

North Yorkshire Council

Invitation to submit expression of interests for piloting double devolution

1. Introduction

- 1.1. North Yorkshire Council is inviting expressions of interest from town and parish councils that would like to participate in the piloting of double devolution.
- 1.2. Double devolution is about town and parish councils and community groups managing services and assets on behalf of the new council. It is entirely separate from the proposed devolution deal between the Government and York and North Yorkshire.
- 1.3. The proposal for local government reorganisation in North Yorkshire included a commitment to pilot double devolution and provide opportunities for town and parish councils and community groups that would like to manage services and assets on behalf of the new council. It stated that all instances of double devolution would need to have a solid business case and delivery plan and be cost neutral to the new council. It also stated that double devolution would be piloted, and it would be very unlikely any transfer would take place before April 2024.
- 1.4. The pilot stage is restricted to town and parish councils, with the aim of identifying and selecting up to six expressions of interest which can be jointly developed to full business cases. Subsequent stages will be open to local community groups (for example community trusts) as well as town and parish councils (including those who participate in this pilot).

2. Services and assets that could be included in the pilot

- 2.1. Many new council services that are delivered, and assets that are based, within an individual town or parish could be considered.
- 2.2. Devolution of decision making (for example planning or traffic regulation orders) will not be considered.
- 2.3. Services and assets that generate a significant net income for the new council will not be considered unless the lost net income will be offset by the town or parish council accepting full responsibility for additional services of equal cost that the new council would otherwise have to pay for.
- 2.4. The new council's budget for a transferred service and asset would be transferred to the town or parish council as part of a legal agreement committing the town or parish council to maintain at least the same level and standard of service delivery on a permanent basis. The full costs of any enhanced service would have to be met by the town or parish council from the transferred budget or the town or parish council's own resources.

- 2.5. Depending on the service or assets, the transfer might have to include a TUPE transfer of staff (Transfer of Undertakings (Protection of Employment)). This would need to be considered as part of developing the full business case.
- 2.6. This is a pilot and will involve significant changes and risks for participating town or parish councils and the new council. Town and parish councils are strongly encouraged to only consider services and assets that are not disproportionately larger than their existing services and assets. There will be opportunities in the future for town and parish councils to submit further expressions of interest.
- 2.7. Double devolution is in addition to, and does not replace, existing arrangements through which the County Council can pay a town or parish council a financial contribution for cutting the visibility and safety areas of urban highway grass (<https://www.northyorks.gov.uk/grass-cutting-verge-hedge-and-tree-maintenance>) and support a town or parish council that wants to provide a higher level of winter maintenance in their area (<https://www.northyorks.gov.uk/community-gritting-partnerships>).

3. Process

- 3.1. Any town and parish council can submit an expression of interest for the pilot. This is the expression of interest stage; a full business case is not required at this stage.
- 3.2. North Yorkshire Council will evaluate all the expressions of interest received and select up to six that it wishes to explore further with the relevant town or parish council to jointly develop a full business case. The decision on which expressions of interest will be developed into full business cases will be made by the Executive of North Yorkshire Council, following consultation with the relevant local North Yorkshire Council councillors and Area Committees.
- 3.3. The evaluation process will be based on:
- 3.3.1. A formal commitment by the town or parish council (at full council)
 - 3.3.2. The town or parish council having the legal competence (powers) to deliver the service or manage the asset
 - 3.3.3. The likelihood that the expression of interest will result in a solid business case and delivery plan
 - 3.3.4. The likelihood that the town or parish council will (if necessary, with reasonable initial help) have the ability to deliver the service or manage the asset effectively and safely
 - 3.3.5. The likelihood that the transfer will be cost neutral to the new council
 - 3.3.6. The likelihood that the transfer will not have a negative impact on the new council's strategic objectives or service delivery
 - 3.3.7. The likelihood that the transfer will have a positive benefit for the local community

- 3.3.8. The aim to have a range of pilots across different services and geographical areas
- 3.4. It is envisaged that the decision on which expressions of interest are selected to be developed into full business cases will be taken in autumn 2023, but this will depend on the number and complexity of submitted expressions of interest.
- 3.5. North Yorkshire Council will work in partnership with the selected town and parish councils to jointly develop full business cases. North Yorkshire Council will play a full part in this, contributing reasonable time and skills of its officers. The town or parish councils will also be expected to play a full part in this, contributing reasonable time and skills of their councillors and officers. North Yorkshire Council will not fund town or parish councils for their contribution or for the employment of consultants or additional staffing.
- 3.6. Each selected town or parish council will need to make a formal commitment (at full council) to the relevant full business case.
- 3.7. North Yorkshire Council will evaluate the full business cases. The decision on which full business cases will be implemented will be made by the Executive of North Yorkshire Council, following consultation with the relevant local North Yorkshire Council councillors and Area Committees.
- 3.8. It is envisaged that the decision on which full business cases are progressed will be taken in spring 2024. It is very unlikely any transfer would take place before April 2024.
- 3.9. The detailed nature of each transfer will need to be considered as part of developing the full business case. This will depend on what was being transferred and the circumstances but is likely to include a legal agreement committing the town or parish council to maintain at least the same level and standard of service delivery on a permanent basis, a lease or permanent transfer of an asset, and (if appropriate) a TUPE transfer of staff.

4. Outline timetable

- 4.1. Invite town and parish councils to submit expressions of interest – late November 2022.
- 4.2. Closing date for receipt of expressions of interest – 31 March 2023.
- 4.3. Evaluation of expressions of interest – summer 2023.
- 4.4. North Yorkshire Council Executive decision on up to six to develop a full business case – autumn 2023.
- 4.5. Joint development of full business cases – autumn 2023 to spring 2024.
- 4.6. Evaluation of full business cases – spring 2024 (on a case-by-case basis as they become ready for evaluation).

- 4.7. North Yorkshire Council Executive decision on which full business cases to progress – spring 2024 (on a case-by-case basis as they become ready for a decision).
- 4.8. Transfer date – very unlikely before April 2024 (on a case-by-case basis as they become ready for implementation).

5. How to make an expression of interest

- 5.1. The town or parish council clerk / responsible finance officer should submit a formal request from the town or parish council by email including all the information requested (see appendix) in PDF format to doubled devo@northyorks.gov.uk no later than 31 March 2023.
- 5.2. A full business case is not required at this stage, just the information requested.
- 5.3. All expressions of interest received, and all information submitted as part of expressions of interest, may be published by North Yorkshire Council as part of its decision-making processes.
- 5.4. A town or parish council may submit more than one expression of interest, but a maximum of one full business case (which might be a package of linked transfers) will be developed with a town or parish council.
- 5.5. All town and parish councils considering submitting an expression of interest are asked to request an informal discussion at the earliest possible opportunity by emailing doubled devo@northyorks.gov.uk.
- 5.6. Questions about the process should be emailed to doubled devo@northyorks.gov.uk.

6. Additional information

- 6.1. Information about assets owned by the existing eight councils is available at:
- 6.1.1. Craven District Council <https://www.cravendc.gov.uk/data-and-transparency/open-data/>
- 6.1.2. Hambleton District Council <https://www.hambleton.gov.uk/transparency/local-authority-land/1>
- 6.1.3. Harrogate Borough Council <https://www.harrogate.gov.uk/data-protection-freedom-information/data-transparency>
- 6.1.4. North Yorkshire County Council https://northyorks.concerto.co.uk/content/site_public_page.aspx
- 6.1.5. Richmondshire District Council <https://www.richmondshire.gov.uk/council-and-democracy/council-information/council-data/local-authority-land-and-building-assets/>

- 6.1.6. Ryedale District Council <https://hub.datanorthyorkshire.org/dataset/local-authority-land-nad-assets-information-for-ryedale-district-council>
- 6.1.7. Scarborough Borough Council <https://www.data.gov.uk/dataset/5cdc1994-d85e-4f5f-9de8-4df332105022/land-and-property-assets>
- 6.1.8. Selby District Council <https://www.selby.gov.uk/datasets>
- 6.2. Information about services delivered by the existing eight councils is available at:
 - 6.2.1. Craven District Council <https://www.cravendc.gov.uk>
 - 6.2.2. Hambleton District Council <https://www.hambleton.gov.uk>
 - 6.2.3. Harrogate Borough Council <https://www.harrogate.gov.uk>
 - 6.2.4. North Yorkshire County Council <https://www.northyorks.gov.uk>
 - 6.2.5. Richmondshire District Council <https://www.richmondshire.gov.uk>
 - 6.2.6. Ryedale District Council <https://www.ryedale.gov.uk>
 - 6.2.7. Scarborough Borough Council <https://www.scarborough.gov.uk>
 - 6.2.8. Selby District Council <https://www.selby.gov.uk>
- 6.3. Information about the budget and staffing of individual services or assets is not available at this stage and is not necessary for completion of the expression of interest form. This information will be provided for expressions of interest which are selected for development into full business cases.

Appendix - Information required when submitting expression of interest for piloting double devolution

- A. Full name of town or parish council
- B. Name and contact details of town or parish council clerk / responsible finance officer including job title, postal address, email address and telephone number
- C. The town or parish council must agree to the submission of this expression of interest at a full town or parish council meeting. Attach (as an appendix) a copy of the minutes of the meeting signed by the mayor or chair of the council.
- D. Describe (maximum one side of A4) the services that the town or parish council currently delivers and the assets that it currently manages
- E. Total income of the town or parish council in financial year 2021/22
- F. Income raised by precept in financial year 2021/22
- G. Total expenditure in financial year 2021/22
- H. Attach (as an appendix) a copy of the town or parish council's final accounts for the financial year 2021/22
- I. Anticipated total income of the town or parish council in financial year 2022/23
- J. Anticipated income raised by precept in financial year 2022/23
- K. Anticipated total expenditure in financial year 2022/23
- L. Attach (as an appendix) a copy of the town or parish council's budget for the financial year 2022/23
- M. Summarise (maximum one side of A4) the roles that the town or parish council currently employs paid officers to undertake, the numbers of paid officers, and the relevant qualifications held by the clerk / responsible finance officer and other paid officers
- N. Describe (maximum one side of A4) the services that the town or parish council wants to deliver or assets it wants to manage through the double devolution pilot
- O. Has the town or parish council adopted the General Power of Competence as set out in the [Parish Councils \(General Power of Competence\) \(Prescribed Conditions\) Order 2012](#)? Yes / No? If yes, attach (as an appendix) a copy of the minutes of the relevant meeting signed by the mayor or chair of the council. If no, specify which legislation the town or parish council will be using to give it the legal power to deliver the services or manage the assets.
- P. Describe (maximum one side of A4) why the town or parish council wants to deliver the services or manage the assets, including the benefits for the local community, how the transfer would fit with wider plans and local partnerships, and any public consultation already undertaken

- Q. Describe (maximum one side of A4) the skills, knowledge and experience the town or parish council already has that will enable it to deliver the services or manage the assets; and the skills, knowledge and experience which it will need to acquire and how it will acquire these
- R. Describe (maximum one side of A4) any changes the town or parish council envisages making to the services or assets, and how these will be funded
- S. Describe (maximum one side of A4) the main risks the town or parish council will need to manage to deliver the services or manage the assets and how it will mitigate these risks
- T. Any additional information (maximum one side of A4) that the town or parish council wishes to provide