

**AGENDA**

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 27 June 2016

Dear Councillor

**NOTICE OF MEETING**

Meeting           **CABINET**  
Date               **Tuesday, 5 July 2016**  
Time               **9.30 am**  
Venue              **Council Chamber, Civic Centre, Stone Cross, Northallerton**

Yours sincerely

*J. Ives.*

Dr Justin Ives  
Chief Executive

**To:**           Councillors                           Councillors  
          M S Robson (Chairman)       N A Knapton  
          P R Wilkinson (Vice-Chairman)   B Phillips  
          Mrs B S Fortune               S Watson

Other Members of the Council for information

## **AGENDA**

### **Page No**

1. MINUTES

To confirm the decisions of the meeting held on 7 June 2016 (CA.1 - CA.13), previously circulated.

2. APOLOGIES FOR ABSENCE

Resources Management

3. 2015/16 REVENUE AND RESERVES OUTTURN POSITION

1 - 10

This report presents the revenue outturn position for the year ending 31 March 2016, which includes the position on reserves. The Statement of Accounts, which is the consolidated financial position of the Council for 2015/16, is the responsibility of the Audit, Governance and Standards Committee which will meet on 20 September 2016 to approve the Annual Financial Report – Statement of Accounts.

In accepting the recommendations, Cabinet will approve and recommend to Council that the council tax payers reserve of £524,847 be used to support the outturn position as year end as detailed in paragraph 2.4 of the report; the increase in the use of the one-off fund at quarter 4 £426,732, as detailed at paragraph 3.4 and attached at annex B of report; the use of the one-off fund £162,000 from the One-Off Fund to assist in the development of the Central Northallerton Prison Site development as detailed in paragraph 4.2 of the report and the decrease in the reserves position £4,381,663, at paragraph 3.2 and detailed in Annex C of the report.

**Relevant Ward(s): All Wards**

4. 2015/16 CAPITAL AND TREASURY MANAGEMENT OUTTURN POSITION

11 - 26

This report presents the capital outturn position for the year ending 31 March 2016 and also provides an update on the annual treasury management position. Capital expenditure is intrinsically linked with treasury management as the way that the capital programme is funded directly affects the treasury management arrangements of the Council.

In accepting the recommendations, Cabinet will approved and recommend that Council notes the 2015/16 capital outturn position of £13,951,716 at paragraph 2.3 and attached at Annex A of the report; approves the under spend of £29,885 at paragraph 2.8 and over spend of £49,703 at paragraph 2.8 of the report; approves the requests at paragraph 2.9 of the report for re-profiling the capital schemes totalling £305,505 from 2015/16 programme to 2016/17; approves the requests at paragraph 2.13 of the report for re-profiling the additional capital schemes totalling £4,061,574 from 2015/16 programme to 2016/17; notes the treasury management outturn position 2015/16 detailed at paragraph 9.2 of the report and notes the Prudential Indicators attached at Annex C of the report.

**Relevant Ward(s): All Wards**

5. INVESTMENT PLAN TO PREVENT HOMELESSNESS 2016/2020 27 - 30

This report presents an Investment Plan to help prevent homelessness in Hambleton for the period of 2016/2020. It seeks approval to invest £69,980 per annum for the next four years and to draw down a further £16,000 from already allocated 'One Off Funds' for three years from April 2017 for this purpose.

In accepting the recommendations, Cabinet will approve and recommend to Council that the proposed Investment Plan as set out in the report be approved and that £16,000 be transferred from the already allocated budget of £55,050 from the One-Off Fund annually for three years from April 2017 to fund a dedicated part-time individual sector worker subject to yearly review.

**Relevant Ward(s): All Wards**

6. COLLECTION AND DISPOSAL OF SHARPS - WAIVING OF PROCUREMENT RULES 31 - 34

This report seeks approval to waive the procurement rules set out in the Council's Procurement Manual in relation to the provision of a service to collect and dispose of sharps produced as a result of clinical waste.

In accepting the recommendation, Cabinet will grant an exemption from the Council's procurement rules and will approve the implementation of Option 4 as set out in the paragraph 1.9 of the report.

**Relevant Ward(s): All Wards**

7. REGIONAL MORTGAGE ASSISTANCE LOAN SCHEME - EXTENSION TO SCHEME OF 2013 FOR OLDER RESIDENTS 35 - 38

This report provides information on the financial issues facing some older residents who have an interest only mortgage and outlines a proposal through the established Mortgage Breathing Space scheme to help reduce the risk of them losing their home.

In accepting the recommendations, Cabinet will approve an extension to the current Mortgage Breathing Space scheme and of the advice sought through Independent Financial Advisors as part of the Mortgage Breathing Space loan application to allow residents to look at their longer term options.

**Relevant Ward(s): All Wards**

Policy Implementation

8. HAMBLETON GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT 39 - 86

This report provides a sound evidence base for determining planning applications and developing policies and proposals in the emerging Local Plan for the provision of new Gypsy and Traveller pitches in the future and ensuring that these accord with the last's national planning policy.

In accepting the recommendations, Cabinet will approve the Hambleton District Council Gypsy and Traveller Accommodation Assessment Update Summary June 2016 which forms part of the evidence base for the emerging Hambleton Local Plan and determining planning applications for the provision of new Gypsy and Traveller pitches in future and that the draft Hambleton Planning Guidance Note for Gypsy and Travellers be subject to a six week public consultation.

**Relevant Ward(s): All Wards**

9. PUBLIC OPEN SPACE, SPORT AND RECREATION PLANS

87 - 92

This report seeks endorsement of the Public Open Space, Sport and Recreation Action Plan for Great Smeaton and the revised Action Plan for Stokesley.

In accepting the recommendation, the Public Open Space, Sport and Recreation Action Plan in Annex B of the report will be endorsed.

**Relevant Ward(s): Appleton Wiske and Smeatons; Stokesley**

## HAMBLETON DISTRICT COUNCIL

**Report To:** Cabinet  
5 July 2016

**Subject:** 2015/16 REVENUE OUTTURN AND POSITION ON RESERVES

**All Wards**

**Portfolio Holder for Economic Development and Finance: Councillor P R Wilkinson**

---

- 1.1 The purpose of this report is to present to Members the revenue outturn position for the year ending 31 March 2016, which includes the position on reserves. The Statement of Accounts, which is the consolidated financial position of the Council for 2015/16, is the responsibility of the Audit and Governance Committee which will meet on 20 September 2016 to approve the Annual Financial Report – Statement of Accounts.
- 1.2 The capital outturn and annual treasury management position is contained in a separate report on this cabinet agenda.
- 1.3 The report focuses on three key outcomes:-
  - (a) Overall position at the end of the financial year;
  - (b) Major variances between budget and outturn;
  - (c) Position on Reserves.
- 1.4 This report presents the revenue outturn position in the format of management accounts, which Members have become accustomed to from the quarterly monitoring reports to Cabinet. It also includes the movement on the reserve funds.

## **2.0 REVENUE OUTTURN:**

- 2.1 The original budget plans for 2015/16 were for a net spend of **£6,918,280**. The expenditure was budgeted to be funded by council tax, Government revenue support grant, business rates and a transfer from the Council's reserves. During the financial year, under the Council's budgetary control arrangements, Cabinet received quarterly monitoring reports, all of which adjusted the budget in the light of the latest information available at the time. At quarter 3, the net expenditure budget was revised to **£7,824,350**.
- 2.2 **The outturn position for 2015/16 £7,296,374 shows an under spend of £527,976 compared to the revised budget at Q3 of £7,824,350. Annex A details the 2015/16 variance across Department net revenue budgets.**
- 2.3 The revised Q3 budget £7,824,350 compared to the original budget £6,918,280 was an increase of £906,070 mainly related to
  - (i) £801,780 - the reduced interest from the investment with Broadacres Housing Association from the organisation borrowing less and at a later stage in the year than was expected. This is a one off budget implication for 2015/16 only.
  - (ii) £101,720 – the fall in the global prices that affected the 10 year waste strategy
- 2.4 Therefore, even though there was an underspend at outturn compared to Quarter 3 revised budget position of £527,976, a transfer from reserves of £524,847 is required to fund the final outturn position compared to the original budget. The table below shows the an analysis of the original budget, quarter 3 budget and outturn position, as well as the way the budget was funded.

	<b>Original Budget £</b>	<b>Revised Budget £</b>	<b>Outturn £</b>	<b>Variance £</b>
<b>Net Revenue Budget</b>	6,918,280	7,824,350	7,296,374	(527,976)
<b>LESS FINANCING</b>				
<b>Council Tax</b>	(3,105,876)	(3,120,626)	(3,120,626)	0
<b>RSG</b>	(1,602,272)	(1,602,272)	(1,602,272)	0
<b>Business Rates</b>	(1,888,491)	(1,873,741)	(1,999,911)	(126,170)
<b>Other Grants</b>	(48,472)	(48,472)	(48,719)	(247)
<b>Contribution To/(From) Reserves</b>	(273,169)	(1,179,239)	<b>(524,847)</b>	654,392
	(6,918,280)	(7,824,350)	(7,296,375)	527,975
<b>Balance Budget</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

2.6 The overall transfer required from the council tax payers reserve to support the outturn position is £524,847. This is generated from:

- (i) contribution from reserves of £654,392
- (ii) less greater than expected business rates received £126,170
- (iii) less higher than expected grant income £247

2.7 It is important to recognise that the reason for the use of the council tax payers reserve to support the outturn position is a one off occurrence and is not an ongoing requirement of the revenue budget in future years. Lower than expected investment income was received from the investment in Broadacres Housing Association in 2015/16 and in 2016/17 the investment has now been made so securing this revenue income stream to support future revenue budgets.

### **3.0 POSITION ON RESERVES:**

3.1 The position on reserves held by the Council as at 31 March 2016 is compared to the position at 31 March 2015 and is shown in the table below. It should be noted that the position assumes that the recommendations included in this report are approved.

<b>RESERVES POSITION</b>	<b>31/03/15</b>	<b>31/03/16</b>
<u>Revenue Reserves</u>	<b>£</b>	<b>£</b>
Council Taxpayers	3,842,928	3,165,355
Repairs & Renewal Fund	3,563,295	2,980,511
Computer Fund	1,436,103	1,198,017
One Off Fund	1,156,161	1,383,167
Economic Development Fund	4,924,780	3,237,979
Community Safety	69,568	53,041
Strategic Forum Reserve	10,046	10,046
Grants Fund	448,762	364,012
Arts Grants Reserve	5,187	7,089
Make a Difference Fund	125,000	5,555
Take That Step	21,139	6,180
Winter Weather Campaign	3,330	9,191
Local Plan Reserve	-	407,539
Sub Total	15,606,299	12,827,682
General Fund Balance	2,000,000	2,000,000
<b><u>Total Revenue Reserves</u></b>	<b>17,606,299</b>	<b>14,827,682</b>

<u>Capital Reserves</u>		
Capital Grants Unapplied	100,020	92,889
General Capital Receipts	4,034,171	2,438,256
<b><u>Total Capital Reserves</u></b>	<b>4,134,191</b>	<b>2,531,145</b>
<b>TOTAL Reserves</b>	<b>21,740,490</b>	<b>17,358,827</b>

- 3.2 The revenue reserves in the table above show the movement between the reserves in 2015/16 which are in line with the Financial Strategy reported to Cabinet. The overall reduction in reserve funding totals £4,381,663 where reserves have been used to support the Council's specific projects. To fund the Capital Programme, £1,603,046 capital receipts have been used as well as £2,507,671 from the Repairs & Renewals Fund, the computer fund and the economic development fund. The economic development fund was used for the purchase of the prison site at approximately £1,500,000 where further to the development of the site this funding will be returned to the council's reserve.
- 3.3 The movement in the council tax payers reserve has seen income from the new homes bonus grant of £1,347,274 and also expenditure of £1,000,000 to top up the one-off fund and £500,000 to form the Local Plan Reserve. These key movements have occurred to enable an efficient approach to the use and allocation of reserves going forwards in an ever changing environment. In addition at year end £524, 847 was used to support the revenue budget as a one off occurrence due to the interest earned from the loan to Broadacres Housing Association not being realised as soon as anticipated.
- 3.4 Movements in the one off fund receive cabinet approval during the year. Annex B details further movements that have occurred at quarter 4 which require approval in this report. It is recommended to Cabinet and Council that the total expenditure allocation of £426,732 from the One-off Fund at quarter 4 be approved.
- 3.5 The other movements in the reserves which total £227,918 have occurred from grants being received or funds being transferred out to support expenditure during the year in line with previous reports being approved at Cabinet in the past, the main movement being £125,000 for the Make a Difference Fund. Further reserves are created due to financial regulation accounting treatment of grants and contributions; examples being take that step and winter weather campaign.
- 3.6 Attached at Annex C is the detail for the movement in the reserves.

#### **4.0 USE OF RESERVES:**

- 4.1 The Council is in the process of creating a local asset backed vehicle joint venture company to develop the prison site in the centre of Northellerton. In order to progress the project specialist assistance is required in the form of legal, property, quantity cost surveyor and tax advisors.
- 4.2 The estimated cost of the advice totals £162,000 and is £107,000 for legal support, £45,000 for property advisors and £10,000 for quantity cost surveyors. The tax advice is yet to be finalised and will be confirmed at quarter 1 2016/17. The formation of the joint venture company will result in the cost outlay at the beginning of the project being repaid on the completion of the development of the prison site and the financial position overall is cost neutral to the Council. It is recommended in this report that these costs are approved.

## **5.0 LINK TO COUNCIL PRIORITIES**

5.1 The monitoring of the financial budget throughout the year and reporting the financial year end position assists in ensuring the Council's service requirements are met and contributes to the achievement of the priorities set out in the Council Plan.

## **6.0 RISK ASSESSMENT:**

6.1 There are no major risks associated with this report

## **7.0 FINANCIAL IMPLICATIONS:**

7.1 Financial - the financial implications are dealt with in the body of the report.

## **8.0 LEGAL IMPLICATIONS:**

8.1 It is a legal requirement under s25 of the Local Government Act 2003 to set a balance budget and monitor the financial position throughout the year.

## **9.0 EQUALITY/DIVERSITY ISSUES**

9.1 There are no specific equality implications to this report, however equalities issues are accounted for at all stages of the financial planning and reporting process.

## **10.0 RECOMMENDATIONS:**

10.1 That Cabinet approves and recommends to Council:

- (1) the council tax payers reserve of £524,847 is used to support the outturn position as year end as detailed in paragraph 2.4;
- (2) the increase in the use of the one-off fund at quarter 4 £426,732, detailed at paragraph 3.4 and attached at annex B;
- (3) the sum of £162,000 from the one-off fund to assist in the development of the Central Northallerton Prison Site development as detailed in paragraph 4.2;
- (4) the decrease in the reserves position £4,381,663, at paragraph 3.2 and detailed in Annex C.

DR JUSTIN IVES

**Author ref:** LBW  
**Contact:** Louise Branford-White  
Head of Finance (s151 Officer)  
Direct Line No: 01609 767024

**Background papers:** Annual Financial Report – Statement of Accounts 2015/16  
Outturn Position 15/16 Finance Ledger



**2015/16 REVENUE OUTTURN - MAJOR VARIANCES - > £7,000****Revised Budget Approved at Quarter 3 Cabinet****Customer and Leisure Services**

	Overspends £	Underspends £	Total £	Explanation Of Variances
Hambleton Leisure Centre		47,809	7,824,350	Improvements in memberships and swimming and introduction of direct debit payments and the successful introduction of the leisure discount card
Stokesley Leisure Centre		11,159 9,962		Issues with recruiting for vacant posts and improved sickness absence Reduced amount of Vending Supplies and Equipment bought for re-sale
Bedale Leisure Centre		13,676 7,264		Improvements in memberships and swimming and introduction of direct debit payments and the successful introduction of the leisure discount card Reduced amount of Vending Supplies and Equipment bought for re-sale
Thirsk Leisure Centre	16,383			Overspend due to essential unplanned works that were carried out as part of the changing room and poolside project
	13,356	7,610		Reduced amount of Vending supplies bought for re-sale Less income due to closure of the leisure centre for 3 weeks for major capital works
Workspace Management		50,923		Partnership payments relating to income received from Bedale Craft Yard and Learning Food Enterprise Centre no longer paid
Customer Client Receipts		44,287		Additional income received for the hiring of rooms and refreshments and services at Evolution and increased occupancy at Learning Food enterprise centre
<b>Customer and Leisure Services Underspend</b>		<b>162,951</b>		

**Environment & Planning Services**

Development Management		10,471 128,379		Underspend on salaries due to vacant post £5k and underspend on agency budget Additional income from planning application fees
Homelessness		16,962		Underspend on rents as void expenditure not as great as last year
Operational Services		16,323		Underspend on Masternaught IT due to a reduced service on 'track & trace' which is currently being trialled whilst a joint approach with other waste & street scene departments in North Yorkshire are being considered.
Waste Collection		12,312		Additional income for special collections and the sale of wheeled bins to new properties
Recycling		19,521 11,375		Underspend due to kerbside rollout work going better than originally budgeted for. Additional income due to additional green waste tonnage
Pest Control				Paper & Card tonnage down on expected budget therefore income from Yonwaste for recyclates not achieved
Food Safety		11,629		Reduced income from contracts
<b>Environment &amp; Planning Services Underspend</b>		<b>5,480</b>		Increased income received mainly from Export Certificates
		<b>179,091</b>		

## Support Services

Business Support Services	Supplies and Services	19,812		Increased Postages costs £7,370 and provision for Bad Debt £11,70C
Interest and Investment Interest	Customer & Client Receipts	10,920		Higher than anticipated Investment Balances and higher than budgeted rates result in an increase of investment income
Corporate Management	Supplies and Services	17,355		Savings in new Audit Contract and some Subscriptions not renewed
Corporate Management & Support	Employees	9,101		Salary savings from as a result of the new management structure
Housing Benefits	Supplies and Services	30,440		An exercise has been done to clear any debts that are not likely to be paid, therefore there has been a large write off of money owed.
	Transfer Payments	60,724		A rise in the provision for Bed Debts due to an increase of overpayments identified that are estimated to be unrecoverable (see below)
		136,277		Additional income due to the increased number of overpayments of housing benefits identified and invoiced in 2015/16
Local Tax Collection	Transfer Payments Other grants & Contributions Customer Client Receipts	22,710 34,601 16,244		Additional income received from the clawback of previous years Overpaid Council Tax Benefit Additional Council Tax Grants for Family Annexes and Flooding Reduced number of taxpayers taken to court therefore less court costs have been recovered
Revs & Bens Services	Employees Transport	10,994 8,028		Salary Savings due to not appointing an apprentice Reduced travel allowance as a result of fewer visits
Admin Buildings	Premises	14,550		Three areas of spend represent the majority of the overspend:- comprehensive heating survey, the reception sun shades and expenditure relating to office moves
Market Undertakings	Customer Client Receipts	14,965		Street markets remain a challenging retail environment, with changing work patterns and shopping habits, improved promotion has simplified pitch fee calculation and measures are in place to reduce expenditure
Democratic Services	Supplies & Services	11,167		Underspend of Cllr internet IT costs and Chairmans Fund
ICT	Supplies & Services	9,484		Various underspends including Professional Fees and Communications
Footway Lighting	Premises	8,926		Lower than anticipated Electricity charge due reduced rate
<b>Support Services Overspend</b>		<b>122,828</b>		
<b>Total Major Variance (over £10k) Net Underspend</b>		464,870		
<b>Total Minor Variance (under £10k) Net Underspend</b>		63,106		
Less NET UNDERSPEND AT OUTTURN			527,976	
<b>OUTTURN 2014/15</b>			<b>7,296,374</b>	
<b>LESS: Funding:</b>				
Council Tax		3,120,626		
Revenue Support Grant		1,602,272		
Other Grants		48,719		
Business Rates		1,999,911		6,771,528
<b>Transfer from reserves to Support the Budget 2015/16</b>				<b>524,846</b>

**MOVEMENTS IN THE ONE-OFF FUND**

- 1.1 The balance on the one off fund at the beginning of 2015/16 was £1,156,161. The balance after Cabinet approval at Quarter 3 was estimated to be £1,292,512.
- 1.2 The final balance of the one off fund at outturn, assuming all recommendations to Cabinet and Council are approved, is £1,383,168. The difference between the estimate at Quarter 3 £1,292,512 and the outturn position is due to commitments that have been made but expenditure has not yet occurred of £417,217 and also includes expenditure £426,732 and income £100,171 that needs to be approved in this outturn report as detailed below in paragraphs 1.3 and 1.4.
- 1.3 During quarter 4, income that previously had not been recognised is detailed in the table below:

<b>Income received in Q4 2015/16 to the One-Off Fund</b>	<b>Amount</b>
Transparency & Redress Scheme	761
Local Authority Data Sharing IT Costs (DWP)	5,609
Neighbourhood Planning Grant (Stokesley)	5,000
Property Searches – New Burdens Payments	44,294
Transparency Code Set Up	8,103
RTI (DWP)	3,183
FERIS (DWP) – Ringfenced	10,277
Family Premium (DWP)	1,029
Smoke & CO Alarms	835
Training Budgets Underspend	18,000
Leisure Centres – External Diagnostic – returned funding	3,080
<b>Income Received</b>	<b>100,171</b>

- 1.4 During quarter 4, expenditure that had not previously been committed is detailed in the table below:

<b>Expenditure in Q4 2015/16 from the One-Off Fund</b>	<b>Amount</b>
ITS Training	959
Licence Upgrade New State Pensions	1,582
Risk Based Verification	8,224
Capacity Grid	5,000
ATLAS ETD Merge	225
Jan 2016 Legislation	5,609
Business Rates Review	1,595
Redundancy Payments	388,590
CIL Funding	11,868
Rebranding exercise –Facilities Units (funded from external diagnostic)	3,080
<b>Total expenditure recommended for approval at Outturn</b>	<b>426,732</b>

- 1.5 It is recommended to Cabinet and Council that the total expenditure allocation of £426,732 from the One-off Fund at quarter 4 be approved.

This page is intentionally left blank

## Annex C

2015/16 Movement on Reserves Position

	<u>31/03/15</u> £	<u>Transfer out</u> £	<u>Transfer in</u> £	<u>31/03/16</u> £	<u>Explanation of Movement in Reserves</u>
Revenue Reserves	3,842,928	2,024,847	1,347,274	3,165,355	to support revenue spending on community projects and enhancing service delivery on an ongoing basis, £1m transferred to the Off Fund, £500,000 transferred to create a Local Plan Reserve, £524,847 to Fund the Revenue Budget. £1,347,274 increase from New Homes Bonus.
Council Taxpayers					
Repairs & Renewal Fund	3,563,295	582,784		2,980,511	to fund the repairs & renewals revenue work throughout the council
Computer Fund	1,436,103	238,086		1,198,017	to fund ICT works to ensure an efficient and effective organisation
One Off Fund	1,156,161	960,272	1,187,278	1,383,167	to enable an efficient approach to the use and allocation of reserves in an ever changing environment when improved and increased provision of services is key £1m was transferred from Council Taxpayers Reserve
Economic Development Fund	4,924,780	1,686,801		3,237,979	to enable economic development to be a priority for the district
Community Safety	69,568	16,527		53,041	to receive surplus and deficits from the Community Safety Partnership Accounts
Strategic Forum Reserve	10,046			10,046	to promote partnership working within the community
Grants Fund	448,762	84,750		364,012	to deliver grants to organisations for community use
Arts Grants Reserve	5,187	3,334	5,236	7,089	to fund art development projects
Make a Difference Fund	125,000	119,445		5,555	to invest in worthy local community projects which help improve life in neighbourhoods and which support the work of the voluntary sector
Local Plan Reserve	0	92,461	500,000	407,539	£500,000 transferred from the Council Taxpayers Reserve to assist in the funding of a continuous programme of Local Plan preparation and review.
Take That Step	21,139	20,340	5,381	6,180	to deliver a lifestyle referral programme
Winter Weather Campaign	3,330	3,330	9,191	9,191	to raise awareness to reduce excess winter deaths
Sub Total	15,606,299	5,832,977	3,054,360	12,827,682	
General Fund Balance	2,000,000			2,000,000	this balance is maintained as the Council's general fund working balance, which equates to approximately 4% of the gross annual budget
<b>Total Revenue Reserves</b>	<b>17,606,299</b>	<b>5,832,977</b>	<b>3,054,360</b>	<b>14,827,682</b>	
Capital Reserves					
Capital Grants Unapplied	100,020	7,131		92,889	grants to be applied for specific capital projects in accordance with the prevailing conditions
General Capital Receipts	4,034,171	1,595,915		2,438,256	capital receipts were used to fund the capital programme as approved in the Capital Strategy prior to the beginning of the financial year
<b>Total Capital Reserves</b>	<b>4,134,191</b>	<b>1,603,046</b>	<b>0</b>	<b>2,531,145</b>	
<b>TOTAL Reserves</b>	<b>21,740,490</b>	<b>7,436,023</b>	<b>3,054,360</b>	<b>17,358,827</b>	

This page is intentionally left blank

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Cabinet  
7 July 2015

**Subject:** 2015/16 CAPITAL OUTFURN AND ANNUAL TREASURY MANAGEMENT REVIEW

**All Wards**

**Portfolio Holder for Economic Development and Finance: Councillor P R Wilkinson**

---

### **1.0 PURPOSE AND BACKGROUND:**

1.1 The purpose of this report is to present to Members the capital outturn position for the year ending 31 March 2016 and also update on the annual treasury management position. Capital expenditure is intrinsically linked with treasury management as the way that the capital programme is funded, directly effects the treasury management arrangements of the Council.

1.2 This Council currently does not borrow for a capital purpose; instead capital expenditure is funded by revenue contributions, capital receipts, capital grants and contributions. The use of revenue contributions, capital grants, capital receipts received in the year and the use of the capital receipts reserve to support capital expenditure affects the treasury management daily cash flow position.

1.3 The report is split into three distinct areas:

(a) Capital:-

- Update Members on the Councils capital programme final outturn position for 2015/16;
- Inform Cabinet of any capital under or over spends and seek approval for any resulting changes to the programme;
- Inform the Cabinet of any capital slippage on schemes and seek approval for the associated funding to be slipped to or from the financial years to reflect this;
- Inform Members of the funding position of the capital programme;
- Inform Cabinet of urgent capital schemes in 2016/17 that need to be approved and will be included in quarter 1 monitoring

(b) Treasury Management:-

- Update Members on the treasury management legislative requirements;
- Inform Cabinet of the treasury management position at 31 March 2016;
- Reflect on current economic interest rate environment and the treasury management strategy set prior to the beginning of the 2015/16 financial year;
- Inform Cabinet of the Borrowing and Investment Position for 2015/16

(c) Prudential Indicators – Capital & Treasury Management

- Review the capital and treasury management indicators for 2015/16 outturn

### **2.0 CAPITAL OUTFURN 15/16, UNDER / OVER SPENDS AND RE-PROFILING OF CAPITAL SCHEMES:**

2.1 The 2015/16 capital programme was approved by Cabinet on 10 February 2015 at £37,854,300. During the financial year, further capital schemes were approved, some schemes were removed and the revised Capital budget at quarter 3 was £14,237,403.

2.2 The 2015/16 capital programme final outturn was £13,951,716, which resulted in a variance of £285,687. This comprised of 3 components:

- (a) the first component of the variation is a request for re-profiling that represents scheme budgets that are currently approved in the capital programme but require moving to or from future years in line with a changing timetable of delivery for a specific schemes. This totals £305,505;
- (b) the second is a revision to the existing capital schemes budget where there is a request for increased funding to finalise the schemes. This totals £49,703;
- (c) the third component is an under spend where the scheme has completed for less than the original budget or the forecast funding is no longer required. This stands at £29,885

2.3 Table 1 below shows the revised budget compared to outturn, including the variance. The format of the table reflects the portfolios of the Council during 2015/16.

<b>Council Portfolio's during 2015/16</b>	<b>Revised Budget at Outturn</b>	<b>Total Expenditure</b>	<b>Variance</b>	<b>Budget re-profiled to 2016/17</b>	<b>Over Spend - Request for additional funding</b>	<b>Under Spend - Funding no longer required</b>
Environmental & Planning Services	1,033,238	991,527	(41,711)	(19,082)	5,077	(27,706)
Customer & Leisure Services	590,954	545,073	(45,881)	(57,256)	12,692	(1,317)
Support Services	965,961	754,052	(211,909)	(222,877)	11,830	(862)
Economic Development Fund	1,647,250	1,661,064	13,814	(6,290)	20,104	0
Loan to Broadacres	10,000,000	10,000,000	0	0	0	0
<b>Total</b>	<b>14,237,403</b>	<b>13,951,716</b>	<b>(285,687)</b>	<b>(305,505)</b>	<b>49,703</b>	<b>(29,885)</b>

Table 1: Capital programme outturn 2015/16

- 2.4 The capital programme has been monitored during 2015/16 on a quarterly basis and reported to Cabinet. The total capital programme expenditure for 2015/16 compared to the revised budgeted capital programme at quarter 3 was 98%.
- 2.5 The capital programme and supporting information setting out the variances and the requirements for re-profiling schemes into 2015/16 are detailed in Annex A.
- 2.6 Twelve schemes are categorised in table 1 as being over spent in 2015/16 totalling £49,703 and approval is sort by Members in this report. The twelve schemes can be analysed into 3 components which overall results in only 6 schemes actually being over spent. This is described below:
- (a) Four schemes that started early were already approved in the capital programme 2016/17 at £27,042. Overall in the 10 year capital programme, no additional funding is required.
  - (b) Two schemes started where external funding was provided in quarter 4 at £11,932 and therefore there is no additional cost to the Council.
  - (c) Six schemes that over spent at £10,729 require additional funding from the capital receipts reserve



- 2.7 Further information on the twelve schemes is detailed in table 2 below, where 3 schemes only over spent by 5%, with the remaining 3 schemes being 10% to 12% over spent. Further work in 2016/17 is occurring to ensure over spent schemes is kept below the 5% tolerance.

Capital Scheme	Expenditure at Outturn 31/03/2016	Variance	% Over	Over / External Funding / Brought Forward (B/Fwd)
<b>Four Schemes Started Early - B/Fwd from 2016/17</b>				
Adoption of Roads - Leeming Bar	800	800	N/A	B/Fwd 2016/17
Car Parks machines - upgrade Pay & Display	6,138	6,138	N/A	B/Fwd 2016/17
Improvement Infrastructure Central Northallerton	1,501,081	6,681	N/A	B/Fwd 2016/17
ED Improvement Infrastructure Dalton Bridge	137,273	13,423	N/A	B/Fwd 2016/17
<b>Two Schemes with External Funding</b>				
Thirsk & Sowerby Sports Village	13,788	7,040	N/A	External Funding
Inspire ICT Software	4,892	4,892	N/A	External Funding
<b>Six Schemes Over Spent</b>				
Purchase of bins and boxes for refuse and recycling	40,136	4,136	11%	Over
Central Depot - Fuel Safety system	6,141	141	2%	Over
Stokesley Depot - Security Fencing	8,800	800	10%	Over
Web / Intranet Development	37,130	1,600	5%	Over
Thirsk & Sowerby Leisure Centre - Roof & Ceiling	12,337	1,337	12%	Over
Thirsk & Sowerby Leisure Centre	92,715	2,715	3%	Over

Table 2: Additional Capital Expenditure Schemes

- 2.8 The under spend on the capital programme in 2015/16 is £29,885 and represents four schemes; these funds are no longer required and are returned to the capital receipts reserve. £27,706 of the saving related to the waste strategy new kerbside bins project.
- 2.9 The schemes to be carried forward in to the 2016/17 capital programme total £305,505. These schemes are detailed in Annex A, are categorised as 'C/Fwd' and approval is sort by Members in this report.
- 2.10 In addition, it was already recognised earlier than quarter 4 that some schemes would not be completed in 2015/16, therefore these schemes of £4,061,574 were removed from the capital programme and are attached at Annex B. In order to provide a transparent position at outturn, these schemes also need to be approved to be carried forward into 2016/17.
- 2.11 Capital schemes are monitored on a monthly basis and reported to Cabinet quarterly, ensuring that the majority of schemes are held within budget or reported to Council at the earliest opportunity. At quarter 1 2016/17, the schemes to be carried forward from 2015/16 will be combined to commence the consolidated Capital programme for monitoring in 2016/17.

### 3.0 FUNDING THE CAPITAL PROGRAMME:

- 3.1 The 2015/16 capital programme expenditure of £3,951,716 has been funded as detailed in table 2 below:

<b>Capital programme 2015/16</b>	<b>£</b>
Repairs & Renewals Fund	164,882
Computer Fund	206,746
Economic Development Fund	1,573,318
S 106 Contributions	4,205
Grants	314,060
Capital Receipts	1,688,505
Internal Borrowing / Surplus Funds	10,000,000
<b>Total Funding</b>	<b><u>13,951,716</u></b>

3.2 The overall funding position continues to be closely monitored to ensure the overall capital programme remains affordable and sustainable over the 10 year approved capital plan.

#### **4.0 TREASURY MANAGEMENT POSITION 2015/16 AND THE LEGISLATIVE REQUIREMENT**

4.1 This Council is required by regulations issued under the Local Government Act 2003 to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2015/16. This report meets the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

4.2 During 2015/16 the minimum reporting requirements were that the full Council should receive the following reports:

- an annual treasury strategy in advance of the year (Cabinet 10 February 2015)
- a mid-year (minimum) treasury update report (Council 1 December 2015)
- an annual review following the end of the year describing the activity compared to the strategy (this report)

In addition, this Council has received quarterly treasury management update reports on 1 September 2015 and 9 February 2016 which were received by Cabinet.

4.3 The regulatory environment places responsibility on members for the review and scrutiny of treasury management policy and activities. This report is therefore important in that respect, as it provides details of the outturn position for treasury activities and highlights compliance with the Council's policies previously approved by members.

4.4 This Council also confirms that it has complied with the requirement under the Code to give scrutiny to all of the above treasury management reports before they were reported to the full Council. This scrutiny role was carried out by Cabinet and Audit, Governance & standards Committee. Member training on treasury management issues is also key to members to support their scrutiny role and further training is being prepared.

4.5 Throughout 2015/16, the Council's treasury position (excluding finance leases) was to continue to be debt free. No borrowing has been taken prior to or during 2015/16. With regards to finance leases the position at the beginning of the finance year was zero and no further finance leases have been taken in the year.

4.6 The capital financing requirement, which is the amount of borrowing required to support the capital expenditure programme, is £10 million for this Council. It should be noted that whilst there is a £10 million capital financing requirement, no external borrowing was taken as the Council used its surplus funds to support the Loan in Broadacres Housing Association. This however is still classified as capital expenditure and therefore resulted in a capital financing requirement. The following table shows the treasury management position as at 31 March 2016:-

<b>Table 1: Borrowing and Investment position at 31 March 2016</b>	<b>31-Mar-16</b>	<b>Rate</b>	<b>31-Mar-15</b>	<b>Rate</b>
	<b>£m</b>	<b>%</b>	<b>£m</b>	<b>%</b>
<b>Capital Financing Requirement</b>	10.0		0	
<b>Borrowing</b>	0		0	
<b>Investments</b>	10.98	0.62	24.11	0.77

Table 3: Borrowing and Investment position at 31 March 2016

## **5.0 THE ECONOMY AND INTEREST RATES:**

- 5.1 Market expectations for the first increase in Bank Rate moved considerably during 2015/16, starting at quarter 3 2015 but soon moving back to quarter 1 2016. However, by the end of the year, market expectations had moved back radically to quarter 2 2018 due to many fears including concerns that China's economic growth could be heading towards a hard landing; the potential destabilisation of some emerging market countries particularly exposed to the Chinese economic slowdown; and the continuation of the collapse in oil prices during 2015 together with continuing Eurozone growth uncertainties.
- 5.2 These concerns have caused sharp market volatility in equity prices during the year with corresponding impacts on bond prices and bond yields due to safe haven flows. Bank Rate, therefore, remained unchanged at 0.5% for the seventh successive year. Economic growth (Gross Domestic Product-GDP) in 2015/16 has been disappointing with growth falling steadily from an annual rate of 2.9% in quarter 1 2015 to 2.1% in quarter 4.
- 5.3 The sharp volatility in equity markets during the year was reflected in sharp volatility in bond yields. However, the overall dominant trend in bond yields since July 2015 has been for yields to fall to historically low levels as forecasts for inflation have repeatedly been revised downwards and expectations of increases in central rates have been pushed back. In addition, a notable trend in the year was that several central banks introduced negative interest rates as a measure to stimulate the creation of credit and hence economic growth.
- 5.4 The European Central Bank (ECB) commenced a full blown quantitative easing programme of purchases of Eurozone government and other bonds starting in March at €60bn per month. This put downward pressure on Eurozone bond yields. There was a further increase in this programme of Quantitative Easing (QE) in December 2015.
- 5.5 As for America, the economy has continued to grow healthily on the back of resilient consumer demand. The first increase in the central rate occurred in December 2015 since when there has been a return to caution as to the speed of further increases due to concerns around the risks to world growth.
- 5.6 The UK elected a majority Conservative Government in May 2015, removing one potential concern but introducing another due to the promise of a referendum on the UK remaining part of the European Union (EU). The government maintained its tight fiscal policy stance but the more recent downturn in expectations for economic growth has made it more difficult to return the public sector net borrowing to a balanced annual position within the period of this parliament.

## **6.0 THE STRATEGY FOR 2015/16**

- 6.1 The expectation for interest rates within the treasury management strategy for 2015/16 anticipated low but rising Bank Rate, (starting in quarter 1 of 2016), and gradual rises in medium and longer term fixed borrowing rates during 2016/17. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period. Continued

uncertainty in the aftermath of the 2008 financial crisis promoted a cautious approach, whereby investments would continue to be dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.

6.2 The sharp volatility in equity markets during the year was reflected in sharp volatility in bond yields. However, the overall dominant trend in bond yields since July 2015 has been for yields to fall to historically low levels as forecasts for inflation have repeatedly been revised downwards and expectations of increases in central rates have been pushed back.

## 7.0 BORROWING RATES IN 2015/16

7.1 The Council remained debt free in 2015/16. For completeness of the report and to ensure Members are kept up to date with regards to borrowing rates, the graph below shows borrowing rates from the Public Works Loan Board.

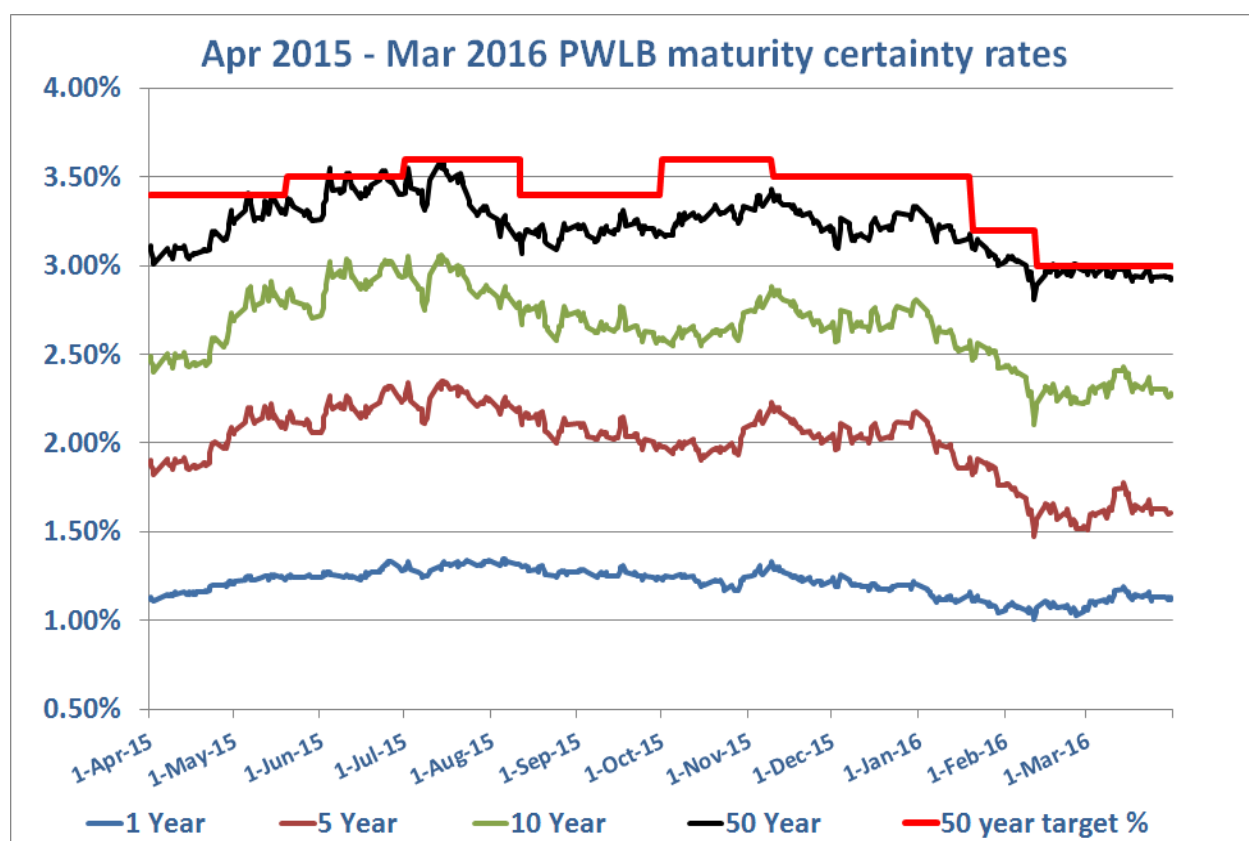


Figure 1: Public Works Loan Board Borrowing Rates 2015/16

7.2 **Treasury Borrowing** – the Council remains debt free and undertook no external borrowing for cash flow purposes or capital financing purposes during 2015/16.

7.3 **Rescheduling of Borrowing** – the Council has no debt and therefore undertook no rescheduling of debt during 2015/16.

7.4 **Repayment of borrowing** – the Council has no external loans and therefore no repayments were necessary.

## 8.0 INVESTMENT RATES IN 2015/16

8.1 Bank Rate remained at its historic low of 0.5% throughout the year; it has now remained unchanged for seven years. Market expectations as to the timing of the start of monetary tightening started the year at quarter 1 2016 but then moved back to around quarter 2 2018 by the end of the year. Deposit rates remained depressed during the whole of the year,

primarily due to the effects of the Funding for Lending Scheme and due to the continuing weak expectations as to when Bank Rate would start rising.

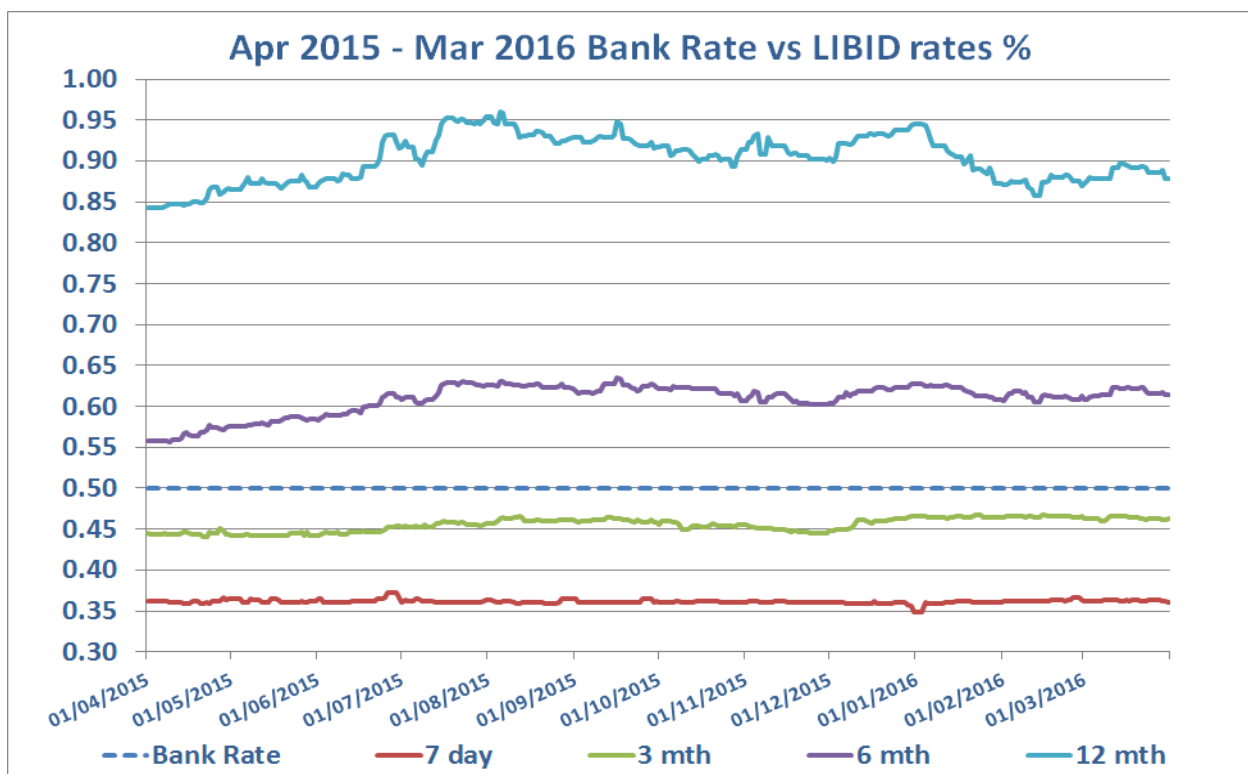


Figure 2: Investment Interest Rates 2015/16

**9.0 INVESTMENT OUTTURN FOR 2015/16**

9.1 **Investment Policy** – the Council’s investment policy is governed by the Department of Communities & Local Government guidance, which was been implemented in the annual investment strategy approved by Cabinet on 10 February 2015. This policy sets out the approach for choosing investment counterparties, and is based on credit ratings provided by the three main credit rating agencies supplemented by additional market data (such as rating outlooks, credit default swaps, bank share prices etc.).

The investment activity during the year conformed to the approved strategy, and the Council had no liquidity difficulties.

9.2 **Investments held by the Council** - the Council maintained an average balance of £29,020,574 of internally managed funds. The internally managed funds earned an average rate of return of 0.62%. The comparable performance indicator is the average 7-day LIBID rate, which was 0.361%. This performance exceeded the benchmark.

<b>Annualised Returns 2015/16</b>			
	Actual %	Excess over Benchmark %	Excess over Target %
Core Cash	0.79		
Cash Flow	0.41		
<b>TOTAL</b>	<b>0.62</b>	<b>0.259</b>	<b>0.02</b>
Benchmark	0.361		
Target	0.60		

Table 4: Rate of Return on Investments compared to Benchmark & Target 2015/16

- 9.3 Hambleton District Council is a member of the Capita Asset Management Benchmarking group. The quarter 4 report showed Hambleton District Council had a weighted average rate of return of 0.66%. This compared to 91 other Non-Met Districts which had an average of 0.74%. The timing uncertainty of when the capital expenditure of £10 million for the loan to the third party would occur resulted in investments being kept short and therefore the return received for 2015/16 was slightly lower than the average.
- 9.4 The Investment position can also be split between core investments and cash flow investments. Average balance on core investments was £15,955,191 which earned an average interest rate of 0.79% and interest of £126,583. Cash flow investments had an average investment balance of £13,065,383 which earned an average investment balance of 0.41% and interest of £53,588. Both these rates exceeded the 7 Day LIBID (London Inter Bank Bid) Rate at 0.361%.
- 9.5 In cash terms the actual returns in 2015/16 – for core investments of £126,583 and cash flow investments of £53,588 which totalled £180,171 - compared to the budget and benchmark are shown:-

<u>Budget</u> £	<u>Actual</u> £	<u>Benchmark</u> <u>Return</u> £	<u>Excess Over</u> <u>Benchmark</u> £
170,390	180,171	104,764	75,407

Table 4: Actual Return on Investments compared to Benchmark & Target 2015/16

- 9.6 The income provided in the revenue budget for 2015/16 for interest earned on investment balances compared to the budget has resulted in a small surplus of £9,781. This was as a result of increased balances of funds due to timings of capital expenditure.
- 9.7 The loan to the third party is reported as capital expenditure under the Local Government Act 2003. However, if the interest earned on the £10 million loan to the third party is considered in treasury management terms then at 31 March 2016 the interest earned was 2.40%.

## **10.0 PRUDENTIAL INDICATORS:**

- 10.1 The Prudential Indicators which control the borrowing and treasury management position of the Council are attached at Annex C. None of the indicators were breached during 2015/16.

## **11.0 LINK TO COUNCIL PRIORITIES**

- 11.1 All schemes approved as part of the capital programme have been evaluated against key corporate priorities. Schemes are only undertaken and approved by cabinet in accordance with the Council Plan.

## **12.0 RISK ASSESSMENT:**

- 12.1 The capital programme is regularly monitored as part of the corporate monitoring process on a quarterly basis. In addition to this the Capital Monitoring Group meets regularly to plan, monitor and review major capital schemes to ensure that all capital risks to the Council are minimised.

## **13.0 FINANCIAL IMPLICATIONS:**

- 13.1 The financial implications are dealt with in the body of the report.

#### **14.0 LEGAL IMPLICATIONS:**

14.1 Treasury Management activities conform to the Local Government Act 2003 and the Council has adopted the Chartered Institute of Public Finance and Accountancy (CIPFA) Prudential Code and the CIPFA Treasury Management Code of Practice

#### **15.0 EQUALITIES AND DIVERSITY ISSUES:-**

15.1 The capital programme seeks to address key equality issues that affect the Council and the public. The main scheme that specifically addressed equalities in 2015/16 was the disabled facilities grant scheme.

#### **16.0 RECOMMENDATIONS**

16.1 It is recommended that Cabinet approves and recommends to Council to:-

- (a) note the 2015/16 capital outturn position of £13,951,716 at paragraph 2.3 and attached at Annex A;
- (b) approve the under spend of £29,885 at paragraph 2.6 and over spend of £49,703 at paragraph 2.8;
- (c) approve the requests at paragraph 2.9 for re-profiling the capital schemes totalling £305,505 from 2015/16 programme to 2016/17;
- (d) Approve the request at paragraph 2.10 for re-profiling the additional capital schemes totalling £4,061,574 from 2015/16 programme to 2016/17 as attached in Annex B;
- (e) note the treasury management outturn position 2015/16 detailed at paragraph 9.2; and
- (f) note the Prudential Indicators attached at Annex C.

DR JUSTIN IVES

**Author ref:** LBW

**Contact:** Louise Branford-White  
Head of Finance (s151 Officer)  
Direct Line No: 01609 767024

**Background papers:** Annual Financial Report 2015/16  
Outturn Position 15/16 Finance Ledger  
Capital Monitoring Reports in 2015/16  
Treasury Management Reports in 2015/16

This page is intentionally left blank



Councillor / Officer	Capital Scheme	Approved Budget for OUTTURN 2015/16 from Q3	Third Party Contn	Cost to the Council	Expenditure at Outturn 31/03/2016	Variance	Change in Funding Taken / (Returned) Capital Reserve	Over/Under/C/Fwd/Target	Explanation
		£	£	£	£	£	£		
<b>Cllr Phillips</b>	<b>Environmental &amp; Planning Services</b>								
MJ	Purchase of bins and boxes for refuse and recycling	36,000		40,136	40,136	4,136	4,136	Over	This scheme has completed and overspend is to be funded from additional capital receipts from selling bins Roll forward of £9,895 requested to 2016/17 Initial spend of £17,700 is on software completed and additional £12,300 will be spent in Jan 2017. Scheme has been rolled forward to 2016/17 Scheme complete. 10 years Waste Strategy - January 2016 - delivery of new bins. Underspend of £27,706 to be returned to fund. Transfer of budget from Central Depot - Security Fencing. Full budget to be rolled forward to 2016/17 of £9,187. Scheme complete with a slight overspend of £1,411. Scheme completed with a overspend of £800.  Leifover funding not needed for scheme and this has been transferred to Central Depot Additional Parking capital scheme.
MJ	Disabled Facilities Grant	271,101	219,821	41,385	261,206	(9,895)	(9,895)	C/Fwd	
MJ	Waste and Street Scene - Telematics	17,700		17,700	17,700	0	0	Target	
MJ	Waste and Street Scene - Training Room	0		0	0	0	0	Target	
MJ	Waste and Street Scene, Central Depot - Dog, Litter Bins	14,000		14,000	14,000	0	0	Target	
MJ	Waste Strategy - new kerbside collection bins	671,250		643,544	643,544	(27,706)	(27,706)	Under	
MJ	Central Depot - Additional Parking	8,000		0	0	(8,000)	(8,000)	C/Fwd	
MJ	Central Depot - Fuel Safety system	6,000		6,141	6,141	141	141	Over	
MJ	Stokesley Depot - Security Fencing	8,000		8,800	8,800	800	800	Over	
MJ	Central Depot - Security Fencing	1,187		0	0	(1,187)	(1,187)	C/Fwd	
	<b>Total Scheme Value Environmental &amp; Planning Services</b>	<b>1,033,238</b>	<b>219,821</b>	<b>771,706</b>	<b>991,527</b>	<b>(41,711)</b>	<b>(41,711)</b>		
<b>Cllr Mrs Fortune</b>	<b>Customer &amp; Leisure Services</b>								
DG	Gym equipment refresh	23,985		23,985	23,985	0	0	Target	Scheme completed Project is linked to HLC Improvements - awaiting in principle decision in Qtr3. £200,000 to be roll forward to 2017/18 Scheme completed with a overspend of £1,600 Part of scheme rolled forward to 2016/17 in quarter 3 Scheme to be continued in 2016/17 with lights being replaced. Roll forward of £14,291 to 2016/17.  Initial design work and utility services location works completed. Scheme completed and return £509 to the fund. Scheme completed, potential further works required. Scheme completed and overspend by £1,337. Remedial works has been done however there is still outstanding retention. Roll forward of £7,668 to 2016/17. Scheme completed and overspend by £2,715  This scheme is being funded from section 106 money from Sowerby Housing Developments and to date £13,788 has been spent. Scheme completed, potential further works required. Scheme complete. Return to fund £808.  Scheme part completed. Roll forward of £28,987 to 2016/17 Budgeted for periodically in 10yr capital programme for regulation changes.  Part of scheme completed and roll forward of £4,660 to 2016/17. Scheme completed.
DG	Leisure Equipment Lease Buy	0		0	0	0	0	Target	
DG	Web / Intranet Development	35,530		37,130	37,130	1,600	1,600	Over	
DG	Hambleton Leisure Centre - Fire Alarm System	8,960		8,960	8,960	0	0	Target	
DG	Hambleton All Weather Pitch Refurbishment	127,250		112,959	112,959	(14,291)	(14,291)	C/Fwd	
DG	Hambleton Leisure Centre Improvement Scheme	42,235		42,235	42,235	0	0	Target	
DG	Bedale Leisure Centre - Boiler and Air Handling Unit	17,000		16,491	16,491	(509)	(509)	Under	
DG	Bedale Leisure centre improvement scheme	13,228		13,228	13,228	0	0	Target	
DG	Thirk & Sowerby Leisure Centre - Roof & Ceiling Repairs	11,000		12,337	12,337	1,337	1,337	Over	
DG	Thirk & Sowerby leisure centre improvement scheme	25,969		18,301	18,301	(7,668)	(7,668)	C/Fwd	
DG	Thirk & Sowerby Leisure Centre - Pool tank and surround tiling	90,000		92,715	92,715	2,715	2,715	Over	
DG	Thirk & Sowerby Sports Village	6,748		0	13,788	7,040	7,040	Over	
DG	Stokesley Leisure Centre improvement scheme	2,725		2,725	2,725	0	0	Target	
DG	Stokesley All Weather Pitch Refurbishment	9,925		9,117	9,117	(808)	(808)	Under	
<b>Cllr Wilkinson</b>	<b>CCTV Camera Replacement Programme / wireless network &amp; up</b>	130,000		101,013	101,013	(28,987)	(28,987)	C/Fwd	
DG	Workspaces Air Con Refurbishments	2,170		520	520	(1,650)	(1,650)	C/Fwd	
DG	Car Park Creation Leeming Bar LBFEC	42,400		37,740	37,740	(4,660)	(4,660)	C/Fwd	
DG	17 Market Place Bird Netting	1,829		1,829	1,829	0	0	Target	
	<b>Total Scheme Value Customer &amp; Leisure Services</b>	<b>590,954</b>	<b>13,788</b>	<b>531,285</b>	<b>545,073</b>	<b>(45,881)</b>	<b>(45,881)</b>		
<b>Cllr Knapton</b>	<b>Support Services</b>								
Jl	Public lighting replacement	98,714		94,749	94,749	(3,965)	(3,965)	C/Fwd	Scheme completed for 2015/16. Roll forward of £3,965 to 2016/17.  Scheme completed for 2015/16. Roll forward of £3,965 to 2016/17. Part of scheme completed and roll forward of £3,788 to 2016/17 requested  Project complete, return to fund £4,495
Jl	Public lighting energy reductions	11,060		10,261	10,261	(799)	(799)	C/Fwd	
Jl	Air Conditioning - Legislation requirement Corporate Civic Centre - Window Replacements	9,800		6,012	6,012	(3,788)	(3,788)	C/Fwd	
Jl		0		0	0	0	0		

Jl	Civic Centre - Toilet Refurbishment	50,000	40,640	40,640	40,640	(9,360)	(9,360)	C/Fwd	Roll forward to 2016/17 of £9,360
Jl	Civic Centre - Disabled Access Doors and Ramp	35,000	14,986	14,986	14,986	(20,014)	(20,014)	C/Fwd	Power assist doors complete, ramp scheme to be completed in 2016/17. Roll forward of £20,014.
MAJ	Inspire Software	0	0	0	4,892	4,892	4,892	Over	Scheme completed
Jl	ICT Improvements	239,332	164,083	164,083	164,083	(75,249)	(75,249)	C/Fwd	ICT projects ongoing with £73,178 being roll forward to 2016/17 and £2,071 to cover ICT Information Security
Jl	ICT Server Room Civic Centre & Springboard	11,220	220	220	220	(11,000)	(11,000)	C/Fwd	The initial tender had no bids and had to be re-tendered by splitting the work into smaller lots. The lots have now been awarded and work to start in Q1 2016/17.
Jl	ICT Leisure Improvements	5,000	1,292	1,292	1,292	(3,708)	(3,708)	C/Fwd	Part of scheme of £3,708 to be rolled forward to 2016/17
Jl	ICT Information Security/Compliance	220	2,291	2,291	2,291	2,071	2,071	C/Fwd	ICT projects on target
Jl	ICT Customer Excellence	5,000	1,950	1,950	1,950	(3,050)	(3,050)	C/Fwd	ICT project has commenced with roll forward of £3,050 to 2016/17
Jl	CW/CA loan upgrade	10,000	9,138	9,138	9,138	(862)	(862)	Under Target	Scheme completed and £862 to be returned to fund.
Jl	Car Park Restatements	46,484	46,484	46,484	46,484	0	0	C/Fwd	2015/16 elements of scheme complete.
Jl	Adoptions - Electric Bollards - Thirsk & Northallerton	40,000	0	0	0	(40,000)	(40,000)	C/Fwd	Roll forward to 2016/17 of £40,000.
Jl	Bedale Cycle Scheme	6,000	5,965	5,965	5,965	(35)	(35)	C/Fwd	Scheme funded from S106 £316,000, £19,000 S106 from Aiskew PC, plus £63,000 received previously from NYCC (taken from capital receipts). A further £173,000 is in the pipeline from S106. This scheme will be investigated in 2015/16 with the majority of funds being forward to 2016/17. Roll forward of £35 to 2016/17
Jl	Adoption of Roads - Leeming Bar	0	800	800	800	800	800	Over Target	Highway report commissioned in 2015/16 for the adoptions at Leeming Bar and therefore £800 needs rolling back to 2015/16 of the £150,000 originally rolled forward to 2016/17.
Jl	Car Parks - Thirsk Cobbles	5,435	5,435	5,435	5,435	0	0	Over Target	Scheme completed
Jl	Bedale Gateway Car Park	60,000	6,020	6,020	6,020	(53,980)	(53,980)	C/Fwd	Consultant procurement in progress, appointment in January 2016. Scheme is likely to span more than one year, with construction being undertaken during Q1 and Q2 of 2016/17. Roll forward of £53,980 to 2016/17.
DG	Car Parks machines - upgrade Pay & Display	332,696	6,138	6,138	6,138	6,138	6,138	Over Target	Implementation of the upgrade occurred on 31st March 2016 and therefore £6,138 of the original £8,000 in 2016/17 has to be rolled back to 2015/16. Scheme completed and £1,862 to be returned to fund.
Jl	Adoptions - Thirsk Phases 2 & 3	965,961	332,696	332,696	332,696	(211,909)	(211,909)	Over Target	Scheme completed.
	<b>Total Scheme Value Support Services</b>		<b>743,022</b>	<b>743,022</b>	<b>754,052</b>	<b>(211,909)</b>	<b>(211,909)</b>		
Cllr Wilkinson	Economic Development Fund	4,000	0	0	0	(4,000)	(4,000)	C/Fwd	Work underway with £4,000 to be rolled forward to 2016/17.
DG	WiFi Market Towns	25,000	22,710	22,710	22,710	(2,290)	(2,290)	C/Fwd	Work underway with £2,290 to be rolled forward to 2016/17.
DG	ED Improve Infrastructure North Northallerton	1,494,400	1,471,081	1,471,081	1,501,081	6,681	6,681	Over	Roll back of £6,681 requested from 2016/17 to cover overspend in 2015/16.
DG	ED Improvement Infrastructure Central Northallerton	123,850	102,237	102,237	137,273	13,423	13,423	Over	Roll back of £13,423 requested from 2016/17 to cover overspend in 2015/16.
DG	ED Improvement Infrastructure Dalton Bridge	1,647,250	35,036	35,036	1,661,063	13,814	13,814	Over	
	<b>Total Scheme Value EDF</b>		<b>1,573,318</b>	<b>1,573,318</b>	<b>1,661,063</b>	<b>13,814</b>	<b>13,814</b>		
Cllr Knapton	Support Services	10,000,000	10,000,000	10,000,000	10,000,000	0	0	Target	Profile of £10m confirmed to be lent to the third party in 2015/16
Jl	Loan to the third party	10,000,000	10,000,000	10,000,000	10,000,000	0	0	Target	
	<b>Total Scheme Value Loan</b>		<b>10,000,000</b>	<b>10,000,000</b>	<b>10,000,000</b>	<b>0</b>	<b>0</b>		
	<b>Total Capital Programme 2015/16</b>	<b>14,237,403</b>	<b>13,619,331</b>	<b>13,619,331</b>	<b>13,951,716</b>	<b>(285,687)</b>	<b>(285,687)</b>		

Capital Programme Schemes 2015/16 Carried Forward from Quarter 1 to Quarter 3

Annex B

Councillor / Officer	Capital Scheme	Amount C/Fwd
<b>Cllr Phillips</b> MAJ MAJ	<b>Environmental &amp; Planning Services</b>	
	Waste & Street Scene Telematics	12,300.00
	Waste & Street Scene - Training Room	9,500.00
<b>Environmental &amp; Planning Services Schemes to Carry Forward</b>		<b>21,800</b>
<b>Cllr Mrs Fortune</b> DG DG DG DG DG DG DG	<b>Customer &amp; Leisure Services</b>	
	Leisure Equipment Lease Buy	200,000.00
	Hambleton Leisure Centre - Fire Alarm System	16,040.00
	Hambleton Leisure Centre - External Render	8,000.00
	Hambleton Leisure Centre - Pool Balustrades	15,000.00
	Hambleton Leisure Centre - Pool Changing Village	85,000.00
	Hambleton Leisure Centre Improvement Scheme	232,765.00
	Forum - Capital Repairs	41,300.00
<b>Cllr Wilkinson</b> DG DG	CCTV Camera Replacement Programme	34,000.00
	Workspaces Air Con Refurbishments	3,830.00
<b>Customer &amp; Leisure Services Schemes to Carry Forward</b>		<b>635,935</b>
<b>Cllr Knapton</b> DG DG DG DG DG DG DG DG DG DG MAJ	<b>Support Services</b>	
	Air Conditioning - Legislation requirement corporate	25,991.00
	LED Public Lighting Scheme	87,000.00
	ICT Improvements	70,220.00
	ICT Server Room Civic Centre and Springboard	64,600.00
	ICT All Leisure Centres - Digital Transaction Software	5,900.00
	ICT Leisure Improvements	64,560.00
	ICT Customer Excellence	65,000.00
	Car Park Restatements	25,450.00
	Bedale Cycle Scheme	392,000.00
	Adoption of Roads - Leeming Bar	150,000.00
	Bedale Gateway Car Park	552,000.00
<b>Support Services Schemes to Carry Forward</b>		<b>1,502,721</b>
<b>Cllr Wilkinson</b> DG DG DG DG DG	<b>Economic Development Fund</b>	
	Market Towns Investment Plans - five	75,000.00
	Industrial Estates/Employment land	75,000.00
	WIFI Market Towns	5,115.00
	Improvement Infrastructure Central Northallerton	185,000.00
	Improvement Infrastructure Dalton Bridge	1,561,003.00
<b>Economic Development Fund Schemes to Carry Forward</b>		<b>1,901,118</b>
<b>Capital Programme 2015/16 Schemes to Carry Forward Quarter 1 to Quarter 3</b>		<b>4,061,574</b>

**PRUDENTIAL AND TREASURY MANAGEMENT INDICATORS**

It is a statutory duty for the Council to determine and keep under review the affordable borrowing limits – the Authorised Limit and the Operational Boundary - as detailed below. The Council approved the Treasury and Prudential Indicators (affordability limits), that were included in the approved Treasury Management Strategy Statement, on 10 February 2015 for the 2015/16 financial year.

During 2015/16, the Council complied with the legislative requirements and did not breach the limits which were set.

The main purpose of the indicators is to control how much a Council needs to borrow. In 2015/16, the Council has invested £10 million in a loan to a third party. In the Strategy, the agreement was to potentially invest £35 million by either using surplus funds or borrowing from the Public Works Loan Board. Therefore in the table below, the Original Budget Prudential Indicators are calculated on the Council borrowing £35 million from the Public Works Loan Board (PWLB) but at Outturn it shows that no borrowing occurred as the £10 million was provided as a loan to the third party by using surplus funds for the investment.

The capital Financing Requirement has therefore been reduced to £10 million.

<b>1. PRUDENTIAL INDICATORS</b>	<b>2015/16</b>	<b>2015/16</b>
<b>Extract from budget and rent setting report</b>	<b>Original Budget</b>	<b>Actual</b>
	<b>£'000</b>	<b>£'000</b>
<b>Capital Expenditure</b>	37,937	13,952
<b>Ratio of financing costs to net revenue stream</b>	0	0
<b>Net borrowing requirement General Fund</b>		
brought forward 1 April	0	0
carried forward 31 March	0	0
in year borrowing requirement	35,000	0
<b>Capital Financing Requirement 31 March 2015</b>	35,000	10,000
<b>Incremental impact of capital investment decisions</b>	£	£
Increase in Council Tax (band D) per annum	£0.00	£0.00

<b>2. TREASURY MANAGEMENT INDICATORS</b>	<b>2015/156</b>	<b>2015/15</b>
	<b>original</b>	<b>actual</b>
	<b>£'000</b>	<b>£'000</b>
<b>Authorised Limit for external debt -</b>		
borrowing	£40,000	£40,000
other long term liabilities	£1,000	£1,000
<b>TOTAL</b>	<b>£41,000</b>	<b>£41,000</b>
<b>Operational Boundary for external debt -</b>		
borrowing	£39,000	£39,000
other long term liabilities	£600	£600
<b>TOTAL</b>	<b>£39,600</b>	<b>£39,600</b>

<b>Actual external debt</b>	£0	£0
<b>Upper Limit on fixed interest rates based on net debt</b>	108%	108%
<b>Upper Limit on variable interest rates based on net debt</b>	-8%	-8%
<b>Upper limit for total principal sums invested for over 364 days (per maturity date)</b>	£9,000	£9,000

<b>Maturity structure of fixed rate borrowing during 2014/15</b>	upper limit	lower limit
under 12 months	0%	100%
12 months and within 24 months	0%	100%
24 months and within 5 years	0%	100%
5 years and within 10 years	0%	100%
10 years and above	0%	100%

This page is intentionally left blank

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Cabinet  
5 July 2016

**Subject:** INVESTMENT PLAN TO PREVENT HOMELESSNESS 2016/2020

**All Wards**  
**Portfolio Holder for Planning: Councillor B Phillips**

---

### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 This report presents an Investment Plan to help prevent homelessness in Hambleton for the period of 2016/2020. It seeks approval to invest £69,980 per annum for the next four years and to draw down a further £16,000 from already allocated 'one off funds' for three years from April 2017 for this purpose.
- 1.2 The Council has been in receipt of Homelessness Grant of about £70k per annum for many years. In 2013/14 Homelessness funding was no longer paid as a ring fenced grant and instead funding is provided within the overall Department of Communities and Local Government grant funding for the Authority however, the Government has encouraged local authorities to ensure it reaches front line services. Therefore, the Investment Plan to Prevent Homelessness is funded as part of the Council's revenue budget. A Homelessness Investment Plan was approved by the Council in 2013 which supported this approach but this has now expired and a new plan is recommended for approval.
- 1.3 The Council is managing the number of homeless presentations it receives through a focus on homelessness prevention. This work has delivered better outcomes for clients and led to a decrease in the requirement to retain dwellings for temporary accommodation from 19 to 11 units in the last 2 years reducing costs to the Council.
- 1.4 Homelessness law changed in 2012 to enable local authorities to discharge their homelessness duties by offering suitable accommodation in the private sector. Private sector housing has become an increasingly important tool for discharging the Council's homelessness duty. In 2015 the Council appointed a part-time private sector worker who has strengthened links with private sector landlords, finding accommodation for 55 people through negotiation and the use of bonds from the prevention fund.
- 1.5 The Homelessness Strategy 2015/2020 identifies the prevention of homelessness as being a key priority over the next five years. Actions to support this priority include provision of bonds and rent in advance, the relaunch of the Private Landlord's Forum, production of leaflets/guidance for landlords and tenants, support to the Citizen's Advice Bureau for professional debt advice, continuation of Rough Sleeper support and no Second Night Out funding, funding the Choice Based Lettings scheme and assistance in the allocation and management of the new Home of Multiple Occupation (HMO) and in similar future projects.
- 1.6 In order to address homelessness issues and ensure delivery of the priorities of the Council's approved Homelessness Strategy 2015/2020 it is proposed that an Investment Plan is agreed and implemented.

1.7 Critical elements of the Investment Plan include:

- Supporting current staff resources to ensure that customers receive a good and responsive service
- Continued support for a dedicated part time private sector worker. This post is currently funded on a fixed term basis for 2 years from April 2015 from a one off staff saving and funding provided via the County Homelessness Group. This sub regional funding will cease in April 2017 and further funding needs to be secured if the Council is to continue with this resource. This funding is proposed to be taken from the already allocated One-Off Fund of £55,050.
- Continued provision of a homelessness prevention fund to assist customers with bonds and to cover the costs of the properties leased from Registered Partners as temporary accommodation.

**Homelessness Investment Plan**

**Homelessness Budget**

	<b>Investment required 2016/17 £</b>	<b>2017/18 £</b>	<b>2018/19 £</b>	<b>2019/20 £</b>
Housing Options Advisor – including on costs and redundancy provision	31,870	31,870	31,870	31,870
Net contribution to Rural Housing Enabler post*	500	500	500	500
Homelessness Prevention Fund	20,000	20,000	20,000	20,000
CAB Financial Inclusion Project	5,000	5,000	5,000	5,000
Safe and Sound Homes	5,000	5,000	5,000	5,000
Contribution to Choice Based Lettings infrastructure	3790	3790	3790	3790
Promotional material for private sector work	3340	3340	3340	3340
<b>Total per annum</b>	<b>£69,500</b>	<b>£69,500</b>	<b>£69,500</b>	<b>£69,500</b>

\*Contribution to Rural Housing Enabler is £6500 per year but the Council recoups £6000 per year administration charges for employing staff on behalf of the North Yorkshire, York and East Riding Housing partnership.

**One Off Fund (already allocated)**

<b>Investment required</b>	<b>2016/17 £</b>	<b>2017/18 £</b>	<b>2018/19 £</b>	<b>2019/20 £</b>
Private sector worker	-	16,000	16,000	16,000



1.8 The Investment Plan will be monitored through the Strategic Housing Service Plan and through the annual monitoring of the Homelessness Strategy.

**2.0 LINK TO COUNCIL PRIORITIES:**

2.1 The Council's main priority for homelessness is homelessness prevention and this is a priority upon which Homelessness Strategy is predicated. The Investment Plan will ensure that sufficient funding and resource is available to deliver this work in a targeted way. The continuation of the work of the Private Sector Worker will also enable the Council to make the best possible use of the available housing stock.

**3.0 RISK ASSESSMENT:**

3.1 The risk in not approving the recommendations is as follows:

<b>Risk</b>	<b>Implication</b>	<b>Prob*</b>	<b>Imp*</b>	<b>Total</b>	<b>Preventative action</b>
A key priority of the Homelessness Strategy- Preventing Homelessness may not be fully implemented as funding will not be ring fenced for key elements of prevention work	Customer service will be negatively impacted and the number of homeless preventions will decrease. The Council's ambition of Gold Standard will be jeopardised	3	4	12	Support continued provision of a Homeless Prevention Fund.
The Housing Options Team will not have a dedicated Private Sector Worker	There will be a negative impact on the good work that has been done in the past year which could result in demise of the Private Sector Landlord Forum, less private rented properties being made available and a lack of expert advice and information being available to tenants and landlords.	3	4	12	Continue to allocate funding to this post, subject to annual reviews.

3.2 The risk in approving the recommendations is as follows:

<b>Risk</b>	<b>Implication</b>	<b>Prob*</b>	<b>Imp*</b>	<b>Total</b>	<b>Preventative Action</b>
The budget allocation decreases or ceases	Insufficient funds are available to deliver all the elements of the Investment Plan	3	4	12	The budget allocation is reviewed each year. If the budget declines there will be a need to prioritise which elements of the Investment Plan are to be implemented. If budget funding ceases substantially or entirely there would be a need to cease the programme early or apply to the One-Off Fund for top up if the work remains a priority.

#### **4.0 FINANCIAL IMPLICATIONS:**

4.1 Overall the financial impact of the 'Investment Plan to Prevent Homelessness' will be as follows:-

<b>Financial Impact</b>	<b>2016/17 £</b>	<b>2017/18 £</b>	<b>2018/19 £</b>	<b>2019/20 £</b>
Total cost of homelessness prevention plan	<b><u>69,980</u></b>	<b><u>85,980</u></b>	<b><u>85,980</u></b>	<b><u>85,980</u></b>
Financed by revenue budget	<u>69,980</u>	<u>69,980</u>	<u>69,980</u>	<u>69,980</u>
Contribution from the already allocated "one off fund" (subject to annual review)	=	<u>16,000</u>	<u>16,000</u>	<u>16,000</u>

#### **5.0 LEGAL IMPLICATIONS:**

5.1 There are no legal implications regarding this report.

#### **6.0 EQUALITY/DIVERSITY ISSUES**

6.1 This Investment Plan will increase choice and access to housing for customers in our communities. It will also assist those on lower incomes for whom access to housing in the private rented sector would otherwise be difficult, because of the savings required to cover the costs of bonds and payment of rent a month in advance.

#### **7.0 RECOMMENDATIONS:**

7.1 It is recommended that the Cabinet approves and recommends to Council that:-

- (1) Members approve the proposed Investment Plan set out in paragraph 1.7 of this report; and
- (2) £16,000 be transferred from the already allocated budget of £55,050 from the 'One-off Fund' annually for three years from April 2017 to fund a dedicated part-time private sector worker subject to yearly review.

MICK JEWITT

#### **Background Documents**

**Author ref:** ALM

**Contact:** Alison Morton  
Housing Options Team Leader  
Direct Line No: 01609 767177

## HAMBLETON DISTRICT COUNCIL

**Report To:** Cabinet  
5 July 2016

**Subject:** **COLLECTION AND DISPOSAL OF SHARPS - WAIVING OF PROCUREMENT RULES**

**All Wards**  
**Portfolio Holder for Environmental Health, Waste & Recycling: Councillor S Watson**

---

### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 This report seeks approval to waive the procurement rules set out in the Council's Procurement Manual in relation to the provision of a service to collect and dispose of sharps produced as a result of clinical waste.
- 1.2 Hambleton District Council is Waste Collection Authority and is therefore obliged under the Environmental Protection Act 1990 to collect and dispose of clinical waste including needles as a result of self-administering in the home. The Authority may make a charge to the resident to recover the cost of providing this service.
- 1.3 Until mid-2015 there was no demand for this service from residents as Pharmacies and GP Practices would take needles back when returned to them after use. The funding to the surgeries and pharmacies has been cut for this service and as a result they no longer accept needles. This means that the Council has no choice but to provide a needle collection service. The responsibility for disposal of needles lies with North Yorkshire County Council.
- 1.4 Four options are available to the Council to address this new need:
- 1) Provide an in-house door to door collection service.
  - 2) Outsource a door to door collection service from a third party.
  - 3) Provide an in-house pharmacy collection service.
  - 4) Outsource a pharmacy collection service.
- 1.5 **Option 1 - In house door to door service**  
The Waste and Street Scene Service does not have the resource to provide this service. The advice from North Yorkshire Pharmacies is that approximately 1,000 patients per month receive needles within the Hambleton District. Patients are advised to return sharps boxes full or otherwise every 3 months at most. To provide a door to door service to collect these would cost an estimated £20,000 in vehicle and staffing costs.
- 1.6 **Option 2 - Outsourced door to door collection**  
To provide this service would be prohibitive on the grounds of cost. A one off collection can cost as much as £258 + VAT. Though it is likely costs would reduce with a larger number of collections, with 1000 potential patients to consider, this would be uneconomical.
- 1.7 Options 1 and 2 carry the additional risks of wasted visits due to patients not being at home and sharps boxes being left in public areas.

1.8 **Option 3 - In house collections from pharmacies.**

This would involve residents taking their used sharps to designated pharmacies and then the Council collecting these at an agreed interval. While less demanding on in-house resources than option 1, this would still place a burden on the service that would be difficult to meet from within existing resources. Most importantly this would require a separate agreement with the pharmacies, specialised training for staff and an appropriate storage area at the depot with associated licence implications. Pharmacies are unwilling to enter into a separate agreement with the Council for this option but if there was a change of mind minimum costs of £600 per month for storage of sharps bins and collation of patient details would be incurred as well as collection costs from a suitably authorised clinical waste collection company. The costs of this option are estimated to be greater than that detailed in option 4.

1.9 **Option 4 - Outsourced pharmacy collection**

This option is the same as option 3 but with a contractor collecting the sharps from designated pharmacies rather than the Council. There is already a contractor providing a collection service from the pharmacies. The Council could piggy back onto an existing arrangement thereby reducing transport costs and making the collection more efficient. The contractor is happy to undertake a similar service for the Council and the pharmacies are happy to facilitate the service and provide the required documentation for our records. This enhanced service is expected to cost £16,800 per annum. However, North Yorkshire County Council could be recharged for disposal costs which are estimated at £10,080 per annum which would leave an estimated net cost to the Council of £6,720 per annum.

**2.0 APPLICATION TO WAIVE PROCUREMENT RULES:**

2.1 Option 4 above is the preferred method of service delivery as it represents best value to the Council. Under normal circumstances a procurement exercise would be carried out and three quotes sought depending on the value of the contract to be awarded. However, the number of providers of this service has been investigated and there is only one collection provider that is able to deliver this service in partnership with the local pharmacies that is SRCL.

2.2 There is provision in the Council's procedure rules (as set out in the Procurement Manual) for Cabinet to provide an exemption to those rules in exceptional circumstances. A waiver of the procurement rules may be agreed by Cabinet, if they are satisfied, after considering a written report, that the waiver is justified because:

- I. The nature of the market for the works to be carried out for the goods or services to be provided has been investigated and is demonstrated to be such that a departure from the requirements of the Procurement Procedure Rules is justified;
- II. The contract is for works, goods and services that are required in circumstances of extreme urgency that could not reasonable have been foreseen;
- III. The circumstances of the proposed contract are covered by legislative exemptions;
- IV. The goods are proprietary items and no satisfactory alternative is available;
- V. Requirements are needed to match a partial replacement or an addition to existing goods or installation;
- VI. There are other circumstances which are genuinely exceptional.

2.3 Any exemption must be justified on the basis that in the particular circumstances of the case it will deliver Best Value for the Council.

2.4 This report requests Cabinet to approve a waiver of the Council's procurement rules on the basis that there are circumstances which are genuinely exceptional (point 2.2vi above), namely that there is only one provider which can provide the service and, therefore, best value.

**3.0 LINK TO COUNCIL PRIORITIES:**

3.1 This report links to the Health and Wellbeing priority in that provision of this service will best ensure public areas are kept clear of sharps and thus ensures that risk of injury to members of the public is kept low. Additionally, the service would best meet the needs of the community who it is considered some could be deemed as vulnerable.

**4.0 RISK ASSESSMENT:**

4.1 The key risks in not approving the recommendation are as shown below:-

<b>Risk</b>	<b>Implication</b>	<b>Prob*</b>	<b>Imp*</b>	<b>Total</b>	<b>Preventative action</b>
Existing service withdrawn by participating pharmacies	Customer/patient dissatisfaction, increased risk of injury (due to inappropriately disposed sharps)to member of the public or patient with subsequent negative publicity, insurance claims	3	5	15	Introduce service
Service not introduced	Customer/patient dissatisfaction leading to their confusion about how to return/dispose sharps. Increased risk of injury to member of the public with subsequent negative publicity, insurance claim. Requests from members of the public for collections of sharps from private property increasing costs in administration and service for which there is no budget.	5	4	20	Introduce service

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

**5.0 FINANCIAL IMPLICATIONS:**

5.1 The revenue effects of sharps collection have been anticipated with £11K being allocated in the 2016/17 budget and it is anticipated that costs will come within this.

**6.0 LEGAL IMPLICATIONS:**

6.1 The authority is legally obliged to provide this service (collection of sharps as a result of patients self-administering in the home) as detailed within Environmental Protection Act 1990.

**7.0 EQUALITY/DIVERSITY ISSUES:**

7.1 The service will cover all associated possibilities including a collection from the property from patients who are unable to return needles to pharmacies.

**8.0 HEALTH AND SAFETY ISSUES:**

8.1 Approving the recommendation reduces the risk of injury to members of the public due to needles being inappropriately disposed of and removes the risk of injury due to incorrectly transported needles.

**9.0 RECOMMENDATION:**

9.1 That Cabinet grant an exemption from the Council's procurement rules and approve the implementation of Option 4 set out at paragraph 1.9 above.

MICK JEWITT

**Background papers:** Environmental Protection Act 1990  
Controlled Waste Regulations 1992

**Author ref:** GB - Sharps collection

**Contact:** Gary Brown  
Waste and Street Scene Manager  
01609 788104

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Cabinet  
5 July 2016

**Subject: REGIONAL MORTGAGE ASSISTANCE LOAN SCHEME – EXTENSION  
TO SCHEME OF 2013 FOR OLDER RESIDENTS**

**All Wards  
Portfolio Holder for Planning: Councillor B Phillips**

---

### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 To advise Cabinet on the financial issues facing some older residents who have an interest only mortgage and to outline a proposal through the established Mortgage Breathing Space Scheme to help reduce the risk of them losing their home.
- 1.2 The Mortgage Breathing Space Scheme is administered by Wakefield Council who hold a ring-fenced capital budget on behalf of 18 partner Local Authorities (including Hambleton) across the Yorkshire and Humber region. The current Mortgage Breathing Space Scheme gives an interest free secured loan to clear arrears on mortgages and secured loans, as well as giving up to 12 months forward payments when needed. The founding principle of the scheme is to help owner occupiers who suddenly find themselves in financial difficulties to stay in their own home and where this is not possible to help them through a controlled move where they can keep more of their property equity. This is not only a better solution for the client but is more cost effective for the Council than dealing with the effects of homelessness.
- 1.3 It is estimated that nationally over 1 million homeowners face a shortfall on their endowment policies. Lenders have written to these homeowners over the years highlighting shortfalls and advising them to seek help to resolve problems. However, it is anecdotally reported that about 10% may not have solutions.
- 1.4 New lending rules from April 2014 mean it is now far more difficult for older owners to access credit which will limit their options if they have a mortgage shortfall and in addition, older residents may find it more difficult to find employment, following redundancy or loss of job.
- 1.5 By introducing an extension scheme older residents will be able to access help that will allow them to stave off repossession action and prevent homelessness. This in turn will reduce the number of approaches to the Council for residents facing legal action and repossession.

### **2.0 THE PROPOSAL:**

- 2.1 Under the current Breathing Space Scheme, applicants can access a loan only where the cause of the financial difficulties they find themselves in is due to a recent and significant change e.g. illness or unemployment. Under the current scheme therefore residents in a shortfall position due to their interest free mortgage ending do not qualify for help because their change in circumstances has occurred over a number of years and is not recent.
- 2.2 The proposal seeks to run an extension scheme alongside the current loan product, which will extend the current eligibility criteria to help homeowners aged 55 or over with an endowment shortfall on their mortgage.

- 2.3 The extension scheme will still offer secured loans of between £2,000 to a maximum of £15,000. The loan limit was initially set during the pilot project in 2008 to minimise risk on the project budget and was endorsed when the regional project was launched in 2009.
- (1) Loans to fully redeem any mortgage shortfalls that are £15,000 or less will be considered. The client will either repay on monthly terms, or repay in full as a result of releasing equity or from the proceeds of a property sale.
  - (2) Loans to provide a lump sum payment to lenders in return for an agreement to suspend any legal action for a period of 12 months will be considered where mortgage shortfalls are higher than £15,000. The client will either repay their loan in full as a result of releasing equity or from the proceeds of a property sale.
- 2.4 The repayment options protect the project budget and ensure that it can be recycled to help new applicants. It should be noted that there may be some applicants for whom none of these repayment options is viable and whom the scheme will not be able to help e.g. where the client does not have any equity.
- 2.5 Currently, all clients receiving Breathing Space loan help are referred for independent financial advice (IFA). Under the proposal, clients will receive IFA on any loan proposal but may also seek advice on wider financial products such as equity release or pension release.
- 2.6 The client group who will become eligible for the extended scheme are considered to be much less vulnerable than other Breathing Space clients as they may have substantial equity that they will be releasing either through equity release or sale, or income levels that will allow them to repay their loan on monthly terms. These clients are struggling because they have an absence of financial product alternatives and are facing action because they cannot get finance elsewhere due to their age/retired status etc.
- 2.7 It is appropriate therefore to recoup some of the costs incurred in the loan process from them, which will replenish the funding available and allow the Council to deliver help for a longer period.
- 2.8 There are potential wider, very positive opportunities arising from utilising equity release for older homeowners, for example to fund repairs and adaptations to their properties and meeting other living and wellbeing expenses moving forward. Operation of the extended Breathing Space scheme by equity release in a controlled way will enable these to be tested and benefits or issues identified.
- 3.0 ENGAGEMENT:**
- 3.1 The scheme partners have been consulted about the proposed changes and have endorsed the principle of a scheme extension to widen the available client base who could be helped.
- 4.0 LINK TO COUNCIL PRIORITIES:**
- 4.1 Endorsement of the extension scheme will support the corporate objective of preventing homelessness and providing homes for older generations by helping the over 55s by allowing them to remain in their own homes and avoid repossession.
- 5.0 RISK ASSESSMENT:**
- 5.1 There are no significant risks associated with this report.



## **6.0 FINANCIAL IMPLICATIONS:**

6.1 There are no financial risks to the Council in agreeing the recommendation. Hambleton is a partner of this scheme which is administered by Wakefield Council. Wakefield received a ring-fenced grant of £2m in 2009/10 to provide interest free Mortgage Breathing Space loans across Yorkshire and the Humber. The current available funding is £907k, with £526k of loans outstanding. Any repayments are added back into the pot of funding available.

## **7.0 LEGAL IMPLICATIONS:**

7.1 There are no legal implications.

## **8.0 EQUALITY/DIVERSITY ISSUES:**

8.1 The extension of the current Mortgage Breathing Space Scheme has been considered in the context of the Local Authorities' Public Sector Equality Duties under the Equality Act 2010. The extension scheme is initially aimed at older homeowners, because of the increased difficulties they face in accessing mainstream credit. Younger homeowners have opportunities to re-finance and access mainstream credit that are not available to older homeowners, so their likelihood of facing repossession is reduced. An equality impact assessment has been completed which sets out which groups will be adversely affected by the proposal and what measures are being taken to mitigate/reduce the effects of the negative impact.

## **9.0 RECOMMENDATIONS:**

9.1 That Cabinet approves:

- (1) the introduction of an extension to the current Mortgage Breathing Space Scheme; and
- (2) the extension of the advice sought through Independent Financial Advisors as part of the Mortgage Breathing Space loan application to allow residents to look at their longer term options.

MICK JEWITT

**Background papers:** HDC Cabinet report August 2013

**Author ref:** AM

**Contact:** Alison Morton  
Housing Options Team leader  
Direct Line No 01609 767177

This page is intentionally left blank

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Cabinet  
5 July 2016

**Subject: HAMBLETON DISTRICT COUNCIL GYPSY AND TRAVELLER  
ACCOMMODATION ASSESSMENT AND DRAFT POLICY GUIDANCE  
NOTE**

**All Wards  
Portfolio Holder for Planning: Councillor B Phillips**

---

### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 The purpose of this report is to provide a sound evidence base for determining planning applications and developing policies and proposals in the emerging Local Plan for the provision of new Gypsy and Traveller pitches in the future and ensuring that these accord with the latest national planning policy. It presents for approval:
- The Hambleton District Council Gypsy and Traveller Accommodation Assessment Update June 2016 (attached as Annex 1)
  - A Draft Hambleton Policy Guidance Note for Gypsy and Travellers (attached at Annex 2)

### **2.0 HAMBLETON GYPSY AND TRAVELLER ACCOMMODATION ASSESSMENT (GTAA) UPDATE:**

- 2.1 National planning policy guidance published in August 2015 requires local planning authorities to engage with the travelling community and work collaboratively with neighbouring local planning authorities to prepare and maintain an up-to-date understanding of the likely permanent and transit accommodation needs in their areas over the lifespan of their development plan. It also advises that a robust evidence base should be used to establish the accommodation needs of this group in order to inform the preparation of local plans and make planning decisions. Additionally, it brought a key policy change in that for planning purposes the new definition of Gypsies and Travellers now excludes those who have ceased to travel permanently. The planning definition is now limited to those who have a nomadic habit of life. If someone has given up travelling, except where on the grounds of only their own or their family's dependent's need for the reasons of health, education or old age they have ceased to travel temporarily, they are to be treated no different from the settled population. Provision for those falling outside of the definition will need to be assessed as part of the wider housing need through the Strategic Housing Market Assessment process, taking account of any cultural needs.
- 2.2 In response to the changes in national planning policy the Council, in December 2015, commissioned a study to review and update the accommodation assessments undertaken for Hambleton in 2012 and 2014, rolling them forward to identify the likely accommodation needs of Gypsies, Showpeople and Travellers in the Hambleton area for the fifteen year period from 2016 to 2031. The findings of this assessment will ensure that the Council has a robust and up-to-date evidence base for the emerging Hambleton Local Plan and the determination of planning applications that reflects current national policy and, critically, the new 'planning' traveller definition.

- 2.3 This report relates to Gypsies and Travellers only, the needs of Showpeople will be the subject of a further report.
- 2.4 The methodology used in the study is robust and in line with Government guidance. It included interviews with 30 out of a total of 53 Households on Traveller sites in Hambleton. Where an interview was completed each household was assessed against the new definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future.
- 2.5 Fieldwork to capture the evidence was initially undertaken in January 2016 with further follow up of visits in May 2016 to those addresses where residents had been previously unavailable. Prior to the latter round of visits a letter was sent to addresses where interviews had not previously been successful, explaining the purpose of the study, notifying them of the dates of the fieldwork and encouraging participation.
- 2.6 Contacts in bricks and mortar were sought through a wide range of sources including speaking with people living on existing sites to identify any friends or family living in bricks and mortar who might wish to move to a site. Despite these efforts no households in bricks and mortar were identified to complete an interview with.
- 2.7 The findings of the study conclude that in Hambleton for the period 2016-2031 one additional pitch is required for households who meet the new definition but this is not required until the period 2026-31.

Additional Need For Travelling Households

<b>Gypsies and Travellers</b>	<b>2016-21</b>	<b>2021-26</b>	<b>2026-31</b>	<b>TOTAL</b>
<b>Who Meet Definition</b>	-1	1	1	<b>1</b>

- 2.8 In addition, the findings conclude that 2 households who do not meet the new planning definition but have cultural needs as wider caravan dwellers may have a need for accommodation from 2021 and a further 3 may have the same need from 2026.

Additional Need For Non-Travelling Households

<b>Gypsies and Travellers</b>	<b>2016-21</b>	<b>2021-26</b>	<b>2026-31</b>	<b>TOTAL</b>
<b>Who do not meet definition but have cultural need</b>	0	2	3	<b>5</b>

- 2.9 Whilst the study acknowledges that the changes to planning guidance may result in increased levels of travelling it is not recommended that the Council considers any transit provision at this time as there are operational transit pitches in Hambleton.
- 2.10 There are three separate families on waiting lists for both the Stokesley and Thirsk sites which are currently full. However, the site interviews indicated that a number of households are seeking to vacate their pitches so there will be supply to meet the needs of the households on the waiting list.

2.11 Therefore, there is currently no need, the only known additional need for Travelling households that must be provided for in the Local Plan is one additional pitch after 2021. The Local Plan will need to include policy provision for this. The housing needs of those Gypsy and Traveller households who do not meet the ‘planning’ definition of a Traveller but have cultural needs will need to be assessed as part of the wider housing needs of the area through the Strategic Housing Market Assessment process and will form part a subset of the wider need arising from households living in caravans.

**3.0 HAMBLETON GYPSY AND TRAVELLER GUIDANCE NOTE:**

3.1 To reflect the new definition and the findings of the Gypsy and Traveller Accommodation Assessment the Council has also prepared a Draft Guidance Note for Gypsies and Travellers that seeks to provide practical advice and assist Gypsies and Travellers who are considering submitting a planning application. It will also provide a tool for Development Management to use when handling planning applications and appeals and hopefully reduce the number of Enforcement Cases. The note provides advice on when a planning application is needed, choosing a site and the planning application process. It offers clarification around what the Council will consider when determining planning applications and critically includes a form which must be completed and submitted as part of a planning application. This form requires information to be provided by the applicant to support the application and will ensure a rigorous and consistent approach. The form includes questions relating to Gypsy or Traveller status (such as invoices to evidence where and when the applicant travelled and for what purpose) and information about other family members. If an applicant does not provide the information it will assumed that they do not meet the new definition and the planning application will be recommended for refusal.

3.2 The guidance note should be subject to a six week period of consultation. Consultees should include the York Traveller’s Trust and Horton Housing (support provider). However, in the interim the evidence and approach will be used by Development Management, in respect of any planning applications.

**4.0 LINK TO COUNCIL PRIORITIES:**

4.1 Gaining a better understanding of the accommodation needs of Gypsies and Travellers and providing a guidance note that offers clear and accessible planning advice for them links to two Council priorities: Enhancing Health and Well Being and Providing a Special Place to Live. It will ensure that the Council plans for the needs of this group, improving health outcomes, reducing homelessness and also helping to improve social cohesion between Travellers and the settled community.

**5.0 RISK ASSESSMENT:**

5.1 There are no risks in approving the recommendations.

5.2 The key risks in not approving the recommendations are shown below:

<b>Risk</b>	<b>Implication</b>	<b>Prob*</b>	<b>Imp*</b>	<b>Total</b>	<b>Preventative action</b>
Not having an up- to - date Gypsy and Traveller Accommodation Assessment	The Local Plan evidence base will be jeopardised and could be found to be unsound and the Council will be in a weak position when determining planning applications and at appeals.	4	4	16	Agree the Gypsy and Traveller Accommodation Assessment as an evidence base for preparing Local Plan policies and determining planning applications.

<b>Risk</b>	<b>Implication</b>	<b>Prob*</b>	<b>Imp*</b>	<b>Total</b>	<b>Preventative action</b>
Not adopting a Gypsy and Traveller Guidance Note	Applicants and officers will not have clarity about what is required to be submitted as part of the planning application leading to confusion and /or inconsistency and delays in the validation process and decision making.	4	3	12	Adopt a Gypsy and Traveller Guidance Note

#### **4.0 FINANCIAL IMPLICATIONS:**

4.1 There are no cost implications to the Council of agreeing the recommendations.

#### **5.0 LEGAL IMPLICATIONS:**

5.1 There are no legal implications of agreeing the recommendations.

#### **6.0 EQUALITY/DIVERSITY ISSUES**

6.1 Having an up-to-date assessment of the accommodation needs of Gypsies and Travellers that has been undertaken through direct engagement with the community itself will provide a better understanding of its requirements resulting in better informed Plan-making and planning decisions. It will impact directly on this group since it quantifies the number of traveller pitches that are required to be provided through the planning process including the Local Plan.

6.2 The Traveller community will also be a consulted on the Draft Guidance Note having the opportunity to help shape it and ensure that it is in a format that is accessible and easy to understand. Once adopted the Guidance will be a practical tool to assist this group who might otherwise struggle to navigate the planning application process mitigating some of the issues Travellers currently experience and hopefully reducing the need for the Council to take enforcement action.

#### **7.0 RECOMMENDATIONS:**

7.1 It is recommended that Cabinet approves:-

- (1) the Hambleton District Council Gypsy and Traveller Accommodation Assessment Update June 2016 (attached as Annex 1) forms part of the evidence base for the emerging Hambleton Local Plan and determining planning applications for the provision of new Gypsy and Traveller pitches in the future; and
- (2) the Draft Hambleton Planning Guidance Note for Gypsy and Travellers (attached at Annex 2) is the subject of a six week public consultation.

MICK JEWITT

**Background papers:**

Planning Policy for Traveller Sites (DCLG, August 2015)

**Author ref:**

SWT

**Contact:**

Sue Walters Thompson

Housing and Planning Policy Manager

01609 767176

050716 Hambleton Gypsy and Traveller Accommodation Assessment

# Hambleton District Council Gypsy and Traveller Accommodation Assessment



Update Report  
June 2016

# Contents

Introduction and Methodology .....	3
Methodology.....	4
Survey of Travelling Communities .....	4
Engagement with Bricks and Mortar Households .....	4
Calculating Current and Future Need .....	6
Current and Future Pitch/Plot Needs .....	6
Applying the New Definition.....	7
New Definition of Gypsies and Travellers.....	7
Key Demographic Findings.....	8
Revised Pitch Needs – ‘Unknown’ Gypsies and Travellers .....	9
Waiting Lists.....	11
Travelling Showpeople Needs.....	11
Conclusions and Recommendations .....	12
Need for ‘Travelling’ Gypsies and Travellers.....	12
Need for ‘Non-Travelling Gypsies’ and Travellers.....	12
Need for Transit Provision .....	12
Need for Travelling Showpeople.....	12
<b>Appendix B – List of Sites in Hambleton .....</b>	<b>13</b>
<b>Appendix B – PPTS 2015 Briefing Note .....</b>	<b>14</b>
<b>Appendix C – Site Record Form .....</b>	<b>21</b>



# 1. Update Summary

## Introduction and Methodology

- 1.1 The primary objective of the Hambleton Gypsy and Traveller Accommodation Assessment (GTAA) Update is to provide a robust assessment of current and future need for Gypsy, Traveller and Travelling Showpeople accommodation in Hambleton. The primary reason for completing the Update was the publication of a revised version of Planning Policy for Traveller Sites (PPTS) in August 2015. This included a change to the definition of Travellers for planning purposes.
- 1.2 The GTAA Update provides a robust and credible evidence base which can be used to aid the implementation of Development Plan policies and the provision of new Gypsy and Traveller pitches and Travelling Showpeople plots for the period 2016-2031. The outcomes of this Update supersede the outcomes of the Hambleton Traveller Housing Needs Study that was published in September 2012. This identified a net need for 26 additional pitches for the period 2012-2027. The 2012 assessment included interviews with 41 Gypsy and Traveller households living on authorised and unauthorised sites, 8 interviews with Gypsy and Traveller households living in bricks and mortar (none of whom wished to move to a site), and no interviews with Travelling Showpeople.

Figure 1 – 2012 GTAA additional pitches needed for Gypsies and Travellers in Hambleton from 2012-2027

Reason for Requirement/Vacancy	Gross Requirement	Supply	Net Requirement
<b>Supply of Pitches</b>			
Additional supply from empty pitches	-	0	
Additional supply new/unimplemented sites	-	0	
<b>Total Supply</b>		<b>0</b>	
<b>Current Need</b>			
Unauthorised developments/encampments seeking to stay in the area	5	-	
Currently seeking planning permission	2		
Concealed/Doubled-up households	0	-	
Net Movement from bricks and mortar	-1	-	
Waiting list for public sites	0	-	
<b>Total Current Need</b>	<b>6</b>		
<b>Future Needs</b>			
Currently on sites with temporary planning permission	0	-	
Net migration	-2	-	
Net new household formation	22	-	
<b>Total Future Needs</b>	<b>20</b>	-	
<b>Total</b>	<b>26</b>	<b>0</b>	<b>26</b>

## Methodology

- <sup>1.3</sup> Over the past 10 years, ORS has continually refined a methodology for undertaking robust and defensible Gypsy, Traveller and Travelling Showpeople Accommodation Needs Assessments. This has been updated recently in light of changes to PPTS in August 2015, as well as responding to recent changes set out by The Government, with particular reference to new household formation rates. This is an evolving methodology that has been adaptive to changes in planning policy as well as the outcomes of Local Plan Examinations and Planning Appeals.
- <sup>1.4</sup> The revised PPTS that was published in August 2015 contains a number of requirements for local authorities which must be addressed in any methodology. This includes the need to pay particular attention to early and effective community engagement with both settled and traveller communities (including discussing travellers' accommodation needs with travellers themselves); identification of permanent and transit site accommodation needs separately; working collaboratively with neighbouring local planning authorities; and establishing whether households fall within the new definition for Gypsies, Travellers and Travelling Showpeople.

## Survey of Travelling Communities

- <sup>1.5</sup> ORS sought to identify all pitches on the authorised public sites in Hambleton and worked closely with the Council to ensure that the Site Record Form would collect all the necessary information to support the study. This form has been updated to take account of recent changes to PPTS to collect the information ORS feel is necessary to apply the new household definition. A full list of sites can be found in **Appendix A**.
- <sup>1.6</sup> ORS sought to undertake a full demographic study of all occupied pitches, as our experience suggests that a sample-based approach very often leads to an under-estimate of current and future needs which can be the subject of challenge at subsequent appeals and examinations. All occupied pitches were visited by experienced ORS researchers who conducted interviews with as many residents as possible to determine their current demographic characteristics, whether they have any current or likely future accommodation needs and how these may be addressed, whether there are any concealed households or doubling-up, and their travelling characteristics (to meet the new requirements in PPTS). Staff also sought to identify contacts living in bricks and mortar to interview. The Site Record Form can be found in **Appendix C**.
- <sup>1.7</sup> Fieldwork was undertaken in December 2015 and May 2016. A total of 30 new interviews were completed with Gypsy and Traveller households and 2 with Travelling Showpeople households. Information about travelling was collected for all of the households. It was not possible to complete an interview on a number of sites or pitches for reasons including refusal to be interviewed or the household not being available to interview at the time of the fieldwork, in which cases basic details were collected.

## Engagement with Bricks and Mortar Households

- <sup>1.8</sup> From previous experience, Planning Inspectors and Appellants have called into question the accuracy of GTAA assessments in relation to those Gypsies and Travellers living in bricks and mortar accommodation who may wish to move on to a site. ORS feel that the only practical approach is to take all possible measures to identify as many households in bricks and mortar who may want to

take part in an interview to determine their future accommodation needs, including whether they wish to move to a permanent pitch in the study area. The 2011 only identified 30 Gypsy or Irish Traveller households living in bricks and mortar in Hambleton.

- 1.9 Contacts in bricks and mortar were sought through a wide range of sources including speaking with people living on the existing sites to identify any friends or family living in bricks and mortar who may wish to move to a site and other local intelligence from the Council.
- 1.10 In addition adverts were placed in Worlds Fair, Travellers Times and on the Friends, Families and Travellers Facebook pages. These can be seen below.



**Opinion Research Services**  
Excellent research for the public, voluntary and private sectors

---

**Gypsy, Traveller & Travelling Showpeople Accommodation Assessments**

Opinion Research Services (ORS) is an independent research company who carry out Gypsy, Traveller and Travelling Showpeople Accommodation Assessments across the country. These assessments must be carried out by every council to inform them how many new pitches and plots will need to be provided in the future.

ORS would like to speak to Gypsies, Travellers and Travelling Showpeople who are looking to develop a site or yard or who live in bricks and mortar and would prefer to live on a site or yard in any of the following areas:

**Aylesbury Vale, Basildon, Blackpool, Braintree, Brentwood, Bristol, Cambridge, Castle Point, Central Bedfordshire, Chelmsford, Cheltenham, Chiltern, Colchester, Cotswold, Daventry, East Cambridgeshire, Eastleigh, Elmbridge, Forest Heath, Forest of Dean, Fylde, Gloucester, Hambleton, Harlow, Huntingdonshire, King's Lynn and West Norfolk, Lambeth, Lewisham, Maldon, Northampton, Peterborough, Plymouth, Reigate and Banstead, Rochford, Selby, South Bucks, South Cambridgeshire, South Gloucestershire, South Hams, South Northamptonshire, Southend-on-Sea, St Edmundsbury, Stroud, Tandridge, Tendring, Tewksbury, Thurrock, Tower Hamlets, Uttlesford, Vale of Glamorgan, West Devon, Wycombe, Wyre and York**

Your views are very important to us.

If you would like to speak to ORS about your accommodation needs please contact **Claire Thomas** on **01792 535337** or email [claire.thomas@ors.org.uk](mailto:claire.thomas@ors.org.uk)



- 1.11 Through this approach we endeavoured to do everything within our means to publicise that a local study was being undertaken in order to give all households living in bricks and mortar who may wish to move on to a site the opportunity to make their views known to us.
- 1.12 However despite these efforts no households living in bricks and mortar were identified to complete an interview with.

## Calculating Current and Future Need

- 1.15 The revised version of PPTS now requires a GTAA to determine whether households living on sites, yards, encampments and in bricks and mortar fall within the new 'planning' definition of a Gypsy, Traveller or Travelling Showperson. Only if households fall within the new definition will their housing requirements need to be assessed separately from the wider population in the GTAA. The new definition now excludes those who have ceased to travel *permanently*. A Briefing Note has been prepared by ORS that sets out the implications of the revised PPTS on GTAA studies. This can be found in **Appendix B**.

## Current and Future Pitch/Plot Needs

- 1.16 The primary change to the 2015 PPTS in relation to the assessment of need is the change in the definition of a Gypsy, Traveller or Travelling Showperson for planning purposes. Through the site interviews ORS sought to collect information necessary to assess each household against the new definition. As the new PPTS has only recently been issued only a small number of appeal decisions have been issued by the Planning Inspectorate on how the new definition should be applied – these support the view that households need to be able to demonstrate that they travel for work purposes to meet the new definition, and stay away from their usual place of residence when doing so. It is also understood that there may be future legal challenges made to the change in definition following the outcomes of planning and appeal decisions.

- 1.17 To identify need, PPTS requires an assessment for current and future pitch requirements, whilst the 2007 GTAA Guidance does suggest an approach to undertaking an assessment of need, it is outdated and the Government have stated that they wish to repeal it. More recently draft guidance on assessing the needs of households living in caravans and on boats has been issued and the approach taken in this study is consistent with this draft guidance. As with any housing assessment, the underlying calculation can be broken down into a relatively small number of factors. In this case, the key issue is to compare the supply of pitches available for occupation with the current and future needs of the population. The key factors in each of these elements are set out below.
- 1.18 Whilst households who do not travel fall outside the new definition of a Traveller, Romany households and Irish and Scottish Travellers may be able to demonstrate a right to culturally appropriate accommodation under the Equalities Act 2010. In addition provisions set out in the new Housing and Planning Act (2016) now include a duty (under Section 8 of the 1985 Housing Act that covers the requirement for a periodical review of housing needs) for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed, or places on inland waterways where houseboats can be moored. Draft Guidance<sup>1</sup> related to this section of the Housing and Planning Act has been published setting out how the government would want local housing authorities to undertake this assessment and it is the same as the GTAA assessment process. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the new ‘planning’ definition of a Traveller will need to be assessed as part of the wider housing needs of the area through the SHMA process, and will form a subset of the wider need arising from households residing in caravans.

## Applying the New Definition

- 1.19 The outcomes from the questions in the household survey on travelling were used to determine the status of each household against the new definition in PPTS. Only those households that meet the new definition, or could potentially meet the new definition, will form the components of need to be assessed in the GTAA:
- » Households that travel under the new definition.
  - » Households that have ceased to travel temporarily under the new definition.
  - » Households where an interview was not possible but who could meet the new definition.

## New Definition of Gypsies and Travellers

- 1.13 Information that was sought from the 32 households where an interview was completed allowed each household to be assessed against the new definition of a Traveller. This included information on whether households have ever travelled; why they have stopped travelling; the reasons that they travel; and whether they plan to travel again in the future. The table below sets out the travelling status of households that were interviewed in Hambleton. Based on the oral responses given to interviewers<sup>2</sup> This shows that for Gypsies and Travellers 6 households and 2 Travelling Showpeople

---

<sup>1</sup> “Draft guidance to local housing authorities on the periodical review of housing needs for caravans and houseboats.” (March 2016)

<sup>2</sup> It is our understanding that oral evidence of gypsy status is capable of being sufficient when determining whether households meet the new definition.

households meet the new definition of a Traveller in that they were able to provide information demonstrating that they travel for work purposes and stay away from their usual place of residence. The remaining 24 households did not demonstrate that they travel away from their usual place of residence for the purpose of work, or have ceased to travel *temporarily* due to children in education, ill health or old age. Some did travel for cultural reason to visit fairs, relatives or friends, and others had ceased to travel permanently. In addition the travelling status of 25 households living on the remaining pitches was unable to be determined as an interview was not possible due to refusals or households not being present on the 3 occasions the pitch was visited.

**Figure 2 - Travelling Status of Households Interviewed in Hambleton**

Site Status	Meets New Definition	Does Not Meet New Definition	Unknown
Public Sites	3	12	17
Private Sites	3	12	8
Unauthorised Sites	0	2	0
<b>Total Gypsies and Travellers</b>	<b>6</b>	<b>24</b>	<b>25</b>
Travelling Showpeople Yards	2	0	0

## Key Demographic Findings

- 1.14 Ethnicity data that was captured from the 6 Gypsy and Traveller households that meet the new definition of a Traveller indicated that 5 are Romany Gypsies and 1 Irish Travellers. Ethnicity data that was captured from the 24 Gypsy and Traveller households that do not meet the new definition of a Traveller indicated that 14 are English Travellers, 7 are Romany Gypsies and 3 are Irish Travellers.
- 1.15 The households that meet the new definition comprised 23 residents – 13 adults and 10 children and teenagers aged under 18. This equates to 56% adults and 44% children and teenagers.
- 1.16 The households that do not meet the new definition comprised 65 residents – 42 adults and 23 children and teenagers aged under 18. This equates to 65% adults and 35% children and teenagers.
- 1.17 Although not a direct comparison, data from the 2011 Census for Hambleton as a whole (the settled community and the Gypsy or Irish Traveller community) has been compared to the demographics recorded in the household interviews. This shows a significantly lower proportion of those aged under 18 in the Hambleton population as a whole.

## Revised Pitch Needs – Gypsies and Travellers

- 1.18 Households who meet the new definition of Travelling were found on 2 public sites and 3 private sites. Analysis of the household interviews for indicated that there is no immediate need for additional pitches. There is need for 1 additional pitch for a younger family member in the next 5 years, and whilst 2 younger family members on another pitch were identified as being in need of a pitch of their own in the next 5 years – it was stated that these pitches would be sought on sites outside of Hambleton. The demographics of residents suggests that a new households formation rate of 1.80% should be used and this gives a further 2 households of the 15 year GTAA period. In addition there are 2 pitches on public sites due to become vacant due to households moving away.



- 1.19 Therefore, based on the revised definition of Gypsies and Travellers for planning purposes in the 2015 Planning Policy for Traveller Sites, the overall level of additional need for those households who meet the new definition of a Gypsy or Traveller is for **1 additional pitch over the 15 year GTAA period**. This need identified could be met through existing vacant pitches on the public sites.

Figure 3 – Addition Need for ‘Travelling’ Households

Local Authority	2016-21	2021-26	2026-31	Total
Hambleton	-1	1	1	<b>1</b>

### Revised Pitch Needs – ‘Unknown’ Gypsies and Travellers

- 1.20 Whilst it was not possible to determine the travelling status of a total of 25 households as they either refused to be interviewed, or were not on site at the time of the fieldwork, the needs of these households still need to be recognised as they are ethnic Gypsies and Travellers.
- 1.21 Should further information be made available to the Council that will allow for the new definition to be applied, based on the revised definition of Gypsies and Travellers for planning purposes in the 2015 Planning Policy for Traveller Sites, the overall level of need could rise by **6 additional pitches through new household formation** and any associated need through concealed or doubled up households within the 25 households. This figure uses a base of 25 households and future household formation of 6 using a net growth rate of 1.50%<sup>3</sup>.

Figure 4 – Additional Need for ‘Unknown’ Households

Local Authority	2016-21	2021-26	2026-31	Total
Hambleton	2	2	2	<b>6</b>

- 1.22 ORS are of the opinion that it would not be appropriate when producing a robust assessment of need to make any firm assumptions about whether or not households where an interview was not completed meet the new definition based on the outcomes of households where an interview was completed.
- 1.23 However data that has been collected from over 1,250 household interviews that have been completed by ORS since the changes to PPTS in 2015 suggests that overall between 10%-20% of households who have been interviewed meet the new definition – and in some local authorities, particularly other London Boroughs, 100% of households do not meet the new definition.
- 1.24 This would suggest that it is likely that only a small proportion of the potential need identified from these households will need to be included in the GTAA.

### Revised Pitch Needs – Non-Travelling Gypsies and Travellers

- 1.25 It is not a requirement to include details of need from Non-Travelling Gypsies and Travellers in the GTAA. However for illustrative purposes only these figure are included.

<sup>3</sup> The ORS Technical Note on Population and Household Growth has identified a national growth rate of 1.50% which has been applied in the absence of further demographic information about these households.

- 1.26 Whilst households who do not travel fall outside the new definition of a Traveller; Romany Gypsies and Irish and Scottish Travellers may be able to demonstrate a cultural need and right to a caravan site under the Equalities Act 2010<sup>4</sup>. As set out already provisions set out in the new Housing and Planning Act (2016) now include a duty for local authorities to consider the needs of people residing in or resorting to their district with respect to the provision of sites on which caravans can be stationed. The implication is therefore that the housing needs of any Gypsy and Traveller households who do not meet the new ‘planning’ definition of a Traveller will need to be assessed as part of the wider housing needs of the area through the SHMA process, and will form a subset of the wider need arising from households residing in caravans. On this basis, it is evident that whilst the needs of the 24 households who do not meet the new definition will represent only a very small proportion of the overall housing need, the Council will still need to ensure that arrangements are in place to properly address these needs – especially as some identified as Romany Gypsies or Irish Travellers.
- 1.27 Analysis of the household interviews for those who do not meet the new definition indicated that there is a current need for 1 pitch from a concealed adult, a further need for 1 pitch in the next 5 years for a younger family member, and that there is 1 unauthorised pitch. Future need is made up of 7 from new household formation using a formation rate of 1.50% that has been derived from the demographics of the households that were interviewed. In addition there are 5 public pitches due to become vacant due to households moving away from the sites. Based on the revised definition of Gypsies and Travellers for planning purposes in the 2015 Planning Policy for Traveller Sites, this gives an overall need for **5 additional pitches** over the 15 year GTAA period.

**Figure 5 – Additional Need for ‘Non-Travelling’ Households**

Local Authority	2016-21	2021-26	2026-31	Total
Hambleton	0	2	3	5

- 1.28 As things currently stand<sup>5</sup> there are a number of additional points to consider when seeking to address the needs of those Gypsy and Traveller households who do not meet the new definition.
- 1.29 As set out in this report one of the requirements set out in the new Housing and Planning Act (2016) is that the housing needs of any Gypsy and Traveller households who do not meet the new ‘planning’ definition of a Traveller will need to be assessed as part of the wider housing needs of the area through the SHMA process, and will form a subset of the wider need arising from households residing in caravans.
- 1.30 ORS agree that a position where Gypsy, Traveller and Travelling Showpeople households will form part of the household projections, concealed households and market signals which would underwrite an OAN calculation in a SHMA. The needs of these households need to be counted as part of an overall OAN; therefore any needs identified in this part of the GTAA would be a component of, and not additional to, an OAN figure that would be identified in a SHMA. This also means that any land supply for pitches and plots should be counted towards the general 5-year land supply as the needs the Council will need to address would be included within an overall housing OAN.

<sup>4</sup> These groups have their ethnicity recognised as a protected characteristic.

<sup>5</sup> Draft guidance to local housing authorities on the periodical review of housing needs (Caravans and Houseboats) was published by the Government in March 2016. This is not yet in place but will have further impacts on the assessment of those who do not meet the new definition.



## Waiting Lists

- 1.31 There are 2 public sites in Hambleton, both of which are managed by a third party. The Council have confirmed that there are three separate families on the waiting list for both Stokesley Site and Thirsk Site. Whilst the sites are currently full the site interviews indicated that a number of households are seeking to vacate their pitches so therefore there will be supply to meet the needs of the households on the waiting list – if they meet the planning conditions for occupying pitches on the site.

## Transit Sites / Temporary Stopping Places

- 1.32 There is the possibility that changes to PPTS could result in increased levels of travelling but it is not recommended that there is a need for the Council to consider any transit provision at this time as there is already 5 transit pitches on one of the private sites, and additional transit provision on another private site which has planning permission but has not yet been implemented.
- 1.33 The situation relating to levels of unauthorised encampments by households that meet the new definition of a Traveller, and occupation levels of any unauthorised roadside encampments, should however be continually monitored whilst the changes associated with the new PPTS develop.

## Travelling Showpeople Needs

- 1.34 The assessment did identified 2 small Travelling Showpeople yards in Hambleton and interviews were completed on both of them. Both households meet the new definition of a Traveller.
- 1.35 Therefore based on the revised definition of Gypsies and Travellers for planning purposes in the 2015 Planning Policy for Traveller Sites, and using the evidence collected during the interviews the provision needed for the GTAA period is for **6 additional plots**. This is based on the need for 4 new plots for younger family members in the next 5 years, and 2 new households to form.

**Figure 6 – Additional Need for ‘Travelling’ Showpeople**

Local Authority	2016-21	2021-26	2026-31	Total
Hambleton	4	1	1	6

## Conclusions and Recommendations

### Need for 'Travelling' Gypsies and Travellers

- 1.36 Based upon the evidence collected during the 30 household interviews and following an assessment against the new definition of a Traveller, the baseline additional pitch provision needed in Hambleton to 2031 for the 6 Gypsy and Traveller households who meet the new definition of a Traveller **is for 1 additional pitch**. This need identified could be met through existing vacant pitches on one of the public sites.
- 1.37 In addition should additional information be provided by the 25 households where an interview was not possible the overall level of need could rise by **5 additional pitches through new household formation** and any associated need through concealed or doubled up households within these 25 households.

### Need for 'Non-Travelling Gypsies' and Travellers

- 1.38 It is not a requirement to include details of need from Non-Travelling Gypsies and Travellers in the GTAA. However for illustrative purposes only these figure are included.
- 1.39 Need to provide an **additional 5 pitches** arises from the 24 households who do not meet the new definition. This will need to form a sub-set of need for wider caravan dwellers in the SHMA following changes brought in by the Housing and Planning Act (2016).

### Need for Transit Provision

- 1.40 it is not recommended that there is a need for the Council to consider any transit provision at this time as there is already 5 transit pitches on one of the private sites, and additional transit provision on another private site which has planning permission but has not yet been implemented.
- 1.41 The situation relating to levels of unauthorised encampments by households that meet the new definition of a Traveller, and occupation levels of any unauthorised roadside encampments, should however be continually monitored whilst the changes associated with the new PPTS develop.

### Need for Travelling Showpeople

- 1.42 Based on the evidence collected during the interviews the provision needed for the GTAA period is for **6 additional plots**. This is based on the need for 4 new plots for younger family members in the next 5 years, and 2 new households to form.

## Appendix B – List of Sites in Hambleton

Site/Yard	Authorised Pitches/Plots	Unauthorised Pitches/Plots
<b>Public Sites</b>		
Bankside Close, Thirsk	16	-
Hillfield Close, Seamer	16	-
<b>Private Sites with Permanent Permission</b>		
Bullamoor	1	-
Carolina Farm, Stokesley	3	-
Easby Road, Great Broughton	1	-
Goulton Lane, Potto	2	-
Green Bank Farm, Great Broughton	1	-
Hillside View Farm, Tame Bridge	1	-
Land adjacent Bankside Close, Thirsk (The Yard)	2	-
Longbeck Farm, Stokesley	6	-
Moor Lane, Bagby	1	-
Old Football Pitch, Ranch House	1	-
Ranch House Farm, Skutterskelfe	1	-
Riverside Nurseries, Stokesley	1	-
Sutton on the Forest	8	-
The Stables, Broughton Grange, Great Broughton	1	-
The Workshop, Stokesley Road	1	-
World's End, Sowerby	3	-
<b>Private Sites with Temporary Permission</b>		
None	-	-
<b>Tolerated Sites – Long-term without Planning Permission</b>		
None	-	-
<b>Unauthorised Sites</b>		
Plot 11 Ings Lane, Great Broughton	-	1
Rosies Ranch, Great Busby	-	1
<b>TOTAL PITCHES</b>	<b>66</b>	<b>2</b>
<b>Private Travelling Showpeople Yards</b>		
<b>Dalton Sawmill, Dalton</b>	1	-
The Fairfield, Northallerton	1	-
<b>TOTAL PLOTS</b>	<b>2</b>	<b>0</b>

## Appendix B – PPTS 2015 Briefing Note

### **Gypsy and Traveller Accommodation Assessments**

#### **ORS Briefing on the Implications of Changes to Planning Policy for Traveller Sites**

**September 2015**

*Please note that these are the current views of ORS on the implications of the changes to PPTS and clarification has not yet been sought from DCLG on our interpretation of the potential changes to the definition of Gypsies, Travellers and Travelling Showpeople in relation to undertaking GTAAs.*

### **Background**

The recent changes to PPTS that were published on 31<sup>st</sup> August will now require a GTAA to determine whether households living on sites, encampments and in bricks and mortar fall within the new definition of a Gypsy, Traveller or Travelling Showperson. Only if they fall within the new definition will their housing needs need to be assessed separately from the wider population, as required by the Housing Act (2004).

There are a number of issues that will need to be considered when seeking to apply the new definition and this short briefing covers the views of ORS on these in relation to completing a GTAA.

### **Conflicting Definitions of a Traveller**

It is our understanding there are now 3 definitions for a Gypsy, Traveller or Travelling Showperson. The PPTS (2015) definition, the Housing Act (2004) definition, and the Equality Act (2010) definition (which only applies only to Romany and Irish Travellers as an ethnic group).

1. In their response to the consultation on Planning and Travellers DCLG stated that *the Government will, when parliamentary time allows, seek to amend primary legislation to clarify the duties of local authorities to plan for the housing needs of their residents.* This should bring the Housing Act definition in line with the PPTS definition.

The key issue is that there will be Romany and Irish Travellers who no longer travel so will not fall under the Planning or Housing definition, but Council's may still need to meet their needs through the provision of *culturally suitable* housing under the requirements of the Equality Act.

We believe that this will now create a new category of Gypsy, Traveller or Travelling Showperson - a *Non-Travelling Romany or Irish Traveller* - that Council's will need to consider in terms of housing provision. The needs of households that fall within this category *will not necessarily* be assessed in a GTAA and will need to be assessed separately under the NPPF.

### **The 'Planning Definition' in PPTS:**

*Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.*

*In determining whether persons are “gypsies and travellers” for the purposes of this planning policy, consideration should be given to the following issues amongst other relevant matters:*

- a) Whether they previously led a nomadic habit of life*
- b) The reasons for ceasing their nomadic habit of life*
- c) Whether there is an intention of living a nomadic habit of life in the future, and if so, how soon and in what circumstances.*

### ***The ‘Housing Definition’ in the Housing Act 2004***

*Section 225: Every local housing authority must, when undertaking a review of housing needs in their district under section 8 of the Housing Act 1985 (c. 68), carry out an assessment of the accommodation needs of gypsies and travellers residing in or resorting to their district...gypsies and travellers has the meaning given by regulations made by the appropriate national authority.*

The definition of Gypsies and Travellers as referred to at Section 225 of the Act is that set out for the purposes of planning by the Secretary of State for Communities and Local Government.

Therefore the definition of ‘gypsies and travellers’ for this purpose is specified in ‘The Housing (Assessment of Accommodation Needs) (Meaning of Gypsies and Travellers) (England) Regulations 2006’ (Statutory Instrument: 2006 No. 3190).

*The following definition of “gypsies and travellers” should now be used:*

*(a) persons with a cultural tradition of nomadism or living in a caravan; and*

*(b) all other persons of a nomadic habit of life, whatever their race or origin, including:*

*(i) such persons who, on grounds only of their own or their family’s or dependant’s educational or health needs or old age, have ceased to travel temporarily or permanently; and*

*(ii) members of an organised group of travelling showpeople or circus people (whether or not travelling together as such).*

### ***The ‘Equality Act’ 2010 Definition***

*The courts have determined that Romany Gypsies and Irish Travellers are protected against race discrimination because they are included under the Protected Characteristics as an ethnic group. Culturally suitable housing should be provided for this group.*

### **Definition of Travelling**

One of the most questions that GTAA’s will need to address in terms of applying the new definition is *what constitutes travelling?* This has been determined through case law that has tested the meaning of the term ‘nomadic’.

*R v South Hams District Council (1994) – defined Gypsies as “persons who wander or travel for the purpose of making or seeking their livelihood (not persons who travel from place to place without*

*any connection between their movements and their means of livelihood.)”* This includes ‘born’ Gypsies and Travellers as well as ‘elective’ Travellers such as New Age Travellers.

In *Maidstone BC v Secretary of State for the Environment and Dunn* (2006), it was held that a Romany Gypsy who bred horses and travelled to horse fairs at Appleby, Stow-in-the-Wold and the New Forest, where he bought and sold horses, and who remained away from his permanent site for up to two months of the year, at least partly in connection with this traditional Gypsy activity, was entitled to be accorded Gypsy status.

In *Greenwich LBC v Powell* (1989), Lord Bridge of Harwich stated that a person could be a statutory Gypsy if he led a nomadic way of life *only seasonally*.

The definition was widened further by the decision in *R v Shropshire CC ex p Bungay* (1990). The case concerned a Gypsy family that had not travelled for some 15 years in order to care for its elderly and infirm parents. An aggrieved resident living in the area of the family’s recently approved Gypsy site sought judicial review of the local authority’s decision to accept that the family had retained their Gypsy status even though they had not travelled for some considerable time. Dismissing the claim, the judge held that a person could remain a Gypsy even if he or she did not travel, provided that their nomadism was held in abeyance and not abandoned.

That point was revisited in the case of *Hearne v National Assembly for Wales* (1999), where a traditional Gypsy was held not to be a Gypsy for the purposes of planning law as he had stated that he intended to abandon his nomadic habit of life, lived in a permanent dwelling and was taking a course that led to permanent employment.

It is our understanding that the implication of these rulings in terms of applying the new definition is that it will include those who travel but also have a permanent site or place of residence, but that it will not include those who travel for purposes other than work – such as visiting horse fairs and visiting friends or relatives. It will in our view not cover those who commute to work daily from a permanent place of residence.

It will also be the case in our view that a household where some family members travel for nomadic purposes on a regular basis, but where other family members stay at home to look after children in education, or other dependents with health problems etc. the household unit would be defined as travelling under the new definition.

Households will also fall under the new definition if they can demonstrate that they have ceased to travel temporarily as a result of their own or their family’s or dependants’ educational or health needs or old age. In order to have ceased to travel temporarily these households will need to demonstrate that they have travelled in the past. In addition households may also have to demonstrate that they plan to travel again in the future. These issues are covered later in this briefing.

### **Changes to Fieldwork Requirements**

In determining whether households fall within the new definition it is important that GTAA fieldwork is undertaken in a robust and inclusive manner, with efforts made to speak with households living on *all pitches and plots* in any given local authority area. Attempts to speak with every household is likely to increase the costs of site fieldwork but it is felt that robust and defensible evidence on household travelling characteristics can only be obtained by speaking with a member from each family directly. If this does not happen the determination of whether a household falls within the new definition is likely to be challenged.

Interviewers will need to follow an approach similar to what is being advocated by Welsh Government in their recent GTAA Guidance which requires interviewers to make a minimum of 3 attempts to complete a successful household interview before seeking information from a third party. The keeping of an Interview Log to record dates and times of unsuccessful visits, and reasons for a refusal to be interviewed is also recommended.

### **Qualifying Questions and Evidence to Support Travelling Status**

A series of *qualifying questions* will need to be asked during the more intensive household interviews to determine whether each household will fall under the new definition. There will be a need to ask questions to determine for example:

- » The ethnicity of households;
- » Whether they travel for nomadic purposes as defined by case law;
- » If they do not travel, whether they have travelled for nomadic purposes in the past;
- » Whether they have ceased to travel permanently or temporarily;
- » The reasons why they have ceased to travel temporarily; and
- » Whether and when they plan to resume travelling for nomadic purposes.

The responses to these questions should enable the new planning/housing and ethnicity definitions of Gypsies, Travellers and Travelling Showpeople to be applied to each household in the first instance.

One of the most difficult issues to address will be to evidence households that claim to have *ceased travelling temporarily* as a result of their own or their family's or dependants' educational or health needs or old age. This will need to include evidence that households have travelled in the past.

Example of evidence to support the new definition and households that claim to have ceased to travel temporarily could include:

- » Details of previous travelling by the applicant or by family members for the purpose of work could include originals or copies of family photographs.
- » Evidence to support household members ceasing to travel temporarily could include letters or reports from GPs or consultants; and Letters from head teachers and/or Traveller Education Officers.
- » Evidence to support not being able to travel due to a lack of sites or transit provision could include details of attempts to find alternative sites, including, for

example, letters to local estate agents and evidence of enquiries to local authorities.

- » Evidence to support a nomadic way of life for work purposes could include records of work undertaken such as quotes and invoices; receipts for stays on transit sites; and details of enforcement of unauthorised encampments; and details of schools attended and GP registrations whilst away travelling.

The practical implications of this in relation to the fieldwork element of a GTAA will be whether this evidence actually needs to be produced or whether households will simply need to be asked if they would be able to provide evidence if requested at a later date.

### **Applying the Definition**

When the household survey is complete the outcomes from the qualifying questions will need to be used to determine the status of each household on each site. Decisions will need to be made whether it will be for a local authority, a third party undertaking the GTAA, or a combination of both, to make the final determination of whether households fall within the new definition.

It is highly likely that this will result in sites with a mixture of household statuses – even on smaller private family sites. We think that households will fall under one of 4 classifications that will determine whether their housing needs will need to be assessed in the GTAA.

- » Households that travel under the new definition – *Yes*
- » Households that have ceased to travel temporarily under the new definition - *Yes*
- » Households that do not travel under the new definition - *No*
- » Romany or Irish Travellers who do not travel under the new definition - *No*

In practical terms, a current GTAA may have a need for 100 pitches from new household formation over its local plan period. If 50% of these households do not meet the new definition of being a Traveller then it could be argued that the need from new household formation should fall from 100 to 50. However, this assumes that the children of current non-Travelling households will also not travel themselves in the future and will not have their needs from new household formation met. This is going to be very difficult to evidence in practice.

This also raises the question of who is responsible for assessing the needs of the 50 households who have been removed from the assessment of need in the GTAA. The Equalities Act requires that *Romany and Irish Travellers* are provided with *culturally sensitive* accommodation. It may therefore be that the GTAA will exclude 50 households on the grounds that they no longer meet the planning/housing definition of being Travellers, but the requirements of the Equalities Act mean that these households' ethnic status will still lead to the need to provide caravan pitches. These may be on park home sites rather than Gypsy and Traveller sites.

In practice it may be that the new definition has a very large impact on a small number of planning applications where households who no longer travel will not be deemed Travellers. However, for the existing population and sites it is unlikely the effect will be as dramatic as being envisaged. Given that the majority of Councils do not have 5 year land supplies for either housing or Gypsy and Traveller sites, it may simply be that planning applications are moved from being for Gypsy and



Traveller sites to being for park home sites – using case law established by *Wenman v Secretary of State* Judgement and subsequent changes made to Paragraphs 49 and 159 in the NPPF in July 2015.

#### **Paragraph 49**

*From today, those persons who fall within the definition of ‘traveller’ under the Planning Policy for Traveller Sites, cannot rely on the lack of a five year supply of deliverable housing sites under the National Planning Policy Framework to show that relevant policies for the supply of housing are not up to date. Such persons should have the lack of a five year supply of deliverable traveller sites considered in accordance with Planning Policy for Traveller Sites.*

#### **Paragraph 159**

*Planning Policy for Traveller Sites sets out how ‘travellers’ (as defined in Annex A of that document) accommodation needs should also be assessed. Those who do not fall under that definition should have their accommodation needs addressed under the provisions of the National Planning Policy Framework.*

#### **Conclusions**

As a result of the changes to PPTS ORS have identified that there are a number of key points that local authorities need to be aware of in relation to their GTAA:

- » It is unclear at the present time whether the changes will be applied retrospectively to GTAAs that have already been published and have been through a Local Plan Examination – however they will need to be taken into consideration when dealing with new planning applications and appeals. This will impact on the identification of a 5 year supply of deliverable Traveller sites as the level of need will be unknown without applying the definition to all households.
- » In the majority of cases it may be necessary to undertake new site fieldwork to gather up-to-date and robust information from each household on their travelling characteristics in order for the new definition to be properly applied for the purpose of assessing household need.
- » The definition of a *Traveller* and what constitutes *Travelling* appear to be clearly set out in case law. What local authorities will need to consider how to robustly apply the outcomes of the qualifying questions when determining whether a household has ceased to travel temporarily?
- » It is difficult at this stage to consider the future needs (new household formation) of the children of current non-travelling households as it will be very hard to evidence whether or not they will travel themselves in the future.
- » In short this will not reduce the number of households seeking to live on sites in caravans. Local authorities will still need to consider how to address the housing needs of Romany and Irish Travellers who do not travel but fall under the requirements of the Equality Act. For the remainder of those households who do not fall under the new definition local authorities will still need to consider how they should have their accommodation needs addressed under the provisions of the National Planning Policy Framework. These will most likely need to be met on park home sites as opposed to Traveller sites.

- » It is also important to note that the definition will need to be applied in a consistent manner to households living in caravans on sites and encampments, and for those living in bricks and mortar, as there is nothing in the definition that states that a household needs to live in a caravan or other mobile structure.
- » There are also likely to be practical implications in the reporting of GTAAs as the assessment will now need to be on a pitch-by-pitch basis, and may involve the publication of sensitive and personal information that may lead to issues with data protection requirements.

## Appendix C – Site Record Form



**INTERVIEWER: Good Morning/afternoon/evening. My name is < > from Opinion Research Services, working on behalf of Hambleton Council.**

The Council are undertaking a study of Gypsy, Traveller and Travelling Showpeople accommodation needs assessment in this area. This is needed to make sure that accommodation needs are properly assessed and to get a better understanding of the needs of the Travelling Community.

The Council need to try and speak with every Gypsy, Traveller and Travelling Showpeople household in the area to make sure that the assessment of need is accurate.

Your household will not be identified and all the information collected will be anonymous and will only be used to help understand the needs of Gypsy, Traveller and Travelling Showpeople households.

You do not have to answer all the questions but the more information you can provide the better the survey will be. The survey will take around 10-15 minutes to complete.

**For each question, put a cross in the appropriate box like this  . Mark only one box for each question unless otherwise instructed. If you mark the wrong box, fill in the box  and cross  the correct one.**

## A General Information

**A1 Name of planning authority:** *INTERVIEWER please write in*

**A2 Date/time of site visit(s):** *INTERVIEWER please write in*

DD/MM/YY	TIME
----------	------

**A3 Name of interviewer:** *INTERVIEWER please write in*

**A4 Address and pitch number:** *INTERVIEWER please write in*

**A5 Type of accommodation:** *INTERVIEWER please cross one box only*

Council	Private	Unauthorised	Bricks and Mortar
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**A6 Name of Family:** *INTERVIEWER please write in*

**A7 Ethnicity of Family:** *INTERVIEWER please cross one box only*

Romany Gypsy	Irish Traveller	Scots Gypsy or Traveller	Show Person
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
New Traveller	English Traveller	Welsh Gypsy	Non-Traveller
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other *(please specify)*

**A8 Number of units on the pitch:** *INTERVIEWER please write in*

Mobile homes	Touring Caravans	Day Rooms	Other <i>(please specify)</i>
<input style="width: 200px; height: 30px;" type="text"/>	<input style="width: 200px; height: 30px;" type="text"/>	<input style="width: 200px; height: 30px;" type="text"/>	<input style="width: 200px; height: 30px;" type="text"/>

**A9** How long have you lived here? If you have moved in the past 5 years, where did you move from?

Years	Months	If you have moved in the past 5 years, where did you move from?
-------	--------	---

**A10** Did you live here out of your own choice or because there was no other option? If there was no other option, why? *INTERVIEWER: Please cross one box only*

Choice <input type="checkbox"/>	No option <input type="checkbox"/>	If no option, why?
------------------------------------	---------------------------------------	--------------------

**A11** Is this site suitable for your household? If so why and if not why not? (For example close to schools, work, healthcare, family and friends etc.)

*INTERVIEWER: Please cross all that apply*

**YES - good access to...**

Schools <input type="checkbox"/>	Work <input type="checkbox"/>	Healthcare <input type="checkbox"/>	Family & Friends <input type="checkbox"/>	Motorway <input type="checkbox"/>	Other <input type="checkbox"/>
-------------------------------------	----------------------------------	--	--	--------------------------------------	-----------------------------------

Details / specify if necessary

**NO - poor access to...** *INTERVIEWER: Please cross all that apply*

Schools <input type="checkbox"/>	Work <input type="checkbox"/>	Healthcare <input type="checkbox"/>	Family & Friends <input type="checkbox"/>	Motorway network <input type="checkbox"/>	Other <input type="checkbox"/>
-------------------------------------	----------------------------------	--	--	--	-----------------------------------

Details / specify if necessary

**A12** How many separate families or unmarried adults live on this pitch?

*INTERVIEWER: Please cross one box only*

1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>	5 <input type="checkbox"/>	6 <input type="checkbox"/>	7 <input type="checkbox"/>	8 <input type="checkbox"/>	9 <input type="checkbox"/>	10 <input type="checkbox"/>
-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	--------------------------------

## B Demographics

**B1** Demographics — Household 1 *INTERVIEWER: Please write-in*

Person 1		Person 2		Person 3	
Sex	Age	Sex	Age	Sex	Age

**Complete additional forms for each household on pitch** *INTERVIEWER: Please write-in*

Person 4		Person 5		Person 6		Person 7		Person 8	
Sex	Age	Sex	Age	Sex	Age	Sex	Age	Sex	Age

## C Accommodation Needs

**C1** How many families or unmarried adults living on this pitch are in need of a pitch of their own in the next 5 years? *INTERVIEWER: Please cross one box only*

1 <input type="checkbox"/>	2 <input type="checkbox"/>	3 <input type="checkbox"/>	4 <input type="checkbox"/>	5 <input type="checkbox"/>	6 <input type="checkbox"/>	7 <input type="checkbox"/>	8 <input type="checkbox"/>	9 <input type="checkbox"/>	10 <input type="checkbox"/>
-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	-------------------------------	--------------------------------

Other *Please specify*

**C2(a)** How many of your children will need a home of their own in the next 5 years as a result of getting married or leaving home and where will these be needed?

<i>Please cross one box in each row as applicable</i>	On this site	Public site in Hambleton	Private site in Hambleton	Site not in Hambleton	Housing in Hambleton	Housing not in Hambleton
Household 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Household 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Household 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Household 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Household 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**C2(a) When will these be needed?**

Please cross **one** box in each row as applicable

	Now	In 1-2 years	In 2-5 years
Household 1	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Household 2	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Household 3	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Household 4	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Household 5	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**D**

**Waiting List**

**D1** Is anyone living here on the waiting list for a pitch in this area? *Please cross one box only*

- Yes  —————> Continue to D2  
 No  —————> Go to D4

**D2** How many people living here are on the waiting list for a pitch in this area?

*INTERVIEWER: Please cross one box only*

- 1  2  3  4  5  6  7  8  9  10

Other (Please specify)

Details (Please specify)

**D3** How long have they been on the waiting list? *INTERVIEWER: Please cross one box only*

- 0-3 months  3-6 months  6-12 months  1-2 years  2+ years

Other (Please specify)

Details (Please specify)

**D4** If they are not on the waiting list, do any of the people living here want to be on the waiting list?

*INTERVIEWER: Please cross one box only*

- 1  2  3  4  5  6  7  8  9  10   
 No  Other (Please specify)

Details (Please specify)

**E**

**Future Accommodation Needs**

**E1** Do you plan to move from this site in the next 5 years? If so, why?

*INTERVIEWER: Please cross one box only*

- Yes  If yes —————> Continue to E2  
 No  If no —————> Go to F1

If so, why? (please specify)

**E2(a)** Where would you move to? *INTERVIEWER: Please cross one box only*

- Another site in this area (go to E2b)  A site in another council  Bricks and mortar in this area or in another council  Other (Please specify)

Please specify in terms of the geographical area you wish to move to.

**E2(b)** *INTERVIEWER: IF THEY WOULD MOVE TO ANOTHER SITE IN THIS AREA PROMPT FOR WHERE*

Please specify in terms of the geographical area you wish to move to.

**E3** If you want to move would you prefer to buy a private pitch or site, or rent a pitch on a public or private site? *INTERVIEWER: Please cross one box only*

Public pitch

Private pitch

**E4** Can you afford to buy a private pitch or site? *INTERVIEWER: Please cross one box only*

Yes

No

**E5** Do you own another site or land which you would like to develop?

*INTERVIEWER: Please cross one box only*

Yes

No

What is the location of this site/land?

**F**

## Travelling

**F1** How many trips, living in a caravan or trailer, have you or members of your family made away from your permanent base in the last 12 months?

*INTERVIEWER: Please cross one box only*

0

1

2

3

4

5+

Go to F6

Continue to F2

**F2** If you or members of your family have travelled in the last 12 months, which family members travelled? *INTERVIEWER: Please cross one box only*

All the family

Adult males

Other

If other, please specify

**F3** What was the main reason for travelling? *INTERVIEWER: Please cross one box only*

Work

Holidays

Visiting family

Fairs

Other

Details / specify if necessary

**F4** At what time of year do you or family members usually travel? And for how long?

*INTERVIEWER: Please cross one box only*

All year

Summer

Winter

And for how long?

**F5** Where do you or family members usually stay when they are travelling?

*INTERVIEWER: Please cross all boxes that apply*

Transit sites

Roadside

Friends/family

Other

If other, please specify

**F6** *INTERVIEWER: Ask F6 — F8 ONLY if F1 = 0. Otherwise, go to F9*

Have you or family members ever travelled? *INTERVIEWER: Please cross one box only*

Yes

Continue to F7

No

Go to F9

**F7** When did you or family members stop travelling? *INTERVIEWER: Please write in*

Details  
Page 67

**F8 Why do you not travel anymore?** INTERVIEWER: *Cross all boxes that apply & probe for details*

Children in school	Ill health	Old age	Settled now	Nowhere to stop	No work opportunities	Other
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

If other, please specify

Details about children in school, types of ill health, or looking after relative with poor health, and specific problems/issues relating to old age

**F9 Do family members plan to travel in the future?**

INTERVIEWER: *Please cross one box only*

Yes  → Continue to F10  
No  → Go to G1

**F10 When, and for what purpose do they plan to travel?**

Details

**G**

## Bricks & Mortar Contacts

**G1 Contacts for Bricks and Mortar interviews?** INTERVIEWER: *Please write in*

Details

**G2 Any other information about this site or your accommodation needs?**

INTERVIEWER: *Please write in*

Details (e.g. can current and future needs be met  
by expanding or intensifying the existing site?)

**G3 Site/Pitch plan? Any concerns?** INTERVIEWER: *Please sketch & write in*

Sketch of Site/Pitch — any concerns?



***INTERVIEWER: May I also take your name, telephone number and address? ORS may wish to contact you to confirm that this interview took place. These details will only be used for this purpose and will not be passed onto anyone else.***

Respondent's Name.....

Respondent's Telephone.....

Respondent's Email.....

***INTERVIEWER: Thank you for your time and help completing this questionnaire***

***INTERVIEWERS DECLARATION:***

***I certify that I have conducted this interview personally with the person named above in accordance with the Market Research Society Code of Conduct***

***Interviewers Signature:***

This page is intentionally left blank

# Hambleton Gypsy, Traveller and Travelling Showpeople Guidance Note

July 2016

GUIDANCE  
PLANNING PERMISSION POLICY SITES ADVICE  
CONDITIONS  
TRAVELLER  
LOCAL ENFORCEMENT APPLICATIONS  
GYPSY NATIONAL

Draft for Consultation

There are Gypsies, Travellers and Showpeople living within Hambleton District and the council has a duty 'to ensure fair and equal treatment for travellers, in a way that facilitates the traditional and nomadic way of life of travellers while respecting the interests of the settled community' (Planning Policy for Traveller Sites DCLG 2015, para3)

It must consider the needs of these communities when determining relevant planning applications and also when preparing its Local Plan, just as it does for the settled community.

## **Purpose of this Guidance Note**

This guidance note sets out the information and evidence that the council will require to be provided by Gypsies, Travellers and Showpeople who are considering submitting a planning application for a new residential Traveller site or who are seeking to extend or improve an existing Traveller site. The same information and evidence will be sought in the investigation of any unauthorised sites. The Guidance Note draws upon national planning policy and the council's most recent research, and seeks to ensure that future provision for Traveller Sites will only be permitted where it meets a proven need that cannot be accommodated on an existing site and where it accords with national and local planning policy.

In this document "traveller" should also be taken to mean "gypsy" or "travelling showperson" except where a specific distinction is made.

The guidance clearly sets out when planning permission will be required, what the planning application process involves and what information and evidence the council will need to determine a planning application. Failure to provide satisfactory evidence to support the need for a new site or to extend an existing one will delay the planning application being considered and could ultimately lead to a refusal of planning permission.

## National Planning Policy

A new Planning Policy for Traveller Sites was published in August 2015. It sets out the Government's aims in respect of traveller sites including local planning authorities making their own assessment of need, working collaboratively to develop fair and effective strategies to meet need, addressing under provision, reducing the number of unauthorised encampments and for Local Plans to include fair, realistic and inclusive policies. An extract from this document setting out the Government's aims in respect of traveller sites is attached as Appendix 1 of this guide.

The new national planning policy redefines 'traveller' (including gypsies) and travelling showpeople to exclude those who no longer travel permanently. The planning definition of travellers is now limited to those who have a nomadic habit of life. If someone has given up travelling, except where on the grounds of only their own or their family's dependent's needs for reasons of health, education or old age they have ceased to travel temporarily, they are to be treated no different from the settled population.

Travelling Showpeople are defined as members of a groups organised for the purposes of holding fairs, circuses or shows, whether or not travelling together. They include people who on the grounds of their own or their own family's dependents more localised pattern of trading, educational, health needs or old age have ceased to travel temporarily.

Definitions taken directly from Annex1 of the national planning policy are attached as Appendix 2 of this note.

The guidance can be downloaded at:  
**[planningguidance.communities.gov.uk](http://planningguidance.communities.gov.uk)**

## Local Planning Policy

Planning applications for traveller sites will be assessed in the light of national planning policy and policies contained in the Hambleton Local Development Framework, primarily policy CP8 (Type, Size and Tenure of Housing) of the Core Strategy document, adopted April 2007, and the policy DP14 (Gypsies and Travellers' Sites) of the Development Policies document primarily the which are attached at Appendix 3 of this document.

The council is preparing a new Local Plan which once adopted in 2018 will contain the policies against which planning applications will be assessed up to 2035. As part of this process the council will review, amongst other policies CP8 and DP14 to ensure it is up to date and reflects national policy.

Policy DP14 only permits provision of new accommodation where it would meet an established need and all criteria are met. Criteria cover matters such as scale, size and location and the need for development to enable integration with neighbouring communities.

## **Gypsy, Traveller and Showpeople's Needs**

In December 2015 independent consultants were commissioned to assess the accommodation needs of Gypsies, Travellers and Showpeople in Hambleton up to the period 2035. This provides a key evidence base for the preparation of policy and against which the council will assess any planning applications for new residential sites and extensions to existing sites and also for the allocation of additional sites and extensions to existing sites through the emerging Local Plan.

The findings of the study can be downloaded at:

It is important that the findings of this research are kept up to date and therefore the study will be reviewed regularly.

## **Planning Applications**

In almost all cases, planning permission is needed for new homes even where no 'building' as such is taking place. A 'new home' includes a caravan or other type of mobile home as well as a bricks and mortar house.

Travellers who are seeking to live in their own caravan on their own site must get planning permission. Extensions to existing sites also need planning permission and those planning to adapt or change their site in any way may also need planning consent, including for the construction of sheds, kennels, outbuildings etc.

Applications must be made to the council to get planning permission.

## **Finding a site**

Before looking for a new site, Travellers should consider moving to a vacant pitch or plot on an existing site if there are any available. The supply of vacant pitches or plots will be a material consideration in determining any planning application for new provision (including extensions to existing sites) and the council will require evidence that these options have been exhausted if a new site is proposed. Applications will not normally be permitted where there is evidence of existing supply.

In the event a new site is being considered, undertaking research, including finding out the likelihood of planning permission being granted, should be carried out before buying a site. It is important that copies of any permissions and licences are obtained.

Also before applying for planning permission applicants are encouraged to seek formal pre-application advice from the council to get a view on the need for and the suitability of the site. There is a charge for this but it will help identify the planning issues and provide an indication of whether the application is likely to be approved or refused so may save abortive costs going forward.

To seek advice please ring the Development Management Team on:  
**01609 779977** or download the form at:

**[hambleton.gov.uk/downloads/download/176/pre-application\\_enquiry\\_form](https://hambleton.gov.uk/downloads/download/176/pre-application_enquiry_form)**

## Applying for Planning Permission

A planning application form must be completed. This can be collected from the local council offices or downloaded at:

**[hambleton.gov.uk/downloads/20559/application\\_forms](https://hambleton.gov.uk/downloads/20559/application_forms)**  
or the planning portal: **[www.planningportal.gov.uk](http://www.planningportal.gov.uk)**

If applicants are unsure what to do and what is needed in terms of providing key evidence such as confirmation of Traveller status it may be advantageous to use an agent or planning consultant to complete the form. The planning application form must be submitted alongside a signed completed version of the form attached at Appendix 4 of this note, the required fee and plans to the council. Details of planning fees can be found at:

**[hambleton.gov.uk/info/20174/planning\\_applications/244/fees\\_for\\_planning\\_applications\\_and\\_enquiries](https://hambleton.gov.uk/info/20174/planning_applications/244/fees_for_planning_applications_and_enquiries)**

Provided the council receives a planning application, and all the documentation is in order, it will be validated, given a unique reference number and allocated to a case officer.

If the required information is not submitted the application will not be processed. We will write to you advising what steps are necessary to rectify the decisions in the application.

### **Evidence to be provided by the applicant:**

The form attached as Appendix 4 must be completed and submitted as part of the planning application.

The information provided on the form and supporting documents will be used to scrutinise the planning application and to assess whether or not the development is needed. It includes providing the necessary information for Traveller status to be considered (if this is being claimed); details of who will be living on the site, their relationships and any health issues they may have; the number and type of caravans that will normally be on the site; details of any buildings that are proposed; an explanation why the site is needed, the reasons for choosing this site and written evidence wherever possible of what efforts have been made to investigate suitability of alternative sites, including existing sites.



Applicants will be required to provide evidence to support the answers they have given to the questions asked on the form. For example receipts/invoices to confirm where individuals have travelled to, the work that was undertaken whilst travelling and Council Tax information to confirm who lives as part of the family group.

If anything is missing the council will contact the applicant explaining what other information is needed and any outstanding information must be sent as quickly as possible. With the exception of sensitive personal data, any information sent will be made available for anyone to see. If all the information required is not provided the application may not be determined or may be refused.

You can speak to the case officer to check how your application is progressing.

The council will contact people and organisations eg neighbours, parish council, the local highway authority etc. that may be affected by or have a view on the application. The council will aim to reach a decision within 8 weeks or an alternative date agreed between the council and the applicant although this is not always possible. Anyone can write to the council and comment on the application either to support or object but they must give valid planning reasons if they are to be considered.

## **Determination of planning applications**

In line with Government policy the council will consider the following matters when determining applications for new Traveller sites or extensions to existing sites:

- Local Development Plan policies.
- The existing level of local provision and need for sites within the district.
- The availability (or lack) of alternative accommodation for the applicants.
- Other personal circumstances of the applicant eg health or educational issues.
- The character of the site.
- The location of the site.
- If the site is on land designated as Green Belt or subject to other environmental protection.
- Whether the site floods.
- The effect of the proposal on local infrastructure eg highways, schools, public services, utilities, drainage.

## **Importance will be given to the following:**

- The effective use of previously developed (brownfield) untidy or derelict land.
- A site which is well planned or soft landscaped positively enhancing the environment and increasing openness.
- If the site promotes opportunity for healthy lifestyles eg adequate play equipment for children.
- Close proximity to shops and other local services ie within approximately 2km and preferably with a footway connection from the site to these facilities.
- Sites in rural areas respecting the scale of the nearest settled community.
- Avoidance of sites that are in open countryside.
- Appropriate levels of enclosure that ensure that occupants are not deliberately isolated from the rest of the community.

## **The Decision**

A planning officer will deal with the application but the decision will be made by the Planning Committee or a senior planner, under delegated powers.

If the decision is made by the Planning Committee, applicants can attend the meeting at which the decision is to be made and they or their agent can speak for 3 minutes in support of the application provided that they register beforehand to do so.

The Planning Committee does not have to make a decision if it decides it needs more information or wishes to visit the site first. The decision may then be deferred to the next meeting. The council can decide to approve the application (usually subject to conditions) or to refuse it. The decision will be detailed in a Decision Notice which will be sent out to the applicant or agent.

Planning permission will not usually be granted if it is established that there are existing sites available in the District.

## Conditions

There will almost certainly be a list of planning conditions attached if planning permission is granted. These will depend on the nature and form of the application and the site. Some examples of conditions are:

- The development must commence within three years.
- Non-residential use such as a business activity is defined and limited to a certain part of the site, in order to minimise the visual impact and noise.
- Provision and maintenance of services such as septic tanks.
- The number of caravans is limited.
- Permissions for showpeople's yards will also include conditions limiting the number of trailers and regulating their repair, maintenance and testing.

In the event an applicant considers that their exceptional circumstances warrant the granting of a planning consent, whereby the use of the site is limited to the applicant and their family (personal permission) it will be for them to demonstrate such a case. This may be where there are particular circumstances allowing them to focus their search on a particular area eg health or educational issues to justify this.

Failure to comply with these conditions will leave you liable to enforcement action. In instances where business activity is allowed on a certain part of the site there will be a requirement to pay business rates.

## Right to Appeal

Appeals can be made against the refusal of planning permission and also against any conditions that are felt to be unfair or unreasonable.

The appeal process involves an independent government inspector from the Planning Inspectorate who will reconsider the planning application and the council's reasons for refusing it. Applicants have six months to make an appeal from the date of the refusal.

Following an appeal it can take up to six months for a decision to be issued

## | Enforcement

The council has powers to act against anyone who does not have planning permission to live on their site. Failure to do what the council says may end in prosecution. If an injunction is issued and not acted upon this might result in a prison sentence.

The council will normally seek to recover its costs in such circumstances.

### Types of Enforcement Action

- Temporary Stop Notice - which comes into force straight away and stops any further development for 28 days
- Enforcement Notice - identifies the breach of planning control and the next steps needed to be taken to resolve the issue. Appeals can be made to the Planning Inspectorate.
- Stop Notice - which can only be issued at the same time as an Enforcement Notice and is used to stop the development before the Enforcement Notice comes into effect.
- Injunction - an application to the courts to stop the development.
- Breach of Condition Notice - requires the owner or occupier to comply with any outstanding requirements of a condition imposed on the planning permission. No right of appeal.

## | The Local Plan Process

Travellers who anticipate needing multiple pitch or plot sites or site extensions for more than one family should progress these matters through the Local Plan process.

Hambleton has commenced work on a new Local Plan which will guide development up to 2035. A key purpose of the Local Plan is to meet the housing needs of all groups in society and to get the right development in the right place.

The timetable for adoption of the Plan is December 2018. Should anyone have sites that they wish to be considered for inclusion in the emerging Local Plan they should:

contact the Planning Policy team on **01609 779977** or email  
**[planningpolicy@hambleton.gov.uk](mailto:planningpolicy@hambleton.gov.uk)**

## I Appendix 1

### Government's aims in respect of traveller Sites (direct extract from National Planning Policy)

- a.** that local planning authorities should make their own assessment of need for the purposes of planning
- b.** to ensure that local planning authorities, working collaboratively, develop fair and effective strategies to meet need through the identification of land for sites
- c.** to encourage local planning authorities to plan for sites over a reasonable timescale
- d.** that plan-making and decision taking should protect Green Belt from inappropriate development
- e.** to promote more traveller site provision while recognising that there will always be those travellers who cannot provide their own sites
- f.** that plan-making and decision taking should aim to reduce the number of unauthorised development and encampments and make enforcement more effective
- g.** for local planning authorities to ensure that their Local Plan includes fair, realistic and inclusive policies
- h.** to increase the number of traveller sites in appropriate locations with planin permission, to address under provision and maintain an appropriate level of supply
- i.** to reduce tensions between settled and traveller communities in plan-making and planning decisions
- j.** to enable provision of suitable accommodation from which travellers can access education, health, welfare and employment infrastructure
- k.** for local planning authorities to have regard to the protection of local amenity and local environment

## ■ | Appendix 2

### Definitions (Extract from Planning Policy for Traveller Sites, Annex 1 Glossary, DCLG August 2015)

**Gypsies and travellers:** Persons of nomadic habit of life whatever their race or origin, including such persons who on grounds of only their own or their family's dependants' educational or health needs or old age have ceased to travel temporarily but excluding members of an organised group of travelling showpeople or circus people travelling together as such'

**Travelling Showpeople:** Members of a group organised for the purposes of holding fairs, circuses or shows (whether or not travelling together as such. This includes such persons who on the grounds of their own or their family's dependants' more localised pattern of trading, educational or health needs or old age have ceased to travel temporarily, but excludes Gypsies and Travellers as defined above.

**Pitch:** Means a pitch on a gypsy and traveller site

**Plot:** Means a pitch on a 'travelling showpeople' site (often called a yard)

## ■ | Appendix 3

### Policy CP8: Type, Size and Tenure of Housing (Hambleton Local development Framework Core Strategy Document, adopted April 2007)

Proposals for housing must take appropriate account of local housing needs in terms of size, type and tenure of dwellings. These needs will include appropriate provision for all sectors of the community, for example including the needs of elderly people and also for the particular needs of gypsies and travellers.

### Policy DP14: Gypsies and Travellers (Hambleton Local Development Framework Development Policies Document adopted 2008)

Permission will be granted for the provision of accommodation that meets the needs of gypsies and travellers' communities where the proposal would represent a way of meeting an established need, in accordance with the following criteria. These criteria will also be used as a basis for allocating sites to meet a need for Gypsy and Traveller accommodation identified through a Gypsy and Traveller Accommodation Assessment.

Sites should:

- i.** be located within reasonable distance of services and community facilities, within or close to a Service centre or Service Village, in order that residents should have access on the same basis to shops, social, educational and health facilities;
- ii.** provide an acceptable living environment, where there is potential for future improvements in accordance with the needs of the community
- iii.** be of an appropriate size which reflects both:
  - a.** the planned number of caravans and the need for separate space for commercial vehicles, a play area for children, access roads and space for safe circulation of vehicles and construction of amenity blocks; and
  - b.** the need to ensure a scale of development which allows integration with neighbouring local communities taking into account the size and density of development in the locality and availability of local infrastructure;
- iv.** have safe and convenient access to the road network. Vehicle movements should not cause hazard to other users, eg onto a bridleway or footpath;
- v.** avoid creating demonstrable harm to the amenity of existing communities, or to the natural, archaeological and historic environment, including wildlife sites and any trees and woodland in the area, and provide mitigating measures (for example landscaping) where necessary;
- vi.** not be located on contaminated land (unless remedial measures are undertaken first). This does not necessarily rule out all locations near or adjoining motorways, power lines, landfill sites or railways, any more than it would for conventional housing.

## Appendix 4

### Form to be completed and submitted as part of the Planning Application

Confirmation of Gypsy status (if this is being claimed)	
How many trips, living in a caravan or trailer has the applicant or family members made away from their permanent base in the last 12 months? When did these trips take place? (ie dates)	
Which family members travelled (ie all the family/ adult males), how long for and what was the main reason for travelling (ie work/holidays/visiting family/fairs)?	
At what time of year do the applicants or family members usually travel and for how long (ie all year/summer/winter)?	
Where do the applicant or family members usually stay when travelling (ie transit sites/roadside/friends/family etc.)?	
If the applicant has ceased to travel temporarily have they travelled in the past? If so when?	
If the applicant has travelled in the past why have they stopped and do they plan to travel again in the future?	
Other information	
Who will be living on the site including names (if known) and family relationships?	
If more than one family (parent(s) and children) intend to occupy the site, how long have they travelled together and how important is it that they stay together?	
If more than one family do the applicants want to be treated as a single group or as individual families?	
How many caravans will normally be on the site, and what type (ie touring or static)?	



Are any buildings (day rooms, stables, toilet blocks etc.) proposed? if so, provide details	
Is any business use of the site proposed?, if so provide details	
Why is a site is needed?	
Why has this site been chosen?	
Does this applicant own other sites or permanent accommodation? If so please give details.	
Can any written evidence be provided to show what efforts have been made to find an alternative site? (eg approaches to local planning authority's housing and planning departments including applications for a pitch on a Local Authority site, estate agents, landowners, other gypsies and travellers.)	
Are there any health issues which affect the day to day lives or educational needs of the applicants? (Written evidence in support of these matters must be submitted but these may become public documents and should be written with this in mind. The confidentiality of personal information will be respected in line with Data Protection laws).	
Is planning permission sought on a temporary basis? If so how long for and why? When will travel re-commence and what then will become of the site?	

**This information is available in  
alternative formats and languages**



**Hambleton District Council**

Environmental Health Service, Civic Centre,  
Stone Cross, Northallerton DL6 2UU

01609 779977

[planning@hambleton.gov.uk](mailto:planning@hambleton.gov.uk)

[hambleton.gov.uk](http://hambleton.gov.uk)

## **HAMBLETON DISTRICT COUNCIL**

**Report To:** Cabinet  
5 July 2016

**Subject:** PUBLIC OPEN SPACE, SPORT AND RECREATION ACTION PLANS

Stokesley and Appleton Wiske and Smeaton Wards  
Portfolio Holder for Leisure: Councillor Mrs B S Fortune

---

### **1.0 PURPOSE AND BACKGROUND:**

- 1.1 The Council's policy is to endorse Public Open Space, Sport and Recreation Sub Area Action Plans to provide a more strategic and efficient process for allocating future Section 106 monies (see Annex A) either from Local Development Framework allocations or windfall sites.
- 1.2 The purpose of this report is to endorse the Public Open Space, Sport and Recreation Action Plan for Great Smeaton and the revised Action Plan for Stokesley.
- 1.3 During the transition period between Section 106 fund allocations for public open space and the implementation of the Community Infrastructure Levy action plans will continue to be submitted for the purpose of allocating remaining Section 106 developer contributions and to identify community priorities for open space, sport and recreation that can be shared with Parish Councils to help them make informed decisions for spending CIL contributions that they receive.
- 1.4 The Council's policy states that each Action Plan must comply with the following:
  - Ascertain what is already provided
  - Consider public open space, sport and recreation projects that are included in the local Community or Parish Plan to identify existing need
  - Includes consultation with community groups that manage public open space, sport or recreation facilities to identify future need
  - Includes consultation with the District Council Elected Member(s) and the local Area Partnership
  - Meet the obligations of Public Open Space, Sport and Recreation Supplementary Planning Document
  - Is signed off by a Council Executive Director

The Action Plans detailed in 1.2 meet this criterion.

- 1.5 A copy of the Action Plans are detailed in 1.2 are available at Annex B.

### **2.0 LINK TO COUNCIL PRIORITIES:**

- 2.1 This links primarily to the health and wellbeing priority of the Council.

### **3.0 RISK ASSESSMENT**

- 3.1 Risk has been considered as part of this report and there are no risks identified as a result.

**4.0 FINANCIAL IMPLICATIONS:**

- 4.1 The main method of delivery of Section 106 allocations is to passport external funding from developers to community groups. Funds will not be committed or released to organisations until the Council has received the monies from the developer.
- 4.2 Action Plans will be subject to 12 monthly reviews to determine progress to ensure that the projects are still relevant and viable.

**5.0 LEGAL IMPLICATIONS:**

- 5.1 There is a legal responsibility upon the Council to ensure this funding is used in a way consistent with the individual Section 106 Agreements.

**6.0 SECTION 17 CRIME AND DISORDER ACT 1998:**

- 6.1 Some of these projects have the potential to reduce crime and disorder through providing diversionary activity for young people.

**7.0 EQUALITY/DIVERSITY ISSUES:**

- 7.1 All projects in receipt of this funding should be subject to an equalities assessment.

**8.0 RECOMMENDATION:**

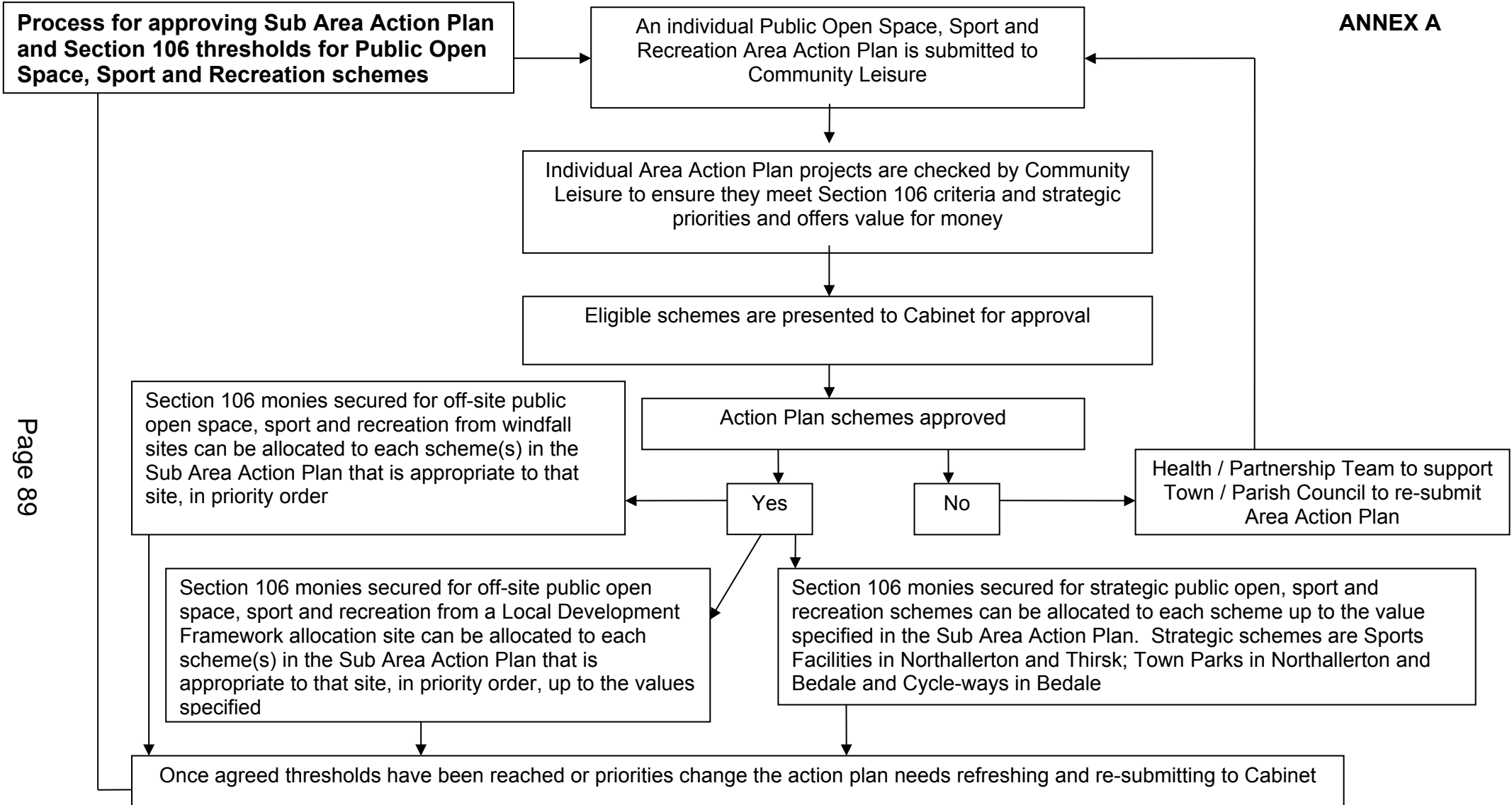
- 8.1 It is recommended that the Public Open Space, Sport and Recreation Action Plan in Annex B be endorsed.

DAVE GOODWIN

**Background papers:** Hambleton Local Development Framework – Open Space, Sport and Recreation Supplementary Planning Document

**Author ref:** DRG

**Contact:** Dave Goodwin  
Executive Director  
01609 767147



**HAMBLETON**  
**DISTRICT COUNCIL**

**PUBLIC OPEN SPACE, SPORT AND RECREATION ACTION PLAN – STOKESLEY (REFRESH)**

What POS / Sport / Recreation facilities do you have already?	Managing organisation and contact details	Future actions	How do you know there is a need for this project?	Cost (£)	Community Priority (1 = highest priority)
Cricket Club	Stokesley Cricket Club	Grounds machinery (mower, water remover and aerator)	Feedback from users	£9,800.00 (£8,780.80 allocated to date)	1
Leisure Centre; school indoor and outdoor facilities; Stokesley Sports Club (football; tennis; cricket; bowls)	Joint partnership – Stokesley Sports Village	Development of co-ordinated sports provision between HDC / School / Sports Club / North Riding Football Association / Parish Council	Stakeholder evidence and various consultations with local providers and residents	£410,000.00	2
Football Club	Stokesley Junior Football Club	Grass cutting machinery	Feedback from users and grounds people	£15,000.00	3
Cricket Club	Stokesley Cricket Club	Cricket practice nets	Feedback from users	£3,000.00	4
Stokesley Allotments	Stokesley Parish Council	Access improvements to the road and turning point including additional parking	Consultation with users who would fully support improved access	£2,500.00	5
Fitness trail	Stokesley Parish Council	Fitness trail around town for all ages	Following the closure of two play parks a requirements for family activities is required	£20,000.00	6
River Leven public open space	River Leven Group	To make improvements to the pathways and banks of the River Leven to make it more accessible to the community	Consultation has taken place	£20,000.00	7
Cycleways – current provision minimal	Stokesley and Villages Community Regeneration Group	To develop a cycle link between Stokesley and Great Ayton, incorporating the Industrial Estate	Public consultation and discussions with Sustrans	£500,000.00	S106 funds allocated separately as identified in the LDF allocations document 2009

**HAMBLETON**  
**DISTRICT COUNCIL**

**PUBLIC OPEN SPACE, SPORT AND RECREATION ACTION PLAN – GREAT SMEATON**

What POS / Sport / Recreation facilities do you have already?	Managing organisation and contact details	Future actions	How do you know there is a need for this project?	Cost (£)	Community Priority (1 = highest priority)
Village greens and grass verges	Smeatons with Hornby Parish Council	Installation of 5 picnic benches to increase usage of Smeaton Green and Hornby Green	Consultation with residents and Parish Councillors	£2,750.00	1
	Smeatons with Hornby Parish Council	Installation of 3 interpretation boards to provide local history, flora and fauna information	Discussions with Parish Councillors	£3,200.00	2
	Smeatons with Hornby Parish Council	Installation of natural play equipment on Hornby Green	Feedback from residents about lack of play provision in the parish	£6,000.00	3

This page is intentionally left blank