

POLICY COMMITTEE

6.30pm on Tuesday 31st October 2017

Belle Vue Suite, Belle Vue Square, Broughton Road, Skipton

Committee Members: The Chairman (Councillor Foster) and Councillors Barrett, Brockbank, Dawson, Heseltine, Hull, Ireton, Jaquin, Lis, Madeley, Morrell, Mulligan, Myers, Rose and Welch.

Substitutes : Conservatives – Councillors Graham, Thompson and Whitaker;
Independents – Councillors Pighills, Solloway and Shuttleworth; Labour – Councillor Mercer

AGENDA

1. **Apologies for absence and substitutes**
2. **Confirmation of Minutes** – 11th September 2017 attached.
3. **Public Participation** - In the event that any questions/statements are received or members of the public attend, the public participation session will proceed for a period of up to fifteen minutes.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Note: Declarations should be in the form of:

a “***disclosable pecuniary interest***” under Appendix A to the Council’s Code of Conduct, or “***other interests***” under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

5. **Select Shared Ownership Working Group’s Shared Ownership Review Report** – Report of the Select Committee. Attached.

Purpose of Report – This report presents the findings and recommendations of the Select Committee’s Shared Ownership Working Group review of the strategy for delivery of shared ownership properties.

6. **Confirmation of the Council Tax Base 2018/2019** – Report of the Chief Finance Officer. Attached.

Purpose of Report – To approve the Council Tax Base for 2018/19 financial year.

7. **Application to the Department for Communities and Local Government for a North Yorkshire 100% Business Rates Retention Pilot in 2018/19** – Report of the Chief Finance Officer. Attached.

Purpose of Report – To seek Member confirmation for Craven District Council to be part of an application to the Department for Communities and Local Government (DCLG) for a North Yorkshire 100% Business Rates Retention Pilot in 2018/19.

8. **Community Governance Review – Parish Councils** – Report of the Chief Executive. Attached.

Purpose of Report - To report the results of a community governance review of electoral arrangements in parish councils with fewer than seven councillors to examine whether the number of councillors should be increased to the NALC recommended minimum of seven councillors.

9. **Transfer of Public Conveniences at Hall Street Car Park, Cross Hills** – Report of the Director of Services. Attached.

Purpose of Report – To seek approval for the Public Conveniences at Hall Street Car Park, Cross Hills to be transferred to Glusburn & Cross Hills Parish Council.

10. **Cavendish Street Free Parking Initiative in Partnership with Skipton BID** – Report of the Director of Services. Attached.

Purpose of Report – To seek approval to vary the Parking Order to allow free parking on Cavendish Street, Skipton between 09:00 and 18:00 on each Sunday in January and February 2018 to support an initiative by Skipton Business Improvement District (BID) to increase Sunday trading

11. **Settle Town Action Plan** - Report of the Strategic Manager – Planning and Regeneration. Attached.

Purpose of Report – To inform Members of proposals to help improve the trading environment in Settle and seek the Council's support to facilitate delivery by approving an allocation of funding from the New Homes Bonus Infrastructure Reserve.

12. **Transport for the North – Emerging Strategic Transport Plan** – Report of the Strategic Manager for Planning and Regeneration. Attached.

Purpose of Report – This report aims to highlight the issues arising from the work of Transport for the North in developing a strategic transport plan and investment programme for the North of England and how it affects Craven.

13. **Temporary Accommodation Placement Policy** – Report of the Director of Services. Attached.

Purpose of Report – To seek approval from Members for the Temporary Accommodation Placement Policy.

14. **Breathing Space Loan Scheme** – Report of the Director of Services. Attached.

Purpose of Report – To seek approval from Members to join the Breathing Space Loan scheme, a homeless prevention scheme for home owners.

15. **Items for Confirmation** – The Committee is asked to indicate whether any of the above items should be referred to Council for confirmation.
16. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act 1972.

Agenda Contact Officer: Vicky Davies, Committee Administrator
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23rd October 2017

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AGENDA ITEM 2

POLICY COMMITTEE

11th September 2017

Present – The Chairman (Foster) and Councillors Barrett, Brockbank, Dawson, Hull, Ireton, Jaquin, Madeley, Morrell, Mulligan, Myers, Rose, Shuttleworth (substitute for Heseltine).

Officers – Chief Executive, Director of Services, Solicitor to the Council (Monitoring Officer), Strategic Manager – Financial Services (S.151 Officer), Strategic Manager – Planning and Regeneration, Environmental Services and Housing Manager and Committee Administrator.

Also in attendance – Councillor Staveley, Chairman of Select Committee.

Apologies for absence were received from Councillors Heseltine, Lis and Welch.

Start: 6.30pm

Finish: 8.35pm

Councillor Madeley left the meeting at 6.51pm.

Councillor Myers left the meeting at 8.08pm.

The minutes of the Committee's meeting held on 18th July 2017 were confirmed and signed by the Chairman.

Minutes for Report

POL.852

REVENUE BUDGET MONITORING REPORT – QUARTER 1 2017/18 AND FINAL BUDGET OUTTURN 2016/17

The Chief Finance Officer submitted a report advising Members of the revenue budget position of the Council based on the quarter 1 review of income and expenditure to the end of June 2017 and also to provide an update on the final budget outturn for 2016/17.

The Council had approved its net revenue budget for 2017/18 at £6,962,165 which was subsequently increased from revenue budget slippage amounting to £159k and capital programme slippage of £633k.

The Council's overall performance against revenue budget was a projected underspend of £276k for the full financial year which included a £38k gain on the forecasted investment income.

The 2017/18 budget included contributions of £9k to parishes to assist them with the impact of the localisation of council tax; £98k from previous years council tax collection fund; £484 contribution to the business rates collection fund deficits; New Homes Bonus grant of £817k; net contributions to/from earmarked reserves of £899k; and a corporate contingency of £75k.

The general fund balance stood at £995k at 1st April 2017 and it was expected that this balance would remain during 2017/18.

The Council had £6,596k in earmarked reserves at 1st April 2017 and estimated in-year contributions of £912k. £1,960k would be utilised in 2017/18 and £765k had been committed for future use.

As a result of the 2016/17 closedown of financial account work, the final outturn position has been determined. The total service related expenditure had increased by £38k to £5,587 which reduced the variance to a favourable £381k.

Resolved – (1) That, the revenue budget position as at 30th June 2017 is noted.

AGENDA ITEM 2

(2) That, the £64,530 of the savings achieved this quarter and identified as green in Appendix B to the report now submitted, are noted and that these savings be transferred to an earmarked reserve for support to the 2018/19 budget and beyond.
3) That, the Council's Long Term Financial Strategy be amended to take account of the 'green' savings in 2018/19 and beyond where these are not currently allowed for in the Budget.

(4) That, the revised 2016/27 budget outturn of £5,587k and therefore a revised favourable variance of £381k is noted.

POL.853

CAPITAL PROGRAMME MONITORING REPORT – 2017/18

The Chief Finance Officer submitted a report informing Members of the capital programme position of the Council based on the first quarter review of income and expenditure to the end of June 2017.

The 2017/18 capital programme of £5,128k included £2,008k of slippage 2016/17 from previously approved projects.

At 30th June expenditure on the programme was £1,429k and the report summarised the programme and provided an update on the status of various projects. The forecasted outturn for 2017/18 was £4,924,876.

Resolved – (1) That, the capital budget monitoring position as at 30th June 2017 is noted.

(2) That, the 2017/18 capital programme and the proposed funding, including the supplementary estimates/sources of funding for overspend projects are noted.

POL.854

PERFORMANCE MONITORING REPORT – QUARTER 1 2017/18

The Chief Finance Officer submitted a report presenting the Council's first quarter performance monitoring report for the 2017/18 financial year as determined by arrangements set out in the Council's performance management framework. Members were informed of progress and details of current performance against the Council Plan and priority indicators.

Monitoring against the Council Plan showed that good progress had been made on implementing the Council Plan actions. Fourteen had been assessed as on target by those completing the updates.

Resolved – That, the report is noted.

POL.855

REFUGEE RESETTLEMENT

The Director of Services submitted a report informing Member of the current position with regard to the resettlement of refugees in Craven and seeking a decision as to whether the Council should accept additional refugee families who were eligible for resettlement under family reunification.

In January 2006, the Council agreed to accept 25 refugees under the programme and Members also agreed that the Council should participate in the Vulnerable Children's Resettlement Scheme. A family has now been identified and the children with the accompanying parent/s were due to arrive in the Autumn.

AGENDA ITEM 2

The Home Office had been working with the UNHCR to ensure that vulnerable individuals were, where possible, housed as a family group. Members were therefore asked to approve the reunification of one family, should a request be made by the Home Office. Efforts would be made to house them in the private sector.

Resolved – That support is given to family reunification and, if requested, one additional family under the SVP or VCRS scheme is accepted, subject to there being sufficient private sector housing available.

POL.856

ASSET MANAGEMENT PLAN 2017 – 2022

The Director of Services submitted a report presenting the Council's Asset Management Plan 2017-2022 for consultation. The plan was a structured process to ensure that the Council's assets were fit for purpose and with the continued reductions in public sector funding, were used effectively and efficiently.

Resolved – (1) That, the Asset Management Plan 2017-2022 in the Appendix to the report now submitted, is approved for consultation.

POL.857

CRAVEN CULTURAL STRATEGY 2017 - 2022

The Strategic Manager for Planning and Regeneration submitted a report introducing the draft Craven Cultural Strategy 2017 to 2022. The strategy aimed to set out the priorities for the Council and its work with partners over the coming years as well as identifying where the Council would be focussing effort to bid for external funding and allocating resources.

The strategy would also provide a basis for cultural organisations to seek external funding in order to create greater synergies between them and the aims and objectives of funders, communities and the Council.

Resolved – That, the draft Craven Cultural Strategy 2017-2022 as now submitted is approved for consultation.

(Councillor Jaquin declared an Appendix B interest in the above item as he was Chairman of the trustees of Craven Museum.)

POL.858

RELEASE OF COVENANT – LAND AT CARLETON IN CRAVEN

The Director of Services submitted a report asking Members to consider a request from Carleton-in-Craven Parish Council that a covenant on land in its ownership was lifted so that plans to develop the land for community led housing using funding from the Community Housing Fund which the Council holds.

In 1984 the Council had conveyed a parcel of land to the Parish Council for amenity purposes for a small sum. However, a covenant stated that the land had to be kept for amenity use.

The land had a current value of £28,500 for housing or £4,500 as amenity land. Therefore, to release the covenant the Parish Council would need to pay the Council £24,000. The Parish Council would be able to draw down funding from the Community Housing Fund to pay the Council £24,000.

AGENDA ITEM 2

Resolved – (1) That, the completion of a Deed of Release for a consideration of £24,000 in order to release the covenant at New Street, Carleton-in-Craven for the provision of community led housing is approved.

(2) That, Carleton-in-Craven Parish Council be asked to make a contribution of £400 towards the District Council's costs in completing the Deed of Release.

POL.859

POLICE AND CRIME COMMISSIONER'S BUSINESS CASE :
NORTH YORKSHIRE FIRE AND RESCUE SERVICE GOVERNANCE
ARRANGEMENTS

Councillor David Staveley, Chairman of the Select Committee presented the Committee's recommended response to the Police and Crime Commissioner's consultation exercise in respect of her business case for the future governance of the North Yorkshire Fire and Rescue Service.

The Policing and Crime Act 2017 placed a duty on police, fire and ambulance services to work together and enabled police and crime commissioners to take on responsibility for fire and rescue services where a local case was made. The North Yorkshire Police and Crime Commissioner (PCC) had undertaken a review of the governance of the North Yorkshire Fire and Rescue Service (NYFRA) and proposed changes that were aimed at promoting improved collaboration between the two services.

The three alternative options to the current model of governance were:

1. Representation model – PCC to join the NYFRA with voting rights;
2. governance model – PCC to take on legal and overarching responsibility for the provision of the fire and rescue services; and
3. single employer model – PCC would become the NYFRA but each service would be delegated to a single chief officer.

The Select Committee held two meetings to consider a response to the consultation exercise and heard from County Councillor Andrew Backhouse, the Chairman of the North Yorkshire Fire and Rescue Authority and Julia Mulligan, Police and Crime Commissioner.

The Policy Committee thanked the Chairman and Members of the Select Committee and officers for undertaking the work at short notice, and it was

Resolved – (1) That, the response of the Select Committee replicated below is approved:

There is some merit in the case and aspirations expressed within the proposed business case for the future governance of the North Yorkshire Fire and Rescue Services, however, with no time pressures referenced within the 2017 Policing and Crime Act, the Council's preference for the future governance of the service, in the first instance is the representation model; the expectation being that the representation model will lead to greater collaboration between services.

In reaching this conclusion, the Select Committee has reflected on what it considered were a number of grey areas within the business case, and the point that adoption of the representation model enables its operation for a period of time and allows progress made on collaboration to be reviewed within a reasonable timescale, with options for change considered at that point should satisfactory progress not be made. This approach enables a progressive stepping up of arrangements, if necessary, informed by experience.

AGENDA ITEM 2

Amongst stakeholders there is a desire for collaboration between the three blue light services and the Council would also wish to see active investigation of the opportunities for collaboration with the ambulance service under the preferred option.

(Councillors Barrett, Ireton and Mulligan declared disclosable pecuniary interests in the above item and left the meeting.)

POL.860

REPRESENTATIVES ON OUTSIDE BODIES – RESERVE FORCES AND CADETS' ASSOCIATION FOR YORKSHIRE AND THE HUMBER

The Committee was asked to consider a request to replace Councillor Hull with Councillor Brockbank as the Council's nominated representative to the Reserve Forces and Cadets' Association Yorkshire and Humber.

Resolved – That, Councillor Brockbank is appointed to the Reserve Forces and Cadets' Association Yorkshire and Humber for the 2017/18 municipal year.

POL.861

MINUTES FROM COMMITTEES

The Chairman presented the minutes of the Craven Spatial Planning Sub-Committee held on 5th June 2017, 14th June 2017 and 22nd August 2017.

Resolved – That the minutes are noted.

POL.862

JOINT VENTURE COMPANY BUSINESS PLAN

The Director of Services submitted a report presenting Members with the proposed business plan for the Joint Venture Company with Barnfield Investment Properties Limited.

The Council had formed a joint venture with a private sector strategic partner and the business plan set out how the joint venture company would deliver the Council's aspirations to generate economic growth by making best use of the Council's land and property assets.

Resolved – (1) That, the Business Plan set out in Appendix A to the report now submitted is approved and that annual progress reports are reported to Policy Committee.

(2) That, a business case for each project to be presented to Policy Committee for approval.

Minutes for Decision

POL.863

LONGER TERM FINANCIAL STRATEGY (LTFS) 2018/19 TO 2024/25

The Chief Financial Officer submitted a report providing Members with an update on the forecast financial position for the seven year period to 2024/25.

The Council's Longer Term Financial Strategy (LTFS) provided a framework to assess financial sustainability over a ten year period. The LTFS continued to take a cautious view of the Council's finances given the uncertainty within the wider economy such as Brexit. As Craven delivered 'unprotected services' it was expected that budget cuts would continue. The outcome of the Fair Funding Review and the Business Rates Reset would not be known for some time and therefore the Council could face additional pressures over and above those contained within the LTFS.

AGENDA ITEM 2

The estimates within the LTFS showed that the Council would need to continue with its savings plan and achieve savings of at least £332k in 2018/19, rising by at least £249k in 2019/20 and a further £232k in 2020/21 to £813K.

RECOMMENDED – That, the long term financial strategy 2018/19 to 2024/25 as set out in the report now submitted is approved.

POL.864

REDEVELOPMENT OF SKIPTON TOWN HALL – HERITAGE LOTTERY FUND STAGE 2 APPLICATION AND FUTURE CAPITAL FUNDING

The Strategic Manager for Planning and Regeneration submitted a report requesting permission to submit the stage 2 Heritage Lottery funding application by 15th September 2017, for the redevelopment of Skipton Town Hall. The report also presented a range of funding sources that were being pursued to deliver the scheme and requested permission to apply to these funds. In addition, Members were asked to approve an addition to the capital budget of £136,000 in 2018/19 using the New Homes Bonus and provide an underwriting facility of £1,600,000 to cover external funding applications.

RECOMMENDED – (1) That, an addition to the capital budget of £136,000 in 2018/19 using the New Homes Bonus to redevelop Skipton Town Hall.

(2) That, an underwriting facility of £1,600,000 of capital funding to cover the external funding application that will fund the redevelopment of Skipton Town Hall is approved.

(3) That, delegated authority is given to the Director of Services in discussion with the Chief Finance Officer and the Lead Member for Enterprising Craven to submit stage 2 Heritage Lottery Fund application by the 15th September 2017.

(4) That, authority is granted to the Strategic Manager for Planning and Regeneration to submit funding applications as set out in table 3 in the report now submitted.

(5) That, a report that updates the Policy Committee on the funding situation and the options for underwriting the project is submitted once the Heritage Lottery Fund and other potential funding organisations have made their decisions.

(Councillor Jaquin declared an Appendix B interest in the above item as he was Chairman of the trustees of Craven Museum.)

POL.865

DISCRETIONARY BUSINESS RATES RELIEF SCHEMES ANNOUNCED IN SPRING BUDGET

The Chief Finance Officer submitted a report setting out a proposal for a business rates revaluation relief scheme to support certain businesses and wholly volunteer run charity shops that face the greatest increase in their business rates as a result of the 2017 revaluation by the Valuation Office Agency. In particular, the Government announced that discretionary funding of £300m over four years would be made available to support those businesses that faced the steepest increase.

AGENDA ITEM 2

The Government had also stated its intention to provide funding for a further two discretionary relief schemes that supported small businesses and pubs that had lost some or all of their small business rate relief or rural rate relief.

Craven's allocation over the four year period commencing in 2017/18 would be £285,000.

RECOMMENDED – (1) That, the proposed Craven District Council Business Rates Revaluation Relief Scheme as now submitted is, subject to consultation, approved.

(2) That, the Chief Finance Officer in consultation with the Lead Member for Financial Resilience, is authorised to make further amendments and implement the scheme.

POL.866

CRAVEN HOUSING RENEWAL POLICY 2017 - 2020

The Director of Services submitted a report seeking Members' approval for the refreshed Craven Housing Renewal Policy 2017-2020 which aimed to improve housing conditions across the District and help people manage their own health and wellbeing.

The main change to the policy was the inclusion of 'indirect financial assistance' under discretionary powers contained in the Regulatory Reform Order 2002 which provided additional financial assistance for housing adaptations. Part of the disabled facilities capital grant from the Department for Communities and Local Government would be used as a funding source.

RECOMMENDED – (1) That, the Craven Housing Renewal Policy 2017-2020 is approved and adopted.

(2) That, delegated authority is given to the Director of Services, in consultation with the Lead Member, to make minor amendments and/or adjustments to the Craven Housing Renewal Policy to meet current or future requirements and in order to facilitate responses to revised priorities and/or funding opportunities.

(3) That, authority is given to place a notice in the local press stating the policy is in force in accordance with the conditions of the Regulatory Reform Order 2002.

POL.867

DISABLED FACILITIES GRANT DELIVERY OPTIONS

The Director of Services submitted a report advising Members of the changes to the current provision of the Disabled Facilities Grant scheme (DFG). North Yorkshire County Council who were currently contracted to deliver the scheme including minor adaptations (Handy Person scheme) on behalf of North Yorkshire district council (except Scarborough and Ryedale) had, for financial reasons, given notice for the termination of the contract on 31st March 2018.

The Council had to put in place alternative arrangements to deliver the DFG element and the report evaluated the various ways of delivering the service with a recommendation that the full in-house option was the preferred option. Whilst there would be revenue expenditure implications, the in-house option could procure cost efficient local contractors and tailor future service provision to meet need.

During the debate, Members asked that the Select Committee review the new arrangements after 6/12 months to consider whether the in-house scheme was operating satisfactorily.

AGENDA ITEM 2

RECOMMENDED – (1) That, the current arrangements for Disabled Facilities Grant delivery and the options available for future provision are noted.

(2) That, the in-house full service option for future delivery from 1st April 2018 is approved.

(3) That, delegated authority is given to the Director of Services, in consultation with the Lead Member for Housing, to take timely decisions to facilitate implementation of the chosen option with effect from 1st April 2018.

(4) That, delegated authority is given to the Director of Services, in consultation with the Lead Member for Housing, to review its cost effectiveness and performance post implementation.

(5) That, it is noted that with the increasing flexibility as to the use of discretionary grants an in-house provision would enable the Council to take advantage of the growing increase in opportunities for the fund to be used to benefit more disabled households in Craven.

POL.868

DEVELOPMENT CONTROL STAFF RESOURCES

The Strategic Manager for Planning and Regeneration submitted a report requesting additional resources to implement agreed necessary changes to meet the aims of the Development Control service and our response to the Housing White Paper.

At the core of the Council's response to the challenge set by the Housing White Paper was to accelerate the processing of strategically important sites including the build out of sites with extant planning permission.

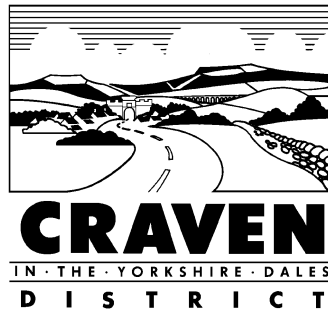
The Government had also proposed that planning fees could be increased by 20% to directly improve the planning service. In April 2017, this Committee agreed (Minute POL.821/16-17 refers), that planning fees should be increased by 20% from the 1st July 2017 with a new structure that would meet these challenges.

The Government had yet to introduce the necessary legislation to effect the increase but in the meantime the Committee was asked to approve the changes to the staffing structure so that significant planning applications could be processed fast and also provide cover for long term sickness of a senior officer.

RECOMMENDED – (1) That, with effect from 1st September 2017 the changes to the Development Control staffing as detailed in Paragraphs 3.3 and 3.4 in the report now submitted are confirmed.

(2) That, a supplementary estimate of £31,900 for 2017/18 is approved.

Chairman



Shared Ownership Initiative – Review

Report of the Shared Ownership Working Group

For Presentation to Policy Committee on
31st October 2017

CONTENTS

	Page
Chairman's Introduction	3
Background	4
The Review	5
Conclusion and Recommendations	12

INTRODUCTION

In agreeing its work programme for 2016-17, the Select Committee included provision to examine whether the restructure and refocus of the Assets and Property Management Service was showing signs of delivering projects as envisaged by the restructure, including the shared ownership scheme, and maximising income as intended from discretionary services. To assist Members' understanding of the Service, the Director of Services, accompanied by the Assets and Commercial Services Manager, was invited to deliver a briefing, summarising

- how the Service was structured,
- the services it delivered,
- current / planned projects,
- operational and financial successes, and
- areas where there was considered to be room for improvement.

Having received the above presentation and, given the importance of the two areas in terms of income generation and delivery of other aspects of the Council Plan, Select Committee established working groups to consider the areas indicated below and report back to it in due course.

Shared Ownership Development : to examine the strategy for delivery of shared ownership properties so as to establish an understanding of the process involved and what lessons, if any, could be learned from the experience to date; and

Bereavement Services : bearing in mind the uplift in expenditure and assumed increase in income to be generated, to examine implementation of the new business model for Bereavement Services.

This report presents the findings of the Shared Ownership Working Group only, a report on the outcome of the proposed Bereavement Services review will be presented in due course. In carrying out this review the Working Group was appreciative of the input provided by officers, in particular Jenny Wood, Affordable Housing Development Officer and Nicola Chick Strategic Manager for Financial Services.



Councillor David Staveley,
Chairman, Shared Ownership Working Group.

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1 Background

At a meeting of Policy Committee held on 11th February 2014 attention was drawn to work undertaken by Daventry District Council in using its assets and capital to develop new income streams, in particular the building of homes to rent in the private sector market. It was subsequently agreed that Select Committee would conduct a review of the potential for this Council using the same powers under the Localism Act* to progress a similar initiative.

(*The Localism Act contains a number of proposals to give local authorities new freedoms and flexibility including a 'general power of competence' which gives a Council the legal capacity to do anything that an individual can do that is not specifically prohibited. In effect the new, general power gives councils more freedom to work together with others in new ways to drive down costs and gives them increased freedom to do creative and innovative things.)

In July 2014 the Chairman of the Select Committee presented to Policy Committee the outcome of a review of the potential to develop new asset based income streams including the following recommendation:-

“That, in principle, Policy is recommended to progress a housing based approach to revenue generation by acquiring Section 106 Affordable Homes for intermediate sale and utilising existing Council assets to build four or less houses per site for market rent.”

Policy Committee adopted the recommendation but following further financial evaluation decided not to progress the construction of market rent properties, opting instead to progress the acquisition of Section 106 affordable homes and to use Council assets to build further shared ownership units.

In October 2015 it was announced that the Assets and Property Service would be taking the lead on change projects including shared ownership and to ensure the service could deliver the Council's ambitions, a new structure that would maximise income from the Council's discretionary services and the development potential from assets and land holdings was put in place. Features of the new structure relevant to the shared ownership initiative were

- a new post of Assets and Commercial Services Manager with leadership experience in commercial operations to drive the introduction of and embed a commercial focus;
- introduction of RICS qualified building and commercial surveyor posts, providing the necessary capacity and expertise to make the step change in developing and managing the council's assets; and
- increased qualified capacity for land acquisition and development to achieve the target of £100,000 in additional income through the 'Shared Ownership' initiative which formed part of the Council's Income and Savings Plan.

To date the Council has acquired three Section 106 affordable homes, two at Lumb Croft Sutton-in-Craven and a third at Lord's Close, Giggleswick. Authority is in place to

purchase a further five Section 106 shared ownership dwellings at a location(s) across the District using affordable housing commuted sums received prior to the purchase completing or, if insufficient commuted sums are available, with capital resources to a maximum of £100,000, subject to repayment of that sum to the Council on first sale

Planning consents are also in place on four Council owned sites with a fifth pending, 25 to 26 shared units will be provided if all five sites are built out. Work is nearing completion at Burnroyd Avenue, Cross Hills on the first of the Council's own sites.

2 The Review

The Working Group met on four occasions, March, April, June and September 2017.

To assist Members in gaining an understanding of the process involved and what lessons, if any, could be learned from the experience to date, the Working Group received a briefing delivered by the Council's Affordable Housing Development Officer, supported by the Director of Services and the Environmental Services and Housing Manager. In summary the Group heard that

- Shared ownership, now known as help to buy shared ownership, had existed for in excess of 20 years and was the only affordable sale product lenders were almost universally comfortable with. A local authority could hold 200 shared ownership units or 100 affordable rental units without having to establish a housing revenue account.
- Primary motivation behind the involvement in the provision of shared ownership was to address a housing need and gap in the local housing offer, the by-product was a revenue stream generated from rental income. Housing associations were showing less interest in small scale provision / acquisition, preferring to focus on larger schemes. Where commuted monies had been used to acquire a property those monies must be ring fenced on sale for recycling into affordable housing. ie any subsidy must be recycled, but rent receipts were not.

Note : The Council's evidence base for housing need is the Strategic Housing Market Assessment. The 2016 Assessment identified a need for 145 affordable homes per annum; of which 15% - 25% (22 -36 homes) per annum, should be affordable sale housing e.g. shared ownership. These are to meet the needs of first time buyer households who are in work, but unable to afford market prices.

- Local authorities / registered providers (housing associations) held the freehold on shared ownership properties with purchasers initially acquiring a 99 year lease of between 25% and 75% of their property on a leasehold basis paying rent of 2.75% on the unsold equity. Paying market value on any additional shares acquired, purchasers could staircase out to 100% ownership in urban areas but only 80% in designated rural areas. A range had to be offered but nationally the minimum share that could be sold was 25%.
- Housing associations usually model their shared ownership schemes on 50% sale, if a unit was sold with a share of only 25% the association would look to sell the next at 75%. Shared schemes to be built by the Council were currently being modelled allowing for sale of a 35% share.

- Shared ownership properties could be delivered by
 - a. the Council building its own making use of Homes and Communities Agency grant assistance.
 - b. buying “second hand” property on the open market; this was the most expensive method, nor did it increase the supply of housing generally.
 - c. making use of planning policy and obtaining Section 106 Agreement properties from developers. The Council is already a registered provider.

The Council was making use of both (a) and (c). For the pilot Burnroyd Avenue Scheme in Cross Hills, £24,000 per unit had been received from the Homes and Communities Agency, the Agency had recently increased the level of grant which could be made available.

Note : The Homes and Communities Agency sets national criteria where grant was involved. Only first time buyer households that earned less than £80,000 (£90,000 in London) and cannot afford to buy on the open market were eligible. Exceptionally, non-first time buyer households may qualify, where there was housing need.

- Delay in the sale of a property could lead to Council Tax being incurred, but post sale the Council had no maintenance liabilities and negligible management costs. Costs could be incurred on the re-sale of a property. The Council took out buildings insurance and recharged the purchaser. The purchaser could improve the property. There was a standard Homes and Communities Agency lease which covered all these aspects. The Council was using this standard lease.
- The Council carried out a rolling programme of inspection of all its assets, the shared ownership properties could be added to that programme and periodic visual inspections carried out.
- To afford an entry level property on the open market in Skipton, purchaser(s) needed a salary of approx. £34,000pa, and a deposit of £12,000 to £18,000, with shared ownership a deposit was only needed on the percentage of the property being acquired and the combined cost of the mortgage and rental payment did not exceed 70% of what would have been payable had the property been purchased through a normal mortgage arrangement. This was set out in national guidance.
- Typically first time buyers looked for two bed starter homes and although shared ownership properties could be three bedroomed, costs were higher and they were therefore less affordable. Evidence provided by the strategic housing market assessment showed that the demand was for two bed market entry homes. The market assessment would be periodically updated and the demand in terms of property size would also be kept under review.
- Under shared ownership, purchasers should be sold the maximum share they could afford. Purchasers were directed to an Independent Financial Adviser who used a matrix to establish and certify what was affordable to the purchaser. The Council or any other registered provider could not be seen to be encouraging prospective purchasers to

acquire a larger stake than they could afford, or selling shared ownership homes to households who could afford to buy on the open market, hence the role of the Independent Financial Adviser.

- Primary risks to the Council arising from its involvement with shared ownership were a crash in the housing market, low or no demand; these could be mitigated by the ability to convert the shared units to affordable rent, private sector rental, sell to a housing association or on the open market. In the event of a property being sold on the open market or switched to private rental, any Homes and Communities Agency grant would have to be re-paid, similarly any Section 106 monies used in acquiring a property would have to be recycled and used to provide affordable housing.
- If having acquired a property it remained empty, the Council was liable for any Council Tax payable, although delays had been experienced with the property acquired in Giggleswick, a process and mechanism was now in place for when a property became available, thereby minimising any delay. Transaction lengths would be monitored.
- The ability to acquire properties in 2017/18 would depend on the receipt of commuted sums. Policy Committee had authorised the purchase of a further five Section 106 shared ownership dwellings using affordable housing commuted sums received prior to the purchase completing or if insufficient commuted sums were available, with capital resources to a maximum of £100,000, subject to repayment of that sum to the Council on first sale.
- To manage expectations the annual revised income and savings plan target for income to be derived from shared ownership had been reduced to £30,000 by 2019/20. With planning consents in place on four Council owned sites and a fifth pending, 25 to 26 shared units would be provided once all five sites had been built out, generating an estimated £70,000 in annual rental income, the balance of the original savings plan target would be derived from other sites or Section 106 properties.
- Delivery of the original income target by 2019/20 was still achievable and with the Government bringing forward a range of initiatives there was every reason to be confident. Completed / acquired shared ownership units would not be placed in the proposed Council owned trading company.
- Pending completion of the pilot scheme at Burnroyd Avenue there was currently no set timetable for construction on the other sites. To bring those sites forward would involve using the Council's own capital funds, commuted monies and Homes and Communities Agency grant. A successful outcome to the bid for accelerated construction funding would make a significant difference to the likely timeframe. Where grant assistance had been used in providing a shared ownership property, local connection restrictions could not be applied.
- Shared ownership owners were generally less mobile in the housing market because nationally there were not enough shared ownership properties. Owners could take in lodgers but could not sub-let. The Council could include a buy back clause so when an owner decided to sell it could exercise that clause at market value and then re-sell as shared ownership.

- Staircasing to a higher percentage did not mean a property would become unaffordable; it would simply be affordable to those on slightly higher incomes. Staircasing was a right. Where owners staircase to 100% ownership, an affordable home was lost to shared ownership, however it still met the National Planning Policy Framework definition of affordable homes as long as subsidy was recycled into further affordable housing provision. The Council may wish to look at how it handled requests for staircasing down should owners fall into financial difficulty. Experience in Harrogate was that little staircasing took place as most purchasers could not afford a greater share, this mirrored the national picture.
- If an owner fell into arrears on their rental payments they ran the risk of the property being re-possessed and potentially losing their original capital investment. A range of measures could be employed if an owner fell into arrears on either the rent or mortgage, for example converting to a rental agreement for a period or staircasing their share down. The Council had a right of pre-emption and an owner could qualify for housing benefit on the rental element of their property. Shared ownership purchasers were exposed to the housing market in the same way as other purchasers. For a local authority to lose money the market would have to drop a long way.
- Although a standalone shared ownership scheme for those aged 55+ could be provided the demand in Craven was from younger persons and currently the approach was to prioritise first time buyers.

Having heard the above, input was sought from the Strategic Manager for Financial Services, in particular the Working Group was keen to establish her views on the following

1. What were the risks and financial implications as she saw them?

- Projects always carry a range of risks, some financial. The financial risks associated with the shared ownership initiative included how the properties were acquired, if they were built by the Council how was the cost financed, would the build and all associated costs be met by the sale of the percentage share and rental income, how reliable were the purchasers, how long would they want to remain in the property or staircase.
- In the financial planning and modelling for each property purchase / build scheme the risk was the purchaser did not acquire a 50% share. Stamp duty, management fees, service charges, estate agency and solicitors' fees all had to be factored in as appropriate.
- Purchasers could default on their mortgage or rent which could result in repossession, if the mortgage company repossessed the Council would have the option to repurchase the property at the value of the mortgage. The Council would not be obliged to buy it back but it may suit it to do so. The scenario represented a risk which could be managed. Any rent arrears would be managed as any other debt.

2. How would our shared ownership build schemes be financed?

- If borrowing to finance the Council's own build schemes the loans would be through the public works loan board for a 50 year term at a fixed rate (currently 2.4%) this future proofed the position against a rapid rise in interest rates as experienced in the 1970's.
- Each Council own build shared ownership development would be considered on its own merits and subject to a financial appraisal at that time. Provided the Council was in receipt of Homes and Communities Agency grant, schemes would work financially, otherwise borrowing costs could outweigh rental income. The financial appraisal included land value, cost of surveys, cost of build, all fees, management costs / any ongoing costs. The model / appraisal was based on share sales of 50% but a lesser amount down to 35% still worked, the financial position changed below 35% and worked less well - a purchaser could purchase a minimum share of 25%.
- Once the Burnroyd Avenue scheme was built and the properties sold the other proposed schemes would come forward for appraisal, depending on Homes and Communities Agency grant being available; as schemes were appraised they would be submitted to Policy Committee for approval.
- Some commuted monies were available and as reported to the Working Group's last meeting additional monies were expected but at this time it was not possible to state when those monies would be received.
- Financial appraisals didn't take a great deal of time to produce, but it had to be borne in mind that shared ownership developments had to compete against other bids for funding in the capital programme.
- New homes bonus monies could have been used in the delivery of new shared ownership units, bonus currently held by the Council was already committed, including £200,000 to £300,000 to support the revenue budget in the event of a shortfall in savings from the income and savings plan. The Council had put £400,000 bonus monies into affordable housing, £300,000 of which had been directed to registered social landlords. No guarantee had been given by Government that new homes bonus payments would continue beyond the current year.

3. On our own build schemes would the first call on rental income be servicing any shortfall between build costs and the income from sales?

- Property values would be determined by the Valuation Office. In the first instance rental income would be used to cover any shortfall between build and all other associated costs including any loan charges, and income from sales, before being available to the Council's general revenue budget.

4. The Working Group had been informed that the estimate target for revenue income from shared ownership within the income and savings plan has been reduced to £30,000 by 2019/20. The Assets Team were targeting an estimated rental income of £70,000 per annum from our five shared ownership schemes with the balance on the original income

target coming from shared ownership 106 properties. Was it possible to forecast when the income target of £100,000 would be achieved?

- The original savings and income target (£100,000) had in some respects been promoted by the experience of Daventry District Council which had larger scale development aspirations, financial modelling / assessment from a Craven perspective had now introduced a reality check, for example neither market or affordable rental would have worked financially for this authority, and similarly there was a need to adopt a cautious approach to the likely level of income to be generated. Figures associated with the income to be potentially generated from shared ownership had not been included in any forecasts for balancing the Council's budget.

- It was not possible to forecast at this time when the original income target would be achieved, within the income and savings plan, shared ownership should be seen as a long term project.

- In purchasing Section 106 Agreement properties the Council had to take its position in line with the other registered providers in being offered the opportunity to acquire, and because the primary aim was to increase the supply of affordable housing and address need, income should not be seen as the primary driver; to pursue a policy of taking 106 properties in only the most valuable property areas would not be appropriate.

5. Was it correct that commuted Section 106 monies intended for the provision of affordable housing were to be used in refurbishing the Council's homeless unit and not for acquiring further Section 106 properties?

- The terms of Section 106 Agreements could vary but covered a range of affordable housing provision, for example the Council's Homeless Unit, Aireview House, was classed as affordable rental so its refurbishment was a legitimate use of commuted sums. Use of commuted monies had to comply with the terms of the relevant Section 106 Agreement.

During the course of its review the Working Group has sought to clearly establish the Council's rights and obligations as landlord, bearing in mind that potentially it could have an interest of up to 75% in a property. The following clarification has been provided.

The Council has the right to inspect and if there is disrepair found, or breaches of other covenants, for example unauthorised alterations, the Council can serve a notice on the leaseholder requiring the disrepair, or alterations to be removed within 3 months, or sooner if necessary. If the leaseholder fails to comply with the notice the Council then has the right to carry out repairs/removals etc and recover the costs from the leaseholder. Ultimately, if the leaseholder is a persistent offender then the Council has the right to forfeit (terminate) the lease. This right is subject to giving prior notice to a mortgagee which may step in and resolve the matter.

The Council has an obligation to insure the property with the premium recharged to the leaseholder, and review the rent. Other property management matters include consenting to requests for alterations; consenting to assignments (transfers) of leases; dealing with requests for staircasing; and repairing communal facilities, if any, subject to the leaseholder paying service charges.

The Working Group also sought to establish whether the Council could seek to prioritise the sale of its shared ownership units so as to, for example, address local need. Advice from officers on this question is as follows

Shared ownership is designed for first time buyers who cannot afford market prices. This is the priority for the Homes and Communities Agency and the basis on which it allocates funding. The tenure is designed to replicate the housing market and the overriding factor in buying a shared ownership property is the share owner's ability to get a mortgage. As a council we cannot nominate to shared ownership properties and whilst we could prioritise, and have in the past attempted to do so, it is not something we would recommend. Grant funding was easier to obtain where no local connections exist.

Members of the Armed Forces did have priority for grant funded shared ownership, but other than that prioritising one first time buyer over another rather than selling a shared ownership home to the first eligible applicant to secure a mortgage would delay sales. Also imposing additional 'hurdles' to sale would not find favour with lenders and may result in fewer being willing to lend or those that were prepared to lend, doing so at higher rates. Registered providers who take shared ownership units on mixed tenure sites will not accept any requirement to prioritise occupiers that deters lenders and / or delays sales. The commercial viability of shared ownership is extremely important, especially these days when it cross subsidises rental provision. Whilst this Council could prioritise its own shared ownership properties, either bought or built, it could only do so with this same risk to commercial viability.

Pilot Scheme

The three shared ownership units in Cross Hills were marketed through local estate agents Carling Jones. The homes were advertised on the Carling Jones website, Rightmove and an advert taken out in the Craven Herald. The homes were sold off plan with buyers advised that completion was due around the end of July 2017, £69,975 was the asking price for a 50% share. Interested parties were able to move forward and reserve a plot based on a first come first served basis – those who provided all the necessary forms and documents first had been the first people to be considered. The arrangement with Carling Jones had worked well and firm interest was lodged on all three properties for a 50% share.

The scheme was governed by a restricted lease as Cross Hills was classified as a rural area under the Right to Acquire Statutory Instrument and so buyers would not be able to purchase any more than 80% of their home at any point in time.

Obtaining competitive tender prices for construction of the properties had initially been delayed as use of a national procurement framework had generated prices well beyond estimates, a local contractor had ultimately been appointed through a local procurement exercise, albeit at a higher cost (£20,000) than estimated, the financial model had been re-worked to account for the higher build cost. Provision of £50,000 from commuted monies had been made available to the scheme. A local framework agreement for the procurement of contractors to undertake building construction and small development works within Craven was to be put in place by the Assets and Commercial Services Manager.

Construction work had progressed well but a number of issues emerged as the scheme neared the expected completion date. Those issues have delayed completion on site and completion of sales.

4 Conclusion and Recommendations

Shared ownership is a key component in the Government's plan to tackle the housing shortage and there are currently significant levels of investment available to deliver affordable homes, including shared ownership, which should bode well for the Council's aspirations to deliver affordable shared ownership homes and provide an income stream in support of its revenue budget. That said in pursuing its ambitions for shared ownership development and acquisitions the Council should

- view shared ownership as a mid to long term project and not rush into building 20 plus properties and risk a number standing unsold for a period resulting in being liable for Council Tax; a measured approach which mitigates the risks is needed. Members should be assured that due diligence will be applied and if a scheme did not stand up financially it would not go ahead, also schemes will require the agreement of the Financial Services Manager / Section 151 Officer and the Council's Solicitor / Monitoring Officer;
- take into account the ability to dispose, the resource and capacity implications in terms of the ability to bring forward and manage developments and the Council's financial position. Delays in the sale of one of the three shared properties acquired to date should serve as a reminder that some sales can take a considerable amount of time. Problems which emerged with the pilot scheme have highlighted the need to ensure developments are correctly managed so as to avoid unnecessary delays, potential cost and risks;
- as intended, the pilot shared ownership scheme has provided an opportunity to learn and helped to demonstrate that the time frame for delivery on an initiative could take longer than expected. With delays to some degree attributable to the management of the project, the Assets and Property Management Service should reflect on what had gone well and what hadn't, learn from the experience and be better placed to plan and manage development of the remaining shared ownership schemes.
- where a shared ownership scheme is part funded by Homes and Communities Agency grant, the scheme was subject to audit, funded by the recipient ie the Council, the audit examined all aspects of the development from planning consent to completion and sale. The outcome of the audit could impact on the level of audit required on future schemes and the actual award of grant assistance; this again highlights the need to strive to deliver schemes in a timely and well managed manner.
- bearing in mind the potential for a property to remain unsold, thought should perhaps be given as to the time period to be allowed to elapse before reporting to Policy Committee seeking approval to switch a property to an affordable rental unit, the existence or otherwise of grant will unquestionably need to be a consideration in the thought process.
- the Council may wish to consider how it approaches requests for staircasing down should owners fall into financial difficulty.

- steps should be taken to ensure arrangements are put in place to enable the Council to fulfil its role as landlord and protect the public interest in the shared ownership units.

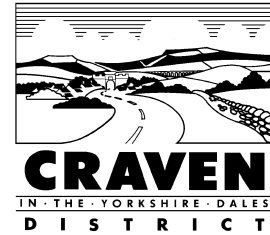
- on a general note, in planning and taking forward income generation and savings initiatives the Council needs to adopt a realistic approach ensuring the necessary level of resource and expertise is employed in each case.

Footnote : On receipt of the auditor's report on the Burnroyd Avenue shared ownership development, the Chairman of Select Committee, together with the Lead Member for Financial Resilience and Asset Management, will review the content of that report and determine whether a meeting of the working group should be convened.

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Policy Committee – 31st October 2017

CONFIRMATION OF THE COUNCIL TAX BASE - 2018/19



Report of the Chief Finance Officer (s151 officer)

Lead Member: Financial Resilience – Councillor Mulligan

Ward(s) affected: All

1. **Purpose of Report** – To approve the Council Tax Base for the 2018/19 financial year.

2. **Recommendations**

Members recommend to Council:

2.1 That in accordance with the Local Authorities (Calculation of Tax Base) (England) Regulations 2012 the amount calculated by Craven District Council as its tax base for the whole of the area for 2018/19 financial year is set at 22,455.

2.2 The amount calculated by Craven District Council as the tax base for each of its Parishes for the 2018/19 financial year is that as set out in Appendix A to this report.

3. **Report**

3.1 Council Tax Base figures are calculated annually in accordance with the Local Government Finance Act 1992 (as amended) and relevant regulations and are used by each billing and major precepting authority in the calculation of the basic amounts of Council Tax. The figures must be notified to all major precepting authorities (North Yorkshire County Council, North Yorkshire Police and Crime Commissioner, North Yorkshire Fire & Rescue Authority, levying bodies, and parishes) on request before 31st January 2018.

3.2 The Council Tax Base is a complex calculation requiring forward projections of a number of key variables, for example the number of new builds, properties demolished, and levels of council tax exemptions and discounts. The impact of the economic climate provides further challenge to the projections. Council Tax is accounted for in a separate fund, The Collection Fund, with any deficit or surplus being carried forward and accounted for in the next financial year.

3.3 The Council Tax Base is calculated as the sum of the relevant amounts for each valuation band multiplied by the billing authority's estimated collection rate for the year. For information, comparative tax bases for the current and previous financial years and the number of properties in the Craven District are shown in the table below.

AGENDA ITEM 6

Year	Total Number of Properties (CTB1)	Number of band D equivalent properties (CTB1)	Adjusted council tax base
2018/19	27,321	24,213	22,455*
2017/18	27,181	23,896	22,093*
2016/17	26,989	23,653	21,825*
2015/16	26,706	23,415	21,366.82
2014/15	26,597	22,558	21,179.96
2013/14	26,477	22,556	20,767.79

****The final adjusted tax base reflects an adjustment for the cost of council tax reduction, discounts and exemptions and an estimated collection rate of 98.60 %.***

3.4 There are no parish boundary changes.

3.5 The formula used to calculate the tax base has been updated to take account of both the technical changes to council tax discounts and exemptions, and the change from council tax benefit to local council tax reduction schemes. The tax base recommended in this report reflects the decisions made at Full Council on 11th December 2012 to abolish the second home discount and 50% premium on properties empty in excess of 2 years and on 31st January 2017 to reduce the unoccupied and unfurnished discount from 3 months to 1 month.

4. **Implications**

4.1 **Financial Implications** – The increase in the Council Tax Base from 22,093 to 22,455 equates to an increase of 362 Band D equivalent properties.

Before considering any council tax increase as part of the budget setting process and based on the average band D charge of £162.21 this will result in a total increase of £58,720 of Council tax income for the Council.

For every £1 of Council Tax levied the tax base, as proposed, will enable the Authority to meet £22,455 of expenditure in 2018/19 compared with £22,093 in the current financial year.

AGENDA ITEM 6

- 4.2 **Legal Implications** – The Council tax base is a measure of the Council's taxable capacity, for the setting of its council tax, and legislation sets out the formula for the calculation and the requirement that the tax base is formally approved.

The Local Authorities (Calculation of Council Tax Base) (England) Regulations 2012 prescribes the formula for calculating the tax base. Section 84 of the Local Government Act 2003 allows the calculation or determination to be delegated to a committee or an officer of the Council.

- 4.3 **Contribution to Corporate Priorities** – Financial Resilience – Council tax income is the major income stream for the Council to deliver its services and the calculation of the Council Tax base is an important element in generating that income.
- 4.4 **Risk Management** – There is a risk if the council tax base is set at a level that could result in a shortfall of income when council tax levels are set. A prudent allowance for non-collection is included in the calculation to minimise the risk.
- 4.5 **Equality Impact Assessment** –

The Council's Equality Impact Assessment Procedure **has not been** followed. Therefore neither an Initial Screening or an Equality Impact Assessment has been undertaken on the proposed policy, strategy, procedure or function to identify whether it has/does not have the potential to cause negative impact or discriminate against different groups in the community based on •age • disability •gender • race/ethnicity • religion or religious belief (faith) •sexual orientation, or • rural isolation.

5. **Consultations with Others** – Financial Services, Legal Services
- 6 **Access to Information : Background Documents** – Council Tax Valuation List and Council Tax records (report RRV708 and CTB1 return)
7. **Author of the Report** – David Carré, Revenues and Benefits Manager
dcarre@cravendc.gov.uk tel 01756 706482
- 8 **Appendices** – Appendix A – Analysis of the Tax Base calculation by Parish

AGENDA ITEM 6

Appendix A: Parish Summary

Parish	17/18	18/19	Parish	17/18	18/19	Parish	17/18	18/19
AIRTON	94.87	94.38	EMBSAY w EASTBY	781.84	794.14	LAWKLAND	127.49	127.87
APPLETREEWICK	104.20	106.37	ESHTON	39.13	41.10	LINTON	76.48	77.44
ARNCLIFFE	39.51	39.96	FARNHILL	213.12	215.40	LITTON	35.08	34.63
AUSTWICK	240.75	239.85	FLASBY w WINTERBURN	56.49	54.80	LONG PRESTON	317.23	317.68
BANK NEWTON	27.63	28.16	GARGRAVE	773.64	779.30	LOTHERSDALE	248.58	253.93
BARDEN	32.63	31.30	GIGGLESWICK	538.45	546.97	MALHAM	67.42	67.26
BEAMSLEY	68.65	66.69	GLUSBURN	1,376.97	1,401.34	MALHAM MOOR	20.56	20.55
BENTHAM	1,231.94	1,246.35	GRASSINGTON	543.83	563.81	MARTONS BOTH	134.57	139.00
BOLTON ABBEY	44.60	45.48	HALTON EAST	47.06	45.48	NAPPA	4.72	4.76
BORDLEY	6.60	6.66	HALTON GILL	25.46	26.07	OTTERBURN	21.59	21.88
BRADLEY	492.06	499.02	HALTON WEST	28.20	28.92	RATHMELL	126.93	132.06
BROUGHTON	38.47	38.34	HANLITH	18.48	18.65	RYLSTONE	72.52	75.07
BUCKDEN	98.54	101.42	HARTLINGTON	33.01	33.49	SCOSTHROP	34.51	35.68
BURNSALL	56.77	55.75	HAWKSWICK	34.42	34.63	SETTLE	1,098.98	1,121.33
BURTON IN LONSDALE	250.93	257.55	HAZLEWOOD w STORITHS	40.27	40.34	SKIPTON	5,209.34	5,323.91
CALTON	28.29	28.54	HEBDEN	114.01	118.17	STAINFORTH	110.90	109.79
CARLETON	445.66	450.02	HELLIFIELD	536.00	538.69	STIRTON w THORLBY	93.45	93.24
CLAPHAM	291.67	297.22	HETTON	70.73	71.07	SUTTON	1,243.44	1,274.99
CONISTON COLD	89.68	89.53	HORTON IN RIBBLESDALE	184.45	187.43	SWINDEN	9.05	9.42
CONISTONE w KILNSEY	65.44	68.31	INGLETON	843.42	847.80	THORNTON IN CRAVEN	203.97	202.84
CONONLEY	467.35	473.42	KETTLEWELL w STARBOTTON	193.98	198.27	THORNTON IN LONSDALE	148.99	151.08
COWLING	854.93	880.25	KILDWICK	101.18	102.66	THORPE	21.22	20.74
CRACOE	86.66	84.87	KIRKBY MALHAM	53.85	52.61	THRESHFIELD	398.32	401.21
DRAUGHTON	128.53	131.49	LANGCLIFFE	163.23	165.64	WIGGLESWORTH	133.43	134.43
ELSLACK	36.49	36.34						

All discounts, exemptions and CTR costs are apportioned based on number of band D equivalent properties within each parish. The estimated Council Tax collection rate is 98.6%.

Policy Committee – 31 October 2017

Application to the Department for Communities and Local Government for a North Yorkshire 100% Business Rates Retention Pilot in 2018/19



Report of the Chief Finance Officer (s151 Officer)

Lead Member Financial Resilience – Councillor Mulligan

Ward(s) affected: All

1. **Purpose of Report**

- 1.1 To seek Member confirmation for Craven District Council to be part of an application to the Department for Communities and Local Government (DCLG) for a North Yorkshire 100% Business Rates Retention Pilot in 2018/19

2. **Recommendation**

- 2.1 Members agree with the action taken that Craven District Council as a member of the North Yorkshire Business Rates Pool is part of the North Yorkshire submission to the Department for Communities and Local Government to become a 100% Business Rates Pilot in 2018/19.

3. **Background Information**

- 3.1 The Government through the DCLG has extended the opportunity to all local authorities to become 100% Business Rates Retention Pilots in 2018/19. An invitation was issued in early September with a deadline for submission of 27 October 2017. The pilot would be for one year only.
- 3.2 100% pilots will retain all locally-collected business rates and will receive additional responsibilities in return. As a minimum, authorities will forego Revenue Support Grant and Rural Services Delivery Grant (this will be adjusted for from the rates retained). Any difference between the increase in business rate retention and new responsibilities will be offset by an adjustment to top-ups or tariffs. The creation of the pilots will be “fiscally neutral” at baseline, but authorities will gain from retaining 100% of any above-baseline growth – we currently retain 50%.

- 3.3 The DCLG is looking for a wide spread of different types of pilot. There will be particular focus on applications from rural areas and from two-tier areas. This is a major opportunity for authorities in these areas, who are clearly going to be at the front of the queue.
- 3.4 It is very unlikely that all applications for pilot status will be successful because of affordability constraints. There is likely to be a competitive process, with applications measured against the following criteria:
- **Applications should cover a functional economic area.** The invitation talks about covering a “functional economic geography”. This might be a current pool area or county, but could also extend further than this (for instance, to include counties and contiguous unitaries, or potentially even two or more counties).
 - **Preference for applications from two-tier areas.** Pilots will not be limited to two-tier areas, although the split between counties and districts is something the DCLG wants to explore. The 2017-18 pilots only included single-tier authorities.
 - **Proposals would promote financial sustainability.** The DCLG wants pilots to show how they can be more self-reliant and require less support from the national safety net. The next round of pilot applications will need to say whether they will need the “no detriment” provision to continue. Furthermore, the DCLG is proposing that the safety net will apply at the pilot level rather than individual authority level (as it does for the first round of pilots). The DCLG is not confirming one way or another whether there will be a “no detriment” clause, but is expected that preference will be given to those applications that manage the risk.
 - **Evidence of how pooled income from growth will be used across the pilot area.** The DCLG wants to see how financial gains will be used. Of principal concern, is that gains are used within the pilot to mitigate risk, and to reduce the reliance of individual authorities on the national safety net. Applications for pilot status will need to demonstrate that there would be arrangements in place to share risk and reward. Additionally, the DCLG wants to see how pilots would invest “some retained income from growth to encourage further growth across the area”. This was not something that the first round of pilots were asked to demonstrate, but clearly the DCLG wants the next round of pilots to deliver something more to justify their existence.
- 3.5 Pilots will have a safety net at 97% of Baseline Funding Level we currently have 92.5% as an individual authority. No levy will be payable by the pilot or the individual authorities. The DCLG has not decided whether there will be a “no detriment” clause, whereby the pilot as a whole cannot be worse-off than under the existing 50% scheme.
- 3.6 Very little is said in the invitation about transfers of funding streams or new responsibilities. Potentially, the DCLG has decided that it will take too long to negotiate anything new, with the deadlines being so short. Experts had thought that this would be an opportunity for authorities to show a “unique selling point” but the DCLG might now view a ground-breaking transfer as something that might cause a hold up.

- 3.7 All authorities covered by the proposed pilot will have to give their agreement. This has implications for how the pilot is developed by a group of authorities: every authority needs to have an incentive to join the pilot. Governance is also important to the DCLG because they will want to ensure that prospective candidates will deliver.
- 3.8 Decisions about successful pilots will be announced in December, which is also when the Provisional Settlement information is expected. If our application is unsuccessful then we will continue with the North Yorkshire rates pool (under the current 50% system), and those arrangements will be made in parallel.

4. The Report

- 4.1 The North Yorkshire Chief Finance Officers decided at their meeting on 29 September 2017 that the opportunity and benefits of applying to be a Pilot should be investigated with a view that if it was beneficial then an application should be made.
- 4.2 The services of Pixel Financial Management were commissioned to provide advice and also to undertake the financial modelling required. Pixel already provides advice to the North Yorkshire Rates Pool, and is well placed to understand the complexities that we have. They are also advisors to the Rural Services Network (SPARSE).
- 4.3 The proposed submission would cover the existing members of the North Yorkshire Business Rates Pool (NYCC, Craven, Hambleton, Richmondshire, Ryedale, and Scarborough) plus Selby. Harrogate and City of York are part of the Leeds City region pool and wish to continue with that. Pixel advice is that without Selby the area would not be attractive to the DCLG and we would be unlikely to be accepted as a pilot.
- 4.4 Participating pools will be treated as one entity by the Department for the purposes of business rates retention and one calculation will be made regarding top-up/ tariff and the safety net payment. Therefore, the pool must nominate a Lead Authority to receive payments from and make payments to the Department on behalf of the entire pool. Any authority within the pool is eligible to fulfil this role. Applications must state which authority will be acting as the Lead Authority for the duration of the pilot. For North Yorkshire this will be Scarborough BC.
- 4.5 The financial appraisal calculations have taken a worst case scenario and a best case scenario. The figures are based on the 2017/18 Non Domestic Rates Returns (NNDR1) that each district billing authority completed in January 2017.
- 4.6 At the time of writing the report the initial calculations show that, based on a worst case scenario of Craven DC in the current rates pool the Council could be £180k better off with the 100% rates retention pilot. With the best case scenario of Craven DC in the current rates pool the Council could be £140k better off with the 100% rates retention pilot.

- 4.7 Further information on the actual submission will be made available to members once it is finalised.

5. Implications

5.1 Financial and Value for Money Implications

Financial implications are exemplified in the report. However, the precise implications will not be available until the NNDR1 returns for 2018/19 are prepared in January 2019.

5.2 Legal implications

The offer for the pilots from the DCLG for 2018/19 is made on the understanding that agreement has been secured locally from all relevant authorities to be designated as a pool (in accordance with Part 9 of Schedule 7B to the Local Government Finance Act 1988) and that local arrangements are put in place to pool the additional business rates income.

Pools are required to submit a governance agreement setting out how the pooling arrangements will work in terms of financial distribution and service provision and evidencing how business rates income growth will be shared. The governance agreement should also include how balances and liabilities will be treated if the pool were to be dissolved.

The s.151 officer of each authority has to sign off the proposal before it is submitted. The Department will work closely with all successful applicants to support the implementation and running of the pilot.

5.3 Contribution to Council Priorities

Business rates income is an important contribution to support all the priorities of the Council. The outcome of the 100% Business Retention Rates Pilots will inform how this major income receipt for the Council is shaped in the future to help sustain our financial resilience.

5.4 Risk Management

Applying to be a pilot is not without risk and the risks have been factored in as far as possible to the decision to proceed or not.

Within the prospectus the proposed changes in “no detriment” and the safety net place much more risk on authorities, and the mitigation of this will form an important part of the financial appraisal.

5.5 Equality Impact Assessment

The Council’s Equality Impact Assessment Procedure **has been** followed. An Equality Impact Assessment **has not** been completed on the proposals as completion of **Stage 1- Initial Screening** of the Procedure identified that the

proposed policy, strategy, procedure or function **does not have** the potential to cause negative impact or discriminate against different groups in the community based on •age • disability •gender • race/ethnicity • religion or religious belief (faith) •sexual orientation, or • rural isolation.

6. Consultations with Others

Chief Finance Officers and Chief Executives from North Yorkshire County Council, North Yorkshire District Councils, Craven DC Leader and Deputy Leader, Lead Member Finance and Group Leaders.

7. Access to Information : Background Documents

Department for Communities and Local Government (DCLG) prospectus and supporting documents for 2018/19 pilots.

<https://www.gov.uk/government/publications/100-business-rates-retention-pilots-2018-to-2019-prospectus>

8. Author of the Report

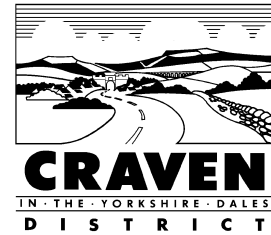
Nicola Chick, Chief Finance Officer (s151 Officer)
Telephone: 01756 706418
E-mail: NChick@cravendc.gov.uk

9. Appendices

None

Policy Committee – 31 October 2017

COMMUNITY GOVERNANCE REVIEW- PARISH COUNCILS



Report of the Chief Executive

Ward(s) affected: All

1. **Purpose of Report** – To report the results a community governance review of electoral arrangements in parish councils with fewer than seven councillors to examine whether the number of councillors should be increased to the NALC recommended minimum of seven councillors.
2. **Recommendations** – Members are recommended to:
 - 2.1 Proceed, subject to final consultation, with increasing the number of councillors from 5 to 7 in respect of the following councils only: Threshfield, Farnhill, Draughton, and Thornton-in-Craven, with implementation from the next ordinary dates of election.
3. **Report**
 - 3.1 Policy Committee at its meeting on 18th August 2017 agreed to carry out a community governance review of electoral arrangements in those parish councils with fewer than seven councillors to examine whether the number of councillors should be increased to the NALC recommended minimum of seven councillors. The views of larger parishes also be sought on the adequacy of their current electoral arrangements.
 - 3.2 The Review followed a request from Thornton-in-Craven Parish to consider increasing the number of councillors on the parish council from the current figure of five in order that it might more effectively carry out its business. In addition to Thornton-in-Craven, 12 other parish councils have fewer than seven members
 - 3.3 The Local Government Act 1972, as amended, specifies that each parish council must have at least five councillors. In practice, there is a wide variation of council size between parish councils. The Electoral Commission stress the importance of having the right number of councillors to take decisions effectively on behalf of an area. If the council has too few members, it might not be able to take important decisions quickly and the council could lack democratic accountability in some areas of its work. However, too many councillors could also lead to inefficient decision making.

Consultation Process and Responses

3.4 The Notice attached at appendix A was sent to all parish councils who were invited to submit their comments on the proposals. In addition a report was made to the Parish Liaison Committee and a notice placed on the Council website.

3.5 In total only eleven responses were received covering eight small parish councils. The following table summarises these responses.

Parish Council	Current No.	Suggested No.	Comments
No Change			
Austwick	5	No change	Number reflects community. Sufficient for business needs. Small electorate, difficulty in recruiting additional councillors.
Kettlewell with Starbottle	5	No change	Small size, difficulty in finding people to stand as councillors
Linton	5	No change	Council size reflects size of the community
Lothersdale	5	No change	Small community, difficulty in finding people willing to serve as councillors.
Change			
Threshfield (3 responses)	5	7/ no change	Member of public – Against change, parish runs well with 5 Councillor and Parish Clerk – support change, would help share load and give better balance across the community.
Farnhill (2 responses)	5	7	Current difficulty in ensuring meetings quorate.
Draughton	5	7	Current difficulty in ensuring meetings quorate.
Thornton-in-Craven	5	7	Council would run more efficiently with 7 councillors. Current difficulty in ensuring meetings quorate. 7 would provide greater balance in debates

Conclusion

3.6 The responses received and generally poor response to the consultation suggests that there is not a general demand for an increase in the size of councils. It is also pointed out that in some parishes it might be difficult to find people interested in standing as councillors which could lead to uncontested elections and increased co-option. However, several parish councils have responded that they would benefit from an increase in numbers which would in particular help to ensure that more meetings are quorate. It is proposed therefore to proceed, subject to final consultation, with increasing the number of councillors from 5 to 7 in respect of the following parish councils only: Threshfield, Farnhill, Draughton, and Thornton-in-Craven, with implementation from the next ordinary date of election of the parish concerned.

4. **Implications**

4.1 **Financial Implications** – There are minor costs in officer time in carrying out a community governance review which can be contained within the overall budget for the service.

4.2 **Legal Implications** – Under the Local Government and Public Involvement in Health Act 2007 principal councils have the power to carry out community governance reviews and put in place or make changes to local community (parish) governance arrangements.

4.3 **Contribution to Corporate Priorities** – Supporting the work of parish Councils helps promote the resilient communities policy.

4.4 **Risk Management** – The proposals do not carry any significant risk to the Council

4.5 **Equality Impact Assessment** -

The Council's Equality Impact Assessment Procedure **has been** followed. An Equality Impact Assessment **has not** been completed on the proposals as completion of **Stage 1- Initial Screening** of the Procedure identified that the proposed policy, strategy, procedure or function **does not have** the potential to cause negative impact or discriminate against different groups in the community based on •age • disability •gender • race/ethnicity • religion or religious belief (faith) •sexual orientation, or • rural isolation,

5. **Consultations with Others** – Thornton-in-Craven Parish Council.

6. **Access to Information : Background Documents**

7. **Author of the Report** – Andrew Mather, Member Services Manager. Telephone 01756 706226 or e-mail:amather@cravendc.gov.

Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

8. **Appendices** – Appendix A - Consultation proposals.

Appendix A**CRAVEN DISTRICT COUNCIL****COMMUNITY GOVERNANCE REVIEW CONSULTATION – ELECTORAL
ARRANGEMENTS OF PARISH COUNCILS**

Craven District Council has commenced a Community Governance review of parish council electoral arrangements, focussing specifically on whether the number of councillors appointed to smaller parish councils is sufficient for their efficient and convenient operation. This follows a request from a parish council to increase their number of councillors from five to seven.

The National Association of Local Government suggests that for efficient operation the minimum number of councillors for any parish should be 7. Currently a number of parishes within the Craven District have fewer than 7 members (see table below). Consequently we are seeking the views of those parishes (and other interested parties and individuals) as to whether there would be merit in increasing the number of councillors from their current level.

Terms of Reference

(1) That a community governance review be carried out of electoral arrangements in those parish councils with fewer than seven councillors to examine whether the number of councillors should be increased to the NALC recommended minimum of seven councillors.

(2) The views of larger parishes also be sought on the adequacy of their current electoral arrangements.

Written responses to the consultation should be returned or emailed to the following address by 29th September 2017 using the attached questionnaire.

Electoral Services (Community Governance Review)
Craven District Council, 1 Belle Vue Square, Broughton Road, Skipton,
BD23 1FJ
(email elections@cravendc.gov.uk)

Please note that responses to the consultation will be published and available for inspection, anonymous responses will not be considered.

Following Consultation

Following the consultation period Craven District Council will consider the responses and decide whether it wishes to make any recommendations for changes to electoral arrangements which will be subject to further consultation. Final recommendations will then be made by the Council and submitted for approval to the Local Government Boundary Commission for England (LGBCE). If the LGBCE gives their approval Craven District Council will then make an Order to implement the decision. New arrangements will normally take effect on the next ordinary election date of the parish concerned.

What the Department for Communities and Local Government and the Local Government Boundary Commission for England say about council size. (Guidance on Community Governance Reviews, March 2010)

‘The Government believes that the effectiveness and convenience of local government is best understood in the context of a local authority’s ability to deliver quality services economically and efficiently, and give users of services a democratic voice in the decisions that affect them.’

‘Each parish council must have at least five councillors; there is no maximum number.’

‘In practice, there is a wide variation of council size between parish councils. That variation appears to be influenced by population. Research by the Aston Business School Parish and Town Councils in England (HMSO, 1992), found that the typical parish council representing less than 500 people had between 5 and 8 councillors; those between 501 and 2,500 had 6 to 12 councillors; and those between 2,501 and 10,000 had 9 to 16 councillors...’

The LGBCE has no reason to believe that this pattern of council size to population has altered significantly since the research was conducted. Although not an exact match, it broadly reflects the council size range set out in the National Association of Local Councils Circular 1126; the Circular suggested that the minimum number of councillors for any parish should be 7 and the maximum 25.

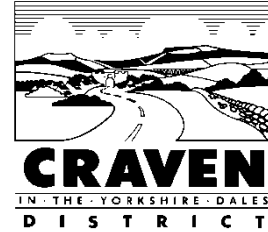
‘In considering the issue of council size, the LGBCE is of the view that each area should be considered on its own merits, having regard to its population, geography and the pattern of communities. Nevertheless, having regard to the current powers of parish councils, it should consider the broad pattern of existing council sizes. This pattern appears to have stood the test of time and, in the absence of evidence to the contrary, to have provided for effective and convenient local government.’

‘Principal councils should also bear in mind that the conduct of parish council business does not usually require a large body of councillors. In addition, historically many parish councils, particularly smaller ones, have found difficulty in attracting sufficient candidates to stand for election. This has led to uncontested elections and/or a need to co-opt members in order to fill vacancies. However, a parish council’s budget and planned or actual level of service provision may also be important factors in reaching conclusions on council size.’

Parish Councils in the Craven District with fewer than seven councillors

Parish	Councillors	*Electorate	Election Year		
			Year	Year	Year
Appletreewick	5	180			2020
Austwick	5	387	2018		
Bolton Abbey	5	80			2020
Buckden	5	147			2020
Clapham-cum-Newby	6	487	2018		
Coniston Cold	5	159	2018		
Draughton	5	209			2020
Farnhill	5	405	2018		
Hebden	5	198			2020
Kettlewell-with-Starbottle	5	265			2020
Linton	5	115			2020
Lothersdale	5	444	2018		
Ribblebanks	5	594	2018		
Stainforth	5	196	2018		
Thornton-in-Craven	5	370		2019	
Thornton-in-Lonsdale	5	255	2018		
Threshfield	5	814			2020
* Based on Electoral Register June 2017					

Policy Committee – 31 October 2017



Transfer of Public Conveniences at Hall Street Car Park, Cross Hills

Report of Director of Services

Ward(s) affected: Glusburn & Cross Hills

Lead Member: Cllr P Mulligan (Finance)

1 Purpose of the Report

- 1.1 To seek approval for the Public Conveniences at Hall Street Car Park, Cross Hills to be transferred to Glusburn & Cross Hills Parish Council.

2 Recommendations

Members are recommended to:-

- 2.1 Approve that the freehold for the Public Conveniences at Hall Street Car Park Cross Hills, the area hatched blue on the site plan attached at Appendix A, be transferred to Glusburn and Cross Hills Parish Council for £1.00 and that they be retained as public conveniences.
- 2.2 Authorise the Director of Services to transfer the Public Conveniences at Hall Street Car Park, Cross Hills to Glusburn & Cross Hills Parish Council.

3 Report

- 3.1 The Council's property assets are a key resource and play an important role in the delivery of services to Craven's residents. They also play a major role in the majority of Council projects, its finances and priorities.
- 3.2 There is increasing pressure on the public sector to strategically manage and operate property assets and act commercially when making property investment decisions. At the same time there is pressure to continue to provide front line local services whilst operating under financial constraints. Many Councils are now acting to strengthen their funding base and reduce reliance on Government grant by building asset portfolios and disposing of surpluses to provide a commercial return or reduce liability.
- 3.3 Effective asset management requires the Council to ensure assets are fit for purpose, represent value for money and are making the optimal financial contribution to the

AGENDA ITEM 9

Council, challenge the need for assets and examine the justification for its continued use in the provision of services

- 3.4 One of the objectives of the Council's Asset Management Plan is to ensure assets are used to the benefit of the community and seek opportunities to transfer ownership and/or management of assets into community use where appropriate. Discussions have been held with Glusburn & Cross Hills Parish Council with a view to transferring them the public conveniences and in doing so ensuring the continued use of the Council's assets by the community whilst reducing the Council's liabilities.
- 3.5 The public conveniences at Hall Street Car Park in Cross Hills were leased to Glusburn & Cross Hills Parish Council in 2010.
- 3.6 The Parish Council currently keeps these toilets open but this involves a considerable cost which they would like to reduce and is hence a major issue to them.
- 3.7 The Parish Council approached the Council with several options to reduce their burden, whilst also keeping the toilets open including one option which is to redevelop the site to better suit their needs. However they are not prepared to develop something which is not theirs and this therefore supported their option by requesting the site to be donated to them. Irrespective of the form of redevelopment a covenant will imposed to ensure that the site is retained as a public convenience.
- 3.8 There are no other sites which would be suitable for public conveniences within the centre of Cross Hills.
- 3.9 The Council has no plans to take back on the liability for the public conveniences and is looking for a solution to ensure the facilities can remain open in the longer term.

4 Financial Implications

- 4.1 There are no financial implications as all costs are currently covered by the Glusburn & Cross Hills Parish Council in accordance with the terms of their lease. If the public conveniences were returned to the Council, the cost of operating the toilets, approximately £20,000 per annum would fall on the Council if the Council decided to keep the toilets open.
- 4.2 The District Valuation Service has recently assessed the market value of the public conveniences at £22,000.
- 4.3 The proposed transfer value is £1.00.

5 Legal Implications

- 5.1 The land is held by the Council for the purposes of the Local Government Act 1972. The Council has the power to dispose of land under section 123 of the Local Government Act 1972 for the best price that can reasonably be obtained. The standard

AGENDA ITEM 9

procedure for disposal is therefore to seek to maximise the financial benefit to the Council in accordance with Section 123 of the Local Government Act 1972.

- 5.2 The Council can dispose of land at an under value under the General Disposal Consent 2003 (issued by the Secretary of State) in order to secure the promotion or improvement of the economic, social or environmental wellbeing of its area subject to the condition that the under value does not exceed £2,000,000.

6 Contributions to Corporate Priorities

- 6.1 The proposals in this report support the Council priorities of “Financial Resilience” and “Enterprising Craven”.

7 Risk Management

- 7.1 The risks to the Council will be reduced.

8 Consultations with Others

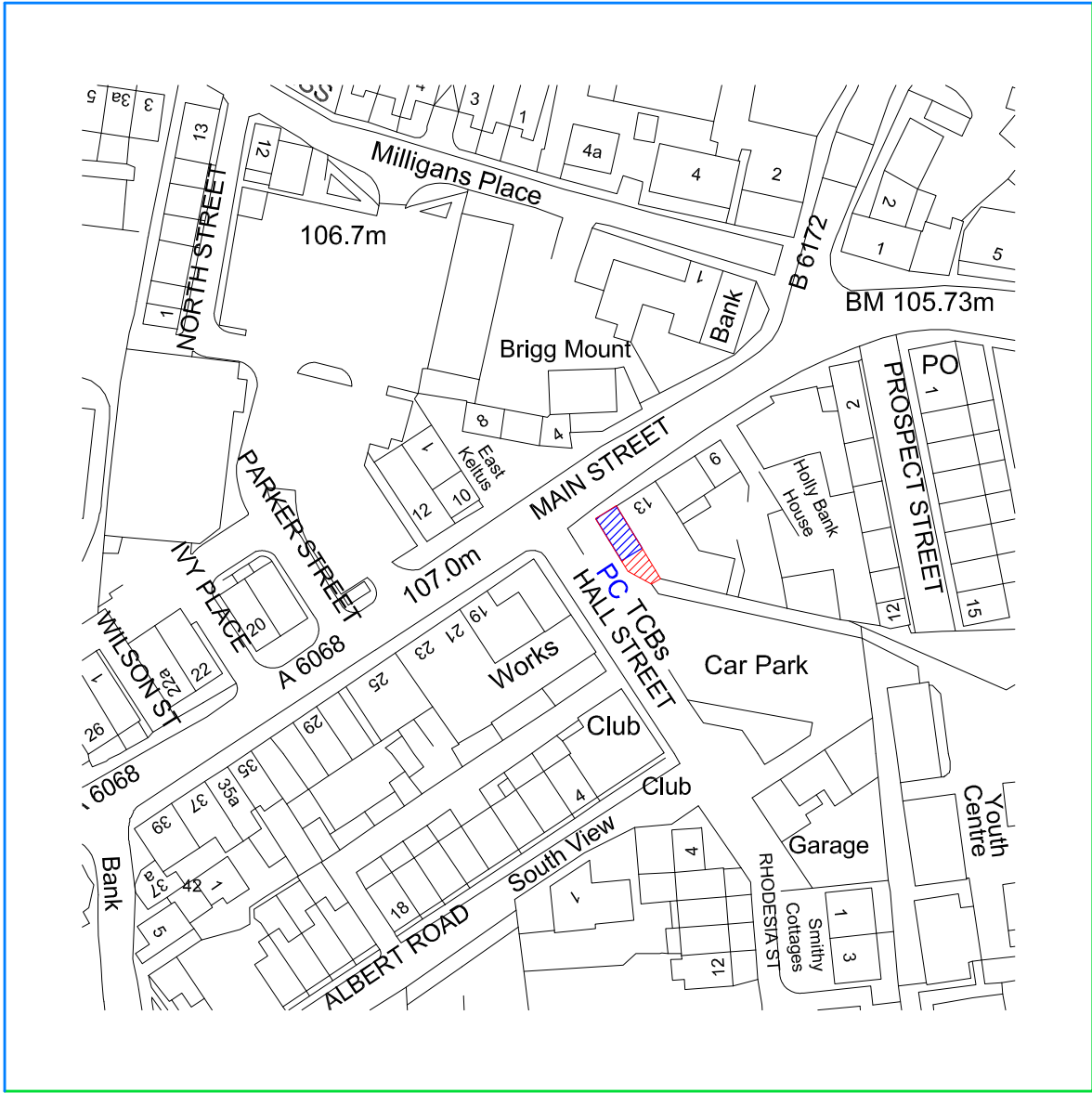
- 8.1 Consultation has been taken with both the local ward members, Councillors Barrett and Baxandall, and both support the transfer.

9 Author of the Report

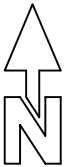
Ian Halton, Assets & Commercial Services Manager,
ihalton@cravenc.gov.uk,
01756 706329

10 Appendix

- 10.1 Appendix A – Site Location Plan, Crosshills Toilets



SITE PLAN



SITE ADDRESS:
Public Conveniences
Main Street
Crosshills

PROJECT:
Schedule of Condition

DRAWING TITLE:
Site Location Plan

SCALE: 1:1250
DRAWING NUMBER: PC-CH01

REVISION: -
PAPER SIZE: A4

DRAWN BY: MK
CHECKED BY: MW
DATE: Sept 09

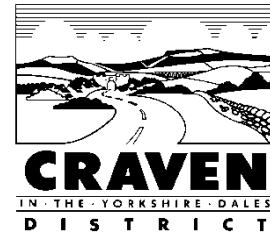
Notes:

Rev	Description	Date
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All dimensions are in millimetres unless otherwise stated.
Dimensions to be verified on site.
Do not scale.
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Policy Committee – 31 October 2017

Cavendish Street Free Parking Initiative in Partnership with Skipton BID



Report of Director of Services

Ward(s) affected: All Skipton Wards

Lead Member: Cllr Patrick Mulligan

1 Purpose of the Report

- 1.1 To seek approval to vary the Parking Order to allow free parking on Cavendish Street, Skipton between 09:00 and 18:00 on each Sunday in January and February 2018 to support an initiative by the Skipton Business Improvement District (BID) to increase Sunday trading.

2 Recommendations

Members are recommended to:-

- 2.1 Approve an alteration to the pay and display parking arrangements on Cavendish Street Skipton to allow free parking on Cavendish Street, Skipton between 09:00 and 18:00 on each Sunday in January and February 2018.
- 2.2 Give delegated authority to the Director of Services to give formal notice under section 35c of the Road Traffic Regulation Act 1984 to vary the Craven District Council (Off Street Parking Places) and (Consolidation) Order 2017.

3 Report

- 3.1 The Council has been approached by Skipton BID to ask for support with an initiative aimed at encouraging more local residents to use Skipton Town Centre on Sundays. The BID want to increase the number of visitors to close the gap between footfalls on Saturdays and Sundays.
- 3.2 The BID use Springboard, a UK retail intelligence company to measure footfall and their figures show that on Saturdays in January and February 2017 footfall in Skipton Town Centre was 62,567 compared to Sundays over the same period at 29,260.

AGENDA ITEM 10

- 3.3 The BID are undertaking a promotional campaign in the new year to increase the awareness of what Skipton Town Centre has to offer and have asked the District Council if they would support the initiative by offering free parking on each Sunday in January and February 2018 from 9.00am until 6.00pm. Fees on the other car parks across Skipton will remain as standard.
- 3.4 It is hoped the joint initiative will attract more local residents to Skipton Town Centre on what is traditionally a quiet period of the year and for shoppers to make the most of the high street.
- 3.5 Whilst there is no evidence that car parking charges are a significant factor in whether people visit Skipton on a Sunday and it is more likely it is what Skipton has to offer that makes people want to come, the BID want to highlight Skipton's offer and seek our support with free parking offer at the same time as their promotion. The free parking offer is a good gesture for the Council to make in support of the BID's efforts to try and encourage visitors in what are quiet months for traders and demonstrates that the Council is prepared to listen and support our partners whenever possible.
- 3.6 The BID is producing a leaflet promoting the various activities and shops in Skipton open on a Sunday. The leaflet will be circulated widely across Skipton and the surrounding area. They are also submitting an advertorial in the Craven Herald, seeking a front page in the Aspire magazine which promotes local businesses and will look to use the local radio stations for promotion.
- 3.7 Results will be monitored and footfall comparisons taken as well as any consequential impacts such as a fall in income on the other car parks in Skipton. If the scheme is successful and the increase it is demonstrable that the increase in footfall is as a direct result of the joint initiative the BID would like to consider a further scheme in spring / summer when the BID hope to encourage a café culture to further increase Sunday visits to the town centre.
- 3.8 No software changes to the car parking machines are required. The machines will be covered and a notice stating that car parking is free will be displayed.

4 Financial Implications

- 4.1 There were 544 tickets sold at Cavendish Street on the eight Sunday's in January and February 2017 at a value of £1,342 (this compares to 502 tickets and income of £1,266 in 2016).
- 4.2 There is a risk there will be displacement to Cavendish from the other car parks in Skipton although it is expected there will still be some use of these pay and display car parks by drivers who are motivated by the proximity of the parking to where they want to be or the car park is the first available space they come across. The total income on Sundays in January and February 2017 across all car parks in Skipton except Cavendish Street was £21,081.
- 4.3 Marketing of the promotion will be undertaken by the BID at their cost.

AGENDA ITEM 10

- 4.4 A notice in the Craven Herald and the Lancaster Guardian will cost £900.00.
- 4.5 The BID has agreed to underwrite the loss of income from car parking and the public notice to a maximum of £3,000.
- 4.6 The results from the initiative will be measured which will help us consider future requests from the BID to run a similar scheme later in the year. Free or cheaper parking on Sundays cannot however be sustained in the longer term as neither the Council nor the BID have the funds to replace the lost car parking income.
- 4.7 The projected income to be generated from car parking charges on existing tariffs for 2017/18 is £1.445m, plus £108k from parking permit sales. This income is used to cover the cost of providing the car parking and transport related services.

5 Legal Implications

- 5.1 In order to vary charges at off-street parking places the Council must give formal notice under section 35c of the Road Traffic Regulation Act 1984 and comply with the procedural requirements set out in the Local Authorities Traffic Orders (Procedure) (England and Wales) Regulations 1996.

6 Contributions to Corporate Priorities

- 6.1 The proposals in this report support the Council priority of “Enterprising Craven”.

7 Risk Management

- 7.1 There is a risk of over demand on Cavendish Street which may cause congestion. There are 182 spaces on Cavendish Street car park which should be sufficient to meet demand on each Sunday. Promotion of the free car parking initiative is targeted at local residents and they will be aware of the other car parks that will be available and the free parking available on the market setts.

8 Consultations with Others

- 8.1 Consultation has been undertaken with the Skipton Ward Members, the Council's Leader and Deputy Leader.

9 Author of the Report

Paul Ellis, Director of Services, pellis@cravendc.gov.uk, 01756 706413

Policy Committee – 31st October 2017**SETTLE TOWN ACTION PLAN**

Report of the Strategic Manager for Planning and Regeneration

Lead Member for Enterprising Craven (Councillor Myers)

Ward(s) affected: Settle and Ribblesbanks

1. **Purpose of Report** –

To inform Members of proposals to help improve the trading environment in Settle and seek the Council's support to facilitate delivery by approving the balance of the funding set aside in the New Homes Bonus Infrastructure Reserve.

2. **Recommendations** –

Members are recommended to:

- 2.1 Endorse the proposals set out in Section 4 of the report to help improve the trading environment of Settle town centre.
- 2.2 Allocate a sum of £96,000 from the Council's New Homes Bonus Infrastructure Reserve to support delivery of the proposals, and give delegated authority to the Director of Services, in consultation with the Lead Member for Enterprising Craven and Ward Members for Settle and Ribblesbanks to agree how the monies are assigned.
- 2.3 Subject to approval of recommendation 2.2 above, give permission for the monies to be drawn down from the New Homes Bonus reserve in the form of a supplementary estimate of £25,000 to be included in the Council's budget for this financial year, and that the balance (£71,000) is included in the Council's budget for the financial year 2018/19.

3. **Background** –

- 3.1 As at Minute POL.665/15-16 and POL.687/15-16, it was resolved to allocate funding from the Council's New Homes Bonus Infrastructure Reserve to support the delivery of a series of projects aimed at stimulating the transformation of the retail centres of Ingleton and Crosshills respectively. These projects form part of a series of action plans being prepared for the market towns of Bentham, Crosshills, Ingleton and Settle, with the support of an allocation of £100,000 per settlement from the New Home Bonus reserve.

- 3.2 Prior to work starting on the development of an action plan for Settle. It was proposed that one project needed to be progressed as a matter of urgency, which was the upgrade of the public conveniences on Whitefriars Car Park in readiness for when the town hosted the 2016 Tour of Yorkshire. It was agreed that the Council would make available an allocation of upto £15,000 in advance of receiving a fully worked up action plan (Minute POL.718/15-16).
- 3.3 The work to improve the toilets was carried out by the Council's Asset and Commercial Services team for the total cost of £3,798.
- 3.4 Since the Tour de Yorkshire discussions have been taking place with the District Councillors for Settle and Ribblesdale, the County Councillor for the Ribblesdale Division, the Town Council and Chamber of Trade to develop the rest of the action plan.
- 3.5 They have come up with four key priorities:
- Physical Regeneration – to create an attractive recreational experience for visitors and residents based around Castleberg Crag;
 - Accessibility – improving traffic flow to and around the town centre and directing pedestrians throughout the town by improvements in signage;
 - Market Development – developing the weekly market and improving the shopping experience throughout the town centre;
 - On-line Marketing and Promotion – creating a more proactive and cohesive approach to communicating the qualities of the town and supporting the businesses in the town and locality.

Details of how the above priorities will be delivered are set out below, in Section 4.

- 3.6 The activity will deliver the aims in the Council Plan by:
- increasing the number of people visiting the town centre and encouraging them to stay longer
 - encouraging more people to use the facilities and services available, thus helping to ensure that they remain viable
 - providing local businesses with an opportunity to increase their customer base and improve their profitability
 - increasing the value of the revenue generated from visitor activity
 - encouraging collaboration between businesses

4. Project Delivery -

- 4.1 Delivery will be overseen by the Settle Town Team. Membership of the Team includes the District Council (the Ward Members for Settle and Riverbanks), North Yorkshire County Council (the County Councillor for the Ribblesdale Division), the

Settle Chamber of Trade (three representatives) and Settle Town Council (three Town Councillors). The founder of the Settle Business and Community Hub has recently been invited to attend meetings of the Town Team.

- 4.2 The purpose of the Town Team is to bring together partners to encourage collaboration and develop a co-ordinated approach to the development of Settle as a thriving shopping and business centre, and maintain an overview of activity. A key function of the Team is to provide a mechanism to facilitate communication and ensure on-going consultation with, and involvement of the business community.
- 4.3 The Town Team has identified an initial three projects to deliver the priorities outlined in paragraph 3.5 above. A project lead has been nominated for each project. They will be responsible for the delivery of the project, including the procurement and appointment of contractors; managing the contractors and ensuring that the specification/schedule of required work is carried out. A summary of the three projects identified by the Town Team are outlined in the table below:

Project	Lead
<p>Creation of a Settle website – to develop the website settle.org.uk, including the creation of two promotional videos – one aimed at attracting visitors and the other to attract new businesses to move to the locality.</p> <p>A specification for the design and development of the website has been prepared in readiness to invite quotes upon confirmation of the funding being made available.</p>	Settle Chamber of Trade
<p>Castleberg Crag – to create an attractive, accessible outdoor recreational experience for people from the area and wider region to visit and enjoy.</p> <p>The initial requirement is to commission a landscape architect to prepare a feasibility study and costed designs for developing the site. This work is needed to inform bids to grant programmes such as the Yorkshire Dales LEADER programme to support the costs of undertaking the capital works.</p> <p>A specification for the appointment of a landscape architect has been prepared with a view to commence activity upon confirmation of the funding being made available.</p>	Settle Town Council
<p>Signage – to improve vehicle and pedestrian flow to and around the town centre through the effective use of signage. To be delivered in two stages; the first stage is to carry-out a review of existing signage and provide recommendations for the rationalisation and installation of new signage, including interpretation boards/directory of</p>	Settle Chamber of Trade – for the first stage

shops and town centre businesses.

The second stage will involve the design, manufacture and installation of the agreed signage and interpretation boards. The lead for the delivery of this stage will be considered later.

- 4.4 Settle Town Council are in the process of looking at ways to develop the weekly market and improve its effectiveness as an attractor for the town by improving its appearance and layout; encouraging new, and a wider range of market traders. The Town Council has arranged for the National Association of British Market Authorities (NABMA) to conduct a healthcheck on the Market. Their findings will help to inform the manner in which the project should be progressed. The healthcheck is scheduled to take place on 31st October 2017.
- 4.5 The impact of the investment by the Council to support the delivery of these projects will be monitored using the following indicators:
- The number of vacant commercial properties at street level within the core retail area. The proportion of vacant property as at 30th September stood at 5.1%
 - Diversity of businesses in the core retail area
 - Pedestrian flows and changes in footfall at key locations around the town
 - Number of unique visits and number of page views to the Settle website
 - Performance of the town centre; the opinion of businesses on the state of the town centre and their own performance

The findings of the Settle Town Centre Healthcheck (2016) will be used as the baseline to measure any changes to the health of the town centre following the delivery of these, and other projects sponsored by the Town Team. The aforementioned Healthcheck was conducted by Lichfields to help inform the Retail and Leisure Study, which was prepared as part of the evidence base for the Craven Local Plan.

5. **New Homes Bonus Infrastructure Reserve –**

- 5.1 As at Minute POL.384/11-12, it was agreed that the Council's New Home Bonus receipts should be used for the provision of agreed infrastructure to support the communities and economy of Craven. The proposal was for the monies to be split between three priority actions – the Localism Reserve, the Infrastructure Reserve and the Empty Homes Reserve.
- 5.2 The purpose of the Infrastructure Reserve is to support the development of infrastructure that meets the needs of communities and the economy by providing significant levels of funding for infrastructure schemes. As at Minute POL.488/12-13, it was agreed that the Infrastructure Reserve should focus on the following four themes:

- Job Creation
- Revitalising Towns and Villages
- Rural Broadband
- Leeds & Liverpool Canal Corridor

5.3 The aim of the Revitalising Towns and Villages theme is “to enhance the role of the District’s towns and villages as economic hubs for goods and services by developing the commercial centre and improving the quality of the streetscape”. Within the Infrastructure Reserve Management Document, the following projects were identified for investment through the Revitalising Towns and Villages theme:

- Bentham Town Centre Improvements
- Crosshills Village Improvements
- Ingleton Village Improvements
- Settle Town Centre Improvements

5.4 A suggested allocation of £400,000 for these projects was been made within the forecast budget for the New Homes Bonus - £100,000 per settlement.

6. **Implications**

6.1 **Financial and Value for Money (vfm) Implications –**

Subject to the Committee’s approval, the funding from the New Homes Bonus will be held and managed by the Council. It is proposed that delegated authority is given to the Director of Services, in consultation with the Lead Member for Enterprising Craven and Ward Members for Settle and Riverbanks to agree the actual amount of funding to be used to support the delivery of the individual projects. A breakdown of the estimated allocation per project is showed in the table below.

Project	Estimated funding requirement from the New Homes Bonus Infrastructure Reserve
Creation of a Settle website	£15,000
Castleberg Crag	£10,000
Note: to support the costs of preparing costed designs; a further contribution may be needed from the “Contingency/Other Activity” pot to support implementation and/or any future grant applications.	
Signage	£50,000
Contingency/Other Activity – to be agreed	£21,000
Total	£96,000

Actual defrayment of the funding will be subject to final costs, availability of matched funding and securing relevant permissions. It is proposed that a contingency of £21,000 is set aside to support additional activity identified by the Town Team, and which supports the achievement of the priorities listed in paragraph 3.5 above. It is proposed at recommendation 2.2 that the Director of Services, in consultation with the Lead Member for Enterprising Craven and Ward Members for Settle to agree how this, and any underspend on the other projects are assigned.

6.2 Legal Implications –

Upon agreement of the contribution needed to enable the project to be delivered, the Council will enter into a written agreement with the delivery organisation, which at present will be either Settle Town Council or Settle Chamber of Trade. The agreement will detail the terms and conditions under which the contribution is made with specific reference to the maximum amount available; that all goods and services have to be procured in accordance with the Council's Contract Procedure Rules; requirements for evidencing defrayment and provision of regular progress reports to the Council and Town Team.

The agreement to provide funding, will be on condition that the Council accepts no responsibility for on-going maintenance of infrastructure not located on its assets.

6.3 Contribution to Council Priorities –

The proposals in this report directly contribute to the delivery of the Council Plan (2016 – 2019) through the Enterprising Craven priority, in particular the action to enhance the quality of the trading environment within the District's core retail centres by developing and delivering action plans for Bentham, Cross Hills, Ingleton and Settle.

6.4 Risk Management –

There are no significant risks to the Council as a result of approving the recommendations in this report.

Performance monitoring will be on-going to ensure that the recipients of the funding are delivering and meeting the terms and conditions stated in the funding agreement, and if necessary, appropriate action will be taken to address any matters of concern.

7. Consultations with Others –

Financial Service
Legal Service

8. Access to Information : Background Documents –

None

9. **Author of the Report** –

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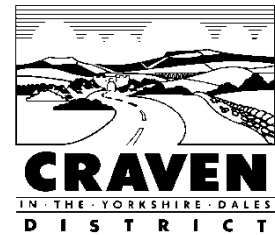
Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

10. **Appendices** –

None

Policy Committee – 31st October 2017

Transport for the North – Emerging Strategic Transport Plan



Lead Member: Cllr Myers

Report of the Strategic Manager Planning and Regeneration
Ward(s) affected: All Wards

1. Purpose of Report

This report aims to highlight the issues arising from the work of Transport for the North in developing a Strategic Transport Plan and Investment Programme for the north of England and how it affects Craven.

2. Recommendations

It is recommended to:

- 2.1 Note the contents of the report.
- 2.2 Agree to write to both North Yorkshire County Council and Transport for the North setting out the issues arising from this report.

3. Background

- 3.1 Transport for the North (TfN) has been formed to transform the transport system across the North of England, providing the infrastructure that is needed to drive economic growth. Currently they have the responsibility for setting the strategic direction and prioritization of road and rail schemes across the north. Their stated role is in "Making the economic and strategic case for pan-Northern transport improvements needed to support transformational economic growth, delivering a greater contribution to the UK"
- 3.2 Currently Craven's representation on the TfN Board is Cllr Les (Leader of NYCC), Cllr Keith Wakefield (Leeds CC), Matthew Lamb (YNYER LEP) and Roger Marsh (LCR LEP). In addition there is an Executive Board which generally consists of Director level officers and the YNYER representative on this is Dave Bowe, Corporate Director Business and Environmental Services at NYCC.
- 3.3 Although TfN does not have a statutory status it has submitted a proposal for statutory status which has been received positively by the Government. Once they become a statutory body they will be granted the powers and duties to direct transport schemes in the north. This means that any major schemes for the foreseeable future need to be put through their process of establishing strategic and then scheme priorities if they are to receive funding. Gaining statutory status will mean that TfN will be the first Sub-national Transport Body (STB) in England.
- 3.4 Once TfN becomes a statutory body the role and structure will change so that all Local Transport Authorities in the North will be 'Constituent Authorities' of TfN and have a seat on the Executive Board and the TfN (Member) Board. This means that Craven will be

represented by NYCC.

4.0 Development of the Strategic Transport Plan and Investment Programme

- 4.1 Transport for the North is developing an integrated, multi-modal Strategic Transport Plan that aims to make it easier for passengers and freight to move throughout the region. The plan's purpose is to make a prioritised case for investment in the North of England to 2050.
- 4.2 In June 2017 TfN produced a range of papers that covered future travel scenarios and the likely demand for road and rail across the north. This then led to a number of initial priority transport corridors being identified that will influence the draft Strategic Transport Plan that is due to be published in the autumn of 2017. The two key evidence documents informing the Strategic Transport Plan and Investment Programme are the Initial Integrated Rail Report and the Initial Major Roads Report.
- 4.3 The assessments cover the likely movement of people and freight within and between LEP areas, to neighbouring parts of the country and overseas via ports and airports. This report does not attempt to summarize all the assumptions and conclusions within the evidence but the key findings are:
- By 2050 total demand for rail travel is expected to be up to 4 times higher than today. This would mean an increase in the total 178 million trips in the North to 760 million trips by 2050 – up to an additional 582 million trips made annually within the North.
 - The strongest growth in rail demand is between the city regions. In 2015 approximately 43 million trips were made between city regions. By 2050 this is forecast to increase to between 105-281 million trips, between 4 and 6 times the level today.
 - In a more connected and integrated North, the level of rail commuting could increase by up to 8 times the level today.
 - In a transformed North, total demand for road travel is forecast to increase by up to 54% by 2050. This would mean an increase in the total 126 billion vehicle km travelled in the North to 193 billion vehicle km by 2050. Road demand growth in a less connected North could be half that amount.
 - In a scenario of a more connected North, the growth in road travel demand between LEP areas is greater than that within LEP areas. In 2015 approximately 34 billion vehicle km were driven between city regions and other LEAs in the North. By 2050 this is forecast to increase to between 37-68 billion vehicle km.
 - Overall by 2050 road travel is expected to increase by 55% while rail travel could increase by 400%

5.0 Connectivity Priorities

- 5.1 In developing the Strategic Transport Plan, TfN has identified a range of connectivity priorities that reflect the identified transport and economic needs in 2050. These connectivity priorities are set out in Annex 1 which is an extract from the TfN's Strategic Transport Plan Position Statement.
- 5.2 The Initial Integrated Rail Report sets out nine connectivity priorities that reflect the future requirements. The report recognizes the significant demand growth forecast between

Lancashire and Leeds City Region / North Yorkshire. Current poor service provision and lack of plans for investment on main Preston - Leeds route. Therefore one of the identified priorities is “East – West (Lancashire, North Yorkshire, Leeds City Region)”.

- 5.3 The report references the current line between Preston and Leeds along the Calder Valley and highlights its inadequacy and need for improvements. The report does not reference the opportunities around the reopening of the Skipton to Colne line as a complimentary route.
- 5.4 Although the growth forecasts between Cumbria and North Lancashire and the Leeds City Region seems to be significant there is no reference to the Bentham line or the Settle/Carlisle line.
- 5.5 The Initial Major Roads Report sets out 13 road connectivity priorities and the two that directly relate to the A56/A59 and the A6068 routes are “Central Trans-Pennine Corridor Connectivity” and the “Leeds City Region NW Quadrant”. Roads are dealt with much more comprehensively in this corridor than rail.
- 5.6 Apart from the M62, the report identifies two routes that contribute to the Central Trans-Pennine route between Lancashire and Yorkshire, the M65 that leads into the A56 and the A6068, and also the A59 from Preston to York, both of which pass through Craven. The report explicitly identifies the problems of the “Single carriageway connections at its (M65) eastern terminus to the A59 at Skipton (via the A56) and A650 for the Airedale Valley (via the A6068) provide the trans-Pennine connections” as a major network constraint.
- 5.7 The Central Trans-Pennine route also highlights the importance of the A59 links to York and the A1 and the problems of the major road network resilience at Kex Gill and around Harrogate that impede travel to the east.
- 5.8 The “Leeds City Region North West Quadrant” corridor aims to provide a new or enhanced connection between the A1 (M), to Leeds Bradford Airport and through the Central Trans-Pennine Corridor. Although it is too early to identify a specific route previous work has discussed how a road from the A1 via Leeds Bradford Airport can tie into the A650 at Bingley. This would help address the congestion in the north Leeds and Bradford area that affects traffic from Craven but unless the Central Trans Pennine Corridor is resolved this would add considerably to the level of traffic in the Skipton and South Craven area.

6.0 Key Discussion Points for the Strategic Transport Plan.

- 6.1 When the Draft Strategic Transport plan is published we aim to pursue the following points:
 - Stress the importance of the A65 and the potential of the Leeds/Morecambe and Settle/Carlisle in connecting LEP sub-regions
 - Require that the Central Trans-Pennine Corridor rail has a fair assessment of all alternative routes so that the Skipton to Colne line receives a fair comparison with the Calder Line.
 - That the wider socio economic case for the Skipton/Colne Line is promoted especially the economic uplift in East Lancashire.
 - That a comprehensive Central Trans-Pennine Road Corridor plan is created in order to support the long term phased development of the corridor, similar to the work on with the A64 partnership.
 - That there is clarity on how the Leeds City Region NW Quadrant scheme will effectively connect to the Central Lancashire Corridor without Craven becoming a bottle neck.

7.0 Implications**7.1 Financial Implications**

There are no financial implications arising from this report

7.2 Legal Implications

There are no legal implications arising from this report.

7.3 Contribution to Corporate Priorities and the Community Strategy –

The proposed changes would contribute to achieving the following corporate priorities:

- Enterprising Craven
- Resilient Communities

7.0 Risk Management

The creation of the Strategic Transport Plan and Investment Programme will set the priorities for the foreseeable future therefore it is essential that we work with partners to influence the final strategy and how it is implemented.

8. Consultations with Others –

NYCC

9. Access to Information: Background Documents –

<http://www.transportforthenorth.com/reports/>

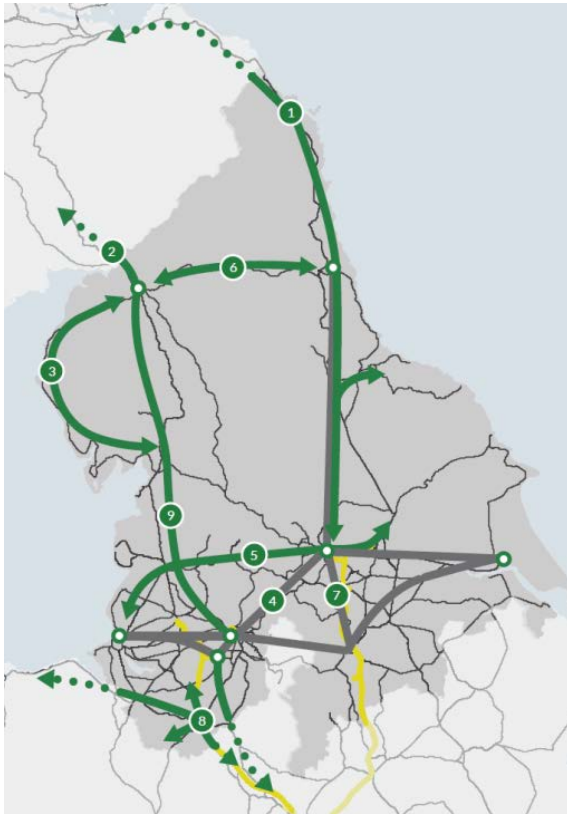
10. Appendices – Annex One - Road and Rail Connectivity Priorities**11. Author of the Report –**

David Smurthwaite, Strategic Manager Planning and Regeneration
Tel: 01756 746409; Email: dsmurthwaite@cravenc.gov.uk

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

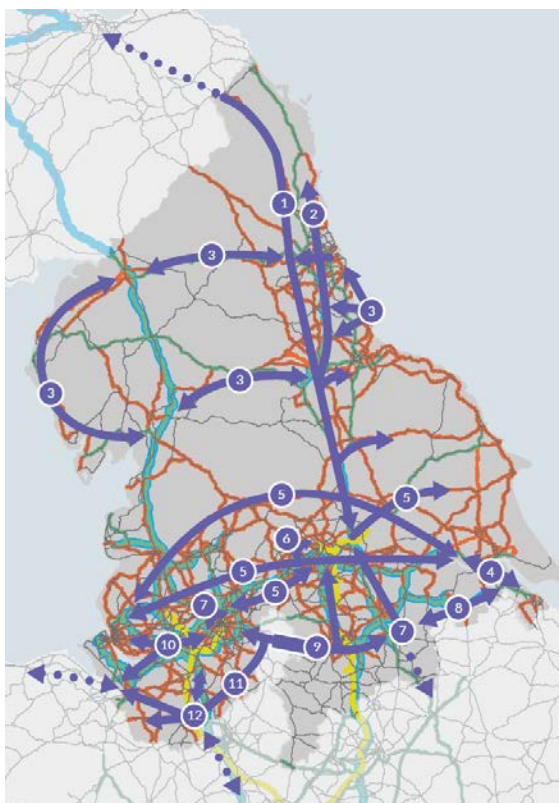
Road and Rail Connectivity Priorities

TfN Emerging Rail Connectivity Priorities



- 1 North – South: Eastern Corridor (Connecting the North East, Tees Valley, North Yorkshire, Leeds City Region, and Sheffield City Region, Cross Border)
- 2 North – South: Western Corridor (Cumbria, Lancashire, Cheshire & Warrington, Cross Border)
- 3 West Cumbrian Coast (Cumbria)
- 4 East – West (Liverpool City Region, Greater Manchester, Leeds City Region, Hull & Humber)
- 5 East – West (Lancashire, North Yorkshire, Leeds City Region)
- 6 East – West (Cumbria – North East)
- 7 North – South (Leeds City Region, Sheffield City Region)
- 8 East – West (Greater Manchester, Cheshire & Warrington, Liverpool City Region)
- 9 East – West (Lancashire, Greater Manchester, Sheffield City Region)

TfN Emerging Road Connectivity Priorities



- 1 A1 Scotch Corner to Scotland
- 2 A19 Expressway
- 3 (Nuclear and Wind) Energy Coasts Access Improvements
- 4 Port of Hull (A63) to A1 (M) / M1 and westwards
- 5 Central Trans-Pennine Corridor Connectivity
- 6 Leeds City Region NW Quadrant
- 7 A1 Improvements (Doncaster to Sheffield, West Yorkshire and Nottinghamshire)
- 8 South Humber Trans-Pennine Connectivity
- 9 Short to medium term Trans-Pennine improvements
- 10 Cheshire Science Corridor and Atlantic Gateway
- 11 Manchester Airport HS2 to North Wales Arc
- 12 Crewe HS2 Northern Gateway
- 13 Strategic Multi-Modal Opportunities

Policy Committee – 31st October 2017

TEMPORARY ACCOMMODATION PLACEMENT POLICY.



Report of the Director of Services

Lead Member: Richard Foster

Ward(s) affected: All

1. **Purpose of Report** – To seek approval from members for the Temporary Accommodation Placement Policy.
2. **Recommendations** – Members are recommended to:
 - 2.1 Approve the Temporary Accommodation Placement Policy
 - 2.2 Give delegated authority to the Director of Services, in consultation with the Lead member for Affordable Housing to make amendments to the Policy to reflect any changes in primary legislation, Statutory Guidance or case law.
3. **Policy Overview**
 - 3.1 The local authority has a duty to provide temporary accommodation to homeless households that fall into a category of priority need pending the outcome of a decision on their homelessness application (s188 Housing Act 1996). There is a duty to provide on-going temporary accommodation to those that are accepted as unintentionally homeless and in priority need and owed the main housing duty (s193 Housing Act 1996)
 - 3.2 The local authority has a duty to place households in its own area “so far as reasonably practicable” (s208(1) Housing Act 1996). If that is not possible statutory guidance requires them “where possible”, to try to secure accommodation as close as possible to where the applicant was previously living.
 - 3.3 In Craven, accommodation will generally be offered within the District at the Council’s temporary accommodation unit, Aireview House. In the event that no places are available or the accommodation is not suitable, then alternative accommodation must be sourced which may be out of district.
 - 3.4 The Supreme Court (Nzolameso v City of Westminster 2015) recommended that each local authority should have a publicly available policy for allocating temporary

accommodation, and where there was a shortfall of “in borough” units, that policy would explain the factors which would be taken into account in offering accommodation close to home, and if there was a shortage of such accommodation, the factors which would make it suitable to accommodate a household further away.

- 3.5 The Temporary Accommodation Placement Policy adopts the Supreme Court guidance, and also clarifies the way in which the Council will terminate the accommodation duty. This enables homeless people, and the local agencies which advise them, to understand what to expect from the Council and what factors will be relevant to the decision. It also provides guidance to staff and ensures a consistent and transparent approach.

4. **Implications**

- 4.1 **Financial and Value for Money (vfm) Implications** – None arising directly from this report.

4.2 **Legal Implications** –

This policy has been developed in accordance with:

- The Housing Act 1996, (as amended)
- Homelessness (Suitability of Accommodation) (England) Orders 1996, 2003 and 2012
- Homelessness Code of Guidance for Local Authorities 2006
- Supplementary Guidance on the homelessness changes in the Localism Act 2011 and on the Homelessness (Suitability of Accommodation) (England) Order 2012

4.3 **Contribution to Council Priorities**

This policy relates to our statutory obligations and does not directly relate to one of the Council Plan Priorities.

4.4 **Risk Management**

The suitability of the accommodation offered by the Council under either s188 or s193 is open to challenge, either by statutory right of review or judicial review. Failure to have a policy in place, despite recommendation from the Supreme Court is likely to lead to any decision of the Council to be overturned.

4.5 **Equality Analysis** –

An equality analysis has taken place. A significant proportion of households placed in temporary accommodation have a protected characteristic, therefore this policy is likely to have a negative impact on protected groups. In mitigation the policy expressly requires the local authority to consider any person with a protected

characteristic and certain groups such as those with a disability are prioritised for placements within the District.

5. **Consultations with Others** – Internally consultation has taken place with Financial Services, Legal Services, CLT and the Housing Options team. Externally we have consulted with our key partners North Yorkshire County Council Adult Services, Children and Family Services, Probation, North Yorkshire Horizons, Craven Mental Health team, Horton Housing, Foundation, Skipton Baptist Church, Citizens Advice Bureau. The limited responses received were favourable and found the policy easy to follow & understand, and clear how the Council will make decisions around offers, and what factors will be taken into consideration.

6. **Access to Information: Background Documents** – All legislation and statutory guidance are in the public domain.

7. **Author of the Report** – Claire Willoughby, Housing Options Manager. Telephone 01756 706466. E-mail: cwilloughby@cravendc.gov.uk

Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

8. **Appendices**

Appendix 1 – Temporary Accommodation Policy.



Temporary Accommodation Placement Policy

1. Introduction

- 1.1 This document sets out the Council's policy for the placement of households in temporary accommodation, both within and outside the District. It covers both interim placements made under Section 188 of the Housing Act 1996 while homelessness enquiries are undertaken, and longer-term temporary accommodation placements for households accepted as homeless under Section 193 of the Housing Act 1996.
- 1.2 The policy takes into account the statutory requirements on local authorities in respect of suitability of accommodation, including Suitability Orders, and the Homelessness Code of Guidance 2006.
- 1.3 As per section 208 of the Housing Act 1996, the Council seeks to accommodate homeless households within the Craven District so far as is reasonably practicable.

2. Suitability of Accommodation

- 2.1 The Council must always consider the suitability of accommodation offered taking into account the needs of the individual household. The following factors will be taken into account:
 - 2.1.1 Size and Layout of the Property: The accommodation must provide enough space for the households needs and allow disabled households to access key facilities. Relevant health factors will also be taken into account
 - 2.1.2 Physical condition: The property must be in a reasonable physical condition, and in the private sector the landlord must be a "fit and proper" person.
 - 2.1.3 Risks to the Household: Any risk of domestic violence, racial harassment or hate crime in a particular locality must be taken into account.
 - 2.1.4 Affordability: The household must be able to afford the costs of the accommodation without being deprived of essentials such as food, clothing, utilities and transport.
 - 2.1.5 Location: We will try and place households as close as possible to their previous accommodation to allow them to retain community links and avoid placing households in isolated accommodation where they are unable to access key services.
 - 2.1.6 Employment: Where applicants are in paid employment, (excluding zero hours contracts) they should be able to reach their normal place of work. This includes those on maternity leave.

- 2.1.7 Education: We must be satisfied that places are available for all those in education, and they are accessible from the accommodation offered.
- 2.1.8 Care Needs: Can a household member continue to provide or receive care from someone not in their household, and what will the impact be if they cannot.
- 2.1.9 Child Care: Can child care be accessed and is it essential to allow employment.
- 2.1.10 Support Networks: Can the relevant household member continue to receive support from agencies such as social care, GP's, drug and alcohol services, mental health services, specialist hospital treatment, floating support? Is this support essential and can it be transferred.

3. Use of Bed and Breakfast

- 3.1 The Council will avoid the routine use of Bed and Breakfast and the Council's temporary accommodation unit (TAU) at Aireview House, Skipton, will generally always be considered first for temporary accommodation.
- 3.2 Wherever possible, the Council will avoid placing the following types of household in bed and breakfast accommodation.
- families with dependent children
 - pregnant women
 - young people aged 16/17
- 3.3 When there is no other temporary accommodation available, and in an emergency we may place homeless people with children or who are pregnant in B&B for a maximum period of 6 weeks.
- 3.4 Young People aged 16 or 17 will not be placed in Bed and Breakfast unless in exceptional circumstances, and only after notifying a senior manager within North Yorkshire County Council's Children and Young Peoples Service. The Council will work closely with North Yorkshire County Council to ensure that we can access a range of different types of accommodation through the Young Persons Pathway, which includes SASH Nightstop, supported housing, and supported lodgings.
- 3.5 Where households are placed in Bed and Breakfast, this may be located outside of the district. The Council will move the household into the Craven District as soon as a suitable property becomes available.
- 3.6 Any household placed in B&B within the Craven District is entitled to support from CravenSTAY as if they were placed in the homeless hostel and should be referred to Horton Housing using the standard paperwork.

4. Criteria for Prioritising Placements inside/outside of Craven District.

- 4.1 In the event that no accommodation is available in the TAU, then a decision must be made as to whether or not to source alternative accommodation in the Craven

District, or make an out of area placement. In either case there is a possibility that this may be Bed and Breakfast accommodation.

4.2 In making this decision, consideration will be given to:

- whether the household has an essential need to be in Craven,
- the impact on the household of moving out of Craven,
- The Council's duties under the Equality Act 2010, and the impact on any household member with a protected characteristic.
- the likely length of stay in a Bed and Breakfast placement
- the impact on the household of being placed in Bed and Breakfast
- the cost and affordability of the accommodation

4.3 Households will be prioritised for a placement in Craven in the following circumstances:

- 4.3.1 There is a severe and enduring health condition requiring intensive and specialist medical treatment that is only available within the district, or could not be accessed if the applicant moved.
- 4.3.2 There is a severe and enduring mental health problem receiving psychiatric treatment and aftercare from community mental health services that could not be accessed if the applicant moved, or transferred without severely impacting on their well-being.
- 4.3.3 There is a significant package and range of health care support in place that cannot be transferred outside of the district.
- 4.3.4 Children are receiving extensive community support (e.g. from their GP, social worker, school, children's centre, health visitor) and it is confirmed that such services are not available outside of district, or transfer of care would severely impact on their welfare.
- 4.3.5 There is a child with special educational needs who is receiving education or educational support in the district, where change would be detrimental to their well-being.
- 4.3.6 There are care needs that cannot be met outside of the district and would result in the need for statutory health and social support if the care could not be provided or received.
- 4.3.7 Applicants are employed in the district and cannot reasonably commute to their employment. This includes those on maternity leave.
- 4.3.8 Children are due to sit examinations at GCSE or A Level in the district and are in year 11, 12 or 13, or there are no school places available out of district.
- 4.3.9 Any other special circumstances, where the health and wellbeing of the household, or their safety would be seriously compromised by placement out of area.

4.4 Applicants who meet none of the above criteria may be placed out of Craven when no suitable property is available within the district, but will be offered accommodation as close as possible to Craven.

- 4.5 If a person is placed out of area, they will be moved back into Craven as and when suitable accommodation becomes available and be prioritised for a move according to the above guidelines.
- 4.6 Out of area placements will usually be sought in the local authorities immediately adjacent to the area that the household is currently living, and then move gradually outwards. However where applicants are receiving services from North Yorkshire County Council then careful consideration will be given to making a placement in another North Yorkshire authority to ensure continuity of care.

In addition, we will take into account any area preferences expressed by the household especially where they have connections due to employment or family who can provide support.

5. The Temporary Accommodation Duty

- 5.1 The Council has a duty under section 188 of the Housing Act 1996 to provide short term temporary accommodation where we have reason to believe that an applicant is homeless and in priority need, pending the outcome of our assessment. Applicants are entitled to one offer of temporary accommodation.
- 5.2 If an offer is refused, the Council will consider the reasons given and either make one further offer or consider its duty to be discharged, in which case the applicant must make their own temporary accommodation arrangements.
- 5.3 There is no statutory right of appeal against the suitability of accommodation offered under section 188 although an application can be made for judicial review.

6. Ending the Temporary Accommodation Duty

- 6.1 The Council's duty to provide short term temporary accommodation ends in accordance with the homeless decision made. Households accepted as full duty homeless are entitled to one offer of suitable long term temporary accommodation (referred to as "interim accommodation").

For all other homeless decisions, the Council will terminate any accommodation being provided, giving notice as follows:

Decision	Legal Duty Owed	Notice Period
Not Eligible	None	Immediate termination
Not Homeless	None	Immediate termination
Not In Priority Need	None	1 – 7 days*
Priority Need but intentionally homeless	"reasonable period of time to secure accommodation"	7 - 21 days*

* The length of time allowed will depend on whether or not the applicant is in breach of their licence, and other demands for the room.

6.2 In all of the above cases, applicants have a statutory right to request a review of the Council's homeless decision and may request that temporary accommodation continues to be provided to them pending the outcome of that review. There is no statutory duty to provide accommodation pending review, however the Council will consider such requests and make a decision based on the following:

- the strength of the applicant's case on review
- any new material, information or evidence that has come to light since the original decision
- the personal circumstances of the applicant and the consequences of not providing accommodation
- the duty to safeguard and promote the welfare of children
- the public sector equality duty
- the demand for temporary accommodation.

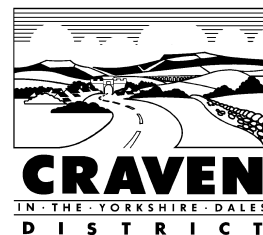
Any permission to remain will be subject to the applicant adhering to the terms of their licence agreement.

7. Ending the Interim Accommodation Duty.

- 7.1 Where an applicant is accepted as unintentionally homeless and in priority need, they are owed the full homeless duty, and under s193 of the Housing Act 1996 are entitled to one offer of suitable long term temporary accommodation.
- 7.2 If an offer is refused, the Council will consider the reasons given and either make one further offer, or consider its duty discharged and issue 28 days' notice to terminate the interim accommodation.
- 7.3 Applicants have a statutory right to request a review of the suitability of the accommodation that the Council offered, and the Council's decision to end the full homeless duty. Provided that applicants are not in breach of the terms of their licence, permission will be given for them to remain in temporary accommodation until the outcome of that review.

8. Change in Circumstances after Placement

- 8.1 If there is any change in circumstances after a household has been placed in accommodation such as a pregnancy, birth of a child, medical problem, then once the Council is made aware we will review the suitability of the accommodation being offered.

Policy Committee – 31st October 2017**BREATHING SPACE LOAN SCHEME**

Report of the Director of Services

Lead Member: Richard Foster

Ward(s) affected: All

1. **Purpose of Report** – To seek approval from members to join the Breathing Space Loan scheme, a homeless prevention scheme for home owners.
2. **Recommendations** – Members recommend to Council:
 - 2.1 That Craven District Council join the Breathing Space Loan Scheme and enter into agreement with Wakefield Metropolitan District Council regarding the administration of this scheme;
 - 2.2 That the discharge of the Council's function of the payment of loans under the Breathing Space Scheme is delegated to the Executive of Wakefield Metropolitan District Council; and
 - 2.2 The Director of Services and the Solicitor to the Council are authorised to complete the relevant legal documents on behalf of the Council.
3. **Scheme Overview**
 - 3.1 The Breathing Space scheme is operated by Wakefield Metropolitan District Council ('WMDC') on behalf of the Local Authorities across Yorkshire and The Humber region to enable them to offer loans to help owner occupiers in difficulty with their mortgage and/or secured loan. WMDC process and administer the Breathing Space loans for all of the participating Local Authorities from receipt of the client's referral to payment of the loan.
 - 3.2 The primary purpose of the scheme is to help owner occupiers who suddenly find themselves in financial difficulties due to a recent and significant change of circumstances stay in their own home and prevent homelessness. There is an expectation that the applicant will be able to meet their mortgage and any secured loan repayments after the period of assistance provided by the Loan, or will sell the property.

- 3.3 The scheme offers an interest free loan of between £2000 and £15,000, secured as a legal charge against the applicant's property, in the name of WMDC. There are no monthly repayments required and the loan is repayable in full at the end of three years. If the loan is not repaid when due, interest will become payable at the Bank of England base rate plus 3%.
- 3.4 The maximum value for all secured borrowing, including the Breathing Space loan must not exceed 90% of the property value.
- 3.5 Prospective applicants receive independent financial advice as part of the loan process, along with debt counselling and money advice. They must also agree to review meetings conducted by the Council every three months to monitor their financial situation.
- 3.6 In order for WMDC to issue loans on behalf of the Council, it is necessary to formally delegate to WMDC the function of the payment of loans by the Council under its Breathing Space Scheme.
- 3.7 Whilst the function of providing loans in these circumstances is being delegated to WMDC it is important to note that there is no financial risk to the Council. The Council is not expected to contribute any funds towards the scheme. WMDC holds the funds for this scheme for across the region and they are responsible for making the loan and arranging for a charge to be secured on the property. Debt recovery action is also the responsibility of WMDC.
- 3.8 Whilst there is no financial risk to the Council, the Council does nevertheless have a key role to play in helping to administer this scheme locally. This involves:
- a) Undertaking initial assessments to determine the potential eligibility of households for the scheme.
 - b) Signposting clients to the scheme and supporting clients to submit applications
 - c) Signposting clients on to receive independent financial advice.
 - d) Supporting WMDC through the conduct of quarterly repayment progress meetings with clients.
 - e) Providing interview facilities for face to face meetings between WMDC and clients
 - f) General local promotion of the scheme.
- 3.15 Should Members agree to participate in this Scheme then the Council is required to enter into agreement with WMDC regarding the terms and conditions of the Scheme
- 3.16 That agreement also refers to the delegation to the executive of WMDC which is being sought by this report and set out the roles and responsibilities as highlighted above.

4. Reason for Recommendation

- 4.1 The Council has a eviction and repossession loan scheme to assist homeowners – EARLS – which offers interest free loans of up to £5,000 to help owner occupiers in difficulty with their mortgage and/or secured loan. The loan can be repaid over five years in monthly instalments.
- 4.2 Whilst EARLS has some advantages over Breathing Space in that it allows debt repayment over a longer term, the main disadvantage is that the debt sits on the Council's ledger and we are liable for any debt that needs to be written off. If members approve the use of Breathing Space, then the EARLS scheme will be wound down.
- 4.3 Breathing Space allows the Council to retain a homeless prevention option for homeowners without the financial liability. It would also give customers an improved offer of assistance, and access to specialist advice and support.
- 4.4 The Council previously declined to join the Breathing Space Scheme due to concerns regarding financial liability. The original scheme placed responsibilities on the local Council to underwrite the risk of unpaid loans and take responsibility for debt recovery.
- 4.5 Issues around liabilities have however now been resolved as the loan contract is solely between WMDC and the homeowner. The Council has no liability, either towards the recovery of individual loans or towards contributing toward the pot from which the loans are drawn from.

Implications

5.1 Financial and Value for Money (vfm) Implications –

There are no financial implications for the Council that arise from this report. Funding for the Mortgage Breathing Space scheme is held by WMDC and WMDC holds the funds for this scheme for across the region. They are responsible for making the loan and arranging for a charge to be secured on the property. Debt recovery action is also the responsibility of WMDC.

5.2 Legal Implications

In order for Wakefield Metropolitan District Council to issue loans on behalf of the Council, it is necessary for the Council to formally delegate the function of the payment of loans by the Council under its Breathing Space Scheme.

5.3 Contribution to Council Priorities

This scheme contributes to Resilient Communities by helping to reduce the incidence of homelessness in the District

5.4 Risk Management

There are no risk management issues associated with this scheme.

5.5 Equality Analysis.

There are no equality issues that arise as a result of this scheme.

6. Consultations with Others –

Legal services, Chief financial officer,

6. Access to Information: Background Documents

Breathing Space Handbook

7. Author of the Report – Claire Willoughby, Housing Options Manager. Telephone 01756 706466. E-mail:cwilloughby@cravendc.gov.uk

Note : Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

8. Appendices

None.