



## COUNCIL

### **Council Summons and Agenda**

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You are hereby summoned to attend an **Ordinary Meeting of Ryedale District Council** to be held in the **Council Chamber, Ryedale House, Malton** on **Thursday, 6 April 2017** at **6.30 pm** in the evening for the transaction of the following business:

#### **Agenda**

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1 **Emergency Evacuation Procedure**

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

2 **Apologies for absence**

3 **Public Question Time**

4 **Minutes**

(Pages 3 - 22)

To approve as a correct record the minutes of the Ordinary Meeting of Council held on 21 February 2017.

5 **Urgent Business**

To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

6 **Declarations of Interest**

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

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

**7 Announcements**

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

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

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

**10 To consider for Approval the Recommendations in respect of the following Part 'B' Committee Items:** (Pages 23 - 86)

**Policy & Resources Committee - 23 March 2017**

Minute 57 - Changes to Disabled Facilities Grant Policy (page 23)

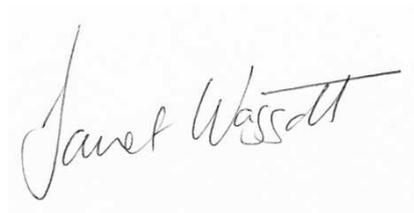
Minute 58 - Community Housing Fund (page 37)

Minute 59 - Corporate Peer Challenge Improvement Plan (page 59)

Minute 60 - The Council's Priorities 2017 - 2022 (page 67)

Minute 61 - Proposed Waste Transfer Station for Ryedale (page 75)

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

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

Janet Waggott  
Chief Executive

## Council

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Minutes of Proceedings

At the **Ordinary Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Tuesday 21 February 2017**

## Present

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

## In Attendance

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Mandy Burchell  
Jos Holmes  
Peter Johnson  
Nicki Lishman  
Clare Slater  
Jill Thompson  
Janet Waggott  
Anthony Winship

Daniel Wheelwright - Peter Brett Associates

## Minutes

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64     **Apologies for absence**

Apologies for absence were received from Councillors Wainwright and Windress.

65 **Public Question Time**

There were no public questions.

66 **Minutes**

The minutes of the Ordinary Meeting of Council held on 8 December 2016 were presented.

**Resolved**

That the minutes of the Ordinary Meeting of Council held on 8 December 2016 be approved and signed by the Chairman as a correct record, on the understanding that the following amendment be added.

Minute 60 - To consider for approval the Recommendations in respect of the following Part "B" Committee Items

**Minute 38 - Timetable of Meetings 2017-2018**

The last two votes had to be taken again as a result of inappropriate use of a voting unit.

**Voting record**

22 For

5 Abstentions

67 **Urgent Business**

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

68 **Declarations of Interest**

The following interests were declared:

Councillors V Arnold, Burr, Clark, Sanderson and Shields declared a personal non pecuniary non prejudicial interest in Item 13 as members of North Yorkshire County Council.

Councillor P Andrews declared a personal non pecuniary non prejudicial interest in Item 13 as a member of Malton Town Council.

Councillor Keal declared a personal non pecuniary non prejudicial interest in Item 13 as a member of Norton-on-Derwent Town Council.

Councillor J Andrews declared a personal non pecuniary non prejudicial interest in Item 13 as a member of Pickering Town Council.

69 **Announcements**

The Chairman made the following announcements:

The Chairman offered his thanks to all who had attended the recent Burns Night Supper in support of his charities.

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

There were no questions on notice.

71 **Business Adjourned from the Last Ordinary Meeting of Council on 8 December 2016**

**Representation on Outside Bodies**

**Resolved**

Councillor Val Arnold be appointed as the Council's representative on the Police and Crime Panel, following Councillor Hope's decision to stand down from the role.

**Voting record**

19 For  
9 Against

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

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

*"At our first Council meeting of 2017 I would like to congratulate those members of the Ryedale community who have been acknowledged for their public work in the New Year Honours. Right Reverend James Jones on receiving a KBE for services to Bereaved Families and Justice, having chaired the Hillsborough Independent Panel and also to Councillor David Cussons on receiving an MBE for services to Agriculture and Rural Communities in North Yorkshire particularly through the Ryedale Agricultural Show.*

*Moving to our agenda for tonight, Members will be considering the budget for 2017/18 and our financial strategy to 2021. Members of this Council were quite clear about their wishes for the future delivery of services - they wanted to achieve the savings required of this Council without reducing services. Only a far-reaching restructure of the organisation could achieve that. Thanks to the*

*hard work and commitment of all staff of the Council, savings in the region of £1m will be achieved by March 2018, no mean feat in itself, and on top of that there have been no compulsory redundancies. This has been the result of hard work and determination and made possible by Members allowing Officers to do their job. Under the direction of our Chief Executive staff are continuing to work on the redesign of Council services to maintain the range of high quality services delivered for our residents and customers, all within the budget parameters we will set this evening. I have to thank our Chief Executive for her courage and ability in implementing what has been a huge change. We are now a fit for purpose, modern council.*

*I welcome the Government's announcement that the York, North Yorkshire and East Riding area has been allocated £23.7m from the Local Growth Fund. Ryedale has been successful in attracting funding for a new employment site at Pickering (Thornton Road) to allow the expansion of the high tech engineering sector in Ryedale. This is excellent news for Ryedale and follows our previous success with funding for the Malton Business Park and Food Enterprise Zone. This continues to support the delivery of our priority of investing in better jobs in our area."*

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

1. From Councillor Potter

It's certainly good news that we've got the funding for several industrial estates and employment sites. The thing that worries me is that we have enabling development of a business park, a food enterprise zone and at least three housing estates in Malton and Old Malton specifically for a new cattle market, which is conspicuous by its absence - where is it? Have we been hoodwinked now that the A64 has been breached for development?

The Leader replied:

*Cllr Potter I don't believe so. The Livestock Market has always been an aspiration of this Council and we continue to support the people who are involved in making that happen.*

2. From Councillor Shields -

*I'm glad to see there are no compulsory redundancies but I wonder how many more staff will be leaving - say in the next month or two?*

The Leader replied:

*There's a phased programme of people leaving and by the end of March all the staff that are leaving will have left. If you have a look at the chart that we've put up in the Members' Room, you'll see what the new structure is and the staff that will be remaining after March.*

3. From Councillor Ives

*You reference the Council's restructure in your Leaders' Statement. May you confirm what the payback period is for the decision of this Council to make the previous Corporate Director redundant?*

The Leader replied:

*You've asked this question before Cllr Ives and you've had a written reply to that question and I do have the answer that you were given here. It was a bumped redundancy and that included bumping down the organisation. The total savings throughout the restructure is a salary saving of £644,000 and there is a payback period of under one year.*

4. From Councillor Thornton

*I am nearly reassured by the sentence "We are now a fit for purpose modern Council". Can we know how we are going to evidence that, how we're going to measure it please?*

The Leader replied:

*This Council has a system of continually monitoring performance. We have a set number of criteria that we look at, continuously as Members they come to Resources Working Party and they're available for any Member to log on and see on the website. So it will be through continuous monitoring.*

5. From Councillor Clark

*You say Members of the Council were quite clear about their wishes for the future delivery of services. They want to achieve the savings required of this Council without reducing services. That's real apple pie and motherhood and I can't imagine myself in a sober state asking to deliver the same services and make a couple of million pounds, or even one million in savings. So could you tell me where it was in the Council meetings and structure, where this sentence comes from that Members had expressed that wish? Some Members may have but I don't remember Members collectively doing this.*

The Leader replied:

*I think many of you who are here will remember numerous occasions when we as a Council have tried to reduce services. In fact I've seen us take a decision to reduce services, we actually took a decision once to close some public conveniences and it wasn't very long before we were back in this Council Chamber changing that decision again. So it isn't just through an actual formal decision in this Council Chamber, it's a well*

*known fact that Members of this Council have been very reluctant and found it extremely difficult to accept any reduction in services. I think we've looked at things like Pest Control and there's always a really legitimate argument about why we should continue to do it. So I think it's very clear that Members did not want to reduce services.*

Councillor Clark then asked the following supplementary question:

*The implication from the statement here which Cllr Cowling has just underlined is that there was £1 million + inefficiencies in this Council. Now that is a possibility but I actually think it is not the favourite. I think the favourite is that she should wait and see as to what the level of services are when the whole of this picture is put into place, not assume now that we've achieved something that's probably never been done before, probably won't be done in the future and that is maintaining everything the same as it was and cut people as well. On that basis does she believe that we are going to have no cuts at all, or does she believe that it was that inefficient before?*

The Leader then replied:

*I'm absolutely positive that this Council was not inefficient before. what I do think is that your cup is always half empty and my cup is always half full. I think that are a lot of things that can be done to change the processes in the back offices of this Council and that is what the staff are telling us. They believe, they are very positive that they can make these improvements. For me it isn't a case of wait and see if we are successful or not. I'm 100% certain that we shall be successful. I'm not saying that services won't be delivered differently and that things won't change in the processes that we use to deliver those services. What I am absolutely certain of is that the staff of this Council will deliver as they always have.*

6. From Councillor Burr

*As we all know, staff are the backbone of this organisation and with severe cuts to our staffing and the loss of very able staff to other organisations because of the uncertainties. I'm told that morale is very, very low in our building at this moment in time. I understand that the work load of our staff has increased. Are you concerned about the pressures that we have out on our staff and the reductions that appear in various departments?*

The Leader replied:

*I've spoken to the Member Champion about this and no one has approached the Member Champion to say that the workload is too high or that morale is low, so obviously you know something that I don't.*

Councillor Burr then asked the following supplementary question:

*Yes people do talk to me and I am not the Staff Champion anymore. I'd like to talk about the reorganisation. In early September we had a final structure agreed and our employees were asked to apply for their 3 preferences. The structure then changed after we appointed our Deputy Chief Executive and the new structure was then put in place. Why did this happen? Was that fair to the people who had actually applied for posts that didn't exist, were taken away and now new posts have been created?*

The Leader then replied:

*One thing I always wished to happen through the whole of this restructure was that it should remain flexible and that it should be responsive to the needs of the organisation, the authority and the delivery of services. I am confident that has happened.*

7. From Councillor Andrews

*The last paragraph noted that the Council has been successful in obtaining money from the LEP. What steps is the Council taking to obtain money from the LEP or elsewhere in order to deal with the antiquated drainage and sewerage system in Malton and Norton?*

The Leader replied:

*I wish you'd given me notice of that question Paul, because it's a good question. I am going to have to say that I will get you a written answer. I will speak to Julian and find out if there is money available for that type of thing.*

8. Councillor Ives asked the following supplementary question:

*Going back to my original question, I'm aware that I asked two of the same questions consecutively at Council which is what is the payback period for making the previous post holder of the Corporate Director redundant. The reason I asked that is because in the initial report it was quoted at about 18 months, it then got revised in a subsequent report to about 22 months and it was said that it was a Head of Service and yet I've not seen a Head of Service being made redundant - in fact the numbers of Heads of Service equivalent has increased as a result of this restructure. I appreciate that you have given me a payback period for the total number of staff made redundant but my question is what is the payback period for the Corporate Director position? Payback periods were quoted in the report that went before Members so what is the finalised payback period please? If I can't get a response now, I would appreciate a written answer please.*

The Leader then replied:

*It's my belief that the redundancy process can not - no single position can be looked at in isolation. Each redundancy has consequences and a knock on effect for the organisation and it's only when you've finished the whole process that you see the benefits of the bumped redundancy.*

**73 Revenue and Capital Budgets and Setting of Council Tax 2017/2018**

The Chairman of Council reported on the procedure to be adopted in considering the above item.

It was proposed that the item be dealt with in two separate parts:

- (a) Firstly, consideration of the recommendations in Minute 47 of the Policy & Resources Committee held on 2 February 2017 and item 11 paragraph roman numeral I;
- (b) Secondly, item 11 paragraphs roman numerals II to V relating to the requisite calculations and the setting of Council Tax.

It was moved by Councillor Cowling and seconded by Councillor S Arnold that Minute No. 47 (Financial Strategy 2017/2018) of the Policy and Resources Committee held on 2 February 2017 be noted and received by Council, that Council adopt the recommendations in the s151 Officer's report and that Council approve item 11 paragraph roman numeral I relating to the Council's revenue budget.

Councillor Clark proposed and Councillor Thornton seconded the following amendment;

"The addition of a line to the chart on page 80 of the Agenda to add the following details;

Post	Base salary	Expenses	Bonuses	PRP	Earn-Back	Honoraria	Ex-gratia payments	Election fees	Joint authority duties	Severance arrangements
Corporate Director	£70,000	Paid through normal authority procedures	None	None	None	None	None	Election duty fees are paid in line with normal authority procedures	None	This post was made redundant during the 16/17 year at a cost of £130,000+

Upon being put to the vote the amendment was lost.

**Recorded Vote**

For

Councillors J Andrews, P Andrews, Burr, Clark, Jowitt, Potter and Thornton

Against

Councillors Acomb, S Arnold, V Arnold, Bailey, Cleary, Cowling, Cussons, Duncan, Farnell, Frank, Gardiner, Goodrick, Hope, Ives, Jainu-Deen, Keal, Maud, Oxley, Raper, Sanderson and Shields.

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

**Recorded Vote**

For

Councillors Acomb, S Arnold, V Arnold, Bailey, Cleary, Cowling, Cussons, Duncan, Farnell, Frank, Gardiner, Goodrick, Hope, Ives, Jainu-Deen, Keal, Maud, Oxley, Raper, Sanderson and Shields.

Against

Councillors J Andrews, Clark, Potter and Thornton

Abstentions

Councillors Burr and Jowitt

It was moved by Councillor Cowling and seconded by Councillor S Arnold that item 11 paragraphs roman numerals II to V relating to the requisite calculations and the setting of Council Tax be approved and adopted.

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

**Recorded Vote**

For

Councillors Acomb, P Andrews, S Arnold, V Arnold, Bailey, Cleary, Cowling, Cussons, Duncan, Farnell, Frank, Gardiner, Goodrick, Hope, Ives, Jainu-Deen, Jowitt, Keal, Maud, Oxley, Raper, Sanderson and Shields.

Against

Councillors J Andrews, Burr, Clark, Potter and Thornton

**Resolved**

That Council:

- (i) Approve the Council's Financial Strategy (Annex A) which includes:
  - a. Savings/additional income totalling £1.081m (Financial Strategy Appendix A)
  - b. Growth Pressures totalling £328K (Financial Strategy Appendix A)
  - c. The Prudential Indicators (Financial Strategy Appendix B)
  - d. The revised capital programme (Financial Strategy Appendix D)
  - e. The Pay Policy 2017/18 (Financial Strategy Appendix E)
- (ii) Approve a Revenue Budget for 2017/18 of £6,156,794 which represents a £4.34 increase in the Ryedale District Council Tax, increasing the total charge to £186.05 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 £49,620, equivalent to £0.66 increase at band D;

(iv) Note the financial projection for 2017/18 - 2021/22 (Annex B);

(v) Approve the reserve movements as highlighted in paragraphs 6.38 to 6.40 of the report.

#### **I Budget 2017/2018**

That the revised revenue estimates for the year 2016/2017 and the revenue estimates for 2017/2018, as submitted in the Council's Financial Strategy and Revenue Budget 2017/2018 Book be approved (previously circulated).

#### **II Council Tax Base**

That it be noted that, in accordance with Minute No. 363(d)/2005 of the Policy and Resources Committee held on 8 December 2005, which was subsequently approved by Council at its meeting on 12 January 2006, Ryedale District Council has (pursuant to Section 101 of the Local Government Act 1972) delegated responsibility to adopt the Council Tax base to the Chief Executive and Chief Finance Officer in consultation with the Chairman of the Policy and Resources Committee. The Council calculated the amounts for the year 2017/18, in accordance with regulations made under Section 31B of the Local Government Finance Act 1992, as amended, as set out in Annex A.

#### **III District/Parish Council Tax Rates**

That the following amounts be now calculated by the Council for the year 2017/18, in accordance with Sections 31A, 31B and 34 to 36 of the Local Government Finance Act 1992, as amended (the Act):

##### **(a) District/Parish Gross Expenditure**

£27,723,695.00 being the aggregate of the amounts, which the Council estimates for the items, set out in Section 31A(2) of the Act.

##### **(b) Income (including Government Grants and Collection Fund Surpluses)**

£22,828,335.00 being the aggregate of the amounts, which the Council estimates for the items, set out in Section 31A(3) of the Act.

##### **(c) District/Parish Council Tax Requirement**

£4,895,360.00 being the amount by which the aggregate at Part III(a) above exceeds the aggregate at Part III(b) above, calculated by the Council, in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year.

(d) **Basic Amount of Tax (including Parish Precepts)**

£230.08 being the amount at Part III(c) above, all divided by the amount at Part II above, calculated by the Council, in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year.

(e) **Parish Precept and Special Expenses**

£936,796.00 being the aggregate amount of all special items referred to in Section 34(1) of the Act.

(f) **Basic Amount of Tax (excluding Parish Precepts)**

£186.05 being the amount at Part III(d) above less the results given by dividing the amount at Part III(e) above by the amount given at Part II above, calculated by the Council, in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no special item relates.

(g) **Basic Amount of Tax in Parishes/Towns**

The details for each Parish as shown in Annex B, column headed "Aggregate amount at Band D", being the amounts given by adding to the amount at Part III(f) above the amounts of the special item or items relating to dwellings in those parts of the Council's area mentioned above, divided in each case by the amount at Part II above, calculated by the Council, in accordance with Section 34(3) of the Act, as the basic amounts of its Council Tax for the year for dwellings in those parts of its area to which one or more special items relate.

(h) **District/Parish Council Tax Rates**

The details as shown in columns "A" to "H" of Annex B, being the amounts given by multiplying the amounts at Part III(f) and Part III(g) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in Valuation Band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amounts to be taken into account for the year in

respect of categories of dwellings listed in different valuation bands.

#### IV **County Council, Police & Crime Commissioner and Fire & Rescue Authority Tax Rates**

That it be noted that for the year 2017/18 precepting Authorities have stated the following amounts in precepts issued to the Council, in accordance with Section 40 of the Local Government Finance Act 1992, as amended, for each of the categories of dwellings shown below:-

<b>BAND</b>	<b>NORTH YORKSHIRE COUNTY COUNCIL</b>	<b>NYCC ADULT SOCIAL CARE</b>	<b>NORTH YORKSHIRE POLICE &amp; CRIME COMMISSIONER</b>	<b>NORTH YORKSHIRE FIRE &amp; RESCUE AUTHORITY</b>
<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
<b>A</b>	763.08	29.92	147.55	44.79
<b>B</b>	890.26	34.91	172.14	52.26
<b>C</b>	1,017.44	39.89	196.73	59.72
<b>D</b>	1,144.62	44.88	221.32	67.19
<b>E</b>	1,398.98	54.85	270.50	82.12
<b>F</b>	1,653.34	64.83	319.68	97.05
<b>G</b>	1,907.70	74.80	368.87	111.98
<b>H</b>	2,289.24	89.76	442.64	134.38

#### V **Total Council Tax Rates**

That having calculated the aggregate in each case of the amounts at Part III(h) and Part IV above, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992, as amended, hereby sets the amounts set out in Annex C as the amounts of Council Tax for 2017/18 for each of the categories of dwellings shown.

#### 74 **Treasury Management Strategy Statement and Annual Investment Strategy 2017/2018**

The Resources and Enabling Services Lead (s151) submitted a report (previously circulated) which considered the Treasury Management and Annual Investment Strategies, the Minimum Revenue Provision Policy and set the Prudential Indicators for 2017/18.

It was moved by Councillor Keal and seconded by Councillor Acomb that the following recommendations of the Overview and Scrutiny Committee, set out in minute 77 from the meeting on 26 January 2017, be approved and adopted.

That Council be recommended that:

- (i) Members receive the report;
- (ii) The Treasury Management and Investment Strategies be noted and approved by the Council;
- (iii) The Minimum Revenue Provision Policy Statement be approved by the Council and:
- (iv) That the Prudential Indicators in the report be approved by the Council.

Upon being put to the vote the motion was carried.

**Resolved**

That:

- (i) The report be received;
- (ii) The Treasury Management and Investment Strategies be noted and approved;
- (iii) The Minimum Revenue Provision Policy Statement be approved and:
- (iv) That the Prudential Indicators in the report be approved.

Voting Record

Unanimous

**75 Policy for Allocation of Section 106 Monies**

Councillor Cowling moved and Councillor Acomb seconded that the following recommendations in Minute 48 from Policy and Resources Committee on 2 February 2017 and in the subsequent report to Council from the Head of Planning be approved:

- (i) That applications be invited from community groups for funding from section 106 monies collected for enhancement of or improvements to existing POS or for Sports and Recreation which will be allocated through the Resources Working Party. Recommendations will be made by the Resources Working Party to the Policy and Resources Committee for approval Local parish and town councils along with ward members to be included in the assessment process of the applications received.
- (ii) That the criteria outlined in Section 8 of the report of the Head of Planning be approved.

Councillor Ives moved and Councillor S Arnold seconded the following amendment;

*Amendment to 8.3 p 148 (of the agenda)*

*Applications will be invited initially by;*

- 1. Town or parish councils or,*
- 2. Ryedale District Council (RDC)*

*Following submission of applications to RDC (either directly or via town/parish councils), these applications will be appraised by appropriate officers and in all cases will include consultation with the relevant Town or Parish Council and Ward Members. Applications and appraisals will then be presented to Resources Working Party for recommendation to Policy and Resources Committee*

Upon being put to the vote the amendment was carried.

### **Voting Record**

For 25

Against 3

Councillor P Andrews moved and Councillor Burr seconded the following amendment;

Delete the final sentence of the amended proposal and add;

*Recommendations will be forwarded to the Council's Chief Executive for vetting for purposes of propriety, policy and legality and (subject thereto) final approval. Recommendations made to the Chief Executive will be forwarded to Policy and Resources Committee if requested by a ward member.*

Upon being put to the vote the amendment was lost.

### **Voting record**

3 For

25 Against

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

### **Resolved**

- (i) That applications be invited from community groups for funding from section 106 monies collected for enhancement of or improvements to existing POS or for Sports and Recreation which will be allocated through the Resources Working Party Recommendations will be made by the Resources Working Party to the Policy and Resources Committee for approval. Local parish and town councils along with ward members to be included in the assessment process of the applications received.

- (ii) That the criteria outlined in Section 8 of the report of the Head of Planning be approved.

### **Voting Record**

Unanimous

- 76 **To consider for Approval the Recommendations in respect of the following Part 'B' Committee and Sub-Committee Items:**

### **Planning Committee - 20 December 2016**

#### **Minute 112 - Malton Food Enterprise Zone Local Development Order (LDO)**

It was moved by Councillor Frank and seconded by Councillor Maud that the following recommendations of the Planning Committee be approved and adopted.

That Council be recommended that the Local Development Order for the Malton Food Enterprise Zone is adopted.

Upon being put to the vote the motion was carried.

### **Resolved**

That the Local Development Order for the Malton Food Enterprise Zone is adopted.

### Voting Record

25 For

1 Against

2 Abstentions

### **Overview and Scrutiny Committee - 26 January 2017**

#### **Minute 78 - Appointment of the sector led body Public Sector Audit Appointments (PSAA) to appoint external audit services for Ryedale District Council from 1 April 2018**

It was moved by Councillor Keal and seconded by Councillor Acomb that the following recommendations of the Overview and Scrutiny Committee be approved and adopted.

That Council be recommended that:

Ryedale District Council accepts Public Sector Appointments Ltd PSAA) invitation to 'opt in' to the sector led option for the procurement of external auditors for a maximum of five financial years starting 1 April 2018.

Delegation be given to the Resources and Enabling Lead (s151) Officer to undertake the necessary steps to ensure the appointment of PSAA is made by 9 March 2017.

Upon being put to the vote the motion was carried.

### **Resolved**

That:

Ryedale District Council accepts Public Sector Appointments Ltd (PSAA) invitation to 'opt in' to the sector led option for the procurement of external auditors for a maximum of five financial years starting 1 April 2018.

Delegation be given to the Resources and Enabling Lead (s151) Officer to undertake the necessary steps to ensure the appointment of PSAA is made by 9 March 2017.

### Voting Record

26 For

2 Abstentions

### **Corporate Governance Standards Sub-Committee - 9 February 2017**

#### **Minute 4 - Monitoring Officer's Report Regarding Complaint Alleging Breach Of The Members' Code Of Conduct**

The Council had before it five recommendations including sanctions and improvement of procedures from the Corporate Governance Standards Sub-Committee meeting on 9 February 2017 resulting from the hearing of a code of conduct complaint against Councillor Raper . The complaint was about Councillor Raper voting twice on two votes at the Council meeting on 8 December 2016.

Council was presented with the minutes of the Sub-Committee meeting at pages 269 - 272 of the Council agenda . The minutes gave details of the finding of facts, the breach of the code and the recommendations to Council on sanctions and improvement of procedures. Council was only being asked to consider the recommendations on sanctions and improvement of procedures from the Sub-Committee.

1. Councillor Keal moved the following censure motion which was seconded by Councillor Acomb as recommended by the Corporate Governance Standards Sub-Committee meeting on 9 February 2017.

*"Council is aware that Councillor John Raper voted using two electronic voting units, on two occasions, during the meeting of Full Council on 8 December 2016.*

*Council notes that these actions constitute a breach of the requirement in the Members' Code of Conduct to behave 'in accordance with all our legal obligations, alongside any requirements contained within the authority's policies, protocols and procedures'.*

*Council notes that these actions are also contrary to a number of the principles set out in the Members' Code of Conduct, namely selflessness, integrity, openness, honesty and leadership.*

*As such these actions are wholly unacceptable and inappropriate, damaging the reputation of the Council and public trust and confidence in the integrity of its democratic decision making processes.*

*Therefore the Council hereby censures Councillor John Raper for his unacceptable behaviour and actions breaching the Members' Code of Conduct."*

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

#### **Voting record**

24 For

3 Abstentions

2. It was moved by Councillor Keal and seconded by Councillor Acomb that the remaining recommendations be adopted by Council :

- (a) That the Group Leader be asked to suspend Councillor Raper from committees for six months from the date of this censure motion.
- (b) That Councillor Raper be required to apologise to the Chairman of Council and all Members of Council for his conduct.

Additionally Council be recommended to approve that practices around electronic voting and time management at Full Council meetings be improved as follows:

- (a) Any Member leaving a meeting early, to notify the Chairman when they depart and return their voting unit to the front of the room, and the time of their departure to be recorded in the minutes;
- (b) That the O&S Review into the start times of meetings also looks at the efficient running of proceedings at Full Council to include the length of meetings.

An amendment was moved by Councillor Clark and seconded by Councillor Thornton to:

*Add at the end of recommendations 2. (a) - (b):*

- i. That Councillor Raper broke the Honesty part of the Code of Conduct*
- ii. Councillor Cussons did not ask him to vote for him*
- iii. Councillor Cussons had left the room when Councillor Raper stated he was present*

Upon being put to the vote the amendment was lost.

**Voting record**

5 For  
19 Against  
4 Abstentions

An further amendment was moved by Councillor Jowitt and seconded by Councillor P Andrews;

*Delete the text in 2. (b)*

*Add the following text as a new 2. (b)*

*That the proposal to look at the efficient running of proceedings at Full Council to include the length of meetings be referred to the Overview and Scrutiny Committee.*

Upon being put to the vote the amendment was lost.

**Voting record**

7 For  
13 Against  
7 Abstentions

An further amendment was moved by Councillor Goodrick and seconded by Councillor Sanderson to:

*Following the paragraph ending ".....Full Council meetings to be improved as follows:*

*Delete points (a) and (b)*

Upon being put to the vote the amendment was lost.

**Voting Record**

12 For  
12 Against  
The Chairman used his casting vote against the amendment.

Upon being put to the vote the motion was carried.

## **Voting record**

14 For

7 Abstentions

## **Resolved**

### 1. Censure of Councillor John Raper

"Council is aware that Councillor John Raper voted using two electronic voting units, on two occasions, during the meeting of Full Council on 8 December 2016.

Council notes that these actions constitute a breach of the requirement in the Members' Code of Conduct to behave 'in accordance with all our legal obligations, alongside any requirements contained within the authority's policies, protocols and procedures'.

Council notes that these actions are also contrary to a number of the principles set out in the Members' Code of Conduct, namely selflessness, integrity, openness, honesty and leadership.

As such these actions are wholly unacceptable and inappropriate, damaging the reputation of the Council and public trust and confidence in the integrity of its democratic decision making processes.

Therefore the Council hereby censures Councillor John Raper for his unacceptable behaviour and actions breaching the Members' Code of Conduct."

### 2. Other Sanctions

(a) That the Group Leader be asked to suspend Councillor Raper from committees for six months from the date of this censure motion.

(b) That Councillor Raper be required to apologise to the Chairman of Council and all Members of Council for his conduct.

### 3. Approved practices in the use of the electronic voting system and the Overview and Scrutiny Committee Review on time management at Full Council meetings.

Additionally Council approved the following practices around electronic voting and requested an Overview and Scrutiny Committee Review on how time management at Full Council meetings could improved:

- (a) Any Member leaving a meeting early, to notify the Chairman when they depart and return their voting unit to the front of the room, and the time of their departure to be recorded in the minutes;
- (b) That the O&S Review into the start times of meetings also looks at the efficient running of proceedings at Full Council to include the length of meetings.

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

There being no other business, the meeting closed at 10.20 pm.



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**REPORT TO:** FULL COUNCIL  
**DATE:** 6 APRIL 2017  
**SUBJECT:** PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 23 MARCH 2017

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**57 Changes to Disabled Facilities Grant Policy**

Considered - Report of the Frontline Service Delivery Lead

**Recommendations to Council**

2.1 That Council agrees the following changes to the DFG Policy:

- (a) The removal of means test contributions from clients for all applications where the value of works is less than £5000
- (b) The use of private occupational health therapists where NYCC in their role as social service authority are unable to respond to requests for assistance and undertake assessments within a reasonable period

2.2 That Council also agrees to an increase of fees levied for capital works undertaken by the White Rose Home Improvement Agency (WRHIA) from 12.5% to 15%.

**Voting record**

Unanimous

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<b>PART B:</b>	<b>RECOMMENDATIONS TO COUNCIL</b>
<b>REPORT TO:</b>	<b>POLICY AND RESOURCES</b>
<b>DATE:</b>	<b>23 MARCH 2017</b>
<b>REPORT OF THE:</b>	<b>FRONT LINE SERVICE DELIVERY LEAD BECKIE BENNETT</b>
<b>TITLE OF REPORT:</b>	<b>CHANGES TO DISABLED FACILITIES GRANT POLICY</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

- 1.1 To inform Members of changes to the Better Care Funding allocation and to seek approval for the consequential changes to the Disabled Facilities Grant (DFG) Policy and increase in the fees applied for capital works.

### **2.0 RECOMMENDATIONS**

- 2.1 That Council agrees the following changes to the DFG Policy:
- a) The removal of means test contributions from clients for all applications where the value of works is less than £5000
  - b) The use of private occupational health therapists where NYCC in their role as social service authority are unable to respond to requests for assistance and undertake assessments within a reasonable period.
- 2.2 That Council also agrees to an increase of fees levied for capital works undertaken by the White Rose Home Improvement Agency (WRHIA) from 12.5% to 15%

### **3.0 REASON FOR RECOMMENDATIONS**

- 3.1 The Government has made a national commitment to increase levels of capital funding to help Local Authorities (LAs) enable disabled and elderly and vulnerable people to live independently. At the national level £394M has been allocated for this purpose as compared to £220M in the previous year. As part of that commitment LAs are being given additional flexibilities as to how that money can be spent, with an expectation that funds shall be used strategically to meet local health, social care and housing priorities.
- 3.2 Scarborough Borough Council (SBC) have already made changes to their policy and are managing two different policies at present. Therefore it is practical to streamline RDCs policy to incorporate the recommended changes.

#### **4.0 SIGNIFICANT RISKS**

4.1 There are no significant risks associated with this report.

#### **5.0 POLICY CONTEXT AND CONSULTATION**

5.1 The Government have released the extra funding in tandem with the publication of the Local Government Ombudsman's (LGO) Report, *Making a House a Home: Local Authorities and Disabled Adaptations 2016*. That report sets out a range of national issues associated with the poor delivery of DFGs by many Councils' such as long waiting times for assistance.

5.2 In response to the LGO report and the additional funds awarded a number of changes to the Councils DFG policy are proposed. These include the removal of a means test for applicants under certain circumstances. These ideas in partnership with the Scarborough and Ryedale CCG, Local Occupational Health Managers and Foundations (who have been appointed by Government to help support good practice in relation to DFG provision nationally). In addition in amending this policy officers have also had regard to *Home Adaptations for Disabled People: A detailed guide to related legislation, guidance and good practice: DCLG/Home Adaptations Consortium: 2013*

5.3 To ensure that the WRHIA has sufficient resources to undertake this work without requiring growth in the Council's budgets, it is also recommended that the current fee levied against the cost of managing DFG works is increased from 12.5% to 15% to ensure all costs are satisfactorily covered.

#### **6.0 BACKGROUND**

6.1 On 25 February 16 the Department of Health wrote to all Directors of Social Services to confirm levels of funding to be allocated to Local Housing Authorities within their overall Better Care Fund for the financial year 2016/17.

6.2 RDCs allocation from this fund for 2016/17 was £452,569. This is an increase of £208,000 compared to the allocation for 2015/16. We are still waiting for the allocation for 2017/18. SBC received an allocation of £1,145,100 in 2016/17 compared to £685,399 in 2015/16.

6.3 Overall these increases represent an approximate £667,000 increase in the value of capital works undertaken by the WRHIA in 2016/17. Existing levels of staffing within WRHIA are not sufficient to meet this additional workload. Additional Technical Support is needed and it is proposed that these costs will be met via fee income levied at a rate of 15% against the cost of capital works.

#### **7.0 REPORT DETAILS**

7.1 As a Housing Authority the Council has a statutory duty to provide Disabled Facilities Grants (DFGs) to eligible households. These grants cover a range of works, most typically level floor showers, lifts and extensions. These grants and adaptations are administered on the Council's behalf by the WRHIA who also provide the same service for SBC as set out in a joint partnership agreement.

7.2 Funding is provided from Government towards the cost of DFGs with a further contribution from RDC on an annual basis. These funds are included within the Better Care Fund administered by NYCC on behalf of the Health and Well Being Board. This Better Care Fund is used by health and social care to commission a range of

joint preventative initiatives. Within that fund *minimum amounts* to be allocated by the Health and Well Being Boards to the local Housing Authorities to pay for DFGs are highlighted separately and remain determined by Government.

- 7.3 The Government appears to be very much committed toward the continued provision of DFGs and associated capital works as part of its national prevention strategy to reduce health and social care costs. Nationally the budget to pay for DFGs increased to £394M for 16/17 from £220M the previous year.
- 7.4 At the local level the Council's funding allocation has increased from £208K in 2015/16 to £452,569 for 2016/17. The Government recognises that this additional funding provides flexibilities for LAs to think more strategically in terms of how these funds can be used to meet a range of joint priorities for housing, social care and health providers.
- 7.5 The Council also continues to support the programme through capital resources in order to meet the need. In 2017/18 this was £125K. This contribution has been agreed as part of the Council's financial plan.
- 7.6 The release of this funding to the Council from NYCC (in their role as the administrator of the wider Better Care Fund) had been delayed. NYCC have sought to use the additional funding in the DFG allocations to help offset wider budgetary pressures. Negotiations around the release of these funds have been lengthy and agreement has been reached. For 2016/17 an allocation of £44K from the fund has been allocated to NYCC.
- 7.7 From 2017/18 no additional funding for NYCC has been agreed. However from 1 April 2018, due to budgetary cuts for NYCC they will be decommissioning the funding of the Handypersons services across the County. For Ryedale the cost of this can be covered through the growth in the Better Care Funding allocation, if this remains at the same level and as such will not affect services.
- 7.8 Given levels of demand locally it is not recommended that for 2017/18 that any request from County to use such funds is agreed. Spend to date in 2016/17 is £305K, outstanding approvals of £92K, in addition there are current works in the pipeline not yet approved for Ryedale totalling £257K. Also NYCC have confirmed that there are approximately 50 cases for RDC on the waiting list, with a value of £175K.
- 7.9 A range of changes are proposed to the Council's current DFG policy. These changes are intended to speed up the process by reducing administration relating to means tests and to ensure the services can be provided to as many of those that need them as possible.
- 7.10 **Removal of Means Test**
- 7.10.1 In accordance with the legislative framework, the Council currently requires that all applications for a DFG undergo a test of resources/ means test. Essentially within this test disabled households in receipt of certain benefits are not required to make any financial contribution to the cost of a DFG. However other households who have savings or an income over a certain level are required to make a contribution.
- 7.10.2 The administration of this means test is resource heavy for the WRHIA. It estimated that in terms of hours the administration of this test accounts for around 0.5 of a FTE. More importantly it forms a key and very time consuming part of the application and

given its complexity and the need to obtain various proofs of income which on average take between 2- 3 weeks to process.

- 7.10.3 Income received by the Council generated from contributions from households required to pay towards the cost of works is very low. In 2015/16 £5,769 in contributions was received and for 16/17 this has been £55.00.
- 7.10.4 Given the limited income received from this source when considered against the time taken to administer this as a process it is therefore recommended that this means test is scrapped for all proposed works that have a value of less than £5000. This £5000 limit will capture the vast majority of DFGs provided and will significantly speed up the time taken to process DFG applications for the benefit of customer (by around 2-3 weeks). In addition this will free up capacity within the WRHIA to more effectively deal with the increased volume of work anticipated following the growth in levels of funding being awarded.
- 7.10.5 RDC has the flexibility to introduce this change within its policy and this approach is being promoted as good practice. Annex A provides further details assessing the removal of the means test for information.
- 7.10.6 In addition to the removal of the means test for works of a value of less than £5000 it is also recommended that certain 'emergency' works are fast-tracked through the system without applying a means test.
- 7.10.7 This approach would be taken where it is confirmed by a health or social care professional that the adaptations are required as an emergency, for example where they:
- a) Allow the applicant to be discharged from hospital, or;
  - b) The applicant is terminally ill, or
  - c) The applicant cannot access essential hospital appointments, dialysis or day care without adaptations.
  - d) The current situation is placing the service user and their Carers at considerable risk of injury e.g. from unsafe moving or handling

## 7.11 The Use of Private Occupational health Therapists

- 7.11.1 RDCs current DFG policy allows for the use of private Occupational Therapists (OTs) under certain circumstances, for example when an alternative or second opinion is required.
- 7.11.2 The amended policy however extends this to include the need to use private OTs in circumstances where NYCC are unable to provide the necessary response as to whether works are 'necessary and appropriate' within required statutory timescales.
- 7.11.3 As highlighted, NYCC social services currently have backlogs of disabled households awaiting social care assessments. This presents a risk in that the Council has a legal duty to determine an application for a DFG within 6 months of receipt. As part of that determination, the Council must consult with NYCC to help determine whether proposed works are necessary and appropriate. Following the recent LGO report it is clear that this leaves the Council vulnerable to censure. The Council cannot allow for DFG applications to be delayed because of NYCCs own processes.
- 7.11.4 To assist with this it is recommended in certain circumstances, e.g. where RDC receives an application for a DFG directly from a client and where NYCC are unable

to provide a response as to whether works are necessary and appropriate within a reasonable timescale, that an opinion is sought from a suitably qualified private OT.

7.11.5 It is anticipated that the use of private OTs will be low (less than £5000 pa). The vast majority of referrals for DFGs come after a social care assessment has been made. However additional flexibility is now needed to flip this process where required in order to ensure statutory timescales are met.

## 7.12 Proposed Fee Increase

7.12.1 Given that future levels of funding are likely to be based on both historical spend and levels of local need, it is important that the benefits of this additional funding are maximised and that funds are spent. Sufficient staffing capacity is required within the WRHIA to administer the additional work and RDC needs to ensure that this increased workload does not impact on the budget.

7.12.2 Currently RDC levies a 12.5% fee against the cost of all capital works undertaken by the WRHIA. In 2015/16 this fee generated around £40K in revenue funding to help cover the cost of administering these works. This is expected to be similar for 2016/17. In future due to the increase in fee this will generate £60K to £70K for 17/18, this is based on current likely DFG adaptations.. The amount payable to SBC will increase from £92K in 16/17 to £105K in 17/18, which is 33% of the cost of running the service as agreed as part of the partnership arrangements. The increase is due to staffing and pension increases.

7.12.3 It is recognised however that the current level of fee being levied only partially contributes to the cost to the Council of administering DFGs and that overall the Council subsidises this activity through its budgets.

7.12.4 The increased fee income will generate additional monies that can be used to help offset additional costs. A 15% fee reflects actual costs and mirrors the typical level of fee charged against the management of other capital programmes.

7.12.5 In real terms this increase will have a minimal impact on clients themselves because of the removal of client contributions in most instances. Ultimately this does mean that whilst the Council seeks to recover its own costs, fewer adaptations may be undertaken, however within the context of the overall grant increase the impact of this is extremely low. In Ryedale we do not have a waiting list for DFGs.

## 8.0 IMPLICATIONS

8.1 The following implications have been identified:

### a) Financial

There are no financial implications on the Councils budget as the recommended fee increase seeks to recover costs incurred.

### b) Legal

The proposals as set out in this report have been developed within the context of the:

- Housing Grants, Construction and Regeneration Act 1996

This act lays out the requirements in respect of the provision of DFGs

- Regulatory Reform (Housing Assistance (England and Wales) Order 2002.

This order specifies that LAs may provide, directly or indirectly, assistance to any person for various purposes including those of enabling them to adapt or improve or repair living accommodation.

c) Equalities

The provision of both statutory and non-statutory assistance to enable the elderly, the disabled or other vulnerable groups to live independently and to improve their living conditions has a positive impact in terms of equality and diversity issues.

d) Staffing

The additional grant funding being made available to RDC and SBC has staffing implications for the WRHIA, however the recommended increase in administration fees from 12.5% to 15% against works undertaken is proposed to cover this.

e) Planning, Environmental, Health and Safety, Sustainability, Crime and Disorder  
No Implications

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**Background Papers:**

Local Government Ombudsman - *Making a House a Home: Local Authorities and Disabled Adaptations 2016*

[https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwj3q4LA8czSAhUEIcAKHQmQC0YQFggcMAA&url=http%3A%2F%2Fwww.lgo.org.uk%2Fassets%2Fattach%2F2815%2FFR%2520-%2520DFG%2520March%25202016.pdf&usg=AFQjCNGk\\_iibgevBi66rEsZo9uKKBs24AA&cad=rja](https://www.google.co.uk/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&ved=0ahUKEwj3q4LA8czSAhUEIcAKHQmQC0YQFggcMAA&url=http%3A%2F%2Fwww.lgo.org.uk%2Fassets%2Fattach%2F2815%2FFR%2520-%2520DFG%2520March%25202016.pdf&usg=AFQjCNGk_iibgevBi66rEsZo9uKKBs24AA&cad=rja)

Annex A - Assessing the removal of the means test for works costing less than £5000

**Background Papers are available for inspection at:**

www.ryedale.gov.uk

## Annex A

### Assessing the removal of the means test for works costing less than £5000

#### Background

The government is increasing the amount given to Local Authorities significantly in the coming years. In 2016/17 the amount is rising from £220m to £395m reaching £500m in 2019/20. The expectation is that the powers under the RRO will be used to allow authorities to be more flexible in how the money is spent. The DFG monies are now contained within the Better Care Fund (BCF) and it is expected that health priorities will become more important in the way DFG is spent. (Foundations, 2017)

Under the current system all DFGs, apart from those where the disabled person is a child or qualifying young person, are subject to means testing. However, since 2003 local authorities have had the power to apply a much simplified system for provision of adaptations which do not follow all DFG conditions such as waiving means testing for certain types of works or works costing less than a specified amount (e.g. £5,000). The rationale is that the related administrative process of means testing can cost more than the value of a grant for smaller works and result in a significant slowing of the delivery process. This issue is discussed in detail in the DCLG 2011 report, Disabled Facilities Grant allocation methodology and means test. (Good Practice Guide 2013)

#### Examples where the RRO is already in use include

**Somerset-** Where DFG money has been top-sliced to focus on non means tested minor adaptations facilitating discharge and keeping people independent in the home.

**Croydon-** Where a fund has been made available to the HIA allowing them to support anybody coming out of hospital. The cost is fully met by the fund and is not means tested. It can include moving furniture, cleaning the property to ensuring there is adequate heating.

**Wigan-** The CCG has given additional money to the authority to facilitate non means tested adaptations for people being discharged from hospital or at risk of being readmitted.

**Lichfield-** The local authority has approved use of a Home Adaptation grant that can be used in place of a DFG allowing for a quicker less bureaucratic use of DFG monies.

**Cornwall** - Cornwall Home Solutions(CHS) introduced a new form of assistance called the Accessible Homes Assistance to help fast track works up to £5K. There is no means test and the application process is much leaner.

**Scarborough** – The local authority has a range of provision, including non means tested grants up to 5k, Fast Track Grants (non means tested) to aid hospital discharge. Re-allocation grants. Top slicing the DFG fund to widen the scope of works under the DFG to provide more flexibility to support the needs of disabled occupants.

## **How does the existing means test work?**

The means test itself is complex and requires applicants to supply detailed information which needs to then be checked and processed by local authority staff.

The test calculates the average weekly income of the means tested person(s) taking account of any savings above a certain level (which are converted into a tariff income equivalent). Some types of income are disregarded including housing and council tax benefit, disability living allowance and attendance allowance. The income of those on income support, income-based jobseeker's allowance/joint jobseeker's allowance, pension credit guarantee element, housing benefit, council tax benefit, working tax credit with an income below £15,050 or child tax credit with an income below £15,050 is deemed to be nil.

Expenditure needs are assessed by awarding allowances and premiums in respect of each person or couple and any dependent children.

Where the total income of those means-tested exceeds the total expenditure allowances, this surplus amount is used to calculate a notional loan (by applying loan generation factors) which the applicant could afford to raise. This will determine the applicant's contribution to any grant supported works.

Works recommended to support disabled children are not means tested regardless of the income/savings of the parent(s).

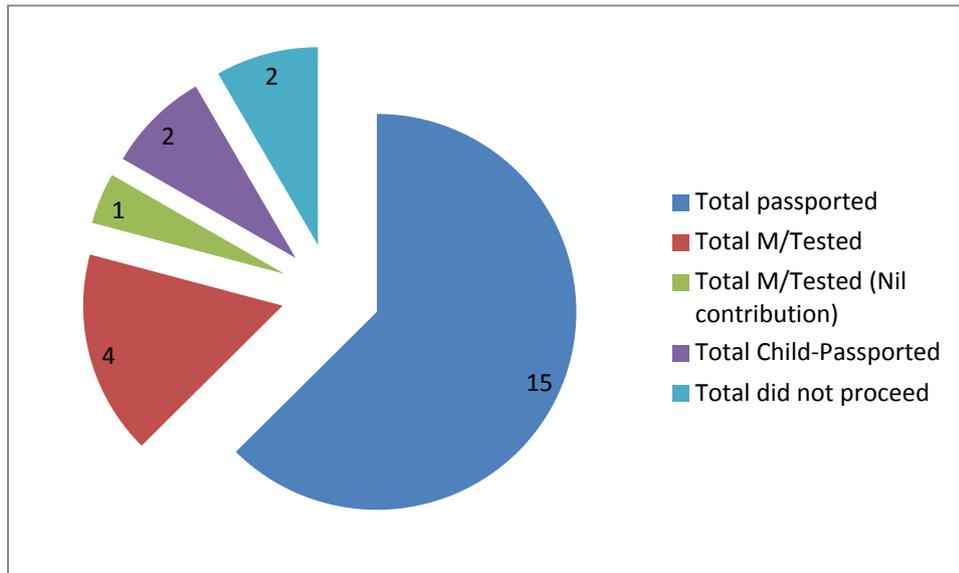
## **Why we should consider changes to the means test**

The means test has been subject to reviews by the DCLG on various occasions. The reviews stressed that the means test and its complexity had contributed to delays in actually delivering disabled facilities grant pointing out that such delays can limit the independence of the disabled person and may add to personal and/or local costs of care. The current system requires considerable staff resources and the costs of these may exceed the amount of grant awarded in many cases; especially as the bulk of grants are for minor works.

Some local authorities have therefore reduced the number of applications that they means test by using their discretionary powers to exempt certain additional groups of people (e.g. registered social landlord tenants) or certain types of works or works costing less than a specified amount (e.g. £5,000) from means testing altogether.

## Analysis of referrals to Ryedale District Council (via the Home Improvement Agency) for Disabled Facilities Grant (between 1 September 2016 and 31<sup>st</sup> January 2017)

### Chart showing referrals received (pass ported and means tested) for Disabled Facilities Grant



Twenty Four referrals were received in total for Ryedale District Council. Of these, seventeen cases were automatically pass ported (either due to the client receiving a pass porting benefit or because the works were recommended for a child)

Five cases were means tested. Of these, one case had a nil contribution, so works proceeded. Four had contributions which exceeded the cost of works meaning that they would receive no grant funding. In one instance the client had £17,000 of savings but lived in a Yorkshire Housing property, so did not feel they should pay for something that wouldn't belong to them.

In all the other instances the clients had insufficient funding in their savings/accounts to cover the cost of the works and were unable to proceed.

Therefore during the last quarter, four residents did not get their adaptations despite being disabled and requiring them, this means that they continue to struggle to access basic essential facilities around their own homes. This is likely to have an effect on their long term health and their ability to remain independent in their own homes. Ultimately, they may therefore be more likely to require additional and unnecessary support from statutory services such as their Local Authority, GPs, A & E, Social Care etc., at a greater expense to the statutory purse in the long run. This goes against the requirements of the Better Care Fund guidance, which requires local authorities to work jointly with health/social services care to deliver a more joined up service.

### Experience of staff dealing with disabled people in relation to means testing

The means test is complex. HIA staff travel across the area to collect financial information to complete the means tests or prove receipt of pass porting benefit.

Supporting evidence has to be provided of all bank accounts/income/pass porting benefit. The evidence needs to be up to date; it often isn't, so officers can make several journeys trying to get the correct information. For the disabled person, particularly where they have little family support this can be distressing; they may have to contact DWP or visit their bank to get the evidence required. Although the HIA staff will assist, due to data protection etc., it is very difficult and time consuming. This causes delays and takes up valuable staffing resources from the HIA.

Looking at disabled people of working age, in a situation where there is a partner, applicants often have a contribution despite the fact that they have very little/no savings at all. The means test takes into account all income and savings, but does not look at specific/real housing costs and outgoings. Often applicants of a working age still have mortgages and are supporting a young family, so have little or no savings and their monthly income only just covers their outgoings.

For older/retired people it is hard to replace limited savings so they can be reluctant to use these to cover the cost of an adaptation, preferring keep their funds for emergencies, i.e. car repairs, washing machines, house maintenance etc.

Sometimes tenants have means tested contributions. Not surprisingly, they are often reluctant to spend their own savings on a property that they don't own. Landlords are asked to contribute and will on occasion cover small contributions.

Where disabled people are unable to find the funds to cover their contributions, they will continue to struggle to remain independent. So for example, instead of having a shower installed, they will have to strip wash, instead of a ramp being installed to give access in/out of their property they will become confined within the property and become reliant on others for support, instead of having a stair lift, they will be confined to the ground floor of their property utilising a commode. The overall loss of independence affects not only their physical but mental well-being.

Removing the means test for works valued up to £5000 (ramps, showers, stair lifts) would have allowed the four referrals above to proceed giving the disabled occupant access to their basic amenities.

**Addressing concerns that removing the means test for small works in Ryedale, will allow people who are able to fund to receive adaptations at no cost.**

It is hard to estimate how many disabled people will come to us that would have previously not come through, as they may have felt that they would fail a mean test or didn't want to share their financial information. However, of the referrals received in the last quarter it shows that only 16% of referrals had a means tested contribution and on analysis of those it could be argued that these disabled people were not particularly wealthy.

If the changes are adopted in Ryedale there may be concerns that very wealthy people will get adaptations at no cost. It is difficult to advise on the likelihood of this, however from the HIAs experience it is felt unlikely. This is mainly due to the ability of the grant to meet the desires of someone with high levels of income/savings. The adaptations carried out are of a basic standard and not necessarily what you would chose if you had the funds to arrange your own works. Also the route of referral

means that applicants have to go through a full Occupational Therapy assessment to be referred for a grant; this in itself is likely to deter this client group. There may be an odd client who wishes to take advantage of the scheme; however we should remember that any client wishing to do so must have a level of disability that requires such as adaptation.

Focusing on the majority client group may be a more helpful approach, adopting a non means tested grant for works up to £5000 and fast track works means that disabled people will get access to essential facilities much quicker than before. It will also save the HIA time in staffing resources and help Ryedale DC to fully utilise their DFG budget. Proving a need for the level of allocation in the area and meeting the objectives of the Better Care Fund whilst supporting the partner organisations in Health and Social Care. For example, enabling people to stay in their own homes for longer, can generate substantial financial savings in residential care costs which can be in the region £29,000 per annum. People can also fall whilst waiting for adaptations. The average cost to the State of a fractured hip is around £30,000. This is more than 6 times the cost of a major housing adaptation such as a wet floor shower or ramp.

## **References**

Communities and Local Government 2011 *Disabled Facilities Grant allocation methodology and means test: Final report* DCLG London

Home Adaptations for Disabled People

A detailed guide to related legislation, guidance and good practice, Home Adaptations Consortium, 2013

Foundations UK, 2017

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**REPORT TO:** FULL COUNCIL  
**DATE:** 6 APRIL 2017  
**SUBJECT:** PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 23 MARCH 2017

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**58 Community Housing Fund**

Considered - Report of the Frontline Service Delivery Lead

**Recommendations to Council**

That Council agrees:

- (i) the principle of using £86,200 (20%) of the total allocation for revenue purposes to support the delivery of new homes
- (ii) that £43,100 (10%) of the allocation be used for additional Community Development capacity working with a specialised provider, in partnership with Hambleton District Council for a 2 year period
- (iii) to passport £12,930 (3%) of the allocation into a pooled North Yorkshire enabling fund
- (iv) that the remaining £288,770 (67%) be used for capital works provided through grants, land acquisition or purchase of property in support of Community Led Housing

**Voting record**

6 For

2 Abstentions

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<b>PART B:</b>	<b>RECOMMENDATIONS TO COUNCIL</b>
<b>REPORT TO:</b>	<b>POLICY AND RESOURCES</b>
<b>DATE:</b>	<b>23 MARCH 2017</b>
<b>REPORT OF THE:</b>	<b>FRONT LINE SERVICE DELIVERY LEAD BECKIE BENNETT</b>
<b>TITLE OF REPORT:</b>	<b>COMMUNITY HOUSING FUND</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

- 1.1 This report seeks approval to spend Ryedale's Community Housing Fund (CHF) allocation in accordance with the recommended principles.

### **2.0 RECOMMENDATIONS**

- 2.1 That Council agrees:

- (i) the principle of using £86,200 (20%) of the total allocation for revenue purposes to support the delivery of new homes
- (ii) that £43,100 (10%) of the allocation be used for additional Community Development capacity working with a specialised provider, in partnership with Hambleton District Council for a 2 year period
- (iii) to passport £12,930 (3%) of the allocation into a pooled North Yorkshire enabling fund.
- (iv) that the remaining £288,770 (67%) be used for capital works provided through grants, land acquisition or purchase of property in support of Community Led Housing

### **3.0 REASON FOR RECOMMENDATIONS**

- 3.1 The Council has been allocated £431,000 from Government to help promote the development of Community Led Housing within the District. These funds need to be committed and spent on their intended purpose and further information on CLH is provided in the slide pack attached at Annex A, which was delivered to the Parish Liaison meeting in October 2016.

## **4.0 SIGNIFICANT RISKS**

- 4.1 There is a risk that RDC does not spend its full allocation on its intended purpose. The Rural Housing Enabler will work closely with specialised community development providers to promote CLH across the district, in order to progress schemes. A proportion of funds will also be used to pay for additional revenue costs to speed up delivery. Capital funding will be used to de-risk potential schemes and make them viable for both communities and Registered Providers. Specialist technical support and programme management will come from the York, North Yorkshire and East Riding Housing Partnership to ensure the appropriate funding criteria is met.

## **5.0 POLICY CONTEXT AND CONSULTATION**

- 5.1 Contributes to the Council's Corporate Plan, Meeting Housing needs in the district. The Council has been working across the North Yorkshire, York and East Riding Housing Partnership in order to develop a programme.

## **6.0 BACKGROUND**

- 6.1 The Community Housing Fund was announced by DCLG in December 2016 to support CLH developments in areas where the impact of second homes is particularly acute. £60 million has been allocated to 148 LAs (mostly rural) across England for 2016/17. Going forward, any further allocations will depend on the impact of the fund.
- 6.2 The Council has been allocated £431,000 of this fund. Payment is being made in two tranches, the first of which has been received and the second of which will be paid subject to the submission of a delivery plan to DCLG in March this year.
- 6.3 This report recommends the principles as to how this money should be spent and proposes that the majority of funds (87%) should be used as capital funds to support the delivery of potential community led development opportunities within the district.
- 6.4 It is also recommended that 20% of these funds are allocated to revenue to provide additional capacity where required, particularly in relation to community development activity. In addition it is also proposed that 10% is allocated be used for additional Community Development capacity working with a specialised provider, in partnership with Hambleton District Council for a 2 year period and that 3% is pooled into a wider North Yorkshire enabling fund.

## **7.0 REPORT DETAILS**

- 7.1 The District Council's allocation is £431,000. It is understood that the funding formula behind the allocation is primarily based on levels of second home ownership within the district. It also takes into account affordability of housing to local people, especially as high levels of second homes can push up property values and make them unaffordable.
- 7.2 The criteria that Government sets out what the funds can be spent on is quite broad. Funds can be used for both capital and revenue purposes. The key requirement is that the community must be integrally involved throughout the process in key decisions. They do not necessarily have to initiate and manage the development process, or build the homes themselves, though this is an option.

- 7.3 It is important to note that funding has been made available to the Council to help communities take forward community-led development in their areas and not to act directly as a developer or indeed project manage individual developments. The role of the Council is primarily as an enabler. Key responsibilities for the Council in this role are:
- Developing a plan as to how the money shall be spent to meet its intended purpose.
  - Acting as accountable body for the funding and ensuring it is spent on their intended purpose and reporting progress back to DCLG.
  - Supporting the communities themselves to develop schemes, including help with site identification; securing development partners; assessing scheme viability; supporting the legal process including development of governance arrangements; community development work and needs identification.
- 7.4 Whilst it is proposed to use some of the funds for revenue purposes to cover the cost of this work, the bulk of the allocation is to be used to cover capital costs associated with the acquisition of land/property and the actual construction of homes. The mechanics of this process are yet to be determined, however it is envisaged that funding support may be in the form of grant payments.
- 7.5 The terms of grant payments to be made (to communities or developers) along with a mechanism to calculate the value of such payments need to be worked up and agreed. Ideas being considered include the provision of funding to bring additional flexibility into the development process including up front funding to enable the acquisition and de-risking of sites or the covering of abnormal costs. Alternatively a flat or maximum grant rate per unit could be considered. Negotiations have commenced with both the HCA and Registered Providers to determine the ways that this fund could bring most added value.

## **7.6 Registered Provider and Homes and Communities Agency Support**

- 7.6.1 The funding allocation from Government will help meet local housing need and supports the Council's wider housing strategy. It is important to note however that in real terms £431K is likely to have a limited impact in terms of the actual number of homes that can be delivered through this fund. It is very important therefore that the Council looks to stretch and maximise the value of these funds to help draw in additional funding, particularly from the HCA's Affordable Housing Programme as well as through the use of Registered Provider (RP) funding.
- 7.6.2 Whilst it is not a requirement of any community-led housing developer to be supported through either the support of an RP or the HCA, it is recommended that the Council does adopt this approach to build capacity. Working with a RP and the HCA brings a range of benefits to the process including
- The drawing in of additional funding support to maximise delivery.
  - The provision of specialist development expertise.
  - Construction experience and capacity.
  - Assurance around the design and quality of the homes developed.
- 7.6.3 What still needs to be determined is the role that both the community and the RP may make in the process. As highlighted, the role of the community could range from helping to identify a need and a site for a RP to take forward to full ownership and management of the homes. It is proposed that a number of different options are developed through the Rural Housing Network.

## **7.7 Future Allocations**

7.7.1 There is some uncertainty around the mechanism for future allocations with some mixed messages coming out from Government as to whether payments will continue to be made to LAs or be administered by the HCA or even paid to national community-led housing bodies directly. Regardless of the mechanism for future funding, these funds give RDC an excellent opportunity to work up a pipeline of future community-led schemes going forward. It is understood from DCLG that whilst there is no real expectation that funds will be spent or even committed by year end LAs are expected to provide assurance to DCLG that they have plans in place to spend the funds.

## **7.8 Specialist Support and Sub-Regional Delivery Models**

7.8.1 Whilst some potential opportunities have already been identified, developing community-led housing will be resource intensive and will require specialist technical and enabling support. In particular, support will be needed to help develop different models for delivery. Ideally a range of options as to how different models could work needs to be established.

7.8.2 Some of this technical support can be accessed via the wider community-led housing sector and networks. In order to access this support and to help pump-prime potential alternative delivery models, it is proposed that RDC supports work being undertaken via the wider York, North Yorkshire and East Riding Housing Partnership. It is recommended that a 3% fixed contribution of funds is agreed into a 'pooled' enabling pot to be used by the partnership to help draw in the specialist consultative support needed.

7.8.3 In addition there has been some discussion between districts both within the Rural Housing Network and via York, North Yorkshire and East Riding Housing Board around the principle of pooling funds to support the development of alternative delivery models going forward. These could include using funds to develop such ideas as a 'revolving rural land-bank', and a shared sub-regional delivery vehicle that acquires and de-risks land. Whilst these ideas may have some merit, to date there is no real detail or agreement or timescale in place as to how such ideas could evolve or be taken forward sub-regionally.

7.8.4 It is understood that there is a commitment from other Councils within the sub-region to make similar and proportionate contributions into this fund. Spending against the fund will be monitored by the York, North Yorkshire and East Riding Housing Board at which the Leader of the Council attends. Payment would also be subject to a formal agreement.

## **7.9 Other Revenue Costs**

7.9.1 It is envisaged that revenue funding will be needed to both help accelerate or unblock the development process. This could include for example using funds to help the planning authority support this process. An agreed revenue budget of 20% is recommended. The amount needed for each scheme may vary depending on the form and shape of each proposal going forward.

The revenue support given directly to community groups would cover;

- Professional fees (i.e. architect, QS, planning fees etc)
- Other Consultancy costs
- Project management costs
- Site specific issues

- 7.9.2 It is important to note that the development of community-led housing is likely to be resource intensive for RDC. Whilst it is expected that the Rural Housing Enabler (a 0.5FTE post shared with Scarborough BC) will have a key role to play, these schemes will be far more resource intensive especially in terms of community development. There will also be a need for more focused community development work and capacity building of local communities and community groups both in the short and longer term that cannot be met with current staffing resources.
- 7.9.3 It is proposed therefore that some funds are used to pay for additional specialised community development support within the district. Hambleton DC would like to commission this service in partnership with RDC and initial discussions have taken place with Rural Action Yorkshire. This is needed to be able to work with communities on a range of activities including
- Developing the group including legal structures and governance
  - Assistance with wider funding applications and other support
  - Developing a proposal and business plan
  - Support on project planning and management
  - Longer term group and business development
- 7.9.4 At this stage it is recommended therefore that 10% of the total budget is set aside for this purpose which would cover a 2 year period.

## **8.0 IMPLICATIONS**

8.1 The following implications have been identified:

- a) Financial  
There are no additional budget implications notwithstanding the CLH funding allocation is a positive financial boost to support the development of community led housing.
- b) Legal  
There are likely to be legal implications for the Council going forward depending on the community led model adopted. These could include support from the Council in drawing up governance arrangements and or development agreements for the new homes.
- c) Equalities  
CLH will have a positive impact in terms of equalities and diversity issues and will increase the availability of accommodation in areas of high demand.
- d) Staffing Issues  
Developing community-led housing is likely to be resource intensive for the Council, particularly in relation to community development type activity. The report recommends that part of the funding is used to pay for delivery by Hambleton District Council on our behalf.
- e) Planning, Environmental, Health and Safety, Sustainability, Crime and Disorder  
No implications.

## **9.0 NEXT STEPS**

- 9.1 The first tranche of funding has have been received, subject to approval a submission will be made to the DCLG outlining the plan for the areas of work the funding will be allocated to and it is expected that the second tranche of funding will be received during 2017/18.

**Beckie Bennett**  
**Front Line Service Delivery Lead**

**Author:** **Kim Robertshaw, Housing Services Manager**  
Telephone No: 01653 600666 ext: 383  
E-Mail Address: kim.robertshaw@ryedale.gov.uk

**Background Papers:**  
Annex A - Community Housing Fund Slides.

## Community Housing Fund

How to get the most from this Community Led Housing opportunity.



## Overview

- 1) What is Community Led Housing?
- 2) What are the different approaches and routes to delivery? What makes it different?
- 3) What you might plan to do with your allocation.

## What is Community Led Housing?

1 – Community integrally involved throughout the process.



## What is Community Led Housing?

2 – Presumption in favour of a long-term role for the community.



## What is Community Led Housing?

3 – Benefits to the community are defined and protected in perpetuity.



### CLH is not...

Just a more intensive engagement and consultation.

A housing association scheme with parish council or community backing.

Completely different to a conventional housing development process.

Dependent on free land or unusual subsidy.

## Approaches to CLH

**Cohousing**

Community Land Trusts

Cooperatives

Self/custom build

Self-help

Cohousing communities are created and run by their residents. Each household has a self-contained, private home but residents come together to manage their community and share activities. Cohousing is a way of combating the alienation and isolation many experience today, recreating the neighbourly support of the past.

## Approaches to CLH

**Cohousing**

**Community Land Trusts**

Cooperatives

Self/custom build

Self-help

Community Land Trusts (CLTs) enable ordinary people to develop and manage homes as well as other assets important to that community, like community enterprises, food growing or workspaces. The CLT's main task is to make sure these homes are genuinely affordable, based on what people actually earn in their area, not just for now but for every future occupier.

## Approaches to CLH

Cohousing  
 Community Land Trusts  
**Cooperatives**  
 Self/custom build  
 Self-help

Cooperative and mutual housing has a community membership comprising the residents and sometimes other local community members. They democratically control the housing organisation which can result in benefits for members such as a better service and new skills.

## Approaches to CLH

Cohousing  
 Community Land Trusts  
 Cooperatives  
**Self/custom build**  
 Self-help

All local authorities have a duty to maintain a register of individuals and groups interested in building their own homes, and to provide enough permissioned plots to meet that demand. Forming people into CLH groups can help to organise and develop their projects.

## Approaches to CLH

Cohousing  
Community Land Trusts  
Cooperatives  
Self/custom build  
Self-help

“Self-Help Housing” involves groups of local people bringing back into use empty properties. Groups often involve people who can’t afford to buy or rent their own home, and who are unlikely to get a tenancy from a local authority or a housing association.

## Routes to delivering CLH

Led by a new group (including self-builders).

Extension of existing community-based activity (including neighbourhood plans).

Led by a developer, housing association or council.

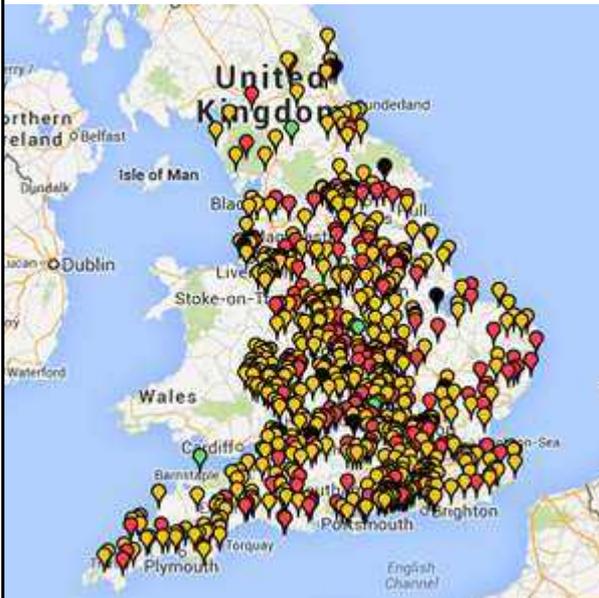
## Self build registers

Supporting people to find and develop plots.



## Neighbourhood plans

Supporting forums to build out their plans.



## Using the Community Housing Fund

*It is really flexible!*



## Community Housing Fund objectives

“deliver affordable housing units of mixed tenure...”

“build collaboration, skills and supply chains at a local level to promote the sustainability of this approach...”

“capital investment, technical support and revenue to be provided to make more schemes viable and significantly increase community groups’ current delivery pipelines...”

## Using the CHF - capital

Unlocking/removing barriers on difficult sites.

Site purchase and preparation (with some costs recovered when scheme completed).

Grant for mixed tenure of affordable housing.

Revolving land purchase fund?

## Using the CHF - revenue

Start up support – advice and grants.

Professionals' fees during development process.

## Using the CHF – a legacy

Local / regional / national programme



## Mechanisms to enable CLH

Vision and business case for CLH

CLH champions (officer and member)

Briefing relevant officers

Policy support (housing strategy, planning policy)

## Next steps

DCLG require a plan by the start of March – how to complete the pro-forma.

Pooling funds across your authorities.

Developing a hub for Yorkshire.

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## Annex 2

### Community Housing Fund

Community-led housing is in essence where the local community takes on the lead role of developing, managing and/or owning affordable housing in their own area for the local community. The key features of community-led housing are:

- They are usually small scale, most schemes are under 20/25 homes and some are much smaller.
- Schemes are usually set up and run by local people in their own communities, often with external support from housing associations, local authorities or regional and national support organisations.
- They provide genuinely affordable homes for rent, shared ownership or sale on sites that are often difficult for mainstream housing providers to develop.
- Schemes meet long-term local housing needs, by the community retaining a legal and/or financial interest in the homes provided and ensuring they are always available to local people who need them.

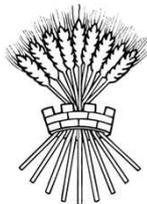
Community-led housing is not for profit, involving considerable voluntary effort. There are a wide variety of approaches to community-led housing and no standard model. However, the main examples are:

- **Community Land Trusts (CLTs)**, which provide affordable homes for local people in need, by acquiring land and holding it as a community asset in perpetuity.
- **Housing Co-operatives**, which involve groups of people who provide and collectively manage affordable homes for themselves as tenants or shared owners.
- **Cohousing schemes** involve groups of like-minded people who come together to provide self-contained private homes for themselves, but manage their scheme together and share activities, often in a communal space.
- **Tenant Management Organisations** provide social housing tenants with collective responsibility for managing and maintaining the homes through an agreement with their council or housing association landlord.
- **Self-help housing** projects involve small, community based organisations bringing empty properties back into use, without mainstream funding and with a strong emphasis on construction skills training and support.
- **Community self-build schemes** involve groups of local people in housing need building homes for themselves with external support and managing the process collectively.

The key difference between housing community led housing and that developed by private house builders or Registered Providers is that the community takes a central role. Communities may work in partnership with a Registered Provider or can work on stand alone projects. They can provide affordable housing through a section 106 agreement and/or a rural exception site.

It is understood from the Homes and Communities Agency (HCA) that community-led builders can also access funding, such as the Home Building Fund and money from the HCA's affordable housing programmes. Community-led groups have also brought in significant revenue and capital resources not accessible to other housing providers, including commercial lending, social finance, charitable funds, community

bond issues and labour. As well as helping to meet local need they can build up new resources and resilience within communities.



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**REPORT TO:** FULL COUNCIL  
**DATE:** 6 APRIL 2017  
**SUBJECT:** PART 'B' REFERRALS FROM POLICY AND RESOURCES  
COMMITTEE ON 23 MARCH 2017

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**59 Corporate Peer Challenge Improvement Plan**

Considered - Report of the Chief Executive

**Recommendations to Council**

1. That Council agrees the Corporate Peer Challenge Improvement Plan
2. That progress with delivering Improvement Plan be monitored by the Overview and Scrutiny Committee

**Voting record**

4 For  
1 Against  
3 Abstentions

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<b>PART B:</b>	<b>RECOMMENDATIONS TO COUNCIL</b>
<b>REPORT TO:</b>	<b>POLICY AND RESOURCES</b>
<b>DATE:</b>	<b>23 MARCH 2017</b>
<b>REPORT OF THE:</b>	<b>CHIEF EXECUTIVE JANET WAGGOTT</b>
<b>TITLE OF REPORT:</b>	<b>LGA CORPORATE PEER CHALLENGE IMPROVEMENT PLAN</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

1.1 To present members with an improvement plan following the recommendations made by the LGA Corporate Peer Challenge Review team

### **2.0 RECOMMENDATIONS**

2.1 That Council agrees the Corporate Peer Challenge Improvement Plan

2.2 That progress with delivering Improvement Plan be monitored by the Overview and Scrutiny Committee

### **3.0 REASON FOR RECOMMENDATIONS**

3.1 To support the continuous improvement of the Council.

### **4.0 SIGNIFICANT RISKS**

4.1 There are no risks identified in relation to this report

### **5.0 POLICY CONTEXT AND CONSULTATION**

5.1 The Corporate Peer Challenge and resulting Improvement Plan focused on the Council's corporate arrangements and ambitions for growth. The review team engaged with a wide range of partners, community representatives and staff members as part of the review.

### **6.0 REPORT**

6.1 In October 2016 the Council welcomed the LGA peer challenge team to the organisation for a 3 day site visit. Following this a presentation was made to members of the Council and staff highlighting the key recommendations made by the review team. The Council then received the full and final report from the LGA.

- 6.2 The review looked in detail at the Council's long-term ambitions, its work to support business and housing growth and the way it delivers services for the community. The review involved staff from across the organisation, councillors and a number of representatives from other organisations and key partners who work alongside the Council.
- 6.3 The report described the Council as, 'a small but ambitious council with committed staff who are focused on delivering the best possible service to meet local needs, in partnership with others where possible in order to improve capacity. Staff are proud to work for the council, and have an excellent understanding of the local context. There is a commitment to seek housing and economic growth and an understanding that this needs to be done sensitively, and in partnership with others'.
- 6.4 Following the publication of the final report, an improvement plan has been produced based on the findings and recommendations, which can be found at Annex A.
- 6.5 The Peer Review Team have offered to return to RDC for a follow up site visit. Such a visit would usually take place within 12 to 18 months of the initial site visit.

## **7.0 IMPLICATIONS**

7.1 The following implications have been identified:

- a) Financial  
There are no financial implications
- b) Legal  
There are no legal implications
- c) Staffing  
There are no staffing implications

**Chief Executive  
Janet Waggott**

**Author: Clare Slater, Deputy Chief Executive**  
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### **Background Papers:**

LGA Corporate Peer Challenge - Ryedale District Council Final Report (October 2016)

<http://ryedale.gov.uk/component/content/article.html?id=1982:corporate-peer-challenge-report>

## LGA CORPORATE PEER CHALLENGE IMPROVEMENT PLAN

Ref	Action	Timescale	Lead
<b>1</b>	<b>Establish a strong and effective strategic officer leadership team with a collective vision and shared strategic responsibilities, such as financial management.</b>	<b>May-17</b>	<b>CX</b>
1.1	A fully functioning senior management team could help the Chief Executive delegate some responsibilities.	07 December 2016	CX, DCX, S151, Monitoring Officer
1.2	The Chief Executive spends a significant amount of time dealing with Member issues, but this should be more the role of the Monitoring Officer. The Chief Executive and Deputy Chief Executive need to be able to share corporate responsibilities with senior managers, and collectively to set the direction for the organisation, in particular financial management of the Council.	01 May 2017	CX, DCX, S151, Monitoring Officer
<b>2</b>	<b>Review the expertise and capacity and resilience of the organisation</b>	<b>Sep-17</b>	<b>CX</b>
2.1	Income generated by Planning is to be used to increase capacity in the Planning Department. - linked to the housing white paper	01 August 2017	Head of Planning
2.2	Develop a clear strategic direction for future models of working in partnership.	30 September 2017	CX & Leadership Team
2.3	Undertake strategic review of waste management and streetscene services. Aim to drive up income, reduce costs and build in resilience.	30 September 2017	DCX & Delivery & Frontline Services Lead
2.4	Develop key skills across teams to mitigate the risk for the future of too much expertise being concentrated in a small number of individuals.	30 September 2017	DCX
2.5	Identify intense specialist support in the short term for: - the Monitoring Officer role - Communications	03 April 2017 01 May 2017	CX
<b>3</b>	<b>Review governance arrangements in order to prepare future political Leaders and ensure succession planning. Consider investing in external support to develop Member capacity through learning and development and consider how politicians are involved in priority setting.</b>	<b>Sep-17</b>	<b>CX, Leader</b>
3.1	Ensure that there are clear succession planning options for Members and staff	30 September 2017	CX, Leader
3.2	If the current constitution is not supporting good decision-making processes, the council should consider revising it.	30 September 2017	Constitution WP
3.3	Distributing councillor responsibility more widely to enable the Leader to delegate.	30 September 2017	Leader
3.4	Explore how responsibilities could be shared more widely, for example identifying which Members could take the lead on certain issues, and appointing a deputy leader	30 September 2017	Council
3.5	Members have mixed views on the effectiveness of the 'Champion' system and the champion positions do not correspond with Council priorities.	30 September 2017	Member Champions

3.6	Formal leadership training or mentoring should be considered for elected Members in order to improve decision-making and strategic leadership.	30 September 2017	Member Development WP
3.7	A succession plan needs to be put in place to nurture the leaders of the future and further the skills of those in leadership positions.	30 September 2017	Member Development WP
<b>4</b>	<b>Establish and demonstrate a collective commitment to shared values and behaviours, developed, agreed and demonstrated by all Members and officers.</b>	<b>Ongoing</b>	<b>Leader of Council &amp; CX</b>
4.1	Work with Members to agree that the behaviours framework is shared, reaffirming the principles for Member conduct as incorporated into the Constitution of the Council - Member Briefing 5 April 2017 to agree improvement plan. To be attended by representative of the LGA -Members to agree to work as 'One Ryedale'	06 April 2017	Leader of Council
4.2	Members to agree and commit to an agreed set of values, behaviours and ways of working.		Council
4.3	Members to respect <b>and use</b> the clear majority and mandate of the ruling group.	06 April 2017	Group Leaders
4.4	Clear, firm and consistent chairing of Council meetings to ensure that meetings are not excessively long. - linked to review of timing and scheduling of meetings - linked to review of the Constitution	30 September 2017	Chairman of Council  Chair of O and S Constitution WP
4.5	Clear, firm and consistent chairing of Council meetings to ensure that personal attacks are not tolerated at meetings of Council. This responsibility is shared by all Members of Council.	06 April 2017 & ongoing	All Members
4.6	Under the One Ryedale banner take collective ownership of values, behaviours and strategic priorities at senior political and managerial level to drive improvements	06 April 2017	Group Leaders, CX & DCX
<b>5</b>	<b>Develop and Deliver Strategic plans jointly with Members and staff</b>	<b>Sep-2017 &amp; ongoing</b>	<b>CX</b>
5.1	Set a firm strategic direction with clear lines of accountability and responsibility across the organisation	06 April 2017 & ongoing	CX
5.2	Work with Members to increase their understanding of the current constraints in the local government sector.	30 September 2017	CX
5.3	Develop a good understanding of the level of business rates and how their service drives growth for the district and the council in order to maximise delivery.	30 September 2017	JWR
<b>6</b>	<b>Improve communication across the organisation.</b>	<b>Sep-17</b>	<b>DCX</b>
6.1	Internal communication needs to be significantly improved for staff and Members.	06 April 2017	DCX
6.2	Consider holding parish liaison meetings more than twice a year.	30 September 2017	Customer Service Lead
6.3	Increase opportunities for engagement of staff with Members.	06 April 2017	CX

6.4	Improve information sharing at an early stage in decision-making, with clear boundaries and transparency	06 April 2017	CX, Group Leaders
<b>7</b>	<b>Seek formal feedback regularly from staff and customers.</b>	<b>Ongoing</b>	
7.1	Seek formal feedback regularly from staff and customers.	30 September 2017	Service Leads
<b>8</b>	<b>Consider opportunities for using financial reserves to support the delivery of your priorities after conducting an appropriate financial risk analysis.</b>	<b>Sep-17</b>	S151, P and R
8.1	Consider opportunities for using financial reserves to support the delivery of your priorities after conducting an appropriate financial risk analysis.	30 September 2017	S151, P and R
<b>9</b>	<b>Develop a strategic commercial income generation plan, including use of assets.</b>	<b>Sep-17</b>	Resources & Enabling Lead, Frontline Services Lead
9.1	There are excellent ideas from officers on using assets for income generation, but in order to realise this income this work needs to be translated into a delivery plan with clear lines of accountability and robust performance management.	30 September 2017	Resources & Enabling Lead, Frontline Services Lead
<b>10</b>	<b>Develop and embed a robust performance management culture as part of the One Ryedale approach.</b>	<b>Apr-17</b>	DCX
10.1	Further clarity is needed on economic and infrastructure targets.	06 April 2017	External Partnerships Lead
10.2	To build a robust approach to performance management as part of the new structure.	06 April 2017	Leadership Team
10.3	Develop a consistent performance management process to ensure the 'golden thread' is clear.	06 April 2017	Leadership Team

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**REPORT TO:** FULL COUNCIL  
**DATE:** 6 APRIL 2017  
**SUBJECT:** PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 23 MARCH 2017

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**60 The Council's Priorities 2017 - 2022**

Considered - Report of the Chief Executive

**Recommendations to Council**

That members agree the priorities for the Council Business Plan for 2017/22 as:

- (a) Promoting sustainable growth
- (b) Supporting customers and communities
- (c) Working together – One Ryedale

**Voting record**

5 For  
2 Against  
1 Abstentions

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<b>PART B:</b>	<b>RECOMMENDATIONS TO COUNCIL</b>
<b>DATE:</b>	<b>23 MARCH 2017</b>
<b>REPORT OF THE:</b>	<b>CHIEF EXECUTIVE JANET WAGGOTT</b>
<b>TITLE OF REPORT:</b>	<b>THE COUNCIL'S PRIORITIES 2017-22</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

1.1 To present the revised priorities for the Council's Business Plan for 2017-2022

### **2.0 RECOMMENDATIONS**

2.1 That members agree the priorities for the Council Business Plan for 2017/22 as:

- a) Promoting sustainable growth
- b) Supporting customers and communities
- c) Working together – One Ryedale

### **3.0 REASON FOR RECOMMENDATIONS**

3.1 The Council Business Plan sets the strategic priorities for the Council for 2017 to 2022. The aims and strategic objectives are reviewed by Members annually.

3.2 To ensure that the Councils Business Plan and The Medium Term Financial Strategy are in alignment and support the delivery of the Councils transformation programme – Towards 2020.

3.3 To respond to some of the recommendations resulting from the Corporate Peer Challenge 2016.

## **REPORT**

### **4.0 BACKGROUND AND INTRODUCTION**

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

### **5.0 POLICY CONTEXT**

5.1 The Council Business Plan is the key policy statement of the Council and is complimented by other plans such as the Financial Strategy and key delivery strategies. Links to these can be found in the supporting document section.

## **6.0 CONSULTATION**

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

## **7.0 REPORT DETAILS**

7.1 The following priorities are proposed for the Council Business Plan for 2017-22:

**Aim 1:** Promoting sustainable growth

**Aim 2:** Supporting customers and communities

**Aim 3:** Working Together – One Ryedale

7.3 Progress in delivering the Council's priorities will be reported to the Policy and Resources Committee. These reports will compliment the Revenue Budget Monitoring reports submitted to the Policy and Resources Committee. These reports are available on the Councils website and contribute to the delivery of the transparency agenda for local government.

7.4 A summary of the Councils Business Plan is attached at annex A.

7.5 The position statement prepared as part of the corporate peer challenge can be found on the CPC page of the Council website – <http://ryedale.gov.uk/component/content/article.html?id=1982:corporate-peer-challenge-report>

This provides contextual and performance information in support of the development of the Council priorities for 2017 onwards.

## **8.0 IMPLICATIONS**

8.1 The following implications have been identified:

a) Financial

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

b) Legal

There are no significant legal implications arising from this report

c) Other

There are no significant other implications arising from this report.

**Janet Waggott  
Chief Executive**

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**Background Papers:**

Key strategies which inform the delivery of the Councils priorities:

Ryedale Plan - Local Development Framework - <http://www.ryedaleplan.org.uk/>

Ryedale Economic Action Plan  
[http://ryedale.gov.uk/attachments/category/992/Ryedale\\_Economic\\_Action\\_Plan\\_2016.pdf](http://ryedale.gov.uk/attachments/category/992/Ryedale_Economic_Action_Plan_2016.pdf)

Ryedale Housing Strategy Action Plan  
Ryedale Homelessness Strategy  
<http://www.ryedale.gov.uk/services/about-council/strategies-plans-policies/social-housing-policy.html>

RDC Financial Strategy  
[http://ryedale.gov.uk/attachments/article/365/Financial\\_Strategy\\_2017\\_2022.pdf](http://ryedale.gov.uk/attachments/article/365/Financial_Strategy_2017_2022.pdf)

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

Corporate Peer Challenge:  
Final Report,  
Improvement Plan,  
Position Statement,  
Self Assessment  
<http://ryedale.gov.uk/component/content/article.html?id=1982:corporate-peer-challenge-report>

**Background Papers are available for inspection at:**  
[www.ryedale.gov.uk](http://www.ryedale.gov.uk)



**Vision:**

**The vision for Ryedale District Council is to continue doing what matters for Ryedale...**

**Values:**

**Passion:**

We are passionate about our communities and the services we deliver

**Respect:**

We value every individual, respecting people for who they are and for their unique knowledge, skills and experience

**Openness:**

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

**Unity:**

We will work as one organisation

**Decisive:**

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

**Priorities:**

**Sustainable Growth**

- Promoting a strong economy with thriving businesses and supporting infrastructure
- Capitalising on our culture, leisure and tourism opportunities
- Managing the environment of Ryedale with partners
- Enabling the provision of housing that meets existing and anticipates future need
- Minimising homelessness, improving the standard and availability of rented accommodation and supporting people to live independently

**Customers & Communities**

- Designing all of our services with the customer at the heart of everything we do
- Making the best use of resources to ensure maximum benefit for all customers and communities across the district, particularly the most vulnerable
- Helping our partners to keep our communities safe and healthy
- Supporting Communities to identify their needs, plan and develop local solutions and resilience

**One Ryedale**

- Working together as One Ryedale, members and staff share the PROUD values and behaviours
- Utilising assets in supporting the delivery of priorities
- Developing business opportunities for the Council and optimise income
- Building capacity and influencing policy in partnership
- Enabling services through the innovative use of IT
- Delivering the Towards 2020 programme and anticipating further savings required to 2022

**Performance:**

**Sustainable Growth**

- Economic growth indicator
- Housing delivery figures
- Homeless figures

**Customers & Communities**

- Customer satisfaction
- Timely delivery of services
- Take up of services

**One Ryedale**

- Budget monitoring
- Income generated
- Salaries monitoring



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**REPORT TO:** FULL COUNCIL

**DATE:** 6 APRIL 2017

**SUBJECT:** PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 23 MARCH 2017

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**61 Proposed Waste Transfer Station for Ryedale**

Considered - Report of the Frontline Service Delivery Lead

**Recommendations to Council**

1. That Members recommend to Full Council that this Council enter into an agreement with North Yorkshire County Council, as the Waste Disposal Authority for RDC, to provide a waste transfer station at Kirbymisperton, conditional upon a maximum contribution up to £265k per annum from RDC.
2. That the Medium Term Revenue Forecast be amended to reflect an additional growth item of £152k and that officers work to deliver additional savings through the Towards 2020 efficiency programme to mitigate the impact.

**Voting record**

Unanimous

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<b>PART B:</b>	<b>RECOMMENDATIONS TO COUNCIL</b>
<b>DATE:</b>	<b>23 MARCH 2017</b>
<b>REPORT OF THE:</b>	<b>FRONT LINE SERVICE DELIVERY LEAD BECKIE BENNETT</b>
<b>TITLE OF REPORT:</b>	<b>PROPOSED WASTE TRANSFER STATION FOR RYEDALE</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

- 1.1 To present the preferred option for a waste transfer station for the Ryedale District Council (RDC) area.

### **2.0 RECOMMENDATIONS**

- 2.1 That Members recommend to Full Council that this Council enter into an agreement with North Yorkshire County Council, as the Waste Disposal Authority for RDC, to provide a waste transfer station at Kirbymisperton, conditional upon a maximum contribution up to £265k per annum from RDC.
- 2.2 That the Medium Term Revenue Forecast be amended to reflect an additional growth item of £152k and that officers work to deliver additional savings through the Towards 2020 efficiency programme to mitigate the impact.

### **3.0 REASON FOR RECOMMENDATIONS**

- 3.1 The development of a waste transfer station at Kirbymisperton is the least-worst option for RDC and avoids additional costs to the public purse in excess of £235k per annum if RDC instead had to use a waste transfer station in Seamer.

## **REPORT**

### **4.0 BACKGROUND AND INTRODUCTION**

- 4.1 North Yorkshire County Council (NYCC) have agreed on a strategy for a waste transfer station for use by Ryedale District Council as detailed in the report attached at Annex A.

### **5.0 POLICY CONTEXT**

- 5.1 RDC has a duty as a waste collection authority (WCA) to collect household waste together with commercial waste where it is requested to do so from business premises within the district.

- 5.2 NYCC has a duty as the waste disposal authority (WDA) to arrange for the disposal of household and commercial waste collected by the WCAs in its area and has a power of direction which can be used to require a WCA to take its waste collected to a particular waste transfer station.

## **6.0 CONSULTATION**

- 6.1 Any consultation on this matter would be the responsibility of NYCC as the Waste Disposal Authority.

## **7.0 REPORT DETAILS**

- 7.1 The report attached at Annex A provides the detail and the options available in relation to this matter.
- 7.2 The procurement exercise referred to in the attached report at recommendation (a) is currently being undertaken by Yorwaste on behalf of NYCC. This will provide comparative costs but is unlikely to provide a long term solution for waste transfer for RDC.
- 7.3 Unless and until agreement can be reached between NYCC and RDC, further progress with delivery of a transfer station at Kirbymisperton is being held in abeyance.
- 7.4 In the absence of such an agreement or acceptable alternative, RDC has been given notice that it will be required to deliver all residual domestic waste to Seamer Carr from 1 February 2018. The additional cost of this each year to RDC will be in excess of £0.5m due to the requirement for additional refuse vehicles, operating staff and running costs associated with travelling longer distances to Seamer.
- 7.5 Following work undertaken by officers at RDC it is estimated that the cost of transferring waste to two locations (Seamer and Harewood Whin) will be even higher than transferring all waste to Seamer Carr
- 7.6 The lead in time for a new WTS to be built in Ryedale is 12 months.
- 7.7 The resources to fund the agreement up to a maximum of £265k will be funded from £113k already included in the base revenue budget and the remainder up to a maximum of £152k pa will be a growth item on the 2018/19 revenue budget.

## **8.0 IMPLICATIONS**

- 8.1 The following implications have been identified:

### Financial

There are no new financial implications for 2017/18 on the basis that the Council approves the officer recommendations. If RDC is required to tip at Seamer Carr then there is likely to be a financial impact in 2017/18 as the Council will need to increase its vehicle fleet and staffing and will be required to start the new arrangements from 1st February 2018. There will be a revenue growth item of up to £152k for the 2018/19 revenue budget based on the officer recommendations..

### Legal

The Council would be entering into a legal agreement with NYCC to ensure that the financial liability to the Council is limited to a maximum of £265k.

Other - There are no significant other implications arising from this report.

**Beckie Bennett, Front Line Service Delivery Lead**

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Background Papers: None

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## North Yorkshire County Council

### Business and Environmental Services

#### Executive Members

27 January 2017

### Proposed Ryedale Transfer Station

#### Report of the Assistant Director – Transport, Waste and Countryside Services

#### 1.0 Purpose of report

- 1.1 The purpose of this report is to update Executive Members on progress to secure a transfer station for bulking and onward transport of waste collected by Ryedale District Council, and to seek approval on a preferred strategy for delivery.

#### 2.0 Background

- 2.1 Ryedale District Council has a duty as a waste collection authority (WCA) to collect household waste and commercial waste where it is requested to do so, from premises within the district. The County Council has a duty as the waste disposal authority (WDA) to arrange for the disposal of household and commercial waste collected by the WCAs in its area. There is no obligation for the WDA to provide a place within a WCA area for the deposit of collected household and commercial waste, but the WDA is then liable for the costs of transporting the waste an unreasonable distance. There is no definition of what an unreasonable distance is but it is often interpreted to be more than 5 miles from the WCA boundary.
- 2.2 The County Council historically contracted with Yorwaste for the provision of a landfill site in Ryedale at Thornton le Dale. Since this site closed in 2009 the nominated disposal point for waste collected in Ryedale has been Knapton Quarry, operated by FD Todd, first as a landfill site and more recently as a transfer station with the waste being transported for final disposal out of the County. The contract with FD Todd for receipt of waste at Knapton includes for both transport and final disposal, and expires on 31 March 2018.
- 2.3 Both Thornton le Dale and Knapton are within the WCA boundary.
- 2.4 The County Council and all WCAs approved a joint Statement Of Agreed Principles (SOAP) in 2004 that sets out how the councils will work together as a partnership to deliver waste management services.
- 2.5 The SOAP states that:  
“The partnership will seek to provide at least one place within each partner’s area where collected refuse and recyclables can be delivered for later processing or disposal. The precise numbers and locations of delivery points will be determined collectively and will have regard to:
- Population densities
  - Land use planning policies
  - Availability of land
  - Proximity to other delivery points”

- 2.6 The SOAP also states that:  
“Each authority is recognised as an equal partner in delivery of the Strategy, and all partners are equally accountable for ensuring its delivery” and “the interests of one partner will not take precedence over the interests of any other partner.
- 2.7 Implementation plans will have regard to the interests of the Council Tax payer generally, over the interests of individual partners.”
- 2.8 The SOAP is not legally binding.
- 2.9 High level modelling of the costs of providing transfer stations across the County in 2005/06 indicated that the business case for a transfer station in Ryedale was marginal, but overall it was likely to be cost effective. The modelling was reviewed in 2011 when AWRP had been confirmed as the final disposal point and the conclusion was similar in that a transfer station in or around Malton was likely to present a better option for the Council tax payer as a whole compared to delivery to the existing transfer station at Seamer Carr. Work has therefore progressed to deliver a site in the Malton area.

### **3.0 Current Position**

- 3.1 Following an extensive site search, a site for a transfer station in Ryedale has been secured off Tofts Lane, Kirby Misperton through a long term lease. Planning consent has also been secured although detailed design has yet to be completed. Highway improvement works to the junction between Tofts Lane and the A169 were carried out in 2014 (at a cost of £176.7k) as a requirement of the highway authority prior to development of the site.
- 3.2 The planning permission requires the improvement of Tofts Lane from a single lane track to a full width road although recent discussions with the highway authority have suggested that the specification for the improvements can be reduced to retain a single track access but with some improvements. The proposed transfer station building will be big enough to accommodate all anticipated uses for receipt of both household waste and recycling (although the receipt of recyclables is not a statutory obligation of the WDA).
- 3.3 The initial capital budget for Kirby Misperton was £2.0m. Costs incurred to date (planning, road works and fees etc.) are approximately £600k.
- 3.4 Latest cost estimates for the remaining construction works are £4.0m. The main reasons for the increase from original budgets is largely due to:
- Poor ground conditions requiring the building to have piled foundations
  - New fire safety requirements from the EA requiring 2 No. 3,600 cubic metre storage tanks, one for clean water to feed the fire suppression system and one for run-off in the event of a fire
  - Costs of the access road improvements (not originally budgeted)
  - Inflation
- 3.5 The increased cost estimate has triggered a review of the business case and an assessment of alternative sites.
- 3.6 A further site search in early 2016 identified the former Ryedale Skip site in Pickering as a potentially suitable site. It was available and benefits from an existing waste use, and environmental permit. The site is big enough for a basic transfer station

facility (but is not as big as Kirby Misperton) but the existing building would need to be demolished and replaced with one more suitable therefore a new planning permission would be required.

- 3.7 Consultants were commissioned to carry out a 'like for like' assessment of both Kirby Misperton and the Ryedale Skips site to establish the relative costs and benefits. The assessment concluded that the Ryedale Skips site would be significantly less expensive to develop but that this initial saving would be eroded over time with a much higher ground rent. This site was not pursued any further given the lack of any significant financial benefit and the smaller size of the site. It is understood that the site is no longer available.
- 3.8 Discussions with Ryedale District Council indicated a preference to co-locate their depot with the transfer station. This would provide operational benefits and could help deliver savings to help balance the additional costs. The landowner at Kirby Misperton has indicated his agreement in principle to provide more land if necessary and in recent months a part of the adjacent industrial site has become available that could provide an alternative access and negate the need for much of the improvement of Tofts Lane.
- 3.9 A scheme based on a combined depot and transfer station, with a revised access, has been worked up and costed to enable a comparison with the option of a stand-alone transfer station. The estimated costs of a combined depot and transfer station are £6.6m (with approx £3.4m being attributable to NYCC) indicating that the inclusion of the depot would add an additional £2.6m to the cost. There is some scope to reduce the specification and requirements for the proposed depot but the comparisons so far suggest that the benefits to NYCC of combining the two facilities could be to reduce capital costs of the transfer station by up to £600k. However, until such time as Ryedale District Council is in a position to confirm the desirability and affordability of the costs of the depot the business case for the transfer station needs to be established in isolation.

#### 4.0 Transfer Station Business Case and Costs

- 4.1 The options for provision of delivery point to serve Ryedale are:
1. Kirby Misperton – site owned by NYCC and operated by Yorwaste
  2. Seamer Carr – site owned by NYCC and operated by Yorwaste
  3. TBC – site procured through competitive tender
- 4.2 Table 1 below compares the costs to NYCC for the receipt of Ryedale's waste at Kirby Misperton with the costs if that waste were delivered to Seamer Carr and shows that the net cost to NYCC from the provision of a transfer station at Kirby Misperton would be approx. £265k p.a.

Transfer Station Comparisons	KM v Seamer	
Site costs	£	207,000
Operating costs	£	201,957
transport costs	-£	143,641
Tipping Away costs	£	-
Net Cost to NYCC	£	265,316

Table 1. Comparisons of cost to NYCC of delivering waste to Kirby Misperton and Seamer Carr

Notes on Table 1:

1. Site costs based on £4m remaining build costs at Kirby Misperton and exclude costs already incurred
  2. Operating costs are additional to costs which would be incurred at Seamer Carr.
  3. Transport Costs are shown as a saving to reflect lower distances to AWRP compared to Seamer Carr
  4. Tipping away is assumed to be zero as Seamer Carr is considered to be a reasonable distance from the district boundary.
- 4.3 Ryedale District Council has identified savings and cash benefits from provision of a transfer station at Kirby Misperton that could be made available to help mitigate the additional costs to NYCC. These are equivalent to approx £121k pa. The inclusion of these cashable savings reduces the net cost to NYCC to some £144k pa.
- 4.4 The proposal for a transfer station is on the basis that it must be in the best overall interests of the Council Tax payer – i.e. not developed solely to benefit either the County or District Council. Ryedale District Council have indicated that the delivery of waste to Seamer Carr would require additional vehicles and crew which would cost in excess of £340k pa, plus one-off costs associated with reorganisation of collection rounds. When balanced against the additional costs of providing the transfer station these avoided costs indicate that the benefit to the council tax payer from provision of a transfer station at Kirby Misperton will be approximately £200k pa compared to Seamer Carr, although the actual additional collection costs would need challenging and to be verified before this conclusion can be confirmed.
- 4.5 Despite increased construction costs, the provision of a transfer station at Kirby Misperton appears to present value for money to the Council tax payer overall compared to Seamer Carr although further work would be needed to validate the impact on collection costs before this conclusion can be confirmed. Kirby Misperton does however represent a significant cost to the County Council that is potentially unaffordable. In the absence of an affordable alternative or an agreement with RDC on costs that would make the transfer station affordable to NYCC, the default position is that the County Council will direct Ryedale District Council to deliver its collected household and commercial waste to Seamer Carr for onward transport and disposal. This can be reviewed as and when the Councils are able to agree a position on cost sharing that makes the transfer station at Kirby Misperton or any other arrangement mutually acceptable.
- 4.6 A competitive procurement could be undertaken in the immediate short term to establish if there are other alternatives available in the market place. It is assumed that the existing site at Knapton would be offered under such a procurement however a direct cost comparison is not available at this time because the current contract includes for both haulage and disposal of waste. Any new contract will be limited only to the receipt and haulage of waste to Allerton Park, and will therefore exclude disposal costs.
- 4.7 A provisional estimate of the costs to NYCC of a service provided through competitive procurement suggests that they would be comparable to the marginal costs of using Seamer Carr however the actual costs of this option will be a function of the prevailing market. The lack of local alternative might act to increase the tendered costs but the availability of an existing facility at Knapton with no necessary

additional capital expenditure will act to reduce the costs compared to the provision of a new site.

- 4.8 This option is likely to deliver an outcome for RDC that would not involve any additional cost compared to existing arrangements however, the solution will require competitive procurement and benchmarking against the County Council's costs of using Seamer Carr in order to establish it as a better option. This inevitably means that this option cannot be committed to until a procurement has been run, and the final costs confirmed. This is planned for Spring 2017.

## **5.0 Other Emerging Option**

- 5.1 Recent discussions have identified the potential for another alternative arrangement that would involve co-location of Ryedale depot facilities with Yorwaste transfer stations at Seamer Carr and Harewood Whin. Such an arrangement would have minimal impact on the transfer stations and would provide opportunities for sharing resources and vehicle servicing/garaging that are likely to offer considerable savings. However, it would also entail the complete remodelling of collection arrangements within the district.
- 5.2 Discussions on this alternative are at an early stage and it is not yet certain if such an outcome is attractive and deliverable to Ryedale District Council, or if it would provide overall benefits, but it is proposed that the option will be explored more fully over the Spring to enable it to be compared with the others.

## **6.0 Recommendations**

6.1 It is therefore proposed that:

- (a) A procurement exercise proposed in para 4.5 be progressed in order to understand the potential alternative options and costs available in the market, and the comparative costs to both NYCC and RDC against provision at Seamer Carr and Kirby Misperton
- (b) Unless and until agreement can be reached between NYCC and RDC on cost sharing, further progress with delivery of a transfer station at Kirby Misperton be held in abeyance
- (c) In the absence of such an agreement or acceptable alternative Ryedale District Council is advised that they will be required to deliver their waste to Seamer Carr from 1 February 2018
- (d) Subject to agreement in principle by Ryedale District Council, an outline business case be developed for comparison to other options based on co-locating Ryedale District Council refuse collection vehicles (and other vehicles and staff as appropriate) with at Yorwaste transfer stations at Seamer Carr and Harewood Whin.

IAN FIELDING

Assistant Director - Transport, Waste & Countryside Services

Author of Report: Ian Fielding

Background Documents: None

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