

Draft invitation to town and parish councils

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 developed to full business cases. Subsequent stages will be open to local community groups (e.g. 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. 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.
- 2.5. This is a pilot and will involve significant changes and risks for participating town or parish councils and for 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 for additional services and assets.
- 2.6. Double devolution is in addition to, and does not replace, existing arrangements through which the County Council can pay 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 town and parish councils who want 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 councils can submit expressions 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 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 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. North Yorkshire Council will work in partnership with the selected town and parish councils to develop full joint 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 paid employees. North Yorkshire Council will not fund town or parish councils for their contribution or for the employment of consultants or additional staffing.
- 3.5. Town and parish councils will need to make a formal commitment (at full council) to the full business case.
- 3.6. 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.
- 3.7. It is envisaged that the decision on which expressions of interest will be developed into full business cases will be taken in autumn 2023, but much will depend on the number and complexity of submitted expressions of interest.
- 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 nature of transfers will need to be considered as part of developing the full business cases and will depend on what was being transferred and the circumstances but might

include a service level agreement regarding a service, a lease or permanent transfer of an asset, and a TUPE transfer of staff.

4. Outline timetable:

- Invite town and parish councils to submit expressions of interest – late November 2022
- Closing date for expressions of interest – 31 March 2023
- Evaluation of expressions of interest – summer 2023
- North Yorkshire Council Executive decision on up to six to develop a full business case – autumn 2023
- Joint development of full business cases – autumn 2023 to spring 2024
- Evaluation of full business cases – spring 2024 (on a case-by-case basis as they become ready for evaluation)
- 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)
- 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. Submit by email one document in PDF format containing all Information requested (see below) to XXXXX no later than 31 March 2023.

5.2. A full business case is not required at this stage, just the information requested.

5.3. A town or parish council may submit more than one expression of interest, but there will be a maximum of one full business case developed (which might be a package of linked transfers) with a town or parish council

5.4. Information about assets owned by the existing eight councils is available at:

5.4.1. Craven District Council <https://www.cravencdc.gov.uk/data-and-transparency/open-data/>

5.4.2. Hambleton District Council <https://www.hambleton.gov.uk/transparency/local-authority-land/1>

5.4.3. Harrogate Borough Council <https://www.harrogate.gov.uk/data-protection-freedom-information/data-transparency>

5.4.4. North Yorkshire County Council https://northyorks.concerto.co.uk/content/site_public_page.aspx

5.4.5. Richmondshire District Council <https://www.richmondshire.gov.uk/council-and-democracy/council-information/council-data/local-authority-land-and-building-assets/>

5.4.6. Ryedale District Council <https://hub.datanorthyorkshire.org/dataset/local-authority-land-nad-assets-information-for-ryedale-district-council>

5.4.7. Scarborough Borough Council <https://www.data.gov.uk/dataset/5cdc1994-d85e-4f5f-9de8-4df332105022/land-and-property-assets>

5.4.8. Selby District Council <https://www.selby.gov.uk/datasets>

5.5. Information about services delivered by the existing eight councils is available at:

5.5.1. Craven District Council <https://www.cravencdc.gov.uk>

5.5.2. Hambleton District Council <https://www.hambleton.gov.uk>

5.5.3. Harrogate Borough Council <https://www.harrogate.gov.uk>

- 5.5.4. North Yorkshire County Council <https://www.northyorks.gov.uk>
- 5.5.5. Richmondshire District Council <https://www.richmondshire.gov.uk>
- 5.5.6. Ryedale District Council <https://www.ryedale.gov.uk>
- 5.5.7. Scarborough Borough Council <https://www.scarborough.gov.uk>
- 5.5.8. Selby District Council <https://www.selby.gov.uk>

- 5.6. Information about the budget and staffing of 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 to be developed into full business cases.

- 5.7. Questions and requests for informal discussions about the process should be emailed to
XXXXXX