

Public Document Pack

Policy and Resources Committee

held at Ryedale House, Malton
on Thursday 1 October 2009

Present

Councillors Wainwright (in the Chair), Acomb, Arnold, Bailey, Mrs Burr, Keal, Knaggs, Legard and Maud

By Invitation of the Chairman: Councillor Andrews

Overview & Scrutiny Committee Observers: Councillors Cussons, Cottam and Mrs Shields.

Observer: Councillor Clark

In Attendance

T Anderson, Ms J Baldwin, Mrs L Carter, Miss P Craddock, P Cresswell, G Housden, Mrs M Jackson, M Phythian, J Rudd, Miss L Sandall, Miss J Waggott and A Winship

Minutes

30 **Apologies for absence**

An apology for absence was received from Councillor Mrs Hodgson.

31 **Minutes of a meeting of the Policy & Resources Committee held on 30 July 2009**

The minutes of a meeting of the Policy & Resources Committee held on 30 July 2009 were presented.

Resolved

That the minutes of a meeting of the Policy & Resources Committee held on 30 July 2009 be approved signed by the Chairman as a correct record.

32 **Minutes of a meeting of the Resources Working Party held on 16 September 2009**

The minutes of a meeting of the Resources Working Party held on 16 September 2009 were submitted.

It was moved and seconded that Minute No. 15 (Presentation - Service Prioritisation and Budget Forward Planning) be amended by the deletion in the

preamble of the sentence 'It was suggested that it would be necessary to establish a governance body and also a partnering board.' and the insertion of 'It was suggested that it would be necessary to augment the Council's governance arrangements in the form of a Commissioning Board.'

Resolved

That, subject to the above amendment, the minutes of a meeting of the Resources Working Party held on 16 September 2009 as submitted be endorsed.

33 Urgent Business

The Chairman reported that there was one item to be dealt with as a matter of urgency by virtue of Section 100(B)(4)(b) of the Local Government Act 1972. The matter related to the Write Off of Accounts and was to be dealt with under exempt business.

34 Declarations of Interest

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

Councillor Andrews declared a personal interest in item 12 - 'Revitalise Malton!' Phase I and II - as he is involved in discussions with the business community.

Councillor Mrs Burr declared a personal interest in item 12 as the owner of property in Malton.

Councillor Legard declared an interest in item 12 as he has a proprietary interest in a shop in Malton.

PART 'A' - MATTERS TO BE DEALT WITH UNDER DELEGATED POWERS OR MATTERS DETERMINED BY THE COMMITTEE

35 Performance and Finance - Council Aim 5

The Heads of Organisational Development and Transformation submitted a joint report, which presented for comment the performance and finance reports for Council Aim 5 - To Transform the Council, and reported on progress made against the Council's agreed aims and strategic objectives, as agreed by Members in the Council Plan 2009/13.

The Council had adopted the Council Plan for 2009/13 in March 2009. The Financial Strategy had been agreed in February 2009. Annex A of the report provided a progress report on the delivery of the Council Plan to the end of

August 2009 in terms of actions delivered and performance levels achieved together with a review of the financial implications to date.

The report covered Aim 5, To Transform the Council, which fell within the terms of reference for the Policy & Resources Committee.

At its meeting held on 24 September 2009 the Community Services Committee had considered performance against aims 1 to 4:

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

The report formed part of the Council's performance management of the Council Plan and included a schedule of the performance reports to be presented to Members throughout the year and links to the financial framework.

Resolved

That the report as submitted be endorsed.

Reason

It is a corporate requirement that Members regularly review the Council's performance and agree actions or interventions.

36 Budget Strategy 2010/2011

The Corporate Director (s151) submitted a report, which formed the basis of preparation and planning for the 2010/2011 Council budget.

The annual budget setting process for the Council would necessitate the identification of savings to deliver a balanced budget. The Medium Term Financial Plan (MTFP), as approved by Members with the Council's Financial Strategy in February 2009, set out the projected financial position.

Within that projection was the need to identify approximately £200k efficiency and other savings. This position has been based on the following assumptions:

- Government grants increase of 3.1% in line with the announcements made in the previous spending review
- A Council Tax increase of 4%
- Pay and price inflation of 3%.

The Corporate Director (s151) reported on the key influences, which impacted on the Council's budgetary position, the implications of which were outlined in the report, these included:

- Government grant
- Council tax increases
- Income
- Issues arising from the current year
- Pay and price inflation

The overall effect of these influences required the identification of new efficiencies in excess of £300,000 in order to balance the 2010/2011 budgets. Heads of Service were to be tasked to review budgets within their services and across services to identify options for Members consideration. In addition, it was anticipated that the investment in ICT within the capital programme would deliver savings in 2010/2011 and subsequent years through alternative ways of working. The three-year target for this programme was to achieve £250,000 of ongoing revenue savings.

Within the MTFP £100,000 was included for growth items. It was proposed that officers identify any unavoidable growth issues, as well as prepare bids for additional growth. These bids were to be presented to Members as options with the potential to finance from the growth provision and/or increases in Council Tax of up to 2.5%. Members had already asked that provision of a dedicated Overview & Scrutiny support officer be considered in this way.

The timetable for the budget process was as follows:

Officers prepare savings proposals for discussion at Resources Working Party on	-	18 November 2009 and 13 January 2010
Member Briefing on the Budget	-	20 January 2010
Policy & Resources Committee - Budget Meeting	-	4 February 2010
Full Council formally set the Budget	-	22 February 2010

In addition, the Corporate Director (s151) reported that the budget was to be the topic for the Member Briefing scheduled for 7 October 2009.

Resolved

That the report be noted and that the following parameters for the preparation of the 2010/2011 budget be agreed:

- (a) Proposals be brought forward for a 0% increase in Council Tax with options to increase beyond this through investment in services

- (b) Increase in fees and charges to be not less than 4%
- (c) Efficiencies to be identified to meet the shortfall in Council finances for presentation to the Resources Working Party

Reason

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

37 Strengthening Local Democracy Consultation

The Corporate Director submitted a report the purpose of which was to inform Members of the content of the recent green paper 'Strengthening Local Democracy' and to propose a response to the consultation questions.

The Department for Communities and Local Government (CLG) had published a consultation paper, *Strengthening Local Democracy: Consultation*. This followed the government paper, *Building Britain's Future*, published in June 2009. The paper "explores whether local government has the powers it needs to meet today's challenges, as part of the government's drive to renew Britain's democracy and build trust in the political system at all levels"... and ... "sets out a range of proposals to promote democratic renewal and strengthen the power and responsibility of local government".

In preparing the consultation response the Council had consulted with district Overview & Scrutiny colleagues in North Yorkshire and with the North Yorkshire County Council.

The proposed response to the consultation paper had been based on a draft prepared initially by the County Council.

The consultation paper, which could be found on the CLG website was divided into six chapters covering a range of issues and posed a number of questions to which the government was seeking the views of local government. A brief outline of the chapters together with the proposed response was appended to the report, together with the response made by the Local Government Association.

Consultation responses were sought by 2 October 2009 and it was reported that, following approval, this Council's response was to be emailed to the CLG. The government was to issue a response to the consultation, setting out the proposed next steps in winter 2009.

Resolved

That the response as detailed in Annex B of the report be endorsed and submitted to the Department of Communities and Local Government.

Reason

It is important that local authorities ensure that their views are communicated to the government when new national policy is being developed. The proposals outlined in the report will impact on this Council and the communities of Ryedale.

38 ICT Programme Approvals

The Head of Organisational Development submitted a report, which sought Member approval of the recommendations from the ICT Programme Board for projects outside the scheme of officer delegation.

The Corporate Director (s151) reminded the Committee that £1m had been identified in the capital programme for ICT investment and it was anticipated that some £250,000 in revenue costs would be saved each year.

The Council's ICT Programme Board had reviewed the Council's ICT applications, in the light of the ICT Strategy drawn up by a Socitm consultant in September 2008, and had developed an ICT Programme Plan.

The Council had agreed a provisional expenditure in the capital programme 2009/2012 to upgrade key infrastructure and systems to provide longer-term efficiency savings. The Plan had been further developed into a work stream schedule drawing upon Council priorities, and from this a number of projects had been identified. The report detailed those projects, which required approval by Members as the value exceeded the delegated limits.

Although each project was identified independently, there were interdependencies that had to be considered in the sequencing of projects, since further savings were possible by introducing, for example, server virtualisation prior to system upgrades, and potentially the Microsoft agreement prior to virtualisation. The report included the business case for each project.

In considering the report the opinion was expressed that it was important to ensure that the proposed projects maintained compatibility with neighbouring Councils and that any training needs identified include Members.

Resolved

(a) That the following projects are procured in line with the Council's Standing Orders:

- Virtualisation of the corporate IT server estate

- Centralised Data Backup
- Microsoft Enterprise Agreement
- Connecting to the Nynet broadband network

- (b) The unavoidable additional revenue cost of £10,700 from the broadband proposal is built into the Budget Strategy process.

Reason

The ICT Programme Board has examined the Business Cases and had recommended them for approval as appropriate progression of the Council's ICT Strategy.

39 Response to the Draft Flood and Water Management Bill (For Information)

The Corporate Director (s151) submitted the Yorkshire & Humber Regional Flood Task & Finish Group's response to the Draft Flood and Water Management Bill.

The Chief Executive reminded Members that the Committee had previously agreed to include a standard item on each Policy & Resources Committee relating to flooding matters. The response was therefore submitted for information purposes only.

Resolved

That the response of the Yorkshire & Humber Regional Flood Task & Finish Group to the Draft Flood and Water Management Bill be noted.

40 Annual Governance Report 2008/2009

The Corporate Director (s151) submitted the Annual Governance Report 2008/2009.

Approval of the report had been required by 30 September 2009; accordingly the Chairmen of the Policy & Resources and Overview & Scrutiny Committees had met with the Council's external auditor on 28 September 2009 to consider the report.

The Corporate Director (s151) reported that the Authority had received an unqualified opinion on the accounts. In addition, reference was made to the key lines of enquiry at section 5 of the report 'Value for Money conclusion', and it was reported that the auditors had commented that had the assessment been carried out at the present time the conclusion in respect of criteria 2 'Does the organisation have a sound understanding of its costs and performance and achieve efficiencies in its activities?', the outcome would have been a 'yes'.

The Committee recorded its thanks to the Financial Services team.

Resolved

That the Annual Governance Report 2008/2009 be accepted.

Reason

The report detailed Deloitte's audit for Ryedale District Council for the year ending 31 March 2009. The report had been prepared on the basis of, and work carried out in accordance with, the Code of Audit Practice and the Statement of Responsibilities.

41 'Revitalise Malton!' Phase II and III

The Head of Economy & Housing submitted a report, which following the success of Phase I of 'Revitalise Malton!', sought agreement to the principle of joint working with Yorkshire Forward, North Yorkshire County Council and other partners to achieve the major programme of improvements at Malton and Norton as detailed in the report. The Head of Economy & Housing reported that Members should recognise that there was no District Council funding currently agreed to several 'Revitalise Malton!' Phase II and III projects, and that certain projects would require financial support in order to proceed. To financially support major projects such as the two phases of public realm improvements and the Milton and Assembly Rooms would require either the diversion of funding from other projects in the capital programme or use of proceeds raised by selling District Council assets. It would be necessary to consider requirements towards individual elements of work as detailed proposals and costings became available.

Members welcomed the report and expressed support for the recommendations. However, some concern was expressed regarding the potential pedestrianisation of the Market Place and also proposals relating to shared space. Members were of the opinion that the message to officers should be 'do what you can' and projects should be embarked upon on a first come first served basis.

Resolved

- (a) That the principle of joint working with Yorkshire Forward, North Yorkshire County Council and other partners to achieve the major programme of improvements outlined in the report, including the submission of a business case based upon the programme, to Yorkshire Forward be supported
- (b) That the Council's contributions towards unfunded individual elements of the programme, where necessary and

appropriate, be considered once detailed proposals and costs became available

- (c) That the Council continues to work closely with the Malton and Norton Area Partnership and other stakeholders to develop and promote the 'Revitalise Malton!' programme
- (d) That consultation is undertaken, in partnership with North Yorkshire County Council as part of their Service Centre Transportation Strategy, on the detailed aspects of proposed improvements to Wheelgate, Yorkersgate and Railway Street as a first phase of public realm improvements. The consultation should also seek views on options for potential change and improvement of Market Place before a favoured option is finalised through trials and other exercises. This would be implemented as a later phase of public realm improvements.

NB In accordance with the Members' Code of Conduct Councillor Andrews declared a personal interest in the above item as he partakes in discussions with the business community, Councillor Mrs Burr declared a personal interest in the item the owner of property in Malton and Councillor Legard declared a personal interest in the item as he has a proprietary interest in a shop in Malton.

Reason

Following the completion of the 'Revitalise Malton!' Phase I projects, including the Outline Designs for public realm improvements and the Business Plan for the Milton and Assembly Rooms, there is a need to consult and to work up the projects in partnership with other organisations, and to submit applications to potential funders. Only through this approach can the Council understand the actual extent of financial commitment required from the Authority in order to achieve the likely regeneration and community benefits.

The key elements of the package (improved public realm in Malton town centre and an enhanced Milton and Assembly Rooms) both received strong public support during consultations on the Malton Town Centre Strategy in 2008.

PART 'B' - MATTERS REFERRED TO COUNCIL

42 Revised Drug and Alcohol Policy

The Head of Organisational Development submitted a report the purpose of which was to recommend the policy change to the current Drugs and Alcohol Policy. The revised policy was appended to the report.

The Council had a range of policies that augmented the Health, Safety and Wellbeing Strategy. All policies and procedures were subject to review to ensure they were up to date with legislative changes and best practice.

The overall aims of the policy were to ensure that management teams had access to clear guidance when dealing with staff welfare issues concerning the use of drugs and alcohol; to increase awareness of the available support mechanisms such as Ryedale Counselling Services; to reduce the potential risks to the Council of alcohol/drug abuse within the workforce and to enable positive intervention when there were concerns that an employee may be under the influence of alcohol or drugs when at work.

The Head of Organisational Development reported for clarification purposes that the amendment to the current policy involved the addition of the following two paragraphs in the Policy Principles section:

No employee shall be encouraged or be expected to participate in or indulge of any alcohol or drugs (exceptional circumstances for prescription) intake, whilst on Council or customer premises, this applies to not only working hours, including lunchtimes but immediately before or after normal shift start and end times, whilst an individual may still be on work related premises.

A zero tolerance approach is being adopted and any employee of the Council, found to be consuming or holding any form of alcohol or illegal drugs on Council or any other premises, with a view to consuming whilst on Council business, will be subject to a formal disciplinary investigation.

The amended policy had been subject to consultation with Unison and the Staff Focus Group; Unison's comments were detailed in the report.

Members agreed that it was important to set down clear guidelines. However, the opinion was expressed that in the event of the revised policy being adopted, it should also apply to Members and it would then be unsustainable to continue to provide alcoholic drinks for Members following meetings of full Council.

Resolved

That Council be recommended to approve the amendments to the Drug and Alcohol Policy.

Reason

The amended policy would provide the Council with clearer guidance on how to manage the use of alcohol and drugs for staff whilst undertaking Council duties. The amendment will allow for greater consistency, fairness and equal treatment to all employees of the Council. It would also ensure that all staff understood that whatever the circumstances the policy would apply to everybody in a supportive and understanding manner.

43 **Local Development Framework (LDF) Sustainability Appraisal Framework**

The Head of Planning submitted a report, which sought approval of the Sustainability Appraisal Framework, which would be used to appraise policy options and proposals for the Local Development Framework (LDF) following the recent consultation on an updated Sustainability Appraisal Scoping Report.

A Sustainability Appraisal was a required element of the LDF. The Sustainability Appraisal would ensure that the sustainability issues associated with policy choices were identified and the Sustainability Appraisal Framework also provided a basis for monitoring social, economic and environmental issues over time. The Sustainability Appraisal process was prescribed in national guidance and the Scoping Report sets out the first stage in developing a Sustainability Appraisal framework for the LDF.

The main role of the Scoping Report was to establish the Sustainability Appraisal methodology. It drew together the evidence base and data, which helped to identify key social, economic and environmental issues in the District. From these, Sustainability objectives could be identified and used to appraise policy options.

The Council had an agreed Sustainability Appraisal Framework, which had been produced to support the production of the previous Core Strategy. An original Scoping Report had been prepared in January 2005 with a final Sustainability Appraisal being published in November 2005 alongside the initial Core Strategy.

Given the passage of time, it was appropriate that the Council ensured that the Sustainability Appraisal Framework used to appraise the emerging revised Core Strategy was relevant and based on up to date baseline information. To this end a revised Scoping Report had been prepared and distributed to key stakeholders for comment. Consultation responses were outlined in Annex B of the report and had been used to inform the Scoping Report at Annex C of the report.

Resolved

That Council be recommended to approve the revised Sustainability Framework as set out in Annex C to the report.

Reason

The Council needs to have a Sustainability Appraisal in place to progress the production of the Local Development Framework.

44 **Urgent Business**

The following item was considered as it was decided by the Chairman to be urgent by virtue of Section 100(B)(4)(b) of the Local Government Act 1972. The item was considered under exempt business.

45 Exempt Information

Resolved

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following item as there will be a likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 12A of the Act as the information relates to any individual.

46 Write-Off of Accounts

The Corporate Director (s151) submitted a schedule (circulated at the meeting) of outstanding Council Tax and Business Rates.

In accordance with the Council's Constitution, all outstanding debts relating to Council Tax and Business rates above £500 (excluding bankruptcy, receivership, liquidations or voluntary arrangements) required a decision of this Committee. Staff, external bailiffs, Experian and tracing agents, had investigated all the items on the schedule. Authority was therefore sought to write-off the individual amounts of Council Tax in excess of £500 totalling £26,024.15, and the individual amounts of Business Rates in excess of £500 totalling £14,711.58 as irrecoverable.

Resolved

That the Corporate Director (s151) be authorised to write-off the individual amounts of Council Tax in excess of £500 totalling £26,024.15, and the individual amounts of Business Rates in excess of £500 totalling £14,711.58 as irrecoverable.

THE MEETING CLOSED AT 8.20 PM