
COUNCIL

IMPORTANT:

Please stay at home if you are unwell, take a test if you have COVID-19 symptoms and if you test positive stay at home and avoid contact with other people.

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to: (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and (ii) compliance with the Council's protocol on the filming and recording of Ryedale District Council meeting, a copy of which is available on request or at ryedale.gov.uk. Anyone wishing to record must contact Democratic Services using the details above, three days prior to the meeting. Any recording must be conducted openly and not in secret.

Please note that proceedings at this meeting will be filmed for subsequent broadcast via the Council's website. If you choose to attend, you will be deemed to have consented to being recorded and/or filmed and to the use of those images and sound recordings on the broadcast.

Council Summons and Agenda

You are hereby summoned to attend an **Ordinary Meeting of Ryedale District Council** to be held in the **Council Chamber, Ryedale House, Malton** on **Thursday, 23 February 2023** at **6.30 pm** in the evening for the transaction of the following business:

Agenda

1 **Emergency Evacuation Procedure**

The Chair to inform members of the public of the emergency evacuation procedure.

2 **Apologies for absence**

3 **Public Question Time**

4 **Minutes**

(Pages 5 - 18)

To approve as a correct record the minutes of the Ordinary Meeting of Council held on 1 December 2022 and the Extraordinary Meeting of Council held on 8 December 2022.

5 **Urgent Business**

To receive notice of any urgent business which the Chair 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 Chair, 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 Designation of Monitoring Officer (Pages 19 - 22)

10 To consider for approval the recommendations in respect of the following Part 'B' Committee Items:

Licensing Committee - 31 January 2023

a Review of Council's Statement of Principles for Gambling (Pages 23 - 60)

Policy and Resources Committee - 9 February 2023

b Revenue and Capital Budget Monitoring Q3 2022/23 (Pages 61 - 72)

c Delivering the Council Plan - Q2 2022/23 (Pages 73 - 94)

d Ryedale District Council Annual Report 2021/22 (Pages 95 - 152)

e Ryedale District Council - Local Development Scheme November 2022 - March 2023 (Pages 153 - 184)

f North Yorkshire Council - Affordable Housing Sites (Pages 185 - 196)

g Reallocation of Residual Grant Funding by Pickering Town Community Interest Company from Newbridge Park to the Community Park, Pickering(Pages 197 - 214)

h Exempt information

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

Item 10e (Livestock Market Project – Request for approval to proceed) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972, as the information relates to the financial or business affairs of any particular person (including the authority holding that information).

Item 10f (Proposal for Capital Funding for the Circular Malton and Norton CIC Anaerobic Digester Project) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972, as the information relates to the financial or business affairs of any particular person (including the authority holding that information).

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

- i **Livestock Market Project - Request for approval to proceed** (Pages 215 - 308)
- j **Circular Malton and Norton Anaerobic Digester Project** (Pages 309 - 328)

Overview and Scrutiny Committee - 17 February 2023

- k **External Auditors Annual Report** (To Follow)
- 11 **To receive and note Council level decisions made under Urgency Powers, as required by the Constitution**
 - a **Designation of Interim Monitoring Officer** (Pages 329 - 332)
- 12 **Any other business that the Chair decides is urgent**



Stacey Burlet
Chief Executive

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Council

Minutes of Proceedings

At the **Ordinary Council Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton** on **Thursday, 1 December 2022**

Present

Councillors Joy Andrews, Paul Andrews, Arnold, Burr MBE, Clark, Cussons MBE, Docwra, Duncan, Frank (Vice-Chair), Goodrick, Graham, Keal, King, Mason, Oxley, Potter, Riby, Thackray and Wass (Chair)

In Attendance

Rachael Balmer, Lily Hamilton, Elizabeth Heath, Anton Hodge, Nicki Lishman, Richard Mair, Harry Rashid, Phillip Spurr and Jill Thompson

Minutes

39 APOLOGIES FOR ABSENCE

Apologies were received from Councillors Cleary, Hope, Mackenzie, Middleton, Raine, and Windress.

40 PUBLIC QUESTION TIME

There were no public questions.

41 MINUTES

The minutes of the Extraordinary Meeting of Council held on 6 October 2022 were presented.

Resolved

That the minutes of the Extraordinary Meeting of Council held on 6 October be approved and signed by the Chair as a correct record.

Voting record

Carried by general affirmation.

42 URGENT BUSINESS

There were no items of urgent business.

43 DECLARATIONS OF INTEREST

Councillors J Andrews, Burr, Duncan, Goodrick and Mason declared a personal non-prejudicial and non-pecuniary interest as members of North Yorkshire County Council.

44 ANNOUNCEMENTS

There were no announcements.

45 TO RECEIVE ANY QUESTIONS SUBMITTED BY MEMBERS PURSUANT TO COUNCIL PROCEDURE RULE 10.2 (QUESTIONS ON NOTICE AT FULL COUNCIL)

TO COUNCILLOR KEAL, CHAIR OF THE POLICY AND RESOURCES COMMITTEE, FROM COUNCILLOR DUNCAN

Councillor Duncan asked the following question:

- a. Can you please share with all elected councillors a copy of recent legal advice obtained by the council relating to the Community Infrastructure Levy (CIL) Grant Scheme?
- b. Can you please confirm who provided this advice and the total cost of this advice?
- c. Can you please confirm details and costs of recent staffing changes to accommodate the CIL Grant Scheme application process?
- d. Now stage one of the application process has closed, can you please inform councillors how many applications have been received?
- e. Can you please confirm the names of the organisations who have applied, a brief summary of the project and the amount of CIL funding that has been requested?

Councillor Keal responded as follows;

I refer to your Questions on Notice of 21 November 2002 regarding the Community Infrastructure Levy Grant Scheme (the "**Scheme**") currently being operated by Ryedale District Council ("**RDC**"). I am responding to these Questions on Notice in my capacity as the Chair of the Policy and Resources Committee, which has responsibility for the Scheme.

Question a.

Can you please share with all elected councillors a copy of recent legal advice obtained by the council relating to the Community Infrastructure Levy (CIL) Grant Scheme?

Answer

I refer you to Article 2.3(b) of RDC's Constitution which governs the access of RDC's Councillors to information which is legally privileged (as is the case in respect of the information which is the subject matter of your first question). It provides that:

"Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law. The Head of Paid Service may refuse inspection of documents where the documents are, or in the event of legal proceedings would be, protected by privilege arising out of a Solicitor and Client relationship; (ii) Councillors will not make public information which is confidential or exempt without the consent of the Council or divulge information given in confidence to anyone other than a Councillor or officer entitled to know it. For these purposes, "confidential" and "exempt" information are defined in the Access to Information Rules in Part 4 of this Constitution."

Following consultation with the Acting Head of Paid Service, the decision has been taken to restrict access to the legal advice to which you refer. In particular, the advice is particularly sensitive in the context of discussions with North Yorkshire County Council and it is not intended to make the contents of the advice public at this time.

In accordance with the Protocol for Members/Officer Relations you are entitled to take this up with the Acting Head of Paid Service.

Question b.

Can you please confirm who provided this advice and the total cost of this advice?

Answer

RDC has sought appropriate advice on various aspects of the Scheme in order to ensure that it meets all relevant requirements. DWF Legal have provided advice under the Crown Commercial Services Framework Agreement in this respect and the fees (excluding VAT) rendered in connection with the advice to date amounts to £7,971.

Question c.

Can you please confirm details and costs of recent staffing changes to accommodate the CIL Grant Scheme application process?

Answer

The post of Economic Development Officer (Grade 7) was created for the period from September 2022 to March 2023 as an internal secondment role and was intended at this time to primarily support the delivery of the CIL Scheme but also deliver a range of other projects within the team including a second round of the Community Environment Grant scheme, active travel projects etc. The post was filled with the recruitment of an Officer from another team within RDC in mid-September 2022.

It was originally intended that the role be funded through the use of LGR backfill monies however, as the current post holders substantive post was not backfilled and was previously operating at the top of Grade 6, the staffing changes implemented are currently operating as cost neutral to the authority and no LGR backfill monies or other RDC funds have yet been utilised.

Given the value of the role to progressing a number of Economic Development team initiatives (both those listed above and other pipeline schemes) this post has been given approval to become permanent. It is anticipated that from January 2023 recruitment will be completed and the vacant post within another RDC team will be filled. It will be from this time that there would be additional staffing costs for RDC of a Grade 7 role – c.£31k per annum plus on costs.

Question d.

Now stage one of the application process has closed, can you please inform councillors how many applications have been received?

Answer

To date at 30.11.22 following the 9am deadline, we have received 20 applications. We have been notified that there may be another received later today. A late application was received and it was agreed with the applicant that, due to medical issues, this could be submitted.

Question e.

Can you please confirm the names of the organisations who have applied, a brief summary of the project and the amount of CIL funding that has been requested?

Answer

Please note following Cllr Duncan's email of 24/11, attached is a list of the brief project details as requested.

Please note that the information disclosed in this response may constitute exempt information for the purposes of the Access to Information Procedure Rules and is provided to you in confidence in furtherance of your duties as Councillors of RDC and should not, therefore, be disclosed to any third party without the consent of RDC. You should note that, in particular, the information could cause substantial prejudice to the interests of RDC if it is disclosed to North Yorkshire County Council.

SEE ATTACHED LIST - CIL GRANTS EXPRESSIONS OF INTEREST

47 AMENDMENT TO THE TERMS OF REFERENCE OF THE GRANTS WORKING PARTY

It was moved by Councillor Keal and seconded by Councillor Mason that the draft Terms of Reference shown at Appendix 1 of the report be agreed.

Councillor Duncan proposed and Councillor Docwra seconded the following amendment to the draft Terms of Reference:

That the final decisions on CIL recommendations come to Full Council.

Upon being put to the vote the amendment was carried.

Voting record

7 For

6 Against

6 Abstentions

Recorded vote

For: Councillors Cussons, Dowcra, Duncan, Graham, Goodrick, Mason and Oxley.

Against: Councillors J Andrews, Clark, Frank, King, Potter and Wass.

Abstentions: Councillors P Andrews, Arnold, Burr, Keal, Riby and Thackray.

Councillor Arnold proposed and Councillor Mason seconded the following amendment.

That this item be deferred to a Special Meeting of the Policy and Resources Committee at the first available opportunity.

Upon being put to the vote the amendment was carried.

Voting record

17 For

1 Abstention

48 HUNGATE CENTRE, PICKERING - USE OF RESIDUAL GRANT FUNDING BY CAVCA

It was moved by Councillor Oxley and seconded by Councillor Burr that the following recommendation be approved;

It is recommended that Council agree that:

- (i) The residual grant funds, totalling £12,737 of the 'up to £25,000' previously awarded, be made available to CaVCA to part-fund further building remedial works and improvements which would assist in ensuring the longevity of the Hungate Centre as a community asset.
- (ii) The grant be drawn from the £200,000 set aside in capital reserves for community use in Pickering.
- (iii) Repayment of the grant if the centre were to cease operating as a community facility within five years, as originally agreed. To be secured by a variation agreement prior to disbursement of the funds.

Upon being put to the vote the motion was carried.

Resolved

It be approved that;

- (i) The residual grant funds, totalling £12,737 of the 'up to £25,000' previously awarded, be made available to CaVCA to part-fund further building remedial works and improvements which would assist in ensuring the longevity of the Hungate Centre as a community asset.
- (ii) The grant be drawn from the £200,000 set aside in capital reserves for community use in Pickering.
- (iii) Repayment of the grant if the centre were to cease operating as a community facility within five years, as originally agreed. To be secured by a variation agreement prior to disbursement of the funds.

Voting record

Unanimous

49 LOCAL GOVERNMENT REORGANISATION - HEAD OF PAID SERVICE AND CHIEF EXECUTIVE

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

1. The proposed settlement terms set out at paragraph 3.14 of the report are approved
2. Delegated authority is granted to the Solicitor to the Council (Monitoring Officer) to enter into a Settlement Agreement on these terms with the HoPS/Chief Executive
3. Delegated authority is granted to the Solicitor to the Council (Monitoring Officer) to amend the redundancy and payment in lieu of notice figures in the Settlement Agreement, in consultation with the Chair of the Policy and Resources Committee and s151 Officer, to correct any errors to a maximum of 10%

Upon being put to the vote the motion was carried.

Resolved

It was resolved that;

1. The proposed settlement terms set out at paragraph 3.14 of the report be approved
2. Delegated authority be granted to the Solicitor to the Council (Monitoring Officer) to enter into a Settlement Agreement on these terms with the HoPS/Chief Executive
3. Delegated authority be granted to the Solicitor to the Council (Monitoring Officer) to amend the redundancy and payment in lieu of notice figures in the Settlement Agreement, in consultation with the Chair of the Policy and Resources Committee and s151 Officer, to correct any errors to a maximum of 10%

Voting record

14 For

1 Against

4 Abstentions

Recorded vote

For: Councillors J Andrews, Arnold, Clark, Cussons, Docwra, Duncan, Frank, Graham, Keal, Mason, Oxley, Potter, Riby and Wass

Against: Councillor Thackray

Abstentions: Councillors P Andrews, Burr, Goodrick and King

50 TO CONSIDER FOR APPROVAL THE RECOMMENDATIONS IN RESPECT OF THE FOLLOWING PART 'B' COMMITTEE ITEMS:

50a Revenue and Capital Budget Monitoring Q1 2022/23

Resolved

That the report be noted as it had been superseded by Minute 51: Revenue and Capital Budget Monitoring Q2 2022/23 below.

51 Delivering the Council Plan - Q1 2022/23

Resolved

That the report be noted.

51a Revenue and Capital Budget Monitoring Q2 2022/23

Resolved

That the report be noted.

51b Ryedale Swim and Fitness Centre Boiler Replacement

It was moved by Councillor Keal and seconded by Councillor Riby that;

- (i) £90,000 is allocated from Reserves to fund the replacement of the two boilers at Ryedale Swim and Fitness Centre with equivalent gas boilers, using the procurement process already completed as the basis for this work.
- (ii) Any unforeseen costs including inflated costs beyond the contingency included in 2.1(i) above, to a maximum of £25,000, to be agreed and authorised by the Chair of Policy and Resources, the Programme Director - Place and Resources and the S151 Officer prior to expenditure taking place.

Upon being put to the vote the motion was carried.

Resolved

It was resolved that;

- (i) £90,000 be allocated from Reserves to fund the replacement of the two boilers at Ryedale Swim and Fitness Centre with equivalent gas boilers, using the procurement process already completed as the basis for this work.
- (ii) Any unforeseen costs including inflated costs beyond the contingency included in 2.1(i) above, to a maximum of £25,000, to be agreed and authorised by the Chair of Policy and Resources, the Programme Director - Place and Resources and the S151 Officer prior to expenditure taking place.

Voting record

14 For

2 Against

2 Abstentions

51c Review of the Helmsley Plan

It was moved by Councillor Keal and seconded by Councillor Potter that;

Members agree that the Helmsley Plan remains fit for purpose and should continue to be used as a part of the Development Plan to be applied in decision making on planning applications for the town. This is unless all the allocated sites have been built out, or it is superseded by the adoption of a North Yorkshire Local Plan or a Neighbourhood Plan.

Upon being put to the vote the motion was carried.

Resolved

Members agreed that the Helmsley Plan remained fit for purpose and should continue to be used as a part of the Development Plan to be applied in decision making on planning applications for the town. This is unless all the allocated sites have been built out, or it is superseded by the adoption of a North Yorkshire Local Plan or a Neighbourhood Plan.

Voting record

17 For

1 Abstention

At 9.57pm it was proposed by Councillor J Andrews and seconded by Councillor Goodrick that Standing Orders be suspended to allow the business of the meeting to be completed.

Upon being put to the vote the motion was carried.

Resolved

That Standing Orders be suspended to allow the business of the meeting to be completed.

Voting record

16 For

2 Against

51d Ryedale District Council - Local Development Scheme November 2022-March 2023

It was moved by Councillor Keal and seconded by Councillor Potter that;

- i. The Local Development Scheme is agreed for use and published.
- ii. To agree the principle of an extraordinary meeting of Policy and Resources in March to allow Members more time to consider the Publication of the Plan review.

Councillor Keal then explained that, as members were aware, there had been recent developments concerning the details of the legal advice received on 17 November 2022 concerning the proposed approach of rolling-on of the Ryedale for an additional 5 years, as part of its review.

The advice confirmed that this is a high-risk strategy, which was not in accordance with national planning policy and guidance, or the aligned planning acts which referred to the need to have regard to such national policy and guidance and it was without precedent. The risk of the plan review being found unsound at Examination in Public was, in the view of the King's Counsel, 'very high'. This was a risk which would ultimately rest with the new North Yorkshire Council, as the current Local Development Scheme already sets out that the formal stages of submission, examination and adoption would be under the jurisdiction of the newly formed Council.

The advice also made clear, on the basis of plan-making experiences with unitary bodies who have gone through this process, that their plan making has gone far beyond the 5 year timescale that the Structural Change Order identifies in which to produce a plan. Plans have taken in excess of a decade and some have been withdrawn after many years in the making.

The review of the Ryedale Plan requires a 15 year time scale and this would involve additional policy considerations, as well as a greater number of sites.

This had immediate implications for requesting members to make a decision on the Local Development Scheme as it is currently written.

Officers will scope the additional policy considerations in the review of the plan and engage with the LGR Planning Policy Workstream to advise them of the position and outcome of this meeting. This will inform the updated Local Development Scheme.

It was considered that it remains important to undertake a revised 'Key Decisions consultation', which was a Part A item at the Policy and Resources Committee held on 10 November 2022.

Work on the review of the Ryedale Plan and associated planning policy would continue in earnest.

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

That we defer discussion this item until we obtain a second opinion from a London based Senior Planning King's Counsel.

Upon being put to the vote the amendment was lost.

Voting record

5 For

13 Against

Councillor Keal moved and Councillor Potter seconded the following amendment;

1. That Council defer this item so it can return to the next Policy and Resources Meeting with a full report and updated LDS.
2. That Council agrees to give delegated authority to make changes to the Key Decisions consultation document to reflect the plan period being 15 years, and to provide additional contextual references to this change, subject to the wording having the agreement of the Chair of Policy and Resources and the Chair of Planning Committee.

Upon being put to the vote the amendment was agreed.

Resolved

1. That this item be deferred, so it can return to the next Policy and Resources meeting with a full report and updated LDS.
2. That Council agreed to give delegated authority to make changes to the Key Decisions consultation document to reflect the plan period being 15 years, and to provide additional contextual references to this change, subject to the wording having the agreement of the Chair of Policy and Resources and the Chair of Planning Committee.

Voting record

13 For

5 Against

It was moved by Councillor Keal and seconded by Councillor Potter that the order of the agenda be amended to consider Items 13E, 10 and 12H after Item 7 on the published agenda.

Upon being put to the vote the motion was carried.

Resolved

That Items 13E, 10 and 12H be considered after Item 7 on the published agenda.

Voting record

12 For

4 Against

3 Abstentions

It was moved by Councillor Potter and seconded by Councillor Frank that the following recommendation be approved.

To exclude the press and public from the meeting during consideration of the following item 12H (Works Required to Stabilise the Wall at St Leonards Close, Malton) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972, as the information relates to the financial or business affairs of any particular person (including the authority holding that information).

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

Following the issue of the agenda and the subsequent dispatch of the late paper for Item 10 (Hungate Centre: CaVCA Request to Spend Residual Grant Funding) it was agreed that this item should be considered as an Exempt Item as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972, as the information relates to the financial or business affairs of any particular person (including the authority holding that information).

Upon being put to the vote the motion was carried.

Resolved

To exclude the press and public from the meeting during consideration of Items 10 (Hungate Centre: CaVCA Request to Spend Residual Grant Funding) and 12H (Works Required to Stabilise the Wall at St Leonards Close, Malton) as provided by paragraph 3 of Schedule 12A of Section 100A of the Local Government Act 1972, as the information relates to the financial or business affairs of any particular person (including the authority holding that information).

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

51f WORKS REQUIRED TO STABILISE THE WALL AT ST LEONARDS CLOSE, MALTON

It was moved by Councillor Keal and seconded by Councillor Potter that the following recommendation be approved;

That Council is recommended to approve the additional budget of £183,317 from the capital programme in 22/23 to fund wall repairs at St Leonards Close, Old Maltongate in Malton to cover the total cost of the works of £263,317 (comprising £218,102 construction cost plus £32,715 fees and £12,500 contingency sum).

Councillor Thackray moved and Councillor Riby seconded the following amendment;

That a second quote is obtained for the work.

Upon being put to the vote the amendment was lost.

Voting record

3 For

14 Against

2 Abstentions

Upon being put to the vote the motion was carried.

Resolved

That the additional budget of £183,317 from the capital programme in 22/23 to fund wall repairs at St Leonards Close, Old Maltongate in Malton to cover the total cost of the works of £263,317 (comprising £218,102 construction cost plus £32,715 fees and £12,500 contingency sum) be approved.

Voting record

17 For

2 Abstentions

52 MOTIONS ON NOTICE SUBMITTED PURSUANT TO COUNCIL PROCEDURE RULE 11

53 PROPOSED BY COUNCILLOR DUNCAN AND SECONDED BY COUNCILLOR POTTER

Councillor Duncan proposed and Councillor Potter seconded the following motion;

That an extraordinary meeting of Council be arranged in spring 2023 (on a date decided by the chairman) to confer the title of Honorary Alderman of Ryedale District Council upon Councillors Paul Andrews, Stephen Arnold, Lindsay Burr, David Cussons, Janet Frank, Eric Hope, Dinah Keal and John Windress, pursuant to the provisions of Section 249 of the Local Government Act 1972, in recognition of the eminent service rendered by them as Councillors of the Ryedale District Council.

Upon being put to the vote the motion was carried.

Resolved

That an extraordinary meeting of Council be arranged in spring 2023 (on a date decided by the chairman) to confer the title of Honorary Alderman of Ryedale District Council upon Councillors Paul Andrews, Stephen Arnold, Lindsay Burr, David Cussons, Janet Frank, Eric Hope, Dinah Keal and John Windress, pursuant to the provisions of Section 249 of the Local Government Act 1972, in recognition of the eminent service rendered by them as Councillors of the Ryedale District Council.

54 ANY OTHER BUSINESS THAT THE CHAIR DECIDES IS URGENT

There being no items of urgent business, the meeting closed at 10.20pm.

Minute Annex

	Organisation Name	Project Title	CIL amount requested
1	Ryedale District Council	Malton Livestock Market Relocation	£984,000.00
2	Malton Tennis Bowls & Squash Club	Modernisation and expansion of Malton Bowls Tennis and Squash club	£525,000.00
3	Kirkham Henry Performing Arts CIC	Building and Changing room refurbishment	£350,000.00
4	Circular Malton & Norton CIC	Ryedale Community Anaerobic Digester at Eden Circular Hub	£350,000.00
5	Malton Town Council	Rainbow Lane Pump Track	£58,000.00
6	Ryedale Learning Trust	Ryedale School 3G	£250,000.00
7	Forestry England	Accessible Shelters Dalby Forest	£247,000.00
8	Helmsley Open Air Swimming Pool	Pool Changing Rooms and Domestic Offices rebuild to include the development of accessible facilities.	£175,000.00
9	Pickering Beck Isle Museum of Rural Life	Improving Infrastructure and Sustainability at Beck Isle Museum	£69,287.25
10	Helmsley Walled Garden	Helmsley Walled Garden Branches Out – the regeneration of a key community and economic resource for Ryedale.	£262,500.00
11	Lady Lumley's School (part of Coast and Vale Learning Trust)	Refurbishment of Outside Sports Facilities Lighting and Heating system	£68,213.00
12	Malton School	Malton & Norton Health, Fitness & Wellbeing Centre	£409,083.00
13	Ryedale YMCA	The Sidings - Environmental Sustainability Programme	£69,375.00
14	Ryedale Special Families	Get A Move On	£854,380.00
15	North Yorkshire Moors Railway Trust	Operational Safety and Lineside Enhancement Project	£240,112.00
16	Woodhams Stone Collection	Securing our past to enrich our future (Stage 2)	£57,240.00
17	Slingsby Sports and Social Club	Slingsby Sports for All	£156,500.00
18	Ryedale Environment Group	Hovingham-Malton Path for Everyone (Broughton Bank Diversion Path)	£54,750.00
19	Norton-on-Derwent Town Council	Allotments Infrastructure Plan	£51,037.50
20	Kirkbymoorside Town Council	Redevelopment of Cricket and Football Club facilities at the sports field	£155,898.75
21	Milton Rooms	The Assembly Rooms in the Milton Rooms moves into the 21st Century as a fit for purpose community function asset for Ryedale and beyond.	£150,000.00

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Council

Minutes of Proceedings

At the **Extraordinary Council Meeting of the District Council of Ryedale** held in the **Council Chamber, Ryedale House, Malton on Thursday, 8 December 2022**

Present

Councillors Joy Andrews, Paul Andrews, Arnold, Burr MBE, Clark, Cussons MBE, Docwra, Duncan, Goodrick, Graham, Hope, Keal, King, MacKenzie, Mason, Potter, Raine, Riby, Thackray, Wass (Chair) and Windress

In Attendance

Beckie Bennett, Lily Hamilton, Elizabeth Heath, Anton Hodge, Nicki Lishman and Phillip Spurr

Minutes

55 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Cleary, Middleton and Oxley.

56 DECLARATIONS OF INTEREST

The Chair advised that it was taken as given that Councillors J Andrews, Burr, Duncan, Goodrick and Mason declared personal non-prejudicial and non-pecuniary interests as North Yorkshire County Councillors and that they had been lobbied.

Councillor P Andrews declared a personal non-prejudicial and non-pecuniary interest due to his associations with the Fitzwilliam Estate and that he had been lobbied.

Councillor Raine declared a personal non-prejudicial and non-pecuniary interest as the owner of not-for-profit business in Malton and that she had been lobbied.

Councillor Mason declared a personal non-prejudicial and non-pecuniary interest as the owner of a business in Malton and that he had been lobbied.

Councillors Arnold, Clark, Cussons, Docwra, Duncan, Graham, Goodrick, Keal, King, Mackenzie, Potter, Riby, Thackray and Windress declared personal non-prejudicial and non-pecuniary interest as they had been lobbied.

MOTIONS ON NOTICE SUBMITTED PURSUANT TO COUNCIL PROCEDURE RULE 11

57 Motion on Notice Proposed by Councillor P Andrews and seconded by Councillor Burr

Councillor P Andrews proposed and Councillor Burr seconded the following motion;

“That Council enter into negotiations with Fitzwilliam Malton Estate (FME) to sell Wentworth Street Car Park to FME, subject to the use being restricted to car parking only and the sale price to be approved by the District Valuer.”

During the debate, Members considered an email submitted by a member of the public, who had asked that their comments be considered by Elected Members and included in the

minutes of the meeting. Councillor P Andrews had submitted a response to the issues raised in that email and both are attached at Appendix A.

Upon being put to the vote the motion was lost.

Resolved

That Council does not enter into negotiations with Fitzwilliam Malton Estate (FME) to sell Wentworth Street Car Park to FME, subject to the use being restricted to car parking only and the sale price to be approved by the District Valuer.

Recorded vote

For: Councillors P Andrews, Burr, Potter, Raine, Riby, Thackray and Wass

Against: Councillors J Andrews, Arnold, Clark, Cussons, Duncan, Frank, Graham, Goodrick, Keal, King, Mackenzie, Mason and Windress

There being no other business, the meeting closed at 8.30pm.

APPENDIX A



REPORT TO:	COUNCIL
DATE:	23 FEBRUARY 2023
REPORT OF THE:	ACTING CHIEF EXECUTIVE OFFICER MARGARET WALLACE
TITLE OF REPORT:	DESIGNATION OF MONITORING OFFICER
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report requests that Council approves the designation of the Monitoring Officer (MO) and sets out the reasons for this request.
- 1.2 The Council's Head of Corporate Governance and Monitoring Officer will leave the Council on 5 March 2023, however she has been on Annual Leave since late January. The Council is required to have a Monitoring Officer in place, but it cannot have two individuals holding that same role. Bernice Elgot was appointed as Interim Monitoring Officer through an Urgency Powers decision taken on 8 February, and she will remain as Interim MO until the current Head of Corporate Governance and Monitoring Officer formally leaves the council.
- 1.3 Subject to Council approval, it is therefore proposed that from 6 March, following the formal departure of the current Head of Corporate Governance and Monitoring Officer, that Bernice Elgot is designated as Monitoring Officer for the period from 6 March through to the cessation of Ryedale District Council on 31 March 2023.

2.0 RECOMMENDATIONS

- 2.1 That Council approves:
- (i) the proposal that Bernice Elgot is appointed as the Council's Monitoring Officer for the period from 6 March 2023 to 31 March 2023.

3.0 REASON FOR RECOMMENDATIONS

- 3.1 To ensure that the Council is meeting its statutory obligations by having a Monitoring Officer in place.

4.0 SIGNIFICANT RISKS

- 4.1 Failure to designate a Monitoring Officer would mean that the Council would not comply with the requirements of the Local Government and Housing Act 1989 (as amended).
- 4.2 The most significant risk associated with not appointing a Monitoring Officer is that failure to do so would place the Council in the position that there would be no Officer with the personal responsibility for the discharge of the required corporate legal propriety functions.

5.0 POLICY CONTEXT

- 5.1 Section 5 of the Local Government and Housing Act 1989 (as amended), requires the Council to designate a Monitoring Officer.

Monitoring Officer

- 5.2 The Monitoring Officer has a number of statutory duties and responsibilities relating to the Council's Constitution and our arrangements for effective governance. These duties include maintaining the Constitution, ensuring that no decision or omission of the Council is likely to give rise to unlawfulness or maladministration, and promoting high standards of conduct. These responsibilities are set out in Article 11.3 of the Constitution and repeated below:

- **Maintaining the Constitution:** The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.
- **Ensuring lawfulness and fairness of decision making:** After consulting the Head of Paid Service and Chief Financial Officer, the Monitoring Officer will report to the Full Council if he or she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.
- **Supporting the Overview and Scrutiny Committee acting as the Corporate Governance Standards Committee:** The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Overview and Scrutiny Committee acting as the Corporate Governance Standards Committee.
- **Conducting investigations:** The Monitoring Officer will conduct investigations into matters and make reports or recommendations in respect of them to the Overview and Scrutiny Committee acting as the Corporate Governance Standards Committee.
- **Providing advice:** The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety and probity to all Councillors.
- **Restrictions on posts:** The Monitoring Officer cannot be the Chief Financial Officer or the Head of Paid Service.

REPORT

6.0 BACKGROUND

- 6.1 The Head of Corporate Governance and Monitoring Officer resigned from her post effective from 5 March 2023, however she has been on Annual Leave since late January. As highlighted above, the Council is required to have a Monitoring Officer in place, but it cannot have two individuals holding that same role. Bernice Elgot was appointed as Interim Monitoring Officer through an Urgency Powers decision taken on 8 February, and she will remain as Interim Monitoring Officer until the current Head of Corporate Governance and Monitoring Officer formally leaves the Council.
- 6.2 Subject to Council approval, it is therefore proposed that from 6 March, following the formal departure of the current Head of Corporate Governance and Monitoring Officer, that Bernice Elgot is designated as Monitoring Officer for the period from 6 March through to the cessation of Ryedale District Council on 31 March 2023.
- 6.3 Article 4 (r) of the Council's Constitution states that Full Council is responsible for "All matters which by law must be reserved to Council". Section 5 of the Local Government and Housing Act 1989 (as amended) confers the duty upon Full Council to appoint a Monitoring Officer.

7.0 IMPLICATIONS

- 7.1 The following implications have been identified:

Financial

- a) The additional net cost of employing Bernice Elgot, subject to Council approval, for the five week period from 27 February until 31 March will be approximately £4,940 based on three days of support/week, and support for the Council meetings held on 9 and 23 February and 8, 16 and 30 March. This accounts for savings on the previous postholder's salary plus additional arrangements for acting up in other aspects of the job description.

The meeting of Overview and Scrutiny Committee on 16 February will be attended by Monitoring Officer support from NYCC, which is covered by the Service Level Agreement.

This cost will increase the bottom line spend of the council on a one-off basis.

Legal

There are no additional legal issues for the Council flowing from the recommendation.

- b) Other

There are no other implications (such as Equalities, Planning, Health & Safety, Environmental, Climate Change, Crime & Disorder) arising from this report and recommendation.

Margaret Wallace
Acting Chief Executive

Author: Phillip Spurr
Telephone No: 01653 600666 ext: xxx

E-Mail Address:

Background Papers: None



REPORT TO: FULL COUNCIL

DATE: 23 FEBRUARY 2023

SUBJECT: PART 'B' REFERRALS FROM LICENSING COMMITTEE ON 31 JANUARY 2023

7 Review of Council's Statement of Principles for Gambling

Recommendation

It is recommended to Council that:

- (i) Members agree to the adoption of the revised Statement of Principles for Gambling 2023-2026.

Voting Record

Approved by general affirmation.

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	LICENSING COMMITTEE
DATE:	31 JANUARY 2023
REPORT OF THE:	PROGRAMME DIRECTOR FOR PLACE AND RESOURCES PHILLIP SPURR
TITLE OF REPORT:	REVIEW OF COUNCIL'S STATEMENT OF PRINCIPLES FOR GAMBLING
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is to present to the Licensing Committee, for approval, the draft Statement of Principles for Gambling 2023-2026 at Appendix A.

2.0 RECOMMENDATION(S)

2.1 It is recommended that

- (i) Members consider and approve the Statement of Principles for Gambling 2023-2026 and recommend adoption by Full Council.

3.0 REASON FOR RECOMMENDATION(S)

3.1 The Council is required to prepare and publish a Statement of Principles for Gambling (the statement) at least every three years having regard to guidance issued by the Gambling Commission.

4.0 SIGNIFICANT RISKS

4.1 A failure to review and update the statement leaves gambling related decisions more susceptible to successful challenge.

5.0 POLICY CONTEXT AND CONSULTATION

5.1 This report supports all four of the Council's Corporate Priorities as outlined in the Council Plan 2020 – 2024.

5.2 Section 343(3) of the Act specifies those bodies and persons that must be consulted

as part of the preparation where the statement is reviewed. Additional persons or bodies may be consulted at the discretion of the Licensing Authority. Those organisations consulted are listed in Annex A of the statement.

5.3 The consultation commenced on 1 December 2022 and concluded on 22 December 2022. Two consultation responses were received, one from the service manager of RDC's Planning and Development Services confirming they wish to make no comment. In addition, North Yorkshire Police confirmed they wished to make no comment, other than to commend the Licensing Authority on such a clear and thorough document, and to thank the authority for including at para 6.48 a link to police.co.uk to assist applicants in preparing local area profiles. Given no material changes to the Policy have been made, Officers are not unduly concerned at the limited response the consultation has received.

5.4 In response to the comments received no changes to the draft statement at Appendix A have been made.

REPORT

6.0 REPORT DETAILS

6.1 Section 349 of the Gambling Act 2005 place a duty on Licensing Authorities to prepare and publish a three-year Statement of Principles for Gambling that they propose to apply in exercising their functions. The statement forms the Local Authority's mandate for managing local gambling provision and sets out how the licensing authority views the local risk environment and therefore its expectations in relation to operators with premises in its area. It also sets out the LA's regulatory approach. The statement must include the three licensing objectives which the policy will promote:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

6.2 The previous Gambling Act 2005 Statement of Principles came into effect on 31 January 2019. Its full review is due every three years and so a review has been completed and a revised Statement presented in Appendix A. The review has considered the Gambling Commission's Guidance to Licensing Authorities, published April 2021 (updated May 2021). No material changes have been made to the Statement; however, updates have been made to ensure that relevant information and statistics are current. These changes are highlighted in yellow throughout the document.

6.3 The Local Government Review licensing workstream has already identified harmonisation of policies leading up to and beyond March 2023. It is anticipated that a combined North Yorkshire wide Statement of Principles will therefore be implemented within the next 3-year review period.

7.0 IMPLICATIONS

7.1 The Statement of Principles seeks to protect people, especially those that are vulnerable. The following implications have therefore been identified:

- a) **Financial**
The additional costs involved in drafting the revised Policy have been met from existing budgets. No additional financial implications have been identified.
 - b) **Legal**
The Gambling Act 2005 places a duty on Licensing Authorities to prepare and publish a three-year Statement of Principles for Gambling that they propose to apply in exercising their functions. A failure to review and update the Statement leaves gambling related decisions more susceptible to successful challenge.
- Equalities**
- c) An Equalities Impact Assessment has been completed as part of the Policy Review.
- Others**
- d) Other implications (Climate Change, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder, Data Privacy) have been considered and do not apply.

8.0 NEXT STEPS

- 8.1 Subject to approval by the Licensing Committee adoption will be requested at Full Council on 23 February 2023 with the revised Statement of Principles for Gambling taking effect from 24 March 2023.

Phillip Spurr
Programme Director for Place and Resources

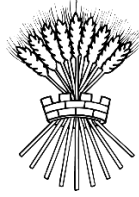
Author: Mark Heaton, Senior Licensing Officer
Telephone No: 01653 600666 ext: 43256
E-Mail Address: mark.heaton@ryedale.gov.uk

Background Papers:
Gambling Act 2005
Gambling Commission - Guidance to licensing authorities (1 April 2021, updated 13 May 2021)

Background Papers are available for inspection at:
[Gambling Act 2005 \(legislation.gov.uk\)](https://legislation.gov.uk)
[Guidance to licensing authorities - Gambling Commission](#)

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**RYEDALE
DISTRICT
COUNCIL**



**Gambling Act 2005 – Statement of Principles
(FOR CONSULTATION)**

Author	Senior Licensing Officer
SMB owner	Programme Director for Economic Development, Business and Partnerships
Version	1.01
Status	Draft
Ratifying committee	Full Council
Date ratified	XX/XX/2023
Date policy effective from	XX/XX/2023
Review cycle	3 Years
Review date	TBC

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This Statement of Principles was approved by Ryedale District Council on the XX of XXXXXXXX 2023.

All references to the guidance refer to the Gambling Commission's Guidance to Licensing Authorities, published April 2021 updated May 2021.

PART A

1. The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

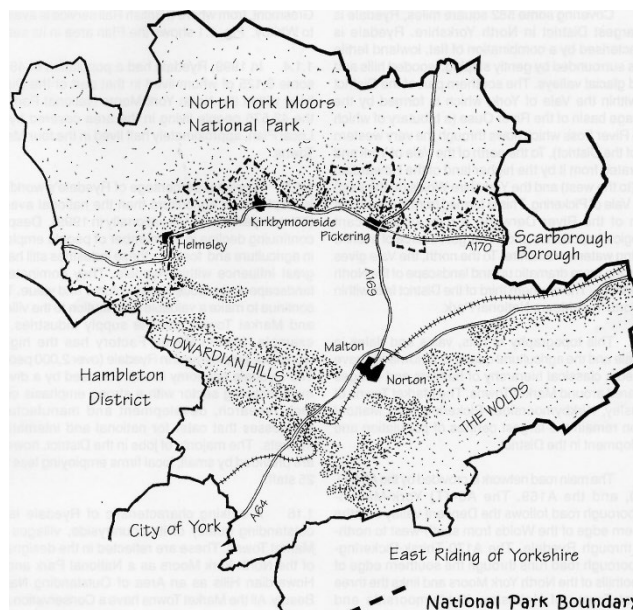
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

It should be noted that the Gambling Commission has stated: “The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling”. This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority’s Statement of Principles

2. Introduction

Ryedale District Council is situated in the County of North Yorkshire, which contains seven District and Borough Councils in total. The Council area has a population of 54,700 making it one of the smaller in the County in terms of population. In terms of area, it is one of the larger covering 575 square miles. The district is mainly rural with several market towns, namely Malton, Norton, Pickering, Kirkbymoorside and Helmsley with numerous villages and hamlets (The major settlements in Ryedale are detailed in the map over). Agriculture, holiday, and tourism industries are major contributors to the economy of the district.



Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must be then re- published.

Ryedale District Council consulted widely upon this statement of principles before finalising and publishing. A summary of those consulted is provided below, the full list of those consulted can be found in Annex A.

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005

List of persons this authority consulted:

- Local Councillors/responsible authorities (including police)
- Gambling businesses/related businesses
- Parish Councils
- North Yorkshire County Council, Children & Young Persons Service.

This Statement of Principles was approved at a meeting of the Full Council on the XX of XXXXXXXX 2023 and was published on Ryedale District Councils website on the XXXXXXXXXX.

It should be noted that this Statement of Principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

LOCAL AREA PROFILE

While it is not currently the intention for this licensing authority to identify a local area profile, the licensing authority note the guidance offered by the Gambling Commission in sections 6.47 to 6.53 of its Guidance. In particular, sections 6.48 and 6.50 which states as follows:

6.48 An effective local area profile is likely to take account of a wide range of factors, data and information held by the licensing authority and its partners. An important element of preparing the local area profile will be proactive engagement with responsible authorities as well as other organisations in the area that can give input to "map" local risks in their area. These are likely to include public health, mental health, housing, education, community welfare groups and safety partnerships, and organisations such as Gamcare or equivalent local organisations. Statistics can also be obtained from www.police.uk which may assist in identifying patterns of crime or anti-social behaviour in the area.

6.50 For example an area might be identified as high risk on the basis that it is located within close proximity to a youth centre, rehabilitation centre or school. The licensing authority might indicate, for example, that they would expect licensees to take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises. The licensee would be reasonably expected to have sufficient controls in place to mitigate associated risks in such areas, and, if not, the licensing authority would consider other controls themselves.

This licensing authority will therefore expect applicants for premises licences to submit a copy of their local risk assessment as part of their application. This should reflect factors such as the premises` proximity to schools and other sensitive locations, vulnerable person`s schemes and other information relevant to the locality and how the applicant intends to mitigate any potential risks.

3. Declaration

In producing the final Statement of Principles, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the Statement of Principles.

4. Responsible Authorities

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority`s area
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group

In accordance with the regulations the council designates the [North Yorkshire Safeguarding Children Board](#) for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council`s website.

5. Interested parties

Interested parties can make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

“For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) has business interests that might be affected by the authorised activities, or
- c) represents persons who satisfy paragraph (a) or (b)”

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to licensing authorities at 8.9 to 8.17. Note though that decisions on premises licences and temporary use notices must be "in accordance" with Section 153 of the Gambling Act 2005.

Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g., an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach Councillors to ask them to represent their views, then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts, then please contact the licensing team.

6. Exchange of Information

Licensing authorities are required to include in their statement the principles to be applied by the council with regards to the exchange of information between it and the Gambling Commission, as well as other persons listed in Schedule 6 to the Act.

The council will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information, which includes the provision that the Data Protection Act 2018 will not be contravened. The council will also have regard to any guidance issued to local authorities by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State.

Details of applications and representations which are referred to a Licensing Sub-Committee for determination will be detailed in reports and these are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000.

Personal details of people making representations will be disclosed to applicants and only withheld from publication on the grounds of personal safety where the Licensing Authority is asked to do so.

Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act

with respect to the inspection of premises, and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance to licensing authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

This licensing authority will also endeavour to avoid duplication with other regulatory regimes so far as possible.

This licensing authority has adopted and implemented a risk-based inspection programme, based on;

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this statement of licensing principles

The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.

This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Delivery Office in its consideration of the regulatory functions of local authorities. In particular, with regard to the Regulators Code (April 2014) which provides a regulatory framework that supports compliance and growth while enabling resources to be focused where they are most needed.

Bearing in mind the principle of transparency, this licensing authority's enforcement policy is available upon request to the licensing team.

8. Licensing Authority functions

Licensing Authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- Issue *Provisional Statements*

GAMBLING ACT 2005

STATEMENT OF PRINCIPLES (DRAFT)

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- Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue *Club Machine Permits* to *Commercial Clubs*
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue Licensed Premises Gaming Machines Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines.
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

It should be noted that licensing authorities are not to be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences.

PART B
PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

1. General Principles

Premises Licences are subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where there is evidence of a need to do so.

(i) Decision-making

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of principles

This licensing authority is aware that previous legislation required the grant of certain gambling permissions should take account of whether there was unfulfilled demand for facilities. This is no longer the case and each application must be considered on its merits without regard to demand (Guidance 6.37-6.38).

(ii) Definition of "premises"

In the Act, "premises" is defined as including "any place". Section 152 prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed (7.5).

The Gambling Commission states in its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing authority. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises (7.6-7.7)

This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities (7.32) which states that: licensing authorities should take particular care in considering applications for multiple premises licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

GAMBLING ACT 2005

STATEMENT OF PRINCIPLES (DRAFT)

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- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

The Guidance (7.33) "in determining whether two or more proposed premises are truly separate, the licensing authority should consider factors which could assist them in making their decision, including:

- Is a separate registration for business rates in place for the premises?
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's relevant access provisions for each premises type are reproduced below:

7.23:

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.21 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per paragraph 7.21 of Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a

GAMBLING ACT 2005

STATEMENT OF PRINCIPLES (DRAFT)

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shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission’s Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

(iii) Premises “ready for gambling”

The Guidance (7.58) states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use. This is why the Act allows a potential operator to apply for a provisional statement if construction of the premises is not yet complete, or they need alteration, or he does not have the right to occupy them (Guidance parts 7 & 11).

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two-stage consideration process (7.59):

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.58-7.65 of the Guidance.

(iv) Location/Local Risk Assessment

The licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to

its decision-making. This authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. With regard to these licensing objectives, it is this licensing authority's policy, upon receipt of any relevant representation to look at specific location issues which include:

- the possible impact that a gambling premises may have on any sensitive premises that provide services to children or young people or vulnerable people, e.g., a school, vulnerable adult centre;
- the possible impact a gambling premises may have on a residential area where there is a high concentration of families with children;
- the nature and size of the gambling activities taking place;
- any levels of crime in the area.

It is a requirement of the Gambling Commission's Licence Conditions and Code of Practice (LCCP) under Section 10, for licensees to assess the local risks to the licensing objectives posed by the provisions of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this Statement of Principles

The LCCP states that licensees must review (and update as necessary) their local risk assessments:

- to take account of significant changes in local circumstances, including those identified in this Statement of Principles;
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
- when applying for a variation of a premises licence; and
- in any case, undertake a local risk assessment when applying for a new premises licence.

This licensing authority will expect the local risk assessment to consider as a minimum:

- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
- the demographics of the area in relation to vulnerable groups;
- whether the premises is in an area subject to high levels of crime and/or disorder.

Local risk assessments should show how vulnerable people, including people with gambling dependencies are protected.

It should be noted that this Statement of Principles does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

(v) Planning:

The Gambling Commission Guidance to Licensing Authorities states:

7.58 – In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposals.

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

7.65 - When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

(vi) Duplication with other regulatory regimes

This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning or building approval, in its consideration of it. It will though listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning controls, buildings and other regulations and must not form part of the consideration for the premises licence.

Licensing Objectives- Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance (Part 5) to licensing authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - This licensing authority is aware that the Gambling Commission takes a role in preventing gambling from being a source of crime. The Gambling Commission's Guidance (5.3) does however envisage that licensing authorities may need to consider the location of premises in the context of this licensing objective. Thus, where an area has known problems with disorder, organised criminal activity etc, this licensing authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way - This licensing authority has noted that the Gambling Commission (5.11 & 5.12) states that "Generally the Commission would not expect licensing authorities to find themselves dealing with issues of fairness and openness frequently. Fairness and openness is likely to be a matter for either the way specific gambling products are provided and therefore subject to the operating licence, or will be in relation to their suitability and actions of an individual and therefore subject to the personal

licence. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below.

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission's Guidance (5.13 - 5.18) that " In exercising their powers under S 153, licensing authorities should consider whether staff will be able to adequately supervise the gambling premises, as adequate staffing levels is a factor to consider regarding the prevention of underage gambling" It later states "Supervision also applies to premises that are themselves not age restricted (e.g. bingo and family entertainment centre premises) but which make gambling products and facilities available." If this licensing authority considers the structure or layout of the premises to be an inhibition or potential inhibition to satisfying this licensing objective, the licensee should consider what changes are required to ensure the risk is mitigated (5.15). Such changes might include the positioning of staff or CCTV, the use of floor-walkers and the relocation of the staff counter to enable direct line of sight.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition but states that "it does, for regulatory purposes, assume that this group includes people who gamble more than they want to; people who gambling beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs." This licensing authority will consider this licensing objective on a case-by-case basis.

Conditions- Any conditions imposed by this licensing authority will be proportionate to the circumstances which they are seeking to address. In particular, this licensing authority will ensure that the premises licence conditions are (9.31):

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for
- fairly and reasonably related to the scale and type of premises
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case-by-case basis, although there will be a number of measures this licensing authority will consider utilising where there is evidence of a need to do so, such as the use of door supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. The Gambling Commission states (7.31) "With the exception of bingo clubs, tracks on race-days and licensed FEC`s, children will not be permitted to enter licensed gambling premises. Therefore, businesses will need to consider carefully how they wish to configure their buildings if they are seeking to develop multi-purpose sites."

Further, the guidance at 7.26 states "Licensing authorities should take particular care in considering applications for multiple premises licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware of the following:

- the third licensing objective seeks to protect children from being harmed or exploited by gambling. In practice this means not only preventing them from taking part in gambling, but also prevents them from being in close proximity to gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- customers should be able to participate in activity named on the premises licence.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

Gambling Act 2005 Section 182-access by children and young persons to tracks. This licensing authority is aware (9.17) that Section 182 of the Act applies only to a betting premises licence in respect of tracks. It requires the licensee to ensure that children and young persons are excluded from any area in which facilities for betting are provided and from any area where a gaming machine (other than a category D gaming machine) is situated. The exception to this, for betting areas only, is on race days at dog and horse racing tracks that is on those days when racing occurs or is expected to take place. In those cases, under -18s may have access to betting areas but licensing authorities should note that this exception does not affect the prohibition on betting by children and young persons.

It is also noted (9.32) that there are conditions which the licensing authority cannot attach to premises licences which are:

- s.169 (4) prohibits a licensing authority from imposing a condition on a premises licence which makes it impossible to comply with an operating licence condition.
- s.172 (10) provides that conditions may not relate to gaming machine categories, numbers, or method of operation.
- S.170 provides that membership of a club or body cannot be required by attaching a condition to a premises licence (the Act specifically removed the membership requirement for casino and bingo clubs and this provision prevents it being reinstated).
- S.171 prevents a licensing authority imposing in relation to stakes, fees, winnings or prizes.

Door Supervisors- The Gambling Commission advises in its Guidance to Licensing Authorities (33.1) that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence condition to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

2. Adult Gaming Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18-year-olds do not have access to the premises (see guidance part 21)

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3. (Licensed) Family Entertainment Centres:

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas (see guidance Part 22).

This licensing authority may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

4. Casinos

No Casinos resolution - This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005 but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this Statement of Principles with details of that resolution. Any such decision will be made by the Full Council.

Licence considerations / conditions – This licensing authority will attach conditions to casino premises licences according to the principles set out in the Gambling Commission's Guidance at Part 9, bearing in mind the mandatory conditions listed in Part 17 of the Guidance, and the Licence Conditions and Codes of Practice published by the Gambling Commission.

Gaming machines - No person under the age of 18 is permitted to enter a casino and operators are required to display notices to this effect at all entrances to a casino. The Social responsibility Code states "licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises in order to prevent underage gambling". Part 17.36 further states "there should be no access to a casino from premises wholly or mainly used by children and young persons". Part 17.55 of guidance lists the key elements that underpin the approach to controlling where gaming machines may be played in casinos.

5. Bingo premises

This licensing authority notes that the Gambling Commission's Guidance states:

18.5 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises.

This authority also notes the Guidance at paragraph 18.9 " In the unusual circumstance that an existing bingo premises covered by one premises licence applies to vary the licence and acquire additional bingo premises licences (so that the area that was the subject of a single licence will become divided between a number of separate licensed premises) it is not permissible for all of the gaming machines to which each of the licences brings an entitlement to be grouped together within one of the licensed premises.

18.7 Children and young people are allowed into bingo premises; however, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

6. Betting premises

Gaming Machines - Section 172(8) of the Act provides that the holder of a betting premises licence may make available for use up to four gaming machines of category B,C or D. Guidance (19.4) states "Children and young persons are not permitted to enter premises with a betting premises licence, although exemptions apply to tracks, as explained in Part 20 guidance, and S.46 and S.47 of the Act set out offences if inviting, causing or permitting a child or young person to gamble, or to enter certain gambling premises. Social Responsibility code 3.2.7(3) in the Licence Conditions and Codes of Practice further states "licensees must

ensure that their policies and procedures take account of the structure and layout of their gambling premises in order to prevent underage gambling.

7. Tracks

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance (Part 20), this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Gaming machines -Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded (Part 20.33 - 20.38)

Betting machines - The Council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence.

Betting machines can be described as automated betting terminals where people can place bets on sporting events removing the need to queue up and place a bet over the counter.

When considering whether to impose a condition to restrict the number of betting machines in particular premises, the council, amongst other things, will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines.

Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including any Fixed Odds Betting Terminals (FOBTs), then applicants should consider the control measures related to the protection of vulnerable persons, highlighted in 3.3.2. Where certain measures are not already addressed by the mandatory/default conditions, Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

Applications and plans-The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities, paragraph 20.43).

Plans for tracks do not need to be in a particular scale but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to Licensing Authorities, paragraph 20.44).

In the majority of cases, such as greyhound tracks, racecourses, football stadia and cricket grounds, defining the extent of boundaries may be assisted by reference to existing plans already submitted to obtain other permissions (20.45). These could include the obtaining of a safety certificate under "Safety at Sports Ground" legislation or the historic boundaries under previous legislation such as the approval of tracks under Schedule 3 of the Betting, Gaming and Lotteries Act 1963.

It is sometimes difficult to define the precise location of betting areas on tracks (20.46). The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Licensing authorities should satisfy themselves that the plans provide sufficient information to enable them to assess an application.

As the plan forms part of the licence document, it also needs to be sufficiently flexible to ensure that a relatively small change in the premises layout would not require an operator to submit an application to vary the track premises licence (20.47). Only a significant change to the track layout would require a licence variation. For example, moving a category C gaming machine from one end of a bar that had been marked on the plan as a gaming machine area to another may not necessitate a full variation to a tracks premises licence, nor would the establishment of a new betting area at a racetrack, as neither of these events have any impact on the purpose of the licence or the conditions attached to it. However, relocating category C machines to entirely different parts of a track would generally need to be the subject of an application to vary the premises licence.

8 Travelling Fairs

Travelling fairs may provide an unlimited number of category D machines provided that facilities for gambling amount to no more than an ancillary amusement at the fair. They do not require a permit to provide these gaming machines but must comply with legal requirements about how the machine operates. Higher stake category B and C fruit machines are not permitted. Fairground operators must source their machines from a Commission licensed supplier and employees working with gaming machines must be at least 18 years old (30.2 - 30.3).

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair (30.1).

It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This licensing authority will therefore monitor the use of land and maintain a record of its use. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded (30.5).

9. Provisional Statements

Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement (11.2 -11.3).

Section 204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired (11.7). The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless (11.8 - 11.9):

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

In addition (11.10), the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by representations at the provisional statement stage
- which in the authority's opinion reflect a change in the operator's circumstances

- where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

10. Reviews

Section 197 of the Act (see also guidance Part 10) provides that an application for review may be made by a responsible authority, or an interested party detailed in Part 8 of this guidance. Such applications must be submitted to the licensing authority in the prescribed form and state the reasons why a review is being requested, together with any supporting information and documents. The regulations also require the applicant to provide written notice of their application to the premises licence holder and to all responsible authorities, within seven days of making their application. Failure to do so will halt the application process until notice is received by all parties.

Section 199 of the Act (Part 10.14 guidance) provides that a licensing authority must grant an application for review, unless it decides to reject the application under section 198 of the Act. By virtue of section 198, an application may, but need not, be rejected if the licensing authority thinks that the grounds on which the review is sought:

- are not relevant to the principles that must be applied by the licensing authority in accordance with section 153 of the Act, namely the licensing objectives, the Commission`s codes of practice and this Guidance, or the licensing authority`s statement of policy
- are frivolous
- are vexatious
- "will certainly not" cause the licensing authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence
- are substantially the same grounds cited in a previous application relating to the same premises
- are substantially the same as representations made at the time the application for a premises licence was considered.

In the case of the last two bullet points mentioned above, the licensing authority shall take into account the period of time that has passed since the previous application or representations were made, in deciding whether this is a reasonable basis for not reviewing the licence. As licensing authorities are required to permit the use of premises for gambling, insofar as it is in accordance with the Section 153 principles (10.16) applications that raise general objections to gambling as an activity, that relate to demand for gambling premises, or raise issues relating to planning, public safety, and traffic congestion are unlikely to be considered an appropriate basis for review, leading to rejection under the first bullet point mentioned above. The decision to grant a review will not amount to pre-judging the outcome of a review.

In relation to particular premises, the licensing authority may review any matter connected with the use made of the premises if (10.7):

- it has reason to suspect that premises licence conditions are not being observed
- the premises is operating outside of the principles set out in the licensing authority`s statement of policy
- there is evidence to suggest that compliance with the licensing objectives is at risk

- for any other reason which gives them cause to believe that a review may be appropriate, such as a complaint from a third party

A formal review would normally be at the end of the process of ensuring compliance by the operator(s) which might include an initial investigation by the licensing authority officer, informal mediation or dispute resolution. If concerns are not resolved then, after a formal review, the licensing authority may impose additional conditions or revoke the licence (10.8).

Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28-day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The licensing authority must carry out the review as soon as possible after the 28-day period for making representations has passed.

The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified (10.19), the options open to the licensing authority are:-

- add, remove or amend a licence condition imposed by the licensing authority
- exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion
- suspend the premises licence for a period not exceeding three months
- revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations (10.21).

In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them (10.20).

Once the review has been completed (10.22), the licensing authority must, as soon as possible, notify its decision to:

- the applicant for review (if any)
- the Commission
- any person who made representations
- the licence holder
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

PART C
Permits / Temporary & Occasional Use Notice

1. Unlicensed Family Entertainment Centre (FEC) gaming machine permits (Statement of Principles on Permits – Schedule 10 para 7)

Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 24. The Gambling Commission's Guidance to licensing authorities also states: "In its statement of policy, a licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications for permits. In particular it may want to set out the matters that it will take into account in determining the suitability of the applicant. Given that the premises is likely to appeal particularly to children and young persons, licensing authorities may wish to give weight to matters relating to the protection of children from being harmed or exploited by gambling and to ensure that staff supervision adequately reflects the level of risk to this group. Licensing authorities are also encouraged to also specify in their statement of policy that a plan for the uFEC must be submitted. (24.8).

Guidance also states: "An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application" (24.9). Licensing authorities might wish to consider asking applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act), and
- that staff are trained to have a full understanding of the maximum stakes and prizes. (24.7)

It should be noted that a licensing authority cannot attach conditions to this type of permit.

Statement of Principles = this licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits; however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

Further, applicants will have to provide:-a) a scaled plan of the premises and its location, b) Criminal Records Check (CRB) for staff working on such premises who would specifically come into contact with children, c) evidence that staff have received relevant training to deal with children/children`s issues and d) evidence of public liability insurance when making this type of application.

2. (Alcohol) Licensed premises gaming machine permits – (Schedule 13 Para 4(1)) Automatic entitlement: 2 machines

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines of categories C and/or D. The premises merely need to notify the licensing authority (Part26).

This licensing authority can remove the automatic authorisation in respect of any particular premises (26.6) if;

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of section 282, for example the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines
- the premises are mainly used for gaming
- an offence under the Gambling Act has been committed on the premises

Permit: 3 or more machines- If a premises wishes to have more than 2 machines, then it needs to apply for a permit (licensed premises gaming machine permit). In determining an application, the licensing authority must have regard to the licensing objectives and to Gambling Commission guidance. They may also take account of "any other matters" that are considered relevant to the application. The application does not require notification to the Commission or police before determination, however, licensing authorities are able to specify this as a requirement should they see fit.

This licensing authority considers that "any other matters" will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy this authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for and dealt with as an Adult Gaming Centre premises licence.

It should be noted that this licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize Gaming Permits – (Statement of Principles on Permits - Schedule 14 Para 8 (3))

The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit”.

This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer, and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law
- Clear policies that outline the steps to be taken to protect children from harm.

In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance (Gambling Act 2005, Schedule 14 paragraph 8(3)).

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions.

The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

4. Club Gaming and Club Machines Permits

Members Clubs and Miners’ Welfare Institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D but only one B3A machine can be sited as part of the entitlement), equal chance gaming (without having to abide by the stake and prize limits which would apply to exempt gaming in the absence of a permit) and games of chance as prescribed in regulations, namely pontoon and chemin de fer. This is in addition to the exempt gaming authorisation under Section 269 of the Act. A Club machine permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C and D).

The licensing authority has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit (25.44). It is suggested that applicants for permits should be asked to supply sufficient information and documents to enable the licensing authority to take account of the matters discussed in parts 25.45, 25.46 & 25.47, at the time they submit their applications to the licensing authority. This authority will consider these matters in order to satisfy itself that the club meets the requirements to obtain a club gaming certificate

The Commission Guidance (25.38) also notes that "licensing authorities may only refuse an application on the grounds that:

- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- (b) the applicant's premises are used wholly or mainly by children and/or young persons;
- (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- (d) a permit held by the applicant has been cancelled in the previous ten years; or
- (e) an objection has been lodged by the Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance to licensing authorities (25.41) states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced."

The grounds on which an application under the process may be refused are (25.43):

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. Temporary Use Notices

It is an offence to provide facilities for gambling unless either the required permissions are in place, or an exemption applies. One such exemption is for the **holder** of an operating licence to notify a Temporary Use Notice (TUN) to the relevant licensing authority. This is not a permanent arrangement, but allows premises such as hotels, conference centres or sporting venues to be used temporarily for providing facilities for gambling. A TUN may also apply to a vessel, whether moored or moving. TUN's are often, but not exclusively, used to run poker tournaments (14.1).

The primary legislation in respect of TUN's can be found at sections 214-234 of the Act and Part 14 of guidance.

Section 218 of the Act refers to a "set of premises" and provides that a set of premises is the subject of a TUN if "any part" of the premises is the subject of a notice. The reference to "a set of premises" prevents one large premises from having a TUN in effect for more than 21 days in a year by giving notification in relation to different parts of the premises and re-setting the clock. The definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition, licensing authorities will need to look at, amongst other things, the owner/occupation and control of the premises (14.10 &14.11)

The licensing authority and other bodies to which the notice is copied should consider whether they wish to give a notice of objection. This licensing authority, in considering whether to do so, will have regard to the licensing objectives and if this authority consider that the gambling should not take place, or only with modifications, will give a notice of objection to the person who gave the TUN. The notice of objection will be given within 14 days, beginning with the date on which the TUN was given.

6. Occasional Use Notices:

This licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice (part 15).

Annex A

List of Consultees

North Yorkshire Police Licensing
North Yorkshire Fire & Rescue Service
Ryedale District Council - Environmental Health
Health & Safety Executive
Ryedale District Council - Planning and Development
North York Moors National Park Authority
North Yorkshire Safeguarding Children Partnership
NYCC Social Services
NYCC Director of Public Health
NYCC Trading Standards
The Gambling Commission
HM Revenue & Customs

Gamblers Anonymous
Be Gamble Aware
Gamcare
Gordon Moody Association
The Bingo Association
The National Association of Bookmakers
BACTA
Betting & Gaming Council
British Institute of Inkeepers
British Beer and Pub Association

Inspired Gaming (UK) Limited
William Hill Bookmakers Ltd
Star Sports
Flamingo Land Ltd
Yorkshire Housing

ANNEX B

Table of delegation of licensing functions

MATTER TO BE DEALT WITH	FULL COUNCIL	LICENSING COMMITTEE/SUB COMMITTEE	OFFICERS	COUNCIL SOLICITOR
Three year licensing policy	X			
Policy not to permit casinos	X			
Fee setting-when appropriate		X		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn	
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn	
Application for a transfer of a licence		Where representations have been received from the Gambling Commission	Where no representations received from the Gambling Commission	
Application for provisional statement		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn	
Review of premises licence		X		
Application for club gaming/club machine permits		Where representations have been received and not withdrawn	Where no representations received/representations have been withdrawn	
Cancellation of club		X		

gaming/club machine permits				
Application for other permits			X	
Cancellation of licensed premises gaming machine permits			X	
Consideration of Temporary Use Notices			X	
Decision to give a counter Notice to a Temporary Use Notice		X		
Determination as to whether a person is an interested party				X
Determination as to whether representations are relevant				X
Determination as to whether a representation is frivolous, vexatious or repetitive				X
Representative of Licensing Authority who will be responsible for making representations as the Responsible Authority on licence applications				X

Responsibility for attaching to premises licences Mandatory, Default and Specific Conditions			X	
Representative of Licensing Authority who can initiate a Licence review				X
Representative of Licensing Authority who can reject an application for a Licence review				X

X indicates the lowest level to which decisions can be delegated.

NB the Council reserves the right to amend this table of delegation

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REPORT TO: FULL COUNCIL

DATE: 23 FEBRUARY 2023

**SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES
COMMITTEE ON 9 FEBRUARY 2023**

82 Revenue and Capital Budget Monitoring Q3 2022/23

Recommendation

It is recommended that Council note the financial position as set out in this paper and that any over or underspend in revenue and capital will have an impact on reserves.

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	9 FEBRUARY 2023
REPORT OF THE:	CHIEF FINANCE OFFICER (s151) ANTON HODGE
TITLE OF REPORT:	REVENUE AND CAPITAL BUDGET MONITORING – Quarter 3 2022-23
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 The revenue budget for 2022/23 was approved by Council on 17 February 2022. This report and associated appendices present the financial performance against the budget as at 31st December 2022.

2.0 RECOMMENDATION

2.1 It is recommended to Council that:

- i) Members note the financial position as set out in this paper and that any over or underspend in revenue and capital will have an impact on reserves.

3.0 REASON FOR RECOMMENDATION(S)

3.1 To ensure that budget exceptions are brought to the attention of the Council in order to approve remedial action where necessary

4.0 POLICY CONTEXT AND CONSULTATION

4.1 The financial position and performance against budget is fundamental to delivery of the Council's Plan, achieving value for money and ensuring financial stability.

5.0 REPORT DETAILS

5.1 **Summary**

General Fund (see also Appendix A)

Based on estimates at the end of quarter 3, the revenue forecasts a deficit of **£169k**. Planned savings and efficiencies of £82k for the year, identified as part of the 2022-23 budget setting process were built into the base budgets and are reflected in the numbers below and appendix A.

This is a change since projected break-even at Q2 for a number of reasons, in particular:

- Additional one-off spend on various maintenance issues across the council, such as public conveniences (£41k), Malton Depot (£85k)
- Additional ongoing cost increases in fuel and energy
- Reassessment of Q2 estimates for investment income, where the market remains uncertain

Overall, such one-off costs account for around £160k and we should not expect to see them continuing beyond this financial year.

In addition, it should also be noted that this figure assumes that the full £500k set aside for LGR costs (see 5.3 below) will be required. The current position suggest that this is likely to underspend (by around £100k) and should this be the case, the overall position would reduce to an estimated overspend of **£69k**.

However at this stage, a cautious position is shown in this report.

Capital

As at the end of quarter 3, capital budgets are forecasting expenditure of £4,005k against a budget of £9,987k. It is expected that the bulk of the underspend relates to programme slippage, which will therefore be required to carry forward to ensure projects can be delivered in 2023-34 and beyond. Budgets include carry forwards of £7,564k from the previous year.

5.2 Revenue

The table below sets out the summary position, with details of forecast variances included in **Appendix A**.

General Fund Account – Q3 2022/23	Budget	Forecast	Variance
	£000's	£000's	£000's
Net Revenue Budget	9,574	9,750	176
Settlement Funding RSG/NDR	(4,962)	(4,969)	(7)
Amount to be met from Council Tax	4,612	4,781	169
Council Tax	(4,571)	(4,571)	0
Collection Fund Deficit	(41)	(41)	0
Net Revenue Budget (Surplus) / Deficit	0	169	169

The main variances are:

Expenditure

- **All Employee-related costs £166k overspend.** £69k forecast overspend in Planning, £67k overspend in Communications, £62k overspend in WES and underspend of £38k in Customer Services. This is after taking into account £350k which was drawn from reserves to cover the additional pay-award, per Q2 update.
- **Supplies and Services £44k underspend.** Main areas identified are savings in insurance premiums of £96k due to a 6-month insurance renewal. £32k increase in Public Conveniences cleaning contract and £10k increase in Legal Fees.
- **Vehicles and Transport £96k overspend.** Main areas identified are £35k increase in use of Diesel due to higher prices, £17k net overspend on short term hire vehicles pending replacement of 5 vans on leases, £20k additional costs of repairs by external garages and £25k on parts/materials (engine replacement), however this is being offset by the sale of scrap materials. This is reflected within the Waste & Recycling Income.
- **Premises related £283k overspend.** Additional repair/maintenance costs of £190k, £41k Public Conveniences, £20k Travellers Site, £85k Malton Depot, Community House & Ryedale House. Additional £92k in gas/electricity costs due to an increase in prices for Ryedale House, the Depot & Travellers site.

Income

- **Waste Collection & Recycling £196k surplus.** Kerbside recycling prices are above the budgeted levels predicted by £185k
- **Fees and Charges £191k shortfall.** Income expectations down by £126k in Planning team due to downturn in large developments coming forward. Rycare private income is down by £21k as well as the Pest Control Casual Treatments down by £11k.
- **Investment Income £270k surplus.** Investment Income revised in Q3 to a more conservative level as rate increases have settled and more accurate profile of new investments completed

Local Government Reorganisation (LGR)

- 5.3 Within the 2022/23 Financial Strategy, a £500k provision was created to support the Council's capacity to deliver LGR, recognising there was likely to be a significant strain on capacity across the authority. An approvals process is in place for services to access the funding, the table below summarises allocations of £290k made to date:

Original LGR Contingency Budget (£)	500,000
Balance Remaining (£)	209,919

Summary	Amount Requested (£)
Back fill food inspection duties	5,000
Economic Development	33,215
LGR communications support	29,950
Planning Support	74,765
Backfill water risk assessments	10,000
Communities support	34,520
Cemetery headstone safety inspections	10,000
Street Scene support	16,290
Revenue and Benefits Officer Grade 5	24,820
Admin Support Housing	16,290
CIL post (6 Months)	22,151
Housing Graduate	13,380
Total Requested	290,081

These figures do not yet include the costs of any redundancy payment to the Chief Executive and, allowing for further costs to be incurred in Q1, it is likely that this fund will underspend by approximately £100k. Should this be the case, the overall Q3 estimated overspend would reduce to £69k.

Inflation Pressures

- 5.4 As the UK cost of living surges, the risk of inflationary pressures increasing the cost of delivering Council services becomes more significant. A number of areas have been highlighted as particularly susceptible due to the price rises seen to date. These will be kept under review throughout the year as it is not yet clear when the impact of price inflation will materialise due to timing of contract terms.
- 5.5 The table below presents an indication of future risk, which will be assessed in more detail in quarter 2 and the remainder of the year:

Service / Budget Description	2022/23 Annual Budget (£)	Inflation included in budget (%)	Additional Inflation Risk (%)	Est / Actual?	Value of risk identified (£)	Narrative
Expenditure:						
Pay Award	9,238,748	3%	3.5% approx	Act	350,000	Impact of £1925 pay award above budgeted 3%
Electricity	150,100	38%	50%	Est	62,334	Estimated part year impact of prices increases at Q3
Gas	57,220	53%	50%	Est	29,817	Estimated part year impact of price increases at Q3
IT Contracts	315,580	3%	6%	Est	18,935	Based on an average actual inflation of 9% applied to 22/23 invoices. Some invoices have not increased at all while one has increased by nearly 15%.

Service / Budget Description	2022/23 Annual Budget (£)	Inflation included in budget (%)	Additional Inflation Risk (%)	Est / Actual?	Value of risk identified (£)	Narrative
Diesel	281,430	21%	10%	Est	34,534	Based on estimates at Q3
Income:						
Sale of Recyclates	-234,730	58%	50%	Est	-244,770	Given the current economic uncertainties, forecast estimates remain cautious at Q3
Investment Income	-80,000	0.5%	1.5%	Act	-270,000	Forecast revised at Q3 following reassessment of rates and balances.
Net Position	9,761,848				-191,150	

Capital Programme

- 5.6 The current approved programme for 2022-23 is £9.987m.
- 5.7 Within the capital programme, the main variances are shown below.
- 5.8 Forecast expenditure for the year is £4.005m, with estimated slippage of £5.982m.
- 5.9 The main variances relate to the following areas:
- (i) Industrial Units development (£2.29m) which is expected to slip into 23-24
 - (ii) Affordable Housing, with (£1.296m) to slip into 23/24
 - (iii) Vehicle Replacement – slippage of £695k primarily due to reprofiling the purchase of Waste Collection service vehicles pending LGR and outcome of Government Policy.

CAPITAL SCHEME	BUDGET 2022/23	FORECAST Q3 2022/23	VARIANCE
	£'000	£'000	£'000
Vehicle Replacement Programme	1,022	328	-694
Trade Waste Equipment	29	15	-14
Replacement of Garage Inspection pit	160	29	-131
Property Condition Survey: Investment Operation Assets	32	4	-28
Property Condition Survey: Milton Rooms	212	65	-147
Property Condition Survey: Car Parks	30	0	-30
Property Condition Survey: Streetlights	180	187	7
Property Condition Survey: West Gate Carr	87	0	-87
Property Condition Survey: St Leonard's Wall	263	0	-263
Property Condition Survey: Former Transfer Waste Site	12	0	-12
Property Condition Survey: Public Conveniences	37	37	0
Property Condition Survey: Unallocated	113	103	-10
Car Park Action Plan	100	100	0

Industrial Units - New Development	2,290	0	-2,290
Milton Rooms - Ring-fenced for business case	32	32	0
Ryedale House - COVID safe adjustments	8	0	-8
Livestock Market	280	130	-150
Community Facilities in Pickering	200	93	-107
Malton and Norton Infrastructure	350	166	-184
Malton to Pickering Cycle Route	198	163	-35
Skatepark	50	50	0
IT Infrastructure Strategy	256	210	-46
Animal Welfare	45	32	-13
Cleaner Streets	60	60	0
Aff HSG Init: Exception Sites Land Purchases	100	0	-100
Aff HSG Init: Railway Tavern	257	404	147
Aff HSG Init: Extended Programme Delivery	2,012	669	-1,343
Property Improvement Loans	136	96	-40
Landlord Improvement Loans/Grants	50	20	-30
Privates Sector Energy Efficiency Grants	10	50	40
Private Sector Renewal - Disabled Facility Grants	653	600	-53
Community Housing Fund	289	0	-289
Mortgage Rescue Scheme	21	0	-21
Flooding Contingency	252	202	-50
Projects in Ryedale's Rural Communities	160	160	0
TOTAL	9,987	4,005	-5,982

5.10 A number of programme variations are currently in the process of approvals, such as additional costs in relation to the Industrial Units development. These will be added to the programme subject to Council approval and any necessary S24 approvals if additional funding is required.

Reserves

5.11 Opening useable reserve balances for the financial year were £14.978m, with an approved net use of £6.528m agreed as part of the 2022-23 Budget. Taking into account capital programme slippage, and latest revenue budget estimates, the forecast reserve position at the end of the financial year is as follows:

	Actual 31.03.22 £'000	Estimated 31.03.23 £'000	change £'000	Notes
General Reserve	3,517	3,517	0	
Capital Fund	4,329	2,305	-2,024	1
Carry Forward Reserve	549	0	-549	2
Collection Fund Reserve	648	412	-236	3
New Homes Bonus Reserve	3,582	3,582	0	
Strategic Reserve	1,530	-1,005	-2,535	4
Election Reserve	37	-53	-90	5

Council Tax Hardship Fund	49	49	0	
Pension Reserve	306	679	373	6
Grants Reserve	431	431	0	
	14,978	9,917	-5,061	

Notes:

1. Reflects spend within Capital Programme
 2. It is expected budgets carried forward will be utilised in the following year
 3. Planned use of reserve to support revenue budget
 4. Planned use of reserve to support revenue budget
 5. Fund created to set aside costs of future elections
 6. Savings from Pension rate reduction set aside to mitigate against future increases.
- 5.12 The expected use of these reserves in year will be reviewed as the capital programme progresses along with forecast estimates of revenue budgets supported by reserves. It should be noted that slippage in the capital programme will require adequate reserve balances in 22-23 and beyond to support expenditure, currently estimated at £3,575m.

6.0 IMPLICATIONS

6.1 The following implications have been identified:

- a) Financial
Included in the body of the report
- b) Legal
There are no legal implications identified as part of this report
- c) Other
None to report, although in any report to Committee and Council, it will be noted that any proposals which may impact on Equalities, Staffing, Planning, Health & Safety, Climate Change, Environmental, Crime & Disorder will be assessed as part of the budget process.

Anton Hodge
Chief Finance Officer (s151)

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Background Papers:

None

Background Papers are available for inspection at:

N/A

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Management Accounts 2022/23

Results as at Quarter 3 - 2022/23

	Prior Year	Latest Approved	Year to Date		Full Year	Variances		COMMENTS
	Actual	Budget	Actual 8 Months	Budget 8 Months	Q3 Forecast	Year to Date	Forecast Variance	
INCOME								
Fees & Charges	(2,931)	(3,044)	(1,845)	(1,994)	(2,853)	148	191	Income down by £132k in Planning due to downturn in large developments coming forward and pre-app advice. Ryecare private income down by £21k, Pest Control Casual Treatments down by £11k. Shortfall in Street Naming and numbering £10k. Shortfall expected in Housing rents of £34k across various properties. This is offset by a number of smaller surpluses.
Government Grants	(1,469)	(335)	(422)	(223)	(352)	(198)	(17)	Additional grant income including Verify Earnings & Pensions (VEP) income due from DWP.
Grants & Contributions Inc	(257)	(133)	(169)	(89)	(171)	(80)	(38)	£35k from NYCC for the Directors of Development Masterplan Funding
Housing Benefits	(7,129)	(6,815)	0	(50)	(6,815)	50	0	
Investment Income	(55)	(80)	(16)	(57)	(350)	40	(270)	Investment Income revised in Q3 to a more conservative level as rate increases have settled and more accurate profile of new investments completed
Waste Collection & Recycling Inc	(2,119)	(2,145)	(1,936)	(1,819)	(2,341)	(117)	(196)	Kerbside recycling prices are above the budgeted levels predicted by £185k
Recharges	660	(130)	(1)	(3,354)	(121)	3,354	9	
TOTAL SERVICE INCOME	(13,299)	(12,682)	(4,388)	(7,586)	(13,003)	3,198	(321)	
Salaries & Employee Costs	9,597	10,682	6,467	7,402	10,848	(935)	166	£69k overspend in planning (3 additional planning officers), 67k overspend in Comms (additional Corp Manager post), £62k overspend in WES (additional hours worked by staff before TOM review) and £38k underspend in Customer Services due to vacant posts
Supplies & Services	2,545	3,797	2,085	2,461	3,753	(376)	(44)	Savings in insurance premiums of £96k due to 6 month insurance renewal. £32k increase in New Public Conveniences contract based on twice daily cleans, and £10k increase on Legal Fees
Vehicles & Transport	866	820	348	484	916	(136)	96	Diesel £35k over spent due to higher prices, £17k net overspend on short term hire vehicles pending replacement of 5 vans on leases, £20k additional costs of using external garages for repairs, parts/materials are £25k above budget (engine replacement)
Premises	1,658	892	810	660	1,175	150	283	Additional repair/maintenance costs of £190k (£41k public conveniences, £20k Travellers site, £85k for Depot/Community House & Ryedale House). Additional £92k in gas/electricity costs due to an increase in prices for Ryedale House, the Depot & Travellers site.
Drainage Board Levies	104	107	108	107	107	1	0	
Grants & Contributions	963	2,115	3,985	567	2,110	3,418	(5)	
Housing Benefit Payments	7,291	6,863	5,011	4,576	6,863	435	0	
Additional Capacity & Provisions	21	(51)	0	(347)	(51)	347	0	
Interest Payable	52	55	31	55	55	(24)	0	
Capital A/c	(105)	159	(650)	(331)	159	(319)	0	
TOTAL SERVICE EXPENDITURE	22,992	25,438	18,196	15,635	25,934	2,562	496	
FINANCING & RESERVES								
Collection Fund (Surplus) / Deficit	(39)	(41)	0	0	(41)	0	0	
Council Tax	(4,483)	(4,571)	1,135	0	(4,571)	1,135	0	
NNDR	(1,639)	(2,318)	2,055	0	(2,318)	2,055	0	

£4,856

OFFICIAL

AF

RSG	0	0	0	0	0	0	0
General Government Grant	(2,381)	(2,644)	(773)	(883)	(2,651)	110	(7)
Transfers to / from Reserves	(628)	(3,182)	0	0	(3,182)	0	0
TOTAL FINANCING & RESERVES	(9,171)	(12,755)	2,417	(883)	(12,762)	3,300	(7)
GF (SURPLUS) / DEFICIT	523	0	16,226	7,166	169	9,059	169

APPENDIX A



REPORT TO: FULL COUNCIL

DATE: 23 FEBRUARY 2023

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES
COMMITTEE ON 9 FEBRUARY 2023

83 Delivering the Council Plan – Q2 2022/23

Recommendation

That Council be recommended to:
(i) Note the progress report

Members acknowledged officers' good performance.

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	09 FEBRUARY 2023
REPORT OF THE:	PROGRAMME DIRECTOR PEOPLE AND RESOURCES MARGARET WALLACE
TITLE OF REPORT:	DELIVERING THE COUNCIL PLAN – QUARTER 2
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report introduces the Q2 performance summary; focussing on the delivery of key performance indicators that align to the Council Plan, statutory returns and narrative against the Council's identified objectives for the year.

2.0 RECOMMENDATION

It is recommended to Council that:

- (i) The progress report is noted.

3.0 REASONS FOR RECOMMENDATION

- 3.1 The Q2 performance report has already been presented to Overview and Scrutiny Committee as an update on the Key Performance Indicators (KPIs) outside of target at Q1. Performance through the Q2 remains good and there are no targets outside of their level of tolerance; with almost 90% of KPIs performing 'in target', and the remainder within their accepted tolerance levels.

4.0 SIGNIFICANT RISKS

- 4.1 The Council will be judged on its performance in relation to how it delivers its Council Plan. Each quarterly review identifies the progress made towards the delivery of the Council Plan, alongside highlighting key performance information relating to statutory returns. The review also provides a narrative review of the quarter including 'deep dives' into specific areas of performance that require further analysis or where a specific request has been made to provide additional detail.

- 4.2 By reporting on performance this way, the Council is able to review performance, establish trends and identify any significant risks linked to performance; specifically declining performance and any concerns linked to failure to discharge any statutory requirements.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The aims and objectives of the Council are defined within the Council Plan. The aims and objectives over the period 2020-2024 are broken down into 4 overarching categories of:
- Our Communities
 - Our Economy
 - Our Environment
 - Our Organisation.
- 5.2 The performance report mirrors this structure providing clarity over what has been achieved in relation to each council priority.

REPORT

6.0 REPORT DETAILS

- 6.1 Performance against the tier 1 KPI's remains positive with 87.50% of indicators being within target and the remaining 12.50% currently within their tolerance levels. This means that there are no indicators outside of target and outside tolerance in Q2 (July-September 2022).
- 6.2 The indicators that are currently within tolerance are:
- % of household waste composted
 - % of household waste sent for reuse, recycling or composting
 - Residual households waste – kg/hh
- 6.3 In the case of both the waste for composting and waste sent for reuse, recycling and composting there is a significant degree of seasonality that has occurred. Impacting significantly on the levels of composting that has taken place; primarily over the period of July-September due to the hot and dry weather.
- 6.4 The level of residual household waste has also missed target; however, has shown improvement compared to Q1. Should the same level of improvement be recorded in Q3 this would be in target. Consequently, the improvement recorded is positive and the trend bodes well for the second half of the year.
- 6.5 Some indicators highlight excellent performance. As with the results evidenced in Q1 performance across the Revenues and Benefits Team remains exceptional and well ahead of target; as is the performance of the Planning Team. In both cases all relevant KPIs have continued to either perform well within target or have continued to improve.
- 6.6 A number of data only indicators also exist; these help to track performance to services and exist where it would be difficult or impractical to impose a target on the

basis of a number of external influences affecting service delivery. Of these two specific measures should be discussed.

- Number of Ryecare customers
- Long-term empty properties

6.7 In the case of the number of Ryecare customers performance has shown a couple of periods of sustained reduction. There is an argument for some degree of seasonality leading to a natural reduction in customers; and the main reason for customers leaving the service is acknowledged as them either going in to care or dying; however, with the accelerated decrease it is possible that other factors are impacting on the change that will need investigating. The obvious cause could be linked to the cost of living crisis however initial investigations have suggested this has had minimal impact.

6.8 The indicator for long-term empty properties has been under review since the start of the year to ensure that it allows for the best analysis of the work of the team in bringing empty homes back in to use. This has been changed to reflect the total number of empty homes across the district and not just the ones that have seen significant intervention by the council. It has already been agreed that a deep dive into this indicator will take place in the Q3 report.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- (i) Financial
 - There are no financial implications linked to this report
- (ii) Legal
 - There are no legal implications linked to this report
- (iii) Environmental, Ecological, Climate Change and Carbon
 - There are no issues identified in relation to the authority's climate change priorities.
- (iv) Equalities
 - The content of this report has been assessed under the Council's Equality Impact Assessment (EqIA) process and it was determined that an EqIA was not required
- (v) Staffing
 - There are no staffing implications linked to this report.
- (vi) Planning
 - There are no planning implications linked to this report.
- (vii) Health and Safety
 - There are no health and safety implications linked to this report.

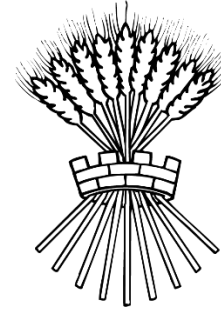
- (viii) Crime & Disorder
 - There are no crime and disorder implications linked to this report
- (ix) Data Privacy
 - There are no data privacy implications linked to this report

Margaret Wallace
Programme Director – People and Resources

Author: Richard Mair – Service Manager Corporate Resources (People)
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Background Papers:
Appendix A – Quarter 2 Performance Report

RYEDALE DISTRICT COUNCIL



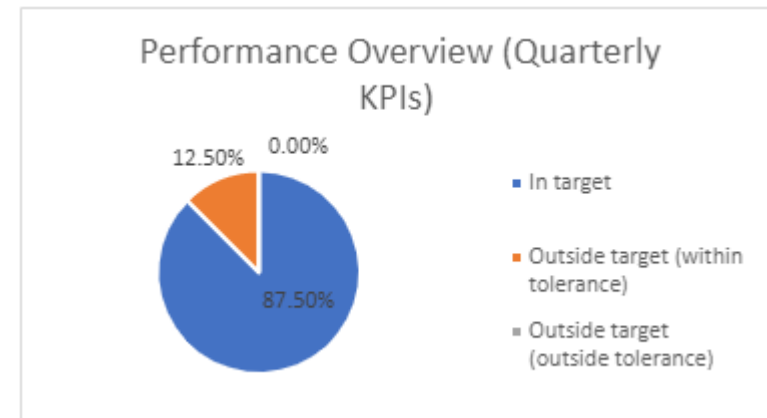
DELIVERING THE COUNCIL PLAN: QUARTERLY PERFORMANCE REPORT JULY – SEPTEMBER 2022

This report provides an overview of the Council's performance over the period of 01 July – 30 September 2022. It provides a review of the performance against that reported in Quarter 1 whilst also providing some narrative against progress of the Council Plan and key initiatives that have been completed over the Quarter 2 period.

SUMMARY OF PERFORMANCE

As part of an exercise to provide greater links between the council plan and the key performance indicators used by the council, a new two-tier dashboard has been created. Tier one comprises statutory returns and performance items linked to the council plan and key strategies, whilst tier two covers items needed by SMB to evaluate operational performance in more detail. Where concerns exist concerning tier two performance indicators, they will be flagged in these quarterly performance reports alongside any plans for addressing these concerns. Tier one indicators comprise the following:

- Quarterly KPIs
- Annual KPIs
- Data-only indicators



This quarter, progress has been made in reducing the number of indicators outside of target and those within the tolerance levels. This has meant that there has been a jump to 87.50% of all indicators being within target. Some data is still being verification with DEFRA (WES KPIs); and therefore these may be revised following this process.

KEY TO TERMS

Trend

N/A - No trend data exists (typically used for new indicators or data-only measures where there may not be a target to compare performance against).



– Performance is improving compared to the previous quarter



– Performance has deteriorated compared to the previous quarter



– Performance has remained static

RAG Indicators:



Data only – This refers to an indicator that tracks performance but is not a KPI or statutory return; therefore, it is included for information only.



In target – Performance that is ahead of target or has been delivered within the agreed parameters.



Outside target but within tolerance – This refers to indicators that are just outside of target but within a set tolerance level. These are indicators that need to be watched and have agreed actions to manage.





Outside of target – These indicators are out of target. Plans to address performance will be highlighted in the relevant narrative section.














Council Plan Progress

Whilst many KPIs link back to the council plan priorities it is also acknowledged that each area of the plan details a number of projects, initiatives or activities that are not measured via clear performance indicators. Each section also contains a summary of any work completed in these areas over the previous quarter.

COMMUNITIES: STRONG, INCLUSIVE AND ATTRACTIVE

KPIs

Description	Target	Q2 Performance	Trend	RAG Status	Narrative
Community grants	Data only	£72k	N/A		<p>£72k was awarded in August with the remaining £137k due for awarding in Q3. Some examples of how this money has been allocated are as follows - Ryedale Community Foodbank have been awarded £5,000 to tackle food poverty across Ryedale, Coast & Vale Community Action have been granted £8,000 for their work on renewable energy sources, Resume Foundation have been awarded £4,000 to help open a new employability surgery in Pickering, Terrington Bowls Club received £300 for their Let's be Seated campaign, £8,000 has been given to NY Music Therapy Centre for inclusive music sessions, and £4,259 was granted to Community Counselling Ltd to help improve access to talking therapy.</p>
Number of Ryecare customers	Data only	481	N/A		<p>The number of Ryecare customers has continued to fall. Based on the reduction witnessed between Q1 and Q2 the expected loss of income is between £1,010 - £2,045 depending on the level of service they have. Whilst not a significant loss, the ongoing loss of customers should be acknowledged along with considering potential growth strategies considering the local demographic and expected demand for the service.</p> <p>Sadly, given the nature of the service a significant number of losses relate to customers going in to care or death; as yet the service has not seen a change in demand due to the cost-of-living crisis and this has not been cited as a reason for anyone discontinuing the service.</p>

Speed of processing Council Tax Support change events	<12 days	2 days			Whilst still performing ahead of target, the comparison to Q1 shows a slight reduction with an increase in processing time recorded as .72 days.
Speed of processing - changes of circumstances for Housing Benefit / Council Tax Support claims	<12 days	1.6 days			The service has reduced the average time to process change of circumstances from 1.8 days reported in Q1 to 1.6 days in Q2. Again, this remains significantly ahead of target. This excellent performance is especially impressive considering an increase in workload due to government initiatives such as the Council Tax Energy rebate scheme and phase two of the Household Support fund.
Time taken to process Housing Benefit/Council Tax Benefit new claims and change events - Cumulative	<10 days	2.2 days			This continues to improve with the processing time reducing from 2.33 days to 2.20. In keeping with the trends established by the Revenues and Benefits Team, performance continues to excel and the service remains the best performing in the region.
Speed of processing new Housing Benefit claims	<21 days	4.2 days			Again, the service continues to perform well ahead of the target and has shown a substantial reduction in time taken to process new claims over the Q2 period; reducing from 8.95 days to 4.2 days.
Speed of processing new claims for Council Tax Support	<25 days	11.5 days			This indicator has also shown improvement with the performance remaining well ahead of target and the time taken to process reducing by 2.25 days.
Speed of processing Housing Benefit change events	<12 days	2 days			This continues to perform ahead of target and has also shown a slight improvement when compared to Q1, which came in at 2.3 days.
Number of cases were Housing Services successfully prevented or relieved homelessness through Advice and Proactive Intervention	39	33	N/A		The number of cases supported over the quarter is broadly aligned with the figures reported in Q1 (32). In both periods this is just outside the target of 39 households supported. New staff are now in place and trained and the service is well placed to support any increase in case numbers that arise through the current economic crisis.

Council Plan Progress

Healthy and happy communities: support for creative industries

The Council is making significant progress in its allocation of funding to support a variety of different Council Plan priorities. Most notably two funds that have clear equalities impacts have started to be allocated to community groups: the Small Arts Grants and Community Grants.

Small Arts Grants

The third and final round of the Small Arts Grants Fund opened in September, allowing organisations and freelance artists to apply for grants up to £1,000 with the requirement that the projects are completed by the end of the 2022/23 financial year to coincide with the end of Ryedale District Council. The bids have started to be received as of the end of Q2. A more thorough summary of the projects supported and their anticipated impacts and outcomes will be highlighted in the Q3 performance report.

Community Grants

One of the Council's key priorities is to support the delivery of initiatives that will enhance the lives and lived experiences of people across the Ryedale district. This year a substantial Community Development Budget has been created to support community groups deliver on their aims and objectives. Due to the timescales involved with bidding for funds there was no allocation made in Q1; however, a total of £72k from the total budget has been issued in Q2, supporting 26 different projects.

The variety of initiatives demonstrates the varying needs and requirements across the district, with the money being used to support a range of unique projects such installing a defibrillator at Sheriff Hutton Cricket Club, providing walking tours of Malton Museum, delivering inclusive music lessons via the NY Music Therapy Centre and even improving the terrain at Westow Petanque Club. Many of these initiatives have clear health and wellbeing benefits and support the Council's equalities objectives. They will clearly have positive impacts in terms of providing equality of access to services or improving engagement in community life for groups or individuals that may struggle to participate.

ECONOMY: HARNESSING RYEDALE'S UNIQUE ECONOMY TO DELIVER GROWTH, HOMES AND JOBS

KPIs

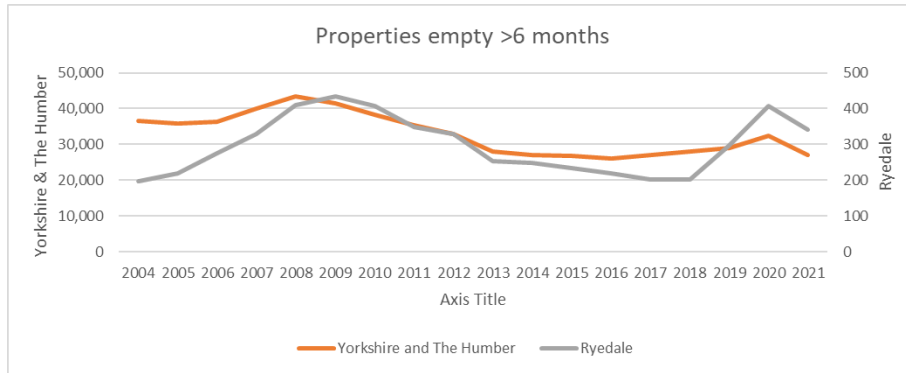
Description	Target	Q2 Performance	Trend	RAG Status	Narrative
Processing of planning applications: Major applications (13 weeks)	>70.00%	100%			The service continues to exceed target in this area and has been maintained at 100% into Q2.
Processing of planning applications: Minor applications (8 weeks)	>80.00%	85%			This remains on target and has shown a 5% improvement compared to Q1.
Processing of planning applications: Other applications (8 weeks)	>90.00%	90.60%			This has also shown a slight increase compared to Q1 (.6%)
New affordable houses	75	41 – Q2 return 90 - Cumulative			Performance has fallen compared to Q1; however, performance over Q1 and Q2 has meant that the authority has already met its annual target with 90 units completed. Furthermore, this exceeds the performance for the whole of the 2021/22 financial year where 89 affordable homes were built. Consequently, RDC remains on track to deliver a substantial and much needed boost to the available affordable housing stock at a time when household finances are getting squeezed and demand for housing is likely to be increasing.
Energy efficiency interventions	>2.5	5 – Q2 return 16 - Cumulative			The number of properties benefitting from energy efficiency interventions has fallen; however, performance remains ahead of target. Currently across the year 16 interventions have been achieved and therefore the Council has exceeded its annual target in just six months.
Long Term Empty Homes	N/A	356	N/A		This indicator has been revised for Q2 on the basis that by just tracking properties that have benefitted from 'significant Council Investment' it fails to capture the other work undertaken by the Council to engage with landlords, support homeowners and

					provide advice on what options exist to bring long term empty homes back in to use. Therefore, it has been agreed that measuring the number of empty homes across the district will provide better insight and understanding of the issues in this area and better reflect the work the Housing Team undertake to reduce the number of empty homes. Since the start of the financial year this figure has reduced falling from 360 in Q1 to 356 in Q2. This reflects a positive performance and despite just one property needing significant investment from the Council it is clear the measures taken to support the owners of these properties are working.
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As indicated above, one area that has been reviewed this quarter is that of Empty Homes. The Council plays a significant role in ensuring empty homes are brought back in to use and with the precarious position of the housing market it is essential that all citizens can access good quality, affordable housing. Upon reviewing the indicator used by Ryedale to track empty homes, it was clear that it lacked suitable insight into the extent of the problems posed by empty homes but also failed to recognise the good work completed by the Council in bringing homes back in to use.

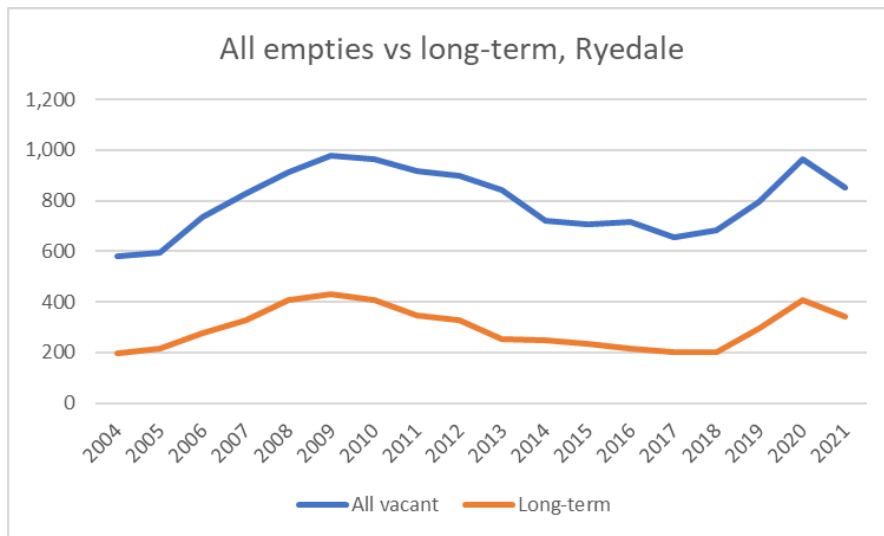
By looking at the number of empty homes across the district it is hoped that a greater degree of actionable insight will be gathered. Graphs 1 & 2 show the number of empty homes across the district compared to Yorkshire and the Humber and the contrast between long-term empty homes and total empty homes across Ryedale.

Graph 1: Empty Properties 6+ months



Whilst the number of long-term empty properties mirrors the regional trend it must be recognised that Ryedale has seen a significant spike in the years from 2019-21. Whilst this is largely driven by a decline in the tourist trade affecting holiday cottage bookings it is far more pronounced in Ryedale than the wider region.

Graph 2: All empty properties vs long term empty properties (Ryedale)



In terms of all empty properties vs long term empty properties again the trends are broadly aligned across the district. A snapshot of empty homes is compiled annually by the Government, and this identified 853 properties across Ryedale as empty as of October 2021. Given the recognised fall in long-term empty properties, the relaxation of Covid restrictions and an increase in people holidaying in the UK over the last 12 months it would be expected that the downward trend from 2020-2021 would continue into 2022.

Regarding any long-term trends, it is conceivable that the number of empty homes will increase based on a number of factors. The current cost of living crisis may impact on the number of homeowners able to manage their homes, especially if interest rates for mortgages remain high and wage growth fails to keep pace; this could lead to a higher rate of repossessions from mortgage companies. There is also a recognised exodus from the buy-to-let/private rented sector; this may lead to an increased number of properties remaining empty for a period of time as these properties are offloaded. Linked to the squeeze facing many household finances it is also possible that fewer people will decide to holiday as frequently, meaning there could be a reduction in demand for holiday accommodation across the district: therefore, it is possible that the evidenced downward trend over recent years is not sustained.

A final point to make on the reduction of empty homes relates to the involvement and investment made by the Council on complex cases. This year just one property has benefitted from a significant intervention from the Council that would meet these requirements (compared to six in the 2021/22 financial year). Given the ongoing work to reduce the number of long-term empty properties it should be recognised that this is reflective of the positive and proactive work the Council is taking to keep reduce the number of empty homes without the need for such extreme measures to be introduced.

Council Plan Progress

Quality affordable homes: Bay House conversion completed

Addressing complex housing needs has been a priority for the Council through its Homelessness and Housing Strategies and ultimately have informed key activity flagged within the Council Plan. The most notable achievement in this area has been the redevelopment of the old Railway Tavern in Norton into eight self-contained flats. The scheme will provide much needed accommodation for people leaving more intensive supported accommodation and paves the way for them to live independently. The scheme's location opposite the existing Derwent Lodge facility means it is carefully monitored and residents have access to the support should they need it.

By utilising an existing building, the development has also reduced any environmental impact that would be associated with a new build property and within the design of the building consideration has been made to ensure that it is as environmentally sustainable as possible including photovoltaic panels for generating electricity and improved insulation.

Open for business: free food hygiene courses











As the culinary capital of Yorkshire, it is important that visitors to the region's many bars, cafes and restaurants have the best experience possible. Following on from a scheme that began in 2021/22 a further 38 free food hygiene certificates have been awarded to business across the region after its relaunch in Q1. This scheme continues to prove successful, and Ryedale District Council has been approached by other local authorities to share good practice around this venture to help drive up standards in other parts of the country.





Help for those in need: Home Efficiency Fund launched to help householders save energy

Given the current economic crisis facing many households another area that has proved to be successful over Q2 is that of the Home Efficiency Fund. This offers applicants the opportunity to access fully-funded home improvements with up to £25,000 available. The funding will not only benefit individual homeowners but will also support the Council's own Climate Change Strategy and will have significant positive impacts on the environment. The scheme was launched in July and more detail on the funding awarded and the nature of the interventions claimed for will be covered in the Q3 report.

ENVIRONMENT: A SUSTAINABLE, SAFE AND CLEAN PLACE

KPIs

Description	Target	Q2 Performance	Trend	RAG Status	Narrative
Number of anti-social behaviour cases	Data only	65	N/A		This quarter has seen RDC handle 65 ASB cases; an increase of 1 compared to quarter 1.
% Of Animal Licensed Premises in the area broadly compliant at inspection	>90%	98%			One premises has failed to carry out all the remedial work detailed in its previous inspection report so was downgraded as a result. A future visit will be planned to check compliance. All other inspections have been completed and showed the necessary compliance this quarter.
Fly tipping Incidents (no. collected)	<100	28	N/A		This is a slight increase compared to the figures reported in Q1 to DEFRA (28 compared to 20). At current rates it is likely that just under 100 will be recorded at the end of the year; however, this will be more than 2021/22, when 58 were collected.
% Of Household Waste Composted	>30.00%	25.95% (Q data) 27.57% (Cumulative)			As there has been a very dry summer this has led to a reduction in material available for composting.
% Of Household Waste sent for reuse, recycling and composting	>50.00%	48.2% (Q data) 48.8% (Cumulative)			This is currently just outside of target. Due to the unseasonably warm summer the amount of expected composting / garden waste has been lower than previously anticipated, and this has impacted on the overall performance.
Licence applications determined within statutory time limit under the Licensing Act	100%	100%			This has remained at 100%. As a statutory return it is essential that the Council is compliant which remains the case from Q1 into Q2.

% Of Household Waste Recycled	>20.00%	22.25% (Q data) 21.23% (Cumulative)			This continues to overperform with recycling rates ahead of target.
Residual household waste - kg per household	<107.50kg/hh	112.73kg			This is just outside of target however has shown an improvement compared to Q1 (117.15 kg/hh). Should a similar level of improvement be recorded from Q2 into Q3 the performance would be within target.

Council Plan Progress

Clean and attractive streets: a proactive approach to combat dog fouling

After a successful pilot, the Green Dog Walkers Campaign was official launched in August. Dog owners can sign the pledge on our community engagement platform, Commonplace. Green dog walkers will play a part in helping to keep their communities free from dog fouling.

Waste Service Review








A significant review of the Waste and Environment Service is ongoing. This has resulted in an update of the bin collection rounds, which will commence from Q3. The reason for this change is linked to the need to accommodate more houses on the rounds following a period of significant new development. The new rounds will provide not just a better customer experience but also generate efficiencies for the Council. More information will be provided on the progress of the review in Q3.










Climate Change Action Plan







Some notable successes have started to emerge from the Climate Change Action Plan including the procurement of two electric pool cars for use by Ryedale District Council staff. The new cars are bookable and can be used by any staff undertaking their daily duties with the view that they will reduce emissions linked to Council travel; whilst also demonstrating to those that use them the value of 'going electric'. Given the requirement by central Government to have zero emission at the tail pipe by 2035 a significant culture change is needed across the country and by giving people the opportunity to drive electric this could help bring about this required change. Therefore, this scheme has numerous direct and indirect benefits that will support our climate change plans. The cars are due to be delivered in Q3 at which point a press campaign detailing the benefits of electric and showing the Council's leadership in this area will be undertaken.

ORGANISATION: AN INNOVATIVE, ENTEPRISING COUNCIL

KPIs

Description	Target	Q2 Performance	Trend	RAG Status	Narrative
Income from searches	>£21,876	£30,079			Q1 performance was recognised as being skewed with almost 2/3rds of the annual target being achieved across the first quarter. Consequently, it was expected that Q2 performance would return to a typical level; and this has proved the case. However, as the quarterly performance has exceeded target again it has meant the annual target of £87,504 has already been achieved (£87,582).
Debtor age profile: 30-59 days	Data only	£259,043.57	N/A		A significant number of invoices have been raised over the summer, with payments typically being made more slowly over this period as both suppliers and the Council have had annual leave meaning chasing payments is often slower.
Debtor age profile: 60-89 days	Data only	£34,585.48	N/A		
Debtor age profile: 90-119 days	Data only	£12,577.89	N/A		
Debtor age profile 120+ days	Data only	£9,244.54	N/A		
Number of complaints received	Data only	12	N/A		The number of complaints received has fallen compared to Q1 (12 vs 19 complaints). Compared to 2021/22, when the Council reported 36 complaints, the Council will be expected to exceed the number recorded in that year; however, this also reflects the desired impact around complaints reporting and making the council more transparent and accountable to customers. More detailed information on complaints is

					contained in the section below 'Complaints, Compliment and FOI requests'.
% Of stage 1 complaints closed within target of <10 days	Data only	100%	N/A		All stage 1 complaints have been responded to in target time this quarter, increasing from 84.21%.
% Of stage 2 complaints closed within target of <20 days	Data only	100%	N/A		All stage 2 complaints have been responded to in target time, as well.
Staff turnover	Data only	3.90%	N/A		Staff turnover has reduced slightly this quarter, and is now running below the average for 2021/22, a decrease of 4.9% compared to Q2 2021/22 (4.1%). Any anticipated increases in numbers leaving due to the merger remain difficult to evidence and this may be supported by the ongoing feeling that staff feel supported and informed of the changes.
Average days lost per employee to sickness	Data only	1.41	N/A		Sickness has increased slightly compared to Q1 (by almost half a day). It is worth noting though that sickness levels remain low both compared to previous years and across the public sector in general. The most common absence reasons noted for Q2 2022/23 include COVID-19 infections, chest and respiratory illnesses, and other musculo-skeletal problems (absence reason by number of employees absent).
Lost time rate	Data only	2.36%	N/A		While the lost time rate has increased in Q2, there have been several members of staff who have had prolonged weeks of illness that has influenced the increase in this figure. The Q2 figure is still lower than the average annual lost time rate in 2021/22.
% FOI Requests responded to within 20 working days	>90%	99.24%			RDC continues to perform ahead of target in relation to how FOIs are handled. Work has been undertaken to look at how FOIs are processed including those which require responses from multiple services. Quarter 2 performance is 4.16% better than Q1.
Standard searches carried out in 10 working days	>90.0%	98.80%			Despite a reduction in performance (from 100%), standard searches completed in 10 working days remains in target.

Income from Street Naming and Numbering	>£300	£440			As expected, Q2 income has dipped compared to Q1 – however it has exceeded target and again the annual target has already been achieved (£1,200 compared to a recorded performance for Q1 & 2 of £2,135)
Health and Safety Action Plan - % of actions completed in target time	100%	100%			The Corporate Health and Safety Action Plan details key activities that are needed to keep the business safe and compliant and includes the completion of Fire Risk Assessments, delivery of first aid and fire warden training and ensuring compliance with national standards. This quarter the council has completed its training for fire wardens and first aiders meaning it has sufficient coverage across the business of these key roles that can accommodate a more flexible approach to working. There have also been workplace audits completed for the depot which have identified a number of key actions alongside the completion of fire risk assessments for key RDC premises. The council will now have 12 months to address the identified actions ahead of next year's assessment.
Equalities Action Plan - % of actions completed in target time	100%	100%			RDC continues to make progress on the delivery of the equalities action plan – this includes delivering sessions for staff focussed on raising awareness such as training on d/Deaf awareness, safeguarding and domestic abuse. There has also been increased engagement with communities through Common Place and the 'Let's Talk' campaign giving them opportunities to both discuss local issues they are experiencing and helping inform priorities for the new authority.

Council Plan Progress

Health and Safety Update

The Council's Health and Safety Action plan contains a significant number of activities designed to keep staff safe and ensure accidents are prevented. To date this year no accidents that have been reported have required a report to RIDDOR: this demonstrates that safe working practices are in place and guidelines are being followed. In Q2 a number of workplace assessments were completed including a premises audit of the depot and fire risk assessments of Stanley Harrison House, Bay House and Derwent Lodge. These assessments identified a number of actions that need to be addressed including reviewing signage, undertaking fire drills and reviewing access to restricted locations. These items have all been added to a sub-file on the health and safety action plan and progress is routinely tracked via the Corporate Health and Safety Working Group. The remaining premises inspections are scheduled for Q3, and will include Ryedale House.

Complaints, Compliments and Freedom of Information Requests

Whilst the number of complaints across the Q2 period has fallen compared to Q1 (12 compared to 19) it is recognised that the Council has received five fewer complaints in six months than it received in the whole of the 2021/22 financial year. Whilst this may be cause for concern it must be recognised that this is largely reflective of the changes to the complaints policy which have made it not only easier for complaints to be recorded but also acknowledge the more informal complaints that the Council receives. Consequently, the increase in complaints should be considered as a positive in this regard as it allows the Council to be more aware of the concerns of residents and better able to respond to a greater variety of issues.

In terms of responding to complaints, the Council is performing well with improvement witnessed in regard to stage one complaints (Q1 84.21%) and with stage two remaining at 100%. The Council continues to receive complaints on a variety of subjects with the most notable areas being 'missed collections', 'council tax', 'toilets' and the 'handling of situations'.

In all cases remedial action has been taken to address the concerns; in the case of complaints concerning toilets, remedial works have been ordered and other improvements identified. Where poor customer service was identified the Council has issued apologies to the complainant and in the case of missed collections provided clearer guidance and information in order to assist the customers in future.

Conversely as witnessed through many of the performance indicators the Council is performing extremely well, and this is reflected through the compliments that have been received. These cite quick responses, the support offered by staff and people being impressed with the facilities on offer. Special recognition should be given to the waste service team in this regard as some specific examples around the support they have provided should be acknowledged: whether it's the fact that they 'always wave', 'returned empty bins that the carers had forgotten to put out', or 'help with new equipment' the service they provide is clearly well received and valued by residents.



REPORT TO: FULL COUNCIL

DATE: 23 FEBRUARY 2023

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 9 FEBRUARY 2023

84 Ryedale District Council Annual Report 2021/22

Recommendation

That Council be recommended to:
(i) Approve for publication the 2021-2022 Annual Report of progress against the Council Plan (2020-2024) subject to the changes agreed by Members of the Committee.

Voting Record

Carried by general affirmation.

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	09 FEBRUARY 2023
REPORT OF THE:	PROGRAMME DIRECTOR PEOPLE AND RESOURCES MARGARET WALLACE
TITLE OF REPORT:	2021/22 ANNUAL REPORT
WARDS AFFECTED:	ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report introduces the 2021/22 annual report, which highlights key achievements of the council over the financial year in relation to the Council Plan.

2.0 RECOMMENDATION

- 2.1 It is recommended that:

- (i) Policy and Resources Committee recommends to Council that the 2021-2022 Annual Report of progress against the Council Plan (2020-2024) is approved for publication.

3.0 REASONS FOR RECOMMENDATION

- 3.1 The 2021/22 annual report details the progress the council has made towards the completion of the council plan over the year. It captures many notable successes alongside providing insight to the council and its staff alongside highlighting delivery of key performance indicators and financial management.
- 3.2 The annual report contains a number of case studies relating to high profile work completed by the council and examples of how colleagues have been developed through training programmes such as the 'Graduate Scheme' and also provides examples of work that has significant benefit to key partners and stakeholders.

4.0 SIGNIFICANT RISKS

- 4.1 The council is required to produce an annual report; if the report is not approved it increases the risk to the business in terms of its reputation and transparency. The report itself is an accurate reflection of the work undertaken over the 2021/22 financial year and therefore should be regarded as a true reflection of the council's achievements.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The annual report is a core component of RDC's performance framework and alongside the annual accounts helps to evidence the achievements of the authority over the previous financial year.
- 5.2 The document helps to inform the public of how the council is performing, ensuring there is a degree of transparency regarding how the council operates and provides assurance on how public money is spent.
- 5.3 Throughout the report attention is paid to the role residents have played in helping shape services and influence delivery. This includes specific quotes from a variety of individuals who have benefited from schemes delivered by the council, alongside representatives of partner organisations.

REPORT

6.0 REPORT DETAILS

- 6.1 The structure of the annual report mirrors that of the council plan and achievements are aligned to the following council priorities:
- Communities: strong, inclusive and attractive
 - Economy: harnessing Ryedale's unique economy to deliver growth homes and jobs
 - Environment: a sustainable, safe and clean place
 - Organisation: an innovative, enterprising council
- 6.2 A final section is included in the annual report that provides an overview of the council's financial position at the end of the financial year.
- 6.3 Within the main body of the report the contents within the four priority sections highlight the main achievements of the council over the year. This includes project-based work, ongoing positive performance and case studies. Within the 'communities section' the report highlights the positive work undertaken in the areas of rough sleeping; provision of hardship funding; the development of the Community Connect partnership and awarding of community grants; with a notable case study focussed on the Riverside View play area refurbishment.
- 6.4 The 'Economy' section provides a focus on on-going solutions to tackle energy efficiency and sustainability, with data indicating the extent of 'fuel poor households' across the district alongside some of the solutions the council has supported over the

year, such as the Ryedale Energy Saver Scheme. Other items include the councils support for employment across the district including hosting a successful jobs fair with key stakeholders and tackling youth unemployment through the 'Kickstart' scheme.

- 6.5 Within the 'Environment' section there is coverage of the work undertaken with key partners around flood alleviation. The council engaged with 129 properties around flood resilience with the most affected in the Malton and Norton area. The section also provides a focus on the work completed by Environment and Waste Services to keep streets clean; whilst a notable success is covered with the development of a previous graduate who supported the environmental improvement work and has since successfully been employed by another council; demonstrating the authority's commitment to developing its staff and supporting young people in the early stages of their careers.
- 6.6 To highlight the steps taken to deliver the council plan priorities linked to the organisation and the people that work at Ryedale the report focusses on the development of a new complaints process which aims to improve accountability and transparency but also aid organisational learning and development. There is a review of the results of the 'Investors in People' accreditation awarded to the NY Building Control Partnership alongside a case study of the career progression of a member of the Environmental Health team.
- 6.7 Throughout the year the Annual Report has undergone significant review, with a variety of updates requested in relation to the photography, presentation of data and the case studies presented. All of these amendments have contributed to delays in completion of the report; which have been compounded by illness affecting senior staffs ability to sign off a completed document.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- (i) Financial
There are no financial implications attached to the report.
- (ii) Legal
There are no legal implications attached to the report.
- (iii) Environmental, Ecological, Climate Change and Carbon
There are no environmental implications attached to the report.
- (iv) Equalities
There are no equalities implications attached to this report and an Equalities Impact Assessment is not required in this instance.
- (v) Staffing
There are no staffing implications attached to this report.
- (vi) Planning
There are no planning implications attached to this report.

- (vii) Health and Safety
There are no health and safety implications attached to this report.
- (viii) Crime & Disorder
There are no crime and disorder implications attached to this report.
- (ix) Data Privacy
There are no data privacy implications attached to this report.

Margaret Wallace
Programme Director – People and Resources

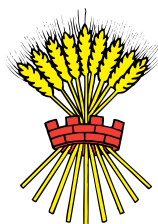
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Background Papers:
Appendix A: Ryedale District Council Annual Report 2021/22 (Attached)

Annual Report 2021/2022



RYEDALE
DISTRICT
COUNCIL



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Foreword

This report highlights the work of Ryedale District Council over the past year. In 2021/22, the COVID-19 pandemic continued to impact the district. Our communities showed their resolve and resilience in adapting to life in the shadow of the pandemic and we delivered several initiatives to support this.

We would like to take this opportunity to thank our citizens, businesses, community organisations, partners, councillors, staff, and volunteers for everything they have done and continue to do to help make Ryedale a great place to live, work and visit even in the most challenging times.

This Annual Report showcases the Council’s successes in 2021/22 including our work on fuel poverty and community enforcement which was recognised with two national awards. It also demonstrates our strengths in partnership working with stakeholders in the community. The Council is committed to delivering on its Council Plan and building a secure future for Ryedale. This year we have successfully bid for funding for feasibility assessments into geothermal energy which have the potential to reduce the area’s carbon footprint as well as bringing new employment opportunities.

Next April 2023 will see the creation of a new unitary authority in North Yorkshire to replace the eight existing borough, county, and district councils. In Ryedale District Council’s final year, we will continue to do everything we can to support our citizens, businesses, and community partners to pave the way for a prosperous future for Ryedale.

Councillor Dinah Keal, Chair of Policy and Resources Committee
Stacey Burlet, Chief Executive



Introduction to 2021–2022: a year of recovery and resilience in Ryedale

This document is designed to provide readers with an insight into Ryedale District Council's performance against its strategic aims and priorities between April 2021 and March 2022.

The Annual Report tells the story of the work across the previous financial year, highlights the Council's achievements and celebrates its success. It is also an opportunity to be transparent and accountable to the public the Council serves by showcasing its efforts to meet its strategic goals and detailing the challenges experienced by Ryedale's communities.

Ryedale District Council's priorities inform everything it does, and each section of this report will show the Council's performance in relation to these priorities:

- Communities: strong, inclusive and attractive
- Economy: harnessing Ryedale's unique economy to deliver growth, homes and jobs.
- Environment: a sustainable, safe and clean place
- Organisation: an innovative, enterprising council
- General Fund Revenue Expenditure in 2021/2022

While the body of the report focuses on the performance of services, it is impossible to tell that story without the context of the COVID-19 pandemic. In April 2021, Ryedale had recently emerged from the third national lockdown and the impact of the pandemic and the COVID recovery continued to be felt across the district for much of the following year.

Children had only returned to school the month before, the COVID-19 vaccine rollout had not yet reached the under 50s, restrictions were still in place in the

community, and many industries – such as tourism, hospitality, and leisure - were only just opening back up. Social distancing measures were in place until July 19 when all restrictions in England were finally lifted.

Ryedale's rural setting has long meant isolation is an issue across some communities but more than a year of COVID-19 measures had left many more people feeling disconnected. Citizens, businesses and community organisations were looking to Ryedale District Council for support and guidance to navigate the next phase of the pandemic.

In the 2021/22 financial year, through partnership working, the Council has helped to build resilient communities capable of overcoming the challenges created by COVID-19 and support the areas' recovery.

Recognising that some citizens find accessing help difficult, the Council has engaged with the public in new ways. Since May 2021, Community Link Officers have worked in partnership with Citizens' Advice Mid-North Yorkshire to provide monthly advice and support from their Outreach Advice van at Pickering and Helmsley markets. By the end of 2021, nearly 200 people had accessed this service.



The Community Connect partnership was set up at the outbreak of the pandemic by Ryedale District Council, North Yorkshire Police and North Yorkshire County Council to coordinate the COVID-19 response. During this year the partnership developed with a new focus on community volunteering, the voluntary sector and social enterprise; mental health and wellbeing; and tackling increased poverty and personal debt. This work addresses inequalities within Ryedale and it offers vital support to those facing financial hardship or struggling with their mental health and wellbeing.

Ryedale District Council has supported community stakeholders across the district to develop. Organisations like Malton & Norton Tidy Group and Pick It Up Pickering are made up of passionate volunteers who care deeply about the towns they live in. The Council recognises that groups like these play a vital role in the district, and it is therefore important it gives support in many different ways so they can continue.

Litter picking groups, local Scouts and Parish Councils collected more than 800 bags of rubbish over this year which the Council's Waste and Environment team collected and disposed of. The team also provided litter picking kits to facilitate this community effort.

It is often those embedded in the community who know best what their areas need. In 2021/22 Ryedale District Council provided financial support to 17 groups through its Community Grant Scheme for a variety of projects bringing improvements to the district. Up to £5,000 was awarded to projects that make a positive impact on community-owned or managed facilities, such as village halls, play-areas, sports facilities, or village-owned shops.

The funding allowed playgrounds to install new equipment, village hall toilets to be renovated and a youth theatre to build storage for props and costumes. These projects have a real, positive impact on the communities they support, improving life for people all over Ryedale.

The roadmap out of restrictions had been outlined by Prime Minister Boris Johnson in February 2021. One of the conditions for easing lockdown was a successful rollout of the vaccine programme. To enable citizens and business to get back to normal as quickly as was safe, Ryedale District Council supported the vaccine programme throughout April, May, and June by providing its Vivis Lane car park in Pickering as a

community vaccine site as well as sharing information on social media to encourage people to take up their offers of a vaccine as soon as they received them.

May and June saw further easing of COVID-19 measures before a final lifting of all restrictions in England on July 19. Whilst businesses were now able to operate as before, albeit with additional safety measures, they had suffered over the previous 18 months and looked to the Council for help.



To aid the district's economic recovery, Ryedale District Council distributed the Government's Restart Grant between April and July. A total of £8,183,393 was paid to 1,068 businesses in the leisure, personal care and gym sectors. The authority also received £49,265 from the European Regional Development Fund to support the safe return to high streets and help communities and businesses 'build back better'.

However, supporting economic growth does not purely come down to money so the Council also worked on innovative ways to help businesses develop and encourage citizens to spend locally. Research undertaken by the authority's Economic Development team identified that businesses wanted help to market their products and services and develop their online offering to recover and thrive in the future. The Council successfully delivered three digital marketing workshops for businesses focussing on how to sell more products online.

In May Ryedale District Council's Communications team ran a campaign to support local businesses and citizens to enjoy Ryedale safely. A video series, social media, dedicated web page and news articles were produced, featuring six well-known Ryedale businesses to highlight how they had reopened safely and the safety measures in place to reassure citizens and visitors. An expanded version of this campaign took place in December to encourage local Christmas shopping.

The Council also developed and delivered its own Small Business Development Grant scheme to help with start-up costs for new enterprises or to assist existing businesses. The scheme launched in December with the aim of encouraging the ongoing recovery of the local economy. The authority's officers were impressed by the high quality and wide variety of applications and found it incredibly difficult to make their final decisions, whittling down 75 applicants to 25 who were awarded grants totalling £77,895.

Just as Ryedale began to move beyond the long shadow cast by the pandemic, COVID-19 once again threatened upheaval in the district. The surge of the Omicron variant prompted the Government to introduce 'Plan B' measures in early December. At the end of the month the chancellor Rishi Sunak announced £1 billion of funding for local authorities to support businesses in the hospitality and leisure sector that had been negatively impacted on by Omicron. The Council processed 401 applications for the Omicron Hospitality and Leisure Grant and 51 Ryedale businesses received an Additional Restrictions Grant.

Despite the challenges and delays caused by the pandemic it was still important the authority made progress on its Council Plan priorities and that it continued to look to the future.

January 2021 had seen Ryedale experience issues with flooding in Old Malton, Malton and Norton. At the time the Council worked closely with partners to deliver a multi-agency response but moving into this financial year it was necessary to make improvements.

To upgrade the existing measures protecting these communities against flooding the Council contributed £277,000 to the Malton, Norton and Old Malton Flood Alleviation Scheme which is being delivered in partnership with North Yorkshire County Council. Improvements were completed over the summer period and homeowners have expressed relief and reassurance that their homes are now better protected.

According to the Government's 2021 fuel poverty statistics, 16.1% of Ryedale households live in fuel poverty, above the 13.4% average for England. Ryedale District Council has a long-standing commitment to alleviating fuel poverty. This year, through funding schemes, the authority offered a lifeline to households that would otherwise be

unable to afford upgrades and be forced to pay high energy bills or turn off their heating.

The Ryedale Energy Saver and the North Yorkshire Warm Homes Fund help residents have more energy efficient homes and the latter scheme was recognised by industry professionals by winning Large Scale Project of the Year at this year's Yorkshire and Humber Energy Efficiency Awards and highly commended at the national awards. This is a huge achievement for all those involved in the project.



The Council is committed to creating a district where everyone feels welcome and can thrive. Ryedale must be a great place to live for working people, the elderly, and children alike. In August Ryedale District Council began a consultation around the Riverside View play area in Norton. Through an online survey the Council gathered 126 responses from parents and guardians on behalf of their children giving their views on how to improve the park. Their suggestions guided the refurbishment which took place in January 2022 and helped to create a more inclusive play area with equipment that better catered for different age groups and disabled children.

One of the challenges in Ryedale is a talent drain out of the area, particularly by young adults looking for work. The Council want people to believe this is a place in which to build a future and in November the authority collaborated with the Job Centre to run a job fair at Ryedale House. Roles on offer were in varied sectors from engineering and business development to butchery and baking.

As well as meeting employers external support services also attended the event providing an opportunity for people to get help with a CV refresh, support to change career, or help applying for a job for the first time. The event highlights Ryedale District Council's commitment to reverse the skills drain. By retaining talent in the district and strengthening the local economy to attract new people, Ryedale's status as a great place to live, work and visit, will be secured for future generations.

Communities: strong, inclusive and attractive

Our aims

Help for those in need

- We will tackle homelessness, rough sleeping and poverty by working in partnership with others to prevent them.
- We will offer advice, support and budgeting assistance to those who need it.
- We will create a district where everyone feels welcome and can thrive, safeguarding vulnerable people.
- We will promote our Lifeline service and provide wellbeing services to help people live independent lives.
- We will work with partners including health and education to ensure a fair share of infrastructure investment.

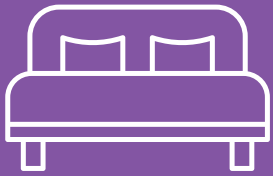
Healthy and happy communities

- We will work with the voluntary sector to ensure it continues to flourish.
- We will aim to build strong communities by contributing through our community grants scheme.
- We will promote health and wellbeing for all by offering leisure facilities and access to physical activity.
- We will promote our creative industries and expand our cultural offer by supporting Ryedale's network of skilled craft businesses and thriving arts hubs.

A place like no other to live, work, visit and invest

- We will promote our area as a hub for food, drink, creative culture and active recreation.
- We will work with partners to meet shortfalls in our visitor accommodation and increase visitor spend.
- We will support our market towns to thrive by installing free Wi-Fi, keeping our streets tidy and devising a new car parking strategy with residents and visitors at its heart.
- We will expand our events programme by working with regional agencies, businesses and community groups.

Performance on a page



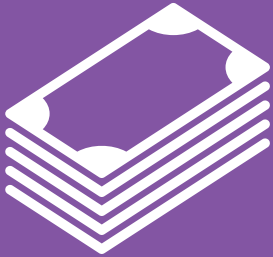
44

people rough sleeping, or at risk of doing so, helped to secure longer-term accommodation



£39,000

of Community Grants awarded to improvement projects led by community groups in the district



£21,500

worth of Council Tax Hardship payments given to residents in financial difficulty



126

survey responses from citizens which informed the renovation of Riverside View playpark



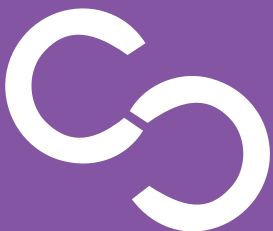
429

Test and Trace support payments awarded to people required to self-isolate and miss work



49

businesses who collaborated with the Council to place hand sanitiser stations in Ryedale's towns



8,000

students informed about the work of the Community Connect partnership



£5,000

in Small Arts grants to support arts in Ryedale



28,000

Worrying About Money leaflets distributed to residents

Help for those in need

Rough Sleeping

“We will tackle homelessness, rough sleeping and poverty by providing services in partnership with others to prevent homelessness.”

Using funding from the Government’s Rough Sleeping Initiative, Ryedale District Council successfully worked with several external organisations to support vulnerable residents in the community and help them move to safe accommodation. Clients gained access to specialist support agencies, including healthcare and training. They learned about managing a tenancy, budgeting, and cooking.

The Council appointed a Housing Pathway Coordinator who helped to support 44 people who had been rough sleeping or were at risk of doing so to secure and maintain longer-term accommodation. Ten clients have moved into supported accommodation since April 2021.

Feedback from clients:

“I am grateful for the assistance provided by my case worker. She has been extremely supportive and I feel I was treated kindly and with respect. Thank You.”

“My support worker has been brilliant and I couldn’t thank her enough.”

“The help I have received has been great. A big thank you to the housing pathway coordinator who has really been fantastic.”

Rough sleeping in rural areas can be hard to spot. However, the difficulties the Council’s clients face are universal: relationship breakdown and finding an affordable property are key concerns.

“Rough sleeping in Ryedale is a hidden issue as the district covers such a large area, and it is rare to see people sleeping in doorways.”

Margaret Wallace, Programme Director
for People and Resources



Financial help for those who need it

“We will offer advice, support and budgeting assistance to those who need it, helping them to manage their finances, ensuring they can access Citizens’ Advice services and working with the credit union to promote access to small loans. We will also act promptly to process benefit applications.”

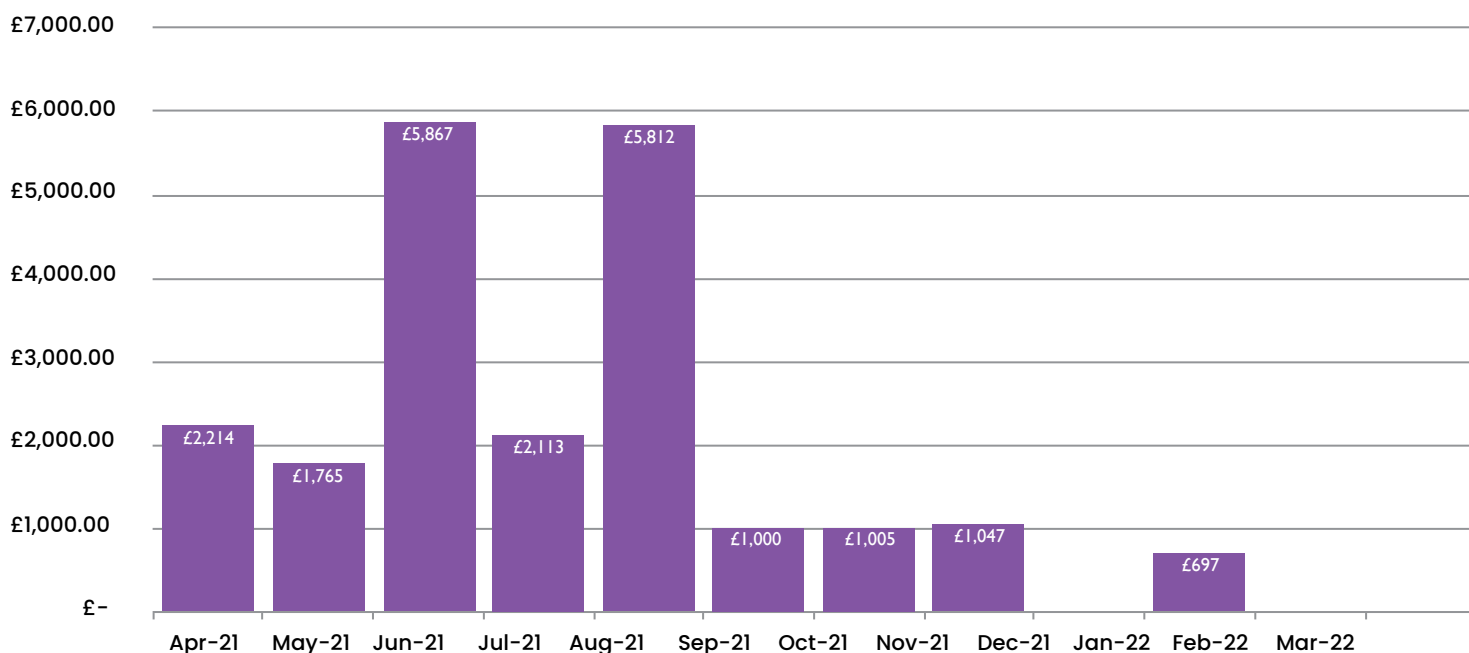


The Council works closely with partners to improve affordability for households who are struggling. The Household Support Fund was introduced by the Government in October 2021 to help vulnerable household with the soaring cost of living. District and borough councils determine eligibility for the e-vouchers, which help pay for food and essential bills over the winter months. Council Tax Hardship payments also help cut the cost of staying in accommodation for those in financial difficulty. In 2021/22, the Council has provided over £21,000 in Council Tax Hardship payments to residents across the district.

The authority’s priority throughout the pandemic was to make sure residents accessed all the support they were entitled to. In 2020, it partnered with the Income Maximisation team at North Yorkshire County Council. This gave an opportunity to refer customers aged over 60 for assistance to claim any benefits they were entitled to.

Ryedale District Council is part of Ryedale Community Connect. A [guide](#) to financial hardship was launched by Community Connect in March 2021 to help those in need.

Council Tax Hardship Payments



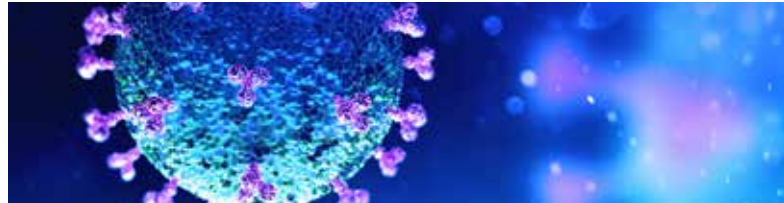
Ryedale District Council administered a high volume of COVID-19 Test and Trace Support Payments in 2021/22. The payments were introduced in September 2020 to compensate those on low incomes who were legally required to self-isolate and miss work.

Demand for the service peaked in January 2021, with officers receiving around 51 new applications each week. The Council took prompt action and worked with the NHS and the Department of Health and Social Care to make sure payments to all eligible applicants were made within three days of submitting all the required information. From July to September 2021, 146 awards were paid in comparison to 12 awards during the previous quarter. (April to June 2021). October to December saw 131 awards whilst in the last quarter of the year (January to March 2022) awards rose to 140.

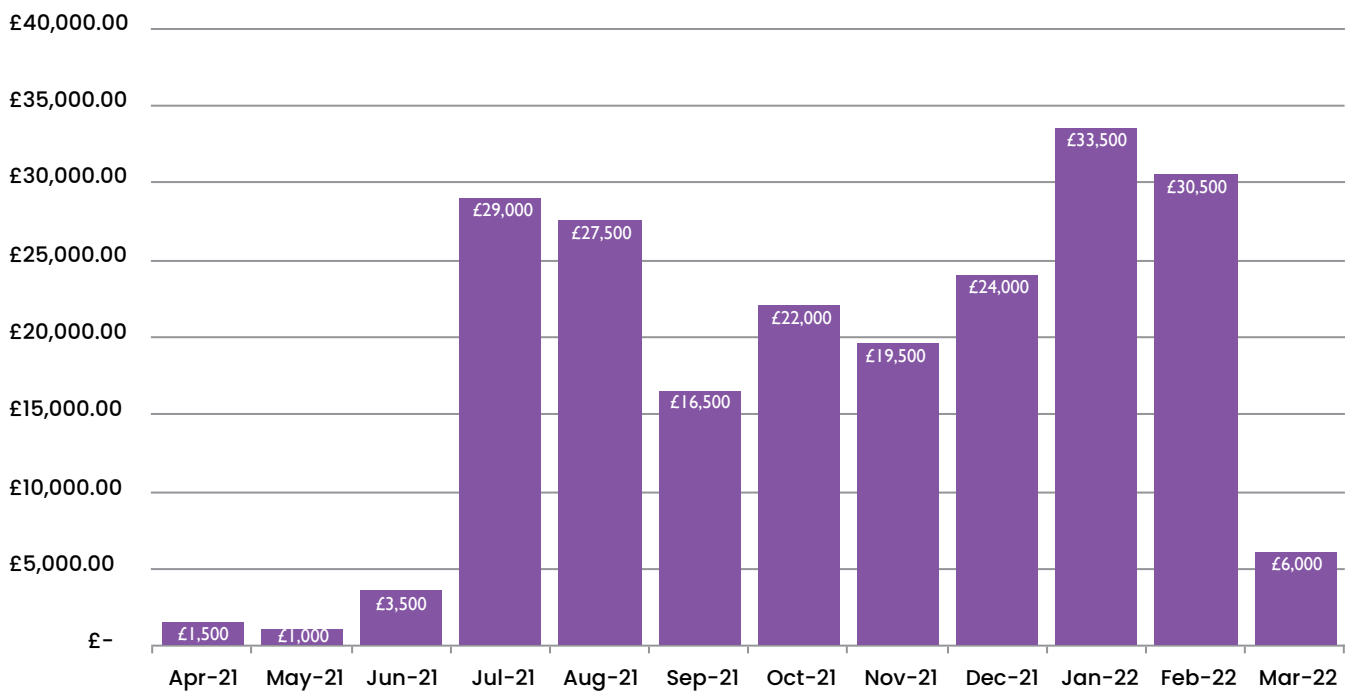
Test and Trace Support Payments processed

From April 2021 to March 2022 the Council processed:

Applications received	759
Awards made	429
Total value of test and trace support payments	£214,500



Test and Trace Payments Awarded



Health and happy communities

Ryedale Community Connect partnership

“Ryedale is home to hundreds of voluntary organisations delivering invaluable services for local people. We will work with this essential sector to ensure it continues to flourish. We will aim to build strong communities by contributing to community events, activities and facilities through our community grants scheme.”



The partnership has made significant progress during the course of this year. The Community Connect website, which launched in April 2021, provides extensive information and support, details of partner organisations, a community calendar and a blog.

In June 2021, news about the partnership reached 8,000 students enrolled in local schools. Flyers were distributed featuring an introduction to Community Connect and signposting to online booklets about mental health and financial hardship. Those without internet access were encouraged to make a telephone request for printed materials.

In August 2021, the partnership launched a News Bulletin, which is emailed to over 100 members on a regular basis, raising awareness of upcoming events, new services, and general updates.

Community Connect Website Traffic 1st April 2021 - 31st March 2022

Site sessions	1,291
Unique visitors	465

As shown above, the website has been viewed over 1,291 times by 465 unique visitors since its launch.

Worrying About Money? leaflet

Council officers had the idea to have a Worrying About Money? leaflet for Ryedale produced by the Independent Food Aid Network. It was regularly discussed at Community Connect Partnership meetings and sub-groups.

The leaflets are designed as straightforward resources for both people facing financial crisis and support workers to quickly see which local agencies are best placed to help.



28,000 leaflets were circulated with Council Tax Bills in February 2022.

The Community Connect Partnership was the ideal place to discuss the leaflet as many of the partners provide financial aid to citizens. The partners were also able to signpost council officers to agencies outside of the partnership who could be included. Regularly reporting back at meetings ensured that progress was made and the deadline for including in Council Tax Bills was met.

A range of partners provided feedback including NYCC, CarersPlus (CSO), Department for Work and Pensions, Citizen’s Advice Bureau, Age UK Scarborough & District, North Yorkshire Local Assistance Fund, POMOC, Ryedale Community Transport, North Yorkshire Connect, Citizens Online and IDAS.

Community Grant Scheme

In the Council Plan Ryedale District Council states one of the ways it will build strong communities is by working with community groups directly and contributing financially via the Community Grant Scheme. Between April 2021 and March 2022, 17 community group grants have been awarded funding for a variety of projects bringing improvements to the district. Community and voluntary groups were encouraged to apply for up to £5,000 for projects that make a positive impact on community-owned or managed facilities, such as village halls, play-areas, sports facilities, or village-owned shops as well as activities that support the local community.

Successful applicants included replacing playground equipment in Hovingham, crafts for wellbeing for Sight Support Ryedale (an independent charity offering support to visually impaired people), a sensory garden for Malton in Bloom, and toilet renovations in Kirby Misperton Village Hall. The diversity in the projects supported means this grant scheme will benefit the breadth of Ryedale's citizens.

Community Group Grants Awarded 2021/22

The complete list of the 17 grant recipients is as follows.

Group	Purpose	Funds Awarded
Lastingham/ Spaunton Village Hall	Maintenance and upgrade of village hall	£1,870
Newton on Rawcliffe Village Hall	Car park resurfacing	£1,440
Kirby Misperton Village Hall	Toilet and corridor renovation	£4,691
Hovingham Action Group - Playground	Replacement of playground equipment	£1,000
Settrington Village Hall Trust	Playing field mower and towing vehicle	£1,250
Malton in Bloom	Broughton Rise Sensory Garden Project	£1,000
Sight Support Ryedale	Crafts for wellbeing	£2,000
Thornton le Dale Playing Fields Association	Inclusive roundabout	£2,000
Malton in Bloom	Orchard Fields interpretation panels	£1,743
Encephalitis Society	Audio-visual upgrades	£965
Malton & Norton District Lions Club	Outside storage facility	£1,000
Malton & Norton Rugby Union FC	Improvements to showers, physio room and CCTV installation	£5,000
Saint Catherine's Hospice	Restart wellbeing	£4,100
Pickering Preschool Playgroup	Running costs	£1,955
Ryedale Youth Theatre	Costume and props storage facility	£1,250
Thornton le Dale Squash Club	Investing in Our Future - phase I	£2,793
Helmsley Walled Garden	Beyond the Secret Garden - focus on families	£5,000

Malton and Norton Rugby Union Football Club Improvements

Malton and Norton Rugby Union Football Club were one of the applicants awarded a Community Grant. It is an amateur club providing rugby facilities for men, women and children from the age of six upwards. The club is attended by teams, individuals and families and has almost 600 members.

The rugby club's project was awarded £5,000.

Some of the money was used for the creation of a new entrance into the physio room. As the women and girls' game has grown in recent years, the club wanted to ensure the physio room could be accessed without the need to go through existing changing and shower areas to keep genders separate.

In addition, the clubs' original shower block had become tired after 27 years, and part of the community grant was used to replace the shower heads and shower control system. The club also invested in a new instantaneous water heater so the showers are fed by water as required rather than heating a large tank.

This, combined with the refurbished showers should help the club save energy in the long term.

This project offer several benefits:

- The new entrance will give separation and privacy to people using the physio room.
- Creating separate areas of the changing room will give privacy to different age groups and genders.
- It will also allow the physio room to be hired out privately, creating a new revenue stream.

“The club are grateful for the support received from Ryedale District Council Community Grant Scheme as we are a volunteer led club providing high quality facilities that are in need of constant upkeep to keep attracting and retaining players from the Ryedale area and beyond.”

William Browne
Chair of Malton and Norton Rugby
Union Football Club

To the left is the previous entrance to the physio room, through the shower areas and to the right the new door which gives separate access from the outside of the building.



Riverside View Play Area Renovation

“We will create a district where everyone feels welcome and can thrive... We will be a champion for sustainable public services that continue to meet the specific needs of Ryedale’s communities.”

Ryedale District Council set out to replace aging park equipment in Norton’s Riverside View play area so that it didn’t break and made a financial commitment to improving the facilities beyond simply replacing things. To maximise use, it was important the new design offered more of what the community needed.

Responses to the consultation in September 2021 gave some ambitious suggestions and while the Council’s couldn’t quite bring Jurassic Park to Ryedale, the new setup is pure to please.

Survey responses with contractors to guide their designs and a local company carried out the work faster than expected in January 2022, so kids could get back to doing what they do best.

Many of the responses to the survey said that slides were their favourite thing to play on, so the Council made sure both replacement climbing frames included them. Swings were also very popular. In addition to installing durable replacements for the existing swings, a new basket swing that everybody can use was added.

The other key goal for the renovation was to create a more inclusive play area. The Council wanted all local families to have access to fun outdoor activities, and for all children to have somewhere safe to play.

The new equipment caters better to different age groups and disabled families. Members of Ryedale Special Families were among the first to try it out when the park re-opened in February 2022.

Increasing accessibility benefits everyone by allowing more children to play somewhere safe in their local neighbourhood. Communities can share the benefits of lower traffic levels and reduced emissions by making the most of local parks for active recreation.

The renovated park represents a long-lasting legacy of local investment in community facilities.



New equipment:

- Inclusive springer
- Activity panels mounted on the fence so children can play with light and colours
- Rotating cone (web/rope) climber
- Two new swing units
- Inclusive toddler climbing frame (with wide slide, sliding pole etc.)
- Junior climbing frame with more challenging elements (rope tunnel, climbing bars, balance beam)

Feedback from parents:

“It will make a big difference, to a lot of the disabled kids, because there’s not really much at Rainbow Lane.”

“Amazing, because we can come and play every day. We live nearby.”

“We use the park a lot, and now it’s more accessible. We will definitely be down here a lot more.”



Encouraging the recovery of sports and leisure

“We will promote health and wellbeing for all by offering leisure facilities and access to physical activity. We will work with our leisure provider and other partners to expand access to these opportunities and identify funding streams that will support our aims.”

Work with Everyone Active

Like many other sectors, the leisure industry suffered due to the pandemic. Everyone Active, who manage the Council's leisure facilities, shut their Ryedale facilities for a total of 254 days from the start of the COVID-19 pandemic. Following their reopening in 2021, the focus was on the recovery of the sector by encouraging Ryedale's residents back into fitness and swim centres to exercise. The Council provided additional financial support to Everyone Active towards the recovery of sports and leisure in Ryedale.

The authority also continued to offer support to Helmsley Outdoor Pool and Malton Community Sports Centre with annual grants of £8,000 and £30,000 respectively.

Ryedale Sports Awards

Everyone Active organised the Ryedale Sports Awards for 2022, with a presentation evening in Pickering on 10 February.

Ryedale District Council was pleased to be able to sponsor two of the categories and this was a great evening which was well supported by local clubs, volunteers, and individual athletes, with nominations in each category.





A place like no other - to live, work, visit and invest

Welcome Back fund

“We want everyone to enjoy Ryedale’s natural beauty, market towns, shops and amazing attractions. We will promote our area as a hub for food, drink, creative culture and active recreation.”

The Welcome Back Fund forms part of the wider programme introduced by the government to support communities and businesses, protect jobs and help vulnerable residents to make sure no one is left behind.

Here are some of the ways the Council has used the funding in Ryedale:

Residents and visitors

Colourful lamppost wraps and posters were rolled out in public areas, reminding people to protect each other by following COVID-19 rules and guidelines. The Council collaborated with 49 local businesses to place hand sanitiser stations in prominent places in town centres, with 16 located from the Welcome Back Fund. Stencilling on busy pavements marked out two-metre safe distances.

Information detailing the government’s safety messaging and what the authority was doing to improve hygiene in public conveniences were displayed by the Council.

Local businesses and organisations

Ryedale District Council supported local areas to enhance the natural beauty of the district, by introducing a mini grant scheme. It was set up to invite Town Councils and In Bloom groups to apply for grants of £2000 each to install planters in areas of high footfall. The planters aid social distancing in busy areas all year round.

The campaign run by the Communications team in May to support local businesses and citizens to enjoy Ryedale safely was well received. Marie Atkinson, owner of the Home Decorating Centre, expressed her appreciation for the support shown during a difficult period.



“We’re all small independent shops run by local people. People give, and we give back to the community. Hopefully that support will continue.”

Marie Atkinson
Home Decorating Centre



worked more closely with external partners and local businesses to support lives and livelihoods. To do this, it introduced a Town Centre Ambassador to help businesses and citizens safely navigate the pandemic and guide shoppers to stay safe. As a result, the authority has improved links and relationships with businesses and invested in some longer-term projects that will benefit the community for years to come.

For example, the Council has started to keep track of the number of citizens and visitors coming into Ryedale’s five historic market towns and also monitors how many people use council car parks and how many log on to the Council’s free Wi-Fi. This key information lets us know how well Ryedale businesses are recovering from COVID-19.

Ryedale Festivities

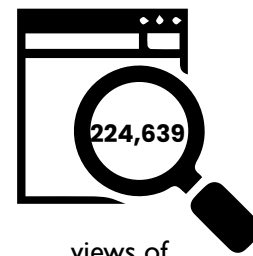
Following the activity carried out in the spring, the Communications team collaborated with the Gazette and Herald on a winter campaign to highlight local businesses who had maintained great COVID-19 safety measures, service delivery to their customers throughout the pandemic and some welcome festive cheer in the run up to Christmas. Residents nominated their local business who met the criteria, and businesses were chosen at random to appear in the Gazette and Herald. Businesses also worked with the Council's officers to create videos of their stores to show the safety measures in place and the festive cheer that would greet customers.

This campaign promoted the shop local message, it reassured citizens that businesses were following key safety measures and it supported Ryedale's economy – giving businesses a much-needed boost.

The Council also worked in collaboration with the media company that owns the local Gazette and Herald to publish digital content



nominations from residents



views of digital content



businesses spotlighted

Cedarbarn Farmshop and Cafe

One of the businesses nominated and featured through the Ryedale Festivities campaign was Cedarbarn Farmshop and Cafe in Pickering.

A nomination for Cedarbarn said the business' attention to detail made it stand out.

It said:

“Excellent locally produced food served in the restaurant in comfortable surroundings by friendly competent staff.

“The shop offers fresh top quality local produce with their own baked products available at all times.

“The butchery provides top quality local meat, prepared by expert butchers, and their home grown beef is the best tasting, tender meat in the area.

“Consistency of quality, standards & service make Cedarbarn stand out at the highest level.”

One of the questions on the nomination form asked how the nominated businesses showed Festive Cheer.

Cedarbarn was celebrated for careful and considerate decoration as well as good value festive gifts, Christmas lunches in the restaurant and friendly staff.

The outdoor areas drew particular praise for the way the miniature railway had been decorated.

In regards to the COVID-19 safety measures that Cedarbarn had in place, nominations highlighted:

- Plentiful supplies of hand and trolley sanitizer available before shop entry.
- Masks required at all times, separation also encouraged whilst shopping.

“This campaign was a lot of fun that in itself has been great - it has raised morale in the local business community after a challenging few festive periods.

“We've had all sorts of interest in our business since the campaign got underway and we were nominated.

“A big thank you to Ryedale District Council from us.”

Mandy Avison, owner of Cedarbarn Farmshop and Cafe

Support for the arts

“We will promote our creative industries and expand our cultural offer by supporting Ryedale’s network of skilled craft businesses and thriving arts hubs.”

Small Arts Grants

In December 2021 Ryedale District Council awarded five small Arts Grants to artists and creative organisations in the district to support cultural activities which engage the community.

Artists, freelancers, community interest companies and arts-related charities were able to apply for a grant of up to £1,000 to support work in Ryedale which addressed community health and wellbeing, celebration of place, digital creativity, or climate change awareness.

Harminis: Harminis at the Hive £980 grant awarded

Harminis at the Hive was a project designed to provide interactive singing and music sessions for toddlers with a focus on language development.

The grant funded 14 one-hour sessions at the Norton Hive Community Library. The sessions were very popular, with nearly all of them fully booked and many families returning for several sessions.

There were a number of families on low incomes who participated and who confirmed they would not have been able to attend had the sessions come with a fee. Norton Hive Library staff were very positive about the events and would welcome such sessions again.

Libby Pearson Creatives: Cooling and Chatting £1,000 grant awarded

This was an oral history project exploring and celebrating the Kirkbymoorside Pigeon Club. The oral histories were collected with a series of photographs of members and their pigeons.

The audio and the photographs were displayed at the end of March in the Moorside Rooms in Kirkbymoorside. It is hoped the exhibition can be displayed elsewhere.

The project ended up engaging with a wider audience than originally expected due to local interest and club members visited Kirkbymoorside School and the Farndale WI. Kirkbymoorside School developed a creative art project based on the visit by the club and the artworks were also displayed as part of the exhibition at the Moorside Rooms.

Lot of locals visited the Moorside Rooms in Kirkbymoorside for the first time. The feedback from the local community and the school was very positive and the club ran a celebration evening at the end of the project and have more planned.



Live Music Now: Stories in Song and Music £1,000 grant awarded

This project works with Welburn Hall School in Ryedale to engage with children with special educational needs and disabilities, and to help them develop their musical skills and creative potential. The sessions are led by a trained Early Years Music Specialist who works closely with the children and crafts the sessions according to where their imagination takes them. In total, 23 children are taking part in the project.

“The pupils are getting so much from this! Staff are so impressed with you!”

Welburn Hall School Headteacher

Art Happens Here Collective: Art Library Network £1,000 grant awarded

The Art Library Network project was comprised of two key events plus the installation of a small art library at Community House. The library is comprised of donated books from the former art department at Scarborough College and thanks to the project grant these are now displayed at Community House and open to the public to borrow every Friday.

The funds also supported two events at Community House. Around 100 people attended an artist/creative networking event bringing together creative freelancers from all over Ryedale to view the studio space and share networking opportunities and project ideas.

The second event was held over the Malton Food Festival Weekend and was an open, family-friendly drop in event with a range of activities available for families to try out. This was intended to pilot the idea of starting a National Saturday Art Club for children at the centre. As a result of the networking event, a number of freelancers have now booked use of the building to run creative classes and courses for the public.

Feedback

“Just wanted to say thank you for a really interesting evening last night. Art Happens Here is fab. Great that you are doing that in Malton - made my day!”

Richard Webb, NYCC

“Thank you for a really inspiring visit last Friday. What a wonderful project and organisation you are all developing.”

Paddy Chandler, Stronger Communities

“A wonderful visit to AHH Studio Collective today. Many thanks for good conversation about fascinating work.”

Ronald Cowdery, Ryedale Artist

“I loved coming to the studio and I think it’s really cool. I made lots of badges to take home and I can’t wait to come again soon!”

Henry, aged 8

“What a fab place you’ve created.”

Malton Sculpture Trail visitor, York

“I would love to help out and get involved. I’m so pleased to have popped in and discovered AHH Studio Collective before moving back to Ryedale in July.”

Textile Design student/new graduate, Derby



Ryedale Open Studios: Ryedale Open Studios 2022: Illustrated Map £1,000 grant awarded

The illustrated map was designed to promote Ryedale Open Studios 2022. The Open Studios team wanted to employ an artist to create a map of the Ryedale area to be used in their promotional leaflets and flyers, and to map where the open studios artists can be found.

A local artist was commissioned to create the map, and it was digitised so that it can be edited and reused for future events.

Following the inaugural event last year, the team knew they were short on hard copy flyers for the visiting public, so the rest of the funds were used to support a print run of flyers featuring the new map.

Economy: harnessing Ryedale's unique economy to deliver growth, homes and jobs

Our aims

Quality homes local people can afford

- We will work with our partners to deliver more affordable homes and ensure a supply of good quality housing that reflects the needs of our communities at all stages of their lives.
- We will promote the highest standards of construction and work in partnership to improve energy efficiency and achieve carbon reduction.

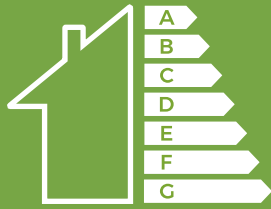
A connected rural economy

- We will support measures to improve digital skills, expand broadband and mobile telephone coverage, accelerate changes within town centres and drive competitiveness by investing in digital innovation.
- We will work with partners to improve the A64, integrated public transport connections and station facilities.
- We will support and invest in measures to cut congestion and improve traffic flow in our market towns, including HGV reductions in urban centres.

Open for business

- We will promote and support micro, small and medium sized businesses by exploring the introduction of a competitive grants scheme for start-ups and offering advice.
- We will work with Government, industry and businesses to bring new investment to the area, expanding the commercial space on offer within the district in a sustainable way.
- To retain our young people in the district, we will offer information, training and opportunities to meet the needs of our modern economy.
- We will promote the value of apprenticeships and graduate opportunities and lead the way as an employer in our own right by employing more apprentices and graduate trainees.
- We will seek opportunities related to the major chemicals industry, emerging bio-renewable opportunities, research and development.

Performance on a page



24

vulnerable households supported with the Ryedale Energy Scheme to install energy efficiency improving measures in their homes



£9.5m

in COVID-19 business support funding given through three grant schemes



11

employers attended a job fair at Ryedale House to engage with job seekers



25

small businesses received a Small Business Development Grant to help them set up, grow and strengthen their existing market position, expand into new markets or address recruitment or skill shortages.



2

young people hired for 6 months as part of the Kickstart scheme to tackle youth unemployment



1520

businesses supported through three COVID-19 grants schemes to help them adapt and survive to life through and post the pandemic



£49,265

received from the European Regional Development Fund to support the safe return to high streets and help communities and businesses 'build back better'

Quality homes local people can afford

Ryedale Energy Saver Scheme

“We want people to live in high quality, safe and sustainable homes. We will promote the highest standards of construction and work in partnership to improve energy efficiency and achieve carbon reduction. We will work with landlords to ensure rental accommodation, in particular houses in multiple occupation, comply with the law and follow best practice.”

Ryedale District Council helps residents have more energy efficient homes through the Ryedale Energy Saver Scheme. Residents who are eligible for the scheme are either in receipt of benefits, or have a low income alongside additional factors that make them more vulnerable to the cold. This includes certain health conditions, being over 70 years of age, or having children under the age of five. The scheme delivers energy efficiency home improvements to help make homes warmer to guard against excess winter deaths.

Solutions offered include better insulation (cavity wall, loft etc.) and heating improvements – for example, A-rated boilers and efficient electric storage heaters. A ‘whole house’ approach is used to maximise energy performance throughout a property and to identify multiple improvements to the least efficient homes.

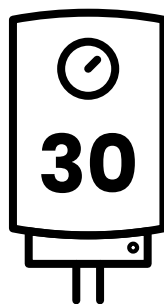
How does it work?

The scheme is integrated with other Council-run support schemes aimed at vulnerable customers. This means the Council can make sure that people who need help get what they’re entitled to. Homeowners and private renting tenants can apply.

The Council also offers grants and loans for householders who need to install measures to make their homes warmer and more energy efficient working with YES Energy Solutions, who find eligible residents, assess them against the qualifying criteria and arrange surveys and installations via their accredited installer network.

Part of the funding for this project comes from the Energy Company Obligation (ECO) scheme, alongside the grants and loans the Council offers. This means that in most cases, the full cost of all measures is covered.

Since April 2021:

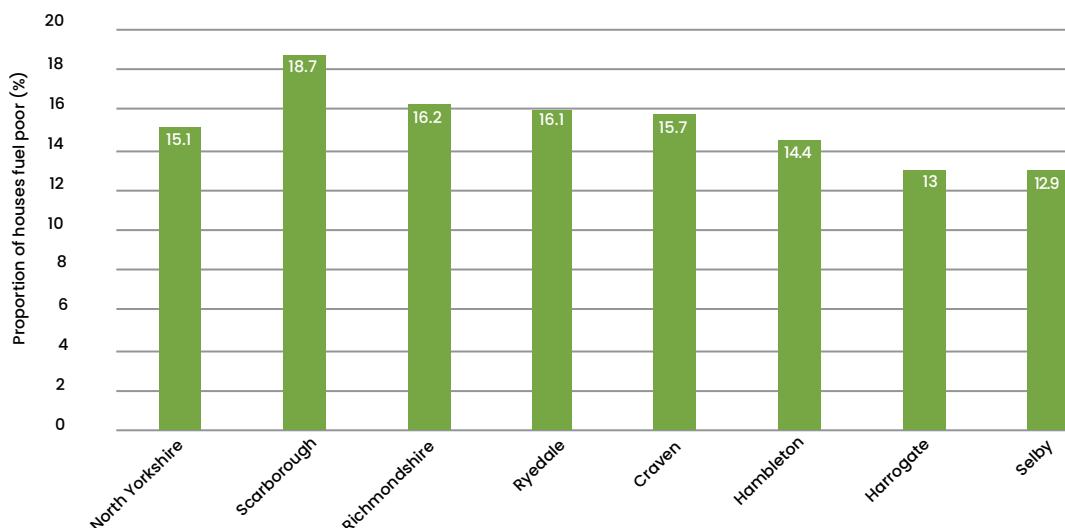


measures installed in 24 homes



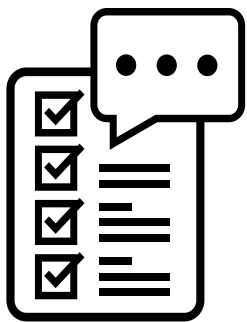
total grant funding allocated by the Council

Fuel poor households in North Yorkshire



This allowed home improvements to be fully funded for the 24 vulnerable households taking part in the project. Overall, the scheme also helps the Council fulfil its obligation to prepare a Home Energy Conservation Act (HECA) report, which outlines the authority's strategy for tackling fuel poverty.

Looking to the future, the Council will continue to improve the energy efficiency of Ryedale's housing stock, contributing towards its climate change commitment to achieve net zero emissions across Ryedale by 2050.



9.8 out of **10**
overall satisfaction score from
customer satisfaction surveys

Through the Ryedale Energy Saver Scheme, one satisfied couple received a fully funded brand new A-rated combi-boiler to replace their old inefficient 30-year-old boiler.

“We’ve noticed a big difference, it’s just lovely to have hot water and heat there all the time, it’s just marvellous. We were very pleased when we found out it was fully funded because we wouldn’t have been able to pay for it, so it was just fantastic.”

“I’ll never look back now, I couldn’t wish for anything better. Now we don’t need to turn the thermostat up, you can’t touch the radiators they’re so hot and now the whole house is warm.”

“Our old boiler had to be serviced often, and when we were looking at the gas bills, the boiler was using a lot of gas, which wasn’t necessary. We’ll have to wait for what our next gas bill will be but I’m sure there will be a big saving in it.”

“You couldn’t wish for a better team, they were all really helpful and went through the boiler with us and showed us what to do.”

Customer feedback



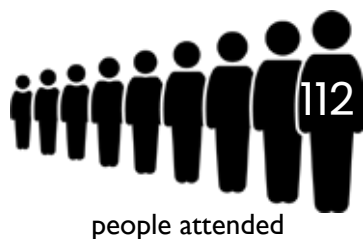
Ryedale Job Fair

“We want young people to believe that Ryedale is a place to build their future. To retain our young people in the district, we will offer information, training and opportunities to meet the needs of our modern economy. We will work with partners to support their start up ideas and build relationships with higher and further education institutions, focusing upon future skills needs e.g. engineering, green construction and clean energy”

The job fair in November 2021, for which the Council collaborated with the Job Centre, was a reflection of the high level of activity in the local job market, as well as the variety of opportunities on offer.

Jobseekers were able to meet 11 different employers from the area offering.

The event was a great success and involved:



“Ryedale District Council will champion the benefits of good quality apprenticeships and graduate opportunities across Ryedale’s business community. We will promote their value and lead the way as an employer in our own right by employing more apprentices and graduate trainees.”

One aim of the event was to reflect the diversity of the district’s modern job market, including the need for full and part-time work, family-friendly hours and apprenticeships. Three of the employers in attendance (Severfield, Karro Foods and Forest Holidays) were taking part in the Government’s Kickstart Scheme, which helps get 18-24 year-olds into work.

Feedback

Following the event, the Council received some excellent feedback.

“It was a fabulous day and a great event. We managed to book 12 appointments, which is fantastic: that’s 12 people who wish to access support with preparing for a return to work.”

Careers adviser at the National Careers Service

“The event was very successful and I was happy that so many people attended from all areas of Ryedale. I spoke to so many people about the opportunities available within the Trust and took the names of seven candidates that would like to be contacted further about the roles available.”

Registered manager at The Wilf Ward Family Trust

Council officers highlighted some key messages from the day: “If you want work in Ryedale, it’s out there; we just need to get employers and jobseekers talking.” Attendees were also reassured that employers are looking for key qualities: “Increasingly, businesses are focussed on commitment and punctuality. They’re looking for individuals with a good work ethic.”

While this event aimed to address some of the immediate recruitment needs across Ryedale, the Council is planning to include more employers with an even wider variety of roles on offer next year.



Kickstart Jobs Scheme

“We want young people to believe that Ryedale is a place to build their future. To retain our young people in the district, we will offer information, training and opportunities to meet the needs of our modern economy.”

Ryedale District Council supported measures to reduce youth unemployment during the pandemic. Through the Kickstart scheme, it hired two young participants for six months of paid experience. Both found they gained key skills in office working and grew in confidence.

High levels of unemployment among younger workers were a particular concern as the country felt the effects of COVID-19. Studies show that spending a long time without work as a young person can reduce how much a someone earns for many years afterwards. To support Ryedale's young people to thrive, it is important the Council continues to provide them with opportunities to earn and develop their talents.

The Kickstart scheme granted funds to enable organisations to employ a 16-24 year-old at the national minimum wage (or the living wage for those over 23). Placements lasted for six months, with extra funding available for training to support participants to get a job in the future. The Council's local training offer included online workshops with different employers, CV writing and interview skills, career planning, and access to additional online learning.

According to staff who mentored the young people,

“The team were really welcoming and especially grateful to have them as the service was so busy responding to COVID-19.”

The two participants showed they were able to work flexibly, supporting staff with activities including:

- Data cleansing
- Distributing publicity for services
- Taking minutes of meetings
- Creating safeguarding certificates

One participant's mentor highlighted her growth:

“Over six months she really grew in confidence and came out of her shell. She was open about what she enjoyed, and really developed in those areas.”

Ryedale District Council's partners at the county council supported businesses to take part in the scheme. They said:

“It has been a great chance for young people to get employment – a specific pool of jobs for them that nobody else could apply for.

“That was especially helpful early on in the pandemic, when jobs disappeared. It's hoped things will improve now that there are more general openings.”

KICKSTART[®]

SCHEME



Kickstart employee

One of the Kickstart participants who worked with the Housing service said of the scheme:

“It has helped me develop my admin skills and my office skills.

“I’ve spent a lot of time in the Ryecare officers, it took me a couple of weeks to get trained up and then I was flying.

“With COVID-19 and staff shortages I’ve done quote a few shifts and I feel like a valued team member.”

What has been your favourite part of the experience?

“I love Ryecare, it’s definitely the favourite part of the programme. I love dealing with our customers and the fact that no day is the same and helping people with their problems.

“It is definitely rewarding but tricky and I feel like seeing it first-hand that Ryecare don’t always get the recognition that they deserve.

“It’s not just dealing with the emergency calls, we’re also here on our own in this building and dealing with the alarms, the intruder alarms for the office and repairs as well. There’s so much to do than answering the phone if somebody presses their button.”

What else have you done as part of your Kickstart placement?

“Ryecare is primarily what I have been doing. I’ve also been down in Derwent Lodge on a Thursday doing the North Yorkshire Home Choice adverts.

“Officers were struggling to find time to get them done so I got trained up to do them.”

The participant began applying for roles to move on to at the end of their six-month placement towards the end of their time at the Council and hoped to progress into an office-based role using the skills they had developed and confidence gained during their placement.

Support for businesses

“We want entrepreneurship to flourish across our district. We will promote and support micro, small and medium sized businesses by exploring the introduction of a competitive grants scheme for start-ups and offering advice as we recognise the long term success of this sector is essential to Ryedale's future success.”

Throughout this year Ryedale's economy continued to recover from the effects of COVID-19 restrictions.

To support businesses in the district Ryedale District Council distributed several types of financial support including the Government-funded Restart Grant, Omicron Hospitality and Leisure Grant and Additional Restrictions Grant.

Government Grant Schemes

COVID-19 Restart Grant

The Restart Grant was available from 1 April 2021 to support businesses in reopening safely as COVID-19 restrictions were lifted, predominantly in sectors reliant on delivering in-person services for the general public. Funding and eligibility criteria were provided by Government and local councils used their discretion to decide whether businesses met the criteria and distributed the funds.

Eligible businesses were paid:

- A one-off grant of up to £6,000 in the non-essential retail sector.
- A one-off grant of up to £18,000 in the hospitality, accommodation, leisure, personal care and gym sectors.

1068 COVID-19 Restart Grants were paid to Ryedale businesses with total payments between April and July 2021 of

£8,183,393

Omicron Hospitality and Leisure Grant

The scheme was announced by the chancellor Rishi Sunak on 21 December. Government provided £1 billion to local authorities across the country to support businesses in the hospitality and leisure sector that had been negatively impacted on by the Omicron variant of COVID-19.

One-off grants of up to £6,000 were available to businesses in Ryedale in the eligible sectors which were liable to pay non-domestic rates, including those whose bills showed 100 per cent relief. Applications opened in January 2022 and payments were made on 14 March 2022.

Between January and March 2022 the Council processed **401** applications for the Omicron Hospitality and Leisure Grant from Ryedale businesses with payments totalling

£1,219,438

Additional Restrictions Grant

The Additional Restrictions Grant (ARG) was also announced in the chancellor's 21 December statement. A total of £102 million was made available to local councils to support businesses outside the business rates system that have been severely impacted by restrictions.

Councils determined which businesses to support and the amount of funding provided. Applications opened in January 2022.

51

Ryedale businesses received the Additional Restrictions Grant with payments totalling

£154,738

“This is incredible news. Thank you so so much! This will help us pay all the Ryedale businesses we owe and keep us afloat. Honestly it has saved us.”

Additional Restriction Grant recipient

Small Business Development Grant

The scheme helped the local economy continue to recover from the pandemic. Any business in Ryedale with less than 250 employees could apply for a grant of up to £5,000 to help them set up, grow and strengthen their existing market position, expand into new markets or address recruitment or skill shortages.



Applications opened in December 2021 and closed on 31 January 2022. A total of 79 applications were received and appraised to have a combined value of £242,373.

25

successful applicants were awarded grants totalling

£77,894

Successful bids for funding included:

- A website and new oven for an independent bakery to establish a mail order branch to their business.
- Refurbishment and alterations including a kitchen expansion in a family-run deli.
- A training course to enable an electrician to diversify into the installation and maintenance of electric vehicle charging points.
- Rebranding and improved signage of a tourist attraction.

Gather and Cure

Gather and Cure is a start-up business based in Kirkbymoorside. It will produce small batch Yorkshire cured meats and British Charcuterie helping to promote animal welfare and fly the flag for small artisan producers.

The business plan showed a strong commitment to the local economy - their pork supplier is another independent Ryedale business based in Farndale and they're working with local landowners to sustainably forage wild garlic as a key ingredient for the product.

Gather and Cure applied for a grant of £1,665 towards the purchase of an electric 'sausage filler' to allow them to improve the efficiency of their production as they bring the product to market.

The grant was approved by officers and the equipment has now been purchased to help this exciting new business.



Environment, a sustainable, safe and clean place

Our aims

A safe place to live

- We will tackle anti-social behaviour by working closely with North Yorkshire Police and other partners.
- We want to reduce flooding risk by investing in flood alleviation measures and working with partners to provide an emergency response.
- We will work in partnership to uphold the highest standards of animal welfare, train staff to deal with issues and hold public information events

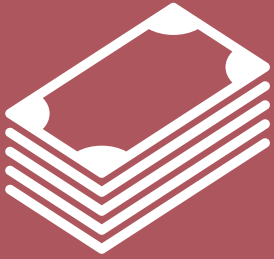
Clean and attractive streets

- We will take tough action on littering, dog fouling and flytipping through proactive and dedicated enforcement.
- We will improve air quality in our market towns by working with partners to tackle congestion and promote sustainable transport and commerce.
- We will improve our Streetscene operations and support communities to do more.
- We will protect Ryedale's heritage and natural capital by regularly reviewing our listed buildings, historic assets, protected landscapes and conservation areas.

Sustainability into the future

- We will take ambitious steps to reduce our carbon footprint through regional and local initiatives.
- We will lobby Government to provide national structural and policy changes that allow us to deliver innovative and ambitious climate change actions.
- We will work collaboratively with industry, businesses, communities and others to deliver local and community led energy solutions, that fulfil the ambition to deliver carbon neutrality.
- We will build the case for installation of income-generating, energy-efficient and renewable technologies at council-owned buildings.
- We will promote sustainable transport by installing extra electric vehicle charging points, opening cycle routes and identifying new ways to link our communities in sustainable ways e.g. electric buses.
- We will increase our recycling rate in line with emerging national policy.

Performance on a page



£277,000

contributed to the Malton, Norton and Old Malton Flood Alleviation Scheme to upgrade existing flood protection measures



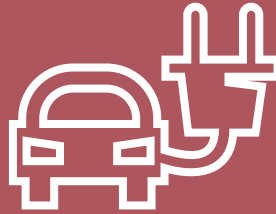
6

community-driven projects looking at improving energy efficiency, mitigating and adapting to climate change supported by the Council



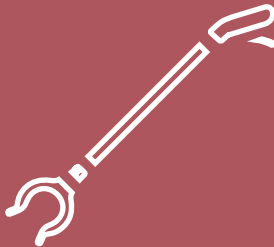
129

properties involved in flood resilience project



40

electric vehicle charging points installed across the district to support increased uptake of electric vehicles



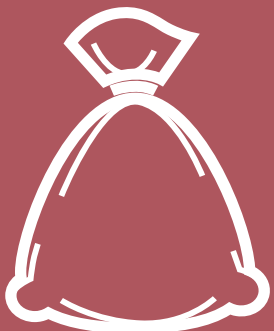
30

groups and individuals supported by the Council who volunteered to collect litter



5

businesses supported to create sustainability action plans to encourage eco-tourism



844

bags of litter collected by community groups and disposed of by the Council



£134,000

invested in new green street-sweeping vehicle capable of cleaning 15 miles of road a day

A safe place to live

Flood alleviation

“We want to reduce flooding risk by investing in flood alleviation measures and working with partners to provide an emergency response.”

Flooding is difficult and disruptive for many people in the district, which is why the Council is committed to investing in flood alleviation measures and working with partners to provide an emergency response. During this year, the scheme improved the effectiveness of the multi-agency response to flooding. It also looked at permanent solutions including measures that can help prevent properties in Malton, Norton and Old Malton from flooding in the first place. This is called ‘Property Level Resilience’ work.

For example, it’s important to keep the portable water pumps somewhere safe and protected, so they’re easily accessible and in good working order when there are incidents of flooding. The Council installed permanent pipework, a concrete platform and cover, and two Glasscrete pads. This means the portable flood pumps can be safely installed when needed without any damage to the riverbanks too.

Location: Tate Smiths, Malton

The ‘before’ photo below shows how the pipe was previously supported by wooden platforms found in the yard so that it could pump the water over the flood wall and back into the river system.



Location: Boat House Yard, Malton



These ‘after’ pictures show the permanent pipes installed along the County Bridge walls. The top picture was taken during a pump deployment training session and demonstrates how the pump is attached to the permanent pipe, allowing water to be pumped quickly and safely over the wall. The picture below shows a new ramp to allow water to flow back into the river once pumped over the flood wall without damaging the surface or infiltrating through the ground.



The ‘after’ photo below shows the newly installed bespoke pumping platform and permanent pipe.



Property level resilience work has already started in Norton, Malton and Old Malton.

129

properties are involved in the project

with grants of up to
£5,000

available for approved alterations

Alterations include flood door barriers, airbricks that close automatically to keep out water, non-return valves on drains to prevent floodwater or sewage backing up and waterproof copings on walls.

A survey is carried out by an external contractor on all the properties. Then the work is agreed with the homeowners, prior to any work starting.

One homeowner expressed their relief upon completion of the resilience works:

“I feel reassured in case of future flooding that I am as protected as I can be. I am very grateful to be offered the financial support as I know it’s expensive to get hold of and install these solutions.”

By the end of the year, 83% of work has been started and 74% of work has been completed. There are just 23 properties remaining waiting for work to begin.



Above: Silicon seals around entry points to the property
Below: Flood front door



Above: Support brackets for flood barrier installed



Clean and attractive streets

Support for community groups

“We want to keep our streets clean. We will improve our Streetscene operations and support communities to do more.”

In 2021-22, the Council supported a number of initiatives to keep the district’s streets cleaner. Litter picking equipment was provided to community groups, council officers took swift action to remove graffiti, collected surplus unwanted items for disposal from give and take days and supported environmental events.

The Waste and Environment team worked hard to help a range of community stakeholders to improve the environment.

30

groups and individuals volunteered to collect litter and were supported by us including Malton & Norton Tidy Group, Pick It Up Pickering, local Scout groups and Parish Councils



bags of litter collected by community groups this year

Ryedale District Council attended the Eco Fair in Pickering to promote the scheme, raising awareness of how to get involved and how Streetscene can help.

Staff helped at five Give or Take Days in Malton, Helmsley and Kirkbymoorside where residents were invited to exchange unwanted items for other people to reuse. At the end of each event, the Council collected any unwanted items and recycled them, making sure they didn’t end up in landfill and were safely disposed of.

Staff working in the community have been better equipped to respond to graffiti reports with the purchase of two new graffiti removal kits. This has enabled Community Operatives to take prompt action and remove graffiti on the same day it is reported benefiting local businesses and residents alike.

Feedback

Customers and community groups expressed their appreciation directly to staff and on social media.

One resident came out to thank two staff members personally, to tell them he appreciated them clearing up the leaves outside his property.

A local business owner acting as a litter-picking kit collection point thanked Streetscene for their ongoing support in supplying the equipment and collecting the bags of waste volunteers brought in.

An organiser of a Give or Take day gave us her thanks and expressed appreciation for the Council staying to make sure the whole hall was cleared

Those who would like to apply for the lending of litter picking packs can email the team at

litterpicks@rydedale.gov.uk

The team will deliver litter picking kits and collect them again once you have finished as well as disposing of the litter. The initiative is further supported by two local businesses who store some kits to make it easier for local people to collect and return equipment



National Keep Britain Tidy Award

In February 2022 Community Enforcement Officer Martyn Baker was recognised with a national award for his work in community enforcement.

Martyn, who has worked at the Council since 2020, won the Excellence in Enforcement Award at the Keep Britain Tidy Awards in February 2022.

The award honours an individual who stands out from the crowd and has excelled at Keep Britain Tidy's Enforcement Academy.

The annual awards recognise the excellent work members of the Keep Britain Tidy network and other organisations are carrying out in their region to tackle localised environmental issues such as waste, litter and fly tipping.

Martyn is one of two Community Enforcement Officers at the Council. The roles were recruited in 2020 and have allowed the authority to take a proactive approach when dealing with issues in the community.

The Community Enforcement team help deliver on the Council Plan aim to make Ryedale sustainable, safe and clean. They educate communities as well as taking enforcement action against littering, environmental crime and antisocial behaviour when necessary.

“Winning was a bit of a shock but it’s fantastic. “It couldn’t have happened without the support I’ve got from the team. We’re a very close knit team that work very well together and it’s them that have made everything I’ve done achievable.”

Martyn Baker

“Each year, our award winners show just what is possible when people have the passion and commitment to make a difference to the environment on our doorstep.

“This year is no exception and I would like to congratulate Martyn and thank him all for his incredible work.”

Allison Ogden-Newton OBE,
Keep Britain Tidy's Chief Executive



Sustainability into the future

Climate Change Action Plan

“We will take ambitious steps to reduce our carbon footprint through regional and local initiatives. This includes implementing our Climate Change Action Plan.”

Ryedale District Council's elected members declared a climate emergency in 2019 which led to the creating of the Council's Climate Change Action Plan with the aim of reaching Net Zero Carbon Dioxide emissions across council operations and the wider district by 2050.

The annual reduction target for the Council across its operations is 5% per year from the baseline of 2018/19.

The action plan has four key areas: Building and Assets, Transport and Vehicles, Council operations and Council leadership. The Council collaborated with a range of stakeholders such as; the Local Enterprise Partnership for York & North Yorkshire (NYLEP); Ryedale Environment Group (REG), Yorkshire and Humber Climate Commission; Local Authorities across North Yorkshire, Government departments and other organisations across Ryedale.

There are many benefits from achieving Net Zero CO2 emissions across the Council's operation and the district of Ryedale. However, as emissions occur from a wide range of sources, numerous approaches are required to achieve the authority's goals.

During 2021/22, the Council supported six community-driven projects focused on improving energy efficiency, mitigating and adapting to climate change. Each project was a community-led scheme with projects including an Electric Vehicle Charge Point for a community transport vehicle, LED lighting and improved insulation in village halls and water collection and reuse.

Ryedale District Council also successfully applied to the UK Government's Heat Network Delivery Unit (HNDU), securing £80,250 for feasibility studies into Geothermal energy. £50,250 of the HNDU funding was awarded to Third Energy for feasibility assessments into whether their existing 12 wells could provide geothermal heating for community, agriculture and other local applications. These studies will start in May 2022.

In addition to energy, the Council has supported the decarbonisation of road transport.

40

electric vehicle charging points have been installed across the district to support an increased uptake of electric vehicles



In partnership with the University of York the Council has also encouraged eco-tourism across Ryedale by supporting five tourism sector businesses in creating sustainability action plans.

Reducing energy usage, improving efficiency and decarbonising heating in citizens' homes will improve air quality, decrease energy costs and have wider positive impacts on the environment. Supporting the decarbonisation of Ryedale's road network will also bring substantial air quality benefits.

In addition to adapting and mitigating climate change, Net Zero will also require protecting and restoring the natural world.



Organisation: an innovative, enterprising council

Our aims

A council that's accessible to all

- We will transform our customer services, using new ways of working to improve our responsiveness.
- We will tackle inequality. Delivering better equality across the district is central to everything we do and we are committed to doing all we can to be a welcoming and inclusive place characterised by diversity.
- We will be open, honest and transparent by publishing key policies and financial information and responding promptly to freedom of information requests.
- We will improve our engagement with you, asking for your views, and using your feedback.

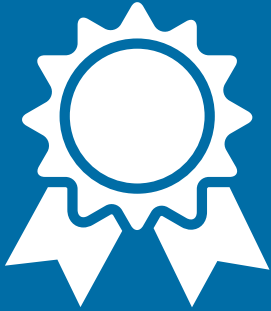
Value for money

- We will maintain strong finances into the future by delivering customer-focussed and cost-effective core services.
- We will drive service improvements. We will ensure we process applications and requests promptly and monitor the effectiveness of our contracts and commissioned services.
- We will develop a capital programme that invests in the equipment and resources needed for more efficient services.
- We will deliver services in new ways, acting in a more enterprising manner, exploring opportunities to generate income on a case-by-case basis.

A great place to work

- We will ensure the council is a great place to work by recruiting and retaining motivated, skilled employees.
- We will empower staff to deliver ambitiously for Ryedale, promote wellbeing and publish staff survey results.
- We will nurture talent through succession planning, recruiting graduate trainees and apprentices, implementing a work experience programme for care leavers, and ensuring that training and development opportunities are available for all employees.

Performance on a page



GOLD

accreditation from Investors in People achieved by North Yorkshire Building Control Partnership



44

members of staff completed workplace diversity and inclusion training delivered by Inclusive Employers, including manager-specific sessions



2

Environmental Health Officers funded and supported to study for a Level 3 certificate



90%

of requests from the public solved informally after the introduction of a new complaints, compliments and feedback procedure

4.86%



Staff turnover



1.67

Sickness absence (average days lost per employee)

Accessible to all

Working together

“We will transform our customer services, using new ways of working to improve our responsiveness.”

Over the last year, Ryedale District Council has been looking into the way it handles feedback from the public. The Council is committed to providing high-quality services to its customers and feedback is highly valued. Customer feedback is used to help the authority understand what has been done well, resolves things that have gone wrong, and improve standards and quality of service.

To ensure it follows complaints effectively, the Council follows the Local Government and Social Care Ombudsman’s ‘Principle of good administration practice’ and staff receive training from the Ombudsman. This year the Customer Services team has also shared their expertise to help other teams respond to customer needs.

The new customer complaints, compliments and feedback procedure was implemented in June 2021. It provides a defined structure for responding to feedback, but also maximises opportunities for services to learn and adapt.

By giving customers the chance to have their request passed on to the relevant service, most issues can be resolved without the need for a formal complaint process. Once the service has looked into the request, customer services staff help them to communicate any changes back to the customer.

“Any complaint should be taken as a learning tool, because we’re here to provide a good service and meet customer expectations.

“We’re educating our colleagues to change their attitude to complaints: it’s about drawing on that constructive feedback and becoming more responsive.

“We know that staff also need to learn how to talk to the customer, how to explain things.

“We find that complaints arise when things that aren’t communicated well, or perhaps questions aren’t fully answered.

“I think our training has given staff more confidence, because they know there’s someone else to look at their response to the customer and help them tweak it.

“Over time we’ll need to do that less and less.”

Jenny Knowles, Customer Services Manager





9 out of 10

requests from the public are now resolved informally as a result of the new complaints, compliments and feedback procedure

One service that has had success with the new policy is Revenues and Benefits. The team find the timescales clearer and appreciate increased contact with customer services throughout the process.

The head of service explained how responses to the public have improved as a result:

“Once we’ve drafted a reply, it helps to have a third-party sense check. Customer services make sure we have addressed the issue and cut out any jargon. The effect of that internal improvement is passed on to the customer: when we know that we have communicated effectively, we can focus on improving our services.”

Marcus Lee, Revenues and Benefits Manager

In response to feedback from the public, Revenues and Benefits has adopted a more holistic approach to claims, as well as adding to the information available online. For customer services, the next stage is to gather and implement more feedback from services about how they find the new process. The Council will also investigate how to give complainants the chance to give feedback on how it has handled their concerns.

“It’s an exciting area to work in, It’s really good feedback because you know when something needs changing. Before, we wondered why simple things sometimes generated lots of calls. Now we can follow the entire process and adjust how we do things.”

Jenny Knowles, Customer Services Manager

A great place to work

We invest in people

“We will empower staff to deliver ambitiously for Ryedale, promote wellbeing and publish the results of staff surveys.”

The North Yorkshire Building Control Partnership team carry out building control services across five local authorities in North Yorkshire. This well-established partnership was the first of its kind and has since been replicated elsewhere around the country. The partnership ensures that all forms of construction work affecting council property conforms to regulatory standards, with partners working together to deliver quality building controls in the best interests of service users and staff. Hosting the partnership at Ryedale means that staff enjoy the same rewards as their Ryedale District Council colleagues.

In 2021 the North Yorkshire Building Control Partnership celebrated their success in achieving the Investors in People gold accreditation standard. With only 17% of organisations achieving gold standard, this is a huge achievement.

Staff were told:

“It means that every single person is involved in supporting each other and is doing their best to make work better.”

Investors in People offer businesses a nationally recognised external audit which involves collecting a range of information including customer satisfaction rates and an all-staff survey. Through accreditation, companies can demonstrate that their investment in training, reward and recognition is paying off. The assessment process is repeated every three years, and businesses can choose whether to apply for accreditation as part of the process.

Team members at every level of the organisation gave interviews about their experiences.

Feedback

“The culture is very welcoming and encouraging. Whatever level you are, people always make time for you and want to develop you and give you a hand.”

“You are made to feel valued by being included.”

“If you are self-motivated and you want to progress, you will be supported. We’re always encouraged to take advantage of opportunities.”

The online staff survey showed

87.7%

of respondents felt the organisation was a great place to work

90.9%

of respondents felt the organisation had a plan for the future

As Head of Building Control, Rob Harper is already looking to future improvements.

“Our main resource is our staff, so it’s important for me to show our customers we have a trained, competent team.



“A lot of change is coming to building control and we’re in a competitive market, so we’ve got to think competitively.

“Our assessment provided suggestions of where and how we can continue to improve, which will feed into our business plans for 2022 and beyond.”

Rob Harper, Head of Building Control

During their assessment of North Yorkshire Building Control Partnership, Investors in People were told by customers that the service was:



A word cloud of customer feedback. The words are arranged in a roughly circular pattern. The largest word is 'Excellent communication' in blue. Other prominent words include 'Professional' in green, 'Clear website' in purple, 'Helpful' in red, 'Polite' in blue, 'Friendly' in purple, 'Prompt' in green, 'Brilliant service' in red, 'Clear Advice' in purple, 'Efficient' in green, 'Pleasant' in green, and 'Easier than expected' in red.

Professional

Helpful Polite Friendly

Prompt Brilliant service

Clear Advice Excellent Efficient

communication

Pleasant Clear website

Easier than expected



Graduate Development Programme: Rachel Parks

Rachel joined the Graduate Development Programme at Ryedale District Council in 2020 after graduating from the University of York with a degree in Human Geography and Environment. Following her time on the Graduate Development Programme, in 2022 Rachel secured a position working for Hackney Council in London as a Recycling Officer.

How was your experience on the Graduate Development Programme?

"I thoroughly enjoyed my time at Ryedale District Council on the Waste and Environment Graduate Programme. Although I started my role at the beginning of the Covid-19 pandemic in March 2020, with the support of my team I easily adapted into this new way of working and my changing roles and responsibilities. Due to the wide-ranging experiences and projects I was involved with during the programme, I have been helped to further my career in the Waste Management Sector as a Recycling Officer at Hackney Borough Council."

What role did you have in the Flood Alleviation project?

"My role was to support the Head of the Waste and Environment Department with Council flood management initiatives. Ryedale has a history of flooding and our work was to prepare for future flooding events and to limit the impact on communities. My role involved updating sandbag stocks so we could protect properties from rising flood water. I also updated the Malton, Norton, and Old Malton Pump Plan and looked at the costs for replacing the pumps to make sure they were reliable. Another important part of my role was to liaise with our Flood Management Partners such as Yorkshire Water and the Environment Agency and I also helped to organise training sessions with the emergency services so they could help activate the pump at Tate Smiths. I supported my

senior manager with hosting Flood Management Working Party Meetings in the evenings to give updates, record actions and produce briefing papers on current projects for Elected Members."

What skills did you gain on the Graduate Programme?

"I gained many skills which included drafting and incorporating the Waste and Environment Strategy for Ryedale District Council and ensuring that it aligned with the Council Plan to increase recycling rates and adhere to current legislation. I became accustomed to using performance review systems such as Pandana to track and review targets relating to recycling performance and had the chance to improve my leadership skills when I was responsible for projects such as refurbishing the mini recycling centres and organising the anti-littering campaign 'Love Ryedale'."

How was your experience of multi-agency working on the Flood Alleviation project?

"A crucial part of my role was to work collaboratively with others and I gained valuable experience in doing so. Multi-agency working in flood management is an important process and I quickly understood that working with partners to deal with flooding improved the outcomes. The use of action plans to record the roles, responsibilities and completed actions of each partner helped us to track multi-agency work and to see if deadlines were likely to be met or if work needed to be chased up or extended. It was also invaluable to update our Elected Members on the work in and around Ryedale and these regular updates from our partners at the Flood Management Working Party meetings highlighted the important and essential work that was happening."

Did the graduate programme and the flood alleviation project impact your future career?

"I have always been passionate about the environment and enjoy spending time in the outdoors and feel the benefits of this to my wellbeing. As such, I had an interest in helping to look after our environment, leading me to study this as part of my degree discipline. My experience as a graduate trainee in Waste and Environment has helped to foster my desire to provide the best possible service which will ensure that we all make sustainable choices to look after where we live, especially within the wider context of the growing need for us all to reduce our carbon footprint. It has cemented my motivation to work with like-minded people within a career that is both worthwhile and rewarding."



Samantha Broome, Environmental Health Technical Officer at Ryedale District Council

Ryedale District Council is committed to facilitating training and learning opportunities for its employees. Environmental Health officers carrying out inspections of premises licensed under the Animal Welfare (Licensing of Activities Involving Animals) England Regulation 2018 must hold a Level 3 certificate or equivalent granted by a body, recognised by the Department for Environment, Food and Rural Affairs (DEFRA). Samantha started a recognised training course in 2021, funded by the Council, and is due to complete the course by November 2022.

What is your current role here?

“In my role as an Environmental Health Technical Officer I coordinate the sampling of private water supplies and inspection of animal establishments requiring a licence across the district. I also support my colleagues in the Environmental Health Team across a wide range of Environmental Health and Licensing functions.”

How has your experience working here been so far?

“I have been here for a year and a half now and really enjoy the varied work load at Ryedale. Each day is different in Environmental Health! My team and colleagues in general have made me feel very welcome, not only to Ryedale but to North Yorkshire. I have felt supported and encouraged to gain new skills which is very refreshing.”

Which course are you studying and how have you found completing it alongside working here?

“The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force on 1 October 2018. This Regulation amalgamated several old and outdated pieces of legislation covering dog breeding, cat and dog boarding, pet shops, exhibitions of animals and horse riding establishments and introduced modern conditions of licence and guidance. At the heart of these changes is a push for better animal welfare in these areas.

“As part of the legislative changes, officer inspecting establishments requiring an animal activity licence must hold a BTEC Animal Inspectors Level 3 Certificate by the end of 2022. Complete this course involves inspecting each type of premises, compiling a lengthy report about the visit and completing set questions about the Regulations and Defra Guidance. My colleague Mark Heaton and I are in the process of completing the course which is challenging alongside the day to day workload. We have a large volume of these premises to inspect so there hasn't been a problem meeting the course criteria!”

What skills did you gain on the course?

“The course backed up my previous knowledge and understanding around animal licensing. It has also given me the skills to confidently inspect dog breeding establishments as I had little involvement with those type of establishments when working for my previous local authority.”

How will the course and skills gained benefit your role and your career going forward?

“The course will help me gain the qualification required to be compliant with The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. It has also provided opportunities to learn from colleagues up and down the country doing similar roles to Mark and myself.”

Would you like to add anything else?

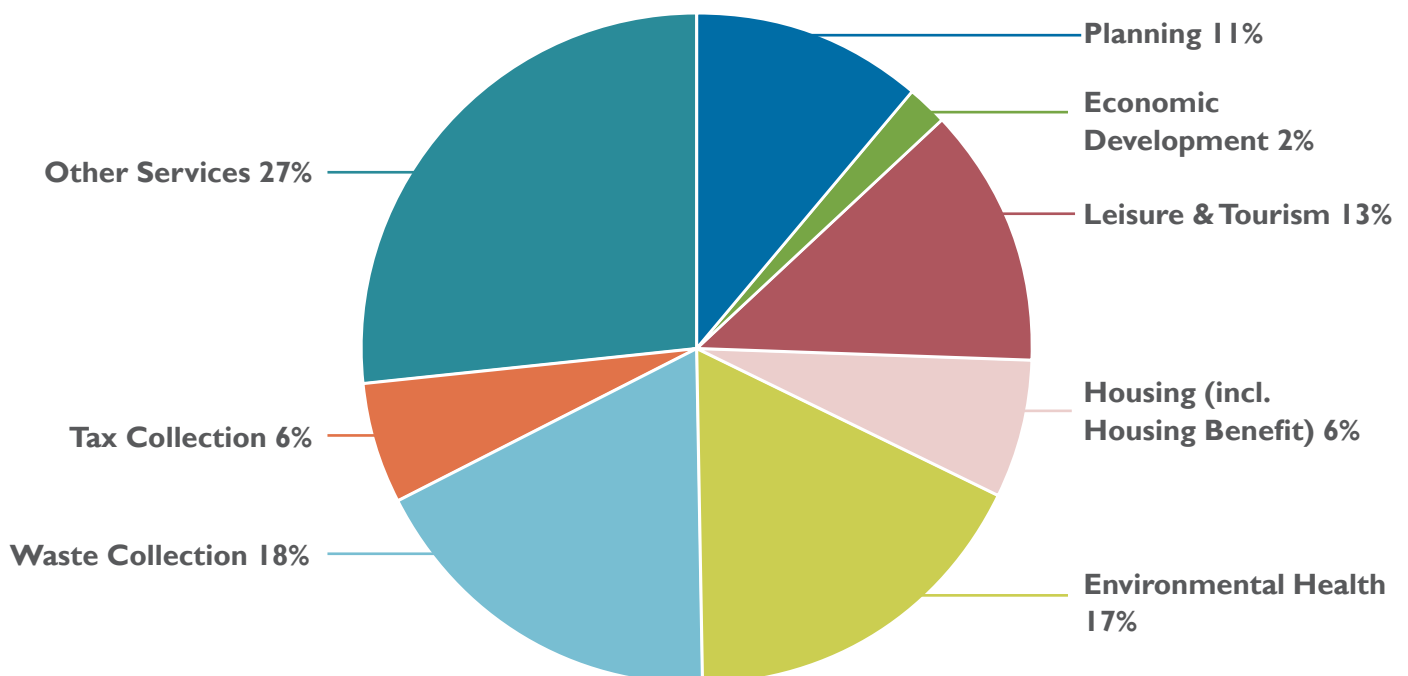
“I would like to thank Ryedale District Council in supporting me through the qualification.”

General Fund Revenue Expenditure in 2021/2022

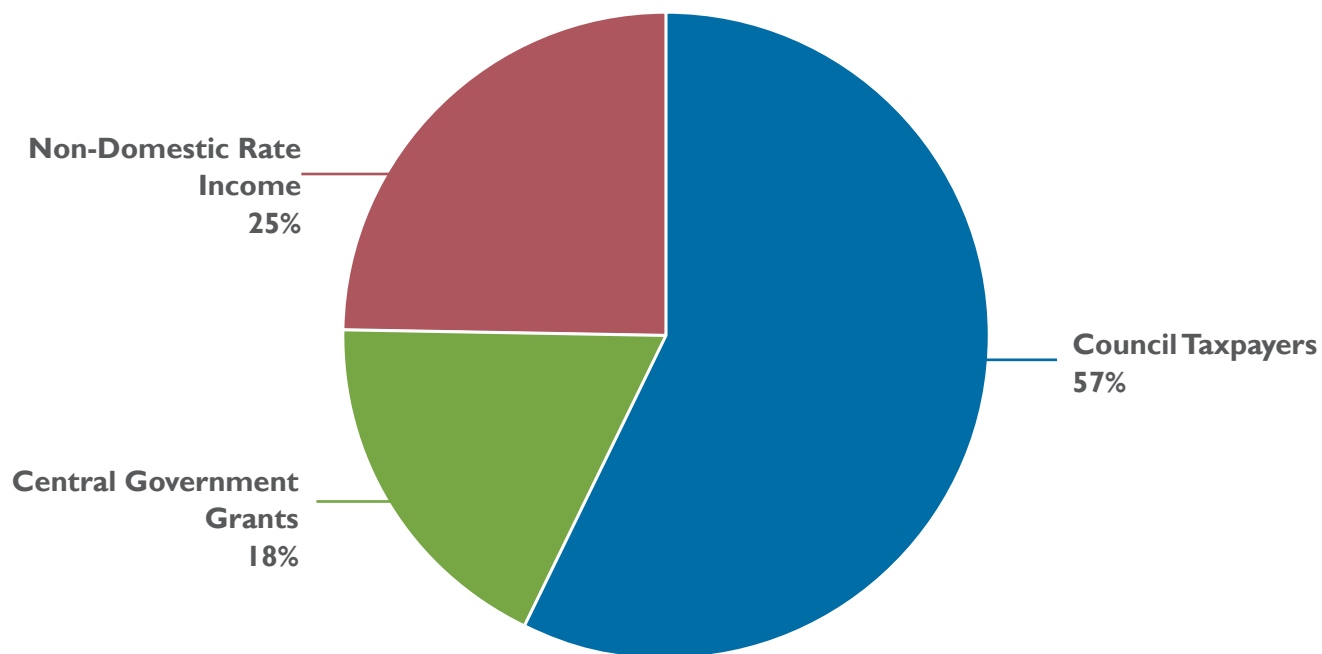
Value for money

“We will maintain strong finances into the future.”

The net cost of the Authority’s revenue activities was £10.798m. This was spent on services as summarized in the chart below:



After adjusting for the payment of parish precepts of £1.074m, the receipt of investment income (£0.055m) and the net credit from appropriations (£2.670m) the amount met from Taxation and Non-Specific Grant income was £9.736m, which is funded as follows:



Thank you to all our employees, partners, businesses, citizens, community groups, charities and volunteers for continuing to work together during COVID-19. Your support and cooperation helped us do what's right for Ryedale throughout the pandemic and aid in the district's recovery as restrictions were lifted.



Councillor John Clark

Councillor John Clark served on Ryedale District Council since 2003. Cllr Clark was ward Councillor for Cropton, the Leader of the Liberal Group in the Council, and Chair of Ryedale District Council's Policy and Resources Committee. He also represented Ryedale District Council on a number of regional and national committees. A strong voice in the Council Chamber, Councillor Clark was known as a tireless advocate for local democracy, and for his great commitment to his role as Councillor. John died in hospital in August 2021 at the age of 74.

"I have known John for many years. He was a hard-working and greatly respected Councillor who played a huge role in the activities of Ryedale District Council. Most recently he was Chair of the Police and Resources Committee, which provided an opportunity for his knowledge and experience to shine through.

"In the Council Chamber he always spoke up for what he believed in, and he showed great determination to get things done - both for his own Ward of Cropton, and for the wider district of Ryedale. He will be greatly missed by his colleagues on the Council and in the community more generally. Our sympathy and thoughts are with John's partner and his family and friends at this very sad time."

Councillor Janet Frank,

"Highly intelligent and articulate, John was a divisive character who championed the underdog. An organic farmer and stalwart of local politics for over 40 years, everything John did was done with the utmost honesty and integrity, and for his community - something of a rarity these days.

"With dogged determination, he fought tirelessly to raise awareness on issues such as climate change and social housing.

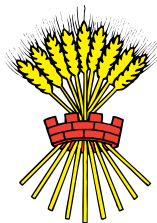
"There was no compromise with John; he would think deeply about everything and could argue in an empty room. The annoying thing was that 95 percent of the time, he was right.

"We have lost a clever man, an astute politician and a fine friend."

Ryedale District Council's Liberal Group



RYEDALE
DISTRICT
COUNCIL



Published by:
Ryedale District Council
Revised January 2023



REPORT TO: FULL COUNCIL

DATE: 23 FEBRUARY 2023

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES
COMMITTEE ON 9 FEBRUARY 2023

85 Ryedale District Council - Local Development Scheme November 2022 - March 2023

Recommendation

That council be recommended to:

(i) Agree the Local Development Scheme for use and publishing.

Voting Record

Carried by general affirmation.

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PART B: RECOMMENDATIONS TO COUNCIL

REPORT TO: POLICY AND RESOURCES COMMITTEE

DATE: 9 FEBRUARY 2022

**REPORT OF THE: PLANNING SERVICE MANAGER
JILL THOMPSON**

**TITLE OF REPORT: RYEDALE DISTRICT COUNCIL – LOCAL DEVELOPMENT
SCHEME NOVEMBER 2022- MARCH 2023**

WARDS AFFECTED: ALL

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To agree the Local Development Scheme for the review of the Ryedale Plan, and provides updates to planning policy making of Ryedale District Council, and implications as part of Local Government Reorganisation.

2.0 RECOMMENDATIONS

- 2.1 It is recommended to Council that:

(i) The Local Development Scheme is agreed for use and published.

3.0 REASONS FOR RECOMMENDATION

- 3.1 To provide the timescales for the plan review, to update the scope of the review of the Ryedale Plan and to update wider planning policy status in relation to the Helmsley Plan.
- 3.2 To progress the review of the Ryedale Plan (Local Plan) in light of Local Government Reorganisation and the preparation of a new Local Plan for North Yorkshire.

4.0 SIGNIFICANT RISKS

- 4.1 There is no significant risks with the recommendation. It is necessary for the Council

to have an up to date Local Development Scheme- to facilitate stakeholder awareness in the plan-making process. It is also a formal document which sets out the planning policy coverage of the Ryedale Local Planning Authority and it is a statutory obligation to have a Local Development Scheme which the aligns with the publishing and submission of the Ryedale Plan Review. Therefore the risks are associated with not updating the LDS to reflect plan-making timelines and decision stages.

- 4.2 Although not a risk associated with the recommendation, it is important that through the plan-making process there is an iterative process of policy development by the action of Members providing scope for policy choices, and ensuring that any choices are assessed and tested within a context of evidence and consultation, and therefore are justified. The guidance on local plan reviews is clear that any decision to not to update policies in an adopted plan should be justified on the basis of proportionate, relevant and up to date evidence. It is important that the principles of evidence-led plan making and robust public consultation are maintained during the review of the plan.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 The current local plan (The Ryedale Plan) covers the period 2012-2027 and includes the Local Plan Strategy adopted in 2013 and the Local Plan Sites Document which was adopted in 2019 with the Policies Map. It also includes the Helmsley Plan- which is considered below. The review of the development plan is a council priority and feeds into many elements of the Council Plan's actions.
- 5.2 Since the latter part of 2020, the review of the Ryedale Plan has been partial in its scope, and was focusing on key area concerning distribution of housing, and responding to climate change. This was considered more specifically by the Local Plan Working Party (LPWP) at its meeting on the 13 June 2022 and the 13 October 2022. A report on the Local Development Scheme was previously considered by Policy and Resources on the 10 November was continuing with that partial review, with a position of Ryedale District Council agreeing the Publication content of the Ryedale Plan review on the 30 March.
- 5.3 The review of the Ryedale Plan has been conducted within the context of a series of changing circumstances, given Local Government Reform, and consultations have been conducted with:
- Members of the Local Plan Working Party;
 - Officers and Members involved in the LGR Planning Workstream;
 - Public consultations on distribution of development, key decisions and on-going sites consultation;
 - Meetings with key stakeholders and statutory consultees.
 - Seeking Counsel advice
- 5.4 At the end of 2021 and running until March 2022 Members may recall the Council undertook a consultation which principally explored the different approaches we could take to the distribution of development.
- 5.5 Members at Policy and Resources 10 November agreed on a 'Key Decisions' consultation which will consult on what is effectively the Council's preferred or

potential approaches, or some key options concerning the review. It will not give the precise policy wording but will certainly need to express key principles and ask questions about the proposed approach. This consultation was revised in some specific areas to respond to the matters raised in this report, and has been commenced as of 10 January for six weeks.

- 5.6 These key decisions will also need to be subject to key technical assessment in relation compliance with Habitats Regulations Assessment and Sustainability Appraisal and Strategic Environmental Assessment. There will also need to be viability assessment work undertaken to ensure that any standards or thresholds are not set so high as to undermine planned growth or other local plan policy aspirations. Work in these areas is being undertaken/commissioned to inform the Key Decisions consultation. This will inform both the Publication of the Ryedale Plan review, and inform work on the new North Yorkshire Local Plan.
- 5.7 There is on-going site assessment work to establish which sites are potentially the most appropriate to bring forward. This is part of subjecting sites to a formal Sustainability Appraisal process. On-going consultation is taking place on the sites, and this started in November 2021. As Members are aware, the Castle Howard Estate site submissions were received in late March and were published on the website in April. This has generated a significant amount of public interest which is welcomed. We have also had more recent site submissions which we cannot decline to accept as to do so would be prejudging their suitability. Although the later the submission, the less opportunity to undertake key appraisal and evidence work, and it will not have been subjected to public consultation. Only after the publication of the plan will the District Council decline to consider additional sites through the Review of the Plan.
- 5.8 The Helmsley Plan (2015-2027) was subjected to a light touch review by both the National Park and Ryedale District Council. The continued application of the Helmsley Plan was agreed at Policy and resources on the 10 November, and resolved by Council on the 1 December 2022 to continue its operation until such time it is superseded by another Local Plan/Neighbourhood Plan.

REPORT

6.0 REPORT DETAILS

Background Context

- 6.1 A report to the Local Plan Working Party on the 18 June 2020 identified that the Ryedale Plan would be subject of a 'whole plan' review and the process was estimated to cover a five/six year period to the adoption of a new plan. By 2021, two matters resulted in this approach being stopped: the Planning White Paper in August 2020 and the potential for local government re-organisation across North Yorkshire as set out in the Secretary of State's letter of the 9 October 2020.
- 6.2 It was recognised by both Members and Officers that these matters have significant implications for the future of planning in North Yorkshire and the Council needed to reconsider the scope of the Local Plan review. It ultimately resulted in a pragmatic partial review of the plan as scoped in the currently adopted Local Development Scheme 2021-2023. Which focused on the distribution of housing, housing supply

and delivery, and responding to climate change up to 2038. It recognised that it would be a plan which was ultimately submitted, examined and adopted by the new North Yorkshire Council, and that work would also commence on the new Local Plan for North Yorkshire.

- 6.3 The major Planning White Paper reforms have become less of a priority for Central Government. But Local Government Reorganisation is very much a reality, and the North Yorkshire Council will come into being on the 1 April 2023. The Government also opened a consultation on the 22 December 2022, which is part of the Levelling – up and Regeneration Bill which looks at making reforms to National Planning Policy, including a series of changes to the NPPF, some of which it intends to bring in in March 2023, with other changes coming into force in 2024. These changes can be accommodated based on the work done to date, and if the review timescales continue to be progressed, the review of the Ryedale Plan would be examined, as part of the transitional arrangements, under the new refined NPPF soundness tests, amongst other requirements.
- 6.4 Work over the past six months by the Planning Policy Work Stream has been looking at options for plan making work as we transition from the seven Local Plans and Minerals and Waste Plan into a new planning policy framework for the new unitary Authority. Legal advice was sought concerning the matter of the preparation of the new Local Plan for North Yorkshire was provided in late August. The Counsel advice confirms that the new authority will need to commence work on its new local plan in earnest, and is expected to have adopted its new Local Plan within or close to 5 years of vesting date (2028). Officers considered these circumstances presented a need to explore refining the scope of the plan review further, given a clear commitment and impetus to prepare a new local plan for North Yorkshire which would have a plan period of at least 15 years from when it is adopted. Preliminary work has already started in relation to the preparation of an interim Local Development Scheme, and resources and capacity investigations are underway. Members and officers will need to be able to input into this emerging work, and influence the development of that new Local Plan.
- 6.5 Regarding the existing Development Plan’s positions, the proposed approach to date has been on ensuring that advanced plans and reviews progress, with a view to also focusing on the new Local Plan. It is acknowledged that the new council cannot invest in reviewing *all* existing plans as well as the new Local Plan. But at the same time it needs to reinforce the existing Development Plan where there are clear opportunities to do so, with locally-specific, advanced plans, and where the risks of not doing so are considered to be significant, such as the implications for land supply or other legal compliance issues. The Ryedale Plan Review is one of the plans which is to be reviewed at the writing of this report.
- 6.6 Officers viewed that this clear commitment of new plan preparation means that once adopted the Ryedale Plan’s lifespan will only be a matter of a handful of years- at the most. It will be effectively subsumed/superseded by the new North Yorkshire Plan, accepting that its allocations will likely be rolled forward. There is a need to ensure that the review does not present areas of incompatibility to the emerging new North Yorkshire Local Plan, such as around the consideration and treatment of growth points and investment in aligned infrastructure to deliver those growth aspirations- particularly in light of the Devolution deal with North Yorkshire and York. There is going to be additional consultation on both the new Local Plan for North Yorkshire

and the review of the Ryedale Plan. The presence of the two plans, and their similar timelines, could cause confusion for local communities.

- 6.7 Given this impetus with the production of the new Local Plan, and these complexities regarding the review of the Ryedale Plan, Officers considered whether or not there was a set of exceptional circumstances to refine the scope of the review still further. These perspectives and circumstances were brought to the consideration of Members of the Local Plan Working Party on the 13 October: To explore the approach of refining the review of the Ryedale Plan further, by Instead the review can provide additional sites to modestly extend the land supply by considering a 5-year roll-on of the Ryedale Plan. An approach which was unorthodox, and to be subject to legal advice. Members of Policy and Resources agreed to such an approach being explored at their Meeting of the 10 November 2022.
- 6.8 Counsel advice was sought on the scope and plan period for the review of the Ryedale Plan- including the proposed five year roll-on. It was received on the 17 November, and a detailed summary of its contents was provided to Members of Council on the 1 December 2022 and it is attached to this report (Appendix 1). It confirmed two significant matters that have implications for plan-making for Ryedale Council, and for the Unitary Council:
- There are significant risks to soundness if a plan is rolled-on for an additional 5 years beyond its original end date. It is without precedent, and that strategic policies should be prepared to meeting objectively assessed needs at least over a 15 year plan period; and
 - It will be a challenge to deliver a new adopted Local Plan for North Yorkshire within 5 years.
- 6.9 It is therefore considered that in relation to matters of policy soundness in reviewing the Ryedale Plan- that review needs to be comprehensive, and will need to be a 15 year period. In relation to the future plan-making environment; to rely on a new Local Plan covering North Yorkshire being in place in 2028/9 is going to leave existing development plans vulnerable as time passes, and that presents a particular risk to those plans which are older, the Ryedale Plan being such a plan.
- 6.10 The advice is clear that the review needs to be a full review, and this has resulted in a situation where it will no longer be possible for the District Council to make a decision on the Publication of the Review prior to the vesting date of the North Yorkshire Council in April 2023. It would be a risk for the new authority if the plan review was progressed in haste, and decision to reach Publication made too early. Publication is the formal stage of consultation on the plan which the Council intends to submit for Examination. The Local Development Scheme therefore does not commit the District Council to publishing the plan review- and provides indicative timescales if the review is progressed by North Yorkshire Council.

Scope of the Review

- 6.11 By expanding the review back to a full review, this means that whilst none of the work we have undertaken on the plan review to date is undermined, there is much more work to do. The areas of plan coverage to be looked at will include: employment land, retail policy, affordable housing targets, areas of renewable energy opportunity, and

an update to the Community Infrastructure Levy, as well as fully reviewing our thematic environmental/cultural policies. It will also result in a single plan document, as opposed to multiple development plan documents. Officers consider that the body of work to do is at least an additional 2 years in duration to reach Publication with associated and aligned public consultation. At least 6-9 months to then reach Submission and then the Examination will follow on from that- subject to any early matters and issues raised.

- 6.12 The plan review therefore cannot be considered as advanced as we previously thought, and further work is needed before the review can be formally published. It is considered only that once we have completed these additional stages of evidence collection and appraisal and consultation that the review of the Ryedale Plan can progress to Publication.
- 6.13 In this proposed Local Development Scheme, it is acknowledged that the format/approach of the continuation of the review the Ryedale Plan rests with the new North Yorkshire Council. It will need to decide whether the review is effectively subsumed into the work on the new Local Plan. Or, should it feel that it could provide a 'back-up plan' for twin-tracking the preparation of a Local Plan for North Yorkshire, and review the Ryedale Plan at the same time. Mutually informing each other in the process and provide a de-risking strategy for Ryedale's land supply faltering in 2027, and perhaps earlier.
- 6.14 The subsuming the review into the plan making for Local Plan for North Yorkshire may appear the most straightforward approach. From a resource and consultation perspective it perhaps would be so. But the critical fact remains that Ryedale's Development Plan has a weakening land supply in the next 3-4 years. If the plan for North Yorkshire falters or worse, fails, there will be an increasingly fragile land supply. Based on current national policy, the Development Plan would start to have diminished weight in the consideration of housing proposals in relation to policies on housing supply and delivery. It would still be subject to National Planning Policy and other policies within the Development Plan, so the Plan does not cease to operate. But there would be increased uncertainty about where development comes forward and at what scale. This is not in the spirit of a plan-led planning system. It can result in uncertainty for communities, restraint in investment, and planning in an ad-hoc manner by application/appeal, which is challenging for Members. This presents a significant risk.
- 6.15 There is currently an in-principle commitment to continue the Review of the Ryedale Plan beyond vesting date, but it is on the basis that the progress on the review has reached a relatively advanced stage. The legal advice, and its implications, mean that we are no longer to be considered at such an advanced state. The situation has been brought to the attention of Officers who are involved in presenting to the Executive of the new Council the proposed approach with regards to the approach to current plan-making programmes across the North Yorkshire Area, and identifying the way forward regarding emerging local plans and the new local plan. This is summarised in the table at Appendix 3.
- 6.16 Legally, given the Ryedale Plan's age, and national planning practice on plans being subject to 5 year reviews, it must be reviewed. This Local Development Scheme and its predecessor commits to such a review. But the outcome of the decision on *how* to review of the Ryedale Plan would ultimately be part of the Local Development Scheme being prepared for the new council and this will be from 2023 onwards.

- 6.17 The RDC Planning Policy Team Leader had a meeting with the Planning Advisory Service (PAS) on the 13 December. PAS is part of the Local Government Association, and in its overarching mission statement: “provides consultancy and peer support, learning events and online resources to help local authorities understand and respond to planning reform”. Three key messages were taken from the meeting:
- The Ryedale Plan should indeed be reviewed in full- and not attempt a roll-on;
 - In their experience, unitary council formation and the resulting local plan preparation is extremely likely to take well in excess of 5 years – they anticipated that the Visioning and Objectives exercise alone could take 18 months to two years.
 - That to continue on with the review of the Ryedale Plan as a twin tracking exercise alongside the preparation of the new Local Plan should be considered as the most risk-averse strategy to take and to keep working on both planning policy streams.

Actions prior to vesting date

- 6.18 Normally, a Local Development Scheme covers a three year timescale, setting out the key stages of plan preparation. In this Local Development Scheme this has not been possible due to the combination of the outcome of the legal advice and the vesting of the North Yorkshire Council in a matter of a few weeks. The Local Development Scheme is now covering a very short period of time indeed, and no policy decisions are capable of be made by the District Council. Nevertheless there is still a significant body of work which can be progressed to inform plan-making going forward. Despite these circumstances, Officers have also chosen to give an indicatory timescale as to when key stages in the plan-making process could be met if the twin-tracked review was committed to, providing it was sufficiently resourced and no major external changes to national planning policy/practice emerge.
- 6.19 The adopted 2021 Local Development Scheme already outlined that the key plan-making stages of submission, examination and adoption would rest with the new Council. This Local Development scheme which was previously considered by Policy and Resources in November recognised that there has been some slippage, and publication would be at the end of March 2023, and so the new Council would also need to agree Publication. This was in part due to the issues with being able to commission key pieces of evidence, and Members seeking to consider in detail the nature of the site submissions made to the Council, and matters around occupancy conditions, and the role of Development Limits. The Local Development Scheme now reports that the decision concerning the format of the review, and any key stages of preparation, rests with the new Council, as the report sets out in paragraph 6.13.
- 6.20 Officers have committed to undertaking the ‘Key Decisions’ consultation which commenced on the 10 January 2023. Whilst the matter of the five-year roll forward has been taken out, the other policy considerations, including the spatial approach, remain unchanged. It is considered important to recognise the considerable work undertaken by Members and Officers in getting to those key decisions, and to give stakeholders, statutory consultees and communities in Ryedale the opportunity to give feedback on those emerging policy approaches. This is part of ensuring that issues and concerns in Ryedale can be fed into the new Local Plan- as well as a formal review of the Ryedale Plan if it continues as a standalone project. The key decisions concerned:

- The to-plan-for-figure (which is a proposed continuation of the existing figure of 200 homes per year);
 - Spatial principles and settlement hierarchy. This also included the revisions to the designation of Service villages to expand the designation.
 - Criteria-based policy for windfall sites (small-scale sites on the edges of villages);
 - Responding to climate change through an review of Policy SP18;
 - Accessibility in new dwellings (Policy SP4); and
 - Occupancy conditions – not continuing the local needs occupancy condition but also not implementing a primary residence condition
- A link to this report is provided in the background papers.

6.21 Officers will continue to work on the site assessment work- and it is anticipated that prior to vesting date Members of the Local Plan Working Party will have the opportunity to see this work, and provide their observations, to feed into the assessment work given their familiarity with the sites. It is, however, not anticipated that this will result in a set of preferred sites for allocation, but a pool of potential sites.

6.22 There is a considerable body of statutory monitoring work which the Council is required to prepare including the following published documents:

- Authority Monitoring Report;
- Infrastructure Funding Statement

We have also been working on compiling a record of s.106 legal agreements to ensure that there is a comprehensive record of payments made and disbursed.

6.23 Officers will also be commissioning additional evidence-base work which can inform both the new Local Plan for North Yorkshire, and the review of the Ryedale Plan. It is important for Members and indeed wider stakeholders to note that the site assessment work, site submissions, and evidence base commissioned as part of the review of the plan will be incorporated and subsumed into the plan making work for the new Local Plan for North Yorkshire.

The Helmsley Plan Review

6.24 The Local Development Scheme has to set out the position of extant Development Plan Documents. The document also records that the Helmsley Plan was subject to a light touch review by both the National Park and Ryedale District Council, and that it has been agreed to continue its implementation until such time that it is superseded by an adopted Local Plan/Neighbourhood Plan.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- (i) Financial

The budgetary provision for a partial review is in place and reflects the timeframes for the preparation of the plan and its scope in so far as the review. Budgetary provision does not exist for a full plan review- and a

decision to conduct a standalone full review is yet to be agreed by North Yorkshire Council.

(ii) Legal

Local Planning Authorities are expected to have an up-to-date Local Development Scheme, and our Local Development Scheme commits to the review of the Ryedale Plan. Legal advice has significantly informed the approach of this LDS.

(iii) Environmental, Ecological, Climate Change and Carbon

The Local Development Scheme is a high-level work programme. The Climate Change Officer has been involved in the scoping and work on the plan review. The Policies of the plan and site are subject to Sustainability Appraisal and Strategic Environmental Assessment.

(iv) Equalities

EqIA is not required for a high-level work programme. The policy making process is subject to Equalities Impact Assessment and Our Statement of Community Involvement. The policy content is also subject to Equalities Impact Assessment and Health Impact Assessment. This work is on-going.

(v) Staffing

No additional resources are required concerning the implementation of the LDS.

(vi) Planning

The Local Development Scheme is a key procedural document for the making of planning policy

(vii) Health and Safety

There are no Health and Safety implications.

(viii) Crime & Disorder

There are no crime and disorder implications for the publishing of the Local Development Scheme.

(ix) Data Privacy

There are no data protection issues. The Local Development Scheme does not involve the storage/use of personal data.

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Background Papers:

Appendix 1 Briefing paper on the Legal Advice of David Manley KC

Appendix 2 Draft Local Development Scheme 2023

Currently adopted Local Development Scheme

Key Decisions consultation report

Background Papers are available for inspection at:

Key Decisions consultation report

<https://democracy.ryedale.gov.uk/documents/s65919/Review%20of%20the%20Ryedale%20Plan%20-%20Key%20Decisions%20Paper%20for%20Consultation.pdf>

Current Local Development Scheme

https://www.ryedale.gov.uk/content/uploads/2021/07/Local_Development_Scheme_2021-2023-ACC.pdf

Ryedale Plan Review

This note summarises advice received from David Manley KC in relation to the plan review

It has implications for

- Decisions this Council is due to make this week (post the November P&R meeting) and prior to vesting day
- North Yorkshire Council once it comes into being

Background

The Ryedale Plan review process and LGR are happening at the same time. LGR means that from vesting day the North Yorkshire Council will become the plan making body with responsibility for preparing a new plan for the area and for deciding which current local plan reviews it will continue to progress. Until the new NY plan is prepared, planning decisions are made against the extant development plans of the legacy Council areas.

The Ryedale Plan review started with the intention of undertaking a full review of the plan. For a range of reasons, limited progress was made prior to the LGR announcement.

Since then, Officers and the Local Plan Working Party have sought to explore ways in which to expedite the review process, including narrowing the scope of the review to specific strategic policy areas and more latterly, through consideration of a short –term ‘roll forward’ of the current plan. This has been driven by:

- A recognition that due to the age of the current plan, insufficient housing land supply will be available to deliver Ryedale Plan housing requirements in approximately 3-4 years. Once this point is reached, the Ryedale area of north Yorkshire will be vulnerable to speculative proposals which are less easily resisted and can result in a ‘planning by appeal’ situation.
- Political desire of some politicians to amend specific policies or to address new policies – particularly environmental policies.

Current position

Reports to the 10 November Policy and Resources Committee summarise the progress and the current position.

The reports cover:

- Ryedale Local Plan – Key decisions paper for consultation (Part A)
- Review of the Helmsley Plan (Part B)
- Ryedale Local Development Scheme (Part B)

The Part A item covers substantive matters relating to the review. It highlights that Ryedale will not be in a position to agree a final version of a plan review covering a fifteen year period before vesting day – even one which is limited in scope/ coverage. The report also sought agreement on a number of key policy decisions that have emerged from the review work to date, for public consultation.

The report suggests that, subject to legal advice, a shorter review period (with consequently fewer decisions focussed on additional housing sites) may be a way in which proceed. This was proposed as a potential way forward in view of the very specific circumstances in which Ryedale finds itself – a need to review the Plan during a time of significant LGR and confirmation that the new authority is committed to preparing a new plan for its area within five years.

But the report made it clear that as an option this would be dependent on legal advice, in the context of national policy which seeks to ensure plans cover a minimum fifteen year period. It was not possible to secure the advice in advance of the meeting of Policy and Resources Meeting.

Legal Advice

In summary the advice is as follows:

- The risks of progressing a limited (5 year) roll forward of the plan are too great on the basis that it is far removed from the (15 year period) expectations of national policy. It is also without precedent.
- Any period of less than 15 years would need to be justified by reference to a clear local, overriding justification
- An update targeted at detailed policies eg new housing sites cannot be divorced from a plan's strategic policies (which need to cover a 15 year minimum period)

- A five year limited review period rests on the questionable assumption that the NY Plan can be put in place by 2028
- Risk that a five year plan would fail examination and be found unsound is very high
- The preparation of a new NY plan in 5 years is a 'daunting challenge' and adoption by 2028 cannot be assumed and is 'at best optimistic'

Counsel advises that the options are limited to:

- A review of the LDS to remove the commitment to the LPA to reviewing the plan
- Progress a 15 year plan (with full strategic policy coverage). This risks duplication of work with the NY plan preparation and is an inefficient use of resources but would permit Ryedale * to better control its own affairs until the NY plan is adopted. (*the Ryedale area of North Yorkshire).

Implications – short term

There are immediate implications for the Council meeting this week.

Members of Council will need to be informed of the advice and its implications at the meeting. How this is best raised and presented at the meeting (via officers/ chair of P&R) will need to be agreed.

Local Development Scheme

Officers are of the view that Council would need to agree to defer consideration of the Local Development Scheme report.

A full report should be prepared for the next meeting of the P&R committee to allow members to consider whether to formally agree to cease work on the plan review.

Key Decisions Consultation

In the meantime, officers take the view that RDC should continue with the forthcoming Key Decisions consultation.

The consultation, and responses to it, would continue to inform the review process if the new council decides to continue to progress it. Alternatively and in any event, it would provide information which would be fed into the new NY Plan if the preparation of that document is prioritised by the new authority.

Council would need to agree that the consultation document (approved at P&R) is amended to clarify the current position and that changes are agreed in conjunction with the Chair of the Policy and Resources committee.

Helmsley Plan

The Helmsley Plan report is not directly affected by the legal advice. The plan itself does not require immediate amendment and can continue to be implemented. However, a decision will need to be made by the new NYC and the North York Moors National Park Authority over whether a future standalone plan for Helmsley is jointly prepared or whether strategic policies covering the town are included in the new NY Plan or Ryedale Plan review (if this is progressed by the new authority). This will need to be made clear in the new Council's Local Development Scheme.

Members

The Chair of the Planning Committee is aware of the headline points in the legal advice and the implications of this for the Local Plan Review

Officers are meeting with the Chair or the Policy and Resources Committee on Tuesday morning (29/11) to brief her on the advice and the implications for Council on the 1/12.

Longer term implications

The decision to progress the Ryedale Plan review will need to be taken by the new Council.

This will need to be informed taking account of:

- the risks of not progressing the RLP review for this part of North Yorkshire
- the resources needed for the new NY plan and the complexity of 'twin tracking' the new NY plan with the review of existing Local Plans (including the RLP review which is less advanced than others)

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For existing planning policy

<https://www.ryedale.gov.uk/information/planning/planning-policy/>

For consultations and emerging policy

<https://www.ryedale.gov.uk/information/review-of-the-local-plan/>

INTRODUCTION

The Local Development Scheme (LDS) is a rolling program for the production and review of Planning Policy documents. It is the starting point for anyone who wants to find out about planning policies for Ryedale. Normally Local Development schemes are normally a rolling three-year programme.

In Ryedale, the District Council is responsible for providing planning policy for the area of the District outside of the North York Moors National Park. This will change from April 2023 when the new North Yorkshire Council is formed in 2023.

It is because the plan-making functions will be taken on by the North Yorkshire Council in 2023 it is not a LDS which covers a short timeframe- covering 2023.

A new Local Development Scheme for the North Yorkshire Council is in its early stages of preparation.

In particular, this LDS -

- Sets out what are our existing planning policies
- Sets out what supporting documents are produced to help implement policies
- Identifies the key elements of the review of the Ryedale Plan which is our Local Plan which have been produced (2023)
- Identifies consultation 'milestones' to inform the community and other stakeholders of opportunities to influence the preparation of the Plan
- Provides information on the preparation of Neighbourhood Plans.

These elements are very much framed by the circumstances that in a matter of months there will be a new plan-making body and they will be making a new Local Plan for North Yorkshire as a priority.

RYEDALE'S CURRENT PLANNING FRAMEWORK

The Ryedale Plan is the Local Plan for the area to 2027 and it is currently made up of three documents, accompanied by a Policies Map (adopted 2019) which shows on a map where different planning policies apply. These documents, described below, form part of the 'the Development Plan'. They have full weight in the decision-taking process as 'the Development Plan'. This means that planning decisions will be made in accordance with these documents unless material considerations indicate otherwise.

Ryedale Plan- Local Plan Strategy (LPS)

Provides the planning strategy for the District from 2012 to 2027. It outlines the aims and objectives of the Plan and includes key policies to support the delivery of new development in the District and to manage development, growth and the protection of the environment. The LPS establishes the level of new housing and employment development for Ryedale for the life of the Plan and distributes this across the District.

The LPS was adopted by the District Council in September 2013. It was subject to a light touch review in 2016 which concluded no changes were necessary.

In 2021 we formally commenced a review of the Ryedale Plan, the Plan is now considered to be in a position to be reviewed given:

- The statutory requirement to review plans every 5 years;
- Updates to elements of national planning policy;
- The need to provide a sufficient supply of land to meet development requirements, particularly of housing land; and
- The need to respond to the Climate Change Emergency Declaration in 2019.

This review was to be a partial, pragmatic, review in light of the forthcoming LGR, and that it would focus on key aspects.

Through seeking legal advice on this approach, it has concluded that a partial review for a plan of this age is not sufficient to meet objectively assessed needs in a local plan – which should be for at least 15 years; and

That the production of the new Local Plan for North Yorkshire will take much longer than 5 years, meaning that in any event a short term partial review would not contribute to providing a robust –up-to-date development plan for this part of the North Yorkshire area.

Ryedale Plan- Local Plan Sites Document (LPSD)

Identifies site-specific land allocations to ensure a supply of land for a range of land uses, and site-specific protection policies for the plan period 2012-2027. It was adopted in July 2019 with the Policies Map. It will be part of the review of the Ryedale Plan.

The Helmsley Plan

Includes site specific land allocations and policies for the town. The Helmsley Plan has been produced jointly with the North York Moors National Park Authority in order to ensure a holistic and planned approach to managing the growth of the town and addressing development requirements. It has its own Policies Map. It is important to note that as part of the Ryedale Plan, the supply of land for housing that arises within the area of the Town falling within the National Park will contribute towards Ryedale's housing land supply position and the District's Housing requirements. The Plan was adopted by Council in July 2015 and covers the period to 2027. The Helmsley Plan has been the subject of a light touch review by Officers of the North York Moors National Park (NYMNP) and Ryedale District Council, and it has been agreed to be retained by the NYMNP in July 2022 for a period of 5 years. It was considered by Members of the District Council in December 2022 with a recommendation to be retained for up to 2027, or when it is superseded by a new local plan or a neighbourhood plan, this was agreed.

The Saved Policies of the Regional Spatial Strategy

Which relate to the extent and operation of the York Green Belt, also form part of the Development Plan for the area. Part of the York Green Belt is in southern Ryedale.

Minerals and Waste Planning is undertaken, in Ryedale, by the North Yorkshire County Council (NYCC) (and the North York Moors National Park), and they deal with applications that relate to minerals and waste. Existing policies in the Minerals Local Plan (1997) and Waste Local Plan (2006) have now been superseded by the adoption of the Joint Minerals and Waste Local Plan in February 2022. Adopted Minerals and Waste policies form part of the Development Plan for Ryedale although these are applied by the relevant Minerals and Waste Authority.

See [Our Development Plan Policies](#)

Future Planning Policy

Neighbourhood Plans

Provisions in the Localism Act (2011) allow local communities to prepare Neighbourhood Plans for their local areas. Neighbourhood Plans will form part of the Development Plan for the areas that they cover once they are formally 'made' by the Local Planning Authority. To date in Ryedale, Malton and Norton Town Councils are committed to producing a Neighbourhood Plan for the twin towns, and they have designated their area and are working on their draft plan for the Towns. The Plan had reached submission and an Examination was to be conducted in September 2022. Over the summer, the Qualifying Body has decided to revisit the content of the plan, and it is to be subject to a Regulation 14 consultation in 2023.

[Neighbourhood planning including Malton and Norton Neighbourhood Plan](#)

Supporting Documents

The Plan is also supported by a range of other documents:

Statement of Community Involvement

Outlines the Council's commitment to consultation and involvement in the planning process. This is under review and will be updated spring 2021, prior to commencing any formal planning policy consultations.

[Statement of community involvement 2021](#)

Monitoring Report

Is produced annually to monitor the implementation of the Ryedale Plan and progress towards its completion. The scope of recent monitoring reports has been limited to reporting key national requirements and local information.

[Authority Monitoring Reports](#)

Malton Food Enterprise Zone Local Development Order and Design Code

Adopted: February 2017

Coverage: Malton Food Enterprise Zone area.

Local Development Orders are a planning tool, which grant planning permission for particular classes of development specified in the order. In this case

Businesses and organisations whose primary activities involve:

- The production, processing and manufacturing of food or drink;
- Associated bioscience and agricultural technology; and
- The supply of goods, equipment or services (including education and training) to the agricultural and food/drink manufacturing sectors.

They operate like a planning decision notice – setting out the level and types of uses of development and identify those conditions which are to be discharged (approved) prior to development taking place. Proposals which do not conform to the LDO require planning permission is the usual way.

[Malton Food Enterprise Zone](#)

Supplementary Planning Documents (SPD)

Provide further guidance to support the implementation of planning policies.

Existing SPD's cover (date is date of adoption):

- Shopfront Design and Signs (Plan wide) (2005)
- Helmsley Conservation Area Appraisal (2005)
- Ampleforth Conservation Area Appraisal (2010)
- Oswaldkirk Conservation Area Appraisal (2012)
- Settrington (Parish) Village Design Statement (2013)
- Slingsby, South Holme and Fryton (Parish) Village Design Statement (2016)

[Supplementary Planning Documents](#)

Over the period of this LDS, the Council will be prioritising the review of the Local Plan and is not intending to produce new SPD's or revise existing documents during this time.

Community Infrastructure Levy (CIL) Charging Schedule

The Council has brought its CIL Charging Schedule into effect in March 2016.

It is also required to prepare an Infrastructure Funding Statement and this is annually prepared in December. [Community Infrastructure Levy](#)

REVIEW OF THE LOCAL PLAN

Planning policy is subject to regular, periodic review to ensure that it remains the most appropriate strategy for guiding new developments in a place - in light of national planning policy and local circumstances.

There is a statutory requirement to a review a Local Plan every 5 years- which may or may not result in a need to review some parts, or all, of a plan to be reviewed.

Given the age and style of the current Local Plan prior to 2020 the Council originally intended to undertake a full, whole plan review of the Ryedale Plan. Whilst many of the policies are working as intended, and remain compliant with national policy, there is a need to review the plan to update and roll forward development requirements and land supply policies and to update the plan to address some limited compliance with national policy in terms of housing policies. A 'whole' plan review also provided the opportunity for the Council to produce a new plan as one document, rather than a series of documents.

However, in the summer of 2020, the Government proposed significant changes to the planning system in a Planning White Paper and in October 2020, the Secretary of State invited proposals for local government re-organisation across North Yorkshire. Both of these matters have significant implications for plan –making across North Yorkshire and the plan review process. In response to the current uncertainty associated with both of these matters, the Council chose to undertake a partial review of its local plan in order to address and update policies that require revision as a priority and to maintain a sufficient supply of development land into the future. This was considered to be a pragmatic response in the face of current uncertainty.

The proposed changes to the planning system are yet to be implemented. The new Council for North Yorkshire will come into being at the start of April 2023.

In particular, the review was originally proposed to cover:

- Necessary changes to address conformity with national policy
- Update future development requirements and roll forward the plan period (to cover a minimum 15 year period from the proposed adoption of revisions. This is anticipated to cover the period 2023-2038)
- The spatial approach and distribution of new development sites

Other, more specific, areas of the review of the plan have come from public consultation and discussions with Members through the Local Plan Working Party, a group of Members who discuss with Officers planning policy matters, making recommendations prior to decisions being made by committee.

As of November 2022 the plan review was proposed to cover:

- Necessary changes to address conformity with national policy
- We explored a partial roll-on of the Ryedale Plan- for a period of 5 years (2032)
- The to-plan-for figure;

- Spatial principles and settlement hierarchy. This also included the revisions to the designation of Service villages;
- Criteria-based policy for small-scale windfall sites;
- Responding to climate change through a review of Policy SP18;
- Accessibility in new dwellings (Policy SP4); and
- Occupancy conditions

Our consideration concerning the plan scope and plan-period for the review, were as a result of the mandate to the new Council for North Yorkshire to prepare a local plan within 5 years of vesting date, and so to support this work, and to not create confusion or misaligned strategies- this review is proposed to be a short term review to extend the land supply, and not to be a 15 year plan period.

This was subject to legal advice, and that advice advised that

- a) The review of the plan must meet objectively assessed needs over a 15 year period; and
- b) The preparation of the plan for North Yorkshire will take longer than 5 years

Therefore a short-term, limited scope review is a high risk strategy for it will be unable to demonstrate meeting needs, and may not provide a sufficient land supply. This would ultimately undermine the principal aim which is to ensure that the development plan remains up to date and that full weight can be afforded to the plan in the decision making process until such time that a new Local Plan for North Yorkshire is adopted.

Therefore the advice confirms that the Ryedale Plan should be reviewed in full- given its age. The Review will also be subject to Sustainability Appraisal/Strategic Environmental Assessment and a Habitats Regulations Assessment. It will also be subject to Equalities Impact Assessment.

The same consultation and engagement will occur as part of the proposed review and the process will be subject to the requirements of the Duty to Cooperate.

This means that at the adoption of this Local development Scheme in February 2023, there is an acknowledged impetus to review the Ryedale Plan given its age and statutory obligations, but the plan review we have undertaken since 2021 is not as advanced as we previously considered, and to progress the plan review on a partial basis would be a significant risk to the new authority. There is at least another two years work before submission could be reached.

However, that review will be the responsibility of the new North Yorkshire Council. It will need to determine how the review is proceed:

It has effectively two options to take with regards to the review of the Ryedale Plan:

a) Subsume the review of the Ryedale Plan fully into the preparation of the new plan for North Yorkshire so the review morphs into preparation of the new Local Plan;

b) Twin-track the stand-alone review of the Ryedale Plan alongside its preparation of the new Local Plan for North Yorkshire.

This is a decision for the new Council to make, and one which it has not yet made, and there are risks with either approach. These are set out in the following section.

RISKS, PROJECT MANAGEMENT AND MONITORING

Development of planning policy involves a series of prescribed stages and can take some years to reach a point where it can be adopted. The plan-making process can be complex, and subject to a range of external circumstances and political complexities which can result in the plan-making process taking a considerable period of time.

The work on the review commenced in earnest in 2021. The aim in 2021 was to undertake a focussed review within the next 2-3 years, and it was expected that as a partial review it would be completed, and adopted in late 2023 early 2024.

As set out above, this no longer remains the case as a partial review presents a significant risk- and it should not be pursued for a plan the age of the Ryedale Plan.

With either option regarding the review of the Ryedale Plan comes risks: If the review of the Ryedale Plan is subsumed into the new Local Plan for North Yorkshire, the biggest risk concerns the increasing vulnerability of the housing land supply. The mandate to prepare the new local plan for North Yorkshire is clear, but external factors could result in slippage of its production. To subsume the review of the Ryedale Plan fully into the preparation of the Local Plan for North Yorkshire would potentially leave the land supply for Ryedale to become diminished. If there was significant slippage, and, as a material consideration of significant weight, this would mean that in relation to housing delivery and distribution policies, the Ryedale Plan would have less weight. Although all other policies of the plan would still remain of full weight, and national policy and planning practice guidance would still be of significant weight. It would result in a situation whereby the former Ryedale Plan area would be 'planning by planning application' which provides uncertainty for local communities and other stakeholders, and can leave the authority vulnerable to significant speculative applications, and appeals.

The alternative route, which involves twin-tracking the plans could provide the New Council with a backup plan for dealing with the above scenario. Under transitional arrangements current housing requirements are still to be calculated based on the former Local planning Authority Areas. But there is a risk to this approach in that depending on strategic decisions around growth points and investment, the delivery of the housing could result in a need to explore whether or not some authorities met unmet need from other authorities. This could have implications for a 'stand-alone' plan and its ability to be aligned with a strategic development plan.

The risks regarding the decision to twin-track the review of the Ryedale Plan alongside the preparation of the new Local Plan are considered to be as follows:

-
- Inefficient use of resources- as staff would be split between the Ryedale Plan review and the new local plan;
 - Confusion and greater risk for errors in consultation as the two plans would be being consulted upon at the same time;
-

- The relationship of the Ryedale Plan to the new Local Plan- and the ability of the standalone plan to be in conformity and have full cognisance of the new North Yorkshire Plan.
-

But is considered that these risks are more easily mitigated for with clear planning, and officers being involved in mutual preparation of both plans.

We have progressed a consultation with a range of stakeholders, which we have called a 'key decisions consultation' and evidence gathering is continuing to be undertaken to inform both the review of the Ryedale Plan, and the preparation of the new planning framework for North Yorkshire. Please consult the web-site:

[Review of the Ryedale Plan](#)

For more details about the work on the review and the consultations we are running to support that work. We will look to keep the website up to date with where we are in the review of the Local Plan.

The Council is required to monitor annually how effective it's planning policies and proposals are in meeting the strategy, aims and objectives of its Local Plan. A Monitoring Report is produced in December of each year, covering the period April (preceding year) to end of March of that year. The report focuses on planning permissions granted, completed and refused over different types of development, to see what development is coming forward and where. It also monitors infrastructure delivery and the progress of the production of planning policy outlined in this Local Development Scheme.

[Authority Monitoring Reports](#)

The Council is keen to ensure the timely delivery of the review of the Ryedale Plan, although there are however a number of potential risks to progress, some of which can be beyond its ability to control. Potential risks include, for example:

- Changes to national policy and legislation Local Government Reorganisation and Devolution
- Capacity of other organisations/agencies to inform and engage in the process
- Larger volumes of representations are received than anticipated
- Legal challenges to the adoption of documents
- Fluctuations in staffing capacity

It is established protocol to monitor the progress of the review against delivery key milestones, and recorded annually (in the Authority Monitoring Report). Whilst we will robustly prepare for the review process, and the involvement of stakeholders in that review, we may need to respond to some of these issues, as they arise, and we will provide updates and information on the website. Since the principle of the approach of the review rests with North Yorkshire Council. It is not possible to set any prescribed timescales regarding the review of the Ryedale Plan in this Local Development Scheme. However, it is considered that it is helpful for members to understand if the Ryedale Plan was reviewed in full, the likely timescales the full review would take.

STAGES IN THE REVIEW PROCESS

Stage 1: Pre-Production consultation and evidence gathering to inform the Review (Regulation 18)

This includes development of evidence base, consulting with statutory consultees and Duty to Cooperate Bodies and non-decision making consultation with Members. It also involves a call for sites and public consultation (usually taking place for 6 weeks) for 'Issues and Options' which in essence sets out what are issues the Local Plan Review needs to address and what are the options for achieving this. This is a partial review, Members need to agree this document and its general scope (areas to explore). Key areas are identified below the Ryedale Plan review has explored to date.

- Necessary changes to address conformity with national policy
- Update future development requirements (housing) exploration of a roll-on of 5 years,
- The spatial approach and allocation of new development sites
- Responding to climate change

This will also set out the areas which the District Council does not propose to review and the reasons/evidence why.

Undertaken Consultations:

- Preparation of previous LDS covering 2021-2023 and Statement of Community Involvement adopted February 2021
- A call for sites was undertaken in May/July 2021
- Consultation on Distribution of Development Options consultation undertaken in November 2021-to March 2022
- On-going consultation on site submissions – from November 2021 until a decision is made on the Publication of the review of the plan/plan for North Yorkshire
- Key Decisions Consultation- January- February 2023 consultation on Key decisions on the specific content of the review based on work and discussion to date

Stage 2: Publication of the Local Plan Review (Regulation 19)

Publication is a key stage when the Council publishes its Local Plan Review that it wants to have taken through Examination. Comments on the policies and proposals in the document which is intended to be submitted are invited over a six week period. Any representations made at this stage are those that will be considered at the independent examination. The policies which are unchanged by the review will not be consulted upon.

- The Policies Map will be updated and also subject to Publication at this time
- North Yorkshire Council to agree Publication at Strategic Planning Committee then full Council February 2025
- Public Consultation on Publication March –April 2025

Stage 3: Submission for Examination (Regulation 22)

The Plan and all relevant evidence and supporting material is submitted to the Secretary of State for examination as required by Regulation 20. An independent Planning Inspector from the Planning Inspectorate is then appointed to conduct the Examination.

Submission (a notification process) December 2025

Submission also of the CIL Charging Schedule to coincide with the review

Stage 4: Examination

The examination process is designed to scrutinise the Plan to ensure that it is legally compliant and sound. Legal requirements cover the production of the Plan and also include compliance with the duty to co-operate which came into force in 2011. To be sound, the Inspector needs to be satisfied that the Plan is positively prepared, justified, effective and consistent with national policy.

The Planning Inspectorate estimates that the examination process will cover a period of 24-29 weeks depending on the complexity of the document and the level of examination participants. The examination process will include Hearing Sessions to consider matters and issues and may include consultation on Main Modifications to the Plan. The timetabling of the Examination of Development Plan Documents will be subject to agreement with the Planning Inspectorate and may be subject to change.

Examination would be in 2026 for both the Review of the Ryedale Plan and the review of the Community Infrastructure Levy

Stage 5. Inspector's Report

The examination of the Plan concludes when the Inspector's report is issued to the Local Planning Authority. The report will include recommendations as to whether the plan should be adopted with or without main modifications or that it should not be adopted. It should be noted that the Inspector's report is no longer binding on a Local Planning Authority and there is no statutory requirement for an Authority to adopt the Plan following the examination.

Stage 6: Adoption of the Plan (Regulation 26)

A Plan is formally adopted by a Local Planning Authority if it is adopted by resolution of the Authority. A Local Planning Authority is required to make an adoption statement available and notify anyone wishing to be notified of the adoption of the plan. Any person aggrieved by the decision to adopt the Plan has six weeks from the date of its adoption to apply to the High Court to have the plan quashed in whole or in part.

Anticipated early 2027 but would be subject to change depending on the matters and issues raised in the Examination and its overall outcome.

Review of the Ryedale Plan- options in the reality of LGR

Prior to 2020 Ryedale has been gearing up to commence a full review of its Development Plan. With LGR and the implications for the planning system in general, that became a focused, pragmatic review focusing on land supply, distribution strategy and responding to climate change. During the autumn of 2022 Ryedale District Council sought Counsel Advice on the merits of an effective roll-on of the Ryedale Plan, with some specific policy changes and extension of the land supply. This was to provide a pragmatic response to the need to commit to the preparation of a new Local Plan for North Yorkshire, and if not to complete it within 5 years, to have made substantive progress such that it would be close to adoption.

This advice concluded two key matters:

- There are significant risks to soundness if a plan is rolled-on for an additional 5 years beyond its original end date. It is without precedent, and that strategic policies should be prepared to meeting objectively assessed needs at least over a 15 year plan period; and
- It will be challenging for a new Local Plan for North Yorkshire to be adopted within 5 years.

This was followed up by advice from the Planning Advisory Service who advised that they concurred, in their experience, with the legal advice received.

This resulted in Officers advising Members that it would not be possible to formally publish the review of the Ryedale Plan before vesting date. Furthermore, that the review of the Ryedale cannot be considered as advanced as previously thought and that a full review, including a review of the Community Infrastructure Levy charge was also necessary.

North Yorkshire Council, in its emerging decision making forums had previously considered that the review of the Ryedale Plan should be progressed.

It is right that well advanced plans should be continued, where there is a clear strategic benefit to their implementation.

It is important that the decision to review/not review plans is based on the implications for places. It is clear that the review of the Ryedale Plan, as one of the older Development Plans in North Yorkshire, it is in need of being reviewed, and with a consequentially more fragile land supply post 2025, than some of the other districts, this is due to the Standard Method for Housing Delivery in Ryedale District LPA area being only 14 units per annum less than the Plan's current housing requirement of 200 homes. Some of the other authorities can rely on a marked distinction between their plan requirement and their housing requirement based on the Standard Method. Ryedale will not be able to do this.

The review of the Ryedale Plan must continue, it is required by national planning policy, is sought by Members of the former District Council and will be sought by Members of North Yorkshire Council. But North Yorkshire Council need to decide which format that review should take. Officers consider that there are three routes the review format could take, but which essentially all lead to one outcome.

1. Review the Ryedale Plan (RLP) as a standalone development plan alongside the new Plan for North Yorkshire (NYP) – a twin tracking- which would be ultimately superseded by the new Local Plan for North Yorkshire on its adoption; or
2. Fully subsume the review of the Ryedale Plan in to the work stream for the new Local Plan for North Yorkshire; or
3. Commit to the review of the Ryedale Plan through the new Local Plan for North Yorkshire, and alongside continue with site-specific locally-focused evidence base work with that work is subsumed into the new Local Plan in due course at the relevant points.

Officers have compiled a matrix of the issues and opportunities raised by these three scenarios.

Option	Pros	Cons	Conclusions
<p>1. A twin Tracking approach to undertaking both Local Plans at the same time- Reviewing the Ryedale Plan- in full and preparing the new Local Plan for North Yorkshire (with a view to the NYP superseding the RLP in time</p>	<ul style="list-style-type: none"> • In event of any delays to the NYP, would help to ensure up to date plan coverage for the Ryedale area of North Yorkshire can be progressed, which • If it is adopted, it will provide the Ryedale area with the continued land supply • There will be synergies between the two plans (but this can be an issue too) 	<ul style="list-style-type: none"> • Resource commitments in terms of staff and funding to progress effectively two Local Plans – alongside the minerals and waste joint plan and Selby’s Plan Review • Confusing for the public and other stakeholders • Complicated context which would not assist those seeking to prepare Neighbourhood Plans • It will be challenging- and could be subject to challenge in terms of the ability of two plans to have concurrent, aligned spatial development strategies. If the NYP falters, then the RLP would falter too. If the approaches are looking as being divergent, this will raise issues for the RLP in terms of soundness • Evidence base technical documents could be challenged in terms of their coverage/messages/overlap 	<p>Not recommended.</p> <ul style="list-style-type: none"> • The resource and complexity implications in the short term raise issues for the new council. • Risk that two concurrent plans for the same geography could undermine each other and leave either plan vulnerable during examination. This is particularly pertinent in relation to spatial development strategies, not just for housing, but retail, economic development and renewable energy and infrastructure delivery • If adopted, it would be superseded by the new plan for North Yorkshire in any event

		<ul style="list-style-type: none"> • Plan-making is already complex and procedurally- this will only be exacerbated by the preparation of two local plans covering the same area. There is the risk of disenfranchisement due to confusion • Even if adopted it will be superseded by the new North Yorkshire Plan when it is adopted • There is an organisational cultural of one council to be promoted- this approach would undermine that. 	
<p>2. Halt RLP review. Cease work and devote resources to new NYP preparation.</p>	<ul style="list-style-type: none"> • Allows comprehensive alignment of visioning objectives • Allows the ability to produce a singular development strategy • Aligning of evidence base work • Provides clarity on the way forward for stakeholders 	<ul style="list-style-type: none"> • Will take longer than the Ryedale Plan’s land supply will be able to be maintained, without the release of additional land being approved or granted on appeal. This creates additional uncertainty. 	<p>Is a realistic option but with consequences.</p> <ul style="list-style-type: none"> • This will have an impact on planning decisions for housing in the Ryedale LPA area until the new local plan is adopted from 2025/6 onwards. There is an acknowledgement that the land supply is likely to falter, and this will be a material planning consideration in detailing with planning applications. • Less complicated strategy than trying to twin-track two plans. • Local evidence on housing supply will need to be kept up to date and evidence on site availability • Crucial aspect is the ability to deliver a singular development strategy and aligned evidence base.

<p>3. Commit to the review by subsuming the review of the Ryedale Plan into the preparation of the new Local Plan for North Yorkshire. Continue with site-specific locally-focused evidence base work with that work is subsumed into the new Local Plan in due course at the relevant points.</p>	<ul style="list-style-type: none"> • The main thrust of work is on shaping the key themes and spatial development strategy for the new authority area • Ensures that site-specific evidence base work is kept up to date- which assists with monitoring work, and sustainability appraisal work and the determination of planning applications. • Ensures that the work done over the last 2 years continues to inform the plan making process. It helps to deliver key technical evidence base documents Strategic Housing Employment Land Supply which can inform plan-making and decision taking • May assist in speeding up plan-making 	<ul style="list-style-type: none"> • Some additional resource implications, but limited- as the main thrust of work would be on the new Local Plan, with some site specific evidence work done alongside, which is necessary for general planning policy development, and as site –specific will be informing the new local plan, and will be worked on in collaboration with the wider policy team 	<p>Recommended.</p> <ul style="list-style-type: none"> • It brings all the identified pros of subsuming the review into the Local Plan for North Yorkshire. • There is an acknowledgement that the land supply is likely to falter, and this will be a material planning consideration in detailing with planning applications. • Site specific evidence base work and site assessment may be useful to help inform the assessment of planning applications. It would not be policy, and have no statutory weight, but it may be of support to the authority when responding to speculative applications.
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REPORT TO: FULL COUNCIL

DATE: 23 FEBRUARY 2023

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 9 FEBRUARY 2023

86 North Yorkshire Council - Affordable Housing Sites

Recommendation

It be recommended to Council:

- (i) That the upper deck of Wentworth Street Car Park and the RDC owned site shown on the attached plan coloured green, be submitted to Ryedale District Council's Local Plan Review by RDC officers, as a site for 100% affordable housing and/or an extra care facility.
- (ii) RDC request that the new North Yorkshire Council agree to the officers negotiating the purchase of the privately owned site marked on the attached plan coloured pink, as part of the site for 100% affordable housing and/or an extra care facility, as in (i) above.
- (iii) The whole Ryedale House site in an existing allocation in the adopted Development Plan, with the principle of residential use of the site already assessed as acceptable. It is proposed that this allocation be resubmitted by RDC officers as a site for 100% affordable housing and/or an extra care facility.

Voting Record

3 For

1 Abstention

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	9 FEBRUARY 2022
REPORT OF THE:	PLANNING SERVICE MANAGER JILL THOMPSON
TITLE OF REPORT:	NORTH YORKSHIRE COUNCIL- AFFORDABLE HOUSING SITES
WARDS AFFECTED:	MALTON

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

1.1 This report is brought before Members in response to a request from Cllr. Potter, Leader of the Liberal Group, requested that the following recommendations are made to this meeting of the Policy and Resources Committee. To give Ryedale District Council (RDC) members the opportunity to present a proposal to North Yorkshire Council (NYC) regarding the delivery of affordable housing/extra care scheme(s) on:

- RDC/NYC owned Ryedale House site;
- RDC/NYC owned Wentworth Street car park upper tier site and the land shaded in Green;
- Privately owned land and building next to the car park (as identified on the accompanying plan in pale pink identified as 'Works').

2.0 RECOMMENDATIONS

2.1 It is proposed to Council that:

- (i) Members seek to advise and prepare a submission for North Yorkshire Council to consider regarding the following assets to be submitted as sites to the Local Plan process:
- The Ryedale House Site (full area) for a 100% affordable housing scheme and/or an extra care facility; and
 - Upper section Wentworth Street Car Park for an extra care facility (C2 use class) and/or 100% affordable housing provision (C3 use class) and to

explore uses in the Green coloured land (Appendix 1)

- (ii) Prepare a submission that North Yorkshire Council explore the acquisition of the parcel of land adjacent to Wentworth Street Car Park, shaded in pale pink as part of the above proposed scheme for area shaded in green (Appendix 1).

3.0 REASONS FOR RECOMMENDATION

- 3.1 To provide the opportunity to ensure that the North Yorkshire Council explores fully the opportunity to deliver key affordable housing and/or extra care scheme(s) on Council-owned land in Ryedale. To explore the ability to acquire additional land to support that endeavour. The report recognises that this decision rests with the new council, but it represents an important opportunity to ensure that North Yorkshire Council do consider the opportunity to deliver projects.

4.0 SIGNIFICANT RISKS

- 4.1 The most significant risk to this proposal is the decision of North Yorkshire Council to decline to progress such proposals. The assets (the Ryedale House site and the Wentworth Street car park site) will pass to North Yorkshire Council from 1st April 2023 and so it will be for them to decide whether such assets are to be retained, or if not when might it be possible for them to be released.
- 4.2 There is the implication for any loss of Ryedale House, which provides accommodation for partners, including NYC social care services, the police and the DWP, alongside the current base for a significant proportion of the RDC cohort of staff, and a current, principal point of contact for Ryedale residents. No consultations have taken place with any parties concerning the redevelopment of Ryedale House. With a key objective of providing local service delivery through the new council, there will need to be consideration given to where these existing services will be provided from, and ensuring that they are suitable to meet the needs of the local community. This will require timely consideration to ensure that there is no loss of service, and there is also a need to ensure that there is full communications around any timescales and alternative provisions.
- 4.3 Such a proposal will take years to come forward, if at all. But, it is also to be acknowledged that with impending Local Government Reorganisation, that the timing of communications around the potential release of the Ryedale House building will need sensitive management as staff are already under strain due to the collective uncertainties around Local Government Reorganisation.
- 4.4 It is considered that early work will also need to establish which sites will provide, functionally, the best form of development for the context of that site, to avoid ultimately abortive work on the potential proposals.
- 4.5 This report represents an early starting point on what would be a very significant project, and there would need to be considerable work undertaken to establish the nature of any housing development scheme, particularly an extra-care scheme. There will also be consideration around the delivery mechanisms and whether the Council (NYC) are a Registered Provider and retain control and ownership of the

sites and development on them, or whether they seek to have a delivery partner.

- 4.6 There are considerable risks concerning the land which is not within Council ownership. No discussions have taken place with the landowner. It represents a very significant uncertainty, and may be complex and challenging to acquire. It is believed that the land is subject to a right of access through the Council-owned land which is shaded green. The funds to acquire the site have not been identified.
- 4.7 It may also be necessary to undertake work on the capacity of the Wentworth Street Car Park, both in terms of lost spaces resulting from any development scheme, and implications for the retained car park concerning impacts on the movement of vehicles to and from the proposed development, including, for example, Ambulances to the Extra Care site. Also, regarding the land shaded in green there are users and tenants of the site which have not been consulted upon regarding this intent to seek to redevelop the site.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 Affordable Housing delivery is a key arm of the existing Council Plan. It is also recognised as a key area of focus by the emerging North Yorkshire Council. Evidence from a range of evidence sources is showing that Ryedale, alongside many parts of North Yorkshire, has a generally aging population, which requires a range of actions to help best meet the needs of that aging population.
- 5.2 Ryedale House is a site allocated for housing (tenure unspecified) in the adopted Ryedale Plan- Local Plan Strategy. This the extant Development Plan and will be so until such time it is superseded either by review or by a new local plan, as the development plan cannot be amended. It is, however, a site which has not been identified as being deliverable in the last two annual Strategic Housing Land Availability Assessments, because the Council has given no further indication of its release from when it was considered as part of the contingent of site submissions for the Local Plan Sites Document in 2019 when the plan was adopted. With LGR taking place, any decisions would now be made by North Yorkshire Council regarding whether that allocation is retained, or deleted, based on the review of the Ryedale Plan and preparation of the new local plan, and the consideration of its assets.
- 5.3 The entirety of Wentworth Street Car Park is within the adopted Development Limits, and within an area identified in the Ryedale Plan Local Plan Strategy as being within the 'Malton Arc' a broad sweep of land which is recognised as being an important space within the town of Malton for the provision of a range of town-centre appropriate uses, which could include residential uses (C2 and C3). The land shaded in pink and green is outside of that designation, but it is still within Development Limits.
- 5.4 No internal or external consultation has taken place on these proposals. Housing Services, as the Local Housing Authority, are, as principle, keen to support affordable homes in sustainable locations. The extra-care proposals would be considered by adult health and social care services provided by North Yorkshire Council. It is proposed that the outcome from this recommendation could result in further reports to the new North Yorkshire Council.

REPORT

6.0 REPORT DETAILS

Background Context

- 6.1 On 13th January 2023 Cllr. Potter, Leader of the Liberal Group, requested that the following recommendations are made to this meeting of the Policy and Resources Committee. He states:

“The housing market has been a broken one for many years, out of reach for most people not fortunate enough to already be in a position of house ownership. Given the recent significant increase in mortgage rates, many existing homeowners will also now be in a parlous financial position. There is also a major shortage of housing available for affordable rent, whether social or privately owned.

When the local affordability ratio reaches 10 or more, house prices are generally beyond the means of most local people, particularly our young people. Based on the most recent November figures of average annual income in Ryedale of £23,340 and average house prices of £320,550, the current affordability ratio is 13.7. On that basis, affordable housing provision in the district is of the utmost importance.”

- 6.2 This report represents a first, tentative, step and is to raise awareness of the issues and opportunities for North Yorkshire Council to explore regarding its assets in Ryedale and to look at ways to deliver affordable housing, which is already identified as a key issue for the new council, and to explore Extra Care provision with these sites located in Malton, on of Ryedale’s key settlements.

The planning process

- 6.3 There will need to be a range of considerations and decisions to be made by the new council before it can make any formal decisions on these sites. It is considered that the Local Planning Authority, with officers that are familiar with Ryedale, will be best-placed to advise NYC on the process it will be expected to undertake regarding the submission of any sites through the Local Plan process, should that be the chosen route to be taken.
- 6.4 The alternative route to the Local Plan process is to make planning applications. This is at the point the Council has secured the ownership and agreement of the Members to release the sites for their proposed uses, and all the necessary evidence is ready to support the planning application. Whilst speculative applications are often made, this would, however, be pre-empting the preparation of the new Local Plan. Whilst there are no means to prevent applications being made, it will be in advance of the NYC’s key strategic spatial delivery strategy being in place, and could be viewed as undermining the government’s desire to see delivery of development through a planned planning system.

The current planning context of the assets

- 6.5 As reported earlier in the report, the Ryedale House building, its car park and surrounding land is land which in principle already has significant planning status as an allocation (SD4) in the Development Plan for the provision of housing (C3 use class). It has already been recognised that this site represents a sustainable and appropriate location for the delivery of residential development. The site is subject to a series of Development Principles, which would be expected to be followed in relation to the submission of any planning application. These are:

Policy SD4 Housing Allocation -Land to the west of Old Maltongate (Ryedale House), Malton: Development Principles

Detailed proposals for the development of the site shall include:

- *An indicative yield of 60 dwellings*
- *larger scale development in block form to middle and front of the site (with potential for flatted development)*
- *smaller scale housing development to the rear of the site*
- *landscaped and tree lined setting to Old Maltongate to be retained*
- *design to a high specification, drawing on the architectural character and detailing of high status buildings on along Old Maltongate*
- *use of the existing access off Old Maltongate*
- *Capability for electric vehicle charging for each property with a dedicated car parking space within its curtilage*
- *Lighting scheme to minimise glare, reduce energy usage, and protect amenity*

- 6.6 The yield from the site is indicative, and the development principles do not prescribe, nor does the development plan, the tenure of the dwellings proposed. Therefore, under the current allocation, a scheme which promoted 100% affordable housing would not be contrary to principles which underpinned its allocation. It would be to establish, what, if any, wider plan compliance issues were raised as part of the proposal. Whether that is as result of the proposed tenure or indeed any other material planning issues raised.
- 6.7 It is to be acknowledged that depending on the length of time taken to agree the alternative locations for existing operations at Ryedale House, any conveyancing necessary to secure ownership of the land, and consultation on reducing the extent of the existing car park provision at Wentworth Street Car Park could affect the timescales for the submission of the site or a planning application being made. Any planning application would be considered in accordance with the adopted Development Plan unless material considerations indicated otherwise.
- 6.8 All sites adjacent to or part of Wentworth Street Car Park are within the Development Limits, and the established built up area of Malton, part of the Principal Town in the settlement hierarchy of the Ryedale Plan. The location is therefore one which would be recognised as being in accordance with our spatial development strategy principles. In terms of its access to facilities and services, it is viewable as a sustainably sited location for residential development such as Extra Care, and the

delivery of affordable housing. The land which makes up the upper tier of Wentworth Street Car Park is identified in the current Development Plan as part of the Malton Northern Arc. But the land in green/pink is not included, but is adjacent.

Matters to address prior to the submission of the site(s) to the Local Planning Authority

- 6.9 Land ownership, availability and timeline for the release of the land, and alternative locations for the current uses, alongside site submission information will be crucial early factors to establish prior to submission to the Local Planning Authority (NYC). This is to confirm the deliverability of the site as realistic prospect of coming forward within the timeline of the plan's delivery period. Developability is also key, and below are some of the key site-specific considerations identified. They do not represent a full list of considerations which would be considered as part of assessing proposals in accordance with the Development Plan.
- 6.10 Both parcels of land are in Flood Zone 1, which is the least risk of flooding designation. For The Ryedale House site there are some heritage sensitivities, and the presence of a group of trees subject to a Tree Preservation Order, the site is likely to also need a proportional Habitats Regulations Assessment due to its proximity to the River Derwent Special Area of Conservation.
- 6.11 For the Wentworth Street Car Park site, there are some site contextual sensitivities and these relate to the Malton Conservation Area, and the listed buildings on the site of the Malton Cemetery which are nationally designated heritage assets. The Local Planning Authority would need to consider the significance of these assets, and the impacts the proposals could bring to those aspects of heritage significance.
- 6.12 The Local Planning Authority cannot decline to accept site submissions, but if sites are not backed up in terms of their evidence of being developable, and deliverable during the plan period of the emerging Development Plan, then they will not perform well through the site assessment process, and are unlikely then to be taken forward. This work will need to be evidenced by other parts of North Yorkshire Council, such as the Local Housing Authority, Economic Development, Public Health and Social care, and external commissioning of consultancy support to prepare technical evidence, as well as the full suite of corporate services.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

- (i) Financial

Budgetary provision for the feasibility work has not been identified, and would need to be in place to ultimately prepare the site submissions for consideration by the Local Planning Authority.

- (ii) Legal

Aside from the established conveyancing process for the acquisition of the land in recommendation ii, there are covenants on the Ryedale House Site. In order for the sites to be able to progress through any site assessment process the Local Planning Authority would need to have a council resolution to release the site for housing.

(iii) Environmental, Ecological, Climate Change and Carbon

These aspects will need to be considered in greater detail through the implementation of any project brief, and the submissions made to the Local Planning Authority as part of seeking to include any sites as part of the review of the Ryedale Plan/preparation of the new Local Plan for North Yorkshire.

(iv) Equalities

EqlA will need to be undertaken as part of the consideration of the proposals, particularly in relation to the implications for the relocation of services from Ryedale House and the proposed uses.

(v) Staffing

It is not considered that additional staff resources will be required directly, but additional consultancy support would be required.

(vi) Planning

The Local Planning Authority would be tasked with assessing any site submissions or planning applications in accordance with established procedures.

(vii) Health and Safety

There are no Health and Safety implications.

(viii) Crime & Disorder

There are no crime and disorder implications, but the potential relocation of the current community policing team is a consideration.

(ix) Data Privacy

There are no data protection issues at this stage, as the recommendation does not involve the storage/use of personal data.

Jill Thompson

Planning Services Manager

Author: Rachael Balmer, Team Leader Planning Policy
Telephone No: 01653 600666 ext: 43357
E-Mail Address: rachael.balmer@ryedale.gov.uk

Appendix 1: Site Location Plan of the additional, privately owned land shaded in pink, and additional land shaded in green which is owned by the Council.

Background Papers:

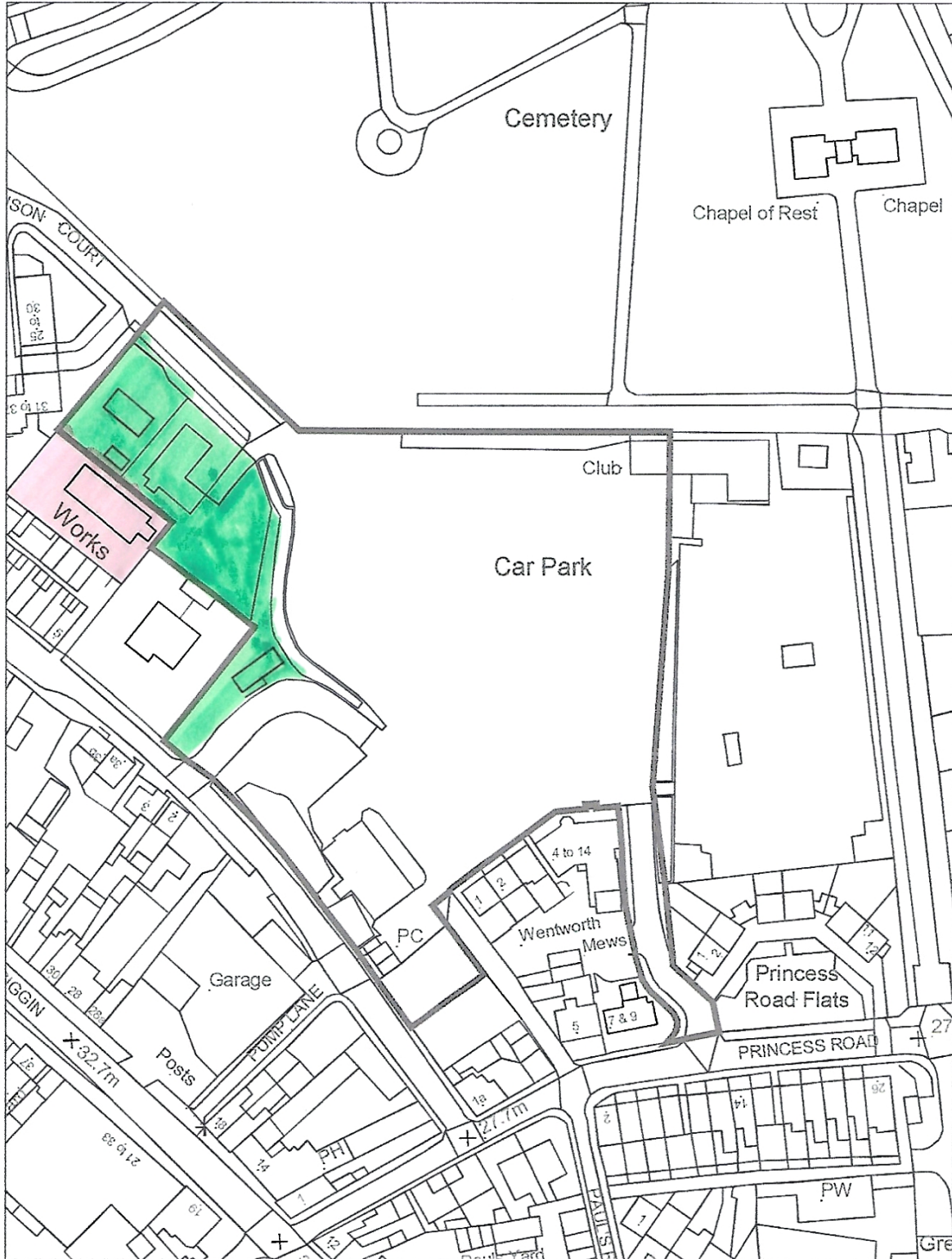
Malton and Norton Policies Map

https://www.ryedale.gov.uk/content/uploads/2021/06/Malton_Norton_Central_Area_Policies_Map_Nov_2018-1.pdf

Local Plan Sites Document

<https://www.ryedale.gov.uk/content/uploads/2021/06/The-Ryedale-Plan-Local-Plan-Sites-Document-Final.pdf>


Wentworth Street Excluding Upper Deck



Scale: 1:1250

Ryedale District Council
 Ryedale House
 Malton
 North Yorkshire
 YO17 7HH
 Tel: (01653) 600666
 Fax (01653) 696801
 Email: enquiries@ryedale.gov.uk
 Website: www.ryedale.gov.uk

Key

 Site Area 1.2495 hectares



RYEDALE DISTRICT COUNCIL



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REPORT TO: FULL COUNCIL

DATE: 23 FEBRUARY 2023

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 9 FEBRUARY 2023

87 Reallocation of Residual Grant Funding by Pickering Town Community Interest Company from Newbridge Park to the Community Park, Pickering

Recommendation

That Council be recommended to:

- (i) Make available the existing grant funds to PTCIC for Newbridge Park activity totalling £61,750 of the £175,000 previously awarded to PTCIC to fund a new pump track associated signage and marketing and promotion of the facility at the Pickering Community Park.
- (ii) Draw the grant from the existing £175,000 previously allocated in capital reserves for community use in Pickering.

Voting Record

3 For

Councillor Potter having declared a prejudicial interest did not participate in the debate or vote on this item.

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PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES COMMITTEE
DATE:	9 FEBRUARY 2023
REPORT OF THE:	PROGRAMME DIRECTOR FOR PLACE AND RESOURCES PHILLIP SPURR
TITLE OF REPORT:	REALLOCATION OF RESIDUAL GRANT FUNDING BY PICKERING TOWN COMMUNITY INTEREST COMPANY FROM NEWBRIDGE PARK TO THE COMMUNITY PARK, PICKERING
WARDS AFFECTED:	PICKERING

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 This report is to ask Policy and Resources Committee to approve the reallocation of existing Pickering Town Community Interest Company (PTCIC) grant funding of £61,750 from Newbridge Park activity identified in the PTCIC's business plan to the Pickering Community Park to support development of a pump track as a community facility for the people of Pickering and the wider Ryedale area.

2.0 RECOMMENDATION(S)

- 2.1 Policy and Resources Committee recommends to Full Council that:

- (i) The existing grant funds made available to PTCIC for Newbridge Park activity, totalling £61,750 of the £175,000 previously awarded, be made available to PTCIC to fund a new pump track, associated signage and marketing and promotion of the facility at the Pickering Community Park
- (ii) The grant be drawn from the existing £175,000 previously allocated in capital reserves for community use in Pickering.

3.0 REASON FOR RECOMMENDATION(S)

- 3.1 A grant of £175,000 was awarded by Policy and Resources Committee on 17 March 2022 to PTCIC to be used to develop Pickering as a regional capital of cycling.
- 3.2 The works agreed at Policy and Resources included the acquisition of a lease of the land named Newbridge Park, development of a pump track and maintenance of the site for cycling, walking and wider recreational activities. However, after lengthy discussions with the landowner, the Duchy of Lancaster, over the use and aspirations

for the land, an agreement unfortunately has not been reached. Therefore, the PTCIC have identified a new piece of land at the Community Park, owned by Pickering Town Council, to support development of a pump track for use by Mountain bikes, BMX bikes, Skateboards, Micro scooters & Rollerblades, providing a multi-use facility.

- 3.3 PTCIC now wish to reallocate a proportion of the funding previously awarded to support their business plan towards the development of a pump track which sits outside the scope of the original grant agreement. This work includes land development, installation of the pump track, associated signage and promotion and marketing of the facility. Officers agree that this work adds value to the existing facility owned by Pickering Town Council and sits within the scope of the overall ambition to develop Pickering as a regional centre for cycling.

4.0 SIGNIFICANT RISKS

- 4.1 If this request is not agreed, there is a risk that the funding previously allocated will not be used for the purposes of the business plan and therefore not obtain the maximum benefit from the funding.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 From April 2021, Pickering Town CIC members have met regularly with support from the Tourism & Development Officer to explore the current provision and opportunities that development of activity to support the outdoors sector would provide to Pickering and the wider Ryedale District with the facilities being accessible to all. The PTCIC membership consists of one Ryedale District Councillor, one Pickering Town Councillor, four private sector business representatives and an Operations Manager.
- 5.2 This recommendation is made as a result of negotiation between Officers, PTCIC and Pickering Town Council.
- 5.3 Council has a responsibility to ensure value for money and effective and efficient use of public funds.

6.0 REPORT DETAILS

- 6.1 To date the PTCIC have as a result of the grant funding appointed an Operations Manager to kickstart activity, developed a new brand and visitor website for the town – www.visitpickering.co.uk, and scoped a series of actions around developing Pickering as a cycling centre for North Yorkshire. These include feasibility for additional cycling infrastructure in the town centre and key attractions, working with local schools on active travel initiatives and supporting the development of e-bike charging. These activities were originally identified and costed in the PTCIC's business plan and is where residual funding will be allocated.
- 6.2 A further key objective of the PTCIC's business plan was to acquire the lease of Newbridge Park, an area of land to the rear of Pickering Castle which is owned by the Duchy of Lancaster. This has been a very successful off-road cycling area for the local community particularly for young people and is an excellent facility for Pickering.
- 6.3 On receipt of the grant the PTCIC entered into discussions with the Duchy of Lancaster Estate on the transfer of the lease from Newbridge Park Ltd over a 10-year term, in order to ensure that this community facility can be maintained and restored as well as improved.

- 6.4 Following extensive negotiations between PTCIC and the Duchy of Lancaster Estate for a new lease of Newbridge Park, the parties have unfortunately been unable to agree terms which are acceptable to the business interests of both parties. There are a number of stumbling blocks for which a resolution cannot be found. These include:
- the Duchy requiring PTCIC to lease twice as much land as is required, including land adjacent to a busy main road which would need special forestry attention to be safe for vehicles and pedestrians.
 - the Duchy requiring PTCIC to pay a not insignificant annual rental for the lease and also to take on the management of the forestry area. This area already shows significant forestry management issues with some damaged trees and significant ash dieback in the area which will require considerable expense to manage over the coming years.
- 6.5 As Newbridge Park provides a great cycling opportunity for young people in and around Pickering this is clearly a disappointment however the PTCIC board have considered this and wish to look at other opportunities to provide an activity for young people in the community and kickstart 'Capital of Cycling' activity.
- 6.6 Given Pickering Town Council's ("PTC") wish to develop the Community Park, which is adjacent land to the Newbridge Park area, PTCIC have been discussing ideas with PTC to see what additional facilities may be appreciated by the younger community.

PTC considered the provision of a skate park at the Community Park and in late 2022 consulted citizens of Pickering on development of such a facility. 337 people (74% of those who responded) were in favour of a skate park being installed in the Community Park, and of these 38% (175 people) indicated that they would use a skate park. The questionnaire gave different options for what people would use a skate park for and the majority votes were for using a BMX or scooter. Feedback from this exercise was discussed at a meeting of PTC on 23 January 2023 and it was minuted that:

"The council resolved that it will not take this project forward, but it will be open and proactive towards any approach made to the council by an organisation or voluntary group who have a reasonable proposal to develop a project to install a skate park in the town."

As a result of this decision the board of PTCIC believe that an alternative option for the Community Park would be a pump track and it would provide an improved multi-use facility and of a greater benefit to the younger people in the community. Accordingly PTCIC are requesting if the monies allocated by RDC in relation to Newbridge Park amounting to £61,750 can be reallocated to the development of this pump track.

- 6.7 A pump track is a circuit of rollers, banked turns and features designed to be ridden completely by riders "pumping" - generating momentum by up and down body movements, instead of pedalling or pushing. It was originally designed for the mountain bike and BMX scene, and now, due to concrete constructions, is also used by skateboard, and accessible to wheelchairs. Pump tracks are relatively simple to use and more cost efficient to construct and cater to a wide variety of rider skill levels.



Image 2 – proposed format and location of the pump track at Pickering Community Park

6.8 At a board meeting of Pickering Town Community Interest Company held on 11th November 2022 it was minuted that:

“As an alternative project it was generally agreed that the support of a 'pump track' in the Community Park would better fit our budget and provide a project of more use to the younger community and visitors to the town which could be delivered in a shorter period of time.”

The following proposal was submitted to Pickering Town Council for their agenda on 19 December 2022;

1. PTCIC would like to take the development of a 'pump track' as their project and will seek to secure transfer of funding from the Newbridge Park project to this.
2. CIL funding support be requested from PTC.
3. When the project is delivered, the 'pump track' management and maintenance be handed to PTC.

6.9 At the meeting of Pickering Town Council on 19 December 2022, Councillors resolved that:

“the town council accepts the proposal from the Pickering Town Community Interest Company to install a pump track at the Community Park on the understanding that the council agrees the final design and on the understanding that there is no cost to the council for the construction work. The council will take ownership of the pump track when it is complete”

6.10 The following expenditure headings previously allocated to PTCIC for activity at Newbridge Park are requested to be reallocated to the pump track development project at the Pickering Community Park. If approved the following activity allocated towards

Newbridge Park will be cancelled and funding repurposed for the development of a larger purpose-built pump track at Community Park.

Section 1 - Management of mature trees in the area	£10,000
Section 2 - Improving the cycling tracks and the addition of a pump track	£22,750
Section 3 - Lease costs for 10 years to Duchy of Lancaster	£5,000
Section 4 - Insurance costs for 10 years re Liability insurance for the area	£7,000
Section 5 - Land acquisition to improve access between NP and the Community Park	£8,000
Section 6 - New signage	£2,500
Section 7 - Bike maintenance station and tools for bikes	£1,500
Section 8 - PR & website	£5,000
Sub Total	£61,750

Table 1 - areas of activity at Newbridge Park originally identified for funding

Indicative quotes to date suggest a similar type of development as shown in Image 2 will cost £60,000 for track construction with a further sum of £1750 required for promotion and marketing. Therefore the full allocation originally earmarked to Newbridge Park activity will be required for this revised project. The size of the pump track will be of significantly larger size than the one originally proposed for Newbridge Park, which had a limited plot of land for such development. Once built, it will be formally signed over to Pickering Town Council, with insurance and maintenance costs covered by the Town Council.

6.11 The benefits from this project include:

- This new facility will help communities and boost the wellbeing of people who live, work and visit Pickering and people who use the park as a recreational facility.
- The use of pump tracks help children develop social skills, communication skills, hazard perception skills and life skills.
- Exercise for all age of users improves mental and physical health and wellbeing.
- Communication skills for users are developed by using the facility. Speaking, etiquette, respect and listening are key skills which can be developed through using pump tracks.

6.12 Officers agree that the proposed works would have a positive impact on the Community Park and as a community asset for Pickering. Additional recreational facilities would support work by Pickering Town Council to reduce incidents of antisocial behaviour in the town.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial

Although the grant of up to £175,000 has previously been allocated, the re-

allocation of the grant should be highlighted for the purposes of the legal agreement in place.

b) Legal

A legal agreement is in place following the original grant award. Legal Services can be briefed to provide a Deed of Variation supplemental to the original agreement to be signed by all parties as required.

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

Limited staff resource would be required from RDC's perspective with the exception of minimal involvement from Legal to revise the terms of the original agreement.

The works proposed would have a positive impact on the community facilities in the town, subject to obtaining planning permission for the development of the facility.

There are no other implications.

Phillip Spurr
Programme Director for Place and Resources

Author: Craig Nattress, Tourism & Development Officer
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E-Mail Address: craig.nattress@ryedale.gov.uk

Background Papers:

Appendix 1 – Pickering Town CIC report for Policy and Resources Committee, 17 March 2022



PART B:	RECOMMENDATIONS TO COUNCIL
REPORT TO:	POLICY AND RESOURCES
DATE:	17 MARCH 2022
REPORT OF THE:	PROGRAMME DIRECTOR FOR PLACE AND RESOURCES PHILLIP SPURR
TITLE OF REPORT:	PICKERING TOWN COMMUNITY INTEREST COMPANY GRANT REQUEST
WARDS AFFECTED:	PICKERING

EXECUTIVE SUMMARY

1.0 PURPOSE OF REPORT

- 1.1 To secure approval from Policy and Resources on a grant allocation request from Pickering Town Community Interest Company (PTCIC) for funding the development and promotion of cycling and active outdoors related activity in Pickering.

2.0 RECOMMENDATION(S)

- 2.1 It is recommended that:

- (i) Policy and Resources recommends to council that it gives approval for funding of £175,000 to fund works outlined in section 6.12, subject to overview of detailed plans, with delegated authority given to the Programme Director to release the funds, in consultation with the chair of Policy and Resources Committee.

3.0 REASON FOR RECOMMENDATION(S)

- 3.1 The grant request is to support cycling and active outdoors development and promotion activity in Pickering as part of a programme of projects to improve and maintain existing cycling infrastructure, enhance public access to these facilities and support further developments outlined in the CIC's business plan. The works outlined would provide a sound investment for community use in Pickering, and seek to utilise funds originally allocated for community use in Pickering by the Policy & Resources committee on 18 March 2021.
- 3.2 Approval of the funding and implementation of the project will enhance the cycling provision for residents and tourists, encouraging greater uptake of physical activity with consequent improvements to public health. It is also likely to contribute towards reduced congestion and carbon emissions and therefore have a positive impact in

relation to climate change.

- 3.3 A large number of businesses in Pickering and its environs paid for membership of Welcome to Yorkshire. With the recent demise of this organisation, there is an opportunity to support a locally focused organisation that can attract local business funding for the purposes of promoting the town.

4.0 SIGNIFICANT RISKS

- 4.1 Pickering Town Community Interest Company's directors regard the works outlined in this report as a key aspect of the development of their business plan and to stimulate recovery for Pickering post-Covid. The CIC seeks funding from RDC to support these developments which they anticipate will be instrumental as part of the recovery of Pickering and help establish the town as a regional hub for outdoors activities. Without agreement of financial support there is concern that they will not be able to progress with the developments set out in the business plan and the opportunity this presents for Pickering.
- 4.2 This funding request is deemed essential to kick start activity and encourage further funding from other stakeholders, including Pickering Town Council, who have committed funding to developing the path between Newbridge Park and the Community Park. There is a substantial risk that if the project doesn't receive RDC support then other partners won't commit match funding or the management and or provision of activity contained within the CIC's business plan. Financial support would help unlock private sector income from businesses, whom due to the collapse of the towns business group (Pickering in Business), are currently not investing in the marketing or promotion of Pickering as a visitor destination.

5.0 POLICY CONTEXT AND CONSULTATION

- 5.1 From April 2021, Pickering Town CIC members have met every fortnight with support from the Tourism & Development Officer to explore the current provision and opportunities that development of activity to support the outdoors sector would provide to Pickering and the wider Ryedale District with the facilities being accessible to all. The CIC membership consists of one Ryedale District Councillor, two Pickering Town Councillors, two private sector business representatives and one further Pickering resident.
- 5.2 Pickering Town CIC has developed a business plan for implementation on receipt of streams of funding (Appendix 1).
- 5.3 The Council Plan 2020-2024 and the Destination Development Plan 2020-23 highlight the ambition to support Ryedale's market towns and develop the outdoors activity sector. Investment in the activities outlined would support that aim and widen opportunities for business and tourism development as well as strengthening the District as a sustainable place to visit, also a key component of the Council's Climate Change Action Plan. The recent development of the Malton and Pickering cycle route also supports the foundations of developing this activity.
- 5.4 The project is fully in accordance with the recommendations outlined in the Councils Scrutiny Review into Climate Change as adopted by Council (11 April 2019) and in particular recommendation under 3d "Foster the use of alternatives to fossil fuels for travel through promotion of public transport, walking and cycling."

REPORT

6.0 REPORT DETAILS

- 6.1 Pickering town CIC (“PTCIC”) was established in 2021 in order to promote Pickering for the local community. The CIC comprises of personnel from a range of backgrounds who have experience in multidisciplinary business leadership roles, roles in the community and within the public sector and have shared aims on how the town could be developed for the benefit of the community.
- 6.2 At a meeting of Pickering Town Council on 6th April 2021, the council resolved that it is supportive of this initiative (PTCIC) and would like to appoint two members of the council as its representatives on a group to submit a bid for funding, and that other members of the council who wished to be involved in this project outside of this formal representation should be allowed to do this. The council appointed Councillor Lovejoy and Councillor Steadman as its representatives.
- 6.3 With the assistance of RDC, PTCIC applied for funds from the Community Renewal Fund to develop the activity set out in this report. Unfortunately, this bid was unsuccessful. PTCIC are also looking to raise funds from other organisations as well as RDC.
- 6.4 The projects that PTCIC are particularly focused on for RDC capital funding are relating to the Newbridge Park cycling area and the Welcome to Pickering website and social media sites relating to Welcome to Pickering. Numerous businesses in Pickering paid for membership of Welcome to Yorkshire. With the demise of this organisation, there is an opportunity to ‘fill the gap’ with a locally focused organisation that can attract local business funding.
- 6.5 The CIC have produced a business plan containing a series of aspirations including:
- ‘Development’ – new cycling infrastructure, visitor interpretation, and footpaths
 - ‘Maintenance’ - continuation of management of existing and new assets delivered as part of the project, and
 - ‘The Community’ – engagement within the local community to ensure the assets are utilised, promoted and benefits spread - i.e. creation of a carbon free ‘last mile’ transportation concept.
- 6.6 The following progress has been made and developments are continuing. These include:
- Establishment of the CIC and recruitment of a number of directors to the board with a range of expertise.
 - Development of a business plan to source funding from relevant bodies
 - Recently, the Pickering in Business group has been wound up and accordingly there are no other groups particularly focused on initiatives for the community in Pickering. As a result of Pickering in Business being wound up they have transferred the Welcome to Pickering website to PTCIC. PTCIC want to refresh this website and ensure that it is fit for purpose for both local information for the community as well as to attract more tourism to the area and promote local businesses.
- 6.7 Pickering Town CIC is being supported by RDC’s Tourism and Development Officer who is working with the committee to help identify opportunities, develop activity and avenues of funding. This has included to date:

- introductions to funding providers and opportunities
- development and submission of a Community Renewal Funding application to North Yorkshire County Council to support cycling activity via revenue funding, which although was unsuccessful has led to wider discussions around developing a business plan.

Pickering Town Community Interest Company Business Plan:

- 6.8 A business plan has been developed to provide a strategic framework for establishing Pickering as Yorkshire’s cycling hub, to provide additional/improved facilities to both Pickering residents and visitors.

Initially the focus was an application for £261,000 from the UK Community Renewal Fund (“CRF”). The CRF bid was encouraged and supported by our local MP as well as the York & North Yorkshire Local Enterprise Partnership. Unfortunately that application was unsuccessful therefore funding is now being sought from Ryedale District Council.

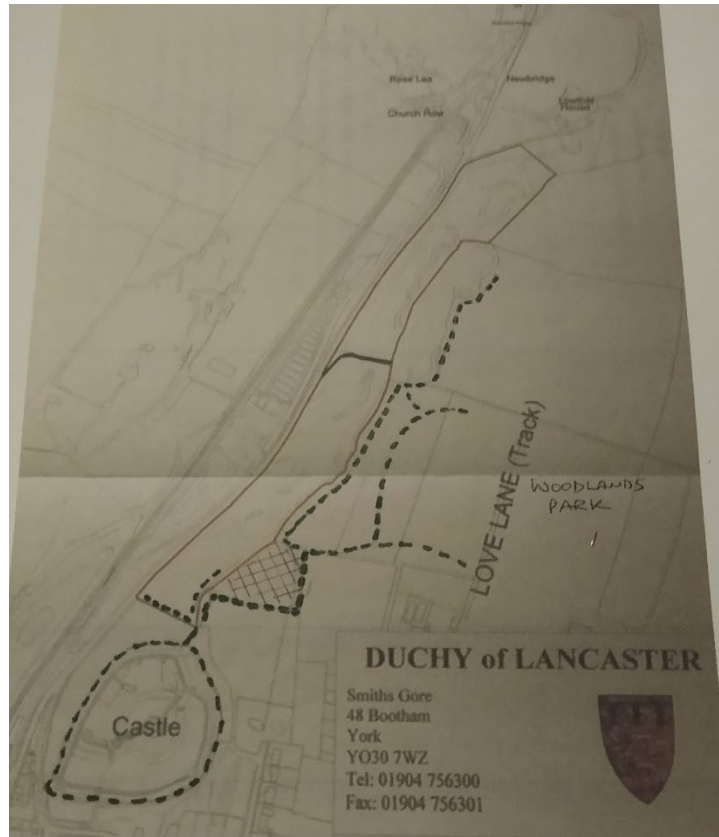
- 6.9 The Business Plan programme will deliver eight key ambitious objectives for the next ten years. This includes:

- Build an ambitious vision as ‘Yorkshire’s Cycling Hub ‘to unite the town and deliver a sustainable commitment towards harnessing active travel within the local community, businesses and landowners.
- Re-invigorate the town centre as the base and location for cyclists and families creating a café culture to stimulate new opportunities within the town centre.
- Connect local communities through safe cycling routes, promoting active travel and associated health and carbon reduction benefits.
- Innovate both through a unique digital mapping app and through feasibility studies to create integrated opportunities with local tourism assets such as the North Yorkshire Moors Railway.
- Invest in existing local cycling assets i.e. Newbridge Park to take it from something good to something great
- Incorporate links between Newbridge Park and the Community Park to improve access to both
- Train and provide access to local cycling guides who may also provide cycling proficiency lessons
- Encourage third parties to provide access to rental bikes/equipment to support the growing interest in wellness tourism post pandemic.

- 6.10 To the rear of Pickering Castle is the area known as Newbridge Park which is owned by the Duchy of Lancaster and leased to Newbridge Park Ltd. This has been a very successful off-road cycling area for the local community particularly for young people and is an excellent facility for Pickering. Residents and visitors can enjoy mountain biking, walking or picnicking in a wonderful woodland setting right on the edge of the town.

There are mountain bike cross-country trails and a skills park, footpaths and a family picnic area in the formerly neglected woodland. Locals and visitors can enjoy family walks in a wonderful woodland setting and a long term woodland management plan aims to reintroduce native species.

Plan showing location and size of Newbridge Park (Solid line area also showing footpaths)



For detailed information re Newbridge Park please refer to its website <http://www.newbridgepark.co.uk/>

Newbridge Park Ltd is a company limited by guarantee and has five directors, however the committee are looking to relinquish their responsibility of the land due to other commitments. In order to ensure that this community facility can be maintained and restored as well as improved PTCIC is looking to take over the area if it can ensure that it can raise the capital funding required to do so. The area is currently leased from the Duchy of Lancaster and access to the area is through woodland paths, and the intention would be to reassign the lease.

If the funding allocation were to be successful PTCIC will enter into discussions with the Duchy of Lancaster estate on the transfer of the lease from Newbridge Park Ltd and would become the leaseholder over a new 10 year term. At the end of the term the lease would be reviewed with regards to continuation. If Newbridge Park Ltd ceases to operate and the land not be maintained, the land must be returned to its original condition, ultimately meaning the asset would be lost as a community asset. A significant amount of work has been undertaken at Newbridge Park to provide mountain biking and walking routes in a scenic environment.

6.11 The Business Plan has been developed to strategically consider all aspects of activity and its potential but is realistic in its ambitions. The open willingness to work with partners and explore opportunities demonstrates a strong strategic direction for the project.

6.12 **Grant Request:**

The Business Plan identifies areas for capital improvements which would improve the facilities and appeal of Pickering as an outdoors activity hub. The areas identified for

improvements are:

- **Newbridge Park**

The capital funding required for Newbridge Park includes the following costs which have been sought from quotes from current stakeholders:

- Management of mature trees in the area to ensure that the area is safe for purpose – (£15,000)
- Improving the cycling tracks which have been worn over many years – (£13,000)
- Adding a pump skills track for younger riders in the area (a looped sequence of rollers and berms (swoopy, banked turns) for bike riders) - £TBC
- Lease costs for 10 years to Duchy Of Lancaster for the Newbridge Park site – (£5,000)
- Insurance costs for 10 years re Liability insurance for the area – (£7,000)
- New signage between the town, Newbridge Park and the Community Park– (£2,500)
- Bike maintenance station – (£1,500)
- PR & website (£5,000)

An additional element of this project is to link Newbridge Park to the Pickering Town Community Park.

At present there is a very poor woodland path which is quite difficult to negotiate which links Newbridge Park to the Community Park. Given the number of families and young people who now access the Community Park, which is expected to increase with additional facilities being proposed by Pickering Town Council, including an outdoor gym and skateboard park, it is felt that having a quality safe off-road link between Newbridge Park and the Community Park would provide an improved and safer access to encourage use of both facilities for residents and visitors. Currently access to the Community Park requires a walk along Whitby Road which is a busy road and hence not friendly for walkers, cyclists and people with pushchairs or wheelchairs. Other alternatives are to walk through a housing estate and access via Love Lane.

In order to provide the link between Newbridge Park and the Community Park a small strip of land of about 150m would need to be acquired from two private owners so that the existing footpath can be made both wider and safer to enable people to do this link on foot and/or with pushchairs and bicycles.

This new improved link would enable people to come up through Pickering town along Castlegate to Pickering Castle and then using the footpaths that circumnavigate the castle get to the junction whereby they could go up through the woods to the Community Park or along to Newbridge Park. A safer and more attractive option than the other routes that access the Community Park. *As of 21 February 2022, Pickering Town Council have committed to funding and managing this aspect of activity with a view to utilising Community Levy Infrastructure funding.*

To complement activity at Newbridge Park additional activity would be undertaken to boost the profile of Pickering as a destination for active outdoors activity:

- Pickering – The Great Outdoors website and associated digital marketing to improve the profile of the destination of Pickering and attract visitors to the area– (£24,250)
- 10 secure bike stands at key locations within Pickering to support active travel and complement cycling route developments including Malton – Pickering and the

- North York Moors Cycle Way– (£30,000)
- 100 charging units for e-bikes available to businesses to support the growing trend of ebikes and facilitate multi-generation family friendly cycling groups– (£15,000)
- Training cycle guides/teachers on cycle maintenance – (£15,000)
- Setup staff costs to deliver all activity, to include one project manager to manage the funding allocation and delivery of the activity on an 18 month fixed term contract. Flexible working arrangements to include office base or home – (£50,000).

Total identified costs amount to £183,250.

6.13 The aforementioned objectives would deliver the following outputs:

- Building an ambitious vision as ‘Yorkshire’s Cycling Hub’
- Creation of a dedicated online presence and new material to promote the area as a cycling hub.
- Launch Pickering Town Community Interest Company to drive community ownership of the vision and ambitions.
- Reinvigorating the town centre.
 - Create a new opportunity for third parties to provide rental bikes, for both able and disabled cyclists.
 - Stimulate town centre collaboration
 - Secure cycle racks
 - Maintenance/E-bike charging points for bicycles
 - Improved signage for cyclists and tourists generally
 - Establishing a cycling friendly code for local businesses
 - Supporting carbon neutral or even carbon negative active tourism with related health benefits.
- Connecting local communities
 - Mapping and promoting safe cycling routes between rural villages, towns and attractions
 - Leverage the Pickering to Malton cycle route creating a link between Yorkshire’s Food Capital and Yorkshire’s Cycling Hub
 - Create formal links to local cycle areas such as Newbridge Park and Dalby Forest
 - Provide new skills and employment opportunities by training cycle guides
 - Measuring and monitoring air quality
 - Sustainable tourism supporting the economies of Pickering and surrounding villages
 - Work with NYCC Highways department to explore opportunities for new and improved safe cycle routes
 - Securing the operation of Newbridge Park and associated recreation opportunities the site presents to the community of Pickering and it’s visitors
- Innovating through digital and feasibility studies
 - Develop a specialist digital mapping system that provides a clear digital, interactive map of Pickering and surroundings with easy-to-use navigation systems and search facility. Allowing a search as specific as “30-minute walks from here” or “cafe”. Instant information would be overlaid on top of the interactive map allowing for every business/event organiser to upload and maintain information
 - Conduct feasibility studies to explore new/improved cycle lanes such as links to local villages using old railway lines
 - Undertake a feasibility study to explore opportunities to create one-way cycle

friendly public transport tickets to create exciting new routes accessible to less experienced cyclists. E.g. with North Yorkshire Moors Railway one-way ticket to Grosmont and cycle back

Activities in the grant request and business plan are all aimed at improving access to a much needed public space, amenities and the profile of the destination of Pickering. Activity has been determined based in particular on the response to resident consultations undertaken by Ryedale District Council and Pickering Town Council over the last three years in relation to improvements residents would like to see to improve the town. Both a Ryedale District Council Place Standards consultation activity carried out in 2019 and a more recent survey undertaken by the Town Council in June of 2021 asked young people aged 10-16 what facilities they wanted to see in Pickering and access to outdoors recreation facilities came out as a priority.

Investment in this project will support the aims of Ryedale District Council's Plan 2020-24 under the following strands:

- Promoting health and wellbeing for all by offering leisure facilities and access to physical activity.
 - Promotion of the Ryedale's market towns and the area for active recreation.
 - Improving air quality in our market towns by tackling congestion and promoting sustainable transport and commerce.
 - Opening cycle and walking routes and identifying new ways to link our communities in sustainable ways.
 - Supplement activity set out in the Destination Development Plan 2020-2023 to help promote and develop the Ryedale tourism sector and visitor economy through supporting product development and delivering marketing and promotional campaigns – particularly around improving the area as a place for outdoors recreation and eco-tourism.
 - Support funding for new developments and improve existing facilities with key stakeholders.
- 6.14 RDC members previously voted to ring-fence £200,000 towards community use in Pickering and to date £25,000 of this allocation has been awarded, to CaVCA for use on the Hungate Centre, the balance sits within the council's reserves. Pickering Town Community Interest Company would like to request the remaining allocation (£175,000) from the council's reserves to support these identified areas of activity. The balance of costs will be sought from other organisations, both public and private sector, however if Ryedale DC funding does not materialise the project is unlikely to progress.
- 6.15 Support for this project could help stimulate further external funding from other sources i.e. Pickering Town Council, North York Moors National Park tourism grants scheme, larger private sector organisations within Pickering and help leverage smaller business contributions towards website advertising. These revenue streams have been identified as income to support capital activity and the ongoing maintenance costs associated with the Newbridge Park development and digital marketing activity.
- 6.16 The following key developments by Pickering Town CIC demonstrate their willingness to develop the plan of activity collaboratively and strategically:
- a strategic approach to activity delivery developed through community and professional consultation
 - volunteer development through new policies and procedures
 - a business plan addressing key areas of strategic development

- improved development of business and community networks with local groups
- an effort to work collaboratively both locally and regionally

6.17 A decision is requested on whether the Policy and Resources committee will support the release of funds for all or part of the work outlined.

7.0 IMPLICATIONS

7.1 The following implications have been identified:

a) Financial:

£175,000 to contribute towards the cost of the activity identified in the grant request. This amount has been set out in the Capital Programme in the revised Financial Strategy, subject to Council approval. Without agreement of financial support there is concern that the project will not be able to progress with the developments set out in the CIC's business plan. Funding will kick start activity and encourage further funding from other stakeholders, including Pickering Town Council who are supportive of the activity outlined between Newbridge Park and the Community Park. Financial support would demonstrate to local businesses a will to develop Pickering with a focussed cohesive plan and support help unlock private sector income from businesses who are currently not investing in the marketing or promotion of Pickering as a tourism destination. If public funding were not to materialise then elements of capital activity would be removed or downsized from the proposed activity, these include:

- A reduction in the number of bike stands
- Removal of charging units for ebikes
- Removal or reduction in the number of training cycle guides/teachers to support active travel opportunities

At present, all capital activity is forecast to be completed by April 2023 further to discussions with stakeholders.

b) Legal

If all or part of the financial request is granted, the legal team can draw up a grant agreement with approved terms and conditions.

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

All necessary health and safety protocols to be followed if the works outlined in the grant request are to go ahead. These can be outlined in the terms and conditions of any grant awarded.

- Delivery of the project will have a positive effect upon:
 - i) Equality – by making more of the developments available for those with disabilities;
 - ii) The environment – by encouraging greater uptake of non-motorised forms of transport and providing greater opportunities for physical recreation the project will contribute towards a reduction in congestion and improved air quality;
 - iii) Climate change – as above, the project will encourage greater uptake of non-motorised forms of transport with a resulting reduction in carbon emissions.

Name of Head of Service
PHILLIP SPURR

Job Title
PROGRAMME DIRECTOR FOR PLACE AND RESOURCES

Author: Craig Nattress, Tourism & Development Officer
Telephone No: Tel: 01653 600666 ext 43315
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Background Papers:
Pickering Town Community Interest Company Business Plan

Background Papers are available for inspection at:
Location or web address



REPORT TO: FULL COUNCIL

DATE: 23 FEBRUARY 2023

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 9 FEBRUARY 2023

89 Livestock Market project – Request for approval to proceed

Recommendation

That Council be recommended to:

a) Express their support for progressing with the 'Core' Livestock Market project based on the estimated costs as referenced in the sixth paragraph of section 7.1 a) of either:

- (i) incorporating climate change mitigation measures: or
- (ii) not incorporating climate change mitigation measures;

b) For the period of time remaining until Vesting Day confirm delegated approval for the Programme Director for Place and Resources in consultation with the S.151 Officer and the Chair of Policy and Resources Committee, to

- (i) Apply for funding and enter into grant funding agreements (as appropriate);
- (ii) Negotiate appropriate terms and enter into the Transaction Agreement with the landowners for the acquisition of the Livestock Market Site;
- (iii) Approve the appointment of APP to undertake RIBA Stage 3 'Developed Design' work (including undertaking further surveys, investigations and more detailed designs) SUBJECT TO entering into the Transaction Agreement;

c) Due to the importance of Malton Livestock Market to the local economy, and given that implementation of any Livestock Market project will fall within the purview of North Yorkshire Council, Members may wish to request formally that North Yorkshire Council continues to progress the project following Vesting Day on 01 April 2023 with a view to its implementation at the earliest possible opportunity including:

- (i) Ringfencing the existing capital allocation of £1.65m from the District Council;
- (ii) Supporting work to identify other funding opportunities and to secure the remaining funding as necessary;
- (iii) Concluding site negotiations and entering into Transaction Agreement (if not already completed by 31 March);
- (iv) Appointing APP to undertake RIBA Stage 4 'Technical Design, Preparation of Tender Information';
- (v) Procurement and appointment of contractors to construct the facility;
- (vi) Negotiate and enter into appropriate legal agreements with an Operator.

Voting Record

Carried by general affirmation.

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REPORT TO: FULL COUNCIL

DATE: 23 FEBRUARY 2023

SUBJECT: PART 'B' REFERRALS FROM POLICY AND RESOURCES COMMITTEE ON 9 FEBRUARY 2023

90 Circular Malton and Norton Anaerobic Digester Project

Recommendation

That Council be recommended to:

- a) Allocate capital funding as set out In paragraph 6.60 towards the project cost for the circular Malton and Norton Anaerobic Digester;
- b) Make provision for capital being subject to all remaining match funding being in place.

Voting Record

Unanimous

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TITLE OF CONSULTATION: DESIGNATION OF INTERIM MONITORING OFFICER

OFFICER REQUESTING: NICKI LISHMAN
ACTING HEAD OF CORPORATE GOVERNANCE

DATE: 8 FEBRUARY 2023

1.0 PURPOSE

1.1 To designate an Interim Monitoring Officer, as the postholder is now on Leave until she leaves Ryedale District Council in early March 2023. This Interim appointment will be in effect until a Monitoring Officer is designated by Full Council.

2.0 RECOMMENDATION(S)

2.1 It is recommended that:

- (i) Bernice Elgot be designated as interim Monitoring Officer from 8 February 2023 until such time a permanent Monitoring Officer is appointed.

3.0 REASON FOR RECOMMENDATION(S)

3.1 The Head of Corporate Governance & Monitoring Officer will be Leave from 31 January 2023 until she leaves the organisation on 5 March, and so it is necessary to appoint an interim Monitoring Officer. A meeting of Full Council is not scheduled within the timescales for appointing a Monitoring Officer and therefore it is necessary to use urgency powers. Following an interim appointment to the role for the period from 8 February a report to approve the designation of a permanent Monitoring Officer for the remaining duration of RDC will be taken to Full Council on 23 February 2023.

4.0 SIGNIFICANT RISKS

4.1 It is a legal requirement for the Council to have a designated Monitoring Officer. There would therefore be legal risks around not making such a designation.

5.0 IMPLICATIONS

5.1 The following implications have been identified:

- a) Financial
The appointment will be made on a relief contract and it is anticipated that the costs will be approximately £550.
- b) Legal
Making this designation complies with the legal requirement for the Council to have a Monitoring Officer.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental and Climate Change, Crime & Disorder)

There are no other implications.

6.0 MONITORING OFFICER ADVICE

The Chair of Policy and Resources Committee should be consulted on this decision. As this matter would normally have been dealt with by Full Council it is recommended that all Group Leaders are consulted.

7.0 CONSULTATION RECORD

According to the Constitution, under urgency powers, decisions usually taken by the Council and its committees are taken by the CEO following consultation with the appropriate elected members.

The appropriate elected members are:

- The Chair of the Policy and Resources Committee
- Group Leaders

Name of Consultee	Cllr D Keal
Agreed	
Date consultation completed	07/02/23

Name of Consultee	Cllr L Burr
No response; assume agreement as per email sent on 7 February 2023	
Date consultation completed	08/02/23

	Cllr J Frank
Agreed	
Date consultation completed	07/02/23

Name of Consultee	Cllr S Arnold
Agreed	
Date consultation completed	08/02/23

Name of Consultee	Cllr K Duncan
No comment	
Date consultation completed	07/02/23

Name of Consultee	Cllr M Potter
Agreed	
Date consultation completed	08/02/23

8.0 DECISION

Decision of the Acting CEO based on consultation	As set out at s.4.1, above, it is a legal requirement for the Council to have a designated Monitoring Officer. This decision will allow an Interim Monitoring Officer to be appointed pending a decision at Full Council on 23 February on appointing a permanent Monitoring Office for the remaining duration of RDC.
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Approved: P Spurr	
Date:	8 February 2023

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