

North Yorkshire County Council

Selby and Ainsty Area Constituency Committee

Minutes of the meeting of the Selby and Ainsty Area Constituency Committee held virtually via Microsoft Teams on 14th January 2022 at 10 am.

Present:-

Members:-

County Councillors Karl Arthur (Chairman), Stephanie Duckett, Mike Jordan, Andrew Lee, Cliff Lunn, Richard Musgrave, Don Mackay, John McCartney, Andy Paraskos, Chris Pearson and Cliff Trotter.

Apologies

Apologies were received from Co-opted Member, Howard Ferguson.

Invited Executive Members:-

County Councillors David Chance, Gareth Dadd and Carl Les.

Officers:-

Dave Caulfield (Selby District Council), Angela Crossland (Selby District Council), Andrew Dixon (Strategic Planning Manager, Education and Skills), Sally Dunn (Head of Finance, Schools and Early Years), Gary Fielding (Corporate Director – Strategic Resources), Steve Loach (Democratic Services), Chris Reynolds (Head of SEND Strategic Plan Implementation), Stuart Robinson (Selby District Council), Joel Sanders (Head of T&C Commercial Services), Rebekah Taylor (Principal Adviser Monitoring, Education and Skills), Janet Waggott (CEO Selby District Council and Assistant Chief Executive NYCC)

Copies of all documents considered are in the Minute Book

All decisions made by the Committee are subject to the procedure set out in Minute No. 121, below.

121. Chairman's Welcome, introductions and apologies

The Chairman welcomed everyone to the meeting and read out the following statement:-

Under his delegated decision making powers in the Officers' Delegation Scheme in the Council's Constitution, the Chief Executive Officer has power, in cases of emergency, to take any decision which could be taken by the Council, the Executive or a committee. Following on from the expiry of the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, which allowed for committee meetings to be held remotely, the County Council resolved at its meeting on 5 May 2021 that, for the present time, in light of the continuing Covid-19 pandemic circumstances, remote live-broadcast committee meetings should continue (as

informal meetings of the Committee Members), with any formal decisions required being taken by the Chief Executive Officer under his emergency decision making powers and after consultation with other Officers and Members as appropriate and after taking into account any views of the relevant Committee Members. This approach will be reviewed by full Council at its February meeting.

122. Minutes

Resolved -

That the Minutes of the meeting held on 24 September 2021, having been printed and circulated, be taken as read and confirmed and would be signed by the Chairman as a correct record at the next available opportunity.

123. Declarations of Interest

County Councillor Richard Musgrave declared a personal, but non-pecuniary interest in respect of the "Better Together" imitative update, in relation to him being a representative of Selby DC on the Joint Members Group.

County Councillor Mike Jordan declared a personal, but non-pecuniary interest in respect of the Schools, Educational Achievement and Finance item in relation to him being a Governor at Cliffe Primary School.

124. Public Questions or Statements

There were no public questions or statements.

125. "Better Together" initiative

Members considered an update report on the "Better Together" initiative between NYCC and Selby DC, which highlighted the following:-

Governance Framework

- Better Together Steering Group and Joint Members Group
- Collaboration Agreement

Growth and Infrastructure

- The new Local Plan
 - Transport Modelling
- Regeneration and Development Projects.
 - Transforming Cities Fund – Selby Station Gateway Scheme
 - Selby District Places and Movement study
 - Revitalising Town Project – Selby Abbey Quarter
- Key development sites - through major applications to the Local Planning Authority (LPA)

Health and Social Care

- Multi-Disciplinary-Team and Selby Health Matters Partnership Plan
- Multi-Disciplinary Teams (MDTs)
- Community Support Organisations (CSOs)
- Primary Care Network System Support
- Current Focus
- The Selby Health Matters partnership
- Place Based Planning
- Selby District Council Overview and Scrutiny Committee

Shared Services

- VOIP Telephony System
- CRM System
- Hosted Website and Intranet
- ICT Infrastructure
- HR, Payroll & Learning Zone
- Integrated Finance Service
- Health and Safety Service
- Registrars Accommodation at SDC Civic Centre
- Natural Environment & Advisory Service (Ecological Services)/Specialist Archaeological Advisory Service/Landscape Architectural Advice
- Legal Service
- Informal Arrangements
- Communications & Marketing
- Policy & Performance

Summary

The Better Together Programme continues to deliver benefits to SDC, NYCC and the public whilst also providing a joint platform to identify and deliver new initiatives for improvement. In the earlier stages of the Programme there was a key focus on achieving savings through joint working often in back office support areas, this remains a key objective for the programme however in recent times the Programme has had a major focus on jointly delivering on key outcomes for our respective customers. The Better Together Collaboration Agreement continues to ensure that joint principles, governance and a legal framework are in place to deliver services and joint projects.

The solid foundations of collaboration working already developed through the current Better Together arrangements will be invaluable in the planning and transition to the formation of the new council. The focus of the joint working arrangement going forwards will be to ensure that robust and effective services are in place and to support the LGR Programme for transition to the new council

Members raised the following issues in relation to the report:-

- Clarification was provided in relation to the implementation of the Local Plan, which would be out for consultation shortly, with a view to implementation by early 2024.
- A Member referred to the allocation of bungalows that previously were reserved for elderly residents, but were now given to anyone on the housing list. He

asked whether consideration would be given to returning to the previous allocation system, following LGR, and whether support for those living in those designated dwellings would be reintroduced. In response it was noted that the housing stock as a whole would be considered with a view to developing the best way forward taking account of land development, adaptations, etc. at the highest level. The Member suggested that some immediate consideration was required in terms of adaptations as this was preventing a number of people from returning to their home setting in a timely manner. In response it was stated that additional support was being provided for those who did not require high levels of care but adaptations were required for them to return to their home setting. A Member also suggested that the locality of elderly dwellings also required attention, with the availability of appropriate, nearby facilities taken account of. In response it was stated that housing needs and locality would be taken account of during the review for LGR.

- A Member noted that the COVID levels in the Selby area were particularly high yet there was no Vaccination Centre open on a Saturday in the District. In response it was stated that Selby was consistent with other areas within North Yorkshire, with COVID levels high throughout the County, and available resources were stretched, including the availability of vaccines. It was acknowledged that the provision of the booster vaccine was key to driving COVID levels down, and facilities would be open where the vaccine was available.
- The Chairman asked about progress at the Barlby Olympia site. In response it was stated that there were numerous elements to the development but on the whole it was progressing well. The potential for the creation of an employment site, at that location, was currently under consideration.

Resolved –

That the officers be thanked for their update, the contents of which be noted

126. Executive Update – COVID, LGR and any other issues.

The Leader of the Council, County Councillor Carl Les, outlined the following:-

- There were numerous challenges facing the County Council going forward, including; Climate Change – Carbon Reduction; recovery from COVID, LGR and financial issues.
- The COVID figures for the Selby area were currently above the national average, which, potentially could put the NHS under increasing pressure, therefore, it was important that the vaccination programme, including booster jabs, was prioritised.
- The County Council had begun a promotion of encouraging people to develop a career in the Care Sector through the “Making Care Matter” initiative.
- LGR was progressing well through the Executive Board and related meetings. The development of the framework for the new Council would be taken forward and enhanced into the Authority following the elections in May, when the Members who will initially sit on that Council will be elected.
- The further development of devolution, which was tied up with the LGR proposals, was still awaited, although discussions with the new Secretary of State were being arranged, and it was understood that he did not want any undue delay to the process.
- The County Council’s budget process, which would be discussed in full later in the meeting was nearing completion for 2022/23 with a difficult balancing position required in terms of delivery of services and residents’ ability to pay increased Council Tax, given the current cost of living issues.

Members raised the following issues in relation to the update by the Leader:-

- It was suggested that the Council would be better placed to press the Government on the devolution issue when the new Council was in place following the May elections. The Leader acknowledged that approach but wanted the issue to be addressed as soon as possible, noting that the change of Secretary of State had delayed matters.
- A Member referred to a recent documentary that had highlighted care issues in Scarborough, detailing a situation where the whole floor of a care home was vacant as NYCC had not paid the fees for the residents to stay there. The Leader stated that it was right that issues like this were raised but noted that the issues had been addressed subsequently and the home was back to 100% capacity. He emphasised that every effort was made to protect the care system but this had to be balanced against being fair to the Council Tax payer. He highlighted that care workers had been paid a bonus in view of their exceptional work during the pandemic.

County Councillor Andrew Lee provided a verbal update on the latest position regarding the COVID 19 pandemic and the County Council's response.

- The most recent figures showed that the North Yorkshire COVID rate was 1475.4 and the England rate was 1475.2, but the figures continued to fluctuate. Currently Selby was at 1602. Across North Yorkshire the hospitalisation rate was 1309 and deaths were 1361, up 11 on the previous figures.
- There was no specific reason as to why the Selby district had the highest COVID rate in the County, but transmission from other areas with high figures was a likely reason.
- The vaccination programme continued to be operating well with a 60% take up of vaccinations overall, and 75% take up of the booster jab, for those previously receiving two jabs, in the district.
- As expected the COVID figures increased over the winter and were exacerbated by the spread of the Omicron variant, although this had not had as big an impact on health as the Delta variant.
- The emphasis is now upon learning to live with Covid-19, and ensuring that the most vulnerable were protected.

Members discussed the issues raised and highlighted the following issues and points:-

- The number of people in hospital with COVID within North Yorkshire was clarified as being 339, although not all those were residents of North Yorkshire. It was asked how many people had contracted COVID while in hospital. In response the Executive Member stated that he would provide more extensive details to Members, outside of the meeting, as he did not have these available. Members emphasised that the details were important in ensuring that the vulnerable were protected and were protected against possible infection.
- A Member noted that the bonus for care workers, referred to earlier in the meeting, had been delayed until the unions had signed off an agreement in relation to this. He stated that the some care workers continued to be payed below living wage levels, which was why NYCC providing the bonus, but this had to be measured alongside the move to raise pay levels across the board for care workers, as some continued to be paid at very low levels. The issues raised were noted and it was highlighted that, although seen as necessary, raising pay levels for care workers would have an impact on Council Tax payers.
- It was noted that the ward boundaries for the new Council had now been set and would be put before Parliament in February. It was not expected that there would be major changes to the proposals.

- A Member highlighted the voluntary work that had been created to provide assistance to the Health and Adult Service at NYCC during the pandemic.

Executive Member County Councillor David Chance, whose portfolio includes Stronger Communities, outlined details of the continued work of the Stronger Communities Service, through Community Support Officers, in response to the pandemic, highlighting the following:-

- The number of requests for assistance were relatively low, currently.
- Testing kits were available again following the pre-Christmas shortage and could be obtained through the CSOs.
- There was now a higher level of demand for Community Transport as people became less wary of the pandemic.
- Anxiety and low level mental health issues remained concerns.
- The CSOs had been retained for a further twelve months, until March 2023, to continue to assist with the response to COVID.
- NYCC recently received £3.5m from the Government to support households that were struggling due to the pandemic, who were able to access the fund through application. The recovery fund was also available to assist community projects and initiatives

Resolved –

That the Executive Members be thanked for their updates the details of which be noted.

127. Schools, Educational Achievement and Finance

Andrew Dixon (Strategic Planning Manager, Education and Skills), Rebekah Taylor (Principal Adviser Monitoring, Education and Skills), Sally Dunn (Head of Finance, Schools and Early Years) and Chris Reynolds (Head of SEND Strategic Plan Implementation) presented a report relating to schools, educational achievement and finance in the Constituency Area, highlighting the following:-

Local educational landscape - There are now 19 primary academies and 5 secondary academies within the constituency area.

Summary of schools' status – September 2021 - Total maintained (34) / Total academy (24) - Primary Maintained (32) / Primary Academy and Free School (19) – Secondary Maintained (1) / Secondary Academy (5) - Special Maintained (0) / Special Academy (0) – PRU Maintained (1) / PRU Academy (0)

School standards - In the constituency area 88.2 per cent of primary schools are judged good or outstanding by Ofsted, which is slightly above the North Yorkshire average but slightly below the national average. In terms of secondary schools, 88.3 per cent are judged good or outstanding, which is higher than the North Yorkshire and national averages. There are 7 schools currently judged requires improvement or inadequate in the constituency area.

Attainment overall - Over the last 2 years, exams and assessments in schools have not taken place because of the disruption to students' education caused by the coronavirus (COVID-19) pandemic. Summer 2021 assessments were awarded based on teacher or centre assessment and no statistical adjustment processes were used. The Government intends for GCSEs, AS, A Level and equivalent assessments and exams to go ahead in England in summer 2022 and has consulted on assessment arrangements. In primary schools, national curriculum assessments due to be held in summer 2020 and summer 2021, including tests, teacher assessments

and the phonics screening check, were also cancelled too. These statutory assessments are expected to resume in 2022.

Not in education, employment or training - 8 young people (0.89%) were not in education, employment or training after leaving school as of August 2021 in the Constituency area.

Fixed-term and Permanent Exclusions - Of the 1462 fixed-term exclusions in 2020/21 201 of these children were on roll of mainstream schools in the Selby and Ainsty constituency. There were 26 permanent exclusions from schools in the county three of which were for children in Selby and Ainsty area schools. A comparison of figures from previous years was provided. From September 2020 the transition of the Pupil Referral Service (PRS) to provide preventative places to reduce the need for secondary exclusions had been introduced.

Special Education Needs and Disabilities - The development of the new model of provision, Targeted Mainstream Provision (TMP) was intended to help the LA meet demand for full time education provision for children with SEND and who have an Education, Health and Care Plan. Work was continuing through 2021/22 to increase the amount of TMPs in areas which did not yet have host schools identified, to ensure that the LA has capacity to meet demand for this provision. The development of specialist provision for Selby was also continuing following a successful bid by the LA to establish a new 100 place Special School in Osgodby. LA officers were continuing to work with the DfE and Multi Academy Trust to design the school in preparation for a planning application to be submitted. The school was still subject to planning approval but once delivered would be a significant addition to the county's Special Needs provisions and a major asset to the district's children and young people with SEND.

SEN Statistics for Constituency Area - As of January 2021 there were 638 children living in the constituency with a North Yorkshire funded EHC plan, 18% of the North Yorkshire total.

Elective Home Education - As of 31st August 2021 there were 904 children recorded as Electively Home Educated in North Yorkshire, 118 of which were formerly from a mainstream school in the Selby and Ainsty area..

Schools in Financial Difficulty – details of the countywide and local positions were provided with projections of how this was likely to develop, going forward - 3 schools projecting to be in deficit by March 2022; 10% of schools in Selby and Ainsty – 3 primaries. Total projected value of deficits = £281k - Projected average primary deficit = £94k / 11 schools projecting to be in deficit by March 2024; 36% of schools in Selby and Ainsty. 10 primaries; 1 PRS - Total projected value of deficits = £1.1M - Projected average primary deficit = £97k - Projected average PRS deficit = £167k -

School sustainability - Collaborative working - Pupil rolls – current and future – details were outlined in the report in relation to how current schools were developing.

Details of the key points to note within LA planning areas across the constituency area were provided.

Members discussed the report and the following issues and points were raised:-

- A Member highlighted the fluctuating numbers on roll over recent years and how this affects the funding available to schools, which had serious repercussions in terms of their sustainability, and their ability to deliver education effectively. The

issue raised was recognised and it was hoped that it would be addressed through changes to the funding formula and devolution possibilities, going forward.

- Exclusions were raised as a concern and it was asked whether the increase in figures was due to the disruption created by the pandemic. In response it was stated that the unsettled period could have had an effect on the figures, but it was more complex than that and were due to a number of reasons. It was also noted that there had been a recent reduction in the number of fixed term exclusions. The position in terms of permanent exclusions was much better in the area, with these significantly down, and performing well against the other North Yorkshire districts. Work was continuing to reduce these levels further, with support for children at risk and locality board interventions.
- A Member asked whether “Levelling Up” would see schools in the area funded at the County average, rather than below as they are currently. In response it was explained that the current funding formula determined how schools were funded, but currently a new formula was being developed with aim of being fairer and more equitable. Secondary Schools had been lobbying for some time for a better settlement, particularly smaller, rural Secondary Schools, as they were particularly hard hit under the current formula, although an additional lump sum of funding had been provided. A Member, noting that the difference in funding was around £200 per pupil, which would make a significant difference for a secondary school, emphasised the need to continue lobbying for fairer funding for schools.
- A Member noted that the report indicated that there were 87.9% of schools rated as good or outstanding in the Constituency Area and he wondered how many were good and how many were outstanding, as it would be interesting to appreciate those schools that were developing positively. In response it was stated that those details were not available at the meeting but would be provided directly to the Member outside the meeting. It was noted that time had elapsed since the schools were last inspected so improvements were likely to have been made in the interim.
- It was asked whether Elective Home Education (EHE), which had risen substantially in the Constituency area, had been affected by COVID in terms of opting for this, and whether appropriate checks were in place to ensure this was being delivered appropriately. In response it was stated that COVID had resulted in a rise in EHE, but rates were already rising prior to that. It was noted that this was available as a parental choice for the provision of education and was accompanied with appropriate, pro-active support from the Local Authority, which also provides safeguarding checks. It was explained that EHE is often the option when relationships between the school and parents had broken down, in which case the Local Authority would try and resolve the situation, while acknowledging the right for that educational approach to be chosen and providing the necessary support. There was also close working alongside the Inclusion Service.
- It was noted that many of the details requested during the meeting were available in the quarterly data report to the Executive.
- A Member asked for the rationale applied for collaboration between, or amalgamation of, schools. In response it was stated that this was undertaken at the request of the DfE and was linked to the annual return in school places, where shortfalls occur. It was acknowledged that the linkage can appear odd from a local perspective but these are based on the related school planning areas, and could not be changed arbitrarily. The Member considered that linkage in his area did not appear to make sense and suggested that a review was required. The issue raised was acknowledged but it was emphasised that the chance of reviewing this was limited.

Resolved –

That the officers be thanked for the report, and answers to issues raised, the details of which be noted.

128. County Council Budget proposals – 2022/23

Gary Fielding (Corporate Director Strategic Resources) gave a presentation detailing the budget proposals for 2022/23 in respect of the overall County Council, and on a Constituency area basis, and invited Members comments. The presentation highlighted the following:-

a) NYCC Budget Headlines

Background

Last year at Budget time:

1. Two year recurring shortfall of £18.5m per annum
2. Assumed Council Tax rise of 1.99% for each year
3. Low inflation
4. LGR outcome awaited

This year and next year characterised by:

- Covid - past, present and future?
- LGR - single biggest Transformational Programme

LGR – What it means for 22/23 Budget and MTFS

1. 2022/23 - 8 x Sovereign Council Budgets
2. 2023/24 and 2024/25 based on “going concern” - building blocks
3. March 2022 onwards - start to aggregate “shadow” Council Budget
4. Currently assessing funding challenge now in aggregate (i.e. across the 8) for period 2022/23 to 2024/25
5. New Council to determine

- 2023/24 Budget and beyond
- Savings plan
- Council tax harmonisation

Provisional Local Government Finance Settlement

1. Services grant £822m nationally - “one-off” only issue
2. Another social care grant £700m nationally
3. Council Tax referendum trigger at 2% plus 1% ASC precept as expected
4. Extra New Homes Bonus = expected to lose year’s worth
5. Spending power increased by £3.5bn but presumes:
 - All council tax increases taken
 - Includes new funding for new responsibilities re ASC market, fees, contributions
 - New grants

Complexity of ASC future reforms

Conclusions

Need to balance all of:

- Uncertainty on all fronts (Covid response; Covid legacy and demand led services; future funding; LGR)
- Provide good start for new NY Council

- Worry on ASC Funding Reform

Next Steps

The difference between usable and earmarked reserves and examples.

Members raised the following issues in relation to the initial part of the presentation:-

- A Member asked what the difference would be for a Band D Council Tax bill should the maximum rise of 4.49% be implemented. In response it was stated that this would rise by £65.35 per year to £1474.40.
- It was noted that District Councils currently had different levels of Council Tax and would be setting different rates for the 2022/23 budget, but the new Council emerging from LGR would be a single Council, and it was asked how these different rates would be addressed. In response it was stated that a standard Council Tax would be developed throughout the County, for the single Council, which would be developed through the average of existing Council Tax levels for the Districts and NYCC. A support system will be provided to assist those who see rises in their Council Tax levels due to this.
- It was noted that Selby DC currently incorporated payments to the Internal Drainage Board within its pre-cept and wondered how this would be transferred. In response it was stated that such payments would be picked up under the new arrangements ensuring they were transferred over appropriately.
- A Member highlighted increasing interest rates and asked whether these would have an adverse effect on finances. In response it was stated that increased interest rates would have a positive effect as there would be an increased return from balances. Independent Financial Advisers suggested that there could be an additional £750k of interest returns due to the rise in rates. It was stated that loans held by the County Council had been undertaken on a fixed rate basis, therefore, repayments of these would remain the same. Deputy Leader of the Council, County Councillor Dadd, whose Executive portfolio includes finance, stated that long term borrowing by the County Council had been reducing for the past 7 years and, generally, the County Council was in a good position, financially, particularly when compared to other Local Authorities. He acknowledged that some of the decisions made in the past may have been seen as controversial, but the current position had proved them to be correct, and he hoped the new Council continued to be as financially aware.

Constituency Area – Financial Issues

School Projections based on May 2021/22 start budgets
Schools in financial difficulty – Constituency area – 2021/22 to 2023/24
HAS budget issues
HAS referrals
Care Market
Highways and transport schemes
Local town WiFi schemes

Members raised the following issues in relation to this part of the presentation:-

- A Member raised an issue in relation to an anomaly in relation to a care related direct payment. In response it was stated that the issue would be discussed further with the Member at the conclusion of the meeting, as the matter may now have been resolved.
- Noting the plans for window replacements in a number of schools, a Member raised concerns that the COVID requirement for better ventilation was not being

met, and may be hindered by the introduction of new windows. In response the position of the Member was acknowledged but it was emphasised that appropriate ventilation and energy efficiency could both be achieved through the window replacement scheme. The Member emphasised the need for ventilation as COVID became endemic. It was stated that it was hoped to use capital funding, going forward, to address ventilation issues in older schools.

- A Member noted the provision of free WiFi in a number of the larger town centres in North Yorkshire and asked whether there were any plans to roll this out to outlying villages. In response it was stated that whilst there was sympathy for the areas that were not receiving this, the best use of the funding was to maximise the coverage, which resulted in urban areas being targeted. It was acknowledged that urban areas also required a good level of broadband coverage, particularly for businesses located in remote locations, and the project with BT continued to try and connect to as many areas as possible.

Resolved –

That the Corporate Director be thanked for the report, and answers to issues raised, the details of which be noted.

129. Work Programme

Considered -

The report of the Assistant Chief Executive (Legal and Democratic Services) providing details of the Work Programme for the Area Constituency Committee to consider, develop and adopt.

The Clerk introduced the report and asked that Members review the committee's work programme, taking into account the outcome of discussions on previous agenda items and any other developments taking place across the area.

Resolved -

- a. That the development of the Work Programme be ongoing;
- b. That the contents of the report be noted.

130. Next Meeting

It was likely that this would be a virtual meeting held on the Microsoft Teams platform, but, should face-to-face meetings have returned, a suitable venue would be utilised and Members would be informed accordingly

Resolved -

That the next meeting of the Committee be held on Friday 8th April 2022 at 10am.

131. Other business which the Chairman agrees should be considered as a matter of urgency because of special circumstances

There was none.

The meeting concluded at 12.55pm.

SML

