

Community Services Committee

Held at Ryedale House, Malton
on Thursday 26 November 2009

Present

Councillors Mrs V Arnold (Vice-Chair), Mrs S Cowan, Mrs L Cowling (Chairman), Mrs J Frank, Hawkins, Hemesley, Hope, Keal and Mrs D Keal

By Invitation: Councillor Andrews

Overview and Scrutiny Observers: Councillors Andrews, Clark and Windress

In Attendance

Mrs Beckie Bennett, Mrs Fiona Brown, Mr Richard Etherington, Mrs Liz Hayes, Mrs Marie-Ann Jackson, Mr Phil Long, Mr Steve Richmond, , Mr Julian Rudd,

Minutes

32 Apologies for absence

Apologies for absence were received from Councillors Mrs De Wend Fenton and Mrs Warriner

33 Minutes of a Meeting of the Community Services Committee held on 24 September 2009

Resolved:

That the minutes of the meeting of the Committee held on 24 September 2009 be approved and signed by the Chairman as a correct record.

34 Urgent Business

There was no urgent business to be dealt with

35 Declarations of Interest

In accordance with the Members Code of Conduct, the following declarations of interest were made:

Councillor Andrews declared a personal interest in item 12, the Vale of Pickering Channel Management Pilot project, as a Member of the Rye Internal Drainage Board

Councillor Mrs Arnold declared a personal and prejudicial interest in item 12, the Vale of Pickering Channel Management Pilot project as her son worked for the Environment Agency. She took no part in the debate or vote thereon.

Councillor H Keal and Councillor Mrs Keal declared a personal interest in item 12, the Vale of Pickering Channel Management Pilot project, as members of Pickering Flood Defence group

Councillor Mrs Cowan declared a personal and prejudicial interest in item 15, Fees and Charges, as her son is a taxi driver. She took no part in the debate or vote upon those charges relating to Taxi Licensing in that item.

36 **PART A - Matters to be dealt with under delegated powers or matters determined by the Committee**

37 **Performance & Finance Report - Council Aims 1 - 4**

Members considered a report which presented for comment the performance and finance reports for Council aims 1-4

The Council adopted the Council Plan for 2009-13 in March 2009. The Financial Strategy was agreed in February 2009. The annex to the report provided a progress report on the delivery of the Council Plan to the end of October 2009 in terms of actions delivered and performance levels achieved and a review of the financial implications to date.

Resolved:

That the performance and finance report be endorsed.

38 **Housing Performance Report**

Members considered a report which informed them of progress made against the Council's agreed Housing Strategy objectives.

Resolved:

That the performance report be endorsed.

39 **Breathing Spaces - Mortgage Loan Scheme**

Members considered a report which asked them to approve the Council's participation in a Regional Mortgage Assistance Loan Scheme called "Breathing Space".

The Regional Housing Board had allocated £2 million for a regional mortgage assistance scheme. The Chair of the RHB had agreed that the model proposed by Wakefield MDC was the most appropriate and efficient course of action and that the scheme could be rolled out throughout the Yorkshire and Humber region under the title "Breathing Space". Wakefield Council would be the accountable body for the scheme. Participating authorities would undertake the initial stages of the loan application. Wakefield Council would process and pay the loan and place a legal charge on the property. The Council would then be responsible for subsequent reviews, support for the individual homeowners and for the recovery of the loan. To enable Wakefield Council to act as the Accountable Body for the scheme, the Council is required to delegate certain of their functions to Wakefield Council.

The Breathing Space Loan was an interest free 3 year fixed term loan that was secured against the property to help applicants to avoid repossession of their home. At the end of the three year period the Loan would be repayable in full. As part of the scheme, Ryedale District Council would provide support including referral for debt counselling to maximise the possibility that the applicant would be able to retain the property when the loan assistance ended. The maximum amount of loan available was £15,000 and the minimum was £2000. The full criteria for the loan was outlined in the report.

Resolved:

- (i) That the Council's participation in the scheme be approved.
- (ii) To allow Wakefield Metropolitan District Council to discharge these functions for Ryedale District Council under the provisions of the Local Government Act 2000 and Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2000 in accordance with their well being powers under Section 2 of the Local Government Act.

40

External Review of Pickering and Helmsley Markets

Members considered a report which advised them of the National Association of British Market Authorities (NABMA) report on Pickering and Helmsley Market and sought endorsement of actions taken in response to it.

The NABMA visit occurred in June 2009 and was to Pickering Market only, but the conclusions and recommendations in the report also had relevance to Helmsley Market. The report contained specific conclusions and recommendations on Market Rights, Encroachment, Retail Offer and

Marketing. The report detailed those recommendations and officer comments upon them.

Resolved:

That the actions taken in response to the NABMA report be endorsed.

41 **Proposed Refurbishment of the Public Toilets at Market Place, Malton**

Members considered a report which sought authority for the Facilities and Emergency Planning Manager, in consultation with the Chairman of this Committee to accept a tender for the refurbishment works to the public toilets in Malton Market Place subject to the tender being within budget.

Tenders had been sought for refurbishment works to Malton Market Place Public conveniences. The tenders also included updating of fixtures and fittings and certain external works to the male, female, disabled and baby change facilities.

It was anticipated that the tenders would be returned during December, and that subject to contractual matters being resolved, that work commence on site in January 2010. The anticipated construction period was ten weeks. The intention was to keep the disabled facility open as long as possible during the course of the works however, it would need to close for two or three weeks. Whilst the toilet were unavailable, a map would be displayed on the site providing directions to the alternative toilets at Wentworth Street.

Resolved:

That the Facilities and Emergency Planning Manager, in consultation with the Chairman be authorised to accept a tender for the refurbishment works to the public toilets at Malton Market Place, subject to the tender being within budget.

42 **The Malton Air Quality Management Order 2009 - Results of Consultation**

Members considered a report which advised them of the results of a consultation on the extent of the proposed Air Quality Management Area and

sought approval for the confirmation of the proposed area and its submission to Defra.

A report was submitted to this Committee on 26 March 2009 advising Members of the council's detailed assessment of nitrogen dioxide pollution in Malton and sought approval to submit a report to Defra with a view to declaring an Air Quality Management Area (AQMA). In addition it was resolved that public consultation should be undertaken on the extent of such an area. The consultation responses were included within the report.

A detailed assessment of nitrogen dioxide was undertaken in Malton to provide an accurate assessment of the likelihood of the air quality objective for this pollutant being exceeded. The assessment showed that the exceedence of the annual mean air quality objective level for nitrogen dioxide was likely to occur in several areas within Malton town centre where there was relevant exposure. The need for an AQMA arose primarily because of local transport pollution.

Defra recommended that the Council set the boundaries of the AQMA to include an area wider than the areas of technical exceedence to ensure that the proposed AQMA would include all locations of exceedence. It was considered that declaring a single area encompassing all the required locations was preferable to declaring multiple smaller AQMA's.

Resolved:

That the Malton Air Quality Management Area Order be approved.

43 Vale of Pickering Channel Management Pilot Project

Members considered a report which sought support for a request for a financial contribution from Ryedale District Council towards a jointly funded Channel Management Pilot Project in the Vale of Pickering. The project followed an independent assessment of the condition of the main rivers in the Vale of Pickering.

The objective of the pilot projects were to assess the effects of vegetation and sedimentation on water levels in the main rivers within the Vale of Pickering and to assess the effects of maintenance of vegetation and sedimentation of the main rivers on ecological biodiversity. The two main river reaches identified for investigation were the River Hertford/Derwent from the A64 at Staxton to the confluence with Thornton Beck, and the River Derwent, from Rye mouth to Old Malton.

Full details of the proposed project were contained in an annex to the report

Resolved:

That the Policy and Resources Committee be requested to approve the following;

- (i) funding for the 3 year project up to a maximum of £28m,000 (£15,000 in year one, £8,000 in year two and £5,000 in year three) from the existing Capital Provision 'Pickering Flood Scheme' of £1m
- (ii) Procurement of the project be undertaken by either the Environment Agency or the Internal Drainage Board; and
- (iii) Ryedale District Council be regularly updated regarding progress and project findings emanating from the study.

44 **PART B - Matters referred to Council**

45 **Commissioning Board - Proposal**

Members considered a report which should approval to agree the principle of creating a Commissioning Board, to agree the scope and purpose of such a board and sought the views of the Committee on a suggested approach to commissioning.

The report indicated that the Council spent circa £12 million per annum on goods and services for the benefit of communities of Ryedale. The spend had traditionally been managed in line with the Council's internal procedures, value for money principles and procurement rules.

As a fourth option Council operating a Committee system the Council currently supports two policy committees, Policy and Resources and Community Services. Both had responsibilities for developing policy and ensuring value for money services, however, there was sometimes overlap in the roles of the Committees. In light of the drivers influencing local government there was a need to examine how we do things, including both the delivery of services and how we procure and commission them. In considering this a number of authorities were adopting a strategic commissioning approach to sit alongside their procurement processes.

The report outlined the background to Commissioning, and indicated that this was the first report on the issue. Officers would develop a strategy in due course and it was envisaged that this would integrate and complement the Council's Contract Procedure and Procurement policies. Both procedures were under review and it therefore made sense to align the Council's approach to commissioning as part of that process. In order to progress the

work it was essential that a number of general principles were agreed at this stage. This would give officers the necessary steer to develop an approach and would allow for the necessary authorisations to be agreed and changes made to the Constitution.

Annexed to the report was the proposed approach to commissioning as the basis for the development of a Commissioning Strategy. It was suggested that the Council adopted a strategic approach which considered whole life costing, user involvement and working with partners on whole services rather than a fragmented approach. Annex B outlined the scope of the board.

Resolved:

That Council be recommended to approve:

- (i) The approach to Commissioning as detailed in Annex A
- (ii) The formation of a Commissioning Board to replace the Community Services Committee with effect from May 2010
- (iii) The scope of the Board as detailed in Annex B
- (iv) Suspension of the Community Services Committee and any appointments to it with effect from May 2010.
- (v) The authorisation of Officers to make any necessary changes to the Constitution arising from the formation of the Board in conjunction with the Constitution Review Working Party.

46 **Fees and Charges**

Members considered a report which set out the proposed fees and charges for 2010/2011 for services under the remit of the Committee.

It was moved by Councillor Mrs Arnold and seconded by Councillor Mrs Frank that Annex 3 (Car Parks) be amended by the addition of the words "That the Car Parks Charges be approved as amended by the application of consistent charges across Ryedale's Market Towns, including Malton, and that concessions for one off events be maintained at Wentworth Street, Malton at £1.50 per day.

Upon being put to the vote, the amendment was carried

Resolved:

That Council be recommended to approve the following Fees and Charges:

- (i) Septic Tanks and Taxi Licensing
- (ii) Refuse Collection including Trade Waste
- (iii) Car Parks
- (iv) Environmental Health

(v) Ryecare.

The meeting finished at 9:00 pm