

North Yorkshire Council

Corporate and Partnership Overview and Scrutiny Committee

16 March 2026

Report on Notice of Motion from Full Council on 16 November 2025

Report of the Assistant Chief Executive (Legal & Democratic Services)

1.0 Purpose of Report

- 1.1 To present information in response to a Motion at Full Council on 12 November 2025. This information has been provided to enable members to consider the Motion allocated to this Committee and agree an appropriate way forward to deliver a response for full Council's future consideration.

2.0 Background

- 2.1 At Full Council on 12 November 2025, a number of Motions were received, and it was agreed they would be referred to the Scrutiny Board to consider and allocate to the appropriate Overview and Scrutiny Committee, with the intention of recommendations being brought back to the next meeting of full Council on 20 May 2026.
- 2.2 The Scrutiny Board considered those Motions, and it was agreed that the following Motion should be considered by the Corporate & Partnerships Overview & Scrutiny Committee.

3.0 Motion - Register of Disposable Assets

- 3.1 The Notice of Motion as proposed by Councillor Peter Lacey (and seconded by Councillor Kirsty Poskitt) stated:

Council acknowledges the commitment made in advance of assuming Unitary status to being the most local large unitary Authority. Council further recognises the means by which such localism is being pursued including double devolution and the development of community partnerships. However, in a recent officer review of delegated powers by Area Committees a number of these powers were not being regularly exercised. Council recognises that it is for Area Committees to determine their own work programme but equally that delegated powers should and could be better facilitated and enabled by changes in the way that Council business is run.

Council therefore commits:

- i. To ensure that the data and intelligence necessary for Area Committees to exercise their powers is aligned to the new Divisions expected to be finalised in January 2027 and therefore no longer reflects former District and Borough boundaries wherever possible and by September 2026 at the latest.*
- ii. To put in a place a robust process to enable Area Committees to exercise delegated power 20 to "make recommendations to the Corporate Director of Community Development on the expenditure of Community Infrastructure Levy (CIL) and appropriate section 106 expenditure".*
- iii. To develop a list of services likely to be more effectively delivered by Town and Parish Councils and/or in partnership with local community and voluntary groups and that, subject to business cases, there would be a presumption for double devolution for these services.*
- iv. To ensure that once County-wide policies are agreed, and where there is a commitment to locally sensitive implementation, that Area Committees are provided with the*

necessary officer support to develop and sign off plans, for example in the cases of Town Investment Plans or Local Parking Plans, consistent with delegated powers 17-19, 21 & 22 concerning local economic development. Community Development / Dem Services.

- v. *To undertake the equivalent of a post implementation review of activities designed to promote localism that identifies the most up to date best practice in local governance arrangements in similar large Unitary Authorities and learn from this by bringing a report and recommendations back to the appropriate decision-making body including any recommendations on the extent, effectiveness and realisation of delegated powers in the NYC Constitution.*

3.2 As the proposer of the Motion, Councillor Peter Lacey has been invited to attend this meeting to present his views on why improved support for Area Committee decision making is required.

4.0 Information Gathered in Response

- 4.1 (i) To ensure that the data and intelligence necessary for Area Committees to exercise their powers is aligned to the new Divisions expected to be finalised in January 2027 and therefore no longer reflects former District and Borough boundaries wherever possible and by September 2026 at the latest.

Response from Head of Democratic Services & Head of Strategy & Performance:

Data, intelligence and information provided to Area Committees can be made available at whatever spatial level fits the requirements of the committee, subject to the availability of that data and the time taken to collect and process the data.

Following the May 2022 elections, 6 separate data packs based upon the geography covered by the Area Committee were made available to each committee. Each, individual councillor received a data pack for their electoral division. The data was publicly available data on national performance indicators covering demography; benefits claims; deprivation; housing; crime; education and skills; income and fuel poverty; economic activity; and health and wellbeing. It is the intention the repeat this following the May 2027 elections.

Beyond the data packs provided to Area Committees, it is recognised that data supporting the issues being considered by an Area Committee will be included in reports throughout the year. The spatial level of the data will vary depending on the requirement and the availability, so it is not possible to guarantee that it will always be at division level.

It would be helpful to understand what data, intelligence and information it is that would assist the Area Committees in exercising their 26 delegated powers, as listed at page 139 to 141 in the Constitution - [\(Public Pack\)Agenda Document for Constitution, 12/11/2025 00:00](#)

- 4.2 (ii) To put in a place a robust process to enable Area Committees to exercise delegated power 20 to “make recommendations to the Corporate Director of Community Development on the expenditure of Community Infrastructure Levy (CIL) and appropriate section 106 expenditure”. Community Development.

Response from Head of Planning Delivery & Operations:

In March 2025, the Executive considered a report that recommended increased member engagement prior to the Executive making any decisions on CIL expenditure. It was agreed this would be achieved through the introduction of Member

workshops with an open invite to Members from the four charging areas and any other Member wanting to understand strategic CIL spend better.

Officers held two workshops in 7 July 2025 (one in person at County Hall and one on line). At both sessions Councillors were provided with:

- Background information on CIL and how it operates in North Yorkshire
- An overview of the proposed CIL Spending assessment process
- An overview of the projects that had being considered and how they are performed under the assessment process

Members were asked for their thoughts on the nature and range of projects, including an opportunity to highlight ones that they felt had been missed off the list. This fed into the final Infrastructure Business Plan (IBP) that set out spending recommendations and that was agreed by the Executive in December 2025.

It is intended that a further set of workshops will be held later this year ahead of the preparation of the new IBP.

- 4.3 (iii) To develop a list of services likely to be more effectively delivered by Town and Parish Councils and/or in partnership with local community and voluntary groups and that, subject to business cases, there would be a presumption for double devolution for these services.

Response from Head of Localities:

The Localities Service is actively progressing the development of a new Community Transfer (Assets & Services) Policy and Process. This will provide a single local devolution framework for the Council that covers: Community Asset Transfers (CATs); Service Transfers; future Community Rights anticipated through the forthcoming English Devolution and Community Empowerment Bill and will provide the basis upon which the Council will identify suitable services for devolution, support Service Managers in assessing opportunities, and strengthen the Council's overall approach to localism.

The draft policy indicates an intended move towards replacing both double devolution arrangements and the legacy Community Asset Transfer Policy, subject to final approval, ensuring a coherent and consistent approach to local devolution across the Council. The revised Policy will provide a single, transparent and easy-to-understand framework for officers, members, parish organisations and community groups with clear guidance that ensures fairness and consistency.

The policy is being developed corporately, supported by a cross-council officer working group led by the Assistant Chief Executive – Local Engagement, to ensure alignment with service transformation ambitions, finance, legal, governance, and strategic priorities. It is proposed that the draft policy can be scheduled for consideration by Corporate & Partnerships Overview and Scrutiny Committee in June 2026 and the Executive in July 2026.

Recognising the challenges in resourcing the devolution of only small or isolated elements of services to individual organisations, the new approach will support a more strategic assessment of whole-service or multifunction devolution opportunities where appropriate.

To develop a list of potential services suitable for transfer, detailed guidance for Service Managers will be produced to support them to consider devolution or transfers as part their wider service transformation plans. This guidance will ensure that

devolution becomes embedded as a consideration within service planning in a proactive way, rather than on an ad-hoc, or reactive basis.

- 4.4 (iv) To ensure that once County-wide policies are agreed, and where there is a commitment to locally sensitive implementation, that Area Committees are provided with the necessary officer support to develop and sign off plans, for example in the cases of Town Investment Plans or Local Parking Plans, consistent with delegated powers 17-19, 21 & 22 concerning local economic development.

Response from Head of Democratic Services:

The Area Committees have a role to play in policy development, working with the overview and scrutiny committees. This then enables members to highlight the need for a policy to take into account the different factors and levels of need across the county at the point at which it is being developed. Once a Council policy has been developed and adopted, it is usually applied across the county as a whole and to the same standard, unless variations have been included according to specific geographies. Where there is scope for a nuanced approach to the implementation of a policy according to differing levels of need, typically in economic development and regeneration, then this will be done where possible and as appropriate.

- 4.5 (v) To undertake the equivalent of a post implementation review of activities designed to promote localism that identifies the most up to date best practice in local governance arrangements in similar large Unitary Authorities and learn from this by bringing a report and recommendations back to the appropriate decision-making body including any recommendations on the extent, effectiveness and realisation of delegated powers in the NYC Constitution.

Response from Head of Democratic Services:

The Council's Scrutiny Board could consider which overview and scrutiny committee is best placed to undertake a piece of in-depth scrutiny into how the Council has sought to implement a 'localist' approach to policy development and implementation and community engagement, drawing upon best practice in other, comparable local authorities. Any such in-depth scrutiny review would need to be task and time limited with clear and concise Terms of Reference. This recognises that the term 'localism' is broadly defined and would cover a wide range of activities undertaken or within the scope of local authorities.

The English Devolution and Community Empowerment Bill, introduces a requirement on all English local authorities to establish effective neighbourhood governance. It is not clear what this means, as further details will be provided once the Bill has been enacted and regulations issued. The Bill is currently at the Committee Stage in the House of Lords and it is not clear when it will receive Royal Assent.

Regarding Neighbourhood Governance, the Government Guidance on the Bill, dated 3 December 2025, states:

1C. Neighbourhood Governance

The English Devolution and Community Empowerment Bill will introduce a requirement on all local authorities, in England, to establish effective neighbourhood governance.

The main goal of neighbourhood governance is to move decision-making closer to residents, so decisions are made by people who understand local needs. Additionally, developing neighbourhood-based approaches will provide opportunities to organise public services to meet local needs better.

The details of the obligations on local authorities will be set out in regulations that will be made after the Bill is in force. Before those regulations are made, Government will be undertaking a review as to the best way to achieve the aims including speaking to the sector to ensure they have the opportunity to contribute and share existing good practice.

Local authorities can still set up town and parish councils, and town and parish councils that currently exist can continue. Upcoming guidance will outline how neighbourhood governance structures can work well with town and parish councils.

(See - [English Devolution and Community Empowerment Bill: Guidance - GOV.UK](#))

The neighbourhood governance elements of the Bill, once enacted and regulations issued, may have a significant impact upon the role and remit of the area committees. As such, it may be worth considering awaiting the enactment of the Bill and the issuing of the regulations before committing significant resources on an in-depth scrutiny review.

5.0 Way Forward

- 5.1 The Corporate and Partnerships Overview and Scrutiny Committee has been asked to consider this motion, and make a recommendation to the Annual General Meeting of Council on 20 May 2026.
- 5.2 Dependent upon the recommendation to the AGM and the outcome of the vote on it, if the proposal is that the Corporate and Partnerships Overview and Scrutiny Committee undertake an in-depth scrutiny review, the proposals for the review could come to a meeting of this Committee on 15 June 2026. If the Committee decides to proceed, then a task group could be set-up, and a final report provided to the meeting of the full committee on 14 December 2026. The committee could then make recommendations to the Executive in January 2027.
- 5.3 Dependent upon the recommendations arising from that review, these may need to go to the Member Working Group on the Constitution and/or Full Council. This would then mean undertaking changes to the Area Committees shortly before the May 2027 elections, which may be perceived as 'tying the hands' of the incoming administration.
- 5.4 At the meeting of Annual General Meeting of Council on 20 May 2026, the Chair of the Overview and Scrutiny Committee will speak to the report and recommendations regarding the Motion. The proposer or seconder will then have the opportunity to speak. The recommendations of the committee are then voted upon without debate or amendment.

6.0 Options

- 6.1 Having considered this report and the information provided at the meeting, Members are asked to agree whether sufficient information has been provided to determine a response to the Notice of Motion seeking support for Area Committee decision making.
- 6.2 If sufficient information has been provided, Members are asked to agree whether or not to recommend that the Notice of Motion be upheld.
- 6.3 If further information is required, the Committee may choose to:
 - i. Agree what additional information is required to support your considerations
 - ii. Agree to hold an additional meeting of this Committee prior to the next meeting of full Council in May 2026, to consider a further report on the proposal and associated options and implications, in order to inform this Committee's recommendation to Full Council on 20 May 2026.

7.0 Legal Implications

- 7.1 There are no legal implications associated with the recommendation in this report.
- 7.2 Changes required to the Constitution, as a result of the approval of recommendations arising from a scrutiny review (see paragraph 5.2 above), would need to be considered by the Member Working Group on the Constitution which would then make recommendations to the Executive which would then, in turn, make recommendations to Full Council.

8.0 Other Implications & Risks

- 8.1 There are no financial, equalities, climate change or other implications arising from the recommendation in this report.

9.0 Report Recommendation

- 9.1 Members are asked to consider the information provided and the options outlined above, and agree an appropriate way forward.

BARRY KHAN
Assistant Chief Executive (Legal and Democratic Services)
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NORTHALLERTON

3 March 2026

Author & Presenter of Report – Melanie Carr, Senior Scrutiny Officer

Background Papers: None

Appendices: None

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.