

North Yorkshire County Council

Executive

Minutes of the remote meeting held on Tuesday, 15th March 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, Janet Sanderson and Greg White.

In attendance: County Councillor Caroline Dickinson.

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Richard Flinton, Richard Webb, Melanie Carr, Catriona Gatrell, Daniel Harry, Neil Irving, Michael Leah, Andrew Dixon and Matt George.

Apologies: County Councillor Patrick Mulligan. Barry Khan.

Copies of all documents considered are in the Minute Book

725 Introductions

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

726 Declarations of Interest

There were no declarations of interest.

727 Exclusion of the public from the meeting during consideration of each of the items of business listed in Column 1 of the following table on the grounds that they each involve the likely disclosure of exempt information as defined in the paragraph(s) specified in column 2 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local Government (Access to information)(Variation) Order 2006:-

Resolved –

That on the grounds that it involved the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local government (Access to Information) (Variation) Order 2006 (see paragraphs listed in column one of the table below), the public was excluded from the meeting during consideration of agenda items 10 – Planning of School Places - Basic Need Capital Programme 2022/25, and 11 - Delegation of enforcement functions to another Local Authority.

Item number on the agenda	Paragraph Number
10 – Appendices A - C	3
11	1, 2, 3 & 7

728 Public Questions and Statements

There were no public questions or statements.

729 Consideration of Revised Planning Enforcement and Monitoring Policy

Considered – A report of the Corporate Director – Business and Environmental Services presenting a proposed draft Planning Enforcement and Monitoring Policy for Executive Members consideration.

County Councillor Derek Bastiman introduced the report and provide an overview of the draft Policy's development. He also drew specific attention to the positive feedback from both the Planning and Regulatory Functions Committee on the draft Policy, and confirmed the Transport Economy and Environment Overview & Scrutiny Committee had also viewed the draft Policy favourably. He suggested the new Policy would provide a solid base moving forward for the new Authority once it came into being.

Karl Battersby, Corporate Director – Business and Environmental Service confirmed the new Policy would provide the Authority with the appropriate enforcement powers for responding to breaches of planning control. He noted the integrity of the planning system relied on the Authority's ability to ensure compliance with planning regulations, and confirmed the new Planning Enforcement and Monitoring Policy would initially cover the Authority's Minerals & Waste Policy and NYCC own planning applications, but following LGR would cover all planning across the county. Finally, he confirmed a new enforcement and compliance officer post would be appointed to, to coordinate all enforcement activity across the county.

Executive Members recognised the public interest in planning and planning enforcement and it was recognised that the draft Policy would ensure an efficient and time saving approach with the benefit of a dedicated resource.

Having considered the proposed draft 'Planning Enforcement and Monitoring Policy' and the information provided at the meeting, Executive Members

Resolved: To recommend to the Chief Executive that using his emergency delegated powers he recommend the draft Planning Enforcement and Monitoring Policy to Full Council for adoption

730 North Yorkshire Enhanced Partnership

Considered – A report of the Corporate Director – Business and Environmental Services proposing an update of the Executive on the North Yorkshire Enhanced Partnership Plan and Scheme.

County Councillor Don Mackenzie introduced the report, and provided an overview of the background to the development of an enhanced partnership arrangement. He also drew attention to the consultation undertaken and its findings, as detailed in the report.

Karl Battersby, Corporate Director – Business and Environmental Services outlined the next stage in the process i.e. to set up the governance for an enhanced partnership and have a scheme in place by 1 April 2022. He also confirmed there had been only one objection to the proposed partnership approach, which the Authority was confident could be resolved.

Executive Members noted the funding allocation was not yet known, and was likely to be less than applied for due to the high number of applications submitted. They also noted that third party funding contributions would be required to deliver some elements of the Bus Service Improvement Plan, and that dependent upon the funding received there might be some constraints on deliverability and scalability. It was confirmed that any funding received would be allocated based on the hierarchy outlined in the report, and that it would still be possible to achieve some of proposed elements even if no funding was received.

Karl Battersby confirmed the Authority was still awaiting the outcome of both its BSIP bid and its Zero Emissions Buses bid, and County Councillor Don Mackenzie reassured Executive Members that the levelling up of rural bus services was a key priority.

In regard to the ongoing on-demand bus service pilot, County Councillor Gareth Dadd welcomed the innovative approach to the delivery of rural bus services and confirmed there were signs of increased demand.

Having considered the report and considered the information provided at the meeting, Executive Members

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

- i. Agree the 'making' of the plan and scheme, following satisfactory completion of the second operator consultation period;
- ii. Delegate the submission of the Enhanced Partnership Plan and Scheme to the Department for Transport following completion of the second operator consultation period to the Corporate Director Business and Environmental Services, following consultation with the Executive Member for Access.

731 Weaverthorpe CE VC Primary School

Considered – A report by the Corporate Director – Children and Young People's Service presenting the outcomes of a public consultation carried out by the County Council on the proposal to close Weaverthorpe CE VC Primary School, and seeking authorisation to publish the proposals and statutory notices, and to schedule a final decision on the proposal on 31 May 2022.

County Councillor Janet Sanderson presented the report in the absence of County Councillor Patrick Mulligan. She provided an overview of the steps taken by the school having failed its Ofsted inspection. She confirmed that no multi academy trust was willing to take on the governance and management of the school as it was not considered viable as a standalone school, and there were no potential partner schools, due to the questionable long-term viability of the school, as a result of dwindling numbers.

County Councillor Janet Sanderson drew attention to the outcomes of the consultation that had been undertaken on the school closure proposal, and addressed two of the key points raised:

- Pre-determination – She gave assurance that the Local Authority had entered into the consultation with an open mind and would do so throughout the process.
- All respondents considered the closure of the school to be a negative thing – She suggested that pupils would benefit from being in a larger school as a super small school such as Weaverthorpe was not able to deliver the breadth of modern day curriculum, provide enrichment from other activities, or provide extra resources for pupils with SEND.

Executive Members accepted there was no other way forward for Weaverthorpe School and having noted the report and the information provided at the meeting, all Executive Members

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

- i) Statutory proposals and notices be published on 1 April proposing to cease to maintain Weaverthorpe CE VC Primary School with effect from 31 August 2022.
- ii) The proposals include that from 1 September 2022 the catchment area of Luttons Community Primary School is expanded to include the current Weaverthorpe School catchment area. There is an area of Weaverthorpe's catchment area that is currently shared with Hertford Vale CE Primary School and it is proposed that area (Butterwick) remains part of Hertford Vale's catchment area.
- iii) A final decision on these proposals be scheduled for the Executive on 31 May 2022.

732 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 a recent meetings of the Area Constituency Committees.

Resolved - That the report be noted.

733 Forward Plan

Considered – The Forward Plan for the period 7 March 2022 to 31 March 2023 was presented.

Resolved - That the Forward Plan be noted.

734 Planning of School Places - Basic Need Capital Programme 2022/25

Considered – A report of the Corporate Director – Children and Young People's Service providing a progress update on the 2018-21 Basic Need programme and seeking approval for further investments in 2022-25.

County Councillor Janet Sanderson introduced the report confirming the overall programme had been reviewed and priorities for further additional places up to 2024/25 had been identified, as detailed in the report. She noted the report:

- Provided an update on schemes completed as part of the previous programme for 2018-21;
- Outlined the provisions to be made for future projects in the next cycle of 2022-25;
- Provided an overall financial position for the previous programme;

Attention was also drawn to:

- The 14 schemes achieved since the last report, in particular the expansions at Sherburn Hungate Primary School and Overdale Community Primary School;
- The other Funding Streams for school places and/or educational provision, and;
- The priorities for investment;

Finally, it was confirmed that the Basic Need Grant for 2023/24 was expected to be announced in the next three months.

Executive Members noted the financial position of the programme to date and the challenges around funding for new school places.

Having considered the report and the information provided at the meeting, Executive Members

Resolved: To recommend to the Chief Executive Officer that using his emergency delegated powers he approve the proposed 2022/25 programme of Basic Need Grant investments to meet the requirement for additional mainstream school places.

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

County Councillor Carl Les agreed to receive an urgent verbal update on the Ukrainian refugee evacuation programme.

Neil Irving, Assistant Director for Policy Partnerships & Communities outlined the sponsorship scheme being introduced by the Government in response to Russia's invasion of the Ukraine, alongside the existing visa scheme for family members.

He noted the new scheme would enable households and organisations to sponsor Ukrainian evacuees to come to the UK. There would be a number of processes put in place to:

- Vet the accommodation being offered (still to be clarified who would do this);
- Vet the residents of those households (still to be clarified who would do this);
- Match the Ukrainians to the appropriate UK households;
- Make connections for those who do not have them;
- Vet the Ukrainians before they arrive;
- Provide training and support to UK households;
- Provide ongoing support to the Ukrainians

Neil Irving confirmed that those brought to the UK via the scheme would have access to all UK services, and UK households would be able to claim £350 a month. He also confirmed that the exact role of Local Authorities was yet to be determined, and there was currently no information regarding the types and locations of households that would be deemed suitable, and no geographical preferences.

It was noted the Government expectation was that refugees would be homed for at least 6 months and would likely last beyond the fruition of LGR.

Recognising the acute nature of the issue, County Councillor Gareth Dadd questioned whether at this stage, local Authorities had the ability, capacity and where-with-all to be able to wrap around the necessary services and support the hosts as well as the evacuees.

In response, Neil Irving confirmed there was a willingness by North Yorkshire Districts/Borough Councils to work with NYCC to deliver on this programme, in the same way they did on other resettlement type schemes. He also confirmed there would be no unaccompanied children, and Local Authorities would receive funding of £10,500 per evacuee.

Executive Members accepted it was a sensible approach but queried the capacity within Children's Services and Adult Services to handle the additional need, and recognised the need for setting an appropriate safeguarding balance.

In regard to the financial consequences of the Russian invasion, it was confirmed there were no direct links within the Authority's supply chain, and within the pension fund portfolio investments valued at £5bn, only a minimal exposure of 0.1% – it was expected this would be reduced with time.

Finally, it was confirmed that inflation and the cost of goods within the supply chain was likely to increase, and this would be closely monitored.

Resolved: That the verbal update be noted.

The public meeting closed at 12:02pm and Executive Members moved into private session to consider confidential agenda item 11 - Delegation of enforcement functions to another Local Authority.

736 Delegation of enforcement functions to another Local Authority.

The meeting concluded at 12.06 pm.