

# North Yorkshire County Council

## Executive

Minutes of the meeting held at County Hall, Northallerton on Tuesday, 19 December 2017 commencing at 11.00 am.

County Councillor Carl Les in the Chair. County Councillors David Chance, Gareth Dadd, Caroline Dickinson, Michael Harrison, Andrew Lee, Don Mackenzie, Janet Sanderson and Greg White.

Also in attendance: County Councillor Philip Barrett.

Officers present: Richard Flinton, Stuart Carlton, David Bowe, Gary Fielding, Daniel Harry, Jane le Sage, Barry Khan, Josie O'Dowd and Richard Webb.

---

### Copies of all documents considered are in the Minute Book

---

#### 87. Minutes

##### Resolved –

That the Minutes of the meeting held on 14 November 2017, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record.

#### 88. Declarations of Interest

There were no declarations of interest to note.

#### 89. Exclusion of the Public

##### Resolved –

That the public be excluded from the meeting during consideration of each of the items of business listed in column 1 of the following table on the grounds that each involves the likely disclosure of exempt information as defined in the paragraph(s) of Part 1 of Schedule 12A to the Local Government Act 1972 as amended by the Local government (Access to Information)(Variation) Order 2006 as defined in column 2.

Item on the Agenda

Paragraph No

11

3

#### 90. Questions and Statements from members of the public

There were no questions or statements from members of the public.

## 91. Feedback from Area Committees

Considered –

A report of the Assistant Chief Executive (Legal and Democratic Services) relating to meetings of the:-

- ◆ Craven Area Committee - 9 November 2017
- ◆ Selby Area Committee - 13 November 2017
- ◆ Ryedale Area Committee - 15 November 2017
- ◆ Richmondshire Area Committee - 29 November 2017

County Councillor David Chance introduced the report advising of one formal recommendation received from Richmondshire Area Committee. County Councillor Carl Les, commenting on the request that the Executive note strong objections to the proposal to refocus Area Committees, clarified that there this was not a unanimous decision but an evenly split vote which was carried on the Chairman's casting vote.

County Councillor Philip Barrett was invited to speak regarding feedback from Craven Area Committee concerning the option to build a new railway station at Cross Hills in South Craven. He commented upon the very disappointing outcome - which did not support the creation of a new station at Cross Hills, following the completion of a feasibility study. He felt that the optimism bias distorts the situation and he expressed the hope that the Corporate Director - Business and Environmental Services would agree to seek to safeguard the site for possible future development. David Bowe advised that at the BES Executive Member meeting held on 15 December 2017, the decision had been taken not to purchase the site. County Councillor Philip Barrett felt that this was closing the door on this option for the longer term. He stressed his imperative to articulate the views of South Craven residents who feel very strongly that there is no appetite from the County Council to deliver for South Craven - it seems to be a forgotten corner of the county. Compounding this disappointment, whilst future signalling changes could help reduce downtime at Kildwick Level Crossing, in practice this will only amount to seconds rather than minutes. County Councillor Philip Barrett urged the Executive Member to consider the absence of a direct bus service to the main railway station and he urged that consideration be given to addressing this to reduce car usage. David Bowe commented that the County Council is not seeking to protect the land in view of the lifespan of the Local Plan which is insufficient to see such a project through to fruition.

County Councillor Don Mackenzie recorded his thanks to County Councillor Philip Barrett for attending the meeting to express these heartfelt views. He stated that he would have liked to approve the proposals, however he stated that this was simply not feasible due to the low benefit cost ratio (BCR), and therefore the unlikely success of any bid. He stressed that whilst the County Council is the lead body for the Transport for the North, the co-operation of Network Rail is also required to deliver projects of this nature. He also noted the many demands across the county area and for those schemes with higher BCR's the likelihood of success and implementation is higher. County Councillor Don Mackenzie confirmed that he will look at the question of bus services to the station.

County Councillor Carl Les enquired whether Craven District Council may protect the site and County Councillor Philip Barrett confirmed that this is the case, and he also advised that West Yorkshire are supportive.

## **Resolved –**

- (a) That the report is noted.
- (b) That the recommendation from Richmondshire Area Committee is noted. This states that there are strong objections to the proposals to refocus Area Committees and the request is made that the proposals are reconsidered by those who are promoting them.

## **92. Home to School Transport - Proposed Policy Changes**

### **Considered –**

A report of the Corporate Director - Children and Young People's Service providing an overview of changes proposed for formal consultation in relation to the Home to School Transport policy to ensure it remains fit for purpose and provides a sustainable framework for transport into the future. The policy must be compliant with legislation and provide value for money and in the longer term the policy should be aligned with transport provision from Health and Adult Services. The policy and transport provision must align with budgetary allocation going forward to ensure the Council can still provide transport or assistance to those who require this the most.

County Councillor Janet Sanderson introduced the report in the absence of County Councillor Patrick Mulligan, explaining that this issue straddles both their portfolios. She advised that Executive Members have discussed this issue several times previously at Cabinet prior the present three options being devised. She acknowledged that the proposals impact upon the most vulnerable and assured Members that this issue is taken very seriously. The service already overspends by £3m and this could become £30m by 2025 if no action is taken. It is this situation which provides the imperative to consult with the public on proposals for the future.

- ◆ The first proposal is to cease the provision of free home to school transport for SEND Post 16-18 with an ECPH from September 2018. This would bring SEND provision in line with mainstream post 16 provision which costs £860 per annum with a contribution of £490 per user. This equates to a subsidy on average of 43%. On the basis that SEND Post 16-18 home to school transport is currently free this is a cost of £8,100 per annum to the County Council per user - this equates to a 94% subsidy. Those on low income are not penalised as they receive a 50% reduction in charge.
- ◆ The second proposal is to recognise SEND Post 19 transport - as adults in education, and identify unmet transport need in line with Health and Adult Services social care assessment: eg provision a mobility vehicle.
- ◆ The third proposal is to increase the Parental Transport Allowance to 45p per mile when no other transport option is available and promote a Parental Transport Allowance SEND sole-occupancy provision with a realistic enhancement to meet the young person(s) transport needs.

Implementing options 1 or 2 would align the County Council's service with other local authorities, whilst option 3 provides maximum parental choice.

County Councillor Michael Harrison highlighted a typographical error in the wording of the proposals and it was agreed that this would be corrected prior to the commencement of the public consultation.

County Councillor Gareth Dadd commented that he reluctantly supports the proposals, on the basis that if action is not taken now this will result in significant budget problem in future. He acknowledged that the process of consultation may tease out other issues and considerations. He accepted that the County Council has been comparatively generous in its SEND provision when compared to other peer authorities, stating that this situation is not sustainable in the long term. Concluding, he stressed that a service is not being removed, instead by imposing charges its future will be ensured.

### **Resolved –**

The recommended options to consult on in relation to updating the Home to School Transport Policy are approved:

Proposal 1: Removal of the FREE Transport statement for SEND Post-16 to 18 students with an EHCP from September 2018, to bring it in line with mainstream transport arrangements

Proposal 2: Recognise SEND Post-19 students as adults in education, and identify unmet transport need in line with Health and Adult Services social care assessment.

Proposal 3: Promote Parental Transport Allowance to SEND sole-occupancy provision with a realistic enhancement to reflect the young person transport need (for those eligible for transport assistance under statutory duty)

### **93. Update on Harrogate - York Rail Developments**

Considered –

A report of the Corporate Director - Business and Environmental Services updating on progress with the Harrogate Line Rail Project, seeking agreement for the changing investment options and seeking approval to delegate authority the Corporate Director - Business and Environmental Services (BES), in conjunction with the Corporate Director - Strategic Resources and Executive Member (BES) to approve the allocation of further development funding and to submit a full application to the LEP in February 2018.

County Councillor Don Mackenzie advised that 4½ years ago the Executive had agreed to submit a bid to the local transport body for the Harrogate to York line which is still operating using Victorian technology. An upgrade is long overdue - the investment originally proposed targeted an increase in journeys from one to two per hour, and reducing journey time. The option to twin-track is no longer feasible as the required signal upgrade has not happened as originally planned, therefore other options have been considered to facilitate 30 journeys a day. County Councillor Don Mackenzie stated that it has been established that this should be achievable with similar funding, but with the outcomes being achieved via different means. It is proposed that there will be a small section of double tracking at Cattal and Green Hammerton stations, based upon a modular scheme with axle counting machinery - to remove the need for manual intervention ie the passing of tokens, and increase the speed over the points. It is proposed to go back to the Local Enterprise Partnership as the deadline for use of the funding previously allocated is 2019. Whilst the plans and measures have changed, the outcome will be the same.

David Bowe, Corporate Director - Business and Environmental Services, advised that there had been interesting engagement with Network Rail and Northern Rail, such collaboration is not common and the discussions are at times difficult. All concerned are very interested to make this work and whilst it was noted that future expenditure may be at risk, it is felt that this is worthwhile project. The County Council contribution to the project is to be funded from the parking surplus.

County Councillor Michael Harrison stated that he was happy to support the proposals, commenting that this option may prove to be a better use of the funding given the outcome for users is still positive. He acknowledged that the proposals will bring improvements in the short to medium term, and he noted that for the longer term more substantial work will be needed if stations are to be added, or lines electrified, which others will need to fund.

#### **Resolved –**

- (a) That the development of the Harrogate Line Scheme is noted and the revised emerging options detailed in paragraph 4.2 of the report are agreed.
- (b) The submission of a full application to the LEP for funding of £9.6m is agreed.
- (c) That authority is delegated to the Corporate Director - Business and Environmental Services, in consultation with the Corporate Director - Strategic Resources and BES Executive Members to commission further development work to support the full application to the LEP.

#### **94. 100% Business Rates Retention Pilot**

Considered –

A report of the Corporate Director - Strategic Resources informing that an application has been submitted to the Department for Communities and Local Government (DCLG) for a North Yorkshire 100% Business Rates Retention Pilot in 2018/19 and seeking approval to formally sign up to the pilot should the application be successful.

Gary Fielding, Corporate Director - Strategic Resources, advised that it should be known this afternoon if the County Council's bid has been successful. He hoped that Members would agree the proposals for implementation if success is confirmed. He advised of the short timescale to submit the bid on behalf of the East Riding and North Yorkshire - the latest pilot targeting rural areas, therefore hopefully this will be a strong bid. The detail of this Business Rates Retention Pilot is yet to be fully understood, however it will be a mechanism to redistribute £10m of 'upside' which is derived from positive growth compared to the baseline taken three years ago - from which these benefits flow. Regarding the pooling of these benefits, 50% ie £5m will go into a strategic fund to be used to improve broadband, housing and mobile phone coverage. The other £5m is to be shared by principal authorities and for North Yorkshire for every £2, £1 will go to the relevant District and £1 to the County Council. Gary Fielding accepted that this may prove to be academic but he was hopeful of success later in the day.

County Councillor Gareth Dadd speculated whether the bid might have been stronger if Harrogate Borough Council had collaborated. Gary Fielding advised that Harrogate Borough Council had decided it was more beneficial for them to collaborate via the Leeds City Region bid.

County Councillor Janet Sanderson queried the duration of the safety net provision and Gary Fielding advised that this should endure for a year, whilst the pilot itself may be extended beyond this.

County Councillor Don Mackenzie concurred that it was unfortunate regarding Harrogate Borough Council, acknowledging that the County Council seeks to assist in the improvement the infrastructure in Harrogate.

**Resolved –**

That the action is noted and subject to a successful outcome, the proposal within individual authorities is supported.

**95. Addition of Outside Body to the Constitution and Nominations to that Body**

Considered –

A report of the Assistant Chief Executive (Legal and Democratic Services) asking the Executive to consider an addition to the Outside Bodies listed in the Constitution and to recommend inclusion to County Council on 21 February 2018 and to determine nominations to that body.

**Resolved –**

- (a) That the amendment of the list of outside bodies in the County Council's Constitution to include, under Category 1 - Partner Bodies, the West Yorkshire Combined Authority - Business Innovation and Growth and Employment and Skills Panel is endorsed. This is then to be commended to County Council on 21 February 2018 for approval.
- (b) That the nomination of:
  - the Executive Member for Open for Business to serve on the West Yorkshire Combined Authority - Business Innovation and Growth Panel
  - and the Executive Member for Education and Skills to serve on the West Yorkshire Combined Authority - Education and Skills Panel

is approved, subject to the Portfolio Holders' agreement.

**96. Forward Work Programme**

The Forward Plan for period 1 November 2017 to 30 November 2018 was presented.

**Resolved –**

The forward work programme is noted.

**97. Private Minutes of the meeting held on 14 November 2017**

**Resolved –**

That the Private Minutes of the meeting held on 14 November 2017, having been printed and circulated, are taken as read and are confirmed and signed by the Chairman as a correct record.

The meeting concluded at 11.30 pm

JOD/JR