

# NORTH YORKSHIRE COUNTY COUNCIL

22 February 2023

## REPORT OF EXECUTIVE

### **1.0 PURPOSE OF THE REPORT**

- 1.1 To provide Council with details of reports received, decisions by the Executive and any subsequent recommendations to County Council since the last meeting of the County Council on 16 November 2022.

### **2.0 DETAILS OF THE MEETINGS**

- 2.1 The following sections provide details of decisions made by the Executive and recommendations to the County Council since its last meeting on 16 November 2022. The meetings were held on the following dates: 8 November 2022; 29 November 2022 (Performance Monitoring); 13 December 2022; 10 January 2023; 17 January 2023; 24 January 2023; 7 February 2023 and 14 February 2023. A meeting of the Executive is scheduled for 21 February 2023 (Performance Monitoring) but this report was published before that meeting took place and so details of the agenda items and one item on Taxi Licensing Policy and Conditions only are included. A verbal update will be provided.

#### **2.2 8 November 2022 Executive Meeting**

The Executive Members met on Tuesday 8 November 2022. Attending the meeting were: County Councillor Carl Les in the Chair and County Councillors Gareth Dadd, Derek Bastiman, Michael Harrison, Simon Myers, Janet Sanderson, David Chance, Keane Duncan, Greg White and Annabel Wilkinson.

In attendance: County Councillors Paul Haslam and John Mann.

Substantive agenda items were:

- Fees and Charges Policy and approach to establishing charges for the new Council, including proposed inflationary uplift(s) for the 23/24 financial year to support budgeting and medium term financial planning
- North Yorkshire Council Branding
- Electric Vehicle Rollout Strategy
- Double Devolution – Process for the consideration of identifying pilot town/parish councils
- Report on progress since the publication of the report of the North Yorkshire Rural Commission in July 2021
- Review of Special Educational Needs and Disabilities Provision
- Area Constituency Committee Feedback
- Appointments to Outside Bodies

The link to the reports and minutes from this meeting is as follows:

[Agenda for Executive on Tuesday, 8th November, 2022](#)

### 2.3 **29 November 2022 (Executive (Performance Monitoring) Meeting)**

The Executive Members met on Tuesday 29 November 2022. Attending the meeting were: County Councillor Carl Les in the Chair and County Councillors Gareth Dadd, Derek Bastiman, Michael Harrison, Simon Myers, Janet Sanderson, David Chance, Keane Duncan, Greg White and Annabel Wilkinson.

In attendance: County Councillors Paul Haslam, David Ireton, Karin Sedgwick, Caroline Dickinson, Alyson Baker, Barbara Brodigan, Tom Jones, Andrew Lee, and Malcolm Taylor.

Substantive agenda items were:

- Q2 Performance Monitoring and Budget Report
- The Rural England Prosperity Fund
- Annual Complaints report including LGSCO Complaints
- Capital Funding request to purchase property in North Yorkshire (private item)

The link to the reports and minutes from this meeting is as follows:

[Agenda for Executive on Tuesday, 29th November, 2022](#)

### 2.4 **13 December 2022 Executive Meeting**

The Executive Members met on Tuesday 13 December 2022. Attending the meeting were: County Councillor Carl Les in the Chair and County Councillors Derek Bastiman, Simon Myers, Michael Harrison, Janet Sanderson, David Chance, Keane Duncan, Annabel Wilkinson and Greg White.

In attendance: County Councillors Caroline Dickinson, Paul Haslam and Arnold Warneken.

Substantive agenda items were:

- The operation of Leisure Services in Selby District 2024 onwards
- Reports of the Member Working Group on Planning
- Report of the Member Working Group on Customer Strategy, including Service Standards and Complaints Policy
- Consideration of the Building Condition at Welburn Hall School and potential remedial plans
- Confidential Minute of meeting held on 29 November 2022

The link to the reports and minutes from this meeting is as follows:

[Agenda for Executive on Tuesday, 13th December, 2022](#)

### 2.5 **10 January 2023 Executive Meeting**

The Executive Members met on Tuesday 10 January 2023. Attending the meeting were: County Councillor Carl Les in the Chair and County Councillors Derek Bastiman, Michael Harrison, Simon Myers, Janet Sanderson, David Chance, Keane Duncan, Greg White and Annabel Wilkinson.

Apologies received: County Councillor Gareth Dadd.

In attendance (remotely): County Councillors Paul Haslam, Liz Colling, Tony Randerson and Janet Jefferson.

Other Attendees: County Councillors Caroline Dickinson and Andrew Murday.

Substantive agenda items were:

- Draft Recommendations on the Community Governance Reviews relating to the unparished town centres in Harrogate and Scarborough
- Approval of consultation with Town and Parish Council on the draft Parish Charter for the new Council
- Mainstream Schools and Special Schools Budget
- Harmonisation of Garden Waste Collection Charging for 2023/24
- Area Constituency Committee Feedback Report

The link to the reports and minutes from this meeting is as follows:

[Agenda for Executive on Tuesday, 10th January, 2023](#)

## 2.6 **17 January 2023 Executive Meeting**

The Executive Members met on Tuesday 17 January 2023. Attending the meeting were: County Councillor Carl Les in the Chair and County Councillors Gareth Dadd, Derek Bastiman, Michael Harrison, Simon Myers, David Chance, Keane Duncan, Greg White and Annabel Wilkinson.

In attendance: County Councillors Paul Haslam, Caroline Dickinson, Bryn Griffiths, Steve Mason and Andrew Murday.

Apologies: County Councillor Janet Sanderson.

Substantive agenda items were:

- New Constitution for North Yorkshire Council
- North Yorkshire Climate Change Strategy Consultation Draft and York and North Yorkshire Routemap to Carbon Negative
- Appointments Report

The link to the reports and minutes from this meeting is as follows:

[Agenda for Executive on Tuesday, 17th January, 2023](#)

## 2.7 **24 January 2023 Executive Meeting**

The Executive Members met on Tuesday 24 January 2023. Attending the meeting were: County Councillor Carl Les in the Chair. County Councillors Gareth Dadd, Derek Bastiman, Michael Harrison, Simon Myers, Janet Sanderson, David Chance, Keane Duncan, Greg White and Annabel Wilkinson.

In attendance: County Councillors Karin Sedgwick, George Jabbour, Steve Mason, Bryn Griffiths and Andrew Lee and Paul Haslam (virtually)

Substantive agenda items were:

- Revenue Budget 2023/24 and Medium Term Financial Strategy (MTFS)
- Council Plan 2023-2027 for North Yorkshire Council
- Housing Revenue Account Budget 2023/24
- North Yorkshire Hackney Carriage Maximum Table of Fares

- Proposal to cease to maintain Hovingham Church of England Voluntary Controlled Primary School
- School Admission Arrangements for the School Year 2024/2025
- NYC Pay Policy
- Report and recommendations of the Independent Remuneration Panel for Member Allowances for 2023-2024

The link to the reports and minutes from this meeting is as follows:

[Agenda for Executive on Tuesday, 24th January, 2023](#)

## 2.8 **7 February 2023 Executive Meeting**

The Executive Members met on Tuesday 7 February 2023. Attending the meeting were: County Councillor Carl Les in the Chair and County Councillors Gareth Dadd, Derek Bastiman, Michael Harrison, Simon Myers, Janet Sanderson, David Chance (attending remotely), Keane Duncan, Greg White and Annabel Wilkinson.

In attendance: County Councillors Kevin Foster, Chris Aldred, Andy Brown, Liz Colling, Caroline Dickinson, Bryn Griffiths, Tim Grogan, Subash Sharma and Arnold Warneken.

Substantive agenda items were:

- Armed Forces Covenant
- Counter Fraud Policy Framework for the new North Yorkshire Council for recommendation to County Council
- Consider the outcome of the consultation on the Taxi Licensing Policy and Conditions (This item was deferred to the meeting of the Executive on 21 February 2023)
- Risk Management Policy for recommendation to County Council
- Recommendation to County Council for approval of appointment of Corporate Directors
- Response to the Motion referred from County Council on Fairer Tax
- Response to Motion referred from County Council on Fracking Activities
- Response to Motion referred from County Council on Proportional Representation.

The link to the reports and minutes from this meeting is as follows:

[Agenda for Executive on Tuesday, 7th February, 2023](#)

## 2.9 **14 February 2023 Executive Meeting**

The Executive Members met on Tuesday 14 February 2023. Attending the meeting were: County Councillor Carl Les in the Chair and County Councillors Gareth Dadd, Derek Bastiman, Michael Harrison, Simon Myers, Janet Sanderson, David Chance (attending remotely), Keane Duncan, Greg White and Annabel Wilkinson.

Substantive agenda items were:

- Afghan Relocations and Assistance Policy: use of additional MOD properties
- Consideration of the outcomes of consultation process regarding the pausing of the offer of residential provisions at Welburn Hall Special school
- York and North Yorkshire Devolution - Outcome of Consultation.

The link to the reports and minutes from this meeting is as follows:

## 2.10 **21 February 2023 Executive Meeting**

A meeting of the Executive is scheduled for 21 February 2023 (Performance Monitoring) but this report to County Council was published before that meeting took place and so details of the agenda items and one item on Taxi Licensing Policy and Conditions only are included. A verbal update will be provided at the meeting of the County Council.

The link to the reports for this meeting is as follows - [Agenda for Executive on Tuesday, 21st February, 2023, 11.00 am | North Yorkshire County Council](#)

## 3.0 **MATTERS FOR APPROVAL/INFORMATION AT COUNTY COUNCIL**

3.1 The Executive considered the reports and resolved to recommend the following to the meeting of County Council for consideration:

### 3.2 The Annual Budget to Council

#### Revenue Budget 2023/24, Medium Term Financial Strategy (MTFS) and Council Tax for 2023/24

This item was considered at the meeting of the Executive on 24 January 2023, where Executive recommended to County Council on 22 February 2023 that the Revenue Budget for 2023/24, the Medium Term Financial Strategy (MTFS) for 2024/25 to 2025/26 and Council Tax for 2023/24 be adopted.

#### North Yorkshire Council Capital Five Year Spending Plan

This item was considered at the meeting of the Executive on 24 January 2023, where Executive recommended to County Council on 22 February 2023 that the Capital Five Year Spending Plan be adopted.

#### Treasury Management

This item was considered at the meeting of the Executive on 24 January 2023, where Executive recommended to County Council on 22 February 2023 that an updated Treasury Management Strategy for the financial year 2023/24 be adopted.

This item on the Budget has been included as a separate and stand-alone report earlier in the agenda for this Council meeting (agenda item 9).

### 3.3 Council Plan 2023 - 2027 for North Yorkshire Council

This item was considered at the meeting of the Executive on 24 January 2023, where Executive recommended to County Council on 22 February 2023 that the Council Plan be approved and that the Chief Executive Officer be authorised to make any necessary changes to the text, including reflecting decisions made by the County Council on the budget and Medium Term Financial Strategy, and updated performance data and key performance indicators.

This item on the Council Plan has been included as a separate and stand-alone report earlier in the agenda for this Council meeting (agenda item 10).

#### 3.4 Approval of the new Constitution for North Yorkshire Council

This item was considered at the meeting of Executive on 17 January 2023, where the Executive recommended to County Council on 22 February 2023 that the new Constitution for the North Yorkshire be adopted.

This item on the Council Plan has been included as a separate and stand-alone report earlier in the agenda for this Council meeting (agenda item 11).

#### 3.5 Report of the Member Working Group on Planning

This item was considered at the meeting of Executive on 13 December 2023, where the Executive recommended to County Council on 22 February 2023 that the following relating to the preparation of Local Plans be approved.

Link to report - ([Public Pack](#))[Agenda Document for Executive, 13/12/2022 11:00 \(northyorks.gov.uk\)](#) (pages 35 to 82)

#### **RECOMMENDATION:**

Resolved – That the following Executive recommendations be taken forward for decision by Full Council:

- i) A single local plan be prepared and progressed as far as possible within five years and:
  - a) Work on the new local plan start as soon as possible
  - b) A separate Minerals and Waste Local Plan be prepared
  - c) The following plan reviews be halted in order to focus resources on preparing a new Local Plan:
    - Craven Local Plan
    - Hambleton Local Plan
    - Harrogate District Local Plan
    - Richmondshire Local Plan
    - Scarborough Borough Local Plan.
- ii) The following reviews be continued:
  - Harrogate: Maltkiln New Settlement DPD
  - The Ryedale Plan
  - Selby Local Plan
  - Minerals and Waste Joint Plan.
- iii) An Interim Local Development Scheme, including key milestones and programme management arrangements, be prepared on the basis of the above recommendations
- iv) A specific report be prepared setting out the required evidence base and associated costs/ resource to support the preparation of the new plan

v) Formal governance arrangements be established to oversee plan making ahead of transformational changes

### 3.6 School Admission Arrangements for the School Year 2024/2025

This item was considered at the meeting of the Executive on 24 January 2023, where Executive recommended to County Council on 22 February 2023 that the School Admission Arrangements for the School Year 2024/2025 be approved.

#### **RECOMMENDATION:**

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

A full copy of the report has been included in the Council papers at agenda item 12(a).

### 3.7 Housing Revenue Account Budget 2023/24

This item was considered at the meeting of the Executive on 24 January 2023, where Executive recommended to County Council on 22 February 2023 that the Housing Revenue Account Budget 2023/24 be approved.

#### **RECOMMENDATION:**

- a) the approval of the HRA budget for 2023/24 as set out in paragraph 4.3, being a net expenditure of £2,219k to be funded from the HRA working balance.
- b) agrees an increase of 7% be applied to social, affordable and hostel rents from 1 April 2023 and recommends this to the Council for approval;
- c) agrees an increase of 2% be applied to shared ownership rents from 1 April 2023 and recommends this to the Council for approval.

Link to report - ([Public Pack](#))[Agenda Document for Executive, 24/01/2023 11:00 \(northyorks.gov.uk\)](#) (pages 303 to 316)

### 3.8 North Yorkshire Council Pay Policy

This item was considered at the meeting of the Executive on 24 January 2023, where Executive recommended to County Council on 22 February 2023 that the North Yorkshire Council Pay Policy be approved for publication.

#### **RECOMMENDATION:**



That the Executive consider the 2023-24 Pay Policy and recommend to County Council, at their meeting on 22 February 2023, the approval of the Pay Policy for publication.

3.9 Report and recommendations of the Independent Remuneration Panel for Member Allowances for 2023-24

This item was considered at the meeting of Executive on 17 January 2023, where the Executive recommended to County Council on 22 February 2023 that the recommendations of the Independent Remuneration Panel for Member Allowances for 2023-24 be considered.

This item has been included as a separate and stand-alone report later in the agenda for this Council meeting (agenda item 13).

3.10 Counter Fraud Policies

This item was considered at the meeting of Executive on 7 February 2023, where the Executive recommended to County Council on 22 February 2023 that the draft counter fraud and corruption, whistleblowing and anti-money laundering and terrorist financing policies be approved.

**RECOMMENDATION:**

That the Executive approves the draft counter fraud and corruption, whistleblowing and anti-money laundering and terrorist financing policies, and recommends them for approval by the County Council at its meeting on 22 February 2023.

Link to report - ([Public Pack](#))[Agenda Document for Executive, 07/02/2023 11:00 \(northyorks.gov.uk\)](#) (pages 41 to 110)

3.11 Risk Management Policy

This item was considered at the meeting of Executive on 7 February 2023, where the Executive recommended to County Council on 22 February 2023 that the Risk Management Policy be approved.

**RECOMMENDATION:**

That the Executive approves the draft risk management policy and recommends it for approval by the County Council at its meeting on 22 February 2023.

Link to report - ([Public Pack](#))[Agenda Document for Executive, 07/02/2023 11:00 \(northyorks.gov.uk\)](#) (pages 351 to 362)

3.12 Approval of appointment and remuneration of Chief Officers

This item was considered at the meeting of Executive on 7 February 2023, where the Executive recommended to County Council on 22 February 2023 that the appointment of the Corporate Directors and their remuneration be approved.



**RECOMMENDATION:**

The Executive is asked to note and recommend to County Council at their meeting on 22 February 2023:

- |     |   |
|-----|---|
| i)  | The appointments of Gary Fielding as Corporate Director Resources, Karl Battersby as Corporate Director of Environment and Nicholas Harne as Corporate Director Community Development for North Yorkshire Council with effect from 1 April 2023 |
| ii) | Approval of the proposed Chief Officer salary range from £129k to £150k, with 4 incremental progression points, (£129,000 to £133,967 to £139,125 to £144,481 to £150,044) be approved.   |

Link to report - ([Public Pack](#))[Agenda Document for Executive, 07/02/2023 11:00 \(northyorks.gov.uk\)](#) (pages 363 to 366)

3.13 Consideration of the Motion on Fair Tax referred to the Executive at the meeting of the County Council on 16 November 2022

This item has been included as a separate and stand-alone report later in the agenda for this Council meeting (agenda item 16(a)).

3.14 Consideration of the Motion on fracking activities for oil or gas in North Yorkshire that was referred to the Executive at the meeting of the County Council on 16 November 2022

This item has been included as a separate and stand-alone report later in the agenda for this Council meeting (agenda item 16(b)).

3.15 York and North Yorkshire Devolution – Outcome of Consultation

This item was considered at the meeting of Executive on 14 February 2023, where the Executive recommended to County Council on 22 February 2023 the following.

**RECOMMENDATION:**

- |                            |   |
|----------------------------|---|
| The Executive is asked to: |   |
| i.                         | Approve the submission of a Consultation Summary Report to Government.  |
| ii.                        | Approve amendments to the Scheme and proposals for the operating model of the Combined Authority outlined in paragraphs 4.69 to 4.72, for submission to Government.   |
| iii.                       | Delegate authority to the Chief Executive, in consultation with the Leader of the Council, to undertake any action necessary to submit the Consultation Summary Report and Scheme to Government, in line with recommendations (i) and (ii). |
| iv.                        | Approve amendments to the Terms of Reference for the York and North Yorkshire Joint Devolution Committee outlined in paragraphs 6.1 to 6.5 and attached at Appendix 2   |
| v.                         | Delegate authority to the Chief Executive, in consultation with the Leader of the Council, to undertake any action necessary to provide consent to the Order  |

facilitating the creation of the Combined Authority in line with the scheme submitted to Government, as outlined in paragraphs 8.1 to 8.5

- vi. Refer the decisions made by Executive in the recommendations above to Full Council for endorsement to ensure the views of all Members of the Council are taken into account on this matter.

### 3.16 Consider the outcome of the consultation on the Taxi Licensing Policy and Conditions

The report 'Consider the outcome of the consultation on the Taxi Licensing Policy and Conditions' that was scheduled for the meeting of the Executive on 7 February 2023 but subsequently deferred to the meeting of the Executive on 21 February 2023 and is included in the report 'North Yorkshire Hackney Carriage and Private Hire Licensing Policy 2023 and the Adoption of the Local Government (Miscellaneous Provisions) Act 1976'.

The link to the report is here – [\(Public Pack\)Agenda Document for Executive, 21/02/2023 11:00 \(northyorks.gov.uk\)](#)

#### **RECOMMENDATION:**

1. to pass a resolution that the provisions of Part II of the Local Government (Miscellaneous Provisions) Act 1976 (other than section 45) shall be adopted within the administrative area of North Yorkshire Council, with effect on the 1 April 2023, with the caveat of the decision only taking effect if the Hackney Carriage and Private Hire Licensing Policy has been adopted for the 1 April 2023;
2. Adopt the proposed Hackney Carriage and Private Hire Licensing Policy as shown in Appendix 1 of the report dated 7 February 2023, with the amendment identified in paragraph 2.4;
3. if adopted, to authorise the approval of minor and inconsequential amendments to the policy from time-to-time by a senior officer to reflect legislative changes or correct any inaccuracies;
4. if adopted to give approval for an Inclusive Service Plan to be implemented within 12 months of adoption.

A verbal update will be given at the meeting of the County Council.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The financial implications are addressed in the reports that went to the Executive.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 The legal implications are addressed in the reports that went to the Executive.

#### **6.0 EQUALITIES IMPLICATIONS**

- 6.1 The equalities implications are addressed in the reports that went to the Executive.

#### **7.0 CLIMATE CHANGE IMPLICATIONS**

7.1 The climate change implications are addressed in the reports that went to the Executive.

County Councillor Carl Les  
Leader

North Yorkshire County Council  
County Hall  
Northallerton

14 February 2023