



Agenda

Meeting: Executive

Members: Councillors Carl Les (Chairman), Mark Crane, Gareth Dadd, Keane Duncan, Michael Harrison, Simon Myers, Heather Phillips, Janet Sanderson, Greg White and Annabel Wilkinson.

Date: Tuesday, 9th July, 2024

Time: 11.00 am

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

Members of the public are entitled to attend this meeting as observers for all those items taken in open session. Please contact the Democratic Services Officer whose contact details are below if you would like to find out more.

This meeting is being held as an in-person meeting that is being broadcasted and recorded and will be available to view via www.northyorks.gov.uk/livemeetings. The meeting is also 'hybrid', which enables people to attend the meeting remotely using MS Teams. Please contact the Democratic Services Officer whose contact details are below if you would like to find out more.

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Business

1. **Apologies for Absence**

2. **Minutes of the Meetings held on 11 June and 18 June 2024** (Pages 5 - 12)

3. **Declarations of Interest**

4. **Public Participation**

Members of the public may ask questions or make statements at this meeting if they have given notice to St John Harris, Principal Democratic Services Officer, and supplied the text by midday on Thursday 4 July, 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 Leader who will instruct anyone who may be taking a recording to cease while you speak.

5. Council Size Submission to Local Government Boundary Commission for England (LGBCE) Electoral Boundary Review (Pages 13 - 66)

Recommendations

Refer this report to Full Council and recommend that Full Council approve:

- The submission of a formal request to the LGBCE for a single member division review, as part of subsequent phases of the Electoral Boundary review process.
- The 2030 Electorate Forecast for submission to the LGBCE.
- The Member Working Group's recommendations within the draft Council Size Submission document (Appendix D) for a council size of 89 members.
- The submission of all required information to the LGBCE.
- Delegated authority to the Assistant Chief Executive – Local Engagement to make any required minor amendments to the Electorate Forecast for accuracy, in consultation with the Chairman of the BRMWG, prior to submission.

6. Proposed Changes to the Constitution for recommendation to full Council (Pages 67 - 130)

Recommendations

That, subject to any comments Members may have:

- the proposed amendments to the Constitution set out in **Part A of Appendix 1** be recommended to full Council for approval;
- Members note the amendments to the Constitution set out in **Part B of Appendix 1** to this report, made by the Assistant Chief Executive Legal and Democratic Services under his delegated powers, for reporting back to full Council for information;
- the proposed amendments to the Procurement and Contract Procedure Rules as set out in **Appendix 2** to this report be recommended to full Council for approval;
- the proposed amendments to the definition of a Key Decision, as set out in **Appendix 3** to this report be recommended to full Council for approval;
- the proposed amendments to the Financial Procedure Rules as set out in **Appendix 5** to this report be recommended to full Council for approval;
- the proposed consequential amendments to the Executive Members' Delegation Scheme as set out in Appendix 6 to this report be recommended to full Council for approval.

7. Appointments to Committees and Outside Bodies (Pages 131 - 132)

Recommendations

- That the Executive appoints Councillor David Jeffels to the Yorkshire Regional

Flood and Coastal Committee and that Councillor Keane Duncan is taken off the committee. Councillor John Cattanach is to remain the substitute member.

- ii. That the Executive endorses the appointment of Councillor David Jeffels to the vacant position of Flooding Champion, that has been made by the Leader.

8. Area Constituency Committee Feedback Report (Pages 133 - 138)

Recommendations

The Executive is asked to note the report and consider any matters arising from the work of the Area Constituency Committees detailed above, that merit further scrutiny, review or investigation at a county-level.

9. Forward Plan (Pages 139 - 160)

10. Any Other Items

Any other items which the Leader agrees should be considered as a matter of urgency because of special circumstances

11. Date of Next Meeting - 16 July 2024

Members are reminded that in order to expedite business at the meeting and enable Officers to adapt their presentations to address areas causing difficulty, they are encouraged to contact Officers prior to the meeting with questions on technical issues in reports.

Contact Details:

Enquiries relating to this agenda please contact
St John Harris, Principal Democratic Services Officer
Tel: 01723 383556 or e-mail: stjohn.harris@northyorks.gov.uk
Website: www.northyorks.gov.uk

Barry Khan
Assistant Chief Executive
(Legal and Democratic Services)

County Hall
Northallerton

Monday, 1 July 2024

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North Yorkshire Council

Executive

Minutes of the meeting held on Tuesday 11th June 2024 commencing at 11.00 am.

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

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Nic Harne, Barry Khan, John Holden, Howard Emmett, Elizabeth Jackson, Daniel Harry and two members of the media team.

Apologies: Councillors Mark Crane and Michael Harrison.

Copies of all documents considered are in the Minute Book

465 Apologies for Absence

Apologies for absence were received from Councillors Mark Crane and Michael Harrison.

466 Minutes of the Meetings held on 21 May 2024 and 28 May 2024

Resolved –

That the public Minutes of the meetings held on 21 May 2024 and 28 May 2024, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

467 Declarations of Interest

There were no declarations of interest.

468 Exclusion of the Public

Resolved –

That on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting during consideration of Minute no 470 – CYPS Schools Capital Programme should there be a requirement to discuss the information contained in Appendix B to the report.

469 Public Participation

There were no public questions or statements.

470 CYPS Schools Capital Programme

Considered –

A report of the Corporate Director – Children and Young People’s Service presenting the Schools Condition Capital Programme for 2024/25 for approval.

Councillor Annabel Wilkinson, Executive Member for Education, Learning and Skills, presented the report and advised that the council had received a Schools Condition funding allocation of £5,883,316 for 2024/25 for community and voluntary controlled schools only. The amount was lower than in previous years due to schools converting to academy status. There was currently a backlog of maintenance of £22.3 million and further planned maintenance of £73.3m over the next 5 years and it was important that investment was focussed on the most significant issues. Investment priorities were agreed by the Executive in 2022 and were listed at section 5.2 of the report.

Resolved (unanimously) – that:

- i) the proposed Schools Capital Programme for 2024/25 as summarised in Appendix A be approved
- ii) the Planned Capital Maintenance Programme for 2024/25 as set out in Appendix B be approved
- iii) the continuation of the approach for dealing with any schools that convert to Academy status following the approval of the programme as laid out in paragraph 3.3 be agreed

471 National Childcare Expansion Programme for Early Years and Wraparound Provision

Considered –

A report of the Corporate Director – Children and Young People’s Service providing information on the plan to manage the National Expansion of Childcare grant funding for Early Years and Wraparound Provision through Capital and Revenue grants. The funding was to be administered through NYC through an application process where existing and new providers applied to support the council to meet its sufficiency duties.

Councillor Annabel Wilkinson, Executive Member for Education, Learning and Skills, presented the report which followed a grant acceptance report considered by the Executive in November 2023. The ambition was that by 2026 all parents and carers of primary school-aged children would be able to access term-time childcare from 8 am to 6 pm, either in school or another setting, to enable parents to access employment and improve labour market participation. Paragraph 5.3 set out a proposed approach to distribution of the funds.

Resolved (unanimously) – that:

- i) the approach (section 5.3) to the allocation of the programme and capital funds to providers be approved
- ii) the Corporate Director – Children and Young People’s Service be delegated the authority to administer the grant in line with those principles

472 Administrative amendments to the LGPS Discretions Policy

Considered –

A report of the Assistant Chief Executive HR and Business Support presenting minor administrative amendments to the LGPS Discretions Policy and recommending a proposed delegation to the Assistant Chief Executive HR and Business Support to make minor in-year administrative amendments to the Policy.

Councillor Gareth Dadd, Executive Member for Finance and Resources, introduced the report and advised that the proposed amendments related to amending references to the predecessor authority North Yorkshire County Council to North Yorkshire Council.

Resolved (unanimously) – that:

- i) the proposed amendments to the LGPS Discretions Policy set out in **Appendix 1** be recommended to full Council for approval
- ii) it be recommended to full Council that Council delegates to the Assistant Chief Executive HR and Business Support the power to make in-year minor administrative amendments to the LGPS Discretions Policy and that consequential amendments be made to the Constitution by the Assistant Chief Executive Legal and Democratic Services to reflect the delegation

473 Appointment to SACRE and Shareholder Committee

Considered –

A report of the Assistant Chief Executive Legal and Democratic Services setting out appointments to be made by the Executive to the Shareholder Committee and the North Yorkshire Standing Advisory Council on Religious Education (SACRE).

Resolved – that:

- i) Councillor Mark Crane be appointed to the vacancy on the Shareholder Committee
- ii) Councillor Simon Myers be appointed to the vacancy on the North Yorkshire Standing Advisory Council on Religious Education

474 Forward Plan

Considered –

The Forward Plan for the period 3 June 2024 to 30 June 2025 was presented.

Resolved - That the Forward Plan be noted.

475 Date of Next Meeting - 18 June 2024

The meeting concluded at 11.10 pm.

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North Yorkshire Council

Executive

Minutes of the meeting held on Tuesday, 18th June, 2024 commencing at 11.00 am.

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

In attendance: Councillors George Jabbour, John Ritchie and Subash Sharma

Officers present: Gareth Bentley, Karl Battersby, Stuart Carlton, Paul Cliff, Gary Fielding, Simon Fisher, Nic Harne, St John Harris, Hannah Heinemann (remote), Barry Khan, Andrew Rowe, Paul Thompson and Louise Wallace

Apologies: Councillor Mark Crane, Richard Flinton and Richard Webb

Copies of all documents considered are in the Minute Book

476 Apologies for Absence

Apologies for absence were received from Councillor Mark Crane, Richard Flinton and Richard Webb.

477 Declarations of Interest

There were no declarations of interest.

478 Public Participation

There were no public questions or statements.

479 Joint local Health and Wellbeing Strategy 2023-2030

Considered – A report of the Corporate Director of Health and Adult Services presenting the draft Joint Local Health and Wellbeing Strategy 2023-2030 for endorsement by the Executive.

Councillor Michael Harrison, Executive Member for Health and Adult Services, presented the report noting the multi-agency nature of the Joint Local Health and Wellbeing Strategy and the Board which had produced it. The Strategy focused on the three priorities of Prevention, Place and People with the overall ambition of ‘to add years to life, and life to years.’ The Director of Public Health, Louise Wallace thanked all those partner organisations which had contributed to the development of the Strategy.

Resolved (unanimously) – that the Executive endorse the Joint Local Health and Wellbeing Strategy in advance of being submitted to Full Council for approval in July 2024.

480 Adult Learning and Skills Service Accountability Agreement 2024-25

Considered – A report of the Corporate Director Children and Young People’s Service seeking the approval of the draft Adult Learning and Skills Service Accountability Statement 2024-25 for submission to the Education and Skills Funding Agency (ESFA).

Councillor Annabel Wilkinson, Executive Member for Education, Learning and Skills, presented the report noting how post 16 technical education reforms introduced in 2021 detailed how education providers in receipt of over £1m must annually detail within an accountability statement how they would align their curriculum offer with the local aims and aspirations laid out in the Learning Skills Improvement Plan (LSIP). These local aims and aspirations also aligned with council priorities and the wider regional ambitions of the Mayoral Combined Authority (MCA). This document formed part of the funding agreement provided by the Education Skills Funding Agency.

Resolved (unanimously) – that the enclosed Accountability Statement be approved for submission to the ESFA.

481 Development of Temporary Accommodation and Housing Options for the Homeless

Considered – A report of the Corporate Director of Community Development seeking the approval of the business case for the development of Temporary Accommodation and Housing Options for the Homeless and the associated budget of £11.6m.

Councillor Simon Myers, Executive Member for Culture, Arts and Housing presented the report noting the significant increase both nationally and locally in demand for temporary accommodation for homeless people. The overall number of homeless households placed in temporary accommodation exceeded the availability of the council’s current core offer of 169 units of temporary accommodation which meant that the council was reliant on the use of hotels and B&Bs to meet its legal duties. This increased reliance had significant cost implications for the council and a disproportionate impact on overall spending. Gross spend on temporary accommodation had risen by 400% from 2019/20 to 2022/23 exceeding £2m per year. Within North Yorkshire levels of demand were likely to remain high going forward, which required proactive intervention measures. Due to the scale of need and urgency of the problem, the business case was based on a mixture of provision of council-owned accommodation and that of registered providers to replace more expensive emergency accommodation. The largest use of B&B and hotel accommodation was within Harrogate and Scarborough and efforts in these areas would be prioritised. In Scarborough, the aim was to include the development of a supported housing scheme – ‘a place of change’ – based on the best practice model of Fern House in Harrogate.

Members welcomed the report:

- Noting the moral and business case for action
- Noting the acuteness of the problem in Scarborough
- Noting that local government reorganisation placed the council in a stronger position to tackle this challenge
- Hoping that the 90 units proposed could be procured more quickly than the four years stated in the report
- Suggesting that regular updates on progress be provided to the Executive, Housing & Leisure Overview and Scrutiny Committee and Scarborough and Whitby Area Constituency Committee as appropriate

The Corporate Director for Community Development, Nic Harne commented that as part of the proposals in the report there would be improved gathering and monitoring of homelessness data to help assess progress. He also undertook to provide local division member, Councillor John Ritchie with further details of homelessness levels and use of temporary accommodation in Scarborough.

Resolved (unanimously) – that:

- (i) the business case and a £11.6m budget for the delivery of accommodation for a minimum of 90 homeless households is approved;
- (ii) the approval of individual business cases is delegated to the Corporate Director of Community Development in consultation with the Corporate Director Resources, the Executive Member for Culture, Arts and Housing and the Executive Member for Finance and Resources;
- (iii) determining the detail of the grant offer to registered providers is delegated to the Corporate Director of Community Development in consultation with the Corporate Director Resources; and
- (iv) there is regular reporting on progress to the Executive, Housing & Leisure Overview and Scrutiny Committee and Scarborough and Whitby Area Constituency Committee.

482 Review of Maximum Hackney Carriage Fares

Considered – A report of the Corporate Director of Environment seeking approval of a variation to the Council’s Hackney Carriage Table of Maximum Fares.

Councillor Greg White, Executive Member for Managing Our Environment, presented the report noting that the recommendations pertained to Hackney Carriage not private hire vehicles, that drivers were at liberty to charge lower fares, and the wide variety of responses in the consultation, which was in part a reflection of local differences across the county.

Resolved (unanimously) – that the Executive approve the variation to the Council’s Hackney Carriage Table of Maximum Fares (with or without modifications) as set out in Appendix C of the report with effect from 1 July 2024.

483 Bus Service Improvement Plan 2024 Refresh Proposal

Considered – A report of the Corporate Director of Environment seeking approval to submit the Bus Service Improvement Plan 2024 to the Department for Transport (DfT).

Councillor Keane Duncan, Executive Member for Highways and Transportation, presented the report noting that last December the council received notification of an indicative allocation of £3.5m for 2024/25 of Network North: Phase 3 Bus Service Improvement Plan funding. The council’s proposals to use this revenue funding were approved by DfT in April and would comprise the delivery programme for 2024/25 as set out in the Bus Service Improvement Plan 2024. Payment of the grant was contingent on submission of a revised BSIP document to DfT. The 2024 BSIP refresh provided an opportunity to provide a light touch update, revising the data baseline, setting out the delivery plan for 2024/2025 and the council’s vision for the following five years.

In the ensuing discussion, it was noted that whilst the actions in the BSIP set out service enhancements, bus fare reductions and customer improvements to encourage greater usage of local bus services, if there was not a growth in passenger numbers, there was still a risk that bus services could be lost.

Resolved (unanimously) – that the Executive approves submission of the Bus Service Improvement Plan 2024 document to the Department for Transport.

484 Forward Plan

Considered –

The Forward Plan for the period 10 June 2024 to 30 June 2025 was presented.

Resolved - that the Forward Plan be noted.

485 Date of Next Meeting - 9 July 2024

The meeting concluded at 11.37 am.

North Yorkshire Council

Executive

9 July 2024

Council Size Submission to Local Government Boundary Commission for England (LGBCE) Electoral Boundary Review

Report of the Assistant Chief Executive for Local Engagement

1.0 PURPOSE OF REPORT

- 1.1 To inform Executive about the North Yorkshire Electoral Division Boundary Review and, in line with the first stage of the process, to seek Executive's approval to refer the recommendations of the Boundary Review Member Working Group (BRMWG) to Full Council to allow them to be submitted to the Local Government Boundary Commission for England (LGBCE).

2.0 SUMMARY

- 2.1 As part of the development of proposals for the new North Yorkshire Council, the council size (i.e. the number of councillors) and the boundaries for each division were agreed by the LGBCE for the first four years of the Council's existence. A full boundary review is now required to determine the arrangements for the next administrative term, from May 2027.
- 2.2 This report outlines work to date to develop a proposal for the size of the council, a forecast of electorate numbers in 2030, and a range of other evidence required by the LGBCE as the preliminary phase of the review. It seeks approval of the recommendations of the BRMWG, in order that they can be put before Full Council on 24 July 2024, and submitted to LGBCE.
- 2.3 Appendix A provides a forecast of the number of electors predicted in North Yorkshire by 2030, which represents a 7% increase on current electorate.
- 2.4 The BRMWG is recommending a council size of 89 members, with each member representing a division individually.

3.0 BACKGROUND

- 3.1 During the Local Government Reorganisation (LGR) process, a streamlined approach was taken to the identification of the council size and the divisional boundaries for the new Council. This resulted in a council of 90 elected members and 89 divisions. It was agreed at that time that a full boundary review would be undertaken in the first cycle of the new organisation. The LGBCE contacted North Yorkshire Council in summer 2023 to initiate the review.
- 3.2 Reviews can be undertaken for a number of reasons, in addition to structural change of an authority. This includes:
- At the request of the local authority
 - Electoral imbalance, if either:
 - one electoral ward/division has a +/-30% variance with the local authority electorate average
 - or, 30% or more of the electoral wards/divisions have a +/-10% variance from the local authority average

- Time period since the previous review, which is normally around 12 and 16 years or every two to three electoral cycles

3.3 Whilst a review was always planned following LGR, the current arrangements have reached a level of imbalance that would trigger a review anyway. There are two divisions which have a variance of more than 30% (Cayton, Wathvale and Bishop Monkton), and 57% of divisions have a variance of more than 10%. This is outlined in Appendix B.

3.4 The Electoral Boundary Review process comprises a full review of all council electoral divisions. There are five key stages as follows. The timescales in brackets are indicative:

- Preliminary Phase – Information gathering and electoral forecasts (to July 2024)
- Phase 1 – Council size, i.e. proposals for the total number of councillors/electoral divisions (July 2024)
- Phase 2 – Consultation on draft proposals and divisional arrangements, i.e. proposals for revised boundaries and names of electoral divisions (August 2024 - May 2025)
- Phase 3 – Parliamentary approval of recommendations (Autumn 2025 - Autumn 2026)
- Phase 4 – Implement new electoral arrangements (May 2027)

4.0 PRELIMINARY PHASE

4.1 In preparation for the analysis required to develop new proposals, LGBCE require a substantial amount of information. This includes the following:

- Geocoded Electoral Register
- Current and Forecast Electorate
- Forecasting Methodology
- Housing Development Data
- Polling District Maps
- Polling District Review Report
- Parish Electoral Arrangements
- Parish Ward Maps
- Local Orders
- Governance Changes
- Stakeholder Database

4.2 Work has been underway since the new year to ensure this information is available. This information will be submitted to the LGBCE shortly after 24 July 2024, subject to Executive and Full Council approval of the electorate forecast and council size proposal.

4.3 The most significant element of work in the preliminary phase is the development of electorate forecasts. The forecasts needs to be five years beyond the end of the review, which is 2030. LGBCE provide guidance on potential approaches, although it is for the council to identify which approach is most appropriate. The council must provide both the forecasts and justification for the projections submitted.

4.4 The draft forecasts have been completed and once submitted to LGBCE are subject to their approval before being used as the basis of the Boundary Review. The forecasts predict a 7% increase in electorate to 517344 by 2030. The forecasts, at division level, are included in Appendix A. Based on the recommended 89 councillors (as described in 5.8), this would give an average division size of 5813 electors.

4.5 Executive is asked to approve the recommendation of these forecasts to Full Council, to allow their submission to the LGBCE. Executive is also asked to provide delegated authority to the Assistant Chief Executive – Local Engagement to make any required minor amendments

to the Electorate Forecast for greater accuracy, in consultation with the Chairman of the BRMWG, prior to its submission.

4.6 The draft forecasts have been produced using an electorate forecasting tool provided by LGBCE. This takes electorate data (at polling district level) for the last three years and, based on Office of National Statistics population estimates, forecasts likely electorate growth. Officers have then reviewed housing development data from Local Plan allocations and planning permissions for sites above 10 houses, mapped it to accurately identify in which polling district the development will be, before calculating the likely electorate figures associated with each development. As the population estimates within the forecasting tool must already have assumed some 'normal' level of housing growth, the additional housing figures have been reduced by 30% before being added to the forecasting tool's electorate prediction. This helps to reduce the likelihood of double-counting and avoid an over-inflated forecast. A detailed description of the methodology used is included in Appendix C.

5.0 PHASE 1 – COUNCIL SIZE

5.1 During the first stage of the review, the LGBCE decides on the number of council members required to enable the council to undertake effective decision making, to discharge its business and responsibilities successfully and to provide for effective community leadership and representation. The LGBCE seeks to understand elected member requirements across three aspects:

- Decision Making – how many councillors are needed to give strategic leadership and direction to the authority.
- Accountability and Scrutiny – how many councillors are needed to provide scrutiny, to meet regulatory requirements and to manage partnerships between the local authority and other organisations.
- Effective Representation – how the representational role of councillors in the local community is discharged and how they engage with people and conduct casework.

5.2 The council should submit a recommendation as to the size of the council at the next election, based on the considerations above. As the review process will have a significant impact on how the council operates and how councillors work, a Member Working Group was established to ensure the process was led by and fully informed by the views of existing Councillors. The group's role is to lead on the preparation of the Council's submission, and to coordinate and involve other members in the development of recommendations to Executive and Full Council. The members of the group are as follows:

	Councillor's Name	Political Group
1	Cllr John Weighell (Chairman)	Conservative
2	Cllr Sam Gibbs	Conservative
3	Cllr Mark Crane	Conservative
4	Cllr Heather Phillips	Conservative
5	Cllr David Staveley	Conservative
6	Cllr Caroline Goodrick	The Conservative & Independents Group
7	Cllr Philip Broadbank	Liberal Democrats
8	Cllr Steve Shaw-Wright	Labour
9	Cllr Andy Solloway	North Yorkshire Independent
10	Cllr Kevin Foster	Green Party
11	Cllr Alyson Baker Substitute	Conservative
12	Cllr Nigel Knapton Substitute	Conservative
13	Cllr. Peter Lacey Substitute	Liberal Democrats

5.3 The Working Group has considered each aspect identified by LGBCE in developing its Council Size submission, as well as considering the draft electorate forecasts. Given that

the council has only recently been formed, and arrangements have been tested over the course of the first year of operation, this has been useful in identifying what has worked well so far. However, it also means that there is not a long historical body of evidence upon which to base the case for one particular approach over another.

- 5.4 The Working Group considered the membership of committees and the workload associated with other duties of councillors. Given the large geography of the council, there is a need for some decision making to locality based and there must, therefore, be enough councillors to ensure appropriate representation at a locality level. Appendix D is Council Size Submission document which lists the committees of the council. It was recognised that there are no currently plans to significantly alter the approach to committees, and that arrangements have generally worked well since vesting day of the new authority.
- 5.5 The Working Group also considered the ways of working for Members and representation of local communities. It was recognised that as a unitary authority, it was a different experience for Members compared to previous County and District or Borough roles. Again, the varied geography means that some more urban divisions are small in area, but with significant amounts of casework around regeneration, development and transport. Conversely, the more rural divisions can have extremely sparse populations, but small settlements can increase the number of individual community meetings that a member is expected to attend. Parish council meetings, in particular, can be extremely time consuming, with some Members associated with 15+ parishes. Meetings can often be on the same evenings, making it logistically impossible to attend all.
- 5.6 Members determined that their preference would be for an odd number of councillors, as this would help to ensure a clear majority in any election.
- 5.7 Members discussed whether each division should have one or more members representing it. Currently, 88 divisions have one member, and one division has two members. The Working Group concluded that given the opportunity to realign divisions for electoral equality, it would make sense for the divisions to have equal representation. Given the required number of divisions across the geography, this could not feasibly be more than one per division. Executive is asked to approve the recommendation to Full Council that a single member division review is requested from LGBCE.
- 5.8 On the basis of the above considerations, the Member Working Group voted to recommend a council size of 89 members. Executive is asked to approve this recommendation and refer it to Full Council.
- 5.9 It should be noted that political or other groups/individuals may present their own submission to the LGBCE either alongside or as an alternative to the Council's formal submission.

6.0 CONSULTATION UNDERTAKEN

- 6.1 As above, Councillors have been consulted via the Member Working Group. This has provided cross-party input to the development of recommendations.
- 6.2 In addition, the LGBCE will consult on potential division patterns from August to November, then again on a final recommendation in 2025. Residents, members, organisations and political parties may all submit suggestions to LGBCE who will consider these when drawing up the model to be put to parliament.
- 6.3 Although both phases of the consultation will be published, promoted and delivered by LGBCE, the council will provide a stakeholder database to ensure that a broad range of views are invited.

6.4 The council will also seek to create awareness of the review locally, encouraging engagement with and participation in the consultation using a variety of communication channels to maximise reach. A proactive media release will be issued following the general election and again ahead of consultation going live in August.

7.0 ALTERNATIVE OPTIONS CONSIDERED

7.1 The Member Working Group considered a range of possible numbers of councillors, ranging from significant reductions to significant increases.

7.2 The Group concluded that a large reduction in the number of Councillors would:

- Risk increasing the workload beyond a reasonable amount. This could create a barrier for any potential candidate from maintaining employment alongside being a councillor, which might reduce the opportunities for younger people to stand for elected office. It was also noted that many people have caring responsibilities and creating a larger workload could prevent people from balancing the different responsibilities, with carers disproportionately more likely to be women.
- Create much larger divisions. This would be problematic for sparsely-populated rural areas, as to achieve electoral equality, the geographical area would need to be huge, and this wouldn't be conducive to Members being visible and available to communities. It could make it logistically impossible to attend face-to-face meetings given the travel time required.
- Save money from Member allowances and expenses, but that these savings would likely be reduced by the need for greater officer support to deal with casework and the increased workload in general.

7.3 The Group concluded that a small reduction in the number of Councillors would:

- Have limited impact on workload or division sizes overall.
- Would marginally reduce costs from Member allowances and expenses.

7.4 The Group concluded that a large increase in the number of Councillors would:

- Significantly increase the costs of Member allowances and expenses.
- Run counter to the principles of the LGR Case for Change, providing reduced efficiency.
- Risk creating more Members than are needed for the operations of the authority, with the possibility of less agility in decision-making and more challenge in reaching consensus on issues.

7.5 The Group concluded that a small increase in the number of Councillors would:

- Have limited impact on workload or division sizes overall.
- Would marginally increase costs from Member allowances and expenses, which runs counter to the principles of the LGR Case for Change.

8.0 FINANCIAL IMPLICATIONS

8.1 The recommendation of 89 Councillors, if implemented, would very slightly reduce the cost of allowances and expenses. No additional financial implications have been identified.

9.0 LEGAL IMPLICATIONS

9.1 The Local Government Boundary Commission for England is empowered to review the electoral arrangements of the Council as per the Local Democracy, Economic Development and Construction Act 2009. The legislation states that 'the total number of members of the council' forms part of an authority's electoral arrangements. The Commission refers to this as 'council size'. The legislation does not set out how many members each authority should

have. It is the Commission's responsibility to determine the appropriate number of councillors for each authority. The Commission will always recommend a council size that, in its judgement, enables the council to take its decisions effectively, to discharge the business and responsibilities of the council successfully, and provides for effective community leadership and representation.

- 9.2 Section 57 of the 2009 Act provides that the Council may request the LGBCE to make recommendations as to single-member electoral area. It further provides that the LGBCE must have regard to this request in making its decision. Further if it does not grant the request for single member divisions, it must notify the Council of the reasons for departing from such a request.

10.0 EQUALITIES IMPLICATIONS

- 10.1 An EIA screening has been undertaken, at Appendix E. No significant impacts were identified based on the recommendations, although the Member Working Group noted that had an option for a significantly reduced number of councillors been recommended, this could have had an impact on age, sex and those with caring responsibilities. This is based on the limited ability of younger councillors to undertake a greater workload whilst balancing other employment, and for those with caring responsibilities who are disproportionately more likely to be women.

11.0 CLIMATE CHANGE IMPLICATIONS

- 11.1 A climate change impact assessment has been undertaken, at Appendix F. No direct impacts have been identified based on the recommendations.

12.0 PERFORMANCE IMPLICATIONS

- 12.1 It is not envisaged that the recommendations will have significant performance implications. However, in considering the recommended number of councillors, the Member Working Group considered the ability of the council to work effectively and efficiently in the discharge of its duties. Achieving the balance of the appropriate number of councillors for the committees and outside bodies, the workload of members in their communities and efficiency of the decision-making process was at the heart of the discussion and fed into the recommendations.

13.0 REASONS FOR RECOMMENDATIONS

- 13.1 The approval of the Council Size submission document will ensure the council's structure and key strategic priorities are taken into consideration during the review, and support the current and future electorate population with fair and equal representation across the county when implemented.
- 13.2 The submission of an accurate electoral forecast will support future electorate equality, and the supplementary information will allow the LGBCE a full perspective on the implications for North Yorkshire when identifying their proposals.

14.0 RECOMMENDATIONS

- 14.1 Executive is asked to refer this report to Full Council, recommending that Full Council approve:
- i) The submission of a formal request to the LGBCE for a single member division review, as part of subsequent phases of the Electoral Boundary review process.
 - ii) The 2030 Electorate Forecast for submission to the LGBCE.

- | | |
|------|---|
| iii) | The Member Working Group's recommendations within the draft Council Size Submission document (Appendix D) for a council size of 89 members. |
| iv) | The submission of all required information to the LGBCE. |
| v) | Delegated authority to the Assistant Chief Executive – Local Engagement to make any required minor amendments to the Electorate Forecast for accuracy, in consultation with the Chairman of the BRMWG, prior to submission. |

APPENDICES:

Appendix A – Electorate Forecast 2030

Appendix B – Current Electoral Variance

Appendix C – Forecasting Methodology

Appendix D – Draft Council Size Submission

Appendix E – Equalities Impact Screening

Appendix F – Climate Change Impact Assessment

Rachel Joyce

Assistant Chief Executive – Local Engagement

2 July 2024

Report Author and Presenter of Report – Will Boardman, Head of Strategy and Performance

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

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Appendix A - Electorate Forecast

Row Labels	Electorate 2022	Electorate 2023	Electorate 2024	LG BCE 2030 Electorate Forecast	Additional Electors due to housing development	Final 2030 Forecast	Electorate Increase 2024-2030	2030 variance from average
Aire Valley	4998	5017	4999	5165	31	5196	197	-11%
Aiskew & Leeming	4487	4560	4656	4714	432	5146	490	-11%
Amotherby & Ampleforth	4578	4263	4301	4520	91	4610	309	-21%
Appleton Roebuck & Church Fenton	4707	4796	4933	4967	206	5173	240	-11%
Barlby & Riccall	4701	4667	4646	4821	69	4890	244	-16%
Bedale	5097	5130	5132	5284	44	5328	196	-8%
Bentham & Ingleton	6090	6152	6209	6348	447	6794	585	17%
Bilton & Nidd Gorge	5943	5889	5881	6093	64	6158	277	6%
Bilton Grange & New Park	5952	5883	5880	6094	48	6142	262	6%
Boroughbridge & Claro	6090	6332	6570	6535	403	6938	368	19%
Brayton & Barlow	5016	4964	4966	5142	162	5304	338	-9%
Camblesforth & Carlton	4819	4871	4898	5019	287	5306	408	-9%
Castle	6821	5402	5471	6081	188	6270	799	8%
Catterick Village & Brompton-on-Swale	4966	4911	4876	5075	453	5528	652	-5%
Cawood & Escrick	4459	4466	4439	4597	15	4613	174	-21%
Cayton	3840	3657	3731	3862	909	4771	1040	-18%
Cliffe & North Duffield	4432	4464	4460	4595	239	4834	374	-17%
Coppice Valley & Duchy	5694	5819	5875	5982	200	6182	307	6%
Danby & Mulgrave	4253	3919	3934	4163	0	4163	229	-28%
Derwent Valley & Moor	4405	4131	4211	4384	74	4458	247	-23%
Easingwold	5622	5636	5737	5847	184	6031	294	4%
Eastfield	5471	4849	5006	5270	1193	6463	1457	11%
Esk Valley & Coast	5862	5475	5516	5796	11	5807	291	0%
Fairfax & Starbeck	6010	5995	6060	6215	0	6215	155	7%
Falsgrave & Stepney	6959	6180	6249	6667	0	6667	418	15%
Filey	6172	5744	5869	6117	146	6263	394	8%
Glusburn, Cross Hills & Sutton-in-Craven	6196	6148	6170	6369	57	6426	256	11%
Great Ayton	4594	4597	4527	4719	0	4719	192	-19%
Harlow & St Georges	6512	6509	6549	6732	64	6797	248	17%
Helmsley & Sinnington	4429	4165	4198	4400	45	4445	247	-24%
High Harrogate & Kingsley	6435	6428	6553	6680	212	6892	339	19%
Hillside & Raskelf	5553	5520	5487	5697	33	5730	243	-1%
Hipswell & Colburn	5885	5916	5966	6112	106	6218	252	7%
Huby & Tollerton	5500	5521	5525	5692	115	5807	282	0%
Hunmanby & Sherburn	5453	5065	5131	5382	124	5506	375	-5%
Hutton Rudby & Osmotherley	5080	5090	5086	5248	37	5285	199	-9%
Killinghall, Hampsthwaite & Saltergate	6105	6360	6496	6524	259	6783	287	17%
Kirkbymoorside & Dales	5573	5308	5414	5605	53	5658	244	-3%
Knaresborough East	6128	6268	6478	6494	594	7088	610	22%
Knaresborough West	6535	6443	6395	6664	27	6692	297	15%
Leyburn & Middleham	4658	4653	4657	4805	182	4987	330	-14%
Malton	5291	4854	4935	5186	19	5205	270	-10%
Masham & Fountains	6190	6115	6234	6378	304	6681	447	15%
Mid Craven	4342	4336	4284	4459	151	4610	326	-21%
Monk Fryston & South Milford	6757	6718	6735	6952	43	6996	261	20%
Morton-on-Swale & Appleton Wiske	5311	5313	5321	5485	99	5585	264	-4%
Newby	5234	4871	4898	5160	0	5160	262	-11%
North Richmondshire	6360	6308	6419	6566	88	6654	235	14%
Northallerton North & Brompton	5187	5442	5543	5565	620	6185	642	6%
Northallerton South	5106	5130	5101	5276	0	5276	175	-9%
Northstead	6427	5478	5501	5984	8	5992	491	3%
Norton	6621	5982	6041	6411	520	6931	890	19%
Oatlands & Pannal	6191	6270	6335	6467	237	6704	369	15%
Osgoldcross	4930	4959	4937	5101	733	5833	896	0%
Ouseburn	4564	4640	4700	4784	312	5096	396	-12%
Pateley Bridge & Nidderdale	4479	4451	4444	4601	17	4618	174	-21%
Pickering	6345	6062	6210	6404	120	6523	313	12%
Richmond	6568	6458	6463	6704	0	6704	241	15%
Ripon Minster & Moorside	6344	6383	6341	6560	11	6570	229	13%
Ripon Ure Bank & Spa	6336	6387	6441	6593	326	6919	478	19%
Romanby	4919	4916	4868	5058	0	5058	190	-13%
Scalby & the Coast	4942	4669	4779	4949	666	5615	836	-3%
Scotton & Lower Wensleydale	4496	4382	4346	4549	26	4575	229	-21%
Seamer	3918	3705	3777	3921	117	4038	261	-31%
Selby East	5601	5667	5801	5872	423	6296	495	8%
Selby West	7593	7606	7618	7850	351	8200	582	41%
Settle & Penyghent	4736	4655	4628	4822	260	5082	454	-13%
Sherburn In Elmet	6683	6798	6811	6981	286	7267	456	25%
Sheriff Hutton & Derwent	5770	5434	5591	5777	0	5777	186	-1%
Skipton East & South	5615	5646	5720	5842	696	6538	818	12%
Skipton North & Embsay-with-Eastby	4662	4743	4836	4900	219	5118	282	-12%
Skipton West & West Craven	4800	4766	4820	4949	227	5176	356	-11%
Sowerby & Topcliffe	5893	6093	6334	6303	235	6538	204	12%
Spofforth with Lower Wharfedale & Tockwith	5094	5189	5238	5340	198	5538	300	-5%
Stokesley	5147	5154	5129	5308	269	5577	448	-4%

Row Labels	Electorate 2022	Electorate 2023	Electorate 2024	LGBCE 2030 Electorate Forecast	Additional Electors due to housing development	Final 2030 Forecast	Electorate Increase 2024-2030	2030 variance from average
Stray, Woodlands & Hookstone	6137	6081	6085	6296	17	6314	229	9%
Tadcaster	5841	5799	5813	6004	57	6061	248	4%
Thirsk	5550	5578	5567	5744	161	5904	337	2%
Thornton Dale & Wolds	5995	5625	5774	5982	0	5982	208	3%
Thorpe Willoughby & Hambleton	5131	5290	5338	5422	369	5791	453	0%
Upper Dales	4535	4540	4520	4677	0	4677	157	-20%
Valley Gardens & Central Harrogate	6258	6142	6183	6392	61	6454	271	11%
Washburn & Birstwith	5308	5300	5316	5478	438	5916	600	2%
Wathvale & Bishop Monkton	6834	7171	7265	7319	336	7654	389	32%
Weaponness & Ramshill	6650	5792	5966	6329	101	6431	465	11%
Wharfedale	4079	4069	4010	4183	19	4201	191	-28%
Whitby Streonshalh	4824	4207	4222	4557	382	4939	717	-15%
Whitby West	6458	5920	5986	6315	122	6438	452	11%
Woodlands	5850	5176	5215	5585	79	5664	449	-3%
Grand Total	489982	479433	483576	499818	17527	517344	33768	

Average = 5813

Appendix B - Electorate variance within existing divisions (2023 data)

Proposed New Ward	No. of Registered Electors	No. of Councillors	No. of Registered Electors per Councillor	Variance from average ratio (5364 electors)	Number of divisions with variance +/- 30% of average ratio	% of Divisions with imbalance of greater than 10% from average ratio
Wathvale & Bishop Monkton	7283	1	7,283	35.78%	2	57.30%
Sherburn In Elmet	6802	1	6,802	26.81%		
Monk Fryston & South Milford	6708	1	6,708	25.06%		
Boroughbridge & Claro	6534	1	6,534	21.81%		
High Harrogate & Kingsley	6532	1	6,532	21.77%		
Harlow & St Georges	6480	1	6,480	20.81%		
Knaresborough East	6471	1	6,471	20.64%		
Killinghall, Hampsthwaite & Saltergate	6464	1	6,464	20.51%		
Richmond	6442	1	6,442	20.10%		
Ripon Ure Bank & Spa	6426	1	6,426	19.80%		
North Richmondshire	6405	1	6,405	19.41%		
Knaresborough West	6402	1	6,402	19.35%		
Ripon Minster & Moorside	6367	1	6,367	18.70%		
Sowerby & Topcliffe	6324	1	6,324	17.90%		
Oatlands & Pannal	6323	1	6,323	17.88%		
Falsgrave & Stepney	6233	1	6,233	16.20%		
Pickering	6198	1	6,198	15.55%		
Valley Gardens & Central Harrogate	6195	1	6,195	15.49%		
Bentham & Ingleton	6191	1	6,191	15.42%		
Masham & Fountains	6177	1	6,177	15.16%		
Glusburn, Cross Hills & Sutton-in-Craven	6156	1	6,156	14.77%		
Stray, Woodlands & Hookstone	6103	1	6,103	13.78%		
Fairfax & Starbeck	6039	1	6,039	12.58%		
Norton	6027	1	6,027	12.36%		
Whitby West	5983	1	5,983	11.54%		
Hipswell & Colburn	5977	1	5,977	11.43%		
Weaponness & Ramshill	5960	1	5,960	11.11%		
Filey	5878	1	5,878	9.58%		
Bilton & Nidd Gorge	5873	1	5,873	9.49%		
Bilton Grange & New Park	5872	1	5,872	9.47%		
Coppice Valley & Duchy	5872	1	5,872	9.47%		
Tadcaster	5794	1	5,794	8.02%		
Thornton Dale & Wolds	5767	1	5,767	7.51%		
Selby East	5736	1	5,736	6.94%		
Easingwold	5725	1	5,725	6.73%		
Skipton East & South	5687	1	5,687	6.02%		
Sheriff Hutton & Derwent	5580	1	5,580	4.03%		
Thirsk	5560	1	5,560	3.65%		
Northallerton North & Brompton	5542	1	5,542	3.32%		
Huby & Tollerton	5522	1	5,522	2.95%		
Esk Valley & Coast	5503	1	5,503	2.59%		
Hillside & Raskelf	5499	1	5,499	2.52%		
Northstead	5477	1	5,477	2.11%		
Castle	5467	1	5,467	1.92%		
Kirkbymoorside & Dales	5411	1	5,411	0.88%		
Washburn & Birstwith	5350	1	5,350	-0.26%		
Thorpe Willoughby & Hambleton	5317	1	5,317	-0.88%		
Morton-on-Swale & Appleton Wiske	5304	1	5,304	-1.12%		
Spofforth with Lower Wharfedale & Tockwith	5235	1	5,235	-2.40%		
Woodlands	5188	1	5,188	-3.28%		
Bedale	5142	1	5,142	-4.14%		
Stokesley	5131	1	5,131	-4.34%		
Hunmanby & Sherburn	5115	1	5,115	-4.64%		
Northallerton South	5089	1	5,089	-5.13%		
Hutton Rudby & Osmotherley	5085	1	5,085	-5.20%		
Aire Valley	4992	1	4,992	-6.94%		
Eastfield	4988	1	4,988	-7.01%		
Brayton & Barlow	4962	1	4,962	-7.49%		
Osgoldcross	4933	1	4,933	-8.04%		
Malton	4928	1	4,928	-8.13%		
Appleton Roebuck & Church Fenton	4914	1	4,914	-8.39%		
Newby	4886	1	4,886	-8.91%		
Catterick Village & Brompton-on-Swale	4883	1	4,883	-8.97%		
Camblesforth & Carlton	4880	1	4,880	-9.02%		
Romanby	4856	1	4,856	-9.47%		
Skipton North & Embsay-with-Eastby	4817	1	4,817	-10.20%		
Skipton West & West Craven	4805	1	4,805	-10.42%		
Scalby & the Coast	4772	1	4,772	-11.04%		
Ouseburn	4681	1	4,681	-12.73%		
Aiskew & Leeming	4672	1	4,672	-12.90%		
Leyburn & Middleham	4655	1	4,655	-13.22%		

Settle & Penyghent	4630	1	4,630	-13.68%
Barlby & Riccall	4625	1	4,625	-13.78%
Great Ayton	4522	1	4,522	-15.70%
Upper Dales	4520	1	4,520	-15.73%
Cliffe & North Duffield	4451	1	4,451	-17.02%
Pateley Bridge & Nidderdale	4431	1	4,431	-17.39%
Cawood & Escrick	4430	1	4,430	-17.41%
Scotton & Lower Wensleydale	4349	1	4,349	-18.92%
Amotherby & Ampleforth	4293	1	4,293	-19.97%
Mid Craven	4283	1	4,283	-20.15%
Whitby Streonshalh	4221	1	4,221	-21.31%
Helmsley & Sinnington	4206	1	4,206	-21.59%
Derwent Valley & Moor	4198	1	4,198	-21.74%
Wharfedale	4015	1	4,015	-25.15%
Danby & Mulgrave	3926	1	3,926	-26.81%
Selby West	7631	2	3,816	-28.87%
Seamer	3777	1	3,777	-29.59%
Cayton	3711	1	3,711	-30.82%

Appendix C – Boundary Commission Review GIS Processes 2024

New housing developments will be a major factor in determining elector numbers and distribution up to 2030.

Due to the spatial component of housing data, the GIS Team in Data and Intelligence, used GIS mapping software to undertake analysis and assess the impact of housing development on future electors.

Electoral Register Geocoding

Data was extracted from the Electoral Database, Civica Xpress System, on 10/04/2024 and ‘geocoded’ by matching the Unique Property Reference Numbers (UPRN) held in the register to our corporate address gazetteer or Local Land and Property Gazetteer (LLPG), which holds the accurate location of properties. Data matching between the Electoral data export and the LLPG resulted in a match rate of 99.86% and allowed the creation of a dataset representing a point on the map indicating the number of electorates per property and the property address details. There is ongoing work to resolve the unmatched records – see Appendix B for a summary of matching.

Using ‘point-in-polygon’ spatial query of the geocoded elector data, we were able to determine the current number of electors for each political extent. This information was used to populate the Boundary Commission spreadsheet providing the 2024 Elector figures.

The Electors Point Data will be provided to the Boundary Commission as a shapefile.

Housing Development Data

Planning Services provided data on Housing Allocations from relevant local plans and planning applications and other known sources of housing from Housing Monitoring systems and processes.

There is no single source of this information currently, so data was sourced from the former district’s Local Plans and various Housing Monitoring Systems. Planning officers provided the Housing totals from the planning policy housing forecast data for 2023-24 and the data included information on the site names and number of properties forecast between 2024-2030.

See [Annex 1](#) for details of each data source per locality (former district area).

GIS Analysis of Housing Development

The housing GIS data was received as both polygons (housing allocations) and points (planning permissions, etc).

Working with the GIS Team, Planning Policy Officers checked all sites for accuracy and all changes were recorded in an Audit Spreadsheet indicating the date and initials of the Planning Officer involved. Where necessary the planning application points were moved to the appropriate location as agreed with the Planning Officer.

All sites with less than 10 houses on the planning permission were removed from the calculations, along with any commenced permissions that fell below the 10 house threshold when the forecast number was adjusted – either by removing the 2023-24 builds from the total assuming these would have been complete, or for sites due for completion in 2023-24 but were still under construction the totals were adjusted based on a % complete estimate from elector data. Any Housing allocations with less than 10 properties have also been removed.

A similar GIS process of point in polygon spatial query enabled us to count the number of houses expected to be built by 2030 for each political area. The Housing numbers were then added to the Boundary Commission spreadsheet and by applying our average elector occupancy rate per Polling district to the estimated total of residential properties, we were able to calculate a predicted number of electors. The mapped data will be provided to the Boundary Commission as a shapefile.

GIS Data Checks

As confirmed by the Boundary Commission documentation only housing sites with 10 or more properties were included in the analysis.

Where available Site Name and Planning Application References were added to the data including Housing Allocations with Planning Permission.

The data indicated a site may be due from completion in 2024 but it is clear from the information we have that there are still homes to build these were included if more than 10 homes remaining. In some instances, as a consequence of recent development a site may have less than 10 houses remaining. These sites were excluded as they no longer met the criteria of 10 or more properties.

We can see the development has started in several ways:

- Local knowledge – Planning tell us the site is complete or they know it has started through their checks.
- The Planning Application may indicate how many houses are anticipated in the current and future years up to 2030 – indicating potentially more to come beyond 2024.
- Checking against the OS Base Map may show some housing development within the Housing Allocation Site – where there was none before.
- The LLPG Data may show houses as 'Provisional' which means the properties have been Street Named and Numbered but are not yet occupied.
- The Electoral Data may show electors within the Housing Allocation Site. Some houses have a number of Electors against them, e.g. '2 electors' indicated the house is occupied. Some just indicate Electorates as '0' (zero electorate) – indicating the Electors have not yet moved in but the Electoral system know there are houses on site – therefore indicating more houses to come.

Throughout the GIS analysis an internal web map was provided to members so they could review the data. The figures showed a higher than anticipated elector forecast and as a consequence and in agreement with the Boundary Commission it was agreed to reduce the Housing Estimates by 30% across each Polling district.

GIS Data (Shapefiles) sent to Boundary Commission:

- Ward Boundary 1024 BFC Region
- Polling Districts
- Parish Boundary 2023 BFC Region
- Housing Development – Point Data (a combination of the Housing Allocations and Planning Applications data) Fields: Application/Allocation Name, Application Number (where available), Houses Numbers 2024-2030, Number of Housing reduced by 30%
- Electorate Data – point data showing the number of electors per property – sourced from the Electoral Registration System on 10/04/2024. Fields: Electoral System Reference, UPRN Reference from Local Land and Property Gazetteer, Address, Number of Elector at Address.

Annex 1

LLPG Matching Summary

	Addresses (UPRNs)	Electors
Electoral Register Total	310353	483761
LLPG Match Total	309917	483576
Difference*	436	185

* This includes potential unmatched, duplicates and queries that need to be resolved. The matching was interrupted by other work commitments of the Elections Team due to the General Election on 4 July 2024.

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North Yorkshire Council

Council Size Submission

DRAFT

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How to Make a Submission

It is recommended that submissions on future governance arrangements and council size follow the guidance provided and use the format below as a template. Submissions should be treated as an opportunity to focus on the future needs of the council and not simply describe the current arrangements. **Submissions should also demonstrate that alternative council sizes have been considered in drawing up the proposal and why you have discounted them.**

The template allows respondents to enter comments directly under each heading. It is not recommended that responses be unduly long; as a guide, it is anticipated that a 15 to 20-page document using this template should suffice. Individual section length may vary depending on the issues to be explained. Where internal documents are referred to URLs should be provided, rather than the document itself. It is also recommended that a table is included that highlights the key paragraphs for the Commission's attention.

'Good' submissions, i.e. those that are considered to be most robust and persuasive, combine the following *key success components* (as set out in the guidance that accompanies this template):

- Clarity on objectives
- A straightforward and evidence-led style
- An understanding of local place and communities
- An understanding of councillors' roles and responsibilities

About You

The respondent should use this space to provide the Commission with a little detail about who is making the submission, whether it is the full Council, Officers on behalf of the Council, a political party or group, a resident group, or an individual.

[This submission is on behalf of North Yorkshire Council and will be considered by Full Council. The submission is based on the recommendations of the Cross-Party Members Working Group.](#)

Reason for Review (Request Reviews Only)

Please explain the authority's reasons for requesting this electoral review; it is useful for the Commission to have context. *NB/ If the Commission has identified the authority for review under one of its published criteria, then you are not required to answer this question.*

[Click or tap here to enter text.](#)

The Context for your proposal

Your submission gives you the opportunity to examine how you wish to organise and run the council for the next 15 - 20 years. **The consideration of future governance arrangements and council size should be set in the wider local and national policy context.** The Commission

expects you to challenge your current arrangements and determine the most appropriate arrangements going forward. In providing context for your submission below, please demonstrate that you have considered the following issues.

- When did your Council last change/reorganise its internal governance arrangements and what impact on effectiveness did that activity have?
- To what extent has transference of strategic and/or service functions impacted on the effectiveness of service delivery and the ability of the Council to focus on its remaining functions?
- Have any governance or capacity issues been raised by any Inspectorate or similar?
- What influence will local and national policy trends likely have on the Council as an institution?
- What impact on the Council's effectiveness will your council size proposal have?

North Yorkshire Council was created on 1 April 2023, bringing together services previously provided by eight councils into one. The Unitary Authority replaced the County Council and the five district councils and two borough councils in North Yorkshire. The Council is currently undertaking a transformation programme to consolidate services, make savings, reduce duplication and improve efficiency.

During the transition to the new council, the initial priority was to secure safe and legal services on day one. This was achieved and performance has largely remained strong across services. There have been some expected challenges in consolidating operations from the eight councils, with the need to align teams, systems, policies and processes, and this has uncovered some variation in performance. However, these have been operational issues rather than governance.

Whilst Councillors have noted an increase in the scope and scale of their roles, compared to previous County and District/Borough arrangements, the existing governance arrangements have proved capable of supporting effective and timely decision-making. No governance issues have been raised through inspections or reviews over the past year.

North Yorkshire Council has a Leader and Executive governance model, which continued from the arrangements within the predecessor North Yorkshire County Council. This model works well and is considered the best option for the council due to the large size of the council and the number of services that the unitary authority delivers.

The new York and North Yorkshire Combined Authority has been set up with Mayoral elections held in May 2024. North Yorkshire Council will work in close partnership with the Combined Authority across a range of issues. Whilst the national policy outlook is uncertain pending the General Election, all the main parties have committed to maintain or enhance local devolution and we expect this model of governance at a sub-regional level to continue.

This council size proposal will not have an impact on the Council's effectiveness, as a small reduction in the number of Councillors from 90 to 89 would have limited impact on workload or division sizes overall.

Local Authority Profile

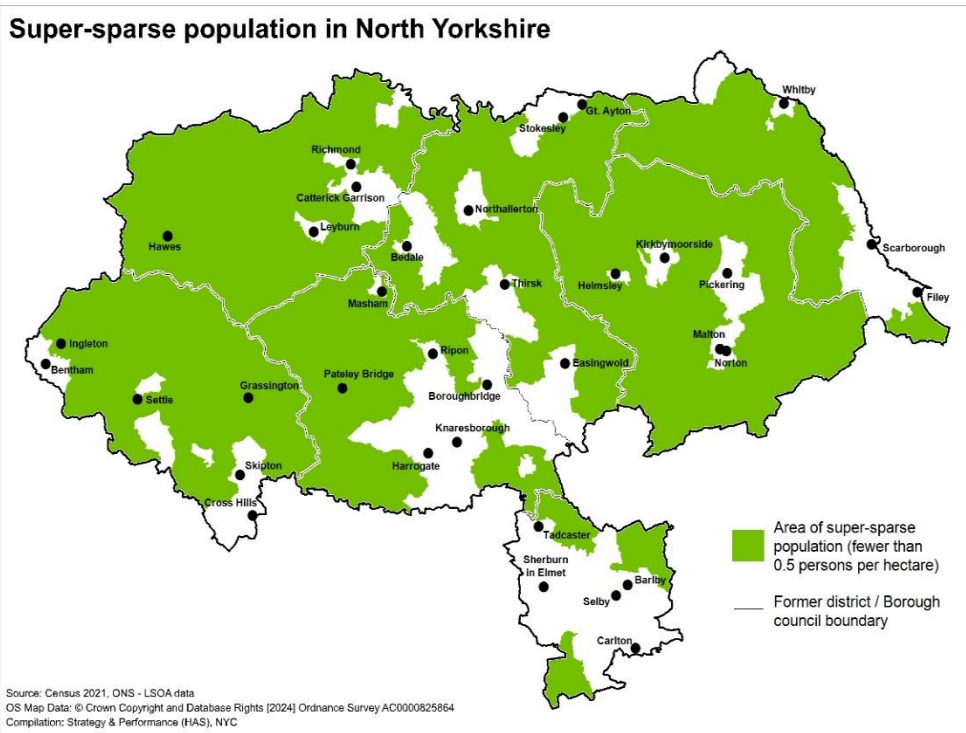
Please provide a short description of the authority and its setting, in particular the local geography, demographics and community characteristics. This should set the scene for the Commission and give it a greater understanding of any current issues. The description should cover all of the following:

- Brief outline of area - are there any notable geographic constraints for example that may affect the review?
- Rural or urban - what are the characteristics of the authority?
- Demographic pressures - such as distinctive age profiles, migrant or transient populations, is there any large growth anticipated?
- Community characteristics – is there presence of “hidden” or otherwise complex deprivation?
- Are there any other constraints, challenges, issues or changes ahead?

Further to providing a description, the Commission will be looking for a submission that demonstrates an understanding of place and communities by putting forth arguments on council size based upon local evidence and insight. For example, how does local geography, demographics and community characteristics impact on councillor casework, workload and community engagement?

North Yorkshire is the largest geographical county in England. Situated on the south side of the Tees Valley basin, it stretches almost 100 miles across the width of the country, from the east coast to the Lancashire border, down to Selby in the south of the County. The authority covers more than 3,000 square miles (8,000 Sq. Km) of urban, coastal, and predominantly rural terrain, including two National Parks, North York Moors National Park, and the Yorkshire Dales National Park. It also includes three National Landscapes (former Areas of Outstanding Natural Beauty (AONB)).

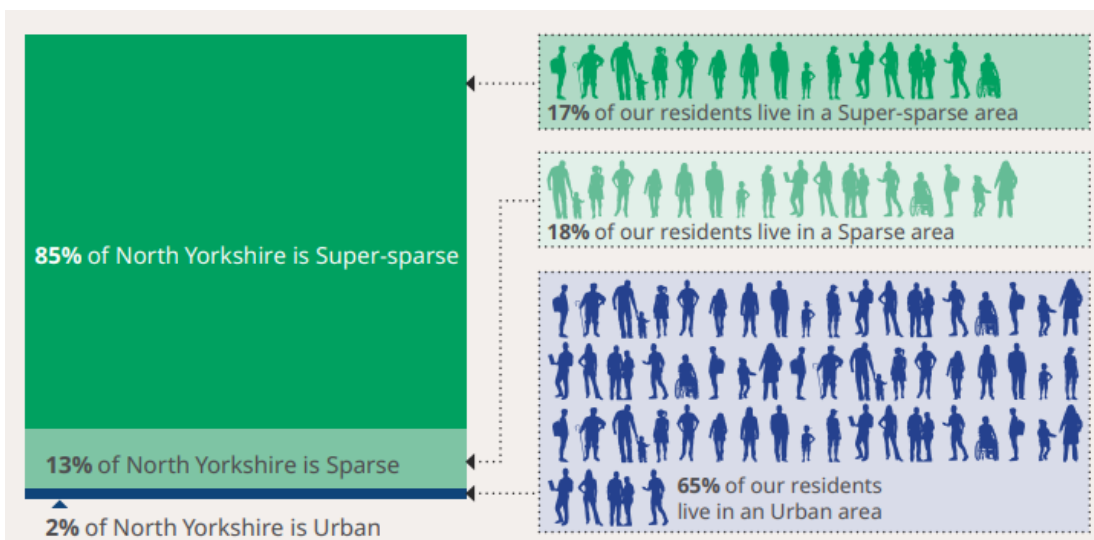
The current population of North Yorkshire is estimated at 615493 (census 2021). However, there are only two towns with populations greater than 50,000, being Harrogate and Scarborough. All other towns have a population of less than 25,000, with about 65% of the population living in these urban areas.



The remaining 35% of the population live in either super sparse or sparse areas of North Yorkshire. This accounts for 98% of the area of the authority.

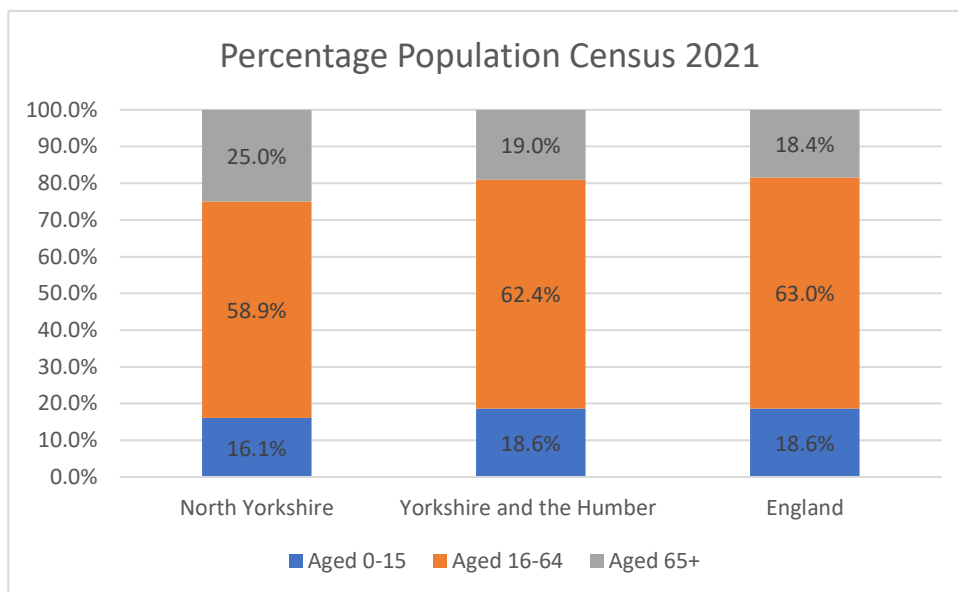
Sparingly and super-sparingly populated communities present a challenge in terms of inclusion and community sustainability, as well as service delivery. In sparsely populated rural areas people can experience physical and digital isolation

with difficulty accessing services, jobs, and transport links.



Urban areas are the connected built-up areas identified by Ordnance Survey mapping that have resident populations above 10,000 people (2011 Census). Rural areas are those areas that are not urban, i.e., consisting of settlements below 10,000 people or are open countryside.

North Yorkshire also has an ageing population with almost a quarter (153,000) of the population aged 65 and over. With projected trend and inward migration of older people to the area, we expect this figure to increase to almost a third by 2035. This will continue to place substantial pressures on social and health care services across the county, especially in remote rural areas. For example, in the Harrogate area this pressure is resulting in a shortage of residential care home places for the over-65s.



One further consequence of this age split is that there are fewer working age people compared to over-65s and under 15s. Known as the dependency ratio, North Yorkshire's is 0.7 while England's is 0.59. This means there are on average only 1.4 working age adults to support each dependent child or older person. Whereas, for England there are 1.86 working age adults to support each dependent child or older person.

Looking to the future, based on the ONS population growth tool, the overall population of North Yorkshire is expected to grow by 4.1% over the period 2021 to 2039. Over the same period, the population across England is expected to grow by 6.97% to 60.961m and by 4.93% to 5.819m in Yorkshire and the Humber.

The following table is based on the ONS Population age structure by single year of age and sex for local authorities, counties, regions, and England as a whole, mid-2021 to mid-2039 and uses the Midyear estimates of population as its base.

	Population Based on MYE								Growth	%
	2021	2024	2027	2030	2033	2036	2039			
Craven	57346	57970	58491	58983	59429	59855	60287	2941	5.1%	
Hambleton	91590	92018	92274	92472	92613	92750	92926	1336	1.5%	
Harrogate	160783	161183	161212	161190	161339	161612	162134	1351	0.8%	
Richmondshire	53466	53468	53489	53467	53455	53472	53564	98	0.2%	
Ryedale	56289	57571	58663	59563	60332	60976	61579	5290	9.4%	
Scarborough	109714	110587	111364	112042	112607	113084	113561	3847	3.5%	
Selby	92053	94592	96695	98525	100130	101545	102912	10859	11.8%	

Ny MYE	621241	627389	632188	636242	639905	643294	646963	25722	4.1%
Growth		1.0%	0.8%	0.6%	0.6%	0.5%	0.6%		4.1%
Ny Census	615400	621490	626244	630260	633889	637246	640880	25480	4.1%

The final row is the NY Census population figure uplifted for growth. However, growth is not uniform with the former Selby and Ryedale district areas having the highest and Richmondshire the lowest.

Census pop 2021		Total	M	F	% M	%F
E1000023	North Yorkshire	615,400	313,800	301,700	51%	49%
E07000163	Craven	56,900	29,300	27,600	51%	49%
E07000164	Hambleton	90,700	46,400	44,200	51%	49%
E07000165	Harrogate	162,700	83,000	79,700	51%	49%
E07000166	Richmondshire	49,700	24,300	25,400	49%	51%
E07000167	Ryedale	54,700	28,000	26,700	51%	49%
E07000168	Scarborough	108,800	55,900	52,900	51%	49%
E07000169	Selby	92,000	46,800	45,200	51%	49%

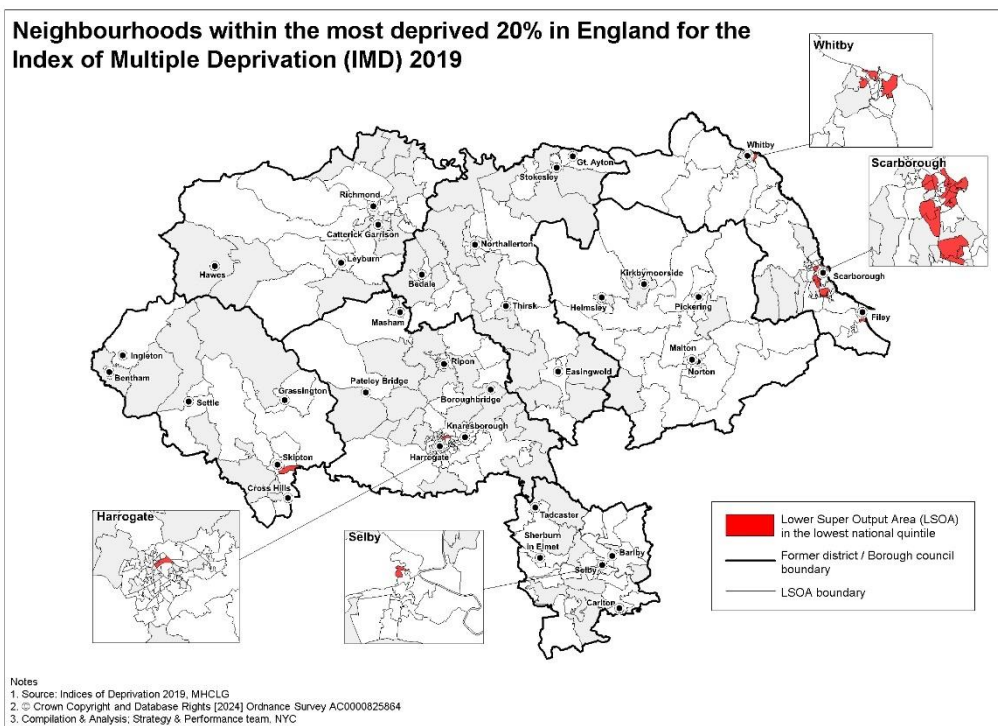
In general terms the male / female split is 51% / 49% across the authority.

Average Age of Population within Local Authority areas

East Riding of Yorkshire	49.6
North Yorkshire	48.7
North Lincolnshire	44.9
North East Lincolnshire	43.1
Calderdale	42.4
Barnsley	42.2
Rotherham	41.6
Doncaster	41.5
Wakefield	41.4
YORKSHIRE AND THE HUMBER	40.6
Kirklees	39.9
South Yorkshire (Met County)	39.8
York	39.3
West Yorkshire (Met County)	38.3
Kingston upon Hull, City of	37.0
Sheffield	36.9
Bradford	36.8
Leeds	36.4

The above table shows the average age of the councils in the Yorkshire and Humber region. It is interesting to note that the higher proportion of residents over-65 pushes up the average age of North Yorkshire's residents to 48.7 years. This is over 12 years older than the lowest authority, Leeds, at 36.4 years. This higher age has implications for the workforce and job market.

Across most indicators, the health and wellbeing of North Yorkshire's residents is generally good. At a countywide level, the Index of Multiple Deprivation shows North Yorkshire to be one of the least deprived local authority areas in England. There are however pockets of deprivation and inequalities that affect specific groups of our population. Some areas of the county fall into the



most deprived quintile in the country, particularly to the east with parts of Scarborough town falling within the most deprived 1% nationally most deprived quintile in the country

Prior to 1 April 2023, North Yorkshire operated a two tier system of 7 district and borough councils, and an overarching county council. This arrangement for the 8 councils had 301 councillors between them, although 50 of these sat on both district and county councils. This overall figure was reduced to 89 wards with 90 councillors for the new unitary North Yorkshire as from 2023. The average number of electors is 5,374 ranging from Wathvale & Bishop Monkton with 7,283 electors to Cayton with 3,711 electors. One ward, Selby West with 7,631 electors, has two councillors representing it, with all other wards having a single councillor.

In comparison to other rural unitaries, North Yorkshire has a slightly higher average of 5,374 registered electors per councillor. In comparison, other large rural unitaries include Cornwall with a ratio of 4,994 registered electors per councillor and Cumberland, another new unitary, with a ratio of 4,569 registered electors per councillor. In general terms County Councils have higher levels of electors per Councillor.

Annex1 provides greater detail on this.

Council Size

The Commission believes that councillors have three broad aspects to their role.

These are categorised as: **Strategic Leadership, Accountability (Scrutiny, Regulatory and Partnerships), and Community Leadership**. Submissions should address each of these in turn and provide supporting evidence. Prompts in the boxes below should help shape responses.

Strategic Leadership

Respondents should provide the Commission with details as to how elected members will provide strategic leadership for the authority. Responses should also indicate how many members will be required for this role and why this is justified. **Responses should demonstrate that alternative council sizes have been explored.**

Topic		
Governance Model	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>What governance model will your authority operate? e.g. Committee System, Executive or other?</i> ➤ <i>The Cabinet model, for example, usually requires 6 to 10 members. How many members will you require?</i> ➤ <i>If the authority runs a Committee system, we want to understand why the number and size of the committees you propose represents the most appropriate for the authority.</i> ➤ <i>By what process does the council aim to formulate strategic and operational policies? How will members in executive, executive support and/or scrutiny positions be involved? What particular demands will this make of them?</i> ➤ <i>Whichever governance model you currently operate, a simple assertion that you want to keep the current structure does not in itself, provide an explanation of why that structure best meets the needs of the council and your communities.</i>
	Analysis	<p>North Yorkshire Council is currently composed of 90 councillors, representing 89 Electoral Divisions. One of the Council's Electoral Divisions is represented by two Members.</p> <p>It is proposed that the number of councillors is reduced to 89, with each Electoral Division represented by one Member.</p> <p>Members are elected every four years with the next full Council elections due to be held in May 2027.</p> <p>Members are given an induction after they have been elected. The Democratic Services Local Area Support Team are responsible for Member learning and development.</p> <p>The current political make-up of the Council is as follows:</p> <ul style="list-style-type: none"> • Conservative and Independents - 47 • Liberal Democrats and Liberals - 14

		<ul style="list-style-type: none"> • Labour - 10 • NY Independents - 10 • Green - 4 • Unaffiliated – 5 <p>The council operates a Leader and Executive model of governance. This model works well and is considered the best option for the council due to the large size of the council and the number of services that the unitary authority delivers. This allows decisions to be made in a timely and efficient manner. The council will continue to review the governance arrangements.</p> <p>The Executive and its Members have wide ranging leadership roles. They:</p> <ul style="list-style-type: none"> • Lead the community planning process, the preparation of the Council’s policies and the search for Best Value, with input and advice from Overview and Scrutiny Committees, Area Constituency Committees and any other persons as appropriate; • Lead the preparation of the Council’s budget; take decisions on resources and priorities, together with other stakeholders and partners in the local community, to deliver and implement the budget and policies decided by full Council; • and provide the focus for forming partnerships with other local public, private, voluntary and community sector organisations to address local needs. <p>Executive Members regularly attend meetings with Corporate Directors and other lead officers within their respective portfolio’s.</p> <p>Executive members are also appointed to sit on a number of outside bodies, which each have varying time commitments.</p> <p>The Leader and Executive Members are active in decisions relating to the running of the council and are often a spokesperson for the council in the local press.</p>
Portfolios	<i>Key lines of explanation</i>	<ul style="list-style-type: none"> ➤ <i>How many portfolios will there be?</i> ➤ <i>What will the role of a portfolio holder be?</i> ➤ <i>Will this be a full-time position?</i> ➤ <i>Will decisions be delegated to portfolio holders? Or will the executive/mayor take decisions?</i>
	Analysis	<p>The Executive, consisting of the leader and nine Executive Members, makes most decisions, but decisions about the budget and major policy framework are made by the full council.</p>

The current portfolios are:

- **Leader of the Council**, also responsible for communications and emergency planning.
- **Deputy Leader of the Council and Executive Member for Finance and Resources**, including Pension Fund, Property, Procurement & Commercial, Technology, Transformation, Revenue and Benefits, and HR.
- **Children and Families** with responsibility for Inclusion, Fostering and Adoption, Children's Social Care, Safeguarding and Prevention.
- **Education, Learning and Skills**, including School Improvement, Early Years, Apprenticeships, Further and Adult Education, FE colleges and UTCs, Music Service, Outdoor Education, School Admissions, Organisation and Transport.
- **Highways and Transportation** including Parking Services, Street Scene, Parks and Grounds, Integrated Passenger Transport, Public Rights of Way, Coastal Protection and Flooding.
- **Open to Business** including Planning, Economic Development and Regeneration, Visitor Economy, Broadband, Harbours.
- **Culture, Arts and Housing** including Culture, Arts, Libraries, Museums, Archives, Key venues, Leisure, and Housing.
- **Health and Adult Services** including Public Health, Prevention and Service Development.
- **Corporate Services** including Locality Working and Structures, Stronger Communities, Policy and Performance, Refugee and Asylum issues, Community safety including CCTV, Legal and Democratic Services, Members Support, Elections, Customer Contact, Community Networks and Parish Liaison, Locality Budgets, NYLAF & Household Support and Gypsy and Traveller issues.
- **Managing our Environment** covering Natural Capital, which includes Climate Change, Carbon Reduction and Biodiversity, Waste Collection and Disposal, Regulatory Services which includes Environmental Health, Trading Standards and Licensing, Bereavement Services, Registrars and Coroners.

There is not expected to be any changes to the portfolios in the near future.

On average, the Executive formally meets 16 times a year, as well as additional informal meetings. There were 92 Executive reports in the 2023/24 financial year.

		<p>The Council's Executive arrangements delegate decision making to individual Executive members on Executive functions that sit within their portfolio. Before taking decisions within their delegated authority, individual Executive Members will seek advice from relevant Officers.</p> <p>Quarterly performance and finance reports are presented to Executive to scrutinise. Council strategies are also approved by the Executive, with those listed on the Policy Framework also required to be approved by Full Council.</p> <p>The current financial threshold for key decisions is £500,000 or 20% of the gross expenditure of the relevant budget service area, whichever is less.</p>
<p>Delegated Responsibilities</p>	<p><i>Key lines of explanation</i></p>	<ul style="list-style-type: none"> ➤ <i>What responsibilities will be delegated to officers or committees?</i> ➤ <i>How many councillors will be involved in taking major decisions?</i>
	<p>Analysis</p>	<p>The Council's Executive arrangements delegate decision making to individual Executive members on Executive functions that sit within their portfolio. Before taking decisions within their delegated authority, individual Executive Members will seek advice from the relevant Directors and Officers. This approach allows for decisions to be made quickly.</p> <p>A total of 890 Executive Member decisions were made in the 2023/24 financial year. These are the decisions that were approved (rather than those that are still awaiting implementation or were withdrawn). The number is high as Executive Members also have powers to approve Councillor Locality Budget grant recommendations.</p> <p>Executive Members regularly attend meetings with Corporate Directors and other lead officers within their respective portfolios.</p> <p>Individual Executive Members with decision making powers may delegate decisions to Area Constituency Committees, or to Officers.</p> <p>Non- Executive functions are delegated by the council to committees and Officers.</p> <p>Committee Structure</p> <p>The table below outlines the expected number of committees and attendances per year. It is estimated that:</p> <ul style="list-style-type: none"> • 510 positions (figures may change)

		<ul style="list-style-type: none"> Average 5.7 seats per councillor (figures may change) <p>Given the large geography of the council, there is a need for some decision making to locality based and there must, therefore, be enough councillors to ensure appropriate representation at a locality level. It was recognised that there are currently no plans to significantly alter the approach to committees, and that arrangements have generally worked well since vesting day of the new authority.</p> <p>Members have also been appointed to outside bodies and key partnerships. For example, Humber and North Yorkshire Health and Care Partnership, County Council Network, and Local Government Association.</p>
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Committee	No. of seats	No. of meetings	Overall resource
Full Council	90	4	360
Executive and Portfolios			
Executive	10	16	160
Scrutiny			
Audit Committee	10	6	60
Care and Independence and Housing Overview and Scrutiny Committee	16	4	64
Children and Families Overview and Scrutiny Committee	16	4	64
Corporate and Partnerships Overview and Scrutiny Committee	16	4	64
North Yorkshire Health and Wellbeing Board	3	6	18
Scrutiny of Health Committee	16	4	64
Housing and Leisure Overview and Scrutiny Committee	16	4	64
Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee	16	4	64
Regulatory, Licensing, Planning			
General Licensing and Registration Committee	25	6	150
General Licensing and Registration Sub-Committee	3	ad hoc	
Statutory Licensing Committee	15	3	45
Statutory Licensing Sub-Committee	3	ad hoc	
Strategic Planning Committee	15	12	180
Harrogate and Knaresborough Area Constituency planning Committee	7	12	84
Skipton and Ripon Area Constituency Planning Committee	7	12	84

Richmond (Yorks) Area Constituency Planning Committee	7	12	84
Selby and Ainsty Area Constituency Planning Committee	7	12	84
Thirsk and Malton Area Constituency Planning Committee	7	12	84
Scarborough and Whitby Area Constituency Planning Committee	7	12	84
Development Plan Committee	22	ad hoc	
Community Engagement			
Harrogate and Knaresborough Area Constituency Committee	13	5	65
Richmond (Yorks) Area Constituency Committee	16	5	80
Scarborough and Whitby Area Constituency Committee	15	5	75
Selby and Ainsty Area Constituency Committee	16	5	80
Skipton and Ripon Area Constituency Committee	15	5	75
Thirsk and Malton Area Constituency Committee	15	5	75
North Yorkshire Local Access Forum (Duplicated also covered under Outside Bodies)	2	3	6
Other			
Appeals Committee (Homes to School Transport)	5	14	70
Chief Officers Appointments and Disciplinary Committee	10	ad hoc	
Chief Officers Appointments and Disciplinary Sub-Committee	10	ad hoc	
Children's and Young People's Service- Executive Members and Corporate Director Meetings	2	12	24
Community Development Directorate- Executive Members and Corporate Director Meetings	2	12	24
Corporate Services- Executive Members and Corporate Director Meetings	3	weekly	
Employment Appeals Committee	5	ad hoc	
Environment Directorate- Corporate Director and Executive Member for managing our Environment	1	12	12
Environment Directorate- Corporate Director and Executive Member- Highways and Transport	1	12	12

Environment Directorate- Corporate Director and Executive Member- Open to Business	1	12	12
Health and Adult Services- Executive Members and Corporate Director Meetings	1	12	12
North Yorkshire Standing Advisory Council on Religious Education (SACRE)	5	4	20
Pension Fund Committee	10	5	50
Shareholder Committee	3	3	9
Standards and Governance Committee	10	3	30
The Charter Trustees for Harrogate	9	ad hoc	
The Charter Trustees for Scarborough	6	ad hoc	
North Yorkshire Council Committees Total	510	283	2,592* (Not including ad hoc Committees)
Key Partnerships			
York and North Yorkshire Combined Authority	2	TBC	
North Yorkshire Health and Wellbeing Board (duplicated from scrutiny section)	3	6	18
Humber and North Yorkshire Health and Care Partnership			
Humber and North Yorkshire Integrated Care Board (ICB)			
North Yorkshire Police, Fire and Crime Panel	7		
Outside Bodies (may be subject to change)			
County Councils Network (CCN)	4	X	
Local Government Association (LGA)	4	X	
North York Moors National Park Authority	9	X	
Yorkshire Dales National Park Authority	10	X	
Other outside Bodies (including Partner and Local Bodies)	177		
Outside Bodies Total	204		

*Estimated number of meetings per year

Accountability

Give the Commission details as to how the authority and its decision makers and partners will be held to account. The Commission is interested in both the internal and external dimensions of this role. **Responses should demonstrate that alternative council sizes have been explored.**

Topic	
Internal Scrutiny	The scrutiny function of authorities has changed considerably. Some use theme or task-and-finish groups, for example, and

	<p>others have a committee system. Scrutiny arrangements may also be affected by the officer support available.</p>
<p>Key lines of explanation</p>	<ul style="list-style-type: none"> ➤ <i>How will decision makers be held to account?</i> ➤ <i>How many committees will be required? And what will their functions be?</i> ➤ <i>How many task and finish groups will there be? And what will their functions be? What time commitment will be involved for members? And how often will meetings take place?</i> ➤ <i>How many members will be required to fulfil these positions?</i> ➤ <i>Explain why you have increased, decreased, or not changed the number of scrutiny committees in the authority.</i> ➤ <i>Explain the reasoning behind the number of members per committee in terms of adding value.</i>
<p>Analysis</p>	<p>The council has six Overview and Scrutiny Committees to review and scrutinise decision- making and the performance of the council.</p> <p>Overview and Scrutiny Committees: (see table above for the time commitment required for each committee)</p> <ul style="list-style-type: none"> • Care and Independence Overview and Scrutiny Committee: (16 Members) • Corporate and Partnerships Overview and Scrutiny Committee (16 Members) • Scrutiny of Health Committee (16 Members) • Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee (16 Members) • Children and Families Overview and Scrutiny Committee (16 Members) • Housing and Leisure Overview and Scrutiny Committee (16 Members) <p>There are 16 members per scrutiny committee. This ensures there is political balance, as well as a range of debate and views to be expressed.</p> <p>The Transition (LGR) Overview and Scrutiny Committee formally ceased as of the 15 May 2024 Council meeting and any outstanding work was re-allocated, in liaison with Scrutiny Board, to the other Overview and Scrutiny committees (with the exception of matters relating to leisure). A new Housing and Leisure Overview and Scrutiny Committee of 16 politically balanced Members was created.</p> <p>Any Overview and Scrutiny Committee may appoint one or more sub-committees or task groups either on a standing basis or for a particular purpose or time.</p> <p>The council also has a Scrutiny Board which comprises of chairs from the six Overview and Scrutiny Committees.</p>

		Three Members sit on the North Yorkshire Health and Wellbeing Board.
Statutory Function		This includes planning, licencing and any other regulatory responsibilities. Consider under each of the headings the extent to which decisions will be delegated to officers. How many members will be required to fulfil the statutory requirements of the council?
Planning	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>What proportion of planning applications will be determined by members?</i> ➤ <i>Has this changed in the last few years? And are further changes anticipated?</i> ➤ <i>Will there be area planning committees? Or a single council-wide committee?</i> ➤ <i>Will executive members serve on the planning committees?</i> ➤ <i>What will be the time commitment to the planning committee for members?</i>
	Analysis	<p>Prior to April 2023, the council was only responsible for county matter planning applications (including minerals and waste), now the council is also responsible for all planning decisions including major, minor and other decisions.</p> <p>A small percentage of planning decisions delegated to Members for determination.</p> <p>There is a countywide Strategic Planning Committee with 15 members. See table above for number of meetings and time commitment for Members.</p> <p>There are six Area Constituency Planning Committees: (each committee has 7 Members).</p> <ul style="list-style-type: none"> • Harrogate and Knaresborough Area Constituency Planning Committee, • Skipton and Ripon, • Richmond (Yorks), • Selby and Ainsty, • Thirsk and Malton, • Scarborough and Whitby. <p>Each Area Constituency Planning Committee has 12 meetings per year. The length of these meeting depends on the items on the agenda.</p> <p>Currently some of the Executive Members do serve on planning committees.</p> <p>The Development Plan Committee meets on an ad hoc basis. The role of the committee is to act as the main sounding board for the preparation of the Local Plan/ Development Plan Documents, except Neighbourhood Plans.</p>

		North York Moors National Park and Yorkshire Dales National Park are also planning authorities in North Yorkshire and make decisions on planning in their areas.
Licensing	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>How many licencing panels will the council have in the average year?</i> ➤ <i>And what will be the time commitment for members?</i> ➤ <i>Will there be standing licencing panels, or will they be ad-hoc?</i> ➤ <i>Will there be core members and regular attendees, or will different members serve on them?</i>
	Analysis	<ul style="list-style-type: none"> • The General Licensing and Registration Committee comprises 25 Members of the Council. Of the 25 Members, 15 of those Members will comprise the membership of the Statutory Licensing Committee. • The Statutory Licensing Sub-Committee meets on an ad hoc basis and comprises of 3 Members. • The General Licensing and Registration Sub- Committee meets on an ad hoc basis and is comprised of 3 Members. • The General Licensing and Registration Committee shall have a list of named substitute Members. Those named substitutes can also be appointed to the General Licensing and Registration Sub-Committees. Substitutes must have received licensing training prior to sitting on the Committee. • The appointment of substitute Members to the Statutory Licensing Committee is not permitted and any Sub-Committee Members must be appointed from the Statutory Licensing Committee Membership. <p>See table above for information on number of Councillors, number of meetings and time commitments.</p>
Other Regulatory Bodies	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>What will they be, and how many members will they require?</i> ➤ <i>Explain the number and membership of your Regulatory Committees with respect to greater delegation to officers.</i>
	Analysis	<p>The following regulatory bodies support Council business:</p> <ul style="list-style-type: none"> • Audit Committee: 10 Members, as well as substitute Members • Standards and Governance Committee: 10 Members • Appeals Committee (Homes to School Transport): 5 Members, as well as substitute Members • Employment Appeals Committee: 5 Members, as well as additional substitutes. <i>A group of about 12 Members should develop particular expertise and experience on appeals matters, but only five Members should sit on the committee at any one time. It is intended, therefore, that the Substitution Scheme should be used to vary membership of the committee in order to ensure that the expertise and experience of all Members of the committee, including all Substitute Members, is developed.</i> • Chief Officers Appointments and Disciplinary Committee: 10 Members • Chief Officers Appointments Sub- Committee: 10 Members

		<ul style="list-style-type: none"> • Pension Fund Committee: 10 Members • Shareholder Committee: 3 Members • North Yorkshire Standing Advisory Council on Religious Education (SACRE): 5 Members <p>Information on the number of meetings can be found in the table above.</p>
External Partnerships		Service delivery has changed for councils over time, and many authorities now have a range of delivery partners to work with and hold to account.
<i>Key lines of explanation</i>		<ul style="list-style-type: none"> ➤ <i>Will council members serve on decision-making partnerships, sub-regional, regional or national bodies? In doing so, are they able to take decisions/make commitments on behalf of the council?</i> ➤ <i>How many councillors will be involved in this activity? And what is their expected workload? What proportion of this work is undertaken by portfolio holders?</i> ➤ <i>What other external bodies will members be involved in? And what is the anticipated workload?</i>
Analysis		<p>Councillors are appointed to the boards of a number of outside bodies, whether this be due to statutory requirement or upon request of the outside body.</p> <p>There are currently 111 Outside Bodies that Members are appointed to (see table above). Some of these bodies have multiple Members appointed to them (204 seats in total). The average number of appointments to an outside body per councillor is 2.29. There is a varying level of time commitments depending which Outside Bodies a Member is appointed to.</p> <p>The list of outside bodies is constantly under review and may be subject to change.</p> <p>Both the Leader and Deputy of North Yorkshire Council are Members of York and North Yorkshire Combined Authority. The Leader and some of the Executive Members will need to work closely with the MCA but it is not envisaged that this will lead to a significant increase in workload at this time.</p>

Community Leadership

The Commission understands that there is no single approach to community leadership and that members represent, and provide leadership to, their communities in different ways. The Commission wants to know how members are required to provide effective community leadership and what support the council offers them in this role. For example, does the authority have a defined role and performance system for its elected members? And what support networks are available within the council to help members in their duties? The Commission also wants to see a consideration of **how the use of technology and social media by the council as a whole, and**

by councillors individually, will affect casework, community engagement and local democratic representation. Responses should demonstrate that alternative council sizes have been explored.

Topic		Description
Community Leadership	Key lines of explanation	<ul style="list-style-type: none"> ➤ <i>In general terms how do councillors carry out their representational role with electors?</i> ➤ <i>Does the council have area committees and what are their powers?</i> ➤ <i>How do councillors seek to engage with their constituents? Do they hold surgeries, send newsletters, hold public meetings or maintain blogs?</i> ➤ <i>Are there any mechanisms in place that help councillors interact with young people, those not on the electoral register, and/or other minority groups and their representative bodies?</i> ➤ <i>Are councillors expected to attend community meetings, such as parish or resident's association meetings? If so, what is their level of involvement and what roles do they play?</i> ➤ <i>Explain your approach to the Area Governance structure. Is your Area Governance a decision-making forum or an advisory board? What is their relationship with locally elected members and Community bodies such as Town and Parish Councils? Looking forward how could they be improved to enhance decision-making?</i>
	Analysis	<p>Members said the main way they represent and engage with their electorate is through face-to-face interactions such as public meetings for example, Parish and Town Council meetings, community groups, and resident/ tenants' meetings. Due to the size of the county this does mean a lot of time is spent traveling.</p> <p>Members said that social media is a key platform for engaging with the electorate, especially the younger demographic. For example, by replying to comments on social media.</p> <p>All Members are part of one of the 6 Area Constituency Committees:</p> <ul style="list-style-type: none"> • Harrogate and Knaresborough Area Constituency Committee (13 Members) • Richmond (Yorks) Area Constituency Committee (16 Members) • Scarborough and Whitby Area Constituency Committee (15 Members) • Selby and Ainsty (16 Members) • Skipton and Ripon (15 Members) • Thirsk and Malton (15 Members) <p>Area Constituency Committees oversee and champion local areas, provide a forum for local issues to be raised, empower and enable delivery of Community Area Action Plans and other local priorities, and hold Division and Executive Members to account.</p>

		<p>Decisions may also be delegated to Area Constituency Committees.</p> <p>The geographies of Area Constituency Committees may change, however, it is not anticipated that any changes to the geographies will directly result in an increase in the workload of Councillors.</p> <p>North Yorkshire has 731 Parishes, with Members regularly attending Parish and Town Council meetings. The number of meetings Members attend depends on individual councillors and the Electoral Division they represent, some attend multiple a week and for a few hours a night. The more rural divisions can have extremely sparse populations, but small settlements can increase the number of individual community meetings that a member is expected to attend. Parish council meetings, in particular, can be extremely time consuming, with some Members associated with 15+ parishes. Meetings can often be on the same evenings, making it logistically impossible to attend all. The involvement of Members in these meetings varies, from providing updates on issues within their divisions, to being a point of contact for North Yorkshire Council.</p> <p>The council has set up five Community Partnerships to bring together local councillors, public sector agencies, communities and businesses to get things done in their local area. This model is currently being trialled, with the aim of rolling it out across North Yorkshire.</p> <p>The council also has eight Member Champions. Member Champions are elected Members who act as an advocate/ spokesperson for a specific area of the Council's business. The main responsibility of each Champion is to encourage communication and positive action over the issue they represent. There are currently Member's Champions for:</p> <ul style="list-style-type: none"> • Young People • Older people • Climate change • Armed Forces • Digital • Flooding • Cycling/ Active Travel • Road Safety
<p>Casework</p>	<p><i>Key lines of explanation</i></p>	<p>➤ <i>How do councillors deal with their casework? Do they pass it on to council officers? Or do they take a more in-depth approach to resolving issues?</i></p> <p>➤ <i>What support do members receive?</i></p> <p>➤ <i>How has technology influenced the way in which councillors work? And interact with their electorate?</i></p>

		<p>➤ <i>In what ways does the council promote service users' engagement/dispute resolution with service providers and managers rather than through councillors?</i></p>
	<p>Analysis</p>	<p>Members are expected to undertake casework as part of their overall duties as a councillor.</p> <p>Members sometimes contact Council officers for further information on a particular subject, or the relevant Executive Member, Committee chair or their political groups.</p> <p>Members do not receive any direct day-to-day support from Democratic Services on their casework. As part of the establishment of the new Council, work is underway to review the support that Members need as they go about their business in their Electoral Divisions. Part of this includes training and development opportunities.</p> <p>Members explained that while newsletters were historically used for interacting with residents, most communication is now online, including communication with Parish Councils. There has also been an increase in communication via email. Members also said that local elections were now promoted more through social media, which will continue going forward. However, Members said that the use of digital platforms and social media has not reduced their workload, as most meetings, events, activities still take place face to face. Currently, managing and maintaining social media platforms also creates additional work, however, long-term this has benefits in reaching larger numbers of people.</p> <p>The Council has a one front door approach to customer service. Customers access support and services via one telephone number, one website, one customer service team, customer queries are then dealt with by the relevant Officer.</p>

Other Issues

Respondent may use this space to bring any other issues of relevance to the attention of the Commission.

The Remuneration panel recommended a pay allowance increase for councillors, this shows that councillors are working effectively and efficiently. Therefore, reducing the number of councillors would be a contradictory message.

Summary

In following this template respondents should have been able to provide the Commission with a robust and well-evidenced case for their proposed council size; one which gives a clear explanation as to the governance arrangements and number of councillors required to represent the authority in the future.

Use this space to summarise the proposals and indicate other options considered. Explain why these alternatives were not appropriate in terms of their ability to deliver effective Strategic Leadership, Accountability (Scrutiny, Regulation and Partnerships), and Community Leadership.

North Yorkshire Council proposes that number of councillors is 89.

The following evidence supports this:

- The large geography of North Yorkshire and the rural nature of the county. 35% of the population live in either super sparse or sparse areas of North Yorkshire. This accounts for 98% of the area of the authority. Sparsely and super-sparsely populated communities present a challenge in terms of inclusion and community sustainability, as well as service delivery. Therefore, there is a need for some decision making to be locality based and there must, therefore, be enough councillors to ensure appropriate representation at a locality level. It was recognised that there are currently no plans to significantly alter the approach to committees, and that arrangements have generally worked well since vesting day of the new authority.
- In North Yorkshire the average number of electors per councillor is 5,374. North Yorkshire compares favourably in comparison to other large rural Unitary Authorities. Cornwall has a ratio of 4,994 registered electors per councillor. Cumberland, another new unitary has a ratio of 4,569 registered electors per councillor. In general terms County Councils have higher levels of electors per Councillor. The average number of registered electorate per councillor for County Councils and Unitary Authorities is 4,852.
- The workload of councillors has not reduced, for most councillors this is a full-time commitment, and they do not have time to have other full-time jobs. The Remuneration panel recommended an increased pay allowance for the councillors, this shows that people are working effectively and efficiently, therefore, significantly reducing the number of councillors would be a contradictory message. The Leader and Executive members have significant time commitments and are part of the day-to-day functioning of the Council.
- The varied geography means that some more urban divisions are small in area, but with significant amounts of casework around regeneration, development and transport. Conversely, the more rural divisions can have extremely sparse populations, but small settlements can increase the number of individual community meetings that a member is expected to attend. Parish council meetings, in particular, can be extremely time consuming, with some Members associated with 15+ parishes. Meetings can often be on the same evenings, making it logistically impossible to attend all.
- Members also provide local leadership and sit on Area Constituency Committees, Community Partnerships as well as community groups. Councillors are also appointed to a number of Outside Bodies, with the time commitment varying from Councillor to Councillor.

The Member Working Group considered a range of possible numbers of councillors, ranging from significant reductions to significant increases.

It was concluded that a large reduction in the number of Councillors would:

- Risk increasing the workload beyond a reasonable amount. This could create a barrier for any potential candidate from maintaining employment alongside being a councillor, which might reduce the opportunities for younger people to stand for

elected office. It was also noted that creating a larger workload could prevent those with caring responsibilities from balancing the different responsibilities.

- Create much larger divisions. This would be problematic for sparsely-populated rural areas, as to achieve electoral equality, the geographical area would need to be huge, and this wouldn't be conducive to Members being visible and available to communities. It could make it logistically impossible to attend face-to-face meetings given the travel time required.
- Save money from Member allowances and expenses, but that these savings would likely be reduced by the need for greater officer support to deal with casework and the increased workload in general.

It was concluded that a large increase in the number of Councillors would:

- Significantly increase the costs of Member allowances and expenses.
- Run counter to the principles of the LGR Case for Change, providing reduced efficiency. At a time where residents are struggling with the Cost of living and local government is under increasing financial pressure, and the Council is already undertaking a programme of transformation to help make savings and efficiencies, it is not the time to increase number of councillors significantly which would result in paying additional allowances to new Members.
- Risk creating more Members than are needed for the operations of the authority, with the possibility of less agility in decision-making and more challenge in reaching consensus on issues.

However, a small reduction in the number of Councillors from 90 to 89 would:

- Have limited impact on workload or division sizes overall.
- Would marginally reduce costs from Member allowances and expenses.

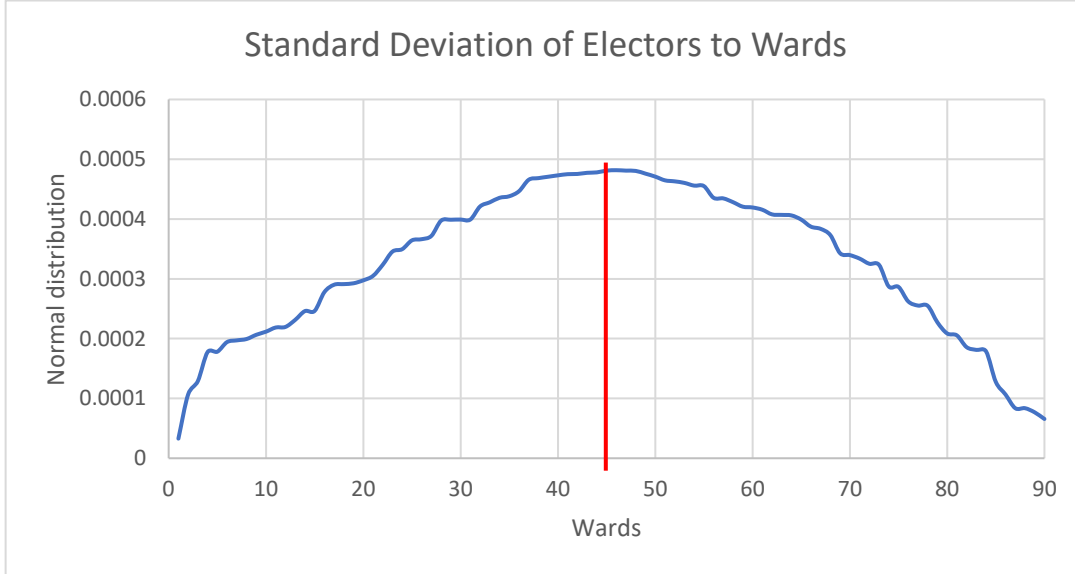
Therefore, a council size of 89 councillors in the future would ensure that there is fair representation for the electorate in North Yorkshire and allow councillors to continue to undertake effective decision making, scrutinise decisions and provide effective community leadership.

Number of Registered Electors per Councillor

Ward Name	No. of Registered Electors	No. of Councillors	Registered Electors per Councillor	Variance from average ratio (5364 electors)
Wathvale & Bishop Monkton	7283	1	7,283	35.78%
Sherburn In Elmet	6802	1	6,802	26.81%
Monk Fryston & South Milford	6708	1	6,708	25.06%
Boroughbridge & Claro	6534	1	6,534	21.81%
High Harrogate & Kingsley	6532	1	6,532	21.77%
Harlow & St Georges	6480	1	6,480	20.81%
Knaresborough East	6471	1	6,471	20.64%
Killinghall, Hampsthwaite & Saltergate	6464	1	6,464	20.51%
Richmond	6442	1	6,442	20.10%
Ripon Ure Bank & Spa	6426	1	6,426	19.80%
North Richmondshire	6405	1	6,405	19.41%
Knaresborough West	6402	1	6,402	19.35%
Ripon Minster & Moorside	6367	1	6,367	18.70%
Sowerby & Topcliffe	6324	1	6,324	17.90%
Oatlands & Pannal	6323	1	6,323	17.88%
Falsgrave & Stepney	6233	1	6,233	16.20%
Pickering	6198	1	6,198	15.55%
Valley Gardens & Central Harrogate	6195	1	6,195	15.49%
Bentham & Ingleton	6191	1	6,191	15.42%
Masham & Fountains	6177	1	6,177	15.16%
Glusburn, Cross Hills & Sutton-in-Craven	6156	1	6,156	14.77%
Stray, Woodlands & Hookstone	6103	1	6,103	13.78%
Fairfax & Starbeck	6039	1	6,039	12.58%
Norton	6027	1	6,027	12.36%
Whitby West	5983	1	5,983	11.54%
Hipswell & Colburn	5977	1	5,977	11.43%
Weaponness & Ramshill	5960	1	5,960	11.11%
Filey	5878	1	5,878	9.58%
Bilton & Nidd Gorge	5873	1	5,873	9.49%
Bilton Grange & New Park	5872	1	5,872	9.47%
Coppice Valley & Duchy	5872	1	5,872	9.47%
Tadcaster	5794	1	5,794	8.02%
Thornton Dale & Wolds	5767	1	5,767	7.51%
Selby East	5736	1	5,736	6.94%
Easingwold	5725	1	5,725	6.73%
Skipton East & South	5687	1	5,687	6.02%
Sheriff Hutton & Derwent	5580	1	5,580	4.03%

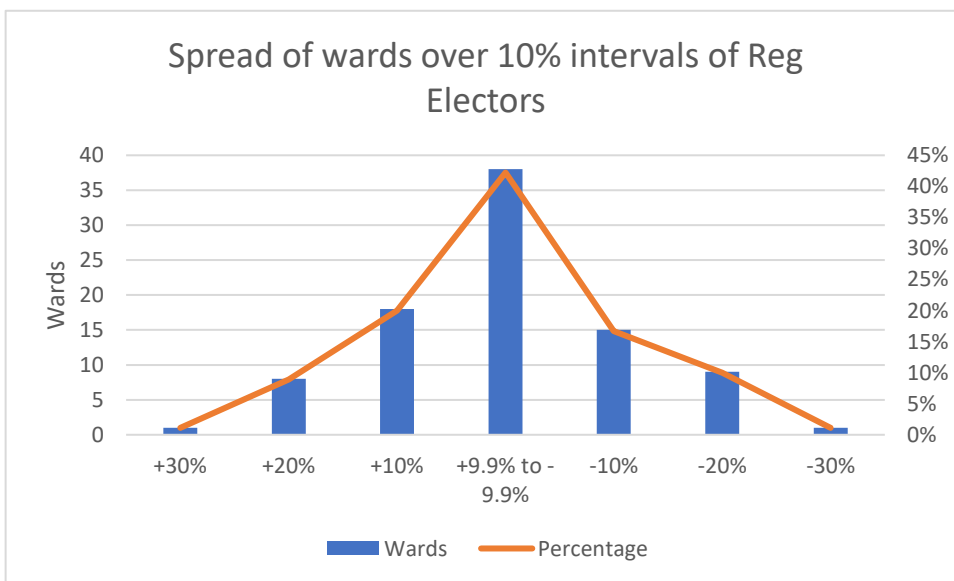
Thirsk	5560	1	5,560	3.65%
Northallerton North & Brompton	5542	1	5,542	3.32%
Huby & Tollerton	5522	1	5,522	2.95%
Esk Valley & Coast	5503	1	5,503	2.59%
Hillside & Raskelf	5499	1	5,499	2.52%
Northstead	5477	1	5,477	2.11%
Castle	5467	1	5,467	1.92%
Kirkbymoorside & Dales	5411	1	5,411	0.88%
Washburn & Birstwith	5350	1	5,350	-0.26%
Thorpe Willoughby & Hambleton	5317	1	5,317	-0.88%
Morton-on-Swale & Appleton Wiske	5304	1	5,304	-1.12%
Spofoforth with Lower Wharfedale & Tockwith	5235	1	5,235	-2.40%
Woodlands	5188	1	5,188	-3.28%
Bedale	5142	1	5,142	-4.14%
Stokesley	5131	1	5,131	-4.34%
Hunmanby & Sherburn	5115	1	5,115	-4.64%
Northallerton South	5089	1	5,089	-5.13%
Hutton Rudby & Osmotherley	5085	1	5,085	-5.20%
Aire Valley	4992	1	4,992	-6.94%
Eastfield	4988	1	4,988	-7.01%
Brayton & Barlow	4962	1	4,962	-7.49%
Osgoldcross	4933	1	4,933	-8.04%
Malton	4928	1	4,928	-8.13%
Appleton Roebuck & Church Fenton	4914	1	4,914	-8.39%
Newby	4886	1	4,886	-8.91%
Catterick Village & Brompton-on-Swale	4883	1	4,883	-8.97%
Camblesforth & Carlton	4880	1	4,880	-9.02%
Romanby	4856	1	4,856	-9.47%
Skipton North & Embsay-with-Eastby	4817	1	4,817	-10.20%
Skipton West & West Craven	4805	1	4,805	-10.42%
Scalby & the Coast	4772	1	4,772	-11.04%
Ouseburn	4681	1	4,681	-12.73%
Aiskew & Leeming	4672	1	4,672	-12.90%
Leyburn & Middleham	4655	1	4,655	-13.22%
Settle & Penyghent	4630	1	4,630	-13.68%
Barlby & Riccall	4625	1	4,625	-13.78%
Great Ayton	4522	1	4,522	-15.70%
Upper Dales	4520	1	4,520	-15.73%
Cliffe & North Duffield	4451	1	4,451	-17.02%
Pateley Bridge & Nidderdale	4431	1	4,431	-17.39%
Cawood & Escrick	4430	1	4,430	-17.41%
Scotton & Lower Wensleydale	4349	1	4,349	-18.92%
Amotherby & Ampleforth	4293	1	4,293	-19.97%
Mid Craven	4283	1	4,283	-20.15%
Whitby Streonshalh	4221	1	4,221	-21.31%

Helmsley & Sinnington	4206	1	4,206	-21.59%
Derwent Valley & Moor	4198	1	4,198	-21.74%
Wharfedale	4015	1	4,015	-25.15%
Danby & Mulgrave	3926	1	3,926	-26.81%
Selby West	7631	1	3,815	-28.88%
Seamer	3777	1	3,777	-29.59%
Cayton	3711	1	3,711	-30.82%



The above chart is the standard deviation profile of electors to wards. Ranging from 7283 to 3711 electors per councillor, the spread of councillors conforms to the normal distribution with the majority of wards (51) falling within 1 standard deviation of the mean of 5364.

The second graph below shows the spread of wards over 10% intervals. There are only 2 wards that are +/- 30% of the mean. Wathvale & Bishop Monkton with 7283 electors and Cayton with 3711 electors



Annex 2

Number of Registered Electors per Councillor (2023)


Type	County/ Unitary council	Control	Councillors	Reg Electors 2023	Reg Electors per Councillor
County	Essex	Leader and cabinet	75	1121312	14951
County	Kent	Leader and cabinet	81	1142773	14108
County	Hampshire	Leader and cabinet	78	1059798	13587
County	Hertfordshire	Leader and cabinet	78	874716	11214
County	Lancashire	Leader and cabinet	84	917889	10927
County	Surrey	Leader and cabinet	81	882083	10890
County	Staffordshire	Leader and cabinet	62	667255	10762
County	Devon	Leader and cabinet	60	625899	10432
County	Leicestershire	Leader and cabinet	55	540229	9822
County	Derbyshire	Leader and cabinet	64	621113	9705
County	West Sussex	Leader and cabinet	70	667422	9535
County	Nottinghamshire	Leader and cabinet	66	623229	9443
County	Gloucestershire	Leader and cabinet	53	492714	9296
County	Norfolk	Leader and cabinet	84	707333	8421

County	East Sussex	Leader and cabinet	50	420170	8403
County	Oxfordshire	Leader and cabinet	63	524639	8328
County	Lincolnshire	Leader and cabinet	70	571092	8158
County	Cambridgeshire	Leader and cabinet	61	493444	8089
County	Worcestershire	Leader and cabinet	57	459044	8053
County	Warwickshire	Leader and cabinet	57	448861	7875
County	Suffolk	Leader and cabinet	75	577667	7702
Unitary	North Yorkshire	Leader and cabinet	90	483617	5374
Unitary	Cornwall	Leader and cabinet	87	434438	4994
Unitary	Bristol	Mayor and cabinet	70	323581	4623
Unitary	Cumberland	Leader and cabinet	46	210172	4569
Unitary	Leicester	Mayor and cabinet	54	244503	4528
Unitary	Stoke-on-Trent		44	177791	4041
Unitary	Somerset		110	444093	4037
Unitary	East Riding of Yorkshire		67	269767	4026
Unitary	Bournemouth, Christchurch and Poole		76	297295	3912
Unitary	Wiltshire		98	382258	3901
Unitary	Cheshire East	Committee system	82	312765	3814
Unitary	Northumberland	Leader and cabinet	67	252806	3773

Unitary	Cheshire West and Chester	Leader and cabinet	70	263663	3767
Unitary	Brighton & Hove		54	199015	3685
Unitary	Nottingham		55	199796	3633
Unitary	Dorset		82	295142	3599
Unitary	Central Bedfordshire		63	223722	3551
Unitary	Milton Keynes		57	202030	3544
Unitary	Derby		51	179841	3526
Unitary	Portsmouth		42	147377	3509
Unitary	Medway		59	206075	3493
Unitary	Plymouth		57	196496	3447
Unitary	North Northamptonshire	Leader and cabinet	78	268606	3444
Unitary	Shropshire	Leader and cabinet	74	249845	3376
Unitary	Bedford	Mayor and cabinet	40	134042	3351
Unitary	North Somerset		50	166913	3338
Unitary	York		47	152989	3255
Unitary	West Northamptonshire	Leader and cabinet	93	298873	3214
Unitary	Kingston upon Hull		57	181905	3191
Unitary	Southampton		51	161079	3158
Unitary	South Gloucestershire		70	219311	3133
Unitary	Durham	Leader and cabinet	126	388130	3080
Unitary	Luton		48	146681	3056
Unitary	North Lincolnshire		43	130239	3029
Unitary	Swindon		57	166451	2920
Unitary	Torbay		36	103231	2868
Unitary	Isle of Wight	Leader and cabinet	39	110328	2829
Unitary	Buckinghamshire	Leader and cabinet	147	415196	2824
Unitary	West Berkshire		43	120232	2796
Unitary	Herefordshire		53	147935	2791
Unitary	North East Lincolnshire		42	116840	2782

Unitary	Warrington	Leader and cabinet	58	160602	2769
Unitary	Westmorland and Furness	Leader and cabinet	65	176452	2715
Unitary	Windsor and Maidenhead		41	109549	2672
Unitary	Stockton-on-Tees		56	143732	2567
Unitary	Southend-on-Sea		51	130094	2551
Unitary	Thurrock		49	122656	2503
Unitary	Telford and Wrekin		54	133544	2473
Unitary	Wokingham		54	132197	2448
Unitary	Reading		48	117436	2447
Unitary	Blackpool	Leader and cabinet	42	102360	2437
Unitary	Peterborough		60	144408	2407
Unitary	Slough		42	100940	2403
Unitary	Bath and North East Somerset		59	136962	2321
Unitary	Bracknell Forest		41	91938	2242
Unitary	Middlesbrough	Mayor and cabinet	46	98612	2144
Unitary	Blackburn with Darwen	Leader and cabinet	51	103989	2039
Unitary	Hartlepool		36	70434	1957
Unitary	Halton	Leader and cabinet	54	94340	1747
Unitary	Redcar & Cleveland		59	101720	1724
Unitary	Darlington		50	79641	1593
Unitary	Rutland		27	29768	1103
				Average	4852
				Median	3493

Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Local Engagement		
Service area	Strategy and Performance		
Proposal being screened	Boundary Review		
Officer(s) carrying out screening	Will Boardman		
What are you proposing to do?	The recommendation is to submit a proposal of 89 members as the council's size from May 2027. This is a reduction of one member of the council. The Boundary Commission will consider this and consult on options for boundaries.		
Why are you proposing this? What are the desired outcomes?	A Boundary Review is required to improve electoral equality and was agreed as part of LGR. The desired outcome is an efficient democratic structure for the council, with each member representing a broadly equal number of electors. This specific decision is to submit a proposal for 89 councillors, a reduction of one councillor.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYC's additional agreed characteristics			
As part of this assessment, please consider the following questions:			
<ul style="list-style-type: none"> To what extent is this service used by particular groups of people with protected characteristics? Does the proposal relate to functions that previous consultation has identified as important? Do different groups have different needs or experiences in the area the proposal relates to? 			
If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your directorate representative for advice if you are in any doubt.			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	
Pregnancy or maternity		X	
Marriage or civil partnership		X	
People in rural areas		X	
People on a low income		X	
Carer (unpaid family or friend)		X	
Are from the Armed Forces Community		X	
Does the proposal relate to an area where there are known inequalities/probable impacts (for example, disabled people's access to public transport)? Please give details.	No. During the development of the proposal, it was recognised that a significant decrease in the number of councillors could impact on the workload and therefore the ability of people to be a councillor whilst also undertaking caring responsibilities. This could have		

	impacted on carers. Women are disproportionately more likely to be carers. However, a reduction of 1 councillor will not alter the workload of members in any meaningful way.			
Will the proposal have a significant effect on how other organisations operate? (for example, partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	The proposal of 89 members will not significantly change the way the council operates.			
Decision (Please tick one option)	EIA not relevant or proportionate:	✓	Continue to full EIA:	
Reason for decision	There is no identified impact of the proposals on any of the protected characteristics.			
Signed (Assistant Director or equivalent)				
Date	25/06/24			

Initial Climate Change Impact Assessment (Form created August 2021)

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

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

Title of proposal	Boundary Review – submission of proposed Council Size and Electorate Forecast
Brief description of proposal	The recommendation is to submit a proposal of 89 members as the council's size from May 2027. This is a reduction of one member of the council. The Boundary Commission will consider this and consult on options for boundaries.
Directorate	Local Engagement
Service area	Strategy and Performance
Lead officer	Will Boardman
Names and roles of other people involved in carrying out the impact assessment	


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

Remember to think about the following:

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

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

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

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	X	Continue to full CCIA:	
Reason for decision	<p>The potential outcome of one fewer councillors will not make a significant difference to emissions or the ability of the council to influence climate action. The main impact considered was the potential for fewer members to have to travel further to cover local community meetings, increasing emissions. However, this would be offset by the reduction in the number of members travelling to council meetings, so it is likely to have a minimal (and currently unquantifiable) impact.</p> <p>For that reason, it is not relevant or proportionate to carry out a full CCIA.</p>			
Signed (Assistant Director or equivalent)				
Date	25/06/2024			

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North Yorkshire Council

Executive

9 July 2024

Proposed Changes to the Constitution for recommendation to full Council

Report of the Assistant Chief Executive Legal and Democratic Services

1.0 PURPOSE OF REPORT

- 1.1 To present to the Executive, for reporting back to full Council for information, amendments to the Constitution made by the Assistant Chief Executive Legal and Democratic Services under his delegated powers.
- 1.2 To present to the Executive, for recommendation to full Council for approval, proposed amendments to the Constitution.

2.0 BACKGROUND

- 2.1 The Constitution is maintained by the Assistant Chief Executive Legal and Democratic Services and kept under review on an ongoing basis. Proposed changes to the Constitution are considered by the Members' Working Group on the Constitution and the Executive and ultimately approved by full Council.
- 2.2 Under Article 15.02(c) of the Constitution, the Assistant Chief Executive Legal and Democratic Services has delegated power to amend the Constitution:
 - (i) to correct administrative issues such as cross-references, title changes, typographical errors and formatting;
 - (ii) to ensure that the Constitution and the Council's procedures meet all legal requirements;
 - (iii) to reflect changes to arrangements for the distribution of responsibilities and the delegation of powers in accordance with decisions taken by the person(s) or body with authority to take such action; and
 - (iv) consequentially, to give effect to changes explicitly approved by the full Council;

and any such amendments as set out in sub-paragraph (c)(ii) above shall be reported to the next meeting of the full Council.

3.0 AMENDMENTS TO THE CONSTITUTION

- 3.1 Part A of the amendments chart at **Appendix 1** sets out proposed amendments to the Constitution for Members' consideration, relating to:
 - a) the titles of the Area Constituency Committees and the Area Constituency Planning Committees being amended to Area Committees and Area Planning Committees respectively and that the existing geographies remain as they are

until such time as a full review of the geographies can be undertaken, following engagement with Members.

3.2 The more substantive items for consideration are the subject of separate sections of this report below.

3.3 Part B of the amendments chart at **Appendix 1** sets out amendments for information which have been undertaken by the Assistant Chief Executive Legal and Democratic Services under his delegated powers in Article 15.02(c) of the Constitution and which are being reported back to full Council for information. Such amendments relate to:

- a) correcting typographical/administrative/formatting errors;
- b) picking up further consequential amendments (previously agreed by Council) to change references to the Transition (LGR) Overview and Scrutiny Committee to Housing and Leisure Overview and Scrutiny Committee.

3.4 Subject to any comments Members may have, the Executive is asked to:

- a) agree that the proposed amendments to the Constitution set out in Part A of **Appendix 1** be proposed to full Council for approval;
- b) note the amendments to the Constitution set out in Part B of **Appendix 1** to this report, made by the Assistant Chief Executive Legal and Democratic Services under his delegated powers, for reporting back to full Council for information.

4.0 **PROCUREMENT AND CONTRACT PROCEDURE RULES**

4.1 Officers have taken the opportunity to undertake an interim review of the Procurement and Contract Procedure Rules in the Constitution, specifically related to the current three quote and best value process.

4.2 Certain amendments are proposed to the financial limits for seeking a minimum of three quotes or using the best value process to demonstrate value for money, in order to support a more agile and flexible way of working. The proposed amendments relate to the Council's obligation to comply with transparency requirements.

4.3 On 5 June 2024, the Members' Working Group on the Constitution considered the proposed amendments to the Procurement and Contract Procedure Rules in this regard and recommended them to the Executive for consideration and recommendation on to full Council.

4.4 Currently the Procurement and Contract Procedure Rules state:

MINIMUM THREE QUOTES PROCESS/BEST VALUE FORM

8.5 Where the estimated value of a Contract is above £5,000 excluding VAT, and less than £50,000 including of VAT (taking into account the whole life cost of the Contract including extensions and/or variations) a minimum of three quotes should be sought.

8.6 Where possible quotes should be sought from at least one local supplier based within North Yorkshire and at least one Small and Medium Enterprise (SME).

8.7 If three quotes are not sought, the Contract may be directly awarded using the Best Value Form as long as sufficient justification is given for not undertaking a quotes process. It is the Officer's responsibility to complete the Best Value Form.

8.8 A three quote process/best value form cannot be accepted where the value exceeds the upper limit for this process (i.e., £50,000 inclusive of VAT). If the value of the quote exceeds the upper limit for this process the bids process must be followed in accordance with Rule 9.

4.5 It is recommended that the financial limit for the three quote process/ best value form is amended as detailed in the below table:

Spend Area	Upper Threshold Limit (Including VAT)
Goods/ Services contracts (excluding Technology Contracts)	£5,001 up to and including £100,000
Technology Contracts	£5,001 up to and including £150,000
Works contracts	£5,001 up to and including £250,000
Light Touch Contracts (typically social care)	£5,001 up to and including £170,000

4.6 Benchmarking has been undertaken to review what other Local Authorities financial limits are for seeking quotations. This has evidenced that the proposals are in line with similar size councils:

- Cumberland Council - 3 quotes up to £100k
- Somerset Council - 3 quotes up to £100k for goods/ services and £250k works
- Leeds City Council - 3 quotes up to £100k and 4 quotes up to the relevant UK Procurement Threshold
- Barnsley Council - 3 quotes up to £100k for goods/ services and £250k works

4.7 Amending the financial limits will allow the centralised Procurement and Contract Management Service (PCMS) to focus delivery on the key strategic requirements for the council.

4.8 The process for seeking quotations or completing the best value process is more streamlined and will save Officer time and speed up and simplify the procurement process for suppliers. As part of the proposed changes, we would mandate that one quote must be from an SME¹/ VCSE² or local supplier, unless this is not possible due to the nature of the market. This will help the council drive its ambitions around supporting SMEs/ VCSE and businesses within North Yorkshire to do business with the council and reduce the resource burden which is often perceived. It is anticipated that by mandating the requirement to seek at least one quote from an

¹ Small & Medium Enterprise (SME)

² Voluntary, Community or Social Enterprise (VCSE)

SME, VCSE or local supplier that this could help reduce the environmental impact of contract delivery.

- 4.9 To ensure transparency related to lower value contracting activity the council will continue to:
- Publish the forward procurement plan which provides a pipeline of contract opportunities.
 - Comply with requirements to publish on the government Find a Tender site.
 - Publish the council's contract register.
 - Publish decision records, where applicable.
 - Ensure entries are made on the council's forward plan of key decisions, and publish reports, where applicable.
- 4.10 To minimise any risks associated with increasing the financial limits the following will be implemented:
- The Procurement Manual will be updated with supplementary advice and guidance on how to approach seeking quotes.
 - Online quote training will be promoted to all staff.
 - Advice will continue to be available from the centralised procurement team.
 - The PCMS will review all quotation and best value forms to monitor compliance with the process and ensure transparency requirements are adhered to.
 - The Budget Manager will have to approve the quotation / best value form.
 - Audit will conduct an annual audit of the quotes/ best value process to provide assurance.
- 4.11 Certain minor clarifying amendments have been included in the proposed amendments to the Rules since they were considered by the Members' Working Group on the Constitution, by the inclusion of the words "and including" before the threshold figures, to make it clear that the threshold includes that figure. Tracked change amendments to the Procurement and Contract Procedure Rules, reflecting the above proposals, are attached at **Appendix 2**. This tracked change document has been produced since the above proposals were considered by the Members' Working Group on the Constitution but are consistent with the proposals considered by and the views of the Working Group.
- 4.12 There are no significant financial implications arising from these proposed amendments. It should be noted that under the Council's Finance Procedure Rules, Budget Managers have delegated authority up to £500k. As such the proposed amendments to the Procurement and Contract Procedure Rules are within this limit. As part of the governance Budget Managers will be required to approve the quotation form / best value form. This information will be routinely reported to the Finance Assistant Directors.
- 4.13 The proposed changes to the financial limits are in accordance with the Public Contracts Regulations 2015 and comply with the new Procurement Act 2023 regulations which come into effect from 28 October 2024. The processes outlined (quotes / best value) relate only to below UK Procurement Threshold values.
- 4.14 Subject to any comments Members may have, it is recommended that the Executive recommend the proposed amendments to the Procurement and Contract Procedure Rules to full Council for approval.

5.0 **KEY DECISIONS IN RELATION TO GRANT APPLICATIONS AND ACCEPTANCE**

- 5.1 Officers have undertaken an interim review of the application and implication of the Key Decision definition, as detailed in Article 13 of the Constitution, in the context of applications for grants/external funding and the acceptance of any such funding offered, as detailed in the Financial Procedure Rules (FPRs).
- 5.2 Certain amendments are proposed to the following parts of the Constitution, to support a more agile and flexible way of working:
- the financial limits for applying for and accepting grants and external funding in Rule 28 of the FPRs;
 - consequential amendments to paragraph 6 of the Executive Members' Delegation Scheme to reflect the proposed amendments to the financial limits for applying for and accepting grants and external funding in Rule 28 of the FPRs set out above; and
 - amending the definition of a Key Decision in Article 13.

Key Decisions

- 5.3 It is proposed that minor amendments be made to the definition of a Key Decision as set out in Article 13 of the Constitution to add clarity and for consistency of terminology across the Constitution. The amendments are set out by way of tracked changes to Article 13 in **Appendix 3** to this report and include:
- expanding the wording around the community effect limb to clarify how this is defined (see Article 13.03 (b) (i) (bb)); there is no change in application of the provision, just clarity that 'more than one community' means more than one electoral division.
 - amending the exclusions to the Key Decision financial limb (see Article 13.03 (b) (ii)).as follows:
 - to include an exemption for direct award grants, as these are offered to the Council without a bid or application process; and
 - to exempt any decisions which are identified on the Procurement Pipeline.
- 5.4 The inclusion of procurements and contracts identified on the Procurement Pipeline as an exclusion would align to the approach taken for any decisions specifically identified in the budget approved by Council.
- 5.5 The Procurement Act 2023 is coming into force in Autumn this year and has a significant increase in transparency requirements for the Council. Given the increase in transparency for procurements, pre, during and post contract award the view of Officers is the Council will end up duplicating decisions and information within the public domain (please see **Appendix 4** for the Transparency Requirements/ Notifications for procurements). The proposed exemption of the Procurement Pipeline is intended to streamline and simplify access to information.
- 5.6 Amending the wording will simplify the application of Key Decisions and aid the cultural and behavioural changes around ensuring sufficient notice of contracting requirements to safeguard entry onto the Council's Procurement Pipeline which is published quarterly. It will also support a more agile and response led organisation to service delivery.

5.7 The proposed changes are in accordance with the Local Government Act 1972; the Local Government Act 2000; The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 and the Public Contracts Regulations 2015. The flowchart at **Appendix 4** outlines the additional transparency obligations under the new Procurement Act 2023 which come into effect from 28 October 2024.

Grant applications and acceptance

5.8 The Council's consolidated budget has increased significantly since local government reorganisation in comparison to the budgets of the former District, Borough, and County Council. The Council budget is circa. £1.2bn (2024/25), with grant funding accounting for £210m (2024/25).

5.9 Due to the way in which grant monies are often allocated from central government Officers generally have to operate within extremely short timescales around:

- notification of ability to bid for grant monies.
- accepting and spending grant monies, due to prescribed dates by when funding must be spent.
- there is often a specific date by which the Council must accept the grant. This can be difficult to comply with due to the above reasons.

5.10 The above can make it difficult to meet obligations to bid for grant monies and /or ensure the optimum outcome is delivered within the prescribed timescales for spending and delivery.

5.11 Grants often require a procurement exercise and this compounds the timescales within which the Council is operating.

5.12 On review of the direct award grant process, Officers recommend this process applies to both statutory and discretionary direct award grants.

5.13 Proposed amendments to Rule 28 of the Financial Procedure Rules are set out by way of tracked changes in **Appendix 5** to this report. The proposed amendments to increase the financial limits within Rule 28 should assist with the issues identified above.

5.14 Consequential amendments will also be required to the Executive Members' Delegation Scheme and these are set out in **Appendix 6** to this report. Since the Constitution Working Group considered the proposed amendments, paragraph 6 of the Scheme has been amended in the Constitution (following the May Council meeting) so the amendments are now tracked on an updated extract.

Benchmarking

5.15 Benchmarking has been undertaken to review what other Local Authorities financial limits are for Key Decisions and Grants.

5.16 In relation to Key Decision financial thresholds it is proposed that the values remain "as is" and this is broadly in line with other Authorities reviewed:

- Leeds City Council – expenditure/savings over £500k or significant effect on communities living or working in an area comprising one or more wards.
- Cumberland Council – savings/expenditure equal to or greater than £500k or if the decision will have significant effect on the communities living or working in one or more wards.

- Manchester City Council – expenditure/savings in excess of the lesser of £500k or 10% of the gross operating expenditure for any budget heading in the revenue budget approved by the Council.
- Cheshire West and Chester Council – expenditure/savings of £1m or more or significant effect on communities living or working in an area comprising two or more wards.

5.17 As a result of the review, the proposals detailed in **Appendix 3** recommend clarifying the wording around communities (see Article 13.03 (b) (i) (bb)).

5.18 In relation to Grant financial thresholds the information varies across the Local Authorities reviewed:

- Leeds City Council – the grant provisions are general within the Financial Regulations in that figures are not stated.
- Cumberland Council – for grants going out Executive approval is needed where over £150k to be provided to a body where it is outside approved budget. For grants coming in, there is a reference to the funding needing to be reported in the annual budget report or budget monitoring reports.
- Manchester City Council – For grants going out the Chief Executive can make grants up to £100k and up to £500k in consultation with the Leader. The Director of Population Health can provide grants for specific duties to be discharged. There is provision for grant bid proposals – Chief Officers and Heads of Service to consult with the Deputy Chief Executive and City Treasurer to seek Executive approval where the grant supports expenditure not in the capital programme.
- Cheshire West and Chester Council – have specific reference to grants in and grants out. Table 1 below details the limits:

Table 1: Approvals for the submission and acceptance of all external funding grant bids

Approval route	Authorisations Required	Consultation Required	Total Value where match funding required	Total Value where no match funding required
ODN ³	Service Director	Departmental Finance Manager	Up to £100k	Up to £100k
ODN	Service Director; Director of Finance	Relevant Cabinet Member	£100,001 - £250,000	£100,001 - £250,000
ODN	Service Director; Director of Finance; Director of Governance	Relevant Cabinet Member Cabinet Member for Legal and Finance	£250,001 - £1,000,000	£250,001 and over
Committee Paper	Cabinet		Over £1,000,000 *This will be a key decision where the match funding is over £1,000,000	

For grants out, there is an annual report to Cabinet and then for those not in the original report;

³ Officer Decision Notice

- Up to £10k – Director approval
- £10,001 - £50k Directors in consultation with the Director of Finance and Director of Governance and relevant Cabinet Member
- £50,001 - £500k - Cabinet Member Legal and Finance
- Over £500k – Cabinet approval.

5.19 Many of the Local Authorities reviewed do not have clear financial thresholds for grants coming in/ allocated out. For North Yorkshire Council it is important to have clearly defined requirements for Officers to adhere to. Appendix 1 (section 28.4 and 28.5) sets out the proposals which broadly see the limit increase from £200k to £500k as this aligns to the budget manager authorisation level.

5.20 Subject to any comments Members may have, it is recommended that:

- the proposed amendments to the definition of a Key Decision, as set out in **Appendix 3** to this report be recommended to full Council for approval;
- the proposed amendments to the Financial Procedure Rules as set out in **Appendix 5** to this report be recommended to full Council for approval; and
- the proposed consequential amendments to the Executive Members' Delegation Scheme as set out in **Appendix 6** to this report be recommended to full Council for approval.

6.0 FINANCIAL IMPLICATIONS

6.1 The financial implications are set out in the body of this report.

7.0 LEGAL IMPLICATIONS

7.1 The legal implications are set out in the body of this report.

8.0 ENVIRONMENTAL/CLIMATE CHANGE IMPLICATIONS

8.1 There are no significant environmental or climate change implications arising from this report.

8.2 A Climate Change Impact Assessment Screening Form is attached at **Appendix 7**.

9.0 EQUALITIES IMPLICATIONS

9.1 There are no significant equalities implications arising from this report.

9.2 An Equality Impact Assessment Screening Form is attached at **Appendix 8**.

10.0 CONSULTATION

10.1 Relevant Officers and Members have been consulted on the proposed changes set out in this report and its Appendices.

10.2 This report also incorporates the views of the Members' Working Group on the Constitution as expressed at the Group's meeting on 5 June 2024.

11.0 REASONS FOR RECOMMENDATIONS

11.1 For the reasons set out in the body of this report and in the Appendices, it is recommended that, subject to any comments Members may have, the matters raised in this report be considered and the recommendations and proposed changes to the Constitution set out below be recommended to full Council for information and/or approval as indicated.

12.0 RECOMMENDATIONS

12.1 That, subject to any comments Members may have:

- (a) the proposed amendments to the Constitution set out in **Part A of Appendix 1** be recommended to full Council for approval;
- (b) Members note the amendments to the Constitution set out in **Part B of Appendix 1** to this report, made by the Assistant Chief Executive Legal and Democratic Services under his delegated powers, for reporting back to full Council for information;
- (c) the proposed amendments to the Procurement and Contract Procedure Rules as set out in **Appendix 2** to this report be recommended to full Council for approval;
- (d) the proposed amendments to the definition of a Key Decision, as set out in **Appendix 3** to this report be recommended to full Council for approval;
- (e) the proposed amendments to the Financial Procedure Rules as set out in **Appendix 5** to this report be recommended to full Council for approval;
- (f) the proposed consequential amendments to the Executive Members' Delegation Scheme as set out in **Appendix 6** to this report be recommended to full Council for approval.

BARRY KHAN
Assistant Chief Executive Legal and Democratic Services

County Hall
NORTHALLERTON

27 June 2024

Background Documents:
North Yorkshire Council Constitution
The Local Government 2000 as amended

Appendices

1. Proposed Amendments Chart
2. Proposed amendments to the Procurement and Contract Procedure Rules
3. Proposed amendments to the definition of a Key Decision
4. Transparency Requirements/ Notifications for procurements

5. Proposed amendments to the Financial Procedure Rules
6. Proposed consequential amendments to the Executive Members' Delegation Scheme
7. Climate Change Impact Assessment Screening Form
8. Equality Impact Assessment Screening Form

Proposed Amendments to Constitution – for full Council in July 2024

Where amendments are suggested to part of a paragraph, only the relevant part is replicated in the amendment chart below.

<u>PART A: ITEMS FOR DECISION</u>			
Provision in Constitution	Current Wording	Proposed Amendment	Reason(s)
Throughout Constitution		<i>Remove the word “Constituency” from the titles of, and all references to, the Area Constituency Committees and the Area Constituency Planning Committees in the Constitution, so that their titles become “Area Committee” and “Area Planning Committees”.</i>	It is recommended that the titles of the Area Constituency Committees and the Area Constituency Planning Committees be amended to Area Committees and Area Planning Committees respectively and that the existing geographies remain as they are until such time as a full review of the geographies can be undertaken, following engagement with Members.
<u>PART B: ITEMS FOR INFORMATION</u>			
Whole Constitution		<i>Minor formatting/typographical/administrative errors have been corrected in the Constitution under the Monitoring Officer’s delegated powers as set out in Article 15.02(c)(i) of the Constitution to correct administrative issues.</i>	To ensure that the Constitution is accurate and up to date.
		<i>Making further consequential amendments (previously agreed) to change references to the Transition (LGR) Overview and Scrutiny Committee to Housing and Leisure Overview and Scrutiny Committee.</i>	To ensure that the Constitution is accurate and up to date.

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Procurement and Contract Procedure Rules

CONTENTS

1. Introduction
2. General
3. Compliance with Legislation and Standards
4. Powers and Key Decisions
5. Form of Contract
6. Signature/Sealing of Contracts
7. Bonds and Liquidated Damages
8. Quotes
9. Bids
10. Post Bid Negotiations and Clarification
11. Above Threshold Process
12. Options for Above Threshold Process
13. Receipt and Opening of Above Threshold Tenders
14. Above Threshold Tender Evaluation and Acceptance
15. Certification of Contracts
16. Exceptions to Procurement and Contract Procedure Rules
17. Compliance, Contract Register and [Procurement Pipeline](#)
18. Gateway Process and PSR Governance Process Reports including notification of Section 151 Officer and Monitoring Officer
19. Contract Management
20. Training for Procurement
21. Declaration of Interests
22. Grants
23. Hiring and Engaging Staff

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These Rules constitute the Council's Standing Orders in relation to contracts under Section 135 of the Local Government Act 1972 and apply to all contracts (excluding those stated in Rule 2.2), including those made in the course of the discharge of functions which are the responsibility of the Executive.

Please note that any reference within these Rules to the Public Contracts Regulations 2015 and any requirement arising from them remain in force in accordance with the Withdrawal Agreement 2019 until replaced by future legislation. The Health Care Services (Provider Selection Regime) Regulations 2023 comes into effect 1st January 2024 and will replace the Public Contracts Regulations 2015 when arranging health care services and revoke the National Health Service Regulations 2013. Further guidance will be issued by the Procurement and Contract Management Service in due course.

1. INTRODUCTION

1.1 These terms will have the following meanings in the Procurement and Contract Procedure Rules:-

Above Threshold Process means the procurement process to be followed where the estimated whole life value of a Contract exceeds the relevant WTO GPA Threshold

Above Threshold Tender means a tender submitted as part of an Above Threshold Process

Best Value Form means the form to be completed to capture the rationale for not seeking bids in accordance with **Rule 8.6**

Competitive Grant Form means the form to be completed confirming the competitive process being undertaken to award the Grant

Concession means as defined in Regulation 3(4) of the Concession Contracts Regulations 2016

Constitution means the Council's Constitution of which these Rules form part

Contract means any agreement, excluding a Grant, made between the Council and any other person which is intended to be legally enforceable and involves the acceptance of an offer made by one party to commit itself to an action or series of actions and subject to the exceptions in **Rule 2.2**

Contracts Finder means the web-based portal as described in Chapters 7 & 8 of the Public Contracts Regulations 2015

Contract Management Practitioners Group means the Council's practitioner group responsible for improving contract management standards, chaired by the Senior Contract Officer/s

Contract Register means the register of Contracts maintained by the Council as set out in **Rule 18.6**

Contractor means a person or entity with whom the Council has a contract

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Council	means The North Yorkshire Council
Decision Record	means a record of a decision produced in accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012
Director	means the Chief Executive Officer; Assistant Chief Executive HR and Business Support, Assistant Chief Executive Legal and Democratic Services, Assistant Chief Executive Local Engagement, Corporate Director of Environment; Corporate Director Health and Adult Services; Corporate Director Children and Young People's Service; Corporate Director of Resources; Corporate Director of Community Development as the context requires
Directors Recommendation	means a written record of the decision and justification to apply one of the exceptions set out in Rule 17.2 to be signed and kept by the relevant Director
Electronic Signatures	means an advanced electronic signature which is: <ul style="list-style-type: none"> (i) uniquely linked to the signatory; and (ii) capable of identifying the signatory; and (iii) created using means that the signatory can maintain under his/her sole control; and (iv) linked to the data to which it relates in such a manner that any subsequent change of the data is detectable.
E-Sourcing system	means the Council's chosen E-sourcing system
Framework Agreement	means an agreement with one or more contracting authorities and one or more economic operator which establishes an arrangement for: <ul style="list-style-type: none"> (i) multiple orders to be placed with one Contractor (a single supplier framework), or (ii) a framework of multiple Contractors to engage in further competitions or direct award (a multiple supplier framework)
Gateway Process	means the Council's value based gateway commissioning and procurement process that combines assessment and understanding of various aspects of value with appropriate review and scrutiny at defined points in the commissioning and procurement cycle
Grant	means a sum of money awarded by the Council to third parties

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Health Care Services	means those services detailed within Schedule 1 of the Health Care Services (Provider Selection Regime) Regulations 2023
HoP	means the Head of Procurement and Contract Management
Internal Audit	means the Council's appointed internal auditors (currently Veritau)
ITB	means an Invitation to Bid
ITQ	means an invitation to Quote
ITT	means an Invitation to Tender
Key Decision	means a decision made in connection with the discharge of a function which is the responsibility of the Executive set out in Article 13.03(b) of the Constitution
Leasing Agreement	means a contract for the provision of finance to enable goods or services to be obtained and where ownership in those goods does not automatically pass to the Council at the end of the contract period
LDSO	means a Legal and Democratic Services Officer
Member	means an elected member of the Council or co-opted member on a Council committee
Monitoring Officer	means the Council's appointed Monitoring Officer
Officer	means a Council employee or other authorised agent
PAB	means the Procurement Assurance Board, chaired by the HoP
Participant	means a person or entity participating in a procurement process, who has expressed an interest in tendering for a Contract or who has tendered for a Contract
PSBO	means Public Sector Buying Organisation
PCR	means the Public Contracts Regulations 2015
Person	means any individual, partnership, company, trust, other local authority, Government department or agency
Procurement and Contract Management Service	means the procurement and contract management team at the Council

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Procurement Manual	means the manual to accompany these Rules which provides detailed guidance on procurement techniques and the effect of the Rules
Procurement and Contract Management Strategy	means the Council's approved Procurement and Contract Management Strategy
Procurement Pipeline	means the Procurement Pipeline which outlines future procurement requirements of the Council
Property Contract	means a contract which creates an estate or interest in land or buildings
PSR	means The Health Care Services (Provider Selection Regime) Regulations 2023
PSR Governance Process	means the Council's value based governance commissioning and procurement process that combines assessment and understanding of various aspects of value with appropriate review and scrutiny at defined points in the commissioning and procurement cycle
Responsible Officer	means the Officer from the directorate who is responsible for the procurement and/or management of a Contract
Rules	means these Procurement and Contract Procedure Rules
SCM	means Senior Category Manager
S151 Officer	means the Council's appointed Section 151 Officer
Services or Supplies	means as defined in Regulation 2 of the PCRs
Social and Other Specific Services	means those services defined as such in Schedule 3 of the PCRs
SQ	means the Selection Questionnaire
Technology Contract	means any contract for technological products or services including IT systems, software and/or hardware.
WTO GPA Threshold	means the current threshold above which the PCR's apply, currently £214,904 inclusive of VAT for services and supplies £663,540.00 inclusive of VAT for social and other specific services and £5,327,609 for works inclusive of VAT
Waiver Request Form	means the prescribed form to be completed when requesting a waiver in accordance with Rule 17.5
Works	means as defined in Regulation 2 of the PCRs

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FPPProcurement Pipeline means the Forward Procurement PlanPipeline which outlines future procurement requirements of the Council¶

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1.2 These Rules form part of the overall control framework within which the Council operates. They aim to facilitate sound, innovative service delivery by setting out best

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practice for the administration of all procurement and contract management matters throughout the Council, ensuring a high quality of procurement and contract management information, robust procurement and contract management and enabling good decision making. They should not be viewed as a barrier to executive action and are constantly kept under review to ensure that they remain relevant to the day to day activities of the Council and contribute to the delivery of value for money.

1.3 References in these Rules to:-

- (a) any legislation (e.g. Act, Statutory Instrument, WTO requirement) include a reference to any amendment or re-enactment of such legislation;
- (b) the value of any Contract or Grant are to the total estimated value payable (including VAT where applicable) over the full period of the Contract or Grant including any options or extensions to the Contract or Grant.
- (c) Directors, the S151 Officer and the Monitoring Officer shall be taken to include such Officers as are designated by those officers to undertake the duties and responsibilities set out in these Rules, except in the case of the following Rules:-
 - (i) Director - **Rules 9.6, 16.1 (e) and (j)**
 - (ii) S151 Officer - **Rules 2.1**
 - (iii) Monitoring Officer - **Rules 2.1**

where delegation is not permitted, except in exceptional circumstances. A record of all duties and responsibilities as delegated under these Rules is to be maintained by each Director, the S151 Officer and the Monitoring Officer.

2. GENERAL

- 2.1 These Rules are made by the Council on the advice of the S151 Officer (in consultation with the Monitoring Officer) under Article 14.02 of the Constitution and define the correct procedures to be followed when the Council enters into any contractual arrangement and should be read in conjunction with the Finance Procedure Rules under Article 14.01 of the Constitution.
- 2.2 These Rules apply to all Grants and Contracts for Works, Supplies, Services or Social and Other Specific Services, and Health Care Services (unless otherwise specified) but do not apply to: -
- (a) contracts of employment;
 - (b) property contracts (which are covered by the Property Procedure Rules); and
 - (c) financial instruments (including, but without limitation, shares, bonds, bills of exchange, future or options contracts) (which are covered by the Financial Procedure Rules).
- 2.3 The S151 Officer (in consultation with the Monitoring Officer) shall review the application and effect of these Rules and make an annual report or as required but no less than once per year to the Audit Committee recommending such amendments to the Rules as are considered appropriate.

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- 2.4 The S151 Officer has produced a Procurement Manual which sets out important issues to be considered in the procurement context. These Rules should be read in conjunction with the Procurement Manual.
- 2.5 The S151 Officer has also produced a Finance Manual which gives advice on financial procedures.
- 2.6 Where a contract for the acquisition or hire of goods or services involves any form of Leasing Agreement to finance the transaction then the S151 Officer shall undertake the negotiation of terms and authorise the arrangement in accordance with Rule 20.10 of the Financial Procedure Rules.
- 2.7 Directors and the HoP shall ensure that all documentation relating to Contracts, Grants and procurement processes is retained in accordance with the Council's Records Retention and Destruction Schedule.
- 2.8 Where the Council has awarded a contract to any person to supervise or otherwise manage a contract on its behalf such a person shall be required to comply with these Rules as if they were an Officer of the Council.
- 2.9 Wherever appropriate procurement shall be undertaken using the standard documents contained in the Procurement Manual applying to SQ's, ITT's or ITBs. Wherever alternative documents are to be used they must be approved by the HoP and where appropriate the Monitoring Officer.
- 2.10 All Officers shall adhere to the approved Procurement and Contract Management Strategy of the Council.
- 2.11 Where the Council is procuring in partnership with another contracting authority who are the lead procurer, subject to agreement from the HoP, the Council will follow the lead procurers Procurement and Contract Procedure Rules or equivalent.
- 2.12 Where the total Grant or Contract value is within the values in the first column of **Tables 1-5**, below, the award and transparency procedure in the second and third column must be followed.
- 2.13 Where a procurement includes two or more types of provision (i.e. Goods, Services and Works) the value shall be based on the provision that characterises the main subject of the Contract in question.
- 2.14 When a contract comprises a mixture of in-scope Health Care Services and out-of-scope Services or Goods, relevant authorities may only use the PSR to arrange those services when both of the below requirements are satisfied:
- The main subject-matter of the contract is in-scope Health Care Services
 - The relevant authority is of the view that the other goods or services could not reasonably be supplied under a separate contract.
- 2.15 For the purposes of the Transparency Procedures set out in **Tables 1-5** below, the Responsible Officer must also consider the Key Decision criteria set out in Article 13.03(b)(i) of the Constitution when determining whether the procurement comprises a Key Decision.

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Table 1: Goods and Services (excluding Social & Other Specific Services)

Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
£0 up to <u>and including</u> £5,000 (exclusive of VAT)	A single quotation shall be invited in accordance with Rule 8 . The opportunity does not need to be advertised on the e-tendering system, contracts finder or Find a Tender Service.	Contract award is approved by the Responsible Officer. Contract details do not need be published on the Contract Register or to Contracts Finder. Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
<u>For goods and services (excluding Technology Contracts) £5,001 (excluding VAT) up to and including £100,000 (inclusive of VAT)</u>	Quotes should be invited or the Best Value Form process followed in accordance with Rule 8 .	Contract award is approved by the Responsible Officer. Contract details must be published on the Contract Register.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
<u>OR</u> <u>For Technology Contracts £5,001 (excluding VAT) up to and including £150,000 (inclusive of VAT)</u>	The opportunity does not need to be advertised on the e-tendering system, contracts finder or Find a Tender Service.	Contract details must be published on Contracts Finder for contracts above £30,000 (incl. VAT). The Responsible Officer will notify the Procurement and Contract Management Service of any Contract awarded to enable the contract to be published on the Contract Register and Contracts Finder (where applicable). Where applicable, the Responsible Officer must	

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Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
		complete the Key Decision process.	
<p><u>For goods and services (excluding Technology Contracts) £100,001 (inclusive of VAT) up to WTO GPA Threshold (currently £214,904 inclusive of VAT)</u></p> <p><u>OR</u></p> <p><u>For Technology Contracts £150,001 (inclusive of VAT) up to WTO GPA Threshold (currently £214,904 inclusive of VAT)</u></p>	<p>Bids must be invited in accordance with Rule 9.</p> <p>The opportunity must be advertised on the e-tendering system, Contracts Finder. It does not need to be advertised on Find a Tender Service.</p>	<p>Contract award is approved by the Responsible Officer.</p> <p>The Responsible Officer must complete the Decision Record process and, where applicable, the Key Decision Process.</p> <p>Contract details must be published on the Contract Register and on Contracts Finder.</p>	<p>One signature</p> <p>The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).</p>
<p>Above WTO GPA Threshold (currently £214,904 inclusive of VAT)</p>	<p>Follow the appropriate procedure as set out in Rules 11 and 12.</p> <p>The opportunity must be advertised on the e-tendering system, Contracts Finder and Find a Tender Service.</p>	<p>Approval must be sought through the Gateway Process.</p> <p>The Responsible Officer must complete the Decision Record Process and, where applicable, the Key Decision Process.</p> <p>Contract details must be published on the Contract Register and on Contracts Finder.</p>	<p>Two signatures:</p> <p>The Director (or by an Officer authorised by the Director to sign on the Directors behalf).</p> <p>AND</p> <p>The Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf).</p> <p>Sealing (where appropriate)</p> <p>Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf) in accordance with Rule 6.</p>

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Table 2: Works and Concessions

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Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
£0 up to and including £5,000 (exclusive of VAT)	<p>A single quotation shall be invited in accordance with Rule 8.</p> <p>The opportunity does not need to be advertised on the e-tendering system, contracts finder or Find a Tender Service.</p>	<p>Contract award is approved by the Responsible Officer.</p> <p>Contract details do not need to be published on the Contract Register or to Contracts Finder.</p> <p>Where applicable, the Responsible Officer must complete the Key Decision process.</p>	<p>One signature</p> <p>The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).</p>
<p>For Works Contracts: £5,001 (excluding VAT) up to and including £250,000 (inclusive of VAT)</p> <p>For Concession Contracts: £5,001 (excluding VAT) up to and including £50,000 (inclusive of VAT)</p>	<p>Quotes should be invited or the Best Value Form process followed in accordance with Rule 8.</p> <p>The opportunity does not need to be advertised on the e-tendering system, contracts finder or Find a Tender Service.</p>	<p>Contract award is approved by the Responsible Officer.</p> <p>Contract details must be published on the Contract Register.</p> <p>Contract details must be published on Contracts Finder for contracts above £30,000 (incl. VAT).</p> <p>The Responsible Officer will notify the Procurement and Contract Management Service of any Contract awarded to enable the contract to be published on the Contract Register and Contracts Finder (where applicable).</p> <p>Where applicable, the Responsible Officer must complete the Key Decision process.</p>	<p>One signature</p> <p>The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).</p>

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Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
<p><u>For Works Contracts: £250,001</u> (inclusive of VAT) up to WTO GPA Threshold (currently £5,327,609 inclusive of VAT for Works)</p> <p><u>For Concession Contracts: £50,001</u> (inclusive of VAT) up to WTO GPA Threshold (currently £5,327,609 inclusive of VAT for Works)</p>	<p>Bids must be invited in accordance with Rule 9.</p> <p>The opportunity must be advertised on the e-tendering system, Contracts Finder. It does not need to be advertised on Find a Tender Service.</p> <p>Contract details must be published on the Contract Register and to Contracts Finder.</p>	<p>Contract award is approved by the Responsible Officer. For Contracts with a value of £1,000,000 or greater approval must be sought through the Gateway Process.</p> <p>The Responsible Officer must complete the Decision Record process and, where applicable, the Key Decision Process.</p> <p>Contract details must be published on the Contract Register and to Contracts Finder.</p>	<p>One signature</p> <p>The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).</p> <p>Contracts with a value in excess of £1,000,000 (inclusive of VAT) must be sealed by the Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf) in accordance with Rule 6.</p>
<p>Above WTO GPA Threshold (currently £5,372,609 inclusive of VAT for Works)</p>	<p>Follow the appropriate Procedure as set out in Rules 11 and 12.</p> <p>The opportunity must be advertised on the e-tendering system, Contracts Finder and Find a Tender Service.</p>	<p>Approval must be sought through the Gateway Process.</p> <p>The Responsible Officer must complete the Decision Record process and, where applicable, the Key Decision Process.</p> <p>Contract details must be published on the Contract Register and on Contracts Finder.</p>	<p>Contracts must be sealed by the Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf) in accordance with Rule 6.</p>

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Table 3: Social & Other Specific Services (Excluding Health Care Services)

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Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
<p>£0 up to and including £5,000 (exclusive of VAT)</p>	<p>A single quotation shall be invited in accordance with Rule 8.</p> <p>The opportunity does not need to be advertised on the e-tendering system, contracts finder or Find a Tender Service.</p>	<p>Contract award is approved by the Responsible Officer.</p> <p>Contract details do not need be published on the Contract Register or the Contracts Finder.</p> <p>Where applicable, the Responsible Officer must complete the Key Decision process.</p>	<p>One signature</p> <p>The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).</p>
<p>£5,001 up to and including £170,000 (inclusive of VAT)</p>	<p>Quotes should be invited or the Best Value Form process followed in accordance with Rule 8.</p> <p>The opportunity does not need to be advertised on the e-tendering system, contracts finder or Find a Tender Service.</p>	<p>Contract award is approved by the Responsible Officer.</p> <p>Contract details must be published on the Contract Register.</p> <p>Contract details must be published on Contracts Finder for contracts above £30,000 (incl. VAT).</p> <p>The Responsible Officer will notify the Procurement and Contract Management Service of any Contract awarded to enable the contract to be published on the Contract Register and Contracts Finder (where applicable).</p> <p>Where applicable, the Responsible Officer must complete the Key Decision process.</p>	<p>One signature</p> <p>The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).</p>

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Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
<p>£170,001 (inclusive of VAT) up to WTO GPA Threshold (currently £663,540 inclusive of VAT)</p>	<p>Bids must be invited in accordance with Rule 9.</p> <p>The opportunity must be advertised on the e-tendering system, Contracts Finder. It does not need to be advertised on Find a Tender Service.</p>	<p>Contract award is approved by the Responsible Officer.</p> <p>The Responsible Officer must complete the Decision Record process and, where applicable, the Key Decision Process.</p> <p>Contract details must be published on the Contract Register and on Contracts Finder.</p>	<p>One signature</p> <p>The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).</p>
<p>Above UK Procurement Threshold (currently £663,540 inclusive of VAT)</p>	<p>Follow the appropriate procedure as set out in Rules 11 and 12.</p> <p>The opportunity must be advertised on the e-tendering system, Contracts Finder and Find a Tender Service.</p>	<p>Approval must be sought through the Gateway Process.</p> <p>The Responsible Officer must complete the Decision Record process and, where applicable, the Key Decision Process.</p> <p>Contract details must be published on the Contract Register and on Contracts Finder.</p>	<p>Two signatures</p> <p>The Director (or by an Officer authorised by the Director to sign on the Directors behalf).</p> <p>AND</p> <p>The Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf).</p> <p>Sealing (where appropriate)</p> <p>Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf) in accordance with Rule 6.</p>

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Table 4: Health Care Services (Excluding Social & Other Specific Services)

Direct Award Process A

Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
£0 – £50,000 (including VAT)	Follow the appropriate procedure as set out in Rule 15 . The Gateway Process must be completed.	Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
£50,001 – £500,000 (including VAT)	Awarded contract details must be published on the Contract Register, Find a Tender Service and to Contracts Finder.	The Responsible Officer must complete the Decision Record process for Contracts with a value of £50,000 inclusive of VAT or above. Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
Over £500,000 (including VAT)		The Responsible Officer must complete the Key Decision process.	Two signatures The Director (or by an Officer authorised by the Director to sign on the Directors behalf). AND The Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf). Sealing (where appropriate) Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf) in accordance with Rule 6 .

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Direct Award Process B

Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
£0 – £50,000 (including VAT)	Follow the appropriate procedure as set out in Rule 15 . The Gateway Process must be completed.	Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
£50,001 – £500,000 (including VAT)	Expressions of Interest must be sought on the E-Sourcing system. Awarded contract details must be published on the Contract Register, Find a Tender Service and to Contracts Finder.	The Responsible Officer must complete the Decision Record process for Contracts with a value of £50,000 inclusive of VAT or above. Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
Over £500,000 (including VAT)		The Responsible Officer must complete the Key Decision process.	Two signatures The Director (or by an Officer authorised by the Director to sign on the Directors behalf). AND The Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf). Sealing (where appropriate) Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf) in accordance with Rule 6 .

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Direct Award Process C

Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
£0 – £50,000 (including VAT)	Follow the appropriate procedure as set out in Rule 15 . The Gateway Process must be completed.	Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
£50,001 – £500,000 (including VAT)	An intention to award notice must be published on Find a Tender Service and to Contracts Finder. Awarded contract details must be published on the Contract Register, Find a Tender Service and to Contracts Finder.	The Responsible Officer must complete the Decision Record process for Contracts with a value of £50,000 inclusive of VAT or above. Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
Over £500,000 (including VAT)		The Responsible Officer must complete the Key Decision process.	Two signatures The Director (or by an Officer authorised by the Director to sign on the Directors behalf). AND The Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf). Sealing (where appropriate) Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf) in accordance with Rule 6 .

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Most Suitable Provider Process

Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
£0 – £50,000 (including VAT)	Follow the appropriate procedure as set out in Rule 15 . The Gateway Process must be completed.	Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
£50,001 – £500,000 (including VAT)	A Notice of Intention to follow the Most Suitable Provider Process must be published via Find a Tender Service An Intention to Award Notice must be published to Contracts Finder and Find a Tender Service.	The Responsible Officer must complete the Decision Record process for Contracts with a value of £50,000 inclusive of VAT or above. Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
Over £500,000 (including VAT)	Awarded contract details must be published on the Contract Register, Find a Tender Service and to Contracts Finder.	The Responsible Officer must complete the Key Decision process.	Two signatures The Director (or by an Officer authorised by the Director to sign on the Directors behalf). AND The Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf). Sealing (where appropriate) Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf) in accordance with Rule 6 .

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Competitive Process

Total Contract Value	Award Procedure	Transparency Procedure	Signature/Sealing Contract
£0 – £50,000 (including VAT)	Follow the appropriate procedure as set out in Rule 15 . The Gateway Process must be completed.	Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
£50,001 – £500,000 (including VAT)	The opportunity must be advertised on the E-Sourcing system, Find a Tender Service and Contracts Finder. Awarded contract details must be published on the Contract Register, Find a Tender Service and to Contracts Finder.	The Responsible Officer must complete the Decision Record process for Contracts with a value of £50,000 inclusive of VAT or above. Where applicable, the Responsible Officer must complete the Key Decision process.	One signature The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).
Over £500,000 (including VAT)		The Responsible Officer must complete the Key Decision process.	Two signatures The Director (or by an Officer authorised by the Director to sign on the Directors behalf). AND The Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf). Sealing (where appropriate) Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf) in accordance with Rule 6 .

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Table 5: Grants awarded by the Council

Total Grant Value	Award Procedure	Transparency Procedure	Signature/Sealing
<p>£0 up to and including £100,000</p>	<p>The Best Value Form or a Competitive Grant Form must be completed in accordance with Rule 23.</p>	<p>The Responsible Officer must complete the Decision Record process and/or the Key Decision Process where applicable.</p> <p>Contract details must be published on the Contract Register for contracts above £5,000 (excl. VAT).</p> <p>Contract details must be published on Contracts Finder for contracts above £30,000 (incl. VAT).</p> <p>The Responsible Officer will notify the Procurement and Contract Management Service of any Contract awarded to enable the contract to be published on the Contract Register and Contracts Finder (where applicable).</p>	<p>One signature</p> <p>The Director within the relevant Directorate (or by an Officer authorised by the Director to sign on the Directors behalf).</p>

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Total Grant Value	Award Procedure	Transparency Procedure	Signature/Sealing
£100,000+	<p>A competitive application process must be completed in accordance with Rule 23.</p> <p>Where the value is below the thresholds set out in Rule 19.2 a Competitive Grant Form must be completed.</p> <p>Where the value exceeds the thresholds set out in Rule 19.2 the Gateway Process must be completed.</p>	<p>The Responsible Officer must complete the Decision Record process and, where applicable, the Key Decision Process.</p> <p>Contract details must be published on the Contract Register and on Contracts Finder.</p>	<p>Sealing</p> <p>Monitoring Officer (or by an Officer authorised by the Monitoring Officer to sign on his behalf) in accordance with Rule 6 (unless signing is agreed by the Monitoring Officer).</p>

3. COMPLIANCE WITH LEGISLATION AND STANDARDS

- 3.1 Every Contract and Grant shall comply with all relevant applicable legislation and government guidance.
- 3.2 Where relevant, every Contract shall specify that materials used, goods provided, services supplied or works undertaken (as the case may be) shall comply with applicable standards.

4. POWERS AND KEY DECISIONS

- 4.1 In consultation with the Monitoring Officer Directors shall ensure that the Council has the legal power to enter into any Contract or Grant and that in respect of all Contracts and Grants, regardless of whether they involve the procurement or provision by the Council of Works, Supplies, Services or Social and Other Specific Services, and Health Care Services, Directors shall ensure that no Contract or Grant shall be entered into which is ultra vires.
- 4.2 Directors shall ensure that a written record of the decision to procure a Grant or Contract is made in accordance with the Gateway process where **Rule 19** applies. Where such a decision comprises a Key Decision under the Constitution, Directors shall ensure that it is entered on to the Forward Plan and treated as a Key Decision in all respects.

5. FORM OF CONTRACT

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- 5.1 Every Contract and Grant shall be evidenced in writing and must be signed or sealed (as appropriate) by both parties. Signature or sealing by the Council shall be in accordance with the requirements set out in **Rule 2** and **Rule 6**.
- 5.2 Wherever appropriate, and for all Contracts exceeding £50,000 including VAT in value, such written agreements shall be made on the basis of terms and conditions agreed by the Monitoring Officer. Such terms and conditions may be incorporated into standard order conditions. The Council may accept different terms and conditions proposed by a Contractor provided that the advice of the Monitoring Officer as to their effect has been sought and considered.
- 5.3 The written form of agreement must clearly specify the obligations of the Council and the Contractor and shall include:-
- (a) the work to be done or the Supplies, Services or Social and Other Specific Services, or Health and Care Services to be provided
 - (b) the standards which will apply to what is provided
 - (c) the price or other consideration payable
 - (d) the time in which the Contract is to be carried out
 - (e) the remedies which will apply to any breach of Contract.

6. SIGNATURE/SEALING OF CONTRACTS

- 6.1 Every written Contract or Grant must be either signed or sealed in accordance with this Rule. The Monitoring Officer (or an Officer authorised by the Monitoring Officer) will determine whether a Contract must be signed or sealed.
- 6.2 The Monitoring Officer and such of his staff as he may designate are authorised to sign any such contract or Grant.
- 6.3 The Monitoring Officer also authorises such Contracts or Grants to be signed as outlined in **Rule 2.12, Tables 1-5** and **Rule 1.3(c)** provided that:-
- (a) appropriate authority exists for the Council to enter into the Contract, and
 - (b) the Contract is either:-
 - (i) in a nationally recognised form, or
 - (ii) a standard form prepared or approved by the Monitoring Officer, or
 - (iii) is otherwise in a form approved by the Monitoring Officer; and
 - (c) any variations to approved forms of Contract must themselves be approved by the Monitoring Officer, whether they are affected by amending the Contract itself or by correspondence.
- 6.4 Only the Monitoring Officer (or a Legal and Democratic Services' Officer (LDSO) authorised by the Monitoring Officer) may seal a Contract on behalf of the Council, in each case being satisfied that there is appropriate authority to do so. Where agreed by

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the Monitoring Officer, electronic Deeds may be executed by the Monitoring Officer or a LDSO using the Council's chosen electronic deeds execution system.

- 6.5 Signatures may be affixed to a Contract either using physical, handwritten means or an Electronic Signature, as appropriate and in accordance with UK law.
- 6.6 Electronic Signatures may only be affixed using the Council's chosen electronic signature system or an approved alternative, as agreed by the HoP.
- 6.7 The use of Electronic Signatures is not permitted in circumstances where:
 - (a) the Contract is to be sealed (except where 6.4 applies);
 - (b) a physical handwritten signature needs to be filed;
 - (c) there is a proviso in the Contract which prevents the use of an Electronic Signature;
 - (d) the Contract may need to be enforced in a jurisdiction where Electronic Signatures are not accepted;
 - (e) the Contract needs to be notarised.

7. BONDS AND LIQUIDATED DAMAGES

- 7.1 Where appropriate the Council shall consider whether to include provision for the payment of liquidated damages by a Contractor for breach of Contract.
- 7.2 Where considered appropriate by the Council, the Contractor will be required to provide a parent company guarantee/performance bond to secure the performance of the Contract. Such performance bonds should provide for a sum of not less than 10% of the total value of the contract or such other sum as the S151 Officer considers appropriate.
- 7.3 Agreements made under Section 38 (adoption of new highways) or Section 278 (development of existing highways) of the Highways Act 1980 shall always include provision for a bond in respect of such sum as the Director of Environment shall consider appropriate except where: -
 - (a) the identity of the developer renders the need for a bond unnecessary, or
 - (b) adequate alternative security is provided, or
 - (c) the Director of Environment (in consultation with the S151 Officer) agrees that it is inappropriate for a bond to be required.

8. QUOTES

- 8.1 Rule 8 does not apply to Contracts for Health Care Services or Grants.

SINGLE QUOTATION

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- 8.2 Where the estimated value of a Contract is less than or equal to £5,000 excluding VAT or less (taking into account the whole life cost of the Contract, including extensions and/or variations) a quote must be obtained.
- 8.3 There is no requirement to use an E-Sourcing system or publish the opportunity on Contracts Finder for contracts below £5,000 (excluding VAT).
- 8.4 A single quote cannot be accepted where the value exceeds £5,000 excluding VAT. If the value of the quote exceeds £5,000 excluding VAT three quotes must be obtained or the best value form completed in accordance with **Rules 8.5 to 8.11**.

MINIMUM THREE QUOTES PROCESS/BEST VALUE FORM

- 8.5 Where the estimated value of a Contract is above £5,000 excluding VAT, and less than the relevant upper threshold limit set out in the Table below, including VAT (taking into account the whole life cost of the Contract including extensions and/or variations) a minimum of three quotes should be sought.

<u>Spend Area</u>	<u>Upper Threshold Limit (Including VAT)</u>
<u>Goods/ Services contracts (excluding Technology Contracts)</u>	<u>£5,001 up to and including £100,000</u>
<u>Technology Contracts</u>	<u>£5,001 up to and including £150,000</u>
<u>Works contracts</u>	<u>£5,001 up to and including £250,000</u>
<u>Light Touch Contracts (typically social care)</u>	<u>£5,001 up to and including £170,000</u>

- 8.6 Where possible quotes should be sought from at least one local supplier based within North Yorkshire. One quote should be from a Small and Medium Enterprise (SME), Voluntary, Community or Social Enterprise (VCSE) or local supplier based within North Yorkshire, unless this is not possible due to the nature of the market.
- 8.7 If three quotes are not sought, the Contract may be directly awarded using the Best Value Form as long as sufficient justification is given for not undertaking a quotes process. It is the Officer's responsibility to complete the Best Value Form.
- 8.8 A three quote process/best value form cannot be accepted where the value exceeds the relevant upper limit for this process. If the value of the quote exceeds the relevant upper limit for this process the bids process must be followed in accordance with **Rule 9**.
- 8.9 Where the estimated value of a Contract is between £30,000 and £50,000 inclusive of VAT (taking into account the whole life cost of the Contract, including extensions and/or variations):
 - (a) there is no requirement to advertise the opportunity, however if the Council chooses to advertise the opportunity, then it must also be advertised on Contracts Finder; and
 - (b) once the contract is awarded, details must be published on Contracts Finder.

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- 8.10 It is the Officer's responsibility to keep a record of quotes sought for audit purposes and to demonstrate best value has been achieved.
- 8.11 The Responsible Officer must follow the Council's Access to Information Rules, for example the Responsible Officer must complete the Key Decision process where applicable, and publish a decision record.

9. BIDS

9.1 Rule 9 does not apply to Contracts for Health Care Services or Grants.

9.2 If the estimated value of a Contract exceeds:

- £100,000 inclusive of VAT for Good and Services Contracts (excluding Social & Other Specific Services and Technology Contracts);
- £150,000 inclusive of VAT for Technology Contracts;
- £250,000 inclusive of VAT for Works Contracts;
- £50,000 inclusive of VAT for Concession Contract; or
- £170,000 inclusive of VAT for Social & Other Specific Services (Excluding Health Care Services)

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but is less than the appropriate WTO GPA Threshold, bids must be invited from all potential Contractors in accordance with **Rule 2.12, Tables 1-3**.

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- 9.3 A notice advertising the opportunity shall be published through the E-Sourcing System and on Contracts Finder and, if considered appropriate, a local newspaper and a suitable professional or trade journal or website. The form of advertising shall take into account the value, location and subject matter of the Contract. The notice shall specify brief details of the Contract, how the ITB documents may be obtained and the closing date for receipts of bids by the Council.
- 9.4 All potential Contractors invited to submit bids shall be provided in all instances with identical information and instructions. Where considered appropriate, Directors may permit potential Contractors who have been invited to submit bids under **Rule 9.2** to also submit variant bids (i.e. bids which do not comply with some or all of the requirements of the primary bid). The same opportunity to submit variant bids must be given to all potential Contractors.
- 9.5 A written bid may only be considered if:-
- (a) it has been received electronically through the E-Sourcing System, or
 - (b) (where permitted in exceptional circumstances) it has been received in a sealed envelope marked "Bid" and indicating the subject matter of the bid; and
 - (c) it has been opened after the expiry of the deadline for submissions and at the same time as other bids for the same subject matter in the presence of at least two Officers authorised to open bids.
- 9.6 Before bids are requested the evaluation criteria must be recorded in writing in the SQ and/ITB documents. The evaluation criteria must be identified and the weighting

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between price and quality established and stated in the request for bids sent to participants.

- 9.7 If a bid other than the lowest or the most economically advantageous bid is to be accepted, the written approval of the Director (in consultation with the S151 Officer or if the relevant Director is the S151 Officer, in consultation with the Chief Executive) shall be sought and obtained before the bid is accepted.
- 9.8 A bid cannot be accepted where the value exceeds the relevant WTO GPA Threshold. If the value of the bid exceeds the relevant WTO GPA Threshold a Director must seek tenders in accordance with **Rules 11 and 12**.
- 9.9 Before a Contract is awarded after a bid exercise such steps shall be taken by the Responsible Officer, as are reasonably necessary (having regard to the subject matter, value, duration of the Contract and other relevant factors) to complete a risk assessment of the potential Contractor's financial stability.
- 9.10 Bids may be altered only in accordance with **Rule 10**.
- 9.11 Where a Contract is terminated within the first 6 months of the Contract commencement date, the Council may award the Contract to the second placed supplier, provided that this demonstrates Best Value and with agreement from the HoP in consultation with the appropriate SCM.
- 9.12 The evaluation of bids shall be carried out by a panel of suitably qualified Officers who are considered appropriate having regard for the subject matter and value of the Contract.
- 9.13 The Responsible Officer must follow the Council's Access to Information Rules, for example the Responsible Officer must complete the Key Decision process where applicable, and publish a decision record.

10. POST BID NEGOTIATION AND CLARIFICATION

- 10.1 Rule 10 does not apply to Contracts for Health Care Services or Grants.
- 10.2 Post bid negotiations may not be undertaken where the value of the Contract exceeds the relevant WTO GPA Threshold. If the value of the bid exceeds the relevant WTO GPA Threshold, the Director must invite tenders in accordance with **Rules 11 and 12**.
- 10.3 Post bid negotiations with selected Participants shall only be carried out where: -
 - (a) post tender negotiations are permitted by law; and
 - (b) the Director in consultation with the HoP considers that added value may be obtained; and
 - (c) post bid negotiations are conducted by a team of suitably experienced Officers approved by the Director and who have been trained in post bid negotiations; and
 - (d) a comprehensive, written record of the post bid negotiations is kept by the Director; and

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(e) a clear record of the added value to be obtained as a result of the post bid negotiations is incorporated into the Contract with the successful Participant.

10.4 **Rules 10.2 and 10.3** shall not operate to prevent clarification of all or part of any bid to the extent permitted by law and where such clarifications are sought the provisions of **Rules 10.3(c) and 10.3(d)** shall apply.

11. ABOVE THRESHOLD PROCESS

11.1 Rule 11 does not apply to Contracts for Health Care Services or Grants.

11.2 Where the estimated value of the Contract exceeds the WTO GPA Threshold, Above Threshold Tenders shall be invited and awarded in accordance with the PCRs and as prescribed in **Rule 11 and 12**.

General Requirements

11.3 Before an Above Threshold Tender is requested the evaluation criteria to be applied to the Above Threshold Tender must be recorded in writing in the SQ and/or ITT document. The evaluation criteria must be identified and the weighting between price and quality established and stated in the SQ and/or ITT sent to Participants.

11.4 Irrespective of the procurement process being undertaken a notice must be published on the Find a Tender Service system and Contracts Finder, where possible this should be through the E-Sourcing system or an appropriate alternative system as agreed with the HoP.

11.5 All Participants invited to submit Above Threshold Tenders shall be provided in all instances with identical instructions and information.

11.6 Where considered appropriate, the HoP may, in consultation with the SCM, permit Participants to submit variant Above Threshold Tenders (i.e. tenders which do not comply with some or all of the requirements of the primary tender). The same opportunity to submit variant Above Threshold Tenders shall be given to all Participants. Variant Above Threshold Tenders shall only be considered if the Participant also submits a compliant primary tender.

11.7 The evaluation of the Above Threshold Tenders shall be carried out by Officers who are considered appropriate having regard for the subject matter and value of the Contract.

11.8 All procurements undertaken in accordance with **Rule 11** shall have a minimum of 3 appropriate Officers (excluding the Procurement and Contract Management Service representative) to undertake the evaluation process. The evaluation process shall include:

- Individual evaluation assessment and scoring
- Consensus marking exercise, chaired by a member of the Procurement and Contract Management Service
- Independent review by SCM, where required
- Moderation by evaluation panel, where required

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- 11.9 All evaluation panel members must have completed the evaluation training prior to completing any evaluation process.
- 11.10 Where a Contract is terminated within the first 6 months of the Contract commencement date, the Council may award the contract to the second placed supplier with agreement from the HoP in consultation with the Monitoring Officer provided that this demonstrated Best Value and the original award criteria have not changed.
- 11.11 The Responsible Officer must follow the Council's Access to Information Rules, for example the Responsible Officer must complete the Key Decision process where applicable, and publish a decision record.

12. OPTIONS FOR ABOVE THRESHOLD PROCESS

- 12.1 Rule 12 does not apply to Contracts for Health Care Services or Grants
- 12.2 The Gateway Process shall identify which Above Threshold Tender Procedures shall be used to invite tenders for Contracts with a value in excess of the relevant WTO GPA Threshold.
- (i) the Open Procedure (as prescribed by PCR Regulation 27)
 - (ii) the Restricted Procedure (as prescribed by PCR Regulation 28)
 - (iii) the Competitive Procedure with Negotiation (as prescribed by PCR Regulation 29)
 - (iv) the Competitive Dialogue Procedure (as prescribed by PCR Regulation 30)
 - (v) the Innovation Partnership Procurement (as prescribed by PCR Regulation 31)
 - (vi) use of the Negotiated Procedure without prior publication (as prescribed by PCR Regulation 32)
 - (vii) Social and Other Specific Services (Light Touch Regime) (as prescribed by PCR Regulations 74-76)

and such identified process shall be used for the invitation of Above Threshold Tenders in accordance with the requirements of the PCR's.

- 12.3 The Gateway Process shall also identify which of the following techniques and instruments which can be used for Electronic and Aggregated Procurements:
- (i) Framework Agreement (as prescribed by PCR Regulation 33)
 - (ii) Dynamic Purchasing System (as prescribed by PCR Regulation 34)
 - (iii) Electronic auctions (as prescribed by PCR Regulation 35)
 - (iv) Electronic catalogues (as prescribed by PCR Regulation 36).

13. RECEIPT AND OPENING OF ABOVE THRESHOLD TENDERS

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- 13.1 Rule 13 does not apply to Contracts for Health Care Services or Grants.
- 13.2 A written Above Threshold Tender may only be considered if: -
- (a) it has been received electronically through the E-Sourcing System, or (where permitted in exceptional circumstances, and subject to agreement by the HoP) it has been received electronically through an appropriate alternative method, such as a secure email inbox; or
 - (b) (where permitted under Regulation 84(h)) it has been received in hard copy in a sealed envelope marked "Above Threshold Tender" and indicating the subject matter of the Above Threshold Tender, and the identity of the Participant cannot be ascertained from the tender envelope; and
 - (c) (subject to **Rule 13.5**) it has been received by the Above Threshold Tender closing date and time.
- 13.3 The S151 Officer (or a person designated by them) shall be responsible for the reception and safe custody of Above Threshold Tenders until they are opened.
- 13.4 Electronically submitted Above Threshold Tenders, whether electronic or hard copy must be opened at the same time, in an auditable way, by an independent Officer from the Procurement and Contract Management Service.
- 13.5 Where permitted under Regulation 84(h) of the PCRs and Above Threshold Tenders are returned in hard copy format a written record shall be maintained by the HoP, of the Above Threshold Tenders received. Such a record shall include the date and time of Above Threshold Tender opening, the identity of the Officer(s) present, the identities of Participants and the tendered sums (where readily ascertainable).
- 13.6 Above Threshold Tenders submitted in hard copy must be opened at the same time and in the presence of the S151 Officer (or a person designated by them) or, where the Procurement and Contract Management Services is undertaking the procurement, the Monitoring Officer (or an Officer designated).
- 13.7 If an Above Threshold Tender is received after the specified closing date and time it may not be considered unless the HoP is satisfied that the Above Threshold Tender was submitted electronically or posted or otherwise dispatched in sufficient time to be delivered before the specified time but that delivery was prevented by an event beyond the control of the Participant.

14. ABOVE THRESHOLD TENDER EVALUATION AND ACCEPTANCE

- 14.1 Rule 14 does not apply to Contracts for Health Care Services or Grants.
- 14.2 The relevant officers shall evaluate Above Threshold Tenders using the evaluation criteria published in accordance with **Rule 11.3**.
- 14.3 Before a Contract is awarded the HoP shall, in consultation with the SCMs, determine whether it is proportionate and appropriate to complete a risk assessment to ascertain the financial stability of the successful Participant. The risk assessment shall take into account the subject matter, complexity, duration, value and any other such factors as may be deemed to be relevant. This shall be recorded in accordance with the Gateway Process (Gate 3) where appropriate.

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- 14.4 On completion of the evaluation of the Above Threshold Tenders received and once all internal approvals have been obtained through the Gateway Process (Gate 3), the HoP (or an Officer authorised by the HoP) shall write to all Participants informing them of the outcome of the Above Threshold Tender evaluation and providing feedback on the content of their submission, in accordance with Regulation 55 of the PCR's.
- 14.5 The HoP (or an Officer authorised by the HoP) shall wait a minimum of ten days (15 days if not sent electronically) from the date of issue of the letters notifying the Participants of the result of the evaluation before completing the Contract with the successful Participant, except where not required for example for call-offs under an existing Framework.
- 14.6 The HoP (or an Officer authorised by the HoP) shall send for publication a Contract Award Notice stating the outcome of the procurement procedure no more than 30 days after the award of the Contract.

15. OPTIONS FOR HEALTH CARE SERVICES PROCESS

- 15.1 The PSR governance process will identify which procedure shall be used for all Health Care Service contracts irrespective of value.
- a) Direct Award A (as prescribed by PSR Regulation 7)
 - b) Direct Award B (as prescribed by PSR Regulation 8)
 - c) Direct Award C (as prescribed by PSR Regulation 9)
 - d) The Most Suitable Provider Process (as prescribed by PSR Regulation 10)
 - e) The Competitive Process (as prescribed by PSR Regulation 11)

Such identified processes shall be used for the invitation and/or contract award in accordance with the requirements of the PSR.

16. CERTIFICATION OF CONTRACTS

- 16.1 The Local Government (Contracts) Act (LGCA) 1997 clarified the power of local authorities to enter into certain contracts, including Private Finance Initiative Contracts. Where Contracts need to be certified under the 1997 Act, only the following Officers are authorised to do so, following consultation with the relevant Executive Member: the Director Children and Young People's Service, the Director of Environment, the Director Health and Adult Services, the Director of Community Development, the Director of Public Health, the Monitoring Officer and the S151 Officer.

17. EXCEPTIONS TO PROCUREMENT AND CONTRACT PROCEDURE RULES

- 17.1 Rule 17 does not apply to Contracts for Health Care Services or Grants.
- 17.2 A Director does not need to invite bids in accordance with **Rule 9** in the following circumstances: -
- (a) purchases via Framework Agreements which have been established either by the Council or by other public sector bodies or consortia (including, but not

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limited to PSBOs) and where such framework agreements are lawfully accessible to the Council. Contracts awarded from such Framework Agreements shall be awarded in accordance with the provisions of that Framework Agreement; or

- (b) the contract is to be awarded to the Council's teckal company which is legally controlled by the Council; or
- (c) the instruction of Counsel by the Monitoring Officer; or
- (d) where funding is received by the Council, either in its own right or as an accountable body, and the terms of such grant or other external funding state that it must be applied in accordance with those terms; or
- (e) purchases at public auctions (including internet auction sites, e.g. Ebay) where the Director is satisfied that value for money will be achieved; or
- (f) the purchase of Supplies, Works, Services or Social and Other Specific Services which are of such a specialised nature as to be obtainable from one Contractor only; or
- (g) repairs to or the supply of parts for existing proprietary machinery or plant where to obtain such supplies from an alternative supplier would invalidate the warranty or contractual provisions with the existing supplier; or
- (h) Social or Other Specific Services Contracts where:-
 - (i) the service is currently supplied by a Contractor to the satisfaction of the relevant Director, is considered to be offering value for money and where the foreseeable disruption to service users cannot justify the invitation of further bids, or
 - (ii) the service is of a specialist or personal nature and where service users must be involved in the selection of the Contractor and where the Director Health and Adult Services and the Director Children and Young People's Service considers it inappropriate for bids to be invited, or
 - (iii) where the relevant Director is satisfied that the urgency of the need for the service prevents the invitation of bids in which case consideration shall be given to the duration of that service; or
- (i) in relation to Pilot schemes for a proof of contract/trialling a product or area of innovation.
- (j) Contracts where the Director with the agreement of the HoP agree that for reasons of extreme urgency brought about by unforeseeable events unattributable to the Council, the timescales for obtaining bids cannot be met. A written record shall be signed and dated by the Director, whenever this Rule applies.

17.3 Where any of the exceptions set out in **(e) to (j)** above are applied a Directors Recommendation, in consultation with the relevant SCMs, shall be signed, dated and kept. The Procurement and Contract Management Service shall maintain a register of all recommendations made under this Rule.

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17.4 A Director does not need to invite Above Threshold Tenders in accordance with **Rule 11 and 12**, in the following circumstances however the gateway process at **Rule 19** shall still apply:

- (a) purchases via Framework Agreements which have been established either by the Council or by other public sector bodies or consortia (including, but not limited to PSBO's) and where such Framework Agreements are lawfully accessible to the Council. Contracts awarded from such Framework Agreements shall be awarded in accordance with the provisions of that Framework Agreement. Where appropriate Officers should apply a minimum 10 day standstill period for all call-off Contracts awarded under an existing Framework Agreement. This is not mandatory but is deemed best practice; or
- (b) where:
 - (i) Regulations 12 or 72 of the PCRs apply; or
 - (ii) any other specific exclusions as set out in the PCRs apply.

Waivers

- 17.5 Specific exceptions to these Rules are permitted in such other circumstances as the S151 Officer and the Monitoring Officer may agree.
- 17.6 Requests for waivers shall be made using the Waiver Request Form prescribed by the S151 Officer which shall specify the reasons for the request.
- 17.7 Any requests for waivers shall be made in consultation with the relevant SCM's, and be signed, dated and kept. The Procurement and Contract Management Service shall maintain a register of all waivers made under this Rule.

18. COMPLIANCE, CONTRACT REGISTER AND PROCUREMENT PIPELINE

- 18.1 Every Officer shall comply with these Rules and any unauthorised failure to do so may lead to disciplinary action.
- 18.2 The S151 Officer shall be responsible for monitoring adherence to these Rules.
- 18.3 The HoP shall nominate a representative to act as a key contact point in relation to procurement matters for spend categories; such representatives shall be termed SCMs.
- 18.4 Each Director, in conjunction with the HoP, shall take all such steps as are reasonably necessary to ensure that Officers within their Directorate are aware of and comply with these Rules, the Procurement Manual and the Finance Manual referred to in **Rule 2.5**.
- 18.5 An annual report on procurement matters, such report to include an annual procurement plan and actions arising from the annual procurement plan, will be presented to a meeting of the Audit Committee.
- 18.6 The Council maintains a Contract Register the purpose of which is to record key details of:
 - 18.6.1 all Contracts with an aggregate value of £5,000 (exclusive of VAT) or more; and

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18.6.2 all Health Care Services contracts irrespective of value.

18.7 All Responsible Officers will notify the Procurement and Contract Management Service of any Contract awarded:

18.7.1 above £5,000; or

18.7.2 any contract for Health Care Services irrespective of value.

The Responsible Officer will use the format prescribed by the Procurement and Contract Management Service and report this information quarterly.

18.8 The HoP shall ensure that:-

- (a) all relevant Contracts (including those Contracts to which **Rule 16** applies) are entered onto the Contract Register; and
- (b) the Contract Register is maintained by entering new Contracts onto it and removing expired Contracts from it in line with the Council's Records Retention and Destruction Schedule.

Contracts Finder

18.9 When a Procurement leading to a Contract in excess of £30,000 inclusive of VAT is awarded the Procurement and Contract Management Service shall ensure that such information as is prescribed in the PCRs is published on Contracts Finder via the ESourcing system.

18.10 When a Procurement leading to a Health Care Services Contract of any value is awarded, the Procurement and Contract Management Service shall ensure that such information as is detailed in the PSRs is published on Contracts Finder via the E-Sourcing.

19. GATEWAY PROCESS AND PSR GOVERNANCE PROCESS REPORTS INCLUDING NOTIFICATION OF SECTION 151 OFFICER AND MONITORING OFFICER

19.1 When a procurement or Grant is being considered which is expected to exceed the financial value thresholds specified in **Rule 19.2** the Gateway Process must be completed and signed off by the relevant Officers, as detailed in **Table 5** below.

Table 6: Gateway Process - Authorisation to Approve

Gateway Process gate	Approval process
Gate 1 – Commissioning and Procurement Options Appraisal (includes Grants)	PAB or HoP or delegated SCM AND The relevant Director or delegated Assistant Director AND

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	<p>Finance - S151 Officer or delegated Assistant Director</p> <p>AND</p> <p>The Monitoring Officer or delegated officer</p>
Gate 2 – Authorisation of Documents	<p>An Officer from the Procurement and Contract Management Service</p> <p>AND</p> <p>SCM or delegated Officer</p>
Gate 3 – Contract/ Grant Award	<p>PAB or HoP or delegated SCM</p> <p>AND</p> <p>The relevant Director or delegated Assistant Director</p> <p>AND</p> <p>Finance - S151 Officer or delegated Assistant Director</p>
Gate 4(a) – Contract / Grant Extension/Variation/Novation	<p>PAB or HoP or delegated SCM</p> <p>AND</p> <p>The relevant Director or delegated Assistant Director</p> <p>AND</p> <p>Finance - S151 Officer or delegated Assistant Director</p> <p>AND, where appropriate</p> <p>Monitoring Officer or delegated officer – <i>only in cases where the extension is not part of the original Contract.</i></p>
Gate 4(b) – Contract/ Grant Termination (during the contract period)	<p>PAB or HoP or delegated senior officer</p> <p>AND</p> <p>The relevant Director or delegated Assistant Director</p> <p>AND</p> <p>Finance - S151 Officer or delegated Assistant Director</p> <p>AND</p>

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	Monitoring Officer or delegated officer
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19.2 The whole contract financial value thresholds for the purposes of **Rule 19.1** are:

- (a) Works and Concession Contracts - £1,000,000 inclusive of VAT
- (b) Social and Other Specific Services Contracts - £663,540 inclusive of VAT
- (c) Goods and Services Contracts - £214,904 inclusive of VAT.

The above values are used to determine the Gateway Process threshold for Grants.

19.3 In relation to Health Care Services contracts the PSR Governance Process must be completed and signed off by the relevant Officers, as detailed in **Table 7** below.

Table 7: PSR Governance Process - Authorisation to Approve

PSR Governance Process	Approval process
PSR Direct Award Process A, B or C – Contract Appraisal and Award	PAB or HoP or delegated SCM AND The relevant Director or delegated Officer
PSR Most Suitable Provider Process or Competitive Process - Options Appraisal / Project Initiation	PAB or HoP or delegated SCM AND The relevant Director or delegated Officer
PSR review – Authorisation of Documents	An Officer from the Procurement and Contract Management Service AND SCM or delegated Officer
PSR Most Suitable Provider Process or Competitive Process – Contract/ Grant Award	PAB or HoP or delegated SCM AND The relevant Director or delegated Officer
PSR Contract Modification – Contract / Grant Extension/Variation/Novation	PAB or HoP or delegated SCM AND The relevant Director or delegated Officer AND, where appropriate

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	Monitoring Officer or delegated officer – <i>only in cases where the extension is not part of the original Contract.</i>
PSR Contract Termination – Contract / Grant Termination (during the contract period)	PAB or HoP or delegated SCM AND The relevant Director or delegated Officer AND Monitoring Officer or delegated officer

19.4 The whole contract financial value thresholds for the purposes of **Rule 19.3** are:

- (a) Health Care Services Contracts – any value

20. CONTRACT MANAGEMENT

20.1 The Responsible Officer shall take all such steps as are appropriate to monitor and review the performance of the Contract, having regard to its value, nature, duration and subject matter. As part of the monitoring and review process the Responsible Officer shall maintain adequate records of Contract performance and details of review meetings with the Contractor. Such relevant records and details shall be made available to Internal Audit whenever required and shall be recorded in any relevant Gateway Process report (Gate 4).

20.2 Where appropriate the Responsible Officer will attend the Contract Management Practitioners Group.

Contract Variation/Novation

20.3 Contracts with a value below the relevant WTO GPA Threshold may be varied or extended or novated in accordance with the terms of that Contract. Any proposed variations which have the effect of materially changing the Contract must be approved by the Monitoring Officer, whether or not they are affected by amending the Contract itself or by correspondence.

20.4 Contracts with a value in excess of the relevant WTO GPA Threshold may be varied or extended in accordance with the terms of that Contract and/or as outlined in Regulation 72 of the PCRs. Approval must be sought in accordance with **Rule 19.1**, (Table 5 - Gateway Process - Authorisation to Approve Gate 4a).

20.5 Health Care Services Contract variations must be done in accordance with Regulation 13 of the PSRs. Approval must be sought in accordance with **Rule 19.3**.

Contract Termination

20.6 If an Officer requires a Contract which exceeds the financial values stated in **Rule 19.2** or any Health Care Service Contract to be terminated then this must be done in accordance with the terms of the Contract and in accordance with the PCRs or PSRs,

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where applicable. Approval must be sought in accordance with **Rule 19.1** or **Rule 19.3** (as applicable).

21. TRAINING FOR PROCUREMENT AND CONTRACT MANAGEMENT

- 21.1 Where appropriate any Officer involved in procurement activities shall have received a level of formal training commensurate with the nature of the procurement activity being undertaken.
- 21.2 Where appropriate the Responsible Officer involved in contract management shall have received a level of formal training commensurate with the nature of the contract.

22. DECLARATION OF INTERESTS

- 22.1 A Conflict of Interest declaration must be completed by all members of the evaluation panel. A Confidentiality Agreement or Declaration form must also be completed by any members of the evaluation panel who are not directly employed by the Council, unless there are alternative appropriate confidentiality provisions within the persons appointment documents (such as a consultancy agreement).
- 22.2 If it comes to the knowledge of a Member, Responsible Officer or other Officer that a Contract or Grant in which they have an interest (determined in accordance with the Members' and/or Officers' Code of Conduct as appropriate) has been or is proposed to be entered into by the Council, they shall immediately give written notice to the Monitoring Officer.
- 22.3 In relation to Health Care Services Contracts, conflicts of interest must be managed in line with Regulation 21 of the PSRs.

23. GRANTS

- 23.1 A grant is a sum of funds for a specific purpose. Under a grant agreement, the funder makes a payment to the recipient for a specific purpose. The recipient is not obliged to deliver any goods or services to the funder. The Council may grant-fund third party organisations for example to help deliver community cohesion or to provide complementary activities. Responsible Officers should in consultation with Procurement and Contract Management Service and Monitoring Officer understand if the Grant is subject to the PCRs or PSRs.
- 23.2 Grants up to and including a value of £100,000 may be directly awarded where a Best Value Form is completed, and subsidy control law must be complied with. It is the Officer's responsibility to complete the Best Value Form.
- 23.3 For any Grant over £100,000, a competitive grants process must be completed and subsidy control law complied with. Where a competitive grants process is undertaken, a Competitive Grants Form must be completed. Where appropriate, the opportunity should be advertised on the Council's ESourcing system.
- 23.4 Where the value of a grant exceeds the relevant WTO GPA Threshold, any value for Health Care Service Contracts, or £1,000,000 for works, the Gateway Process shall be completed in accordance with **Rule 19**.
- 23.5 Specific exceptions to **Rule 23** are permitted in circumstances as the Monitoring Officer and S151 Officer may agree.

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23.6 The Responsible Officer shall take all such steps as are appropriate to monitor and review the delivery of the grant agreement, having regard to its value, nature, duration and subject matter. As part of the Grant monitoring and review process the Responsible Officer shall maintain adequate records of delivery and details of review meetings with the grant recipient.

24. HIRING AND ENGAGING STAFF

24.1 Where an Officer is hiring or engaging a staff member who is not on the Council payroll there is a legal requirement to determine whether it is the responsibility of the Council to deduct tax and national insurance at source, in accordance with the requirements of the Social Security Contributions (Intermediaries) Regulations 2000, as amended (IR35).

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13.03 Types of Decision

(a) Decisions reserved to full Council. Decisions relating to the functions listed in Article 4.02 will be made by the full Council and not delegated.

(b) Key decisions.

(i) A key decision means a decision made in connection with the discharge of a function which is the responsibility of the Executive and which is likely:

(aa) to result in the Council incurring expenditure, or making savings, which are significant having regard to the Council's budget for the service or function to which the decision relates; or

(bb) to be significant in terms of its effects on communities living or working in an area comprising two or more electoral divisions in the area of the Council. more than one community.

(ii) For the purposes of (i)(aa) above, savings or expenditure are significant if they are equal to or greater than £500,000 or 20% of the gross expenditure of the relevant budget service area (as explained in the Financial Procedure Rules relating to virement) whichever is the less, but, subject to (i)(bb) above, does not include:

- ♦ a decision concerning a bid an application for grant or external funding;
- ♦ a decision taken on expenditure specifically identified within budget approved by Council on items necessary for normal operational service delivery;
- ♦ a decision taken on expenditure which is specifically identified on the Procurement Pipeline.

NB: Where the decision will also have a significant impact on more than one community (as well as the significant financial impact) then the above exclusions should not generally be relied upon.

(ii) For the purposes of (i)(aa) and (bb) above, a key decision does not include:

- ♦ a decision taken for the purpose of implementing an earlier key decision.

Access to information legislation sets out additional requirements upon local authority decision-making in relation to key decisions. These are incorporated in the Council's Access to Information Procedure Rules in Part 4 of the Constitution.

(iv) A decision maker may only make a key decision in accordance with the requirements of the Executive Procedure Rules set out in Part 4 of this Constitution.

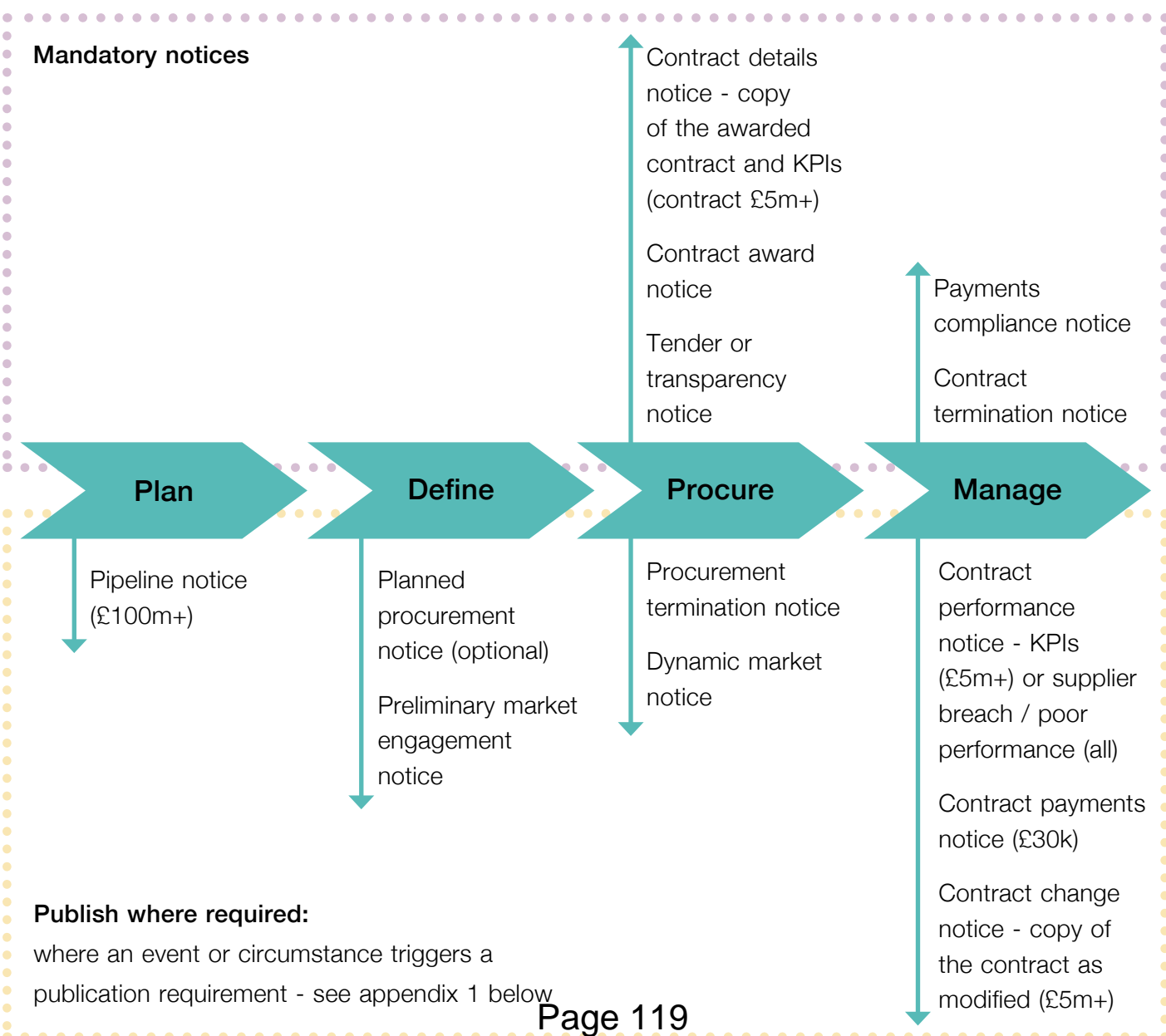
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Transparency notices / publication

Flowchart

This flowchart demonstrates the notices and other information that you may publish throughout the end-to-end procurement lifecycle (depending on the procurement procedure followed, the nature of the contract and / or the contracting authority). **Further details about each notice can be found in the notices fact sheet.**



Appendix 1: publication triggers (publication when required)

The following table sets out the publication triggers that apply to notices and other information that should be 'publish when required' on the central digital platform. Exemptions to publication apply, see the notices fact sheet for more details.

Notice / information	Publication trigger
Pipeline notice	Where organisational procurement spend is £100m+, publish 12-month forward of procurements £2m+
Planned procurement notice	Publish a qualifying planned procurement notice to reduce tender timescales
Preliminary market engagement notice	Publish where pre-market engagement is planned or has taken place (or explain why not, in tender notice)
Procurement termination notice	Publish if, following a tender or transparency notice, the procurement ends without a contract award
Dynamic market notice	Publish to advertise, establish, change or terminate a dynamic market
Copy of awarded contract (and KPIs)	For contracts over £5m total value, KPIs must be set and the contract (redacted as required) published
Contract performance notice	Publish annual KPI data (contracts £5m+), and/or as required to report breach of contract / poor performance
Contract payments notice	Publish where one or more contract payment of £30k+ is made under a public contract (quarterly)
Contract change notice	Publish when making a contract modification (unless exemption applies)

Extracts from Financial Procedure Rules

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28.0 GRANTS AND EXTERNAL FUNDING

28.1 External funding can provide an important source of income to the Council but grant conditions must be carefully examined before any application is submitted or agreement is entered into to ensure they are compatible with the Council's aims and objectives. Grant conditions may also result in the Council committing to future expenditure for which there is no budget provision. A risk assessment must therefore be completed and documented to ensure all potential financial obligations and future liabilities are properly identified.

28.2 The CFO will provide detailed procedural guidance to follow when applying for grant or other external funding, and before any offers of funding are accepted.

28.3 Corporate Directors should consult with the CFO in all circumstances where applications for grants or other external funding are being considered.

Applying for a Grant

28.4 The following approvals are required before applications are submitted. The limits apply to the aggregate level of funding where the grant is to be paid in instalments.

Estimated Value of Grant	Required action / approval
Less than £200,000 £500,000	Corporate Director in consultation with CFO
£200,000 £500,000 and over	Obtain approval of the CFO in consultation with the Executive Member for Finance and other relevant Executive Member(s)*

* Recurring grants and external funding (a grant/funding which has been applied for previously with no substantial change to grant conditions or delivery of the grant) require consultation with the relevant Executive Member(s) at the discretion of the CFO.

Accepting a Grant or External Funding

28.5 The following approvals are required before any offers of grant or other external funding are accepted:

New, discretionary grants and external funding (a new grant/funding which at the discretion of the Council to apply for and has not been applied for previously):

Value of Grant Offer	Required action / approval
Less than £200,000 £500,000	Obtain approval of the CFO
£200,000 £500,000 - £1m	Obtain approval of the relevant Executive Member(s) in consultation with the CFO and the Executive Member for Finance
Over £1m	Obtain approval of the Executive

Recurring grants and external funding (a grant which has been applied for previously with no substantial change to ~~grant conditions or~~ delivery of the grant):

Estimated Value of Grant	Required action/approval
Less than £200,000 <u>£500,000</u>	Corporate Director to inform the CFO
£200,000 <u>£500,000</u> and over	Obtain approval of the CFO in consultation with the Executive Member for Finance and other relevant Executive Member(s) as necessary

Direct award grants (grant provided directly to the Council ~~where it is statutory requirement to provide the prescribed service and~~ where there is no application requirement):

Type of grant	Required action/approval
Statutory <u>Direct Award grant</u>	Corporate Director to inform the CFO
Discretionary	As per rules for new discretionary grants and recurring grants

- 28.6 Corporate Directors are responsible for ensuring all grant conditions are complied with and the required approvals and certifications are obtained before submitting claims or returns to the relevant funding bodies.

Extract from Executive Members' Delegation Scheme

...

Each individual member of the Executive has the following responsibilities and powers:

...

6. In respect of grant or other external funding:

- (a) To be consulted, along with the Executive Member for Finance, regarding the submission of bids for grant or other external funding in excess of ~~£200,000~~£500,000 or more (save in the case of recurring grants, where consultation with the Executive Member will be at the discretion of the Chief Finance Officer), as set out in Financial Procedure Rule 28.4; and
- (b) Following consultation with the Chief Finance Officer and the Executive Member for Finance, to authorise the acceptance of any offer of new discretionary grant or other external funding of ~~£200,000~~£500,000 to £1million (inclusive) in line with the requirements of Rules 28.5 of the Financial Procedure Rules;
- (c) To be consulted, along with the Executive Member for Finance, regarding the acceptance of recurring grants or other external funding of ~~£200,000~~£500,000 or more, as set out in Financial Procedure Rule 28.5;

subject, in all cases, to the implications for the Council being consistent with the budget and policy framework, and subject also to the requirements of the Financial Procedure Rules in relation to Partnerships and Accountable Bodies at Rules 29 and 30 respectively.

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Initial Climate Change Impact Assessment (Form created August 2021)

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

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

Title of proposal	Proposed amendments to the Council's Constitution
Brief description of proposal	To consider proposed amendments to the Constitution.
Directorate	Central Services
Service area	Legal and Democratic Services
Lead officer	Barry Khan, Assistant Chief Executive Legal and Democratic Services and Monitoring Officer, North Yorkshire Council
Names and roles of other people involved in carrying out the impact assessment	Moira Beighton, Senior Governance Lawyer, North Yorkshire Council

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

Remember to think about the following;

- Travel

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

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

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

Decision (Please tick one option)	Full CCIA not relevant or proportionate:	Not relevant/proportionate	Continue to full CCIA:	
Reason for decision	The issues covered by the report do not of themselves present any significant climate change implications.			
Signed (Assistant Director or equivalent)	BARRY KHAN, Assistant Chief Executive Legal and Democratic Services and Monitoring Officer			
Date	20 June 2024			

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Initial equality impact assessment screening form			
This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.			
Directorate	Central Services		
Service area	Legal and Democratic Services		
Proposal being screened	To consider proposed amendments to the Constitution.		
Officer(s) carrying out screening	Barry Khan, Assistant Chief Executive Legal and Democratic Services and Monitoring Officer, North Yorkshire Council		
What are you proposing to do?	Approve amendments to the Constitution.		
Why are you proposing this? What are the desired outcomes?	To enable safe and legal decision making for the Council.		
Does the proposal involve a significant commitment or removal of resources? Please give details.	No significant implications.		
Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics As part of this assessment, please consider the following questions: <ul style="list-style-type: none"> • To what extent is this service used by particular groups of people with protected characteristics? • Does the proposal relate to functions that previous consultation has identified as important? • Do different groups have different needs or experiences in the area the proposal relates to? <p>If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.</p>			
Protected characteristic	Potential for adverse impact		Don't know/No info available
	Yes	No	
Age		No	
Disability		No	
Sex		No	
Race		No	
Sexual orientation		No	
Gender reassignment		No	
Religion or belief		No	
Pregnancy or maternity		No	
Marriage or civil partnership		No	
NYCC additional characteristics			
People in rural areas		No	
People on a low income		No	
Carer (unpaid family or friend)		No	
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	The decision relates to the whole area and applies equally.		
Will the proposal have a significant effect on how other organisations operate? (e.g.	No significant implications.		

<p>partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.</p>				
<p>Decision (Please tick one option)</p>	<p>EIA not relevant or proportionate:</p>	<input checked="" type="checkbox"/>	<p>Continue to full EIA:</p>	
<p>Reason for decision</p>	<p>The approval of amendments to the Constitution will not have an adverse impact on any protected characteristic and therefore a full EIA would be disproportionate in this case.</p>			
<p>Signed (Assistant Director or equivalent)</p>	<p><i>Barry Khan</i></p>			
<p>Date</p>	<p>20 June 2024</p>			

**North Yorkshire Council
Executive
9 July 2024**

Appointments to Committees and Outside Bodies

Report of the Assistant Chief Executive, Legal and Democratic Services

1.0 PURPOSE OF THE REPORT

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

2.0 YORKSHIRE REGIONAL FLOOD AND COASTAL COMMITTEE

- 2.1 The Executive appoints to the Yorkshire Regional Flood and Coastal Committee. Regional Flood and Coastal Committees were established by the Environment Agency and influence local priorities for flood risk management. At present, Councillor Keane Duncan is appointed to the committee with Councillor John Cattnach as substitute. It is now recommended that Councillor David Jeffels replaces Councillor Keane Duncan as the substantive appointment on the committee.

3.0 FLOODING CHAMPION

- 3.1 There is currently nobody appointed as the Council's Flooding Champion. This role does not attract a Special Responsibility Allowance and the appointment is made by the Leader. It is practice, however, for the Leader to seek the endorsement of the Executive for such appointments. The Leader has appointed Councillor David Jeffels to this role.

4.0 IMPLICATIONS

- 4.1 There are no equalities, finance, legal or climate change implications arising from the recommendations in this report.

5.0 RECOMMENDATIONS

- 5.1 That the Executive appoints Councillor David Jeffels to the Yorkshire Regional Flood and Coastal Committee and that Councillor Keane Duncan is taken off the committee. Councillor John Cattnach is to remain the substitute member.
- 5.2 That the Executive endorses the appointment of Councillor David Jeffels to the vacant position of Flooding Champion, that has been made by the Leader.

Barry Khan
Assistant Chief Executive (Legal and Democratic Services)
County Hall, Northallerton
1 July 2024

Report Author - Daniel Harry, Head of Democratic Services and Scrutiny

Background documents - NYC Constitution, v6, April 2024 - [NYC Constitution - Version 7 - May 2024.pdf \(northyorks.gov.uk\)](#)

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North Yorkshire Council

Executive

9 July 2024

Area Constituency Committee Feedback Report

Report of the Assistant Chief Executive Legal and Democratic Services

1.0 PURPOSE OF REPORT

- 1.1 To bring to the attention of the Executive key issues considered at recent meetings of the Area Constituency Committees (ACC).

2.0 HARROGATE AND KNARESBOROUGH ACC – 30 MAY 2024

- 2.1 Councillor Monika Slater and Peter Lacey were elected as Chair and Vice-Chair respectively of the Committee for the ensuing municipal year.
- 2.2 There were no public questions or statements received at this meeting.
- 2.3 The Committee received an informative report on the wide-ranging work of the Stronger Communities team both countywide and at the local level in Harrogate and Knaresborough, and about the recent 'Let's Talk Food' survey which had gathered valuable data about residents' experiences around accessing healthy food and food waste.
- 2.4 The Committee discussed and supported the recommendations as contained in the submitted report to Executive in respect of the Pannal and Burn bridge Neighbourhood Plan.
- 2.5 Transport and Travel – updates reports were received on 20mph implementation (West/South-West Harrogate); Otley Road Sustainable Transport Measures, West of Harrogate and a discussion and presentation on Harrogate Active travel.
- 2.6 A brief update was provided on the work of the Harrogate Station Gateway and Member appointments made to the ACC working group looking at this matter.
- 2.7 The Committee also agreed the allocation of £70,000 of the £100,000 ACC Economic, Regeneration, Tourism and Transport Project Development Fund after a discussion and debate at the meeting for the development of three schemes which would bring significant economic and social benefits to the area: Decarbonising Knaresborough Wellbeing Hub (£20,000); Harrogate Cycling Infrastructure Plan: Corridor 2 (£40,000); and A59 Harrogate to Knaresborough missing link (£10,000).
- 2.8 Further information about the meeting can be found here - [Agenda for Harrogate and Knaresborough Area Constituency Committee on Thursday, 30th May, 2024, 10.00 am | North Yorkshire Council](#)

3.0 SKIPTON AND RIPON ACC – 6 JUNE 2024

- 3.1 Councillors Richard Foster and Andy Solloway were elected as Chair and Vice Chair respectively for the ensuing municipal year
- 3.2 Representatives from the Modality GP Partnership attended to answer Members' queries regarding access to GP appointments. Members had previously raised concerns that the system that is used is inaccessible to those with limited computer literacy. Modality informed the Committee of the ways in which patients could book appointments, settling their concerns. Members asked for an update on the statistics provided to the Committee at this meeting to be presented to the meeting on 12 December 2024.
- 3.3 Members endorsed the spending of £75,000 of the ACC Economic, Regeneration, Tourism and Transport Project Development Fund on two projects. The Sector Growth Opportunities – Health, Pharmaceuticals and Life Sciences project (£25,000) will research the sector, engaging with businesses to gain an understanding of the opportunities and limitations affecting their future growth. The Ripon Mobility Hub project (£50,000) will consider the requirements of various transport modes, complementary facilities and how the Hub can support Ripon and its wider hinterland. At the Skipton and Ripon ACC on 7 March 2024, the Langcliffe Quarry – A History of the Limeworks Industry project (£25,000) had been endorsed and therefore all the funds for 2023/24 and 2024/25 have now been committed by the Committee.
- 3.4 The following reports were welcomed and noted: Sandylands Masterplan, which sets out the vision for the Sandylands sports site and provides a long-term guide to its future growth and evolution into the future; Stronger Communities Annual Report, which provides an overview of the progress made in the Skipton and Ripon Constituency; and Let's Talk Food – Survey Feedback, which presented the feedback from the latest 'Let's Talk' campaign on residents' experiences around accessing healthy food and food waste.
- 3.5 Members discussed adding the following topics to the work programme: a standing item to discuss local issues with the Combined Authority Mayor, a review into the impact of tourism on communities in the constituency, as well as others.
- 3.6 Further information about the meeting can be found here - [Agenda for Skipton and Ripon Area Constituency Committee on Thursday, 6th June, 2024, 10.00 am | North Yorkshire Council](#)

4.0 SCARBOROUGH AND WHITBY ACC – 7 JUNE 2024

- 4.1 Councillors Liz Colling and Janet Jefferson were elected as Chair and Vice-Chair respectively of the committee for the ensuing municipal year.
- 4.2 Following the receipt of a public question at the March meeting of the committee raising concerns about the safety of children who will walk to school along the cinder track from Stainsacre in Whitby to the new Whitby School, the committee received presentations from the Head of Strategic Planning (Children and Young People's Service) and Walked Route Assessor (Highways and Transportation) about how the legislation and statutory guidance in respect of walked routes to school had been applied to assess this particular route. Following a lengthy discussion, the committee resolved to (i) promote the use of a walking bus by parents on this route, (ii) ask officers to consider lighting the cinder track on this section, and (iii) ask officers to consider providing another pedestrian crossing on Helredale Road again for reasons of child safety when walking to the new school.

- 4.3 The committee was pleased to endorse that the Corporate Director spends £66,000 of the Scarborough and Whitby ACC Economic, Regeneration, Tourism and Transport Project Development Fund on the development of four schemes which would bring significant economic, social, cultural and health benefits to the area: coastal access at Cayton Bay, offshore economic opportunities, active travel / social prescribing pilot project, and commemorations in 2026 to mark 400 years of Scarborough's status as the first seaside spa resort.
- 4.4 Members welcomed the proposed new Public Space Protection Order for Scarborough Town Centre which had received overwhelming support in the recent public consultation and served as one of a variety of tools to tackle the growing problem of anti-social behaviour in public places as a result of alcohol misuse and other misconduct.
- 4.5 The committee received an encouraging update on the wide-ranging work of the Stronger Communities team both countywide and at the local level, and about the recent Let's Talk Food survey which had gathered valuable data about residents' experiences around accessing healthy food and food waste.
- 4.6 Various additions were agreed to the committee's work programme including the decision to arrange a special meeting later in the year to undertake a public, evidence gathering session from a range of stakeholders about bathing water quality. This decision was made in light of the recent multi-agency bathing water summit which had highlighted the progress being made in this regard with the: McCain Foods' and Yorkshire Water's investment plans; the extensive testing to be carried out this season by the Environment Agency; and the work commissioned from Professor Grocke at Durham University to investigate the causes of the poor water quality and steps that should be taken to achieve improvement.
- 4.7 Further information about the meeting can be found here - [Agenda for Scarborough and Whitby Area Constituency Committee on Friday, 7th June, 2024, 10.00 am | North Yorkshire Council](#)

5.0 SELBY AND AINSTY ACC – 13 JUNE 2024

- 5.1 Councillors Melanie Davis and Kirsty Poskitt were elected as Chair and Vice-Chair respectively for the ensuing municipal year.
- 5.2 There were no public questions or statements received at this meeting.
- 5.3 Katie Privett, Regional Insights Manager, Northern Powergrid gave a detailed and informative presentation entitled "Northern Powergrid – Enabling Regional Decarbonisation which generated much interest and discussion with the ACC Councillors.
- 5.4 The Committee received an informative report on the wide-ranging work of the Stronger Communities team both countywide and at the local level in Selby and Ainsty, and about the recent Let's Talk Food survey which had gathered valuable data about residents' experiences around accessing healthy food and food waste.
- 5.5 The Committee also agreed the allocation of £100,000 of the ACC Economic, Regeneration, Tourism and Transport Project Development Fund after a discussion and debate at the meeting for the development of three schemes which would bring significant economic and social benefits to the area: Interactive Towns (including a heritage study survey) - £40,000; Real time bus information – digital displays - £40,000 and Village cinemas - £20,000.

- 5.6 Brief verbal updates were provided on public transport – buses; progress on the new free SEND school for Selby; and changes to Parliamentary Boundaries – Impact on the Area Constituency Committee.
- 5.7 Further information about the meeting can be found here - [Agenda for Selby and Ainsty Area Constituency Committee on Thursday, 13th June, 2024, 10.00 am | North Yorkshire Council](#)

6.0 THIRSK AND MALTON ACC – 14 JUNE 2024

- 6.1 Councillors Nigel Knapton and Caroline Goodrick were elected as Chair and Vice Chair respectively for the ensuing municipal year.
- 6.2 A member of the public asked if the Council would improve the switchboard/customer enquiries department. Examples were provided of occasions where customers had difficulty contacting officers of the Council. The Head of Customer Experience and Excellence responded and explained the Council's plans going forward to ensure continuous improvement in the service.
- 6.3 The Committee was asked to consider and note the Draft Decision Statement for the Malton and Norton-on-Derwent Neighbourhood Plan. This had reached an advanced stage where the Council decides whether it passed the Basic Conditions test or can do so with modifications, and whether it can proceed to Referendum. Members noted the Decision Statement to agree to modifications (recommended by the Examiner in Appendix 1) of the Malton and Norton Neighbourhood Plan and for that modified plan to proceed to referendum.
- 6.4 The Manager of the Howardian Hills National Landscape (HHNL) gave an update and overview of the work of the HHNL. A request was made to the Committee to consider appointing one or two additional councillors to the Joint Advisory Committee.
- 6.5 Members considered the Work Programme for 2024/25. An informal online meeting had been arranged in July to discuss and consider the Work Programme for the remainder of the year.
- 6.6 The feedback from the Let's Talk Food survey and the outcomes of the latest project scoping were shared with Members for information only.
- 6.7 Further information about the meeting can be found here - [Agenda for Thirsk and Malton Area Constituency Committee on Friday, 14th June, 2024, 10.00 am | North Yorkshire Council](#)

7.0 RICHMOND (YORKS) ACC – 17 JUNE 2024

- 7.1 Councillors Yvonne Peacock and Caroline Dickinson were elected as Chair and Vice Chair respectively for the ensuing municipal year.
- 7.2 Public statements and questions regarding bus provision to the new residential developments north of Northallerton were received. The response from NYC Passenger Transport Services stated that a contribution to support public transport to the area was not included in the planning application as this would have impacted on the viability of the scheme. Members were informed that with regard to future applications the highway authority would review the proposals in due course but accessibility by different modes of transport and all users will be a key requirement.
- 7.3 A report regarding schools, educational achievement and finance informed Members about the educational landscape of the Richmond (Yorks) constituency.

- 7.4 The Committee received an informative report on the wide-ranging work of the Stronger Communities team both countywide and at the local level in Richmond (Yorks), and about the recent Let's Talk Food survey which had gathered valuable data about residents' experiences around accessing healthy food and food waste.
- 7.5 A presentation on the Richmondshire Leisure Trust provided Liberty Health Club membership statistics, an overview of the Richmond Pool usage, a summary of challenges facing the organisation and outlined the future plans for the Trust.
- 7.6 A report on the local bus services in the Stokesley area provided details on funding, the current situation and the challenges faced.
- 7.7 Following a query by Members, a letter detailing ambulance call outs and response times was received by the Yorkshire Ambulance Service.
- 7.8 The Committee received a report detailing how flooding issues at Morton Flatts and highways matters across the constituency are being addressed.
- 7.9 A verbal update on the progress made on projects for the ACC Economic, Regeneration, Tourism and Transport Project Development Fund was received.
- 7.10 Further information about the meeting can be found here - [Agenda for Richmond \(Yorks\) Area Constituency Committee on Monday, 17th June, 2024, 10.00 am | North Yorkshire Council](#)

8.0 FINANCIAL & LEGAL IMPLICATIONS

- 8.1 The financial and legal implications of the issues raised in this summary report are included in the reports that went to the meetings of the Area Constituency Committees in May and June 2024.

9.0 CLIMATE CHANGE IMPLICATIONS

- 9.1 The climate change implications of the issues raised in this summary report are included in the reports that went to the meetings of the Area Constituency Committees in May and June 2024.

10.0 EQUALITIES IMPLICATIONS

- 10.1 The equalities implications of the issues raised in this summary report are included in the reports that went to the meetings of the Area Constituency Committees in May and June 2024.

11.0 REASONS FOR RECOMMENDATIONS

- 11.1 The recommendations to the Executive have been made by the Area Constituency Committees as part of their consideration of local issues at their May and June 2024 round of committee meetings.

12.0 RECOMMENDATIONS

- 12.1 The Executive is asked to note the report and consider any matters arising from the work of the Area Constituency Committees detailed above, that merit further scrutiny, review or investigation at a county-level.

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

Report Author:

St John Harris – Principal Democratic Services Officer
stjohn.harris@northyorks.gov.uk

Background Documents:

Agenda, papers and minutes of the 6 Area Constituency Committee meetings in May and June 2024, which can be accessed via the following link -
<https://edemocracy.northyorks.gov.uk/mgListCommittees.aspx?bcr=1>

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

FORWARD PLAN

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

Publication Date: 1 July 2024 Last updated: 1 July 2024
Period covered by Plan: 1 July 2024 to 31 July 2025

PLEASE NOTE:-

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

FUTURE DECISIONS

Likely Date of Decision	**Decision Taker	In Consultation with (Executive Member or Corporate Director)	Description of Matter – including if the report contains any exempt information and the reasons why	Key Decision YES/NO	Decision Required	Consultees (i.e. the principal groups to be consulted)	Consultation Process (i.e. the means by which any such consultation is to be undertaken)	Contact details for making representations (Tel: 0845 034 9494) unless specified otherwise)	Relevant documents already submitted to Decision Taker
16 Jul 2024	Executive		Examiner’s Report on the Pannal and Burn Bridge Neighbourhood Plan - Decision Statement and Referendum	Yes	This is a statutory stage in the preparation of a Neighbourhood Plan that takes place following independent Examination of the plan. The report will set out a recommendation on whether to agree an appended Decision Statement. The Decision statement will set out the Council’s position on the Neighbourhood Plan in-light of the Examiner’s Report and whether the Plan can progress to referendum. Based on consideration of a Fact-Checking Draft of the Examiner’s Report, both the local planning authority (LPA) and the qualifying body responsible for the preparation of the plan	The neighbourhood plan has already been subject to consultation by both the parish council- during their preparation of the plan, and the LPA following submission in order to inform the Examination. Internal consultation with senior officers will take place in conjunction with the report’s preparation.	Email and meetings.	Natasha Durham, Planning Manager (Policy), Joe Varga, Senior Policy and Delivery Officer joe.varga@northyorks.gov.uk,	Examiner’s Report on the Pannal and Burn Bridge Neighbourhood Plan - Decision Statement and Referendum

					(Pannal and Burn Bridge Parish Council) agree with all of the Examiner's modifications recommended as necessary for the Plan to meet the basic conditions. This will be confirmed on receipt of the final Examiner's report. Subject to a favourable decision, the Plan would be amended in-line with the recommended modifications post-decision and this modified Plan would go forward to referendum.				
16 Jul 2024	Executive		Malton and Norton Neighbourhood Plan – Decision Statement and referendum	Yes	This is a statutory stage in the preparation of a Neighbourhood Plan post Examination Report is to set out a recommendation to agree the appended Decision statement (a statement which sets out the Council's position on the Neighbourhood Plan) and agree that a referendum will be held. Both the LPA and the Qualifying body agree	Internal consultation will take place in conjunction with the report's production, also submission to Thirsk	The Plan has already been subject to consultation and examination as part of its production.	Rachael Balmer rachael.balmer@northyork.gov.uk	Malton and Norton Neighbourhood Plan – Decision Statement and referendum

					with all of the Examiner's recommendations and are in the process of modifying the plan to make it is capable to meet the basic conditions tests.				
16 Jul 2024	Executive		York & North Yorkshire Key Route Network	Yes	To seek agreement on the finalised draft of the North Yorkshire parts of the proposed Key Route Network for York and North Yorkshire ahead of approval by the Mayoral Combined Authority.	Environment Executive Member	By email to HAM@northyorks.gov.uk	James Gilroy, Team Leader, Highway Asset Management Email: james.gilroy@northyorks.gov.uk	York & North Yorkshire Key Route Network
18 Jul 2024	Executive		Consultation on changes to the Council's Home to School Travel Policy	Yes	To report the outcome of a consultation on a proposed new Home to School Travel Policy for North Yorkshire. To seek approval of the proposed policy to move forward for adoption by the Council in July 2024.	Parents / carers, schools, governors, NYC councillors, neighbouring councils, parish councils, academy trusts, transport contractors, Diocese, MP	Public consultation between 19 February and 26 April 2024. Consultation documents available on NYC website. Several engagement activities undertaken with a mixture of virtual and in-person events.	Amanda Newbold, AD Education & Skills Amanda.newbold@northyorks.gov.uk	

						and other stakeholders.			
16 Jul 2024	Executive		Council-Run Care Provision in Malton & Pickering	Yes	To request approval from Executive on proposals for the development of the adult social care market in Malton	Local stakeholders	Stakeholder meetings	Hannah Brown hannah.brown3@northyorks.gov.uk 01609 535906	Care market proposals for Malton
16 Jul 2024	Executive		Long Term Plan for Scarborough	Yes	To approve the ten year Long Term Plan for Scarborough and initial three year Investment Plan of agreed interventions to receive, allocate and spend funding received from Government through the Long Term Plan for Towns programme.	The Council in partnership with the Scarborough Town Board is conducting wide ranging consultation on the creation of the Long Term Plan for Scarborough with internal services and key strategic Officers, the Scarborough and Whitby ACC, local businesses, local stakeholder groups, charities, community organisations , schools and	The wider consultation mentioned above will be delivered through a variety of means such as targeted stakeholder meetings, open public sessions and online methods and is being undertaken in liaison the Scarborough Town Board.	Helen Jackson, Regeneration Projects Manager helen.jackson1@northyorks.gov.uk	Long Term Plan for Scarborough

						<p>residents.</p> <p>The Scarborough Town Board also needs to approve the LTP for Scarborough before submission to the Department of Levelling Up, Homes and Communities . Executive representatives of NYC sit on the Scarborough Town Board.</p>			
16 Jul 2024	Executive		HRA Policy Framework	Yes	<p>The purpose of the report is to set out the proposed policy framework for the functions within the Housing Revenue Account; Landlord Services and Housing Standards.</p> <p>Decisions are required on adoption of the Policy Framework, agreement of the implementation plan</p>	<p>Managers and Officers within the HRA functions Legal and Democratic Services colleagues Executive Member for Culture, Arts and Housing and Leisure</p>	<p>In person meetings emails Ms Teams meetings</p>	<p>Victoria Young, Housing Policy and Strategy Officer Victoria.young@northyorks.gov.uk</p>	HRA Policy Framework

					and associated timescales and any delegations as advised.	Overview and Scrutiny Committee Housing Tenants			
16 Jul 2024	Executive		Transfer of part of former Northallerton School and Sixth Form College (Grammar School Lane) to the Department for Education.	No	To approve the transfer of part of the former Northallerton School and Sixth Form College, Grammar School Lane, Northallerton to the Department for Education at nil cost to enable the delivery of a new SEND School to provide educational services from the site.	None		Philip Cowan, Non-Operational Property Manager, NYCC Property Services philip.cowan@northyorks.gov.uk	Transfer of part of former Northallerton School and Sixth Form College (Grammar School Lane) to the Department for Education.
16 Jul 2024	Executive		St Hilda's Ampleforth Church of England Voluntary Controlled Primary School – School Closure Proposal	Yes	Following the publication of statutory notices, to determine whether to cease to maintain (to close) St Hilda's Ampleforth Church of England Voluntary Controlled Primary School with effect from 31 August 2024. If there are no objections to the statutory notices, this decision will be taken by the Executive Member for Education,	Staff, Governors, Local Elected Members, Parish Councils, Diocese, MP and other local stakeholders	Consultation document issued to consultees and available on NYCC website between 1 March 2024 and 19 April 2024. A further 4 week representation period commenced on 22 May and is ending on 19 June. During this period representations can be made in	Jon Holden, Head Strategic Planning (CYPS) jon.holden@northyorks.gov.uk	St Hilda's Ampleforth Church of England Voluntary Controlled Primary School – School Closure Proposal

					Learning and Skills at their meeting with the Corporate Director - Children and Young People's Service		writing to the Director of Children & Young People's Service		
16 Jul 2024	Executive		Scarborough Harbour West Pier	Yes	The report will seek approval: 1. To formally appropriate the relevant parts of the West Pier for the council in its local government capacity under the powers conferred in section 77 of the Scarborough Corporation Act 1931 prior to commencing works on site. 2. To engage with the Secretary of State for Transport to obtain consent in respect of how any proceeds of that appropriation should be treated.	Community Development : Economic Development , Regeneration , Tourism and Skills, Resources Environment: Harbours, Resources Legal and Democratic Services: Legal Resources: Property, Procurement and Commercial	Email and briefing	Helen Jackson, Regeneration Projects Manager helen.jackson1@northyorks.gov.uk	Scarborough Harbour West Pier
16 Jul 2024	Executive		Provision of Wide Area Network Solution and Proposed Public Sector Collaboration	Yes	To award a contract to NYnet Ltd for the provision of Wide Area Network (WAN) solutions for the council in accordance with Regulation 12 of the Public Contract Regulations 2015	None		Madeline Hoskin, AD Technology 01609 533335	Provision of Wide Area Network Solution and Proposed Public Sector Collaboration

					<p>To explain the opportunities for public sector collaboration and to seek a decision as to whether:</p> <p>(1) NYC should continue collaborative arrangements with NYnet and various health sector organisations upon their expiry on 1 January 2025 regarding Wide Area Network (WAN) and associated services.</p> <p>(2) NYC should enter into collaborative arrangements with the North Yorkshire Police Fire & Crime Commissioner and Fire and Rescue Authority through the York & North Yorkshire Combined Authority regarding WAN and associated services.</p>				
20 Aug 2024	Executive		Q1 Performance Monitoring and Budget Report	Yes	Q1 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q1 Performance Monitoring and Budget Report

<p>20 Aug 2024</p>	<p>Executive</p>		<p>Housing Assistance and Disabled Adaptations Policy</p>	<p>Yes</p>	<p>Due to the variations in approach towards the method of delivery of the disabled facilities grant, there were also some subtle variations between the legacy areas in relation to their policy approach and their interpretation and implementation of legislation. Whilst all areas are using the powers and flexibilities given within the legislation, there has been some variation in terms of scope of works undertaken along with differences in financial thresholds and parameters adopted. The report will outline how the policy seeks to draw together an interpretation of the mandatory elements of Disabled Facilities Grant (DFG) legislation and the discretionary elements of the RRO into a single published document. The report will therefore sets out the key recommendations for the policy and seek agreement to adopt the</p>	<p>Health</p>	<p>A draft policy was submitted to the LGR Housing board post vesting day. As part of the LGR work, consultation had taken place with representatives from the LGR Housing work stream. A further task</p>	<p>Lynn Williams, Head of Housing Renewal lynn.williams@northyorks.gov.uk</p>	<p>Housing Assistance and Disabled Adaptations Policy</p>
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					North Yorkshire Housing Assistance and Disabled Facilities Grant Policy for the new authority. The new policy is to be adopted for all tenures, to provide a consistent approach to delivering adaptations for owners and tenants in the private sector and our own housing tenants.				
20 Aug 2024	Executive		Housing Enforcement Policy	Yes	The report will set out the detail of the proposed NYC housing enforcement policy, which is required in order for us to deliver our statutory duties in relation to housing standards in the private sector.	As this is based on statutory legislation, consultation has been undertaken in house with environmental health and enforcement officers across the legacy council areas who deliver the service, in addition to other environmental health colleagues regionally	Consultation was undertaken initially as part of the LGR work streams. The policy has been developed based on the good practice of other authorities, through information sharing at regional and national meetings. A housing enforcement workshop was utilised to discuss the key points of the policy amongst all staff	Lynn Williams, Head of Housing Renewal lynn.williams@northyorks.gov.uk	Housing Enforcement Policy

						and nationally.	delivering housing enforcement.		
20 Aug 2024	Executive		Consultation on the de-designation of Children Centres	Yes	To request consultation on the de-designation of all 24 children's centres to enable greater flexibility for the use of the buildings	General public via online surveys		Barbara Merrygold, Head of Early Help, Children and Families Service barbara.merrygold@northyorks.gov.uk	Consultation on the de-designation of Children Centres
20 Aug 2024	Executive		North Yorkshire Council Climate Change Strategy Delivery Pathway	Yes	To approve the NYC Climate Change Delivery Pathway	Community environmental groups	Workshop event held in March 2024	Jos Holmes jos.holmes@northyorks.gov.uk	North Yorkshire Council Climate Change Strategy Delivery Pathway
14 Sep 2024	Executive		Local Authority Housing Funding	Yes	The purpose of this report is to enter into a Memorandum of Understanding (MOU) with the Department of Levelling-Up, Housing and Communities (DLUHC) for funding of £1,740,114 from the Local Authority Housing Fund (LAHF). This funding will contribute towards the acquisition of 2 homes for temporary accommodation for homeless households plus an additional 11 affordable homes to provide	We will consult with the following: The Councils Refugees Resettlement Manager The Councils Head of Housing Needs	Consultation will take place on an on-going basis with the Refugee Resettlement Manager in order to identify suitable locations and properties for the Afghan households. Similarly consultation will take place with the Head of Housing Needs to identify suitable locations and properties for the temporary accommodation	John Burroughs, Housing Strategy and Development Officer John.Burroughs@northyorks.gov.uk	Local Authority Housing Funding

					accommodation for 11 households from the Afghan Citizens Resettlement Scheme (ACRS).		for the homeless households.		
17 Sep 2024	Executive		Proposed Traffic Regulation Orders for Harrogate Town Centre	Yes	For Executive to approve the introduction of the Traffic Regulation Orders required for the Harrogate Transforming Cities Fund project.	Executive Member for Highways and Transportation Harrogate	Statutory consultation undertaken in line with Traffic Regulation Order process.	Tania Weston Email: tania.weston@northyorks.gov.uk , Tel No: 01609 532905	
17 Sep 2024	Executive		Maple Park (Hambleton) LLP and Hambleton District Holdings Limited	No	To seek approval for the: - closure of Maple Park LLP and Hambleton Holdings Limited - transfer of the underlease for the café - transfer of the crematorium operation and assets to North Yorkshire Council	Persons of significant control of Maple Park LLP and Hambleton District Holdings Limited	Direct communication	Adrian Clarke adrian.clarke@northyorks.gov.uk	Maple Park (Hambleton) LLP and Hambleton District Holdings Limited
17 Sep 2024	Executive		Proposed extra care housing scheme	Yes	To approve funding to support the development of an extra care housing scheme in Whitby. To review the proposed			Michael Rudd, Head of Housing Marketing Development (Commissioning), Health and Adult Services	

					scheme and outcome of the procurement.			michael.rudd@northyorks.gov.uk	
17 Sep 2024	Executive		Redeployment of land to the north and south of Crosshills Lane, Selby	Yes	To approve the proposed redeployment of the property	Executive members and Management Board at the informal Executive meeting held on 8 June 2021		Philip Cowan, Non-Operational Property Manager, NYCC Property Services Philip.Cowan@northyorks.gov.uk	
17 Sep 2024	Executive		Adoption of an Inclusive Service Plan focussed on Hackney Carriage and Private Hire Licensing.	Yes	To consider and agree a final version of the policy for consultation.	Hackney Carriage Users of Hackney Carriages Statutory agencies Any other interested party General Licensing and Registration Committee	A 12 week consultation will be delivered with the trade, disability groups and statutory agencies being contacted directly and a public campaign run by the Communications team.	Simon Fisher, Licensing and Procurment Manager, Gareth Bentley, Head of Licensing gareth.bentley@northyorks.gov.uk,	Adoption of an Inclusive Service Plan focussed on Hackney Carriage and Private Hire Licensing.
17 Sep 2024	Executive		Adoption of a revised Hackney Carriage and Private Hire Licensing Policy	Yes	To consider the proposed revised policy and agree a final version for consultation.	The Hackney Carriage Users of Hackney Carriages Statutory	A 12 week consultation will be delivered with the trade, disability groups and statutory agencies being	Gareth Bentley, Head of Licensing, Simon Fisher, Licensing and Procurment Manager	Adoption of a revised Hackney Carriage and Private Hire

						agencies Any other interested party Management Board bentl General Licensing and Registration Committee	contacted directly and a public campaign run by the Communications team.	gareth.bentley@northyorks.gov.uk,	Licensing Policy
17 Sep 2024	Executive		Bolton Abbey Core Visitor Area Strategy & Masterplan	Yes	To present the Bolton Abbey Core Visitor Area Strategy	Equalities: Tony.Law@northyorks.gov.uk Climate Change: climatechange@northyorks.gov.uk Legal: paralegals@northyorks.gov.uk Finance: Paul.Foster@northyorks.gov.uk Trevor Watson Nic Harne Councillors Crane as the Executive Member for Planning Skipton and Ripon Area	Via email and by presentation of the Masterplan at the Skipton	Ruth Parker, Principal Planning Policy and Place Officer ruth.parker@northyorks.gov.uk	Bolton Abbey Core Visitor Area Strategy & Masterplan

						Constituency Committee at a meeting held on 5th September 2024.			
17 Sep 2024	Executive		A59 Kex Gill Update	Yes	Update on progress of A59 Kex Gill highway realignment, together with forward programme and cost profile.	Internal senior officers	Kex Gill Project Board Environment Directorate Capital Board Corporate Capital Board	Richard Binks, Head of Major Projects & Infrastructure richard.binks@northyorks.gov.uk	A59 Kex Gill Update A59 Kex Gill Acceptance of grant condition set by Department for Transport.pdf A59 Kex Gill Update
17 Sep 2024	Executive		Managing Adult Social Care Pressures	Yes	To update Members on actions being taken to address adult social care waiting times and workforce pressures and to set out the evaluation of the Ethical Decision-Making Framework that was put in place in January 2022.			Karen Siennicki, Assistant Director Adults Social Care	Managing Adult Social Care Pressures
17 Sep 2024	Executive		Localities Programme	No	The report will provide programme progress updates on the following corporate priority projects: • Localities Service and Local Member Support	Not required.		Rachel Joyce, Assistant Chief Executive for Localities rachel.joyce@northyorks.gov.uk	Localities Programme

					<p>arrangements</p> <ul style="list-style-type: none"> • Parish Charter • Parish Liaison • Local Devolution and Community Rights • Community Partnerships <p>Decision required: To agree revisions to the process for approvals of devolution projects.</p>				
17 Sep 2024	Executive		North Yorkshire Autism Strategy	Yes	To approve the North Yorkshire Autism Strategy, considering feedback and refinements following the public consultation.	The draft strategy was subject to public consultation (November 2023 – March 2024), including Scrutiny of Health. A range of partner organisations also contributed to the draft strategy.	The Executive Member Health and Adult Services approved the launch of the public consultation plan at the Health and Adult Services Executive meeting on 3rd November 2023.	Natalie Smith, Head of Service HAS Planning, Public Health Team naomi.smith@northyorks.gov.uk 01609 534823	North Yorkshire Autism Strategy
15 Oct 2024	Executive		Double Devolution – Pilot Business Case sign-off	No	The double devolution pilots are progressing with the parish and town councils, business case templates have	N/A	Not required	Rachel Joyce, Assistant Chief Executive for Localities	Double Devolution – Pilot Business

					<p>been shared with them all and will require sign-off individually once completed. Specific dates to be agreed with each area and the Forward Plan will be updated for each area once this has been confirmed.</p> <p>Areas for information: Filey Town Council Knaresborough Town Council Malton Town Council Northallerton Town Council Ripon Town Council Selby Town Council Skipton Town Council Whitby Town Council</p>			Rachel.Joyce@northyorks.gov.uk ; Tel: 01423 556705	Case sign-off
15 Oct 2024	Executive		Annual Review of Member Champions	No	Annual Review of Member Champions	Leader	Emails	Daniel Harry, Democratic Services and Scrutiny Manager daniel.harry@northyorks.gov.uk	Annual Review of Member Champions
15 Oct 2024	Executive		Member Allowances 2025/2026	Yes	To make a recommendation to Full Council based on Independent Remuneration Panel Recommendations	Independent Remuneration Panel and Members	Independent Remuneration Panel meetings	Barry Khan, Assistant Chief Executive (Legal & Democratic Services) barry.khan@northyorks.gov.uk	Member Allowances 2025/2026

1 Nov 2024	Corporate Director of Environment	Executive Member for Highways & Transportation	Highways Capital Programme 2025-26	Yes	To agree the schemes to be included within the 2025-26 Highways Capital Annual Programme.	Executive Member for Highways and Transportation	By email: HAM@northyorks.gov.uk	James Gilroy, Team Leader, Highway Asset Management james.gilroy@northyorks.gov.uk	Highways Capital Programme 2025-26
5 Nov 2024	Executive		Cultural Strategy for North Yorkshire	Yes	To seek approval for adoption of the Cultural Strategy for North Yorkshire, as facilitated and developed by the Culture	Culture	Via briefings and meetings, either in person or via Ms Teams or email.	Danielle Daglan, Head of Culture and Archives danielle.daglan@northyorks.gov.uk	Cultural Strategy for North Yorkshire
5 Nov 2024	Executive		Director of Public Health Annual Report 2024	Yes	The Director of Public Health Annual Report is an independent report on the health of the local population. The Director of Public Health has a duty to write an annual report, and the local authority a duty to publish it. The focus of this year's report is on healthy ageing. The Executive committee will be asked to consider and note the report.	The report includes engagement already undertaken, plus engagement undertaken specifically for the report. The principal groups are older people, and professionals /organisations working with older people. Older person's representatives are involved in the shaping of the report.	Survey findings; informal interviews; photography competition	Louise Wallace, AD Health and Integration Email: louise.wallace@northyorks.gov.uk / Tel No: 01609 534806	Director of Public Health Annual Report 2024

						The report will be shared with HAS leadership teams, Executive Portfolio Holder and Management Board for comment as it progresses, and to Care and Independence Overview & Scrutiny Committee following Executive.			
19 Nov 2024	Executive		Q2 Performance Monitoring and Budget Report	Yes	Q2 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q2 Performance Monitoring and Budget Report
17 Dec 2024	Executive		Double Devolution – Pilot Business Case sign-off	No	The double devolution pilots are progressing with the parish and town councils, business case templates have been shared with them all and will require sign-off individually once completed. Specific dates to be agreed with	N/A	Not required	Rachel Joyce, Assistant Chief Executive for Localities Rachel.Joyce@northyorks.gov.uk; Tel: 01423 556705	Double Devolution – Pilot Business Case sign-off

					<p>each area and the Forward Plan will be updated for each area once this has been confirmed.</p> <p>Areas for information: Filey Town Council Knaresborough Town Council Malton Town Council Northallerton Town Council Ripon Town Council Selby Town Council Skipton Town Council Whitby Town Council</p>				
Page 159	Jan 2025	Executive	Revenue Budget 2025/26 and Medium Term Financial Strategy - To make recommendation to Full Council	Yes	To consider and recommend to Council the Revenue Budget for 2025/26 and the Medium Term Financial Strategy (MTFS) including: Revenue Plan; Capital Plan; Treasury Management; Prudential Indicators	Management Board	Budget consultation process	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Revenue Budget 2025/26 and Medium Term Financial Strategy - To make recommendation to Full Council
	18 Feb 2025	Executive	Q3 Performance Monitoring and Budget Report	Yes	Q3 Performance Monitoring and Budget report including: Revenue Plan; Capital Plan; Treasury Management and Prudential Indicators	Management Board	Meetings	Gary Fielding, Corporate Director of Resources gary.fielding@northyorks.gov.uk	Q3 Performance Monitoring and Budget Report

18 Mar 2025	Executive		North Yorkshire and York Local Nature Recovery (LNRS) Strategy) - Publication	Yes	To seek approval to formally publish the statutory outputs of the North Yorkshire and York Local Nature Recovery (LNRS) Strategy comprising -local habitat map -statement of biodiversity priorities. As developed in accordance with the LNRS Regulations 2023.	Natural England City of York Council North York Moors National Park Authority Yorkshire Dales National Park Authority Stakeholders and members of the public across NY and City of York	Online hosting	Timothy Johns, Senior Policy Officer timothy.johns@northyorks.gov.uk	North Yorkshire and York Local Nature Recovery (LNRS) Strategy) - Publication
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Should you wish to make representation as to the matter being discussed in public please contact Daniel Harry
 Email: (daniel.harry@northyorks.gov.uk) Tel: 01609 533531.