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North Yorkshire Council

Executive

Minutes of the meeting held on Tuesday, 2nd May, 2023 commencing at 11.00 am.

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

In attendance: Councillor George Jabbour, Councillor Bryn Griffiths (virtual) and Councillor Haslam (virtual)

Officers present: Gary Fielding, Richard Flinton, Barry Khan, Richard Webb, Nic Harne, Janet Crawford, Trudy Forster, Barrie Mason, Keisha Moore, Daniel Harry and Will Baines

Apologies: Karl Battersby and Stuart Carlton.

Copies of all documents considered are in the Minute Book

224 Minutes of the Meeting held on 18 April 2023

Resolved –

That the public Minutes of the meeting held on 18 April 2023, having been printed and circulated, be taken as read and confirmed by the Chair as a correct record.

225 Declarations of Interest

There were no declarations of interest.

226 Exclusion of the Public

Resolved –

That on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 2, 3 and 4 of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local government (Access to Information) (Variation) Order 2006, the public would be excluded from the meeting during consideration of agenda item 9 – Implications of TUPE Appendix 1, if the content was to be discussed.

227 Public Participation

There were no public questions or statements.

228 Local Area Special Educational Need and Disability Strategy

Considered –

A report of the Corporate Director – Children and Young People’s Service seeking approval of the Local Area Special Educational Needs and Disabilities (SEND) Strategy.

Councillor Janet Sanderson, Executive Member for Children’s Services introduced the report, noting that consideration of the new strategy document showed the progress that had been made in SEND provision. The new strategy has been developed as the existing SEND plan expires in September 2023, as part of a joint piece of work in partnership with ICBs, Education settings, Parent Carer Voice, other key stakeholders and importantly the children and young people who use the service.

In the new strategy, partnership work takes prominence and promotes communication at all levels. The new strategy also takes account of the recent Local Government Reorganisation and the implementation of Integrated Care System. It is a local plan specifically designed around local delivery and is aligned around the national SEND Improvement Plan. The key principles of the strategy have communication and engagement running throughout the five strategic priorities: identifying needs early, working together, improving outcomes, preparing for adulthood and achieving best value.

A detailed operational plan is sitting underneath the strategy, setting out how it will be delivered. The strategy shows how to strengthen communication with parents, carers, children and young people, always having the “so what?” factor in mind, in order to give children and young people the right opportunities to fulfil their aspirations.

Councillor Chance endorsed the document, with Councillor Wilkinson noting the importance of schools in the new strategy to promote inclusion.

Resolved –

- i) That the Executive consider and note the content of this report and the strategy document provided
- ii) That the Executive approve the content of the strategy and the next steps outlined to seek formal approval and adoption at the upcoming meeting of the Full Council on 17th May.

229 Approval of Housing Complaints Policy

Considered – A report of the Assistant Chief Executive – Local Engagement seeking approval of the Housing Complaints Policy for North Yorkshire Council.

Councillor David Chance, Executive Member for Corporate Services introduced the policy, noting that the policy was closely aligned to the Housing Ombudsman’s Complaint Handling Code.

The housing complaints policy differs in two areas from the corporate North Yorkshire Council complaints policy, with the timescale for resolving a stage one complaint set at ten working days (with an option to extend up to 20 working days), rather than fifteen working days in the corporate policy. The second difference is that housing complaints must start at stage one, whereas under the corporate policy there is an option to immediately escalate straight to stage two where appropriate.

It was noted that complaint investigations can be stopped after stage one, if a final decision has been reached or where further investigation would not achieve any more for the complainant. Case timescales can be suspended where appropriate, for example when awaiting information from other external sources.

Resolved – That the Executive approves the Housing Complaints Policy.

230 North Yorkshire Council Electric Vehicle Public Charging Infrastructure Rollout Strategy

Considered – A report of the Corporate Director – Environment seeking adoption of the North Yorkshire Council Electric Vehicle Public Charging Infrastructure Rollout Strategy, including a concessionary delivery model for electric vehicle charge point (EVCP) rollout (subject to any legal requirements) and to publish the 2020 Deployment Study and 2022 strategy online.

Councillor Keane Duncan, Executive Member for Highways and Transportation presented the report, noting that it is predicted that 3,161 charge points will be required in North Yorkshire by 2030 to meet demand, with half of these to be delivered by the public sector at a cost of £10.3m. In order to achieve this, predominantly rural areas such as North Yorkshire cannot be left behind, despite barriers to overcome such as electricity grid constraints and the volume of on-street parking, with 21% of households not having access to off-street parking.

There are seven key objectives in the strategy to create a comprehensive, convenient and accessible network of charge points across North Yorkshire, making sure that all residents are able to access an EVCP, and work with employers and support measures to decarbonise fleets and roll out charge points. A transition plan will be put in place in the lead up to 2030 and beyond to ensure that those who do not immediately switch to electric vehicles (EV) are not left without a solution.

In order to fund the charging infrastructure, £2.2m has already been secured from the national Local Electric Vehicle Infrastructure (LEVI) pilot scheme to install 70 charge points, the highest secured by any local authority in the country, topped up with £1.2m capital funding to extend the pilot scheme, providing a further 80 charge points. Looking ahead, there are further funding opportunities through the Devolution Deal net zero fund and the LEVI Capital Fund, with a potential for £8.5m capital funding available and over £500k revenue funding to fund the aspirations of the council. Huge steps have been made in the delivery of EV charging infrastructure to date, with the new strategy showing the council is ready to rise to the challenge.

Barrie Mason, Assistant Director for Highways & Transportation, noted the importance of investing in EV charge points going forwards. The Local Transport Plan sets out to achieve the net zero carbon aspirations of the council, as well as also developing more sustainable modes of travel. It is clear that even with the growth of the EV charge point network in North Yorkshire over the coming years, in a predominantly rural area, residents will still need to travel around the county in private vehicles when the ban on petrol and diesel engines in new vehicles from 2030 comes into force.

Councillor Greg White supported the proposals but asked how and when the publicly funded charge points would be delivered. In response, it was noted that nearly £3m has been secured so far, with further funding opportunities pending. It is hoped that the LEVI capital funding from government will lever in private sector funding to help deliver the forecast number of chargers. Therefore, it is expected that there would be a combination of public and private sector funding required. Various delivery models have been considered, with the concessionary based model preferred, where the investment is part funded by both the public and private sector.

The electric supply for the new chargers was also queried, as to whether the grid capacity was fit for purpose. In response, it was noted that other power supply solutions, such as solar and hydro electric, were under consideration. The strategy is expected to be a 'living' document, with more developments in EV charging technology expected as the rollout progresses. For example, an on street charging solution has not been decided upon

yet, with proposals to be considered at a later date. Through the strategy monitoring, progress updates will be provided to monitor delivery and whether it is meeting expectations.

Councillor Bryn Griffiths welcomed the report, noting that public car parks in market towns required an adequate supply of chargers for both residents and visitors. He also highlighted working with those managing business parks, retail parks and industrial estates to install charging points, in order to support businesses and achieve larger scale developments. The planning policy for new homes and businesses would also be important to drive the growth of EV chargers.

Barrie Mason responded that the strategy planned to create residents charging hubs that are easily accessible, combined with high targets for measuring public satisfaction set to help in delivering high quality infrastructure. It was noted that one of the key parts of the charge point roll out will be engagement with the local community, to make the choice to switch to an electric vehicle a realistic one.

Councillor Griffiths also noted that this was a good opportunity to work with town and parish councils to build networks of chargers in more rural areas across the county. On standards for new developments, Councillor Duncan highlighted point 9 of the priority action areas around the enabling role of the council to raise awareness of the amended Building Regulations for delivering EVCPs and developing ambitious EVCP standards.

Councillor Paul Haslam sought reassurance about the distribution network operator (DNO) and the capacity of the electricity grid to cope, as well as whether it is planned that the EVCP locations will be in close proximity to sub stations.

In response, Richard Flinton spoke about a recent visit from the National Infrastructure Commission, with the current constraints of the electricity grid raised as part of this. Representatives from Northern Powergrid and local businesses in attendance and it was noted that the Council is lobbying hard and engaging with partners.

Councillor Haslam noted that he felt the return on investment and social investment could be considered more as part of the strategy. This would assist in providing measures to track the progress of the roll out against.

Resolved – That Executive agrees:

- i) To note the update on the North Yorkshire Council EV public Charging Infrastructure Rollout Strategy following public consultation NYC – 2 May 2023 - Executive North Yorkshire Council Electric Vehicle Public Charging Infrastructure Rollout Strategy
- ii) To approve the EV Rollout Public Charging Infrastructure Strategy, including a concessionary delivery model for EVCP rollout subject to any legal requirements identified by the Assistant Chief Executive (Legal and Democratic Services)
- iii) To the publication of the 2020 EV Charging Deployment Study and the 2022 EV Rollout Public Charging Infrastructure Strategy on the NYC website.

231 Appointments to Committees and Outside Bodies

Considered – Report of the Democratic Services and Scrutiny Manager

As there were a number of outside body appointments that were deferred for further information to be received, it was agreed by the Executive that the Leader should use his executive decision-making powers under the Local Government Act 2000 (as amended) to finalise the remaining appointments.

Resolved -

- i) That the Executive appoint to the vacant outside bodies specified in the appended table shown at Appendix A and that the Leader should use his executive decision-making powers under the Local Government Act 2000 (as amended) to complete the remaining outside body appointments that were deferred.
- ii) That the appointments previously made at District and Borough level are ratified and continue as a North Yorkshire Councillor appointee, subject to the individual Member acceptance of the position.
- iii) That a full review of Outside Bodies takes place within the next 12 months.
- iv) That the Leader should use his executive decision-making powers outlined above to terminate appointments to outside bodies that are meeting infrequently.

232 Implications of TUPE

Considered – A report of the Assistant Chief Executive (HR and Business Support) to provide an update on the implementation of the management structure of the new council and the cost implications in relation to TUPE, seeking approval to submit to Full Council.

Councillor Dadd, Executive Member for Finance & Resources introduced the report, noting the redundancy and exit costs related to the Local Government Reorganisation process.

Trudy Forster, Assistant Director for HR & Business Support added that the management structure for North Yorkshire Council (NYC) has now been established and implemented at tiers 1 (Chief Executive), 2 (Management Board), and three (Assistant Directors). All district and borough staff, apart from the Chief Executives, transferred under TUPE (Transfer of Undertakings Protection of Employees), on 1st April.

The new NYC management structure has significantly fewer posts than the total for the previous eight councils, down from 60 posts to 36 posts. The financial outcome is a future saving relative to the current and ongoing salary and employment costs, and this saving has been accounted for in the approx. £3.8m saving (including on costs) on senior management costs for NYC for tiers 1 to 3.

It was noted that the next stage of restructuring is at tier 4, Head of Service level, and it is possible that there will be further costs at this level due to a reduction of posts needed.

Resolved –

- i) to approve the estimated costs outlined in Appendix 1
- ii) to approve the submission of the estimated costs to full council

233 Forward Plan

Considered –

The Forward Plan for the period 20 April 2023 to 30 April 2024 was presented.

The additional meeting of the Executive scheduled for 9 May 2023 was noted.

Resolved - That the Forward Plan be noted.

The meeting concluded at 12.00 pm.