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Commissioning Board

Held at Council Chamber, Ryedale House, Malton
on Thursday 2 June 2011

Present

Councillors Mrs Cowling (Chairman), Mrs Frank (Vice-Chairman), Hope, Fraser, Hicks, Ms Sanderson, Walker, Richardson, Clark (substituting for Woodward) and Andrews

In Attendance

Phil Long, Julian Rudd, Fiona Brown, Kim Robertshaw, Debbie Armitage, Steve Richmond, Nicki Lishman and Paul Cresswell

Minutes

1 **Apologies for Absence**

Apologies for absence were received from Councillors Woodward and Mrs Denniss.

2 **Minutes of the last Meeting of the Commissioning Board held on 24 March 2011**

The minutes of the meeting of the Commissioning Board held on 24 March 2011 (previously circulated) were presented.

Resolved

That the minutes of the meeting of the Commissioning Board held on 24 March 2011 be approved and signed by the Chairman as a correct record.

3 **Urgent Business**

The Chairman reported that there were two items which she considered should be dealt with as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972 (as amended). These were a letter from Malton School seeking views regarding Academy Conversion and correspondence regarding private sewers.

4 **Declarations of Interest**

In accordance with the Members' Code of Conduct Councillor Mrs Cowling declared a personal but not prejudicial interest in item 10.

PART 'A' - Items dealt with under delegated powers or matters determined by the Board

5 **Capital Proposal Regarding Ryedale Pool Gym Facility**

Item 14 was brought forward on the agenda with a revised recommendation

Members considered a resolution to exclude the press and public from the meeting during consideration of Item 14.

It was moved by Councillor Mrs Frank and seconded by Councillor Sanderson that the resolution be approved.

The Corporate Director (s151) advised members that this item was now a Part "A" - items dealt with under delegated powers or matters determined by the Board as further work was required on the estimated costs of the scheme which would in turn be presented to the Policy and resources Committee as a part B item.

The Head of Environment submitted a report (previously circulated) for Members to consider a proposal regarding a capital investment project which will facilitate development of additional sports facilities at Ryedale Pool, Pickering.

The project would

- Establish a new and more substantial facility capitalising on the existing asset of Ryedale Pool, Pickering
- Increase the scope of available facilities encouraging participation in exercise to a wider number of people
- Tangibly increase the asset value of the premises
- Increase income and efficiency for CLL through co-located facilities
- Enable any surplus to be reinvested in the business to enhance the quality of sport and leisure provision and to reduce the revenue cost of the service

The report detailed the financial criteria on which the proposal was based, details of the proposed development and the proposed benefits of the project to the community, CLL and the Council.

Resolved

That the Policy and Resources Committee is recommended at its meeting on the 23 June 2011:

To recommend to Council the inclusion of the development of a new gym facility at Ryedale Pool in the capital programme at a revised estimated cost to be agreed at the meeting.

6 Appointment of Joint Commissioning Groups

The Head of Economy and Housing submitted a report (previously circulated) the purpose of which was to appoint Members to the Commissioning Board's

two Joint Commissioning Groups (JCGs).

The first meeting of the Commissioning Board held on 2 June 2010 resolved 'That two Joint Commissioning Groups: *Economy and Housing* and *Active and Environment* be established'. This was in recognition that the Board had responsibility for a range of services that contributed to the delivery of the Council's priority aims 1-4. This was a wide brief and as such Members of the Board agreed to appoint smaller, flexible and agile JCGs which looked at detailed issues, performance and service opportunities in a focussed way, and then made recommendations to the Commissioning Board for decision.

The Economy and Housing JCG completed a review of the Council's commissioning of tourism services and would next examine the Authority's commissioning of support for private sector housing and independent living. The Active and Environment JCG was part-way through a review of Sport and Active Leisure activities.

Resolved

That the following members be appointed to the Joint Commissioning Groups for 2011/2012:

Economy and Housing

Councillors Mrs Sanderson, Hicks, Clark, Andrews, and Mrs Denniss.

Active and Environment

Councillors Richardson, Clark, Hope, Hicks, Fraser and Walker.

7 Impact of Housing Benefit Changes

The Head of Economy and Housing submitted a report (previously circulated), which considered the Government changes to the national Housing Benefit system and requested that Members agree actions in response to the anticipated local implications of these changes, including potential increases in levels of homelessness and the risk of becoming homeless within Ryedale.

A presentation was given by Housing Options and Housing Benefits Officers of a full breakdown of the changes along with their implications. The presentation would be emailed to all Members.

The report gave Members the detail of the Council's successful approach to dealing with homelessness but also detailed the increase in the numbers of households which had sought assistance from the Council over the previous 12 months.

The report went on to summarise the key elements to the national Housing Benefit and how the changes may affect claimants in Ryedale.

The key potential challenges for Ryedale as a result of the above changes were:

- Increased demand for affordable housing
- Increased number of households threatened with homelessness or loss their home due to financial difficulties
- Increased numbers of households seeking moves to more affordable private rented accommodation
- Increased levels of homelessness amongst young people
- Increased costs for the Council to pay for temporary accommodation
- Increased administration costs for Housing Benefits
- Increased numbers of Houses in Multiple Occupation (HMOs)

Ryedale District Council, in line with other local authorities, received an annual sum from Government to provide a Discretionary Housing Payments (DHP) fund. This was the only short term financial safety net available to assist those tenants adversely affected by the Housing Benefit reductions. It could be used to provide further financial assistance in individual cases where the Council considered that Housing Benefit payments were insufficient. There was an increase in the DHP award from Government (to some £11K per annum for Ryedale) and there would be further increases over the next two years. However this may not be enough to deal with the local impact of the changes.

Authorities could also allocate their own reserves towards DHP, up to a maximum of 2.5 times the Government grant, were this necessary. It was not yet clear what pressure would be placed on the Ryedale DHP and Officers would closely monitor this and keep Members informed, including any implications for setting of the 2012/13 Council budget.

Resolved

- (i) That the report be noted
- (ii) That Officers monitor the local impact of Benefit reforms and that further officer reports are presented to the Commissioning Board on the implications and any further changes;
- (iii) That potential revisions to limit the increased risk of homelessness under the new Housing Benefit system are identified through the forthcoming review of the Ryedale Homelessness Strategy Action Plan.

8 Annual Report 2010/11 - Delivering the Council's Priorities

The Head of Transformation submitted a report (previously circulated) which presented the content of the Council's Annual Report of delivery against priorities.

A draft of the Annual Report 2010/11 was appended to the Agenda for Members comments and observations.

The report stated the Council's five aims adopted in the Council Plan 2009-13;

- To meet housing need
- To create the conditions for economic success
- To have a high quality clean and sustainable environment
- To have safe and active communities
- To transform the Council

The report outlined the objectives adopted to meet these aims and reminded Members that progress in delivering the Council's priorities was reported quarterly to the Policy and Resources Committee. The Annual Report 2010/11 summarised the Council's delivery against its priorities.

The report went on to outline the challenges to meeting the adopted aims for the year 2011/12.

Resolved

That the content of the Annual Report 2010/11 and the challenges for 2011/12 be noted.

9 Local Enterprise Partnership (LEP) Update

The Head of Economy and Housing submitted a report (previously circulated) which updated Members with regard to the progress of the development of the York and North Yorkshire Local Enterprise Partnership (YNYLEP) and local bids for Enterprise Zone status.

Following 'recognition' of the YNYLEP, a private sector-led panel advertised for and appointed the private sector Chair of the LEP Board: Barry J Dodd, OBE, Chairman of the GSM Group.

The YNYLEP would be supported by a staff team from the merged 'North Yorkshire Partnership Unit' and the North Yorkshire County Council (NYCC) Economic Development Unit. A new post of NYCC Assistant Director - Economic Partnership Unit has been created and a former senior officer of Yorkshire Forward will officially take up this post on 1 August 2011.

The report went on to describe the development of the Enterprise Zones and the benefits they would enjoy.

Through the YNYLEP, this Authority aimed to maximise linkages with potential neighbouring proposals in York or Scarborough to ensure that economic advantages flow into Ryedale.

Resolved

That the report be noted.

10 **Members Update - Actions to Reduce CO2 Emissions Resulting from Council Operations**

The Head of Environment submitted a report (previously circulated) which informed Members of actions which had been taken to reduce CO₂ emissions resulting from the Council's operations and updated Members with regard to future actions.

The report provided Members with details of Ryedale's position to date in that the Council had made strong progress regarding CO₂ reductions relating to Local Authority buildings and services and Climate Change initiatives. In 2004 RDC signed the Nottingham Declaration on Climate Change. The Climate Change Strategy was developed in 2005 (updated in 2007 and due for renewal) and a Sustainability Audit review in 2009 regarded performance as good with minimal risk.

A Local Climate Impact Profile (LCIP) identified major weather related risks (NI 188) for Ryedale as flooding, snow and blizzards. Actions taken to reduce vulnerability and improve preparedness included:

- Multi agency emergency flood plan (one of first completed).
- Slowing the flow and bunded storage scheme - RDC £950K funding.
- Sand bag catches- Pickering, Sinnington, Thornton Dale, Kirkbymoorside.
- £50K Flood resilience grant available from RDC administered through the Building Control Partnership.
- Commissioning of the Pickering Channel management study - a three year project which aims to identify effective channel management solutions to mitigate against flooding in the catchment.
- A scheme is being devised regarding a community winter resilience scheme - £20K funding available.
- Winter gritting partnership initiative with NYCC.

Performance on recycling remained strong and estimates indicated the Council was on track for a similar performance as last year (52%). RDC has been the top performer in the Yorkshire and Humber region for 5 years running, for both NI 191 (residual waste) and NI 192 (recycling) and in the top 6% of UK councils for the last five years. Performance would further improve with the roll out of plastic bottles and card starting on the autumn 2011.

It was proposed by Councillor Clark and seconded by Councillor Richardson that the resolution be amended by the addition of "and that an update on progress be presented to the meeting of the Commissioning Board to be held

on 22 September 2011". Upon being put to the vote the amendment was carried.

Resolved

That the report be noted and that an update on progress be presented to the 22 September 2011 meeting of the Commissioning Board.

11 **Food Service Plan 2011/2012 and Proposed Introduction of the National Food Hygiene Rating System (FHRS)**

The Head of Environment submitted a report (previously circulated) which presented to Members the Food Service Plan for 2011/12 and provided details of the work undertaken during the previous year.

The Food Service Plan (FSP) 2011/2012 was appended to the report. The Plan provided a background to the food service and covered the principal work areas in which officers were involved during the year. The Food Standards Agency required that local authorities addressed certain critical aspects of their food service within the Plan. These were;

- a) **provided details of the food premises inspections (by way of level of activity) that had been undertaken;**
- b) provided information on food complaints;
- c) detailed any work with respect to the Home Authority Principle;
- d) described any work that the local authority undertook with respect to business advice, providing training courses to businesses and any promotional activities;
- e) showed that a database of food premises was set up and maintained;
- f) provided details of the level of sampling and the follow up procedures;
- g) provided information on the control and investigation of outbreaks of food related infectious disease;
- h) provided information on the maintenance and implementation of a procedure for dealing with food alerts;
- i) confirmed that an appropriate enforcement policy was available to all;
- j) confirmed that a recording system that was able to maintain up to date accurate records;
- k) provided details about liaison with other organisations; and
- l) described how the food service was monitored/audited.

In addition, Cabinet Office had also issued guidance which suggested local authority enforcers should be flexible in their approach.

Members were aware of the Food Hygiene Rating System or "Scores on the doors" which operated in some local authorities. The aim of the scheme was to assist customers choose where to eat out or shop for food. There were two rival schemes which use different rating systems, however following on from Lord Young's recommendation in his report "Common Sense Common Safety", the Food Standards Agency (FSA) confirmed that the Coalition

Government endorsed a national Food Hygiene Rating System (FHRS) and wished it to become compulsory. The aim is to have the FHRS in place at the earliest opportunity and at the latest in time for the 2012 Olympics and Paralympics.

The Health and Environment Service seized the initiative and had applied for financial assistance for approximately £9,000 via a FSA grant for the implementation of the FHRS. If successful, it was hoped to have the system in place by April 2012. As at the time the adoption of FHRS was voluntary, therefore in order to demonstrate a commitment to operating the FHRS in a consistent and fair manner the FSA required participating local authorities to agree to specified conditions in order to safeguard the credibility and integrity of the scheme.

Resolved

- i. That Members support the aims and objectives of the Service Plan
- ii. That the Food Service Plan for 2011/12 be adopted
- iii. That the Council supports the voluntary adoption of the national Food Hygiene Rating System (FHRS) and sign up to the formal agreement with the Foods Standards Agency

12 Health & Safety Service Plan 2011/2012

The Head of Environment submitted a report (previously circulated) which put before Members the Health and Safety Plan for 2011/12 and provided details of the work undertaken during the previous year.

The guidance notes issued by Health and Safety Executive (HSE) under Section 18 (4) contained the broad principles which HSE wished local authorities to adopt in enforcing health and safety legislation. They provided a framework within which local authorities operated, so that HSE could be confident that adequate arrangements for enforcement were made.

The HSE, Food Standards Agency (FSA) and Local Government Regulation required that the practice of planning such joint interventions should be adopted by all local authorities from 1 April 2011. Ryedale District Council had adopted the system of joint inspections for food and health and safety using a single officer and were therefore compliant with the requirement.

Resolved

That the Health and Safety Service Plan for 2011/12 be adopted.

PART 'B' - Recommendations to Council

13 Private Sector Housing Grants - Revision to Capital Programme Allocations

The Head of Economy and Housing submitted a report (previously circulated) which detailed a revision to the Authority's capital allocation of Private Sector Housing Grants budget for the financial year 2011/12 and thereafter.

During the five financial years prior to 2011/12 Ryedale District Council received funding from the Yorkshire and Humber Regional Housing Board (RHB) towards the improvement of private sector housing stock. This supplemented the Council's own funding for this purpose, which was drawn each year from the capital programme and so increased the type and amount of grant and loan assistance offered by the Housing Services Department. However, following the Comprehensive Spending Review the RHB no longer existed and all Private Sector Funding to Local Authorities had ceased (apart from separate funding for the Disabled Facilities Grant). Consequently the financial assistance that could be offered by Ryedale Council was limited to that taken from the Authority's capital programme and there was no longer funding identified for energy efficiency improvements or decent homes loans. This report recommends revising the capital programme allocations within the existing overall funding levels.

The Council's Private Sector Housing Grant schemes had supported a broad range of housing improvement activities in recent years. However, under current Council policy, due to the absence of the RHB funding, the range of grants and loans that were available in Ryedale post 1 April 2011 had reduced.

To take account of the loss of RHB funding it was necessary to redistribute the Council's previously agreed funding to ensure that support was still available for the priority improvements, such as energy efficiency and decent homes. A waiting list of approximately 20 clients had already built up for energy efficiency grants.

It was recommended that Council funding agreed for 2011/12 be redistributed to reintroduce the range of Private Sector Housing grants and loans previously available, albeit at lower total amounts than previously available.

Resolved

That Council is recommended to approve the revised Housing Capital Programme as follows:.

Type Of Loan/Grant	2011/2012 (Current)	2011/12 (Proposed)
Home Appreciation Loan	0	£20K
Empty Property Grant	£30K	£30K
HMO Grant	£30K	£30K
Decent Home Loans	0	£30K
Home Repair Loans	£165K	£45K

Energy Grants	Efficiency	0	£70K
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14 **Any other business that the Chairman decides is urgent**

There were two items of urgent business:

- i. The Environment Manager circulated papers from Yorkshire Water concerning the proposed transfer of private sewers in October 2011. These were noted.
- ii. A letter had been received from Malton School requesting the view of the Council on a proposal for Academy Conversion. As the School required a response by 6 June 2011 the only Council Committee that could consider the matter was the 2 June 2011 meeting of the Commissioning Board. Following a debate and a subsequent proposal by Councillor Clark it was:

Resolved

That the Chairman of the Commissioning Board responds to the letter from Malton School as follows:

This matter could only be considered by the Council's Commissioning Board given your deadline of 6 June 2011. The Board was not able to form a view on the basis of the limited information provided.

Members of the Board are keen to be consulted on Malton School's proposal for Academy Conversion but will require considerably more information about the potential wider impacts of the changes on Malton and Ryedale."

The Chairman declared the meeting closed at **9.35 pm**