this reason.

To the people who have made this decision, have they not considered the detrimental affect this will have on the residents. Some with dementia who only know and can adjust to where they are now. The elderly bed ridden residents too, who are happy and content in their familiar surroundings.

I feel this decision you're making is absolutely disgusting and something else should be done to rectify this!

Do our local paper know of your decision? and I feel this needs petitioning against. Your putting elderly and vulnerable people at risk and it's appalling. I will be speaking to our local newspaper about this

## **2. Representations from [REDACTED]**

To whom it may concern,

I have been made aware of your intending closure of Ashfield Care Home, Malton, and I'm deeply upset about this decision!

This care home is run by the most caring, wonderful team of staff and my father [REDACTED] is a resident there. His needs are met to the highest quality, and he is incredibly happy and settled here.

Due to my father having a major stroke some years ago the decision to place my father in residential care was hard to make and he has taken some time to settle into the surroundings and the staff to understand his needs being nonverbal. Ashfield has a wonderful, homely feel to it, and he receives fabulous care, surrounded by his friends with a lovely bedroom with a view of the gardens.

A change in not only my dad's circumstances, but also the other residents who have been there for many years is going to affect their mental health and well-being.

Moving them to Pickering to a home which is just like a school environment (it's not homely at all!), hence why I chose Ashfield for my father for this reason.

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I feel this decision you're making is absolutely disgusting and something else should be done to rectify this!

Do our local paper know of your decision? and I feel this needs petitioning against.

You're putting elderly and vulnerable people at risk and it's appalling.

I will speak to our local newspaper about this.

### **3. Representations from [REDACTED]**

To whom it may concern.

I have received the notice regarding the intended closure of Ashfield care home, which has come as a complete shock and upset.

My mum [REDACTED] is a resident at the care home and is cared for by the most wonderful team of staff.

My mum was made to feel very welcome, and has settled in very well and is very content living there.  
[REDACTED]

Ashfield has been my mum's home for the past 3 years and has a very homely feel to it, with her own bedroom looking out into the beautiful gardens.

A change of circumstance and location would not only be upsetting to my mum and the other residents but will also have an effect on their mental health, which is detrimental to my mum.

Moving my mum to a care home in Pickering would not only unsettle her, but also isolate her from her family and friends as myself and my sister who also visits my mum, does not drive.

I believe the people who have come up with the decision to close the care home have not considered the upset this will cause to not only the residents but the families involved.

I feel this decision was made far too quickly, and an easy way out, without taking those that will be affected directly into consideration.

I think you need to rethink your decision. And I along with many others will do our utmost to prevent this from happening.

### **4. Representations from [REDACTED]**

My name is [REDACTED] and I am sending an email on behalf of my father [REDACTED] who is a resident at the home. I can only speak for him as I don't know the circumstances of the other residents. My father had been very unhappy for a long time and after spending a week at the home enjoyed himself so much, he didn't want to leave and go back home. Due to lovely family members, we eventually got him a bed at Ashcroft which has completely changed his life. He is so much happier now and moving him from a happy home to somewhere described as very clinical and more like a hospital will not do this 92yr old any good. He grew up in Malton and I'm sure that he along with the other residents would prefer to spend their last days in their home town.

I am asking on behalf of the residents and their families to please consider the emotional trauma you will be putting them under closing the home and moving them.

Thank you

## **5. Representations from [REDACTED] and [REDACTED]**

We write with regards to the closure of Ashfield Care Home. We are the daughters of [REDACTED] who, at the age of 89 years, has been resident at Ashfield for the past 7 years, since the death of our father in 2017.

We are very shocked and extremely distressed at the sudden news of the proposal to close Ashfield Care Home. Mum is diagnosed with dementia and as such finds it extremely difficult to adapt to change and has very specific care needs. Ashfield provides mum with an extremely high standard of care and constant reassurance in a safe, caring and familiar environment.

Our primary concern is that the changes to mum's living environment will be extremely detrimental to her overall health. Added to this we live near [REDACTED] and currently visit twice a week. The lengthened journey to Pickering will mean that these visits will be more limited. This of course will also have a major impact on mum's health and wellbeing. As mum's only visitors, we are concerned that she will feel increasingly isolated.

We are appalled at the manner in which the news of the imminent closure has been delivered to residents, relatives of residents and members of staff. Whilst the residents are the primary concern, it will clearly impact the lives of many families. Having read the detailed report it is clear that the plans have been made without consultation with these interested parties, when these are the people who will be impacted the most. Added to this, the short time scale from receiving the news to the planned closure date is shocking and completely unacceptable.

Since the announcement of the closure on Monday 8th July we are acutely aware of the distress that the closure is already causing many of Ashfield's residents.

With all this in mind we ask that you consider the devastating impact on all concerned parties before making any final decisions.

## **6. Representations from [REDACTED]**

Further to my sister's email I should also like to add we are aware of the Executive meeting today and do not feel that the concerns of residents families and staff will genuinely be taken into account.

It is becoming increasingly obvious that the decision has been made fait accompli. The consultation period appears nothing more than a box ticking exercise and is purely academic. The short time scale between announcement and closure is very unacceptable. Please share our concerns.

## **499 a Scrutiny Review of the Proposed Home to School Transport Policy and Consideration of the Motion referred from Council**

Considered – A report of the Assistant Chief Executive Legal and Democratic Services which provided an update on the informal meeting between the Children and Young People's Service and Children and Families Overview and Scrutiny Committee to discuss the Home to School Travel Policy proposals. The report had been provided to inform the Executive's decision on the Home to School Transport Policy being considered at the meeting.

A Notice of Motion in relation to the proposed changes to the Home to School Travel

Policy had been referred by Council to Executive on 15 May 2024. The report presented the Motion and Executive were requested to make a recommendation to Council on 24 July 2024 on the Motion.

**Resolved** – that:

- i) The outcomes of the Children and Families Overview and Scrutiny meeting held on 20 May 2024 be noted
- ii) Executive recommend to Council to be held on 24 July 2024 that no further action be taken on the Notice of Motion referred to it by Council on 15 May 2024

#### **499 Proposed Changes to the Council’s Home to School Travel Policy**

**b**

Considered – A report of the Corporate Director Children and Young People’s Service for recommendation to full Council on 24 July 2024 for approval of proposed amendments to the Home to School Travel Policy following public consultation.

Sixteen public statements and questions had been received, ten of which were read out at the meeting as detailed at Minute 498, the remaining six were circulated to Executive Members before the meeting.

The Executive Member for Education, Learning and Skills introduced the report and gave an overview of the key points, as summarised below:

- Last year the Department for Education revised the statutory guidance in relation to home to school transport, which the Council has a statutory duty to provide to eligible children, and the proposed amendments were to ensure the Council complied with this amended guidance
- Home to school transport is the third largest item of expenditure for the Council at £51m and the cost has doubled since 2018/19. North Yorkshire Council is one of the highest spending councils in the country on this.
- The current population of 5-16 year olds in the county is 75,000 and 10,000 access free travel
- The current policy makes provision for eligibility above statutory requirements and the consultation requested views on six discretionary elements. A summary of responses to the consultation was provided in section 5 of the report
- Currently some children had eligibility for more than one school where their catchment school was not their nearest school. It was proposed that children would only be eligible for free transport to their nearest school, which would address an anomaly and provide greater equality
- For some addresses an out of County school would be the nearest school, and the Council was obliged to cover the cost to such schools. This also applied where a NYC school was the nearest school to a child living outside of the County, where their Council would have to pay for travel to an NYC school
- Section 5.19 of the report addressed safety issues relating to routes, roads, vehicle size and weather conditions and the commissioning arrangements would take these factors into account
- Section 5.3 of the report addressed support for low income families where eligibility was extended to choose from one of three near schools between 2 and 12 miles radius to enable them to exercise meaningful preferences, an increase from the current 6 miles

- These actions were being taken to ensure that the home to school travel provision was efficient and provided value for money

Councillors Stuart Parsons, David Ireton and Paul Haslam were in attendance at the meeting and addressed the Executive with the permission of the chair. Concern was expressed over the loss of inward investment following reductions in school funding due to falling pupil numbers leading to concerns over the viability of some rural schools. It was felt that the proposals could lead to a reduction in choice for families and a detrimental effect on communities and the viability of development of affordable housing in the dales. Councillor Simon Myers confirmed that the most disadvantaged households would see an increase in their ability to make use of free home to school transport under the proposed policy.

Members of the Executive then debated the matter and key points made were as follows:

- It would cost the Council more to deliver services across a rural county, and this was not taken into account in the Council's funding allocation
- The Council needed to ensure it operated within its budget to ensure the long term financial security of the Council
- When changes had been made to travel to faith schools in an earlier amendment to the policy concerns that such schools may no longer be viable had proved to be unfounded
- At the end of the 7 year transition period the annual saving could be £4.2m, to offset against a recurring deficit of £48m

Councillor Wilkinson thanked those attending for their contributions to the discussion and added that this was an emotive and difficult decision, made necessary due to the state of the Council's finances. The policy would be phased in over several years to allow children to remain at the same school and eligibility had been increased for those on lower incomes. She would work with the Executive Member for Highways and Transportation to ensure that safety remained a key consideration in the procurement of transport for travel to schools.

**Resolved (unanimously) – that:**

It be recommended to Full Council that a new home to school travel policy be adopted and the following recommendations be made to Full Council:

- i) to retain this extended eligibility in reception year as part of the future travel policy.
- ii) to retain this extended eligibility in Year 3 as part of the future travel policy.
- iii) to remove transport assistance to second address as part of the future travel policy.
- iv) to remove travel assistance to children attending designated religious character primary schools as part of the future travel policy.
- v) a proposal that travel on transition is assessed on a case-by-case basis in accordance with the EHCP as part of the future policy.
- vi) amend the criterion to match the statutory requirement, meaning that in future eligibility on catchment grounds would no longer apply as part of the future travel policy.
- vii) use its discretionary powers to extend the eligibility for travel assistance for

secondary age pupils from low income families to attend one of their three nearest suitable schools provided it is more than **2 miles but not more than 12 miles** (an increase from 6 miles) from their home as part of the future travel policy.

**500 Proposal to Cease to Maintain St Hilda’s Ampleforth Church of England Voluntary Controlled Primary School**

Considered – A report of the Corporate Director – Childrens and Young People’s Service providing information upon which to cease to maintain St Hilda’s Ampleforth Church of England Voluntary Controlled Primary School with effect from 31 March 2024, together with the future arrangements for the school’s current catchment area.

The Executive Member for Education, Learning and Skills, Councillor Annabel Wilkinson, introduced the report and advised that there were currently only 13 children in the school in what was a relatively small rural village. On 7 May 2024 Executive had resolved to publish statutory proposals and notices on 22 May 2024 proposing that the school be closed from 31 August 2024. Four representations had been received, which were outlined in the report and reproduced in full at Appendix C. If the school were to be closed the catchment would be split between three schools and parents could express a preference for which school. The village of Ampleforth would continue to be served by another school in the village, St Benedict’s Catholic Primary School.

**Resolved (unanimously) – that:**

- i) having undertaken the required preliminary checks, the Executive resolve that the issues listed above in section 9 have been satisfied and there can be a determination of the proposals.
- ii) 1) to cease to maintain St Hilda’s Ampleforth Church of England Voluntary Controlled Primary School with effect from 31 August 2024.  
  
2) that the current St Hilda’s Ampleforth CE VC Primary School catchment area would be split between Husthwaite CE VC Primary School, Helmsley Community Primary School and Terrington CE VA Primary School. This would mean the parishes of Gilling East, Grimstone, Cawton and Coulton would become part of the catchment area for Terrington CE. The parishes of Oswaldkirk and Stonegrave would become part of the catchment area for Helmsley Community Primary School. The parishes of Byland with Wass and Ampleforth would become part of the catchment area for Husthwaite CE.

(At 12.37 pm the meeting was adjourned and reconvened at 12.49 pm)

**501 York and North Yorkshire Key Route Network**

Considered – A report of the Corporate Director – Environment seeking approval for proposals for a Key Route Network in North Yorkshire as part of the York and North Yorkshire Key Route Network ahead of submission for approval by the York and North Yorkshire Combined Authority (YNYCA).

The Executive Member for Highways and Transportation, Councillor Keane Duncan, introduced the report and advised that a total of 684km of road, or 7% of North Yorkshire’s road network was proposed to be included. City of York Council was identifying similar roads within its boundaries and collectively these roads would be submitted to the YNYCA for final approval. There were a number of transport functions a Combined Authority could take responsibility for, however there were no plans to change the current arrangements and NYC would continue as the highway authority.



The Executive Member confirmed that this would not result in a 2-tier network and all roads would continue to be maintained to the same standard with no changes to how NYC looked after the road network. In response to a question from Councillor Paul Haslam making a number of suggestions for improvements to the road network Councillor Duncan advised that the decision today was to designate which roads would make up the key Route Network and suggestions would be considered later.

**Resolved (unanimously) – that:**

Proposals for a Key Route Network in North Yorkshire be approved ahead of submission for approval to the York and North Yorkshire Combined Authority.

COUNCILLOR GARETH DADD IN THE CHAIR

## **502 Provision of Wide Area Network Solution and Proposed Public Sector Collaboration**

Considered – A report of the Corporate Director Resources in which approval was sought to update the Collaboration Agreement made in 2017 regarding Wide Area Network (WAN) and associated services with six health sector organisations in North Yorkshire and York, as the current Agreement was due to expire on 1 January 2024. Approval was also sought in relation to a further opportunity for the Council to enter into collaborative arrangements with the York and North Yorkshire Combined Authority and Chief Constable. The Council currently contracts with NYnet Limited for a WAN solution across North Yorkshire for the provision of broadband connectivity to Council sites and North Yorkshire schools and approval was sought to renew these arrangements and any other partner organisation's sites as part of the collaboration agreements. Authority was requested for the Corporate Director Finance in consultation with the Assistant Director Legal, to take the necessary steps to complete the agreements.

The Corporate Director Resources introduced the report and advised that discussions with the police were ongoing and resolution ii) was not going to be progressed in the immediate future.

**Resolved – that:**

- i) The council should continue collaborative arrangements with various health sector organisations upon their expiry on 1 January 2025 regarding WAN and associated services.
- ii) The council should enter into collaborative arrangements with the York and North Yorkshire Combined Authority and Chief Constable regarding WAN and associated services.
- iii) The council should enter into a new Solutions Agreement with NYnet in relation to the provision of a WAN solution to the council's corporate sites, schools and other public sector organisations who have collaborative arrangements in place with the council.
- iv) The council should delegate authority to the Director of Corporate Resources in consultation with Assistant Director Legal to prepare and complete the required contracts on behalf of the council to put into effect the agreements under i), ii) and iii) above

(Councillors Mark Crane and Carl Les both declared an interest in the item on the basis that they were Directors on the Board of NYnet and left the room during consideration of the item.

The Assistant Chief Executive Legal and Democratic advised that he and the Chief Executive were also on the Board of NYnet, but as they were not decision makers they would not need to leave the room, however they would not take part in the item.)

#### COUNCILLOR CARL LES IN THE CHAIR

### **503 Scarborough Harbour West Pier - Appropriation of a parcel of land**

Considered – A joint report of the Corporate Director of Environment and the Corporate Director of Resources providing an update on the Scarborough Towns Fund West Pier Scheme and seeking approval to appropriate a parcel of land at West Pier which was currently used for a non-harbour purpose into general estates use.

Two public questions had been received, as detailed at Minute 498. In addition the Chair reported that correspondence had been received from Mr Burrows, Mr Whitmore, Mr Roberts and the Friends of Scarborough.

The Executive Member for Open to Business, Councillor Mark Crane, introduced the report and stated that the scheme sought to improve a part of the West Pier which was currently in a state of disrepair to make it more welcoming to visitors and local people and also improve facilities for those who make their living from the sea. The site was currently the subject of a planning application, which did not include a boat hoist, but could be amended to include one should funding become available.

Councillor Janet Jefferson, Member for Castle division in Scarborough, addressed the Executive, expressing concern over possible loss of income to the harbour authority and the legal process for the appropriation of the land. The Corporate Director Community Development advised that the land would be valued before transfer took place and the appropriation did not impact on the planning permission. The Assistant Chief Executive Legal and Democratic confirmed that the transfer of land could take place under the Scarborough Corporation Act 1931.

**Resolved (unanimously) – that:**

It is recommended that subject to consultation with the Department for Transport, this parcel of land (278 square metres) at West Pier, be appropriated from harbour use to general estates purposes.

### **504 Long Term Plan for Scarborough**

Considered – A report of the Corporate Director for Community Development presenting the draft Long-Term Plan for Towns, ten-year vision document for Scarborough and seeking authority for the three-year investment plan template to be completed when received from the Ministry of Housing, Communities and Local Government (MHCLG). Authority was sought for both documents to be submitted to the MHCLG by 1 August 2024 and for funding to be accepted from MHCLG to deliver the interventions contained in the initial investment plan. The report provided information and feedback on the community and stakeholder engagement carried out to support the Vision and Investment Plan.

The Executive Member for Open to Business introduced the report stating that it flowed from the Levelling Up agenda and Scarborough had been selected to receive just under £20 million endowment style funding over the next ten years. The Scarborough Town Board, chaired by David Kerfoot, had been working with the Council to oversee and deliver the Plan.

Members welcomed the report which would provide opportunities for investment in the economy and tourism for Scarborough.

**Resolved (unanimously) – that:**

- i) Note the draft Long-Term Plan for Towns, ten-year Vision document for Scarborough.
- ii) Delegate responsibility to the Corporate Director for Community Development and Corporate Director for Resources, in consultation with the Executive Member for Open to Business, to authorise Officers to complete and submit the three-year Investment Plan template when received from the MHCLG.
- iii) delegate authority to the Corporate Director for Community Development and Corporate Director for Resources, in consultation with the Executive Member for Open to Business, to submit the final ten-year Vision document for Scarborough and the initial three-year Investment Plan to the MHCLG by the 1st August 2024.
- iv) Accept the initial £6.87m of funding from the Ministry of Housing, Communities and Local Government to deliver the Long-Term Plan for Scarborough and initial three-year Investment Plan.

#### **505 Malton and Norton on Derwent Neighbourhood Plan – Decision Statement and Referendum**

Considered – A report of the Corporate Director Community Development which presented the Independent Examiner’s report on the Malton and Norton on Derwent Neighbourhood Development Plan for agreement. The Examiner recommended that the Plan, subject to a number of proposed modifications being made, met the basic conditions and other relevant requirements, and should proceed to a referendum with a voting area that was the same as the neighbourhood area originally designated by the former Ryedale District Council.

In introducing the report the Executive Member for Open to Business, Councillor Mark Crane, confirmed that local Members were supportive of the plan.

**Resolved (unanimously) – that:**

- i) Agree and publish the Decision Statement which confirms the modifications made to the submission version of the Malton and Norton on Derwent Neighbourhood Plan and Policies Map.
- ii) Agree that as modified the Plan at appendixes 2 and 2a meets Basic Conditions and other necessary requirements
- iii) Agree that the Plan (appendices 2 and 2a) to proceed to referendum.
- iv) The voting area for the referendum should be the area designated by the former Ryedale District Council 19 February 2019 (the Parishes of Malton and Norton on Derwent).

#### **506 Examiner’s Report on the Pannal and Burn Bridge Neighbourhood Plan - Decision Statement and Referendum**

Considered – A report of the Corporate Director Community Development which presented the Independent Examiner’s report on the Pannal and Burn Bridge

Neighbourhood Development Plan for agreement. The Examiner recommended that the Plan, subject to a number of proposed modifications being made, met the basic conditions and other relevant requirements, and should proceed to a referendum with a voting area that was the same as the neighbourhood area originally designated by the former Harrogate Borough Council.

**Resolved (unanimously) – that:**

- i) Agree and publish the Regulation 18 Decision Statement which confirms the modifications made to the submission version of the Pannal and Burn Bridge Neighbourhood Plan and Policies Map.
- ii) Agree that as modified, the Plan (Appendix C) meets the basic conditions and other necessary requirements.
- iii) Agree that the Plan (Appendix C) should proceed to referendum.
- iv) That the voting area for the referendum should be the neighbourhood area designated by the former Harrogate Borough Council on 10 August 2017 (the parish of Pannal and Burn Bridge).

#### **507 Council-Run Care Services in Malton and Pickering**

Considered – A report of the Corporate Director – Health and Adult Services which provided an update on ongoing work to support the development of the care market and care services in the Malton area to meet the emerging and changing needs of the locality. An update was also provided on sustainability issues at Ashfield Malton Elderly Person's Home impacting on the ability of the service to support the care and support needs of the local community. In light of this approval was sought to re-configure Council-run care homes in Malton and Pickering whilst further developments were progressed.

Six written representations were received and were circulated to Members of the Executive in advance of the meeting. The representations have been included at Minute 498 – Public Participation.

The Executive Member for Health and Adult Services, Councillor Michael Harrison, introduced the report reporting that the approach within North Yorkshire was to replace outdated elderly person's homes with extra-care schemes, and usually it has been possible to have a replacement ready before the existing home was closed. In the case of Ashfield Malton the ambition has been for an on-site replacement however this was not possible given the condition of the building. Section 4.5 of the report detailed the impacts the proposed closure of Ashfield Malton would have on the 12 residents and 45 staff and the Executive Member confirmed these decisions were not taken lightly.

The Corporate Director Health and Adult Services advised that it was proposed that residential services in Malton and Pickering would be brought together and new homes would be offered to everyone currently resident in Malton and this would include undertaking individual assessments of people's care needs.

**Resolved (unanimously) – that:**

- i) That Executive notes the ongoing work to support the development of the care market and care services in the Malton area to meet the emerging and changing needs of the locality
- ii) That Executive approves the intention to re-configure the Council-run care homes in Malton and Pickering whilst further developments are progressed and to

consolidate residential services at the 5 Whitby Road Pickering location and, once all Ashfield Malton residents have new homes, to close Ashfield Malton.

**508 Transfer of part of former Northallerton School and Sixth Form College (Grammar School Lane) to the Department for Education.**

Considered – A report of the Corporate Director Resources seeking approval of the transfer of part of the former Northallerton School and Sixth Form College to the Department for Education (DFE) in order to secure DFE investment in a new school to be developed to meet the needs of pupils with Special Educational Needs (SEN) within the County.

Members welcomed the proposals which would provide much needed SEN provision for the County.

**Resolved (unanimously) – that:**

The transfer of the site at undervalue to the DFE, or another nominated government department, is approved by the Executive on Terms to be agreed by the Corporate Director Resources.

**509 Forward Plan**

Considered –

The Forward Plan for the period 8 July 2024 to 31 July 2025 was presented.

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

**510 Date of Next Meeting - 20 August 2024**

The meeting concluded at 1.35 pm.