

COUNCIL

Council Summons and Agenda

You are hereby summoned to attend an **Ordinary Meeting of Ryedale District Council** to be held in the **Council Chamber, Ryedale House, Malton** on **Thursday, 7 July 2016 at 6.30 pm** in the evening for the transaction of the following business:

Agenda

1 **Emergency Evacuation Procedure**

The Chairman to inform Members of the Public of the emergency evacuation procedure.

2 **Apologies for absence**

3 **Public Question Time**

4 **Minutes**

(Pages 5 - 22)

To approve as a correct record the minutes of the Ordinary Meeting of Council held on 14 April 2016.

5 **Urgent Business**

To receive notice of any urgent business which the Chairman considers 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.

6 **Declarations of Interest**

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

7 Announcements

To receive any announcements from the Chairman, the Leader and/or the Head of Paid Service.

8 To Receive any Questions submitted by Members Pursuant to Council Procedure Rule 10.2 (Questions on Notice at Full Council)

9 To Receive a Statement from the Leader of the Council and to Receive Questions and Give Answers on that Statement (To Follow)

10 Request for Support of the Chief Executive to Selby District Council (Pages 23 - 26)

11 To consider for Approval the Recommendations in respect of the following Part 'B' Committee Items: (Pages 27 - 120)

Planning Committee - 5 July 2016

Developer Contributions from Small Sites

Policy and Resources Committee - 16 June 2016

Minute 6 - Delivering the Council's Priorities

Minute 9 - Budget Strategy 2017/18 and Efficiency Statement

Minute 10 - Member Involvement in Appeal Panels

Minute 12 - Towards 2020 - Use of Reserves

EXEMPT INFORMATION

That under Paragraph 1, 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following item as there would be a likely disclosure of exempt information relating to any individual or which is likely to reveal the identity of any individual or the financial or business affairs of a particular person.

Minute 13 - Towards 2020 - Senior Staffing Matters

12 Notices on Motion Submitted Pursuant to Council Procedure Rule 11

1. Proposed by Councillor Clark and seconded by Councillor Thornton.

The proposed 2020 programme will introduce very significant changes. These changes will impact on policies and the strategy of RDC. These changes will also impact on the residents of Ryedale. The voice of these people is represented on RDC by the elected councillors. Management of the options and changes is clearly the responsibility of the management at RDC. The options and changes themselves are the responsibility of the councillors.

In order to deliver the above Full Council, this calls for a minimum of 2 special Policy and Resource meetings.

1. P and R information and "way forward" meeting, including e.g. the consultations
2. 2nd P and R meeting to recommend to Full Council before and after any consultations (including consultations with the public)
3. 3rd P and R meeting if needed

Areas to be covered by first P and R meeting:

- Share with members the presentation made "to the Heads of Service and SUMs on the 06/06/16
- Share with members the option appraisals
- Present to members the tendering document which resulted in "iese consultants" being appointed
- Share with members the reasons for appointing iese
- Share with members a copy of the contract to iese
- Share with members the work done so far at a cost of £50,000
- Share with members the intended work for £90,000
- Share with members the intended work for the £40,000 on Human Resources
- Consult with members their priorities for the future of RDC
- Obtain agreement from members before the consultation with employees is commenced
- Explain to members what is meant by "behaviour based assessment"
- get agreement from members before any consultation or implementation of "culture change"
- Obtain agreement from members before "ceasing any activities"
- Obtain agreement from members before making any decisions on what is the "best for customers" before any consultation etc is taken
- Inform members of the design principles of T2020
- Before the process starts discuss with members what "working closely with members to support customers re present demand" means in relation to members, officers and public
- Explain to members what is meant by "behaviour of staff"
- Explain to members what is meant by "less reliance on higher paid specialists"
- Explain to members what is meant by "focus on demand prevention"
- Explain to members what is meant by need to focus on "finance and performance"
- Explain to members what is meant by "Town Team's"
- Explain to members what is meant by "combined teams wider than Ryedale"
- Explain to members what is meant by "growing the economy"
- Explain to members what is meant by "appropriate range of housing"
- Explain to members what is meant by "one council - members and officers - members and officers working together to concentrate on doing what matters for Ryedale"

2. Proposed by Councillor Clark and seconded by Councillor Thornton.

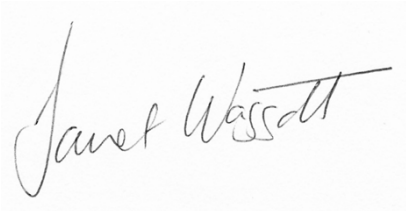
The issue of bullying has been raised at Full Council on at least three occasions. There has been no satisfactory response from the Leader of the Council. If there is bullying or a culture of bullying in any department(s) at Ryedale District Council it must be stopped. This motion will assist in the actions required. It will legitimise any necessary action by the Chief Executive.

So as to attempt to clarify the situation this council resolves:

"The Chief Executive is requested to:-

- Have discussions with the union representatives to ascertain if they believe there is a culture of bullying
- Have discussions with managers and other employees to ascertain if they believe there is a culture of bullying
- Carry out an impact assessment of the Harassment Policy - the following is required:-
 1. Number of times people have been investigated under this policy
 2. The outcome of each of these investigations
 3. A list of measures taken
- Report all of the above to the Policy and Resources committee as a part B item within one month"

13 **Any other business that the Chairman decides is urgent.**

A handwritten signature in black ink that reads "Janet Waggott". The signature is written in a cursive style with a long horizontal stroke at the end.

Janet Waggott
Chief Executive

Council

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday 14 April 2016**

Present

Councillors Acomb
 Joy Andrews
 Paul Andrews
 Steve Arnold
 Val Arnold (Chairman)
 Bailey
 Burr MBE
 Clark
 Cleary
 Cowling
 Cussons
 Duncan
 Farnell
 Frank
 Gardiner (Vice-Chairman)
 Goodrick
 Hope
 Ives
 Jainu-Deen
 Jowitt
 Keal
 Maud
 Oxley
 Potter
 Raper
 Sanderson
 Shields
 Thornton
 Wainwright
 Windress

In Attendance

Simon Copley
Peter Johnson
Phil Long
Julian Rudd
Bridget Skaife
Janet Waggott

Minutes

90 **Apologies for absence**

No apologies were received.

91 **Public Question Time**

There were no public questions.

92 **Minutes**

The minutes of the ordinary meeting of Full Council held on 25 February 2016 were presented.

Resolved

That the minutes of the ordinary meeting of Full Council held on 25 February 2016 be approved and signed by the Chairman as a correct record.

Voting record
28 For
0 Against
2 Abstentions

93 **Urgent Business**

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

94 **Declarations of Interest**

The following interests were declared:

Councillors V Arnold, Clark, Sanderson, Burr, Goodrick, and Shields declared a personal non-pecuniary but not prejudicial interest in agenda item 11 - Notices on Motion Submitted Pursuant to Council Procedure Rule 11), as North Yorkshire County Councillors.

Councillor Cleary declared a personal non-pecuniary but not prejudicial interest in item 11 as Chairman of Ryedale Cycle Forum.

Councillor Bailey declared a personal non-pecuniary but not prejudicial interest in item 10. Minute 72 (Devolution - towards a way forward for York, North Yorkshire and the East Riding) as a Member of the North York Moors National Park Authority.

95 **Announcements**

The Chairman made the following announcements:

- Congratulations to Les Chapman of North Yorkshire Building Control on receiving the LABC Superstars Award for the Yorkshire Region.

These awards have been set up to celebrate and recognise members of staff who go the extra mile in their day to day work, to ensure their performance is above and beyond the expected targets and provide excellent levels of staff support and public service.

- That the Civic Service had taken place on 10 April 2016 at Nunnington Church followed by afternoon tea at Nunnington Hall.
- That there is a fundraising event for the two Chairman's charities, Air Ambulance and Macmillan Cancer Support to be held on Sunday 8 May 2016 at Tantara Lodge, Middleton. Invitations will be sent out shortly.

96 **To Receive any Questions submitted by Members Pursuant to Council Procedure Rule 10.2 (Questions on Notice at Full Council)**

Councillor Clark submitted the following question to the Leader of the Council.

"On the basis that our supreme leader doesn't seem to follow things like staff surveys or looking into bullying I thought it would probably be helpful if I asked under Council Procedure Rule 10.2 so she had plenty of time to find out what the answer was. The question is does the Leader of Council agree with the Council's policy on bullying and how effective does she believe the policy to be in practice?"

The Leader of the Council, Councillor Cowling, replied:

"In so far as I am able to judge as I am not a HR professional we do have a Harassment Policy and that covers bullying so that is the policy that would deal with bullying. It isn't for me personally to agree with that policy, it went to committee and was accepted by committee. There is only one thing in it that I think is missing which I will speak about later if necessary. As for the "does she believe the policy is effective?", I believe it to be. In practice it's not for me to deliver how effective the policy is, in practice that is for Officers of this Council."

Councillor Clark asked a supplementary question to the Councillor Cowling, Leader of the Council:

"Well I would have thought that it was for you to agree or disagree with the policy, as for how effective it is, that is surely the whole role of the controlling group in general and the Leader in particular because the welfare of our employees is the responsibility of the Council, so it is for her to know how effective it is. So let's narrow it down a little bit more, how many times has the harassment policy been used in say the last year or two years which ever period she looked at and how many times has it been found that somebody has broken that policy and ideally what action was taken".

The Leader of the Council, Councillor Cowling, replied:

"The welfare of the employees of RDC, yes it is our responsibility and we set policies and that is where our role ends. It is then for the staff of this Council to deal with the implementation of those policies, we don't get to dabble into dealing with staff matters, that is not part of our role nor do I believe that it is my job to be monitoring how many times the harassment policy has been used. I don't want to know personal matters to do with staff. If we had a problem then I am sure the Chief Executive would soon be telling me, but it is for the Chief Executive and appropriate staff to deal with those matters, it is not for me or any other Members to deal with those."

97 **To Receive a Statement from the Leader of the Council and to Receive Questions and Give Answers on that Statement**

Councillor Cowling, Leader of the Council, presented the following statement:

"We have a very full agenda tonight so I do not intend to make a long statement.

I attended the Leaders meeting of Local Government for North Yorkshire and York on March 11th. The major item on the agenda was the progress on a devolution deal for York, North Yorkshire and East Riding of Yorkshire. The possibility of the inclusion of Hull in the deal was also discussed. The same presentation was given to Members of our Policy and Resources committee on the 31st March by James Farrar – the CEO of our LEP. That power point presentation has been circulated to all Members for information. This topic features on our agenda tonight – if after that Members feel that a further presentation would be useful, then we can arrange a Member Briefing on the subject.

On Tuesday of last week, along with other local representatives, I met the Chairman of the National Flood Resilience Review and the Chief Executive of the Environment Agency at the flood defences in Pickering. We were able to put various points about the way forward to continue to improve flood protection in our district. The slowing the flow project continues to generate a lot of interest nationally. It was a great opportunity for us to push for support to roll out the wider Derwent catchment scheme and promote the excellent community and partnership work this project has delivered. Undoubtedly this scheme has helped businesses in Pickering to thrive and the project has been a superb example of what this council can do to help grow the economy in our district.

Our transformation programme is underway and we are working Towards 2020, (this is referred to as the mandate for change). The purpose of the transformation is to build on what we have achieved, work through the financial reductions and changes to Local Government funding in order to create a viable authority for the future which can deliver the services the residents of Ryedale need, now and in the future. Some of the decisions we will make tonight are a part of that process and are necessary to deliver the transformation.

So, back to our agenda which is has a great emphasis on economic growth. The range of the work we can deliver is well illustrated in the items we shall be discussing tonight . From the community grants that we give, through Ryedale's Economic Action Plan to the even wider concept of the Northern Power House and the part we shall play in that through a Combined Authority.

Finally I would like to add my congratulations to Les Chapman. Les has been the driving force in the North Yorkshire Building Control Partnership for 15 years. Without his vision it would not be the brilliant organisation that it is now."

The following questions were received on the Leader's Statement:

1. From Councillor Potter

"I think it is worth noting that yesterday the Slowing the Flow Partnership put an official report to approve that the flood defences above Pickering were effective on Boxing Day, so that's actually quite a significant relevance to both Pickering, that the fact that it definitely did protect Pickering from flooding, and that it is also evidence that this District Council funding was well worthwhile and that's a little bit of the money that was spent, and it is also significant for a lot more communities around the Country, I would rather hope it will be anyway".

The Leader replied:

"I think what we saw as residents in Pickering was that it worked undoubtedly, what I thought, it was nice to see that they agreed with us officially."

2. From Councillor Paul Andrews

"The Leader talks about rolling out the Derwent Catchment Plan. Now I have been aware of more than one Derwent Catchment Plan and the one Derwent Catchment Plan that I have a great issue with is the River Derwent Catchment Flood Management Plan now the emphasis that I would put on that title is the word management as opposed to prevention, it has a lot in it as she knows, the taking down of flood defences and allowing the river to return to its natural flood plain. Now we have been through all this before so I would like the Leader to tell me exactly what she is referring to and I am hoping she is not going to say that it's the Flood Management Plan and I hoping that she will be able to give some assurance that the Flood Management Plan is not the one which the Council is supporting because of the iniquitous proposal in regard to taking down flood defences".

The Leader replied:

"I wasn't referring to any particular plan, what I was referring to was an overall scheme which is yet to be identified, what we are hoping will come out of this review that is being carried is some funding to allow us

to continue and try and improve flood management, further down I can't say how that will be, I am sure farmers would have a lot to say about their land being flooded."

Councillor Paul Andrews then asked the following supplementary question:

"The Leader refers to Flood Management, can she please confirm that she will be entrusted in perusing flood defences as opposed to flood management?"

The Leader then replied:

"For me flood management is flood prevention."

3. From Councillor Ives

"I note that in his statement, Cllr Potter's question, he eluded to the £950,000 grant that this Council contributed to the Slow the Flow Scheme, which note was a Conservative controlled Council that agreed that grant, does the Council Leader agree with me that that grant was only made possible through the sound financial management that this Conservative Group had at the Council at that time and that if another group was in charge which was it a bit more profligate with the spending it may not have been possible?"

The Leader replied:

"Like a lot of other things that have happened in the time that Conservative have been in control of this Council they have been made possible by the sound financial management of this group."

4. From Councillor Burr

"As the Leader of the Council you are very aware that Fracking is a serious subject within Ryedale and of interest to many residents. At the March Planning Committee myself and Councillor Farnell proposed a strong letter of objection to be sent to NYCC on behalf of this Council and I do think that this was a unanimous decision, forgive if I am wrong but I think it was nearly unanimous. So in recent light of the statement made by the Environment Agency to say that a licence has been granted to Third Energy is concerning and worrying and confusing, to residents could you report to us and residents the implications of the Environment Agency's statement to just help everyone to understand this?"

The Leader replied:

"I understand the decision wasn't totally unanimous but nevertheless it was a strong, it was 7 for that's quite a strong majority. The position on fracking of this Council has been reported to NYCC sometime in March I believe and I think we are all aware that the application was not supported. I don't think there will be anybody in this room who didn't know that, you are right there has been some confusion as I have been approached by several people over the last few days who said the fracking has been given planning permission and I had to say no it hasn't and they say what's all this that's been on the radio then and what has actually been granted is a Environmental Permit and an Environmental Permit simply says that the Environment Agency believe that all the measures are in place which allow fracking to take place safely, however fracking cannot take place until planning permission is granted and that grant of permission would be by North Yorkshire County Council, there is a lot of confusion and I hope that clarifies the situation it was Environment Permit that was granted not planning permission."

Councillor Burr then asked the following supplementary question:

"Isn't that rather disappointing, that a government agency has issued this licence prior to the County Council's decision that's a little disappointing?"

The Leader then replied:

"Whilst it maybe disappointing it is normal practice Environmental Permits are often issued prior to planning permission being granted."

5. From Councillor Clark

"I would like to ask the Leader a question in relation to sound finances, does she not agree with me that the finances could have been a little more appropriate and sound, if having the bulk of the capital that came from the sale of Council houses, not to anybody's clever handling and management and a great chunk of that was used to build a small motorway so that as to reduce the pollution in Norton and Malton which eventually maybe one day, before long, we will get around too, some was spent on buying a building that we don't seem to need, some was squandered on Wentworth Street car park and now we are in the position that there is none of that capital left so there is nothing there to put into affordable housing, I don't want to be too negative but would it not have been possible to have used some of the money that came from housing for housing before we start crowing about how well we have managed the funds?"

The Leader replied:

"Actually I have no doubt John that you remember as well as I do that the sale of the Council housing allowed this Council to reinvest that money time after time again in housing and it was like magic money because you kept getting it back, unfortunately that isn't the case nowadays. The motorway that you refer that we built I think anybody who supports the economy in Ryedale cannot help but agree that will benefit. I think that was looking into the future it was a really good move and it will benefit the whole of Ryedale We bought a building that we don't need, that's a matter of opinion and the cost of Wentworth Street Car Park I have said it before and I will say it again, yes the costs were regrettable and what I don't like and what I don't agree with is the way it keeps being reported and that some political groups like to keep saying that it's a cost of £1.5 or is it £1.4 million that you keep trotting out and actually included in that is the cost of the building that you refer to, is that magic money too?"

Councillor Clark then asked the following supplementary question:

"I have never mentioned a million or £1.5 million so I know not to whom she refers but as for the motorway the main driving reason given for that was to reduce the traffic and the pollution at Butcher Corner what it developed into was, oh dear, won't it be in the future good for the economy of Ryedale, that's not the reason we were sold it in the first place. She still hasn't answered my question does she not think that it would have been a good idea because when the magic money stopped capital has disappeared and none of it brings into housing, does she not think affordable housing would have been better than carrying on polluting the people in Malton, wasting in excess of half a million my figure, or has she got some other thoughts on the matter?"

The Leader then replied:

"It was a multi stranded reason for building the Brambling Fields Junction, air quality being a main driving factor, also the economy was very important to us. I think you also know John exactly how important affordable homes are to me and that I have looked at all sorts of way of trying to deliver and it's no good you pretending that we have no money because we do have money in our New Homes Bonus."

6. From Councillor Keal

"Does the Leader remember who actually proposed the funding towards the Pickering Flood defences and which party that was because my view is that in order for this Council to achieve anything there were some subjects that rise above party politics, flooding being one of them, Fracking being one of them and there are others, and we should stop revisiting history and actually and look to the future which I hope my motion this evening will do."

The Leader replied:

"If my memory serves me correctly either you or your husband

7. From Councillor Burr

"I just wanted to bring up the proposed weight restriction consultation papers, it's relevant tonight because the papers are actually on your desk or have been sent out by e-mail, I aren't sure if all members are aware on Tuesday night at the Planning Committee we voted unanimously to support to 7.5 tonne weight restriction of heavy lorries in central highways network of Malton and Norton and this request came from the area committee myself as NYCC Member, Cllr Shields, Cllr Sanderson, Cllr Goodrick it was agreed from the Area Committee that it had actually come down and we all agreed to support that at the Planning Committee so it is prudent that I ask this question and in doing so the ban was going to improve the air quality of Butcher Corner and Castlegate which is the worst polluted corner in Ryedale, and in addition we talked about the safety aspects and the pushchairs and the buggies and the cyclists and the people walking up and down Malton, so we had a very very thorough debate at the planning, so as Leader of Council could I ask if we could have maybe your support for us sending that up to Richard Marr at County Council?"

The Leader replied:

"Yes".

98 **To consider for Approval the Recommendations in respect of the following Part 'B' Committee Items:**

Policy and Resources Committee - 31 March 2016

Minute 69 - Ryedale Economic Action Plan

It was moved by Councillor Cowling and seconded by Councillor Arnold that the following recommendations of the Policy and Resources Committee be approved and adopted.

That Council be recommended to approve:

- i. That the Ryedale Economic Action Plan 2016-20 at Annex C be adopted;

- ii. That the proposed 'Priority Economic Projects' for 2016-20 and 2020+ be agreed and highlighted within the REAP as follows;

Priority Economic Projects for delivery 2016-20

- Northern Ryedale employment sites (Pickering, Kirkbymoorside - Kirkby Mills and Ings Lane, Helmsley)
- Delivery of Malton Food Enterprise Zone
- Delivery of National Agri-Food Innovation Campus
- Marketing of Ryedale both to potential investors and to visitors
- Norton south-east link road
- Skills initiatives
- Enhanced communication links including cycle, high speed broadband and mobile phone connectivity.
- Supporting the development of the Creative Hub in Malton.
- Enhance rail parking and measures to reduce congestion at the rail crossing, Norton.

Priority Economic Projects - for delivery 2020 onwards

- A64 dualling Hopgrove-Barton Hill
 - A64 Norton - Scarborough selective improvements
 - A64 Crambeck - Musley Bank dualling
 - Malton/Norton - new river and rail crossing / Derwent Park
- iii. That Council conduct a feasibility study funded from the New Homes Bonus reserve to look into delivering the final bullet point under "Priority Economic Projects for delivery 2016-20" above.

Councillor Burr moved and Councillor Paul Andrews seconded the following amendment to an amendment:

"iii. That prior to Council conducting a feasibility study funded from the New Homes Bonus reserve Officers undertake an option appraisal to look into delivering the final bullet point under "Priority Economic Projects for delivery 2016-20"

Upon being put to the vote the amendment to the motion was carried.

Voting Record

14 For

12 Against

4 Abstentions

Upon being put to the vote the substantive motion was carried.

Resolved

- i. That the Ryedale Economic Action Plan 2016-20 at Annex C be adopted;
- ii. That the proposed 'Priority Economic Projects' for 2016-20 and 2020+ be agreed and highlighted within the REAP as follows;

Priority Economic Projects for delivery 2016-20

- Northern Ryedale employment sites (Pickering, Kirkbymoorside - Kirkby Mills and Ings Lane, Helmsley)
- Delivery of Malton Food Enterprise Zone
- Delivery of National Agri-Food Innovation Campus
- Marketing of Ryedale both to potential investors and to visitors
- Norton south-east link road
- Skills initiatives
- Enhanced communication links including cycle, high speed broadband and mobile phone connectivity.
- Supporting the development of the Creative Hub in Malton.
- Enhance rail parking and measures to reduce congestion at the rail crossing, Norton.

Priority Economic Projects - for delivery 2020 onwards

- A64 dualling Hopgrove-Barton Hill
 - A64 Norton - Scarborough selective improvements
 - A64 Crambeck - Musley Bank dualling
 - Malton/Norton - new river and rail crossing / Derwent Park
- iii. That prior to Council conducting a feasibility study funded from the New Homes Bonus reserve Officers undertake an option appraisal to look into delivering the final bullet point under "Priority Economic Projects for delivery 2016-20"

Recorded Vote

For

Councillors Val Arnold, Acomb, Steve Arnold, Bailey, Burr, Cleary, Cowling, Cussons, Duncan, Farnell, Frank, Gardiner, Goodrick, Hope, Ives, Jainu-Deen, Keal, Maud, Oxley, Raper Sanderson, Shields, Wainwright, Windress.

Against

Councillor Paul Andrews

Abstentions

Councillors Joy Andrews, Clark, Jowitt, Potter, Thornton

Minute 71 - Fuel Poverty Scrutiny Review

It was moved by Councillor Wainwright and seconded by Councillor Acomb that the following recommendations of the Policy and Resources Committee be approved and adopted.

- i. That the Policy and Resources Committee discuss each recommendation and provide a view on each of those numbered 1 to 5 within the report.
- ii. That, in relation to the Overview and Scrutiny Committee recommendation 5, the cost of commissioning a stock control survey be kept to a minimum whilst upholding statutory obligations.

Upon being put to the vote the motion was carried.

Resolved

- i. Recommendations 1-5 are agreed.
- ii. That, in relation to the Overview and Scrutiny Committee recommendation 5, the cost of commissioning a stock control survey be kept to a minimum whilst upholding statutory obligations.

Voting record
26 For
4 Against
0 Abstentions

Minute 72 - Devolution - towards a way forward for York, North Yorkshire and the East Riding

It was moved by Councillor Cowling and seconded by Councillor Arnold that the following recommendations of the Policy and Resources Committee be approved and adopted.

That support be given to officers to continue discussions with government on a devolution deal based on a York, North Yorkshire and East Riding geography on a formal basis alongside other options.

Councillor Clark moved and Councillor Thornton seconded the following amendment:

"To add to the recommendation the following":

"We also request that the size of the benefits from a combined authority and guarantees for the future are clarified".

Upon being put to the vote the amendment was lost.

Voting Record

6 For
21 Against
1 Abstention

Upon being put to the vote the motion was carried.

Resolved

That support be given to officers to continue discussions with government on a devolution deal based on a York, North Yorkshire and East Riding geography on a formal basis alongside other options.

Recorded Vote

For

Councillors Val Arnold, Acomb, Steve Arnold, Bailey, Cleary, Cowling, Cussons, Duncan, Farnell, Frank Gardiner, Goodrick, Ives, Jainu-Deen, Keal, Maude, Raper, Sanderson, Shields, Wainwright, Windress

Against

Councillors Joy Andrews, Clark, Potter, Thornton

Abstentions

Councillors Paul Andrews, Burr, Jowitt

Councillor Raper moved and Councillor Cleary seconded a Procedural Motion to suspend Procedure Rule 8 so the meeting could continue beyond 3.5 hours duration.

This was put to the vote and carried.

Vote Record

18 For
6 Against
0 Abstentions

Minute 73 - Exempt Information

Resolved

That under Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following item as there would be a likely disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding that information).

Voting Record

20 For
3 Against
0 Abstentions

Minute 74 - The future of Ryedale House

It was moved by Councillor Cowling and seconded by Councillor Arnold that the following recommendations of the Policy and Resources Committee be approved and adopted.

That Members agree in principle to the disposal of Ryedale House, and that a request be made that the site be considered for inclusion in the Local Plan Sites Document. (Option 2). The final decision to dispose, or not, will be made after the final recommendations arising from the Scrutiny Review of Council Assets have been considered.

Upon being put to the vote the motion was carried.

Resolved

That Members agree in principle to the disposal of Ryedale House, and that a request be made that the site be considered for inclusion in the Local Plan Sites Document. (Option 2). The final decision to dispose, or not, will be made after the final recommendations arising from the Scrutiny Review of Council Assets have been considered.

Recorded Vote

For

Councillors Val Arnold, Acomb, Steve Arnold, Cowling, Duncan, Farnell, Gardiner, Ives, Jainu-Deen, Raper, Wainwright, Windress

Against

Councillors Joy Andrew, Paul Andrews, Burr, Clark, Jowitt, Potter, Thornton

Abstentions

Councillor Cleary

Overview and Scrutiny Committee - 7 April 2016

No appointment has been made for the Independent Person, this will be considered at an alternative meeting.

99 **Notices on Motion Submitted Pursuant to Council Procedure Rule 11**

It was moved by Councillor Keal and seconded by Councillor Mrs Shields.

In view of the fact that

a) Despite the opening of the Brambling Fields junction many roads in Norton and Malton and especially Castlegate are clogged with traffic, including HGVs far too large for the size of these roads, spewing pollutants into the air on a daily basis

b) pollutants recorded at Butcher Corner in Malton have been proven to exceed the recommended levels in Air Quality (England) Regulations 2000, The Air Quality (England) (Amendment) Regulations 2002 on atmospheric pollution (Nitrous Dioxide) which inevitably has a detrimental impact on the health and wellbeing of residents in this area of the town, pedestrians and motorists in the area.

This council commit to:

i) Lobbying North Yorkshire County Council to implement a complete HGV ban through Malton and Norton town centres (except for access) as soon as possible.

ii) Request that the current consultation on a HGV ban over County Bridge represents the views of local people, especially residents in Castlegate, Malton and Church Street, Norton.

iii) Urgently revisit plans to realign traffic through the Castlegate, Yorkersgate and Norton Road areas of the town to reduce pollutant levels, ease traffic flow and improve the street scene

iv) Improve access for pedestrians and cyclist between the twin towns by developing designated cycle ways and improved walking routes

Councillor Ives moved and Councillor Duncan seconded the following amendment.

"Remove iii)

Amend iv) Delete 'Improve', Add 'Support improved'

Add v) A report be produced for the Policy and Resources Committee on the progress of the Air Quality Action Plan".

Upon being put to the vote the amendment was carried

Voting Record

19 For
2 Against
5 Abstentions

Upon being put to the vote the substantive motion was then carried.

Voting Record

Unanimous

Resolved

In view of the fact that

a) Despite the opening of the Brambling Fields junction many roads in Norton and Malton and especially Castlegate are clogged with traffic, including HGVs far too large for the size of these roads, spewing pollutants into the air on a daily basis

b) pollutants recorded at Butcher Corner in Malton have been proven to exceed the recommended levels in Air Quality (England) Regulations 2000, The Air Quality (England) (Amendment) Regulations 2002 on atmospheric pollution (Nitrous Dioxide) which inevitably has a detrimental impact on the health and wellbeing of residents in this area of the town, pedestrians and motorists in the area.

This council commit to:

i) Lobbying North Yorkshire County Council to implement a complete HGV ban through Malton and Norton town centres (except for access) as soon as possible.

ii) Request that the current consultation on a HGV ban over County Bridge represents the views of local people, especially residents in Castlegate, Malton and Church Street, Norton.

iii) Support improved access for pedestrians and cyclist between the twin towns by developing designated cycle ways and improved walking routes

iv) A report be produced for the Policy and Resources Committee on the progress of the Air Quality Action Plan.

100 **Any other business that the Chairman decides is urgent.**

There being no other business, the meeting closed at 10.45pm

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REPORT TO:	COUNCIL
DATE:	7 JULY 2016
REPORT OF THE:	CHIEF EXECUTIVE JANET WAGGOTT
TITLE OF REPORT:	REQUEST FOR SUPPORT OF THE CHIEF EXECUTIVE TO SELBY DISTRICT COUNCIL
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To advise Members of the request from the Leader of Selby District Council for the Chief Executive of Ryedale to work as the interim Chief Executive of Selby District Council, on a part time basis, commencing on the 1 August 2016.

2.0 RECOMMENDATION

- 2.1 That Council is recommended to approve:
- (i) The request from the Leader of Selby District Council that the Chief Executive of Ryedale District Council works, on a part time basis, as the interim Chief Executive of Selby District Council from the 1 August 2016 until further notice.

3.0 REASON FOR RECOMMENDATION

- 3.1 It is recommended that the request from Selby is approved. There are a number of reasons to consider approving the recommendation.
- There is an opportunity for the Chief Executive to work more strategically across two Districts and for financial savings of the shared costs of the Chief Executive's salary.
 - It offers Ryedale District Council the opportunity to be more closely involved in the collaboration between Selby District Council and North Yorkshire County Council whilst supporting Selby District Council for the interim period when Selby are without a Chief Executive.
 - There is an opportunity for Officers to develop resilience across Districts
 - Shared experiences and learning from other Authorities, Selby and NYCC
 - Offers Ryedale the opportunity to explore in "real time" the possibility of this interim arrangement becoming a more formal shared management team arrangement in the future, providing there is agreement for this approach.

4.0 SIGNIFICANT RISKS

- 4.1 There is a risk that the Chief Executive resource is spread too thinly and that key projects are not delivered on time, to budget. This has been mitigated by having good communications and competent staff in place. The ability to access information and be contactable from any location means that the issues can be addressed without undue delay. In addition Officers are in place and are able and willing to work slightly differently to facilitate this interim arrangement.
- 4.2 There could be different priorities, "pushes and pull" factors from one Authority to another. There are a number of projects and topics which apply to both Districts and consequently both Districts are deploying resources to the same or similar topics. There is an opportunity for shared learning and shared benefits in the areas of service reviews and change management. Rather than being a risk it is anticipated that there is an opportunity for a more efficient deployment of time and resource. The benefits will include maximising the value from attending meetings which both Chief Executives would previously have attended for example (LGY&H, NY&YCEs, DCXs).

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 As the Chief Executive is a Member appointment it is for the Council to decide whether or not they agree to the request from the Leader of Selby. This would mean that Ryedale's Chief Executive would be the interim Chief Executive of Selby, part time, and remain the Chief Executive of Ryedale.
- 5.2 The senior management team and the Chief Executive's Personal Assistant, at Ryedale District Council, have been consulted. They have been advised that, subject to member agreement, the Chief Executive is willing to undertake this role as support for Selby and also as an opportunity to see if there is a possibility of a more permanent shared management arrangement between the Authorities in the future.

REPORT

6.0 REPORT DETAILS

- 6.1 Ryedale has been approached by Selby District Council to see if the Chief Executive is able to assist Selby by acting as the interim Chief Executive for the period 1 August until a more permanent arrangement has been established. It is envisaged that this could be for a period of 3-6 months.
- 6.2 The reason for the request is because the current Chief Executive of Selby has been appointed to the position of the Chief Executive of the City of York Council and is due to take up that position on the 1 August 2016. The senior management team in Selby has recently been restructured and appointments made. The two most senior appointments, Directors, have been recruited externally and have very recently taken up post.
- 6.3 The Leader of Selby District Council has approached the Leader and the Chief Executive of Ryedale District Council to see if Ryedale are able to offer a shared Chief Executive arrangement for the interim period, from the 1 August 2016 for a period of 3-6 months, to allow Selby time to consider a permanent arrangement.
- 6.4 Selby and North Yorkshire County Council have had a shared Chief

Executive/Assistant Chief Executive appointment for the last 3 years and have delivered the Better Together programme including a number of shared services. These arrangements have delivered mutual benefits of service resilience, staff development and financial savings. There is a possibility that these arrangements could also be beneficial to Ryedale .

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

The Chief Executive's salary and on costs will be shared with Selby District Council for the duration of the interim arrangements which are due to commence on 1 August 2016. It is proposed that the Chief Executive work for Selby District Council for the equivalent of 2 days a week, days to be agreed .

There are also financial implications if the Chief Executive does work for Selby that inadequate cover arrangements for the Chief Executive have not been put in place. This is mitigated by good communication, delegation, clear diary management.

b) Legal

The legal basis for the sharing of a Chief Executive is section 113 of the Local Government Act 1972 which enables one authority to place staff at the disposal of another.

8.0 NEXT STEPS

8.1 If Members agree to this proposal the next steps could include an evaluation of the interim arrangements to establish if a permanent arrangement is beneficial to all parties.

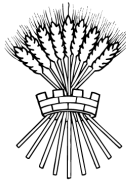
Janet Waggott
Chief Executive

Author: Janet Waggott, Chief Executive
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Background Papers:

There are no background papers referenced in this report.

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	PLANNING COMMITTEE
DATE:	5 JULY 2016
REPORT OF THE:	HEAD OF PLANNING AND HOUSING GARY HOUSDEN
TITLE OF REPORT:	DEVELOPER CONTRIBUTIONS FROM SMALL SITES
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 For Members to consider the implications of recent changes to the national Planning Practice Guidance (PPG) and to subsequently agree this Council's position.

2.0 RECOMMENDATIONS

- 2.1 That Council resolves to :

- (i) Continue to negotiate the on-site provision of affordable housing in line with Policy SP3 of the Ryedale Plan with the exception that on-site affordable housing contributions will not be sought from sites of 10 dwellings or less and which have a maximum combined gross floorspace of no more than 1,000square metres
- (ii) Continue to negotiate the on-site provision of affordable housing in line with SP3 of the Ryedale Plan with the exception that on sites of between six and ten dwellings in parishes outside of Malton, Norton and Pickering, financial contributions will be sought in lieu of the existing on-site policy requirement and that financial contributions of an equivalent of 40% of provision will be sought on such sites in west and south west Ryedale
- (iii) Not seek financial contributions from small residential sites through the planning process towards affordable housing on sites of five dwellings or less under Policy SP3 of the Ryedale Plan

3.0 REASON FOR RECOMMENDATIONS

- 3.1 Following a recent Court of Appeal judgment, national policy guidance on developer contributions from small sites has been amended. This Council has development plan policies which seek to secure financial contributions from small sites towards affordable housing and open space. It is important that members are aware of the implications of the recent change and that the Council clarifies its position in relation to the implementation of these policies.

4.0 SIGNIFICANT RISKS

- 4.1 Changes to national planning policy are a material planning consideration. It is considered that significant weight needs to be given to this in the decision making process. Failure to do so would lead to an increase in planning appeals and increase the risk of costs being awarded against the authority in any appeal situation.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 This report specifically relates to Policies SP3 (Affordable Housing) and SP11 (Community Facilities and Services) of the Ryedale Plan. Although Policy SP22 of the Ryedale Plan covers Planning Obligations, Developer Contributions and the Community Infrastructure Levy, it is generic and covers key principles. It is not specific to contributions from small sites.

6.0 REPORT DETAILS

Background

- 6.1 Members will be aware that national policy relating to developer contributions from small sites has been in a state of flux over the past two years. A brief chronology of events is summarised below:
- Following a Coalition Government consultation in March 2014, a Written Ministerial Statement was issued on 28 November 2014. The Ministerial Statement set out national policy in respect of developer contributions from small sites. It made it clear that:
 - For sites of 10 units or less and which have a maximum combined gross floorspace of 1,000 square metres, affordable housing and tariff style contributions should not be sought
 - In designated rural areas (under Section 157 of the Housing Act 1985), authorities may choose to implement a lower threshold of five units or less, beneath which affordable housing and tariff style contributions should not be sought. If this threshold is implemented then affordable housing and tariff contributions on developments of between 6-10 units should be sought as a financial payment only and only be commuted until after the completion of units within the development
 - Affordable housing and tariff style contributions should not be sought from any development consisting only of the construction of a residential annex or extension to an existing home.
 - On the 10 February 2015, members of the Planning Committee considered a report which proposed a response to the statement. The recommendations to apply the

national policy were subsequently agreed by Council.

- In response to the Ministerial Statement, a Judicial Review (sought by West Berkshire District Council and Reading Borough Council) found the policy promulgated by the Secretary of State in the Ministerial Statement to be unlawful.
- Following that judgment, the Council reverted to giving full weight to its development plan policies for planning applications relating to small sites.
- In the meantime, the Secretary of State appealed the judicial review decision and in May 2016, the Court of Appeal allowed the Secretary of State's appeal and handed down a judgment which gives legal effect to the policy set out in the Written Ministerial Statement of November 2014.
- Following the order of the Court, the Government recently amended the national Planning Practice Guidance to set out the specific circumstances where contributions for affordable housing and tariff style planning obligations should not be sought from small scale and self-build development. This reflects the details of the policy of the November 2014 Ministerial Statement (as summarised above).

6.2 It is against this background that this report has been prepared and why it effectively mirrors the advice and recommendations of the report to Planning Committee in February 2015.

Implications for the implementation of the Ryedale Plan and the decision making process

6.3 Members are aware that the adopted Ryedale Plan- Local Plan Strategy specifically seeks to secure the following contributions from residential development sites:

SP3: In the Market Towns and Service Villages

- Pro-rata financial contributions from all residential development below the threshold of 5 dwellings/ 0.2ha
- 35% of dwellings on-site to be affordable on sites of 5 dwellings/ 0.2ha (with a financial contribution equivalent to a further 5% of provision in west and south west Ryedale)

SP11: Financial contributions towards open space provision

6.4 Policies SP3 and SP11 form part of the adopted development plan. Members are also aware that Local Planning Authorities are required to make decisions in accordance with the development plan unless material considerations indicate otherwise. Officers consider the change in national policy to be a significant material consideration which in effect, outweighs the provisions of the development plan in respect of those policies that seek to secure financial contributions from smaller residential development sites.

6.5 Ryedale receives a steady stream of applications to which this national policy change would apply. For this reason, it is considered important that the Council clarifies its position in relation to this matter. In essence, the Council has two options. It could selectively review the development plan and bring policies in line with national policy or alternatively, it can recognise the implications of national policy and formally agree

a position to be applied through the decision making process.

- 6.6 It is emphasised that officers do not consider a 'do nothing' scenario to be realistic or appropriate. It is considered that the primacy which is afforded to the development plan can only remain intact for as long as its policies reflect current national policy. A good test to apply in such circumstances would be to consider whether current development plan policies would be found to be sound if examined against current national policy. Elements of Policies SP3 and SP11 are now inconsistent with national policy.
- 6.7 It is inevitable that national policy changes will occur over the life of a development plan. Given the complexity, cost and length of time involved in the plan making process, any decision to review a plan requires careful consideration. It is considered that in this instance, the national policy changes do not in themselves, warrant a review of the plan. They are limited in the extent to which they affect the Plan as a whole and they render only parts of SP3 and SP11 inconsistent with national policy.
- 6.8 As an alternative, it is considered that Council could formally resolve to acknowledge the implications of these national policy changes and to agree a position in terms of the implementation of Policies SP3 and SP11. These policies would not be formally changed but Council would resolve to apply greater weight to the national policy as a significant material consideration in the determination of relevant planning applications.
- 6.9 It should be noted that the impact of the national changes on Policy SP11 is considered to be largely negligible now that Community Infrastructure Levy (CIL) charges have been brought into effect in Ryedale. Although Policy SP11 seeks financial contributions towards open space from all residential development, the policy is designed to operate in conjunction with the CIL. Now that CIL is in operation in Ryedale, off-site open space provision and improvements will be funded through the levy rather than Section 106 contributions.
- 6.10 Most of Ryedale (with the exception of Malton, Norton and Pickering) is a designated rural area under the Housing Act 1985 and as such, the national policy changes would support the authority seeking to secure financial contributions for sites of between 6-10 dwellings (as opposed to the current position where on-site provision is sought on sites of 5 or more). The authority would no longer be able to secure affordable housing contributions from sites of 5 dwellings or less. The provisions of SP3 to seek on-site affordable housing provision on larger sites would continue to apply.
- 6.11 A less straightforward element of SP3 relates to the differential policy target which applies across the District. Policy SP3, in effect seeks a 40% affordable housing contribution in west and south west Ryedale which is split in terms of on-site provision and a financial contribution. It is considered that this should be applied as a 40% financial contribution from sites of between 6-10 houses in order to reflect national policy.
- 6.12 There is some risk that the Council will be accused of amending its affordable housing policy outside of the plan making process. However the suggested way forward is less onerous on developers and landowners than current local policy which itself has been recently justified in terms of housing need and development viability. Additionally, the approach would only bring the implementation of the existing

development plan policy in line with national policy. For this reason, this risk is considered to be relatively low.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

The national policy change has undoubted implications for Policies SP3 and SP11 of the Ryedale Plan and if appropriate weight is not given to this, this will give rise to additional planning appeals and potential costs on appeal.

b) Legal

The national policy change is a significant material consideration which has implications for the weight which can be afforded to relevant development plan policies.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)

Under the approach less financial contributions will be sought towards affordable housing provision. However, Members are reminded that the Ryedale Plan does not rely on small residential sites to deliver significant contributions to affordable housing or to make significant contributions to housing land supply.

8.0 NEXT STEPS

8.1 Officers will prepare some text to clarify the Council's response to the national policy changes and to clarify the implementation of Policies SP3 and SP11, which will be placed on the Ryedale Plan pages of the web-site.

Gary Housden
Head of Planning and Housing

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Background Papers:

Written ministerial statement to Parliament by Brandon Lewis MP on support for small-scale developers, custom and self-builders. Delivered on 28 November 2014. First published 1 December 2014. (DCLG)

Court of Appeal. Secretary of State for Communities and Local Government and West Berkshire District Council and Reading Borough Council. [2016] EWCA Civ 441

Planning Practice Guidance. Planning Obligations. Paragraph 012

Background Papers are available for inspection at:

<https://www.gov.uk/government/speeches/small-scale-developers>

<http://planningguidance.planningportal.gov.uk/revisions/23b/012>



REPORT TO: FULL COUNCIL
DATE: 7 JULY 2016
SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES
COMMITTEE ON 16 JUNE 2016

6 Delivering the Council's Priorities

Considered - Report of the Chief Executive

Recommendation to Council

1. That the progress made by the Council in delivering its priorities in 2015/16 and the challenges to be faced in 2016/17 be noted
2. That the Aims and Strategic Objectives of the Council Business Plan for 2016/21 as attached at Annex A of the report be agreed.

Voting record

For 6

Abstentions 3

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PART B:	RECOMMENDATIONS TO COUNCIL
DATE:	16 JUNE 2016
REPORT OF THE:	CHIEF EXECUTIVE JANET WAGGOTT
TITLE OF REPORT:	THE COUNCIL'S PRIORITIES 2016-21
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to present the delivery against the Council's priorities in 2015/16 to committee, highlight the challenges facing the Council for the next 12 months and to reaffirm the Aims and Strategic objectives of the Council Business Plan for 2016/17 within this context. The Council Plan is attached at Annex A

2.0 RECOMMENDATIONS

- 2.1 That members note the progress made by the Council in delivering its priorities in 2015/16 and the challenges to be faced in 2016/17
- 2.2 That members agree the Aims and Strategic Objectives of the Council Business Plan for 2016/21 as attached at Annex A.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 The Council Business Plan sets the strategic priorities for the Council for 2016 to 2021. The aims and strategic objectives are reviewed by Members annually.
- 3.2 Members of the Council review the progress being made in delivering the Council's priorities at every committee cycle. This report is the annual review and is an element of the Council's performance management arrangements.

REPORT

4.0 BACKGROUND AND INTRODUCTION

- 4.1 The Council Business Plan has been revised following a review of the context in which the Council is operating, the Council's delivery of its priorities in 2015/16 and the challenges facing Ryedale in the next 5 years.

5.0 POLICY CONTEXT

- 5.1 The Council Business Plan is the key policy statement of the Council and is complimented by other plans such as the Financial Strategy and Service Delivery Plans and strategies. Links to these can be found in the document attached at annex A.

6.0 CONSULTATION

- 6.1 The Council engages with the communities it represents throughout the year and in relation to all policy development. The intelligence gathered from all engagement activities informs the delivery of the Council Business Plan and the annual budget process.

7.0 REPORT DETAILS

- 7.1 The following priorities are proposed for the Council Business Plan for 2016-21 which is attached at Annex A :

Aim 1: To create the conditions for economic success

Strategic Objectives:

1. Place of opportunity – economic structure and supporting infrastructure
2. Opportunity for people – increasing wage and skills levels through the provision of more and better jobs

Aim 2: To meet housing need

Strategic Objectives:

3. To change and add to housing stock to meet the local housing needs
4. To support people to access a suitable home or remain in an existing home

Aim 3: To have a high quality clean and sustainable environment

Strategic Objectives:

5. Reducing waste - sustain existing high levels of dry recycling, promotion of home composting and monitoring the impact of charging for green waste
6. To protect and improve the quality of our local environment

Aim 4: To have safe and active communities

Strategic Objectives:

7. Working with partners, Statutory and Voluntary and Community Sectors, to improve the health and wellbeing of our communities.

Aim 5: To transform the Council

Strategic Objectives:

8. To understand our communities and meet their needs
9. To develop the leadership, capacity and capability to deliver future improvements, considering options for alternative modes of delivery.

- 7.2 The work undertaken in reviewing the Council Business Plan includes:
- Review of the context in which the Council operates taking into account comparative data from a wide variety of sources.
 - Review of the Council's performance in delivering its priorities and the key performance indicators used to monitor and report performance to members
 - Analysis of the feedback received from consultation undertaken
 - Consideration of the challenges which may face the place of Ryedale and its communities and the Council itself in the next 5 years

7.3 Progress in delivering the Council's priorities is reported quarterly to the Policy and Resources Committee and the Overview and Scrutiny Committee. These reports are complimented by the Revenue Budget Monitoring reports also submitted to the Policy and Resources Committee. These reports are available on the Councils website and contribute to the delivery of the transparency agenda for local government.

7.4 The Councils Business Plan is attached at Annex A.

8.0 IMPLICATIONS

8.1 The following implications have been identified:

a) Financial

There are no new financial implications in considering this report which are not accounted for in the Financial Strategy.

b) Legal

There are no significant legal implications arising from this report

c) Other

There are no significant other implications arising from this report.

Janet Waggott
Chief Executive

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Background Papers:

Ryedale Housing Strategy Action Plan

Ryedale Plan - Local Development Framework

Ryedale Economic Action Plan

RDC Financial Strategy

Delivering the Council Plan Reports – Reported quarterly to the Scrutiny Committee and Policy and Resources Committee

Covalent System

Background Papers are available for inspection at:

www.ryedale.gov.uk

Ryedale District Council Plan 2016-2021

Introduction

Welcome to Ryedale District Council's business plan - The Council Plan 2016-21. This plan presents to customers, partners and staff the priorities of the Council for the next five years. The Council has linked the planning for its resources to the priorities in this plan to continue to do what matters for Ryedale.

The Council Plan includes five Priorities that will guide the Council as it delivers services for the people of Ryedale district over the next five years, challenges to be met in the next 12 months, examples of the action to be taken to meet these challenges and indicators which will be used to report on delivery of the priorities. Also included is a summary of achievements against priorities made in the preceding year.

Why have we chosen these priorities?

Aim 1 - To create the conditions for economic success

There is a need to strengthen and diversify Ryedale's economy, despite the very low unemployment and much entrepreneurial activity (many work at home, are in self employment or work for the small and micro businesses that dominate the local economy). We also have the highest levels of people who are economically active in the LEP area . The sectoral focus is on manufacturing (food and advanced engineering), agriculture, accommodation and food and arts and entertainment. Nearby York and Scarborough provide major employment, training and shopping opportunities for Ryedale residents but our area has a range of attractive and historic market towns with many independent retailers.

Ryedale faces economic challenges in terms of:

- a low wage economy (the lowest in the LEP area and amongst the lowest in Yorkshire and the Humber) and high house prices, creating a significant affordability gap
- low growth and productivity, with forecast growth below that of the LEP area and significantly below the UK forecast
- skills and recruitment difficulties for local businesses, with many young people leaving the area after school and an ageing population structure that will lead to a shrinking workforce unless addressed. Young people entering the workforce can need support
- although there has been excellent progress in bringing forward employment land at Malton and Norton , there are shortfalls and viability challenges in land supply in northern Ryedale and the area has generally lacked quality premises
- transport connectivity and a perception that Ryedale is remote and poorly connected to the national road and rail networks. In particular, road infrastructure in and around Malton and Norton limits growth and economic activity
- leakage of shoppers
- limited broadband and mobile coverage despite recent improvements
- CIL and local authority resources being insufficient (in isolation) to meet infrastructure needed to support growth
- Sparsity of residents, who are often distant from services and employment opportunities
- flood risk

The Council aims to create conditions in Ryedale that support a range of economic opportunities and growth - particularly within sectors that offer scope to lift wage levels - and our approach and priority projects are determined through the Ryedale Economic Action Plan. Ryedale DC has a successful partnership with the York, North Yorkshire and East Riding LEP to deliver Council and LEP priorities. In pursuit of further investment and economic activity to reduce the housing affordability gap, the Council has been a key partner in successful bids for Local Growth Fund to support the Food Enterprise Zone and Agri Business Park at Malton and the creation of the National Agri Food Innovation Campus at Sand Hutton and has submitted further bids via Growth Deal 3. The aim is to provide improved opportunities for Ryedale residents, including those with higher and specialist skill levels and the younger people who often choose to leave the area to access better jobs.

Aim 2 - To meet housing need in the Ryedale District Council area

In Ryedale there is an imbalance between market house prices and the amount that many local people can afford to pay for a home. This is a result of low wage levels (£10.33 an hour in Ryedale, £13.15 GB average) and high house prices (£213,983). Ryedale has an increasingly ageing population and as people get older their housing needs often change, with an increased level of support from services and access to specialised housing provision. People want to live in Ryedale and believe it is a good place to live where they can enjoy a high quality of life. Affordable housing includes social rented and intermediate housing provided to specified eligible households whose needs are not met in the market.

Ryedale has performed very strongly in delivering housing is one of the few authorities in North Yorkshire to be delivering new homes at the level required by their Local Plan. The delivery of new housing is all currently from market housing and this is delivering all of the affordable housing.

Aim 3 – To have a high quality, clean and sustainable environment

A striking characteristic of Ryedale is the outstanding quality of its countryside, villages and market towns. This is reflected in the designation of the North York Moors National Park and the Howardian Hills Area of Outstanding Natural Beauty. The finest examples of historic buildings and features in Ryedale are legally protected; there are 46 conservation areas, more than 2,000 listed buildings, 440 scheduled ancient monuments and eight registered historic parks and gardens. Ryedale District is very sparsely populated relative to the rest of England, being ranked 2nd, with over half of the population living in villages, hamlets and isolated dwellings. Ryedale possesses a very high quality environment and our aim is to maintain this in future years.

Aim 4 – To have safe and active communities

Ryedale has a network of community facilities for recreation and leisure activities which are all owned and managed by local communities for their own use, and that of other residents and visitors. The council supports existing and new facilities through a community grants programme. The Council owned facilities are now managed under contract with Everyone Active.

The health of people in Ryedale is generally better than the average in England, deprivation is lower than the average, but Ryedale remains the area with the highest rate for road casualties in England. Levels of activity in our communities are high, for physical activity and social activity such as volunteering and caring (11.4% census 2011) and the half of the population report they are in very good health (45.5 % census 2011).

Ryedale has one of the lowest crime rates in the country. The multi agency team deliver joint actions and continue to share intelligence in response to areas of crime that currently impact on our communities, such as crime (particularly in response to cross border criminals) and anti-social behaviour. Priorities for Safer Ryedale this year include utilising the new powers from the Anti-social Behaviour, Crime and Policing Act 2014 to tackle issues of public concern.

Aim 5 – To Transform the Council

Ryedale District Council has historically been a leading and high performing council. It has always had a voice and impact beyond its size, including in areas such as the region’s economic development, health and environmental services. The Council has always looked to be more efficient and effective and in the last few years has undertaken a number of successful efficiency programmes achieving savings in the region of £3.8 million. However, the future financial landscape means that we will need to think even more radically and we will need to understand and respond to issues such as devolution and combined authorities. The current savings requirement is around £1.1M. And whilst there has been some short term additional funding because of the rural nature of our area, the medium term picture remains the same. In short, we need to transform the organisation, not for the short term of the council, but for the future of the district.

We need to recognise that the scale of the savings required for Ryedale to address the fiscal challenge is immense. Small improvements (doing the same things better) on the current delivery of service to customers alone will not suffice if the council is to survive and thrive. We therefore need to adopt whole organisation change and re-invent the way in which we deliver service, with a rapid requirement to move to a lower cost, higher value operating model – we will need to do things in a very different way. Our transformation will be all about our customers and we will aim significantly to improve customer experience and outcomes at reduced cost through the removal of duplication and waste, and focusing on prevention to reduce unnecessary demand for services.

Ryedale District Council has 30 elected members representing 20 wards. Ryedale is fully parished with 100 parishes, 5 town councils, 66 parish councils and 29 parish meetings. The level of turn out at elections is consistently high, we will continue to support local democracy and encourage participation in civic life.

RYEDALE
DISTRICT
COUNCIL



The vision for Ryedale District Council is
Continuing to do what matters for Ryedale...

Council Priorities 2016-21

Aim 1: To provide employment opportunity and create the conditions for economic success in Ryedale

Strategic Objective 1:

Place of opportunity – to have the economic structure and supporting infrastructure in place

Strategic Objective 2:

Opportunity for people – increasing wage and skills levels through the provision of more and better jobs.

We will do this through the development of sites and premises, physical infrastructure and business support and increasing levels of wages and skills in the workforce.

The Ryedale Economic Action Plan for 2016-20 was agreed in March 2016 after a review of the 2012-15 Plan. The 5 new priorities for the REAP 2016-2020 have been drawn from the York, North Yorkshire and East Riding LEP's Strategic Economic Plan to assist further integration. These are:

1. Profitable and ambitious SMEs. Support strategic employers to expand.
2. Global leader in food, manufacturing, agri tech and bio-renewables
3. Inspired People (Skills)
4. Successful and distinctive places
5. A well connected economy

This Council's approach aims to:

- Identify and bring forward sufficient sites for industrial, business and retail use
- Improve the vitality of Malton as a retail centre

- Improve the infrastructure and strength the role of the market towns
- Serve the needs of local businesses in a changing economic climate
- Help local people acquire skills needed to access employment opportunities and link skills training and improvements with employer needs
- Pay the right benefit to the right people at the right time
- Contribute to securing the best deal for devolution for Ryedale within North Yorkshire and York and the East Riding
- Grow the agri-food sector and help achieve the Y&NY LEP ambition to be the global leader in food, agri-tech, and bio-renewables
- Support growth of our engineering sector linked to the Potash scheme
- Use planning to support appropriate growth e.g. expansion of employers
- Communicate with businesses and understand where the Council can help

The review of data and progress through the review of the REAP highlighted future opportunities for economic success in Ryedale, including the following sectors and projects:

- Agri-food – NAFIC / Food Enterprise Zone / Malton food town / food producers
- Advanced engineering (including potash and off shore wind supply chains)
- Visitor and creative economy
- Increase in rail service to York and Scarborough to every 30 minutes – opportunity but need to mitigate additional delays in M&N
- Allocation of up to £250m in RIS for A64 Hopgrove scheme, including dualling
- Devolution and a combined authority
- Malton Agri-Business Park's longer term capacity to expand
- Further releases of Local Growth Fund
- Marketing of Ryedale as a high quality location with opportunities for economic growth

Highlighted challenges for 2016/17 are:









- To build a business case and secure implementation of major projects in the Ryedale Economic Action Plan, including securing Local Growth Fund and LEP support, to deliver the priority projects for 2016-20 and 2020 onwards
- To have the sites document ready for examination and to complete the Compulsory Purchase of allocated residential land at Helmsley.
- To prioritise the Community Infrastructure Levy Infrastructure project list (The 'Regulation 123' List)
- To establish the Malton Food Enterprise Zone and, in the longer term, link this to a network of bio-economy sites around York
- To continue to seek to secure a sustainable future for the Milton Rooms
- Brambling Fields junction improvement – work with NYCC to introduce traffic management measures to optimise effective use of the improved junction
- Continue to progress initiatives to improve the skills match between the local workforce and the needs of local employers, including apprenticeship schemes and expanding the employability partnership.

Ryedale Economic Action Plan - Agreed Priority Economic Projects for delivery 2016-20




- Delivery of the Northern Ryedale employment sites (Pickering, Kirkbymoorside - Kirkby Mills and Ings Lane, Helmsley)
- Delivery of Malton Food Enterprise Zone
- Delivery of National Agri-Food Innovation Campus
- Marketing of Ryedale both to potential investors and to visitors
- Norton south-east link road
- Skills initiatives
- Enhanced communication links including cycle, high speed broadband and mobile phone connectivity.
- Supporting the development of the Creative Hub in Malton.
- Malton/Norton - address congestion and improve internal traffic movements / enhanced rail parking

Ryedale Economic Action Plan - Agreed Priority Economic Projects - for delivery 2020 onwards (with development of business cases now)

- A64 dualling Hopgrove-Barton Hill
- A64 Norton - Scarborough selective improvements
- A64 Crambeck - Musley Bank dualling
- Malton/Norton - new river and rail crossing / Derwent Park

1 Employment Opportunity & Economic Success					
	EC 10	Total Job Seeker Allowance and Universal Credit Out of Work Claimants Aged 16 - 64			
Current Value	0.9%	April 2016	Previous value	0.8%	April 2015
Yorkshire & Humber 2.2%, GB 1.8%					
Ryedale has a very enterprising culture and consequently low unemployment figures. Many residents have more than one job and a high level of self employment. Ryedale Economic Action Plan is consequently targeted at higher wage economy and enterprise activity, rather than unemployment.					
	EC 12a	% Ryedale population aged 16-64 qualified - NVQ1 or equivalent			
Current Value	83.6%	2015/16	Previous value	83.1%	January 2014 - December 2014
Ryedale had 25,000 residents between January-December 2015 aged 16-64 studying at NVQ1 level and above. Young people achieve level 1 and 2 NVQ's in order to improve their career prospects. The council has targeted resources through various apprenticeships. This level is a stepping stone to future learning opportunities.					
	EC 12b	% Ryedale population aged 16-64 qualified - NVQ2 or equivalent			
Current Value	70.6%	2015/16	Previous value	67.5%	January 2014 - December 2014
Ryedale had 21,100 residents between January-December 2015 aged 16-64 studying at NVQ2 level and above. Young people achieve level 1 and 2 NVQ's in order to improve their career prospects. The council has targeted resources through various apprenticeships. This level is a stepping stone to future learning opportunities.					
	EC 12c	% Ryedale population aged 16-64 qualified - NVQ3 or equivalent			
Current Value	45.4%	2015/16	Previous Value	54.4%	January 2014 - December 2014 result

The percentage of Ryedale residents aged 16-64 reaching NVQ3 and above dropped from 15,900 attaining the qualification to 13,600 from January-December 2015. This data is being investigated as it is unexplained.

		EC 12d	% Ryedale population aged 16-64 qualified - NVQ4 or equivalent			
Current Value	29.2%	2015/16	Previous Value	41%	January 2014 - December 2014 result	

The number of the Ryedale residents qualified to NVQ4 or equivalent has dropped from 12,000 to 8,700. This data is being investigated as it is unexplained.

		EC 13a	Gross weekly earnings by workplace			
Current Value	£410.20	2015/16	Previous Value	£420.20	2014/15	

Ryedale has the lowest median gross weekly wage in the LEP area. Although unemployment is low, low wages cause many people to have more than one job and also cause housing affordability issues. Priority projects to increase wage levels for local people are in the Ryedale Economic Action Plan.

		EC 13b	Gross weekly earnings by residency			
Current Value	£411.80	2015/16	Previous Value	£426.00	2014/15	

Ryedale has the lowest median gross weekly wage in the LEP area. Although unemployment is low, low wages cause many people to have more than one job and also cause housing affordability issues. Priority interventions to increase wage levels for local people are in the Ryedale Economic Action Plan.

		EC 40	Employment Rate - aged 16-64			
Current Value	79.3%	Jan - Dec 2015	Current Target	84.5%	Target is to improve on 2014/15 performance	

January - December 2015: Yorkshire and Humber 72.5% Great Britain 73.6%
 Although generally buoyant, the high technology manufacturing sector specialising in sub sea technologies has been declining due to global oil price depressing oil exploration activity. RDC is continuing to support the high technology manufacturing sector through training and infrastructure support. Seasonality is also an issue addressed in the Visitor Economy activity delivered by RDC.

Status Icon Key

 On track	 Warning	 Alert	 Data only indicator	 Long term trend arrow
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Supporting Plans:

The Ryedale Plan - <http://www.ryedaleplan.org.uk/ryedale-local-plan>

The Ryedale Economic Action Plan - <http://democracy.ryedale.gov.uk/ieListDocuments.aspx?Cid=114&Mid=1472&Ver=4>

<http://www.businessinspiredgrowth.com/wp-content/uploads/2015/06/strategic-economic-plan-sections-1-2.pdf>

<http://www.businessinspiredgrowth.com/wp-content/uploads/2015/06/strategic-economic-plan-sections-3-7-plusannex.pdf>

<http://www.businessinspiredgrowth.com/wp-content/uploads/2015/06/local-growth-deal-implementation-plan.pdf>

Achievements in 2015/16 include:

- Reviewed 2012-15 RDC Strategy and local economic conditions and opportunities to produce the new Ryedale Economic Action Plan for 2016 to 2020 reflecting greater partnership working with the LEP.
- Expanded staff sharing arrangements with the LEP (the Business Liaison Manager joined the Head of Economy in a part-time LEP role)
- Spending begins of the £8.3m of funding towards the transition of the Food and Research Environment Agency site at Sand Hutton to the National Agri-Food Innovation Campus, with an expected 800 new jobs to be created at the site over forthcoming years.
- National Centres of Excellence - in Crop Health and Livestock - designated at the NAFIC Sand Hutton site
- £2.1m of Local Growth Fund secured to help bring forward the new Livestock Market and Agri- Business Parks at Old Malton and work starts on site in March 2016 to implement the development
- Announcement of Yorkshire's only Food Enterprise Zone designation at Malton
- Implemented feasibility studies for Ings Lane (Kirkbymoorside) and Thornton Road (Pickering) to advance business cases (via funding bid to LEP Growing Places fund).
- Injured Jockey's Fund second respite and rehabilitation centre opened in Malton in late Spring 2015
- Ongoing delivery of the Ryedale Apprenticeship scheme – supported apprentices in industry and within the Council
- 5th year of Opportunity Knocks, with a record 20 companies from different sectors with 400 school pupils from all four of Ryedale's secondary schools attending.
- Established the Ryedale Employability Charter between schools and industry
- Partnership working with NYBEP delivering employability activities to the 4 secondary schools including organising a Careers Practitioner Professional Development day and piloting the Explore and Inspire days linking students to specific companies to understand the opportunities available to them. This was successful and has been included in the 2016 – 2017 contract with NYBEP.
- 'Visitor Economy campaigns in partnership with Visit York and AONB, Visit Hull and East Riding and Welcome to Yorkshire.' New 'Ryedale Market Towns Promotion' initiative launched in partnership with businesses and town councils.
- Ryedale Food and Drink directory completed to provide basis for future business support and visitor economy projects
- Supporting businesses and communities to maximize 'Tour de Yorkshire' spending two days in Ryedale,
- Wheels to Work - continued investment to enable young people in isolated rural areas to access work or training on subsidised mopeds.
- Visitor Information Point in Pickering opened
- Major role for RDC officers in negotiating and progressing devolution proposals for YNYER
- Formal adoption of the Helmsley Plan

- Adoption of the Ryedale Community Infrastructure Levy
- Positive feedback from employers, agents and developers re Ryedale as a business-friendly Council
- Advanced skills initiatives to support economic growth and the well being of our residents - Opportunity Knocks, Skills Summit, Careers Advice support, Businesses into Schools, Derwent Training Association on site expansion and investment by RDC of £30,000.
- Year-on-year growth of visitor economy 2014 figures estimated at 4% increase from 2013 (overnight and day visits combined.)
- Creative economy commissioning (£55K) continued support for creative businesses and social enterprises in Ryedale to further develop this sector of the economy.
- Supported 120 businesses to access high speed broadband business support programme and continued to promote roll out of high speed bb to rural communities.
- Produced ' **Local Authority A64 Scheme Identification & Feasibility Study**' in partnership with NYCC and Scarborough BC to advance the business case for further upgrading and promoted via the Highways Agency (Highways England).

Council Priorities 2015-20

Aim 2: To meet housing needs in the Ryedale District Council area

Strategic Objective 3:

To change and add to housing stock to meet the local housing needs

Strategic Objective 4:

To support people to access a suitable home or remain in an existing home

We will achieve this through the provision of additional homes including affordable and specialist and the adaptation of existing homes. We will support people to access a suitable affordable home or remain in an existing home with support services provided.

Ryedale Housing Strategy Priorities:

- Work with partners to increase the supply of good quality housing
- Ensure that our housing stock reflects the needs of the Ryedale communities across all areas
- Ensure that our housing stock meets the diverse needs of our communities at all stages of life
 - Ensure new homes are of high design and environmental quality
 - Continue to make best use of existing housing stock
 - Ensure all homes have a positive impact on health and wellbeing and are affordable to run
 - Continue to reduce homelessness
 - Ensure housing is allocated fairly and on the basis of need
 - Provide appropriate housing and support for those with specific needs

The challenges for 16/17 are;

Work with partners to increase the supply of good quality housing

- Ensure the focus of the LEP keeps housing issues high on the agenda.
- Monitor the impact of the Housing and Planning Act on the deliver of our services
- Seek alternative methods of securing social rented housing on all development sites.

- Maximising income from New Homes Bonus through permissions for new housing and reducing number of empty properties

Ensure that our housing stock reflects the needs of the Ryedale communities across all areas

- Ensure we work in partnership with the North Yorkshire and East Riding Rural housing Network continues to deliver Rural Exception sites
- Ensure we obtain up to date information on the condition of housing stock within the Ryedale district.
- Promoting loans and grant schemes to improve private sector housing stock.

Ensure that our housing stock meets the diverse needs of our communities at all stages of life

- Maintain delivery of Disabled facilities grants to reflect ever increasing demand.
- Continue to work in partnership with the NYCC and developments in creating housing through extra care provision
- Ensure the benefits of the Wellbeing service and the handypersons scheme is being promoted throughout the district
- Increase the use of the services available to promote health and wellbeing for the community, including integrate service to meet the priorities of the Health and Wellbeing board.

Ensure new homes are of high design and environmental quality

- Develop Supplementary planning guidance in relations to contributions for affordable housing/starter homes on development sites.

Investigate further the options regarding modern methods of construction.

Continue to make best use of existing housing stock

Ensure the findings of the Stock condition survey are used to target resources across the district

deliver successful landlords forums to provide information and improve relationships .

- Ensure services are targeted at reducing the need for social housing and improving access to the private sector.
- Continue to tackle poor quality private sector housing.

Ensure all homes have a positive impact on health and wellbeing and are affordable to run

- Seek a partnership for the delivery of Energy Efficiency Grants.
- Continue to promote Ryecare through the implementation of the marketing plan.
- Fully engage with NYCC with regards to the Assertive Technology Strategy and forthcoming procurement for Telecare service.

Continue to reduce homelessness

- Review the homelessness strategy in line with recent legislative changes and any impact on service provision
- Minimise the effect on the council of the NYCC procurement on Homelessness Prevention Service, Young People's Partnership and Mental health service
- Completion of Gold Standard challenge for housing options services.
- Ensure effective management of temporary accommodation across the district.

Ensure housing is allocated fairly and on the basis of need

- Remain in partnership for the delivery of North Yorkshire Home Choice (NYHC)
- Ensure promotion and improvement in access to NYHC across the district
- Ensure Section 106s reflect the need for housing for local people
- Work to ensure that NYHC can be adapted to reflect the changing target markets.

Provide appropriate housing and support for those with specific needs

- Ensure the successful procurement of management services for gypsy and traveller site in Ryedale
- Continue to meet the needs of households with specific housing issues.

Affordable Housing Delivery:

- To maintain delivery of new affordable homes in the current economic climate and deliver more than 375 affordable homes by 2020. Developments on site or with permission are expected to deliver around a further 200 additional affordable units during 2015/16 and 2016/17.
- Maintaining the supply of land for housing. The LEP have identified a stretch target of 250 new homes for Ryedale a year for the next 5 years, whilst also maintaining a 5 year land supply, in line with government policy. Recent experience has demonstrated that the most effective form of delivery of affordable homes is through the delivery of market led housing schemes – in order to maintain new housing supply, permissions need to be granted to developers for major housing schemes.

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Maximising income from New Homes Bonus through permissions for new housing and reducing numbers of empty homes.







Publication of the Sites Document

- Maximise opportunities to support housing delivery through funding initiatives such as Local Growth Fund, Get Britain Building
- CIL examination and links to Housing and infrastructure by the end of 2017
- Maintain up to date housing need information
- Introduce and maintain a register of households expressing an interest in Self and Custom house building

Impact of Welfare Reforms:

- To Identify those likely to be impacted by the reduced Bencap level and provide support
- To manage the transition to full service roll out of Universal Credit in Ryedale for working age claimants
- Providing personal budgeting support assistance and support for those claimants moving to Universal Credit
- Provide support claimants affected by new Local Housing Allowance for social housing and for those affected by under occupancy with Discretionary Housing Payments
- Managing the impact of full roll out of UC for working age Housing Benefit claimants on claims for Local Council Tax Support and the frequency of change events that could be generated

2. Housing Need

✓	↑	BS RB 2	Speed of processing - new HB/CTR claims			
Current Value		22.5 days	2015/16	Current Target	25.0 days	
<p>The New Claims performance time has increased for Housing Benefit and Council Tax Reduction in April 2016 due to the first Universal Credit (UC) claimant that we had received who resided in specified accommodation. Following this assessment we know that the system is treating such claims correctly. Processing of claims for Housing Benefit (HB) for those resident in specified accommodation will remain the responsibility of the local authority following the roll out of the UC Full Service in Ryedale from 29 June 2016, as will all claims for HB for pensioners. The majority of claims for those of working age will transfer to UC by 2018. For 2016/17 we will be reporting processing times for Housing Benefit and Council Tax Reduction (CTR) as two indicators, no longer combined due to the launch of the UC full service.</p>						
✓	↑	BS RB 3	Speed of processing - changes of circumstances for HB/CTR claims			
Current Value		5.7 days	2015/16	Current Target	12.0 days	
<p>The performance for changes of circumstance for both housing benefit and local council tax support has been strong over recent months. However the implementation of the full service for Universal Credit in June 2016 for Ryedale working age claimants may cause a significant increase in the volume of changes to be processed for LCTS claimants, which may in turn affect performance. For 2016/17 we will be reporting processing times for Housing Benefit and Council tax Reduction as two indicators, no longer combined due to the launch of the UC full service.</p>						
✓	↓	FP 7	Net additional homes provided			
Current Value		245	2015/16	Current Target	200	2014/15
<p>The target of 200 is the LDF plan requirement. 261 net additional homes were provided in 2014/15</p>						
✓	↓	FP 8	Supply of deliverable housing sites			
Current Value		116.0%	2015/16	Current Target	100.0%	See Annual Monitoring Statement and Strategic Housing Land Availability Assessments. Target five year housing supply= 100%
<p>The new five year deliverable supply figure at 31/3/16 is 1158 plots which equates to 5.8 years of deliverable supply (based on the Plan requirement of 200) or 116%</p>						
✓	↑	HS 2	Length of stay in temporary accommodation (B&B, weeks) Snapshot			
Current Value		4.40 weeks	2015/16	Current Target	6.00 weeks	Target: National maximum allowable is 6 weeks. Local target of 4 weeks
<p>National maximum allowable is 6 weeks.</p>						
✓	↓	HS 5	Number of Homeless Applications			
Current Value		37	2015/16	Current Target	54	Total number of applications for 2014/15 = 30
<p>There were 37 homeless applications received in 2015/16.</p>						

		HS 8	Prevention of Homelessness through Advice and Proactive Intervention (values and targets are per quarter, not accumulative)			
Current Value		173	2015/16	Current Target	156	Target is to achieve 10% improvement in numbers of preventions year on year
Reduction on the previous year, with an increased emphasis on early intervention.						
		HS 10a	% Households in Ryedale in Fuel Poverty (10% income measure)			
Current Value		26%	2013/14	Previous result	27.9%	2012/13
Results for 2014/15 due to be published by the Government at the end of June 2016. There is always a 12 month lag in the data for this indicator						
		HS 10b	% Households in Ryedale in Fuel Poverty (Low Income High Cost)			
Current Value		10.6%	2013/14	Previous Result	11.9%	2012/13
Results for 2014/15 due to be published by the Government at the end of June 2016. There is always a 12 month lag in the data for this indicator						
		HS 11 b	Properties empty for six months or more			
Current Value		233	2015/16	Current Target	249	Aim is to improve on performance for the previous year
This figure is included on the government return CTB1 which informs the New Homes Bonus Allocation. The figure is calculated in October and is the total of empty properties which have been empty for six months or more						
		HS 14	Affordability Ratio			
Current Value		8.5	2015/16	Current Target	8.39	Target is to improve on previous years performance
Affordability ratios for 2015/16 were calculated using earnings data from April 2015 and house price data for the period September 2014-September 2015.						
		HS 1	Homeless applications on which RDC makes decision and issues notification to the applicant within 33 working days (was LPI 70)			
Current Value		97.2%	2015/16	Current Target	100.0%	Target is to decide on all applications within 33 days
36 out of 37 applications decided within 33 working days						
		HS 17	Number of affordable homes delivered (gross)			
Current Value		59	2015/16	Current Target	75	35% of market housing target would result in 70 affordable homes arising from 200 net additional homes.
59 affordable new homes are complete and 25 have been occupied						

Status Icon Key

	On track		Warning		Alert		Data only indicator			Long term trend arrow
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Supporting Plans:

The Ryedale Plan - <http://www.ryedaleplan.org.uk/ryedale-local-plan>

York, North Yorkshire and East Riding Housing Strategy 2015/21 -

<http://democracy.ryedale.gov.uk/documents/s21149/8-Part%20B%20-%20HPH%20-%20Homelessness%20Strategy%20and%20Action%20Plan.pdf>

The Ryedale Housing Strategy Action Plan -

<http://democracy.ryedale.gov.uk/documents/s21225/7-Part%20B%20-%20HPH%20-%20Draft%20York%20North%20Yorkshire%20and%20East%20Riding%20Housing%20Strategy%202015-21.pdf>

Achievements 2015/16

- Adopted the Homelessness Strategy for 2015/2020 and the Housing Strategy 2015/2021
- New rural housing network partnership agreed across North Yorkshire and East Riding for the next three years with 16 Registered provider partners.
- 177 Rural housing completions across the Partnership
- 37 homeless applications received throughout 2015/16
- 203 Homeless preventions achieved through prevention initiatives
- 21 new tenancies created for single people in the private sector through Housing Solutions
- 645 new enquiries to the Housing Options service through 2015/16
- Successful 'Platform for Life' bid achieved through the Homes and Communities Agency
- Housing Options service achieved the Bronze Standard under the Governments Gold Standard Challenge
- Completed a Strategic Housing Market assessment to inform housing needs across the district
- Held three successful affordable housing open days. This was to promote the 4 discount for sale properties on Hurrell Lane, Thornton le Dale, the 5 social rented properties in Helmsley and the 10 affordable rented properties in Ampleforth.
- 73 Disabled Facilities Grants delivered through the White Rose HIA Partnership
- 173 Wellbeing visits undertaken throughout the district and 562 handypersons referrals.
- Fully updated the call handling system within Ryecare
- Ryecare partnered with local care service Diamond care to enhance the care service offered to clients
- Held 2 successful landlord events attended by 70 local landlords and agents.
- Development of web based support for landlords
- Review of the Council's Safeguarding Policy with 135 Ryedale Council staff trained in the Councils safeguarding procedures and 52 local taxi drivers trained in safeguarding throughout 2015/16
- Supplied local landlords with smoke alarms and carbon monoxide detectors to meet new government regulations

- Dissemination of the changes in legislation to landlords regarding deregulation, Right to rent, EPC and smoke and carbon monoxide
- Discretionary grants and loans given to landlords and owner occupiers to bring empty homes back into use and improve the condition of the private sector to the value of £161k.
- Funding received through British Gas and Public Health to fund repairs to and the installation of boilers across Ryedale.
- Cold Snaps and Warm Homes piloted in Ryedale, using thermal imaging to the residents of 3 villages in Ryedale to advise where the major heat loss to the property was occurring. Possibility that the scheme may go national.
- The major refurbishment of a House in Multiple occupation in Norton through a HMO grant, this is now leased by RDC.
- Continued use of the collective Switching scheme and oil co operatives through White Rose
- Housing Options now co manage 3 Houses in Multiple Occupation to increase the availability of accommodation for single people.
- Supported Parish Councils in undertaking housing needs surveys
- Developed a North Yorkshire partnership to deliver the Syrian Resettlement programme.
- Housing completions in line with the Local Plan in the last year and consecutive years since the adoption of the Local Plan Strategy
- Set up a property shop in Norton to advertise homes available through North Yorkshire Home Choice
- Worked with the Strategic Housing Board to produce standard heads of terms and clauses for Section 106 agreements in order to reduce the time of the planning process.
- Negotiated and sold 3 pieces of land in the Council's ownership in order to bring in a capital receipt
- Through negotiations with planners and a large developer on a Section 106 scheme, persisted in negotiations to increase the size of the affordable homes, a new affordable house type has now been developed to be used across the Country.
- Part of the consortium which were successful receiving £400K from the British Gas Health Homes Funs, Warm and Well in North Yorkshire
- In partnership developed the North Yorkshire Winter health strategy

Council Priorities 2015-20

Aim 3: To have a high quality, clean and sustainable environment

Strategic Objective 5:

Reducing waste - sustain existing high levels of dry recycling, promotion of home composting and monitoring the impact of charging for green waste

Strategic Objective 6:

To protect and improve the quality of our local environment

We will achieve this through the reduction of CO2 emissions and planning to adapt to climate change and improving the quality of our local environment

Our priority activities will include:

- Reducing levels of CO2 emissions from our own operations
- Increasing the rate of recycling and reducing the amount of waste collected
- Reducing the amount of trade waste sent to landfill sites
- Designing for the environment
- Ensuring that future developments are in the right locations
- Avoid inappropriate development in flood risk areas and managing the risk of future flooding
- Improving street and environmental cleanliness
- Improving levels of local biodiversity
- Encouraging communities to manage their local environment

The challenges for 2016/17 are:

- To maintain the level of Garden Waste subscriptions at or above 46%.
- Maintain the percentage of dry recycling collected with the consequential reduction in waste sent to landfill.

- Reviewing waste collections, targets and tonnages following implementation of our sustainable policy to charge for green waste.
- Respond to changes in the public health system to ensure that there is the capacity to meet local needs influencing better care fund and integration, managing the impact for Ryedale
- To work in partnership with NYCC to improve air quality in line with new statutory guidance on Local Air Quality Management
- Continue to work to alleviate pockets of flooding in Ryedale, working in partnership with other agencies to address problems in market towns and villages
- Progressing the development of the York and North Yorkshire Waste Partnership.

3. High Quality Environment

		DM 2	Planning appeals allowed			
Current Value	33.3%	2015/16	Current Target	33.0%	Target based on national averages and benchmarking	
The national performance level is consistently in line with the target figure of 33%, performance for Ryedale has varied because of the relatively low number of appeals received.						
		DM 157a	Processing of planning applications: Major applications (13 weeks)			
Current Value	87.00%	2015/16	Current Target	70.00%	Targets originally set under Planning Delivery Grant regime	
By definition these applications are complex, often requiring a Section 106 (legal) agreement.. These applications represent around 4% of the total number received. Performance for 2015/16 is excellent overall at 87% against a target of 70%. However there levels will always vary significantly month by month due to the nature and small numbers of this type of applications received.						
		HE 13	% of Food establishments in the area broadly compliant with food hygiene law			
Current Value	74%	2014/15	Current Target	72%	Target is to improve on previous year. Assessments of premises undertaken using risk based scoring and national guidance. 17% of premises are low risk and not accessed and by default not compliant under the national definition for this indicator.	
The "broadly compliant" performance Indicator is defined as the percentage of food establishments within the local authority area that are broadly compliant with food law. The assessment is based on a scoring system that is defined in the national Code of Practice. In 2014/15 74% (624 premises out of a total of 844 food premises in Ryedale) were judged to be broadly compliant. If you take the broadly compliant figure and add it to the unrated figure you get 97% and therefore it can be deduced that Ryedale has approximately 3% of its food premises that can be classified as being non broadly compliant with food law. These are not always the same premises and are targeted for interventions to bring them into the broadly compliant category. Results for 2015/16 are due at the end of June 2016.						
		SS 15	% of Household Waste Recycled			
Current Value	21.70%	2015/16	Current Target	20.00%	Target set following analysis of previous performance levels	
Performance continues to improve. The priority is to maintain this level of performance.						

		SS 17	Household Waste Collection - % change in kilograms per head			
Current Value		-3.39%	2015/16	Current Target	0.25%	Target is to improve on previous years change
Year on year the amount of household waste collected has significantly reduced, giving a net change of -3.39% in 15/16.						
2015-16 409.04kg/per head 2014-15 423.41 kg per head						
		SS 35	% CO2 reduction from LA operations.			
Current Value		-12.5%	2014/15	Current Target	-7.5%	Target set for three years, based on national guidance. To be reviewed following analysis of performance to date
Results for 2015/16 will be available at the end of June.						
		SS 36	Tonnes of CO2 from LA operations			
Current Value		1,418	2014/15	Current Target	1,622	Target set for three years, based on national guidance. To be reviewed following analysis of performance to date
Results for 2015/16 will be available at the end of June.						
		DM 157c	Processing of planning applications: Other applications (8 weeks)			
Current Value		88.30%	2015/16	Current Target	90.00%	Targets originally set under Planning Delivery Grant regime
Performance has been improving for some months and this Trend is continuing. Customer satisfaction has increased on previous years. Delegated decisions are currently made on 88.3% of decisions against a target of 90%.						
		SS 192	% of household waste sent for reuse, recycling and composting			
Current Value		45.80%	2015/16	Current Target	49.70%	National target to achieve 50% by 2020
15/16 is the first full year of data that reflects the full impact of charging for garden waste. Results are positive, achieving 46% subscription rate against a target of 35%. The overall recycling rate has reduced by 8% against a forecast reduction of 15%. <ul style="list-style-type: none"> • 15/16 45.8% (first full year charging for garden waste) • 14/15 48% (Part year charging for garden waste collection) • 13/14 53% (no charge for garden waste collection) A new target will be issued upon a review of current performance and to reflect national targets.						
		DM 157b	Processing of planning applications: Minor applications (8 weeks)			
Current Value		68.00%	2015/16	Current Target	80.00%	Targets originally set under Planning Delivery Grant regime
Performance has been improving for some months and this Trend is continuing. Customer satisfaction has increased on previous years. Minor applications requiring developer contributions are affecting performance in this category arising from the need for S106 agreements to accompany the planning permission. This resulted in numerous applications being determined beyond their 8 week determination period. Last years performance in this category reflects this, however as a result of a recent Court of Appeal decision relating to contributions from small sites, this figure is expected to rise in 2016/17 as applications will not be delayed by the need for a legal agreement.						
		SS 16	% of Household Waste Composted			

Current Value	24.05%	2015/16	Current Target	30.00%	Target set following analysis of previous performance levels
This is the first full year of data since the introduction of garden waste subscription. The reduction is significantly better than forecast. As such a new target will be established upon analysis of current performance.					

Status Icon Key

 On track	 Warning	 Alert	 Data only indicator	 Long term trend arrow
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Supporting Plans:

The Ryedale Plan - <http://www.ryedaleplan.org.uk/ryedale-local-plan>

North Yorkshire Waste Partnership Website - <http://ynywp.northyorks.gov.uk/index.aspx?articleid=17204>

Service Delivery Plans are available on Covalent

Achievements in 2015/16 included:







- The one day sale of subsidised compost bins, organised by Ryedale District Council and the York and North Yorkshire Waste Partnership, proved to be a huge success, with over 300 containers sold.
- Introduced charging for garden waste collections launched in June 2014 and continued in March 2015. An overall target of 46% was reached for 2015/16 meeting the target set
- Support provided for local litter picking groups throughout the year with collection of rubbish and promotion of community clear up days
- A multi-agency flood group which has been meeting since 2012 to look at the emergency response to flooding in the area, commissioned a flood study which models the causes of flooding in four affected locations in Malton, Norton and Old Malton. This work is informing the current scrutiny work on flood risk management and the role of the Council
- In an effort to support Ryedale District Council's Choose2Reuse campaign, community groups in Malton, Kirkbymoorside and Pickering have held give or take days, with over 30 such events held since 2009.
- Garden waste procurement undertaken to include local farmers in the disposal network

Aim 4: To have safe and active communities

Strategic Objective 7

Working with partners, statutory and VCS, to improve health and wellbeing of communities

4. Active Safe Communities

		EC 77	Total Crime in Ryedale			
Current Value	1,659	2015/16	Crime in 2014/15	1487		
The level of crime recorded in 2014/15 was unsustainably low and the performance for subsequent years will be higher than this. In 2013/14 2273 crimes were recorded.						
		HE 10	Adult participation in sport and active recreation. Sport England Active People Survey-Annual			
Current Value	32.7%	2014/15	Target	36.8%	Target is to improve on previous years performance	
There has been no further update on the Active Lives Survey, which is the new way Sport England are proposing to collect information in the future. The result above was for Oct 2014-Oct 2015 in Ryedale as part of the Active People's Survey from Sport England, measuring the participation of residents in sports at least once a week. Yorkshire average was 34.1% and the England result was 35.8%						

Status Icon Key

 On track	 Warning	 Alert	 Data only indicator	  Long term trend arrow
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Supporting Plans:

The Ryedale Sports and Active Lives Strategy 2013 -23 - http://www.ryedale.gov.uk/attachments/article/548/Leisure_Strategy_2013.pdf

Safer Ryedale Partnership Plan

Service Delivery Plans are available on Covalent

Achievements in 2015/16 included:

- Community grants awarded to help local projects get off the ground, including village halls, sports facilities and community services and projects
- Provided support for the Tour de Yorkshire en route through Ryedale, a hugely successful televised event which attracted substantial crowds who lined the route, for the second year, following the success of the Grand Depart in 2013.

- High action cycling returned to the roads of Ryedale when the British Cycling National Road Race Series come to the district, incorporating the Men's and Women's National Junior Championships
- Integrated Neighbourhood Management - the Ryedale Multi Agency Tasking Team meets fortnightly. The team tackles anti-social behaviour and aims to safeguard vulnerable people in our community. The Tasking Team work together to fully understand local issues and put problem solving interventions in place quickly to help our communities stay safe and reduce future calls on service and cost of escalated service delivery.
- Safer Ryedale will continue to support the three Ryedale Pubwatch Schemes, which the Partnership initiated. The use of passive drugs dogs and information sharing significantly reduces the impact on the night time economy. This proactive work sends out a zero tolerance message to the public.
- Multi Agency Days of Action are carried out throughout Ryedale in order to address issues of vulnerability and fear of crime. The team includes Ryedale District Council, North Yorkshire Fire & Rescue, Trading Standards and North Yorkshire Police Officers.
- Ryedale District Council have a responsibility under Section 26 of the Counter Terrorism Act to raise awareness of Prevent. (Prevent is part of the UK's counter terrorism strategy, preventing people from becoming involved in terrorism or supporting terrorism. This has been carried out with Town and Parish Councils, voluntary organisations, Neighbourhood Watch and groups of young Ryedale residents.
- Safer Ryedale has developed positive and supportive relationships with travelling families. The ongoing work encourages respect for the local community, local farm property and keeps transition sites from becoming unsightly, therefore, mitigating the potential risk of high level anti-social complaints. The well received joint visits are often made with a Police Officers and RSPCA Inspectors.
- Allocation of funds to support CAB to commission and deliver the services required in Ryedale to support vulnerable people, Support provided to the Ryedale Food bank.
- Everyone Active continued to successfully operate the leisure facilities in partnership with the Council

Council Priorities 2015-20

Aim 5: To transform Ryedale District Council

Strategic Objective 9:

To know our communities and meet their needs

Strategic Objective 10:

To develop the leadership, capacity and capability to deliver future improvements, considering options for alternative modes of delivery.

We want to transform Ryedale District Council ensuring we understand our communities and creating value for our customers to ensure that their needs are met.

We will achieve this by developing the leadership, capacity and capability of the Council to deliver efficient services and continuous improvement.

Our change aspirations are to significantly improve customer experience and outcomes at reduced cost through the removal of duplication and waste, and focusing on customer self help and prevention to reduce unnecessary demand for services. It recognised that to do this we must focus on the customer and deliver on the vision to 'continue to do what matters for Ryedale', but do that in a very different way from how we have delivered services in the past. It will be critical to take a one council approach to delivery – which means staff, members and partners all working to the same ends.

We recognise that in the future there will be significant changes to the work itself, the nature of the workforce and the workplace and have laid the foundations for new behaviours and ways of working.

We will prioritise creating value for the customers of a future Ryedale Council by:

- Allowing people to do the things they need to do for themselves as easily as possible, when they need to do them. Allowing us to focus on those with the most complex needs.
- Being open, transparent and accessible.
- Being modern, efficient and business-like.
- Treating all customers equitably and delivering a consistent and appropriate level of service.
- Doing our best to ensure customers issues are resolved.
- Being clear on expectations of what we can and cannot do.







- Understanding that whilst we will need to deliver against our required obligations as a council, our focus will be on what matters, not what is “statutory”.
- Having ownership of, and responsibility for, a customer issue and dealing with it seamlessly across all parts of the organisation as one council.

The challenges for 2016/17 are:

- To deliver the Towards 2020 transformation programme to ensure the Council has the capacity to deliver services and meet needs through to 2020 around four key themes.
 - How we will interact with our Customers
 - The levels of Performance we need to achieve
 - The Delivery considerations for our services
 - The Ways of Working we need to adopt to achieve transformation and maintain improvement
- To deliver a balanced budget in 2016/17 and plan for meeting future financial challenges
- To meet the ongoing challenges presented to the Council by the finance reforms including localisation of Council Tax, business rates and changes to new homes bonus
- Managing the impact of full roll out of UC for working age HB claimants
- Make best use of the Councils property assets, linked to the Towards 2020 programme, and Scrutiny Review of Council Assets.
 - Prepare for the production of the Statement of Accounts one month earlier than the current deadline (30 June)
 - Continue to work with NYCC, other Districts and partners to deliver services
 - Influence any future development of a Combined Authority for the benefit of Ryedale

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5. Transforming the Council

		BS AS 1 RDC	Service enquiries resolved at first point of contact (telephone)			
Current Value	55%	2015/16	Current Target	50%	Target is for year on year improvement	
Total figure is not representative, as staff are unable to log the high volume of calls received during periods of peak call times.						
		BS AS 3	Payments made using electronic channels			
Current Value	90%	2015/16	Current Target	85%	Target is set to improve performance	
Electronic channels include web, telephone and Direct Debit.						

		BS RB 11	% of Council Tax collected	
Current Value	98.76%	2015/16	Current Target 98.52%	Target is set to maintain performance
Result for 2015/16 an improvement of 0.24% on last year				
		BS RB 12	% of Non-domestic Rates Collected	
Current Value	99.18%	2015/16	Current Target 98.86%	Target is set to maintain performance
Result for 2015/16 an improvement of 0.32% on collection rates from last year				
		BS BI 02	% FOI Requests responded to within 20 working days	
Current Value	98.74%	2015/16	Current Target 90%	Target is set to maintain performance
554 FOIs were received from April 2015-March 2016. The average response time during the year was under 8 days.				
		BS MD 1	Standard searches completed in 5 working days	
Current Value	15.9%	2015/16	Current Target 90.0%	Target is set to maintain performance
Late responses still being received from NYCC. All searches received by RDC are circulated to NYCC on the day they are received having been input into the system then sent directly to NYCC				
		HR A 01 R	Average number of Working Days Lost Due to Sickness Absence per FTE, RYEDALE	
Current Value	9.41 days	2015/16	Current Target 7.50 days	
Performance has improved significantly since November 2015. The total number of days lost to sickness absence in 2015/16 was 2450 days. The number of days lost in April 2015 was 236 compared with 140 days in April 2016, for both long term and short term absence. The % of working days lost to sickness absence in 2015/16 was 4%, an improvement of 2% on 2014/15.				

Status Icon Key

	On track		Warning		Alert		Data only indicator		Long term trend arrow
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Supporting Plans:

The Ryedale Plan - <http://www.ryedaleplan.org.uk/ryedale-local-plan>

[The Ryedale Economic Action Plan](#)

[The Ryedale Housing Strategy Action Plan](#)

[The Ryedale Sports Strategy](#)

[Safer Ryedale Partnership Plan](#)

RDC Financial Strategy 2016-21

Achievements in 2015/16 included:

- Delivery of a balanced budget for 2016/17 through efficiencies achieved through year one of the Towards 2020 programme
- Successfully delivering the Police and Crime Commissioner elections in May 2016, including undertaking the Police Area Returning Officer role for the eight local authorities in the North Yorkshire Police Area, and then going on to run the EU Referendum in the month following.
- Delivering a successor project to Democracy Rocks, working with partners to bring together Stomp style music on old metal ballot boxes and discussions with young people about democracy, voting and registration

- Being one of three authorities to be selected by the Cabinet Office to take part in a canvass pilot in autumn 2016, aiming to deliver the annual canvass of electors in a more customer friendly and cost effective way
- A number of successful prosecutions for Local Council Tax Support fraud have been undertaken with joint investigations conducted by Veritau, who investigate fraud on behalf of Ryedale District Council
- RDC issued a set of final accounts which were unqualified by the external auditors
- Successfully delivered Discretionary Housing Payments for some of our most vulnerable customers, with an increase in volumes of applications received from 75 per year 2012/13 to over 450 in 2015/16
- Co-location of Revenues and Benefits team members to the Job Centre in Malton, adding value for customers
- Successful bid for Fraud and Error Reduction Incentive Scheme (FERIS) funding and meeting the annual target for identification of Housing Benefit fraud and error
- Smooth transition of Housing Benefit fraud to the Single Fraud Investigation Service (SFIS)
- Local Land and Property Gazetteer gold standard achieved with an award from Geoplace
- Maintained the volume of searches undertaken by the Council, despite continued slow turnaround by NYCC
- Increased levels of business rate collection and collection of Council tax. Also maintained high levels of collection from those in receipt of LCTS
- Maintained processing times for Housing Benefit and Local Council Tax Support (LCTS)
- Implemented online forms for Housing Benefits and LCTS application processes
- Scrutiny Review into Fuel Poverty completed
- Successful withdrawal from TIC and transfer of staff to front of house team at Ryedale House
- Implemented cashless front office to reduce cost of processing payments for the Council
- A number of upgrades and improvements were made to the Council IT infrastructure to maintain security and meet government requirements
- Lead role in the development of proposals for governance arrangements for a Combined Authority for York, North Yorkshire, East Riding of Yorkshire and Hull



REPORT TO: FULL COUNCIL

DATE: 7 JULY 2016

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 16 JUNE 2016

9 Budget Strategy 2017/18 and Efficiency Statement

Considered - Report of the Finance Manager (s151)

Recommendation to Council

1. That Council be recommended to approve the following strategy for the preparation of the 2017/18 budget:

(i) Proposals to be brought forward for a £5 increase in Council tax;

(ii) Increases in fees and charges to be to a maximum of 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommend above this figure to be considered by the relevant policy committee;

(iii) Efficiencies to be maximised; and

(iv) The use of New Homes Bonus in line with the medium term financial plan.

(v) Options for service cuts to be provided if necessary. These proposals to be considered by the Resources Working Party and brought to the Policy and Resources Committee and Council.

2. That Council be recommended to approve the Annual Efficiency Plan and that delegated authority be given to the Finance Manager, in conjunction with the Chairman of Policy and Resources Committee, to accept the 4 year funding offer should they deem that it is in the best interests of the Council to accept the offer.

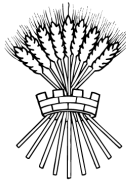
Voting record

For 6

Against 2

Abstentions 1

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	16 JUNE 2016
REPORT OF THE:	FINANCE MANAGER (s151) PETER JOHNSON
TITLE OF REPORT:	BUDGET STRATEGY 2017/18 AND EFFICIENCY PLAN
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report forms the basis of preparation and planning for the 2017/18 Council budget and provides information on the Towards 2020 efficiency programme designed to deliver the Council's savings requirement over the next 3 years.

2.0 RECOMMENDATIONS

- 2.1 That Council is recommended to approve the following strategy for the preparation of the 2017/18 budget:
- (i) Proposals to be brought forward for a £5 increase in Council tax;
 - (ii) Increases in fees and charges to be to a maximum of 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommend above this figure to be considered by the relevant policy committee;
 - (iii) Efficiencies to be maximised; and
 - (iv) The use of New Homes Bonus in line with the medium term financial plan.
 - (v) Options for service cuts to be provided if necessary. These proposals to be considered by the Resources Working Party and brought to the Policy and Resources Committee and Council.
- 2.2 That Council is recommended to approve the Annual Efficiency Plan and that delegated authority be given to the Finance Manager in conjunction with the Chairman of Policy and Resources Committee to accept the 4 year funding offer should they deem that it is in the best interests of the council to accept the offer.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 The proposals will ensure the Council sets a balanced budget for the forthcoming year with minimal impact on Council services.

4.0 SIGNIFICANT RISKS

- 4.1 The significant risk is that efficiencies cannot meet the shortfall and cuts to front line services will be required. This is mitigated through a whole Council approach to savings identification, highlighted through the Towards 2020 Transformation Programme and Efficiency Plan. (see risk matrix).

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The budget strategy is a key process affecting all service delivery and linking to the Council Plan and all of the strategic plans as well as providing the means for attaining the Council's objectives and priorities.
- 5.2 Public consultation will take place to inform the budget process.

REPORT

6.0 REPORT DETAILS

- 6.1 The annual budget setting process for the Council will necessitate the identification of savings to deliver a balanced budget. The Medium Term Financial Plan (MTFP) approved by members along with the Council's Financial Strategy in February 2016 set out the projected financial position (Appendix A). At that time the Council set a £5 increase in its part of the Council Tax bill for 2016/17.
- 6.2 Within the MTFP projection was the need to identify nearly £600k of savings for the 2017/18 budget and £1.1m through to 2019/20. This position was based on the following assumptions:
- The figures included in the Governments 4 year funding settlement remain unchanged.
 - No significant Changes to the Business Rate Retention income
 - Using a further £265k of New Homes Bonus to support revenue
 - A Council Tax increase of 1.99% in 2017/18
 - Pay Inflation of 1%
 - Price inflation of 3%
- 6.3 There are a number of key influences on the finances of the Council for 2017/18 which then impact on the budgetary position. These include:
- Acceptance of the 4 year funding settlement linked to an Annual Efficiency Plan
 - Business Rate Retention and changes to the valuation list on 1st April 2017
 - Council Tax increase
 - Income from Fees and Charges
 - Issues arising from the current year
 - Pay and price inflation
 - Revenue effects of the Capital Programme

- Use of New Homes Bonus and Cuts to Services/Additional income

Four Year Funding Offer, Annual Efficiency Plan & the Towards 2020 Programme.

6.4 Members will recall that the Government has offered Local Authorities a 4 year funding package as part of the final settlement for 2016/17. The table below highlights the Governments Core Spending Assessment for Ryedale. The offer is intended to give Local Authorities certainty going forward in order to be able to deliver the required level of efficiencies through to the end of the current Parliament.

6.5 The four year funding settlement offer to Councils only guarantees the funding sources highlighted in grey below, namely Revenue Support Grant, Transitional Relief and Rural Services Delivery Grant. By the end of the current Parliament the offer accounts for only 6% of this Councils core spending power calculation.

	2016-17 £m	2017-18 £m	2018-19 £m	2019-20 £m
Revenue Support Grant	0.763	0.379	0.143	0
Business Rates - Baseline Funding Level	1.500	1.529	1.574	1.625
Tariff Adjustment				-0.120
Settlement Funding Assessment	2.263	1.908	1.717	1.505
Council Tax of which;	3.886	4.118	4.361	4.615
<i>Council Tax Requirement excluding parish precepts (including base growth and levels increasing by CPI)</i>	3.829	4.021	4.227	4.448
<i>additional revenue from £5 referendum principle for all Districts' Band D Council Tax level</i>	0.057	0.097	0.134	0.167
New Homes Bonus	1.676	1.685	1.059	1.016
Rural Services Delivery Grant	0.569	0.459	0.353	0.459
Transition Grant	0.025	0.025	0	0
Core Spending Power	8.419	8.195	7.490	7.594
Memo:				
Business Rates Tariff	-5.174	-5.276	-5.431	-5.605

6.6 DCLG is in the process of launching a review of needs and resources and completing the review of New Homes Bonus. In normal times, both these reviews would impact (directly or indirectly) on authorities' RSG allocations, it's unclear at the moment whether the guarantee applies immediately or only applies after the reviews have been completed. Though it should be noted that the deal is for minimum allocations not fixed allocations, implying that there may be some scope for those councils who accept the offer to gain.

6.7 The only condition attached to the four-year offer is to publish an efficiency plan, which can be combined with other documents such as this budget strategy. There is a general lack of guidance available concerning the production of an efficiency plan

particularly in relation to the mechanism to accept or reject the plans, but the department says:

- the plans show how the greater certainty can drive savings
- councils should consult locally on their proposals

6.8 There may be fundamental changes to the underlying needs formulae or further cuts in the total funding that result in non-participants receiving noticeably less funding through changes to top-ups and tariffs so there is a clear incentive to sign-up, not least because the only cost or risk to authorities arises from the need to consult widely and to produce an efficiency plan. Councils have until the 14th October 2016 to accept the Governments offer.

6.9 Taking into account the savings delivered through the previous programmes and through delivering a balanced budget in 2014/15, 2015/16 and 2016/17 officers are clear that finding a further £1.1m of savings is a significant challenge given the reduced base position.

6.10 Officers are now working with iESE, a social enterprise company operating in the Public Sector under Teckal arrangements, to deliver further savings through the Towards 2020 programme, which is the Councils efficiency programme. The Council is facing savings of such a magnitude that a whole organisation review is currently underway, further information is included within a separate report on this agenda which, in turn, is closely linked to the Efficiency Plan at Appendix B of this report.

6.11 A series of ongoing staff briefings have taken place to ensure that employees are aware of the financial projections.

6.12 The deadline for acceptance of the 4 year funding offer is 14th October 2016, it's not clear at this point whether any changes will be made to the current offer and therefore members are requested to approve the Efficiency Plan (Appendix B) and delegate authority to accept the 4 year funding offer to the Finance Manager in conjunction with the Chairman of Policy and Resources Committee if they deem that it is in the best interests of the council to accept the offer.

The Business Rate Retention Scheme

- 6.13 The basic operation of the Government Support for RDC in 2016/2017 is as follows:
- The Council continues to collect Business Rates.
 - 50% is paid over to the Government.
 - Of the remaining 50%, 9% is paid to the County Council and 1% to the Fire and Rescue Service.
 - The Council will be provided with a set amount of the remainder it must pay (the Tariff) over to the Government (whatever the business rate income is). RDC keeps the rest.
 - Growth in business rates above a baseline target could lead to an increase in RDC resources.
 - In 2015/16 the Council incurred a small surplus from the business Rates Retention Scheme. Under regulations this surplus impacts on the revenue account in 2016/17, surpluses and deficits will be managed through reserves.
 - The Council continued as a member of the North Yorkshire Business Rates Pool in 2015/2016, which incorporates 5 Districts and the County Council. The benefit of forming the pool is that the levy rate on growth above target is

reduced to zero. This benefit is shared between the pool members in accordance with the agreement. In 2015/16 the council saved £120k as a result of being in the Business Rates Pool.

6.14 For the 2016/17 budget the following table sets out the relevant figures.

	Government Target £m	2016/17 Budget £m
Business Rates Income Ryedale	16.685	18.095
RDC Share (40%)	6.674	7.238
Tariff payable to Government	5.174	5.174
Sub total	1.500	2.064
Funding Target	1.500	1.500
Levy payment (50%)		0.289
Budgeted Retained Business Rate Income		1.775

6.15 For the 2017/2018 budget there are a number of factors which will change the income from the Business Rates Retention Scheme:

- Changes to the Business Rate valuation list from 1st April 2017
- Collection Rates for Business Rates
- The inflation factors to be applied to the Business Rate Multiplier and tariff
- The final position of the Business Rates Pool in 2016/17 and it's continuation into 2017/18.

Council Tax Increases

6.16 The Council's MTFP is predicated on a 1.99% increase in Council Tax for 2017/18. The 2016/17 charge was £181.71 per band D property, which represented a £5 increase on the previous year.

6.17 The Government confirmed the referendum limit for increases in Council Tax in 2016/17 at 2% or £5 (whichever is higher) for Shire District Councils. The referendum principles were published on 8 February 2016. Councils wanting to increase above this level must undertake a referendum of residents. As the cost of this would be c£70k, the Council would need to be considering a 4%+ increase in Council tax to make it worthwhile. Referendum principles for 2017/18 have yet to be confirmed, however the Government has committed to a 2% or £5 threshold in each year of the 4 year funding settlement period.

6.18 A rise of £5 (2.7% at band D) is the equivalent of under 10p per week or less for the majority of Ryedale residents. Members should note that the full Band D charge is currently £1,608.45 taking into the account the charges from the County Council, Fire and Police services. RDC therefore makes up just over 11% of the final bill. A £5 increase in the Council's charge would raise approximately £104k when applied to the current council tax base.

6.19 Council Tax Freeze Grant was not available in 2016/17 and does not feature in the 4 year funding settlement.

6.20 The current approved MTFP is based on 1.99% increase in Council Tax through to 2020/21. The final settlement gave Shire Districts greater flexibility to increase

Council Tax by £5 each year. The difference would generate an additional £330k over the next 4 years and the level of savings required over the next 4 years would be reduced by £130k.

- 6.21 Against this projection and the profile of the Council's finances up to 2021 (Annex A), lack of clarity around the amount of available New Homes Bonus to support revenue and service cuts of £1.1m over the next three years. The officer recommendation is that the Council increase Council Tax by £5 in 2017/18.
- 6.22 There are other issues which will impact on the Council Tax income next year:
- Growth in the Council Tax Base through new properties. An estimate for growth has been included in Annex A based on previous history.
 - The Local Council Tax Support Scheme (LCST). The Council Tax base is suppressed by the cost of LCST. Further work is ongoing in this area, the cost of which is affected by the decision of the four major precepting Authorities on next years council tax rises.

Income

- 6.23 It is important that the Policy and Resources Committee recommend to Council an outline target for increases in income. Clearly where officers believe that increases in line with the strategy will be counterproductive to overall income, or where there is potential scope for increasing above the target these would be considered by the Policy and Resources Committee. The recommended target increase is up to 4.5% on a cost centre heading basis excluding VAT.

Current Year issues (2016/17)

- 6.24 Benefit Administration grant reduced in 2016/17 and will reduce again in 2017/18 as Universal Credit is rolled out.
- 6.25 Maintenance responsibility for an additional closed churchyard, The Parish Church of St Peter and St Paul in Pickering, has been passed to the council. There is also the potential for maintenance responsibility for at least one other Churchyard in the current financial year.
- 6.26 Proposed changes to the delivery of the Land Charges Service, the timescale for change and the financial impact on Ryedale are still uncertain.

Pay and Price inflation

- 6.27 The 2016/17 budget included provision for a 1% pay rise for all employees, with a further provision being made to take account of the employers offer for those employees on lower bands. A two year (April 16 to March 18) pay award has now been agreed through national negotiations. It comprises a headline of one per cent in each of 2016/17 and 2017/18 for staff at spinal column 18 and above and higher percentages for staff on lower bands.

Revenue effects of the Capital Programme

- 6.28 The MTFP incorporates predictions around the revenue impact of Capital Decisions, in particular the borrowing to finance the Brambling Fields junction upgrade.
- 6.29 The Government has introduced greater flexibility around the use of capital receipts. Receipts can be used to fund the revenue cost of transformation projects which generate ongoing revenue efficiency savings. The use of this flexibility is linked to the approval of an Annual Efficiency Plan. The Council is currently reviewing it's asset strategy as part of the Towards 2020 programme. Given the timescale required to gain approval for a revised strategy, market any identified surplus underutilised

assets and dispose of said assets, it's unlikely that the Council will be in a position to use the flexibility in the current financial year.

2017/18 Budget Efficiencies, Cuts and New Homes Bonus

- 6.30 Over the last 6 years the council has generated £3.8m of savings, the majority being efficiency savings.
- 6.31 The forecast at Annex A assumes c£600k of savings in 2017/18 and £1.1m through to 2019/20, officers are working to achieve this level of savings. Individual work plans within the Towards 2020 programme have been scheduled to initially deliver efficiencies before looking at service cuts.
- 6.32 The issues highlighted in this report show that there will be a budget shortfall which cannot be met by efficiencies. This shortfall can be met by using one or a combination of the following:
- Using New Homes Bonus (NHB) to support revenue
 - Use of Reserves
 - Cuts to services/Additional Income
- 6.33 The Council has performed well in earning NHB to date. Based on the Governments illustrative figures the Council will receive around £1.69m in NHB in 2017/18 before this funding stream begins to reduce as proposed changes to the scheme take effect. Of the £5.553m earned in total in the previous 6 years, £0.886m has been used to support the revenue budget and £0.476m to support the capital programme, drawdown of NHB in line with the Medium Term Financial Plan will be required in order to ensure no further cuts in 2017/18, however this will be subject to the timing of and final changes to the revised NHB scheme, a Government announcement is expected shortly.
- 6.34 The Council's 2016/17 budget did not plan to draw on the Council's General Reserve. The Council's reserves are adequate however the use of reserves to bridge revenue budgets only provides a short term solution to financing difficulties. With the outlook for 2016/17 and beyond being very tough, and the scale and risk of achieving cost reduction being high, the council's policy on surplus reserves is clear: to invest to save and, if required, to smooth the curve of cost reduction in the light of timescales needed to drive costs out.
- 6.35 Only unavoidable growth can be accommodated at this time. Within the MTFP £340,000 is included for growth items which includes a provision for the replacement of 3 refuse vehicles previously purchased through capital and provision for an increase in pension contributions following the triennial valuation of the pension fund.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:
- a) Financial
The financial impacts are detailed within the report.
 - b) Legal
There are no new legal issues around the budget strategy.
 - c) Other
All savings proposals will be evaluated to identify direct other implications where possible.

8.0 NEXT STEPS

8.1 The following table sets out the timetable for the budget process:

Resources Working Party unplanned or exceptional budget matters arising	10 November 2016
Member briefing on budget	11 January 2017
Policy and Resources Committee consider 2017/18 Budget	2 February 2017
Full Council formally set budget and Council Tax	21 February 2017

Peter Johnson **Finance Manager (s151)**

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Background Papers:

None.

RISK MATRIX

Issue/Risk	Consequences	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
<p>Efficiency savings unable to meet the shortfall therefore service cuts will be required.</p> <p>Further reduction in NHB Income</p> <p>Business rates revaluation on 1st April 2017</p>	<p>Cuts to front line services, reputational damage to Council, possible poor external inspection.</p>	5	D	<p>Co-ordinated approach to savings identification, new operating model for the council to be delivered through the T2020 programme.</p> <p>IT investment to change working patterns and make efficiencies.</p> <p>Funding streams to be monitored closely and changes to be reported to members at an early stage.</p> <p>Any cuts will be fully worked up and considered by members at an early stage.</p>	5	C

Score	Likelihood	Score	Impact
1	Very Low	A	Low
2	Not Likely	B	Minor
3	Likely	C	Medium
4	Very Likely	D	Major
5	Almost Certain	E	Disaster

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APPENDIX A

Medium Term Revenue Forecast 2016/17 - 2020/21

	2016/17	2017/18	2018/19	2019/20	2020/21	
	Projection £'000	Projection £'000	Projection £'000	Projection £'000	Projection £'000	
Base Budget and Inflation						
Base Budget	6,823	6,413	6,166	6,123	6,060	
Pay Increase & General Inflation	126	150	150	150	150	
	6,949	6,563	6,316	6,273	6,210	
Add Future Cost Increases						
Budget Pressures	409	340	150	150	150	
Capital Programme Borrowing	0	0	0	0	0	
Deduct Future Savings:						
Efficiencies/Service Cuts/Additional Income	-584	-582	-237	-257	-246	
Movement in NHB Applied to Revenue	233	-265	-237	0	0	
Movement in Rural Service Delivery Grant	-569	110	106	-106	-106	
Movement in Transition Grant	-25	0	25	0	0	
Net Revenue Budget	6,413	6,166	6,123	6,060	6,008	
Financing						
RSG	763	379	143	-120	-380	
Business Rates	1,775	1,810	1,846	1,883	1,921	
Collection Fund Surplus	69	25	25	25	25	
Council Taxpayers	3,734	3,882	4,031	4,191	4,358	
CT Base Growth	72	70	78	81	84	
Budget Requirement	6,413	6,166	6,123	6,060	6,008	
NHB Earned	1,676	1,685	1,059	1,016	1,016	
Applied to Revenue cumulative	326	591	828	828	828	
Applied to Capital	188	188	188	188	188	
To be allocated	1,162	906	43	0	0	2,111

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Efficiency Plan

Over the last six years Ryedale District Council has delivered efficiency savings of £3.8m which, to put into context, represents 60% of its current net revenue budget of £6.4m.

Ryedale has been innovative in delivering its frontline and back office services. Partnerships have constantly been sought with the private sector and other public sector organisations to maximise both the efficiency and effectiveness of service provision.

Examples of these partnerships have been:

- A ten year contract with SLM Ltd for the provision of Leisure Services.
- A contract with Veritau North Yorkshire Ltd for the provision of an Internal Audit and Fraud Service.
- The North Yorkshire Procurement Partnership.
- North Yorkshire Building Control Partnership
- York, North Yorkshire and East Riding Local Enterprise Partnership
- White Rose Home Improvement Agency

In each of these areas of business, the Council has ensured significant efficiencies are realised from the new arrangements. Being a rural authority there is a high cost of providing many services which is not fully reflected in national finance settlements. The approach, therefore, to service procurement and delivery has to be innovative in order to deliver a balanced budget.

The strategy will seek to build on these successes by continuing to:

- Identify opportunities for alternative service provision through strategic procurement.
- Develop partnerships as appropriate
- Recognise the benefits of extending existing contracts and relationships.

The External Auditors Annual VFM conclusion has reflected positively on the Council's ability to deliver efficiencies.

The Council's strategy for securing efficiencies is driven by the overriding factor of delivering the Corporate Plan within the constraint of a limited financial resource. Customer needs and expectations are of paramount concern.

In addition to the need to generate efficiencies due to reductions in funding, unavoidable spending pressures such as inflation and pay awards require cash to be released from other areas of business and there is a clear strategy to achieve this with minimum reductions in service. The Council does understand, however, that this may not always be possible and it

uses public consultation to influence service priorities and is clear about what can, and what cannot, be achieved in the Corporate Plan.

The remainder of this Statement summarises the service and organisational developments which will not only deliver the efficiency gains in the current year, but also how targeted investment made in 2016/17 will realise the required savings in the medium term.

Current Year

In delivering a balanced budget for 2016/17 the Council included savings of £584k, details of the savings are highlighted in the table below:

Proposal	Savings £'000
- Budget Review Efficiencies	67
- Additional Income	20
- Reduction in Grant Expenditure	22
- District Election	40
- Net Salary Savings	435
Total of Savings	584

The Council is on course to realise all these savings in the current financial year.

The last six years have seen a long period of transitional and opportunistic change in order to deliver savings. Given the magnitude of the funding reductions faced by the council over the next 3 years, the time has come to re-prioritise and focus future business needs.

Towards 2020 Programme

Following on from the success of the One-11 (2011/12), Going for Gold (2012/13) and Round 3 (2013/14) Programmes, Officers are progressing the 'Towards 2020' programme. The purpose of the programme is to deliver required efficiency savings by 2019/20, whilst minimising cuts to services. Following the 2016/17 settlement and likely changes to the calculation of NHB the council is faced with a savings requirement of at least £1.1m over the next 3 years having already delivered £580k for the 2016/17 budget.

The Council's corporate efficiency strategy is entitled 'The Towards 2020 programme' and is based around making the most out of the following four areas of the organisation:

- Management of Systems and Services;
- Enabling Technology;
- Enabling Assets and Acquisitions; and
- Enabling Competencies, Skills and Behaviours.

What we need to prioritise as a council will not change, this is set out in the Council Plan. However, we need to recognise that the scale of the savings required for Ryedale to address the fiscal challenge is immense. Small improvements on the current delivery of service to customers alone will not suffice if the council is to survive, let alone be sustainable, in the

short to medium term. It is recognised that service reviews alone cannot achieve the level of savings required. We therefore need to adopt whole organisation change and re-invent the way we deliver service, with a rapid requirement to move to a lower cost, higher value operating model - we will need to do very different things in a very different way. Our transformation will be all about our customers and we will aim to significantly improve customer experience and outcomes at reduced cost through the removal of duplication and waste, and focusing on prevention to reduce unnecessary demand for services. We need to reflect forward to meet the needs of tomorrow as well as today. The Full Mandate for change (Annex A) has been communicated to Officers and Members of the Council.

The Council has developed a blueprint for change based on design principles for how the council will operate into the future which are categorised into the key themes of:

- Customer interaction
- Levels of Performance
- Service Delivery
- Ways of Working

The Towards 2020 programme is targeting the following areas to achieve the savings identified in the current MTFP.

Description	Target Saving
Assets	£100k
Management Structure	£400k
Business Process Redesign	£500k
Other Efficiencies	£100k

Staff and Member engagement is underway and formal consultation is scheduled to commence in July 2016. Customer engagement will be carried out on a test and learn basis.

There will be a significant Invest to save funding requirement.

The focus of the Efficiency Plan is on cash efficiency savings, although this does not in any way under-value the Council's approach to performance improvement which is fundamental within the Corporate Plan.

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Ryedale T2020

A Mandate for Change



About the Mandate

The Mandate for Change is intended to be a high level document that provides a reason for embarking on the Transformation Programme. It provides the rationale which links people and activities to a common purpose and objective. It creates a context for change and helps to provide a link between multiple activities and workstreams. It is there to create a personal connection to the Programme. The Mandate is not intended to replace or be a substitute for any of the proper programme documentation or governance, such as the business case or the programme plan.

The Context

The Ryedale and the current economic landscape

Ryedale District Council has historically been a leading and high performing council. It has always had a voice and impact beyond its size, including in areas such as the region's economic development, health and environmental services. The Council has always looked to be more efficient and effective and in the last few years has undertaken a number of successful efficiency programmes achieving savings in the region of £3.3 million. However, the future financial landscape means that we will need to think even more radically and we will need to understand and respond to issues such as devolution and combined authorities.

The Devolution question

All of these changes are occurring at a time when there is a heightened call for increased devolution and combined authorities. Devolution means the transfer of certain powers and responsibilities from national government to a particular region. The intended benefits are that decisions made locally meet the needs and aspirations of the people who live and work in the area. Combined Authorities are about two or more neighbouring local authorities collaborating on major strategic issues such as transport investment, skills, economic development and regeneration. Ryedale has always been open to partnership working and keen to drive the local strategic agenda, but any considerations will need to have demonstrably and measurably better outcomes for the residents and businesses of Ryedale who are amongst our customers.

Scale of the financial challenge

The Government announced its planned deal for Local Government through to 2019/20 in the Local Government Finance Settlement on 17 December 2015. The background to this was the Spending Review announced alongside the Chancellor's Autumn statement on 25 November 2015. This indicated that Local Government would receive the largest funding reductions in comparison to other areas of public expenditure. The four year settlement that was announced, however, was materially worse than had been expected. The current savings requirement is £1.1M. Whilst there has been some short term additional funding because of the rural nature of our area, the long term picture remains the same. In short, we need to transform the organisation, not for the short term of the council, but for the future of the district.

Transforming Ryedale District Council

What do we mean by Transformation?

What we need to prioritise as a council will not change, this has already been laid out in the Ryedale Council Plan. However, we need to recognise that the scale of the savings required for Ryedale to address the fiscal challenge is immense. Small improvements (doing the same things better) on the current delivery of service to customers alone will not suffice if the council is to survive and the district is to endure, let alone be sustainable, even in the short to medium term. It is strongly evidenced that service reviews just cannot achieve the level of savings we need to make. We therefore need to adopt whole organisation change and re-invent the way in which we deliver service, with a rapid requirement to move to a lower cost, higher value operating model – we will need to do *very different things*, in a *very different way*. Our transformation will be all about our customers and we will aim significantly to improve customer experience and outcomes at reduced cost through the removal of duplication and waste, and focusing on prevention to reduce unnecessary demand for services. We need to reflect forward to meet the needs of tomorrow as well as today.

The reason for being – our customers

At Ryedale we have always focussed on the customer. Many councils often struggle with the term customer, but for us it is clear. It is anyone who uses or may need to use the services that we deliver or support now or may deliver in the future. This includes citizens and service users, including residents, businesses and visitors. It also includes our partners, of which we have many. Each group – and in fact each individual within different groups – may have different needs. However, what is critical to us is that it is all about creating value for every one of those customers. To achieve this we need to ensure we understand who our customers are, what they require and then deliver it in the most efficient and appropriate way.

What does creating value mean?

Value is all about doing “what matters” to the customer. A simple idea, but how many local authorities really know what customers care about, since many local authorities get wrapped up in what they currently do and have always done? This is often demonstrated through media such as their website, which is focused around the current professional delivery activities and structures rather than clearly understood customer needs.

This is often because value (as the customer perceives it) is not easily calculated, but after all the dust settles from a customer experience, what is left is a perception of the service we provide. It is about how the customer feels we deliver our services. Did the customer end up with a feeling of satisfaction, or not? It’s not about getting all the touch points “perfect” or even giving them the answers they wanted, it is about being treated efficiently, fairly and with empathy.

So what creates value for customers?

These are the things that will create value for the customers of a future Ryedale Council:

- Allowing people to do the things they need to do for themselves as easily as possible, when they need to do them. Allowing us to focus on those with the most complex needs.
- Being open, transparent and accessible.
- Being modern, efficient and business-like.
- Treating all customers equitably and delivering a consistent and appropriate level of service.
- Doing our best to ensure customers issues are resolved.
- Being clear on expectations of what we can and cannot do.
- Understanding that whilst we will need to deliver against our required obligations as a council, our focus will be on what matters, not what is “statutory”.
- Having ownership of, and responsibility for, a customer issue and dealing with it seamlessly across all parts of the organisation as one council.

A one council approach

To deliver this future aspiration we need to work as “one council”. This not only means breaking down any silos within our organisation, and thinking radically about our structure and ensuring we do deliver “seamlessly” - adopting a single “Ryedale way” of doing things - but it also means all officers, members and partners working in the same way, to the same ends. This sounds like a simple vision, but it will be challenging to achieve.

A vision for the future

Our vision for the future is therefore (deceptively) simple:

‘Continuing to do what matters for Ryedale’

It’s simple, in that doing what matters will be all about a focus on adding value for the customer. However, it is also complex and challenging, as it means getting closer to the customer, really understanding their needs and sometimes challenging our own pre-conceptions and traditional ways of doing things. It is also set in a landscape of competing priorities and demands. We will need to have a mature approach to the management of risk, one that moves beyond the traditional local government approach, centred on a risk-averse culture that seeks to mitigate risk beyond all reasonable doubt, to managing risk based on an appropriate balance of probabilities to the likelihood of risk occurring and the impact a risk might have. To increase our appetite for risk, our staff at all levels will be empowered to take timely decisions necessary to support services and customers.

What will this mean for staff?

Our people are our greatest asset and in the future we want the way we operate to move from being a formalised and structured organisation and become a dynamic, creative and innovative place to work. For staff this means three things. Changes to:

The Work - Our focus on work will include what work is and where, when and how it takes place, as well as changes in skills and job needs, changing career progression with new opportunities and pathways for those who want it, maximising technological developments and embedding new ways of working.

The Workforce - Our focus on the workforce will recognise our demographics, wider population and legislative changes, attitudes and expectations, the changing skills base and how people are best organised, developed, managed, motivated and rewarded to perform at their best.

The Workplace - Our focus on the workplace will recognise how organisations are evolving and adapting, recognising that *work is an activity and not a place* and allowing for flexible work location and hours and a flexible physical work environment that benefits both the individual and the organisation – and ultimately the customer, as we will bring the service closer to them.

Engagement and communication

In delivering this transformation it will be essential to build commitment, understanding and momentum in staff for the development of a new operating model, new behaviour and ways of working. We will need to clearly articulate the impact of the changes which will be developed from this Mandate and encourage dialogue about change with staff.

Next Steps

What now and what next?

The Mandate will be a ‘touchstone’ as we make progress with our transformation programme – we should constantly be able to refer back to it to see if any changes we are making are in line with its aspirations. It allows us to take the next steps to define a set of high level operating principles for the Council. These will inform a more detailed strategy and plan of how we interact with our customers, the levels of performance and service we should be providing and how we want staff to be working in the future. These considerations and clear expectations will then ensure we can start to build the organisation we need to be in the future to deliver what matters for the customer at a cost that ensures we are a sustainable organisation – our organisational Blueprint.

The long term

Staff have already undertaken work to consider what factors might effect our future. Whilst there are many issues such as devolution that may impact on us, the overriding theme of those discussions was that, to a considerable extent, our destiny is within our own control. If we pro-actively address many of the issues they can be opportunities for us for future, and not threats. It is only through radical thinking that we will be able to deliver the scale of efficiencies we need to make us sustainable. However, this will mean taking some bold, and sometimes tough, decisions about what we do and how we do it. Services and functions will change at a rapid pace, which in turn will drive wider structural reform for Ryedale District Council as a whole.

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REPORT TO: FULL COUNCIL
DATE: 7 JULY 2016
SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES
COMMITTEE ON 16 JUNE 2016

10 Member Involvement in Appeal Panels

Considered - Report of the Corporate Director

Recommendation to Council

That Council be recommended to approve that the Member Appeals Panel be replaced by an Officer Appeals Panel in all appeals against dismissal except where a case cannot be considered by the Head of Paid Service or nominated representative.

Voting record

For 5

Against 3

Abstention 1

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	16 JUNE 2016
REPORT OF THE:	CORPORATE DIRECTOR PHIL LONG
TITLE OF REPORT:	MEMBER INVOLVEMENT IN APPEAL PANELS
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To respond to a request from Councillor Ives which was made at P & R to alter the Policy relating to Member involvement in disciplinary appeals panels. This report seeks Member approval for a change that affects three Human Resources policies: the Disciplinary Policy, the Capability (Capability Performance) and Management of Attendance Policy. The change replaces the current provision for Member Appeals Panels, for appeals against dismissals, with Officer Appeals Panels.

2.0 RECOMMENDATION

- 2.1 Council is recommended to approve the replacement of Member Appeals Panels for appeals against dismissals with an Officer Appeals Panel.

3.0 REASON FOR RECOMMENDATION

- 3.1 The Head of Paid Service has statutory responsibility under Section 4 of the Local Government and Housing Act 1989 for the appointment and proper management of the Council's staff.
- 3.2 The Head of Paid Service has followed guidance from ACAS. Following the repeal of the Statutory Dismissal Procedures (SDP) in April 2009, ACAS produced a revised Code of Practice and 'Guide' for employers to consider prior to revising their policies and procedures. ACAS issued a further revision to the code under section 199 of the Trade Union and Labour Relations (Consolidation) Act 1992 which was laid before both Houses of Parliament on 16 January 2015. This came into effect on 11 March 2015 and replaced the Code issued 2009. Employment Tribunals consider this information as a comparator against internal procedures should any claim be brought against the Council.

4.0 SIGNIFICANT RISKS

4.1 None.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 The primary consideration for reviewing the appeal process is to enable a more efficient and economic approach as and when such situations arise.
- 5.2 The opportunity to appeal against a disciplinary decision is essential to natural justice, and appeals may be raised by employees on any number of grounds, for instance new evidence, undue severity or inconsistency of the penalty. Such appeals are heard by an Officer Panel, only appeals against dismissal are currently heard by members.
- 5.3 The purpose of an appeal is to enable an independent review of the 'reasonableness' of the outcome of the disciplinary hearing and is important to focus on reviewing the process followed and the appropriateness of the decision.
- 5.4 Historically, the National Joint Council for Local Government Services has not specified who should hear appeals. From 1984 The NJC did not issue detailed guidance on the formulation of disciplinary rules and procedures, but recommended local authorities to determine, by operation of the procedures normally adopted by local parties, arrangements appropriate to local circumstances which have full regard to the principles and standards set out in the ACAS Code of Practice.
- 5.5 Following Harmonisation in 1997 and to date, the NJC for LGS continues to affirm 'The employing authority should ensure that all employees are aware of the disciplinary rules and procedures that apply'. All employees should also be aware to whom they can apply if they are dissatisfied with any disciplinary decision. These procedures should accord with legal requirements and with the ACAS Code of Practice and Guidance.
- 5.6 In April 2009, ACAS produced a revised Code of Practice for disciplinary and grievance procedures for employers to consider prior to revising their policies and procedures along with extensive accompanying guidance. Whilst revised March 2015, this remains in place and Employment Tribunals consider the Code of Practice and Guidance as a comparator against our internal procedures should a claim be brought against the Council. The Code of Practice from 2009 and 2015 states: "The appeal should be dealt with impartially and wherever possible, by a manager who has not previously been involved in the case." (*Ref: ACAS Code of Practice on Disciplinary and Grievance Procedures. 2015, point 27*)
- 5.7 The policies and procedures being revised to which the application of this change of policy principle is proposed are the Disciplinary Policy, the Capability (Capability Performance) and Management of Attendance Policy. Currently these policies allow in the procedural element for appeals against dismissals to be heard by an Appeals Panel of the Policy and Resources Committee.
- 5.8 All three policies still in their original format had been subject to a joint review with UNISON though the matter of appeals being heard by Officers was not agreed with UNISON. The proposal is to replace the facility for Member Appeals Panels with an Officer Appeals Panel.

6.0 POLICY CONTEXT

6.1 This proposed revision fits with corporate aim 5: to transform the Council.

7.0 CONSULTATION

7.1 Discussion and consultation on the proposed change has taken place with UNISON and is attached at Annex 1.

7.2 Research has been undertaken into the approach taken by other Authorities in the Yorkshire and Humber area in respect of member involvement in appeals. The results were that there remains an even mix of member involvement and no member involvement.

7.3 Those authorities whose members are still involved will be reconsidering their relevant policies/procedures when they are due for review.

7.5 This process would not apply to the Chief Executive or to Chief Officers as they are governed by different terms and conditions and any appeal would be made in accordance with those terms and conditions applicable at the time.

8.0 REPORT DETAILS

8.1 The policy principles contained within the Disciplinary, Capability and Management of Attendance policies nor procedures have not been altered to date.

8.2 The current procedures state:-

Appeals

Appeals against dismissals will be heard by the Appeals Panel of the Policy and Resources Committee. The employee has the right to be represented at an appeal by a trade union representative or other companion.

8.3 The proposed amendment is:-

A member of CMT and a HR representative, wherever possible, who have not been involved in the disciplinary process, will hear dismissal appeals.

8.4 The reasons supporting the proposed change are:

- Guidance from ACAS which is a Crown non-departmental public body of the Government of the United Kingdom whose purpose is to improve organisations and working life through the promotion and facilitation of strong industrial relations practice is acknowledged as the 'Best Practice' approach.
- ACAS produced comprehensive accompanying guidance to the Code of Practice for Disciplinary and Grievance Procedures. This guidance is provided for employers to consider prior to revising their policies and procedures. Employment Tribunals will consider the Code of Practice as a comparator against our internal procedures should a claim be brought against the Council.
- The Code of Practice states that "the appeal should be dealt with impartially and wherever possible, by a manager who has not previously been involved in the case". When considering what should an appeals procedure contain the ACAS Guide says 'It should: wherever possible, provide for the appeal to be heard by

someone senior in authority to the person who took the disciplinary decision and, if possible, by someone who was not involved in the original meeting or decision".

- To ensure that the procedures can be carried out and acted upon promptly Appeal Hearings should be heard without unreasonable delay, and wherever possible by a manager who has not previously been involved in the case.
- There is support from Managers in the Authority for this approach.
- The constitution makes it clear that the Head of Paid Service has ultimate responsibility for the appointment and proper management of the Councils' staff and to take all actions and make all decisions not reserved to the Council relating to organisation (or any electoral) matters.
- The Head of Paid Service is ultimately responsible to agree a settlement should an application to tribunal be made subsequent to the appeal process after the Early Conciliation process has been exhausted.

9.0 IMPLICATIONS

9.1 a) Finance

There are no financial implications.

b) Legal

The principal legislation that relates to this policy is the Employment Act 2002 (Dispute Resolution Regulations 2004) and the repeal of the Statutory Dismissal Procedures (2009) and the ACAS Statutory Code of Practice 2015.

The stages of the procedures reflect the ACAS Code of Practice which has been approved by Parliament and are referred to by Employment Tribunals.

c) Environmental

No environmental issues for introducing this policy.

d) Equality Impact Assessment

All equality issues have been considered in consideration of appeals going to officers rather than Members especially in relation to the unfair dismissal and discrimination strands.

Phil Long
Corporate Director

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Background Papers:

ACAS Statutory Code of Practice on discipline and grievance 2015.

ACAS Discipline and grievances at work - The ACAS Guide 2015.



Ryedale UNISON Branch
Response to Proposed Scrapping of Elected Member Appeals Panels

1.0 Introduction

- 1.1 On 12 August 2015 Unison branch representatives were advised verbally by the Corporate Director of a proposal to end the use of Elected Member panels for determining appeals against dismissal. The matter was discussed briefly with the Corporate Director and Human Resources Manager, by the Branch Secretary and Service Conditions Officer, on 10 September. Subsequently, on 23 September, a copy of a draft report scheduled to be taken to P&R Committee on 26 November, was provided to the branch committee.
- 1.2 On 8 October 2015 the report and UNISON's draft response were discussed at a further meeting with the Corporate Director and Human Resources Manager. It was clear following this meeting that there was fundamental disagreement on the reports recommendation to get rid of the elected members appeals panels for cases of dismissal arising under disciplinary, capability and absence management proceedings .

2.0 Comments on Report to Committee by Corporate Director

- 2.1 The Corporate Director's report sets out several reasons for recommending approval of the proposal to scrap Member Appeals Panels for appeals against dismissal and to replace them with a panel of Officers.
- 2.2 Section 8.4 of the report states that the proposed change is based on Guidance from ACAS, citing the ACAS revised statutory code (issued in 2009) as being the appropriate document to consider prior to revision of disciplinary and grievance procedures. A quote taken from the Code and included in the report states: "*the appeal should be dealt with impartially and wherever possible, by a manager who has not previously been involved in the case.*" This wrongly suggests that the involvement of Elected Members in appeals is contrary to the ACAS Code.
- 2.3 It should be noted that the Code applies to all employment sectors and the fact that the Code refers to managers and not Councillors is not significant. On 23 October 2015 the branch sought the opinion of an ACAS Conciliation Officer on this issue. The Officer, who has nearly 20 years experience in his role, expressed the view that the use of Member Appeals Panels was not in breach of the ACAS Code and said that he knew of no case where it had been deemed to be so. He was not aware of any case where the use of a Members Panel by a local authority had been challenged on such grounds. Clearly then, neither the ACAS Code or ACAS itself opposes the involvement of Elected Members appeals panels.

- 2.4 The significant part of the Management report quote from the Code is the requirement for appeals to be dealt with impartially and the desirability that this is by someone not previously involved in the case.
- 2.5 Section 5.8 of the Corporate Directors report states that "*All three policies (Disciplinary, Grievance and Absence Management) have been subject to a joint review with UNISON, though the matter of appeals being heard by Officers was not agreed with Unison.*" To clarify, this is a reference back to 2010 when the present policies were reviewed in consultation with UNISON prior to approval by Elected Members. The review was undertaken having regard to the revised ACAS Code (issued in 2009). Current policies do therefore have regard to the revised ACAS code and any suggestion that they are incompatible with the Code in respect of who deals with appeals is incorrect.
- 2.6 It is particularly significant that we have been here before. The appropriateness of Member Appeals Panels was considered by the Councils Policy and Resources Committee on 1 April 2010. A proposal to scrap the member panels for dismissal appeals was rejected by the committee. Strong support for retention of Members Appeals Panels was voiced at the meeting by Cllr. Edward Legard, who we believe was the Committee Vice-Chairman at that time. Cllr. Legard, no doubt calling upon his own professional expertise and insight as an employment law barrister with considerable experience of Employment Tribunal cases, defended the present arrangements. There have been no changes in the ACAS Code or relevant employment law since then and Cllr. Legard's views on the merits and safeguards afforded by the Members Appeals Panels should not be disregarded now.
- 2.7 Given the fact that the ACAS code has not been revised since then, there is no obligation for the Council to revisit this matter. However, if it is to be looked at again this should only be done as part of a joint review of the procedures in their entirety. This would be consistent with the principles set out in the Joint Collective Disputes Policy agreed between the Council and UNISON in 2010.
- 2.8 Section 7.3 of Corporate Directors report states that those authorities where members are still involved in appeals will be reconsidering their existing policies when they are due for review. This seems to imply that Member involvement in appeals is on borrowed time elsewhere. In fact what it really means is that if/when procedures are reviewed this aspect of the procedures will be looked at alongside all other aspects of existing procedures – that is after all what a review is. It could just as legitimately be said that those Councils that do not currently involve Members at the appeal stage will reconsider their position when their policies are reviewed. It would certainly be mistaken to believe that direct involvement of Elected Members in dismissal appeals is not common practice in local government and that it will not continue to be so. When we carried out a

'Google' search on this subject we found that the vast majority of the local authorities were using Member Panels for appeals.

- 2.9 A further reason given in the report to justify scrapping the Members Appeals Panels is the claim that this would help to ensure that procedures are carried out promptly. The implication is that having appeals heard by Elected Members causes excessive and unavoidable delay in disciplinary proceedings. Experience of recent years does not support this view. There have been some very protracted disciplinary cases at Ryedale DC in the last two years. In some cases the delays were unacceptably long. For example, in one case there was a delay of over 5 weeks following the occurrence of the incident giving rise to disciplinary action before an investigatory interview took place. There was then a further delay of 12 weeks before a disciplinary hearing was held, in total 17 weeks passed between the incident and the disciplinary hearing. In another case the delay between the incident and disciplinary hearing was 15 weeks.
- 2.10 The delays in both cases are attributable to management failings and there was a failure in each case to satisfy the ACAS Code in respect of employers being expected to deal with disciplinary issues promptly. The fact that in one of these cases there was then a further delay of several months before an appeal was heard by Members does not mean that Member Appeals Panels should be scrapped. Applying this logic it could be argued that management disciplinary panels should themselves be replaced by some other alternative. It is not the procedure that is the problem and in the two cases referred to it would have been possible to have a much quicker resolution without changing the procedure. The solution to undue delays is to ensure that the disciplinary procedure is managed fairly, efficiently and effectively at all stages rather than making radical changes to the procedure itself. The ACAS Code is indeed a very good basis for dealing with these matters properly. With good management there is no reason why the convening of a Members Appeal Panel cannot be undertaken in a timely manner and this is not a valid justification for scrapping the panels.
- 2.11 Even if it were envisaged that there might be a procession of employees dismissed on disciplinary/capability grounds in the coming months and years, ending the existing arrangements would not be justified. Good practices that work well should not be sacrificed simply because they are considered inconvenient.

3.0 Reasons Why UNISON Support Retention of Members Appeals Panels

- 3.1 UNISON strongly supports the involvement of Elected Members in dismissal appeal cases. We have discussed this as a branch and our views reflect those of our membership. Elected Members, who are ultimately accountable for what Ryedale DC does, have the advantage of being part of the organisation and being familiar with its values, whilst at the same time

having a significant degree of independence and detachment from day to day personnel matters. They are we believe better placed than managers, particularly in a small authority such as Ryedale, to ensure objective consideration of dismissal appeal cases. Their involvement gives a valued degree of integrity to the procedures and reassurance of fairness to staff.

- 3.2 We feel that retention of provision for the involvement of Elected Members in dismissal cases is particularly important because of the nature of this organisation. Ryedale DC is a small authority (smaller than it was in 2010 when members rejected similar proposals). Inevitably, members of a small, close knit management team will be familiar with each other. It is hard to envisage that the critical requirement for appeals to be dealt with impartially and by a manager or managers with no previous involvement or detailed knowledge of a case would be practicable. This would make the process unfair. Fairness and the perception of fairness are vital in these proceedings and the proposed change will remove this from the process.
- 3.3 The proposed change provides no safeguards to deal with a situation arising where prior involvement of both the Chief Executive and Corporate Director in a case renders the involvement of either of them in the appeal unfair. Notwithstanding the small number of member appeals there have been (less than 5 in the last six years) there was at least one case amongst these where this would have been a serious problem.
- 3.4 It is of course management's job to manage but managers should not be above the accountability and scrutiny that the current arrangements provide, particularly in view of the serious consequences of dismissal for employees, and potentially Ryedale District Council itself – in terms of reputation and costs that may arise as a result of any Employment Tribunal cases lodged.
- 3.5 In some cases dismissal may be unavoidable, that is not the basis of our objection, but we feel that it is vital that in all cases of dismissal management is accountable and decisions to dismiss employees are subject to appropriate scrutiny. We believe that the provision for a Members Appeal Panel does in itself give management cause to reflect very carefully in reaching decisions in cases where dismissal is being considered.
- 3.6 There is a suspicion amongst the workforce that removing the stage where management can be held accountable to elected members could encourage a more trigger happy approach by management. It would be perceived as a change intended to make it easier to dismiss employees. We think that the provision for member involvement in dismissal cases acts as an incentive for management to do its job in a scrupulous manner.
- 3.7 The Chief Executive has statutory responsibility for staff appointments and management, and as the disciplinary procedure states, disciplinary action is taken by the Chief Executive or her/his representative. This is a lot of power for one person to hold. It would not be in the interests of the Council to

eliminate the means by which, in relation to more serious disciplinary cases and cases of dismissal on capability and absence management grounds, this power can be held to account.

- 3.8 This proposal in effect says that Elected Members are not suitable for the task of hearing appeals. If Elected Members themselves agree to it and it is adopted then what will be missing in future is any provision for impartial internal scrutiny of employee dismissals.

4.0 Conclusions

- 4.1 The present arrangements for appeals have worked well for many years.
- 4.2 The current appeals procedures are compliant with the ACAS Code and are widely favoured by the workforce.
- 4.3 The procedures were reviewed in 2010 and Elected Members rejected a similar proposal then.
- 4.4 The proposed change is unnecessary. It would increase substantially the risk of breaches of the ACAS Code and in our view render the Councils procedures unfair. This would raise the prospect of dispute and increase the chances of dismissal cases ending up in the court system with consequential reputational and financial cost to the Council.
- 4.5 Most local authorities have procedures that involve elected members in appeals against dismissal and this will continue to be the case.
- 4.6 The reasons put forward to justify the proposal (the ACAS Code and to speed up proceedings) do not stand up to scrutiny.
- 4.7 Retention of the existing arrangements will help to ensure that employees have confidence that management is accountable for actions taken in relation to serious cases concerning matters of discipline, capability and attendance. This will provide assurance to the workforce that if they or any of their colleagues find themselves the subject of such proceedings they will be dealt with in a fair and objective manner.

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Management Comments To UNISON Response Regarding the Report Entitled Member Involvement in Appeal Panels

1.1 No comment

2.1 No Comment

2.2 It is not suggesting that involvement of Elected Members in appeals in contrary to the ACAS Code. Section 8.4 of the report is clarifying the guidelines from ACAS. ACAS is governed by an Independent Council, including representatives of employer and employee organisations and employment experts and therefore offer and provides free and impartial information and advice to employers and employees on all aspects of workplace relations and employment law. RDC have and do endorse the Code of Practice at all times to ensure compliance and the ACAS guidance endorses senior manager involvement. It does not reference Elected Members as ACAS supports a broad spectrum of employers. *The NJC for Local Government Services, National Agreement on Pay and Conditions of Service states in Part 2 17.1 " Disciplinary Procedures - The employing Authority should ensure that all employees are aware of the disciplinary rules and procedures that apply. All employees should also be aware to whom they can apply if they are dissatisfied with any disciplinary decision. These procedures should accord with legal requirements and with the ACAS Code of Practice and guidance."*

2.3 RDC is not indicating there has been any breach now or at any time at all. The report is intending to respond to the request from Elected Members as stated in the main body of the report. As referred to in 2.2 it is recognised that ACAS does not make any reference to Elected Members. Council's are able to undertake their own decision making process to determine how appeals are heard.

2.4 No Comment

2.5 There is no suggestion that the policies are incompatible with the ACAS code, the request from Elected Members is being responded to and it is seen as an opportunity to modernise the approach whilst remaining in line with ACAS guidance.

2.6 Mr. Edward Legard is no longer an Elected Member. A current Elected Member has raised this matter and it will be for the relevant committee(s) to make the decision. The outcome from P & R refers as follows: **Sub Committee – Appeals Panel**

That Councillors Farnell, Keal and Oxley be appointed the interim, pending officers bringing a report back to Policy and Resources Committee, following consultation with Unison regarding revision of the disciplinary policy. The report is to consider the Head of Paid Service or a nominated Senior Management representative being the final stage of the appeals process, in all cases, except where the Head of Paid Service or nominated representative have previously been involved in a case.

2.7 Management can review a policy and procedure when it is appropriate to do so to update or keep in line with ACAS guidance, or changes in employment law and legislation. This report is following an Elected Member request. Consultation has been undertaken with Unison. There are no collective disputes to consider. There is not a need to look at the procedures in their entirety at this stage and this is not what the Elected Member has requested. See also 2.6 above.

2.8 Intelligence from the Yorkshire and Humber region indicate the current split is around 50:50 and that to modernise approaches and seek a more efficient practice the remaining

authority's are looking to propose removal of Elected Member Appeal Panels at the time of reviewing their procedures when seeking efficiencies in their business model. See also 2.6 above.

2.9 Management have not said in the report that such an approach would help ensure that procedures are carried out promptly. There have been sensitive and extenuating circumstances relating to such matters in the past which had an impact upon being able to process a hearing/appeal in a more timely way. The matter in question here is regarding the appeal process. Any modernisation of approach can only be viewed constructively.

2.10 The report is regarding appeals, and who hears. There have only been a very small number of appeals and convening an appeal is involved and multifaceted. In undertaking appeals with officers they can have access to regular training and development to ensure they are fully up to date in employment relations matters whilst being accountable and open to scrutiny. The Elected Member request continues to support natural justice, reasonableness and fairness by officers operating under the code of conduct.

2.11 There has not been and it is not envisaged there will be a 'procession of employees dismissed on disciplinary/capability grounds' and to imply so gives a poor impression of how Unison perceive standards of performance with employees. Further, there has never been any indication that an appeal process is 'inconvenient' - an appeal is a part of natural justice, is referenced in ACAS guidance, is a requirement in employment law terms and affords best practice - for Unison to say this otherwise is extraordinary and would seem to go against the 'Collective dispute' approach which was referred to earlier. There is an ideal opportunity to refresh processes and enhance best practice.

3.1 Any insinuation managers do not act with integrity is refuted. Managers act with fairness and objectivity given they are representing the Council in their decision making. Managers are comfortable with the proposal of undertaking appeal hearings and as in their day to day service requirements are fair and objective. It would be viewed that given the report is based on Elected Member request - Elected Members have every confidence in Officers undertaking the appeal process. All Officers must adhere to the Code of Conduct and reference is made to section 4.16.1 *It is important that local government Officers are exemplary in their conduct at work.*

3.2 Fairness, equality and confidentiality is crucial in all employee relations matters. To have any appeals heard by Officers keeps sensitive matters contained and any bundles of documents that need to be shared are retained at Ryedale House, securely, so reducing the risk of personal data being lost etc. It is refuted that managers would not be impartial and the Code of Conduct underpins expected standards of behaviour.

3.3 There have been no problems with hearings and appeals to date. This is speculation from Unison and an attempt to detract from the request from Elected Members. If we consider any small business where the Manager may hear the case and also undertakes the appeal - an Employment Tribunal would not deem this to be unfair. ACAS advise as per 8.4 in the main body of the report and such an approach is not unfair.

3.4 In supporting the request of Elected Members this is not taking away any accountability and scrutiny. Members have trust and confidence in Officers otherwise they would not be requesting this approach.

3.5 All employee relations matters are carefully considered and an appropriate measured approach is taken in light of the nature of the concern. Each case is considered on its own merit and any outcome taken is based 'on the balance of probabilities' from a robust administration process along with evidence and information provided at the time.

Under the Council procedure and under general expectations in employment law an employee subject to a disciplinary sanction is entitled to an appeal to another person or body separate from the person or body that made the original decision. 3.4 also applies.

3.6 The time and resource that all managers input to ensuring a high quality and proficient standard of performance is achieved for cost effective service delivery and customer satisfaction is being questioned here and to imply a 'trigger happy approach' is a sad reflection of Unisons opinion of managers. There is no evidence nor is it justifiable to say that 'member involvement is an incentive for management to do its job in a scrupulous manner'.

3.7 This is fact the Chief Executive is Head of Paid Service. Along with the Corporate Director they are Elected Member appointments. The constitution details "The Chief Executive has overall corporate management and operational responsibility (including overall management responsibility for all officers)", and "together with the Corporate Director they contribute to the corporate management of the Council through membership of the Management Team". hence they are correctly placed to hear appeals.

3.8 This is refuted - and reference is made to the P & R minute as follows:
Sub Committee – Appeals Panel

That Councillors Farnell, Keal and Oxley be appointed the interim, pending officers bringing a report back to Policy and Resources Committee, following consultation with Unison regarding revision of the disciplinary policy. The report is to consider the Head of Paid Service or a nominated Senior Management representative being the final stage of the appeals process, in all cases, except where the Head of Paid Service or nominated representative have previously been involved in a case.

4.0 Conclusions

4.1 The present arrangements have not been reviewed since 2010 and need to be updated.

4.2 The request for a review has been generated by Elected Members and is timely following 2010. The term 'favoured' is not in any ACAS guidance. The request from Elected members is compliant with the ACAS code.

4.3 There is a different set of Elected Members. There is a need for a more modern approach to appeals and managers are better placed to undertake this role. This report has come as a request from a different set of Elected Members.

4.4 The proposed change is valuable in modernising approaches. There is no additional risk to any breaches of the ACAS code or employment law matters and does not render the Council's procedures unfair.

4.5 In the Yorkshire and Humber region, this is not the case and for other Authorities there is the intention to review as when policy and procedures and being refreshed. Locally, Selby do not have appeals going to Members. NYCC have appeals including dismissal appeals chaired by an officer of appropriate seniority and not an Elected member.

4.6 It has not been suggested anywhere in the report that the proposal is justified through the ACAS code or will speed up proceedings. This is as a result of Elected Member request and is viewed as an opportunity to modernise the process and enable a more efficient and economic approach and does stand up to scrutiny.

4.7 At the request of Elected Members the change to the appeal process will still continue to ensure a fair and objective approach whilst maintaining confidentiality and security of sensitive and personal data/information at all times. Any suggestion that such matters undertaken by managers would not be dealt with fairly is unjust and unmerited.

Draft



REPORT TO: FULL COUNCIL
DATE: 7 JULY 2016
SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 16 JUNE 2016

12 Towards 2020 - Use of Reserves

Considered - Report of the Chief Executive

Recommendation to Council

That Council be recommended to approve:

i. that £958K is transferred from the NHB reserve as follows:

- transfer of £778K to the restructure reserve giving a total balance of £1.2m to fund the cost of further redundancies
- transfer of £180K to the ICE Fund as an invest to save measure to accommodate other organisational costs of change, including IT and transformational support and the continued work with iESE.

ii. that £150k is transferred from the General Reserve to the ICE Fund as detailed in bullet point 2 above

iii. Any unused funds which have been transferred from the NHB Reserve be returned to the NHB Reserve

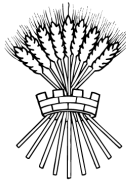
Voting record

For 6

Against 1

Abstentions 2

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	16 JUNE 2016
REPORT OF THE:	CHIEF EXECUTIVE, JANET WAGGOTT
TITLE OF REPORT:	TOWARDS 2020 - USE OF RESERVES
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To inform Members of the progress made on the T2020 programme and to explain the need to transfer part of New Homes Bonus (NHB) reserve to the Redundancy reserve and the Improvement, Contingency and Efficiency (ICE) reserve.

2.0 RECOMMENDATION

- 2.1 That Council is recommended to approve:
- i. that £958K is transferred from the NHB reserve as follows:
 - transfer of £778K to the restructure reserve giving a total balance of £1.2m to fund the cost of further redundancies
 - transfer of £180K to the ICE Fund as an invest to save measure to accommodate other organisational costs of change, including IT and transformational support and the continued work with iESE.
 - ii that £150k is transferred from the General Reserve to the ICE Fund as detailed in bullet point 2 above

3.0 REASON FOR RECOMMENDATION

- 3.1 The Government announced its planned deal for Local Government up to 2019/20. The four year settlement announcement was materially worse than expected. The current savings requirement is £1.1m for the 3 years starting from 2017/18.
- 3.2 The Council has already undertaken a number of successful efficiency programmes and has achieved savings in the region of £3.8m since 2011. This is equivalent to 60% of the Revenue budget. The Council needs to be prepared and ready to act quickly and decisively, creating and using opportunities to work differently and be

prepared for the future.

- 3.3 In order to manage the risk and deliver the savings it is necessary to continue to invest in the transformational change programme. There is also a requirement for one off specialist skills including HR, Legal and IT to help deliver the programme of change.

4.0 SIGNIFICANT RISKS

- 4.1 There is a significant risk that if the Council does not anticipate the need to change and respond to the financial pressures that it will fail its residents and businesses and have insufficient resource to balance the budget.
- 4.2 That the Council does not release the reserves to resource the necessary cost of change and Ryedale cannot deliver the necessary changes to achieve the savings and risk having insufficient funds to balance the budget.
- 4.3 There is a significant risk that if efficiencies cannot meet the shortfall, cuts to front line services will be required. This is mitigated through a whole Council approach to savings identification, highlighted through the Towards 2020 Transformation Programme.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The size and scale of the savings necessary means that small service level improvements will be insufficient to meet the scale of change required. To deliver against this challenging requirement, there needs to be more focus on two things – finance and performance to deliver a new way of working , a new operating model.

REPORT

6.0 REPORT DETAILS

- 6.1 The objective is to ensure that the Council works as effectively as possible and that the right capacity and skills are in place to deliver services into the future Towards 2020. It is necessary to anticipate the continuing austerity measures and the evolving devolution agenda and the likely effect it may have on the District Council in the future.
- 6.2 The Council is taking decisions in good time to ensure that the necessary financial savings are achieved and that the resulting salary savings from any redundancy can be used to off set any costs associated with the Redundancy.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:

a) Financial

The Financial Strategy report 4 February 2016 Policy and Resources and Council 25 February 2016 included the following in relation to the NHB Reserve.

Officers recommend that this balance be ring fenced subject to a further report to this Committee focusing on transformational support.

This was the subject of the use of reserves report which was discussed at Policy and Resources 31 March 2016. Members considered that there was insufficient detail contained within the report to explain the need to use the reserves and therefore did not agree with the Officer recommendation. It was stressed that the use of New Homes Bonus reserve was a Council decision.

The use of some of the New Homes Bonus reserve is necessary to allow the Head of Paid Service to fund and manage the transformational changes, including redundancies, required to achieve the necessary financial savings. This includes the transfer of £778k from the NHB Reserve to the Restructure Reserve giving a total balance of £1.2m to fund the cost of further redundancies.

Transfer of £180k from the NHB Reserve and £150k from the General Reserve to the ICE Fund which along with £70k previously earmarked for the cost of change will generate £400k as an invest to save measure to accommodate the cost of transformational change.

The breakdown of the £400k includes

- | | |
|--|-------|
| • Transformational support from iESE | £90k |
| • Improved corporate systems integration | £100k |
| • Website redesign and improved digital customer integration | £75k |
| • EDM Gazetteer improvements | £25k |
| • Performance Management Improvements – Covalent | £10k |
| • Additional HR support | £40k |
| • Assets – Legal advice and programme management | £40k |
| • Contingency | £20k |

The implications of a proposed new structure will lead to the requirement to incur "one off" reorganisation and redundancy costs. The exact amount and requirements cannot be established until the proposed structure is complete. It is inappropriate to predetermine or assume which individuals will apply or be successful for which positions. It is the intention that these costs will be offset by consequent ongoing salary savings.

These figures are based on Officers prudent estimates of the likely cost of change at this time, should this level of support not be required then a further report will be brought before members to reallocate balances.

b) Legal

All of the actions proposed within this report comply with the Council's constitution and comply with the relevant local government law including section 4 of the Local Government and Housing act (1989) and guidance issued under section 40 of the Localism Act 2011.

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)

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Background Papers:

Policy and Resources Committee February 2016

Policy and Resources Committee March 2016

Policy and Resources Committee April 2016



REPORT TO: FULL COUNCIL
DATE: 7 JULY 2016
SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 16 JUNE 2016

13 Towards 2020 - Senior Staffing Matters

The Chief Executive presented a report which outlined the need to save £1.1 M and the corresponding need to reduce the numbers of staff including the numbers of senior managers within the Management team. As part of this report a request for Voluntary Redundancy was considered.

The Council is recommended to approve

- i) The request for voluntary redundancy for Chief Officer Post CMT 165 be approved
- ii) that delegated authority be given to the Chief Executive to terminate the employment of postholder CMT165 on the grounds of redundancy on the terms set out in the Council's Redundancy and Redeployment Policy

Cllr Ives moved an amendment which was seconded by Cllr Cowling that:

"The Chief Executive prepare a report to be considered at 7 July Council to address the request from the Leader of Selby District Council for the Chief Executive of Ryedale District Council to work as the interim Chief Executive for Selby District Council on a part time basis. It is proposed that this would commence from 01.08.16."

7 Members voted for the amendment
1 Member voted against the amendment
1 Member abstained

The amendment was carried.

Upon being put to the vote the substantive motion was carried.

Recommendation to Council

(A) That Council be recommended to approve the following matters:

- (i) The request for voluntary redundancy for Chief Officer Post CMT 165 be approved;
- (ii) That delegated authority be given to the Chief Executive to terminate the employment of postholder CMT165 on the grounds of redundancy on the terms set out in the Council's Redundancy and Redeployment Policy

(B) That Council consider a report from the Chief Executive consequent upon the Policy and Resources Committee making the following resolution : The Chief Executive prepare a report to be considered at 7 July 2016 Council to address the request from the Leader of Selby District Council for the Chief Executive of Ryedale District Council to work as the interim Chief Executive for Selby District Council on a part time basis. It is proposed that this would commence from 01.08.16.

Voting record

For 7

Against 2

Abstentions 0

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A
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