

## **Community Services Committee**

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Held at Ryedale House, Malton  
on Thursday 25 March 2010

### **Present**

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Councillors Mrs Cowling (in the Chair), Mrs Arnold, Mrs Cowan, Mrs De Wend Fenton, Mrs Frank, Hawkins, Hemesley, Hope, Mrs Keal, Keal and Ms Warriner

By Invitation: Councillor Andrews

Overview & Scrutiny Observers: Councillors Cussons and Mrs Wilford

### **In Attendance**

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M Adams, Mrs F Brown, Mrs L Carter, R Etherington, Mrs J Holmes, Mrs M Jackson, P Long, Mrs L Lunn, S Richmond, J Rudd, Mrs C Slater and Miss J Waggott

### **Minutes**

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#### **58 Minutes**

The minutes of a meeting of the Community Services Committee held on 28 January 2010 were submitted.

#### **Resolved**

That the minutes of the meeting of the Community Services Committee held on 28 January 2010 be approved and signed by the Chairman as a correct record.

#### **59 Urgent Business**

There were no items of business which the Chairman considered should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

#### **60 Declarations of Interest**

The following declarations of interest were received:

Councillor Mrs De Wend Fenton declared a personal and prejudicial interest in item 12 - Private Water Supplies, as the owner of a property served by a private water supply.

Councillor Keal declared a personal interest in item 11 - River Derwent Draft Catchment Flood Management Plan - as a member of the Pickering Flood Defence Group.

Councillor Hawkins declared a personal interest in item 11, as an Internal Drainage Board member and declared a personal and prejudicial interest in item 12 - Private Water Supplies, as the owner of a property served by a private water supply.

Councillor Hemesley declared a personal interest in item 9 - Boiler Replacement, as a member of the Community Leisure Limited Management Board.

Councillor Mrs Keal declared personal interests in the following items:

Item 5 - Malton Food Festival, as a member of the events committee

Item 11 - River Derwent Draft Catchment Flood Management Plan, as a member of the Pickering Flood Defence Group

Item 14 - Relocation of Malton Museum, as a member of the Museum's Management Board.

## **PART 'A' ITEMS - Matters dealt with under delegated powers or matters determined by Committee**

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### **Malton Food Festival**

The Head of Economy & Housing submitted a report the purpose of which was to consider a financial contribution to support the Food Festival in Malton.

Significant work was on going through the Council's Delivery Team, part-funded by Yorkshire Forward, to boost Malton and Norton and Ryedale's other market towns. The Council was seeking to progress and assist a range of activities to improve the economy and appeal of Malton, including improvement of the Milton Rooms and the town centre public spaces and relocation of Malton Museum to a new Heritage Centre.

The efforts of the District Council and partners was being complimented by the activities undertaken by the Fitzwilliam Estate through their 'We Love Malton' campaign. A presentation had been given by Ian Shepherd, prior to the Community Services Committee meeting, outlining the planned activities in Malton. The Council had been requested to make a financial contribution of £2000 towards the Food Festival, which was to be held in May 2010.

In considering the report the opinion was expressed that it was not appropriate for the Council to provide funds to further private business. It was further suggested that the proposed contribution of £2000 should be allocated towards the retention of the Town Ambassador.

It was moved by Councillor Mrs Keal and seconded by Councillor Hemesley that the recommendation be approved subject to the addition of the following "to be paid to the independent 'We Love Malton' Committee. Upon being put to the vote the amendment was lost.

It was moved by the Chairman and seconded by the Vice Chairman that the recommendation in the report be approved. Upon being put to the vote the motion was carried.

**Resolved**

That a financial contribution of £2000 be provided from existing budgets to support the on-going work under the 'We Love Malton' brand for the Malton Food Festival 2010.

NB Councillor Mrs Keal declared a personal interest in the above item as a member of the Events Committee.

62 **Housing Performance Report**

The Head of Economy & Housing submitted a report in connection with progress made against the Council's agreed Housing Strategy objectives.

The Head of Economy & Housing drew Members' attention to the salient points within the report. Members congratulated Housing Services staff on the amount of work being undertaken.

**Resolved**

That the Housing Performance Report be endorsed.

63 **Performance Report**

The Senior Management Team submitted a detailed report the purpose of which was to present for comment the performance and finance reports for Council Aims 1 - 4, to inform Members of progress made against the Council's agreed aims and strategic objectives, as agreed in the Council Plan 2009/13 and to present the refreshed Council Plan for 2010/13.

The Council adopted the Council Plan for 2009/13 in March 2009. The Financial Strategy was agreed in February 2009. Annex B to the report provided a progress report on the delivery of the Council Plan to the end of February 2010 in terms of actions delivered and performance levels achieved together with a review of the financial implications to date.

The report included the first four aims, which all fell within the terms of reference of the Community Services Committee:

- Aim 1 To meet housing need in the Ryedale District Council area
- Aim 2 To create the conditions for economic success
- Aim 3 To have a high quality, clean and sustainable environment
- Aim 4 To help residents to achieve a healthy weight by encouraging an active lifestyle, in communities where everyone feels welcome and safe.

Performance against the fifth aim: To transform the Council, was to be reported to the Policy & Resources Committee at its meeting on 1 April 2010.

The refreshed Council Plan for 2010/13 was attached at Annex C to the report. The significant amendments to the Plan, which had been adopted in 2009, were detailed in the report together with a schedule of the performance reports for 2010/2011 to be presented to Members throughout the year and the links to the corporate planning framework.

Members considered the report and sought clarification on the action taken with regard to various actions and aims.

### **Resolved**

That the Performance and Finance Report be endorsed and the revisions to the Council Plan for 2010-13 be noted.

## 64 **Commissioning Strategy - Framework**

The Corporate Director submitted a report, which sought approval for the draft corporate Commissioning Strategy the proposed commissioning framework and a process of prioritisation.

At the meeting held on 26 November 2009 the Committee had agreed the establishment of a Commissioning Board and a set of policy principles and terms of reference. Council had ratified the policy at its meeting on 14 January 2010. The Board was to be appointed at Annual Council in May and was to meet for the first time on 3 June 2010. In order to ensure that the Board could start looking at its priorities for commissioning as early as practicable in the year the approval of a draft strategy and framework in advance of the meeting in June would enable officers to prepare options for early consideration.

### **Resolved**

- (a) That the draft Commissioning Strategy as outlined at Annex A of the report be approved

- (b) That the Commissioning Framework at Annex B of the report be approved
- (c) That the approach to prioritising commissioning opportunities as outlined in Annex C to the report be approved.

## 65 **Boiler Replacement Programme and Energy Efficiency Improvements**

The Head of Environment submitted a report in connection with the above programme. Initial findings indicated that the costs of a bio mass installation at Ryedale Pool were likely to exceed the agreed budget and increase revenue costs. The report sought approval to take the opportunity to widen the scope of investigation into other potential renewable technologies for the replacement of the boiler.

Following a detailed feasibility study regarding the installation of a bio mass boiler at Ryedale Pool, it has become apparent that this option, though technically possible, was unlikely to offer the best technical and financial solution for the site. Renewable technology had moved on and in the light of new and emerging information presented the Authority with the opportunity to explore alternative solutions.

### **Resolved**

- (a) That officers investigate the potential of alternative renewable energy technologies that may be more appropriate or offer better and more cost effective outcomes, regarding their suitability for this particular installation
- (b) That a detailed feasibility study be commissioned for two of the main alternatives, which may be suitable for this site (solar thermal and ground source heat pumps)
- (c) That proposed investment in renewable technologies is linked to the arrangement with Community Leisure Limited in order to provide an appropriate mechanism for the Council to receive financial benefit for the level of proposed investment.

NB In accordance with the Members' Code of Conduct, Councillor Hemesley declared a personal interest in the above item, as a member of Community Leisure Limited's Board of Management.

## 66 **Draft North Yorkshire Housing Strategy**

The Head of Economy & Housing submitted a report in connection with the Draft North Yorkshire Housing Strategy.

Following earlier consultations the final draft of the proposed North Yorkshire Housing Strategy had now been produced. The sub-regional Strategy replaced housing strategies produced at District Council level although District-based action plans were to be produced to assist implementation of the North Yorkshire Housing Strategy. The consultation period officially ended on 19 March 2010 however the planned timeframe for finalisation of the Strategy had been extended in reflection of some of the comments received. To assist Members a presentation about the Draft strategy had been given at a Briefing on 23 February 2010. The report outlined the comments on the Draft Strategy, including issues raised at the Briefing, and proposed that these be submitted as this Council's formal response.

Members considered the report and were of the opinion that subject to the four key strategic priorities being amended to read as follows, the comments be submitted as this Council's response:

- Enabling the provision of affordable homes to meet identified need.
- Reducing homelessness.
- Improving access to housing services.
- Making efficient use of the existing housing stock.

Members were also of the opinion that adequate resources should be made available to meet the needs of an increasingly elderly population.

### **Resolved**

That subject to the inclusion of the above comments, together with the comments raised at the Member Briefing on 23 February 2010, the comments as outlined in Section 8 of the report be submitted as this Council's response to the draft North Yorkshire Housing Strategy.

67

### **Draft Derwent Catchment Flood Management Plan**

The Head of Environment submitted a report in connection with the Draft River Derwent Catchment Flood Management Plan. On the 29 January 2010 the Environment Agency launched a 12-week consultation period on the Draft Plan. The Purpose of the report was to request Members' views in order to respond by the 23 April deadline.

The consultation draft set out the Environment Agency's preferred plan for sustainable flood risk management over the next 50-100 years. As an area which was subject to significant flood risk it was considered essential that the

Council robustly responded to the draft Plan, taking appropriate account of stakeholder partner's views.

The Plan was a strategic management document used by the Environment Agency to understand the causes, size and location of flood risk in the Derwent Catchment. The Plan would determine the Environment Agency's approach to flood risk management in different parts of the catchment effectively forming a framework to guide future flood management activities.

Previous consultation had taken place in June 2009 and the plans had been reviewed and updated to form a revised document, a copy of which was appended to the report.

The full document was over 700 pages in length and was available on the Environment Agency website. The report detailed the issues, which it was considered Members' might wish to include in the response. The response of the Drainage Board's consultant hydrologist was circulated at the meeting for information.

### **Resolved**

That the Head of Environment prepares a response on the Draft Derwent Catchment Flood Management Plan, in consultation with the Chairman of the Community Services Committee, taking account of the Committee's views, other Member responses and the response of the Land Drainage Liaison Group.

NB. In accordance with the Members' Code of Conduct Councillors Mrs Keal and H Keal declared personal interests in the above item as members of the Pickering Flood Defence Group. Councillor Hawkins declared a personal interest in the item as Internal Drainage Board representative. Councillor Andrews, who attended the meeting by invitation of the Chairman, declared a personal interest in the item as a member of the Lower Vale of Pickering Parishes Liaison Group.

## **PART 'B' - Items Referred to Full Council**

### **68 Private Water Supply Regulations 2009**

The Head of Environment submitted a report the purpose of which was to advise Members of the new duties imposed on the Council by the Private Water Supplies Regulations 2009 and to set charges and delegations under the new regulations.

The regulations classified private water supplies into three categories, dependent upon the number and type of premises served. The regulations

also introduced a new requirement to monitor private distribution systems served by mains water:

- Large Domestic/Commercial Supplies
- Small Domestic Supplies
- Single Private Dwellings
- Private Distribution Network

The report detailed the new duties placed on local authorities. The regulations also introduced a new table of fees, which the local authority may charge for the reasonable cost of providing the service subject to the following maximum amounts:

<b>Service</b>	<b>Maximum Fee (£)</b>
Risk assessment (each assessment)	500
Sampling (each visit)	100
Investigation (each investigation)	100
Granting an authorisation (each authorisation)	100
Analysing a sample – under regulation 10 (small domestic supply)	25
Analysing a sample – during check monitoring	100
Analysing a sample during audit monitoring	500

It was recommended that this Council introduce the following charges:

<b>Service</b>	<b>Maximum Fee (¹)</b>
Risk assessment (each assessment)	£50, plus hourly charge of £25 after 2 hours plus the cost of any analyst fees
Sampling (each visit)(*)	£55
Investigation (each investigation)	Nil
Granting an authorisation (each authorisation)	£50
Analysing a sample – under regulation 10 (small domestic supply)	100% of actual laboratory costs
Analysing a sample – during check monitoring	100% of actual laboratory costs
Analysing a sample during audit monitoring	100% of actual laboratory costs

(\*) No fee is payable where a sample is taken and analysed solely



to clarify the results of a previous sample

(<sup>1</sup>) All fees shall not exceed the maximum permitted by the Regulations as detailed in section 8.2

### Resolved

That Council be recommended to approve:

- (a) That the functions under the Private Water Supplies Regulations 2009 are delegated to the Head of Environment
- (b) That the following fees and charges as outlined in Section 9.1(a) of the report are approved and kept under review during 2010:

<b>Service</b>	<b>Maximum Fee (<sup>1</sup>)</b>
Risk assessment (each assessment)	£50, plus hourly charge of £25 after 2 hours plus the cost of any analyst fees
Sampling (each visit)(*)	£55
Investigation (each investigation)	Nil
Granting an authorisation (each authorisation)	£50
Analysing a sample – under regulation 10 (small domestic supply)	100% of actual laboratory costs
Analysing a sample – during check monitoring	100% of actual laboratory costs
Analysing a sample during audit monitoring	100% of actual laboratory costs

(\*) No fee is payable where a sample is taken and analysed solely to clarify the results of a previous sample

(<sup>1</sup>) All fees shall not exceed the maximum permitted by the Regulations as detailed in section 8.2

- (c) That fees be apportioned to avoid disadvantaging domestic dwelling owners when the presence of commercial properties places the supply in a higher category.

NB Having declared personal and prejudicial interests in the above item, in accordance with the Members' Code of Conduct, Councillors Mrs De Wend Fenton and Hawkins withdrew from the meeting during consideration of the report and did not vote.

The Head of Economy & Housing reported that on the 26 March 2009 the Community Services & Licensing Committee affirmed its support for the development of a Choice Based Letting Scheme in Ryedale and agreed a contribution of £15,000 towards the implementation costs. Officers had been working to develop Choice Based Lettings (CBL) in partnership with other housing authorities and partners in North Yorkshire and had prepared a draft common allocations policy. Member support and agreement for the terms of the proposed allocations policy was sought, a copy of which was appended to the report.

CBL was an initiative to make the lettings of social housing more market and customer orientated. It simplified letting criteria that allowed customers to express an interest in an individual property that had been openly advertised. Offers were made to customers who had bid for a property and met the criteria for that particular property. The government was of the opinion that empowering people through extending choice in the letting of social housing would help reduce the wider costs of social exclusion and promote community stability. Applicants choosing to live in an area were more likely to settle there and invest energy into their community.

### **Resolved**

That Council is recommended to approve the terms of the proposed Choice Based Lettings allocation policy.

## **70 Relocation of Malton Museum**

The Head of Economy & Housing submitted a report the purpose of which was to consider and support the relocation of the Malton Museum as part of the associated Derwentio Fort project. To demonstrate the Council's support it was recommended that the Policy & Resources Committee consider financial support for the relocation at its meeting on 1 April 2010.

The project would ensure the long-term sustainability of Malton Museum, the retention of the local collection and provide a significant cultural venue and tourist attraction in Malton and for Ryedale as a whole. The project would also release the Council from the burden of current leases and lead to a long-term financial saving despite the proposed financial contribution towards the project.

The York Archaeological Trust (YAT) proposed, in partnership with the Malton Museum Foundation (MMF), to develop the Fitzwilliam Estate Buildings adjacent to Orchard Fields at Malton into a new museum and visitor attraction involving the Roman Fort of Derwentio, which lies beneath the buildings. YAT had requested a financial contribution from Council towards this substantial project, details of which were outlined in the report.

It was moved and seconded that the recommendations in the report be approved subject to the addition of the following wording “The investment contract should require the development of links with Castle Gardens and it should also specify that the racing and brewing industries be fully represented in the Museum.” Upon being put to the vote the amendment was carried.

**Resolved**

- (a) That the relocation of Malton Museum as part of the Derwentio Fort project be endorsed
- (b) That the Community Services Committee requests that the Policy & Resources Committee recommends to full Council that the Malton Museum Relocation Project be included in the Council’s capital programme, with an allocation of £50,000, subject to an appropriate investment contract with the York Archaeological Trust. The investment contract should require the development of links with Castle Gardens and it should also specify that the racing and brewing industries be fully represented in the Museum.

NB In accordance with the Members’ Code of Conduct Councillor Mrs Keal declared a personal interest in the above item as a member of the Malton Museum Foundation Board of Management.

**The meeting closed at 10.15 pm.**