

North Yorkshire County Council

Executive

Minutes of the remote meeting held on Tuesday, 23rd August, 2022 commencing at 11.00 am.

County Councillor Carl Les in the Chair. plus County Councillors Gareth Dadd, Derek Bastiman, David Chance, Keane Duncan, Michael Harrison, Simon Myers, Janet Sanderson, Greg White and Annabel Wilkinson.

In attendance: County Councillors Karin Sedgwick, Barbara Brodigan, David Staveley, Andrew Lee, Caroline Dickinson, Paul Haslam and Tom Jones

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Barry Khan, Richard Webb, Melanie Carr and Ray Busby.

Other Attendees: Stuart Minting.

Apologies: Richard Flinton.

Copies of all documents considered are in the Minute Book

52 Introductions

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

53 Public Minutes of the Meeting held on 19 July 2022

Resolved –

That the public Minutes of the meeting held on 19 July 2022, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

54 Declarations of Interest

County Councillor Michael Harrison declared a prejudicial interest in the Treasury Management section of the Q1 Budget Report (item 6 on the Agenda), and confirmed he would leave the room and not participate in that part of the debate.

55 Public Questions and Statements

There were no public questions or statements.

56 Q1 Performance Monitoring Report

Considered – A joint report of the Chief Executive and Corporate Director - Strategic Resources, bringing together key aspects of the County Council's performance on a quarterly basis.

County Councillor Carl Les introduced the Q1 performance monitoring report, confirming it provided an overview on all of the ambitions of the County Council.

County Councillor David Chance provided a summary of the Executive performance report. He confirmed the County Council continued to make progress in delivering its wide-range of ambitions, and drew specific attention to the ongoing challenges, which included:

- External forces in the Care Sector continued to put Health & Adult Social care under sustained pressure, with hospital discharges averaging 13.8 per day - a 38% increase compared to the pandemic average of 10 per day;
- An increase in short term placements to 278 since the end of 2019/20;
- Pressure in Children & Young People's Services, with the number of children requiring EHC Plans- a 12% increase since the same point last year;
- The cost of living crisis food and fuel prices and a rise in interest rates;
- A 24% increase in demand for support from the income maximisation team since the same period in 21/22;
- The demand for Energy Vouchers had grown, with 1,581 vouchers awarded in this year's Qtr1 compared to 697 in Qtr1 last year;
- An increase in demand for the Customer Service Centre, with an increase in call waiting times and call abandonment;
- Social Care calls made up a third of all calls to the Customer Service Centre so a separate call number had been introduced;

Finally, he confirmed the Q1 performance report demonstrated a relentless focus on the Council's ambitions, with the continued development of a strength based approach to effective leadership.

In response to Scrutiny Board members' questions, it was confirmed that:

- The Authority was doing relatively well in regard to the number of NHS Health Checks compared to neighbouring Authorities, but there was still room for improvement;
- A rise in the Authority's carbon emissions could be expected as a result of more staff returning to working in the office, but in the medium term through the rationalisation of Council buildings as part of LGR, those emissions would again reduce;
- Air quality monitoring points were situated not only where there were designated Air Quality Management Areas, but also in nearby locations where new issues may arise, all monitored by the District Councils who were responsible for environmental health;
- The increase in staff turnover was not a result of the uncertainty with LGR, but was a common position across the country. The figures reported did not include turnover within the District Councils. It had been agreed to bring forward any pay settlement not yet agreed nationally on the expectation that it would be agreed as a minimum, to help stabilise the workforce and provide the recognition they deserved;
- School attendance was improving all the time and the aim was to ensure that all children on the school roll would be attending school at the start of the new term in September 2022 – it was noted the figures in the report did not include those children who were home schooled, and that a growing number of disabled children who had chosen to home school during the pandemic, were now returning to school;
- Work was ongoing to encourage Free School Meal take up, and for those families on the cusp of receiving FSM, the Authority provided lots of online advice and information on other forms of cost of living support.

County Councillor Paul Haslam thanked officers for their work to date on climate change and noted the improvements since 2019. He went on to suggest the Authority should write to all its suppliers regarding the coming introduction of a new NYCC Policy and its plans to start to measure their carbon footprints as from 2026/27.

He also drew attention to the work of the Adult Weight Management Service and suggested further work was required to focus on improving nutrition and healthy eating. County Councillor Michael Harrison confirmed a review of the service was planned.

County Councillor Andrew Lee highlighted the government's proposal to close the hotel in Selby where Afghan refugees were currently being housed and establish the same facility for asylum seekers, and questioned the numbers being proposed. In response, County Councillor David Chance confirmed it was not an Authority decision, but it had made the Home Office aware of its view that the hotel was unsuitable for that purpose, in part due to its location.

County Councillor Carl Les thanked officers for the performance report and it was

Resolved – That the report be noted.

County Councillor Simon Myers left the meeting at 11:25am

57 Q1 Budget Report

Considered – A joint report of the Chief Executive and Corporate Director - Strategic Resources, bringing together key aspects of the County Council's performance on a quarterly basis.

County Councillor Carl Les introduced the Quarter 1 budget report, and County Councillor Gareth Dadd went on to introduce each section of the report.

In regard to the Revenue budget, he drew attention to the current £1.92m underspend but confirmed a lot of the contingencies were already earmarked for use during 2022/23 and it was underpinned by £7.7m from reserves. He drew specific attention to:

- The £13m used in contingencies in Health & Adult Services, with the effects from fairer funding cost of care and the new approved provider list still to be seen;
- The £612K overspend on the Business & Environmental Services budget masked by a highways maintenance overspend of £1.772m and offset by an increase in fixed penalty notices and concessionary fares;
- Inflationary pressures in Children & Young People's Services – a £4.5m overspend with a proposal to offset the overspend on the Home to School Transport budget through use of the £1.6m PSVAR contingency;
- An overspend in Central Services, attributed to the rise in energy costs of £1.1m

In regard to the Authority's reserves, he drew attention to the table at paragraph 2.4.5 of the report, and confirmed that based on the MTFs, all the usable reserves would be used by mid 2026. He also highlighted the proposals to increase fostering care payments with the aim of stabilising the market, and to provide a one-off increase to adult social care providers.

Gary Fielding Corporate Director Strategic Resources reiterated that the contingencies put aside to address inflationary pressures had already be eroded, and there were still other areas of concern in Adult Social Care to be taken into account.

Finally, County Councillor Gareth Dadd confirmed that as a result of the increase in the cost of energy, the business case for the investment in LED street lighting had improved.

County Councillor Michael Harrison left the meeting room at this point due to his declared interest associated with the Treasure Management section of the report.

In regard to Treasury Management County Councillor Gareth Dadd confirmed that the

Authority was on the right track but it would depend on the assets and liabilities inherited on vestment day for the new Authority. In regard to the alternative property investments, he noted they were still performing reasonable well given Covid and the economic climate. Finally, he highlighted the additional £1.8m as a result of the rise in bank rate.

County Councillor Michael Harrison returned to the meeting room at this point.

In regard to the Capital Plan, County Councillor Gareth Dadd drew attention to the additional £7.2m for extra costs associated with the Kex Gill project and the levelling up contributions of £420K.

Gary Fielding drew attention to ongoing risks associated with the Capital Plan, which included a reduction in government funding across the board in the forthcoming period and in parallel, the increasing inflation rates, which going forward would result in a much reduced spending power and a higher profile of risk based upon major schemes.

Finally, in regard to the Prudential Indicators, Gary Fielding gave assurance that there was no change to the spirit of what had previously been agreed i.e. to continue the agreed approach to keeping a lid on debt.

Having considered the report in full and the information provided at the meeting, it was

Resolved – That the Executive would note:

- a. The latest position for the County Council's 2022/23 Revenue Budget, as summarised in paragraph 2.1.2 of the report;
- b. The position on the GWB (paragraphs 2.4.1 to 2.4.3 of the report);
- c. The position on the 'Strategic Capacity – Unallocated' reserve (paragraphs 2.4.4 to 2.4.6 of the report);
- d. The latest position regarding the Local Government Review transition fund (paragraphs 2.5.1 of the report);
- e) The position on the County Council's Treasury Management activities during the first quarter of 2022/23

The Executive also approved:

- f) The £1.6m PSVAR contingency be repurposed and used to support the Home to School Transport budget (paragraph 2.1.12 of the report);
- g) The refreshed Capital Plan summarised at paragraph 4.2.3 of the report;
- h) The provision of £7.2m of Brexit Reserve funding to meet the shortfall in relation to the A59 Kex Gill diversion scheme (paragraph 4.3.9 of the report);
- i) The provision of a further £424.7k Strategic Capacity Reserve in match funding towards the Levelling Up Fund Round 2 bid (paragraph 4.3.11 of the report);

Finally, Executive Members agreed to:

- j) Endorse the exceptional increase in fostering weekly rates from October 2021 outlined in section 2.6 of the report;
- k) Endorse the one-off increase to adult social care providers as detailed in section 2.6 of the report;
- l) Refer the report to the Audit Committee for their consideration as part of the overall monitoring arrangements for Treasury Management.
- m) Agree that no action be taken at this stage to allocate any additional capital resources (paragraph 4.5.8 of the report);
- n) Recommend to the County Council that it approves the revised Prudential Indicators for the period 2022/23 to 2024/25 as set out in Appendix A.

58 Transport Works Acts Order known as "The Network Rail (Church Fenton Level Crossing Reduction) Order"

Considered: A report of the Corporate Director - Business and Environmental Services advising the Executive on the TWAO known as The Network Rail (Church Fenton Level Crossing Reduction) Order, and seeking authorisation to respond to the draft TWAO which may include objecting to the TWAO.

County Councillor Keane Duncan introduced the report and drew attention to the outstanding technical issues that still needed to be resolved, as detailed in the report. He noted that if those issues remained unresolved by the end of the consultation period, the County Council would have to submit representations or an objection to the TWAO, which may lead to the Council being involved in a public inquiry.

Karl Battersby, Corporate Director - Business and Environmental Services confirmed the Authority had already reached a verbal agreement on the outstanding technical issues, and stressed it was an issue of timing, to formally reach agreement before the end of the consultation period. He also confirmed:

- The risk was low of Network Rail not constructing to the specification required by the Authority
- If representations or an objection was submitted, requiring a public inquiry, it would likely delay the project by a year;
- If outstanding issues were resolved, an objection could be withdrawn prior to a public inquiry being initiated;

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

Resolved – To approve:

- i. The making of representations and/or objections in respect of the draft Network Rail (Church Fenton Level Crossing Reduction) Order.
- ii. The contents and submission of any representations and /or objections be delegated to the Corporate Director Business and Environment in consultation with the Executive Member and Corporate Director, Strategic Resources.
- iii. The submission of a joint response with Selby District Council if appropriate.
- iv. Continuing to negotiate with Network Rail on representations and or objections made in respect of the Network Rail (Church Fenton Level Crossing Reduction) Order
- v. Engaging in the preliminary stages of the Public Inquiry process including but not limited to preparation of statements and proofs of evidence.

59 Forward Plan

Considered –

The Forward Plan for the period 15 August 2022 to 31 August 2023 was presented.

Resolved - That the Forward Plan be noted.

60 Private Minute of the Meeting held on 19 July 2022

Resolved –

That the private Minute of the meeting held on 19 July 2022, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

The meeting concluded at 12.57 pm.