



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 13 January 2011 at 6.30** in the evening for the transaction of the following business, after Prayers:

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 1 - 30)

To approve as a correct record the minutes of the Ordinary Meeting of Council held on 4 November 2010 and the minutes of the Extraordinary Meeting of Council held on 17 November 2010.

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 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)

From Councillor Wainwright

“Would the Chairman of the Overview and Scrutiny Committee please update Members on the work of that Committee?”

“Would the Chairman of the Commissioning Board please update Members on the work of that Committee?”

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

10 To consider for Approval the Recommendations in respect of the following Part 'B' Committee Items: (Pages 31 - 36)

Commissioning Board held on 8 December 2010

Minute No. 44 – Fees and Charges

Policy and Resources Committee held on 9 December 2010

Minute No. 43 – Householder Flood Resistance Grant Scheme

Minute No. 44 – Items Referred from the Commissioning Board

(a) Malton Museum Future Options

(b) Replacement Recycling Vehicles and Kerbside Recycling Options

11 Representation on Outside Organisations

To appoint a representative to the Malton and Norton Area Partnership Board, following the resignation of Cllr Mrs Keal from the Board.

Reports of Officers of the Council

12 Timetable of Meetings 2011-2012

(Pages 37 - 42)

13 Exempt Information

To consider a resolution to exclude the press and public from the meeting during consideration of the following items:

14 (Property Acquisition - Norton) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972.

The public interest test has been considered and, in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

14 Property Acquisition - Norton

(Pages 43 - 56)

15 Any other business that the Chairman decides is urgent.

Background Papers- (Pages 57 - 106)

Commissioning Board held on 8 December 2010

Fees and Charges

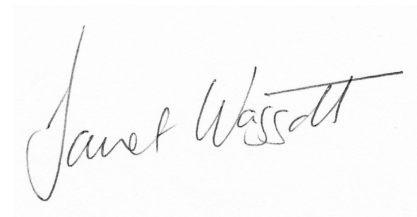
Policy and Resources Committee held on 9 December 2010

Householder Flood Resistance Grant Scheme

Items Referred from the Commissioning Board

(c) Malton Museum Future Options

(d) Replacement Recycling Vehicles and Kerbside Recycling Options

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

Miss J Waggott
Chief Executive

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Council

Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton on Thursday 4 November 2010**

Present

Councillors Hemesley OBE (Chairman)
Acomb
Andrews
Arnold
Mrs Arnold
Bailey
Clark
Cottam
Mrs Cowan
Mrs Cowling
Cussons
Mrs De Wend Fenton
Mrs Frank
Hawkins
Mrs Hodgson
Hope
Mrs Keal
Keal
Knaggs
Legard
Maud
Raper
Mrs Shields
Wainwright
Mrs Wilford
Windress
Woodward

In Attendance

Paul Cresswell
Gary Housden
Marie-Ann Jackson
Janet Waggott
Anthony Winship
Fiona Farnell

Minutes

49 **Apologies for absence**

Apologies for absence were received from Councillors Mrs Warriner and Spencer.

50 **Public Question Time**

Question 1

The following question was submitted by Nelly Trevelyan:

“I have been talking to an employee of Yorwaste who tells me that Yorwaste is now able to offer trade waste recycling collection in some areas, that is cheaper than the councils non sorted trade waste collection service. I was also told that uptake has been poor, despite all local businesses having been approached and informed about this option. The reasons were obscure but he thought that it was perceived that slightly more effort was required, and that for slightly more money they still had the option of not sorting their rubbish. When Kirkbymoorside environment group has asked about trade waste recycling we have been told that it is too expensive and difficult. In this time of cuts, will the council withdraw the option of having unsorted trade waste collected, in the areas where Yorwaste are able to offer this service?

Would this council agree that:

- a) this could save money, both by reducing waste going to landfill, and by reducing unnecessary collections?
- b) that this would increase the recycling rates for Ryedale?
- c) that it supports the waste hierarchy?”

The Chairman thanked Nelly Trevelyan for her question and replied that:

“Ryedale DC operates a trade waste service on a commercial basis in an open and competitive market. Businesses are able to choose from a range of commercial operators who collect their trade waste. Recycling options offered by other Commercial trade waste operators are generally limited to collections of Paper, Plastics and Cans. At best this accounts for a small % of the total waste tonnage that businesses produce. It is highly unlikely that firms could manage without a residual waste collection in order to legally comply with their Duty of Care. This would be costly due to the need for collections from two separate vehicles.

Trade waste recycling does not contribute towards Ryedale’s recycling rates these are solely concerned with recycling from domestic properties.

Waste prevention and Re-use should be the preferred options for businesses to consider in order to reduce costs and comply with their Duty of Care requirements.”

Question 2

The following question was submitted by Mr Stephen Shaw:

“What provision is Ryedale District Council making to replace the approximately 300 long stay parking places that will be lost should the decision be made on 17 November to sell Wentworth Street Car Park for development?”

Mr Shaw went on to comment that he felt there would be a long term problem with a shortage of long stay car parking places if other areas of Malton were also developed. Long stay parking spaces are needed for commuters and people working in Malton.

The Chairman again thanked Mr Stephen Shaw for his questions and responded as follows:

"If the Council decide on 17 November 2010 to dispose of land at Wentworth Street long stay car park 300 car parking spaces will not be lost. The decision by Council on 29 July 2010 to retain ownership of the upper deck at Wentworth Street Car Park guarantees the availability of at least 150 parking spaces at the site for long stay use. Further information about the recommended bid for the remaining land at Wentworth Street and the implications of this for both short and long stay parking provision will be detailed in the report that is being prepared for the 17 November meeting of Council."

Mr Shaw responded by asking where the Council would create the 150 parking spaces that would be lost from the sale of Wentworth Street Car Park. The Chairman informed Mr Shaw that the answer to his supplementary question would be put in writing to him.

51 **Minutes**

The minutes of the Ordinary Meeting of the Council held on 2 September 2010 (previously circulated) were submitted.

Resolved

That the minutes of an Ordinary Meeting of the Council held on the 2 September 2010 be approved and signed by the Chairman as a correct record.

52 **Urgent Business**

The Chairman reported that there were no items to be considered under urgent business.

53 **Declarations of Interest**

In accordance with the Members' Code of Conduct the following declarations of interest were received:

Councillor Mrs Arnold declared a personal interest in any items of Council business which covered North Yorkshire County Council as a North Yorkshire County Councillor.

Councillor Clark declared a personal interest in Item 10 minute no 22 – A 64 Brambling Fields Junction Improvement and any item on the agenda with regards to Waste Management as a North Yorkshire County Councillor.

Councillor Raper declared a personal interest in Item 10 minute no. 23 – Special Expenses as a resident of a Parish Council who will benefit from the recommendation.

54 **Announcements**

The Chairman made the following announcements:

The Chairman reminded Councillors that a Member Development Session was scheduled for Monday 8 November at 17.30 in the Council Chamber on Partnership Working and that an Extraordinary meeting of the Council would take place on Wednesday 17 November at Malton School to discuss the single item of the Sale of Wentworth Street.

The Chief Executive made the following announcement as Head of Paid Service:

The Chief Executive informed Councillors that a very successful 'Opportunity Knocks' event that taken place earlier in the week between local businesses and young people. The initiative showed good engagement and all organisations and young people who took part should be congratulated.

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

Councillor Wainwright submitted the following question:

"Would the Chairman of the Overview and Scrutiny Committee please update Members on the work of that Committee?"

Councillor Mrs Shields replied:

"We welcomed members and officers to our meeting, including Messrs. John Ritchie and Alistair Lens from Deloitte, our external Auditors.

After the initial items, the minutes of 19 August were presented and following the verification of points on the final report on Sickness Absence Review raised by a member at the July meeting, the report was received. I would like to thank Louise Sandall for all the hard work she put into this document.

We then had a presentation of the Final Audit Report from the representatives of Deloitte. After several questions and answers, Members received the Report which had already been to Policy and Resources Committee.

Our next item was a report from Phil Long, Head of Environment, on the up-to-date situation regarding the repairs to Malton Town Hall. After questions and general discussion the report was received and the contents noted.

Louise Sandall introduced the Service Risk register for organisational development and once again members commended the well set out details for the various sections.

Head of Transformation, Clare Slater, presented the half yearly Management Actions Monitoring report and the Corporate Director informed members on progress made for identified actions for the year 2009-10 noted in the Annual Governance Statement.

We then discussed the future arrangements for the Overview and Scrutiny in its capacity as the Council's Crime and Disorder Committee. With reference to the possible co-option of a member of the Police Authority to the Committee, we decided unanimously, after considering the statutory guidance, that we would like to address us as and when appropriate and that they would be welcome if they initiated a meeting. In fact they would like to address us in December and I therefore extend an invitation to all members of Council to attend. There will be details nearer the time.

Several other reports were listed which could be considered by Overview and Scrutiny, including the Safer Ryedale Partnership, which was agreed to review annually.

With reference to the two topics we have undertaken to scrutinise, would members please note that the Post Office Group will meet on Monday 15 November and the Healthy Weight one on 22 November. Both at 6.30pm.

We noted reports from the Commissioning Board and Policy and Resources Committee and finally looked at the Council's Annual Report. As I am sure, all members are aware, this is an excellent document and quite the best I have ever seen. It makes easy reading and the photos, pictures and diagrams perfectly complement the writing along side. Many thanks were expressed by members to the respective contributors.

There being no further business to discuss, the meeting closed about 8.30pm."

Councillor Wainwright submitted a further question:

“Would the Chairman of the Commissioning Board please update Members on the work of that Board?”

Councillor Mrs Cowling replied:

“At the first meeting of the Commissioning Board Members were given two very interesting presentations in order to assist them in selecting their commissioning priorities. The first one was by Seamus Breen (Assistant Director Commissioning & Partnerships, NYCC) around services for older people and in particular independent living. The second, given by Julian Rudd, was a “Needs Assessment for Ryedale” and provided a range of information about Ryedale’s population, health, economy etc. The meeting in September heard a presentation by Jos Holmes on Local Economic Partnerships.

The Board appointed 2 working parties at its first meeting: Economy & Housing and Active & Environment who have each agreed their priority service for commissioning. The Economy & Housing group are undertaking a review of Tourism and the Active & Environment group are looking at leisure.

JCG Economy and Housing.

The JCG has embarked upon the commissioning of the tourism service. This was a timely decision as the Moors and Coast Tourism Partnership is to cease operational activity in March 2011 and we also have a number of tourism related contracts also ending in March.

- In July, a presentation was made outlining the tourism service that we currently deliver, including some cost comparison figures with our best value family group authorities.
- The following JCG in October was a stakeholder consultation event with tourism businesses in Ryedale. Over 50 people attended an interactive session which sought to ascertain the businesses’ priorities for the tourism service going forward, particularly anticipating a reduction in resource available. This was followed up with a questionnaire to around 500 businesses and the result of this will be presented to the Commissioning Board in November.”

Councillor Mrs Arnold replied:

JCG Active and Environment

Two meetings have been held to date regarding the Active and Environment JAG regarding the development of a strategy for Sport and Leisure with two further meetings scheduled the following week. Members have considered a wide range of information regarding Sport and Leisure and determined a range of consultees required regarding the development of a strategy.

This is a large project and will involve significant consultation with key stakeholders, sports clubs and the general public and will require external support for the strategy development process

THE OVERARCHING AIM OF THE STRATEGY IS TO IMPROVE SATISFACTION WITH SPORTS AND LEISURE REGARDING SPORTING INFRASTRUCTURE AND ACTIVITIES WITH A GENERAL GOAL OF ENCOURAGING A MORE ACTIVE LIFESTYLE, ULTIMATELY TO HELP REDUCE THE HIGHER THAN NORMAL OBESITY LEVELS AMONG THE RYEDALE COMMUNITY. IT IS PROPOSED THAT THE STRATEGY WILL COVER THREE KEY AREAS:

1. Active Living (Walking, dog walking, Cycling, Play, gardening, workplace activity, allotments)
2. Active Recreation (Outdoor Adventure, Gym, riding, Swimming, Dance)
3. Sport (Talent Development, Sports Clubs, School Sports)

The Commissioning Board has also agreed the sub-regional Homelessness Strategy Action Plan, the Food Safety Plan, and the Health & Safety Plan; they have adopted the use of Fixed Penalty Notices for dog fouling and delegated the Head of Environment to authorise a greater range of persons to be authorised to issue such penalties including police Community Support Officers.”

Councillor Clark asked the following question:

“Could the Leader of the Council please update Council on the current situation regarding each of the Ryedale District Council Partnerships

1. Waste
2. Audit
3. Building Control

Councillor Knaggs, The Leader of the Council informed Councillors that a full response had been circulated as additional paper prior to the meeting starting and therefore did not read out the answer in full.

1 Waste Partnership Update

The Waste partnership is currently considering three main areas of focus
Clinical waste - A report has been prepared by Enviros regarding consideration of the handling of clinical waste with recommendations regarding service improvement and potential efficiencies. The report will be tabled at the next meeting of the officers group for discussion.

Waste textiles - A partnership approach regarding the above is being considered alongside existing waste minimisation campaign.

JWAAP (Joint Waste Authority Advance Partnership Programme) funding - £50K has been secured from the above to support a project investigating areas of cashable and non cashable efficiencies in waste collection across Ryedale, Hambleton, Richmondshire and Craven District Councils. The project started in October and is due for completion in March 2011. RDC is the lead authority.

2 Audit Partnership Update

There are five partners in the Audit Partnership, Ryedale, Selby, Hambleton, Richmondshire and Scarborough District Councils. The current partnership agreement runs to the 31 March 2012. The finances of the partnership are sound with reserves of £33,000 as at 31 March 2010.

Discussions have taken place with a view to a possible merger of the Audit Partnership with Veritau at the end of the current agreement. Veritau is the company formed by the City of York Council and North Yorkshire County Council to provide their internal audit. This is with a view to deliver cashable and non cashable efficiencies. A report to members will be presented in spring setting out the possible options for the future service delivery.

3 Building Control Update

There are now five partners in the partnership, Ryedale, Scarborough, Hambleton, Richmondshire and Selby District Councils. The work of Building Control Partnership has been significantly affected by the recession. This has resulted in staffing reductions and each of the member Council's making an additional financial contribution in 2009/2010. A restructure of the service together with revised charging mechanism has set the service up to return to a surplus making situation for 2010/2011 and beyond. Further investment in IT rationalisation is being considered to improve working methods and customer service.

Councillor Clark asked a supplementary question:

"Does the Council feel in control of its Partnerships with regards to the flow of information especially between the Waste and Audit Partnerships and the Council?"

Councillor Knaggs answered that he noted Councillors Clark's question and would respond in full in writing.

Councillor Clark asked a further question:

"Could the Chair of the Commissioning Board please give me the recycling targets for Ryedale for the following years:

1. 2010
2. 2015
3. 2020

Councillor Mrs Cowling answered the questions:

The recycling targets are as follows:

1. 2010 = 40%
2. 2015 = 45%
3. 2020 = 50%

Councillor Clark asked a supplementary question:

“Did the figures come to committee for approval? They are not too ambitious.”

Councillor Mrs Cowling answered that the Council were doing exceptionally well with regards to the recycling figures and that there was no intention to go backwards.

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

The Leader’s Statement was (previously circulated).

The Leader of the Council, Councillor Knaggs verbally updated Councillors on two points:

1. From mid January all expenditure by the Council over £500 would be available for inspection on the website. He thanked Officers for delivering this project ahead of schedule.
2. The Leader attended the ‘Opportunity Knocks’ exhibition held in Pickering earlier in the week and informed Councillors that it had been a big event to organise and that he was greatly impressed. He thanked all who had been involved.

57 To consider for Approval the Recommendations in respect of the following Part ‘B’ Committee Items:

**a. Commissioning Board – 23 September 2010
Minute No 14 – Commercial Waste Review**

It was moved by Councillor Mrs Cowling and seconded by Councillor Mrs Arnold that the following recommendation of the Commissioning Board Minute 14 – Commercial Waste Review be approved and adopted:

“That Council be recommended to approve:

- i. To approve the sale of the Council’s commercial waste service through a competitive process.
- ii. That the successful tenderer be required to ensure that they provide a service to any organisation within the Council’s boundaries that requests it and that consistent pricing be applied to the service.

- iii. That the revenue implications of the sale, growth of approximately £125,000 in 2011/12, be managed through the budget strategy process; and
- iv. That the outcome of the sale is reported to a future meeting of the Commission Board”.

An amendment was moved by Councillor Mrs Cowling and seconded by Councillor Mrs Arnold to delete paragraphs I to iv and insert the following text:

“That the Council’s Commercial Waste Service is not sold at the present time. In the event that the County Council proposed reduced charges are not confirmed the matter be brought back before members for consideration.”

Councillor Clark asked that the amendment be revised to include referral back to the Commissioning Board and this was agreed.

Upon being put to the vote as the substantive motion, the recommendation of the Commissioning Board as amended was carried.

Resolved

That the Council’s Commercial Waste Service is not sold at the present time. In the event that the County Council’s proposed reduced charges are not confirmed the matter be brought back to the Commissioning Board for consideration.

b. Licensing Committee – 23 September 2010

Minute No 8 – Licensing Act 2003 – Results of Consultation on Review of Licensing Policy

It was moved by Councillor Mrs Arnold and seconded by Councillor Mrs Cowling that the following recommendation of the Licensing Committee Minute No 8 – Licensing Act 2003 – Results of Consultation on Review of Licensing Policy be approved and adopted:

“That Members approved that:

- i. the Licensing Policy is amended as outlined in Annex C with the change at Reference Part 4 para 4.21 of the word ‘authorisation’ to ‘notification’.

That the Licensing Policy, as amended, be adopted.

An amendment was moved by Councillor Clark and seconded by Councillor Woodward that the matter be referred back to the Licensing Committee.

Upon being put to the vote this amendment was lost.

A further amendment was moved by Councillor Clark and seconded by Councillor Woodward that an additional recommendation be added at iii to read "that subject to there being no legal restriction that the Parish/Town Councillors are informed".

Upon being put to the vote this amendment was lost.

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

Resolved

- (i) the Licensing Policy is amended as outlined in Annex C with the change at Reference Part 4 para 4.21 of the word 'authorisation' to 'notification'.
- (ii) the Licensing Policy, as amended, be adopted with effect from 7 January 2011.

c. Licensing Committee – 23 September 2010

Minute No 9 – Regulations of Lap Dancing and Other Sexual Entertainment Venues

The Chairman of Council read out the wording that was needed for the resolution as follows :

"That pursuant to Part II of the Local Government (Miscellaneous Provisions) Act 1982 Ryedale District Council adopts Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (As amended by Section 27 of the Police and Crime Act 2009) which shall come into force throughout the District Of Ryedale on 1 March 2011."

It was moved by Councillor Mrs Arnold and seconded by Councillor Mrs Cowling that the motion be as read out by the Chairman of Council to implement the following recommendation of the Licensing Committee Minute No 9 – Regulations of Lap Dancing and Other Sexual Entertainment Venues :

That Council is recommended to pass a resolution s authorised under Section 2 of The Local Government (Miscellaneous Provisions) Act 1982, to adopt Schedule 3 (as amended by Section 27 of the Police and Crime Act 2009) of the Local government (Miscellaneous Provisions) Act 1982.

Upon being put to the vote the motion was carried.

Resolved

That pursuant to Part II of the Local Government (Miscellaneous Provisions) Act 1982 Ryedale District Council adopts Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 (As amended by Section 27 of the Police and Crime Act 2009) which

shall come into force throughout the District Of Ryedale on 1 March 2011.

d. Policy and Resources Committee – 30 September 2010

Minute No 18 – Minutes of a Meeting of the Senior Management Contracts Working Party held on 14 September 2010

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 18 – Minutes of a Meeting of the Senior Management Contracts Working Party held on 14 September 2010 be approved and adopted:

That the minutes of a meeting of the Senior Management Contracts Working Party held on the 14 September 2010 be endorsed and that Council be recommended to approve minute 6 (Corporate Management Team – Future Arrangements) of the Senior Management Contractors Working Party held on the 14 September 2010.

Upon being put to the vote the motion was carried.

Resolved

- (i) That the voluntary redundancy request from postholder CMT160 be approved;
- (ii) That delegated authority be given to the Chief Executive to terminate the employment of postholder CMT160 on the grounds of redundancy in the terms set out in the Council's Redundancy and Redeployment Policy;
- (iii) To approve deletion of post CMT160 from the establishment at a date to be agreed in consultation with the officer, the Chief Executive and the Chairman of Policy and Resources Committee.

e. Policy and Resources Committee – 30 September 2010

Minute No 19 – The Implications of the Revocation of the Regional Spatial Strategy

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 19 – The Implications of the Revocation of the Regional Spatial Strategy be approved and adopted:

That Council is recommended that:

- i. Members note the implications of the revocation of the RSS as they are known and interpreted by officers at this stage.

- ii. Members agree to the use of an interim renewable energy policy in the determination of planning applications pending the adoption of the Core Strategy, namely that set out at paragraph 5.2
- iii. Members agree to use the former RSS housing provision rates as a basis for managing housing supply in the decision making process prior to the adoption of the Core Strategy.

It was moved by Councillor Cottam and seconded by Councillor Mrs Cowling that an amendment be made to delete resolved portion (ii) and add 'that the Council's existing renewable energy policy be utilised until such time as the LDF Core Strategy in this respect has been before the appointed Inspector and has become an approved policy of this Council.'

Upon being put to the vote the amendment was lost.

It was moved by Councillor Knaggs and seconded by Councillor Mrs Cowling that an amendment be made to delete " 5.2" in paragraph (ii) of the motion and insert "8.10" in paragraph (ii).

Upon being put to the vote the amendment was carried.

A further amendment was moved by Councillor Woodward and seconded by Councillor Clark that (iii) delete 'prior to adoption of the Core Strategy' and replace with 'until the LDF is in place, provided all development (except in exceptional circumstances of a particular case) is within the development limits of the settlement of Ryedale.'

The meeting was adjourned for 10 minutes.

The Chairman informed Councillors that this amendment was out of order pursuant to Council Procedure Rule 13.6a as set out in the Council's Constitution since it was not relevant to the motion and the issue raised in the amendment was not adequately covered within the Officer report.

A fourth amendment was moved by Councillor Andrews and seconded by Councillor Clark that (iii) delete 'prior to the adoption of the Core Strategy' and substitute with 'until the adoption of the Core Strategy, subject to no extension of existing commercial limits.'

The Chairman informed Councillors that the fourth amendment was out of order pursuant to Council Procedure Rule 13.6a as set out in the Council's Constitution since it was not relevant to the motion and the issue raised in the amendment was not adequately covered within the Officer report.

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

Resolved

- (i) Members note the implications of the revocation of the RSS as they are known and interpreted by officers at this stage.

- (ii) Members agree to the use of an interim renewable energy policy in the determination of planning applications pending the adoption of the Core Strategy, namely that set out at paragraph 8.10;
- (iii) Members agree to use the former RSS housing provision rates as a basis for managing housing supply in the decision making process prior to the adoption of the Core Strategy.

NB Councillors Mrs Cowan, Woodward and Clark recorded their votes against the above decision. Councillor Andrews recorded a vote of abstention.

**f. Policy and Resources Committee – 30 September 2010
Minute No 20 – Budget Strategy 2011/12**

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 20 – Budget Strategy 2011/12 be approved and adopted:

That Council is recommended to approve the following parameters for the preparation of the 2011/12 budget:

- i. Proposals be brought forward for a 2.5% increase in Council tax;
- ii. Increase in fees and charges to be 3.5% - 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommend above or below this figure to be considered by the relevant policy committee; and
- iii. Efficiencies to be maximised and identified together with any potential cuts required to services once the draft grant settlement is announced in November/December. These proposal will be considered by the Resources Working Party.

An amendment was moved by Councillor Knaggs and seconded by Councillor Legard that (i) read 'proposals be brought forward for a zero increase in council tax'.

Upon being put to the moved the amendment was carried.

A further amendment was moved by Councillor Clark and seconded by Councillor Woodward that (ii) delete 'and only those charges officers recommend above or below this figure to be considered by the relevant policy committee; and' and be replaced with 'all charges to be considered by the relevant policy committee; and.'

Upon being put to the vote the amendment was lost.

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

Resolved

That Council approves the following parameters for the preparation of the 2011/12 budget:

- (i) Proposals be brought forward for a zero increase in Council tax;
- (ii) Increase in fees and charges to be 3.5% - 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommend above or below this figure to be considered by the relevant policy committee; and
- (iii) Efficiencies to be maximised and identified together with any potential cuts required to services once the draft grant settlement is announced in November/December. These proposal will be considered by the Resources Working Party.

**g. Policy and Resources Committee – 30 September 2010
Minute No 21 – Charging for Street Naming and Numbering**

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 21 – Charging for Street Naming and Numbering be approved and adopted:

That Council is recommended to approve the fees and charges as set out in the attached sheet, Annex A for the period 1 January 2011 to 31 March 2012.

Upon being put to the vote the motion was carried.

Resolved

That Council is recommended to approve the fees and charges as set out in the attached sheet, Annex A for the period 1 January 2011 to 31 March 2012.

**h. Policy and Resources Committee – 30 September 2010
Minute No 22 – A64 Brambling Fields Junction Improvement**

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 22 – A64 Brambling Fields Junction Improvement be approved and adopted:

That Council is recommended to:

- i. Include in the Council's capital programme an increase of £420K in this Council's agreed contribution to the Brambling Fields junction upgrade to give a maximum Ryedale District Council contribution of £2.73m – subject to the agreed contribution from NYCC, to be financed from the borrowing approval for the Vivis Lane junction scheme (now withdrawn);
 - li Endorse the seeking of appropriate developer contributions towards the entire Ryedale District Council costs and appropriate North Yorkshire County Council costs incurred through the Brambling Fields scheme. However, the situation will be reviewed once the specified level of developer contributions (as detailed within this report) has been received towards the local authority contributions; and

- iv. Consider a further report regarding the conclusion of the detailed design stage, including the public consultation, before proceeding to formal legal agreement to implement upgrading of the A64 Brambling Fields Junction.

An amendment was moved by Councillor Clark and seconded by Councillor Woodward that and an additional point be added '(iv) subject to a financial limit (in writing legally binding) from North Yorkshire County Council and/or Highway Authority.'

Upon being put to the vote the amendment was lost.

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

Resolved

That Council :

- i. Includes in the Council's capital programme an increase of £420K in this Council's agreed contribution to the Brambling Fields junction upgrade to give a maximum Ryedale District Council contribution of £2.73m – subject to the agreed contribution from NYCC, to be financed from the borrowing approval for the Vivis Lane junction scheme (now withdrawn);
- ii. Endorses the seeking of appropriate developer contributions towards the entire Ryedale District Council costs and appropriate North Yorkshire County Council costs incurred through the Brambling Fields scheme. However, the situation will be reviewed once the specified level of developer contributions (as detailed within this report) has been received towards the local authority contributions; and
- iii. Considers a further report regarding the conclusion of the detailed design stage, including the public consultation, before proceeding to formal legal agreement to implement upgrading of the A64 Brambling Fields Junction.

NB Councillor Clark recorded his vote against the above decision. Councillors Andrews and Mrs Cowan recorded a vote of abstention.

**j. Policy and Resources Committee – 30 September 2010
Minute No 23 – Special Expenses**

Councillor Raper declared a personal interest in this item as a resident of a Parish who will benefit from the recommendation.

It was moved by Councillor Wainwright and seconded by Councillor Legard that the following recommendation of the Policy and Resources Committee Minute No 23 – special expenses be approve and adopted:

That Council is recommended to approve the removal of Parishes from the Special Expenses where no street lighting provision presently exists from the 1 April 2011.

Upon being put to the vote the motion was carried.

Resolved

That Council approves the removal of Parishes from the Special Expenses where no street lighting provision presently exists from the 1 April 2011.

58 Notices on Motion Submitted Pursuant to Council Procedure Rule 11

It was moved by Councillor Woodward and seconded by Councillor Clark that:

“This Council resolves that until the LDF is in place all development (except in exceptional circumstances of a particular case) is within the development limits of the settlement of Ryedale.”

The Chairman ruled that the motion be referred to the Policy and Resources Committee under Rule 11.4 of the Council’s Constitution.

It was moved by Councillor Clark and seconded by Councillor Woodward that:

“Ryedale District Council has a superb record in recycling. We are still the leader in North Yorkshire and Humber. However to stay at the top any organisation must continue to innovate. Running in parallel with this is Ryedale District Council’s need to renew its collection vehicles. This Council therefore resolves:

1. To improve it’s recycling
2. To call upon Officers as a matter of urgency to present to the next Commissioning Board the information available and the possible course of action to enable Ryedale District Council to recycle food waste, plastics and cardboard.

The Chairman moved and Councillor Mrs Cowling seconded that Standing Orders should be suspended.

Upon being put to the vote the motion was lost.

59 Appointment of a Member Champion for Health & Safety Enforcement

Councillor Mrs Wilford nominated Councillor Spencer seconded by Councillor Mrs Shields.

Councillor Mrs Cowling nominated Councillor Hope seconded by Councillor Bailey.

Upon being put to the vote Councillor Hope was elected Member Champion for Health and Safety Enforcement.

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

There was no urgent business.

61 **Personal Statement by Chairman**

The Chairman made a personal statement to Councillors outlining the work that he puts in before Full Council meetings.

Councillors asked that the Chairman make his personal statement again at the start of the next meeting of Full Council.

The meeting closed at 10.20pm

Council

Minutes of Proceedings

At the **Extraordinary Meeting of the District Council of Ryedale** held in the **The Main Hall, Malton School, Middlecave Road, Malton, North Yorkshire. YO17 7NH** on **Wednesday 17 November 2010**

Present

Councillors Hemesley OBE (Chairman)
Andrews
Arnold
Mrs Arnold
Bailey
Mrs Burr MBE
Cottam
Mrs Cowan
Mrs Cowling
Cussons
Mrs De Wend Fenton
Mrs Frank
Mrs Hodgson
Hope
Mrs Keal
Keal
Knaggs
Legard
Maud
Mrs Shields
Spencer
Wainwright
Ms Warriner MBE
Mrs Wilford
Windress
Woodward

In Attendance

Paul Cresswell
Marie-Ann Jackson
Julian Rudd
Janet Waggott
Fiona Farnell (Secretary)
Anthony Winship

62 **Apologies for absence**

Apologies for absence were received from Councillors Acomb, Hawkins, Raper and Spencer.

63 **Public Question Time**

Question 1

The following question was submitted by Nicholas Brooksbank.

“The sale of Wentworth Street Car Park will provide short term financial benefits. Planning applications are to be made shortly for the livestock market and Showfield sites. Since planning considerations for all these sites affect the future of Malton and its neighbouring communities, will the Council make an unequivocal commitment to adopt a timetable which will allow for all three sites to be fully and impartially evaluated?”

The Chairman thanked Mr Brooksbank for his question and replied that:

“The Council is considering sale of the Wentworth Street site at this meeting only as owner of the land. In its separate role as Local Planning Authority it has a duty to consider and determine planning applications as and when they are received and validated. A Local Planning Authority cannot predict when applications for development will be received and it is not the role of the Local Planning Authority to insist that applications for development are submitted in a manner which would allow them to be considered simultaneously. The Council cannot make a commitment to a course of action that is beyond its ability to control and, therefore, cannot make an unequivocal commitment to adopt a timetable which would allow for all three of the sites to be fully and impartially evaluated.

All planning applications are determined on their own merits in accordance with the Development Plan unless material considerations indicate otherwise. National planning policy in PPS 4 will be applied and sequential and impact assessments will be required to accompany proposals.”

Question 2

The following question was raised by Mr R J G Bushell for Fitzwilliam Malton Estate

“Ryedale District Council has had a letter from Pinsent Masons relevant to this meeting. What is the answer to the questions Pinsent Masons have asked and if RDC are unable to provide an answer to the matters raised in Pinsent Masons’ letter then how can Ryedale District Council reasonably consider that it is capable of making a lawful decision in respect of this matter this evening?”

The Chairman thanked Mr Bushell for his question and replied that:

“Ryedale District Council received a letter on the afternoon of 15 November 2010 from Pinsent Masons acting on behalf of the Fitzwilliam (Malton) Estate who are significant landowners in the town centre of Malton.

Pinsent's letter raises issues which have already been considered during the current process and which will continue to be kept under review if it is decided to move forward with the recommendation. The Council are responding to Pinsents in writing in terms of the following:

Pinsent's correspondence suggests that the Council may be embarking on a decision making process for disposal of Wentworth Street car park which is in breach of Public Procurement Rules on the basis that the disposal is not a land sale but a public works contract.

They reference OGC Guidance which states that:-

"Contracting authorities should take care to avoid a situation where a general invitation becomes or turns into a requirement to the authority's specification. Moreover, a requirement derived from the land use planning regime would not be exempt from the application of Public Procurement Rules simply by virtue of its basis in a planning requirement, if it did in fact have the characteristics of a public contract."

They suggest that if specific requirements are imposed regarding provision of public parking that this may have the potential to create a works contract. They also suggest a possibility that the negotiation process with bidders could be open to abuse.

Each of these issues have been considered (amongst others) in relation to the process being undertaken for disposal of the Wentworth Street car park. Council officers remain content that based upon the process to date that the transaction is appropriately categorised as a land sale disposal and not a public works contract. The Council is fully aware of their obligation to undertake a fair process and keep all relevant issues under continuous review throughout the process, and will continue to do so.

Pinsents have also raised the issue of the extent to which the local planning authority are able to consider an application where the Council may stand to benefit.

It is not unusual for a local planning authority to consider applications which may have some financial consequence for a Council and such circumstances are managed frequently in a way which ensures that they are addressed appropriately and fairly. The Council's local planning authority will be able to address any application which may be brought before them in an appropriate manner at the relevant time.

Question 3

The following question was raised by David Lloyd-Williams, Town Councillor for both Malton and Norton

"As the report presented to members and the public does not indicate the nature of the proposed development in any great detail, other than to perhaps indicate that a petrol station might be part of a future planning proposal, can the Officers/Chairman inform the meeting what percentage proposed use is indicated for Convenience Goods (food and those items related to a 'weekly shop') and what is for Comparison Goods (clothing, white electrical goods and related computer/TV items etc.). The reason for requesting the information is for both members and the general public to be able to determine the likely effect upon the existing retail mix within the Town Centre. Clearly, unless members can be assured that the mix will be a minimal percentage of

Comparison Goods, the effect and impact upon the viability of the Town and its community could be a total disaster without any ability to reverse the decision.

Members must have this information in order to make any sort of proper and informed decision. Otherwise they have a duty to the electorate to reject the proposal.”

The Chairman thanked Mr Lloyd-Williams for his question and replied as follows:

“The report describes (in section 8.3) the general nature of the development which the recommended purchaser intends to undertake. Full details will be contained in the purchaser’s subsequent application for planning consent, including sequential and retail assessments. The possible impact upon the town centre, including the likely effect upon the existing retail mix, will be one of the important matters that the Council in its separate and independent role as local planning authority will consider when it has received a planning application.”

Mr Lloyd-Williams asked the following supplementary question:

“How can Members reach a decision which is none reversible for the sale of an asset, when they do not know who the developer is or which supermarket it is to be?”

The Chief Executive answered as follows:

“It is incorrect to say that the decision is not reversible, the decision is reversible as the site still requires planning permission and if this is not granted then the decision would be reversible.”

Question 4

The following question was raised by Mike Skehan on behalf of Cllr Jason Fitzgerald-Smith, Mayor of Malton.

“The bids presented for the proposed development are scored 60% on price with a 30% weighting placed upon the viability of the proposal, a key consideration of which is the extent to which the proposal contributes to the vitality of the wider town centre via the encouragement of linked visits of supermarket users to retailers and services in Malton and Norton.

The Forum of Private Business, supported by the Competition Commission, has stated that large supermarkets consistently and significantly undercut prices in the High Street by selling products at a loss or at very low margins, for the ultimate purpose of securing to themselves the highest possible percentage of its customer’s spending power.

Over the last ten years the number of supermarkets operating in the UK has grown by a third. The All Party Small Shops Group reports that in that period small shops have closed at an average of 2000 per year. A recent survey by the Association of Retailers identified that 12000 shops, large medium and small, closed in the year 2009.

On behalf of Malton Town Council I ask the question: “What is it in the recommended bid, that gives the Ryedale District Council leadership confidence that the consistently adverse impact elsewhere will not be replicated in Malton, and that addresses, to its satisfaction, the existing deficiencies of the link between Wentworth Street car park and the existing retail and service centre of Malton?”

The Chairman thanked Mr Skehan for his question and answered as follows:

“A full assessment of the likely impact on Malton town centre would be undertaken as a key element of the planning process. The knowledge that there will be this process gives the Council confidence, as vendor of the site, that planning permission, and therefore the sale and development of this land, would only proceed if shown to be appropriate in the light of a full planning assessment of the impact and benefits of the proposal.

The assessment of any planning application for the site will also examine the vehicular and pedestrian access to the development proposals and identify any necessary improvements.”

Mr Skehan asked the following supplementary question:

“Your Chief Executive in a letter explained that an extraordinary meeting was being held which reflected the importance of the matter by the Council, however the Town Council are opposed to the proposal, can you take this opportunity to explain in detail the reasons why you are for the proposal when so many in the community are opposed to the proposal?”

The Chairman answered as follows:

“The question would be answered by Members asking questions and in the debate”.

Question 5

The following question was asked by Denys Townsend.

“The presentation of the Strategic Transport Assessment (Jacobs report) was delivered to the Malton and Norton Area Partnership at its Annual meeting in November 2009 and to Malton & Norton town councils in March 2010. The Town Councils wrote to RDC on 13th April and were told that their concerns would be reflected in a public consultation event on 22/23 May in the Green Man. This event was cancelled. Since then there has been no communication to any of these bodies from RDC on the subject of the STA, nor have Ryedale District Council Councillors been informed of the Town Councils’ comments.

When is the STA with the results of the town councils’ consultation due to be presented to Ryedale District Councillors?”

The Chairman thanked Mr Townsend for this question and answered as follows:

“The question confuses several different areas of work that are not directly related to this process. The Strategic Transport Assessment is a technical evidence document to inform the Local Development Framework. The main report was finalised in June 2010 and Addendum to the main report was finalised in October 2010. Both these reports are available on the LDF website. It was made clear at the 24 March 2010 meeting between Town, District and County Councillors that given its technical nature there would not be further consultation on the STA prior to its finalisation.

The proposed 22/23 May event was a public consultation on the design of the Brambling Fields junction improvement and complementary traffic management

measures plus proposals within North Yorkshire County Council's Service Centre Transportation Strategy. However this event was postponed to allow consideration of alternative measures together with traffic modelling and air quality assessments. It is now expected to take place early in 2011.

The November 2009 AGM of the Partnership considered a further separate piece of work – some preliminary designs by Jacobs for potential improvements to the public realm in Malton. This was reliant upon Yorkshire Forward funding and will not be progressed unless other sources of funding are identified.”

Mr Townsend asked the following supplementary question:

“What proper evidence came out of the STA and parking as a whole?, what supermarket plan has come forward? And when will be planning and transport strategy be available?”

The Head of Economy and Housing answered as follows:

“A detailed response on parking need is outlined in the annex attached to the report. There are two separate pieces of work – one is the STA carried out by Jacobs and the other is a management strategy looking at transport and infrastructure.”

Question 6

The following questions was asked by Paul Beanland.

“Gross receipts can be very misleading, whilst Net receipts, after deduction of all costs, can be expected to give a much more realistic indication of what the true value of a sale is worth. To arrive at Net receipts it would be necessary to allow for the capitalized loss of income (including car parking revenue) (existing and potential) from all parts of the sale area; the relocation costs of moving people off the site into other accommodation; payment of miscellaneous ‘Help’ costs; finance and professional fees incurred in the disposal and any extraordinary costs the Council may have to make to support the proposal.

By doing this, a more accurate picture of the true gain would be revealed, better informing Councillors, before they make a decision. In the meantime the decision could be deferred or the Council could make a decision on a figure below which they would not sell.

Given that the potential sale price of about £5m is described as the anticipated gross receipt what do the Council anticipate will be the net receipt after the deduction of all probable estimated costs?”

The Chairman answered as follows:

“The report states that the gross receipts will be **not less than** £5m. The bid offer is higher than this and also includes contingencies for costs which can only be estimated at this stage. A full ground conditions survey and a detailed development scheme will be undertaken by the successful bidder. The latter will be informed by requirements for any off site works and other costs which will only be finalised through the outcome of the planning process.

There are other costs which cannot be fully assessed until a decision to sell is finally made (these cover such items as cost of relocations where necessary, normal disposal costs such as legal and other professional costs, and changes to costs of ownership). It will not be possible to fully calculate these costs and thereby know the final net receipt until a decision to sell is made, the outcome is known of the planning application and relocation implications are finalised. The revenue implications of the sale which include car parking income, rates, maintenance costs and public conveniences provision will be managed through the Council's budget."

Mr Beanland asked the following supplementary question:

"The gross receipt could be much reduced and run into millions and therefore reducing the amount of revenue"

The Corporate Director (s151) answered the question as follows:

"The gross receipt will not be less than £5 million, the revenue from the car park last financial year was around £40k with £11k from long stay car parking which is being retained by the Council. In addition the issues of maintenance, rates toilet provision and the potential for increased demand for long stay parking if other areas are built on would need to be considered at the appropriate time. The impact is unlikely to be felt until the 2012/13 budget as building work would not start before then and those issues would be considered as part of that budget process which would be brought before Councillors."

64 **Declarations of Interest**

In accordance with the Members' Code of Conduct the following declarations of interest were received:

Councillor Mrs Shields declared a personal interest in the item as she had spoken publicly against the proposal.

Councillor Mrs Burr declared a personal interest in the item as she had expressed views in the paper and also owned property and businesses in Malton and Norton.

Councillor Andrews declared a personal interest in the item as he meets local businesses on a regular basis and expressed views in the paper.

Councillor Mrs Cowan declared a personal interest in the item as she had written a letter to the paper.

Councillor Clark declared a personal interest in the item as he had written an article and been lobbied.

Councillor Arnold declared a personal interest in the item as a member of CAB and Malton Scouts and as he had been lobbied.

Councillor Legard declared a personal interest in the item as he had property interests in the town.

Councillor Knaggs declared a personal interest in the item as he had had several meetings and discussions with people who would be affected by the decision and also been lobbied.

Councillor Cottam declared a personal interest in the item as he had been lobbied.

Councillor Wainwright declared a personal interest in the item as Council representative for RVA.

Councillor Mrs Arnold declared a personal interest in the item as a member of North Yorkshire County Council and Malton Scouts and also having been lobbied.

65 **Land at Wentworth Street, Malton**

The Head of Economy and Housing gave a detailed statement, which provided an overview of the report which had previously been circulated.

The Council Solicitor specifically advised Members of Council to note that the recommendations in the report before them are without prejudice to the consideration of the future use of Wentworth Street Car park through the LDF process or as a result of the submission and determination of a planning application.

The Council Solicitor advised Members of Council that in considering the report before them it was important to distinguish the following two separate and distinct statutory roles of Ryedale District Council:-

(i) The role of Ryedale District Council as the Local Planning Authority with the statutory responsibility to progress the Local Development Framework in accordance with the law and dealing with planning applications when received.

(ii) The role of Ryedale District Council as a land owner in relation to Wentworth Street Car Park, Malton. This was the subject of the report before Members that evening. Members were further advised that local authorities have a responsibility to ensure that assets held in public ownership benefit the Council taxpayers and local communities.

Accordingly in considering the report before it, the Council was not discharging the Council's role as a Local Planning Authority but it was discharging the role of the Council as a land owner of Wentworth Street Car park. The Council was not therefore making any Planning decisions.

It was moved by Councillor Knaggs and seconded by Councillor Wainwright that the following recommendation be approved:

That Council is recommended:

- i) to approve, subject to the grant of planning permission, the disposal of land at Wentworth Street, Malton (see Annex A);
- ii) to approve acceptance, subject to contract, of submission X, which includes the following key elements:
 - a. Anticipated gross receipt:

- Of not less than £5m (to be determined dependent upon final planning approval and taking into account such matters as size of store, developer contributions, off-site improvements) payable upon grant of an implementable planning consent and an overage sum of 50% of the development profit after deduction of a 12.5% developers priority return paid after completion of the development
- b. Development proposed:
 - A proposal which was adjudged as being capable of delivery to ensure a capital receipt and which includes those key elements as outlined at paragraph 8.3 and the approach outlined in 8.4 of this report. Members should be aware that the proposal is conditional upon revised car parking arrangements for the Council's retained upper-deck area which include free parking for the first 3 hours.
- c. Reasonable prospects of delivery to ensure capital receipt including:
 - Clear understanding and experience of the development process
 - Appropriate financial standing
 - Appropriate and realistic timetable
- iii) to approve as a reserve, in the event that legal documentation has not been concluded with that party in a reasonable time, acceptance, subject to contract and grant of planning permission, of submission Y;
- iv) to authorise the officers to negotiate and conclude the documentation required to implement the decision of the Council having considered this report;
- v) Members note that both capital and revenue costs will need to be incurred to aid relocation of non-commercial third party interests in the site;
- vi) that the capital receipt from the land sale be applied to the Council's capital programme to be invested in other projects; and
- vii) the net impact of the development on the Council's financial position in relation to Wentworth Street Car Park be managed through the 2011/12 and 2012/2013 budget strategy process.

Councillors then debated the motion.

Before making their speeches Councillors Knaggs and H Keal made it clear that they kept an open mind on the consideration of any future planning application relating to part of Wentworth Street Car Park Malton.

An amendment was moved by Councillor Andrews and seconded by Councillor Mrs Burr:

"In view of:

1. The likely future submission of planning applications for supermarkets on the Showfield and the Cattle Market;
2. The lack of detail in the officers' recommendations in regard to price, name of tenderer, name of supermarket operator, size of supermarket etc.

The matter be deferred to allow consultation to take place with the Malton and Norton Area Partnership and the Malton and Norton Town Councils on the way forward for Malton/Norton."

The amendment was then put to the vote. A recorded vote was asked for by Councillors Andrews, Mrs Cowan, Clark and Woodward.

For the Motion: Councillors Andrews, Mrs Burr, Clark, Cowan, Mrs De Wend Fenton, Maud and Woodward.

Against the Motion: Councillors Arnold, Mrs Arnonld, Bailey, Cottam, Mrs Cowling, Cussons, Mrs Frank, Mrs Hodgson, Hope, Mrs Keal, Keal, Wainwright, Mrs Warriner, Mrs Wilford and Windress.

Abstentions: Councillors, Hemesley, Legard and Mrs Shields.

The amendment was lost.

Councillor Wainwright moved and Councillor Cottam seconded that the question now be put. The vote was carried.

The motion was put to the vote. A recorded vote was asked for by Councillors Andrews, Mrs Cowan, Clark and Woodward.

For the Motion: Councillors Arnold, Mrs Arnonld, Bailey, Cottam, Mrs Cowling, Cussons, Mrs Frank, Hemesley, Mrs Hodgson, Hope, Mrs Keal, Keal, Knaggs Wainwright, Mrs Warriner, Mrs Wilford and Windress.

Against the Motion: Councillors Andrews, Mrs Burr, Clark, Cowan, Mrs De Wend Fenton, Legard, Maud, Shields and Woodward.

Abstentions: None.

The motion was carried.

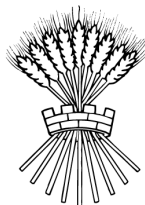
Resolved:

- i) That the disposal of land at Wentworth Street, Malton identified edged black on the site plan attached to the report be approved subject to the grant of planning permission;
- ii) That acceptance of submission X be approved subject to contract, which included the following key elements:
 - a. Anticipated gross receipt:
 - Of not less than £5m (to be determined dependent upon final planning approval and taking into account such matters as size of store, developer contributions, off-site improvements) payable upon grant of an implementable planning consent and an overage sum of 50% of the development profit after deduction of a 12.5% developers priority return paid after completion of the development
 - b. Development proposed:
 - A proposal which was adjudged as being capable of delivery to ensure a capital receipt and which includes those key elements as outlined at paragraph 8.3 and the approach outlined in 8.4 of this report. Members should be aware that the proposal is conditional upon revised car parking arrangements for the Council's retained upper-deck area which include free parking for the first 3 hours.
 - c. Reasonable prospects of delivery to ensure capital receipt including:

- Clear understanding and experience of the development process
 - Appropriate financial standing
 - Appropriate and realistic timetable
- iii) That acceptance of submission Y subject to contract and grant of planning permission be approved as a reserve, in the event that legal documentation has not been concluded with submission X in a reasonable time;
- iv) That Officers be authorised to negotiate and conclude the documentation required to implement the decision of the Council having considered the report;
- v) Members noted that both capital and revenue costs will need to be incurred to aid relocation of non-commercial third party interests in the site;
- vi) That the capital receipt from the land sale be applied to the Council's capital programme to be invested in other projects; and
- vii) The net impact of the development of the council's financial position in relation to Wentworth Street Car Park be managed through the 2011/12 and 2012/13 budget strategy process.

The meeting closed at 10.40pm.

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REPORT TO: FULL COUNCIL

DATE: 13 January 2011

SUBJECT: PART 'B' REFERRALS FROM COMMISSIONING BOARD
ON 8 DECEMBER 2010

44 Fees and Charges

Councillor Mrs Cowling declared a prejudicial interest in this item as a member of the family owns a motor car salvage business and left the room.

Councillor Mrs De Wend Fenton declared a personal interest in this item as having a private water supply.

The Corporate Director presented the report and advised Members that an item detailed in the report had been missed from the recommendation as follows:

- ii. - market stalls at 4.8%

An amendment was moved by Councillor Clark and seconded by Councillor Mrs De Wend Fenton that the increase in Ryecare charges be 1.5%.

Upon being put to the vote the amendment was carried.

An amendment was moved by Councillor Clark and seconded by Councillor Hemesley that the increase in the Pest Control Concessionary charge be 2.24%.

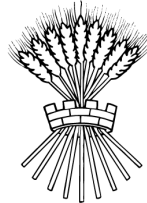
Upon being put to the vote the amendment was carried.

The substantive motion, as amended, was moved by Councillor Hemesley and seconded by Councillor Ms Warriner. Upon being put to the vote the motion was carried.

Resolved

That Council is recommended to approve the following fees and charges changes:

- i. An increase of 1.5% in Ryecare charges;
- ii. Environmental Health
 - An increase in Wasp Control charges of 2.8%
 - An increase in the Pest Control Concessionary charge of 2.24%
 - An increase in the Water Sampling charge of 14%
 - An increase of the Health License Variation of Registration 7.1%
 - An increase in the Motor car Salvage Certified Copy of Public register charge of 11.1%
 - An increase in Market Stalls rate of 4.8%; and
- iii. No increase in Taxi Licensing fees.



REPORT TO: FULL COUNCIL

DATE: 13 January 2011

**SUBJECT: PART 'B' REFERRALS FROM POLICY & RESOURCES
COMMITTEE ON 9 DECEMBER 2010**

43 Householder Flood Resistance Grant Scheme

The Corporate Director (s151) Officer presented the report to Members.

Councillor Mrs Cowling declared a prejudicial interest in this item as the owner of a property that would be eligible for the grant scheme and did not take part in the discussion.

Councillor Knaggs asked that an appeal procedure be put in place if a grant application was turned down.

It was moved by Councillor Bailey and seconded by Councillor Arnold that the recommendation in the report be approved.

Resolved

That Council is recommended to approve:

- i. The establishment of a householder Flood Resistance Grants Scheme which:
 - a. Is eligible to all Domestic Properties within the District which have previously suffered flooding from rivers or surface water and continue to be classified as "at risk within the defended situation" by the Environment Agency;
 - b. Provides 50% of eligible expenditure up to a maximum grant of £2,500 per property;
 - c. Provides grants towards flood resistance works;
 - d. is administered by the North Yorkshire Building Control Partnership; and
 - e. ensures all products must be in accordance with BSI Kitemark or equivalent.
- ii. An initial £50k be allocated from unapplied capital resources in 2011/12; and
- iii. An evaluation report be brought back on the scheme to members once the majority of funding is committed.

44 **Items Referred from the Commissioning Board**

The Head of Economy and Housing presented the report on Malton Museum.

The resolution from Commissioning Board was circulated to Members at the Meeting as follows:

(a) Malton Museum Future Options

Resolved:

- (ii) that Policy & Resources Committee is requested to consider including the Malton Museum Relocation Project in the Council's Capital Programme, with an allocation of £60,000, subject to an appropriate investment contract with the Foundation.

It was moved by Councillor Wainwright and seconded by Councillor Mrs Cowling.

Resolved:

- (ii) that Council is requested to consider including the Malton Museum Relocation Project in the Council's Capital Programme, with an allocation of £60,000, subject to an appropriate investment contract with the Foundation.

The Corporate Director (s151) presented the replacement recycling vehicles and kerbside recycling options.

The resolution from Commissioning Board was circulated to Members at the Meeting as follows:

(b) Replacement Recycling Vehicles and Kerbside Recycling Options

Resolved:

That Policy & Resources Committee is recommended to approve:

- a) the introduction of the collection of plastic bottles and cardboard from the kerbside of every domestic property in the District as part of their multi-material recycling collection service, utilising a three box/bag system at an estimated additional net ongoing full year annual revenue cost ranging from £64k to £88k;
- b) the Revenue cost implication above be managed through the budget strategy process for 2011/2012 and 2012/2013;
- c) to approve inclusion of £135k in the Council's Capital Programme for 2011/12 for additional recycling equipment;
- d) that the policy be revised for extra residual refuse capacity only be provided for a family of over seven plus all replacement bins for residual refuse would be changed to a smaller bin; and
- e) further consultation is carried out on the possibility of applying an annual charge for the kerbside collection of garden waste from domestic

properties and a report be brought back to members following that consultation.

It was moved by Councillor Cowling and seconded by Councillor Bailey.

Resolved:

That Council is recommended to approve:

- a. the introduction of the collection of plastic bottles and cardboard from the kerbside of every domestic property in the District as part of their multi-material recycling collection service, utilising a three box/bag system at an estimated additional net ongoing full year annual revenue cost ranging from £64k to £88k;
- b. the Revenue cost implication above be managed through the budget strategy process for 2011/2012 and 2012/2013;
- c. to approve inclusion of £135k in the Council's Capital Programme for 2011/12 for additional recycling equipment;
- d. that the policy be revised for extra residual refuse capacity only be provided for a family of over seven plus all replacement bins for residual refuse would be changed to a smaller bin; and
- e. further consultation is carried out on the possibility of applying an annual charge for the kerbside collection of garden waste from domestic properties and a report be brought back to members following that consultation.

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	COUNCIL
DATE:	13 JANUARY 2011
REPORT OF THE:	HEAD OF ORGANISATIONAL DEVELOPMENT LOUISE SANDALL
TITLE OF REPORT:	TIMETABLE OF MEETINGS 2011-2012
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 This report presents the draft timetable of meetings for 2011-2012 for approval.

2.0 RECOMMENDATION

2.1 That Council is recommended to approve the timetable of meetings for 2011-2012, attached as Annex A to this report.

3.0 REASON FOR RECOMMENDATION

3.1 To provide a timetable for all decision making, advisory and overview and scrutiny meetings for use by Members, officers, the public and other interested parties.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks relating to this recommendation.

REPORT

5.0 BACKGROUND AND INTRODUCTION

5.1 A timetable of meetings is agreed and published for each municipal year.

6.0 POLICY CONTEXT

6.1 Publishing the timetable of meetings is an essential part of making the Council's decision making process open and accessible to all interested parties.

7.0 CONSULTATION

7.1 Management Team have been consulted on the draft timetable of meetings for 2011-2012.

8.0 REPORT DETAILS

8.1 The draft timetable of meetings, attached as Annex A of the report, has been based on the meeting cycle used in 2010-11.

8.2 The schedule at Annex A takes account of particular reporting requirements relating to the Annual Governance Statement and Statement of Accounts. No meetings have been scheduled to coincide with Maundy Thursday (5 April), the Local Government Association Conference (28-30 June) and the Ryedale Show (26 July).

8.3 Members have the option to approve, amend or reject the draft timetable of meetings attached at Annex A. If the current draft timetable is not acceptable to Members, an alternative will need to be agreed.

8.4 The Corporate Director (s151) undertook an informal consultation with members during December 2010 on meeting start times in response to several member requests and comments. Details of other Authorities meeting start times and other issues were included in the consultation.

8.5 This report allows this Council to set, in accordance with the constitution, the timetable of meetings for the following Council. This is an important task to enable current and potential candidates to consider the level of commitment required to stand as an elected member of the Council.

8.6 Less than a third of members (9 in all) responded. 6 of those selected their preference as 6.30pm start for public meetings, 2 went for 5.30 and 1 for 5.00/5.30. There was support for member training start times and member development to match the public meeting start times. There was some support for the two working parties to be evening meetings.

8.7 In light of the above and in looking at current Council meetings, in particular the Planning Committee which has the largest member attendance outside of Council and in general the largest public attendance, the officer recommendation is that all public meetings (excluding Annual Council and Licensing Committee), member development and member training sessions start at 6pm, Parish Liaison remains at 7pm and working parties remain unchanged. This proposal is reflected in Annex A.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

- a) Financial
The costs of meetings within the Council are built into existing budgets.
- b) Legal
None.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)

None.

10.0 NEXT STEPS

- 10.1 Once the timetable of meetings has been approved it will be published on the Council's website using the Modern.gov committee management system.

Louise Sandall Head of Organisational Development

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Background Papers:

None.

Background Papers are available for inspection at:

Not applicable.

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TIMETABLE OF MEETINGS MAY 2011 TO MAY 2012

COMMITTEE	MAY 2011	JUN	JULY	AUG	SEPT	OCT	NOV	DEC	JAN 2012	FEB	MAR	APR	MAY 2012	Day
Planning Committee (6pm)		7	5	Tues 2 & Wed 31	27	25	22	20	17	14	13	3 & 24	22	Tues
Standards (6pm)		9			15		17		19		15			Thurs
Commissioning Board (6pm)		2			22		24		26		22			Thurs
Licensing Committee		2			22		24		26		22			Thurs
Policy & Resources (6pm)		23			29			8		2** & 9		Weds 4		Thurs
Overview & Scrutiny (6pm)		Mon 20***	7			6		15		16		12		Thurs
Member Briefings (6pm)		8		3		5		7	18**			11		Wed
Council (6pm)	19*		18 Mon		1		3		12	Mon 20**	8		17*	Thurs
Resources Working Party (3pm)		7			13		22		10		13			Tues (3pm)
Constitution Review Working Party (4pm)		Mon 27							24					Tues (4pm)
Parish Liaison Committee (7pm)		1				26								Wed (7pm)

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The Licensing Committee will be held immediately following the meeting of the Commissioning Board.

- NOTES**
- * Annual Council at 3 pm and Ordinary Council at 6.00 pm
 - ** Budget Meetings
 - *** To consider the Statement of Accounts only

Bank Holidays

Spring Bank Holiday	-	Monday 30 May 2011
Late Summer Bank Holiday	-	Monday 29 August 2011
Christmas Bank Holiday	-	Monday 26 & Tuesday 27 December 2011
New Year's Day Holiday	-	2 January 2012
Council Offices closed	-	Mon 26 Dec 2011 to Mon 2 Jan 2012 inclusive
Easter	-	Friday 6 April and Monday 9 April 2012
May Day	-	Monday 7 May 2012

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Agenda Item 14

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	COMMISSIONING BOARD
DATE:	25 NOVEMBER 2010
REPORT OF THE:	CORPORATE DIRECTOR (s151) PAUL CRESSWELL
TITLE OF REPORT:	FEES AND CHARGES
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 This report sets out the proposed fees and charges for 2010/2011 for those services recommending changes outside the parameters set by Full Council.

2.0 RECOMMENDATIONS

2.1 That Council is recommended to approve the following fees and charges changes:

- (i) an increase of 2% in Ryecare charges;
- (ii) Environmental Health
 - An increase in Wasp Control charges of 2.8%
 - An increase in the Pest Control Concessionary charge of 6.66%
 - An increase in the Water Sampling charge of 14%
 - An increase of the Health Licence Variation of Registration 7.1%
 - An increase in the Motor car Salvage Certified Copy of Public register charge of 11.1%; and
- (iii) No increase in Taxi Licensing fees.

3.0 REASON FOR RECOMMENDATIONS

3.1 The above charges have considered the impact of increases in line with Council resolution and additionally those charges where rounded increases would ease administration.

4.0 SIGNIFICANT RISKS

4.1 The significant risk is that in setting charges below the target level will potentially lead

to additional savings to be found in other areas if officer's views on the demand effect are incorrect.

REPORT

5.0 BACKGROUND AND INTRODUCTION

5.1 Full Council on the 4 November 2010 resolved that in relation to fees and charges:

'Increases in fees and charges to be 3.5% - 4.5% on a cost centre heading basis excluding VAT and only those charges officers recommend above or below this figure to be considered by the relevant policy committee'.

5.2 This report considers those charges under the purview of the Commissioning Board where officers are recommending changes outside of the above.

6.0 POLICY CONTEXT

6.1 This report supports existing Council Policy and the budget strategy.

7.0 CONSULTATION

7.1 Consultation on the proposals has not taken place.

8.0 REPORT DETAILS

Ryecare

8.1 The service has had another successful year with all existing contract service users being retained. There has been a continued demand for the service by private householders who wish to avail themselves of the benefits of telecare. The latest indications are that income for the current financial year will equal that of forecast when the budget estimates were prepared, continuing the overall strengthening financial position of the service.

8.2 There is however a threat to the business, with housing associations encroaching into private households and offering the benefit of telecare backed up by warden calls through supporting people funding. Charges were increased by 2% last year and the same increase is recommended for 2011/2012. Any additional fee increase could jeopardise income and cause existing users to move their business.

8.3 During the current year the main call handling equipment has been upgraded to include voice recording and online mapping. Ryecare continues to embrace new technology with the most up to date call handling equipment it also has a broad spectrum of telecare sensors linked through the lifeline units.

Environmental Health

8.4 The Wasp element of the Pest Control service is proposed to increase from £34.04 to £35 net (£40 to £42 gross) which is a 2.8% increase. Prices were held last year due to the price sensitivity of this service. The typical annual income from this element of Pest control is £7825.

8.5 It is also proposed that the Pest Control Concessionary flat charge is increased from £18.75 to £20 net (£22 to £24 gross). This is the charge made to householders in receipt of Council Tax or Housing Benefit, annual income is approximately £900.

- 8.6 It is proposed that the Water sampling charge be increased from £50 to £57, a 14% increase. This will align the charge with the Private Water Supplies Charges.
- 8.7 It is proposed that the Variation of Registration (Health Licence) be increased from £14 to £15, a 7.1% increase and that the Motor Car Salvage Certified Copy of Public Register be increased from £9 to £10, an 11.1% increase. These are proposed due to ease of charging. This charge has not been levied in the past two years.
- 8.8 It is proposed that the Market Stall rate be increased from £21 to £22, a 4.8% increase for ease of administration. The annual income is £65,141.

Taxi Licensing

- 8.9 Last year it was agreed to freeze the prices of taxi licences against a background of years of appeals/time spent (officers and members) given the economic climate and with RDC's licence fees already being the highest around by comparison. The evidence is that the level of licences per annum remains fairly constant.
- 8.10 The likelihood is that if the increase is in line with the resolution, the additional income generated will be around £1k. The Council would face appeals and the cost of advertising/officer time etc will exceed the £1k generated. It is therefore proposed that Taxi Licence fees are not increased for 2011/2012.

9.0 IMPLICATIONS

- 9.1 The following implications have been identified:
- a) Financial
As detailed within the report.
 - b) Legal
There are no additional Legal Issues from the decision in this report.
 - c) Other
There are no significant additional implications of the proposals.

Paul Cresswell
Corporate Director (s151)

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Background Papers:
None.

Background Papers are available for inspection at:
N/a

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	9 DECEMBER 2010
REPORT OF THE:	CORPORATE DIRECTOR (s151) PAUL CRESSWELL
TITLE OF REPORT:	HOUSEHOLDER FLOOD RESISTANCE GRANT SCHEME
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To enable members to consider allocating the Council's capital resources to facilitate householders undertaking small scale works to reduce the impact of flooding on their property.

2.0 RECOMMENDATIONS

- 2.1 That Council is recommended to approve:
- (i) the establishment of a Householder Flood Resistance Grants Scheme which:
 - (a) is eligible to all Domestic Properties within the District which have previously suffered flooding from rivers or surface water and continue to be classified as "at risk within the defended situation" by the Environment Agency;
 - (b) provides 50% of eligible expenditure up to a maximum grant of £2,500 per property;
 - (c) provides grants towards flood resistance works;
 - (d) is administered by the North Yorkshire Building Control Partnership; and
 - (e) ensures all products must be in accordance with BSI Kitemark or equivalent.
 - (ii) an initial £50k be allocated from unapplied capital resources in 2011/2012; and
 - (iii) an evaluation report be brought back on the scheme to members once the majority of funding is committed.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 Members have indicated support of domestic flooding protection. This report provides

a cost effective pilot scheme.

4.0 SIGNIFICANT RISKS

- 4.1 The significant risk is that the scheme is oversubscribed and the Council the needs to significantly increase its capital commitment. This is mitigated by the part funding of the works, the establishment of a cap on individual grants and limiting works in the first phase to flood resistance.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 At Council on the 28 July 2010 members approved the Pickering Flood Storage Proposals and additionally resolved:

‘in principle, the establishment of a grant scheme for property owners affected by flooding anywhere in Ryedale, to help fund flood protection or mitigation for their property.’

- 5.2 This report outlines a pilot scheme to address the above.
- 5.3 Members will be aware of the significant flood issues around the District. Nationally over 5.5 million properties in England and Wales are at risk of flooding from rivers, the sea and surface water.
- 5.4 DEFRA has previously had pilot areas for a grants scheme and £500k was allocated to six pilot areas. This scheme has now closed and there are no reported plans to roll it out nationally. Other alternative sources of funding are not presently available.
- 5.5 The pilots were across the following locations:
- Bleasby, Nottingham
 - Sandside, Kirkby-in-Furness, Cumbria
 - Sunderland Point, Morecambe, Lancashire
 - The Dunhill Estate, Halton, Leeds
 - The Sands, Appleby, Cumbria
 - Uckfield, East Sussex
- 5.6 In total 177 residential properties were assisted with the average cost of works per property was about £2,900, in a range from £300 to £13,000. Only in some cases were contributions sought from the property owners, however it should be noted that none of the Authorities involved in administration provided any of their own funding. 173 out of the 177 were towards flood resistance works (preventing water from entering the property) rather than flood resilience works (making property easier to bring back into use where floodwater has entered).
- 5.7 Administration costs in these pilot schemes were significant. Originally they were targeted to be no more than 20%, however in some pilots they were as high as 63%.
- 5.8 The cost of purchasing and installing products to keep floodwater out of a property will depend on the size of the property and the type of flood to protect against. According to the Association of British Insurers (ABI), to protect a property against shallow flash floods could cost between £2k and £6k.

6.0 POLICY CONTEXT

6.1 This proposal is in line with existing Council policy.

7.0 CONSULTATION

7.1 Discussions have taken place with the County Council Officers and the Environment Agency on the outline proposals.

8.0 REPORT DETAILS

8.1 In considering a scheme a key issue is whether grants to properties are provided solely for flood resistance or whether flood resilience is also included.

8.2 Flood resistance is work to keep flood water out:

- Doors: buy purpose built flood doors/gates that can be installed when flooding is imminent.
- Walls and Floors: raise damp proof brick courses and sealing floors (tanking)
- Air Bricks: buy specially designed covers that are easy to place over ventilation bricks
- Drains and Pipes: fit non-return valves to drains and water inlet and outlet pipes.

8.3 Flood resilience includes:

- Home entertainment: fix audio visual equipment at 1.5m above floor level
- Skirting: fit water resistant skirting boards
- Pump: fit a pump in a basement or under-floor void to extract water
- Walls: dry line. Use horizontal plasterboard, or lime based plaster instead of Gypsum. Obtain a special draining system for cavity walls.
- Flooring: lay tiles with rugs rather than fitted carpets
- Doors and Windows: install synthetic or waxed windows and doors, or varnish.
- Kitchen and Bathroom: use water-resistant materials such as stainless steel, plastic or solid wood rather than chipboard.
- Electricals: raise electrical sockets, control and wiring to at least 1.5m above floor level.

8.4 It is likely that properties which have previously suffered flooding and had insurance related remedial work will already incorporate some of the above resilience measures. It is proposed that for the pilot scheme only flood resistance works are considered.

8.5 There are a variety of products available which can be found in 'The Blue Pages' directory on the National Flood forum's website www.floodforum.org.uk. The Blue Pages is an independent directory of products, builders suppliers and insurers. It is designed to provide information on all aspects of flood protection and resilience products.

8.6 It is proposed that all flood products eligible for grant should display the British Standards Institution (BSI) Kitemark or equivalent accreditation for the national quality standard PAS 1188. The (BSI) maintains a list of all manufacturers of flood protection products that have been tested and achieved the Kitemark accreditation (further information at www.Kitemark.com). The Flood Protection Association represents manufacturers and designers of flood defence products (www.floodprotectionassoc.co.uk).

- 8.7 Clearly the levels of administration seen in the national pilots should be avoided where possible. Following discussions within the Council the Building Control Partnership has been identified as the most appropriate service to manage a grants scheme. It is anticipated that administration costs would not exceed 10% of the budget.
- 8.8 A number of places within Ryedale now have flood defences. However in terms of the flood map (which is one of the documents used by the insurance companies when considering risk) these areas will still be classed as being at flood risk as the flood map is based on an undefended situation (as if the defences were not in place). It is therefore proposed that those eligible properties take into account the defences now in place.
- 8.9 It is therefore proposed that the scheme:
- Is eligible to all Domestic Properties within the District which have previously suffered flooding from rivers or surface water and continue to be classified as “at risk within the defended situation” by the Environment Agency;
 - Provides 50% of eligible expenditure up to a maximum grants of £2,500 per property;
 - Provides grants towards flood resistance works;
 - Is administered by the North Yorkshire Building control Partnership; and
 - Ensures all products must be in accordance with BSI Kitemark or equivalent

9.0 IMPLICATIONS

- 9.1 The following implications have been identified:
- a) Financial
This scheme is proposed to use £50k of unallocated capital resources (presently approximately £1.7m). There are no revenue costs to the proposal.
- b) Legal
There are no significant legal issues arising from this recommendation.
- c) Other
There are no significant other issues arising from this recommendation.

Paul Cresswell
Corporate Director (s151)

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Background Papers:
None.

Background Papers are available for inspection at:
n/a

Policy and Resources Committee

Thursday 9 December 2010 at 6.30 pm
Council Chamber, Ryedale House, Malton

PART B ITEMS – MATTERS REFERRED TO COUNCIL

Agenda Item 13 - Items Referred from the Commissioning Board

- (a) Malton Museum Future Options
- (b) Replacement Recycling Vehicles and Kerbside Recycling Options

Recommendations to Policy and Resources:

(a) Malton Museum Future Options

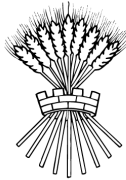
That Council is recommended to approve including the Malton Museum Relocation Project in the Council's Capital Programme, with an allocation of £60,000, subject to an appropriate investment contract with the Foundation.

(b) Replacement Recycling Vehicles and Kerbside Recycling Options

That Council is recommended to approve:

- a) the introduction of the collection of plastic bottles and cardboard from the kerbside of every domestic property in the District as part of their multi-material recycling collection service, utilising a three box/bag system at an estimated additional net ongoing full year annual revenue cost ranging from £64k to £88k;
- b) the Revenue cost implication above be managed through the budget strategy process for 2011/2012 and 2012/2013;
- c) the inclusion of £135k in the Council's Capital Programme for 2011/12 for additional recycling equipment;
- d) that the policy be revised for extra residual refuse capacity only to be provided for a family of over seven plus all replacement bins for residual refuse would be changed to a smaller bin; and
- e) further consultation is carried out on the possibility of applying an annual charge for the kerbside collection of garden waste from domestic properties and a report be brought back to members following that consultation.

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PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	COMMISSIONING BOARD
DATE:	25 NOVEMBER 2010
REPORT OF THE:	HEAD OF ECONOMY AND HOUSING JULIAN RUDD
TITLE OF REPORT:	MALTON MUSEUM - FUTURE OPTIONS
WARDS AFFECTED:	MALTON

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To consider and support the relocation of the Malton Museum to the Derventio Fort site adjacent to Orchard Fields. To support this relocation and associated activity, it is recommended that the Commissioning Board request that the Council's Policy and Resources Committee considers financial support for the relocation. If agreed, this will be a Part B referral at Policy and Resources Committee.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that Members:

- i) endorse the relocation and associated activity by Malton Museum Foundation (MMF); and
- ii) request the Policy and Resources Committee to consider including the Malton Museum Relocation Project in the Council's capital programme, with an allocation of £60,000, subject to an appropriate investment contract with the Foundation.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 The project would enable the community to retain the Museum collection in Malton. The project would also release the Council from the burden of current leases and lead to a long term financial saving despite the proposed financial contribution towards the project.

4.0 SIGNIFICANT RISKS

- 4.1 The most significant risk to this project is that Heritage Lottery funding is not secured, the risk to the Council's investment is low however as the contribution is subject to a successful lottery grant being secured. The risk assessment is at Annex A.

REPORT

5.0 BACKGROUND AND INTRODUCTION

5.1 A report was considered by the Community Services Committee on 25 March 2010 outlining a large scale project that the MMF were embarking on in partnership with Yorkshire Archaeological Trust. This involved an application to the Heritage Lottery Fund (HLF). The resolution of the Committee (minute 70) was:

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

5.2 Unfortunately the bid to HLF was unsuccessful, leaving the Foundation with decisions to make regarding their future, and this was reported to P&R Committee on 1 April 2010, which subsequently resolved (Minute 80):

- (a) *That the relocation of Malton Museum as part of the Derwentio Fort Project be endorsed;*
- (b) *That any funding decision be deferred until a new funding package has been identified for the project."*

5.3 The Council currently leases the Old Town Hall site which houses the Malton Museum and Tourist Information Centre from the Fitzwilliam Estate. This lease ends in 2012 and as such, both the Museum and TIC must find alternative premises.

5.4 The TIC relocation is being reviewed by the Commissioning Board as part of the tourism commissioning process. The TIC may move out of the building before 2012.

6.0 POLICY CONTEXT

6.1 The project forms part of the 'Heart of Malton' programme that this Council has promoted in partnership with Yorkshire Forward to improve the visitor economy and to free up space for commercial activity in the town centre. The Council is working with partners to deliver elements of this programme despite the loss of anticipated large scale regeneration funding from Yorkshire Forward.

6.2 The project is consistent with the following Council aims and objectives:
Aim 2: to create the right conditions for economic success in Ryedale;
Strategic Objective 3: Place of opportunity – to have the economic structure and supporting infrastructure in place;
Service objective 3 : Strengthen the role of the market towns;
Strategic Objective 4: Increasing wage and skill levels;
Aim 4: To have active communities where everyone feels welcome and safe; and
Service Objective 3: Improving the cultural offer in Ryedale.

7.0 CONSULTATION

7.1 Consultation has taken place with Malton Museum Foundation. Consultation on the wider project has taken place with the wider community by Yorkshire Archaeological Trust earlier in the year.

8.0 REPORT DETAILS

8.1 Following the rejection of the Heritage Lottery Fund Phase 1 Application for the project that was outlined in the 25 March 2010 Committee Report, Malton Museum has reviewed its position regarding current lease arrangements; low visitor numbers and potential reduction in public funding support. In depth discussions have also been held with Heritage Lottery Fund and Yorkshire Archaeological Trust (YAT) to ascertain the reasons for the failure of the previous submission. Several options have been considered.

8.2 At an additional meeting of the MMF on 23 October 2010, the Committee agreed to:

- Proceed with the planned move to the Orchard Fields site and the refurbishment of the building within the Estate yard. MMF will be the lead organisation, with support from YAT as required.
- The revised plans will still include additional space for educational facilities however will no longer include the commercially allocated space and the historic gardens aspect, on the recommendation of HLF. The outdoor space will be used for events such as re-enactments or themed weekends in partnership with YAT.
- It is not anticipated that MMF will proceed with the lease of Orchard Fields.
- During the relocation period, the Museum's collections will be housed in community locations around Malton to maintain and improve the links with the community until the new premises are completed.
- Excavations on the ploughed area of the Roman Fort Site are undertaken – this area of work has been agreed by English Heritage as the ploughed area is considered 'at risk'.
- The Fitzwilliam Estate has indicated it will lease the Estate Yard and Walled Gardens for this purpose and will invest the cost of refurbishment of the main structures to facilitate the project, in return for an annual 'storage level' rent.

8.3 In addition, the MMF are aware of the requirements previously made by the Council in relation to the project including:

- the development of links with Castle Gardens;
- Malton's social history to be maintained, including the racing and brewing industries be fully represented in the Museum.

8.4 In addition to these requirements, the investment contract with MMF will require that the educational links with local primary and secondary schools should be strengthened and built into the project in the planning phase.

8.5 It is anticipated that the Arts and Heritage Officer will maintain close links with MMF project group to ensure that the Council's requirements are adhered to.

8.6 A capital contribution of £60,000 is recommended at this stage towards the total cost of the project. This includes £50,000 towards the cost of the main relocation project. This contribution is subject to a successful 'phase 2' HLF application. The remaining £10,000 will be utilised for the interim measure of locating the museum's collections within community buildings in Malton and Norton.

9.0 IMPLICATIONS

9.1 Financial

It is recommended that the capital investment would be included in the Capital Programme in 2011/12 financed from unallocated capital resources currently £1.7m. Total revenue savings of £13,000 per annum are anticipated once Malton Museum has vacated the Old Town Hall.

9.2 Legal

An 'investment contract' or similar legal agreement would be drawn up between MMF and the Council in order to safeguard the capital investment. Similar agreements exist with other capital schemes previously funded. Funding would be dependant upon a successful HLF Phase 2 application and the initiation of the relocation project on the ground.

10.0 NEXT STEPS

10.1 Officers will continue to work with the MMF to encourage and enable the application to HLF. This may include a small grant to assist with the costs of putting the application together. The previous application was developed by YAT, an organisation with significant experience and reserves. MMF is not in this position. This is the first time that MMF has developed a large scale application of this nature and it is appropriate to support them to a successful conclusion.

10.2 Officers will also continue a dialogue with HLF representatives to ascertain what input is required by the District Council in support of the application.

10.3 This project is currently not funded in the Council's Capital Programme and as such it is suggested that the Policy and Resources Committee is asked to consider including a provision of £60,000 at its meeting on 9 December 2010.

Julian Rudd
Head of Economy and Housing

Author: Jos Holmes, Economy and Community Manager
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Background Papers:
Annex A – Malton Museum Risk Matrix

Background Papers are available for inspection at:
Economy and Community Unit, Ryedale House.

MALTON MUSEUM FUTURE OPTIONS RISK MATRIX. ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
Project is not managed by RDC and is therefore outwith RDC's direct control.	Project may not proceed as planned.	3	C	Terms and conditions will be applied to the RDC capital investment in the project via an investment agreement. A robust project plan will also be required.	2	B
The project is delayed due to external factors – it is reliant upon receiving HLF grant	The project will not proceed	3	D	Our investment is time limited and linked to the success of the HLF bid.	2	B
MMF may not prioritise the 'non Roman' collection	The local social history collection will not be displayed	3	C	A condition of investment will be to ensure social history of Malton collection is adequately displayed.	1	A
The project does not proceed	The MMF collection will be dispersed	3	D	The Arts & Heritage Officer will work with MMF on contingency plans to ensure that the collection is retained in Ryedale, in the event of Malton Museum not being able to continue.	2	B

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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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	COMMISSIONING BOARD
DATE:	25 NOVEMBER 2010
REPORT OF THE:	HEAD OF ENVIRONMENT PHIL LONG
TITLE OF REPORT:	REPLACEMENT RECYCLING VEHICLES AND OPTIONS FOR KERBSIDE RECYCLING COLLECTIONS
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To recommend to Members further expansion of recycling within the District.

2.0 RECOMMENDATIONS

2.1 That Council is recommended to approve:

- a) the introduction of the collection of plastic bottles and cardboard from the kerbside of every domestic property in the District as part of their multi-material recycling collection service, utilising a three box/bag system at an estimated additional net ongoing full year annual revenue cost ranging from £64k to £88k;
- b) the Revenue cost implication above be managed through the budget strategy process for 2011/2012 and 2012/2013;
- c) to approve inclusion of £135k in the Council's Capital Programme for 2011/12 for additional recycling equipment;
- d) that the policy be revised for extra residual refuse capacity only be provided for a family of over seven plus all replacement bins for residual refuse would be changed to a smaller bin; and
- e) further consultation is carried out on the possibility of applying an annual charge for the kerbside collection of garden waste from domestic properties and a report be brought back to members following that consultation.

3.0 REASON FOR RECOMMENDATIONS

3.1 Most local authorities are now collecting plastic bottles and many collect cardboard as part of their multi material kerbside recyclable collection schemes. All of the other local authorities in the York and North Yorkshire Waste Partnership except Harrogate are collecting plastic bottles from the kerbside.

3.2 There is an increasing demand from residents for plastic bottle and cardboard recycling and many are confused as to why Ryedale District Council (RDC) does not collect them as part of their fortnightly kerbside recyclable collection service. Analysis

of Place Survey statistics indicates that the main causal factor in reduced levels of customer satisfaction in Waste services is failure to provide kerbside plastic and card recycling.

- 3.3 Any decision on changing the current kerbside collection arrangements will influence the procurement of replacement vehicles for the entire fleet of recycling vehicles and lock the Council into a system of kerbside collections for 6 years.
- 3.4 The Capital Programme includes for the replacement of 3 recycling vehicles and 1 relief recycling vehicle: £170,000 in 2010/11 and £240,000 in 2011/12. In addition, there is a revenue budget for the replacement of 1 recycling vehicle. One old recycling vehicle has recently been returned at the end of its lease period following route efficiency changes.
- Replacement of the recycling vehicle has been put on hold pending decisions regarding potential changes to existing kerbside recycling collections.
 - Typically procurement and build time for vehicles of this type is between 6-12 months depending on demand.
 - The vehicle saving from the current system equates to around £30K p.a. which helps towards reducing the increased costs of the recommended scheme.
- 3.5 The above factors mean that the time has arrived where there is now the opportunity for a decision on future recycling and extensions to the offer to Ryedale residents needs to be made.

4.0 SIGNIFICANT RISKS

- 4.1 Notwithstanding Ryedale's top quartile recycling performance (2009/2010 51.9%), there is a risk of continued public dissatisfaction if RDC fails to offer residents plastic and cardboard recycling. Approving the proposal within this report would mitigate this risk.
- 4.2 There is a significant financial consequence to offering additional kerbside recycling currently not included with the budget. The current budgetary projections for the forthcoming spending review will mean the scope for accommodating increasing spend on services is extremely limited. It is probable that approving the growth as identified will impact on 2 years budget and may necessitate cuts to other services to be delivered. Subject to approval of this at the Commissioning /Board the matter will be considered by Full Council on the 13 January 2011 when the Local Government Finance Settlement plus implications will be known. The Risk Matrix is at Annex A.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 RDC has been collecting glass, cans and paper from the kerbside since 2003, using toploader recycling vehicles which were originally funded through DEFRA grant. This system of source separation by the householder provides high quality recyclate which has a better value to the industry compared to a fully co-mingled collection system. Households receive an alternate weekly collection on the same day as their garden waste collection which is a simple user-friendly system and the success of Ryedale's recycling arrangements is demonstrated by the high level of recycling performance that has been achieved to date.
- 5.2 Rather than local authorities collecting waste solely on the basis of increased tonnage (in order to attain tonnage based recycling targets) the Government has been encouraging local authorities to collect a wider stream of materials. Although

plastic bottles and cardboard are not particularly heavy materials, they do represent a significant volume within the bin.

5.3 WRAP (Waste & Resources Action Programme) is a government funded organisation which assists individuals, local authorities and businesses to reduce and recycle more waste. WRAP has been encouraging more local authorities to collect plastic bottles at the kerbside and where possible to collect mixed plastics. WRAP has a 'Target 10' campaign for plastic bottles, to try and get every authority recycling 10kgs of plastic bottles per household per year. Case studies conducted by them show figures of 11 kgs and 12 kgs per household per year for Vale Royal and Pendle Councils, respectively, when plastic bottle collections were introduced at the kerbside. Currently, through the bring bank system in Ryedale, a figure of 2.5 kgs per household per year is being achieved.

5.4 Residents are continually contacting the Council to ask why plastic bottles and cardboard are not being collected. There is a considerable degree of frustration and dissatisfaction among residents, particularly after they have visited friends or relatives in other Council areas where collections of these materials have been undertaken for some years. This is reflected in lower customer satisfaction levels for waste management.

6.0 POLICY CONTEXT

6.1 Council Priorities 2009-13:

- Aim 3: To have a high quality, clean and sustainable environment.
- Increasing the rate of recycling and reducing the amount of waste collected.

Imagine Ryedale

Let's Talk Less Rubbish (York & NY Municipal Waste Management Strategy)

Ryedale District Council Recycling Plan

7.0 CONSULTATION

7.1 Although no specific consultation exercise has been carried out, the feedback from the recent Citizen's Panel Survey reflected the increasingly raised question that residents, community groups and parish councils always ask which is why RDC doesn't recycle cardboard and plastic bottles. This is largely due to their perception that their wheeled bins are too full.

8.0 REPORT DETAILS

8.1 It is widely accepted that to collect more materials locally for recycling is a better practical environmental option than disposal to landfill and most Councils try to include as many materials for recycling as possible.

8.2 Most local authorities now collect plastic bottles as part of their kerbside collection schemes and some Councils (including Selby District Council) have introduced a mixed plastic collection. Cardboard is also widely collected as part of multi-material kerbside schemes across the country.

8.3 The current recycling targets are as follows:

Government targets for recycling are set out in the 'Waste Strategy for England 2007'			
These are as follows:			
	<u>2010</u>	<u>2015</u>	<u>2020</u>
Household waste to be recycled or composted	40%	45%	50%
Municipal waste to be recovered	53%	67%	75%

York & N. Yorkshire Waste Partnership targets are as follows:

	<u>2010</u>	<u>2013</u>	<u>2020</u>
Household waste to be recycled or composted (Minimum)	40%	45%	50%
Municipal Waste to be diverted from landfill		75%	

- 8.4 RDC has been very successful at attaining recycling targets issued by the government achieving over 50% since 2007/08. The targets are weight based and consequently the materials chosen for recycling were the heavier ones: garden waste, glass, cans and paper.
- 8.5 In 2009-10 the tonnage of garden waste collected by RDC was around 8,000 tonnes, compared to just over 4,000 tonnes for all the dry recyclables combined (including tonnages from the bring bank system), giving RDC a 51.9% recycling rate for 2009-10.
- 8.6 Whilst a considerable amount of weight has been removed from residual waste bins, there are still issues regarding volume, particularly from plastic bottles and cardboard, causing residents some problems.
- 8.7 As a result, families of 5 and above are entitled to an extra residual waste bin and currently there have been over 600 second bins issued. Furthermore complaints received from residents regarding their waste collection service are regarding overfull residual waste bins, as RDC operates a no side waste policy.
- 8.8 Plastic Bottles are a very light, but bulky material, compared to glass, cans and paper. However, as far as many residents are concerned they would prefer to have their plastic bottles collected in preference to other materials, as the bottles are taking up a considerable proportion of space in their bin. Cardboard, whilst not quite as problematic from a volume point of view as plastic bottles, is significant in terms of its biodegradability. Cardboard is a more active material than plastic bottles when considering methane generation at landfill sites.
- 8.9 The Council has been delivering alternate weekly kerbside residual and recycling collections since March 2003 and the replacement of the recycling vehicles has been restricted by lease termination dates and budget provision within the capital programme. The current recycling fleet profile is provided at Annex B.

Options

- 8.10 The key element, from both the environmental and cost perspective is to collect more materials, but not to add multiple vehicles to the fleet and make the cost prohibitive. Annex C provides details of all the options which have been investigated and a summary of these options is given below for consideration. Options have been costed annually. Clearly with vehicle delivery times and the necessary changes which will need to be made to introduce any changes, there will only be a part year impact in 2011/2012, with the full impact being part of the 2012/2013 budget.
- 8.11 A number of assumptions have been made regarding vehicle costs, vehicle capacities, impacts to rounds, requisite staffing levels and vehicle numbers. As such further detailed financial analysis would be required if further kerbside recycling was being considered and this would be undertaken to inform both the 2011/2012 and 2012/2013 budget.

DOMESTIC KERBSIDE RECYCLING – SUMMARY OF OPTIONS

OPTION	BRIEF DESCRIPTION	ADDITIONAL EQUIPMENT PER HOUSEHOLD	CAPITAL COST £	NET ANNUAL INCREASE TO REVENUE BUDGET £
(A)	No change giving a saving of one vehicle	0	0	£30,000 saving
(B)	Increase recycling to include plastic bottles	1 x 40 litre box for glass	£59k	range from £80k to £105k
(C)	Increase recycling to include plastic bottles and cardboard	1 x 40 litre box for glass 1 55 litre bag for paper/card	£70k	range from £64k to £88k
(D)	Similar to (C) but using 3 boxes/stronger bag not 2 boxes and 1 bag	1 x 40 litre box for glass 1 x 55 litre box or bag for paper/card	£135k	range from £64 to £88k
(E)	Complete system change 3 bins with NO glass collection and reduce residual bin size to 180 litre from 240 litre bin	1 x 180 litre bin	£438k	£68k <ul style="list-style-type: none"> • Does not include additional costs of transportation to Seamer Carr re fuel, additional vehicles, staffing etc. These are likely to be significant. • Should members wish to pursue this option considerable further analysis would be required

- A. This option would be to continue with the existing system, renewing the existing recycling vehicle fleet on a like for like basis. However, it is extremely unlikely that this option will be met with much enthusiasm from residents although recycling targets will continue to be achieved.
- Reorganisation of collection methods from mini recycling sites has saved one vehicle.
 - If this option is adopted it will be unviable to change to any other of the other options within a 6 year time frame.
 - A high risk option to delay making a decision for a further 12 months has been considered which would involve spending approximately £15,000 on the existing recycling vehicles to extend their useful life for another year however this has been discounted on the basis that if a vehicle did

breakdown it would be very expensive to hire in a replacement which could not be guaranteed.

- B. The second option is to collect existing recyclable materials from the kerbside, plus plastic bottles. This option would introduce a 40 litre box for glass, the existing green box would be used for plastic bottles and cans and paper would continue to be collected in the blue bags. This would also require changing the recycling collection fleet from toploaders to side loader type vehicles.
- C. The third option is to collect existing recyclable materials from the kerbside, plus plastic bottles and cardboard, using a 40 litre box for glass, the existing green box for plastic bottles and cans and a 55 litre bag for paper and cardboard. This option requires changing the recycling collection fleet from toploaders to side loader type vehicles.
- D. The fourth option is similar to option C but giving residents a box or stronger woven bag for plastic bottles and cans and a smaller box for glass. The existing green box would be used for paper and cardboard.
- E. The fifth option is to move to a three-bin system, as adopted by Scarborough Borough Council. This would enable plastic, cans, paper and cardboard to be recycled from the kerbside however NO glass recycling would be provided.

This option would require changing the recycling collection fleet from toploaders to traditional refuse collection vehicles. However, this option would be extremely difficult to introduce at this stage as there are no dedicated Material Recycling Facilities (MRF) available within the District (to sort the waste before it can be passed on to industry). The following key issues should be considered with such an option:

- The nearest MRF is at Seamer Carr, which could not accept glass as part of the dry recyclable mix. At this stage it would be unrealistic, from an operational point of view to deliver waste to Seamer Carr directly from the collection rounds.
- The public have been used to kerbside glass recycling for over 7 years and are unlikely to want this to be stopped. Combining glass collection as a second stream would considerably increase costs.
- Recycling tonnages could potentially reduce due to removal of glass recycling and contamination rates.

Revisions to the existing policy would also be required with option (B) only an extra residual bin would be provided for a family of 6+ and with Options (C), (D) and (E) the policy would be revised for extra residual refuse capacity for a family of 7+ plus all replacement bins for residual refuse would be changed to a smaller bin.

8.12 The implications for the Council's fleet is as follows:

- For option (A) replacement of existing toploader vehicles would be used to collect dry recyclables.
- For options (B), (C) and (D) the vehicles utilised for dry recyclables would be of a different design. Toploaders would be replaced by side loader type vehicles. The key difference between these vehicles is that side loaders have a compaction facility fitted to flatten plastic bottles and cans as well as movable compartments. Collecting plastic bottles without a compaction facility would be a non-starter.

- For option (E) traditional Refuse Collection Vehicles would be used to collect dry recyclables.

8.13 This report focuses on changes to options for the future collection of dry recyclables. However, there has been recent media interest in provision of separate food waste collections, though there is no duty for a Waste Collection Authority to provide such a service. None of the authorities in the Y& NY Waste Partnership have introduced separate collections of food waste and there are currently no immediate plans to do so.

8.14 If food waste were to be collected separately, a weekly collection would be necessary, as food waste stored separately could not be kept very easily for a two week period. Separate vehicles would be required and a weekly collection for all properties in the District would be expensive to deliver. Currently, the nearest Anaerobic Digestion plant that would be able to take such quantities of source separated food waste is GWE Biogas in Kirkburn near Driffield. The current gate fee (charge) to take this material would be around £30 to £35 per tonne.

8.15 Food waste could also be collected with the garden waste on a fortnightly basis. Collection costs would be significantly cheaper, the main disadvantage being increased gate fees on garden waste tonnages. Comingled garden and food waste would require treatment at an in-vessel composter. There are none currently in the immediate vicinity. Indicative costs for this enhancement would be around £100k revenue growth per annum. Further detailed work would be required if Members chose to pursue this option in the future.

Charging for Garden Waste

8.16 Under the Controlled Waste Regulations 1992, Waste Collection Authorities (WCA's) are permitted to charge for certain types of wastes. RDC (as a WCA) already charges householders for bulky household items, and similarly a charge can also be made for collecting garden waste.

8.17 The issue of charging for garden waste collections was recently brought to a recent meeting of the York and North Yorkshire Waste Partnership, although no serious consideration has been devoted to this subject thus far and a report is being prepared to take to a future partnership meeting.

8.18 In the light of year on year cost savings that RDC is under pressure to deliver, it is worth RDC considering whether householders would agree to a charge being made for the collection of their garden waste. Some local authorities do adopt this practice as it goes some way to offsetting rising costs of kerbside collections.

- Public opinion is likely to be more favourable and successful if this is introduced as part of the overall package regarding implementation of kerbside recycling of plastics and card;
- What is not known at this stage is that if an annual charge were to be introduced, how many people would drop out of the system and want to return their garden waste bin. Potentially this could be mitigated by cost, effective administration and general commitment to garden waste recycling that the public have already shown;
- If take up was low, recycling tonnages and credits could significantly reduce. In addition there is the potential for garden waste to be put back into the refuse waste bin and landfilled. Removal of plastics and card from the residual (freeing up capacity) could actually encourage this.

8.19 Before such an ambitious change could be made it is proposed that the outcomes

from the budget simulator exercise which offers this as a choice to residents influences any further consultation regarding charging for garden waste collections.

- 8.20 Annex C provides some facts and figures to give Members an idea of the level of income that could potentially be generated through a charge for garden waste collections.
- The simplest and most cost effective mechanism would be to administer the charge as part of Council tax. A charge as low as £3 per annum per household could potentially fund the revenue costs of kerbside plastic and card. However with the new Coalition policy which provides a financial incentive for authorities setting a zero Council Tax this option is not now available.
 - The charge could be implemented on a subscription basis to mitigate some of the costs of implementing kerbside plastic and cardboard.
 - The charge could potentially be implemented on a subscription basis as a package only to participating residents i.e. only residents who pay for garden waste would receive the plastic and card board collections.
- 8.21 Annex D provides details the Waste Improvement Network (WIN) report released August 2010. This document provides support to councils who are considering the introduction of a subscription based garden waste collection service. The report explores options and some of the research other councils have done in order to shape their own services.

City of York and NYCC Private Finance Initiative (PFI) Solution

- 8.22 The Waste Recovery Solution being proposed by City of York and NYCC does not have any bearing on any of the options presented for the collection of dry recyclables from the kerbside. Their Waste Recovery Solution is dealing with long term sustainable treatment of residual household waste as an alternative to disposal to landfill.

9.0 IMPLICATIONS

- 9.1 The following implications have been identified:

a) Financial

The options presented in this report range from an efficiency saving of £30k a year in the revenue budget to a net annual increase of £105k. The recommended Option (D) represents a net annual increase in the revenue budget ranging from £64k to £88k plus a capital cost of £135k. These costs are for a full year therefore the financial impact in 2011/12 would be less (approximately 50-75% of the full year costs) as the new kerbside arrangements would be phased in across the district and be linked to delivery times for vehicles. However these costs could be offset through introducing a charge for the collection of garden waste and there is also the potential for the Council to generate additional income. The capital cost would be met from unallocated capital resources.

b) Legal

The recommendations are all compliant with current legislation governing waste collection and recycling services.

c) Other

In order to collect plastic bottles and cardboard from the kerbside there will need to be additional staff resource of collection operatives. An equalities impact assessment would be required for the proposed changes to the collection arrangements plus a series of health and safety risk assessments would be an

essential factor for all proposed options.

10.0 NEXT STEPS

- 10.1 In terms of future planning, purchasing vehicles required for collection of more material streams is the most important factor. Collection vehicles are the most significant capital cost of the service and the Council cannot easily change vehicles due to budget constraints.
- 10.2 It is essential that a decision is made on the future of kerbside recycling collection arrangements to enable sufficient time for the procurement exercise that would be required to ensure replacement vehicles are delivered within the next 12 months. There is a risk that as the current vehicles reach the end of their useful life that services could be disrupted or additional costs would be incurred if one of the vehicles breaks down.
- 10.3 If Members support a change to the kerbside recycling arrangements further detailed costings will be undertaken to be included in the 2011/12 and 2012/2013 budget process when any significant variations to the figures contained in this report will be reported back to Members.

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Background Papers:
None

Background Papers are available for inspection at:
n/a

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Replacement Recycling Vehicles and Kerbside Recycling options - RISK MATRIX. ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
Customer satisfaction with RDC recycling.	Adverse reaction and reputation of Council.	4	C	Approve proposals within the report.	2	B
Approval of the extension requires cuts to other services	Cuts to other Council services.	5	C	Final decision on this will be made at Full Council after full details of the spending review will be known and consequent impact of final approval will be known.	3	C
Vehicle procurement- failure to follow statutory procedures.	Legal consequences through failure re EU procurement.	2	C	Officers have considerable experience re vehicle procurement. This has been further strengthened by utilisation of Procurement partnership.	1	A
Failure to deliver on budget.	Additional revenue cost in times of austerity and potential budget cuts.	3	C	Following member's decision officers will reevaluate the chosen option and update members as part of the budget process. Officers have considerable experience of successful implementation in this area. However as with all schemes of this type costing will always be subject to potential variance ie utilisation of kerbside type vehicle is an unknown. Costs will be closely monitored on implementation. Officers will ensure in conjunction with implementation that all practical efficiency practices are explored to keep costs to	2	C

Replacement Recycling Vehicles and Kerbside Recycling options - RISK MATRIX. ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
				a minimum.		
Failure to deliver the proposed scheme operationally	Council reputation and additional cost	2	B	Officers have considerable experience of change management in this area regarding alternate weekly schemes and the implementation of glass, paper cans and garden waste recycling	1	A
Health and Safety	Injury and litigation claims	2	B	Health and safety at the depot demonstrates good practice regarding training, compliance and monitoring	1	A
Additional vehicle on the Operators Licence- non compliance	Service failure	2	D	RDC has fully trained and licensed CPC holder. Vehicle changes will be appended to the existing fleet of vehicles. It is not foreseen that there will be an increase in the vehicle fleet size	1	A
Increased Co2 emission due to vehicle movements.	Increased Co2 emissions	4	B	It is envisaged that the fleet size will not significantly increase due to efficiency savings. However there will be additional travel to tip due to the volume of material collected which will increase co2 emissions mitigation is partly covered by the trade off between the two	3	B

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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Streetscene - Current Recycling Fleet Profile July 2010

Vehicle	Type	Funding History	Current Budget Provision	Life Expectancy
YJ53 ZSG	Two compartment top loader	Relief vehicle funded via capital prog £38,000 march 2007	Capital Programme 2010/11 £50,000	Good condition three years.
YJ05 SYR	Three compartment top loader	Defra funded March 2005	Capital Programme 2011/12 £120,000	Fair condition one year
YJ05 SYT	Three compartment top loader	Defra funded March 2005	Capital Programme 2011/12 £120,000	Fair condition one year
YE03 VEL	Three compartment top loader	Leased since 2003 – vehicle returned Jul 10	Potential efficiency saving £30,000 as vehicle does not need replacing if no changes to kerbside collections – mini bank servicing has been changed	Left in current condition one year – body cosmetics poor / chassis good.
YJO4 EPZ	Three compartment top loader	Defra funded March 2004	Capital Programme 2010/11 £120,000	Left in current condition one year – body cosmetics poor / chassis good.

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Annex C

Domestic Kerbside Recycling Options

OPTION	BRIEF DESCRIPTION	SUMMARY OF CHANGES	ADDITIONAL CAPITAL COST £	ONGOING ANNUAL IMPACT ON REVENUE BUDGET					NET INCREASE IN BUDGET P.A. £
				ADDITIONAL LABOUR £	VEHICLE COSTS £	GATE FEES £	MATERIAL SALE INCOME £	RECYCLING CREDITS £	
(A)	No change to existing kerbside recycling collections	Efficiency saving of one recycling vehicle	0	0	-30,000	0	0	0	-30,000
(B)	Increase recycling to include plastic bottles	1 x 40l box for glass plastic and cans go in existing green box extra resources range FROM 1 driver + 4 loaders TO 2 drivers + 4 loaders	58,750	106,190	14,000	-21,040	-6,825	-10,620	<i>net increase in costs range from</i> 81,705 <i>to</i> 105,015
C	Increase recycling to include plastic bottles and cardboard	1 x 40l box for glass 1 x 55l bag for paper and card extra resources range FROM 1 driver + 4 loaders TO 2 drivers + 4 loaders	58,750 <u>10,500</u> <u>69,250</u>	106,190	14,000	-21,040	-2,625	-32,470	<i>net increase in costs range from</i> 64,055 <i>to</i> 87,365
(D)	Similar to C just using a box plus a stronger bag or box	1 x 40l box for glass 1 x 55l bag/box for plastic/cans extra resources range FROM 1 driver + 4 loaders TO 2 drivers + 4 loaders	58,750 <u>75,000</u> <u>133,750</u>	106,190	14,000	-21,040	-2,625	-32,470	<i>net increase in costs range from</i> 64,055 <i>to</i> 87,365
(E)	Complete system change 3 bins with NO glass collection Reduce residual bin to 180l	additional 180l bin use existing 240l bin for plastic, cans, paper and card reduce by 2 loaders	437,500	-41,440	0	28,350	56,700	24,350	<i>not a realistic option as no disposal point without extra travel costs not inc</i> 67,960

OTHER CONSIDERATIONSAdd NET Income p.a.
range £

(F)	Introduce a charge for garden waste collections	£25 £35	50% participation 30% participation	£1.10 per coll £1.52 per coll					-261,700 -219,830
(G)	Introduce a separate weekly food waste collection	3 x driver + loader 3 x new vehicles	£123,000 capital cost for containers	132,090	100,000	90,000	0	-124,890	197,200
	or comingle with garden waste	1 driver + 2 loaders	0	64,750	9,000	149,200	0	-124,890	98,060

please note these are indicitive costs for a food waste collection service - other factors would need further consideration and costing

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Focus



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Improvement and
Efficiency Partnerships
South East

Subscription based services: Garden Waste

August 2010

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This document provides support to councils who are considering the introduction of a subscription based garden waste collection service. WIN has gathered evidence from a number of councils who are running such schemes and has brought together advice, top tips and lessons learnt. The options are explored and some of the research other councils have done in order to shape their own services is presented.

Based on existing practices, WIN provides information and support to local authorities - helping them to develop waste, recycling and related services which are best suited to their local area and that best meet the needs and wishes of residents.

Contents

- 1.0 Summary
- 2.0 Approaches to Garden Waste
 - 2.1 Garden waste continues to be accepted into domestic waste collection
 - 2.2 Terminate an existing, free garden waste collection service
 - 2.3 Ban garden waste in the domestic refuse collection service
 - 2.4 Introduction of ‘no-side-waste’ or ‘closed lid’ policy to limit garden waste in domestic refuse service
 - 2.5 Introduce an opt-in subscription-based green waste collection scheme
 - 2.6 Suspension of service over winter months
 - 2.7 Collection of food & garden waste co-mingled
 - 2.8 Promotion of home composting / Using WIN’s Composting Framework
- 3.0 Making savings through suspending collections over winter
- 4.0 Type of collection – Bags vs. Bins
 - 4.1 Bags
 - 4.2 Wheeled Bins
- 5.0 Introducing the Service
 - 5.1 Consultation
 - 5.2 Costs
 - 5.3 Participation & Subscriptions
 - 5.4 Communications
 - 5.5 Operational Issues
 - 5.6 Risks
- 6.0 Contacts & Links

1.0 Summary

All councils have been tasked with finding efficiencies, reducing costs and improving services. Under the Controlled Waste Regulations 1992, garden waste is classified under Schedule 2 (Regulation 4), as a type of waste for which a charge may be made. This report has found that the **introduction of a subscription-based garden waste service** could:

Pros

- ✓ Increase recycling performance and help councils to meet their recycling targets (- predominantly where no garden waste collection existed prior to introduction of new service)
- ✓ Remove the garden waste element from the domestic waste stream in participating properties
- ✓ Provide additional revenue for the council
- ✓ Provide an opt-in, additional kerbside service, which is inclusive to all residents who wish to take part
- ✓ Maintain a financial incentive for householders to home compost their organic waste, which is the best environmental option
- ✓ Create a fairer system financially for residents in flats, HMOs etc - who do not produce garden waste

Cons

- ✗ Cause public dissatisfaction & negative publicity, particularly if a previously free-of-charge service was offered prior to the introduction of the new subscription-based one
- ✗ May increase garden waste arisings in those properties taking part, as residents are likely to fully utilise the collection service they are paying for (as opposed to taking garden waste to HWRs or home composting it)
- ✗ May reduce tonnages of garden waste collected on commencement of the scheme, thus lowering recycling performance - especially in cases where the council offered a free-of-charge collection service prior to introduction of a new subscription-based one.

Evidence collected from councils who **suspend their subscription-based garden waste collection service over winter** months has suggested that:

Pros

- ✓ Significant cost savings can be achieved
- ✓ Tonnages of garden waste collected are typically much lower during this period
- ✓ It may be a better option environmentally due to decreased carbon emissions through the decommissioning of collection vehicles
- ✓ Residents may be supportive of the suspension, particularly if it helps to keep annual service costs down

Cons

- ✘ Operational issues may occur, particularly when the service resumes after winter
- ✘ Residents may see the suspension of the service as a negative, particularly if they previously been offered an all year round service.
- ✘ A lowering of recycling performance is possible but is unlikely to be significant

With regard to the **type of collection receptacle, wheeled bins and bags** were considered in the report and observations included:

- With the use of bags, operational issues may occur including health & safety considerations and processing problems.
- With the use of wheeled bins, issues identified included higher purchase and administrative costs along with difficulties with traceability and ownership issues.

When councils are considering the **introduction of a new service** this report advises councils to consider costs, risks, operational issues and type of service to be offered. A full public consultation is likely to be required and communications are paramount in order to gain public support, encourage participation and to avoid risk issues such as contamination and low participation.

2.0 Approaches to Garden waste

Many different approaches to dealing with garden waste currently exist among councils. The options are varied, types of collections differ and few authorities follow the same model. For more information on choosing the right recycling collection system see WRAP's 2009 report on recognised Kerbside Collection Methods: [Choosing the right recycling collection system](#).

The table below summarises several approaches to garden waste giving pros and cons and further information.

Approach	Pros	Cons	Notes & Links
2.1 Garden waste continues to be accepted into domestic waste collection	May be popular with residents. Do nothing approach, costs remain neutral. No changes may mean no adverse publicity.	Garden waste remains in domestic waste stream and goes to landfill, loss of recyclable materials, lower diversion rates.	This option is becoming increasingly unacceptable due to rising cost of landfill & recycling targets.
2.2 Terminate an existing, free-of-charge garden waste collection service	Could achieve big cost savings for authority.	Could incur significant contractual costs. Unpopular with residents.	Difficult to terminate a collection service without offering an alternative and accessible disposal route for residents. Please also see related notes regarding Northumberland County Council in section 2.5 below.
2.3 Ban garden waste in the domestic refuse collection service	Enforcement action can be taken against residents who ignore the ban. Some councils consider this an essential element to go alongside introduction of subscription-based collection service.	Ban could be unpopular with residents, difficult to administer and relatively easy for residents to ignore.	One council proposed a 3 month 'amnesty' to ensure that residents were fully aware of the new arrangements before any enforcement action began.
2.4 Introduction of 'no side waste' or closed lid policy to limit garden waste in domestic refuse service	Good alternative to a complete 'ban' on garden waste in domestic refuse. Effective at preventing green & other recyclable wastes from entering the domestic waste stream.	May be unpopular with residents. May be difficult & costly to enforce, particularly if council does not have a dedicated enforcement team.	See WIN's case study on Exeter City Council: Education, Enforcement & Legal Lessons for an example of a contamination related legal proceeding by Exeter CC.

<p>2.5 Introduce an opt-in subscription-based garden waste collection scheme</p>	<p>Additional revenue for the local authority. Opt-in system means a financial incentive remains for householders to home compost their organic waste, which is the best environmental option. See section 2.8 for more on home composting.</p>	<p>May receive adverse publicity & complaints to the council. Full public consultation exercise likely to be necessary. Agreement & support by Members would have to be sought. Cost implications of introduction of new service. Households who take part are less likely to home compost or take garden waste to HWRS, therefore potentially increasing garden waste arisings.</p>	<p>Northumberland introduced a county-wide opt-in subscription-based garden waste collection service in 2009. Prior to this arrangement six districts in the county had differing services varying from a free-of-charge opt-out service through to a £35 opt-in service. The new service gave uniformity to the county's green waste collections. Subscriptions were £20 / year in 2009 and remained at this level for 2010. When the service was introduced, a number of complaints were received from the public, however the level of complaints were lower than expected. The majority were in relation to the new charges but others were concerning lack of collections in the winter and complaints regarding the price difference between the bags and wheeled bin options. The new service also generated adverse coverage in local press.</p>
<p>2.6 Suspension of service during winter months. (Also see section 3.0)</p>	<p>Service not operational when tonnages are lowest. Cost savings during winter months. Vehicles & staff can be decommissioned / re-located. Carbon savings achieved due to not running collection vehicles during low tonnage months. May also contribute towards waste minimisation targets by reducing the kg/head collected each year. For more info see section 3.0.</p>	<p>May be an adverse effect on recycling performance. Difficulties in first cycle of emptying bins on commencement of service. For more info see section 3.0 below.</p>	<p>See more detail on savings, as identified by councils in section 3.0 below.</p>

<p>2.7 Collection of food & garden waste comingled</p>	<p>May be a popular option with residents, especially if the collections of food & garden waste are weekly in conjunction with alternately weekly collections of domestic waste.</p>	<p>Charges cannot be made for food waste. WRAP's research report released in Feb 2010 indicated that combined organic waste collections (garden & food) are less effective in diverting food waste for recycling compared to food only collections. As a result it will be much more difficult to achieve high diversion / recycling targets with combined food and garden collections systems. Furthermore the food waste remaining in the residual bin will need to be managed at increasingly higher disposal costs.</p>	<p>In February 2010, WRAP released a report titled Performance analysis of mixed food and garden waste collection schemes. This study looked at the effectiveness of recycling food waste via mixed food and garden waste collections. Also see the following WRAP reports:- Managing biowaste - cost benefit analysis (update) October 2008 and Managing biowaste - cost benefit analysis (May 2007)</p>
<p>2.8 Promotion of home composting / Composting Framework</p>	<p>Home composting is environmentally the best option. A cheaper and more flexible alternative for residents in comparison to an annual charge. Good to offer residents alternative options when introducing a new opt-in subscription-based service. Residents can be offered a subsidy to encourage uptake – also possible within the WIN / IESE National Home Composting Framework</p>	<p>Not accessible for all householders e.g. those with no garden or small gardens. Onus is on householder to purchase, set up and maintain composter. Householders may give up composting if problems are encountered.</p>	<p>The WIN / IESE National Home Composting Framework has been set up to give local authorities a simple and efficient solution to providing home composting units, accessories and related communications without having to undertake a tender process. Also see the RecycleNow home composting pages.</p>

3.0 Making savings through suspending collections over winter

- ✓ **Lower tonnages during winter months.** Tonnage of garden waste generated and collected tends to reduce considerably. Information from councils suggests that the tonnage of waste collected falls to less than a third of what would be expected at other times of the year. (Source: Bromsgrove DC)
- ✓ **The environmental benefit vs environmental impact of collections.** The environmental benefits of composting small tonnages of material collected during this period may be outweighed by the overall environmental impact of the collection service – e.g. vehicles would still need to visit every property, emptying all bins on the collection route, regardless of quantity of material put out. Encouraging the diversion of garden waste to home composting and HWRS can be of great value in helping to maintain recycling of garden waste and in preventing this waste entering the domestic waste stream during this period. The [WIN / IESE National Home Composting Framework](#) has been set up to give local authorities a simple and efficient solution to providing home composting units, accessories and related communications without having to undertake a tender process.
- ✓ **Cost savings** can be achieved through the de-commissioning of vehicles and re-locating operatives for the winter period.
- ✓ **Communications** about such a change in service should be far-reaching and include a variety of local groups such as Parish Councils, Libraries, Leisure Centres, Members, local press, local magazine, on refuse and recycling calendars. Some authorities also offer a one off collection for Christmas trees in January. See the WIN document [Waste Communications Budgets: presenting the business case](#) (Mar '10) for help on establishing a business case for communications spend. Also see [Recycle Now Partners](#) for communications support & downloadable resources.

SUSPENSION OVER WINTER....MORE ISSUES TO CONSIDER	
<p>Cost: East Lindsey DC estimated that suspending collections over winter would save the council £170,000 / yr. Bromsgrove DC investigated a re-introduction of collections for the period Dec – Mar in 2007 and estimated that it would cost almost £80,000 to re-introduce & sustain collections during those winter months.</p>	<p>Operational: The first cycle of emptying bins could present a problem if green waste has been left in the bin for the extended winter period and it may be difficult to empty. Also, much larger quantities of green waste may be presented during the first few weeks of the resumed service.</p>

<p>Environmental: East Lindsey DC reported that suspending collections would reduce the Council's carbon emissions by 145 tonnes each year.</p>	<p>Less recycling? An adverse effect on recycling performance is possible but research has shown it is not likely to be significant. Waveney DC estimated that as the amount of green waste collected during the winter period was low (approximately 1,400 tonnes) the impact on recycling figures was estimated to be in the region of <2%</p>
<p>Resident support: Waveney DC consulted their residents in 2004 on whether a 2 month suspension of the green waste collection would be acceptable. 78% of residents surveyed said that this was acceptable.</p>	<p>Lack of resident support: Residents may see a suspension as a negative, particularly if they are having the service suspended during winter months when it has previously continued all year round. Positive communications can help with this issue. East Lindsey DC produced an excellent document which is available to look at on WIN: Green Waste Collections – your questions answered This document has a list of Frequently Asked Questions for residents and details how the suspension of the service over winter has contributed to an improvement of the service environmentally and financially, saving 145 tonnes of carbon emissions & over £170,00 each year.</p>

4.0 Type of collection – Bags vs Wheeled Bins

Councils will need to consider regularity of collection, how the collections will sit with current refuse & recycling arrangements, participation levels required to make the service cost effective and what vehicle / operative resources will be required. The question of which type of receptacle to use generally falls to two options – bags or wheeled bins. See below for some considerations on each type.

NB: If you are considering purchasing bins, bags or containers for collecting green waste, WIN's [Framework Contracts](#) page provides details of framework agreements that are quick and easy to use and usually mean you can avoid a tender process.

4.1 Bags

Councils should consider the following:-

- ✓ **Type of bag** - re-useable, disposable or bio-degradable.
- ✓ **Capacity** – sack size, volume or dimensions and weight limit per sack. This may be determined by bag supplier and by type of collection / loading methods.
- ✓ **Operational & service issues** regarding bags have been identified by councils. These issues included health and safety concerns associated with the lifting of bags and their loading into collection vehicles; capacity constraints with the vehicles given that an unknown number of bags may be put out for collection; processing difficulties at compost sites due to bags not fully biodegrading resulting in a poorer quality end product that is more difficult to sell.
- ✓ **Level of demand** - With 'pay as you go' bag services, councils have also indicated that it is hard to predict what the demand for the service will be on any particular street on any particular day. Vehicles can travel long distances and pick up nothing, conversely vehicles could travel and fill the vehicle unexpectedly from a few homes and have to go off to tip.
- ✓ **Cost of bags & cost to public** – with re-useable bags some councils offer a sliding scale for example - East Hampshire offer first bag @ £25/yr; second @ £12.50; subsequent bags @ £9. Some authorities offer free replacement of sacks if lost, damaged or stolen, others charge. Some authorities offer discounts for residents on benefits & for senior citizens. N.B There may be a link between levels of participation and the charges levied – e.g. the higher the charge, the lower the participation / tonnage collected, it is therefore important to charge at the right level. (see section 5.3 below for more details on charging)

4.2 Wheeled bins

An opt-in wheeled bin service whereby residents rent or buy the receptacle from the council for the year may give rise to considerations such as:-

- ✓ **Ownership of bin** – If the council retains ownership of the bin it can therefore be retrieved if the resident decides not to continue paying for the service in subsequent years.
- ✓ **Traceability** – With a subscription-based service, it is important to ensure bins are not stolen or lost from the household that has paid for the service. If a bin is stolen from a property the council may have to replace the bin and it may also mean that some other household will be getting the service without having paid for it. To combat this type of situation, ideally each bin would be registered to a property either by serial number, sticker or bin chip.
- ✓ **Customers opting out** – As and when a customer opts out of the service, the bins would need to be collected to ensure that the household did not continue to receive the service free of charge. These administrative and service costs should be accounted for.
- ✓ **Size** – Will be dependent on collection methods, likely tonnages and frequency of collection. As an example, Bromsgrove DC report that they collect 377kg/hh/yr with a 240 litre bin on a fortnightly basis.

5.0 Introducing the Service

5.1 Consultation

Consulting your residents will be an important first step before any decisions can be made.

Example of a Consultation

In 2005 a full public consultation was undertaken by one Borough Council to find views on the proposed subscription-based organic waste collection service and to determine preferred collection options. A questionnaire was sent out with the council's magazine to all properties and a response rate of 1172 households (2.5%) was achieved. Of the 617 responses that opted for the wheeled bin proposal, 67% said they would be prepared to pay for the service with 52% of these being prepared to pay up to 50p per week, (£26.00 per annum). 470 responses opted for the notion of paying for a bag collection service, of which 44% were not prepared to pay anything and 55% were prepared to pay.

Useful consultation documents

[Bromsgrove District Council's Liaison Leaflet](#) this was sent to residents to advise why changes were being introduced and as part of consultation exercise.

5.2 Costs

Councils should consider cost implications including:-

- ✓ Purchase of additional vehicles/equipment
- ✓ Vehicle running costs & fuel
- ✓ Drivers + Loaders / Operatives including overheads
- ✓ Initial purchase of receptacles
- ✓ Delivery of receptacles and on-going replacement costs for damaged / stolen items
- ✓ Administration of scheme – could you centralise this function? See information below on 'keeping administration costs down'
- ✓ Communications budget, marketing, publicity, press, leaflet production & distribution / postage costs
- ✓ Gate fees for organic waste
- ✓ Consultancy fees

But can offset the above with:-

- ✓ Recycling credits
- ✓ Subscriptions

Keeping administration costs down: Have you thought about centralising the function for the administration of the garden waste service across the whole of the County area?

Surrey Waste Partnership with funding from Improvement & Efficiency South East (IESE) is currently looking at a centralised system for administering their green waste services.

All of the waste collection authorities in Surrey operate subscription garden waste collections. The physical delivery of these services is generally managed as part of the overall waste and recycling services in each authority. There are differences in containment methods (predominantly reusable bags or wheeled bins), differences in disposal points and suppliers and differences in approaches to method and timing of subscriptions. Each authority spends a significant sum administering the renewals as well as managing customers in terms of service issues through the year. There is duplication of effort that will result in savings opportunities if back office functions are aligned and amalgamated either through a third party supplier or through a host authority. The centralised system will include;

- Receiving and processing payments – whether by direct debit [preferred], card or cheque
- Receiving service complaints
- Transmitting orders for collection service to collection agency [contractor or DSO]
- Arranging despatch of containers, bags or sacks
- Forwarding income to participating authorities
- Preparation of management reports
- Advising on and/or arranging service promotions and advertising
- Possibly also involvement in other composting initiatives, e.g. centralised sale of bulk discount composter, green cones and wormeries
- Providing expert assistance and advice on composting
- Examining further joint ownership with other key partners, e.g. hospital trusts and private industry

Authorities would have the option of joining into this centralised system on an individual basis as and when appropriate – the system would not necessarily rely on all authorities taking part from the outset in order to function effectively. This would allow the freedom and flexibility for some authorities to join in at a later date, perhaps when the benefits become more apparent.

For further details on this scheme, please contact Christine.batty@southeastiep.gov.uk

5.3 Participation & Subscriptions

It is important to charge at the right level to ensure residents are willing and able to participate. Consideration will first need to be given to the costs associated with introducing and running the service (suggested factors are outlined in section 5.2). There is likely to be a minimum level of participation at which the service becomes economically viable but equally there may be service and capacity constraints which could limit the expansion, particularly at the outset.

Example 1 – across one county in England, the following schemes and subscriptions are currently in operation:-

Example of subscriptions system across county of Hampshire – all councils currently using a bag collection system

Of the thirteen districts & boroughs in Hampshire, eleven offered a subscription-based garden waste collection service (all with bag type collections), one offered a free collection service and one offered no collection service. Subscriptions in the 11 authorities are broken down as follows:-

- Seven authorities offered a fortnightly collection service (six authorities offered one bag, one authority offered two bags). Annual subscription varied - lowest being £23, highest £35 (**Average charge = £27**)
- One authority offered a weekly bag collection @ £25/annum
- Two authorities offered a free-of-charge collection service for the first sack, but residents were asked to pay for subsequent sacks if required.
- One authority made sacks available to purchase charging £1.50 per sack and collected from households fortnightly.

Example 2 – Northumberland simplified the county's system of subscriptions for green waste collections

Northumberland's districts had a variety of subscription levels for green waste collection until a uniform approach was adopted in 2009

Northumberland County Council introduced a county-wide opt-in subscription-based garden waste collection service in 2009. Prior to this arrangement six districts in the county had differing services varying from a free-of-charge opt-out service through to a £35 opt-in service. The new service gave uniformity to the county's green waste collections. Subscriptions were £20 / year in 2009 and remained at this level for 2010.

5.4 Communications

Further along the line, getting your **communications** right is paramount! Here are some top tips we have collected from speaking to councils who have gone through the process

- ✓ **Dealing with queries & complaints** – Ensure that you prepare a list of likely Frequently Asked Questions early on with standard responses. Make sure your help desk, officers and Members all have copies so that a consistent message can be given to the public & press - right from the start.
- ✓ **Give the alternatives** – It is important to highlight the alternative options for dealing with garden waste, for example home composting and HWRS
- ✓ **Highlight the (increasing) costs of continuing with the existing approach**, particularly if garden waste is currently collected within the domestic waste stream. In a so called 'free-of-charge' service all householders are paying for disposal through their council tax, whether they utilise the service or not. With the opt-in service, only those who wish to use it pay for it.
- ✓ Get the **right communications budget** – look at the WIN document [Waste Communications Budgets: presenting the business case](#) (Mar '10) for help on establishing a business case for communications spend.
- ✓ **Be consistent with your campaign** and utilise the resources that are already available. See [Recycle Now Partners](#) for communications support & downloadable resources.

5.5 Operational issues

- ✓ **More tonnage / household.** If garden waste is currently collected without charge, the introduction of a subscription-based service may see much higher volumes of garden waste generated per household as residents get full value for money. Bromsgrove DC introduced a subscription-based wheeled bin service for garden waste and had previously collected in the same way without charge. They reported:- “Pre charge we collected approx 230kg/ household / year as opposed to 377kg with the charge... previously residents may have presented a bin with a few leaves in it now nearly every bin will be full”.
- ✓ **Requests for smaller bins / bags** An assisted collection or different collection receptacle may be an alternative option for those who have difficulty in presenting the standard receptacle offered.

5.6 Risks

Contamination	Low participation	Health & Safety
<p>If communications and public engagement are successfully provided to run alongside the introduction and continuation of a scheme contamination can be managed successfully. Check out the following document on WIN:- Garden Waste Kerbside Recycling Exemplar Campaigning Strategy (Waste Aware Scotland)</p> <p>For excellent and detailed information including:-</p> <ul style="list-style-type: none"> ■ Policies to manage contamination ■ Timing and implementation of the campaign ■ Recommended campaign materials & communication messages with lots of great examples 	<p>Consider coinciding start of service with the start of the growing season. This ensures that the service is available when demand is greatest, encouraging householders to quickly develop the habit of recycling garden waste.</p> <p>Promote home composting & HWRS as alternatives.</p> <p>For help on communication also see the document held on WIN Garden Waste Kerbside Recycling Exemplar Campaigning Strategy (Waste Aware Scotland)</p>	<p>See this excellent document on WIN for Health & Safety good practice guidance : Green waste collection: Health Issues (HSE) It is intended for managers, supervisors and operators working with green waste.</p>

6.0 Contacts & Links

WIN: win@southeastiep.gov.uk & www.win.org.uk