



POLICY AND RESOURCES COMMITTEE

Thursday 1 April 2010 at 6.30 pm
Council Chamber, Ryedale House, Malton

Agenda

Emergency Evacuation Procedure

1 Apologies for absence

2 Minutes of an ordinary meeting of the Policy & Resources Committee held on 3 December 2009 and the minutes of a Special Meeting of the Policy & Resources Committee (Budget) held on 4 February 2010 (Pages 1 - 14)

To approve the above Minutes as a correct record.

3 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.

4 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.

5 Minutes of a Meeting of the Constitution Review Working Party held on 27 January 2010 (Pages 15 - 24)

- 6 **Minutes of meetings of the Resources Working Party held on 13 January 2010 and 24 March 2010** (Pages 25 - 28)

The minutes of the meeting held on 13 January are attached; the minutes of the 24 March 2010 are to follow.

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

- 7 **Aim 5 Performance and Finance** (Pages 29 - 84)
- 8 **Revenue Budget Monitoring** (Pages 85 - 90)

PART 'B' ITEMS - MATTERS REFERRED TO COUNCIL

- 9 **Matters Referred from Council/Other Committees**
- 10 **Howardian Hills Area of Outstanding Natural Beauty (AONB) Partnership Agreement** (Pages 91 - 96)
- 11 **Ampleforth Conservation Area Character Appraisal and Management Plan** (Pages 97 - 128)
- 12 **Ryedale Local Development Scheme** (Pages 129 - 136)
- 13 **Officer Code of Conduct** (Pages 137 - 176)
- 14 **Collective Disputes Policy** (Pages 177 - 190)
- 15 **Criminal Records Bureau/Independent Safeguarding Authority (CRB/ISA) Policy** (Pages 191 - 206)
- 16 **Member Involvement in Appeal Panels** (Pages 207 - 210)
- 17 **Capital Programme Additions** (Pages 211 - 234)
- 18 **Any other business that the Chairman decides to be urgent.**

Policy and Resources Committee

Held at Council Chamber, Ryedale House, Malton
on Thursday 3 December 2009

Present

Councillors Acomb, Arnold, Bailey, Mrs L M Burr, Mrs Hodgson, Knaggs, Legard (Vice-Chair), Wainwright (Chairman) and Woodward

Overview & Scrutiny Committee Observers: Councillors Mrs Wilford and Windress

In Attendance

T Anderson, P Cresswell, Mrs E Hayes, G Housden, Mrs C Slater, Miss J Waggott, A Winship and Mrs A Wood

Minutes

47 **Apologies for absence**

An apology for absence was received from Councillor Maud.

48 **Minutes of a meeting of the Policy & Resources Committee held on 1 October 2009**

Resolved:

That the minutes of the meeting of the Policy and Resources Committee held on 1 October 2009 be approved.

49 **Minutes of a Meeting of the Resources Working Party held on 18 November 2009**

Resolved:

That the minutes of the Resources Working Party held on 18 November 2009 be approved and signed by the Chairman as a correct record.

50 **Urgent Business**

The Chairman informed Members of the work recently carried out by staff especially from Streetscene who had been involved with work preventing flooding in Pickering and Sinnington. He informed Members that many of the staff had worked late into the night, and then been back at work the following morning. The Committee thanked all staff involved for their work.

51 **Declarations of Interest**

Councillor Mrs Burr declared a personal interest in Item 6 References from Other Committees, as her property had been flooded in the past.

52 **Items referred from other Committees**

Members considered a report that had been referred from the Community Services Committee regarding the Vale of Pickering Channel Management Pilot Project.

The report sought support for a request for a financial contribution from Ryedale District Council towards a jointly funded Channel Management Pilot Project in the Vale of Pickering.

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

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

Resolved:

That approval be given to:-

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

Reason:

The pilot looks at the potential effects of vegetation and sedimentation on water levels in the Vale of Pickering. The project could facilitate the development of best practice, which could be applied to all critical watercourses.

Councillor Woodward asked that his vote of abstention be recorded as he was not happy with the wording of the proposal.

53 Performance and Finance - Aim 5 Transformation

Members considered a report which presented for comment the performance and finance report for Council Aim 5 "To transform the Council"

Performance against aims one to four were reported to the Community Services Committee in November 2009.

Annexed to the report was a progress report on the delivery of the Council Plan to the end of October 2009 in terms of actions delivered and performance levels achieved, and a review of the financial implications to date.

Resolved:

That the performance and finance report be endorsed.

Reason:

To ensure that progress made against the Council's agreed aims and strategic objectives is noted.

54 Revenue Budget Monitoring

Members considered a report which presented the budget monitoring report for 2009/2010.

Established practice for budget monitoring currently took place outside the formal budget process. EMIS reports were prepared and considered by Corporate Management Team and the Heads of Service.

A report had been presented to the Resources Working Party in September 2009 where it had been resolved that budget monitoring information system reports be a standing item for discussion at the Resources Working Party (RWP) and that a formal budget monitoring report be presented to the Policy and Resources Committee following each RWP.

Annexed to the report was a summary of the significant variances within the Council's revenue accounts in the current year 2009/10.

Overall there was a net increase in costs of £89,000 with a projection for the full year of £344,000. Of this, £151,000 was planned to come from specific Council reserves and £90,000 related to funding of the Council's capital programme.

Additional to the annexed summary, Members were informed that:-

- i) The salary saving included approximately £70,000 from the pay award being 1% less than budgeted. This saving would assist in preparing the Council's 2010/2011
- ii) The compensation payable to Red Cross arose out of the legal agreement should they choose to relocate
- iii) The shortfall on the efficiency programme had been monitored by the Resources Working Party and compensating savings had been identified to cover part of the shortfall.
- iv) External audit fees had increased significantly over recent years and it was likely that unavoidable growth in that area would need to be considered as part of the 2010/2011 budget.

Other significant budgets including Concessionary Fares and vehicle leasing costs were all expected to be within budget in the current year.

Resolved:

- i) That the revised budget monitoring reporting arrangements be noted.
- ii) That the contents of the report be noted.

Reason:

To meet the requirements of internal inspection and to ensure Members were kept regularly informed of the Council's financial position.

55 Treasury Management Monitoring

Members considered a report which informed them of treasury management activities for 2009/10 and updated Members on current investments in accordance with the CIPFA code of Practice on Treasury Management.

The Council aimed to achieve the optimum return on investments commensurate with the proper levels of security and liquidity. In the current economic climate, it was considered appropriate to keep investments short-term and only invest with highly credit rated financial institutions.

The report showed the relative performance of external and internally managed funds with the 7 day benchmark for the period ended 31 October 2009. This illustrated that the Authority had to date outperformed the benchmark.

Managed investments as at 31 October 2009 totalled £16,200,000. The report detailed how these had been lend out, and with which institutions.

Officers confirmed that the approved limits within the Annual Investment Strategy were not breached during the second quarter of 2009/10.

Resolved:

- i) That the report be received
- ii) That the current investments and performance in 2009/2010 be noted.

Reason:

The CIPFA Code of Practice on Treasury management had been adopted by the Council. A provision of the Code was that regular reports must be made to the Council relating to treasury management activities.

56 **ICT Programme Approvals**

Members considered a report which sought approval of the recommendations from the ICT Programme Board for projects outside the scheme of officer delegation.

Members were informed that the collection of Council Tax and NNDR, Benefits processing and Benefit overpayment was administered by Revenues Customer Services and Benefits, using a software package "Civica", which had been in place since 1996 with various upgrades over the years. All other North Yorkshire Revenues and Benefits teams use the Northgate system, as did the East Riding of Yorkshire Council.

Civica had seen over recent months a decline in their client base and there was concern that at any time they could terminate the product with short notice. Such a scenario would probably necessitate a rushed conversion to another supplier with a risk of reduced performance during the changeover.

Annexed to the report was the business case for the Northgate system. It was stated that the Council could procure a new system through pre-tendered national framework agreement with Northgate (Catalist). This achieved competitive pre-tendered prices without necessitating a full EU procurement exercise which could take up to a year to complete. The cost of the project would be met from the Council's capital programme 2009/12.

Resolved:

- i) That the Committee approve a waiver of the Council's Contract Procedure Rules such that procurement of the Northgate Revenues

- and Benefits IT system be undertaken using the Office of Government Commerce Catalyst Framework Contract.
- ii) That the Committee approves delegated authority to the Corporate Director (s151) in consultation with the Chairman of Policy and Resources Committee to appoint suppliers or contractors.

Reason:

To ensure that the Revenue and Benefits service does not suffer the adverse effect of any future termination of the Civica product, and in order to achieve revenue efficiency savings.

Councillor Woodward asked that his vote against the recommendations be recorded.

PART 'B' – MATTERS REFERRED TO COUNCIL

57 Fees and Charges

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

The report outlined the budget strategy that had been presented at the October 2009 meeting of this Committee. It had been decided at that time that the parameters for increases in fees and charges would be set at 4%, but officers would consider whether such charges could adversely affect income overall in making their recommendations.

Annexes B and C to the report set out the proposals for Development Management and Land Charges.

Officers recommended that discretionary fees for charging for Development enquiry forms and pre-application advice were recommended to stay at 2009/10 levels, to encourage potential applicants and developers to continue to engage with the Council during difficult period for the development industry.

Since the setting of Land Charge fees for 2009/10, the Council's in house team had been successful in gaining business back from personal search companies, with approximately 75% of searches being conducted in house. It was recommended that in light of current market conditions that there was no increase in the overall fees set for Land Charges in 2010/11, as it would probably undermine the competitiveness of the in house service.

Members also noted that minor changes to the fee schedule in Annex C, relating to the Official Search in Register, which was proposed to rise to £22. A commensurate reduction in fee levels was recommended elsewhere in the schedule in order to ensure that the full Standard Search charge did not exceed that set in 2009/2010.

Resolved:

- i) That the Development Management and Land Charges Fees and Charges as set out in Annexes B and C to the report be approved.
- ii) That delegated authority be given to the Corporate Director (s151) for further minor revisions to fees charged for the individual CON 29 questions referred to on the schedule.

58 Exclusion of the Press and Public

Resolved:

That the press and public be excluded from the meeting during consideration of items 13 (Hardship Relief) and 14 (Write offs) as the reports contained information relating to the financial or business affairs of any particular person (item 13) and information relating to any individual (item 14).

Reason

In both cases the public interest test had been considered and in all the circumstances of the cases, the public interest in maintaining the exemption was considered to outweigh the public interest in disclosing the information.

59 Hardship Relief

Members considered a report which considered two applications for non domestic rates hardship relief.

Resolved:

That no non domestic rates hardship relief for 2009/2010 be awarded to the two applications referred to in the report.

Reason:

The provision of relief in these instances was not in line with the Council scheme.

60 **Write Offs (to follow)**

Members considered a report which sought approval to write off housing benefit/sundry debts.

Resolved:

That the write off of £26,670.75 be approved.

Reason:

Staff, External Bailiffs, Experian and tracing agents have been used to try and recover the debts to no avail.

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

Policy and Resources Committee

Held at Council Chamber, Ryedale House, Malton
on Thursday 4 February 2010

Present

Councillors Acomb, Arnold, Bailey, Knaggs, Legard (Vice-Chair), Maud, Wainwright (Chairman) and Woodward

Substitutes: Councillor Mrs P J De Wend Fenton and Councillor H L Keal

By Invitation of the Chairman:

Overview & Scrutiny Committee Observers: ObserverInAttendanceList

In Attendance

Trevor Anderson, Lynda Carter, Paul Cresswell and Janet Waggott

Minutes

62 Apologies for absence

Apologies for absence were received from Councillors Mrs Burr and Mrs Hodgson.

63 Announcement

The Chairman reported that the awards presentation for the Royal Town Planning Institute 2009 Awards had been held that day. This was an annual event held to identify and celebrate quality planning achievements.

The Chairman reported that the 'Castle Howard Management Plan and Development Framework' had been announced joint winner of the 'Heritage' award.

Ryedale's Planning Officers had been closely involved in supporting the Estate throughout the preparation of the Plan, which in the words of the judges "breaks ground by dealing with the socio-economic realities of management and offers a model for other plans".

Members congratulated officers on the achievement.

64 Urgent Business

There were two items of urgent business to be considered by virtue of Section 100B(4)(b) of the Local Government Act 1972.

- An information report referred by the Overview & Scrutiny Committee at its meeting held on 10 December 2010
- An exempt report - Council Tax & Business Rates Arrears - Consideration of Write Offs

65 **Declarations of Interest**

No declarations of interest were submitted.

66 **Financial Strategy 2010/2011**

The Corporate Director (s151) submitted a report, which set out the budget for 2010/11, a proposed Council Tax level, the Financial Strategy, details of balances and reserves and the indicators under the Prudential Code for capital finance as required by the Local Government Act 2003.

At its meeting on the 1 October 2009 the Policy & Resources Committee set the budget strategy for the Council with the following parameters:

- (i) Proposals be brought forward for a 0% increase in Council Tax with options to increase beyond this through investment services;
- (ii) Increases in non-statutory fees and charges to be not less than 4%; and
- (iii) Efficiencies to be identified to meet the shortfall in Council finances and presented to the Resources Working Party.

The Corporate Director (s151) reported that details of the action taken and savings proposals had been presented to Members through the Resources Working Party on 18 November 2009, 13 January 2010 and the Budget Briefing on 20 January 2010.

The Financial Strategy set out the Council's financial position in the medium term in detail, including issues around the Local Government Finance Settlement and efficiencies as well as the principles and procedures adopted by the Council to manage its finances to a high standard.

Monitoring of the 2009/2010 budget had taken place through the group leaders, Resources Working Party and the Policy & Resources Committee, which had received a Revenue Budget Monitoring report at the meeting on 3 December 2009.

The report detailed the following:

- Budget and Council Tax for 2009/10
- Capital Programme

- Special Expenses
- National Non-Domestic Rates (NNDR)
- Prudential Code
- Funds and Reserves
- Local Government Act 2003 - Section 25 Report

It was moved by Councillor Knaggs and seconded by Councillor Legard that the recommendations in the report be approved:

That the Council be recommended to approve:

- (i) The Council's Financial Strategy, detailed at Annex A of the report, which includes:
 - (a) The prudential indicators
 - (b) The revised capital programme
 - (c) Savings/efficiencies totalling £295,000
 - (d) Investment in priorities of £110,000
- (ii) a Revenue Budget for 2010/2011 of £8,280,060, which represents no increase in the Ryedale District Council Tax of £176.72 for a Band D property (note that total Council Tax, including the County Council, Fire and Police is covered within the separate Council Tax setting report to Full Council)
- (iii) approve the special expenses amounting to £51,980
- (iv) the Capital Contingency Fund balance of £150,000 be transferred to the General Reserve.

Members discussed the report in detail and considered the budget pressures and savings proposals for 2010/2011 as outlined in appendix A to the Financial Strategy 2010-2014.

An amendment was moved by Councillor Keal and seconded by Councillor Mrs De Wend Fenton that the savings and efficiencies totalling £295,000 be achieved as indicated in the report subject to the withdrawal of the proposal to cut the funding for the Festival of Fun and replacing it with:

- £5000 additional income identified in the budget
- £5000 saved by taking funding for North Yorkshire Credit Union from reserves
- A further £3000 saved by Members paying for teas.

Upon being put to the vote the amendment was lost.

An amendment was moved by Councillor Woodward and seconded by Councillor Keal that the provision of Members' teas before meetings be

abolished thereby saving £10,000 in total, a further £3000 on the proposals within the officer recommendation.

Upon being put to the vote the amendment was carried.

Upon being put to the vote the motion to accept the recommendations as outlined in the report, as amended, was carried.

Resolved

That the Council be recommended to approve:

- (i) The Council's Financial Strategy, detailed at Annex A of the report, subject to the abolition of Members' teas, which includes:
 - (a) The prudential indicators
 - (b) The revised capital programme
 - (c) Savings/efficiencies totalling £295,000
 - (d) Investment in priorities of £110,000
- (ii) a Revenue Budget for 2010/2011 of £8,280,060, which represents no increase in the Ryedale District Council Tax of £176.72 for a Band D property (note that total Council Tax, including the County Council, Fire and Police is covered within the separate Council Tax setting report to Full Council)
- (iii) approve the special expenses amounting to £51,980
- (iv) the Capital Contingency Fund balance of £150,000 be transferred to the General Reserve.

NB Councillor Woodward recorded his vote against the above recommendations.

67 Urgent Business

In accordance with Section 100B(4)(b) the Chairman reported that there were two items of urgent business these related to:

- An information report referred from the Overview & Scrutiny Committee in connection with the Council's One-11 programme
- Council Tax & Business Rates Arrears, Consideration for Write-Off (Exempt Report)

68 Item Referred from Overview & Scrutiny Committee (for information)

At the meeting of the Overview & Scrutiny Committee held on 10 December 2009, it was resolved that an information report be submitted to Policy & Resources Committee on the following points:

- What has activated the redundancy policy and why
- Who made the decision for One/11 and why
- What are the timescales

In accordance with the above request a report was circulated at the meeting.

69 Exempt Information - Exclusion of the Press and Public

Resolved

That under Section 100(A)(4) of the Local Government Act 1972 (as amended) 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 an individual.

70 Council Tax & Business Rates Arrears - Consideration for Write-Off

The Corporate Director (s151) submitted a report, which presented for Members' approval a Schedule relating to Council Tax and Business Rates arrears for consideration for write-off.

In accordance with the Constitution of the Council all outstanding debts relating to Council Tax, Business Rates and Sundry Debts above £500 (excluding bankruptcy, receivership, liquidations or voluntary arrangements) required a decision of this Committee to be written off.

All the debts included in the Schedule related to either Council Tax or Business Rates. Staff, external bailiffs, Experian and tracing agents had investigated all the items on the schedule extensively and made every effort to recover the debt.

Authority was sought to write-off the individual amounts of Council Tax in excess of £500 totalling £30,965.85 and the individual amounts of Business Rates in excess of £500 totalling £17,084.88.

Resolved

That authority be given to write-off the individual amounts of Council Tax in excess of £500 totalling £30,965.85 and the individual amounts of Business Rates in excess of £500 totalling £17,084.88 as detailed in the report.

The meeting closed at 8.15 pm

Constitution Review Working Party

Held at Ryedale House, Malton
on Wednesday 27 January 2010

Present

Councillors Wainwright (in the Chair), Clark, Keal and Knaggs

In Attendance

Mrs L Carter, P Cresswell, Mrs M Jackson and Miss J Waggott

Minutes

1 Apologies for absence

An apology for absence was received from Councillor Mrs Keal.

2 Minutes of the last meeting of the Constitution Review Working Party held on 8 July 2009

The minutes of the last meeting of the Constitution Review Working Party held on 8 July 2009 were presented.

Resolved

That the minutes of the last meeting of the Constitution Review Working Party be approved and signed by the Chairman as a correct record.

3 Urgent Business

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

4 Declarations of Interest

There were no declarations of interest received.

5 Changes to the Constitution

The Corporate Director (s151) circulated a report, which outlined for consideration proposed changes to the Council's Contract Procedure Rules (CPR) including the changes required following the approval of the Commissioning Board proposals.

A number of changes to the Contract Procedure Rules were proposed, the report outlined the rationale and Annex A to the report detailed the proposed changes.

The Working Party considered the proposed changes in detail. It was agreed that:

- Paragraph 8.4 be amended to include a mechanism for enabling technical amendments to be made in line with EU rules, without the necessity to convene a meeting of the Constitution Working Party.
- Paragraph 8.5 (a) being amended to read "invitations to quote or tender being issued by use of the internet. A Head of Service may publish invitation to tender notices on appropriate internet web sites in substitution **or in addition to** publication of newspapers or trade journals
- Paragraph 8.5 (b) being amended by the addition of the words "**and is auditable**"

Resolved

That the proposed changes to the Constitution, as set out in Annex A to these minutes, be approved as a basis for the preparation of a revised set of Contract Procedure Rules to be presented to the Policy & Resources Committee.

8.2 Framework Contracts – Proposed New Paragraph

The purchase of goods or materials and the procurement of works or supply of services, where a Framework Arrangement or Contract is let through or on behalf of a public body, consortium, association or similar body provided that tenders or quotations are invited and contracts placed in accordance with procedures which are equivalent to these Contract Procedure Rules and also comply with any national or EU legislation, is permitted. A Framework Contract to which more than one contractor is party must provide for competition between the contractors in respect of any Call Off above £50,000.

8.3 Acceptance of Tenders

Current Wording:

15.1 All tenders and quotations for items exceeding an amount or value to be determined from time to time by the Council shall normally be submitted to the Council's Policy and Resources Committee for acceptance but where necessary to avoid undue delay the appropriate Service Unit Manager in consultation with the Chairman of that Committee may accept such tenders or quotations subject to these contract standing orders and to this procedure not applying to any case of difficulty or unusual circumstances.

15.2 Where a proposed contract does not exceed an amount or value to be determined from time to time by the Council the Service Unit Manager concerned may subject to the provisions of contract standing order 24 enter into such for the purpose provided that wherever practicable four competitive quotations shall be invited by the Service Unit Manager before entering into such contract but so that the requirement to obtain four quotations shall not apply in the case of contracts specified in contract standing order 13.

Proposed Wording:

All Tenders may be accepted by the appropriate Head of Service, provided that:

- (a) It is within the approved budget;
- (b) the Head of Service notifies award of the contract to:
 - (i) the Chief Finance Officer and relevant Committee Chairman; or
 - (ii) in the case of a tender which falls above EU Procurement Levels the relevant Policy committee.
- (c) where the contract value exceeds EU Procurement Levels the contract is not awarded until the required time period has elapsed.
- (d) the identity of any Tenderer other than the Tenderer submitting the tender accepted shall not be disclosed to any other Tenderer.

8.4 EU Procurement – Proposed New Section

CONTRACTS TO WHICH EU PROCUREMENT RULES APPLY

(i) **Thresholds**

Advice should be sought from the Chief Finance Officer in respect of any procurement with an estimated value greater than EU Procurement thresholds upon whether EU Procurement Rules apply. The threshold values are reviewed on a regular basis, normally every two years. Table 1 identifies when EU Procurement Rules are likely to apply:

Table 1: EU Procurement Thresholds - Valid from January 2010

	All Procedures	Prior-information Notice
Supplies	£ 156,442	£607,935
Services	£ 156,442	£607,935
Works	£3,927,260	£3,927,260

Procurement exercises with an estimated contract value within 10% of Threshold levels where EU Procurement Rules apply should also be advertised in the OJEU to avoid OJEU advertising requirements being unintentionally breached.

(ii) **Standards**

If the European Committee for Standardisation (CEN) has issued a relevant standard, all the goods and materials used or supplied, and all the work done under the contract, must be in line with that standard.

(iii) *The Euro*

A provision should be included in any contractual documentation requiring the contractor to convert prices to sterling from Euro and to submit invoices for payment accordingly once notice is given to the contractor.

(iv) **Number of tenderers**

If the contract is expected to exceed EU limits, a minimum of five contractors or suppliers must be invited to tender except where the adopted procedure provides otherwise. (In cases where fewer than five contractors or suppliers apply and are shortlisted, all contractors or suppliers must be invited to tender.)

If during the course of a competitive tendering exercise, an officer becomes aware that the value of bids received exceeds the EU Thresholds, but bid invitations have not been extended through the OJEU notice procedure as it was anticipated that the threshold would not be exceeded, advice must be sought from the Chief Finance Officer upon how to proceed.

Where the Council has an aggregated requirement for specified goods or services with an estimated annual value at or greater than the figures provided in Table 1, a Prior Indicative Notice (PIN) must be placed in the Supplement to the Official Journal of the European Community (OJEU) once annually.

(v) **Buyer's Profile**

The Council shall publish and maintain a buyer's profile via the internet incorporating the following information:

- (a) a brief description of future and current tenders within the year 1 April to 31 March
- (b) the date the advert was dispatched to OJEU
- (c) the OJEU reference number
- (d) the closing date for notification of interest in relation to expressions of interest
- (e) the tender dispatch date
- (f) the closing date for tenders
- (g) the award date
- (h) the identity of the successful tenderer
- (i) the award notice reference number
- (j) the date of the award notice

(vi) **EU Procedures:**

All contracts with a value in excess of EU limits shall be let in accordance with a procurement method which is acceptable within EU law. The acceptable methods are the Restricted, Open and Negotiated Procedures and Competitive Dialogue.

Where the Restricted Procedure, Open Procedure or Competitive dialogue are used the Council is required to place a Contract Notice in the Official Journal of the European Community and the timescale for expressions of interest in response to such notices is prescribed.

Advertisement is subject to the following constraints:

- (a) advice must be sought upon the applicable timescales;
- (b) the accelerated procedure may only be used with the consent of the Chief Finance Officer.

Table 2 sets out the ordinary timescales. The applicable timescales may be reduced further as indicated in Tables 3 and 4 where electronic systems are used to publish the contract notices and provided unrestricted electronic access to documentation:

Table 2: Advertisement in OJEU without use of electronic media

Minimum no. of calendar days after sending the Contract Notice to OJEU	EU Open Procedure	EU Restricted Procedure	EU Accelerated Procedure	<i>EU Negotiated Procedure</i>
(i) to the closing date for receipt of registrations of interest from contract notice	-	37 days	15 days	37 days (if poss.)
(ii) to the closing date for receipt of tenders	52 days	40 days	10 days	21 days
as (ii) above, but where a PIN is published between 52 and 365 days prior to the Contract Notice	36 days	26 days	N/A	21 days (i.e., same as above)
Minimum no. of days to allow following decision on contract award before formalising contract	10 days	10 days	10 days	10 days
Max. no. of days after contract award in which to send Contract Award Notice	48 days	48 days	48 days	48 days

Table 3: Notice of contract compiled and submitted electronically:

Minimum no. of calendar days after sending the Contract Notice to OJEU	EU Open Procedure	EU Restricted Procedure	EU Accelerated Procedure	EU Negotiated Procedure
(i) to the closing date for receipt of registrations of interest from electronic contract notice	-	30 days	10 days	30 days (if poss.)
(ii) to the closing date for receipt of tenders	45 days	35 days	10 days	14 days
as (ii) above, but where a PIN is published between 52 and 365 days prior to the Contract Notice	29 days	19 days	N/A	14 days (i.e., same as above)
Minimum no. of days to allow following decision on contract award before formalising contract	10 days	10 days	10 days	10 days
Max. no. of days after contract award in which to send Contract Award Notice	48 days	48 days	48 days	48 days

Table 4: Notice of contract compiled and submitted electronically and unrestricted electronic access to all contract documentation provided at tender receipt stage

Minimum no. of calendar days after sending the Contract Notice to OJEU	EU Open Procedure	EU Restricted Procedure	EU Accelerated Procedure	EU Negotiated Procedure
(i) to the closing date for receipt of registrations of interest from electronic contract notice	-	30 days	10 days	30 days
(ii) to the closing date for receipt of tenders	40 days	14 days	10 days	21 days
as (ii) above, but where a PIN is published between 52 and 365 days prior to the Contract Notice	29 days	5 days	N/A	21 days (i.e., same as above)
Minimum no. of days to allow following decision on contract award before formalising contract	10 days	10 days	10 days	10 days
Max. no. of days after contract award in which to send Contract Award Notice	48 days	48 days	48 days	48 days

8.5 E-Commerce – Proposed New Section

Nothing in the Contract Procedure Rules shall prevent:-

- a) invitations to quote or tender being issued by use of the internet. A Head of Service may publish invitation to tender notices on appropriate internet web sites in substitution for publication in newspapers or trade journals.
- b) receipt of quotations or tenders by use of the internet provided the Head of Service and Chief Finance Officer have agreed that suitable privacy and security mechanisms are in place for the receipt and opening of such submissions and where an electronic tendering system is available which meets the satisfaction of the Monitoring Officer and Chief Finance Officer.

Tenders may be submitted by electronic means provided that:

- a) evidence that the transmission was successfully completed is obtained and recorded;
- b) each tender submitted electronically is deposited in a secure mailbox before the return date, and;
- c) electronic tenders are kept in a separate secure folder until the deadline is passed for receipt of tenders.

8.6 Revision to Limits

The current and proposed limits are shown on Annex A1.

8.7 Commissioning – Proposed New Paragraph

To add to Section 9 - Negotiated Tendering Procedure - the following circumstances where this procedure may be used:

- 9.2.5 when the procurement forms part of a project or service that is being delivered under the Council's General Principles for Commissioning.

CONTRACT STANDING ORDERS

NB: The CSO Paragraph References are based on the existing Contract Procedure Rules for the purposes of this table.

ESTIMATES		CURRENT	PROPOSED
CSO	4.1	£18,000	£50,000
CSO	4.2	£64,800	£50,000

TENDERING

CSO	7.1	£50,000	£50,000
CSO	7.2	£50,000	£50,000
CSO	8.1	£50,000	£50,000
CSO	8.2	£50,000	£50,000
CSO	9.1	£50,000	£50,000

COMPETITION REQUIREMENTS FOR CONTRACTS BELOW A SPECIFIED VALUE

CSO	12.1	£2,500 & £50,000	£5,001 & £50,000
CSO	12.2	£2,500	£5,000

ACCEPTANCE OF LOWEST TENDER OR HIGHEST

CSO	15.1	£50,000	£50,000
CSO	15.2	£50,000	£50,000

SUBCONTRACTS AND NOMINATED SUPPLIERS

CSO	17.1.1	£38,400	£50,000
CSO	17.1.3	£38,400	£50,000

ENGAGEMENT OF CONSULTANTS

CSO	18.1.4	£64,800	£50,000
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OPENING TENDERS

CSO	21.1.2	£18,000	£50,000
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FORMALITIES

CSO	25.1.3.1	£18,000	£5,000
CSO	25.1.3.2	£18,000	£5,000

CSO	25.1.3.3	£18,000	£5,000
CSO	25.1.4	£18,000	£5,000
CSO	25.1.5.1	£54,300	£50,000
CSO	25.1.5.2	£54,300	£50,000
CSO	25.1.5.3	£54,300	£50,000
CSO	25.1.5.4	£54,300	£50,000
CSO	25.1.6	£54,300	£50,000

BONDS

CSO	27	£144,000	£150,000
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FINANCIAL STANDING ORDERS

FINANCIAL ADMINISTRATION

FSO	1.4	£23,500	£50,000
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BUDGETARY CONTROL

FSO	3.3	£8,400	£50,000
FSO	3.4	£23,100	N/A

FINANCIAL REGULATIONS

CONTRACTS - VARIATION ORDERS

FR	7	£4,500	£5,000
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INCOME

FR	9.10	£500	£5,000
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ORDERS FOR WORK, GOODS AND SERVICES

FR	13.9		
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Current:

- a) Cost not exceeding £4,500 authorised by Service Unit Managers.
- b) Cost not exceeding £15,000 authorised by the Chief Executive, Chief Financial Officer or any one Director.

- c) Cost between £15,000 and £50,000 authorised by the Chief Executive, Chief Financial Officer or any one Director, with approval of the Chairman of the appropriate Committee.
- d) Cost exceeding £50,000 to be authorised by the appropriate Committee and, if necessary, tenders invited in accordance with Standing Orders relating to Contracts.

Proposed:

- a) Cost not exceeding £5,000 authorised by Service Unit Managers & Heads of Service.
- b) Cost not exceeding £25,000 authorised by the Chief Executive, Chief Finance Officer or any one Director.
- c) Cost between £25,001 and £50,000 authorised by the Chief Executive, Chief Finance Officer or any one Director, with approval of the Chairman of the appropriate Committee.
- d) Cost exceeding £50,000 to be authorised by the appropriate Committee and, if necessary, tenders invited in accordance with Contract Procedure Rules.

Resources Working Party

Held at Ryedale House, Malton
on Wednesday 13 January 2010

Present

Councillors Wainwright (in the Chair), Mrs Cowling, Mrs Hodgson, Knaggs and Legard

In Attendance

T Anderson, Mrs L Carter, P Cresswell, G Housden, Mrs M Jackson, P Long,
Ms J Pattison, Miss L Sandall, Mrs C Slater and Miss J Waggott

Minutes

27 Apologies for absence

An apology for absence was received from Councillor Mrs Burr.

28 Minutes

The minutes of the last meeting of the Working Party held on 18 November 2009 were submitted.

Resolved

That the minutes of the last meeting of the Working Party held on 18 November 2009 be approved and signed by the Chairman as a correct record.

29 Urgent Business

The Chairman reported that there were no items of urgent business.

30 Declarations of Interest

There were no declarations of interest.

31 Capital Programme

The Corporate Director (s151) submitted a report, which presented the following:

- A revised financial profile for the capital programme
- An update status report on schemes within the programme

- A proposed revised format to the Council's capital programme for consideration.

Annex A to the report set out the financial monitoring schedule for the Council's capital programme up to the 30 November 2009.

The report outlined the forecast spend for the year against the original budget and detailed the significant expected spend, which it was now anticipated would not take place.

Annex B provided a new report on the capital programme, which had been generated through the Council's performance management software, Covalent. The report indicated progress against project completion together with an indicator of the project life cycle stage and a narrative of the latest position. Members' comments on the new report were welcome and it was reported that further information on individual projects was available on request.

Annex C to the report provided a revised structure to the capital programme. Good financial management principles were that only projects with costed, evaluated delivery plans should be included within a capital programme. The inclusion of schemes that could be considered aspirational fully committed the Council's capital resources, which in turn produced difficulty in considering new schemes without considering borrowing or removing other schemes. Given the Council's medium term financial projections borrowing was not advised unless it was on the basis of invest to save, i.e. where deliverable revenue savings were achievable in excess of financing costs.

The revised programme, therefore, identified the following schemes as 'Capital Investment Plan - Potential Schemes' and placed them outside the programme:

- Pickering Flood Defence Scheme - work was ongoing with the Environment Agency to produce a firm costed proposal
- Provision for an Economic Development Scheme - £550k of the original £1300k allocation had remained in the programme as the identified need to finance land purchase in line with current Yorkshire Forward policy
- Regeneration schemes Pickering/Kirkbymoorside - originally planned at £250k each, no plans were currently in place for this spend.
- Plastics Recycling Rollout - there were significant additional revenue costs to any further expansion of this recycling area.

The uncommitted capital funds were separately identified, currently £2,522k. This figure was subject to change as it was based on the profile of the capital programme, anticipated interest receipts over the whole life of the programme and could change should the Authority receive additional capital receipts.

Once schemes either on the potential schemes list or new schemes were brought forward, Members could then consider them against the available capital funds plus other potential schemes, which may be forthcoming in the future. Members' views were sought on the revision as proposed in Annex C.

The Corporate Director (s151) reported that the Capital Programme was to be revised and presented to Members as part of the Financial Strategy to both Policy & Resources Committee on the 4 February 2010 and Full Council on 22 February 2010.

Working Party Members then considered the report in detail and sought clarification on the current position with regard to various schemes within the capital programme. Members were of the opinion that the capital programme should be kept as simple as possible and that only projects with expenditure that was under the Council's control, or with a reasonable probability of coming to fruition, should be programmed. Members were of the opinion that the Milton Rooms scheme should be transferred to the Capital Investment Plan - Potential Schemes category.

Resolved

- (a) That the current profile and spend on the Capital Programme be noted
- (b) That the format and content of the status report be endorsed
- (c) That the proposed revisions to the Capital Programme be endorsed and incorporated in the financial strategy for consideration by Policy & Resources Committee and Council in setting the Council's budget.

32 **EMIS**

Members considered a report, which presented for information the Executive Management Information System summary for the period ending 30 November 2009.

Resolved

That the report be noted.

33 **Budget 2010/11**

The Corporate Director (s151) gave a presentation on the 2010/2011 Budget. The format of the presentation was similar to that which was to be given at the Member Briefing on the 20 January 2010.

The purpose of the presentation was to outline the Council's financial position, the pressures on the budget and the efficiency and savings proposals.

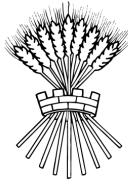
The Council had a budget of £8.28m for 2010/2011, based on a 0% increase in Council Tax, and a government grant of £4.520m. Further assumptions were general inflation at 0%, pay inflation of 1% and an increase in fees and charges of 4%. In addition, the Corporate Director (s151) reported on the unavoidable growth pressures for 2010/2011, the budget assumptions for 2011/2012, savings proposals, income generation and investment in priorities.

A low-key approach had been adopted in respect of Council Tax consultation for 2010/2011 with more consultation planned for the 2011/2012 budget process.

The next steps were to finalise the proposals. The Financial Strategy was to be presented to Policy & Resources at the special budget meeting on 4 February 2010 and Full Council on 22 February 2010.

The Corporate Director reported for information on the likely council tax increases to be set by the other North Yorkshire Authorities, it was anticipated that increases would be in the region of 1.5% to 3%. Members were reminded that each 1% increase in Ryedale's council tax generated £37,500. The Chief Executive reported that, as requested by Members, officers had delivered a budget based on a 0% increase. However, in the event that the Authority chose to increase council tax in line with the other North Yorkshire Authorities, balancing the 2011/2012 budget could be more manageable.

The meeting closed at 4.30 pm.



PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	1 APRIL 2010
REPORT OF THE:	SENIOR MANAGEMENT TEAM
TITLE OF REPORT:	AIMS 5 PERFORMANCE AND FINANCE
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To present for comment the performance and finance reports for Council Aims 5.
- 1.2 To inform Members of progress made against the Council's agreed aims and strategic objectives, as agreed by members in the Council Plan 2009/13.
- 1.3 To present the refreshed Council Plan for 2010 –13 to Members.

2.0 RECOMMENDATIONS

- 2.1 It is recommended that:
 - (i) Members endorse the performance and finance report and agree any amendments to policy or further action required to improve performance; and
 - (ii) That Members note the revisions to the Council Plan for 2010 –13.

3.0 SIGNIFICANT RISKS

- 3.1 The significant risks associated with the delivery of the Council Plan are identified in and managed through the Corporate Risk Register. A summary of the current status of the Corporate Risk Register is attached to the report at Annex A.
- 3.2 Any risk has been identified and any mitigation planned for in the Council's Corporate Risk Management Plan and the Service Risk Plans. These plans will be scrutinised by the Overview and Scrutiny Committee.

REPORT

4.0 DETAILS

- 4.1 The Council adopted the Council Plan for 2009-13 in March 2009. The Financial

Strategy was agreed in February 2009. The document attached at Annex B provides a progress report on the delivery of the Council Plan to the end of February 2010 in terms of actions delivered and performance levels achieved against aim 5 and a review of the financial implications to date.

4.2 This report includes performance and finance information for aim 5 which falls within the terms of reference of this committee.

4.3 Performance against the other 4 aims:

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; and

Aim 4 To help residents to achieve a healthy weight by encouraging an active lifestyle, in communities where everyone feels welcome and safe

Has been reported to Community Services Committee in March 2010.

4.4 Attached at Annex C is the refreshed Council Plan for 2010 –13. The significant amendments to the Council Plan adopted in 2009 are as follows:

Service Priorities:

Removed

- Empty properties brought back into use – low impact in terms of numbers therefore remains service priority for Housing but not for Council Plan.
- Pitt review service priority – successfully delivered

Additional

- Improving the condition of the housing stock in the district
- Enable independent living for vulnerable people
- Help to create better places with better homes, more choice and fair access
- Supporting the development of sites added to identifying sufficient sites
- Strengthening the role of market towns as retail and service centres, aligning with the LDF policy
- Supporting diversity in the local economy
- Help to create better places with better jobs, more choice and fair access
- Securing continuous improvement against the Council's Corporate Governance Framework
- Achieving Value for Money in all the Council's activities

Performance Management Framework:

The major amendment to the PMF for 2010/11 is the inclusion of figures for performance in 2008/9 and targets for 2009/10 and 2010/11

Indicators Removed

- NI 180 The number of changes of circumstances which affect customers' HB/CTB entitlement within the year (per 1000 caseload) has been deleted from the National Indicator set due to due to issues over integrity of data at a national level.

Additional Indicators

Local indicators have been developed for a number of the Council priorities to compliment the National Indicators. These include:

- Net additional homes - permissions granted
- Number of affordable units delivered on rural exception sites
- Number of homes approved to Lifetime Standards
- Elementary Occupations
- Growth in knowledge industries sectors
- Gross Value Added

- Additional land (Ha) permissions granted – employment
- Additional land (Sq m gross) permissions granted – retail space
- Levels of Skills for Life – Literacy and Numeracy

Financial Implications

These have been revised and are included for the next four years.

5.0 NEXT STEPS

5.1 The table below details the schedule of the performance reports to be presented to members throughout the year and links to the corporate planning framework.

Schedule of Performance Reports 2010/11			
Date	Committee	Report	Links to Corporate Planning Framework
June 10	Community Services	Council Plan Aims 1,2,3 & 4 Performance and Finance Report	Setting the scene and progress to end of May 2010
June 10	Policy & Resources	Council Plan Aim 5 Performance and Finance Report	
July 10	Overview & Scrutiny	Annual Report	Review of delivery and achievements to March 2010
July 10	Community Services	Annual Report	
July 10	Policy & Resources	Annual Report	
Sept 10	Community Services	Council Plan Aims 1,2,3 & 4 Performance and Finance	Progress to end of August 2010, informing budget process and service delivery plan revision
Oct 10	Policy & Resources	Council Plan Aim 5 Performance and Finance Report	
Nov 10	Community Services	Council Plan Aim 1,2,3,4 Performance and Finance	Progress to end of October 2010
Dec 10	Policy & Resources	Council Plan Aim 5 Performance and Finance Report	
25 Mar 10	Community Services	Council Plan Aim 1,2,3,4 Performance and Finance	Council Plan - revised delivery detail for 2010/11
01 Apr 10	Policy & Resources	Council Plan Aim 5 Performance and Finance Report	

Clare Slater
Head of Transformation

Authors:

Julian Rudd	Head of Economy & Housing
Phil Long	Head of Environment
Louise Sandall	Head of Organisational Development
Gary Housden	Head of Planning
Clare Slater	Head of Transformation
Trevor Anderson	Finance and Revenues Services Manager
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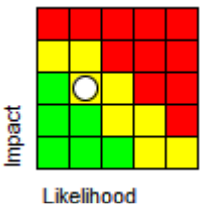
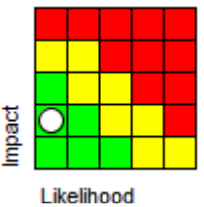
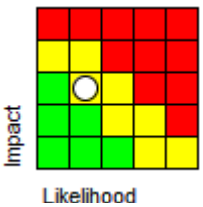
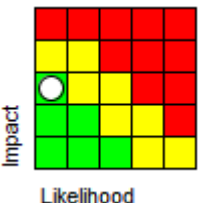
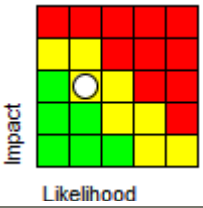
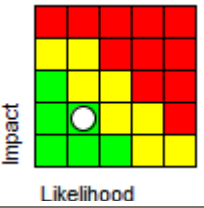
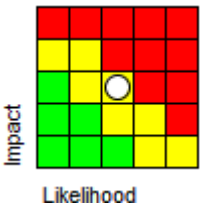
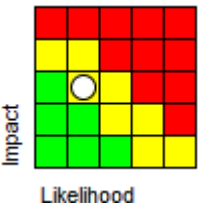
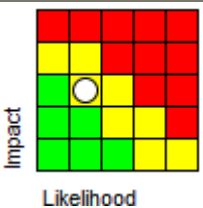
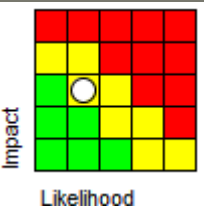
Background Papers:

Financial Strategy 2009 –13
Previous Performance and Finance Reports
Previous Housing Performance Reports
Service delivery plans and service risk registers available on Covalent
Corporate Risk Register available on Covalent

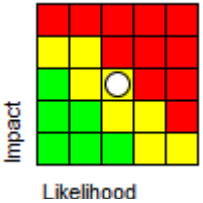
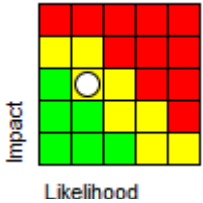
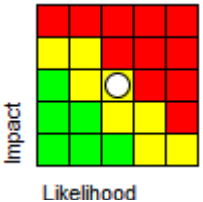
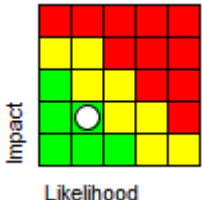
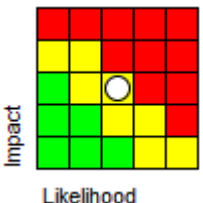
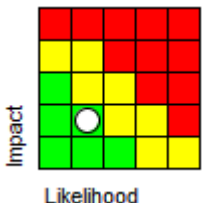
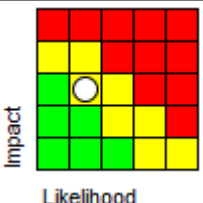
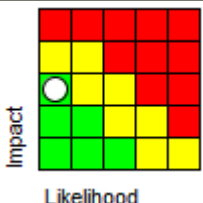
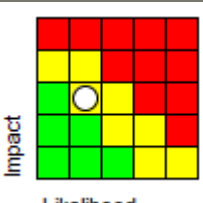
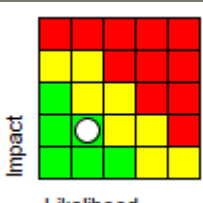
Background Papers are available for inspection at:

www.ryedale.gov.uk
[Covalent](#)

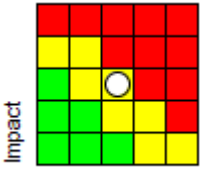
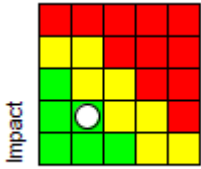

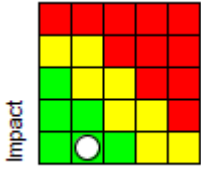

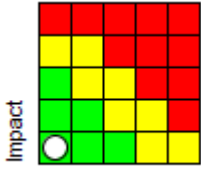
CORPORATE RISK MATRIX – ANNEX A





Code	Issue/Risk	Consequences if allowed to happen	Likelihood & Impact	Mitigation	Likelihood & Impact
CRR 01	Significant Partnerships	Financial cost to the Council through partnership failure, breach of legislation by partnership with consequences for Council and its reputation, levels of service satisfaction and quality fall below acceptable levels.	 <p>Likelihood</p>	Partnership Protocol	 <p>Likelihood</p>
CRR 02	Capital Programme	Failure to deliver the Council priorities	 <p>Likelihood</p>	Monitor schemes in the capital programme against staff resources. Deliver capital schemes contained in Capital Programme	 <p>Likelihood</p>
CRR 03	Staff Management	Decline in employee performance and delivery	 <p>Likelihood</p>	Multi skilled workforce Develop a workforce plan	 <p>Likelihood</p>
CRR 04	External Funding	Failure to deliver Council priorities requiring major financial investment. Increased costs to RDC. Failure to regenerate the local economy. Uncompetitive service delivery. Withdrawal or failure of a service. Inability to deliver new services	 <p>Likelihood</p>		 <p>Likelihood</p>
CRR 05	Affordable Housing	Homelessness increases with resultant service costs. Unbalanced housing market. Negative impact on the local economy. Lack of key workers to support the needs of the community	 <p>Likelihood</p>	Review of LA Landholdings Strategic Housing Land Availability Assessment	 <p>Likelihood</p>

CORPORATE RISK MATRIX – ANNEX A

Code	Issue/Risk	Consequences if allowed to happen	Likelihood & Impact	Mitigation	Likelihood & Impact
CRR 06	Procurement	Failure to make efficiency savings. Priority projects not delivered to budget. Government penalties. Breach of legislation eg. equalities or health and safety. Damage to RDC reputation.		Officer Training - Procurement	
				Detailed guidance on procurement to be established	
CRR 07	Health and Safety	Failure to meet legislative requirements, prosecution and financial penalties incurred as a result of incident.		Health and safety officer	
CRR 08	Business Continuity Planning	Failure in continuity of service delivery. Negative impact on the most vulnerable on our communities. Damage to RDC reputation. Financial penalties and litigation		Production of Business Continuity Plan	
				Plan testing	
				Service Business Continuity Planning	
CRR 09	Governance Arrangements			Risk Management Member Training	
				AGS Improvement Plan	
				Reviewing Local Code of Corporate Governance	
				Analyse compliance with Local Code of Corporate Governance	
CRR 10	Major Incident	Impact on local communities and service continuity.		Prioritize flood risk areas and implement local catchment's of sandbags for immediate self help	

CORPORATE RISK MATRIX – ANNEX A

Code	Issue/Risk	Consequences if allowed to happen	Likelihood & Impact	Mitigation	Likelihood & Impact
CRR 11	Council Assets		 <p style="text-align: center;">Likelihood</p>	Establish term maintenance contracts with suppliers/contractors for the planned maintenance items Carry out maintenance and condition surveys for all of the Council's buildings	 <p style="text-align: center;">Likelihood</p>
CRR 11	Customer Expectations	Include CR02	 <p style="text-align: center;">Likelihood</p>	Expand Contact Centre through remainder of RDC departments Implement & publicise customer service standards Undertake impact assessment on accessibility of services to customers Review NI14 data & sampling for 08/09 & provide feed back Implement Customer Satisfaction surveys Undertake mystery shopping Identify & Implement new satisfaction system Review Complaints procedures & where appropriate implement improvements Publicise changes to complaints procedure	 <p style="text-align: center;">Likelihood</p>
CRR 13	Fraud and Corruption	Financial loss to the Council, damage to our reputation and credibility	 <p style="text-align: center;">Likelihood</p>	Review & develop effective fraud partnership with Scarborough	 <p style="text-align: center;">Likelihood</p>

Code	Issue/Risk	Consequences if allowed to happen	Current Risk Matrix	Mitigation	Target Risk Matrix
CRR 14	Data Quality		 <p>Impact</p> <p>Likelihood</p>	<p>Review NI14 data & sampling for 08/09 & provide feed back</p> <p>Identify & implement improved data collection system and reporting</p> <p>NI Data Quality Assurance</p>	 <p>Impact</p> <p>Likelihood</p>
CRR 15	Delivering Efficiencies	Cuts to frontline services, reputational damage to the Council, possible poor outcome of external inspection.	 <p>Impact</p> <p>Likelihood</p>	<p>Deliver the Corporate efficiency programme</p> <p>Implementing Value for Money Strategy</p>	 <p>Impact</p> <p>Likelihood</p>

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Aim 5: To Transform the Council

Strategic Objective 9

To know our communities and meet their needs

Strategic Objective 10

To develop the leadership, capacity and capability to deliver future improvements

Key Performance Questions

- 17. What services are important to local people?
- 18. How accessible are our services and how well are they improving?

Key Performance Questions

- 19. How well do we demonstrate leadership?
- 20. What is our capacity and capability to deliver future improvements?

Priority Service Objectives

- 5.9.1 Through monitoring of service users and levels of customer satisfaction
- 5.9.2 To support service improvement to meet the needs of all – excellence and diversity
- 5.9.3 To develop and implement the Council Plan and the corporate planning framework
- 5.9.4 To aspire to 'A Plan for Every Parish'

Priority Service Objectives

- 5.10.1 To secure continuous improvement in the Council's decision making process
- 5.10.2 Being recognised as an employer of choice
- 5.10.3 Supporting democracy
- 5.10.4 To deliver the Corporate efficiency programme
- 5.10.5 To build our capacity to deliver through collaboration and working in partnership

Aim 5: To Transform the Council

Strategic Objective 9

To know our communities and meet their needs

Performance Narrative:

Place Survey:

The results of the Place survey are finally available and the full report on the Ryedale area survey can be found [at ryedale.gov.uk](http://at.ryedale.gov.uk). Ryedale is the top performer across all NI's when compared to our family group of local authorities. Detail of the level of performance in a range of indicators can be found in the report below and for Aims 1-4 as reported to [Community Services](#).

The Place Survey is scheduled to be repeated every two years and so officers anticipate commissioning this survey again for 2010/11 and that it will again take place between September and December.

Community Engagement:

Each of the councils in North Yorkshire are to pursue the development of their own citizens panel as this has been found to be the most cost effective.

The Transformation Team are in the process of procuring the recruitment of a panel of 1100 members of the Ryedale community. The citizens panel will compliment the full range of community engagement activity undertaken by the Council and with partners. The Ryedale Community Engagement Strategy has been refreshed for 2010-13 and is available to view on the ryedale.gov.uk. The Community Engagement pages of the Councils intranet have been developed to encourage the sharing of outcomes from Community Engagement activity.

Parish Liaison:

An agreement has been negotiated on behalf of all North Yorkshire Local Authorities to work with the Yorkshire Local Councils Association in developing parish liaison activity and performance managing this relationship. Parish Liaison meetings have now been included in the Councils timetable of meetings and are scheduled to take place in May and November this year. These meetings will include a senior officer and executive member from North Yorkshire County Council.

Comprehensive Area Assessment:

Ryedale District Council was assessed under the CAA framework as performing adequately in 2008/9. The assessment for Use of Resources and Managing Performance is currently being undertaken for 2009/10 and the results will be published in December 2010. The Council is aiming to achieve an assessment of 'Performing Well' for 2009/10.

Aim 5: To Transform the Council

Strategic Objective 10

To develop the leadership, capacity and capability to deliver future improvements

Performance Narrative:

Investors in People:

The internal review team has completed all their assessment. The overall result from these interviews is that we are achieving all indicators with some further work identified on one indicator. An action plan has been produced to ensure that we continue to achieve in all indicators and this has been released to all staff.

Supporting Democracy:

Phase 2 of the Modern.gov committee management system, which entails submitting Forward Plan items and Committee reports on the system, has now been implemented. Preparations are well underway for the general election, with a project plan fully developed and a test election having been completed on the new Eros software, and the address data matching exercise, a legal requirement to match the electoral register addresses to those on the National Land and Property Gazetteer, has been completed.

Efficiency Programme:

Following the adoption of a Value for Money Strategy by the Council in June 2009, the VFM working group has developed a service review schedule with the aim of achieving best value for our communities. The Transformation Team now includes the Project Manager (Transformation) following the appointment of Joe McGill. The top priority is to accelerate the delivery of the efficiency savings programmed for the Administrative Systems Review, whilst working on the development of the project to implement EDM and Workflow to achieve further efficiency savings through process redesign and investment in the Councils infrastructure.

Future Capacity:

The requirement to save one million pounds by 2011/12 has led to the development of a change programme for Ryedale District Council One-11. This delivery of this will be managed through covalent.

Aim 5 To Transform the Council Strategic Objective 09. To know our communities and meet their needs

Key Performance Question 17. What services are important to local people?

Covalent Reference	Indicator	Last Update	Current Value	2008/09		Latest Note	Current Position	Short Term Trend Arrow	Long Term Trend Arrow	Status	SMT Lead
				Value	Target						
TT 4	Top priorities for local people	2008/09	0	0		Place Survey 2008-09 1. Affordable decent housing 2. Public Transport 3. Shopping facilities 4. Job prospects 5. Road/pavement repairs 6. Activities for teenagers 7. Traffic congestion 8. Wage levels/cost of living	These priorities have been reflected in the new Council Plan priorities.				Clare Slater

Key Performance Question 18. How accessible are our services and how well are they improving?

Covalent Reference	Indicator	Last Update	Current Value	2008/09		Latest Note	Current Position	Short Term Trend Arrow	Long Term Trend Arrow	Status	SMT Lead
				Value	Target						
TT 5	Equality Standard for Local Government (was BV2a)	2008/09	Level 2	Level 2	Level 3	Following Equality Audit undertaken in 2008 - target adjusted to be realistic.	Working towards 'achieving' level of the new Equality Framework for Local Government				Clare Slater
CB LAA 41	% of population within 5 miles of a Joint Access Centre	Q3 2009/10	77.1	68.3			2009/10 target for the NYLAA2 has been met.				Paul Cresswell

Aim 5 To Transform the Council Strategic Objective 09. To know our communities and meet their needs

Service Objective 5.9.1. Through monitoring of service users and levels of customer satisfaction

Covalent Reference	Priority Action	Progress	Latest Note	Latest Note Date	SMT Lead
SDP TT 0913 06	Service Equality Monitoring	<div style="width: 50%;"><div style="background-color: #4F81BD; width: 50%;"></div></div> 50%	Corporate Equality Monitoring now being undertaken across services. Excellent response received through the LDF exhibitions. Complaints and compliments being managed through Covalent and analysed by equality group to identify any patterns.	22 Mar 2010	Clare Slater

Service Objective 5.9.2. To support service improvement to meet the needs of all – excellence and diversity

Covalent Reference	Priority Action	Progress	Latest Note	Latest Note Date	SMT Lead
SDP TT 0913 07	Engaging seldom heard groups	<div style="width: 14%;"><div style="background-color: #4F81BD; width: 14%;"></div></div> 14%	Next series of workshops to be arranged and linked to development of equalities policy and to the budget consultation for 2010. Discussions underway with Ryedale Equalities Forum	22 Mar 2010	Clare Slater

Service Objective 5.9.3. To develop and implement the Council Plan and the corporate planning framework

Covalent Reference	Priority Action	Progress	Latest Note	Latest Note Date	SMT Lead
SDP TT 0913 37	CAA self assessment - area and organisational	<div style="width: 100%;"><div style="background-color: #4F81BD; width: 100%;"></div></div> 100%	RDC assessed as 'adequate'. Target to achieve 'performing well' for 2009/10 assessments.	22 Mar 2010	Clare Slater

Service Objective 5.9.4. To aspire to 'A Plan for Every Parish'

Covalent Reference	Priority Action	Progress	Latest Note	Latest Note Date	SMT Lead
RSP CE 06	A Plan for Every Parish	<div style="width: 77%;"><div style="background-color: #4F81BD; width: 77%;"></div></div> 77%	The Council has in partnership with the RSP developed a comprehensive programme of Community Led Planning. This has been geographically focused and is currently taking place in the Howardian Hills AONB. The vision for this programme is of 'A Plan for Every Parish'. Ryedale has 99 parishes of which 5 are Town Councils, 63 Parish Councils and 31 Parish Meetings. A total of 51 community led plans have been published of which parish plans have been published for 39 of our 63 parish councils and 7 by parish meetings. The total coverage of our community led planning activity has so far been that 77% of the total population of Ryedale have had access to a community planning project, with average response rates being 80%. This body of plans therefore represents an extensive evidence base with which the council and its partners can inform their corporate, financial planning and service level activities and decision making. Similarly they have been used to help partner organisations to work together on issues which are shared by a number of communities and need a number of partners to actually make progress.	22 Mar 2010	Julian Rudd

Aim 5 to Transform the Council Strategic Objective 10. To develop the leadership, capacity and capability to deliver future improvements

Key Performance Question 19. How well do we demonstrate leadership?

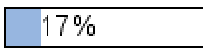
Covalent Reference	Indicator	Last Update	Current Value	2008/09		Latest Note	Current Position	Short Term Trend Arrow	Long Term Trend Arrow	Status	SMT Lead
				Value	Target						
NI 4	% of adults surveyed who feel they can influence decisions affecting their local area	2008/09	30.9%	30.9%		National results released – Ryedale best quartile for this indicator. Ranked 85th out of 354 authorities.					Clare Slater
NI 3 LAA	Civic participation in the local area	2008/09	18.1%	18.1%		National results released – Ryedale top quartile for this indicator Ranked 33rd best out of 354 authorities. Ryedale Baseline 18.1%					Louise Sandall

Key Performance Question 20. What is our capacity and capability to deliver future improvements?


Covalent Reference	Indicator	Last Update	Current Value	2008/09		Latest Note	Current Position	Short Term Trend Arrow	Long Term Trend Arrow	Status	SMT Lead
				Value	Target						
NI 14	Avoidable contact: the proportion of customer contact that is of low or no value to the customer	2008/09	10.7%	10.7%		Survey undertaken in February 2010 utilizing Cmetrix software. All services included for 2010	Survey results to be analysed and action plan developed for improving access to services - right first time every time.				Clare Slater
NI 179	Value for money – total net value of ongoing cash-releasing value for money gains that have impacted since start of 08-09 financial year(forecast Oct, actual March)	H1 2009/10	£501000	£164791	£306000	2008-09 new savings = £165,000, 2009-10 on-going savings = £166,000, 2009-10 new savings = £170,000	Mid-year cumulative efficiency gains for 2009-10 entered onto national data hub in October 2009.				Trevor Anderson

Aim 5 to Transform the Council Strategic Objective 10. To develop the leadership, capacity and capability to deliver future improvements


Service Objective 5.10.1. To secure continuous improvement in the Council's decision making process

Covalent Reference	Priority Action	Progress	Latest Note	Latest Note Date	SMT Lead
SDP LS 0913 03	To evaluate the effectiveness of the implementation of the Constitution Review	 17%	Half way through scoping evaluation criteria.	21 Sep 2009	Anthony Winship

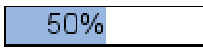


Service Objective 5.10.2. Being recognised as an employer of choice

Covalent Reference	Priority Action	Progress	Latest Note	Latest Note Date	SMT Lead
SDP OD 0913 01	Formulate an action plan for maintaining IIP accreditation	 90%	Assessor Meeting held, all assessors updated CPD Log, IIP awareness meetings held Feb 2010 and IIP Action Pages on intranet ready for assessment.	08 Mar 2010	Louise Sandall



Service Objective 5.10.3. Supporting democracy

Covalent Reference	Priority Action	Progress	Latest Note	Latest Note Date	SMT Lead
SDP OD 0913 12	Complete project plan and delivery of European and County Council election	 100%	Ryedale met or exceeded all but one of the Electoral Commission's performance standards and further work has now been undertaken to address the outstanding standard. The Electoral Commission visited in August to verify our self-assessment and were very impressed by how the elections had been run and the corporate approach to this.	14 Sep 2009	Louise Sandall

Service Objective 5.10.4. To deliver the Corporate efficiency programme

Covalent Reference	Priority Action	Progress	Latest Note	Latest Note Date	SMT Lead
SDP D 0913	Deliver the Corporate efficiency programme	 50%	Considered by members of Resources Working Party on 17/06/09.	12 Jun 2009	Paul Cresswell
SDP TT 0913 31	Business Improvement Programme	 50%	To be developed as a priority by the Project Manager (Transformation) who is now in post. Programme to be linked to VFM strategy and Corporate Efficiency Programme. Priority projects - Admin systems review, Grants administration review and Accessing Council Services. Priority service reviews identified and being undertaken, led by Heads of Service. Delivery of admin review linked to implementation of EDM and workflow project.	22 Mar 2010	Clare Slater
SDP TT 0913 34	Value for Money	 50%	Implementation of the VFM strategy now underway being led by the Transformation Team. VFM reviews being undertaken Heads of Services.	19 Nov 2009	Clare Slater

Service Objective 5.10.5. To build our capacity to deliver through collaboration and working in partnership

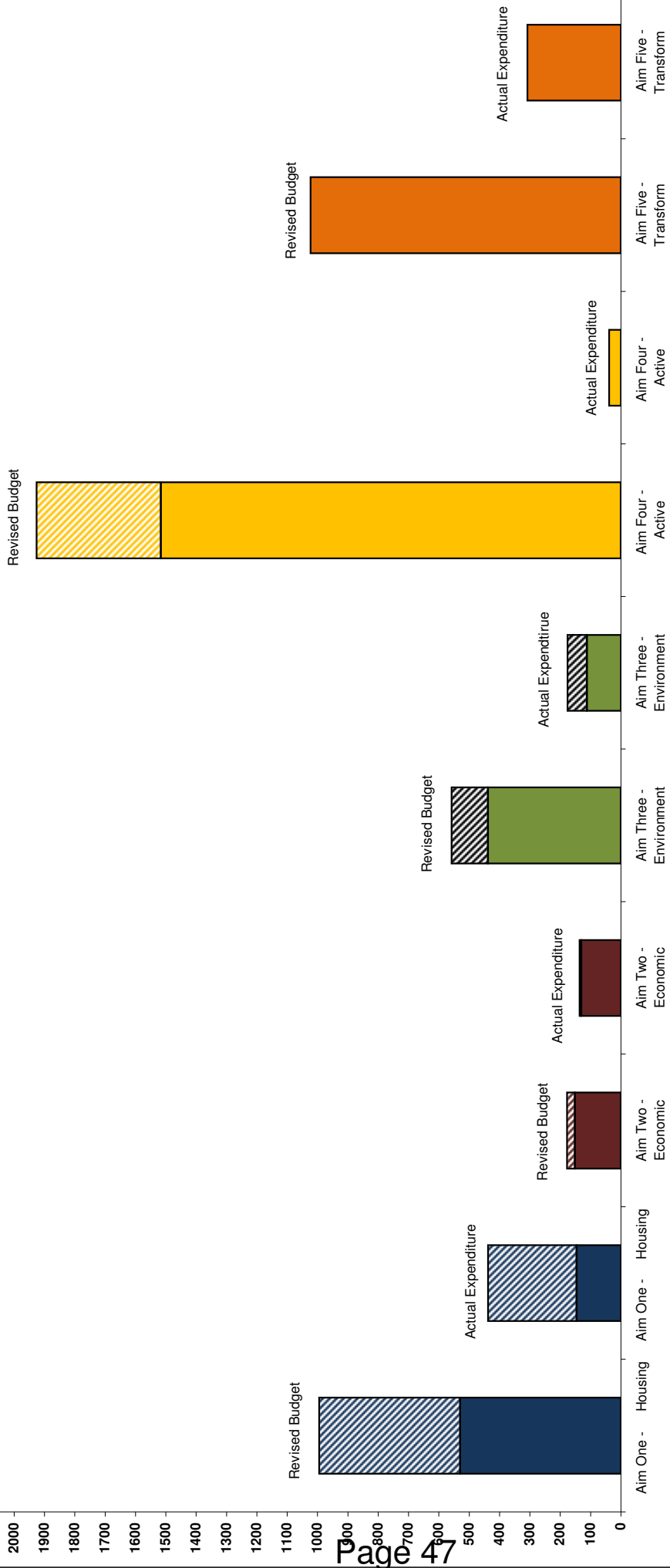
Covalent Reference	Priority Action	Progress	Latest Note	Latest Note Date	SMT Lead
SDP TT 0913 42	Shared Services	 100%	Procurement partnership with Scarborough BC. New fraud partnership arrangements in place.	22 Mar 2010	Clare Slater
SDP TT 0913 43	Partnership Protocol	 100%	Audit of partnerships completed, register held in SMT shared folder, all partnerships scored for significance, new arrangements for those identified as 'significant partnerships' in line with partnership protocol, presented to O and S February 2010.	04 Feb 2010	Clare Slater

COUNCIL PLAN PRIORITIES FINANCE REPORT

CAPITAL EXPENDITURE INVESTED IN COUNCIL PRIORITIES 2009/10

TOTAL REVISED BUDGET FOR YEAR = £4,680,000 ; TOTAL ACTUAL TO 28 FEBRUARY 2010 = £1,097,000

Externally Funded
 Ryedale Funded



COUNCIL PRIORITIES:

- Aim One** - To meet housing needs in the Ryedale Area.
- Aim Two** - To create the conditions for economic success.
- Aim Three** - To have a high quality, clean and sustainable environment.
- Aim Four** - To have active communities where everyone feels welcome and safe.
- Aim Five** - To transform Ryedale District Council.

COUNCIL PRIORITIES CAPITAL SCHEMES:

- Housing Needs** - Affordable Housing Initiatives, Disabled Facilities Grant and Mortgage Rescue Scheme.
- Economic Success** - Malton Town Centre Physical Improvement Works, Market Improvements and A64 Improvements.
- Quality Environment** - Energy Efficiency Improvements to Council Property, Conservation Area Partnership Scheme and Environmental Improvements, Norton.
- Active Safe Communities** - Dry Sports Centre Malton School, Ryedale Pool Air Handling Unit, Derwent Pool Remodel Reception, Ryedale Folk Museum, Milton Rooms, Wall Repairs to Land at Castlegate, Malton, Recreational Open Spaces, Castle Gardens and Former Town Hall - Roof Repairs & Stonework.
- Transformation** - ICT Strategy, Car Parks Major Repairs, Public Conveniences Refurbishment, Major Repair & Replacement Programme, Property Condition Survey and Ryedale House Public Areas.

PERIOD 1 APRIL TO 28 FEBRUARY 2010

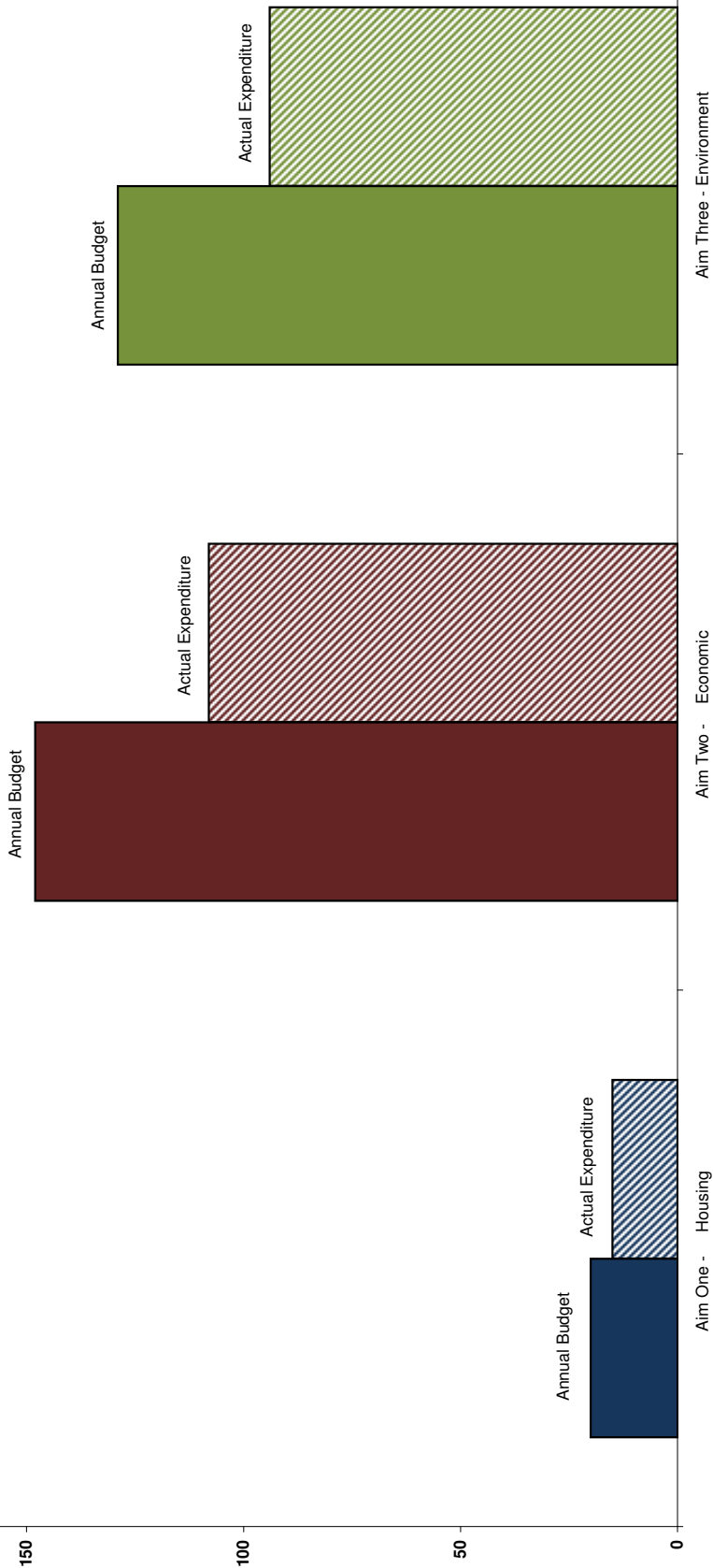
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COUNCIL PLAN PRIORITIES FINANCE REPORT

ADDITIONAL REVENUE EXPENDITURE ON COUNCIL PRIORITIES 2009/10

TOTAL BUDGET FOR YEAR = £297,000 ; TOTAL ACTUAL TO 28 FEBRUARY 2010 = £217,000

£000's
200



COUNCIL PRIORITIES:

- Aim One** - To meet housing needs in the Ryecdale Area.
- Aim Two** - To create the conditions for economic success.
- Aim Three** - To have a high quality, clean and sustainable environment.

ADDITIONAL REVENUE EXPENDITURE ON COUNCIL PRIORITIES:

- Housing Needs** - Additional funding towards a Rural Housing Enabler.
- Economic Success** - New Business Grant Scheme and Business Liaison.
- Quality Environment** - Extra funding to deliver the Local Development Framework early.

PERIOD 1 APRIL TO 28 FEBRUARY 2010

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RYEDALE
DISTRICT
COUNCIL



**Council Plan
2009 - 2013**

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Introduction

Welcome to Ryedale District Council's Corporate Plan – The Council Plan 2009-13. This Plan is intended to explain to members of the public, to councillors, to partner organisations and to our staff what the priorities of the Council are for the next four years. We want our customers to have a clear understanding of the issues that this Council believes are most important for the next four years. The Council has linked the planning for its resources to the priorities in this document and has involved a wide range of people in its development. We want to focus our effort on those things that will make the difference to the lives of people in Ryedale's communities, targeting resources for those in greatest need.

This plan contains the vision of the Council and is complimented by detailed delivery plans. It frames the Council's contribution towards the achievement of the shared targets of the North Yorkshire Local Area Agreement and of the vision for sustainable communities in Ryedale in 2013 – Imagine Ryedale...

We will continue to engage our diverse communities in the achievement of the ambitions contained in this plan making sure we are working together with all of our partners to achieve a better quality of life for all.

The Council Plan includes 5 Priorities that will guide the Council as it plans and delivers services for the people of Ryedale district over the next four years. Detailed Service Delivery Plans have been developed in line with the Council priorities and include actions and specific performance improvement targets.

We will publish an Annual Report each July which will set out how well we are delivering against the commitments made in the Council Plan, and to allow us to respond to any new challenges or stakeholder feedback. Delivering the priorities will be the responsibility of the Council's Senior Management Team, who will monitor progress and publish regular reports.

Why have we chosen these priorities?

Housing Need

In Ryedale there is an imbalance between market house prices and the amount that many local people can afford to pay for a home. The housing affordability 'gap' in Ryedale is one the worst in the country. This is a result of low wage levels and high house prices . Ryedale has an increasingly ageing population and as people get older their housing needs often change, with an increased level of support from services and access to specialised housing provision. People want to live in Ryedale and believe it is a good place to live where they can enjoy a high quality of life.

Affordable housing includes social rented and intermediate housing provided to specified eligible households whose needs are not met in the market.

Economic Success

The Ryedale economy is currently over reliant on traditional industries that are associated with low pay. There is a need to strengthen and diversify Ryedale's economy. The conditions need to be created in Ryedale to support the development of opportunities within sectors that are generally better paid than the current low average income levels. This would then provide opportunities for those with higher and specialist skill levels and additionally the potential to employ younger people who often choose to leave the area to access better opportunities. Ryedale continues to experience one of the largest affordability gaps between average income and house price in the Country.

Environment

A striking characteristic of Ryedale is the outstanding quality of its countryside, villages and market towns. This is reflected in the designation of the North York Moors National Park and the Howardian Hills Area of Outstanding Natural Beauty. The finest examples of historic buildings and features in Ryedale are legally protected; there are 46 conservation areas, more than 2,000 listed buildings, 440 scheduled ancient monuments and eight registered historic parks and gardens. Ryedale District is very sparsely populated relative to the rest of England, being ranked 7th, with over half of the population living in villages, hamlets and isolated dwellings. Ryedale possesses a very high quality environment and we intend to maintain this in future years.

Active Safe Communities

Ryedale has a network of community facilities for recreation and leisure activities which are all owned and managed by local communities for their own use, and that of other residents and visitors. The council supports existing and new facilities through a programme of grant aid.

The health of people in Ryedale is generally better than the average in England. The health of children and young people is generally in line with the average for England, apart from the percentage of children classified as obese, which is higher than average for schoolchildren in reception year. Ryedale has a lower rate of people claiming incapacity benefits for mental illness and a lower rate of hospital stays related to alcohol compared with the England averages. However, it remains the area with the highest rate for road injuries and deaths in England.

Ryedale has one of the lowest crime rates in the country and much work is undertaken to maintain this level and to try and gain improvements. The priorities for Safer Ryedale – the Community Safety Partnership are safer roads, reducing levels of domestic violence and targeting all behaviour that is detrimental to the community and reduces the quality of life for people. Examples of such problems include burglary, criminal damage, and youth related behaviour, anti social behaviour alcohol and substance misuse.

Transformation

We need to ensure that we understand our communities and deliver improvement in the areas which will make the greatest difference in the quality of life of people in our communities. We need also to target our resources on those who are in the greatest need, whilst ensuring that we deliver high quality services which represent good value for money for the taxpayer. Because of the rural nature of Ryedale inequality and disadvantage can occur in small pockets within any community. We need therefore to be innovative in the way we engage our communities. Ryedale is fully parished and levels of turn out at elections is consistently high, we will continue to support local democracy and encourage participation in civic life.

What did our communities say?

The Place Survey 2008

In response to the place survey, a questionnaire completed by over 1300 residents, it became clear that of those things for which the Council has direct responsibility or influence, affordable decent housing, shopping facilities and job prospects, clean streets, wage levels and the cost of living were identified as the things most needing improving.

Raising our Game

When we asked a range of people, including adults with learning disabilities, people with caring responsibilities, older people and younger people, they told us that affordable housing and choice of housing was a priority for the area. People acknowledged that in order to be able to access housing they needed decent employment. People also wanted to shop locally but the market towns, particularly Malton need to be rejuvenated and the range of shops improved. Older people prioritised being part of a community and accessibility of local facilities and services most highly. Adults with learning disabilities would like more choice and access to independent living with some support services particularly advocacy support. Younger people were concerned about future housing options and job prospects and whilst acknowledging their concerns for the environment felt that this was a national issue upon which we could make some impact locally through individual action. They would like more opportunities for social activities and help to access these. All groups wanted us to improve our communications, to make information clear and to the point. This would help everyone in our communities to access our services and ensure they are receiving all those services for which they are the intended beneficiary and benefits to which they are entitled. This would also help to improve the accessibility of a wider range of services. Ryedale Parish Councils prioritised Housing and Economy and also requested more clarity in council communications. The full report on our community engagement can be found on the Council website and is entitled 'Raising Our Game'.

A Plan for Every Parish

The issues raised most frequently in Parish Plans are traffic and road safety, improvements and maintenance of the local Environment, community facilities and communication

'If you live in the outlying villages life gets more difficult than in the towns as you get older'.

Ryedale Carers

'Employment opens the door'

'Housing and jobs are linked and then community comes from these'

Adults with Learning Disabilities

'This group feels well housed already but need community'

Older People

'Economy and Housing need more resource as they are currently under threat'

Special Families

We have undertaken a wide ranging and inclusive programme of community engagement in identifying our priorities for the next 4 years, as well as revisiting our earlier engagement activity. We will review our plan every year and will check with our communities that we are delivering our commitments and that they are making a difference.

Imagine Ryedale...

The vision of local people for Ryedale in 2013 is of a place

Vibrant Communities

with vibrant communities where everyone is respected; where all generations have opportunities to express themselves; where diversity is welcomed and encouraged.

Strong Safe Communities

that is home to welcoming and familiar neighbourhoods, where people and friendships are valued. Community spirit is strong, underpinned by security and safety. There is mutual trust between local people and the organisations that exist to help, support and serve them.

Access and Communication

where it is easy to access any part of Ryedale, and all other places, for work and play. Communication is dealt with in flexible and innovative ways.

Health and wellbeing

where people enjoy life, work and leisure at their own pace. Freed from stress, they can take care of themselves and others.

Landscape and Environment

which is a cherished mixture of towns, villages and landscapes. It is a peaceful sanctuary, not crowded or polluted.

Developing Opportunities

Where everyone is involved in and can influence planning for the community; the places where they live and work; increasing opportunities to meet, learn and have fun.

The Council shares this vision with the communities of Ryedale and is working with partners from the public private and voluntary and community sectors to make this vision a reality.

The Councils vision for Ryedale is of a place

where all residents can enjoy a good quality of life, with strong, prosperous and welcoming communities

The Mission of the Council is

working with you to make a difference

Aim 1: To meet housing needs in the Ryedale District Council area

Strategic Objective 1:

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

Strategic Objective 2:

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

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

And our priority activities will include:

- Identifying sufficient housing sites to meet anticipated future needs
- Enabling the development of additional affordable and specialist homes
- Providing a range of housing advice and support to address local housing needs and prevent homelessness
- Assisting households facing mortgage difficulties
- Reducing fuel poverty particularly for vulnerable households
- Improving the condition of the housing stock in the district
- Enable independent living for vulnerable people
- Help to create better places with better homes, more choice and fair access

Council Priorities 2009-13

Aim 2: To create the conditions for economic success in Ryedale

Strategic Objective 3:

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

Strategic Objective 4:

Opportunity for people – increasing wage and skills levels

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

Our priority activities will include:

- Identify and support the development of sufficient sites for industrial, business and retail use, in sustainable locations
- Strengthen the role of the market towns as a retail and service centres
- Improving the vitality of Malton and Norton and establishing it as Ryedale's Rural Capital
- Improve the physical infrastructure to enhance economic and environmental wellbeing
- Supporting the needs of local businesses in a changing economic climate
- Helping people to acquire skills and knowledge to access employment opportunities
- Support diversity of the local economy into higher value added sectors and improve links to science city, York
- Help to create better places with better jobs, more choice and fair access

Council Priorities 2009-13

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

Strategic Objective 5:
Reducing waste and CO2
emissions

Strategic Objective 6:
Planning to adapt to climate
change

Strategic Objective 7:
To maintain the quality of our
local environment

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

Our priority activities will include:

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

Council Priorities 2009-13

Aim 4: To help all residents to achieve a healthy weight by encouraging an active lifestyle, in communities where everyone feels welcome and safe

Strategic Objective 8:
Safe and Healthy Villages and Towns

We want to encourage active lifestyles in communities where everyone feels welcome and safe and will achieve this through our support for safe and healthy villages and towns

Our priority activities will include:

- Minimising the effects of crime and anti-social behaviour on communities within Ryedale
- Improving perceptions of local crime levels.
- Developing a vision towards the legacy of the 2012 Olympics
- Working to increase participation in and satisfaction with the sport, active recreation
- Improving the cultural offer in Ryedale

Council Priorities 2009-13

Aim 5: To transform Ryedale District Council

Strategic Objective 9:

To know our communities and meet their needs

Strategic Objective 10:

To develop the leadership, capacity and capability to deliver future improvements

We want to transform Ryedale District Council to ensuring we understand our communities and that their needs are met.

We will achieve this by delivering outcomes that are important to local people and developing the leadership, capacity and capability of the Council to deliver improvements in priority areas.

Our priority activities will include:

- Monitoring of service users and levels of customer satisfaction
- Supporting service improvement to meet the needs of all – excellence and diversity
- Achieving the vision of ‘A Plan for Every Parish’
- Being recognised as an employer of choice
- Promoting and supporting democracy, encouraging participation in civic life
- Delivering the Councils’ Efficiency Programme.
- Building our capacity to deliver through collaboration and working in partnership
- Secure continuous improvement against the Councils Corporate Governance Framework
- Achievement of value for money in all the councils activities

Council Aim	Aim 1: Housing Need To meet housing need in the Ryedale District Council area					
Strategic Objectives	1. To change and add to housing stock to meet the local housing needs			2. To support people to access a suitable home or remain in an existing home		
Key Performance Questions	How well are we meeting local housing need?	What is our housing stock profile?		How well are we preventing homelessness ?	How well are we supporting people?	
Council Aim	Aim 2: Economic Success To create the conditions for economic success					
Strategic Objectives	3. Place of opportunity – economic structure and supporting infrastructure			4. Opportunity for people – increasing wage and skills levels		
Key Performance Questions	How is the sectoral mix of the Ryedale economy changing?	What infrastructure is in place to support economic success?		How well are household incomes increasing?	To what extent are local skills meeting the employment need?	
Council Aim	Aim 3: High Quality Environment To have a high quality, clean and sustainable environment.					
Strategic Objectives	5. Reducing waste and CO2 emissions		6. Planning to adapt to climate change		7. To maintain the quality of our local environment	
Key Performance Questions	To what extent are we reducing the waste sent to landfill?	To what extent are CO2 levels reducing?	How well are we planning to adapt to climate change?	What development is coming forward and is it in the right areas?	How well is the Ryedale environment being maintained?	To what extent is civic pride increasing?
Council Aim	Aim 4: Active Safe Communities To help all residents to achieve a healthy weight by encouraging an active lifestyle, in communities where everyone feels welcome and safe					
Strategic Objectives	8. Safe and Healthy Villages and Towns					
Key Performance Questions	How well are we encouraging active lifestyles?			How welcome and safe do people feel in our communities?		
Council Aim	Aim 5: To Transform the Council					
Strategic Objectives	9. To understand our communities and meet their needs			10. To develop the leadership, capacity and capability to deliver future improvements		
Key Performance Questions	What services are important to local people?	How accessible are our services and how well are they improving?		How well do we demonstrate leadership?	What is our capacity and capability to deliver future improvements?	

Performance Management Framework

Council Aim 1: Housing Need

To meet housing need in the Ryedale District Council area

Strategic Objective 1:

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

Key Performance Question 1 : How well are we meeting local housing need?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 154	Net additional homes provided	96	200	200	Ryedale Local Development Scheme
LPI P	Net additional homes – permissions granted				Ryedale Local Development Scheme
NI 155	Number of affordable homes to be delivered (gross)	57	75	75	Ryedale Local Development Scheme
NI 159	Supply of ready to develop housing sites	83.2%	100%	100%	Ryedale Local Development Scheme
NY LAA L 12	Number of extra care units delivered (LAA L12)	-	Contributes to NI155 (48 to Q3)	Contributes to NI155	Ryedale Housing Strategy
NI139	Older people receive the support they need to live independently at home	41.2%	-	40+%	Ryedale Housing Strategy
LPI P	% of affordable homes on sites	40	40	40	Ryedale Local Development Scheme
LPI H	Number of affordable units delivered on rural exception sites	-	10+	10+	Ryedale Housing Strategy

Key Performance Question 2 : What is our housing stock profile?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 154	Net additional homes provided	96	200	200	Ryedale Local Development Scheme

NI 155	Number of affordable homes to be delivered (gross)	57	75 (62 to Q3)	75	Ryedale Local Development Scheme
NY LAA L 12	Number of extra care units delivered (LAA L12)	-	(48 to Q3)		Ryedale Housing Strategy
LPI H	Number of Homeless Preventions achieved per year				Ryedale Housing Strategy
NI156	Number of homeless in temporary accommodation	16	(13 in Q3)		Ryedale Housing Strategy
LPI H	% of households meeting the decent homes standard				Ryedale Housing Strategy
LPI H	Grant requests for adaptations and social services referrals				Ryedale Housing Strategy
LPI P	Number of homes approved to lifetime standards				Ryedale Local Development Scheme

Council Aim 1: Housing Need

To meet housing need in the Ryedale District Council area

Strategic Objective 2:

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

Key Performance Question 3 : How well are we preventing homelessness through advice and proactive intervention?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
LPI HS1	% of decisions on homeless applications made within 33 days	100%	100%	100%	Ryedale Housing Strategy
LPI HS3	Number of Bond Guarantee/Rent in Advance schemes undertaken per year		(21 to Q3)		Ryedale Housing Strategy
LPI HS4	Number of Households through the Ryedale Lettings Scheme		(20 to Q3)		Ryedale Housing Strategy
LPI HS5	Number of Homeless Applications		(41 to Q3)		Ryedale Housing Strategy
NI 181	Time taken to process Housing Benefit and Council Tax new claims and change events	9.9 days	(10.2 to Q3)		Customer Services & Benefits SDP
LPI H	Number of Homeless Preventions achieved per year				Ryedale Housing Strategy

Key Performance Question 4 : How well are we supporting people?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 32 LAA	Repeat incidents of domestic violence	12.5%	5.5%		Safer Ryedale Delivery Plan
NI 141 LAA	Percentage of vulnerable people achieving independent living	83.3%	76% (83.3% to Q3)		Ryedale Housing Strategy

NI 156	Number of households living in temporary accommodation				NY Homelessness Strategy
HS LAA 8	Number of Proactive Interventions made per '000	237	153 (108 to Q2)		NY Homelessness Strategy
LPI HS2	Length of stay in temporary accommodation (B&B, in weeks)	2.86	4 (to Q3)	4	Ryedale Housing Strategy
NI 187a	Fuel poverty - low energy efficiency	17%	Data April		Ryedale Housing Strategy
NI 187b	Fuel poverty - high energy efficiency	29%	Data April		Ryedale Housing Strategy
LPI H	Number of homelessness presentations from under 25's				NY Homelessness Strategy

Aim 2: Economic Success

To create the conditions for economic success

Strategic Objective 3: Place of opportunity – to have the sites and premises, physical infrastructure and business support in place that would encourage an economic structure and activity to ensure that the opportunities available within Ryedale are equal to those of the most economically successful rural areas of the sub-region.

Key Performance Question 5 : How is the sectoral mix of the Ryedale economy changing?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 171 LAA	New business registration rate per 000 16+	55.3			Economy and Housing SDP
NI 172	% of SME's showing growth	15.6%			Economy and Housing SDP
LAA36	Growth in creative industries,	177			NY LAA 2
LAA 37	Growth in tourism				NY LAA 2
LPI EC4	Share of regional economy	1.04%			Economy and Housing SDP
LPI EC	Elementary Occupations				Economy and Housing SDP
LPI EC	Growth in knowledge industries sectors				Economy and Housing SDP

Key Performance Question 6 : What infrastructure is in place to support economic success?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 175	Access to services and facilities by public transport, walking and cycling	25427	(8659 to Q3)		NY LAA 2
NI 182	Satisfaction of businesses with regulatory services	82%	(87% to Q2)		Environment SDP
LPI FP6	% of development in market towns and service villages				Ryedale Local Development Scheme

LPI P	Addition land (Ha) permissions granted - employment				Ryedale Local Development Scheme
LPI P	Addition land (Sq m gross) permissions granted – retail space				Ryedale Local Development Scheme

Aim 2: Economic Success

To create the conditions for economic success

Strategic Objective 4: Opportunity for people – increasing wage and skills levels

Key Performance Question 7 : How well are household incomes increasing?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI151	Overall employment rate	78.2%			Economy and Housing SDP
NI152	Number of working age people on out of work benefits				Economy and Housing SDP
NI 166	Average earnings	£395.80			Economy and Housing SDP
LPI EC	Gross Value Added				Economy and Housing SDP
NI 180	Right Benefit Indicator	1958.0	(597.2 to Q3)		Customer Services & Benefits SDP
NI 181	Time taken to process Housing Benefit and Council Tax new claims and change events	9.9 days	(10.2 days to Q3)		Customer Services & Benefits SDP

Key Performance Question 8 : To what extent are local skills meeting the local employment need?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 163	% of employees qualified to level 2 or above				Economy and Housing SDP
NI164	% of employees qualified to level 3 or above	58.1%			Economy and Housing SDP
NI 165	% of employees qualified to level 4 or above				Economy and Housing SDP
LPI	Levels of skills for life – Literacy				
LPI	Levels of skills for life – Numeracy				Economy and Housing SDP

Aim 3: High Quality Environment

To have a high quality, clean and sustainable environment.

Strategic Objective 5:

Reducing waste and CO2 emissions

Key Performance Question 9 : To what extent are we reducing the waste sent to landfill?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 191	Household waste – residual kg per household	473kg/hh	466kg/hh		Environment SDP
NI 192	Household waste recycled, composted	53.10%	49.70% (57.97% to Q3)		Environment SDP
NI 193	Municipal waste to landfill	54.47	58%		Environment SDP

Key Performance Question 10 : To what extent are CO2 levels reducing?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 185	Co2, our operations	Baseline 1956.5 tonnes	-2%	-3%	Environment SDP
NI 186	Co2, others	Baseline 2006/7 11.8 kt CO2 per head			Environment SDP

Aim 3: High Quality Environment

To have a high quality, clean and sustainable environment.

Strategic Objective 6:

Planning to adapt to climate change

Key Performance Question 11 : How well are we planning to adapt to climate change?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 37	Awareness of civil protection arrangements in the area	20.8%			Safer Ryedale Delivery Plan
NI188	Planning to adapt to climate change	Level 0	Level 1	Level 2	Planning SDP
NI189	Flood risk management	100%	100%	100%	Environment SDP

Key Performance Question 12: What development is coming forward and is it in the right areas?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
LPI FP1	New homes built on previously developed	80%	40%		
LPI FP5	% of all development that takes place in market towns and service villages: Housing (was LPI 65a)				Planning SDP

Aim 3: High Quality Environment

To have a high quality, clean and sustainable environment.

Strategic Objective 7:

To maintain the quality of our local environment

Key Performance Question 13 : How well is the quality of the environment in Ryedale being maintained?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 5	Overall/general satisfaction with local area	87%			
NI 138	Satisfaction of people over 65 with both home and neighbourhood	91.6%	-	90%+	
NI 194a	Air quality – % reduction in NOx & primary PM10 emissions through LA's estate & operations				Environment SDP
NI 195a	Improved street and environmental cleanliness - Litter	5%	5%		Environment SDP
NI 195b	Improved street and environmental cleanliness - detritus	5%	5%		
NI 195c	Improved street and environmental cleanliness - Grafitti	0%	5%		
NI 195d	Improved street and environmental cleanliness - Flyposting	0%	5%		
NI 196	Improved street and environmental cleanliness – fly tipping	4	2		Environment SDP
NI 197 LAA	Improved levels of local biodiversity	22.8%			Planning SDP

Key Performance Question 14 : To what extent is civic pride increasing?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 5	Overall satisfaction	87%	-	92%	Council Plan
NI138	Satisfaction of people over 65 with both home and neighbourhood	91.6%	-	90+%	Council Plan

Aim 4: Active Communities

To help all residents to achieve a healthy weight by encouraging an active lifestyle, in communities where everyone feels welcome and safe

Strategic Objective 8:

Safe and Healthy Villages and Towns

Key Performance Question 15 : How well are we encouraging active lifestyles?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 1	% of people who believe people from different backgrounds get on well together	81.1%	-	80%+	Equalities Plan
NI 2	% of people who feel they belong to their neighbourhood	70.8%	-	70%+	Safer Ryedale Delivery Plan
NI 8	Adult participation in sport and active recreation	17.9%	25.7%		Ryedale LAA2
NI 23	Perceptions that people in the area treat each other with respect and consideration	20.8%	-		Safer Ryedale Delivery Plan
NI 56	Levels of childhood obesity in primary school year 6				Ryedale LAA2
NI 199	C&YP satisfaction with parks and play areas	54.4%			Environment SDP
HE LAA L64	% of 5-16 year olds accessing high quality physical education	92%			NY LAA2
LPI SS19	% Improvements to POS quality	0%			Environment SDP
LPI HE1	Satisfaction rates with leisure facilities , %	40%	-	60%	Environment SDP

Key Performance Question 16 : How welcome and safe do people feel in our communities?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
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		2008/9	2009/10	2010/11	
NI 17	Perception of ASB	10.8%	-		Safer Ryedale Delivery Plan
NI 41	Perception of drunk and rowdy behaviour as a problem	21.9%	-		Safer Ryedale Delivery Plan
NI 47	Road casualty rate killed and seriously injured per 000 population	-			Safer Ryedale Delivery Plan
NI 119	Self reported measure of general Health and Wellbeing	75.3%			Environment SDP

Aim 5: To Transform the Council

Strategic Objective 9:

To know our communities and meet their needs

Key Performance Question 17 : What services are important to local people?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
LPI TT4	Top priorities for local people	Place Survey 2008-09 1. Affordable decent housing 2. Public Transport 3. Shopping facilities 4. Job prospects 5. Road/pavement repairs 6. Activities for teenagers 7. Traffic congestion 8. Wage levels/cost of living	-	Place Survey	Council Plan 2009-13
TT1	Overall satisfaction with the authority	49%	-	55%	Council Plan 2009-13
NI 5	Overall satisfaction	87%	-	92%	Council Plan
NI138	Satisfaction of people over 65 with both home and neighbourhood	91.6%	-	90+%	Council Plan

Key Performance Question 18 : How accessible are our services and how well are they improving?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
CAA	Organisational Assessment	Adequate	Good	Good	Council Plan
TT1	Overall satisfaction with the authority	49%	-	55%	
NI 14	Avoidable contact	10.7%			Transformation SDP
CB LAA L41	% of population within 5 miles of a Joint Access Centre.	68.3	(77.1 to Q2)		NY LAA2
LPI TT5	Level achieved - Equality Standard for Local Government	Emerging	Achieving		Organisational Development SDP

Aim 5: To Transform the Council

Strategic Objective 10: To develop the leadership, capacity and capability to deliver future improvements

Key Performance Question 19 : How well do we demonstrate leadership?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI 3	Civic participation by group	18.1%			Organisational Development SDP
NI 4	% that feel they can influence local decisions by group	30.9%			Transformation SDP

Key Performance Question 20 : What is our capacity and capability to deliver future improvements?

KPI Ref	Description	Value	Target	Target	Delivery Plan Link
		2008/9	2009/10	2010/11	
NI179	Value For Money	£164,791	£364,000		Finance & Revenues SDP
NI 14	Avoidable contact – Getting it right first time every time	10.7%			Transformation SDP

Financial Implications of this Council Plan

In order to meet the delivery of the identified priorities in the Council Plan the Council has agreed to invest or reallocate additional money (capital and revenue) which supports new activities, projects and work programmes above the on-going services delivered within the Council's annual budgets.

Priorities	2010-2011	2011-2012	2012-2013	2013-14
	Additional Investment	Additional Investment	Additional Investment	Additional Investment
	Capital £	Capital £	Capital £	Capital £
Aim One To meet housing need	360,000	351,000	360,000	360,000
Aim Two To create the conditions for economic success.	1,050,000	1,950,000	0	0
Aim Three To have a high quality, clean and sustainable environment.	308,000	33,000	5,000	0
Aim Four To have active safe communities	2,338,000	0	0	0
Aim Five To transform Ryedale District Council	1,110,000	640,000	155,000	125,000
Total Additional Expenditure	5,166,000	2,974,000	520,000	485,000

One Council - for Everyone

Equality Objectives:

To strengthen the council's approach to meeting the needs of its diverse communities

To improve communications and demonstrate our commitment to equality

To strengthen the council's arrangements for partnership working and procurement

To maintain equality monitoring systems for information about service take-up and satisfaction, developing an evidence base to support effective EIA's

To strengthen the performance management of equalities across the council and promote a culture of equality

Annual Programme of Corporate Equality Impact Assessments

		2009/10	2010/11	2011/12	2012/13
Council Plan	Transformation	●	●	●	●
Financial Strategy	Corporate Director (151)	●	●	●	●
Corporate Efficiency Programme	Corporate Director (151)	●	●	●	●
Service Delivery Plans	Customer Services and Benefits Economy and Housing Environment Finance and Revenues Legal Organisational Development Planning Transformation	●	●	●	●
Imagine Ryedale...	Housing and Economy	●			●
LDF Core Strategy	Planning		●		
Housing Strategy	Housing and Economy	●			
Council Information	Transformation	●	●	●	●
Customer Contacts	Transformation	●			

One Council – Our Corporate Values, Behaviours and Competencies

Our Values and Behaviours

Honesty & Openness

We are open and honest in our relationships and in our communications

Behaviours Include:

- ♥ Sharing information with those who need it
- ♥ Fairness and equity of decision making and treatment of each other
- ♥ Honouring our commitments to each other
- ♥ Fostering open communications

Brave & Decisive

We are willing to make brave decisions, to take on big challenges and see them through

Behaviours Include:

- ♥ Challenging assumptions
- ♥ Pursuing facts and robust evidence
- ♥ Willingness to change
- ♥ Securing strong political support

Positive

We will nurture the positive and celebrate our successes

Behaviours Include:

- ♥ Highlighting good news
- ♥ Rewarding success
- ♥ Building on what works well

Respect

We value every individual, respecting people for who they are and for their unique knowledge, skills and experience recognising they are part of our strength as a team.

Behaviours Include:

- ♥ Sharing ideas to inspire and learn from one another
- ♥ Encouraging participation from all
- ♥ Building strong partnerships

Passionate

We are passionate about our communities and the services we deliver.

Behaviours Include:

- ♥ Listening carefully responding to the needs and expectations of our customers and our community
- ♥ Encouraging creativity and innovation as we constantly seek to improve our services to enhance the quality of life in our community.

Competencies

Core Skills

- ★ Leadership
- ★ Manage and develop people
- ★ Change orientation and management
- ★ Work collaboratively
- ★ Customer focus
- ★ Personal effectiveness and development
- ★ Communication
- ★ Strategic thinking
- ★ Planning and organising
- ★ Analytical thinking and decision making
- ★ Innovation and creativity
- ★ Political effectiveness

Knowledge

- ★ Awareness of regional, national and international context
- ★ Knowledge of the community and its changing needs
- ★ Preparedness for anticipated changes in legislation and technology

Above all, we are proud, we act with integrity, striving to uphold the highest professional standards, providing sound advice and maintaining our impartiality.

Annual Corporate Planning Framework

	January	February	March	April	May	June	July	August	September	October	November	December
Imagine Ryedale... Joint target setting			Review to RSP						Progress to RSP			
Council Plan Strategic Objectives			Review to Council							Progress to P&R		
Service Delivery Plans Service Objectives	Progress to CMT	CMT Draft		CMT Final			Progress to CMT			Progress to CMT		
Staff Appraisals Individual Objectives					Review				Progress			
Financial Strategy		Special Council										
Council Budget		Special Council								Review to P&R		
Council Tax		Special Council										
Annual Governance Statement						Approval P&R				Review to P&R		
Annual Report							Published					

Annual Community Engagement Programme

Inform				Ryedale News	Parish Newsletter		Ryedale News Annual Report			Ryedale News Parish Newsletter		Ryedale News
Involve	→		RSP Wider Partnership Conference	Workshops with seldom heard groups Parish Liaison	→	→				Workshops with seldom heard groups Parish Liaison	→	→
Consult	→ Citizens panel event			Citizens panel event			Citizens panel event			Review of Budget & Council Plan Priorities Citizens panel event	→	→

Annual Decisions Forward Plan

Date	Service Area	Policy or Subject	To be submitted to:			
			CS&L	P&R	O&S	Council
April May	Corporate	Annual Audit & Inspection Report		●	●	●
	Customer Services and Benefits	Customer Complaints Quarter 4			●	
June July	Finance and Revenues	Annual Statement of Accounts and Annual Governance Statement		●	●	●
	Transformation	Annual Report - achievement against priorities	●	●	●	
August September	External Auditors	Annual Audit and Inspection Plan			●	
	Customer Services and Benefits	Customer Complaints Received - Quarter 1			●	
	Legal	Results of Local Government Ombudsman Investigations			●	
October November	Finance and Revenues	Treasury Management Annual Review and Monitoring Report		●		●
	Transformation	Council Plan – Achievements and annual review of priorities	●	●	●	
	External Audit	Annual Governance Report		●	●	
	Finance and Revenues	Budget Strategy		●		
	External Auditors	External Audit Reviews and Recommendations			●	●
	Internal Audit	Half Year Risk Management Actions Monitoring Report			●	
	Customer Services and Benefits	Customer Complaints Received - Quarter 2			●	
December January	Finance and Revenues	Fees & Charges	●	●		●
	Corporate	Risk Management Strategic Review			●	
February March	Finance and Revenues	Financial Strategy		●		●
	Finance and Revenues	Setting of Council Tax				●
	Legal	Local Code of Conduct		●		●
	Transformation	Council Plan - Revised for adoption				●
	Customer Services and Benefits	Customer Complaints Quarter 3			●	
Every Cycle	Aim 1: Meeting Housing Needs	Performance and Finance Report	●			
	Aim 2: Economic success	Performance and Finance Report	●			
	Aim 3:Environment	Performance and Finance Report	●			
	Aim 4: Active and safe	Performance and Finance Report	●			
	Aim 5: Transformation	Performance and Finance Report		●		

This is not an exhaustive list of the items to be considered by each committee but highlights the key policies and decisions of the Council

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PART A:	MATTERS DEALT WITH UNDER DELEGATED POWERS
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	1 APRIL 2010
REPORT OF THE:	CORPORATE DIRECTOR (s151) PAUL CRESSWELL
TITLE OF REPORT:	REVENUE BUDGET MONITORING
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 To present to members a revenue budget monitoring report for 2009/2010.

2.0 RECOMMENDATION

2.1 It is recommended that members note the content of the report.

3.0 REASON FOR RECOMMENDATION

3.1 To meet the requirements of internal inspection and to ensure Members are kept regularly informed of the Council's financial position (in year).

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks in receiving this report.

REPORT

5.0 BACKGROUND AND INTRODUCTION

5.1 At the 3 December meeting of this committee members received the first budget monitoring report following changes to reporting agreed with the Resources Working Party. This report provides an in year position as at the 28 February 2010.

6.0 POLICY CONTEXT

6.1 This report is in line with existing policies.

7.0 CONSULTATION

7.1 No further consultation has taken place on the content of this report.

8.0 REPORT DETAILS

8.1 Attached at Annex A is a summary of the significant variances within the Council's revenue accounts in the current year, 2009/2010. This report is derived from the information contained within the EMIS reports plus additional significant budgets within the Authority. EMIS reports are considered at each Resources Working Party meeting.

8.2 Members will see that overall to date there is a net increase in costs of £526k with a projection for the full year of £585k. Of this £354k is planned to come from earmarked funding in specific Council reserves and £90k relates to funding of the Council's capital programme.

8.3 Comments on some specific areas of cost increase were provided in the last report. The following are additional comments on the this Annex:

- (i) The salary saving includes approximately £70k from the pay award being 1% less than budgeted and are shown net of the moratoria target of £58k.
- (ii) Fuel cost increases have been considered as part of the 2010/2011 budget process.
- (iii) Due to the recession the recyclate collected has reduced and as such recycling credit income is down.
- (iv) External audit fees have increased significantly over recent years and it was considered as a growth item as part of the budget for 2010/2011.

8.4 Other significant budgets including Concessionary Fares and vehicle lease costs are all expected to be within budget.

8.5 The projections are that £140k will be required from the Council's general reserve to meet this expenditure. As part of the 2010/2011 budget setting members approved the transfer of the Capital Contingency reserve balance of £150k to the General Reserve in order to ensure that the balance remains within the range set by Council.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

- a) Financial
There are no financial implications arising out of this report.
- b) Legal
There are no new legal issues arising out of this report.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)
There are no significant issues arising out of this report.

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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SUMMARY OF REVENUE BUDGET MOVEMENTS 2009-10

Service Area	Over / (Under) Spend		Details
	Actual for Period Ended 28-Feb-2010 £'000	Forecast for Full Year £'000	
Additional Costs			
Planned Expenditure with Earmarked Funding			
Recreation and Sport	120	120	Leisure facilities grant for invest to save initiative
Economic Development Support	66	100	Approved Business Grants Scheme
Various Service Areas	19	37	Community Investment Fund Grants
Rate Relief	29	29	Hardship Relief for Non Domestic Rates
Various Service Areas	13	29	Office fixtures and fittings
Homelessness	16	17	Admin and CAB Grant re Money Advisor
Corporate Management	15	15	Yorkshire Day net cost
Community Grants	7	7	Net grant Ryedale Voluntary Action for Malton Ambassador
Unplanned Additional Expenditure			
Community House	75	75	Compensation for change to Red Cross tenancy arrangement at Community House
Car Parks	80	74	Loss of Income (net of Malton Market Place compensation & savings) and rate increase
Corporate Management	15	35	External Audit Fees
Streetscene Services	25	27	Reduced income on paper and recycling credits
Streetscene Services	20	22	Transport costs including fuel
Community Development	8	8	Grant to Kirkbymoorside & Dist.Community Partnership
Various Services	30	30	Other minor cost increases
Total Additional Costs	538	625	
Additional Savings			
Net Salary Savings in Various Service Areas	-111	-121	Including pay award at 1% and net of moratoria savings target of £58k
New Efficiency Recycling	0	-29	Recycling incentive bonus
New Efficiency Recycling	-15	-15	Monthly Winter garden waste collection
Less Original Savings Programme	88	96	Shortfall on Corporate Efficiency Programme (reported to RWP)
	-38	-69	
Land Charges	-9	-10	Increased fee income above estimate
General Financial Provisions	-10	-10	Systems development provision
Various Services	-20	-31	Other minor savings
Total Additional Savings	-77	-120	
Net Increase/(Reduction) in Cost of Services	461	505	
Other Financial Costs			
Investment Interest	75	90	Low rate of return will reduce the availability of funds for capital
Interest payments	-10	-10	No temporary borrowing
	65	80	
Net Increase in Cost / (Savings) on Revenue Budget	526	585	
SUMMARY OF MOVEMENT ON FUNDS			
Decrease in Revenue Reserves	445	488	ICE Fund £184k, General Reserve £140k, Operational Reserve £127k, CIF £37k
Decrease in Capital Funds	81	97	Reduction in contribution to Capital Fund due to interest shortfall and transfer to Homelessness
	526	585	

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	1 APRIL 2010
REPORT OF THE:	HEAD OF PLANNING GARY HOUSDEN
TITLE OF REPORT:	HOWARDIAN HILLS AREA OF OUTSTANDING NATURAL BEAUTY (AONB) PARTNERSHIP AGREEMENT
WARDS AFFECTED:	THOSE WITHIN THE HOWARDIAN HILLS AONB

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To inform Members of the new Partnership Agreement and to seek approval for the Chief Executive to sign the agreement on behalf of the Council.

2.0 RECOMMENDATION

- 2.1 That Council is recommended to grant approval to the Chief Executive to sign the Partnership Agreement.

3.0 REASON FOR RECOMMENDATION

- 3.1 The Council needs to sign to the Agreement to continue to meet its duties and obligations arising from Part IV of the Countryside and Rights of Way act 2000.

4.0 SIGNIFICANT RISKS

- 4.1 The agreement makes minor amendments to the existing Memorandum of Understanding which each of the Howardian Hills AONB partners have agreed. It is considered that there are no significant risks associated with the report.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 AONB Partnership Agreements provide a framework for the delivery of duties and obligations arising from part IV of the Countryside and Rights of Way Act 2000, including the operation and management of an AONB Partnership, the provision of a staff unit to act on behalf of the Partnership and the publishing, reviewing and monitoring of the AONB Management Plan. The Agreement also sets out the shared

vision and expectations on all partners.

- 5.2 The new Partnership agreement is, essentially, a newer version of the existing Memorandum of Understandings that are in place for different AONB partnerships across the country.
- 5.3 Members are aware that currently, the Howardian Hills AONB is managed as a partnership between Natural England, North Yorkshire County Council, Hambleton District Council and Ryedale District Council. The existing Memorandum of Understanding has been agreed by all partners and covers the period 2005-2011. It was subject to review in 2008.
- 5.4 Natural England, the successor to the Countryside Agency, is keen to ensure that a consistent framework for partnership agreements are in place across the Country. The individual Memorandum of Understandings that are currently in place vary in their scope and content and many do not contain clauses relating to redundancy. Redundancy clauses are included in the new Partnership Agreement and this represents the main change for many of the existing Memorandum of Understandings. Further minor changes included in the new agreement template are outlined in Section 8 of this report.

6.0 POLICY CONTEXT

- 6.1 The Howardian Hills AONB exists to conserve and enhance the natural beauty of the landscape. The management and protection of the AONB is integral to the Landscape and Environment theme of Imagine Ryedale and contributes to the Council's aim of ensuring a high quality, clean and sustainable environment.

7.0 CONSULTATION

- 7.1 Natural England has compiled the Partnership Agreement template in consultation with AONB partners across the Country and in consultation with the legal teams of some of the larger County Councils.

8.0 REPORT DETAILS

- 8.1 For many AONB Partnership units, the inclusion of redundancy clauses in the new Partnership Agreement represents the main change from their existing Memorandum of Understandings. However, when the Howardian Hills AONB Memorandum of Understanding was revised in 2008, redundancy clauses were included and agreed by Members of the partnership. The new redundancy clauses are almost identical to those that are included in the Howardian Hills Memorandum of Understanding and are not considered to introduce any substantive change to these. The changes are essentially, changes to the language used and are considered to be more 'user friendly'.
- 8.2 The other changes introduced by the new Partnership Agreement template are:

New sections to cover:

- definitions and interpretations – contextual/ factual information
- the role of non-funding partners – new clause widens the duty to 'work across government and with national organisations to promote the role and value of AONB's to society and our natural environment' to all funding partners and not just Natural England.

- details of the staff unit – factual information relating to staffing structure
- eligible costs – introduction of a list of eligible costs that the partnership can incur.
- Termination – standard legal clause to protect individual partners
- Jurisdiction – As above
- reconciliation and disagreement – As above
- information – As above
- variation and waiver – As above
- contract (Rights of Third Parties) Act 1999 – As above

8.2 The new agreement will cover the period to 2011, the same period covered by the existing Memorandum of Understanding.

8.3 It is understood that the other Howardian Hills AONB Partners are satisfied that the Partnership Agreement meets their legal and financial obligations. Given that the document does not introduce changes that are significantly different to the current partnership agreement/ memorandum of understanding, it is considered appropriate that it is signed on behalf of this Authority.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

a) Financial

There are no further financial implications. The Partnership Agreement sets out the Council's contributions to the AONB Partnership to 2011 as agreed in the Council budget and does not commit this Authority to additional expenditure.

b) Legal

The Partnership Agreement replaces the current Memorandum of Agreement and does not introduce substantive changes to the provisions of that document..

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

No direct implications.

10.0 NEXT STEPS

10.1 The Partnership Unit will need to confirm to Natural England that the agreement has been signed by all partners. Once agreed it will replace the current Memorandum of Understanding.

Gary Housden
Head of Planning

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Background Papers:

Natural England Howardian Hills AONB Partnership Agreement

Background Papers are available for inspection at:

Ryedale House, Malton

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HOWARDIAN HILLS AONB PARTNERSHIP AGREEMENT - RISK MATRIX

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
The Council needs to sign to the Partnership Agreement to continue to meet its duties and obligations arising from Part IV of the Countryside and Rights of Way act 2000..	Failure to agree to operate with the new Partnership Agreement means that the Council is operating with an out of date Memorandum of Agreement and is not in agreement with the other partners of the Howardian Hills AONB and is not nationally consistent with the other AONBs	See below (score before mitigation) 2	See below (score before mitigation) B	Ensure that the Partnership Agreement is agreed and signed.	See below (score after mitigation) 1	See below (score after mitigation) A

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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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	1 APRIL 2010
REPORT OF THE:	HEAD OF PLANNING GARY HOUSDEN
TITLE OF REPORT:	AMPLEFORTH CONSERVATION AREA CHARACTER APPRAISAL AND MANAGEMENT PLAN
WARDS AFFECTED:	AMPLEFORTH

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 For Members to consider the appended Ampleforth Conservation Area Character Appraisal and Management Plan (Annex B) and to approve it for adoption as a Supplementary Planning Document (SPD).

2.0 RECOMMENDATIONS

- 2.1 That Council is recommended to:
- (i) note comments received following consultation;
 - (ii) agree amendments to the Ampleforth Conservation Area Character Appraisal and Management Plan; and
 - (iii) adopt the Ampleforth Conservation Area Appraisal and Management Plan as a Supplementary Planning Document subject to this also being agreed by the North York Moors National Park Authority.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 The document provides detailed background information about the character of the Ampleforth Conservation Area and provides advice on new development and management and enhancement proposals. The appraisal amplifies the policies and statements contained within PPG 15 – Planning and the Historic Environment. The production of this appraisal emphasises the importance placed upon retaining the historic built environment in Ryedale and on enhancing our villages with good quality new design, as prioritised in the Ryedale Community Plan (Landscape and Environment Theme). Adoption of the document as SPD will ensure it is given appropriate weight in the decision making process.

- 3.2 A comprehensive analysis of the special qualities that contribute to the character of the conservation area can help in better proposals for development and may result in a reduction in the amount of officer time spent in negotiations with applicants. The refusal of unsuitable applications for development also becomes more justifiable with appropriate guidance in place.

4.0 SIGNIFICANT RISKS

- 4.1 There is no significant risk in following the recommendation. The document has been produced in accordance with the regulations governing the production of SPD's. It is considered that the production of this guidance will reduce the possibility of risk of harmful effects on the environment as a consequence of development, through increasing awareness of the value of the historic character of Ampleforth and ensuring that development is of a high quality.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 Ampleforth Conservation Area was designated in 1978 as 'an area of special architectural or historic interest which is desirable to preserve or enhance'. At the time of designation, following common practice at that time, a formal character appraisal was not produced for the conservation area. Local Authorities are now required to support existing Conservation Area designations with up to date character appraisals which should define the special architectural or historic character of the area highlighting those elements that both contribute and detract from, the character of the area.
- 5.2 There are 34 Conservation Areas in Ryedale and currently 3 adopted Conservation Area Character Appraisals (CACA's). The production of this document is part of a long term work plan to increase the coverage of Conservation Area Character Appraisals in Ryedale. This document forms part of a suite of 3 character appraisals which are being produced jointly between the North York Moors National Park Authority and Ryedale District Council. The Helmsley CACA was adopted in 2005 and a CACA for Oswaldkirk is currently in production and being led by the National Park Authority. The Ampleforth CACA is the subject of this report and Ryedale District Council is responsible for leading on this document. These documents have been produced following statutory and public consultation.

6.0 POLICY CONTEXT

- 6.1 Conservation Area Character Appraisals can be a stand alone document (not adopted as SPD). Government Office and English Heritage advice however, follows that if a document contains more than a descriptive narrative and includes policies for the management of the conservation area, the document should be adopted as SPD provided it is produced in accordance with prescribed regulations.
- 6.2 SPD's are not statutory documents in the same way as the Local Development Framework (LDF), but are proper material considerations to take account of when determining individual applications. There is a strong emphasis on rigorous public consultation and a requirement to accord with European legislation on sustainability appraisal/strategic environmental assessment. The Ampleforth Conservation Area Character Appraisal SPD complies with the Regional Spatial Strategy, supports saved policies in the Ryedale Local Plan and will once adopted, form part of the

Local Development Framework but is not a development plan document. A Sustainability Statement will be produced and made available with the adopted document. The attached appraisal and management plan is based on guidelines issued by English Heritage, the government's advisor on the historic built environment, and satisfies the criteria laid out in PPG 15.

- 6.3 The production of SPD's is recognised in government planning guidance as a way of covering detailed issues that support and supplement the policies within the Council's Development Plan. SPD's are intended to be a useful tool for both developers and the Council alike and should increase the quality of submissions for planning approval.

7.0 CONSULTATION

- 7.1 The draft document was approved for public consultation by Members of the Policy and Resources Committee in February 2008. It was also agreed by the Planning Committee of the North York Moors National Park Authority for consultation. The draft document was then subject to public consultation that consisted of an open afternoon and evening in Ampleforth Village Hall in June 2008, and copies sent to the Parish Council and other statutory bodies, a press notice and press release. As a result of comments received following public consultation, the document was altered and further limited consultation undertaken as a result of those alterations. A table outlining the public consultation responses and how the document has altered is attached as an appendix to this report (Annex D).

8.0 REPORT DETAILS

- 8.1 The Ampleforth Conservation Area Character Appraisal sets out the special qualities of Ampleforth Conservation Area that are desirable to preserve or enhance. It is not recommending that the boundary (drawn in 1978) is changed as it is considered that the existing boundary is appropriate and follows government guidance. The document describes the character as being one of a predominantly linear area featuring rows of attractive traditional stone houses in a simple vernacular style set within a dramatic landscape context. Small front gardens feature on the south side of the road whilst houses on the north side of the road are built up close to the edge of the pavement. Trees are also an important aspect of the conservation area as are open spaces and views which are identified in a separate map (Annex C). Currently an Article 4 Direction exists in that part of the conservation area covered by the North York Moors National Park Authority and the appraisal suggests that this is extended to that part of the conservation area in Ryedale. This would however, be subject to a separate consultation and process. Policies for the management of the conservation area are included and are intended to improve the design of any new development in the conservation area and provide advice to owners and those responsible for the conservation area on the maintenance and management of their properties and village environment.
- 8.2 Following consultation the document has been altered in a number of ways. The significant changes include identifying additional 'Important Open Space' and including information on how renewable energy might be sensitively incorporated into properties in the conservation area. A table of the consultation responses received and document alterations have been included as an appendix to this report (Annex C).
- 8.3 It is anticipated that a report similar to this one will be taken to a future meeting of the

Planning Committee of the North York Moors National Park Authority (NYMNPA) with a view to that Authority adopting the document.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

- a) Financial
The primary costs of producing this guidance are covered within the 'Local Plan' – general' budget held by the Forward Planning and Conservation Unit.
- b) Legal
The legal process of the Statutory Consultation Procedure has been undertaken.

10.0 NEXT STEPS

10.1 As part of the formal process of adopting the document as a Supplementary Planning Document, the Council must now make the document available. It must be accompanied by an adoption statement and a statement summarising the main issues raised following consultation and how these have been addressed. Adoption of the document as a SPD must also be publicised on the Council's website.

Gary Housden
Head of Planning

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Background Papers:

Ryedale Local Plan 1st Alteration: Adopted 2004
Planning Policy Guidance 15- Planning and the Historic Environment 1994
English Heritage- Guidance on Conservation Area Appraisals 2006
English Heritage- Guidance on the Management of Conservation Areas 2006

Background Papers are available for inspection at:
Ryedale District Council, Planning Unit

AMPLEFORTH CONSERVATION AREA APPRAISAL AND MANAGEMENT PLAN RISK MATRIX – ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
That members do not accept the proposed alterations to the document and do not adopt the Ampleforth Conservation Area Appraisal and Management Plan as SPD.	Not approving this document for adoption will result in a lack of specific analysis on the character of Ampleforth Conservation Area and advice on its management as is our duty under the Planning (Listed Building and Conservation Areas) Act 1990 and be contrary to English Heritage advice. A re-draft would cause delays and prevent dovetailing this joint document with the North York Moors National Park Authority and potentially have an adverse impact on the Council's reputation.	2	B	Seek to re-draft the document to the approval of Members and the North York Moors National Park Authority.	1	A

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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Ampleforth

Conservation Area Assessment and Management Plan Supplementary Planning Document



Produced by:
Ryedale District Council &
North York Moors
National Park Authority

Ampleforth Conservation Area Appraisal

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Introduction

This document is an appraisal of the Ampleforth Conservation Area, which was designated by North Yorkshire County Council in 1978. It sets out to describe the existing character and appearance of the Conservation Area, attribute value to certain aspects of it, and suggest ways of preserving or enhancing it. It is based on guidelines issued by English Heritage, the Government's advisor on the historic environment and has been jointly prepared by Ryedale District Council and the North York Moors National Park Authority. Valuable input into the document has also been provided by the Ampleforth Parish Design Statement Working Group. The aim of the appraisal is to help inform decisions made by the Local Planning Authority, the Highways Authority, the Parish Council and local residents.

This document will be adopted as a Supplementary Planning Document (SPD) by Ryedale District Council and the North York Moors National Park Authority following consultation with relevant stakeholders. The SPD will be based on the provisions of Planning Policy Guidance 15 – 'Planning and the Historic Environment' and Planning Policy Statement 1 'Delivering Sustainable Development'.

What is a Conservation Area?

Conservation Areas were introduced by the Civic Amenities Act in 1967. A Conservation Area is defined by the Planning (Listed Buildings and Conservation Areas) Act 1990 as an 'area of special architectural or historic interest, the character of which it is desirable to preserve or enhance'.

Local authorities have a statutory duty to identify, designate, preserve and enhance Conservation Areas within their administrative areas. The aim in a Conservation Area is to preserve or enhance, not solely individual buildings but all those elements, which may include trees, open spaces, walls, paving materials etc., which together make up a familiar and cherished local scene.

What Effect does Designation Have?

The positive identification of an area helps focus attention on its qualities. It is hoped that this will encourage a sensitive approach to any proposals for development. The Local Planning Authority will exercise particular care to ensure that change, where it occurs, will preserve or enhance the character of the Area. A Conservation Area designation would hope to increase the quality of design and ensure that new development respected its surroundings.

There are different planning controls in Conservation Areas and anyone proposing development should seek advice from their Local Planning Authority.

The main planning effects of designation are:

- All planning applications for development which would affect the character of a Conservation Area must be advertised and site notices posted.
- Conservation Area consent is required for the demolition of some buildings and structures such as walls.
- Planning permission is required for some alterations to dwellings including the provision of dormer windows and cladding.
- Satellite dishes and antennas on chimneys, front walls or front roof slopes require planning permission.
- Conservation Area designation protects trees within the boundary by requiring owners to give the local planning authority six weeks notice of their intention to fell or prune trees of a certain size.

The following will require planning permission under the new regulations:

- Installation, alteration or replacement of a chimney, flue or soil and vent pipes on the principal front elevation or side elevations fronting a highway;
- Enlargement of the dwelling extending beyond a wall forming a side elevation;
- The erection of a rear extension of more than one storey;
- Erection of a building, enclosure, pool or container situated on land between the side elevation of the dwelling and the boundary of its curtilage.

The Wider Planning Context of Ampleforth

The village lies on the boundary between Ryedale District Council and the North York Moors National Park Authority. The area to the north of Main Street lies within the National Park and this area is subject to the policies of the adopted North York Moors Local Development Framework, adopted in November 2008. In this document Ampleforth is identified as a "service village" for the development of housing, employment and facilities. The southern area of the village lies within the Ryedale District Council boundary which is subject to the policies of the Ryedale District Local Plan, which was adopted in March 2002. The Ryedale Local Plan is currently under review however, to be replaced by the Local Development Framework wherein Ampleforth has been identified within the draft Core Document as a 'Service Village' development growth area.

Article 4 Direction

In August 2006, the North York Moors National Park Authority applied an Article 4(2) designation to the part of the Conservation Area that is covered by the National Park. This restricted some forms of development that would otherwise be permitted under the General Permitted Development Order. In the National Park, planning permission is now therefore required for the following classes of development under the General Permitted Development Order 1995:

- The enlargement improvement or other alteration of a dwelling house being development comprised within Class A of Part 1 of Schedule 2 to the said Order and not being development comprised in any other Class.
- Any other alteration to the roof of a dwelling house being development comprised within Class C of Part 1 of Schedule 2 to the said Order and not being development comprised in any other Class
- The erection or construction of a porch outside any external door of a dwelling house being development comprised within Class D of Part 1 of Schedule 2 to the said Order and not being development comprised in any other Class
- The installation, alteration or replacement of a satellite antenna on a dwelling house or within the curtilage of a dwelling house being development comprised within Class H of Part 1 of Schedule 2 to the said Order and not being development comprised in any other Class
- The erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure being development comprised within Class A of Part 2 of Schedule 2 to the said Order and not being development comprised in any other Class
- Any building operation consisting of the demolition of the whole or any part of any gate, fence, wall or other means of enclosure being development comprised within Class B of Part 31 of Schedule 2 to the said Order and not being development comprised in any other Class.

These works of development require planning permission on any elevation that faces a highway, waterway or important open space. Further guidance should be sought from the

Local Planning Authority where clarification is required to ascertain whether proposals require Permission.

Although many alterations within the Conservation Area do not require planning permission from the Local Planning Authority, this guidance is designed to highlight the existing qualities of the Conservation Area and to encourage residents to execute high quality alterations that preserve or enhance the existing environment.

Location and Population

Ampleforth is a medium sized village situated in North Yorkshire approximately 4 miles south west of Helmsley and 33 miles north of York. It is located on the southern slopes of the North York Moors and on the northern boundary of the Howardian Hills Area of Outstanding Natural Beauty approximately 110m above sea level. The land rises steeply to the north into wooded hillside and moorland pasture. There is a population of 1,457 living within the Parish. The designated Conservation Area focuses on the historic core of the village which straddles the Oswaldkirk to Wass road that sits in a terrace of the scarp slope. This results in a predominately linear Conservation Area, which also takes in the garths to the rear of the frontage buildings.

The Conservation Area covers an approximate area of 22 hectares and contains some 100 buildings within its bounds. It contains 13 listed buildings, representing approximately 4% of the building stock, all of which are classified as Grade II Listed.

Wider Setting

The landscape setting in which the village nestles has dramatically influenced the development of the built area. Ampleforth lies on bedrock of Jurassic Upper Calcareous Grit and Cambridge clay, the junction of which created a line of springs which is likely to have determined the location of the village. Due to the steeply rising ground to the north, development has historically occurred along the east west terrace in the scarp slope, however, in recent times, more modern development is found to the south in the flatter land of the vale.

The approach into the village from the east is surprising in that Ampleforth Abbey, the Roman Catholic Benedictine Monastery founded in 1803 is situated approximately 2 miles to the east of the village. The imposing large red cross situated by the roadside and heralding the collection of religious and educational buildings, is unexpected and unusual. The village proper is found c. 1 mile away from the Abbey and is approached down a steep tree lined hill curving southwards into the built up area and offering views over the valley below. The Conservation Area begins immediately upon entering the village from the east.

The route into Ampleforth Village from the west gives a rural picture of hedges, farms and trees. The gently undulating countryside results in an approach down a gentle hill with the built up village street gently curving northwards out of view. A small beck flows under the road and skirts the western edge of the village heading southwards through fields and eventually re-appearing in the modern built up area towards the south of the village boundary. The Conservation Area also starts immediately upon entering the village from the west.

When entering Ampleforth from the unclassified south (York) road, modern development is apparent in the form of cul-de sacs, small estates and linear development along the roadside. 'Station Road' gives a clue about the location of the now redundant and dismantled railway line further to the south out of the village. Distant glimpsed views of the Abbey church to the east are apparent from this direction and views north up the hillside towards St. Hilda's church give a sense of the approaching historic village centre. The Conservation Area is reached at the churchyard boundary wall approximately half a mile from the southern edge of the village.



View out looking South over the Howardian Hills



View out looking west from within the Conservation Area



View into the Conservation Area from the western approach



View out looking north east

Origins and Historic Development of the Area

Studford Ring to the north of the village dates back to the Iron or possibly the Bronze Age of 1000BC. Traces of the Vikings are found, for example in the use of the word 'Thwaites' meaning clearings in the forest to describe individual strips of high ground north of Main Street. Saxon presence is also evident in the stump of the Market Cross a few yards south east of the church's south door.

Ampleforth was first mentioned in the Domesday book as Ambreford, the ford of the sorrel plant, along with a mention of its church. The land was mostly moorland or pasture but 865 acres were arable with oats, wheat and barley grown. From the 11th century until 1887, the village held 3 constablewicks, or divisions, resulting from the early giving of land and houses to the church by different owners. Ulf gave his manor to St. Peter's York, Roger de Mowbray gave his to Byland Abbey and the Helmsley lords kept a manor and rented it. The Fairfaxes of nearby Gilling were also Lords of the Manor, however the village never had a squire as most of the village were small freeholders. Farming was an important aspect of the village and land was enclosed early in the 16th century as well as 1804-1806. By 1823, the village had 3 shops and had gained a bakery in 1860. Today however, the village is more of a residential community for a wide area and most people travel to work outside the village.

The Character and Inter-relationship of spaces within the area.

The wider rural setting is an extremely prominent aspect of Ampleforth's character and the countryside comes right into the built up area from all around. Glimpses through and over the buildings into the surrounding countryside give an important aspect and provide a green backdrop for the street. There is little formal public space in the Conservation Area however, and most of the green space is made up from small private front gardens, the churchyard and the wide green verges to the north side of the road. Gardens to the sides of houses are infrequent and add important pockets to the green aspect of the village. Views to the south out over the flatter lands are also important and give a sense of space when looking south.

Two public rights of way run along the periphery of the village to the west and north giving views across the backs of the properties to the north of Main Street and distant views of properties on the south side of the road. The footpaths emphasise the importance of the wider natural landscape around the village giving views over the fields into and out of the Conservation Area. The fields outside the Conservation Area boundary to the south west provide an important green buffer zone and separate the older part of the village from the more modern development.



Visible trees behind the buildings provide an important backdrop whilst the wide green verges provide a more manicured element to the Conservation Area

Important open spaces in the Conservation Area are:

- The banked and wooded land on the north side of Main Street between Manor House and Peartree Cottage
- The banked and wooded land on the north side of Main Road on the north east boundary of the conservation area
- The roadside grassed verges
- The rear garden of Ludley House running down the east side of Station Road
- The garden to the west of Inch Cottage on the north side of Main Street
- The green fields to the south and west of the Vicarage and to the west of the Coal Yard that separate the older parts of the village from more modern development
- St Hilda's Churchyard and the field to the south of it

The open area to the south of St. Benedict's Churchyard is designated in the Ryedale Local Plan as a Playing Field and is subject to Policy L2 of the Local Plan.

Important Views and Vistas into and out of the Conservation Area are:

The view out to Knoll Hill

The view into the village from the western approach

The view south across the valley from Back Lane and St. Hilda's Walk

The view south across valley down Station Road

The view from the footpath running along the western edge of the village



Glimpses of outbuildings and greenery are seen through gaps in between the buildings

Overview of Architectural Character

The quality of the built environment is very high and the majority of properties within the Conservation Area make a positive contribution. The village is made up of predominantly domestic properties, smaller stone cottages being the usual building type. These are constructed from local materials and are simple in their execution. The cottages are built with their pantile roofs parallel to the road and the change in ground level results in stepped eaves and ridge lines.

Architecturally the village buildings tend to sit close up to the pavement edge. Spaces in between the buildings are therefore important, and provide a relief to the stone rows and views through them.

A large number of the buildings date from the late 18th or early 19th centuries when local materials were most often used, apparent from the disused quarries to the north of the village. Due to this homogeneity in building materials together with similarly scaled buildings, the overall effect is one of harmony that knits together very well as a whole. There is however, no sense of monotony that can sometimes be associated with rows of housing, as the attractive variations in the smaller detail of the buildings and the undulating ground levels provide interest and variation.



Attractive row of neat flat fronted cottages

Uniformity is not however totally universal and architectural variation can be seen at a number of locations within the Conservation Area, for example, some larger detached houses set back on higher ground at the T-junction. These are unusual in their size, siting and architectural detailing, featuring slate roofs, dormers, balustrades and large stone bay windows. These features are likely to date from the late 19th century when heavier architectural ornamentation was fashionable.

Variety can also be found in the orientation of a building within its property plot whereby occasionally an older building has been built with its gable end to the road. This adds interest to the streetscene and similar examples are found throughout the wider area.

Due to the steeply rising ground to the north, the ground levels on either side of the street are different. This results in wide grassed banked verges on the northern side of the road which greatly contribute to the character of the Conservation Area. An attractive village pump can be found within the verge and steps within the bank are found spaced at intervals. The buildings on the northern side of the road are predominantly located up to the edge of the pavement which runs in between the buildings and the grass verge. Due to the proximity to the pavement, any alterations made to the front of these buildings are very prominent from public areas. A narrow strip of soil, in between the houses and the pavement, has been planted and the contribution made by climbers and small bedding plants forms an attractive natural feature. Due to the rise in ground levels and attached nature of the cottages, there are few vehicular accesses punctuating the street.

On the southern side of the road, the buildings tend to be set back behind small front gardens which provide manicured greenery in contrast with the fields and woods of the wider setting. The boundaries of these gardens are often low or permeable and provide a public view of the properties.

The village has a number of facilities that are often now absent from village life which provides interest to the street and gives the village a sense of vitality. A local convenience shop incorporating a post office, a fish and chip shop, two pubs, a doctors surgery and a plumbers business lie within the boundary of the Conservation Area. Two primary schools can be found just outside the Conservation Area boundary to the south. The village also contains a large number of religious buildings including the church of St. Hilda, the Roman Catholic church of Our Lady and St. Benedict's and a former Methodist chapel, now a house.

Local Details and Features

As stated above, the homogeneity in the village is predominantly produced by the use of local stone walling and roofing materials, the size of buildings and their location and orientation. Smaller architectural details however, contribute a great amount to the character of the Conservation Area, and Ampleforth has a high survival rate of traditional window and doors which significantly contribute to the character of the Conservation Area. Very few window openings have been re-sized and traditional window and door designs are retained in many instances. Doors tend to be painted solid timber, constructed with panels and sit very comfortably within the properties in which they are found. Occasionally glazing is incorporated into the upper panels however; traditionally daylight tends to be achieved by fanlights which appear as a separate detail above the doorframe. Lintels above doors tend to be heavy squared stone and sometimes painted.

Small paned timber windows have also been retained in many of the properties which is an important part of the character of the Conservation Area. These are often sliding sash windows and open neatly in line with the elevation of the building, either vertically or horizontally, depending on the proportions of the window and the period in which they were installed. The windows tend to be beautifully framed with lintels of heavy square painted stone and stone window sills. Upper storey windows tend to be tucked right up under the eaves or sometimes a small attic window in the gable end of a house can be seen. Timber and stone bay windows are occasionally found, however these are not the norm in the village which is predominantly of simple vernacular design and detailing.



A beautiful example of a solid panelled door with fanlight over and an unusual lattice ogee topped porch

Unusually for a rural Conservation Area in this locality, iron railings can be found bounding some properties fronting the village street. These are generally of high quality design and material and provide interest and variation to the street scene. Also unusually there are a number of houses with interesting lightweight lattice style iron porches with a pointed ogee finish. These are also of high quality and add interest and variety to the village scene.

The predominant roof form in the village is simple pitched roof with the ridge running parallel to the road. Hipped roofs do occur but are not the prevailing roof form, and dormer windows and rooflights are rare. There is some use of slate as a roofing material in the village although this is also not the norm and red clay pantiles are more usual. Roof forms are simple as kneelers and coping stones on the whole are rare. Eaves and verge finishes are constructed to be close and tight to the wall. Eaves simplicity is maintained by the lack of fascia boards due to the high occurrence of traditional guttering on brackets.

The walling stone of the majority of the properties tends to be squared rubble and is coursed using lime mortar in uniform bed heights of approximately between 3 and 8 inches (8cm and 21cm). Prominent quoins (corner stones) do not feature to any great extent on most of the traditional properties. Some of the properties have been re-pointed with heavy, hard grey cement which detracts from the appearance of walls and can be damaging to soft stone. Where stone has deteriorated a brick repair is traditional and can be seen in a number of places in the Conservation Area. Brick is also used to construct chimneys, which are placed on the ridge apex at gable ends. Occasionally entire buildings have been constructed from brick although this is not the norm. Some of the houses feature built in carvings which surprise and delight when you spot them.

Boundary treatments are also an important part of the Conservation Area and tend to be low, lightweight and permeable. Post and chain fences are common and maintain the open nature of the village. Stone walls and hedges are also a traditional treatment in some areas of the village.



Small front gardens are found on the south side of the road. Boundary treatments are low and visibly permeable

Contribution of Key Unlisted Buildings

Ampleforth boasts a particularly high quality of vernacular buildings, many of which have been well maintained and conserved in a sympathetic manner. The demolition of almost any building within the Conservation Area would have a detrimental impact on the architectural and historic character of the village. As such it has been decided not to specifically identify individual buildings within this section.

Listed Buildings

There are 13 listed buildings in the Conservation Area:

Church of St. Hilda
Foxglove Cottage
The Manor House
Stable Cottage
Daleside
Marian House
Maynards
Ash Ling
Cross House
Ford End House
The Cottage
The Owlet
Fern Villa

Public Realm Features

There are a number of features within the Conservation Area in the public realm that contribute to its character. These include the stone steps found at intervals in the grass verges, the stone bridge over beck at the western end of the Conservation Area together with the gravity fed drinking trough, the lions head water pump and the water trough at the eastern end of the village. The graveyard of St. Hilda's commemorates Robert Thompson's life with a gravestone and is home to the Jubilee gateway dating from 1887. The bell housing of the village hall is a prominent feature which features an in situ bell and date stone.

Trees

Trees play an important role in the appearance of the Conservation Area. The Conservation Area status protects all trees that have a trunk diameter of 75 millimetres or more (measured at 1.5 metres above ground), requiring owners to give the Local Planning Authority 6 weeks written notice of intent to fell or prune. The Notice gives the Local Planning Authority the opportunity to bring the trees under the general control of a Tree Preservation Order (TPO) if it is considered that the proposal is not in the best interests of visual amenity. Currently there are no TPO's within the Conservation Area.

Although there are only a small number of specimen trees that can be viewed from the village, the scarp slope running north-south provides numerous picturesque views from both the south along Station Road, and from several locations along the public footpath on the northern boundary of the Conservation Area which provides a good vantage point for viewing practically the whole trees-cape of the village. Historically, planting along the village street has been limited owing to lack of available verge space. The few trees that exist on the northern side of the village street including sycamore, horse chestnut and lime, have outgrown the available space, resulting in the need to carry out extensive pruning work or complete pollarding to clear overhead lines and properties. Unfortunately this pruning has tended to exacerbate the problem causing extensive re-generation.



This rowan in the main street has been heavily pruned to accommodate overhead wires giving the tree an ugly appearance detracting from its value in the Conservation Area.



The lime in the foreground has been pollarded to keep it within bounds in the street, the resultant regeneration is alien to the natural shape of this species and requires regular maintenance.

Should the under-grounding of overhead cables be desirable and create overhead clearance for new tree planting, specialist advice should be taken on appropriate species. As these trees are growing in the highway verge their replacement may require a license from North Yorkshire County Council's Environmental Services Section. Such licenses are normally only granted to public bodies, such as a Parish Council, who may have the financial capacity for future maintenance and liability.

Unfortunately a few trees within the main street may never be replaced when the time comes for them to be felled owing to the constricted area that they currently grow in.



These mature trees are prominent in the street scene but are growing in very restricted conditions. It is unlikely, or practical, therefore that they would be replaced by a tree of the same stature, if at all, when the time comes for them to be felled.



Trees form a pleasant back-drop to properties close to the northern boundary of the Conservation Area



Gaps in the street frontage allow open views of mature trees on rear boundaries

Management and Enhancement of the Conservation Area

The appearance of the Conservation Area is extremely attractive and property owners and responsible bodies have done a good job in maintaining the attractive appearance of the village. There are some areas however where consideration could be given to improvements;

- Re-Pointing

Some of the properties in the village have been re-pointed in the past with hard cement mortar. This can be damaging to the soft building stone and is unattractive. Every effort should be given to promote lime re-pointing and help and advice can be given from the Local Planning Authority Conservation Officer.

- Rainwater Goods/Guttering

Some of the properties in the village have had their cast iron guttering replaced with grey plastic guttering mounted on fascia boards. This is not a traditional finish and re-instatement of cast iron rainwater goods on driven rise and fall spikes should be encouraged.

- Public Steps in the Northern Grass Bank

Some of the stone steps have been replaced with concrete. Consideration could be given to the replacement of these with real stone.

- Street Furniture

Some of the street furniture in the village could benefit from maintenance and better co-ordination.



Thought could be given to co-ordinating some of the utility items in the street

- Road signs

There are few road signs in the village and these should be kept to a small as possible in size and number. Finger directional posts should be co-ordinated and not added to in an ad-hoc manner. Poles should be painted and not left in their galvanised state. Where directional road signs are replaced, these should be shaped to point the direction and not placed on a grey 'one size fits all' backing board. New street name signs should be fixed onto walls and not mounted onto low poles as this can give a suburban appearance.



All new street signs should be co-ordinated and of the highest quality

- Street Lighting

The Conservation Area is presently served by comprehensive street lighting. Where new street lighting is proposed, this should match in style with the existing street lighting. Consideration could be given to painting street lighting columns an appropriate rural colour such as BS 10B21 sometimes known as 'lizard'. If possible 'white' light should be used as opposed to orange sodium style lighting. Lighting on new developments should only be used where necessary, and be low key and not suburban in appearance.

- Footways

The Conservation Area is currently served by footways on both sides of Main Street for much of its length. Where new footways are proposed or existing footways are maintained, only high quality materials should be used. Kerbs should be natural stone and pavements should be either tarmac or square paving slabs to match the existing to the north side of Main Street.

- Overhead Lines

The village street is currently served by overhead power lines that cause visual harm to the street. Consideration should be given to re-routing overhead lines underground wherever possible however, this proposal would require careful consideration in terms of the potential cumulative and individual impact of new power connections on the front elevations of all buildings. Such connections may be in more prominent locations than existing high level lines and consultation should be undertaken with heritage professionals. Removal of cables and wires on buildings should also be carried out wherever possible for similar reasons.

- Boundary Walls

Boundary walls are an important part of the character of Ampleforth. They should be repaired and maintained in an appropriate manner using matching materials in lime mortar built in a traditional manner. Boundary treatments in new development should be traditional in nature and reflect other boundary treatments in the near vicinity.

- Water Pump

The lions head water pump has a crack in its domed top. This should be repaired using best practice and skilled craftspeople.

- Public Realm Items

There is a post by the bridge over the stream at the western end of the village that formerly held a traditional cast iron bus stop sign and was painted in black and white bands. Consideration could be given to the reinstatement of this in its traditional form.



The spring fed water trough at the eastern end of the village is a low key but characterful part of the village. It would benefit from some gentle consolidation with conservation friendly materials and practices

- Traffic Calming Measures

The main road through the Conservation Area is the official alternative route avoiding Sutton Bank for heavy vehicles and caravans. Heavy traffic can be problematic however, traffic calming measures can be visually damaging to the appearance of a conservation area. Where traffic calming measures are desirable, only low key and non standard solutions should be considered and the highest quality materials should be used. North Yorkshire County Highways should consult with heritage professionals regarding works to the highway in the conservation area.

- Road Markings

The lack of vehicular access to the side of houses results in a high level of on street parking in some areas of the village. Whilst this can be undesirable, the lack of significant road markings i.e. double yellow lines contributes to the uncluttered appearance of the Conservation Area and this should be maintained where possible. North Yorkshire County Highways should consult with heritage professionals regarding new road markings in the Conservation Area.



The lack of excessive road markings contributes to the rural nature of the Conservation Area

- Chimney Pots

Chimney pots add interest and character and top off a roof. If they are missing, re-instatement is desirable

- Empty Properties

The empty shops and houses at the eastern end of the village are in need of investment and refurbishment. Liaison with planning and housing officers at the Local Planning Authority should be encouraged to enable re-use of the buildings.

- Article 4 Direction

In August 2006 the North York Moors National Park Authority applied an Article 4 (2) Direction in the Conservation Area covering the northern side of the road. This protects features such as traditional doors and windows, which are an important aspect of the character of the Conservation Area. Consideration should be given by Ryedale District Council to extending this protection into the southern side of the Conservation Area. Full public consultation would be undertaken before a Direction was confirmed.

New Development

The Local Planning Authority has a duty to ensure that proposals for development either preserve or enhance the character of the Conservation Area. Ryedale District Council and the North York Moors National Park are committed to this duty.

Saved policies in the Ryedale Local Plan that relate to the Conservation Area are:

- C4- Trees in Conservation Areas
- C5- Advertisements within Conservation Areas

Policies in the North York Moors National Park Local Development Framework that relate to the Conservation Area are:

- Core Policy G – Landscape, Design and Historic Assets
- Development Policy 3 – Design
- Development Policy 4 – Conservation Areas

More detail on the contents of these policies are available in the respective development plans.

In the emerging Ryedale District Council Local Development Framework, Ampleforth has been identified within the draft Core Strategy as a 'Service Village' development growth area, in recognition of its good range of facilities and regular bus service. This provides for small scale local employment and housing opportunities in Ampleforth, to support existing services and diversify the rural economy. Due to the restricted development space within the Conservation Area it is anticipated that most new development will be outside the boundary. It is important however that the Conservation Area is taken as a material consideration when assessing development sites that are outside the boundary but would affect the setting of, or views into or out of the Conservation Area.

In order to ensure that proposals for development can be adequately assessed, the submission of detailed plans and elevations will be required within the Conservation Area. This is likely to require the submission of drawings relating the new building within its context to the streetscene. 1:50 scale drawings of plans and elevations are considered to be an appropriate scale for new development within the Conservation Area. For more detailed proposals 1:5 and 1:10 scale drawings may be required.

In order that the special character of the Conservation Area is preserved or enhanced, proposals for new development should be sensitive in their design and detailing. The location of new development should be sited to respect historic street patterns and plot forms. It should be positioned where it will respect the character of surrounding buildings and maintain key views and spaces.

The design of any new development should reflect the immediate environs in massing, fenestration and scale. It should not overwhelm existing buildings but should seek to enhance and complement these structures. Traditional detailing and local features should be reflected or complemented by the design of any new build. All new development should utilise sympathetic materials, which should be used to relate the new to the surrounding historic buildings.

It is possible there is some limited opportunity for new development on the street frontage within the Conservation Area. The former petrol filling station site located on the south side of Main Street within the Conservation Area may benefit from some development. Any new development in this site will be expected to respect its historic context in terms of scale, form, materials and quality. Due to the importance, however, of green pockets within the Conservation Area, there should be a presumption against development on those specific important green open spaces mentioned above under 'The Character and Inter-relationship of spaces within the Area' and on the enclosed map (annex a). Due to the importance of views through gaps in between buildings and side gardens, these spaces should not be infilled. In addition, new development will be expected to create them where desirable. Fields outside the Conservation Area to the south west provide an important buffer zone in providing views into the Conservation Area and separating the historic village from the more modern development. There should be a presumption against development in these circumstances. Due to the attractive setting the village centre grass verges provide, there should be a presumption against the creation of new vehicular accesses across them. Proposals that involve substantial alteration to the existing ground levels are also unlikely to be desirable.

It is possible that there is some limited opportunity for small scale development on the north side of Back Lane. This will be expected to reflect the existing character in that area of linear development of detached properties set in generous grounds set back from the roadside.

Renewable Energy

In decisions on how best to incorporate a renewable technology into traditional buildings, the principles of minimum intervention and reversibility should be adopted whenever and wherever possible. Before looking into alternative means of generating energy it is important

to investigate all available measures for conserving it. The advice contained in the English Heritage document Energy Conservation in Traditional Buildings should be followed in this respect.

If you are considering installing a form of micro generation first consult your Local Planning Authority to see what permissions are needed. You will need to give careful consideration to the following issues particularly if your home is a listed building within the Conservation Area;

- Consider an installation that will not have an adverse effect on the character or special interest of your house or setting. Look for a location that will have minimal visual and physical impact.
- Bear in mind that equipment that becomes redundant will need to be removed and any resulting damage to the site or building made good.

The advice contained in the English Heritage document Microgeneration in the Historic Environment should be followed in this respect to ensure that the character of traditional properties in the Conservation Area is preserved or enhanced.

This document is intended to be an overview assessment of the character of the Ampleforth Conservation Area. The omission of a particular feature or phenomenon does not necessarily imply it does not contribute to the character of the conservation area.

Contacts

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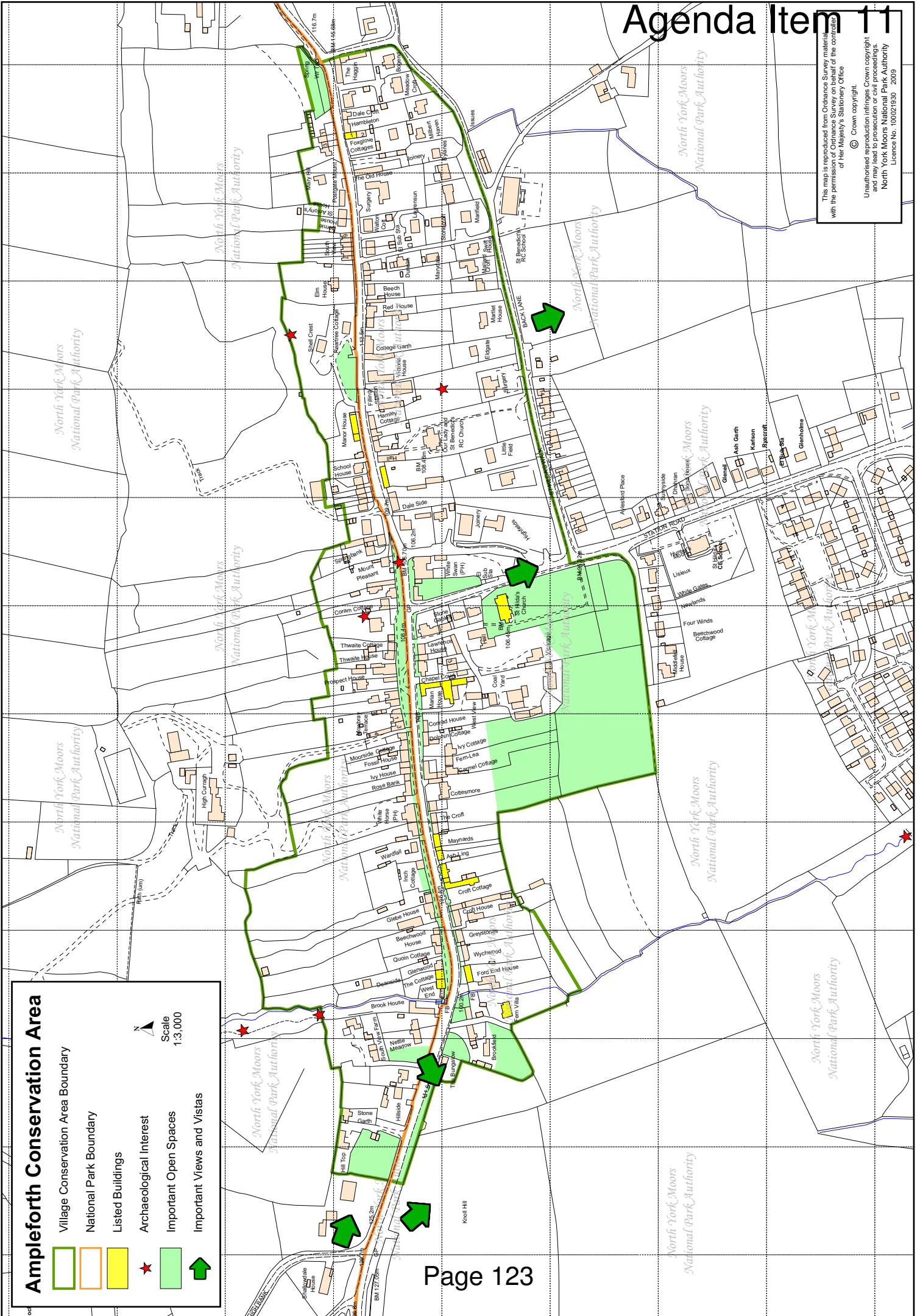
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Ampleforth Conservation Area

- Village Conservation Area Boundary
- National Park Boundary
- Listed Buildings
- Archaeological Interest
- Important Open Spaces
- Important Views and Vistas

Scale 1:3,000

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Ampleforth Conservation Area Appraisal- Consultation Responses

Name	Date of Comment	Comment	Relevant to CAA	Endorse CAA	Endorse Boundary	Alteration
Andrea McMillan-NYMNP	04.09	Suggest paragraph how renewable energy may be incorporated in Ampleforth	Y	Y	Y	Paragraph included
R & L. Beck	07.08	Add paddocks, south of South View Farm and west of Nettle Meadow as 'Important Open Space'. Questioning subjective views re trees Points of detail ref 'redundant post' cast iron gutters & overhead lines. Highlight Lonsdale House as being a negative feature Heavy traffic concerns	Y	N	Y	Additional 'Important Open Space' incorporated in document Tree section written by RDC's Tree and Landscape Officer. Minor text alteration Commentsa passed to NYCC Highways. 'there are currently no plans to look at the issue of heavy vehicles in Ampleforth'.
Mr & Mrs Smith	06.08	Support traffic calming on Main Street & Station Road. Think parked cars are an eyesore	Y	N	Y	No change as CAA does not object to traffic calming in principle

Name	Date of Comment	Comment	Relevant to CAA	Endorse CAA	Endorse Boundary	Alteration
Carole Lead	06.08	Think boundary should extend westwards on north side of road to include Shallowdale and Oakhurst	Y	Y	N	No Change, NYMNP believe current boundary considered to be acceptable
Josephine Thrower	06.08	Think boundary should be extended to include Millennium Green & Shallowdale	Y	Y	N	Millennium Green too far south of area for a meaningful contiguous boundary. No Change
T. Marken	06.08		Y		Y	No Change
S. Robinson	06.08	Extend boundary to west on north side of road	Y		N	No Change- see above
Richard Marr- NYCC Highways	06.08	Will make every effort to carry out road maintenance according to the plan, however budgets are very tight.	Y			No Change
Ampleforth Parish Council	07.08	Good document. Forthcoming Village Design Statement will sit alongside it nicely.	Y	Y	Y	No Change
Cllr Jim Bailey	06.08	Good document. Acknowledge work of Village Design Group	Y	Y	Y	Contribution of Village Design Group acknowledged
Lindsay McLane	07.08	Supports the lack of traffic calming measures and does not wish to see them introduced. Street parking is excellent	Y	Y	Y	No Change as the principle of introducing traffic calming is an NYCC role.
Sarah McLane	07.08	Would not like to see	Y	Y	Y	No change as the

Name	Date of Comment	Comment	Relevant to CAA	Endorse CAA	Endorse Boundary	Alteration
		new traffic signs/ traffic calming				principle of introducing traffic calming/signage is an NYCC role
NYMNP	13.07	Include additional important open space	Y	Y	Y	Additional Open Space incorporated into document.
Ampleforth parish Council	15.01	Endorse additional Important Open Space				
Mr S. Read	23.12	Endorse additional Important Open Space				

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	1 APRIL 2010
REPORT OF THE:	HEAD OF PLANNING GARY HOUSDEN
TITLE OF REPORT:	RYEDALE LOCAL DEVELOPMENT SCHEME
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 For Members to agree amendments to the Local Development Scheme.

2.0 RECOMMENDATION

2.1 That Council is recommended to approve the proposed revisions to the Local Development Scheme outlined in Sections 8.9, 8.11 and 8.12 of this report.

3.0 REASON FOR RECOMMENDATION

3.1 Local Development Documents need to be produced in accordance with key milestones set out in the Local Development Scheme (LDS). The current Local Development Scheme is out of date and requires amendment in order to support the progress of the Core Strategy.

4.0 SIGNIFICANT RISKS

4.1 The Core Strategy is likely to fail legal/compliance tests at an examination if revisions to the Local Development Scheme are not agreed.

4.2 The proposed revisions to production milestones are ambitious. The scale of consultation responses, the date of the General Election, emerging new Government Guidance and any additional demands on the resources of the team are likely to impact upon the extent to which the proposed milestones are achieved. The main body of the report suggests that the next consultation should take the form of consultation on the full draft of the Core Strategy as a means of mitigating the risk of further longer- term delay to the production of the document.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 Members are aware that the Local Development Scheme is the three-year, rolling project plan for the Local Development Framework.
- 5.2 The current Local Development Scheme was agreed with the Government Office early last year. It looks to progress the production of three main Development Plan Documents (DPD's) against the following milestones:

	Sustainability Appraisal Scoping Consultation	Initial Consultation	Publication	Submission	Adoption
Core Strategy DPD	April/May 2009	Carried forward from earlier LDS	Nov/Dec 2009	May 2010	Jan 2011
Facilitating Development DPD	April/May 2009	June/July 2009	Jan/ Feb 2011	August 2011	May 2012
Helmsley DPD	April/May 2009	June/July 2009	To be Confirmed	To be Confirmed	To be Confirmed

- 5.3 Whilst the Council achieved the above milestones relating to the Scoping consultation and initial consultation, the Core Strategy was not published at the end of last year. This was largely the result of:
- The scale of consultation responses received following the Summer 2009 consultation
 - A need to undertake additional technical work that had not previously been anticipated
 - Complexities of the technical evidence base. In particular, the Strategic Transport Assessment for Malton and Norton

6.0 POLICY CONTEXT

- 6.1 Production of the Local Development Framework is a clear priority for the Council. A revised Local Development Scheme must be agreed with the Government Office in order to enable the Core Strategy to proceed through the remaining stages of its production in order to satisfy legal compliance tests at an examination.

7.0 CONSULTATION

- 7.1 Any revisions to the Local Development Scheme will need to be agreed with the Government Office before a revised scheme is published.

8.0 REPORT DETAILS

Proposed revisions to Core Strategy milestones

- 8.1 Members are aware that changes to the Development Plan system in 2008 removed the explicit requirement to undertake a formal Preferred Options consultation. This was reflected in the current LDS milestones. However, emerging practise and advice from the Government Office is that Authorities should undertake some form of additional public consultation prior to the formal publication of the Strategy. From

experience to date, the risk of not following emerging practise and undertaking another episode of public consultation prior to publication would be too great.

- 8.2 Clearly, the need to prepare further consultation material and undertake a period of consultation will influence how quickly the Core Strategy can be prepared for publication. The forthcoming election will also 'dictate' the timing of the next consultation and consequently, the publication of the document. Officers are confident that the evidence base required to support the next stages, will be completed to support progress. Members are aware that the key piece of outstanding technical work is the Viability Study. It is anticipated that this will be completed during April following specific consultation with representatives of the housing industry on the 23rd March 2010.
- 8.3 Officers are keen to minimise delay to the original, target adoption date. (January 2011). Taking account of the submission/ examination timetable that the Planning Inspectorate work within and the work required between the publication and submission of the document, it is anticipated that the Core Strategy would need to be published in July of this year in order to allow for an adoption date of May 2011.
- 8.4 Assuming a May General Election date, undertaking a period of consultation (normally six weeks) and publishing the Core Strategy within the period May – July is very tight, although not impossible.
- 8.5 The nature and style of the next consultation stage may well prove critical as a means of mitigating the risk of overall delay to progress of the Core Strategy. Officers had originally intended that the next consultation would focus on the key decisions that have been made and the reasons for these. However, given delays to the completion of technical evidence, undertaking a 'preferred options' style consultation would not represent the most efficient use of the time available. Officers would need to resource the drafting of the document, analyse consultation responses and draft the detailed Core Strategy.
- 8.6 As an alternative, Officers believe that there is considerable merit in consulting on a draft version of the Core Strategy before the document is formally published. There are a number of advantages to this. Stakeholders will be able to read the draft document as a whole and comment on its detail as well as key policy choices. Consultation responses can be used to refine and change the document in advance of its formal publication. This is likely to result in fewer responses/ objections being carried forward to the examination. Undertaking the next consultation in this way also means that officer time can be focussed on producing an actual draft of the Core Strategy as opposed to another, more general consultation document.
- 8.7 In order to publish the Core Strategy in July, consultation would need to take place in May and the responses will need to be reported to Members at the same as the publication version of the Core Strategy is agreed. It should be noted that if the General Election date is announced for June, then a July publication date would not be achievable.
- 8.8 Clearly however, it is important that momentum is maintained and that a revised Local Development Scheme is agreed with the Government Office as soon as possible. Therefore, whilst there is current uncertainty over the general election date, it is considered that it would be appropriate to proceed on the assumption of a May date for the General Election.

8.9 The proposed revised LDS milestones for the Core Strategy are:

Publication: July 2010

Submission for Examination: November 2010

Adoption: May 2011

Other Development Plan Documents

8.10 Delays to the production of the Core Strategy have also had a knock on effect on the timetable for the delivery of the Facilitating Development Document, as the team's resources are focussed on the work required to progress the Core Strategy. Although the Summer 2009 consultation represented the first stage of site-specific consultation, a considerable body of work is required to assess the merits of individual sites, before Members are able to agree preferred sites. This includes discussions with landowners regarding site-specific viability, detailed transport modelling and constraint information gathering.

8.11 Taking the account of the delays experienced with the Core Strategy and the experience of other authorities who have made some progress with site allocations documents it is considered that the production milestones should be rolled forward by at least nine months. The proposed, revised milestones for the site allocation document would then be as follows:

Publication: November 2011

Submission: May 2012

Adoption: November 2012

8.12 Revisions to the Local Development Scheme provide the opportunity to rename the Facilitating Development Document. Whilst this document was always going to include new land allocations it was given the title in order that some flexibility over its content could be maintained. However, the scope and content of the Core Strategy is now clearer and on this basis it is considered that the document should be renamed 'Sites Document'.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

a) Financial

The Service budget and the additional resources agreed for the LDF will cover the cost of the publication of the Core Strategy and includes provision towards examination costs.

b) Legal

The Council is required to produce a Local Development Scheme and to produce documents in accordance with it.

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

No direct implications

10.0 Next Steps

10.1 The proposed changes will be included in a revised Local Development Scheme and

forwarded to the Government Office for their consideration/agreement.

Gary Housden
Head of Planning

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Background Papers:
Ryedale Local Development Scheme (2009)

Background Papers are available for inspection at:
www.ryedale.gov.uk

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LOCAL DEVELOPMENT SCHEME - RISK MATRIX – ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
		See below (score before mitigation)	See below (score before mitigation)		See below (score after mitigation)	See below (score after mitigation)
Proposed Revisions are not agreed by Members or the Government Office	Further revisions would need to be considered/ agreed and this could lead to delay to the publication of the document.	2	E	GOYH has had advanced warning of revisions to the scheme. Further meetings with Members to agree key dates	1	E
Proposed revised dates are ambitious and vulnerable to:: changing circumstances for example, emerging Government policy, Uncertain General Election date Level of further consultation responses	Revised milestones will not be achieved.	4	E	Consultation on draft version of the Core Strategy prior to publication. Would mitigate the effects of these issues over the course of the remaining stages of production.	3	C

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

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PART B: RECOMMENDATIONS TO COUNCIL

REPORT TO: POLICY AND RESOURCES COMMITTEE

DATE: 1 APRIL 2010

**REPORTING OFFICER: COUNCIL SOLICITOR AND MONITORING OFFICER
ANTHONY WINSHIP**

SUBJECT: OFFICER CODE OF CONDUCT

WARDS AFFECTED: ALL

1.0 PURPOSE OF REPORT

1.1 To consider and recommend Council to approve a revised Officer Code of Conduct.

2.0 RECOMMENDATION

2.1 Council are requested to approve the revised Officer Code of Conduct with immediate effect for inclusion within Part 5 of the Council's Constitution.

3.0 REASON FOR RECOMMENDATION

3.1 The recommendation is supported by the following reasons:-

(a) To ensure probity in the Council's decision making.

(b) To provide appropriate advice and support to the Council's Officers.

4.0 SIGNIFICANT RISKS

4.1 No significant risks have been identified – see Risk Matrix (Annex A).

REPORT

5.0 BACKGROUND AND INTRODUCTION

5.1 The Action Plan for implementation in relation to the Annual Governance Statement included reference to the need for a bespoke Officer Code of Conduct document. The Council's existing Officer Code of Conduct was prepared in 1995. There is also express legislative power for Central Government to introduce an Officer Code of Conduct.

- 5.2 The commitment of Central Government to the idea of a Code of Conduct for Local Government employees has manifested itself in the following way:-
- (i) Section 82 of the Local Government Act 2000 introduced a power for the Secretary of State to issue by order a Code of Conduct for local government employees. This provision came into force on 28 July 2001.
 - (i) In August 2004, the then Office of the Deputy Prime Minister issued the consultation paper, *A Model Code of Conduct for Local Government Employees*. The paper consulted on a draft code defining the minimum standards of conduct that employees of relevant authorities would be expected to observe on carrying out their duties.
 - (ii) In October 2008, the Department for Communities and Local Government published the consultation paper *Communities in control: Real people, real power Codes of Conduct for local authority members and employees*. The consultation period ended on 24 December 2008.
 - (iii) As at the date of writing this report and notwithstanding two consultation papers on the subject, there has been no indication that the Secretary of State will issue by order a Code of Conduct for local government employees in the foreseeable future.
- 5.3 (i) Ryedale has had an Officer Code of Conduct since March 1995. This Code is currently on the Council's intranet.
- (ii) The 1995 Officer Code of Conduct was produced as a response to the Local Government Management Board publication of the same title which was published in 1994 which sets out the minimum standards which should apply to issues affecting local government employees in England and Wales. The Associations within local government and UNISON have endorsed the Code of Conduct produced by the Board and the local Code follows closely the guidelines put forward in the national document.
- 5.4 Production of a local Code of Conduct for Officers is not intended to imply distrust but exists for the avoidance of doubt.
- 5.5 Although the March 1995 Officer Code of Conduct has been updated, it is in need of revision.
- 5.6 Members are advised that an Officer Code of Conduct fulfils at least the following three functions:-
- (i) It establishes minimum standards of conduct for employees.
 - (ii) It establishes a mechanism for Officers declaring and registering interests.
 - (iii) It establishes rules in relation to gifts and hospitality.
- 5.7 Members are advised that the principle of declaration of interests by Officers is in certain circumstances prescribed by law under Section 117 of the Local Government Act 1972 as amended. Officers are obliged to give written notice when they have a

direct or indirect pecuniary interest in a contract. Indirect interests arise where the Officer owns shares in a company, is a partner or in the employment of a Contractor or is the spouse or a person with such an interest.

5.8 Section 117(2) of the Local Government Act 1972 also provides that an Officer of a local authority shall not, under colour of his office or employment, accept any fee or reward whatsoever other than his proper remuneration. A contravention of the provisions of Section 117 of the 1972 Act is a criminal offence attracting a fine on summary conviction not exceeding £2,500.

5.9 The terms and conditions of employment for Officers include those established by the National Joint Council for Local Government Services, as set out in the Scheme of Conditions of Service (commonly known as the Green Book) and includes the following provisions:

2.1 Employees will maintain conduct of the highest standard such that public confidence in their integrity is sustained.

2.2 Local codes of practice will be developed to cover the official conduct and the obligations of employees and employers.

5.10 Accordingly the proposed Officer Code of Conduct is consistent with the above provisions of the Green Book.

6.0 POLICY CONTEXT

6.1 This report does not alter the Council's Policy Framework but the issues contained within this report are required to be considered by Council because they affect the terms and conditions of employees of the Council and amend the Council's Constitution.

6.2 Sound corporate governance lies at the heart of the Council's ability to deliver and achieve its corporate priorities by supporting the Council's corporate plan objectives.

7.0 CONSULTATION

7.1 The trade union has been consulted on the contents of the proposed Code. The final decision to adopt any revised Code of Conduct for Officers sits with the full Council. The Employee Code of Conduct is a document contained within Part 5 of the Council's Constitution.

8.0 REPORT DETAILS

8.1 As indicated above the Government has taken many years to issue a draft Officer Code for consultation and it could be some time yet before that is finalised. It is, therefore, recommended that the Council proceeds to develop and adopts its own updated Code without further delay.

8.2 It is important that the Officer Code is clear and straightforward as it will apply to Officers of the Council at all levels.

8.3 There is an argument for developing a detailed Code which seeks to address all issues an Officer may face. However, it is almost impossible to include guidance on

every possible circumstance and there is a danger that, if something new arises which is not covered, an Officer can argue that they had received no advice on this and could not be expected to know what to do and this can carry some weight in disciplinary processes.

- 8.4 The approach adopted has, therefore, been to go for a much more high level approach, focused on Core principles supported by guidance on a number of key areas. It then signposts employees to other policies, procedures, etc which they need to be aware of. A copy of the draft Code is attached as Annex B.
- 8.5 The changes to the Code of Conduct concentrate mainly on providing more clarity where necessary and on updating provisions in the light of legislative changes and experience. The opportunity has also been taken to reflect good practice principles expected to be included in the Government's model code for employees when finally published. The Code introduces a register of interests for the following staff:
- Corporate Management Team
 - Heads of Service and equivalent
 - Service Unit Manager
 - Staff in Politically Restricted Posts
- 8.6 Although the Members' Code of Conduct is not a parallel with the Officer's Code and other human resources policies and procedures cover the conduct of staff, the Officer Code was reviewed in the light of the Member Code of Conduct.
- 8.7 The Code will be a first point of contact for many staff, it will be available on the Intranet and will be made available to all new staff. It is, therefore, important that where requirements are set out in other policies, the Code signposts these requirements by reference and links to other documents.
- 8.8 Unlike the Register of Members Interests which is required to be maintained under the Local Government Act 2000 as amended, the Council currently has no well established arrangements for an Officer register of interests. The Audit Commission have recommended a register of Officer Interests as good practice, and this was initially recommended as part of the national code, although this was strongly resisted by many authorities who felt it was impractical to have a register for all staff. It was felt that for many staff, the cost of administering such a register would exceed the benefits. It is, therefore, proposed to introduce a register for those staff described above. This will be a system managed by Legal Services. Although there is a statutory requirement for the Members register of interests to be available for public inspection, there is no similar requirement for the Officer Code and as the register will contain personal data the Data Protection Act 1998 will need to be observed. The register will be accessible to certain officers where they have been asked to investigate ie Internal Audit Manager, Council Solicitor, Head of Organisational Development and Chief Executive, Corporate Directors, and to the relevant line manager where impropriety is alleged or suspected.
- 8.9 A revised Code of Conduct for Officers will not be effective unless it is coupled with a programme of awareness raising in relation to the content of the new code. This will take the form of inclusion within the Council's induction programme for all new starters. The requirements in relation to the new register of interests will be the subject of presentations to senior staff through the Council's management teams. The final decision to adopt any revised Code of Conduct for Officers sits with the full

Council. The Employee Code of Conduct is a document contained within Part 5 of the Council's Constitution.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

a) Financial

This report has no financial implications.

b) Legal

A Code of Conduct for Officers is a key document to ensure the good governance of the Council and provides clear direction to employees on the standards of conduct expected of them. There are no issues which need to be brought to the specific attention of Members, other than those highlighted in the report.

The Government issued a revised draft Officer Code of Conduct for consultation in October 2008. This has been awaited for many years and it may be some time before any final document is agreed. It is, therefore, necessary for the Council to agree its own Code, which can be reviewed if necessary when any final framework is issued.

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

The report has no significant implications.

10.0 NEXT STEPS

10.1 Subject to the recommendation of the Policy and Resources Committee the Officer Code of Conduct will be submitted to Council for final approval.

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Background Papers:
None

Background Papers are available for inspection at:
N/a.

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OFFICER CODE OF CONDUCT - RISK MATRIX – ANNEX A

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
<p>1. Failure to have an Officer Code in place places the Council at risk of inappropriate behaviour by Officers.</p> <p>2. Failure to have clear advice for Officers on appropriate behaviour makes it difficult to deal with inappropriate conduct.</p>	Officers may be unclear about the minimum standards of conduct expected	2	C	<p>1. The solution, therefore, is for the Council to adopt an Officer Code which will have immediate effect.</p> <p>2. Again, the solution is to adopt an Officer Code which will make expected standards of conduct clear to all Officers.</p>	2	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

ANNEX A

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ANNEX B

RYEDALE DISTRICT COUNCIL
OFFICER CODE OF CONDUCT
CODE OF CONDUCT
FOR EMPLOYEES



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CODE OF CONDUCT FOR OFFICERS

1. PURPOSE

The purpose of having a Code of Conduct is to:

- To make a clear statement about the standards of conduct expected of employees of Ryedale District Council.
- To ensure the highest standards of conduct by identifying corporate standards which sit alongside professional codes and guidelines.
- Help all employees to act in a way which upholds the Council's standards, and at the same time, protect them from criticism, misunderstanding or complaint.
- To help build trust between the Council and the people who come into contact with those working for it.

2. SCOPE

This Code of Conduct applies to:

- All employees of the Council. Employees are as defined in Section 230 of the Employment Rights Act 1996 or any subsequent legislation.
- Individuals providing services for the Council eg contractors, agencies, self-employed, and those working for the Council as part of partnerships with the Council.

Disregarding this Code will, in certain circumstances, result in disciplinary action being taken. All employees will be supplied with a copy of this Code, against which their conduct will be measured.

3 CORE PRINCIPLES

The following core principles underpin the concept of public service and apply to all employees of the Council regardless of the nature of the job they do.

SELFLESSNESS

Employees should take decisions solely in the terms of the public interest. They should not do so nor use their position in order to gain financial or other material benefits for themselves, their family or their friends.

INTEGRITY

Employees should not place themselves under any financial or other obligations to outside individuals or organizations that might influence them in the performance of their official duties.

OBJECTIVITY

In carrying out public business, including making public appointments, awarding contracts or recommending individuals for rewards and benefits, employees should make decisions on merit.

ACCOUNTABILITY

Employees are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS

Employees should be as open as possible about all decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands it.

HONESTY

Employees have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

RESPECT FOR OTHERS

Employees must treat other people with respect and not discriminate unlawfully or unfairly against any person. They must treat Councillors and other co-opted Members of the authority professionally.

TRUST

Employees must, at all times, act in accordance with the trust that the public is entitled to place on them. Employees must use any public money or service users' money entrusted to or handled by them, in a responsible and lawful manner and not make personal use of the Council resources unless properly authorised to do so.

LEADERSHIP

Employees should promote and support these principles by leadership and example.

The Code of Conduct principles operate within the overall framework of the expected Council Values and Behaviours for Ryedale District Council (explained further in Section 8 of the Code).

The Code of Conduct principles operate within the overall framework of the Ryedale District Council expected Council Values and Behaviour.

You should also be aware of and abide by service specific Standards or Regulations, especially when working with vulnerable adults and children. These are explained in paragraph 6 of this Code.

Please liaise with your Manager who should refer you to the appropriate standards. At the end of the Code of Conduct Guidance notes, you will also find a matrix to help signpost you to other relevant Standards. This may be seen in paragraph 6 of the Code.

4 CORE STANDARDS

Our customers, the general public, are entitled to expect the highest Standards of conduct from us. The aim of this code is to tell you about the standards which are expected and to help you avoid any misunderstanding or criticism.

4.1 Gifts and Hospitality

- 4.1.1 A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. It is important to avoid any suggestion of improper influence.
- 4.1.2 Casual gifts offered to employees by contractors, organisations, firms or individuals such as calendars, diaries, mouse mats, pens and other small gifts need not be declared. The general rule is that a gift below the value of £25 does not need to be declared. However, it will not be appropriate to accept a gift below that value if it's more than minimal and may be perceived as an inducement. Where a number of small gifts over a period of time amount to more than £25 collectively these should be declared.
- 4.1.3 With the exceptions listed below, you should decline any personal gift offered to you, or to a member of your family, with a value of £25 or over by any person or organisation having dealings with the Council.
- 4.1.4 Any such offered should be reported to your Line Manager, Head of Service or above on **Form OCC1** and should be recorded in a register, which is kept for this purpose. Chief Officers should report any such offer to the Monitoring Officer, who will record it in a similar register. The Monitoring Officer will report any such offer received to the Chief Executive, who will record it.
- 4.1.5 When a gift needs to be refused, this should be done with tact and courtesy, because the offer of gifts is common custom and practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to your place of work, there may be a problem returning it, in which case it should be reported immediately to your Chief Officer or the Council Solicitor.
- 4.1.6 A checklist is provided at **Annex A** which you should use to help you decide whether or not it is appropriate to accept a gift. If you are in doubt advice can be sought from the Council Solicitor.
- 4.1.7 You should only accept hospitality where it is on a scale appropriate to the circumstances, and where it is apparent that no cause could reasonably arise for adverse criticism about the acceptance of the hospitality. Hospitality is usually acceptable when the invitation is corporate not personal

4.1.8 Whatever gift/hospitality is provided to you, other than hospitality of nominal value only such as a small item of stationary, you should report the circumstances and the type of hospitality to your Line Manager, Head of Service or above.

4.1.9 It is a serious criminal offence to corruptly receive or give any gift, loan, fee, reward or advantage for doing or not doing anything or showing favour or disfavour to any person in their official capacity. If an allegation is made it is for the employee to demonstrate that any such rewards have not been corruptly obtained.

! If you are presented with a gift or offer of hospitality you must seek authorisation in advance, where possible, from your Head of Service or Corporate Director, who will record every request on the relevant form. (Consider the decision checklist in Annex A of the Guidance Notes).

4.2 Sponsorship – Giving and Receiving

4.2.1 If an organisation wants to sponsor a local government activity, whether by invitation, tender, negotiation or voluntarily, the basic rules about accepting gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors

4.2.2 If the Council sponsors an event or service, you or anyone connected with you may not benefit from the sponsorship. Similarly, if the Council, gives financial support in the community, please ensure that impartial advice is given and that you have no conflict of interest.

! You must inform your Line Manager, Head of Service or above of any personal interest you may have and complete a declaration of interest form.

4.3 Use of Financial Resources

4.3.1 You must ensure that you use public funds entrusted to you in a responsible and lawful manner. Please try to ensure value for money to the local community and to avoid the risk of legal challenge to the Council.

! Employees must follow Standing Orders, Financial Regulations and operating procedures and advise management where they consider changes can be made to increase value for money.

4.4 Use of Council Facilities

4.4.1 At work you have access to facilities which include office equipment, computers, stores, transport etc. Except as permitted by the relevant ICT policy currently in force these facilities are provided purely for work and you must not use them for your own purposes.

4.4.2 There are certain minor exceptions to these rules - the use of telephones, fax machines and photocopiers.

4.4.3 Telephones - Ideally, private telephone calls should not be made or received. In practice, you may need to make or receive essential calls but these should be kept to a minimum and costs reimbursed to the Council, unless it is an emergency.

4.4.4 Fax machines and photocopiers - If necessary, personal fax messages may be dispatched to locations within Great Britain. Photocopies of personal documents (up to a maximum of 10 copies at any one time) may be taken and costs reimbursed to the Council.

! Costs must be reimbursed to the relevant person using the Council's reimbursement process.

4.5 Intellectual Property

4.5.1 Intellectual property mean products of the mind, for example inventions, designs, trade marks, creative writings, programs and drawings (referred to in short as 'inventions'). It will normally be the case that the ownership of all 'inventions' and the copyright of all written material created during work for the Council, belong to the Council.

! This is a complex area further guidance must always be sought from the Legal Services in any particular case.

4.6 Political Neutrality

4.6.1 There is a long established tradition that local government officers involved in advising elected members of their authority should be seen to observe a policy of political neutrality.

4.6.2 This policy of the political neutrality of officers is important for two main reasons. Firstly it is essential to the functioning of the democratic system that members of a local authority should be able to receive impartial advice from its officers, and that its officers should not be influenced by any political bias in the implementation of the authority's policies. Secondly, it is also vital that members, and those who have elected them, should have complete confidence that their officers will give impartial advice and will act impartially in implementing the authority's policies.

4.6.3 The Council's staff is made up of two types of employee, those who hold "politically restricted posts" and those who do not.

4.6.4 Politically restricted posts fall into two broad categories:

- (a) Specified posts:
- the Head of the Paid Service (s4 LGHA)
 - non-statutory chief officers
 - deputy chief officers
 - the monitoring officer (s 5 LGHA)
 - the chief finance officer (s 151 LGA)

- officers exercising delegated powers, ie persons whose posts are for the time being specified by the authority in a list maintained in accordance with Section 100G(2) of the Local Government Act 1972 as amended.

(b) 'Sensitive' posts:

A sensitive post is one which meets one or both of the following duties related criteria:

- (i) giving advice on a regular basis to the authority itself, to any committee or sub-committee of the authority or to any joint committee on which the authority are represented; or where the authority are operating executive arrangements, to the executive of the authority; to any committee of that executive; or to any member of that executive who is also a member of the authority.
- (ii) speaking on behalf of the authority on a regular basis to journalists or broadcasters.

4.6.5 All staff in work related time, both those who are politically restricted and those who are not, must follow the Officer Code and also must be politically neutral. They must not do anything during the working day that is a restricted activity.

4.6.6 Politically restricted staff in their private time cannot do anything that is a restricted activity.

4.6.7 But other staff in their private time are not affected by the rules on politically restricted activities.

4.6.8 The restrictions on Officers in Politically Restricted Posts prevents local government employees from standing for office as:

- Local Authority Member (other than a Parish/Town Council)
- MPs
- MEPs

4.6.9 They are also restricted from:

- Acting as an election agent
- Being an officer of a political party or any branch of a political party or a member of any committee or sub-committee of such a party
- Canvassing on behalf of a political party or a person who is or seeks to be a candidate
- Speaking to the public at large or publishing any written or artistic work that could give the impression that they are advocating support for a political party

They can display an election poster in their own home or vehicle.

4.6.10 The cumulative effect of these restrictions is to limit the holders of Politically Restricted Posts to bare membership of political parties, with no active participation within the party permitted.

4.6.11 Responsibility for granting exemptions from political restriction has passed to local authority standards committees. Further details can be obtained from the Council Solicitor.

4.7 Other Employment & External Activities

4.7.1 As a general rule you must not undertake any type of private work which conflicts with the Council's interests or prevents you from fulfilling the terms of your employment contract.

4.7.2 All staff must obtain the consent of their Line Manager, Head of Service or above before undertaking private work. You should complete **Form OCC2** and submit it to your Line Manager, Head of Service or above.

4.7.3 Whether or not you need to obtain consent before doing private work, **you must not**;

- Do private work during working hours nor on the Council premises nor use Council equipment
- Undertake any private work which prevents you from carrying out your duties with the Council or including any requirements to do contractual overtime
- Undertake private work for any person, firm or company if it will involve the Council
- Prepare or assist with any applications, for example, planning or building, in any private capacity if you deal with these normally
- Access Council Services, for example, if you want to make a planning application personally, unless you declare your employment in writing, in a covering letter with your application and submit this via your line manager
- Undertake private work that needs approval or consent from the Council
- Undertake private work for any person, firm or company who have a contractual relationship with or who are commissioned by the Council for any type of work
- Undertake private work for another employee responsible for supervising you or whom you supervise, or for an elected member of the Council.

4.7.4 Officers must ensure they understand and can comply with both Working Time and Health and Safety regulations before considering other employment.

4.7.5 If an employee has their request to take on additional work refused and wishes to challenge this, they should speak to their line manager or consider raising a grievance under the Council's grievance procedure.

! Officers must seek consent from their line manager before undertaking other work. All employees must declare an interest where a conflict may arise.

4.8 Personal Interests including Financial and Non-Financial Interests

- 4.8.1 Officers may have a variety of personal interests, which may from time to time impact on their role for the Council. To protect the Council and the Officer from any accusations of wrong doing the Council has in place a number of safeguards which demonstrate that these interests are not allowed to influence the way the Council conducts its business.
- 4.8.2 The following Officers must complete a REGISTER of interests form:
- 1 Chief Executive or Corporate Director;
 - 2 Head of Service or equivalent;
 - 3 Service Unit Manager
 - 4 Any officer in a Politically Restricted Post
- 4.8.3 The purpose of this register is to ensure that those who have responsibility for taking the majority of delegated decisions of the authority are required to meet similar standards required of elected members in relation to the registration and declaration of interests.
- 4.8.4 The officer register of interests will not be available for public inspection as this is personal information. The register will be available for certain officers within the authority to inspect where they need to do so as part of the duties for the Council. These are:-
- (a) The Chief Executive or Corporate Director
 - (b) The Council Solicitor
 - (c) Heads of Service
 - (d) The relevant line manager
- The information may also need to be disclosed to those involved in hearing any disciplinary matter or in accordance with the Council's other legal obligations to disclose information to the external auditors or the Local Government Ombudsman.
- 4.8.5 The form and guidance for completion is available in **Form OCC6**. When completed this form should be returned to Legal Services.
- 4.8.6 Whatever your role within the organization, you must DECLARE to your Line Manager, Head of Services or above on **Form OCC3** any financial or non-financial interests which could bring about conflict with the Council's interests.
- 4.8.7 If you are in any doubt about a potential conflict of interest, you should bring the matter to the attention of your manager or supervisor so that a decision can be made as to how best to proceed.
- 4.8.8 You must not make, or become involved with, any official, professional, decisions about matters in which you have a personal interest.

4.8.9 Section 117 of the Local Government Act 1972 requires you to make a formal declaration about contracts or proposed contracts with the Council in which you have a pecuniary interest. Such declarations should be made on **Form OCC4** and sent to your Line Manager, Head of Service and the Council Solicitor. It is a criminal offence to fail to comply with this provision, which is set out in full at **Annex B** to this Code. Pecuniary interests are considered at Section 95 of the Local Government Act 1972, **See Annex C** to this Code.

! You must speak to your line manager whenever you have a personal interest and comply with the provisions of this Code.

4.9 Relationships

4.9.1 Officers must remember their responsibility to the community they serve. They must be courteous, efficient and impartial in their service delivery to all groups and individuals with whom they come in contact.

4.9.2 Officers should ideally avoid close personal familiarity with individual councilors. Such familiarity can damage the professional relationship needed to execute the Authority's work. Mutual respect between Officers and Councilors is essential to good local government. Close familiarity can prove embarrassing to other employees and councilors and may produce conflicts of interest that would bring the Authority into disrepute.

4.9.3 Officers must inform their manager of all relationships of a business or private nature with external contractors or potential contractors.

4.9.4 Officers who engage or supervise contractors and have any other official relationship with contractors or currently have a relationship in a private or domestic capacity with contractors must declare that relationship to their manager.

4.9.5 Working with Colleagues

It is expected that you will:-

- 1 Comply with all aspects of the Council's Equal Opportunities Policy
- 2 Treat all staff with dignity and respect
- 3 Acknowledge and value the role of all colleagues
- 4 Share best practice and network with other teams / units
- 5 Comply with the Council's zero tolerance of bullying, harassment or victimisation (including those on grounds of race, sex, sexual orientation, religion, gender, age, belief or disability).
- 6 Be support of colleagues and help them to learn and develop new skills
- 7 Work with others to achieve a fast and effective resolution to any conflict arising between staff.

4.9.6 Working with everyone

It is expected that all Officers will:-

- 1 Demonstrate polite and courteous behaviour to all colleagues, customers and elected members at all times.
- 2 Ensure that the needs of internal and external customers and councilors are paramount and are met to their satisfaction.
- 3 Comply with all aspects of the Council's Equal Opportunities Policy.
- 4 Refrain from using language or behaving in a manner that another person may find offensive or intimidating.
- 5 Bring concerns to the attention of managers. The Council has a Whistle Blowing procedure which may be used in certain cases / circumstances.
- 6 Take responsibility for their own health and safety and assist in maintaining the security and safety of the Council and its staff.

4.9.7 Working with Councillors (link corporate identity manual)

- 1 If you are required as part of your job to give advice to Councillors in general, you must work for all Councillors, not just those of any controlling group, and must ensure that the individual rights of all Councillors are respected.
- 2 It is important that you aim to have a relationship with Councillors based on mutual respect: close personal familiarity can damage the relationship and embarrass other employees. In some cases, there might also be a conflict of interests because of a close friendship or personal relation and therefore this should be declared to your manager.
- 3 If your job also includes advising political groups, you must not behave in a way that suggests political bias.

4.9.8 Being Corporate

It is expected that all employees will:-

- 1 Comply with all Council Policies and Procedures
- 2 Put the interests of the Council above their own departmental interests
- 3 Take personal responsibility for, and pride in, the Council environment
- 4 Maintain an awareness of whole Council issues through communication channels including briefings and newsletters
- 5 Ensure all staff or whom you are responsible are kept informed and are encouraged to feedback to you on council, department or individual issues
- 6 Avoid any sort of behaviour or activity that is likely to bring the Council into disrepute.

4.9.9 Being responsible

It is expected that all Officers will:-

- 1 Take responsibility for their own personal and professional development in consultation with their Line Manager
- 2 Confront rather than deny problems with their own performance
- 3 Communicate ideas and make suggestions for improvements to Line Managers, always looking for creative solutions to problems and positive contributions.

4.9.10 Employment Matters / Equality of Opportunity

- 1 Potential and existing employees must be treated equally regardless of sex, race, colour, nationality, ethnic origin, disability, sexual orientation or marital status
- 2 Officers responsible for recruitment of staff must ensure that appointments are made on the candidate's merits and abilities only
- 3 Officers must not be involved in an appointment where they are related to an applicant, or have a close personal relationship outside work with him/her. Such a relationship must be declared prior to the short-listing process to avoid any possible accusation of bias.
- 4 Officers must not be involved in decisions relating to discipline, promotion or pay adjustments for any employee who is a relative or partner etc. Such a relationship must be declared prior to decision making.
- 5 Officers should consult the Council's equal opportunities policy.

4.10 Appointment & Other Employment Matters

1. If you are involved in the recruitment and selection of employees, appointments should be made on the basis of merit and in accordance with our Recruitment and Selection Policy and Procedures obtainable from Human Resources. To avoid any possible accusation of bias, you should not be involved in an appointment where you are related to an applicant, or have a close personal relationship outside work with him or her.
2. Similarly, you should not be involved in decisions about discipline, promotion or pay adjustments for any employee who is a relative, partner etc.
3. You must declare your interest on **Form OCC3** to your Line Manager, Head of Service or above.

! Declare an interest on the Declaration form if there is a potential conflict.

4.11 Tendering and Contracts

- 4.11.1 The award of work or contracts on behalf of the Council should be made on merit alone and should be free from any implications of favour or external influence. You must therefore declare to your Line Manager any relationship, be it business or personal with a current or possible future outside contractor/supplier. This is especially true if you are involved in any way with a tendering process. If you discover a conflict of interest, declared or otherwise, you should not take part in that process and declare your reasons to your manager.
- 4.11.2 Employees involved in the tendering process and dealing with contractors should be clear about the nature of the separation of client and contractor roles within the Authority. Senior Offices who have both a client and contractor responsibility must be aware of the need for accountability and openness.
- 4.11.3 If you are part of a contractor or client unit or have other official relationships with contractors, you must exercise fairness and impartiality when dealing with all customers, other contractors and sub-contractors.

4.11.4 If you are responsible for engaging or supervising contractors and have previously had, or current have, a relationship in a private or domestic capacity with a particular contractor, you must declare that relationship to your Line Manager, Head of Service or above using **Form OCC5**.

4.11.5 If you become privy to confidential information on tenders or costs relating either to internal or external contractors, you must not disclose that information to any unauthorised person or organisation.

4.11.6 All employees must ensure that no special favour is shown to current, or recent former, employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

! Declare an interest on the Declaration Form if there is a potential conflict.

4.12 Corruption

4.12.1 Employees must be aware that it is a serious criminal offence under the Prevention of Corruption Acts for them to receive or give any gift, loan, reward or advantage in their official capacity 'for doing, or not doing, anything' or 'showing favour, or disfavour to any person'. If an allegation is made against you, it will be for you to demonstrate that any such rewards have not been corruptly obtained. The relevant statutory rules appear at **Annex D** as attached to this code.

4.12.2 For your own protection, if anyone makes an approach to you which seems to you, or might seem to a third party, to be aimed at obtaining some form of preferential treatment, or in any suspicious circumstances in connection with a contract, you must report the matter to your corporate Director.

4.13 Private Use of Services or Firms Dealing with the Council

4.13.1 You should be cautious when using the services of firms you know have dealings with the Council. You should ensure that the goods or services bought from such firms are at a price readily available to the general public, this is a difficult and sensitive area. Please try to avoid offending anyone and, if necessary, explain the Council's policy.

4.13.2 If you think that any offer of preferential terms is designed to promote a firm's interest, you should not deal with the firm.

4.13.3 You should not use your position with the Council to obtain a discount. However, you may purchase goods at discount terms under a scheme or arrangement, which applies to eg your trade union.

! If you require further guidance please refer to the Procurement Team.

4.14 Employee Concerns and Members

4.14.1 It is not appropriate for Council Officers to lobby Members on matters of individual concern about their employment, operational issues or future policy decisions and Members should discourage Officers from making such approaches. A member of

staff who is unhappy about a matter affecting them personally should be encouraged to take this up with their line manager. If they are not happy with the response the next step is to talk to their trade union or staff representative. The Council's grievance procedure is available if informal methods have not resolved the issue.

4.15 Disclosure of Information

Access to Information / Confidentiality (FOI)

- 4.15.1 Under the Freedom of Information Act the public have a right to access information about the council's business. This is essential to enable citizens to contribute and take part in the work of the Council. The Council's policy can be seen in the Freedom of Information policy.
- 4.15.2 However the Council deals continuously with sensitive and confidential information affecting its policies, transactions and employees as well as its relationship with other organisations and individual members of the public to which there is no right of public access and which must remain confidential.
- 4.15.3 You must ensure, therefore, that any information that you may have is treated very carefully and is not given to people either inside or outside the council who do not have a genuine need and authority to have the information as part of their normal work. This information may be found in a range of documents, plans and financial presentations and can concern the Council's activities, the circumstance of individual customers, employees and organisations carrying out work for the Council.
- 4.15.4 In general, information must not be disclosed without the consent of the individual concerned unless it is required by law. Also if you are asked to disclose any information you should be aware of the rules of the Data Protection Act which makes it unlawful to disclose information without the person's consent unless it is for one of the following reasons:
- (a) the prevention or detection of crime / or criminal activities
 - (b) the prevention of defrauding the Council
 - (c) the apprehension or prosecution of offenders
 - (d) the assessment or collection of any tax or duty
 - (e) the organisation is registered by us to receive information.
- 4.15.5 If you are approached to give information under one of the above headings you should:
- (i) satisfy yourself that the request falls under (a) to (e) above, if in any doubt ask your manager
 - (ii) ask the person to put the request in writing unless the delay would cause problems. If it is necessary to respond on the telephone you should ring the person back to verify the call is genuine. Do not use direct lines – go through the main switchboard.
- 4.15.6 You must also not use information obtained in the course of your work for personal gain or benefit or pass it on to others who might use it in such a way.

4.15.7 It is important to note that the necessity for confidentiality exists not only during employment but also after you have left. For example, you must not disclose information on issues which are politically or commercially sensitive, concern staffing or restructuring or which affect the council's legal liabilities.

4.15.8 Computer Information / Data Protection Act

If you have access to computer information at work you will also be issued instructions about computer security and proper use of the computer. Please make sure that you read the various documents included in the Council's current information handling policies referred to in the matrix of policies in paragraph 6 below and abide by the contents.

The Data Protection Act provides for particular penalties over and above the council's disciplinary procedure for the unauthorised disclosure of personal information. Under the law you may be personally liable for disclosing personal information. So remember, for example, to take greater care of your computer password and any materials you are using, sign off if you are going to leave your terminal unattended, and dispose carefully of any unwanted floppy disks and printouts etc. Take care not to put any personal information on the internet.

4.16 Compliance with the Code

4.16.1 It is important that local government Officers are exemplary in their conduct at work. Non-compliance with this Code will be dealt with in accordance with our Disciplinary Policy.

4.16.2 Employees who consider other employees to be guilty of misconduct must report this to their line manager or raise it through one of the other available procedures eg grievance.

4.16.3 Employees must not treat employees who report (or who intend to report or are suspected of reporting) potential misconduct any less favourably than other employees.

4.16.4 If, in some instances, the employee cannot make use of the existing procedures for any reason then they should raise complaints or genuine matters of concern with the relevant person through the Whistle Blowing Policy.

! This code is reviewed annually. Officers should therefore ensure they regularly familiarise themselves with the Code and its Guidance Notes.

5. ASSOCIATED FORMS AND REFERRAL POINTS

The forms can be found on the HR website under the Code of Conduct.

Name	Action taken by :	Held By/Refer to
OCC1 – Report of offer of gift	Officer to Line Manager, Head of Service or above	HR Intranet
OCC2 – Application for approval of outside employment	Officer to Line Manager, Head of Service or above	HR Intranet
OCC3 – Declaration of Personal Interests	Officer to Line Manager, Head of Service or above	
OCC4 – Notice under Section 117	Officer to Line Manager, Head of Service or above and Council Solicitor	HR
OCC5 – Declaration of Relationship with Officer	Officer to Line Manager, Head of Service or above and Council Solicitor	HR intranet
OCC6 – Register of Interests		

6 CODE OF CONDUCT – MATRIX OF POLICIES, REGULATIONS AND STANDARDS RELEVANT TO SPECIFIC SERVICES

In determining acceptable standards, Officers are asked to familiarise themselves not only with those included in the Officer's Code of Conduct but also those included in Service specific Codes, corporate policies or operational procedures used by their own Services.

This matrix signposts employees to other key policies, Regulations and Standards, although this should only be used for guidance. Each heading is not mutually exclusive and an employee may find that all headings could apply to them.

APPLIES TO ALL EMPLOYEES	WORKING WITH THE PUBLIC	WORKING WITH SERVICE USERS	WORKING WITH RESOURCES	USING COMMUNICATIONS	WORKING WITH PARTNERS/OTHER ORGANISATIONS	WORKING WITH INFORMATION
Recruitment and Selection	R & S (Recruitment and Selection)	Confidentiality Code	Anti-Fraud & Corruption	Acceptable Use Policy	Confidentiality	Confidentiality
Diversity	Diversity	Equal Opportunity	Financial Regulations	IT Code of Practice	Equal Opportunities	Data Protection
Dignity at Work	Freedom of Information	Access to Services	Procurement Policy	Telephone and Desk Use Policy	CRB Policy	Freedom of Information
Health and Safety	Habitual or Vexatious Complainant Policy	Members' Code of Conduct		Internet Acceptable Usage Policy	Communications Policy/Strategy	Information Charter
Confidentiality				Removable Media Policy		
Core Values				Communications and Operation Management Policy		
Working time regulations	Offensive/Potentially Violent			E-mail Policy		
Whistle Blowing	Incident Register			GCSx Acceptable Use Policy and Personal Commitment Statement		
Drug and Alcohol Policy	Health & Safety Work Charter			Human Resources Information Security Policy		
Preservation from Harrassment	Smoke Free Legislation			Information Protection Policy		
Job Evaluation	Environmental Protection Charter			Information Security Incident Management Policy		
Induction				Information Security Policy Overview		
Flexible Working	Food Safety Services Charter			I T Access Policy		
Absence Management				I T Infrastructure Security Policy		
Safeguarding Children Arrangement and Child Protection Policy	Safer Ryedale					
Child Protection Policy						
Officer Code of Conduct Version 1			18- 31			Mar10/ST9961 March 2010

APPLIES TO ALL EMPLOYEES	WORKING WITH THE PUBLIC	WORKING WITH SERVICE USERS	WORKING WITH RESOURCES	USING COMMUNICATIONS	WORKING WITH PARTNERS/OTHER ORGANISATIONS	WORKING WITH INFORMATION
<p>Harassment Policy</p> <p>Sexual, Racial and Personal Harassment Policy</p>				<p>Legal Responsibilities Policy covers legislative requirements applying to data about public services which include DPA, HRA, FOI, Env Info Regs</p> <p>Remote Working Policy</p> <p>Software Policy</p> <p>Computer Telephone and Desk Use Policy</p> <p>Internet Acceptable Usage Policy</p> <p>Removable Media Policy</p> <p>I T Information Security Policy</p> <p>Government Connect</p>		

7. RYEDALE DISTRICT COUNCIL CORE VALUES

Achieving our mission requires great people who take pride in Ryedale, are committed to continuously improving the quality of life in the district and who possess the following values

Honesty and Openness

Value - We are open and honest in our relationships and in our communications

Example behaviours - Sharing information with those who need it, fairness and equity of decision making and treatment of each other, honouring our commitments to each other, fostering open communications etc. etc.

Brave and Decisive

Value - We are willing to make brave decisions, to take on big challenges and see them through

Example behaviours - challenging assumptions, pursuing facts and robust evidence, willingness to change, securing strong political support etc etc.

Positive

Value - We will nurture the positive and celebrate our successes

Example behaviours - highlighting good news, rewarding success, building on what works well, etc etc.

Respect

Value - We value every individual, respecting people for who they are and for their unique knowledge, skills and experience recognising they are part of our strength as a team.

Example behaviours - sharing ideas to inspire and learn from one another, encouraging participation from all, building strong partnerships, etc. etc.

Passionate

Value - we are passionate about our communities and the services we deliver.

Example behaviours - listening carefully and responding to the needs and expectations of our customers and our community, encouraging creativity and innovation as we constantly seek to improve our services and to enhance the quality of life in our community.

Above all, we are proud, we act with integrity, striving to uphold the highest professional standards, providing sound advice and maintaining our impartiality.

GIFTS AND HOSPITALITY**Checklist for considering whether to accept a gift or hospitality.**

The question in all cases is one of judgement, and the following checklist of queries should help you to decide whether a gift or an offer of hospitality should be accepted or tactfully declined.

- a. Is the value of the gift or hospitality £25 or over?
- b. If under £25 is it intended as an inducement
- c. Is the extent of the hospitality, or nature of the gift reasonable and appropriate?
- d. Does the donor have any form of contractual relationship with the Council, does it provide goods or services to the Council of any kind?
- e. Is the invitation/gift directed to a large group of unrelated individuals or open to the public, or have you been targeted because of your employment with the Council and the nature of your role?
- f. What do you think is the motivation behind the invitation/gift?
- g. For hospitality do you want to go and if so why? Is it because there will be genuine benefits to the Council in terms of networking and contracts gained? Or is a desire to go centered around personal enjoyment.
- h. Would acceptance of the invitation be, in any way, inappropriate or place you under pressure in relation to any current or future matter involving the District Council?
- i. For gifts is there a difficulty in returning the gift? If it would cause offence can the gift be given to charity or can you pay an equivalent price of the gift to charity?

If you decide to accept a gift over £25 you must register that in the register of interests, if you decline a gift of over £25 this should also be registered with a statement that the gift has been declined.

You should consider carefully whether to register gifts and offers of gifts below £25 having regard to the issues highlighted above. The relevant form is OCC6 below.

**PERSONAL INTERESTS
LOCAL GOVERNMENT ACT 1972, SECTION 117
(see paragraph 4.11.7 of the Code)**

- 1 If it comes to the knowledge of an Officer employed, whether under this Act or any other enactment, by Local Authority that a contract in which he has any pecuniary interest, whether direct or indirect (not being a contract to which he is himself a party), has been, or is proposed to be, entered into by the authority or any committee thereof, he shall as soon as practicable give notice in writing to the authority of the fact that he is interested therein.

For the purposes of this section, an Officer shall be treated as having indirectly a pecuniary interest in a contract, or proposed contract if he would have been so treated by virtue of section 95 above had he been a Member of the Authority.

- 2 An Officer of a Local Authority shall not, under colour of his office or employment, accept any fee or reward other than his proper remuneration.
- 3 Any person who contravenes the provisions of subsection (1) or (2) above shall be liable on summary conviction to a fine not exceeding (level 4 on the standard scale).
- 4 References in this section to a Local Authority shall include references to a joint committee appointed under Part VI of this Act or any other enactment.

PERSONAL INTERESTS
LOCAL GOVERNMENT ACT 1972, SECTION 95
(see paragraph 4.11.7 of the Code)

- 1 For the purposes of Section 94 above a person shall be treated, subject to the following provisions of this section and to Section 97 below, as having indirectly a pecuniary interest in a contract, proposed contract or other matter, if:-
 - (a) he or any nominee of his is a member of a company or other body with which the contract was made or is proposed to be made or which has a direct pecuniary interest in the other matter under consideration; or
 - (b) he is a partner, or is in the employment, of a person with whom the contract was made or is proposed to be made or who has a direct pecuniary interest in the other matter under consideration
- 2 Sub-section (1) above, does not apply to membership of or employment under any public body, and a member of a company or other body shall not be reason only of his membership be treated as having an interest in any contract, proposed contract or other matter if he has no beneficial interest in any securities of that company or other body.
- 3 In the case of married persons living together the interest of one spouse shall, if known to the other, be deemed for the purpose of section 94 above to be also an interest of the other.

PREVENTION OF CORRUPTION ACTS 1906 AND 1916
(see paragraph 81 of the Code)

- 1 The Prevention of Corruption Acts 1906 and 1916 say the following about acceptance of gifts by way of inducement or reward :-
 - (a) Under the Prevention of Corruption Acts, 1906 and 1916, it is an offence for employees corruptly to accept any gifts or consideration as an inducement or reward for :-
 - doing, or refraining from doing, anything in their official capacity; or
 - showing favour or disfavour to any person in their official capacity.
 - (b) Under the Prevention of Corruption Act 1916, any money, gift or consideration received by an employee in public service from a person or organisation holding or seeking to obtain a contract will be deemed by the courts to have been received corruptly unless the employee proves to the contrary.

**EMPLOYEE'S CODE OF CONDUCT
REPORT OF OFFER OF GIFT**

Name in full

Department

Post held

Grading / Salary

Details of Gift Offered

Date Offer Received

To whom offered?

By whom the offer was accepted?

Signature Dated

For office use only

Date form received by Line Manager, or above	
Entered in Register on	

EMPLOYEE'S CODE OF CONDUCT
APPLICATION FOR APPROVAL OF OUTSIDE EMPLOYMENT

Name in full

Department

Post held

Grading / Salary

Nature of Outside Employment Sought

.....

*Is the post paid / unpaid?

Does this employment, in your view, conflict with or is it detrimental to the interests of the Council or would it weaken public confidence in the conduct of the Council's business?

.....

.....

Signature Dated

Comments of Line Manager

.....

.....

Comments of Head of Service

.....

.....

*Approved / Not Approved

**EMPLOYEE'S CODE OF CONDUCT
DECLARATION OF PERSONAL INTERESTS**

Name in full

Department

Post held

Grading / Salary

Line Manager

Nature of Interest

.....

Your role in any relevant business of the Council

.....

How might the interest, in your view, conflict with the interests of the Council?

.....

I hereby declare that the above details correctly record any interest, which I may have, which could bring about conflict with the Council's interests.

Signature Dated

For office use only

Received	
----------	--

EMPLOYEE'S CODE OF CONDUCT

**NOTICE UNDER SECTION 117 LOCAL GOVERNMENT ACT 1972
PECUNIARY INTEREST IN CONTRACT OR PROPOSED CONTRACT**

Name in full

Department

Post held

Line Manager

Nature of Pecuniary Interest

.....

Details of Contract or Proposed Contract with the Council

.....

I make the above declaration in accordance with Section 117 of the Local Government Act 1972.

Signature Dated

For office use only

Date completed form received by Council Solicitor and Head of Service or above	
Date notified to Line Manager, Head of Service or above	

EMPLOYEE'S CODE OF CONDUCT
DECLARATION OF RELATIONSHIP WITH CONTRACTOR

Name in full

Department

Post held

Grading / Salary

Nature of relationship with Contractor

.....

.....

.....

Name and Address of Contractor

.....

Is this a current relationship? YES / NO

If not, when did the relationship terminate?

.....

.....

Signature Dated

.....

For office use only

Date Received by Line Manager, Head of Service or above	
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OFFICER CODE OF CONDUCT

REGISTER OF INTERESTS

Please complete the following register:-

Name in full

Department

Post held

Line Manager

	Guidance	Interest (please write NONE if you have no relevant interests)
Employer	Please indicate the name of the employer of your spouse or partner, or anyone else who lives with you who makes a significant contribution to the household income (it is not necessary to register temporary, summer or part time job of a child of the household).	
Land interest	Please provide details sufficient to describe the location of any land in which you have an interest, whether it is ownership, leasehold, a tenancy or license. If you have any rights over land you should register the address or location of that land.	
Directorships, shareholding and Company Interests	In relation to any company which is based in or may operation in Ryedale, directorships, significant shareholding (ie more than 10,000 of the nominal share value) and any position of management or control in a company. This would include a position as Company Secretary or Treasurer.	
Membership of Bodies	You need only register a position of management or control in a body. You need only register interests in bodies which are: A Charities or directed to charitable purposes	

	<p>B Bodies designed to influence public opinion – these include campaign groups. You do not need to register membership of a trade union.</p> <p>C Bodies carrying out functions of a public nature: This is wide ranging and will include bodies that you are appointed to by the Council. You need not register membership of Partnerships (where you are there for the Council), but should include trusteeships, governing body membership and membership of a parish council (in Ryedale).</p> <p>D Membership of secret societies. You do not need to register membership of sports associations, secret societies or other clubs and groups but you may need to DECLARE an interest in that body if you find yourself dealing with a matter, which is relevant to that body. You must register membership of a charity (the Grand Lodge of Freemasonry is a charity).</p>	
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I declare that the above is a true statement of my personal interests.

Signature Dated

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	1 APRIL 2010
REPORT OF THE:	HEAD OF ORGANISATIONAL DEVELOPMENT LOUISE SANDALL
TITLE OF REPORT:	COLLECTIVE DISPUTES POLICY
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To recommend the implementation of a new policy and procedural requirements with respect to Collective Disputes set out at Annex B.

2.0 RECOMMENDATION

- 2.1 That Council is recommended to approve the Collective Disputes Policy.

3.0 REASON FOR RECOMMENDATION

- 3.1 This is presented as a joint policy and procedure between Ryedale District Council and UNISON. The Council has a range of policies that augment the Council's Workforce Plan. Human Resources and UNISON believes that implementing a collective disputes policy with procedural guidelines will alleviate the need by trade union to take more formal external routes for disputes around the treatment of employees.

4.0 SIGNIFICANT RISKS

- 4.1 There significant risks are round reputation, duty of care to our employees, consistency of treatment, fairness and clarity of policies. There are mitigated through adoption of the proposed policy. There are no significant risks in approving the policy, further details are at Annex A.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 Ryedale District Council fully recognises the importance of communicating with staff as openly and as effectively as possible and to involve staff as far as is practicable in

the decision making process. In this respect, the Council also recognises the benefit to be gained by entering into early discussion with staff organisations, through established consultative machinery, on changes that are proposed and ways in which they will be implemented and where these changes may affect the interests of staff.

5.2 It is recognised in exceptional circumstances, and in spite of the consultative process, employees may have remaining complaints or problems relating to change, which they may wish to raise with management, through their Trade Union.

5.3 Currently Ryedale District Council has no implemented formal process for more than one individual to raise a grievance on the same matter. Individuals either in general, raise several individual grievances pertaining to the same issue, or by-pass the informal / formal process completely and, invariably, present through their Trade Union, claims to employment tribunal.

6.0 POLICY CONTEXT

6.1 This policy links to the Council Plan Aim 5, Objective 10; to Transform the Council, and to develop the leadership, capacity and deliver future improvements.

7.0 CONSULTATION

7.1 Consultation has taken place with other HR colleagues from the local government family, UNISON and ACAS. ACAS has provided recommendations and guidance on bringing about the final document being presented to Members. Consultation included openly seeking opinion and expertise from a variety of contributors and has been positive and welcomed by our trade union colleagues.

8.0 REPORT DETAILS

8.1 With statutory guidelines being amended in April 2009 and ACAS releasing a code of practice for raising grievances, individuals are no longer obliged to raise matters with their employers prior to submitting an application to an employment tribunal office.

8.2 This policy is intended to provide such a mechanism by which such disputes may be resolved as quickly as possible and without detriment to the Council's services.

8.3 The aim of the proposed policy is to provide managers and employees with a clear and efficient process for dealing with informal and formal collective complaints and disputes as and when they arise.

8.4 By having this policy and procedural guidelines in place, we can alleviate such matters moving unnecessarily to external process, delay and cost. It shows that Ryedale District Council encourages participation and communication amongst its workforce.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

a) Financial

1) There are no ongoing financial implications on the Council from the introduction of this policy.

Under the repeal of the Statutory Procedures in April 2009 and the introduction of a recommended Code of Practice from ACAS (April, 2009) in managing disciplinary matters, which have a direct link to other policies, such as the Collective Disputes Policy, employment tribunals will expect that we have dealt with matters fairly, openly and consistently. Also, that employees are clear through the procedures, of the potential action they shall face if found in breach of any singular or group of policies. Failure to follow due process and procedure, may result in Ryedale District Council incurring additional costs above the statutory awards / costs of up to 25%, where the Council has been found to not have carried out its full procedures which are deemed fair and consistent for all employees of the Council.

It is anticipated that there should be a minimal cost associated with training and development for management teams to handle disputes where there is more than one individual, as there are now several very competitive training modules available through ACAS for employers and employees. It is anticipated that through working in partnership with our trade union colleagues, that Unison may also be able to support the learning and development process, to ensure a smooth transition into effecting the new policy.

- b) Legal
 - 1) There are no significant legal issues from the introduction of this policy.
- c) Equalities
 - 1) Equality Impact Assessment has been conducted and concluded that there was no evidence of differential treatment to any equality groups.

10.0 NEXT STEPS

- 10.1 There will be a requirement to train managers in dealing with collective dispute management and conducting and hearing collective grievances. This training will also be offered to UNISON.

Louise Sandall
Head of Organisational Development

Author: Jean Palmer, Human Resources Manager
Telephone No: 01653 600666 ext: 227
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Background Papers:
None

Background Papers are available for inspection at:
N/A

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COLLECTIVE DISPUTES POLICY - RISK MATRIX

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
Damage to reputation	Specific to within the community and wider arena if the Council is seen not to take responsibility for the welfare and care of its employees by not encouraging a responsible workforce.	3	C	By operating a zero tolerance attitude, the Council mitigates any risk of accusations of lack of responsibility and duty of care, from a HSE perspective.	1	A
Health and Wellbeing / duty of care	Current climate dictates additional pressures and stressors on families that can lead to inherent problems, in the home and workplace, raising the risk of absence, under-performance, addictive behaviours.	3	C	By introduction of the amendments, the Council will make clear the consequences of actions, whilst having clear supportive mechanisms in place to help individuals dependant on their own particular circumstances.	1	A
Lack of consistency	Unfair treatment allegations, lack of consistency in procedural requirements and management responsibility	4	D	Whilst applying this policy to all employees of the Council, we can ensure fairness and consistency across the entire employee population.	1	A
Not having clear policies / mitigation	Managers will invariably make unfair decisions or fail to follow unclear due process. Since April 2009, ET courts have the power to award up to 25% more to an individual unfairly dismissed through lack of clarity of procedure or failure to adhere to process.	4	D	By implementing clearer due process, the Council can mitigate confidently that due diligence, from investigation to decision has been carried out lowering the impact of the consequences to the Council or employees.	1	A

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

COLLECTIVE DISPUTES PROCEDURE

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1.0 INTRODUCTION

Ryedale District Council fully recognises the importance of the need to communicate with employees as openly and as effectively as possible. The Council recognises the benefit to be gained by entering into early discussion with UNISON, the recognised Trade Union, through established joint consultation and negotiation machinery, on changes that are proposed and the ways in which they will be implemented where these changes may affect the interests of employees.

It shall be the responsibility of Management and Human Resources to ensure that effective communication, joint negotiation and consultation machinery exists, and that early meaningful consultation takes place with UNISON, as well as directly with employees, on changes which are proposed and ways in which they will be implemented. Consultation should not be the mere passage of information, but should provide an opportunity for staff and their recognised trade union to express their views, either in person or in writing, and to have these taken into account before final decisions are made. It is jointly recognised that changes to conditions of service require negotiation.

It is recognised by both sides that management has a role in seeking to introduce change and implement decisions. Prior consultation must take place with UNISON through the established collective machinery and with individuals who may be affected by proposed changes.

2.0 SCOPE

Circumstances may arise when in spite of the use of communication, negotiation and consultation machinery that exists having been followed, employees have remaining complaints or problems, relating to their employment, working conditions, terms and conditions etc. which they may wish to dispute formally with management, either individually or collectively through UNISON.

This procedure is intended to provide a mechanism by which such disputes may be acknowledged and resolved as quickly as possible and without detriment to the Council's services.

For individual grievances, this procedure is not applicable and individuals must use the Council's [grievance policy](#).

The procedure will not apply to those issues of pay and conditions of employment where national or provincial collective agreements apply unless the dispute concerns alleged failure to observe those agreements.

The procedure will apply to disputes concerning changes, or proposed changes, to local conditions of service, policies and agreements, where there is a failure to reach agreement.

Both parties to this agreement support the principle that where disputes arise, they should be resolved at the lowest possible level and as quickly as possible.

It is recognised that there may be cases where an individual grievance develops into a collective dispute, in which event the application of this procedure would become appropriate.

Ryedale District Council and UNISON jointly agree the necessity to honour this procedure so that constructive relationships may be maintained whilst resolving disagreements and disputes.

It shall also be the responsibility of managers to ensure that the Collective Disputes Procedure is applied appropriately. Whilst a dispute is being pursued under this procedure, all parties will be free from duress, threats or victimisation.

Time limits are to be applied strictly where this is practicable.

3.0 AIM

The aim of the Collective Disputes Procedure is to provide a standard framework for resolving issues of disagreement between management and UNISON as quickly as possible.

Wherever possible employees should be encouraged to discuss any concerns informally with their immediate line manager. It is expected that the vast majority of concerns can be dealt with in this way.

However, where it is necessary for a group of staff to seek the pursuit of their grievance by UNISON through the formal stages of the Collective Disputes Procedure, the aim of line management will be to pursue resolution of the outstanding problems or concerns, not merely defend the proposals or decisions made previously informally. Equally, it is understood by UNISON, that in registering a collective dispute, there must be a genuine desire by the Trade Union side to find a reasonable solution to the issue of difference.

There is therefore an onus on both parties to try to bring about a resolution to the dispute, and every effort should be made to achieve this in the shortest time possible, normally within two months.

4.0 DEFINITION

For the purposes of applying this procedure, a dispute is defined as:

‘a collective dispute raised by UNISON on behalf of more than one employee about any matter which relates directly to their employment’.

5.0 STATUS QUO

The 'status quo' is defined as:

'whatever practice or agreement prevailed prior to any change or which has resulted in a dispute'

It is jointly agreed that during any dispute, whatever practice or agreement prevailed prior to the disputed change shall continue and there shall be no industrial action or changes in working practice pending a settlement or until this collective dispute procedure has been exhausted. Exception to this may be appropriate if a reasonable case is made that the disputed measure is imperative for legal (including health & safety) reasons.

If there is disagreement between management and UNISON over whether exception is appropriate and/or what the 'status quo' position is in a particular dispute, every effort shall be made to resolve this internally. In the event that such efforts do not succeed external mediation shall be sought using a mutually agreed organisation.

6.0 REPRESENTATION

A collective dispute may only be raised on behalf of a group of employees (i.e. more than one employee) by a recognised Trade Union (UNISON). In an attempt to resolve the collective dispute, either party may call on other management or staff representatives to become involved in discussions.

7.0 PROVISION OF INFORMATION

It shall be the responsibility of each party to the dispute to ensure that information that assists in reaching a decision, and has a direct bearing on the dispute, is made available to the other party.

8.0 PROCEDURE

Where practicable, employees are encouraged and expected to discuss any concerns informally with their immediate line manager before seeking pursuit of the grievance through a collective dispute. It is expected that the vast majority of concerns can be dealt with in this way.

Where a collective dispute arises, the procedure will commence at the most appropriate stage. For example, disputes that arise because of changes introduced or proposed that affect or may affect employees across more than one Service Unit will be dealt with by beginning at no lower stage than Stage 2.

8.1 STAGE 1 – Line Manager Level

UNISON to complete form A [link] and send to the appropriate Line Manager (copy to Human Resources). The line manager will convene a meeting of the interested parties, including the employees concerned, or one or more representatives of the group chosen by the group, within 5 working days of the notification. This meeting shall be arranged in conjunction with the UNISON branch secretary who will make arrangements for UNISON representative to attend the meeting. The outcome of this meeting shall be confirmed in writing by the Line Manager (copy to Human Resources) within 2 working days after the meeting has been held.

If the matter cannot be resolved at this meeting it shall be referred to the second stage of the procedure in writing within 5 working days.

8.2 STAGE 2 – Head of Service / Service Unit Manager Level

Where an issue cannot be resolved under Stage 1 of the procedure it shall be referred by UNISON to the second stage of the procedure.

The referral by UNISON shall be made in writing to the appropriate Head(s) of Service/ Service Unit Manager(s) (copy to Human Resources) within 5 working days of receipt of written confirmation of the outcome of Stage 1. The Head(s) of Service/ Service Unit Manager(s) shall convene a meeting of all the interested parties within 10 working days of the referral.

This meeting shall be arranged in conjunction with the UNISON branch secretary who will make arrangements for a UNISON representative and, if necessary, the full-time Regional Official, to attend the meeting.

The outcome of this meeting shall be confirmed in writing by the Head(s) of Service/ Service Unit Manager(s) (copy to Human Resources) within 2 working days after the meeting has been held.

If the matter cannot be resolved at this meeting it shall be referred to the third stage of the procedure in writing within 5 working days.

8.3 STAGE 3 – Corporate Director Level

Where an issue cannot be resolved under Stage 2 of the procedure it shall be referred by UNISON to the third stage of the procedure.

The referral by UNISON shall be made in writing to a Corporate Director (copy to Human Resources) within 5 working days of receipt of written confirmation of the outcome of Stage 2. The Corporate Director shall convene a meeting of all the interested parties within 10 working days of the referral.

This meeting shall be arranged in conjunction with the UNISON branch secretary who will make arrangements for a UNISON representative and, if necessary, the full-time Regional Official, to attend the meeting. The outcome of this meeting shall be confirmed in writing by the Corporate Director (copy to Human Resources) within 2 working days after the meeting has been held.

If the matter cannot be resolved at this meeting it shall be referred to the fourth stage of the procedure in writing within 5 working days.

8.4 STAGE 4 – Chief Executive Level

Where an issue cannot be resolved under Stage 3 of the procedure it shall be referred by UNISON to the fourth stage of the procedure.

The referral by UNISON shall be made in writing to the Chief Executive (copy to Human Resources) within 5 working days of receipt of written confirmation of the outcome of Stage 3. The Chief Executive shall convene a meeting of all the interested parties within 10 working days of the referral.

This meeting shall be arranged in conjunction with the UNISON branch secretary who will make arrangements for a UNISON representative and, if necessary, the full-time Regional Official, to attend the meeting. The outcome of this meeting shall be confirmed in writing by the Chief Executive (copy to Human Resources) within 2 working days after the meeting has been held.

If agreement is not reached at the conclusion of Stage 4 and the dispute remains unresolved, each side shall be entitled to seek to progress the matter under the external conciliation machinery, in accordance with Section 10 of this Procedure. Referral to external conciliation shall be made in writing within 5 working days of the conclusion of Stage 4.

9.0 REPORTING TO ELECTED MEMBERS

It is jointly agreed that in the event of failure to reach agreement at the conclusion of Stage 4, elected members shall be informed of the details of the dispute. A report containing submissions from both sides will be prepared and sent by Human Resources to all members of Policy and Resources Committee, the Leader and the Chairman of Council within 10 working days of the conclusion of Stage 4.

10.0 CONCILIATION

In the event that matters are not resolved at Stage 4, either side has the right to refer the unresolved matters to an external (non-binding)

advisory and conciliation process. This referral may be made only after all internal processes have been exhausted.

Any advice or recommendation arising from the advisory and conciliation process will be reported back to each party and to all members of Policy and Resources Committee. If matters still are not resolved at this stage, then both parties can agree to arbitration. However, it should be noted that arbitration can only be instigated where both parties are fully willing to engage and that all parties understand that the decision of the arbitrator will be final.

Any referral for conciliation will be made to ACAS unless both sides agree that the matter should be referred to the Trade Union side Secretary and Employers Side Secretary of the Regional Council, or their representatives.

11.0 NOTICE OF DISPUTE

This form should be completed by a UNISON branch committee member, to register that a collective dispute exists.

(note: a dispute is a collective grievance raised by more than one member of staff; grievances relating to an individual employee must be pursued through the Council's Grievance Procedure)

Dispute	
Employees' names	
Employees' department(s)	
Line Manager(s)	
Employee representative including Trade Union Association	
Full details of the nature of dispute including points of disagreement between management and employees.	
Signed	Print Name
Date	



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	1 APRIL 2010
REPORT OF THE:	HEAD OF ORGANISATIONAL DEVELOPMENT LOUISE SANDALL
TITLE OF REPORT:	CRIMINAL RECORDS BUREAU/INDEPENDENT SAFEGUARDING AUTHORITY (CRB/ISA) POLICY
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To seek agreement to implement a new Criminal Records Bureau/Independent Safeguarding Authority (CRB/ISA) Policy (Annex A).

2.0 RECOMMENDATION

- 2.1 That Council is recommended to approve the new Criminal Records Bureau/Independent Safeguarding Authority Policy.

3.0 REASON FOR RECOMMENDATION

- 3.1 The Council is committed to safe guarding children and vulnerable adults under the Safe Guarding Vulnerable Groups Act and Section 11 of the Children's Act 2004.
- 3.2 Ryedale District Council has a legal duty to provide a safe working environment and to protect the welfare of children and vulnerable adults who use its services.

4.0 SIGNIFICANT RISKS

- 4.1 The significant risks to the Council are that there is reputational damage, potential for safeguarding breach and potential for financial award against the Council. This is mitigated through adoption of the policy. There are no significant risks to approving the policy.

REPORT

5.0 BACKGROUND AND INTRODUCTION

CRB Checks

- 5.1 The Council currently does not have a comprehensive corporate policy in place regarding the process for undertaking CRB disclosures. It has operated a case by case system since the introduction of the CRB in 2002. The Council is also an Umbrella organisation who is registered with the CRB and who can process applications for disclosures or ISA registration on behalf of a variety of organisations/applicants.
- 5.2 This new policy will be rolled out across all the Council's operations and as such incorporates and encompasses the procedure used for taxi and private hire vehicle licence applications.
- 5.3 The policy gives guidance on how to deal with barred individuals or applicants who apply to Ryedale District Council for posts or licences.
- 5.4 Line Managers were trained on the new ISA scheme during February and March 2010 due to the new procedures being effective from July 2010.
- 5.5 With the introduction of new duties under the Independent Safeguarding Authority (ISA), there is an opportunity to bring these duties and operations together with a corporate policy and procedure to ensure that the Council fulfils its duties under the Safeguarding Children and Vulnerable Children Act 2006.
- 5.6 The CRB will continue to support employers by providing them with access to an individual's full criminal record and other information so that they can assess the individual's suitability for the particular post or position.
- 5.7 The ISA will prevent the most unsuitable people from working with children and vulnerable adults by making it a legal requirement for everyone who is working with children or the vulnerable to be registered with the ISA.

ISA Registration

- 5.8 The Independent Safeguarding Authority (ISA) has been created to help prevent unsuitable people from working with children and vulnerable adults. They do this by working in partnership with the Criminal Records Bureau (CRB) and other delivery partners.
- 5.9 From July 2010 individuals need to register with the ISA if they are to volunteer to work with children and or vulnerable adults in a regulated activity.
- 5.10 The ISA scheme will tell us 2 things:-
1) that the individual has registered themselves with ISA,
2) if the individual is barred from working with children and/or vulnerable adults.

6.0 POLICY CONTEXT

- 6.1 This policy fits within the aim to transform the Council by contributing to Objective 10: develop leadership, capacity and capability to deliver future improvements.

7.0 CONSULTATION

- 7.1 The policy has been through consultation with Unison, Streetscene staff and the officer Safeguarding Panel during February 2010.

8.0 REPORT DETAILS

- 8.1 The Criminal Records Bureau (CRB) provides access to a person's criminal record and other relevant information for employers and licensing authorities in England and Wales. The results of the checks carried out by the CRB help organisations make more informed decisions when recruiting people to work with children and other vulnerable groups or individuals, or when managing public finances.
- 8.2 CRB checks are also available to certain specified professional, licensing and regulatory bodies whose employees or volunteers are not necessarily in direct contact with children or vulnerable adults but who carry out regulated activities AND may have indirect access. For example because their work requires them to undertake home visits where although the primary purpose of the contact is not a safeguarding issue contact is made as part of the visit.
- 8.3 Through the Disclosure service, organisations can ensure greater protection for the vulnerable members of our society and for the proper administration of resources thus affording greater protection to their customers, staff, volunteers and ultimately their organisation.
- 8.4 A standard letter outlining the changes and the requirements under the policy will go out to all members of staff (on the intranet) updating them on the new ISA scheme and also to all the organisations that use Ryedale District Council as an umbrella body for their CRB Disclosures.

9.0 IMPLICATIONS

- 9.1 The following implications have been identified:

a) *Financial*

- 1) The financial implications will need to be considered in respect of the costs regarding revisiting CRB checks every 3 to 5 years at an individual price of £42.00 and the added additional expense of the ISA registration for existing staff at a cost of £22.00 per application.
- 2) New applicants/candidates to Ryedale District Council will be expected to pay for their own ISA registration after November 2010.
- 3) Consideration from management regarding paying for existing members of staff for the next 3/5 years on renewal CRB disclosures – currently around 20 members of staff and to continue paying for new members of staff.
- 4) Further consideration from management regarding increasing our administration fee from £6.00 per application to £10.00 to cover for the increase of work in respect of the new ISA registration as well from July 2010.

b) *Legal*

- 1) It will be unlawful for this Council to employ (or give a license to) anyone who has been registered as "barred" by the Independent Safeguarding Authority.
- 2) The legal implications for employing someone who is barred could mean imprisonment (for Management) and a large fine by the organisation.

c) *Environmental*

- 1) No implications for not introducing this policy.

d) *Equalities*

- 1) All equality issues have been considered when writing the new policy, especially the Rehabilitation of Offenders Act.

Louise Sandall
Head of Organisational Development

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Background Papers:
Criminal Records Bureau / Independent Safeguarding Authority Policy

Background Papers are available for inspection at:
Attached

CRB/ISA POLICY

RYEDALE
DISTRICT
COUNCIL



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DISCLOSURE OF CRIMINAL RECORDS BUREAU GUIDANCE FOR CURRENT AND PROSPECTIVE EMPLOYEES

The Criminal Records Bureau (CRB) provides access, for employers and voluntary organisations by providing information about people who will be working with children or vulnerable adults.

The CRB gathers information from a number of sources such as the Police, the Department of Health and Department for Education and Skills, to provide a single, reliable, central access point.

Ryedale District Council is committed to safeguarding children and vulnerable adults under Section 11 of the Children's Act 2004. This Council acts as an umbrella organisation for the verifying of CRB applications. From July 2010 this will incorporate ISA registration.

As Ryedale District Council meets the requirements in respect of exempted questions under the Rehabilitation of Offenders Act 1974, all applicants for certain posts within Ryedale District Council and contractors undertaking any of these positions or certain activities, may be subject to a criminal record check from the Criminal Records Bureau (CRB) before employment or clearance is offered or confirmed. This will include details of cautions, reprimands or final warnings, as well as convictions. All posts/activities which require a CRB Disclosure will be declared on any advertisement/contract.

1. Scope

1.1 Ryedale District Council has a legal duty to provide a safe working environment and to protect the welfare of children, vulnerable adults, and people who receive it's services. The legislation provides that employers must address their common law duty to provide a safe working environment and a legal obligation to protect vulnerable customer and client groups.

2. Criminal Records Bureau (CRB) Disclosure

2.1 CRB Disclosures will be made against Government Records and the national collection of criminal records maintained on the Police National Computer (PNC). A fee (for all individual enquiries) is payable to the CRB at the time the request for a Disclosure is made. Volunteers do not have to pay the CRB fee, but they are required to pay the administration fee of £6.00. This is payable to Ryedale District Council. The current full fees are: £42.00 per person. All other organisations, which use Ryedale District Council as an umbrella organization will be required to pay the required £42.00 per application.

2.2 Current and new employees of Ryedale District Council will not be expected to pay for the CRB application or the administration fee.

3. Lead Counter Signatory

3.1 An officer within HR will take responsibility for use of the Disclosure Service. This will be the HR Manager. They are responsible for:-

- Overseeing the operation of the disclosure procedure within the authority and act as the principal point of contact with the CRB;
- Ensuring that disclosure requests fall within the terms of the legislation;
- Ensuring that requests are made at the right time;
- Ensuring that **any relevant** provisions of Rehabilitation of Offenders Act 1974 are observed;
- Ensuring that information received from the CRB is released only to those who need to see it;
- Ensuring that records are kept securely and for no longer than is necessary;
- Specify additional Counter signatories to assist in the disclosure application process.

4. Roles Of The Counter signatory

4.1 All counter signatories will be required to:

- Countersign applications and receive the Disclosures;
- Control the use of, access to and security of disclosures;
- Confirm the details of the documentary evidence requested by the CRB to establish the identity of the applicant applying for the Disclosure;
- Ensure compliance with the Code of Practice, and
- Ensure the position is covered by the exceptions Order to the Rehabilitation of Offenders Act 1974 and the Disclosure requested is at the appropriate level.

5. Procedure

5.1 CRB Disclosures form an integral and important part of recruitment and employment procedures. Managers should refer to the Council's Recruitment and Selection policy for information on the selection process.

5.2 When submitting an application for employment/work with Ryedale District Council, (in posts as declared below exempt from the ROA 1974) an applicant is required by the Council to declare any convictions (including traffic convictions) or cautions he/she may have. An applicant must include spent convictions under the Rehabilitation of Offenders Act 1974 (by virtue of the provisions of the Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002). The information will be treated in confidence and will only be taken into account in relation to the application.

- 5.3 An applicant or employee who is required to undertake an Enhanced CRB Disclosure, will be informed in writing when a Disclosure is required.
- 5.4 Vulnerable adults and persons under 18 regularly use Council services such as leisure facilities, child care schemes, play schemes and other services. The public expect employees in charge of these schemes to have been through rigorous checking procedures. For these reasons the Council is of the opinion that enhanced disclosures are required in certain circumstances.
- 5.5 The Council will make every effort to confirm the identity of the applicant before the CRB are asked to process a Disclosure. Verification of identity, date of birth address and any change of name will be obtained. Incomplete or incorrect identification details may invalidate the CRB Disclosure.

In line with the advice of the CRB all applicants applying for a CRB Disclosure must **normally** produce the following documentary evidence:

One item of photographic evidence. The following being acceptable:-

- A current passport, or a new-style UK photocard and full paper driving licence;
 - Plus at least **two items** of address-related evidence (eg a utility bill, or a bank, credit card or mortgage statement containing the name and address of the applicant). In the absence of photograph evidence, a full birth certificate **issued within 12 months of the date** of birth plus **two items** of address-related evidence may be sufficient.
- 5.6 The following items of address-related evidence will be accepted only if the personal details match those on the application form(s):-
- Marriage certificate, credit card statement, mortgage/insurance statement, bank details/statement, utility bill.
 - Where an applicant claims to have changed his/her name by deed poll or any other mechanism (e.g. marriage, adoption, statutory declaration) he/she must produce documentary evidence of such a change.
 - Photocopies of any of the above documentation will **not be acceptable**. **Original documents must be produced at all times.**
- 5.7 The Council will take copies of photographic evidence and any birth certificates presented, but will not normally make photocopies of any address-related evidence. With regard to address-related evidence applicants will be assured that it is only the address section of the evidence that will be scrutinised by Officers.
- 5.8 When a CRB Disclosure is desired, the request should be sent to the CRB using the official Disclosure Request Form.

- 5.9 The CRB will reply to the nominated Council Counter signatory and the applicant either indicating that there is no trace on CRB records of a record which matches the details provided, or that those details appear identical with the person whose record will be attached. The record will contain details of all convictions recorded nationally against that person.
- 5.10 It should be noted that the CRB record will not usually include details of motoring convictions. Such information under separate arrangements will be obtained from the Driver and Vehicle Licensing Agency.
- 5.11 Where the information provided by the CRB differs from that provided by the applicant, and is of significance, the nominated Counter signatory will discuss the discrepancy with the applicant before reaching any final decision in which the nature of the information received is a factor. This information may be shared with the ISA (Independent Safeguarding Authority).
- 5.12 It is noted that applicants themselves may reveal certain minor convictions or cautions which are not recorded in the national collection of criminal records and therefore, not included in the convictions provided by the CRB in general, corroboration of such convictions or cautions will not be sought from the CRB.
- 5.13 A person who believes the information provided by the CRB is incorrect and who wishes to make representations to the Council regarding the matter, may do so. Applicants should approach the CRB if they think a mistake has been made on a disclosure.
- 5.14 As a Licensing Authority we license taxi and private hire vehicles. We have a Taxi/Private Hire Policy that determines our principles on dealing with applications where there is a negative CRB Disclosure.
- 5.15 Where an offence has been committed or inappropriate behaviour outlined involving children and or vulnerable adults, this policy and the Taxi/Private Hire Policy will be viewed alongside the Council's Safeguarding Children Policy to comply with Section 11 of the Children's Act 2004.

6. Checks on persons already employed

- 6.1 Checks will be re-made on persons already in employment either at 3 or 5 yearly periods dependant upon job role.
- 6.2 A new Vetting & Barring scheme was introduced in 2009, which requires employees/applicants to be registered with them prior to offer/start of employment.

If, however, serious allegations are made against an employee or previously unrevealed information comes to light and the Council is satisfied that the

information cannot be verified in any other way, the employee may be asked to undergo another verification.

The Council will undertake to pay the cost of the Disclosure. The Disclosure cannot be undertaken without the knowledge of the individual concerned who will be given an opportunity to discuss the outcome of the same.

6.2 Should an employee refuse to cooperate with a request to produce a Disclosure, then the Council will take action accordingly, as is usual in accordance with the Council's Disciplinary Policy. Should an applicant refuse to cooperate with a request to produce a Disclosure, then the Council will take action as to terminate their application for employment.

6.3 The Council will undertake repeat checks as the above frequency, to ensure that adequate protection is maintained and monitored.

6.4 New Procedures from July 2010

From July 2010, individuals will need to register with the ISA (Independent Safeguarding Authority) if they are to volunteer or work with children and or vulnerable adults in a registered activity. New employment applicants will be expected to be ISA registered PRIOR to starting work for Ryedale District Council, and this will be detailed in the recruitment process from August 2010.

6.5 ISA will assess all relevant information on individual applicants and where they believe that the individual poses a risk, bar them from working in any regulated activity with children and or vulnerable adults. However, it is important to understand that the ISA will not be barring every single individual with any kind of criminal conviction – so in order to gain a full picture of an individual's record, it will be necessary to obtain a CRB check at the same time.

6.6 The requirements to have a ISA Registration and CRB check will be phased in over a 5 year period for existing employees – however **all new employees** from July 2010, will be required to **complete both** the ISA Registration and CRB application forms (there will be a new form from July 2010). The new fee for this will be a one off fee of £64.00. The ISA registration fee on its own merits is £22.00. Existing staff will not be expected to pay for the registration fee.

6.7 The new joint application will result in a CRB Disclosure certificate and a notification of the ISA Registration.

6.8 Any information found is considered against their "barring" criteria and the applicant will receive notification of the barring. If a person is barred, then an employer may be committing an offence to employ them to work within the children or vulnerable adults sectors.

- 6.9 It is possible to be barred from one area (i.e., working with children - or working with vulnerable adults) but there will be the requirement to have an enhanced disclosure done as well.
- 6.10 If an employee is found to be barred, then Ryedale District Council will have to deal with the barring on a case by case basis through their Disciplinary Policy. The Council must ensure that a risk assessment of the situation is undertaken prior to any action being taken.
- 6.11 *Barring Criteria*
These are the minimum periods of barring which **MUST** elapse before the person is able to seek a review of the barring process.
- Under 18yr olds will be barred for 1 year
18-24yr olds will be barred for 5 years
25 + will be barred for 10 years
- 6.12 **An automatic bar is imposed for serious offences and which will NOT have a right of representation to be made** and the second decision is based on the conviction history that may not warrant an automatic bar but where the ISA Scheme has made a decision to bar. The applicant has the right of appeal in this situation to the ISA.

7. Use of Information

- 7.1 The fact that a person has a criminal record or is known to the police does not necessarily mean that he or she is unfit to be employed by the Council. The Council will make a balanced judgement about a person's suitability taking into account only those offences that are considered relevant to the person's suitability to be employed in the post they are applying for. A person's suitability will be looked at as a whole in the light of all the information available.
- 7.2 In deciding the relevance of convictions, the Council will bear in mind that offences which took place many years in the past may often have less relevance than recent offences. Similarly, a series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction. In any event the importance of rehabilitation will be weighed against the need to protect the public.
- 7.3. In order to ensure consistent and fair treatment when determining whether or not criminal convictions render an applicant unsuitable to be employed, the Council have drawn up detailed policy guidelines containing general criteria against which applications may be considered. Guidelines relating to the relevance of convictions should be used in conjunction with this policy and are shown in the Recruitment & Selection Policy.

- 7.4. Where it is discovered that an employee, employed prior to implementation of the Criminal Records Bureau, had failed to disclose past convictions, the Council will consider carefully whether they should now take action against this employee. In most cases, if those convictions are such that they would now lead to the refusal of an offer of employment, the Council's Disciplinary procedures will be followed.
- 7.5 Where a sexual offence has been committed involving children or vulnerable adults, it is highly unlikely that an applicant would be in a position to satisfy the "fit and proper person" test, having regard to the higher risk when compared to other crimes, that such behaviour would be repeated. Generally such offending conduct will permanently debar an applicant and any deviation to this policy would be an exception rather than the rule.

8. Appeals

- 8.1 Any person who is aggrieved by the Council's decision to refuse employment may appeal to the HR Manager.
- 8.2 An automatic bar is imposed for serious offences and which will NOT have a right of representation to be made and the second decision is based on the conviction history that may not warrant an automatic bar but where the ISA Scheme has made a decision to bar. The applicant has the right of appeal in this situation to the ISA.
- 8.3 Any person who is aggrieved by the Council's decision to refuse applications of work may appeal to the Corporate Director.
- 8.4 In the case of a taxi driver licence application, where the Taxi Licensing Officer is not authorised to grant a licence and therefore refuses the application upon receipt of an unsatisfactory CRB disclosure, the applicant has a right of appeal to Committee in accordance with the Taxi Licensing Policy.

9. Storage, Handling, Use, Retention and Disposal of Disclosures and Disclosure Information

- 9.1 Any information the CRB supply will be of a sensitive and personal nature. It will be used only in connection with the application which gave rise to the request for a Disclosure to be made. The Lead Counter Signatory must ensure it is kept securely while the recruitment process takes its course and that the information is not kept for longer than is necessary. An indication on the Council's own record that a CRB disclosure has been carried out may be made but this will not refer to specific offences.

10. Checks on Applicants from Overseas

10.1 Other than in exceptional circumstances, the Council can not:

- Make enquiries about the antecedents of people from overseas; or
- Establish details of convictions acquired outside the United Kingdom.

10.2 Applicants from certain EU countries may, however, be able to produce certificates of good conduct.

10.3 The principles of this policy must take precedent over any difficulty to obtain information to ensure the safety and security of staff and service users.

11. Monitoring

11.1 Where possible the Council will collate the following information in respect of CRB Disclosures:

- Number of CRB disclosures requested in respect of applicants for employment;
- Time taken to receive disclosures, and any apparent difficulties with these arrangements, including the resource implications.
- This Policy and subsequent CRB audit systems will be regularly monitored

12.0 Portability Guidance

12.1 There may be instances when a Disclosure issued for one position could be used for another job or voluntary position within the same authority. If there is more than a 3 month break in service, a new Disclosure will be necessary.

12.2 The nature of the duties, the date of original disclosure and the type of Disclosure sought will affect whether it is necessary to reapply or whether a current Disclosure can be used.

12.3 Information may only be shared with recruiters with the consent of the Disclosure applicant.

12.4 A Disclosure, of whatever type, carries no period of validity. This is because Disclosures are designed for use immediately after issue. **Enhanced** Disclosures are designed to be used at the point of recruitment for a particular position only, and will be of most use the closer to the date of issue they are used. Recruiters considering making use of Disclosures issued to other organisations should bear in mind the age of any Disclosure they are considering.

12.5 Enhanced Disclosures

The YSCB (North Yorkshire Safeguarding Children Board) recommendations that an Enhanced Disclosure check is obtained for **ALL** staff and volunteers who work with children and or vulnerable adults.

- 12.6 The line Manager in conjunction with HR should decide whether the duties of the position to be filled are compatible with those relating to the position for which the Disclosure was issued. Where a post involves working with children or vulnerable adults, an enhanced CRB disclosure and an ISA registration is required. ISA need to be informed of any unsuitable applicants/employees.
- 12.7 Should a prospective employee offer an Enhanced Disclosure, HR may refuse depending on time elapsed, or contact the Counter signatory for the original Disclosure application to compare details on the Disclosure to confirm it has not been altered. They may also ask the Counter signatory whether the police issued any additional information.

The above may only be carried out with the permission of the individual concerned.

13.0 Elected Member Involvement

Where members require a CRB check and/or need to be ISA registered, the same procedures will follow as per (5.0) and (6.4) of this policy.

- 13.1 Where a Member is “barred” through the ISA registration scheme, or a disclosure is made through a CRB check, then a risk assessment of their portfolio must be considered prior to any action.

14.0 Further Training

All staff and Members will receive further training on the policy and its implications on Children and Vulnerable Adults agenda as part of our commitment to the Safe-Guarding Programme.

15.0 Inappropriate Behaviour

Where staff during the course of their employment at Ryedale District Council or Members in their roles as ambassadors for the Council act inappropriately towards a child/children or vulnerable adult, this must be reported directly to ISA.

- 15.1 ISA will then notify the employers of what action is required. The Council will be required to follow its own Disciplinary procedures.

For additional information please refer to the CRB Portability Guidance (www.crb.gov.uk) and the new ISA guidance at the CRB website.

CRIMINAL RECORDS BUREAU/INDEPENDENT SAFEGUARDING AUTHORITY (CRB/ISA) POLICY - RISK MATRIX – ANNEX B

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
Damage to reputation	Specific to within the community and wider arena if the Council is seen not to take responsibility for the safe recruitment of new employees and to do re checks on existing employees	4	D	By operating a strict rechecking policy and ensuring all relevant posts are CRB and ISA checked prior to start of employment, will mitigate the risk to the Council.	1	A
Employing/Licensing barred individuals	Bad reputation for the Council and wider Safeguarding Agenda issues if employ/licence anyone who has been barred by the ISA	4	D	The application of the policy and procedures ensure fairness and consistency across the entire Council.	1	A
Not having clear policies / mitigation	Managers may make inconsistent decisions or fail to follow unclear due process. Since April 2009, ET courts have the power to award up to 25% more to an individual unfairly dismissed through lack of clarity of procedure or failure to adhere to process.	4	D	By implementing clearer due process, the Council can mitigate confidently that due diligence, from investigation to decision has been carried out lowering the impact of the consequences to the Council or employees.	1	A

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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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	1 APRIL 2010
REPORT OF THE:	HEAD OF ORGANISATION DEVELOPMENT LOUISE SANDALL
TITLE OF REPORT:	MEMBER INVOLVEMENT IN APPEAL PANELS
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 This report seeks Member approval for a principle change that affects three Human Resources policies: the Disciplinary Policy, the Capability (Capability Performance) and Management of Attendance Policy. The principle change is to replace the current provision for Member Appeals Panels, for appeals against dismissals, with Officer Appeals Panels.

2.0 RECOMMENDATION

2.1 That Council is recommended to approve the replacement of Member Appeal Panels for appeals against dismissals with Officer Appeals Panels.

3.0 REASON FOR RECOMMENDATION

3.1 The Head of Paid Service has statutory responsibility under Section 4 of the Local Government and Housing Act 1989 for the appointment and proper management of the Council's staff.

3.2 Management have followed new updated guidance from ACAS. Under the repeal of the Statutory Dismissal Procedures (SDP) in April 2009, ACAS produced a new Code of Practice guidance for employers to consider prior to revising their policies and procedures. Employment Tribunals will consider the Code of Practice as a comparator against our internal procedures should a claim be brought against the Council.

4.0 SIGNIFICANT RISKS

4.1 There are no significant risks in approving the recommendation.

REPORT

5.0 BACKGROUND AND INTRODUCTION

- 5.1 The primary consideration for reviewing Human Resources policies and the procedural requirements is due to some fundamental changes to legislation and in particular, the introduction of a Code of Practice under the repeal of the Statutory Dismissal Procedures in April 2009.
- 5.2 Under the repeal of the Statutory Dismissal Procedures (SDP) in April 2009, ACAS produced a new Statutory Code of Practice for employers to consider prior to revising their policies and procedures along with extensive accompanying guidance. Employment Tribunals will consider the Code of Practice and Guidance as a comparator against our internal procedures should a claim be brought against the Council. The Code of Practice states: "the appeal should be dealt with impartially and wherever possible, by a manager who has not previously been involved in the case." (Ref: ACAS Statutory Code of Practice on Disciplinary and Grievance Procedures. 2009)
- 5.3 The policies and procedures being revised to which the application of this change of policy principle is proposed are the Disciplinary Policy, the Capability (Capability Performance) and Management of Attendance Policy. Currently these policies allow in the procedural element for appeals against dismissals to be heard by an Appeals Panel of the Policy and Resources Committee.
- 5.4 All policies have been subject to a joint review with UNISON. Following extensive and constructive negotiations with Unison, there is agreement across the majority of revisions to the procedures which do not affect the agreed policy principles with the exception of this one issue. The proposal is to replace the facility for Member Appeals Panels with Officer Appeals Panels in line with the ACAS guidance.

6.0 POLICY CONTEXT

- 6.1 The revised policy fits with corporate aim 5: to transform the Council and in particular objective 10: to develop the leadership, capacity and capability to deliver future improvements.

7.0 CONSULTATION

- 7.1 Consultation on the proposed changes has been taking place with UNISON from between the 7 September 2009 up until 2 March 2010.
- 7.2 The revised Disciplinary Policy, Capability Policy and Management of Attendance Policy and procedures have also been considered by the Staff Focus Group.
- 7.3 Research has been undertaken into the approach taken by other Authorities in respect of member involvement in appeals. The results were that there is an even mix of member involvement and no member involvement. Many authorities stated that where members were still involved this element was to be subject to review and in many cases it only related to issues around the employment of Chief Officers.
- 7.4 Due to the nature of the Council's senior management arrangements, any appeals from Chief Officers, that is the Chief Executive or the two Corporate Directors, will continue to be made to Member panels in line with the Chief Officer's Handbook.

8.0 REPORT DETAILS

8.1 The policy principles contained within the Disciplinary, Capability and Management of Attendance policies have not significantly altered however the procedures have. When procedures alter Management consult with UNISON to seek agreement where possible. However, the policies are not joint policies with UNISON.

8.2 Following a period of negotiation, UNISON and Management have agreed the majority of the procedural changes to these policies. The only outstanding issue is the appeal process and in particular the role of Members.

8.3 The current procedures state:-

Appeals

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

8.4 The proposed amendment is:-

A member of CMT, a member of SMT and a HR representative will hear all dismissal appeals.

8.5 The reasons supporting the proposed change are:

- The revision is based on the revised guidance from ACAS who have produced comprehensive accompanying guidance to the Statutory Code of Practice for Disciplinary and Grievance Procedures. This guidance is provided for employers to consider prior to revising their policies and procedures. Employment Tribunals will consider the Code of Practice as a comparator against our internal procedures should a claim be brought against the Council.
- The Code of Practice states that the appeal panel shall be made up of individuals who have had no previous involvement in the case. Stronger emphasis on a shorter process with only one right of appeal to a “more senior manager” is recommended by ACAS.
- To ensure that the procedures can be carried out and acted upon promptly. Appeal hearings should take place as soon as practicable to ensure there is no undue stress to the individual involved. The change will facilitate more timely resolution to appeals.
- There is support from the staff focus group and Managers in the Authority for a shorter more consistent process.
- The constitution makes it clear that the Head of Paid Service has ultimate responsibility for the appointment and proper management of the Councils’ staff.
- The Head of Paid Service is ultimately responsible to agree a settlement should an application to tribunal be made subsequent to the appeal process.

8.6 UNISON has submitted the following for Members to consider;

“UNISON is opposed to removal of the entitlement for employees to have appeals against dismissal heard by Elected Members. The present arrangements work well and have broad support amongst employees. In view of the severe consequences of dismissal for employees, and potentially for the Council, we think that retention of Member involvement is important because it ensures that managers are accountable and that major decisions are subject to scrutiny.

No satisfactory explanation has been put forward for the proposed change and we think that retention of the existing appeals procedure will help to ensure that employees continue to have confidence that anyone finding themselves the subject of disciplinary proceedings will be dealt with in a fair and objective manner”.

9.0 IMPLICATIONS

9.1 a) Finance

The purpose of the introduction of the changes to the procedures, from a financial perspective, mean that under the repeal of the statutory procedures in April 2009 and the introduction of the Code of Practice from ACAS employment tribunals will expect employers to ensure that matters are dealt with under fair, open consistent procedures, which take firm consideration of the content of the code of practice. Failure to follow due process and procedure, may result in Ryedale District Council incurring additional costs above the statutory awards / costs of up to 25%, where the Council has been found to not have carried out its full procedures in line with recommended practice from ACAS.

b) Legal

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

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

c) Environmental

No environmental issues for introducing this policy.

d) Equality Impact Assessment

All equality issues have been considered in the rewriting of all the policies, especially in relation to the unfair dismissal and discrimination strands.

Louise Sandall
Head of Organisational Development

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Background Papers:

ACAS Statutory Code of Practice on discipline and grievance 2009.

Background Papers are available for inspection at:

<http://www.acas.org.uk/CHttpHandler.ashx?id=1043>



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	1 APRIL 2010
REPORT OF THE:	CORPORATE DIRECTOR (s151) PAUL CRESSWELL
TITLE OF REPORT:	CAPITAL PROGRAMME ADDITIONS
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report considers two schemes for inclusion in the Council's Capital Programme; Repairs and Preservation Works to Assembly and Milton Rooms, and Repair of Castle Garden Wall Ancient Monument.

2.0 RECOMMENDATIONS

- 2.1 That Council is recommended to approve the addition of the following schemes to the Council's Capital Programme:
- (i) Repairs and Preservation Works to Assembly and Milton rooms, Malton, at a value of £350,000 in 2010/2011; and
 - (ii) Repairs to Castle Garden Wall Ancient Monument with members preferred options and costs in 2010/2011.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 The repairs to the Assembly and Milton Rooms are required in order to prevent further deterioration of the fabric of the building which is listed and held under lease by the Council.
- 3.2 The Castle Garden Wall repairs are to ensure that the Council meets its legal responsibilities for the maintenance of the freehold asset.

4.0 SIGNIFICANT RISKS

- 4.1 The significant risks are that in not undertaking the works the Council faces increased costs in relation to both assets in the future and the potential for legal action against the Council. This is mitigated by approving the proposed schemes as detailed in the report. The additional significant risk is that the cost of work exceeds the budgets set due to the nature of the works, both involving a number of stakeholders and work on

'old' assets. This is mitigated by inclusion of suitable contingencies in the estimates provided and use of experts where possible in providing indicative costs.

REPORT

5.0 BACKGROUND AND INTRODUCTION

5.1 The Council's capital programme was approved by Full Council on the 22 February 2010. Within the programme a sum of £3,042,000 was identified as 'Capital Resources Available for New schemes'. Any new schemes would therefore be considered against this resource taking into account other forthcoming potential schemes which were not sufficiently advanced to include in the capital programme. Some such schemes were identified as 'Capital Investment Plan – Potential Schemes'.

6.0 POLICY CONTEXT

6.1 The proposals contained in the report are in line with existing Council Policy.

7.0 CONSULTATION

7.1 Discussions on the Assembly and Milton Rooms work have taken place with the Fitzwilliam Estate.

8.0 REPORT DETAILS

Repairs and Preservation Work to the Assembly and Milton Rooms Malton

8.1 Annex B to this report sets out the business case for the above project, together with the Schedule of identified works.

8.2 At the 30 July 2009 meeting of this Committee members resolved to:

'support in principle the taking forward of Option 4 for the Milton/Assembly Rooms and Caretakers Cottage by a separate organisation. Agree in principle to make a substantial financial contribution to the project provided that a suitable organisation can be identified and where the project would deliver substantial community and economic benefits investigate the options and details of such an approach and report back to a future meeting'.

8.3 Work is ongoing in this respect however there is a need to carry out urgent repairs to the premises. The business case identifies that these works would not be 'wasted' in the event that a substantial scheme for the building is brought forward. The works would be required in any of the options which have been considered for the future of the building.

8.4 The business case identifies a capital provision of £350,000 will be required to undertake the required works which includes the engagement of a Structural Engineer to advise on possible solutions for the Assembly Room floor (approximately £5,000). At this stage the options and costs for the work to the floor are not known.

Repair of Castle Garden Wall Ancient Monument

8.5 Annex C to this report sets out the business case for the above project.

8.6 Members will see that 5 options for works are included within the business case

ranging from absolute do nothing minimum option to full works to the entire wall.

8.7 This issue is further complicated by a section of the wall now being classed as a party wall with the Church, which affects the responsibility for repairs and maintenance.

8.8 Members views on the options available are sought.

9.0 IMPLICATIONS

9.1 The following implications have been identified:

a) Financial

Both schemes will require allocation of capital funds in 2010/2011.

b) Legal

There are no new legal issues other than those set out in the report.

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

There are no significant other implications.

Paul Cresswell
Corporate Director (s151)

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Background Papers:

None

Background Papers are available for inspection at:

None

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Capital Programme Additions - RISK MATRIX

Issue/Risk	Consequences if allowed to happen	Likelihood	Impact	Mitigation	Mitigated Likelihood	Mitigated Impact
Council faces increased costs in future or faces legal action for failure to properly maintain its assets in accordance with its legal obligations	Increasing costs leading to reduced capital resources for other schemes, possible legal action with adverse reputational issues and potential for adverse external inspection	4	D	Approve suitable schemes	2	B
The potential for either or both schemes to overspend due to the nature of the assets and the work	Increased costs leading to reduced capital resources and the potential for other schemes to be cancelled or postponed.	4	D	Suitable contingencies have been built into the estimates for both works, in addition the advice of experts/contractors has been used in providing indicative costs.	2	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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Repairs and Preservation Works to Assembly and Milton Rooms Malton

Business Case

Version No: 1
Author: Roger Barnsley
Date: 4 March 2010

1. Background

Ryedale District Council hold the Assembly and Milton rooms complex by way of a lease for a remaining term of 939 years at a rent of one peppercorn per annum. A substantial part of the premises are sub-let on internal repairing leases with the remainder of the premises (The Assembly Rooms) and the maintenance of the exterior of the property being the responsibility and liability of the council.

The purpose of this report is to obtain funds to carry out urgent repairs to the premises in order to prevent water ingress and further deterioration of the fabric of the building and to carry out its responsibilities and liabilities under the terms of the lease.

2. Why the project is needed

The project is required in order to prevent further deterioration of the fabric of the building, which is listed and held under lease from the Fitzwilliam Estate.

3. Options

Consideration has been given to carrying out works that improve the fabric of the building and which would not be wasted should an extension, reformation and/or refurbishment take place at some time in the foreseeable future. These works apply to three sections, being external repairs, internal repairs both considered essential and works required to allow full use of the assembly room floor.

4. Benefits

The repair and preservation work is required in order to maintain the fabric of the building and prevent further deterioration and these works together with the stabilisation of the assembly room floor would ensure the on-going use of the building for community events such as the pantomime, art exhibition antique and fashion shows as well as other scheduled events that regularly take place in Malton and require use of the assembly rooms in concert with the Milton Rooms.

It is important to consider that subsequent commercial, private and community events would be able to be accommodated with the enhancement of the Assembly Rooms; with its architectural features and original sliding sash windows this would become an ideal venue for small weddings, parties or one day business conferences thus providing a central venue in Malton and contributing to the overall programme of inward investment in Malton.

4. Benefits realisation

The benefits will be realised upon completion of the repairs.

5. Costs/timescales

The expected costs of the proposed external repairs is in the total sum of £ 350,000. Included within this sum is provision to enable longer-term solutions to be sought for the Assembly Rooms floor by engagement of a structural engineer.

At this stage without carrying out a full investigation and putting together a scheme proposal together with a Listed Building consent application it is not possible to be totally accurate with regard to costs or options for the assembly room floor.

6. Summary of Key Risks

Urgent repairs are required to the building in order to prevent further deterioration of the fabric and the lack of attention and action will result in additional works being required and increased costs in repairing the premises so as to bring them up to minimum standards as

required under the terms of the council's lease. As far as the assembly room floor is concerned the problem relates to the recommendations contained within a structural report prepared in May 2008.

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**Milton Rooms, Assembly Rooms and Caretakers Cottage - Malton
External Areas & Fabric**

ITEM NO	LOCATION	DEFECT	REMEDIAL WORK	
1	East Elevation	Rainwater guttering blocked With vegetation	Remove all vegetation and water test the guttering. Repair all defective gutters as required	
2	Ditto	Vegetation etc and debris on the flat roof area of the bar. Leak through the single ply roof membrane.	Clear off all vegetation from the flat roof area and the rainwater outlets. Repair the single ply membrane with Acrypol or equal approved repair system.	
3	Ditto	Corrosion of the ramped access/ fire escape form the bar	Remove all corrosion form the metal surfaces, repair the metalwork as required. Redecorate same with a high performance paint system including adjacent guard railings.	
4	Ditto	Eroded pointing and salting to the brickwork	Clean off the brickwork to remove salts etc. rake out eroded joints to brickwork and repoint same.	
5	Ditto	Drainage defects as noted in the survey report by Messrs Drain Services	Dig out and expose defective drainage as required. Renew pipework, install water seal on the main drain run to prevent odours near Caretakers Cottage	

6	East Elevation (Bar Extension)		Unsupported waste pipes to the kitchen of the bar, overlooking the Caretakers Cottage rear Yard area	Provide and install waste pipe brackets to support these pipes	
7	North Elevation		Loose stonework to the first floor balustrading to the entrance portico	Take down loose stone balustrading, including handrail, balusters and baluster die's. Reconstruct the balustrading incorporating stainless steel dowels and cramps. Repoint all joints and unblock rainwater outlets etc and integral fall pipes.	
8	Ditto		Cracked stone threshold unit to the first floor door opening onto the Portico roof.	Renew the defective threshold unit. Cut out and repair cracked and defective asphalt roof coverings to the Portico.	
9	West Elevation		Holes in the facing brickwork, together with eroded mortar joints in numerous locations.	Make good the holes in the brickwork with matching facing bricks. Rake out defective mortar joints and repoint same.	
10	Ditto		Corrosion of the ferrous metal Fire escape staircase and guarding etc.	Clean down the surface of the metal staircase, guarding, railings etc. Prepare and repaint same with a high performance paint system.	

11	Ditto		Slipped and missing tiled roof coverings, together with cracked pointing.	Replace / refix the tiled roof coverings. Rake our defective mortar joints to ridge, verges and chimney stacks as required and repoint same.	
12	Ditto		Build up of vegetation, debris etc around the external perimeter of the Milton Rooms	Allow for periodic checks and clearance of vegetations and general debris etc from around the building. Checking of rainwater gullies etc	
13	West Elevation		Defective concrete cill and entrance canopy	Cut out loose, spalling concrete back to sound material and carry out concrete repairs with Sika Icoment or other equal approved system	
14	Ditto		Defective cast iron rainwater goods	Break all leaking joints, reseal same and water test gutters and down pipes Scaffolding/ Access	
15	Windows		Defective double glazed units	General glazing repairs etc.	
16	Portico Roof Access Door		Defective locking mechanism	Renew the locking mechanism to this door to make secure	

17	Yorkersgate Elevation		Leaking cast iron rainwater goods	Break leaking joints and re-caulk / reseal same. Renew any corroded r.w pipework etc. Increase the size of the rainwater hopper if required at high level to cope with roof water volume.	
18	Ditto		Possible defective lead linings to the back gutters to the rear of the roof level parapet wall over the Assembly Rooms.	Renew the defective lead back gutter lining with Code 6 Milled Sheet lead incorporating T Pren Expansion joints.	
19	Ditto and also the North facing roof slope		Slipped and or missing roof slates	Refix or renew the slates as required in matching dimension natural slates. Scaffolding for the above	
20	Roof		Slipped slates, with daylight visible at eaves level from within the roof space, at the North West corner.	Replace the slipped and or missing roof slates as required Check the lead work to the gutter detail on the South elevation and all lead flashings to chimney stacks and abutments etc. renew all defective leadwork with Code 6 Sheet Milled lead to LSA recommendations.	

			<p>Wood boring beetle infestation to the structural roof timbers</p> <p>Lack of Fire separations between the subscription Rooms roof space and The Milton Rooms Stage area.</p>	<p>Treat wood boring beetle infestation with insecticide spray treatment by specialist contractor, renew any badly decayed timbers</p> <p>Provide one hour fire separation between this section of the building and the adjacent Milton Rooms Stage area.</p>	
21	South Elevation		Leaking cast iron guttering.	Break and re-seal the leaking joints in the gutters. Check the rainwater down pipes and repair same as required resealing all joints etc as necessary. Clean out all vegetation etc form the gutters.	
22	Ditto		Cracked pointing and brickwork.	Rake out and repoint mortar joints. Renew cracked brick units with matching facing bricks.	
23	Ditto		Rot affected roof truss, wall plate and timber bressummer over the second floor level bedroom window	Urgent repairs are required to this truss. Temporary propping and shoring should be installed until such time as the permanent repairs can be implemented	

24	South Elevation		Lightwell full of debris, together with seized up "Yorkshire Casement" windows, with broken glazing, no decorative finish to these windows. Damaged internal shutters to the basement windows and wet rot affected window frames.	Clear all debris from the light wells. Repair and reglaze the "Yorkshire Casement" windows and leave in full working order. Repaint the windows, where the windows are beyond affective repair replace with a matching pattern window. Repair and reinstate the window shutters to the basement area.	
25	Ditto		Seized up sliding sash windows. Draughts through the ill-fitting sashes etc.	Ease, refit and re balance the sliding sashes. Cut out any areas of rot affected timber to the frames. Provide and install the Ventralla draught proofing system to the windows	
26	East Elevation		End nut to the restraining rod to the roof structure is missing.	Check the condition of the restraining rod. Renew the nut to the end plate as a minimum. Renew the whole restraining rod in stainless steel, if the existing rod is badly corroded.	
27	Ditto		Cracked brickwork and eroded pointing.	Rake out the eroded mortar joints and renew same. Cut out any spalled brick units and replace with a matching facing brick.	

28	Ditto		Seized up "Yorkshire Casement2 widow and broken glazing to other windows and wet rot deterioration to the frames and poor decorative condition.	Ease window, repair / replace glazing and cut out and renew defective timber to the frames of these windows	
29	Ditto		Seized up sliding sash windows. Broken glazing and wet rot affected timberwork to both doors and frames.	Ease and rebalance the sashes. Cut out defective timber and renew with treated timber spliced in. Reglaze the windows.	
30	Ditto		Draught through the sliding sash windows	Provide and install the Ventrolla draught proofing system to the sliding sash windows on this elevation	
31	Roof Structure		Wet rot affected Roof Truss, timber bressummer beam and wall plate at second floor level.	Temporary propping previously described to be altered and adapted to permit the permanent repair works to the roof etc to be undertaken Cut out defective timber to the roof truss and provide an MS Gusset plate or similar to the truss end. Renew the wet rot affected timber bressummer with a steel lintel. Renew the wet rot affected wall plate with a treated timber wall plate suitably strapped to the external wall.	

32	Ditto		Dead loading to the existing roof timbers from the concrete interlocking times	Take off the existing interlocking roof coverings to the Caretakers Cottage. Renew the existing felt and laths with a breathable under slaters felt and treated laths and provide and fix pantile roof coverings and new leadwork.	
33	West Elevation		Broken glazing and defective metal window frame to the gents wc.	Renew the window in timber to matching style and glaze same with obscure glass.	
34	Ditto		Blocked guttering and leaking sink waste pipe.	Remove vegetation from the rainwater gutters and check for leaks by water testing same. Repair the guttering as required and also the leaking waste pipe to the kitchen sink.	
35	Ditto		Lead soaker to the roof abutment displaced and also a hole in the stepped lead flashing detail.	Refix the lead soaker into position and renew the defective lead flashing or repair with a solder dot as appropriate. Access scaffolding for the above	
36	The Church Rooms and Entrance Hall		Defective plaster finishes as a result of lateral dampness and leaking rainwater goods.	Tanking and damp proofing works to the walls etc. repair the leaking rainwater goods.	

37	The Ladies and Gent's Toilets		Ditto as above	Ditto as above	
38	The GF Kitchen		Ditto as above	Ditto and above	
39	Staircase between the ground and first floor levels		Broken / chipped stone step nosings	Provide and apply specialist repairs to the treads of these stone steps	
40	Basement Area		Rising and Lateral penetrating dampness. Defective plaster and decorative finishes.	Provide and install a tanking and damp proofing system to the walls in this area and at ground floor level. Replaster walls thereafter with a waterproof plaster incorporating a salt inhibitor. Note a system which provides a Guarantee Protection trust Insurance backed guarantee should preferably be adopted for this work.	
41	The basement, ground and second floor areas		Wet and dry rot, together with wood boring beetle infestation. Affecting the timber floor structure over the basement and the windows in the basement.	Eradicate the rot mycelium etc. Renew all extensively affected timber with new treated timber including the floor joists, boarding and widows as required.	

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Repair of Castle Garden Wall Ancient Monument

Business Case

Version No: 1
Author: Roger Barnsley
Date: 4 March 2010

1. Background

Ryedale District Council acquired the freehold interest in the castle garden site during 1996 with responsibility for some of the walls becoming the responsibility of the council but on the understanding that the wall bounding St Leonard's Grave yard was the responsibility of the Catholic Church.

Within the site acquired by the council is a section of the ancient wall that is wholly the responsibility of the council as owner, which divides the Castle Garden Project from the area of land classified as allotments. The castle garden project site is an area of land located behind the Old Lodge Hotel on Old Maltongate and is the subject of a lease to Derwent Riverside Project Group" registered Charity 1107237.

The whole of the site is a Scheduled Ancient Monument and has remains from Malton castle, Roman Fort and a Jacobean mansion underneath.

The purpose of the project is to carry out repairs to and close to Monument No's 285 and 1261 in accordance with the requirements of the Ancient Monuments and Archaeological Areas Act 1979.

2. Why the project is needed

The council as owner of the site has a responsibility under the Act to repair and maintain all structures that are of Ancient Monument or Listed status and in addition as a Local Authority have duties and powers to take action where the preservation of a building or structure may be at risk.

As a result of the investigations and the removal of various structures covering the wall a section of the wall has been found to be unstable and potentially in danger of collapse. Temporary shoring structures have been put in place to minimise the danger of collapse whilst structural solutions were being sought for the long-term stabilisation of the wall. In addition a further section of the wall is in need of repair to prevent further deterioration of the Ancient Monument.

3. Options

In conjunction with English Heritage various solutions to the stabilisation, repair and future maintenance of the wall were investigated including the construction of supporting structures and the repair of the wall which involved carrying out trial bore holes in the surrounding area in order to ascertain the reason behind the failure of the wall closest to Castlegate stairs.

The final conclusion was that in order to minimise future liability the most beneficial solution was to rebuild approximately 8 metres of the wall including the installation of a foundation and to repair to a minimum standard the balance of the wall within the council's ownership.

4. Benefits

The benefits would be the full use of the Castle Gardens by the public.

4. Benefits realisation

Benefits realisation immediate upon completion of the project.

5. Costs/timescales

It has been necessary to carry out temporary buttressing of the section of wall, which has shown to be in danger of collapse. Approximately 8 metres of the wall running from the Castlegate stairs has been fully investigated and as a result it has been found that the roots from one of the trees is pushing over the wall. Agreement has therefore been reached to fell the offending tree and English Heritage have approved a scheme to install foundations and to rebuild an 8 metre length of the wall. The specification for this has been completed and is currently being amalgamated with the specification for the remaining section of the Council's wall.

In connection with this an exchange of correspondence has taken place with the Diocese of Middlesbrough to the effect that no formal deeds exist and consequently information on a separate part of the walls ownership is therefore non-existent. Consequently as the church has in the past inserted memorial stones into the structure of the wall it is now clear that this wall is a party wall and the liability for any repairs are not wholly the legal responsibility of the council.

Based upon the current information there are four different proposals for the future of this wall, these being:

- 1) To obtain tenders for rebuilding the 8 metre section of wall fully repairing the remaining 35 metres of the council's wall and repairing one badly damaged section of the church party wall and leaving the remainder on condition that the Church contribute to the cost of the work attributable to the party wall.
- 2) To obtain a price for rebuilding the 8 metre section of wall carry out these works and to do minimum works to the remaining section of the councils wall approximately 35 metres in order to stabilize and do no works to the church section of the wall.
- 3) To obtain a price for rebuilding the 8 metre section of wall carry out these works and to do minimum works to the remaining wall, including the party wall, on condition that the Church contribute to the cost of the work attributable to the party wall.
- 4) To obtain a price for carrying out a full repair to the total length of the wall, approximately 75 metres and carrying out all the works, on condition that the Church contribute to the cost of the work attributable to the party wall.
- 5) To apply to English Heritage for consent to erect a permanent fence approximately three metres back from the wall and to carry out minimum repair works and making good only of the councils section of the wall. There is a slight risk with this approach in that English Heritage through the council's conservation officer may wish to enforce more detailed repair work. This however could be investigated prior to this proposal being progressed.

It is the intention to obtain separate prices for each section of the wall when the work is tendered. At this stage it is only possible to provide an estimated price for each element, however due to the complexity of this work these estimates cannot be guaranteed.

- 1a) The full cost of rebuilding 8 metres of wall, felling the tree and fully repairing 35 metres of wall but including for one small section of church wall is estimated as being in the order of £ 115,000 exclusive.

Project Management Templates

- 2a) The cost of rebuilding the 8 metres of wall carrying out minimum works to the remaining 35 metres including the felling of one tree is estimated as being in the order of £ 90,000.
- 3a) The cost of rebuilding the 8 metres of wall and carrying out minimum works to the remaining wall including the party wall and the felling of one tree is estimated as being in the order of £102,000.
- 4a) The total cost of carrying out all works is estimated as being in the order of £145,000.
- 5a) To supply and erect a palatine fence to prevent access to the wall except by an installed gate would be in the approximate sum of £5,000 plus VAT.

In connection with all the proposals it is recommended that the area of land currently occupied by Mr Hampshire should be permanently fenced off so as to prevent any attachments of future damage occurring to the wall. The cost of the fence to the section occupied by Mr Hampshire would be £5,000 plus VAT.

6. Summary of Key Risks

The wall, which is sited within the council's ownership is a Scheduled Ancient Monument and owners have a duty to repair and maintain such structures. As mentioned above the authority also have a duty to ensure the preservation of such structures