

# EXECUTIVE

23 May 2022

## The Approval of the Implementation Plan

### Report of the Assistant Chief Executive (Legal and Democratic Services) and Monitoring Officer

#### 1.0 Purpose of Report

- 1.1 To brief Members on the governance arrangements for implementation of the new unitary council for North Yorkshire.
- 1.2 To approve the Implementation Plan.

#### 2.0 Executive Summary

This report seeks to inform Members on the following matters:

- (a) Explain the stages necessary to implement the new unitary council.
- (b) To seek approval of the Implementation Plan which describes the arrangements to work collaboratively to create the new North Yorkshire Council.

#### 3.0 Background

- 3.1 The Local Government and Public Involvement in Health Act 2007 allows the Secretary of State to create a unitary council as a result of a proposal that has been submitted. On 21 July 2021 the Secretary of State has approved the creation of a unitary council without modification on the basis of the following proposal:

<https://www.northyorks.gov.uk/sites/default/files/fileroot/About%20the%20council/Strongertogether/82237%20North%20Yorkshire%20Council%20A4%20GOV%20-%20Accessible.pdf>

- 3.2 Following approval by the Secretary of State, a Statutory Instrument (called the Structural Changes Order) is passed under Section 15 of the Cities and Local Government Devolution Act 2016. On 16 March 2022 the North Yorkshire (Structural Changes) Order was approved to create the new unitary North Yorkshire Council from 1 April 2023 (the Vesting Date). A copy of this Order can be found at <https://www.legislation.gov.uk/uksi/2022/328/contents/made>
- 3.3 This Structural Changes Order provided for the election on 5 May 2022 and the appointment of 90 councillors.

#### 4.0 Issues

- 4.1 On 16 March 2022 the Informal Implementation Executive (consisting of representatives from the County Council and a representative from each of the seven District and Borough Councils) met virtually and approved the Implementation Plan as it then was and also approved the membership of the Implementation Team.
- 4.2 After the elections the Structural Changes Order provides that the Executive of North Yorkshire County Council replaces the Implementation Executive and fulfils the relevant transitional functions in creating the new unitary North Yorkshire Council from 1 April 2023.
- 4.3 The Executive is now therefore responsible for the political governance of the implementation of the new unitary council. Therefore the Executive is responsible for preparing, keeping under review and revising as necessary the Implementation Plan which seeks to secure the effective, efficient and timely discharge of the transition of the new unitary council on 1 April 2023.
- 4.4 The Implementation Plan must include such plans and timetables as the Implementation Executive consider is necessary to allow the smooth transition to the new unitary council. The final Implementation Plan must also include such budgets and plans as considered necessary or desirable to facilitate the economic, effective, efficient and timely discharge of the new unitary council's functions on or after 1 April 2023.
- 4.5 The Structural Changes Order provides that for the purposes of preparing and reviewing the Implementation Plan, the Executive must have regard to the information supplied to the Secretary of State in support of the proposal for a single tier local government in North Yorkshire.
- 4.6 Members are asked to approve the attached draft Implementation Plan at Appendix A.
- 4.7 The draft Implementation Plan recognises that there is a considerable amount of work to create a new unitary authority on 1 April 2023 and also recognises the collaborative approach that has already been taken by the either authorities working together for the benefit of North Yorkshire. The Implementation Plan adopts a set of core design principles which sets out the clear ambition for the new unitary authority, namely:
- Customer focused.
  - Digital by preference.
  - Countrywide and local.
  - Locally accountable and empowering.
  - Data-led and financially sustainable.
  - Collaborative.
  - Empowered, agile and innovative workforce.
  - Promoting equality, diversity and inclusion.
  - Tackling climate change.
- 4.8 The Implementation Plan identifies that during the transition until Vesting Date the key priorities for the eight Councils working together are to ensure:
- Safe and legal operations.
  - Democratic arrangements are in place, including the election of the new council in May 2022, comprehensive Member induction programme and the formation of relevant committees.

- Transfer of staff and the retention and engagement of employees.
- Transfer of property, assets and contracts.
- IT systems and technology are in place.
- Customer access/One Front Door (and simplification of customer journey).
- Locality transformation and implementation of new localism.
- The ability to undertake transformational activity as required.
- Clarity is provided for Members, employees and members of the public on what type of organisation the new Council will be.
- A comprehensive Member engagement programme will be established to ensure there is appropriate political oversight and input.

4.9 The Implementation Plan identified 15 workstreams across the Change Programme which are:

- Corporate Governance.
- Communications, Engagement and Branding.
- Customer.
- Finance.
- Human Resources and People.
- ICT and Digital.
- Locality.
- Organisational Development.
- Property.
- Culture, Leisure and Sport.
- Economic Development.
- Housing.
- Planning.
- Regulatory Services and Emergency Planning.
- Waste, Highways, Parking and Street Scene.

4.10 In addition the Implementation Plan recognises that there will be three additional workstreams focused on day 1 planning and service continuity issues within three current county-wide, statutory services (Adult Social Care, Children and Young People's Services and Public Health). There will also be a separate but linked programme to deliver Devolution in North Yorkshire.

4.11 The Implementation Plan provides that the Implementation Team of officers consists of the following:

- County and District Chief Executives
- Management Board officers from the County Council
- Chair: Chief Executive of North Yorkshire County Council
- Vice Chair: Chief Executive of Craven District Council

## **5.0 Financial Implications**

- 5.1 The Case for Change identified that the transition to a unitary council for North Yorkshire would cost approximately £38m. Funding has been earmarked within the County Council's budget to provide for this whilst district councils have funded the capacity required to deliver LGR transition alongside existing operational requirements. Spending on transition will be monitored as an integral part of the routine quarterly budget monitoring regime.
- 5.2 The Case for Change also identified a net saving of £252m over the first 5 years. The Plan set out in this report provides the initial approach for implementation and further work will be undertaken as to how the benefits, including financial savings, will be identified and ultimately delivered.

## **6.0 Legal Implications**

- 6.1 The Structural Changes Order provides that the creation of the new unitary authority will be legally based on the district council functions transferring to the legal entity of the County Council and the County Council will then be reorganised to create the unitary authority. This is known as the continuity authority model, as opposed to creating a whole new legal entity.
- 6.2 Purely from a legal perspective, this model is less complicated than creating a brand new authority, as all the existing contractual, property, employment arrangements of the County Council will continue without having to transfer them to a new legal entity.
- 6.3 The Structural Changes Order provides that all the district employees, functions, liabilities and assets will transfer to North Yorkshire Council on 1<sup>st</sup> April 2023.
- 6.4 It is the Executive's responsibility under the Structural Changes Order to approve and revise the Implementation Plan and appoint the Implementation Team.

## **7.0 Equalities Implications**

- 7.1 An Equalities Screening Assessment is attached at Appendix B.

## **8.0 Reasons for Recommendations**

- 8.1 It is the responsibility of the Executive to approve the Implementation Plan to secure the smooth transition to the new unitary council.

## **9.0 Recommendation**

The Executive is asked to approve:

- (a) The Implementation Plan at Appendix A.
- (b) The Implementation Team as identified in paragraph 4.11.

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Presenter of Report – Barry Khan, Assistant Chief Executive (Legal and Democratic Services) and Robert Ling, Assistant Director Technology and Change

Background Documents:

The Implementation Executive agenda for 16 March 2022 [Agenda for Local Government Reorganisation Implementation Executive on Wednesday, 16th March, 2022, 9.00 am | North Yorkshire County Council](#)

Appendices:

- A. Draft Implementation Plan.
- B. Equalities Screening Assessment