

North Yorkshire Council

Executive

Minutes of the meeting held on Tuesday, 30th 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: Councillors Alyson Baker, Barbara Brodigan, Caroline Dickinson, David Ireton, Andrew Lee, Karin Sedgwick, David Staveley, Paul Haslam, Malcolm Taylor, Chris Aldred, Kevin Foster, George Jabbour, Peter Lacey, Sam Gibbs and Pat Marsh.

Officers present: Karl Battersby, Stuart Carlton, Gary Fielding, Richard Flinton, Nic Harne, Barry Khan, Richard Webb, Melanie Carr, Richard Binks, Andrew Dixon, Marie-Ann Jackson, Simon Moss, Amanda Newbold and Sue Turley.

Copies of all documents considered are in the Minute Book

240 Apologies for Absence

No apologies for absence were given. Councillor Gareth Dadd attended the meeting via TEAMS and was therefore unable to formally vote on any of the agenda items.

241 Minutes of the Meeting held on 2 May and 9 May

Resolved –

That the public Minutes of the meeting held on 2 May 2023 and 9 May 2023, having been printed and circulated, be taken as read and confirmed by the Chairman as a correct record.

242 Declarations of Interest

In regard to Agenda item 6, County Councillor Michael Harrison declared a disclosable interest, as an employee of one of the organisations listed in Treasury Management Appendix A, He confirmed he had a dispensation from the Standards Committee enabling him to remain in the meeting and vote.

243 Exclusion of the Public

Resolved – That on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 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 was excluded from the meeting during consideration of agenda item 12.

244 Public Participation

There was one public statement received from Mr Guy Critchlow, Chair of Skelton cum

Newby Parish Council, in relation to Agenda item 8. The Chair agreed to hear Mr Crozier's statement as part of that agenda item.

A number of non-executive Members also indicated they wished to speak at the meeting and the Chair again agreed to hear from them as part of the Executive's consideration of the relevant agenda items.

245 Q4 Performance Monitoring and 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 4 performance monitoring and budget report, confirming it covered aspects of performance from all eight of the former councils in North Yorkshire, and therefore provided a baseline for the future. The report provided an overview on all of the ambitions of the County Council but with a key focus on the council plan ambition for Innovative and forward-thinking council and a review of Public Health.

County Councillor David Chance provided a summary of the Executive performance report which provided an overview of the three months leading up to vesting day for the eight councils. He noted there had previously been no agreed method for recording and presenting key performance indicators (KPIs) across all the councils. The few minor discrepancies on how various KPIs had been reported would be addressed through the introduction of a comprehensive reporting structure for future performance updates.

He went on provide a brief overview of performance across his own portfolio area which included:

- The investment in North Yorkshire Local Assistance Fund (£1.4m), with 60% spent on standard items and 40% on emergency food and energy vouchers;
- The conclusion of the third phase of the DWP Household Support Fund, with a total of 45,236 households receiving support;
- The number of Ukrainian guests currently resident in North Yorkshire through the Homes for Ukraine Sponsorship Scheme was 733, with an additional 544 having moved to alternative accommodation;
- A rise in the number of social media followers evidencing the effectiveness and relevance of the Council's online content;

He also highlighted the challenges facing all the councils around harmonising the services of the former councils into one unified service, and the increasing demand for people services.

Simon Moss, acting Head of Strategy & Performance confirmed that despite the challenges, performance remained good across a wide range of performance indicators. He drew specific attention to:

- The highest number of referrals received by Children Services in a single quarter for at least seven years, despite which the number of re-referrals is lower or better than the national average;
- The Early Help Service was supporting more households now than at the start of the pandemic, with 94% of assessment being completed on time;
- A 26% increase in requests for statutory assessment by the Inclusion Service over the year;
- A doubling of the number of EHCIPs in the last six years;

- In Health & Adult Services demand had been sustained at levels higher than pre-pandemic rates;
- A 42% increase in safeguarding concerns, but 80% of those had been concluded early and satisfactorily.
- 82% of care homes were rated as good or outstanding and 92.3% of in-house providers services – both better than the national average;
- 96.7% collection rate for Council Tax and Non Domestic Rates;
- Waste collection for recycling and re-use had increased and there had been a reduction in residual waste;
- An additional 11 primary and 5 secondary schools were now rated as good or outstanding;

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

- Social isolation and the development of social skills remained an issue for some children post pandemic;
- The use of mobile phones by children giving access to inappropriate content was an ongoing issue, requiring greater parental control;
- Caseloads were constantly monitored and analysed to ensure the right capacity was in place to deal with demand – funding and recruitment remained a focus;
- An increase in suspensions was being monitored and addressed;
- Immunisation rates for 14-15 year olds remained a focus – Stuart Carlton, Corporate Director for Children & Young People’s Service agreed to circulate a more detailed response after the meeting;
- An increase in Adult Safeguarding issues was in line with a regional and national trend. Figures had been compared with other similar sized Authorities and there was no single cause or underlying factor identified. The rise in volume was related to the number of initial contacts rather than identified serious cases;
- The future separate collection of food waste would reduce the amount of residual waste going in to landfill;
- Planning officer recruitment, training and retention remained an ongoing focus – it was noted that the Authority had a much higher than average number of planning applications to deal with;
- The increase in time taken to re-let Council housing was due to the amount of work required to those properties between lets – issues with damp and mould remained a focus.
- Pressures around social housing due to affordability and a reduction in the amount of private sector housing across the County remained a concern. The focus was on how to increase the number of affordable homes and social housing moving forward.
- The rising cost of care home placements, the quality of care home placements and the salaries offered within the care sector remained a focus.

Revenue Budget, Treasury Management & Capital Plan

County Councillor Gareth Dadd introduced each section of the report. In regard to Revenue, he suggested the headline figures gave a false impression and that the £6.2m underspend should be considered in the context of the £5m VAT refund received in Leisure Services. He drew attention to the budget deficit of around £30m but noted the £4m savings made on the recently renewed energy contract and acknowledged that whilst the services supporting the vulnerable remained under a financial strain, the Authority was still in a reasonable position compared to other local Authorities.

Gary Fielding, Corporate Director for Resources stressed the uniqueness of the report, containing eight revenue budget reports. He drew attention to an error in the reported BES position shown in the table at paragraph 2.2.6 of the report which should have shown as an underspend of £506K. Finally, he clarified Recommendation 2.7 (v) – he stressed

the principle of being open to persuasion but with a natural scepticism.

In regard to Treasury Management, County Councillor Gareth Dadd highlighted the new Authority's external debt and suggested the previous rate of accelerated repayment was unlikely to be possible moving forward. It was confirmed the reduction in external debt during 2022/23 of £13.3m shown at paragraph 3.15 of the report related to the County Council only.

In regard to the Capital Plan, a correction to Hambleton District Council's Capital Plan position was noted. Gary Fielding confirmed that whilst the report formalised the carry forwards of the Capital Plan, each area would be scrutinised.

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

Resolved – That:

- i. The information in the Q4 Performance Report be used as a performance baseline or starting point for the new council
- ii. Reporting from Quarter One 2023/24 provide updates on progress from this baseline; reporting by service area with key performance indicator data being used to demonstrate progress against the objectives set in the Council Plan 2023-27.
- iii. The draft outturn position for the eight former Council's that now make up the new North Yorkshire Council against the 2022/23 Revenue Budget be noted, as summarised in paragraph 2.2.1.
- iv. The position on the GWB be noted (paragraph 2.5.1)
- v. The draft outturn position for the Housing Revenue Account be noted (paragraph 2.3.1)
- vi. The latest position regarding the Local Government Review transition fund be noted (paragraphs 2.6.1 - 2.6.2)
- vii. Authority be delegated to the Corporate Director of Resources in consultation with the Executive Member for Finance to review and implement any arrangements of a one-off nature in line with the requests as set out in Appendices H-O (e.g. requests for carry-forward).
- viii. The performance of the Treasury Management operation during 2022/23 and the outturn position on Prudential Indicators for North Yorkshire County Council and the District Councils be noted.
- ix. The roll forward adjustments to the Capital Programme detailed at 6.3 be approved.

246 Community Networks

Considered – a report of the Assistant Chief Executive Local Engagement providing an overview of the work undertaken to date in support of the ambition to develop local partnership working through the establishment of local community networks or partnerships and seeking approval for some draft terms of reference and a phased implementation approach with a limited number of pilots.

Councillor David Chance introduced the report and provided an overview of the preparatory work undertaken over the last 12 months, led by the LGR Localities Workstream. He noted that whilst there was broad support for the initiative, a number of challenges had been identified, which had led to a proposal to undertake a phased implementation approach through five Community partnership pilots initially, operated as a rolling programme.

Executive Members noted the proposed implementation plan for the first five local multi-agency partnerships, and Marie-Ann Jackson, Head of the Stronger Communities

Programme confirmed each partnership would be slightly different based on the individual requirements of the areas they covered, which would enable the testing of the various models. The proposed approach would also be helpful in regard to making the most of the limited staff resources available in the short term.

Councillor Derek Bastiman expressed disappointment that the coast was not covered by one of the pilots, and Executive Members agreed that local member commitment would be a key factor in the success of the pilots and that the ideal route for feeding back on the pilots, and making local Members aware of the opportunity, would be through the Area Constituency Committees.

Having noted the risks, the report was accepted, and it was

Resolved – That:

- i. The Terms of Reference as detailed in section 5 of the report be agreed.
- ii. The proposals for the proposed initial governance model to be that of an informal partnership as detailed in section 7.5 of the report, be agreed.
- iii. The programme be re-badged as Community Partnerships
- iv. Option 2 – Phased Implementation – be approved, as detailed in section 9.4 of the report.
- v. The 5 pilots be agreed as proposed in section 10.2 of the report.
- vi. The decision to initiate community partnerships in new areas be taken by the Executive Member for Corporate Services in conjunction with the Assistant Chief Executive for Local Engagement.

247 Skelton Newby Hall CE VC Primary School – School Closure Proposal

Considered – a report of the Corporate Director for Children & Young People’s Service seeking determination of the proposal to cease to maintain Skelton Newby Hall Church of England, Voluntary Controlled Primary School with effect from 31 August 2023, together with the future arrangements for the School’s current catchment area.

Councillor Annabel Wilkinson introduced the report and provided a brief background to the issues affecting the school that had resulted in the proposal to close the school.

It was noted that a public submission had been received from Mr Guy Critchlow, Chair of Skelton_cum Newby Parish Council, as follows:

“Thank you again for the opportunity to share a statement from the community of Skelton on Ure.

I would like to remind us of the start point when considering the closure of a rural school as per the Government guidance issued in January this year. The Government “expects all decision makers to adopt a presumption against the closure of rural schools ... the case for closure should be strong and clearly in the best interests of educational provision in the area.”

I want to address North Yorkshire Council’s two key justifications for closing our school.

Pupil Capacity - Whilst the national picture is for a declining number of primary school pupils over the next five years, decisions must be based on the local picture. Within five miles of our school there are 800 new houses under construction which are targeting young families, with planning permissions in place for more. Boroughbridge Community Primary School is at capacity, noted by the Chair of Governors in his submission to the consultation. Roecliffe Primary School is close to capacity and over-subscribed in the early years, and Kirby Hill Primary School already exceeds the Council’s projection for 2025. On

this basis alone, we would argue that the Government test for closure of a rural school is not met.

Lack of pupils in Skelton – The Council also argues there are no pupils at Skelton Newby Hall. Context is important here. This is not a natural state of affairs. The reason there are currently no pupils at the school is the combined result of the failure of the federation as well as a managed wind down. Despite what is stated in the Council documents, our school has not been marketed to the local area, there has been no effort to understand the success & failure of attracting & retaining pupils, a performance leading to a downgraded Ofsted rating of 'Requires Improvement', all of which lie at the heart of the school's current situation.

As a Parish Council we have a duty to not only stand up for our local community but also speak out when we see decisions being made on false pretences. We have presented to you separately our material concerns about the capacity of the governing body to be in a competent and informed position to make the decision which has started this consultation process. The lack of understanding and attention to Skelton's position, the planned manipulation of school budgets, the harried and unscheduled nature of the meeting to sign off on this closure proposal, three days after the new Chair was appointed, are all clear to see in the published governor meeting minutes.

We believe that these failures of management and governance have been detrimental to the health of our school, and as such have created a false pretence of a school with no demand. Our Sustainable Future Plan will not only restore the school to its former success but build on it, we can grow our capacity from 50 to over 75, and we can harness all the benefits of our setting as a forest school. We can complement the other provision in the local area. It is noteworthy that this term alone there has been two multi school events held on our school site. We may have no pupils, but we have the space for them.

The Parish Council, the village community, the Newby Estate, we all want to work together in partnership with North Yorkshire Council to deliver this plan and retain our position in the catchment for Ripon Grammar School. We believe the closure of Skelton Newby Hall Primary School would not be in the best interests of education provision in the area. The Secretary of State for Education said in 2019, "These schools are the beating heart of communities". North Yorkshire Council has a stated aim of putting local at its heart. Closing our school would not be putting local at its heart, but ripping the beating heart out the local community."

Councillor Annabel Wilkinson thanked Mr Critchlow for his contribution and in response confirmed that information on the availability of school places had been made available during the consultation period and addressed in the Executive Report dated 21 March 2023. The matter had also again been addressed in detail in the report at paragraphs 7.28 to 7.41. She noted capacity was currently available, although not in every year group in every school, at the five primary schools within a 4.5 mile radius of Skelton Newby Hall School. There was also potential for growth at Boroughbridge Community Primary School due to planned housing development, independent of any considerations around the capacity that may or may not be available in future at Skelton Newby Hall. She suggested it would not appropriate to have to rely upon places at Skelton Newby Hall to serve Boroughbridge residents.

In regard to the lack of pupils in Skelton, she drew attention to paragraph 7.59 of the report, and the Parish Council's Sustainable Future Plan (Appendix C1) which had been considered carefully against the requirement as part of the presumption against rural school closures to take account of 'any alternatives to the closure of the school'. She noted the view of officers that the proposal did not provide a sustainable model for the future. She went on to confirm:

- The falling roll and low attendance from pupils living in the school's catchment area

has been seen for a number of years - looking back to the October 2019 census there were 15 children on roll and only 4 of those attended from the school's catchment area. At that time 18 of the 22 primary aged children living in the school's area were attending a different North Yorkshire School under parental preference.

- There have been minor fluctuations in numbers since 2019 but there was now only one child on roll, who was due to move to secondary provision in September 2023.
- There were no first preference applications to join Skelton Newby Hall school in the recent admissions round and no pupils were expected to be on roll in September 2023.
- It was regrettable that the Parish Council felt there have been failures of management and governance. As noted in the report, the school governors consider they were active in their collective efforts to raise numbers at the school through many initiatives.
- Leadership and governance support had been provided by the LA School Improvement Team, and governors and leaders had accessed additional support from an experienced National Leader in Governance. The federated governing body had also worked very hard to recruit governors.

Finally, she acknowledged the large numbers of volunteer governors across North Yorkshire who helped to run their local school. Like parish councillors, school governors were volunteers who come from all sections of the community. In this particular case, the federated governing body made the very difficult decision to ask the Council to consult on closure only when they felt they had exhausted all other reasonable options, placing the importance of maintaining a high quality and broad education at the forefront of their thinking.

Councillor Nick Brown also submitted a statement which in his absence, was read out on his behalf as follows:

“Colleagues many thanks for allowing me to address the matter of the future of this school in Skelton on Ure, which is in my Division. Sorry not to be with you in person because of a funeral I am attending today. I strongly support the work of Skelton Parish Council and other residents who have been fighting, since last January, to save their school. I believe they have put the spotlight on two important issues which contrast to the case put forward for the closure by NYC.

Firstly, in relation to the pupil capacity in the area it is apparent that the NYC projections are not reflecting what I personally see is the reality on the ground. With the increase of housing development in Langthorpe, Kirby Hill and Boroughbridge, with more to come, all of which seem to be specifically targeting young families, it can already be seen that the standard formula of one child per four houses, is not the experience of schools such as the Boroughbridge Community School whose own Chair of Governors, I understand, has spoken up in this consultation to support the concern that pupil capacity could be removed from the area at a time when the demand for school places has not been greater.

I note in the Council papers in point 7.30 that you are referred to their response on school numbers issued in December 2022. These have been shown to be very much out of date given how fast pupil numbers have moved in this time. The response in 7.33 that “Boroughbridge has been full for the first time in several years” suggests it may be a passing moment. Yet the school is full already as its stated capacity is not correct, and the point is overlooked that the increase in demand is continuing as more houses are completed. I also note in 7.26 the Council cites the planning application for a nursery at Yolk Farm in Boroughbridge as a positive indication of the nursery demand need being addressed; yet this very application has also been refused by the Council.

Secondly, I come to the matter of how Skelton Newby Hall has reached the point of having no pupils today. It is quite apparent from what we have seen taking place at Sharow, the lead school in the federation, that there have been a number of challenges leading to the appointment of a specialist Chair of Governors, who joined on 3rd October 2022.

Unfortunately, as expected, Sharow was still downgraded to 'Requires improvement' at their most recent inspection at the start of this year.

I personally attended the public meeting and was rather surprised by the lack of understanding by the Chair of Governors and the Head Teacher of efforts which had been undertaken to promote the school. Whilst point 7.18 in the Council papers states, 'Governors feel that they were active in their collective efforts to raise numbers at the school...', this was not borne out in their response at the public meeting or indeed in published minutes of the Governors' meetings which even suggested in December 2021 that 'it would be helpful if the Skelton marketing group could resume its activities'.

It occurs to me that the governors were overwhelmed by the task in hand at Sharow, including the financial predicament they faced which led them to exploring routes to merge the school budgets to use the surplus at Skelton. At the public meeting the Chair of Governors described the consultation on Skelton as "a distraction to the task he had been asked to do". I was also more than troubled by the federation's approach to the Parish Council's very reasonable Freedom of Information request for sight of their recent minutes leading up to the decision to close Skelton School. I was even more troubled when I read what was eventually sent to them – the scantest set of minutes, from a meeting, held on October 6th which lasted an hour, concluding in the recommendation to close Skelton School. This meeting which happened only three days after the previous governors' meeting on October 3rd yet without reference to it in the minutes of October 3rd.

I would therefore urge you, my colleagues on the Executive, to recognise that the number of pupils today does not reflect the future demand in the area and certainly does not reflect the potential of this School. The Skelton school, through no fault of its own, has been failed but should not be punished by closure. It is clear to me that the federation with Sharow has failed but that this should not be the end of the school in Skelton. I support the Parish Council's Sustainable Future Plan and hope that even at this late hour you will allow them to work with the team at North Yorkshire Council and the Diocese of Leeds to deliver it for the benefit of both the village and the wider area."

Councillor Annabel Wilkinson thanked Councillor Brown for his contribution, and in response to the issues he raised around pupil capacity in the area confirmed:

- Historically both Boroughbridge Community Primary and Kirby Hill CE Primary Schools had taken only very small numbers of pupils from the Skelton Newby Hall School catchment area and vice versa.
- Boroughbridge Community Primary School's primary purpose was to serve the local community of Boroughbridge.
- The technical difference in the view of existing capacity at Boroughbridge Community Primary was a consequence of how the existing spaces were utilised to best serve the existing numbers in school.
- The Council had secured s.106 developer contributions for the purpose of expanding Boroughbridge Primary School and was currently working with the school to consider both short and long-term improvements to facilities that would result in greater capacity.
- The strategy discussed with the school leaders would be to ensure that there were sufficient places in Boroughbridge Primary School to satisfy demand from the Boroughbridge catchment. It would not be considered appropriate to have to rely upon places at Skelton Newby Hall to serve Boroughbridge residents. This was also the main concern of the Chair of Governors.
- Current forecasts for Kirby Hill CE School showed that the anticipated pupils arising from remaining housing development could be accommodated by the school.
- The Planning application for a new early years children's nursery at Minskip was only recently determined on 15 May 2023.

- The Skelton Newby Hall School Ofsted report, March 2023, highlighted several challenges faced by the school, including falling pupil numbers affecting the quality of education.

In regard to federation with Sharow, Councillor Wilkinson confirmed:

- Marketing of the school by the federated governing body had included the distribution of flyers to new builds in the area, and investment in the school's website.
- The Council did not hold minutes from school governing body meetings.
- No responses to the consultation had been received from other local schools offering federation or alternative arrangements to allow Skelton Newby Hall School to remain open.

Executive Members having considered all of the information provided and with much regret, all voted in favour of the recommendations, and it was

Resolved – That:

- The issues listed in section 9 of the report had been satisfied and there could therefore be a determination of the proposals.
- Skelton Newby Hall CE VC Primary School cease to be maintained with effect from 31 August 2023.
- The catchment area of Kirby Hill CE VC Primary School be extended with effect from 1 September 2023 to include the area currently served by Skelton Newby Hall CE VC Primary School.

248 Levelling Up Fund – Catterick Garrison Town Centre Regeneration Project

Considered – A report of the Corporate Director for Community Development seeking acceptance of the Levelling Up Fund grant from the Department for Levelling Up, Housing and Communities for the Catterick Garrison Town Centre Regeneration Project; and the delegation of authority to accept the offer of £19,008,679 of capital grant funding from the Department of Levelling Up, Housing and Communities, and authorise acceptance of any minor changes to the grant conditions in discussion with the Executive Member for Open to Business and the Corporate Director of Resources.

Councillor Derek Bastiman introduced the report which provided a progress update on the project and provided an overview of proposed funding arrangements.

Barry Khan reiterated that the offer towards the regeneration of Catterick Garrison Town Centre
Was for just over £19 million.

Councillor Kevin Foster welcomed the funding support and Councillor Les acknowledged it was an exciting development for the garrison centre.

Councillor Gareth Dadd also added his support and suggested the Executive Member for Finance should be included in the discussion detailed in Recommendations (ii) & (iii).

Resolved – That:

- The DLUHC grant funding award of £19,008,679 be accepted.
- It be delegated to the Corporate Director of Community Development in discussion with the Executive Member for Finance and the Corporate Director of Resources to accept the offer of £19,008,679 of capital grant funding from the Department of Levelling Up, Housing and Communities in respect of the Catterick Garrison Town Centre Regeneration Project.

- iii. Authority be delegated to the Corporate Director of Community Development to authorise acceptance of any minor changes to the grant conditions in discussion with the Executive Member for Open to Business, the Executive Member for Finance and the Corporate Director for Resources

249 Harrogate Transforming Cities Fund - Next Steps

Considered – a report of the Corporate Director for Environment seeking approval for:

- i. the proposed Harrogate TCF Traffic Regulation Order(s) (TRO'S) required for the Harrogate Station Gateway Project, and delegation to the Corporate Director of Environment in consultation with the Corporate Director Resources and Executive Member for Highways and Transportation to make the TRO's together with any amendments required.
- ii. The preparation and submission of a Full Business Case to the West Yorkshire Combined Authority, and in the event that the funding is approved delegation to the Corporate Director Resources in consultation with the Assistant Chief Executive Legal and Democratic and the Executive Member for Highways and Transportation to accept the funding subject to suitable terms and to then proceed with implementation of the Harrogate Transforming Cities Fund project.
- iii. Delegating approval of the detail of the Full Business Cases for submission to WYCA to the Corporate Director of Environment in consultation with the Corporate Director Resources and Executive Member for Highways and Transportation.

Councillor Keane Duncan introduced the report and drew attention to the significant public consultations that had taken place and the petition against the scheme that had recently been received containing 2000+ signatures - it was noted that not all of the petitioners were local to the area and the true number had yet to be confirmed. He also acknowledged the significant engagement of local Councillors through the involvement of the Harrogate & Knaresborough Area Constituency Committee (ACC) whose recent meeting had represented a major step forward for the new Council's localism agenda and had led to cross party support for the scheme from local councillors. Noting the importance of securing the major investment and the transformative impact the project could have, he drew attention to section 12 of the report which contained feedback on all of the suggestions put forward at the ACC meeting and confirmed that should the full business case be accepted, it would represent a major step forward for the scheme enabling it to stay of track, and for work to start in late 2023.

A number of non-executive Members requested to speak on the agenda item. Councillor Pat Marsh, Chair of the Harrogate & Knaresborough ACC stated:

"I'm here today to say to you do not go forward with this scheme. This scheme starts nowhere, goes nowhere, doesn't deliver for cyclists, has a massive impact on our town centre, has a massive impact on air quality as you push the traffic down to one lane which causes idling traffic going up through the town centre and I'll remind you that idling traffic can produce up to twice as many exhaust emissions as engines in motion. These emissions include carbon monoxide and nitrogen dioxide which have an impact on the air we breathe, and that's what will happen to those pedestrians, cyclists and those who live along this route.

The scheme does not deliver what you want to do which is to encourage people to use alternative forms of travel. If you're starting somewhere where it doesn't connect to local communities and it ends somewhere which is more difficult, you're not going to achieve getting people out of cars and into other forms of travel.

The route you're taking is the main Ripon to Leeds Road. In the very beginning I did suggest that the original route be opened up - Parliament street, which used to be the

route that went straight up and through the town but I was told it would cost £4m so go away. Now my concern is that you're not looking at the other alternative which is the East Parade route. When I read the reports, I saw changes were included as part of Harrogate Borough Council's intent to develop the rail station into a two-sided station. That is what you've been told by a professional which is absolutely ridiculous. Harrogate has had a two-sided station for years. The station parade side leads to York Lane, and the East Parade side actually deals with the York to Leeds line. The East Parade side connects our communities which is what you're supposed to be doing - encouraging people to get out their cars. The East Parade side can connect Starbeck, Knaresborough, Ripley etc - it connects out further to the other side of town that I represent which connects to schools, local businesses etc. On the East Parade side you have access to a car park where cyclists could safely park their bikes undercover. On the station parade side there is no cycle parking provision so why would they come into town. The whole thing is not thought out properly and the majority of people who you've consulted responded negatively. Nobody has actually agreed to this in a way that says this is really acceptable to the people of the town. I'm not saying this because I am anti-cyclist, because I'm not. What I'm saying is give them a better more connected route and not this start somewhere, end nowhere and cause absolute impact on our town centre.

I would beg you to go back and give us time to re-look at the East Parade option because that does deliver for our community much more than what you're offering. Nobody is going to use this route in the way that you would like it to be used. You need to connect to communities to encourage them to come into town and that's what the East Parade route does, so I'm pleading with you today not to support this proposal but to go back to the table and look at the East Parade option that delivers for the very people you want to deliver it for and that's the cyclist."

In response Councillor Duncan stressed that throughout the entire scheme, the walking and cycling infrastructure was compliant with the highest standard set by government, as the Authority was mandated to do as part of the scheme, and that the Authority had worked very closely with Active Travel England. He confirmed that he and the officer team had met with them just recently to discuss how the scheme could be used as a catalyst for further investment and how it could be embedded and connected into the wider Town Centre.

He confirmed the East Parade proposal had been looked into at the outset, but it had been ruled out in September 2021 due to the incredibly restricted carriageway causing problems due to its width, which would have had a significant impact on traffic flows and would not be compliant with the highest government standards required.

He accepted Councillor Marsh was entitled to her personal view but expressed disappointed that as Chair of the ACC she had chosen not to represent the collective majority view of her committee, including five of her own liberal Democrat colleagues, but instead pushed forward her personal opposition to the scheme and to promote a proposal that was ruled out almost two years ago.

He noted that Councillor Marsh's ACC colleagues had on a cross-party basis after extensive deliberation, give their backing with some caveats, to the Authority pursuing the scheme further, so he appealed to her to move away from her personal opposition of the scheme, and to support the effort that had been put forward very constructively by her ACC colleagues to help shape the scheme and move it forward into the future.

Councillor Lacey stated:

"I refer specifically to section 12 of the report that outlines the proposed response to the three conditions for welcoming the investment underpinning the Gateway scheme. In moving the motion of the ACC, I referred to the divided nature of opinion that undermines the potential for this investment to be a catalyst for positive change. Addressing this division continues to be my motivation, a path that I believe can best be achieved by

adopting two fundamental principles. Firstly that every effort should be made to listen and to respond to alternative use, and that second any evidence underpinning these views should be carefully weighed as we progress with implementation.

This is a tough balance to achieve, particularly when we find ourselves for whatever reason behind the curve. When applying these two principles of listening and weighing the evidence, I would comment on the responses in the paper before the Executive as follows:

- i. Condition 1 regarding addressing concerns - I and my colleagues are disappointed that at least some dates have not even been set for an agreed meeting with the Granville Road residents and that other correspondence with members has not resulted in face-to-face meetings being arranged. Whilst acknowledging the pressure on time available to us all, including officers, I would urge the Executive to facilitate these meetings.*
- ii. Condition 2 regarding ACC involvement - whilst welcoming regular reporting I would point out that such reporting has not been adequate in the past as it tends towards a retrospective rather than proactive opportunity to help shape things. In light of our role in representing residents' views, I therefore hope that the ACC would establish a more proactive approach.*
- iii. Condition 3 regarding monitoring of the scheme - perhaps in the long term the most significant element, the gathering of evidence of impact in an open and collaborative way, is critical and I therefore urge the Executive and officers to involve all stakeholders in agreeing on what and how such monitoring should be carried out."*

Councillor Aldred stated:

"There's been a lot of hyperbole and a lot of disinformation about the scheme. As Harrogate Councillors we have received lots of emails on this. It's been described as a destruction of a town; a devastation of a town; There has been comments about traffic going all the way back to Ripley - that just won't happen. Major projects have taken place in Harrogate before and the town survived, so I'd like to concentrate on the actuality rather than the hyperbole. I'm not a great fan of the scheme as described, and I would like to look again at the East Parade cycle scheme for some of the reasons Councillor Marsh has stated e.g. the covered cycling storage would be a great benefit.

The scheme as described does have some benefits – I think I'm right in saying there is actually a small carbon gain with the projections, so the talk about pollution does not bear up; there is minimal impact on motorists - just one more minute in peak time and buses and cycling are improved as well.

People talk about a loss of Taxi bays (3) and a loss of car parking spaces (40) but that number out of 6789 car parking spaces is 0.5%, so I'm not worried about that. Very rarely does Harrogate get full to capacity with its car parking spaces. One thing that continues to really annoy me in all of this conversation that I very rarely hear people talk about and is my main reason for supporting the scheme as it stands, is it addresses the issues of One Arch that leads to the highest area of crime - not just in Harrogate but in the whole of North Yorkshire. It is not watertight, it is littered all the time, the lighting is terrible you would not use it at night if you were trying to get into town, which you should be able to do. The Gateway scheme could deliver something in that area that Harrogate Borough Council and the County Council has not been able to deliver in 30 years.

We have the money now to do it so let's get together around the table, let's talk with the residents and with businesses. The ACC needs to form a working group. ACC members want to be hands-on in this, we don't want to be just sitting there having reports, that's why the resolution we passed at the ACC back on the 5th May called for the ACC to have a meaningful role in the implementation of the scheme. I think that means hands-on, and yes, we've got to consult more, and we can tweak the scheme at this stage to make it better. I'm not a fan of the whole scheme as I've said but there are extremely good

positives in the scheme – improvements to One Arch being one of them. I want the Executive and Councillor Duncan to give a guarantee they will engage, that there will be a timetable of meetings and that you will let the ACC members get more involved in this.”

Councillor Brown submitted a statement in writing so that it could be read out in his absence as follows:

“Colleagues many thanks again for allowing me to make a written Statement re the Station Gateway scheme, that, as a Harrogate Borough Councillor, I have been a lone voice on HBC in backing the Business community’s concerns about it. Sadly once again, I am unable to attend this morning in person, for the reason stated earlier.

I believe the proposed scheme will be detrimental to the prosperity of Harrogate Town and its Retail Sector. Firstly though I would like to make clear that I do believe we have a climate change crisis that we all must tackle. Where I differ from the usual, rather more strident groups- is that we need to realise that this should be phased over a timeframe, agreed nationally, so the lights don’t go out!

I now want to concentrate on the failure by local government in our area and in recent times to communicate and support the Retail Community. All my adult life I have been taught that this country is a Nation of Shopkeepers and so it is. In my political life too I have also believed that my ‘brand’ of politics was hugely supportive of the business community and the wealth creators. The Harrogate we see today, which attracts tourists to the great shops we have (who come mostly by car and not by train) by their thousands, was created over many years, indeed centuries, by successful businessmen and women. These people have been part of a system that has, as its heart, entrepreneurship and the creation of wealth. Their enterprises, if successful, pay tax and employ people who also pay their taxes which fund among other things a Welfare State that is needed to protect those in society who, for whatever sound reasons, are unable to provide for themselves. It has been my guiding light, therefore, to support the business community, as I believe any good citizen should do.

Sadly over the last few years in Harrogate this philosophy has almost gone and the business community, I think it fair to say, have had poor relationships with a local government administration that took little notice of them but again, sadly, these local government policy makers have been in thrall to minority groups who have held sway with their ideas for everyone to walk and cycle everywhere, contrary I would suggest, to the silent majority of residents.

The Station Gateway scheme under consideration today has over the last three years been consistently opposed by a large and significant majority of the business community who feel that pedestrianisation will curtail their turnover. They believe that all the worst parts of Harrogate town centre are the ones where pedestrianisation has been imposed and that the 2016 Master plan, still at the heart of the scheme, is totally out of date and irrelevant for today’s conditions. They fear that the disruption of 12 or more months of building work will be the last straw for many businesses and that the anti-motorist approach and steady reductions in parking spaces over time will also curtail turnover. There is no mention of the transition period from diesel/petrol to electric or hydrogen fuelled cars anywhere. Most of the Districts’ population really do rely on car travel, as public sector transport to them barely exists, and if they find that the long hilly walks to distant car parks is an inconvenience to them they will shop elsewhere. Suggestions that commuters or shoppers coming into Harrogate could use bicycles to make their trips are not logical to most. Bad or poor weather for most of the year, adverse age demographics and the hills would not help either. The concept of a ‘Café Society’ is not an all year matter either with only two to three months at most.

Three business groups represent business in the town. The Harrogate Chamber of

Commerce, the BID and Independent Harrogate. They have all expressed considerable concern at the scheme, with their survey of residents and businesses seeing a majority against it. They have been largely ignored, except for the occasional meeting, by those proposing the scheme. Time and time again I and many others have asked for a full and detailed economic impact assessment as to the effects of the scheme on the town's retailers and businesses and over and over again this was promised and never delivered. Academic Reports, I myself have seen to justify the 'Economic Case', are flawed and bear little resemblance, in depth, to Harrogate and just don't make sense. Who better to say whether the proposals will 'have a positive impact on business' than businesses themselves?

So finally I ask an important question of this Executive. Are these wealth creators and entrepreneurs, who actually run businesses in Harrogate, right in their approach or are they wrong and those who have probably never actually run a business, many of whom are academics with their theories and studies, most of which show no real relevance to Harrogate, right? I think I know which side I'm on!"

Councillor Sam Gibbs stated:

"Thank you for allowing me just to say a few words. This is definitely something that's divided people within Harrogate. I've been single-handedly accused of destroying the town, I've also been told that I'd been ensuring the town's terminal decline if I didn't support it so that's just a snapshot of the feelings on this issue, but I'm here to urge you just to get on with the scheme now. We cannot kick this down the road any longer. We need to be thinking about how we can get on and deliver the scheme not what the scheme should look like as that debate has rumbled on since long before I was on this Council.

It was made very clear that this decision would be made locally and that the ACC would have the final say, and that their decision would be respected by the Executive. Perhaps that was a brave decision or a brave commitment, but I think it was the correct one because I do think important local decisions like this should be made locally, I also welcome Cllr Duncan's commitment to engage further with the ACC and I hope that the Chair of the ACC has been in regular contact since that meeting with the Executive Member and officers and the wider team, putting personal views aside and carrying out the wishes of the committee.

I've never once said this scheme was perfect, but it's what we have in front of us, and I fear it would be a far greater mistake to do nothing which sometimes is the easier approach, than it would be to progress a scheme that brings many obvious improvements to the town centre. I also agree with Councillor Aldred's views on One Arch. Those type of improvements are very much needed. what we need to do now is come together to work it through, minimise any disruption and inconvenience that may come, and ensure that ultimately, we end up with a successful scheme."

Cllr Duncan supported Councillor Lacey's comments, and reiterated his sincere commitment to engage, which he hoped to do that over the coming weeks and months as delivery of the scheme progressed, subject to the decision at the meeting.

Specifically in terms of the Granville Road Residence Association, Councillor Duncan confirmed he had made an offer to meet with them in good faith and had been trying to seek a date, without success despite all his best efforts.

Councillor Duncan agreed with Councillor Aldred's comments around hyperbole and the Doomsday scenario. To put the scheme into perspective he went on to confirm:

- The loss of around 40 parking spaces, leaving 6500 parking spaces where people could still hopefully find a space;
- The proposal for less than 100 meters of pedestrianisation on James Street, and around 300 meters of the A61 changing from Dual to single carriageway - a very short

length in the grand scheme of that key road;

- 53 seconds extra journey time through the town centre during the pm peak, without any modal shift to more sustainable transport options which included the impact of all new development within the town.

Councillor Duncan was pleased to note the requests for constructive engagement and consultation and stressed the critical voice for the ACC would be the Chair, and expressed hope that her engagement would be constructive in line with what the majority of the ACC had supported. He asked that local Councillors and the officer team work constructively to mitigate the inevitable disruption as a result of the scheme, as far as possible.

In terms of support for businesses, Councillor Duncan accepted there were issues to be addressed e.g. a drop in footfall and retail closures. He confirmed he was prepared to offer a workshop with the contractor to get that engagement moving forward and pledged to have a forum for businesses to engage directly with the contractor.

He reiterated the scheme was about supporting the town centre in Harrogate, supporting retail, and ensuring that Harrogate remained a destination of choice. He acknowledged Harrogate town centre must evolve to ensure that it remained a popular destination and not just a destination for those with a car, ensuring accessibility for those who would like to walk, cycle or use public transport, as part of a balanced approach.

Finally, he agreed with Councillor Gibbs that in politics, it was probably easiest for Councillors to do nothing, but that would be the very worst case scenario for Harrogate. He recognised the strong strength of feeling and welcomed the imperative from Councillor Gibbs that a decision was now needed without further delay.

As a member of the ACC Councillor Michael Harrison expressed concern that the ACC Chair had chosen not to endorse the scheme but had instead put forward an opposite position, which was a misrepresentation of the ACC's views. He confirmed the ACC wanted a meaningful role in the implementation of the scheme and suggested that in view of the chair's position that could prove difficult.

He noted the Executive was being asked to agree the fundamentals of the scheme i.e. the station parade traffic alterations and associated signal improvements, the cycle lanes, and the part pedestrianisation. He agreed there was some scope for the rest of the details to change with further discussion. He also drew attention to some previous junction Improvement schemes in Harrogate over the last 10-15 years that had not worked as expected and was pleased to note they would be addressed through the scheme to make sure it worked from a traffic perspective as efficiently as possible.

Councillor Simon Myer recognised it was a controversial decision but was willing to be guided by the ACC who were best placed to advise the Executive on it, having been elected by the people who live in the area affected by the scheme.

Councillor Derek Bastiman noted the conference trade described to Harrogate was worth circa £36m, supported by seven trains to London a day. As someone who represented another conference town, he recognised the scheme would benefit the economy and be a lifeline for Harrogate. He was also pleased to note the scheme received cross-party support from the ACC.

Councillor Gareth Dadd added his support for the scheme and asked that he as Executive Member for Finance be added to the consultees listed in recommendations (ii) & (iii). He also expressed a word of caution about designing these things by committee and drew attention to the expertise the Authority had in its professional set of Highways officers and designers, both in-house and external.

Councillor Duncan confirmed there had been no underplaying of the risks involved in what was a major capital project of significant cost and complexity and reiterated his commitment to delivering a high quality scheme in line with the budget outlined within the report.

Having considered all of the information provided at the meeting and within the report, it was

Resolved – That:

- i. The proposed Harrogate TCF Traffic Regulation Order(s) (TRO'S) detailed in Section 11 and Appendix C which would be required for the Harrogate Station Gateway Project be made, and to delegate to the Corporate Director of Environment in consultation with the Executive Member for Highways and Transportation the making of the Orders with an amendment adjacent to Bower House to avail loading opportunities for adjacent businesses and reduce the proposed bus lane entry taper by two car lengths and any other amendments to the TRO's which are appropriate.
- ii. The Full Business Case be prepared and submitted to the West Yorkshire Combined Authority (WYCA) with the approval of the detail of the Full Business Case for submission to WYCA delegated to the Corporate Director of Environment in consultation with the Corporate Director Resources, Executive Member for Finance and Executive Member for Highways and Transportation.
- iii. In the event that the Full Business is approved by WYCA, acceptance of the TCF funding be delegated to the Corporate Director Resources in consultation with the Assistant Chief Executive Legal and Democratic Services, the Executive Member for Finance and the Executive Member for Highways and Transportation, subject to acceptable terms and conditions being received, and that the Harrogate Station Gateway Scheme be implemented.

250 Forward Plan

Considered – The Forward Plan for the period 15 May 2023 to 31 May 2024 was presented.

Resolved - That the Forward Plan be noted.

251 Sale of Residential Development Land at Airedale Avenue Skipton

Considered – A report seeking approval to progress with the sale of the Residential Development Land at Airedale Avenue, Skipton, BD23 2LL.

Gary Feilding - Corporate Director for Resources introduced the report and confirmed that a review of all assets of the previous Councils was underway and it was expected that further opportunities would become known. However a decision regarding the sale of the Residential Development Land at Airedale Avenue could not wait for that work to be completed.

Having considered all of the information provided, it was

Resolved – That:

- i) Residential development land at Airedale Avenue Skipton BD23 2LL be disposed of, as outlined in the Title Plan shown at Appendix A to the report
- ii) The terms of the disposal be in accordance with the recommendation set out within

Section 3 of confidential Appendix B.

- iii) That subject to a favourable business case and appropriate updates to the Section 106 Agreement, authority to transfer the affordable housing units associated to the Housing Revenue Account be delegated to the Corporate Director, Community Development in consultation with the Corporate Director - Resources, Assistant Chief Executive, Legal and Democratic Services and the Executive Member for Finance.

252 Date of Next Meeting - 20 June 2023

The meeting concluded at 1.27 pm.