



NORTH YORKSHIRE COUNTY COUNCIL

Minutes of the Annual Meeting of the County Council held at County Hall, Northallerton on 18 July 2018, commencing at 10.30 am

PRESENT:-

County Councillor Robert Windass in the Chair.

County Councillors Val Arnold, Karl Arthur, Margaret Atkinson, Andrew Backhouse, Bob Baker, Derek Bastiman, John Blackie, David Blades, Philip Broadbank, Eric Broadbent, Michael Chambers MBE, David Chance, Jim Clark, Liz Colling, Richard Cooper, Gareth Dadd, Caroline Dickinson, Stephanie Duckett, Keane Duncan, John Ennis, Helen Grant, Bryn Griffiths, Michael Harrison, Paul Haslam, Robert Heseltine, Mel Hobson, David Hugill, David Ireton, David Jeffels, Janet Jefferson, Mike Jordan, Andrew Lee, Carl Les, Stanley Lumley, Cliff Lunn, Don Mackay, Don Mackenzie, John Mann, Stuart Martin MBE, Heather Moorhouse, Patrick Mulligan, Richard Musgrave, Andy Paraskos, Caroline Patmore, Chris Pearson, Clive Pearson, Joe Plant, Gillian Quinn, Tony Randerson, Janet Sanderson, Karin Sedgwick, Peter Sowray, Helen Swiers, Roberta Swiers, Angus Thompson, Cliff Trotter, Geoff Webber, John Weighell OBE, Richard Welch, Greg White and Annabel Wilkinson.

APOLOGIES:-

County Councillors Philip Barrett, Lindsay Burr MBE, Andrew Jenkinson, Zoe Metcalfe, John McCartney, Stuart Parsons, Andy Solloway, Callam Walsh.

MINUTES

It was moved and seconded that the Minutes of the meeting of the County Council held on Wednesday, 16 May 2018, having been printed and circulated, subject to the following amendments, are confirmed and signed by the Chairman as a correct record.

County Councillor Keane Duncan asked that the minutes be amended to reflect the request that he made at the County Council meeting on 16 May 2018 that, in relation to agenda item 8 on the report and recommendations of the Members' Independent Remuneration Panel, his vote against recommendation (a) 'An increase of 4.5% to the Basic Allowance and all Special Responsibility Allowances' be recorded in the minutes.

County Councillor Bryn Griffiths asked that apologies for non-attendance be recorded and not just those who are attending, as is the current practice.

The vote was taken and, on a show of hands, the motion was declared carried with none against and no abstentions.

Resolved -

55. That the Minutes of the Meeting of the County Council held on Wednesday, 16 May 2018, having been printed and circulated, subject to the stated amendments, are confirmed and signed by the Chairman as a correct record.

Chairman's Announcements

The Chairman welcomed the Honorary Aldermen who were in the public gallery. The Chairman also informed the Council that County Councillor Nicola Wilson resigned on 12 July 2018. A Notice of Election has been issued and a by-election for Knaresborough will be held on Thursday 16 August 2018.

The Chairman also informed the Council that Pete Dwyer, the former Corporate Director - Children and Young People's Service, had been awarded a CBE in the Queen's Birthday Honours List for his services to children's social care.

The Chairman acknowledged the death of Barry Dodd CBE, Lord Lieutenant of North Yorkshire, died on 30 May 2018. He was appointed as Her Majesty's Lord Lieutenant for North Yorkshire in 2014 but he had been associated with the county and indeed with the County Council for many years. A minutes silence was held.

The Chairman also reminded Members of the usual arrangements for the meeting.

Statement by the Leader

County Councillor Carl Les made a statement, under Contract Procedure Rule 2.3, as Leader of the Council, a summary of the key points of which had previously been circulated and which appear in the Minute Book (page 10479). County Councillor Carl Les then responded to various questions.

Public Questions or Statements

The following public questions were put by Mrs. Sue Ryding, a member of the Shadow Board of Governors for West Burton Primary School.

We believe that West Burton Church of England Primary School is under threat of imminent closure as a result of decisions made the BAWB Federation governors.

Following a successful period of close collaboration, and guided by the LEA, West Burton joined Bainbridge and Askrigg in 2016 to become the BAWB Federation, in the belief that this would increase the educational benefits for the children. Almost immediately, the disadvantages inherent in this Federation became apparent. Measures to alleviate an increasing financial deficit led the BAWB governors to cut the numbers of teaching staff, by proposing to combine classes across the three schools. This involved extensive, and expensive, bussing of children from site to site. West Burton, in particular, posed a problem being further away from the other two schools. The school was clearly vulnerable. The resulting uncertainty over the last eighteen months has led to falling pupil numbers, and has deterred prospective parents, adding to the fears that the school will become unviable.

Consequently, West Burton parents and other stakeholders organised a campaign for the school to leave the Federation.

A Shadow Board of Governors was formed and a thorough 'due diligence' exercise was carried out, in consultation with the LEA. This resulted in evidence that formed a compelling case for a stand-alone school. We were also assured that the remaining schools in the Federation would prosper without us. This evidence was put to the Federation governors on the basis that this formed a workable solution to a difficult situation. Last Wednesday, this case for de-federation was rejected outright.

There is a great deal more information we could put before you, particularly concerning the actions of the BAWB governors advised, we understand, by the LEA. It has been difficult to obtain any information on their thinking, particularly as none of them lives in or near West Burton, and most are unknown to us.

In the meantime we have three questions we would like to put to you:

- 1. Could you tell us whether the BAWB governors were advised by the LEA about the risks to the viability of West Burton School posed by their decisions?**
- 2. When consulting with the LEA regarding measures to alleviate the budget deficit, did the LEA and the BAWB governors take into account the cost of transport, believed to be about £20,000, and the loss of income from falling pupil numbers, estimated at a further £21,000?**
- 3. In the light of the County Council's own stated policy of avoiding any further closures of small rural schools, would the LEA be prepared to intervene in this matter and assist all parties involved in coming to a sensible resolution?**

In response to question 1), County Councillor Patrick Mulligan said:

This was a difficult and multi-faceted decision for the Governing Body to make. Their consideration around viability was not simply concerned with financial aspects. Local Authority officers supported the process impartially by providing extensive information on the financial, governance and Human Resources implications of de-federation for all 3 schools. In addition, the West Burton representatives provided extensive information about their proposal and rationale for it. Finally, given the status as a Church of England, Voluntary Controlled School, the Diocese issued a paper outlining their views on the proposal.

Turning specifically to finance issues the Local Authority provided a report to the BAWB governors that considered the financial implications of de-federation:

- It provided an indicative model of the potential financial position of West Burton School as a stand-alone school. The indicative model had regard to the current operating costs for West Burton, financial benchmarking data for other schools of between 19 and 26 pupils, current NYCC pupil number projections for West Burton and the implications of the School National Funding Formula for West Burton including transitional arrangements. The model indicated that a stand-alone school, based on the NYCC pupil number projections, would be unlikely to achieve a balanced budget position. The report referenced the work undertaken by the West Burton representatives in relation to the generation of additional savings and additional income which they felt could be achieved.
- It provided the average per pupil led funding amount and the age weighted pupil unit funding for West Burton which would be applied to any increase or decrease in pupil numbers.
- It highlighted the need for consideration to be given to the risk of pupil numbers reducing at West Burton if Option 3A were implemented and the associated financial implications of any reduction in pupil numbers.

In response to question 2), County Councillor Patrick Mulligan said:

Transport costs at around £11,000 were built in to the financial modelling of option 3A, to reflect the proposed additional transportation of Key stage 1 children from West Burton to Bainbridge.

The BAWB governors were advised that actions would need to be taken to reduce costs if there was a reduction in income as a result of a fall in pupil numbers in order for the Federation to return to an in-year budget surplus position and repay the accumulated budget deficit. Any reduction in expenditure could not be modelled until the profile of any pupils leaving the Federation is known in terms of the potential impact on class structures, staffing and resource requirements and transport arrangements.

In response to question 3), County Councillor Patrick Mulligan said:

The Local Authority respects the autonomous and independent position of Governing Bodies. The Local Authority only has powers to intervene under the DfE guidance around schools causing concern and in limited circumstances that do not apply here.

Mrs. Sue Ryding then asked the following supplementary question:

S1. Does this then mean that the Local Authority will not intervene?

In response, County Councillor Patrick Mulligan said that the Local Authority would do everything that it could to support all parties involved to come to a conclusion and so would be happy to convene a meeting as soon as possible.

Report of the Executive

Quarterly Performance and Budget Monitoring

The recommendation at paragraph 1 of the report (pages 10483 to 10484) was moved and seconded.

The vote was taken and, on a show of hands, the motion was declared carried, with none against and no abstentions.

Resolved -

- 56.**
- (a) That it be noted that the County Council continues to perform well and demonstrate improvements in its services.
 - (b) The latest position for the County Council's 2017/18 Revenue budget as summarised in paragraph 2.1.2 of the report be noted.
 - (c) That the proposals for the use of the additional Adult Social Care funding as set out in paragraphs 2.3.1 to 2.3.8 of the report be endorsed that the proposed seek to limit exposure to recurrent financial risk for these schemes to a maximum of £3.4m, which reflects the value of the final year's grant allocation be noted.
 - (d) That the position of the GWB as set out in paragraphs 2.5.1 to 2.5.3 of the report be noted.
 - (e) That the position on 'Strategic Capacity - Unallocated' reserve as set out in paragraphs 2.5.4 to 2.5.6 be noted.
 - (f) That it be recommended to County Council the proposed carry forward of £1,003k earmarked for BES development initiatives detailed in paragraphs 2.2.9 of the report.

- (g) That the performance of the Treasury Management operation during 2017/18 and the outturn position on Prudent Indicators be noted.
- (h) That the position on capital outturn as detailed in Appendices A to E of the report be noted.
- (i) That it be recommended to the County Council, the proposed carry forward to 2018/19 of the net capital underspend totalling £4.0m as set out in paragraph 4.9 of the report.
- (j) The financing of capital expenditure as detailed in paragraph 5.11 and Appendix F of the report be approved.

Statements by Executive Members and Chairmen of Overview and Scrutiny Committees

County Councillor Don Mackenzie, Executive Member for Access Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10501 to 10502), and responded to questions.

County Councillor David Chance, Executive Member for Stronger Communities Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10503 to 10504), and responded to questions.

County Councillor Michael Harrison, Executive Member for Health and Adult Services Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10505 to 10506), and responded to questions.

County Councillor Caroline Dickinson, Executive Member for Public Health, Prevention and Supported Housing Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10507 to 10509), and responded to questions.

County Councillor Andrew Lee, Executive Member for Open to Business Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10511 to 10512).

County Councillor Greg White, Executive Member for Customer Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10513 to 10515).

County Councillor Gareth Dadd, Executive Member for Finance and Assets and Special Projects Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10517 to 10518), and responded to questions.

County Councillor Janet Sanderson, Executive Member for Children's Services Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10519 to 10521).

County Councillor Patrick Mulligan, Executive Member for Education and Skills Engagement made a statement, a summary of the key points of which had previously been circulated and which appears in the Minute Book (pages 10523 to 10525).

The written statements of the Chairmen of the Scrutiny Board and the Overview and Scrutiny Committees having previously been circulated, and which appears in the Minute Book (pages 10527 to 10541) were noted.

Council Procedure Rule 10 Questions

There were no Council Procedure Rule 10 questions.

The meeting closed at 11.38 am

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