



SELECT COMMITTEE

Wednesday, 17th April 2019
Belle Vue Suite, Belle Vue Square, Broughton Road, Skipton

This meeting will start on conclusion of the Development Control Performance Working Group which commences at 6.30pm.

Committee Members: The Chairman (Councillor Staveley) and Councillors Brown, Mason, Mercer, Moorby, Pighills, Shuttleworth, Solloway, Sutcliffe, Thompson and Whitaker.

AGENDA

1. **Apologies for absence**
2. **Confirmation of Minutes** of the meeting held on 20th March 2019.
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. (Note: Where the participation relates to any particular item on the agenda, participation will usually be when that item is considered.)
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. **Work Programme 2019-20** – Members are asked to consider and agree a provisional work programme for the Committee in 2019-20. Committee Members are invited to suggest service areas / subjects they believe may merit review. Draft programme details attached.

6. **Recommendations Tracking Database** – Copy attached, the Committee is asked to consider the status given to each recommendation and the position to be adopted on those where no status has been assigned.
7. **Date of Next Scheduled Meeting(s)**

Select Committee : Wednesday, 5th June 2019 at 6.30pm.
Select Crime and Disorder Committee : Wednesday 26th June 2019 at 6.30pm
8. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

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9th April 2019

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- (i) the recording being conducted with the full knowledge of the Chair of the meeting; and
- (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the agenda contact officer (details above) prior to the start of the meeting. Any recording must be conducted openly and not disrupt proceedings.

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SELECT COMMITTEE

20th March 2019

Present –The Chairman (Councillor Staveley) and Councillors Brown, Mercer, Shuttleworth and Whitaker.

Officers – Strategic Manager for Planning and Regeneration, Planning Manager and Committee Officer.

Apologies for absence were received from Councillors Moorby, Pighills, Solloway, Sutcliffe and Thompson.

Start: 6.30pm

Finish: 8.10pm

The minutes of the Committee's meeting held on 16th January 2019 were confirmed and signed by the Chairman.

Minutes for Report

OS.421

DEVELOPMENT CONTROL - PERFORMANCE

The Chairman welcomed the Planning and Regeneration Manager and Planning Manager who had been invited to the meeting to discuss with, and assist the Committee in carrying out a review of the position in respect of Development Control performance and action taken / being taken in response to concerns raised with the Council by the Director of Planning at the Ministry of Housing, Communities and Local Government.

On 4th February 2019 the Director of Planning at the Ministry of Housing, Communities and Local Government had written to the Chief Executive warning that as a result of its performance in determining non-major applications in the previous two years the Council may be liable for designation under Section 62A of the Town and Country Planning Act 1990. If the Council was designated, planning applicants would have the option of submitting direct to the Planning Inspectorate for determination. The Council had been invited to respond by no later than 20th February 2019 with details of exceptional circumstances which had affected performance, and which would make designation unreasonable. The Chief Executive had responded to the Ministry on 19th February 2019 and its response was awaited.

The Strategic Manager and Planning Manager explained and responded to questions as follows :-

- In 2018 the Service` experienced a number of exceptional circumstances that caused its performance on non-major planning applications to fall, namely, loss of three senior and experienced staff including the Development Control Manager from a team of seven officers, and sickness absence. The position had been compounded by difficulty in recruiting and also problems encountered with the installation of a new computer system in mid 2017 which had prevented production of monitoring data until March 2018.
- There was a clear correlation between the fall in performance in 2017, with the loss of experienced staff, and the simultaneous increase in burden from the introduction of a new system that proved to have a number of gremlins and in terms of monitoring performance.
- Once monitoring data became available and the position on performance made clear, a service improvement plan had been put in place. One of the more significant elements of that plan had been to seek a review of the scheme of delegation. A revised scheme had been adopted in December 2018.

- The impact of the revised scheme of delegation, combined with a full complement of staff for the first time in 2 years, had been dramatic with current performance figures showing 100% of major applications determined within time, 86% of minor applications determined within time and 97% of other applications dealt with within the required time period, compared to targets of 60%, 65% and 80% respectively.
- It would take some time for performance to reach the required level when measured over a two year period, as this would include 2018, the Inspectorate would, however, recognise this fact and the Council's upward trend. The Government's next monitoring data would cover the two year period ending September 2019.
- A revised team structure comprised of two teams (North Craven and South Craven with Skipton applications split between the two) each micro managed by the two principal Planning Officers had been put in place.
- Government grant funding had been used to engage the Planning Advisory Service in November / December 2018 to advise the Development Control Service on means of improving performance and the level of service it was providing bearing in mind the level of resources available. The Service had continued to engage with PAS, it would be helpful to maintain that relationship for the time being.
- If the Minister designated the Service, income could be lost to the Planning Inspectorate which would take the fee payable in those cases where an applicant chose to submit their application to the Inspectorate. It was however quite likely that applicants would continue to come to the Council given the uplift in performance and the time it would take the Inspectorate to determine applications. The Planning Advisory Service had indicated that applicants rarely opted to go to the Inspectorate.
- Commitment to education helped with staff retention and for the immediate future stability in the team could be expected, but ultimately it was not possible to predict how long an officer would remain with the Authority.
- Recruitment had for some time been problematic, loss of one officer per annum could be managed but more than that presented a problem.
- Seven agency staff had been used over the last 18 month period but recruiting agency personnel could also be problematic as for a number of reasons they did not always complete the contracted period (agencies required one week contract break periods) and were often drawn in the first instance to larger authorities with larger budgets.
- A future challenge for the service could be the Government's housing delivery test under which the Government assessed whether councils and other planning authorities were overseeing development of enough homes for their area ie hitting targets for the build out of sites.

There being no further questions, it was

Resolved – (1) That a working group is established to carry out a more in depth look at the performance of the Development Control Service, all Members of the Committee, with the exception of Councillors Sutcliffe and Thompson who as Chairman and Vice-Chairman of the Planning Committee may be asked to attend as, to serve on the working group unless they indicate otherwise.

(2) That the Working Group's first meeting is held at 6.30pm on Wednesday 3rd April 2019 at 6.30pm.

(3) That in addition to the following, Committee Members forward to the Chairman and Committee Officer, details of any information they would wish to receive, if it can be made available, which they would find useful in taking forward the review:-

- a. Monthly breakdown on the number of applications received in the last two year period with, if possible, the monetary value.
- b. Data on appeals – decisions upheld / lost.
- c. Figures, if possible, showing the length of each agency worker's actual period with the authority in the last 18 month period.
- d. Detail of complaints logged in the last two year period.

Chairman.

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WORK PROGRAMME 2019/20



Preparation

Note: In commencing each review the Committee or working group, if appointed, will be asked to scope, as necessary, the work to be undertaken, identify the issues to be considered, information required, who is to be asked to attend, etc.

Date	Committee	Agenda
Wed 5 June	Select Committee	<ul style="list-style-type: none"> • Work Programme and Appointment of Working Groups (if any) • ?
Wed 26 June	Select Committee (Crime and Disorder)	<p>Crime and Disorder annual meeting</p> <ul style="list-style-type: none"> • North Yorkshire Police, Fire and Crime Panel : Annual Update County Councillor Les attending. • Local Policing – local crime overview, priorities, etc (Inspector Lorraine Crossman-Smith) • North Yorkshire Community Safety Partnership : Update (Stacey Reffin) • Craven Community Safety Hub : Update (Stacey Reffin)
Wed 17 July	Select Committee	<ul style="list-style-type: none"> • Absence Management 2018-19 (include the position for the remainder of the Authority if waste management service figures are excluded, plus cost of absence.) This meeting or September?
Wed 11 Sept	Select Committee	<ul style="list-style-type: none"> • Disabled Facilities Grants : Annual Performance Review; (in presenting the performance review in 2019/20 the Housing Adaptations Manager was asked to provide a step by step list or guide to the process gone through from point of first contact to completion of works.) <p>0</p>

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Wed 16 Oct	Select Committee	<ul style="list-style-type: none"> • Commercial Waste Service : An evaluation report on the implementation and operation of the new business model would be presented to the Select Committee in October / November 2019 •
Wed 20 Nov	Select Committee	<ul style="list-style-type: none"> • Absence Management : Half Year Position 2019-20. • Recommendation Tracking
Wed 12 Dec	Select Committee (Crime and Disorder)	<p>Crime and Disorder mid-year meeting</p> <ul style="list-style-type: none"> • Local Policing – local crime overview, priorities, etc • North Yorkshire Community Safety Partnership – Update • Craven Community Safety Hub – Update • Review the effectiveness of any public spaces protection orders
Wed 15 Jan	Select Committee	<ul style="list-style-type: none"> • Customer Services Call Handling Performance •
Wed 19 Feb	Select Committee	<ul style="list-style-type: none"> • ??? • ???
Wed 18 Mar	Select Committee	<ul style="list-style-type: none"> • ??? •
Wed 15 Apr	Select Committee	<ul style="list-style-type: none"> • Consider draft work programme for 2019/20 •

Working Groups

The Select Committee may appoint up to two working groups at any one time to deal with specific issues in the Select Committee’s work programme, or any other matter referred to it by the Council or the Policy Committee. Members of Policy Committee will not normally be appointed to Select Committee working groups. The working groups do not have delegated authority. Working groups should include Members from more than one political group. Working groups may only deal with business referred to them by the Select Committee.

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Items / Possible Items for 2019/20 and beyond

Implementation of Select Committee and Working Group Recommendations :

Provision should be made within the Select Committee's work programme to periodically review implementation of recommendations made by the Committee and its working groups and accepted by Policy Committee.

Commercial Waste Service : An evaluation report on the implementation and operation of the new business model would be presented to the Select Committee in October / November 2019

Waste Management Working Group – To date the Working Group has examined the following parts of the waste management service leaving just the bulky waste element to be reviewed, the Select Committee may wish to re-appoint the working group or simply receive updates itself on implementation of the revised collection (co-mingling / recycling) arrangements, also in a Select Committee's briefing note (December 2016) to Policy Committee regarding the Garden Waste Subscription Fee it indicated that it would be the Committee's intention to further review the service and implementation of the position on cost recovery within the next two year period.

- Collection Point Policy / Response to Health and Safety Executive concerns
- Garden Waste Subscription Service
- Recycling Policy (co-mingling)
- Commercial Waste

Disabled Facilities Grants : Report to Policy Committee Dec 2018 refers - An annual performance review should be carried out and the findings reported to the Select Committee; in presenting the performance review in 2019/20 the Housing Adaptations Manager to be asked to provide a step by step list or guide to the process gone through from point of first contact to completion of works.

A65 Closure Protocol : The Committee to consider the possible need / feasibility of designing a protocol for redirecting / holding HGV's when the A65 is closed. Would need input from North Yorkshire Highways (Road Safety Team Leader ?) and North Yorkshire Police Traffic. Concerns are impact on the narrow country lanes and grid lock when the A65 is closed, impact on the local community and economic impact.

Performance Meeting – The Committee to consider whether it wishes to establish an annual Performance Review meeting – ie Sickness Absence, Customer Services, Development Control – any other areas. June / July meeting ?

Member Induction – Is this an issue the Committee would wish to look at eg how induct new members, how equipping them to fulfill role, information provided with etc welcome / introduction to the Council.

Green Theme : The Council's current position in relation to the "green / environmental agenda / environmental impact and plans for taking forward green / environmentally friendly initiatives.

Note : In 2017-18 the Audit and Governance Committee indicated an intention to include an audit of the Council's environmental impact in the 2019-20 internal audit plan. The

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Plan provides for consideration of environmental policies within provision for audit of policy management.

Building Control Service : Was suggested as a possible service review by the Director of Services for 2018-19.

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SELECT COMMITTEE – RECOMMENDATION TRACKING

Suggested status of recommendations:

- 1 – Achieved **(Green)**
- 2 – Progress acceptable, continue monitoring **(Amber)**
- 3 – Progress not acceptable, request update **(Red)**

RECOMMENDATION AND DATE OF SELECT COMMITTEE	DATE APPROVED BY POLICY COMMITTEE	LEAD OFFICER	STATUS OF RECOMMENDATION
<p style="text-align: center;">Bereavement Services – 12 September 2018</p> <p>a. Particular emphasis should be placed on the need for a clear business strategy with a costed and funded improvement and investment plan for the service; consideration should be given as to whether a reserve should be established and whether investment in the facility should receive priority before surpluses are drawn off in support of other services, it is acknowledged that this approach could present challenges for other service areas.</p>	<p>23 October 2018</p>	<p>Business Support Manager</p>	<p>As of 28 March 2019</p> <p>Business strategy currently being created.</p> <p>In respect of reserves, consideration would be led by Finance</p>

<p>b. The service needs to be innovative and to be encouraged to be innovative but in so doing needs to be mindful of the need to maintain a quality core service which meets the needs and aspirations of its customers, and retains the support of funeral directors.</p> <p>c. Memorial trees and woodland burial is seen as a key development area for the Service, if no suitable land is available within its portfolio the Council should endeavour to acquire land in a suitable location to enable diversification into woodland burial and memorial trees. Care will be needed in the choice of location which in this Group's opinion should be within a rural, as opposed to urban, environment.</p> <p>d. A significant longer term issue to be addressed by the Service is future burial space. A long term strategic plan is therefore needed as indicated in the business development plan; in preparing that strategic plan the Service will need to engage with the Planning Department / Planning Policy Team to enable it to</p>			<p>Statement as opposed to a recommendation – Delete?</p> <p>Endeavours have been made to branch out into natural burial grounds without success at this stage.</p> <p>Due to a new housing development Waltonwrays is now landlocked. A strategy will be prepared in 2019 to ascertain accurate life span of the cemetery and to create additional burial space where possible within the current confines of the cemetery. At this stage, is predicted that this will need revisiting as critical in 10/15 yrs</p>
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<p>understand what, if anything, would be required to facilitate support for that provision through the planning / planning policy process.</p> <p>e. The crematorium should be operated in the most efficient and environmentally responsible way. Holding over enables such an approach and therefore it is suggested that consideration be given to establish a position whereby holding over becomes the default position, with the pricing structure revised, if necessary, in such a way as to encourage this approach.</p> <p>f. Steps should be taken to ensure an uninterrupted power supply to the chapel to ensure services at Waltonwrays can continue in the event of a mains power failure.</p> <p>g. There is a need to understand why the Muslim burial area isn't being used to the extent originally envisaged, the Leader should seek a meeting with the local Iman to explore with him the use of</p>			<p>time.</p> <p>This has been in place since Jan 16 – we have seen an increase in hold over request at 2% per year. The fees & charges were changed in 2018/19 to reflect same day fees as a surcharge and hold over fees as the normal fee. This surcharge has been further increased in 19/20.</p> <p>A backup battery has now been fitted to ensure uninterrupted music/visual tributes for 30 minutes in the event of power failure.</p> <p>The Chief Executive has been notified by the Muslim community that there have been very low death rates in the community and most are currently being re-patriated.</p>
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<p>Waltonwrays Cemetery by the local Muslim community</p>			
<p>Disabled Facilities Grants – 6 November 2018</p> <p>a. If the Service is to be re-structured an in-house service should be retained with a technical services partnership (referred to as Option 1 on page 7 of this report); the service level agreement with the technical services partner to include targets for service improvement which should be monitored. As contractual arrangements for provision of the technical service approach renewal the Service should reassess the fee arrangement in place and consider possible alternatives to that arrangement.</p>	<p>4 December 2018</p>	<p>Housing Adaptations Manager</p>	<p>a) The current service structure includes for the retention of the technical services partnership with the proposal to procure a 4-year service contract when the current short-term contract expires 30th June 2019. Within the specification are targets for service delivery monitored quarterly. The fee arrangements will be on a percentage of cost of works. The % rate will be market tested through the procurement process.</p>

- b. An annual performance review should be carried out and the findings reported to the Select Committee; in presenting the findings in 2019/20 the Housing Adaptations Manager to be asked to provide a step by step list or guide to the process gone through from point of first contact to completion of works.
- c. Existing and proposed performance targets within the disabled facilities grants memorandum of understanding between the County Council and Districts are relatively unambitious and should be subject to regular monitoring and review.

b) An annual 2018/19 review is due to be carried out May/June 2019 to be reported to Select Committee – within that report will be a presentation of the step list process.

c) The targets, within the Memorandum of Understanding, provide the basis of intent for all partners going forward from 2019/20 onwards.

Stage	Urgent (working days)	Non-urgent (working days)
Stage 1 – initial enquiry at first point of contact to OT recommendation provided to adaptation service (landlord, HIA or grant provider);	5	20

			Stage 2 – OT recommendation to approval of scheme (grant approval or issue of works contract/order)	30	50
			Stage 3 – approval of scheme to completion of works	20	80
			Total time taken – sum of above 3 stages	55	150
			<p>Having operated the service from 2018/19 the CDC Targets (Stage 2 and 3) are challenging. The urgent cases are rare and are usually for installation of stair lifts – which can be achieved within the given timescales. Where more comprehensive works are required (Level access showers) these would require a tender process and award of contract.</p> <p>Going forward – to add more ambition to these targets we have implemented the 50 day (stage 2 & 3) target to discretionary grants to all stair lifts and specialist toilets. In 2018/19 5 out of 9 cases achieved target with an average of 57 days overall.</p> <p>The categorisation of “non urgent” works is</p>		

<p>d. There are perceived weaknesses in the consistency of delivery of the Occupational Therapy Service which impacts on grant delivery and associated timescales, with this in mind the Director of Services should contact the County Council's Director for Health and Adult Services to establish how the Occupational Therapy Service's</p>			<p>too broad as it includes both small grants (<£6,000) such as Level Access showers and ramps and large grants (>6,000) such as widening doors to extensions. In 2018/19 11 out of 41 cases achieved target with an average of 210 days. The targets currently in place are 133 days for grants <£6,000 and 315 for >£6,000.</p> <p>We report on the current targets via the Council's Performance Monitoring Framework and include all grants (i.e. discretionary grants not via an OT referral i.e. Energy Efficiency Grants)</p> <p>The outturn for 2018/19 shows 47% of cases under £6,000 achieve target with an average of 136 days and 76% of cases over £6,000 achieve target with an average of 260 days.</p> <p>NYCC state in the Memorandum that the collection/reporting of targets stated will not commence until 2019/20.</p> <p>d) The working relationship with the Manager and officers of the Occupational Team in Craven is excellent. With both services being based within Belle View Square there is an easy exchange of information and we can respond quickly and efficiently to improve service delivery for our clients. We hold regular meetings and problem solve complex cases in</p>
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<p>performance is to be monitored; the suggestion to be made that it may be an appropriate subject for consideration by the North Yorkshire Scrutiny of Health Committee.</p> <p>e. Some form of appropriate customer satisfaction survey or feedback arrangement should be implemented, and may help to inform service and performance improvements.</p> <p>f. The Service should continue to explore opportunities to recycle equipment.</p>			<p>conjunction with our technical services partners – Bowman Riley Architects.</p> <p>Recent and future restructure/review of the service has put pressure on the Occupational Therapists and I understand there is an increasing waiting list of assessments where an application for a DFG may be required. This needs to be monitored as this will impact adversely on our clients and service delivery.</p> <p>e) A customer satisfaction survey has not been implemented yet. NYCC have a voluntary “Comments” feedback leaflet and we are looking to build upon this. However, we have had to concentrate on operational delivery for 2018/19.</p> <p>f) We are entering into a contract with STANNAH STAIR LIFTS under the National Housing Federation Procurement contract. This will result in NYCC Occupational Therapists only required to make one visit (instead of 2) when advising the client/contractor on the most appropriate installation. This change will help release pressure on NYCC Occupational Therapists, speed up the process and as part of the arrangement all installations will become available for recycling when no longer needed.</p>
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g. That the Leader of the Council writes to the Ministry of Housing, Communities and Local Government seeking clarification of the funding formula for Disabled Facilities Grants, suggesting that future funding should reflect demographic projections and highlighting the implications if the allocated budget was insufficient to meet increased demand.

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