

North Yorkshire County Council

Executive

Minutes of the remote meeting held on Tuesday, 11th January 2022 commencing at 11.00 am.

County Councillor Carl Les in the Chair. Plus County Councillors Gareth Dadd, Derek Bastiman, David Chance, Michael Harrison, Andrew Lee, Don Mackenzie, Patrick Mulligan and Greg White.

In attendance: County Councillors Paul Haslam, Stanley Lumley and Caroline Dickinson.

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Richard Flinton, Barry Khan, Richard Webb, Allan McVeigh, Melanie Carr and Daniel Harry.

Other Attendees: Mr Ian Conlon, Mr Mick Johnston, Parish Councillor Susan Woodhall and Mr Steve Singleton.

Apologies: County Councillor Janet Sanderson.

Copies of all documents considered are in the Minute Book

675 Introductions

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

676 Minutes of the Meetings held on 30 November 2021 and 7 December 2021

Resolved –

That the public Minutes of the meeting held on 30 November 2021 and 7 December 2021, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

677 Declarations of Interest

County Councillor Michael Harrison declared a personal non-prejudicial interest in regard to Agenda Items 11 & 12, as he had relatives that worked in Health & Adult Services. It was noted that the Standards Committee had previously given him a dispensation, which enabled him to participate in and vote at the meeting.

County Councillor Andrew Lee also declared a personal non-prejudicial interest in regard to Agenda Items 11 & 12, as he had a relative that worked in a care home.

678 Public Questions and Statements

There were a number of public questions or statements received in regard to Agenda Item 5 – Approval of a new 20mph Speed Limit Policy. The Leader decided to consider those submissions as part of that agenda item.

679 Approval of a new 20mph speed limit policy

Considered:

A report of the Corporate Director – Business and Environmental Services setting out set out how the recommendations of the Transport, Economy and Environment Overview and Scrutiny Committee (TEE O&S) review of the existing 20mph speed limit policy had been achieved, and seeking approval of a revised draft 20mph Speed Limit and Zone Policy.

County Councillor Don Mackenzie introduced the report confirming the Executive previously approved all of the recommendations arising from the scrutiny review undertaken by a Task Group of the Transport, Economy and Environment Overview and Scrutiny Committee, on the County Council's existing 20mph Speed Limit Policy. He noted the report now being considered detailed how those recommendations had been introduced and incorporated into the revised Policy.

County Councillor Don Mackenzie also confirmed that as the County Council's Road Safety Champion, he took the safety of the public very seriously, and that saving lives and the safety of the road network were his greatest priorities. He also acknowledged the 20's Plenty Campaign.

Allan McVeigh, Head of Network Strategy provided a detailed overview of the report and the progress made to date in implementing the scrutiny review's approved recommendations, and drew attention to the revised 20mph Speed Limit and Zone Policy at Appendix 1.

The Leader welcomed the members of the public who had registered to speak at the meeting.

Mr Ian Conlan, representing 20s Plenty presented his statement which read as follows:

- Your voters want default 20mph.
- 58 Parish Councils in our County have voted for it.
- You have not consulted with either.
- Parishes are your eyes and ears on the ground, and are reporting on going problems to you, with the expectation you act upon them.
- 70% of voters support default 20mph in surveys, before AND after implementation.
- This policy frustrates active travel, excluding the most dangerous, fastest roads in settlements where default 20mph has the biggest impacts on road safety.
- Your focus on casualty records for 3 years in each location, ignores the fact that 30mph speeds suppress active travel and community cohesion right across settlements.
- Perception of danger, which the report ignores, is key, not just accident statistics.
- Children at primary age can't judge speed accurately.
- Voters of all ages want to walk and cycle safely, throughout settlements.
- Many counties have found that the current DfT guidance does allow them to set 20mph for most urban and village roads, without physical calming
- There is no specific requirement for physical calming if average road speeds beforehand are above 24mph. In the rural Scottish Borders trial, the fastest roads had speed reduced by 6mph, bringing most drivers within the enforcement threshold for 20mph. Schemes consistently show 20-30% accident reductions, 30% when main roads are included. Karl Battersby recently claimed accident reductions on NYCC roads in 2020 a lockdown year with far fewer vehicle miles: both rose again in 2021.
- Speed is always a factor in accidents.
- Being hit at 30mph is like falling 8.8m, likely to kill or seriously injure, where 20mph hardly ever does.

- You need default 20mph as part of your new Road Safety Strategy of Action Zero for the zero fatalities and serious injuries ambition.
- Default 20mph is quick win for net zero emissions target by 2030. Recent research models 25% reduced CO2 and NOx emissions.
- With each fatality “costing” £2million, and serious injury £250,000, DfT stats, you can’t afford NOT to do this,
- The policy pays for itself in 8 months, then ongoing benefits at no extra cost.

Make 30mph the exception and 20mph normal in North Yorkshire towns and villages today. Your voters want it.

Next, Mr Mick Johnston representing Thirsk & Malton Labour Party read out his statement as follows:

“I am asking the Executive to recognise the serious shortcomings of this report and refer it back to the Transport Economy and Environment Committee for a radical rethink.

The problem with the report seems to stem from the original terms of reference. Rather than asking for proposals to maximise the potential benefits of a 20mph policy it would appear officers were simply asked to look at an old Government Circular (01/2013) and a now discredited research paper (The Atkins Report) and update the existing policy.

Whatever the reason the current report proposes just marginal improvements around schools and for everywhere else a bureaucratic nightmare of procedures and unmeasurable criteria with the onus placed on local communities to argue case by case and yard by yard for a standard which is now universally recognised as the optimal one.

This report has completely missed the growing international, national and local tide of opinion, from the United Nations down to our own parish councils, in favour of 20mph default speed limits in areas where pedestrians and cyclists mix with traffic. In our context our towns and villages. It has also failed to notice that other local authorities are doing this successfully and with public support - If they can do it why can't North Yorkshire?

Although the report gives brief lip service to the benefits of 20mph limits it then goes on to produce a catalogue of largely unsupported reasons for not introducing them. For example:- it's unenforceable – not true, traffic calming would be expensive – it would but it's not needed; statutory duty to 'ensure expeditious movement of traffic' – there is actually no evidence that 20mph significantly increases journey times; vehicles may speed up – hypothetical.

My personal exasperation with the report stems in part from the fact that I have direct experience of an area which has made extensive use of 20mph default. The area is East Lothian, a predominantly rural area with small towns and villages very much like our area. A blanket 20mph limit was introduced in a rolling programme, town by town starting two years ago. It has broad public support, it is simple and therefore well understood and generally observed. There were no physical traffic calming measures and it has delivered safe and pleasant environments at little cost. There was police presence when it was first introduced to underline the change but that was withdrawn within weeks.

I have a lot of sympathy with County Councillors. They are responsible for huge services which are often highly complex and socially sensitive. But this isn't one of them. Speed limits are not rocket science. A great opportunity to deliver tangible

benefits in the form a better living environment to large swathes of the North Yorkshire population is being missed. NYCC can do better than this.

I urge you to make a fresh start with the express ambition to deliver the maximum benefits from 20mph speed limits and make it the default policy across all towns and villages. It is just following established best practice but would be seen as a progressive move which would clearly benefit many people. It would also be less costly in the long run and certainly less aggravational for all concerned than the interminable bureaucratic process of application and assessment currently proposed.

This is a real opportunity for North Yorkshire to demonstrate that it places active travel, walking and cycling, health and well-being, safety and the lives of children at the top of its agenda.

Parish Councillor Susan Woodhall, representing Monk Fryston Parish Council presented her submission as follows:

“Monk Fryston Parish Council supports the **20s Plenty for North Yorkshire** campaign and its aim for all urban and village streets in North Yorkshire to implement 20mph as the default speed limit. Monk Fryston is dominated by the A63 which runs through the heart of our village. The current speed limit on the A63 through Monk Fryston is 30mph. We are supportive of reducing this speed limit to 20mph, for reasons including the following:

- 20mph is significantly safer for pedestrians in our village. The UK Department for Transport estimates that a speed reduction of 1mph in built-up areas reduces casualties by 6%. The implementation of 20mph schemes typically lead to up to 20% fewer casualties.
- Our village has no pedestrian crossing or any other pedestrian-friendly features (in contrast to other towns and villages in our area). This makes it extremely difficult for Monk Fryston residents to cross the A63 safely, which they must do so to access key village facilities such as the school, church, post office and community centre. A speed limit reduction would be a welcome pedestrian-friendly initiative in a village currently devoid of pedestrian-safety measures.
- According to data downloaded from our Vehicle Activated Signs (VAS), in excess of 10,000 vehicles travel through our village each day. We estimate from previous traffic surveys that at least 10% of this traffic is HGVs. With a speed limit of 30mph, no pedestrian crossing, and this quantity of traffic, Monk Fryston is not a sufficiently safe environment for residents (particularly children and our elderly population).
- In July 2021, Selby District Council published their Monk Fryston Conservation Area Appraisal (produced by Alan Baxter Associates in conjunction with Selby District Council). The Appraisal acknowledged that the A63 is a “substantial negative feature” of the village, and also noted that there are “no traffic calming measures or formalised crossing points across the A63”. The Appraisal goes on to conclude that traffic through Monk Fryston is “extremely heavy” and it is “challenging to cross the road”. The Appraisal makes a very strong recommendation, stating that it is “essential... that the situation is ameliorated through traffic calming and formal pedestrian crossings”. Suggestions made in the Appraisal include the introduction of a 20mph speed limit and the installation of traffic calming measures.
- Additionally on the topic of conservation, it has previously been reported and evidenced that that the vibrations caused by fast-moving HGVs through Monk Fryston have caused damage (e.g., broken windows) to properties adjacent to the A63. This has included damage to listed buildings in the village.
- A reduction in speed limit to 20mph would have further health and environmental benefits for Monk Fryston.

We very much welcome a dialogue on this matter and County Council Executive Members are more than welcome to visit our village to observe the challenges we face. We would also be happy for Monk Fryston to be used as a test-case / guinea pig for a North Yorkshire study into the benefits of 20mph speed limits in residential areas.”

Mr Ian Conlon then read out the following statement on behalf of Cononley Parish Councillor Kath Clark:

“Thank you for allowing Cononley Parish Council to contribute to your meeting today. You will have received a letter from Cononley Parish Council in advance of today’s meeting which sets out our position with regard to the 20mph speed limit policy.

Two key points that I want to highlight from our letter at this meeting are:

- Firstly, to question why Parish Councils and Community Speed Watch groups were not notified and invited to contribute to the review? We wouldn’t have known about this review process if the 20s Plenty group had not flagged it through engagement with Parish Councils as part of their campaign. Parish Councils are generally the first point of call regarding residents’ concerns about speeding – along with an unrealistic expectation that Parish Councils can fix the problem. We question why, as two layers of local government, we are not working collaboratively on this issue to address and alleviate residents’ concerns?
- Secondly, to illustrate the first point, and to put into context why we are asking for an extension to the 20mph zone, here is an extract from an email sent to Cononley Parish Council on 21st December 2021 from a resident at the new Candelisa Housing development on Cononley Lane:

“I live next to the mill and the speed vehicles come thundering down the straight between the bridge and the railway crossing is terrifying and regularly over 30mph as people speed to get to the crossing. We lost our much-loved puppy this year due to a car running over him in front of my children and me right outside our house and I would not consider getting another due to the risk. The footpaths are narrow and people have to step into the roads if there is someone coming the other way. The noise pollution from speeding cars is also unbearable (10-20 decibels louder than a car doing under 20) - I’ve measured it and that’s whilst inside with all doors and windows shut! It’s having an impact on our family’s wellbeing to the point we are having to consider leaving our much loved and treasured home in the village. I welcome any decisions the PC makes to impose a 20mph limit across the village. I would go further and welcome speed humps along all the straight stretches where speeding happens as I fully recognise that people will always race the barriers given they are down so frequently.”

To conclude - Cononley Parish Council is not prepared to wait for the death of a child on Cononley Lane before any action is taken by North Yorkshire County Council to review the 20mph zone. We ask that, from today’s meeting, you take action now to extend the 20mph zone. In Karl Battersby’s words, it is right for this location.”

The Leader confirmed there had been a number of other public submissions received in support of the 20s Plenty Campaign, all of which had been circulated and considered by Executive Members ahead of the meeting.

In response to all of the public statements received, Allan McVeigh, Head of Network Strategy confirmed the review of the County Council’s current 20mph policy had been instigated by the publication of the Department for Transport (DfT)/Atkins national research project report on the effectiveness of 20mph speed limits and zones.

As detailed in the report for Agenda Item 5, he noted the review had been carried out by a Transport, Economy and Environment Overview & Scrutiny Committee Task Group of Elected Members, with input and representations from NYCC Traffic Engineering, Road Safety and Public Health Teams, North Yorkshire Police and the 20s Plenty campaign organisation.

He drew attention to the aims of the review, which included:

- To consider the findings of the 20mph Research Study: National Research Project (the 'Atkins report') and examine the DfT's guidance on 20mph speed limits (Setting Local Speed Limits: DfT Circular 01/2013.) and relevant legislation
- To examine the County Council's current policy on the introduction of 20mph speed limits its application and consider whether there is a need to change the County Council's current policy
- To take evidence from NYCC Highways Officers, NYCC Road Safety, 95 Alive Road Safety Partnership, North Yorkshire Police and the 20s Plenty Campaign.

Allan McVeigh confirmed it had been a thorough and comprehensive scrutiny review of the national and local policy framework and practical application, which had resulted in nine recommendations, considered by the County Council's Executive in November 2020. He noted the scrutiny review report and its recommendations to amend the existing 20mph speed limit policy had been approved at that time. He went on to confirm that:

- The latest report to the Executive set out how those recommendations had either already been incorporated into existing working practices and/or included in the development of the revised policy, for the assessment and delivery of 20mph speed limits and zones in the county.
- In accordance with the review findings, the proposed policy had been drafted to be more explicit in identifying the range and scope of factors that should be considered when building a case for their introduction.
- The listed criteria was not exhaustive, nor did each necessarily have to be satisfied for a scheme to be considered to have merit.
- The approach the County Council was seeking was consistent with the latest national guidance on setting speed limits and 20mph schemes. Nevertheless, it would continue to monitor and respond to change in national policy and guidance.
- The scrutiny review undertaken had considered how the County Council's existing policy aligned with the national speed limit guidance and the findings of the DfT/Atkins report into the effectiveness of 20mph speed limits, and it had identified where change was needed.
- The proposed 20mph policy had been drafted in accordance with that national guidance and the Transport, Economy and Environment Overview & Scrutiny Committee review recommendations. It provided a clear framework for assessments to be made, setting out a broad, but not exhaustive range of criteria to be considered when determining the case for 20mph speed limits and zones.

Finally, he noted that previous requests from parish, town councils and others may have been declined as the evidence at the time was not supportive, and offered assurance that the County Council would be happy to review requests previously submitted should the revised 20mph policy be approved.

The Leader then invited Mr Steve Singleton to present the public question he had submitted ahead of the meeting in line with the County Council's public participation scheme, which was 'Has this policy taken into consideration the findings from the academic study undertaken by Edinburgh Napier University, and the decision document by Scottish Borders Council?'

However, at the meeting Mr Singleton asked:

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“What level of evidence is required by the County Council before action can be taken, who would be benchmarking that evidence, and who would be monitoring it?”

In line with the County Council’s public participation Scheme, Allan McVeigh provided a response to the original question submitted, and confirmed the findings from the Edinburgh Napier University study and decision document by Scottish Borders Council had not been considered as part of the scrutiny review. Nevertheless, the approach the County Council was seeking remained consistent with the latest national guidance on setting speed limits and 20mph schemes, and the Council would continue to monitor and respond to any changes in national policy and guidance.

County Councillor Stuart Parsons raised the issue of the lack of enforcement by North Yorkshire Police of the speed limits already set and in place across the county, and drew attention to the Richmond 20mph zone where some traffic calming measures had been installed on two streets within that large zone. He noted that even with those measures in place, without enforcement there was very little interest from drivers in conforming to the 20mph limit set and therefore it was not having the desired effect. He therefore asked that the County Council assert pressure on North Yorkshire Police to carry out enforcement works and get 20mph speed limits put in place in built up areas as a default position.

County Councillor Gareth Dadd sought clarification from County Councillor Stuart Parson that what he was suggesting was that for a 20mph limit to work, it would need Police enforcement and traffic calming measures.

County Councillor Don Mackenzie thanked officers for the report and Scrutiny Members for their work on their review. He reminded the public participants that as the County Council’s road safety champion, the safety of the travelling public was his top priority, and drew attention to:

- The long-term graph within the report showing a consistent decrease in the number of seriously injured and killed on North Yorkshire roads;
- The categories of users most likely involved in road traffic accidents e.g. motorcyclists, cyclists, the newly qualified etc;
- The low number of accidents recorded due to speed;
- The eight air quality management areas across North Yorkshire caused by stationary traffic;

He agreed with County Councillor Stuart Parsons that without enforcement and physical measures, drivers would flout 20mph speed limits, and suggested that following the coming election, the new Authority may choose to re-consider the option of a default 20mph speed limit in built up areas.

As Chairman of the Transport, Environment & Economy Scrutiny Committee, County Councillor Stanley Lumley thanked his Task Group for their work on the review; the Executive for accepting the arising recommendations; and officers for their progress in implementing those recommendations. He confirmed that should the revised Policy be approved, the Scrutiny Committee would continue to scrutinise and monitor the implications arising from its implementation.

It was noted that some Executive Members had previously supported the introduction of 20mph zones in specific areas within their divisions, where that had been the appropriate response.

Executive Members agreed it would be impossible for the Police to effectively enforce a blanket default approach to 20mph speed limits in all built up areas across the county. They also agreed that the statistics suggested that the majority of drivers drove sensibly

based on the conditions of the road, and therefore agreed that the introduction of a targeted approach was the right way forward.

County Councillor Paul Haslam queried the implementation of Recommendation 8 arising from the scrutiny review, and Allan McVeigh confirmed that the County Council's planning policy was aimed at designing out road safety concerns to prevent the later need for lowering speed limits and the requirement for additional traffic calming measures.

Finally, in a press release issued by the 20s Plenty Campaign, the Leader suggested it also be appropriate for the County Council to issue a press release on the Chief Executive Officer's decision in regard to the revised 20mph Speed limit Policy.

All Executive Members voted in favour of the recommendation in the report, and it was

Resolved:

That it be recommended to the Chief Executive Officer that using his emergency delegated powers, he approve the revised 20mph Speed Limit and Zone policy as set out at Appendix 1 of the report

680 Lowering the age range of Goathland Community Primary School to 3-11

Considered:

County Councillor Patrick Mulligan introduced a report of the Corporate Director - Children and Young People's Service, on the outcome of an informal consultation carried out by the Governors of Goathland Community Primary School on a proposal to lower the age range of the school from 4-11 to 3-11, in order to offer education for 3 year old children.

Executive Members noted the consultation feedback and next steps as detailed in the report, and all voted in favour of the recommendations in the report. It was therefore

Resolved – To recommend to the Chief Executive Officer that using his emergency powers he approve that:

- i. Proposals and statutory notices be published on 1 October to lower the school age range of Goathland Community Primary School from 25 April 2022;
- ii. The Executive schedule taking a final decision on the proposals on 22 March 2022

681 Schools Budgets 2022/23

Considered:

A report of the Corporate Director for Children & Young People's Services seeking Executive approval for a number of recommendations relating to school funding for 2022-23.

County Councillor Patrick Mulligan introduced the report and drew members' attention to the key factor this year of an increase in the national funding formula of 3%, and to the proposed awarding of a £50k lump sum to two small rural secondary schools from the Education Authority's reserve DSG fund. He highlighted the County Council's ongoing concerns for its rural schools which over recent years had struggled as a result of under-funding, and stressed the awarding of reserve funds should be considered a red flag to the Authority. He also noted the previous lobbying of Government that had taken place to try to address the situation, and it was agreed this should be continued, and raised at a future meeting with the local MPs.

Members noted the report and voted unanimously in favour of the report recommendations. It was therefore

Resolved – That it be recommended to the Chief Executive Officer that using his emergency powers he approve that the Council:

- i. Applies a Minimum Funding Guarantee (MFG) of +2.0% in the calculation of school budgets for the 2022/23 financial year.
- ii. Uses age weighted pupil units (AWPU) as the methodology for the allocation to school budgets of any surplus funding available within the Schools Block DSG after the calculation of the school funding formula using National Funding Formula (NFF) values.
- iii. Includes an exceptional circumstance lump sum of £50,000 for very small sparse secondary schools (which would otherwise be unable to attract sufficient funding to remain viable) in the 2022/23 North Yorkshire school funding formula. The estimated £100k additional funding requirement to be funded from the DSG Schools Block Reserve.
- iv. Continues to push for a fairer and more equitable funding settlement for schools in North Yorkshire, and continue to lobby for a fairer settlement of High Needs resources.

682 Special School Budgets 2022/23

Considered –

A report of the Corporate Director for Children & Young People's Services seeking Executive approval for a number of recommendations relating to Special school funding arrangements for 2022/23, which needed to be compliant with the High Needs operational guidance issued by the Department for Education (DfE).

County Councillor Patrick Mulligan introduced the report highlighting the recommendations had been broadly supported by the special schools community during a countywide consultation exercise.

He highlighted that whilst there had been extra funding for SEND this year, there had also been a corresponding increase in demand for ECHP, so again the lobbying for additional funding for Special Schools needed to continue. Finally, he drew attention to the recommendations at paragraph 7 of the report.

Members had no questions and all voted in favour of the recommendations, and therefore it was

Resolved – That it be recommended to the Chief Executive Officer that using his emergency powers he approve that the Council applies:

- i. A Minimum Funding Guarantee (MFG) of +2% in the calculation of special school budgets for the 2022/23 financial year.
- ii. An assumed inflationary increase of +2% to the Banded Funding allocations (top up element 3 allocations) received by mainstream and special schools and academies for the 2022/23 financial year.
- iii. An assumed inflationary increase of +2% to the Banded Funding allocations (top up element 3 allocations) received by alternative provision settings for the 2022/23 financial year.
- iv. An assumed inflationary increase of +2% to the factor elements within the Special school contextual funding.

683 School Admission Arrangements 2023/2024

Considered –

A report of the Corporate Director for Children & Young People's Services seeking Members views on the response to the proposed admission arrangements for Community & Voluntary Controlled Schools for the school year 2023/24, and to seek approval for recommendation to the County Council for determination.

County Councillor Patrick Mulligan introduced the report confirming that the catchment areas for community and voluntary Controlled Schools across the Local Authority area remained unchanged with a number of minor changes to pupil numbers, as detailed in the report.

All members voted in favour of the recommendation, and it was

Resolved – That it be recommended to the Chief Executive Officer that using his emergency delegated powers he recommend the Admission Arrangements for approval to full Council at its meeting on 16 February 2022, to include:

- the proposed co-ordinated admission arrangements in appendix 1
- the proposed admission policy for community and voluntary controlled schools in appendix 2
- the proposed admission policy for nursery schools, schools with nursery classes and pre-reception classes, in appendix 3
- the proposed published admission numbers (PAN's) for community and voluntary controlled schools as shown in appendices 4(Primary) and 5 (Secondary)

684 Healthy Child Programme - Emotional Health and Wellbeing

Considered:

A report of the Corporate Director – Children and Young Peoples Services presenting the outcome of the public consultation into the use and content of the Section 75 Agreement and seeking approval to enter into the Section 75 agreement between the Council and North Yorkshire Clinical Commissioning Group (NYCCG) in relation to the commissioning of Emotional Health and Wellbeing services.

County Councillor Andrew Lee introduced the report which provided an update on the public consultation undertaken and confirmed that the majority of responses had been in favour of North Yorkshire County Council entering into the Section 75 Agreement with NHS North Yorkshire CCG.

He confirmed the proposed Commissioning S75 Agreement would allow partners to work together in the procurement of services to support young people aged 9-19 in respect of their Emotional Health and Wellbeing. He also provided an overview of the main aims of the partnership arrangement, as detailed in the report, and drew attention to the financial implications of the Agreement for the County Council.

All Executive Members voted in favour of the recommendations in the report, and it was

Resolved: That it be recommended to the Chief Executive Officer that using his emergency delegated powers, he:

- i) Approve the Draft Section 75 Agreement;
- ii) Delegate to the Assistant Chief Executive (Legal and Democratic Services) approval of any necessary amendments to the Agreement, to enable it to be completed.

685 Adult Social Care Governance & Prioritisation

Considered:

A report of the Corporate Director – Health and Adult Services setting out the proposed arrangements for Adult Social Care governance and prioritisation in response to Omicron Covid-19 and the anticipated surge in infections and how that will potentially impact on service delivery across Adult Social Care and the wider health and social care system.

County Councillor Michael Harrison introduced the report and confirmed that the Care Sector was facing significant challenges as a result of the impact of the pandemic and therefore there was a need to endorse the arrangements being made to get ahead of the situation and make sure that an effective decision making framework was in place for issue relating to care at both a strategic and operational level, and also on a case by case basis. These provisions were being proposed in the absence of a national legal framework, given that the Coronavirus Act Care Act provisions had now lapsed.

He noted it would also ensure an appropriate record of the decisions taken and the reasons for those decisions.

Richard Webb – Corporate Director for Health & Adult Services confirmed the legislation for the Corona Virus Act expired in July 2021 and that the County Council wanted a mechanism in place to manage the arrangements in the winter period. He noted the proposals in the report would provide the legal framework for any required practice changes, and would assist the urgent prioritisation and delivery of services to the public in a timely and efficient manner. It would also ensure transparency in the decision process and provide a mechanism for an ongoing review of the arrangements.

He suggested that rather than waiting for a national solution from Government, the Authority was seeking to put in place some local preventative measures now.

Barry Khan, Assistant Chief Executive (Legal & Democratic Services) confirmed the report was not seeking permission not to comply with the Council's statutory responsibilities. He noted these would continue, but in order to plan for future decisions, it was seeking a framework which allowed officers to make and record difficult decisions with regards to the available resources in an ethical manner.

Executive Members noted the proposal would provide an auditable record of the decisions taken, and recorded their trust in the Corporate Director for Health & Adult Services and his team, to make the right decisions at the right time.

All Executive Members voted in favour of the recommendations in the report and it was

Resolved: That it be recommended to the Chief Executive Officer that using his emergency delegated powers, he:

- (i) Approve, invoke and implement the proposed Adult Social Care Ethical Decision Making Framework.
- (ii) Delegate to the Corporate Director for Health and Adult Services (as the Council's statutory director of adult social services) the power to invoke and implement the measures as set out in this report including taking all decisions necessary to implement the Ethical Decision Making Framework and any other decisions the Corporate Director for Health and Adult Services may deem necessary regarding Adult Social Care Services delivery in light of the continuing Covid-19 pandemic. The Corporate Director for Health and Adult Services may where appropriate consult with the Executive Member for Adult Social Care and Health Integration, Chief Executive Officer, Assistant Chief Executive (Legal and Democratic Services).

- (iii) Instruct the Corporate Director for Health and Adult Services to present a monthly report to the Executive Member and to Management Board on the appropriate decisions so they can be reviewed.
- (iv) Approve that a review of the framework be undertaken in April 2022

686 HCV/NYCC Funding for Care Workers

Considered:

A report of the Corporate Director – Health and Adult Services confirming the proposed approach for the distribution of grants to Care Providers, utilising money from Government and the NHS (the two ICSs covering North Yorkshire) with the aim of supporting recruitment and retention to the care provider workforce during the Winter period December 2021 to March 2022.

County Councillor Michael Harrison introduced the report confirming some of the difficulties being experienced by the Care Sector in regard to the recruiting and retaining of front line care workers, particularly at entry level, which was having a knock on effect on the NHS both in terms of the continuing health care services it funded, and in the availability of care to enable safe and timely hospital discharge.

He suggested that anything that could be done to make the Sector more attractive to potential employees and to recognise the contribution made by care staff to the country throughout the pandemic was the right thing to do. He noted the proposal was to bring forward some funding to go directly in to the pockets of care providers and care workers.

Richard Webb, Corporate Director for Health and Adult Services confirmed this was a way of acknowledging and thanking the 16,000+ care workers across the county both in the County Council and the 500 independent and voluntary sector providers of care. He noted the funding came from a number of sources and would equate to a take home rate of £300 per person, to be paid in two instalments by the end of March 2022. There would also be some targeted funding for care providers for the provision of workforce initiatives, infection control and training etc, and payments would be made to people who work in regulated services.

County Councillor Carl Les drew attention to an email he had received from a Care Worker asking when the County Council was going to act to give additional support to Care Workers, and confirmed the report being considered was doing just that.

County Councillor Gareth Dadd noted that historically, governments of all political parties had not recognised the importance of care workers and their contribution to society. He therefore welcomed the proposals in the report.

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

Resolved: That it be recommended to the Chief Executive Officer that using his emergency delegated powers, he:

- i. Approve the allocation and issue of grants as detailed in this report, and
- ii. Delegate any decisions associated with this approval to the Corporate Director Health and Adult Services, in consultation with the Corporate Director - Strategic Resources

687 Area Constituency Committee Feedback Report

Considered – A report of the Assistant Chief Executive (Legal & Democratic Services)

providing an overview of the key issues considered at recent meetings of the Area Constituency Committees.

County Councillor Carl Les noted his agreement with the feedback from Richmond Area Constituency Committee, in regard to the future remit of Area Constituency Committees i.e. that they be given responsibility for making local area based decisions as part of the revised structure for the new Council.

Resolved - That the report be noted.

688 Forward Plan

Considered –

The Forward Plan for the period 23 December 2021 to 31 December 2022 was presented.

Resolved - That the Forward Plan be noted.

The meeting concluded at 12.55 pm.