



Summons and Agenda for the  
**Council Meeting**

to be held on

**TUESDAY 13 DECEMBER  
2016**

at

**6.00pm**

**SELBY**  
  
DISTRICT COUNCIL





To: All District Councillors

cc: Chief Officers  
Directors

You are hereby summoned to a meeting of the Selby District Council to be held in the Civic Centre, Doncaster Road, Selby on **TUESDAY 13 DECEMBER 2016** starting at **6.00pm**. The Agenda for the meeting is set out below.

**Janet Waggott**  
**Chief Executive**

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to:- (i) the recording being conducted under the direction of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact, prior to the start of the meeting, Palbinder Mann – Democratic Services Manager via [pmann@selby.gov.uk](mailto:pmann@selby.gov.uk) or 01757 292207. Any recording must be clearly visible to anyone at the meeting and be non-disruptive.

# AGENDA

Opening Prayers.

## 1. Apologies for Absence

To receive apologies for absence.

## 2. Disclosures of Interest

A copy of the Register of Interest for each Selby District Councillor is available for inspection at [www.selby.gov.uk](http://www.selby.gov.uk).

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests.

Councillors should leave the meeting and take no part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

## 3. Minutes

To approve as a correct record the minutes of the meeting of the Council held on 20 September 2016 (pages 1 to 6 attached).

## 4. Project A – Church Fenton Garden Village

To consider a report concerning the Church Fenton Garden Village (pages 7 to 14 attached).

## 5. Communications

The Chairman, Leader of the Council or the Chief Executive will deal with any communications which need to be reported to the Council.

## 6. Announcements

To receive any announcements from the Chairman, Leader or Members of the Executive.

## 7. Petitions

To receive any petitions.

**8. Public Questions**

To receive and answer questions notice of which has been given in accordance with rule 10.1 of the Constitution.

**9. Councillors' Questions**

To receive and answer questions submitted by councillors in accordance with rule 11.2 of the Constitution

**10. Reports from the Executive**

The Leader of the Council, and other members of the Executive, will report on their work since the last meeting of the Council and will respond to questions from Councillors on that work (pages 15 to 26 attached).

**11. Reports from Committees**

To receive reports from the Council's committees which need to be brought to the attention of Council. To receive questions and provide answers on any of those reports (pages 27 to 30 attached).

**12. Motions**

To consider any motions.

**13. Council Tax Support Scheme**

To consider a report which proposes changes to the Council Tax Support Scheme (pages 31 to 38 attached).

**14. Changes to Arrangements for Appointment of External Auditors**

To consider the report which presents a recommendation from the Audit and Governance Committee regarding changes to the arrangements for appointing External Auditors following the closure of the Audit Commission and the end of the transitional arrangements at the conclusion of the 2017/18 audits. (pages 39 to 51 attached).

**15. Report of the Monitoring Officer – Standards Arrangements**

To consider the report which covers the operation of the current standards regime for Selby District Council and Parish Councils within Selby District (pages 52 to 63 attached).

**16. Interim Review of Polling Districts and Polling Places 2016**

To consider a report which outlines proposals by the Acting Returning Officer arising from an interim review of polling districts and polling places (pages 64 to 72 attached).

**17. Urgent Action**

The Chief Executive will report on any instances where she has acted in urgent or emergency situations under the functions delegated to her in the Constitution.

## Council

Venue: Council Chamber  
Date: Tuesday 20 September 2016  
Time: 6pm

26	Apologies for absence
27	Disclosures of Interest
28	Minutes
29	Communications
30	Announcements
31	Petitions
32	Public Questions
33	Councillors' Questions
34	Reports from the Executive
35	Reports from Committees
36	Motions
37	Medium Term Financial Strategy (General Fund)
38	Community Engagement Forums Annual Reports
39	Change to Committee Membership
40	Urgent Action

Present: Councillor Mrs S Duckett in the Chair

Councillors K Arthur, D Buckle, J Cattanach, M Crane, J Deans, K Ellis, M Hobson, M Jordan, C Lunn, D Mackay, J Mackman, B Marshall, C Metcalfe, R Musgrave, B Packham, C Pearson, D Peart, I Reynolds, B Sage, Mrs J Shaw-Wright, R Sweeting, J Thurlow, P Welch and Mrs D White.

Officers Present: Janet Waggott, Interim Chief Executive, Karen Iveson, Chief Finance Officer, Julie Slatter, Director of Corporate Services and Commissioning, Gillian Marshall Solicitor to the Council, June Rothwell, Head of Operations, and Palbinder Mann, Democratic Services Manager.

Press: 1  
Public: 3

**26. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors I Chilvers, Mrs J Chilvers, D Hutchinson, Mrs M McCartney and Mrs W Nichols.

**27. DISCLOSURES OF INTEREST**

There were no declarations of interest.

**28. MINUTES**

The Council considered the minutes of the Council meeting held on 19 July 2016.

It was pointed out that there was an error under minute item 20 – Reports from Committees, where it should have stated Councillor W Nichols rather than Councillor W Nichols Crawford.

Discussion took place on the resolution for minute item 21 – Motions. It was felt this needed to be reworded as it did not reflect what was agreed at the meeting. It was agreed that the meeting notes would be checked again to ascertain what the correct wording on the resolution was.

**RESOLVED:**

**To approve the minutes of the Council meeting held on 19 July 2016 for signing by the Chairman with the above amendments and subject to the checking of the written notes of the last meeting.**

**29. COMMUNICATIONS**

The Interim Chief Executive reported that the consultation had now opened on the Boundary Commission for England's review of Parliamentary Constituency Boundaries. The Council was informed that the consultation period ran from 13 September 2016 to 5 December 2016 and details of the consultation had been sent to Members.

**30. ANNOUNCEMENTS**

No announcements were made.

**31. PETITIONS**

No petitions were received.

**32. PUBLIC QUESTIONS**

No questions from members of the public were received.

**33. COUNCILLORS QUESTIONS**



No questions from Councillors were received.

### **34. REPORTS FROM THE EXECUTIVE**

#### Councillor M Crane - The Leader of the Council

The Leader of the Council reported on the work he had recently undertaken as outlined in his report.

In addition to the update provided on the agenda, the Leader of the Council provided the Council with an update on the fire at the Mushroom Farm in Gateforth. The Leader of the Council explained that it was believed that waste was deposited illegally and fires had been started in several different places across the site. The Council was informed that an investigation was currently ongoing in liaison with the Environment Agency and the Police and that the total cost of the clean-up operation was currently around £1,250.

A query was raised on whether the current interim Chief Executive was working two days a week or for half of her time for Selby District Council. The Leader of the Council explained that the arrangement was for the interim Chief Executive to work 50% of her time for Selby District Council however this also included additional hours on top of those spent at the Civic Centre.

In response to a further query regarding the timescales for the current staffing restructure, the Leader of the Council explained that it was hoped that the restructure would be finalised by the end of the year.

#### Councillor J Mackman, Deputy Leader of the Council and Executive Lead Member for Place Shaping

Councillor J Mackman, Deputy Leader of the Council and Lead Executive Member for Place Shaping, provide an update on the work he had recently undertaken as outlined in his report.

A query was raised around the remainder of the Olympia Park allocation being added to the five year land supply. The Deputy Leader of the Council and Lead Executive Member for Place Shaping explained that this referred to a part of land in Barlby for which a planning application had been submitted. The Council was informed that the land allowed for a mixed development of housing on the site.

#### Councillor C Lunn, Lead Executive Member for Finance and Resources

Councillor C Lunn, Lead Executive Member for Finance and Resources presented his update on the work he had recently undertaken as outlined in his report.

#### Councillor C Metcalfe, Executive Lead Member for Communities and Economic Development

Councillor C Metcalfe, Lead Executive Member for Communities and Economic Development provided an update on the work he had recently undertaken as outlined in his report.

In response to a query around the announcement on the results of the procurement process for support to the Community Engagement Forums, the Lead Executive Member for Communities and Economic Development explained that the results would be announced next week.

A query was raised on the implications for leaving the European Union for the area. The Lead Executive Member for Communities and Economic Development explained that the situation was currently business as usual and discussions had taken place with the Local Enterprise Partnerships on inward investment for the area.

Councillor R Musgrave, Executive Lead Member for Housing, Leisure, Health and Culture

Councillor R Musgrave, Lead Executive Member for Housing, Leisure, Health and Culture provided an update on the work he had recently undertaken as outlined in his report.

Queries were raised on the costs and benefits for the Tour de Yorkshire event and what would be the membership of the Steering Group. The Lead Executive Member for Housing, Leisure, Health and Culture explained that benefit to the county would be around £100m however he would find out whether a local cost benefit analysis had been undertaken. With regard to the Steering Group, the Council was informed that the terms of reference and the membership had not been agreed.

In response to a query regarding Barlow Common, the Lead Executive Member for Housing, Leisure, Health and Culture explained that a meeting had been held with Yorkshire Wildlife Trust to discuss the development of a plan to enhance Barlow Common's important role in the community and that further meetings would be held to finalise the plan.

**RESOLVED:**

**To receive and note the reports from the Executive.**

**35. REPORTS FROM COMMITTEES**

Councillor W Nichols, Chair of the Overview and Scrutiny Committee

In the absence of Councillor W Nichols, Chair of the Overview and Scrutiny Committee, the Scrutiny Committee update was taken as read.

Councillor J Deans, Chair of the Policy Review Committee

Councillor J Deans, Chair of the Policy Review Committee provided an update on the work of the Committee as outlined in his report.

In response to queries concerning the Charitable Collections Policy, the Solicitor to the Council explained that the policy was yet to go out to consultation however there would be a voluntary code of practice in relation to direct debits implemented with the policy.

Councillor M Jordan, Chair of the Audit and Governance Committee

Councillor M Jordan, Chair of the Audit and Governance Committee reported that the next meeting of the Committee would be held on Wednesday 28 September 2016.

**RESOLVED:**

**To receive and note the reports from Committees.**

**36. MOTIONS**

There were no motions.

**37. MEDIUM TERM FINANCIAL STRATEGY (GENERAL FUND)**

The Executive Lead Member for Finance and Resources presented a report on the recommendations from the Executive on an update to the revised Medium Term Financial Strategy that was approved by Council in February 2016.

The strategy takes account of the Government's offer of a multi-year finance settlement and includes the requirements for a supporting efficiency plan.

The Executive Lead Member for Finance and Resources explained that the Government planned to phase out the Revenue Support Grant (RSG) for local authorities by 2020 and this would then be replaced by 100% retention of business rates however further details were subject to consultation and therefore a cautious approach had been undertaken in the strategy. It was also explained that a response to the Government's consultation on Business Rates Retention had been circulated to Members.

The strategy proposed a target net General Fund revenue budget of £10.5m for 2017/18 along with a savings target of £1.1m for the year (rising to £1.7m by 2018/19).

The Council was informed that a £5 increase for Council Tax for a band D property had been modelled in the mid-case scenario, which would generate an income of £152k for the Council over the next three years.

It was explained that the strategy confirmed the Council's approach to the use of its reserves and identified an indicative £10m as potentially available to support the Programme for Growth from 2017/18 – proposals would be considered as part of the forthcoming budget round.

Concern was raised on the lack of details around the Council's Programme for Growth and that further details should be provided for the projects under this

programme. The Leader of the Council explained that any money spent under the programme was reported back to Council.

**RESOLVED:**

- i) **To approve the Medium Term Financial Strategy.**
- ii) **To take up the Government's offer of a multi-year finance settlement.**

**38. COMMUNITY ENGAGEMENT FORUMS ANNUAL REPORTS**

The Executive Lead Member for Communities and Economic Development presented the annual reports from the five Community Engagement Forums (CEF)

**RESOLVED:**

**To note the contents of the reports.**

**39. CHANGE TO COMMITTEE MEMBERSHIP**

The Leader of the Council presented a report which asked for approval of the proposed change to the membership of the Licensing Committee.

**RESOLVED:**

**To approve the following change to the membership of the Licensing Committee:**

- **Councillor Buckle to replace Councillor Jordan.**

**40. URGENT ACTION**

It was reported that the Chief Executive had not taken any urgent action since the last meeting of Council.

The meeting closed at 6.45pm.



**Report Reference Number: C/16/7**

**Agenda Item No: 4**

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<b>To:</b>	<b>Council</b>
<b>Date:</b>	<b>13 December 2016</b>
<b>Author:</b>	<b>Dave Caulfield – Director of Economic Regeneration &amp; Place</b>
<b>Lead Officer:</b>	<b>Janet Waggott – Interim Chief Executive</b>

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**Title: Project A – Church Fenton Garden Village**

**Summary:**

The government launched a national prospectus seeking expressions of interest for new Garden Villages in March 2016. Selby District Council officers, working with officers from North Yorkshire County Council, City of York Council and the YNYER LEP, with support from consultants Spawforths, prepared a submission for the land at Church Fenton airfield.

The ambition was to develop a concept for an exemplar new community, to deliver really high quality homes and new quality employment opportunities in a place with access to green open space. The proposal also considered new transport infrastructure and links to support sustainability and wellbeing with a key principle being delivery of key infrastructure up-front to allow a planned and comprehensive development approach.

This report sets out why we submitted the bid, why it was submitted confidentially, the approach set out in the bid to community engagement and also why we withdrew the bid to concentrate on shorter term housing delivery priorities in the district.

**Recommendations:**

**To note the contents of the report.**

**1. Introduction and background**

- 1.1 The government launched an Expression of Interest document for new Garden Villages in March 2016 seeking expressions by the end of July 2016. In launching the prospectus Governments stated:

*We want to encourage more local areas to come forward with ambitious locally-led proposals for new communities that work as self-sustaining places, not dormitory suburbs. They should have high quality and good design hard-wired in from the outset – a new generation of garden villages, towns and cities.*

*We know that there is interest at the local level in how developing new garden villages, towns and cities can be a suitable way of meeting local housing need, rather than building on to existing settlements.*

*To support local authorities in realising their vision for new garden settlements, we can provide a tailored package of support that could include a limited amount of funding. That funding could for example be used to ensure the local authority has the right skilled staff in place or pay for key studies and assessments.*

- 1.2 Government indicated they may support up to 12 such Garden Village proposals. It is important to note that submitting an expression of interest did not commit the Council to proceeding with proposals following further studies and community engagement, nor to submitting or supporting any subsequent planning application.
- 1.3 Work had already started prior to that date on a planning framework for the airfield given its status as a special policy area. The Chief Executive asked Officers to consider whether the site was suitable for an expression of interest under the prospectus. The decision to start that work was made between the 19<sup>th</sup> and 30<sup>th</sup> March 2016. The proposal was worked up between the end of March and July 2016. The decision to submit the final expression of interest was made by the Chief Executive of the Council on the 26<sup>th</sup> July 2016.

## **2 The Report**

### **The Expression of Interest – Project A**

- 2.1 The Expression of Interest for Project A was submitted by the York, North Yorkshire and East Riding LEP on behalf of Selby District Council, North Yorkshire County Council, City of York Council and the York, North Yorkshire and East Riding LEP.
- 2.2 The bid was put together by officers from these respective organisations with support from consultants Spawforths.
- 2.3 The bid was clear that the initiative was exploring longer term development potential and would sit outside and beyond the local plan making process. This was an important factor with officers not wanting this longer term proposition to undermine current Local Plans in preparation.

## **Why we submitted the bid**

- 2.4 Our ambition had been to develop a concept for an exemplar new community which would deliver really high quality new homes and quality new employment opportunities in a strategically located place. The opportunity was to create a truly exemplar new community set in a framework of high quality open space that could provide wider recreation, landscape and flood attenuation benefits.
- 2.5 The concept submitted also considered new transport infrastructure and links to support sustainability and wellbeing. A clear principle was that infrastructure would be provided up-front and designed in a way that could address the needs of the new settlement and existing communities. For example new road infrastructure could address existing capacity constraints in the wider area. Enhanced rail and public transport provision could also benefit the existing local villages and the green infrastructure of the settlement could be designed to provide flood mitigation benefits for a much wider area.
- 2.6 We believed a new Garden Village could have helped to help deliver significant benefits across a number of key agendas. More detail on the potential benefits envisaged is set out in Appendix A to this report.
- 2.7 As part of the work to support the submission we also considered other potential sites in the District. However we concluded that the location of Church Fenton Airfield made it the best choice for our expression of interest and would bring the greatest benefits.

## **Why a confidential bid?**

- 2.8 Garden Villages and new settlements take years of planning and consultation to bring to fruition – the bid timeline allowed only months to pull together a credible submission. Our submission was therefore clear that we were only presenting a concept of what a garden village could be, not a finalised masterplan. We were clear that it was only the beginning of the process of working with Government, partners, key stakeholders and the local community to explore the potential of a Garden Village.

## **Community engagement**

- 2.9 Our view was that if we were shortlisted by the government then that would allow us to start a comprehensive period of engagement with key stakeholders and local communities. We sought financial support from government in our bid to allow us to put in place a team and the right resources to lead on the significant extra work that would be needed to progress further engagement, infrastructure studies, viability assessments and masterplanning.
- 2.10 We allowed for three years in the programme to do this work and envisaged a period of at least 12-18 months of comprehensive community and stakeholder engagement to shape our thinking on how a Garden Village could best deliver the wider benefits as set out in the Appendix to this report.

- 2.11 We also identified a longer term governance structure for delivery which included for representatives from the local community to sit on the Delivery Board.
- 2.12 We also proposed a new Community Trust to give local community a long-term stewardship role in the new garden village. We proposed that it would own key assets such as a community energy company and some housing which would allow the trust to re-invest profits back into the community and give it covenant to borrow to further develop community facilities and programmes.
- 2.13 We saw local community and wider stakeholder engagement as critical to the success and proper planning of a Garden Village and envisaged this being rolled out comprehensively if we were shortlisted by government.

#### **Why we withdrew the bid**

- 2.14 The decision not to proceed was made by the Interim Chief Executive on the 10<sup>th</sup> November 2016. This was conveyed to the LEP and to Councillors on 11<sup>th</sup> November 2016.
- 2.15 It was withdrawn because Selby district continues to face some shorter-term challenges in terms of delivering the new homes people need. Following the recent public inquiry at Hodgsons Lane in Sherburn In Elmet it is now clear that the Council does not have a five year housing land supply. There are a number of key sites and smaller sites which need unlocking if we are to meet the need for more homes in the district and a key priority is to progress Plan Selby, our existing planning framework to 2027.
- 2.16 We therefore want to concentrate our efforts on these short-term needs to support our residents. We want to focus on ensuring we have a five-year land supply and our growth plans for the next decade. This will allow us to deliver housing now, rather than diverting efforts into looking at much longer-term opportunities. We believe this will better meet the needs of people living and working in our area.

### **3 Legal/Financial Controls and other Policy matters**

#### **Legal Issues**

- 3.1 If the proposal had received government support, the submission of an expression of interest did not commit the Council to proceeding with nor supporting such a proposal it were deemed not to be appropriate following further feasibility and engagement work. The decision to proceed beyond that stage would have been made at a meeting of Council.

#### **Financial Issues**

- 3.2 The bulk of work on the preparation of the submission was undertaken by Spawforths at a cost of £49,250. This was funded from the strategic sites budget within the Programme for Growth budget.



## **Impact Assessment**

- 3.3 The submission outlined the benefits that could potentially be obtained and the programmed community engagement would have included full impact assessment on residents, the environment and other key issues before any final decision to proceed was taken.

## **4. Conclusion**

- 4.1 The expression of interest for an exemplar new Garden Village at Church Fenton airfield was submitted by the YNYER LEP on behalf of a number of local authorities. It identified a number of potential significant benefits around housing delivery, new employment opportunities, infrastructure provision and potential wider benefits for flood mitigation and encouraging sustainable, active and healthy living.
- 4.2 New settlements and Garden Villages take years in the planning whereas the window of opportunity to submit a bid was only a matter of months. Partners therefore submitted the bid on the basis that if shortlisted this would trigger a comprehensive period of wider stakeholder and local community engagement.
- 4.3 Our bid highlighted that there would be significant local community involvement in both the planning, implementation and future stewardship of a new garden village. Our submission sought extra resources needed from the government to do this. We allowed three years for scheme development of which we envisaged around 12-18 months would be to enable comprehensive local community and stakeholder engagement.
- 4.4 The submission was always intended to look at longer term housing needs beyond the current plan period. Our bid was withdrawn in early November given the need to now concentrate our resources on shorter term housing delivery challenges facing Selby district.

## **5. Background Documents**

Project A Expression of Interest Submission

*Contact Officer:*

*Dave Caulfield  
Selby District Council  
dcaulfield@Selby.gov.uk*

## **Appendices:**

Appendix A – Potential benefits of a Garden Village

## Appendix A - Potential benefits of a Garden Village

1. A **visionary and planned approach** to create an **exemplary new settlement**:
  - **'Yorkshire's first new 21<sup>st</sup> Century Garden Village'**
  - **local authority led public-private partnership bid** – submitted by YNYER LEP on behalf of Selby DC, City of York Council, NYCC and the LEP with support from key landowner Makin Enterprises and Screen Yorkshire – strong track record of investment and delivery.
  - **Place-making at its heart** - quality homes and new businesses in a quality environment and an opportunity to showcase the best of sustainable development. The Derwenthorpe urban extension in York has gained national recognition and we saw an exemplar Garden Village at Church Fenton providing an opportunity to put Selby and Yorkshire at the front of sustainable place-making and raise our national profile.
  - Puts Selby and the sub-region on the Northern Powerhouse map – this could be the **Northern Powerhouse flagship housing project**.
2. **Up to 10,000 new homes** - helping to **accelerate housing delivery** to meet national, sub-regional and local **housing need**:
  - **Meets the national challenge** to build more homes – Getting Britain Building
  - Deliver **Northern Powerhouse economic growth** and the need for more and better homes
  - Help to **deliver the YNYER LEP Strategic Economic Plan** which is committed to doubling the number of homes delivered
  - Significant opportunity to provide **more affordable homes** – and provide innovative ways to home those whose needs are not met by the market, utilising a full range of products that can support people to access home ownership (e.g. starter; affordable rent; shared ownership etc). Up to 30% affordable target in the bid = up to 3,000 affordable homes
  - Promote **variety in the village's housing delivery model** (e.g. Custom Build; self-build and co-housing alongside SME builders and established national builders)
  - Provide **homes for all generations** including innovative forms of assisted and supported living for the growing ageing population.
  - Facilitate **innovative forms of housing delivery** – potential scope to collaborate on a large scale with **L&G Homes** who have just created Europe's biggest modular housing factory at Sherburn In Elmet. This would get national attention and secure increased investment and more jobs.

3. **Major new employment** proposed - not just homes but **businesses and jobs created**:

- Growth of the **creative and media** priority sector including a **nationally significant creative hub**, building on the success of the fledgling Yorkshire Studios at Church Fenton – to develop the film, television and digital art industry base in Yorkshire.
- Forging **innovative links with colleges, universities and the creative industries** and maximising higher education opportunities associated with the digital media sector
- Significant **new employment opportunities** created – potential for 16,000 new jobs and 37,000 construction jobs
- **Construction hub/village** - long-term on-site construction skills training and apprenticeships for local people for the duration of the build-phases of the Garden Village
- **Higher education opportunities** associated with the **construction sector** both on site and in the district (e.g. potential to develop strong collaboration with Selby College)
- Proposed **employment and skills ‘guarantees’** – local labour, youth unemployment and skills/apprenticeships guarantees linked to the new Garden Village.
- Explore ways of **supporting a local/regional supply chain** (e.g. contractors, building suppliers, etc)

4. **Major new infrastructure** – the Garden Village would create the critical mass needed to deliver new infrastructure which would benefit both the new community and residents and businesses in the local area

- Church Fenton and Ulleskelf - scheme designed so all non-local traffic would **‘by-pass’** these villages
- **Strategic new road link** between Sherburn Enterprise Park and the new Church Fenton Employment/Creative Hub
- Scope to link proposed new rail and bus services into the emerging **Leeds City Region metro** plans - to create much greater accessibility to surrounding higher order places such as Leeds and York
- **New and enhanced railway stations and services** at Church Fenton and Ulleskelf
- Explore a potential **connection to new HS3 line** to create enhanced national and Northern connectivity
- Potential new **link road between the A1(M) and A64**
- New **public transport linking the three towns**

5. **Enhancing flood resilience** – the Garden Village could provide a long term sustainable solution to tackling both local and wider flood risk issues:

- All development sits **outside the flood plain**
  - design the settlement and its green infrastructure to **address local flooding issues**
  - The significant new open space would be designed to provide **wider flood attenuation benefits** for places such as Tadcaster and Selby – providing natural flood storage capacity both up-stream and down-stream using the same principles adopted so successfully at Pickering and elsewhere.
6. **Takes pressure off Green Belt sites** – Church Fenton is a strategically located **brownfield site** outside of the Green Belt:
- Earlier Plan Selby consultation raised **concerns about incremental development** in Sherburn in Elmet and Tadcaster with constraints to development
  - This provides a planned solution to **meeting longer term housing need on non-Green Belt** land where key infrastructure would be planned and delivered up-front.
7. **Wider health benefits** – the adoption of wider Garden City principles would deliver a planned new settlement with major new health benefits:
- Designed around active travel – **cycling and walking at its heart** – and linked with improved rail connections
  - Local **health and social infrastructure provided up front**
  - **Buildings designed with sustainability and health benefits** at their heart e.g. low energy, passive ventilation
  - Significant **new green infrastructure** – parks, meadows, woodland and new sport and recreation facilities and pitches will provide for rest, relaxation and active life-styles for new and existing residents.
  - 245 hectares of **new accessible greenspace and new planting** including **significant buffers** to separate existing villages.



## Cllr Mark Crane

### Leader of the Council

#### Report to Council on 13 December 2016

This report covers the period from the Council meeting in September 2016. During this period I have attended Executive and Executive Briefings and represented the Council at regional and national meetings and events. Reporting on key items:

#### Awards

I am delighted to inform Council that our Media and Communications Team won a national award for its work to support the Fire Service, Environment Agency and others in dealing with the major fire of illegally dumped waste at Gateforth New Road near Selby earlier in the year.

The team scooped the top prize for 'best emergency or crisis communications' at the awards run by Comms2.0, an organisation which supports innovation in public sector communications. There were over 300 entries across the award categories.

The Council's team led the public communications on behalf of all the organisations responding to the fire. In particular, the team's use of video from the site helped to push out important public safety messages about the incident. Using video to tell the story meant that people shared the communications with their own friends and families, which significantly increased the number of people who saw the public safety information. It was the impact of this innovative approach to supporting the incident that was recognised by the judging panel, with nearly 18,000 people seeing the messages.

I would also say that I was shortlisted in the 'Leader of the Year' category for my work at Selby. The criteria for this category included demonstrating outstanding commitment to the role, having a clear vision for the Council, and evidence of successfully leading the Council to that. I was delighted and surprised to be nominated by my colleagues and on the shortlist of seven Council Leaders. Sadly, and unlike our comms team, I was not able to bring home the trophy!

#### Selby College

Huge congratulations should also go to Selby College which was ranked as the highest-performing college in Yorkshire and the joint second highest-performing college in England after an **FE Week** survey ranked colleges on apprenticeships,

helping learners find work and both learner and employer satisfaction. The college is a huge asset to our District and they are key partners to this Council in helping us deliver our Corporate Plan ambitions to be a great place to do business, enjoy life and make a difference.

### **Olympia Park**

Commercial confidentiality prevents me from giving full details of the current negotiations on Olympia Park but there are very productive detailed discussions ongoing between Officers, the two LEPs and the HCA aimed at the public sector taking a very proactive role in unlocking the delivery of this key strategic housing and employment site. I hope to be in a position to update Councillors on these proposals in the new year.

### **Tadcaster Bridge**

Following the approval of a planning application by this Council work has been continuing on Tadcaster Bridge. Unfortunately river levels meant that work was slower than forecast and disappointingly, the bridge will not now re-open this year. The latest update from the County Council is that the structure is being reinforced before concrete is poured in. Steel girders, along with scaffolding will be used to make a hoist to move the stone from the river bank in to the river and then lower it into to place.

I hope that the reopening, alongside the announcement that Tadcaster will host the start of stage 2 of the Tour de Yorkshire and the prestigious women's race will mean 2017 will be a great year for the Town.

Mark Crane  
Leader



**Councillor John Mackman**

**Deputy Leader of the Council**

**Report to Council on 13 December 2016**

This report covers the period from the Council meeting on 20 September 2016.

### **1) Planning Service Management Update**

James Cokeham our Head of Strategic Planning, Policy & Economic Development will be focussing his efforts in the coming months on building up the new Economic Development and Regeneration function that will drive the growth and business investment in Selby district. To create the capacity for him to do that Phil Crabtree (who undertook the review of the Councils Development Management service), has agreed to manage the Planning Service in the interim period. Phil will therefore be able to lead the implementation of the Planning review and work closely with Members, Parish Councils and Applicants on improving the planning service and assisting with the delivery of major developments that are critical to the future of the District (e.g. Kellingley and Olympia Park) as well as supporting the preparation of Plan Selby.

Previously, Phil was Chief Planning Officer at Leeds City Council for 8 years and was responsible for major planning applications such as the Leeds Trinity and Victoria Gate Shopping Centre and major housing schemes such as the 2000 dwellings East Leeds Extension, Orbital Relief Road and associated infrastructure. Clearly, Phil will be able to bring his experience in Leeds to help us with our challenges here in Selby.

I am also pleased to announce that Principal Planning Officers, Tom Ridley and Helen Gregory are stepping up on an interim basis as Joint Planning Policy Manager. The two will work together to lead the Planning Policy Team and bring stability to the PLAN Selby programme.

### **2) Planning Service Review**

We've now completed a comprehensive review of our planning service, with the aim of improving customer service and making the service into an award winning function. This supports our Corporate Plan objectives of making the district a great place to do business and a great place to enjoy life.

This internal review has identified a comprehensive range of over 60 practical actions to improve our Planning Service, they cover key issues such as planning processes, how Planning Committee operates, IT systems and our work with key partner organisations. To date over 50 actions are underway and on track for full delivery before the end of March.

Important to the Planning Service is how we work with key partners. Over the last few weeks we've put in place an arrangement with Historic England, who are working with us free of charge to improve the way in which we consult on applications. We're also now working closely with the Environment Agency to improve the way we deal with flood risks.

Other actions underway include starting work on updating the IT systems to give officers the tools to do the job, training committee members on specialist topics. This includes issues such as flood risk and conservation. This will help to improve the way in which we make decisions. We're also working towards developing a business friendly charter to develop a proactive approach to customer service for businesses, developers, agents and private applicants.

I welcome and support the improvements being made by officers to the planning service, which are crucial to the future delivery of growth in the Selby district.

### **3) Sites and Policies Local Plan (PLAN Selby)**

I presented a report to the Executive on 6 October updating them on the broad scope and content of the emerging 'PLAN Selby' local plan (and associated documents) and the suggested arrangements for public consultation to take place in January/February 2017. The Executive recommended that officers reconsider whether the current timetable was achievable or whether it required further revision.

I am working with officers to establish a realistic timetable for the next stages of plan preparation. Work on PLAN Selby evidence base and initial drafting therefore continues and although there is no revised timetable yet, it is likely that the next stage of consultation will be undertaken later next year when we are confident that the document is entirely complete, sound and legal.

### **4) Five Year Housing Land Supply**

Since the Executive endorsed the Council's 5.9 year housing land supply position in August, there has been an appeal hearing against the refusal of a planning application for residential development at Hodgsons Gate, Sherburn in Elmet. At the enquiry the Council conceded that the 5.9 year supply was not available, achievable and deliverable. The inspector's report for the appeal is due 8<sup>th</sup> December and will no doubt provide some lessons for the future.

Because the Council has accepted that we don't have a 5YHLS, this means that, when assessing planning applications in accordance with the National Planning Policy Framework, some policies which deal with the supply of housing in the Core Strategy are now considered out of date and applications must be considered with a presumption in favour of sustainable development and grant permission unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

The approach to determining planning applications for housing without a 5 year supply will still assess proposals in accordance with up to date sections of the development plan and other material considerations. All applications will be judged on their own merits and take into account factors such as:

- Visual Impact on the Character and Form of the Area
- Flood risk, drainage and climate change
- Residential amenity



- Impact on highways
- Impact on Heritage Assets
- Affordable housing
- Recreational open space
- Education, healthcare, waste and recycling
- Nature conservation and protected species
- Contamination
- Greenbelt

The Council will review its 5 year housing land supply at the end of the financial year and will submit a new statement in 2017.

## **5) Neighbourhood Planning**

Members will be aware that Appleton Roebuck and Acaster Selby Neighbourhood Development Plan is progressing and that the group are currently preparing to submit the final version of the plan for examination in 2017.

We are also continuing to provide advice to Selby Town Council (Neighbourhood Area designated on 3<sup>rd</sup> March 2016) and have recently consulted on applications from Church Fenton Parish Council and Ulleskelf Parish Council. There were no responses received to either consultation and officers will look to recommend the designations are approved.

The council will need to reflect on the resource implications of having this number of neighbourhood plans requiring officer support.

## **6) Stakeholder Forum**

One of the key proposals in the report 'Growing Selby Together' is to establish a stakeholder forum representing key stakeholders with an interest in the future of the Council's Planning Service. They can help to improve and design parts of our service so that it better suits their needs (e.g.improved contact with case officers and better involvement by parish councils in the planning service). This is a new initiative by the Council and the Executive have agreed that we should set it up for a trail period of 12 months in the first instance. The Forum will aim to help us to improve our processes whilst not invoking discussion of individual planning applications or appeals.

## **7) Brownfield Land Register**

Selby District Council is a pilot authority for the Government's brownfield land register. The brownfield land register provides house builders with up-to-date and publicly available information on all brownfield sites available for housing in the district. The register aims to help housebuilders identify suitable sites quickly, speeding up the construction of new homes, it also allows communities to draw attention to local sites for listing, including derelict buildings and eyesores that are primed for redevelopment and that could attract investment to the area.

Selby's register includes a list of sites with accompanying data. The list includes brownfield sites which already have planning permission and brownfield sites that do not. Those that do not have permission will still have to go through the normal planning application process. Some sites may go through a simplified planning process if the Council decides

at a later date that they can be given permission in principle. The register also includes a list of sites that were submitted but not included on the register and the reasons for this.

#### **8) Selby and District Housing Trust**

Consideration of the alternative Riccall proposal has been deferred whilst the Housing Trust and the Council undertake a joint exercise assessing whether a change in the procurement process might bring cost savings to future schemes. It is hoped that this joint piece of work will report in the near future.

**John Mackman**  
**Deputy Leader of the Council**



**Councillor Cliff Lunn**

**Executive Member for Finance and Resources**

**Report to Council on 13 December 2016**

**Executive 6 October 2016**

**Council Tax Support Scheme 2017/18**

This report set out recommended changes to the Council's Council Tax Support Scheme with effect from 1 April 2017, following public consultation - a report for consideration by full Council is later on this agenda.

In summary it is proposed to retain the maximum level of Council Tax Support at 90% and to introduce a number of other changes necessary to bring the Scheme into line with wider Central Government welfare reforms.

**Executive 3 November 2016**

**Financial Results and Budget Exceptions Report to 30 September 2016**

This report reviewed the Council's financial position up to 30 September 2016.

At the end of the second quarter, the forecast for the General Fund revenue budget shows an estimated deficit of £2k against a budgeted surplus of £117k. The HRA is currently forecast to make a surplus of (£297k). A number of key variances, including a shortfall against savings targets, have been identified. The financial position will be monitored closely for the remainder of the year and opportunities for in-year and ongoing savings will be reviewed.

The Capital Programme is progressing well on the HRA, however, there has been limited spend on the General Fund.

Savings against the current Programme for Growth are forecast and resources are available for re-allocation. The programme is under review as part of the annual budget process.

**Treasury Management – Monitoring Report to 30 September**

This report reviewed the Council's borrowing and investment activity, as well as performance against Prudential Indicators up to 30 September 2016.

Following the cut in Bank Rate to 0.25% in August, investment returns are anticipated to reduce further from the already low levels. A further rate reduction was anticipated in November 2016 however, this did not occur.

The latest forecast is that the Council will achieve £190k on investment income (£152k General Fund; £38k HRA), £98k below budget.

The Council's long term borrowing position remains unchanged at £60.3m and interest payments of £2.5m (£0.1m General Fund; £2.4m HRA) are forecast for 2016/17. The Council's affordable limits for borrowing were not breached during this period.

### **Budget**

Our draft budget proposals are now out to public consultation following Council's approval of the Medium Term Finance Strategy back in September.

Over the last two months The Executive have been working with the new Leadership Team to formulate a financial plan for the next 3 years in the context of on-going austerity as our core funding is set to fall further.

Whilst some savings opportunities have been identified more will be needed and as part of the budget consultation, we are seeking views on where these should fall.

As members will be aware our approved strategy seeks to strike a careful balance between savings and investment - using one-off cash windfalls to support the budget whilst we work towards savings and investing to stimulate local economic growth. This in turn will generate more sustainable income streams – ensuring this Council's finances remain viable and resilient not just for the short term but for the foreseeable future.

I welcome members' views on these important issues and at the time of writing look forward to the budget seminars that have been arranged for all councillors.

### **Building Control Awards**

I attended the annual Building Control Awards in London last month – representing the North Yorkshire Building Control Partnership in my capacity as Vice-Chair. Whilst there were no nominations for developments in Selby District, the partnership won an award for a scheme in Whitby.

**Cliff Lunn**



**Councillor Chris Metcalfe**

**Executive Member for Communities and Economic Development**

**Report to Council on Tuesday 13 December 2016**

**Economic Development and Growing Enterprise**

The consultation for the draft 'Selby District Economic Development Strategy 2016-20...and beyond' finished on 12 October after 8 weeks of public consultation. A good level of response was received (55 in total). Following initial analysis of the responses to our public consultation, we don't anticipate any major amendments to the strategy, however further focussed engagement is required with some key businesses.

At the moment, we currently have limited Economic Development resources within the team. As such, we will be working with our neighbouring authorities to provide this technical support going forward, along with setting up key account management for the district. We will be taking the Economic Development Strategy to Executive Briefing on 16 February 2017, with a view to it being approved at Executive on 2<sup>nd</sup> March 2017. An informal update will be provided at Executive Briefing on 15<sup>th</sup> December 2016.

Close liaison is continuing with the developers behind S2 (previously 'The Proving Ground') and the former Gasgoine Wood in order to bring these strategically-important employment sites to the market. A planning application for 'Trimodal 34' (the Kellingley Colliery site) has now been received for the construction of an employment park of up to 1.45 million sq ft (135,500 sq m) gross floor space comprising of B2, B8 and ancillary B1 uses, ancillary retail facilities (A1-A4).

Close partnership working with both our constituent Local Enterprise Partnerships (LEPs); Leeds City Region & York, North Yorkshire & East Riding, is critical to achieving our economic ambitions. We have worked closely with both LEPs to ensure that our priorities support wider ambitions for Yorkshire and the North of England, ensuring that the Council is as well-placed as possible to take advantage of future funding opportunities such as the Local Growth Fund.

**Community Engagement Forums**

Review of current arrangements/support: The procurement process is now complete and the new CEF support arrangements are in place. This is being provided by AVS for all CEF's except Central CEF where Groundwork will provide the support.

## Car Park Strategy

Progress is being made by Officers liaising with communities and businesses with the consultation open until 12 December 2016. All consultation responses will be considered by Officers over the coming months and any necessary changes made to the draft strategy.

## Community Safety/LDT/Prevent

The Dot Peen property marking scheme was launched on the 25<sup>th</sup> of May and so far there have been over 20 property marking and crime reductions roadshows held in the district. Following this we will be training community groups to use the machine to ensure it is being used to mark as much property as we can. This will allow communities to identify the best places & times to suit their needs.

A number of approaches were taken over the summer to reduce the number of Anti-social Behaviour Incidents and prevent the increase seen during the 2015 school holidays. These included the Purple Bus, Fire Service 1 day courses, events at the Summit and organised youth activities. Compared with 2015 there was a 38% reduction of reported incident.

The Selby Against Retail Crime (SARC) have updated their radio system and this will improve communication between the Police and each other. They are looking into buying a more interactive web based system currently being used by York and some areas in West Yorkshire. A representative from SARC now sits on the Selby Town Enterprise Partnership (STEP) to ensure designing out crime is considered as part of the Town Centre improvements.

The OPCC has provided £3600 for Target Hardening for the Selby District. This is to be spent over the next financial year and will target those who have been or at risk of being a victim of crime or anti-social behaviour. As this is a limited fund it will be used to target those with most need.

All internal Prevent training has been completed. An updated Counter Terrorism Local Profile has been drawn up and the Prevent Action Plan has been updated to reflect the new profile. A joint awareness session for local businesses is being planned by SDC and the Police. DC Whitehouse from Special Branch has agreed to do some bespoke training at SDC around threats from Extreme Right Wing organisations.

Alcohol Brief Interventions Training took place at SDC for internal staff and partners. This training is a 1 day course funded by NYCC designed to help staff who work face to face with our communities to recognise the signs of harmful drinking and if appropriate signpost them to support services. This course will be offered to our Pubs through the Pub Watch Scheme.

A CCTV camera from Vipa has been acquired on a free trial to assess how successful the deployment would be to prevent occurrences of fly tipping and/or increase prosecutions in the district. A site has been identified for the trial which will last for approximately two weeks. Once this has taken place findings will be presented to the LDT to assess the viability of the camera.

**Chris Metcalfe**



**Councillor Richard Musgrave**

**Executive Member for Housing, Leisure, Health, and Culture**

**Report to Council on 13<sup>th</sup> December 2016**

This report covers the period since the Council meeting on 20<sup>th</sup> September 2016.

**Housing**

**Housing Development Programme**

Following a start on site at Byram on 21<sup>st</sup> September 2016, work has now begun on the two other Phase 1 sites, both in Eggborough. The timber frames have been erected at Byram and the footings for the foundations have been dug at Eggborough. The contract term for each site is 33 weeks.

Tenders have gone out for the demolition of the block of flats at Byram Park Road, Byram following approval from Executive for the redevelopment of the site as reported to Full Council in September. It is expected that demolition will take place early in 2017.

We are continuing to explore opportunities to increase housing delivery across all tenures, and we are considering options to meet the affordable housing need identified through recent parish Housing Needs Surveys at Riccall and Hambleton. A survey will be completed in Cliffe soon.

For the half year to the end of September we have delivered 38 new affordable homes, all for rent, through S106 with Registered Provider partners. These are broken down into 21 rural homes (at Thorpe Willoughby and Newton Kyme) and 17 urban homes (at Sherburn).

**The Housing & Planning Act**

The Housing & Planning Act introduced several new initiatives including a new 'Pay to Stay' policy, which was to require higher rents to be charged for households earning over £31,000. It was confirmed in the Autumn Statement that following review, the government has decided not to proceed with the policy in its current compulsory form. However, local authorities and housing associations will have the discretion to implement the policy for tenants with incomes over £60,000.

The Autumn Statement set out that the proposed extension of the Right to Buy to housing association tenants is now to be a regional pilot (rumoured to be in the West Midlands), and it is anticipated that the White Paper before Christmas will set out the government's policy ambitions for accelerating housing construction.

## **Leisure & Culture**

### **Tour de Yorkshire**

On 2<sup>nd</sup> December, it was confirmed that Tadcaster will host the start of day two of the Tour de Yorkshire 2017. This means that the town will host both the Women's race in the morning, and the second stage of the men's competition starting at lunchtime. Final race timings will be confirmed over the coming months.

The race announcement was marked by a visit to Tadcaster by Sir Gary Verity, Chief Executive of Welcome to Yorkshire, and, Christian Prudhomme, Director General of ASO, the organisation that runs the Tour de France and jointly organises the Tour de Yorkshire. Tadcaster's involvement in the race has already secured significant positive media coverage for the town across the region.

We're now progressing our community and business engagement work, to help people make the most of the opportunity. We held a special business event in Tadcaster to mark the route announcement and a further community information event was held on 8<sup>th</sup> December. A business support session is being planned for January.

Discussions are already underway with potential sponsors to support a Tadcaster festival to run alongside the race. This will be designed to give people a reason to stay in the town for the whole day, maximising the value of hosting both the women's and men's races.

## **Health**

### **Selby Sportive**

Our final figures are still subject to change as we are still receiving bits and bats of fundraising but the total raised for Yorkshire Cancer Research currently stands at an amazing £22,952.79! Thanks, and congratulations to all concerned for making this happen.

### **Pathways to Health Project**

Selby Wellbeing Team has worked with a wide range of partners including, North Yorkshire Stronger Communities Team, North County Council Rights of Way Team, local general practitioners, Groundwork, the Canal and River Trust and the Trans Pennine Trail, on the Pathways to help project which aims to help people get out and about walking in their local communities.

The Pathways to Health project put investment into marketing literature, information leaflets and maps, way markers and pathway repair and making sure barriers to participation are minimised.

The project concentrates on seven pathways around parts of the Selby Horseshoe and the Trans Pennine Trail. The walks vary in distance from just over a mile to more challenging routes of up to nine miles. This project was nominated for a North Yorkshire County Council Innovation Award, the result yet to be revealed.

### **Move it Lose it**

The Move it Lose it programme is an Adult weight management project funded by North Yorkshire Public Health to Selby District Council and is delivered by Inspiring Healthy Lifestyles.

To date 1531 people have engaged with the project. 947 people completed the scheme and over 1026 stone or 6515 KG weight has been lost by participants over the 18months of the project.

### **Richard Musgrave**





## **Councillor Wendy Nichols - Chair of Scrutiny Committee**

### **Update to Council 13 December 2016**

The Scrutiny Committee has met once since the last update provided to Council on 20 September 2016. The Committee held a meeting on 27 September 2016 that was chaired by the Vice Chair, Councillor Mrs S Duckett. Members considered the following:

### **Scrutiny Committee – 27 September 2016**

#### **GROUND MAINTENANCE SERVICE – GRASS CUTTING**

The Head of Commissioning, Contracts and Procurement presented a briefing note that outlined the arrangements in relation to grass cutting throughout the District and responded to the concern raised by Councillor Hutchinson that the service had been insufficient during the summer.

Councillors felt satisfied with the information presented to the Committee and noted the report.

#### **SCRUTINY COMMITTEE WORK PROGRAMME**

The Committee agreed to include the following items to the Work Programme:

- Programme for Growth.
- Olympia Park development update

Councillor Wendy Nichols  
Chair, Scrutiny Committee



## **Councillor J Deans – Chair of Policy Review Committee**

### **Update to Council – 13 December 2016**

The Policy Review Committee has met twice since the last update provided to Council on 20 September 2016. The Committee held a meeting on 13 September 2016 and 15 November 2016, the following items were considered:

### **Policy Review Committee – 13 September 2016**

#### **REVIEW OF THE DRAFT CAR PARK STRATEGY**

The Policy Officer provided a report and provided the Committee with an opportunity to comment on the Draft Strategy as part of the consultation process.

Members raised a number of comments regarding the draft Strategy and asked for the points raised to be fed into the consultation process.

#### **DEVELOPMENT OF A REVISED CORPORATE COMPLAINTS POLICY**

The Graduate Trainee introduced the report and explained that the Council's Complaints Policy (Comments, Compliments and Complaints) had last been reviewed in 2011 and was now due to be updated.

Councillors suggested the Graduate Trainee contacted former complainants to ask them about their experience and how the process could be improved.

In relation to the accessibility of the revised Policy, Members highlighted the need to provide information in a variety of formats i.e. via the Council's website and in print. In addition, the use of graphics/ flow chart diagrams and the importance of clearly signposting information on the Council's website were discussed.

#### **WORK PROGRAMME 2016/17**

Members agreed to consider a change in the Taxi Driver Licence Policy at the next Committee meeting.

### **Policy Review Committee – 15 November 2016**

#### **DRAFT CHARITABLE COLLECTIONS POLICY**

The Assistant Policy Officer presented a report that set out the Council's draft Charitable Collection Policy.

Members were invited to comment on the draft Policy as part of the consultation process.

The Committee agreed to endorse the draft Charitable Collections Policy, subject to the comments raised at the meeting being considered by the Executive.

### **TAXI LICENSING POLICY**

The Solicitor to the Council presented a report that outlined a change to the requirements of the Taxi Licensing Policy and the options available to the Council.

The Committee agreed to recommend to the Executive that the Taxi Licensing Policy be amended to reflect Option C and the companies named in the report be included on the approved list of test providers.

### **WORK PROGRAMME 2016/17**

Members requested that the Committee be provided with an update regarding PLAN Selby as soon as possible.

Councillor J Deans  
Chair, Policy Review Committee



### **Councillor Mike Jordan – Chair of Audit and Governance Committee**

The Audit and Governance Committee met on 28 September 2016. The main item of business was to approve the Statement of Accounts for 2015/16 and to receive the External Audit Completion Report. The Committee was able to ask questions of officers and I am pleased to report that the Statement of Accounts was approved. I would like to place on record my thanks to officers for their work in preparing the Statement, and to the Committee members for their input.

The Committee also considered an Internal Audit report on ICT Disaster Recovery. As the report had concluded 'Limited Assurance'; it had been brought to my attention as Chair of the Committee. I requested that the report be brought before the Committee. The Committee was concerned at the degree of fragmentation in the provision of ICT systems, data storage and backup support, but was reassured by officers that this is increasingly common as local authorities seek to make use of shared services where appropriate. The Committee was further reassured that actions had been undertaken to mitigate the risks identified in the report. Officers will be providing a further update at our January meeting.

The Solicitor to the Council presented us with the Annual Review Letter from the Local Government Ombudsman, which noted that there had been 23 complaints made to the Ombudsman regarding Selby District Council but that most cases were either closed after initial investigation or referred back to the Council as the complainant had not exhausted the Council's own complaints process. Of the remaining 5 cases only 2 had been upheld. These related to housing and benefits and taxation.

The Committee also considered a number of minor amendments to the Internal Audit Charter, which were necessary due to changes being made to the Public Sector Internal Audit Standards.

Finally we noted that the Council now has one corporate Risk Register (as opposed to the separate Corporate and Access Selby registers), which reflects the recent changes to the organisational structure. We will continue to monitor the Risk Register and the internal audit reports.

I conclude by wishing everyone all the best for the festive season.

**Councillor M Jordan**

Chair, Audit and Governance Committee



## Public Session

Report Reference Number: C/16/8

Agenda Item No: 13

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<b>To:</b>	<b>Council</b>
<b>Date:</b>	<b>13 December 2016</b>
<b>Author:</b>	<b>Ralph Gill, Benefits &amp; Taxation Lead Officer</b>
<b>Lead Officer:</b>	<b>Karen Iveson, Chief Finance Officer</b>
<b>Executive Lead:</b>	<b>Cliff Lunn, Lead Councillor for Finance &amp; Resources</b>

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## Title: Council Tax Support Scheme

### Summary:

In 2014 the Council approved a Council Tax Support Scheme for working age people for 2015/16 and 2016/17. The Council must now review the Scheme in order to approve new arrangements for 2017/18 and 2018/19. Irrespective of whether any changes are made, a new Scheme must be approved by Full Council before 31 January 2017.

On 12 July 2016 the Executive approved that public consultation be undertaken on retaining the maximum level of Council Tax Support at 90% and on a number of other changes necessary to bring the Scheme into line with wider Central Government welfare reforms.

At its meeting on 6 October 2016, the Executive received the results of the public consultation and resolved to ask Council to approve the amendments to the Scheme as set out in this report.

### Recommendations:

- i. To approve the maximum Council Tax Support level for working age people remaining at the current level of 90%**
- ii. To approve the changes to the scheme outlined in the report**
- iii. To adopt the scheme for a period of two years from April 2017 to March 2019.**

### Reasons for recommendation

To ensure the Council's Working Age Council Tax Scheme continues to support residents and is in line with wider Central Government welfare reforms.

## 1. Introduction and background

- 1.1 The Local Government Finance Act 2012 imposed a duty on all Billing Authorities in England to adopt a Council Tax Support Scheme for people of working age every year from 2013 onwards. Whilst a Council may choose to adopt a scheme for more than one year at a time it may not change its scheme within a financial year. All changes to an authority's Scheme are subject to public consultation.
- 1.2 Initially, Selby District Council allowed up to 91.5% of a person's Council Tax liability to be paid in response to an incentive received from the Department for Communities and Local Government (DCLG). From April 2014 the maximum allowance was reduced to the current level of 90%. Pension Age claimants may receive Council Tax Support for up to 100% of their Council Tax liability under the Prescribed Scheme established by DCLG.
- 1.3 Council Tax Support is administered alongside Housing Benefit as a single claim. For this reason DCLG are incorporating current and future welfare reform changes made by Central Government to Housing Benefit into the Prescribed Pension Age Council Tax Support Scheme to mirror how these are applied in the national benefit schemes.
- 1.4 All of the district councils within North Yorkshire and City of York Council are taking the same approach and adopting the changes into their Working Age Council Tax Support Schemes to bring them into line with the welfare reform changes being made by the Government for the purpose of clarity and consistency.

## 2 The Report

### Maximum Liability

- 2.1 The Council's current Working Age Council Tax Support Scheme allows a maximum Council Tax Discount of 90% depending on claimants' income and savings. Executive on 12 July 2016 approved consultation on retaining the 90% maximum award. The table below sets out the maximum award levels across North Yorkshire.

Table 1 – The Maximum award of CTS across North Yorkshire

Council	%	Council	%
Harrogate	100.0	Scarborough	87.5
Ryedale	91.5	Richmondshire	85.0
Craven	90.0	Hambleton	80.0
Selby	90.0	York	77.5

2.2 Whilst claimants have to pay a minimum of 10% of their Council Tax liability irrespective of their level of income, the Council can award Council Tax Support Discretionary Hardship Payments to assist those with limited financial resources.

### 3. Proposed changes to the Working Age Scheme

3.1 As set out above, councils across North Yorkshire are in the process of amending their Council Tax Support Schemes to bring them into line with the wider welfare reform changes being made by the Government.

3.2 Following consultation it is proposed that all of these changes are incorporated into the Council’s Working Age Council Tax Support Scheme with effect from 1 April 2017.

#### Removal of the Family Premium

3.3 The removal of family premium from 1<sup>st</sup> April 2017 for new claims will bring the Council Tax Support Scheme in line with Housing Benefit. The Family Premium is part of how we assess the ‘needs’ of any claimant, compared with their income. This has been given when a claimant has at least one dependant child living with them.

3.4 Removing the family premium will mean that the extra amount given to people with children will be removed and the maximum effect of this to a household is £3.49 per week<sup>1</sup>. This change would not affect those on Income Support, Income Related Employment and Support Allowance or Income Based Jobseeker’s Allowance.

3.5 The table below models the impact of removing the family premium in Selby District<sup>2</sup>.

Table 2 – Impact of Family Premium being removed

Households Affected	Highest Weekly Reduction	Lowest Weekly Reduction	Average Weekly Reduction	Total Weekly Saving	Total Annual Saving
393	£3.49	£0.02	£3.17	£1,247.11	£64,849.56

3.6 This change brings the working age Council Tax Support Scheme in line with Housing Benefit changes proposed by Central Government. The change has already been introduced for pension age claimants by Central Government.

<sup>1</sup> The Family Premium is £17.45 per week to which a 20% taper is applied giving £3.49

<sup>2</sup> (Modelling data based on caseload extracts at 5<sup>th</sup> May 2016 applying the reduction to the full working age caseload. The saving shown is the overall saving; the Council’s share is £6,730)

- 3.7 This change would not affect those on Income Support; Income Related Employment and Support Allowance; or Income Based Jobseeker's Allowance.

#### **Reduce Backdating from 6 months to 1 month**

- 3.8 Currently claims for Council Tax Support from working age claimants can be backdated for up to 6 months where an applicant shows they could not claim at an earlier time. Central Government has reduced the period for Housing Benefit claims to 1 month. It is proposed that the Council's Council Tax Support Scheme be aligned with the changes for Housing Benefit.
- 3.9 Working age residents may see a reduction in the amount of support they receive if they are unable to claim on time.

#### **Reducing the period for which a person can be absent from Great Britain and still receive Council Tax Support to 4 weeks**

- 3.10 Within the current Scheme, applicants can be temporarily absent from their homes without it affecting the Council Tax Support. This replicated the rule within Housing Benefit. Housing Benefit has now been changed<sup>3</sup> so that if a person is absent from Great Britain for a period of more than 4 weeks, their benefit will cease. However there are a number of exceptions that DWP has introduced to allow for Housing Benefit to be paid for up to 26 weeks, for example, where the absence is due to medical reasons.
- 3.11 It is proposed that the Council's Council Tax Support Scheme is amended to fully reflect the changes in Housing Benefit including the full range of exceptions allowed.

#### **Remove the element of a Work Related Activity Component in the calculation of the current Scheme for new Employment and Support Allowance applicants**

- 3.12 From April 2017, all new applicants of Employment and Support Allowance (ESA) who fall within the Work Related Activity Group will no longer receive the component in either their ESA or within the calculation of Housing Benefit. It is proposed that the Council's Council Tax Support Scheme is amended to reflect the changes.
- 3.13 This change will bring the treatment of ESA into line with Housing Benefit, it avoids extra costs to the Council Tax Support Scheme and persons receiving ESA will not experience any reduction in Council Tax Support. It avoids additional costs to the Council Tax Support Scheme.

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<sup>3</sup> The Housing Benefit and State Pension Credit (Temporary Absence) (Amendment) Regulations 2016



### **Limit the number of dependants that Support can be claimed for to two for all cases where a child is born on or after 1st April 2017**

- 3.14 Within the current Scheme, claimants who have children are awarded a dependant's addition of £66.90 for each child within their applicable amounts. There is no limit to the number of dependant's additions that can be awarded. From April 2017 Central Government will be limiting dependant's additions in Housing Benefit and Tax Credits to a maximum of two<sup>4</sup>.
- 3.15 This will only affect households who have a third or subsequent child born on or after 1<sup>st</sup> April 2017. It is proposed that the Council's Council Tax Support Scheme is amended to reflect the changes in Housing Benefit and Central Government Benefits. There will be exceptions for multiple births where the household is not already at their maximum of two dependants; for adopted children or where households merge.

### **Remove entitlement to the Severe Disability Premium where another person is paid Universal Credit (Carers Element) to look after them**

- 3.16 Currently when another person is paid Carers Allowance to look after a Council Tax Support claimant, the Severe Disability Premium is not included when working out their needs (Applicable Amounts). The reason for this is that it avoids paying for the same care twice. This proposed change will align the Scheme with Housing Benefit by treating persons who receive the Universal Credit (Carers Element) in the same way as anyone receiving Carers Allowance.

## **4. Equalities Impact Assessment**

- 4.1 An EIA has been completed and is available as a background paper. It has only been possible to model the impact of these changes with any degree of accuracy with regards to the removal of the family premium.
- 4.2 Only one of the proposed changes, removal of the element of a Work Related Activity Component in the calculation of Council Tax Support, will have no adverse effect.
- 4.3 Changes to the working age scheme affect adults of all ages (below the state pension age) equally, irrespective of any other equalities factors. The proposed changes are relatively small in financial terms and advice and support will continue to be available to assist those in difficulty through Council Tax Support Discretionary Hardship payments.

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<sup>4</sup> The original policy intention was that this change would also be applied to Universal Credit from April 17 however on 20<sup>th</sup> July Neil Couling the Director General of the Universal Credit Programme wrote to Local Authorities and stated that Universal Credit will not adopt the two children limit until November 18

4.4 The Council's approved Council Tax Support Vulnerability and Work Incentives Policy addresses how the Scheme takes account of the Council's responsibilities for:

- Child poverty
- The chronically sick and disabled
- The Armed Forces Covenant
- Work Incentives

## **5 Public Consultation**

5.1 The consultation ran for 6 weeks over summer 2016 and was based on an electronic survey form on the Council's website. A marketing campaign was undertaken which included press releases and the use of social media throughout.

5.2 Details of the consultation were also circulated to over 30 organisations working to support residents including Charities, Housing Associations, Social Services and Health Services.

5.3 The Council received 10 responses, only one of which was from an existing recipient of Council Tax Support. The consultation questionnaire and responses received are available as a background paper.

5.4 Broadly, the consultation responses were in favour of the proposed changes with strong support for retaining the 90% maximum level of support; reducing the period for which a person can be absent from Great Britain to four weeks; removing the Work Related Element for Employment & Support Claims and removing the Disability Premium.

5.5 However, some comments were received in respect the financial hardship created by removing the Family Premium and limiting the number of dependent children to a maximum of two within the calculation of Council Tax Support. These changes are proposed in order to mirror the changes being made by Central Government to the Pension Age Council Tax Support scheme, Housing benefit and other welfare benefits. The modelled impact of removing the family premium shows the change is relatively low in weekly entitlement with a maximum effect of reducing awards by £3.49 per week. Families will still be eligible for Council Tax Support Discretionary Hardship Payments where need is shown.

5.6 In respect of reducing backdating to one month responses were mixed with comments around potential delays in the administrative process and exceptional circumstances. The Council closely measures the time it takes to process claims for Council Tax Support and it is very rare that a claimant would have continuous good cause to back date for more than one month.

### **Preceptor Consultation**

5.7 Under the requirements of Schedule 1A of the Local Government Finance Act 1992 the other major Council Tax preceptors (North Yorkshire County

Council, The North Yorkshire Police & Crime Commissioner and North Yorkshire Fire & Rescue Authority) were each provided with details of the full consultation and given the opportunity to respond.

- 5.8 The effect of the proposed changes on the preceptors is that the level of Council Tax discounts awarded will reduce and thereby marginally increase each Preceptor's income.

## 6 Legal Issues

- 6.1 The legislation for the scheme is derived from the Local Government Finance Act 2012.
- 6.2 The Scheme must be adopted by Council under S67 of the Local Government Finance Act 1992 as amended.
- 6.3 Once adopted by Council the scheme may not be changed in year. Any further changes to the proposed scheme may only be applied from April 2018 and would be subject to further public consultation.

## 7 Financial Issues

- 7.1 The proposed changes will marginally reduce the level of Council Tax Support awarded. As it is a Council Tax discount scheme reducing the value of awards will have the effect of increasing the Council Tax Base. Modelling has shown this could be by up to 40.74 Band D equivalents, thereby increasing Council Tax income for major preceptors as follows:

NYCC	NYPA	SDC	NYFRA	Total
£46,596	£8,840	£6,730	£2,684	£64,850

- 7.2 It should be stressed that the savings are merely an outcome of the changes to bring the Scheme in line with other Welfare Reforms and the achievement of financial savings is not one of the objectives of changing the Scheme.

## 8. Conclusion

- 8.1 The report recommends that the maximum Council Tax Support level should remain at 90% of total liability.
- 8.2 The report sets out the results of public consultation on bringing the working age scheme into line with the welfare reform changes being made by the Government for the purposes of clarity and consistency.
- 8.3 It is recommended that all these changes are adopted by Council for inclusion in the Scheme for the next two years.

## 9. Background Documents

The background papers listed below are available to view on the Council's website under [Council Tax Support](#).

- Council Tax Support Vulnerability and Work Incentives Policy
- Link to Equalities Impact Assessment
- Public Consultation responses

## 10. Appendices

None

### Contact Details

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## Public Session

Report Reference Number: C/16/9

Agenda Item No: 14

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<b>To:</b>	<b>Council</b>
<b>Date:</b>	<b>13 December 2016</b>
<b>Author:</b>	<b>Karen Iveson, Chief Finance Officer</b>
<b>Lead Officer:</b>	<b>Karen Iveson, Chief Finance Officer</b>
<b>Executive Lead:</b>	<b>Cliff Lunn, Lead Councillor for Finance &amp; Resources</b>

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### **Title: Changes to arrangements for appointment of External Auditors**

#### **Summary:**

This report presents a recommendation from the Audit and Governance Committee regarding changes to the arrangements for appointing External Auditors following the closure of the Audit Commission and the end of the transitional arrangements at the conclusion of the 2017/18 audits.

The Council will need to consider the options available and put in place new arrangements in time to make a first appointment by 31 December 2017.

The options range from the local appointment of an audit panel, to a joint appointment and finally, a sector-led appointment via Public Sector Audit Appointments (PSAA) - a company established by the Local Government Association for this purpose.

Given the challenges of local appointment and the associated costs, the recommended option is the sector-led appointment via Public Sector Audit Appointments (PSAA), and whilst it means no local control over the appointment of auditor it does benefit from economies of scale.

#### **Recommendation:**

**The Audit and Governance Committee recommend that the Council accepts Public Sector Audit Appointments' (PSAA) invitation to 'opt in' to the sector led option for the appointment of external auditors for five financial years commencing 1 April 2018.**

#### **Reasons for recommendation**

**To ensure best value in the appointment of the external auditor.**

## **1. Introduction and background**

- 1.1. The Local Audit and Accountability Act 2014 brought to a close the Audit Commission and established transitional arrangements for the appointment of external auditors and the setting of audit fees for all local government and NHS bodies in England. On 5 October 2015 the Secretary of State Communities and Local Government (CLG) determined that the transitional arrangements for local government bodies would be extended by one year to also include the audit of the accounts for 2017/18.
- 1.2. The Council's current external auditor is Mazars LLP, this appointment having been made under a contract let by the Audit Commission. Following closure of the Audit Commission the contract is currently managed by Public Sector Audit Appointments Limited (PSAA), the transitional body set up by the LGA with delegated authority from the Secretary of State CLG. Over recent years we have benefited from reduction in fees in the order of 50% compared with historic levels. This has been the result of a combination of factors including new contracts negotiated nationally with the firms of accountants and savings from closure of the Audit Commission. The Council's current external audit fees are £58,000 per annum.
- 1.3. When the current transitional arrangements come to an end on 31 March 2018 the Council will be able to move to local appointment of the auditor. There are a number of routes by which this can be achieved, each with varying risks and opportunities. Current fees are based on discounted rates offered by the firms in return for substantial market share. When the contracts were last negotiated nationally by the Audit Commission they covered NHS and local government bodies and offered maximum economies of scale.
- 1.4. The scope of the audit will still be specified nationally, the National Audit Office (NAO) is responsible for writing the Code of Audit Practice which all firms appointed to carry out the Council's audit must follow. Not all accounting firms will be eligible to compete for the work, they will need to demonstrate that they have the required skills and experience and be registered with a Registered Supervising Body approved by the Financial Reporting Council. Currently, there are only nine providers that are eligible to audit local authorities and other relevant bodies; all of these being firms with a national presence. Local firms could not be invited to bid.

## **2 The Report**

### **2.1 Options for local appointment of External Auditors**

- 2.1.1 There are three broad options open to the Council under the Local Audit and Accountability Act 2014 (the Act):

### **Option 1 To make a stand-alone appointment**

2.1.2 In order to make a stand-alone appointment the Council will need to set up an Auditor Panel. The members of the panel must be wholly or a majority independent members as defined by the Act. Independent members for this purpose are independent appointees, this excludes current and former elected members (or officers) and their close families and friends. This means that elected members will not have a majority input to assessing bids and choosing which firm of accountants to award a contract for the Council's external audit. A new independent auditor panel established by the Council will be responsible for selecting the auditor.

#### *Advantages/benefit*

2.1.3 Setting up an auditor panel allows the Council to take maximum advantage of the new local appointment regime and have local input to the decision.

#### *Disadvantages/risks*

2.1.4 Recruitment and servicing of the Auditor Panel, running the bidding exercise and negotiating the contract is estimated by the LGA to cost in the order of £15,000 plus on going expenses and allowances.

2.1.5 The Council will not be able to take advantage of reduced fees that may be available through joint or national procurement contracts.

2.1.6 The assessment of bids and decision on awarding contracts will be taken by independent appointees and not solely by elected members.

### **Option 2 Set up a Joint Auditor Panel/local joint procurement arrangements**

2.1.7 The Act enables the Council to join with other authorities to establish a joint auditor panel. Again this will need to be constituted of wholly or a majority of independent appointees (members). Further legal advice will be required on the exact constitution of such a panel having regard to the obligations of each Council under the Act and the Council need to liaise with other local authorities to assess the appetite for such an arrangement.

#### *Advantages/benefits*

2.1.8 The costs of setting up the panel, running the bidding exercise and negotiating the contract will be shared across a number of authorities.

2.1.9 There is greater opportunity for negotiating some economies of scale by being able to offer a larger combined contract value to the firms.

### *Disadvantages/risks*

- 2.1.10 The decision making body will be further removed from local input, with potentially no input from elected members where a wholly independent auditor panel is used or possible only one elected member representing each Council, depending on the constitution agreed with the other bodies involved.
- 2.1.11 The choice of auditor could be complicated where individual Councils have independence issues. An independence issue occurs where the auditor has recently or is currently carrying out work such as consultancy or advisory work for the Council. Where this occurs some auditors may be prevented from being appointed by the terms of their professional standards. There is a risk that if the joint auditor panel choose a firm that is conflicted for this Council then the Council may still need to make a separate appointment with all the attendant costs and loss of economies possible through joint procurement.

### **Option 3 Opt-in to a sector led body**

- 2.1.12 In response to the consultation on the new arrangement the LGA successfully lobbied for Councils to be able to 'opt-in' to a Sector Led Body (SLB) appointed by the Secretary of State under the Act and Public Sector Audit Appointments (PSAA) has now been specified as the 'appointing person'. PSAA will have the ability to negotiate contracts with the firms nationally, maximising the opportunities for the most economic and efficient approach to procurement of external audit on behalf of the whole sector.

### *Advantages/benefits*

- 2.1.13 The costs of setting up the appointment arrangements and negotiating fees would be shared across all opt-in authorities
- 2.1.14 By offering large contract values the firms would be able to offer better rates and lower fees than are likely to result from local negotiation
- 2.1.15 Any conflicts at individual authorities would be managed by the SLB who would have a number of contracted firms to call upon.
- 2.1.16 The appointment process would not be ceded to locally appointed independent members. Instead a separate body set up to act in the collective interests of the 'opt-in' authorities. The LGA are considering setting up such a body utilising the knowledge and experience acquired through the setting up of the transitional arrangements.

### *Disadvantages/risks*

- 2.1.17 Individual elected members will have less opportunity for direct involvement in the appointment process other than through the LGA and/or stakeholder representative groups.



- 2.1.18 In order for the SLB to be viable and to be placed in the strongest possible negotiating position the SLB will need Councils to indicate their intention to opt-in before final contract prices are known.

### **The way forward**

- 2.1.19 The Council have until December 2017 to make an appointment. In practical terms this means one of the options outlined in this report will need to be in place by spring 2017 in order that the contract negotiation process can be carried out during 2017.
- 2.1.20 The sector-led approach is recommended by the Audit and Governance Committee (extract from meeting minutes at **Appendix A**), subject to the arrangements being confirmed. PSAA issued invitations to 'opt-in' in October this year – the letter is attached at **Appendix B**.
- 2.1.21 Regulation 19 of the Local Audit (Appointing Person) Regulations 2015 requires that a decision to opt in must be made by a meeting of the Council (meeting as a whole). The Council then needs to formally respond to PSAA's invitation in the form specified by PSAA by early March.
- 2.1.21 PSAA will commence the formal procurement process after this date. It expects to award contracts in summer 2017 and consult with authorities on the appointment of auditors so that it can make an appointment by the statutory deadline of December 2017.

## **3. Risk Management**

- 3.1 The principal risks are that the Council fails to appoint an auditor in accordance with the new frameworks or does not achieve value for money in the appointment process. These risks are considered best mitigated by opting in to the sector led approach through PSAA.

## **4 Legal/Financial Controls and other Policy matters**

### **Legal Issues**

- 4.1 Section 7 of the Local Audit and Accountability Act 2014 (the Act) requires a relevant authority to appoint a local auditor to audit its accounts for a financial year not later than 31 December in the preceding year. Section 8 governs the procedure for appointment including that the authority must consult and take account of the advice of its auditor panel on the selection and appointment of a local auditor. Section 8 provides that where a relevant authority is a local authority operating executive arrangements, the function of appointing a local auditor to audit its accounts is not the responsibility of an executive of the authority under those arrangements;

- 4.2 Section 12 makes provision for the failure to appoint a local auditor: the authority must immediately inform the Secretary of State, who may direct the authority to appoint the auditor named in the direction or appoint a local auditor on behalf of the authority.
- 4.3 Section 17 gives the Secretary of State the power to make regulations in relation to an 'appointing person' specified by the Secretary of State. This power has been exercised in the Local Audit (Appointing Person) Regulations 2015 (SI 192) and this gives the Secretary of State the ability to enable a Sector Led Body to become the appointing person. In July 2016 the Secretary of State specified PSAA as the appointing person.

## **5. Financial Issues**

- 5.1 Current external fees levels are likely to increase when the current contracts end in 2018.
- 5.2 Should the Council wish to consider appointing a panel, the cost of establishing a local or joint Auditor Panel outlined in options 1 and 2 above will need to be estimated and included in the Council's budget for 2017/18. This will include the cost of recruiting independent appointees (members), servicing the Panel, running a bidding and tender evaluation process, letting a contract and paying members fees and allowances.
- 5.3 At this stage future audit fees cannot be confirmed but opting-in to a national SLB provides maximum opportunity to limit the extent of any increases by entering in to a large scale collective procurement arrangement and would remove the costs of establishing an auditor panel.

## **6. Conclusion**

- 6.1 The Council will need to take action to implement new arrangements for the appointment of external auditors from April 2018.
- 6.2 Given the advantages and disadvantages of each option the approach recommended by the Audit and Governance Committee is to opt-in to the appointment via PSAA.

## **7. Background Documents**

See LGA website.

Contact Officer:  
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**Appendices:**

Appendix A Extract from Audit and Governance Committee Minutes 15  
June 2016

Appendix B Invitation to opt-in to the sector led appointment

### Extract from Audit and Governance Committee Minutes 15 June 2016

#### 9. CHANGES TO ARRANGEMENTS FOR APPOINTMENT OF EXTERNAL AUDITORS (A/16/4)

The Chief Finance Officer presented the report, which summarised changes to the arrangements for appointing external auditors following the closure of the Audit Commission and the end of transitional arrangements at the conclusion of the 2017/18 audits.

The Committee was asked to consider three broad options that were available under the Local Audit and Accountability Act 2014, and to make a recommendation to Council:

- **To make a stand-alone appointment.** This would require the council to set up a panel consisting of independent members which would select the auditor.
- **To set up a joint panel with other local authorities.** The Act allows local authorities to establish joint independent panels to fulfil the functions outlined in option one.
- **To opt-in to sector-led body.** This would allow a sector-led body, set up by the Secretary of State, to negotiate terms with a number of auditors and to offer packages to local authorities.

The Committee considered the options, and concluded that to opt-in to a sector-led body would provide the council with the most cost-effective and transparent process for the appointment of external auditors. It was noted that this option would provide the highest degree of independence in respect of the appointment.

#### **RESOLVED:**

**Subject to confirmation of the proposals by the Local Government Association, to recommend to Council that Selby District Council opt-in to a 'sector-led body' for the appointment of external auditors when the current transitional arrangements expire (option 3 in the report).**

27 October 2016

**Email:** [appointingperson@psaa.co.uk](mailto:appointingperson@psaa.co.uk)

Mary Weastell  
Selby District Council  
Civic Centre  
Doncaster Road  
Selby North Yorkshire YO8 9FT

Copied to: Karen Iveson, Executive Director (s151), Selby District Council  
Gill Marshall, Chief Legal Advisor, Selby District Council

Dear Mrs Weastell

### Invitation to opt into the national scheme for auditor appointments

As you know the external auditor for the audit of the accounts for 2018/19 has to be appointed before the end of 2017. That may seem a long way away, but as there is now a choice about how to make that appointment, a decision on your authority's approach will be needed soon.

We are pleased that the Secretary of State has expressed his confidence in us by giving us the role of appointing local auditors under a national scheme. This is one choice open to your authority. We issued a prospectus about the scheme in July 2016, available to download on the [appointing person](#) page of our website, with other information you may find helpful.

The timetable we have outlined for appointing auditors under the scheme means we now need to issue a formal invitation to opt into these arrangements. The covering email provides the formal invitation, along with a form of acceptance of our invitation for you to use if your authority decides to join the national scheme. We believe the case for doing so is compelling. To help with your decision we have prepared the additional information attached to this letter.

I need to highlight two things:

- we need to receive your formal acceptance of this invitation by 9 March 2017; and
- the relevant regulations require that, except for a body that is a corporation sole (a police and crime commissioner), the decision to accept the invitation and to opt in needs to be made by the members of the authority meeting as a whole. We appreciate this will need to be built into your decision making timetable.

If you have any other questions not covered by our information, do not hesitate to contact us by email at [appointingperson@psaa.co.uk](mailto:appointingperson@psaa.co.uk).

Yours sincerely



Jon Hayes, Chief Officer

## Appointing an external auditor

### Information on the national scheme

#### Public Sector Audit Appointments Limited (PSAA)

We are a not-for-profit company established by the Local Government Association (LGA). We administer the current audit contracts, let by the Audit Commission before it closed.

We have the support of the LGA, which has worked to secure the option for principal local government and police bodies to appoint auditors through a dedicated sector-led national procurement body. We have established an advisory panel, drawn from representative groups of local government and police bodies, to give access to your views on the design and operation of the scheme.

#### The national scheme for appointing local auditors

We have been specified by the Secretary of State for Communities and Local Government as the appointing person for principal local government bodies. This means that we will make auditor appointments to principal local government bodies that choose to opt into the national appointment arrangements we will operate for audits of the accounts from 2018/19. These arrangements are sometimes described as the 'sector-led body' option, and our thinking for this scheme was set out in a prospectus circulated to you in July. The prospectus is available on the [appointing person](#) page of our website.

We will appoint an auditor for all opted-in authorities for each of the five financial years beginning from 1 April 2018, unless the Secretary of State chooses to terminate our role as the appointing person beforehand. He or she may only do so after first consulting opted-in authorities and the LGA.

#### What the appointing person scheme will offer

We are committed to making sure the national scheme will be an excellent option for auditor appointments for you.

We intend to run the scheme in a way that will save time and resources for local government bodies. We think that a collective procurement, which we will carry out on behalf of all opted-in authorities, will enable us to secure the best prices, keeping the cost of audit as low as possible for the bodies who choose to opt in, without compromising on audit quality.

Our current role means we have a unique experience and understanding of auditor procurement and the local public audit market.

Using the scheme will avoid the need for you to:

- establish an audit panel with independent members;
- manage your own auditor procurement and cover its costs;
- monitor the independence of your appointed auditor for the duration of the appointment;
- deal with the replacement of any auditor if required; and
- manage the contract with your auditor.

Our scheme will endeavour to appoint the same auditors to other opted-in bodies that are involved in formal collaboration or joint working initiatives, if you consider that a common auditor will enhance efficiency and value for money.

We will also try to be flexible about changing your auditor during the five-year appointing period if there is good reason, for example where new joint working arrangements are put in place.

Securing a high level of acceptances to the opt-in invitation will provide the best opportunity for us to achieve the most competitive prices from audit firms. The LGA has previously sought expressions of interest in the appointing person arrangements, and received positive responses from over 270 relevant authorities. We ultimately hope to achieve participation from the vast majority of eligible authorities.

### **High quality audits**

The Local Audit and Accountability Act 2014 provides that firms must be registered as local public auditors with one of the chartered accountancy institutes acting in the capacity of a Recognised Supervisory Body (RSB). The quality of registered firms' work will be subject to scrutiny by both the RSB and the Financial Reporting Council (FRC), under arrangements set out in the Act.

We will:

- only contract with audit firms that have a proven track record in undertaking public audit work;
- include obligations in relation to maintaining and continuously improving quality in our contract terms and in the quality criteria in our tender evaluation;
- ensure that firms maintain the appropriate registration and will liaise closely with RSBs and the FRC to ensure that any quality concerns are detected at an early stage; and
- take a close interest in your feedback and in the rigour and effectiveness of firms' own quality assurance arrangements.

We will also liaise with the National Audit Office to help ensure that guidance to auditors is updated as necessary.

### **Procurement strategy**

In developing our procurement strategy for the contracts with audit firms, we will have input from the advisory panel we have established. The panel will assist PSAA in developing arrangements for the national scheme, provide feedback to us on proposals as they develop, and helping us maintain effective channels of communication. We think it is particularly important to understand your preferences and priorities, to ensure we develop a strategy that reflects your needs within the constraints set out in legislation and in professional requirements.

In order to secure the best prices we are minded to let audit contracts:

- for 5 years;
- in 2 large contract areas nationally, with 3 or 4 contract lots per area, depending on the number of bodies that opt in; and
- to a number of firms in each contract area to help us manage independence issues.

The value of each contract will depend on the prices bid, with the firms offering the best value being awarded larger amounts of work. By having contracts with a number of firms, we will be able to manage issues of independence and avoid dominance of the market by one or two firms. Limiting the national volume of work available to any one firm will encourage competition and ensure the plurality of provision.

## **Auditor appointments and independence**

Auditors must be independent of the bodies they audit, to enable them to carry out their work with objectivity and credibility, and in a way that commands public confidence.

We plan to take great care to ensure that every auditor appointment passes this test. We will also monitor significant proposals for auditors to carry out consultancy or other non-audit work, to protect the independence of auditor appointments.

We will consult you on the appointment of your auditor, most likely from September 2017. To make the most effective allocation of appointments, it will help us to know about:

- any potential constraints on the appointment of your auditor because of a lack of independence, for example as a result of consultancy work awarded to a particular firm;
- any joint working or collaboration arrangements that you think should influence the appointment; and
- other local factors you think are relevant to making the appointment.

We will ask you for this information after you have opted in.

Auditor appointments for the audit of the accounts of the 2018/19 financial year must be made by 31 December 2017.

## **Fee scales**

We will ensure that fee levels are carefully managed by securing competitive prices from firms and by minimising our own costs. Any surplus funds will be returned to scheme members under our articles of association and our memorandum of understanding with the Department for Communities and Local Government and the LGA.

Our costs for setting up and managing the scheme will need to be covered by audit fees. We expect our annual operating costs will be lower than our current costs because we expect to employ a smaller team to manage the scheme. We are intending to fund an element of the costs of establishing the scheme, including the costs of procuring audit contracts, from local government's share of our current deferred income. We think this is appropriate because the new scheme will be available to all relevant principal local government bodies.

PSAA will pool scheme costs and charge fees to audited bodies in accordance with a fair scale of fees which has regard to size, complexity and audit risk, most likely as evidenced by audit fees for 2016/17. Pooling means that everyone in the scheme will benefit from the most competitive prices. Fees will reflect the number of scheme participants – the greater the level of participation, the better the value represented by our scale fees.

Scale fees will be determined by the prices achieved in the auditor procurement that PSAA will need to undertake during the early part of 2017. Contracts are likely to be awarded at the end of June 2017, and at this point the overall cost and therefore the level of fees required will be clear. We expect to consult on the proposed scale of fees in autumn 2017 and to publish the fees applicable for 2018/19 in March 2018.



## Opting in

The closing date for opting in is 9 March 2017. We have allowed more than the minimum eight week notice period required, because the formal approval process for most eligible bodies, except police and crime commissioners, is a decision made by the members of an authority meeting as a whole.

We will confirm receipt of all opt-in notices. A full list of authorities who opt in will be published on our website. Once we have received an opt-in notice, we will write to you to request information on any joint working arrangements relevant to your auditor appointment, and any potential independence matters that would prevent us appointing a particular firm.

If you decide not to accept the invitation to opt in by the closing date, you may subsequently make a request to opt in, but only after 1 April 2018. The earliest an auditor appointment can be made for authorities that opt in after the closing date is therefore for the audit of the accounts for 2019/20. We are required to consider such requests, and agree to them unless there are reasonable grounds for their refusal.

## Timetable

In summary, we expect the timetable for the new arrangements to be:

- Invitation to opt in issued 27 October 2016
- Closing date for receipt of notices to opt in 9 March 2017
- Contract notice published 20 February 2017
- Award audit contracts By end of June 2017
- Consult on and make auditor appointments By end of December 2017
- Consult on and publish scale fees By end of March 2018

## Enquiries

We publish frequently asked questions on our [website](#). We are keen to receive feedback from local bodies on our plans. Please email your feedback or questions to: [appointingperson@psaa.co.uk](mailto:appointingperson@psaa.co.uk).

If you would like to discuss a particular issue with us, please send an email to the above address, and we will make arrangements either to telephone or meet you.



## **Public Session**

**Report Reference Number: C/16/10**

**Agenda Item No: 15**

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**To: Council**  
**Date: 13 December 2016**  
**Author: Gillian Marshall, Monitoring Officer and Solicitor to the Council**

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**Title:** Report of the Monitoring Officer – Standards Arrangements

### **Summary:**

This report covers the operation of the current standards regime for Selby District Council and Parish Councils within Selby District. It considers the complaints history and concludes that, whilst the arrangements are satisfactory and meet legal duties, there are areas for improvement and recommends a review be undertaken.

### **Recommendations:**

- i. To note the contents of the Report
- ii. To ask the Audit and Governance Committee to review the Standards arrangements and to report back to Council if they consider any changes should be made.
- iii. To authorise the Monitoring Officer to make arrangements to advertise the posts of Independent Persons to ensure new appointments are made with effect from 22 July 2017.

### **Reasons for recommendation**

To ensure that high standards of conduct by Councillors and co-optees are promoted and maintained.

#### **1. Introduction and background**

- 1.1 Under s 27 of the Localism Act the Council is under a duty to promote and maintain high standards of conduct by Councillors and co-optees. Primary responsibility for the discharge of this duty falls to the Monitoring Officer.
- 1.2 The Monitoring Officer ensures that Councillors are provided with information about what interests must be registered and declared, compiles and maintains

a register of such interests and deals with complaints about the conduct of Councillors when acting in the capacity of Councillor. Under the legislation the District Council Monitoring Officer is also responsible for registering interests for and dealing with complaints relating to Town and Parish Councillors.

## **2 The Report**

- 2.1 In September 2014 the Council received a report of the Monitoring Officer on the operation of the arrangements. It reported on the first full year of operation (2013/14) as well as the part year preceding it (July 2012 to 31 March 2013).
- 2.2 The report at Appendix A covers the period from May 2014 to December 2016. In that period the Monitoring Officer received 15 complaints. Five were made against District Councillors, 3 relating to the same issue/ward. Four were rejected and one is still being considered. Ten related to Parish Councillors. Two were upheld, four were rejected and four are still awaiting a decision.
- 2.3 The Monitoring Officer has consulted with the Independent Persons on the content of this report. They have suggested that there be a review of the current arrangements to introduce formal assessment criteria for the initial stage of consideration by the Monitoring Officer. They recommend that Council should consider whether or not there should be a Hearings Panel made up of Councillors potentially drawn from the members of Audit and Governance with a Parish co-optee in relevant complaints in view of the increasing number of Parish Issues. They also comment that time limits should be added to the procedures to ensure complaints are dealt with in a timely manner. The Monitoring Officer supports these suggestions.
- 2.5 It should also be noted that the current Independent Persons were appointed for a period of 5 years from 23 July 2012. Their term of Office expires on 22 July 2017 and therefore Council will be required to appoint new (or re-appoint the existing) IPs at that date.

## **3 Legal/Financial Controls and other Policy matters**

### **Legal Issues**

- 3.4 The Council should take positive steps to discharge the s27 duty. The report indicates that the duty is being discharged correctly.

### **Financial Issues**

- 3.5 None

### **Impact Assessment**

- 3.6 Reporting raises the profile of the Standards Arrangements amongst members, the press and public.

**4. Conclusion**

- 4.1 That the arrangements work satisfactorily but merit a review to ensure that they are fit for the future.

**5. Background Documents**

None

*Contact Officer:*

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**Appendices:**

*Appendix A – Standards Report*

# STANDARDS REPORT

**Gillian Marshall**  
**Monitoring Officer**  
**December 2016**



## **Introduction – Ethical Standards**

The Localism Act 2011 swept away the standards regime first introduced as part of the Local Government Act 2000. In its place was a duty placed upon all councils to promote and maintain high standards of conduct by councillors and co-opted members.

Personal and Prejudicial interests were replaced by a set of nationally defined “Disclosable Pecuniary Interests” – reinforced by new criminal sanctions - and locally determined “other interests”.

All Councils were required to develop and adopt their own local Code of Conduct based upon the Seven General Principles of Public Life. As a consequence those councillors serving their electorate in Selby District might be governed by different codes of conduct for North Yorkshire County Council, Selby District Council or their Town or Parish Council.

In addition, principal councils were required to adopt their own arrangements for dealing with complaints against councillors alleged to have breached their council’s code of conduct. The standards arrangements adopted by Selby District Council came into force on 1 July 2012 and deal with complaints against Selby District Councillors and Town and Parish Councillors in the District of Selby.

The Council’s Monitoring Officer is responsible for advising the Council on its duty to maintain high ethical standards; for advising councillors on their responsibilities to conduct themselves appropriately, register and declare their interests and not otherwise jeopardise the proper decision-making of the Council; and for managing the arrangements for dealing with complaints.

The Council has appointed two Independent Persons to provide an independent view on how the Council manages its ethical standards.

These new arrangements were introduced part way through the 2012/13 municipal year.

A Report under the new arrangements was considered by Council in September 2014 for the period 2012 to April 2014.

This report covers the period May 2014 to December 2016.

## **Code of Conduct**

Selby District Council adopted a local Code of Conduct on 24 April 2012. The Code came into effect from 1 July 2012.

The Code is broadly similar to the Code adopted by North Yorkshire County Council.

Town and Parish Councils in Selby District have either adopted the same Code as the District Council or they have adopted the model code issued by the National Association of Local Councils (NALC).

The Localism Act 2011 required that all codes of conduct should be based upon the seven principles of public life:-

1. Selflessness
2. Integrity
3. Objectivity
4. Accountability
5. Openness
6. Honesty
7. Leadership

A copy of the Selby District Council Code of Conduct is available at

[www.selby.gov.uk/upload/SDC\\_CODE\\_OF\\_CONDUCT\\_FINAL\\_2012.doc](http://www.selby.gov.uk/upload/SDC_CODE_OF_CONDUCT_FINAL_2012.doc)

## **Monitoring Officer**

Gillian Marshall, Solicitor to the Council is the Council's Monitoring Officer.

The Monitoring Officer (MO) is a statutory role and is required to ensure that the Council, its Councillors and Officers carry out their functions in a proper and lawful manner. The MO has an important role to play in ensuring that high standards of conduct are promoted and maintained throughout the organisation.

The MO is responsible for establishing, maintaining and publishing the Register of Councillors' Interests for District, Town and Parish Councils and for ensuring that the Council's Constitution is effective.

Monitoring Officers across North Yorkshire meet periodically to share best and emerging practice, co-ordinate training and development and co-operate in the investigation and hearing of complaints.

## **Independent Persons**

The Council has appointed Hilary Putman and Wanda Stables as its two independent persons. A job role and person specification were drawn up prior to the recruitment of the two independent persons. Both of the Independent Persons were

previously independent members of the Standards Committee. Hilary Putman served as Chair of the Standards Committee from 2009 to 2012.

The role of the Independent Persons is to:-

- Be consulted by the Monitoring Officer as part of the complaint handling process
- Be consulted by the Council before it makes a finding about whether a Councillor or co-optee has failed to comply with the Code of Conduct.
- Advise the Council, when consulted, on the effective working of the Code of Conduct and the Council's arrangements for dealing with complaints; and
- Be available to be consulted by a Councillor against whom a complaint has been made
- Have a freestanding remit to offer comment to the Council on its performance of the general duty to promote high standards of ethical conduct.

The Chairs of Standards Committees (where Councils have them) and Independent Persons meet from time to time to share their experience, consider best and emerging practice and discuss training and development.

The current Independent Persons were appointed for a period of 5 years from 23 July 2012. Their term of Office expires on 22 July 2017 and therefore Council will be required to appoint new (or re-appoint the existing) IPs at that date.



## **Registration of Interests**

The Localism Act 2011 requires all Councils to adopt a local Code of Conduct which includes provisions for the registration and disclosure of pecuniary interests and other interests. Councillors with disclosable pecuniary interests in the business of their Council are prohibited from participating in such business unless they have a dispensation. The Act also introduced a criminal offence relating to failure to register disclosable pecuniary interests. Councillors convicted of such offences are liable to a scale 5 fine (up to five thousand pounds) and may also be disqualified from being a councillor for up to five years.

Training has been provide to District, Town and Parish Councillors explaining the obligations, the procedures for registering and disclosing interests and the consequences if the obligations are not met.

Councillors have also been made aware that even if a Councillor's interest does not amount to a disclosable pecuniary interest, the interest might lead them to predetermine a decision or give rise to a perception of bias. In such cases, it would not be appropriate for them to participate in the decision. If they do participate the decision could be vulnerable to challenge.

The Monitoring Officer has a legal duty to establish and maintain a register of interests for the District Council and also for Town and Parish Councils in the District. The Register(s) must be available for inspection at all reasonable hours and must be published on the Council's website. Where a Town or Parish Council also has a website a copy of the Register for that Town or Parish Council must also be published on that website. For convenience many Parish and Town Councils opt to provide a link to the District Council's website to comply with this requirement.

There is a high level of compliance with the requirement to register interests, however some of the returns lack full details of the registerable interest.

In 2017 it is proposed to audit the Registers and to invite District and Parish Councillors to review and update their registers where necessary alongside some training on interests and declarations.

## **Dispensations**

One request for a dispensation has been received during the period covered by this report. The request was granted as it related to consideration of an information report which referred to the employer of a councillor.

## **Standards Arrangements**

The Local Government Act 2000 previously required all principal authorities to establish a Standards Committee as the body with responsibility for promoting high standards of ethical conduct.

The Localism Act 2011 did away with the obligation to appoint a Standards Committee. Many local authorities chose to retain a Standards Committee as part of their new local arrangements.

Selby District Council decided not to appoint a Standards Committee. Instead, ethical matters are considered by Council and the arrangements for dealing with complaints are delegated to the Monitoring Officer, advised by the Independent Persons.

The new arrangements have proved to be flexible and have provided sufficient discretion to deal appropriately with the complaints which have come forward.

However it has become apparent that the new system is disconnected from Councillors and particularly from Parish Councils and Parish Councillors, thus the process of dealing with complaints does not raise the profile of proper councillor conduct.

Some Councils do operate a system which leaves the assessment stage (when the considers whether to investigate the complaint; or take other action; or decide no action is to be taken) with the Monitoring Officer but create a Hearings Committee (as a sub-committee of another Committee such as Audit and Governance) to make findings of fact.

There is merit in such an approach to built a connection between Councillors and the standards arrangements. Parish Councillors could be co-opted onto the Hearings Committee for parish complaints.

In addition, experience has shown that the adversarial process of a hearing before the MO can be difficult to manage effectively as an investigation. A revised system involving a Hearings Committee will allow the MO to present an investigation report to members setting out the facts agreed or in dispute and highlighting the decisions needed.

The table overleaf shows complaints dealt with under these arrangements in the period covered by this report.

	<b>Council</b>	<b>Allegation</b>	<b>Outcome</b>
1	Appleton Roebuck Parish Council	Disrespect Bullying Breach Equality Law	Rejected at assessment stage
2	Hemingbrough Parish Council	Disrepute/failure to declare interests	Historic breaches of previous (pre 2012) code – no further action warranted
3	Barlby Parish Council	Disrespect and bullying	Not upheld
4	Selby Town Council	Disrespect and bullying	Upheld – remedy suggested and accepted
5	Selby Town Council	Disrespect and bullying	Not upheld
6	Selby District Council	Breach Code of Conduct	Rejected at assessment stage
7	Selby District Council	Misuse of Confidential information	Not upheld
8	Brotherton Parish Council	Disrepute	Under investigation – assessment stage
9	Selby District Council	Disrepute, Conferring an advantage, misuse of confidential info	Under investigation – assessment stage
10	Cliffe Parish Council	Disrepute	Under investigation – assessment stage
11	Tadcaster Town Council	Disrespect	Under investigation – assessment stage
12	Saxton	Disclosable Pecuniary Interest	Rejected at assessment stage
13	Hemingbrough 2 PCs	Failure to declare DPI	Under investigation – assessment stage

## **Parish and Town Councils**

The Parish and Town Councils in Selby District are under the same obligation to promote and maintain high standards of conduct and to adopt a local code of conduct for councillors.

All Parish and Town Councillors have an obligation to register their DPs and other interests.

Regulations published under the Local Audit and Accountability Act 2014 have resulted in changes to how Parish Councils are audited. As a result, during the current round of Audits for the financial year 15/16, the District Council has been notified of a small number of Local Councils where the audit has noted that legal and financial requirements may not be being met. Liaison has taken place with those Councils and advice offered to them on the requirements which apply to them.

A Parish Toolkit will be launched in 2017 to assist Parishes and links with the Yorkshire Association of Local Councils are being strengthened to ensure better support is offered to our 74 Parish Councils and Parish Meetings.

## **Training and Development**

Training sessions for District Councillors and also for Town and Parish Councillors and Clerks was provided in May, June and November 2015. The events were well attended and lively.

The training dealt with

- The Localism Act 2011 and the new Standards Regime
- The Seven Principles of Public Life
- The Local Code of Conduct
- Disclosable Pecuniary Interests
- Other Interests
- The Register of Interests
- Sensitive Interests
- Dispensations
- Arrangements for dealing with complaints of breaches of the code

It is intended to provide further training sessions on conduct in 2017.

The Monitoring Officer and Independent Persons attend national and regional training events from time to time to keep informed of developments in the field of standards.

In July 2016 the Monitoring Officer and one of the Independent Persons were invited to speak at a national conference for Monitoring Officers about the experiences of

the arrangements at Selby. Eighty two delegates attended the event and feedback from delegates was excellent.



## Public Session

Report Reference Number: C/16/11

Agenda Item No: 16

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<b>To:</b>	<b>Council</b>
<b>Date:</b>	<b>13 December 2016</b>
<b>Author:</b>	<b>Palbinder Mann, Democratic Services Manager</b>
<b>Lead Officer:</b>	<b>Gillian Marshall, Solicitor to the Council</b>

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**Title:** Interim Review of Polling Districts and Polling Places 2016

### Summary:

The statutory responsibility for reviewing polling districts and places rests with each relevant local authority. Local authorities are required to conduct a review of polling places and polling districts every five years. The last review for Selby was conducted in 2014 with the changes coming into effect for the elections held in May 2015. If changes to polling places are required in between the five-yearly review, the council can undertake an interim review. Due to the number of changes to polling stations following the previous elections, an interim review is now needed to confirm a number of polling station changes.

### Recommendations:

- i) **To allocate Bolton Percy Old School Hall instead of Bolton Percy Parish Room as the Polling Place in the Appleton Roebuck and Church Fenton ward.**
- ii) **To allocate Church Fenton Village Hall instead of a Mobile Polling Station at the Blacksmith's Arms in Biggin as the Polling Place in the Appleton Roebuck and Church Fenton ward.**
- iii) **To allocate the Sloop Inn instead of the Chapel of St John as the polling place in the Camblesforth and Carlton ward.**
- iv) **To allocate the Crown Inn instead of St Wilfrid's Church as the polling place in the Monk Fryston ward.**
- v) **To allocate Beal Village Hall instead of St Mary's Church, Birkin as the polling place in the Monk Fryston ward.**

- vi) **To allocate Sherburn Football Club instead of Harold Mills Community Centre as the polling place in the Sherburn in Elmet ward.**
- vii) **To allocate Riley Smith Hall, Tadcaster instead of a mobile polling station at Newton Kyme Village Green as the polling place in the Tadcaster ward.**
- viii) **To allocate the George and Dragon Pub instead of the Whitley and Eggborough Children's Centre as the polling place in the Whitley ward.**
- ix) **To allocate Kirk Smeaton Community Hall instead of the caravan at Little Smeaton as the polling place in the Whitley ward.**
- x) **To allocate the Coultish Centre instead of Scott Road Community Centre as the polling place in the Selby West ward.**

## **Reasons for recommendation**

### **1. The Report**

- 1.1 The statutory responsibility for reviewing UK Parliamentary polling districts and places rests with each relevant local authority in Great Britain for so much of any constituency as is situated in its area.
- 1.2 A polling district is a geographical area created by the sub division of a UK Parliamentary constituency for the purposes of a UK Parliamentary election. However in the absence of special circumstances, the polling districts for UK Parliamentary elections are used for local government elections
- 1.3 A polling place is the building or area in which polling stations will be located by the (Acting) Returning Officer.
- 1.4 The Electoral Registration and Administration Act 2013 introduced a change to the timing of compulsory reviews of UK Parliamentary polling districts and polling places. The next compulsory review must take place and be completed between 1 October 2018 and 31 January 2020.
- 1.5 If any changes to polling places and/or polling districts are needed between the compulsory review cycles, an interim review can be conducted by the local authority. The process to follow is the same to that of a compulsory review.
- 1.6 The first process of the review is to publish the Acting Returning Officer's (ARO's) proposals along with the reasons for the changes. These are outlined in Appendix A and were published on Friday 30 September 2016. A one month consultation period was undertaken on the proposals which allowed representations to be received by Monday 31 October 2016. Where no objections were received, this is outlined in the appendix.

1.7 The majority of the proposals were already in effect for the EU Referendum and the Police and Crime Commissioner elections which recently took place. There were no problems reported therefore it is envisaged that the impact on the electors in the respective areas will be minimal. The only proposals which were not in effect are those relating to mobile polling stations. It is worth noting that the cost of hiring mobile polling stations is significantly higher than fixed polling stations. However any proposal outlined has taken into account the impact on the electorate in the respective area.

## 2. Proposed Changes with Comments

### Newton Kyme Mobile Polling Station

- 2.1 An objection was received by Tadcaster Town Council on the proposal to relocate the polling station at Newton Kyme village green to Riley Smith Hall. They stated that moving the polling station to Riley Smith Hall would make voting difficult for many residents in the village, particularly those on foot. They also stated that there has recently been a large development at Newton Kyme which would in turn increase the number of residents voting.
- 2.2 In response to the objection, it is worth noting that the significant settlement referred to is the Southbank development at Papyrus Villas which is 1.2 miles from the current temporary polling station along a main A road for which residents in all probability will use a vehicle to access the polling station. The residents on the register for the development at Papyrus Villas have been included in the figures used for the consultation.
- 2.3 The only other settlement is Toulston which is small and again is around a mile from the current polling station and involves electors accessing the polling station on roads without a footpath.
- 2.4 A further suggestion was made by the Ward Councillor for the area with regard to finding a suitable location in the Southbank development area. Upon further inspection of the site, an area was identified which could have been used as a location for a mobile polling station however upon further discussion with Redrow Homes, they confirmed that situating a mobile polling station on the location would damage the green space and therefore the space could not be used.
- 2.5 There is also concern over where the current mobile polling station is situated as the village green is not a suitable location for a mobile polling station and there is no lighting in the area.
- 2.6 In light of this, the ARO maintains the original recommendation to relocate the polling place to Riley Smith Hall in Tadcaster. There are currently 341 electors in the polling district however 78 of these are registered for a postal vote.



## Coultish Centre

- 2.7 A proposal with regard to the Selby West ward was received from Selby Town Council. They have proposed to relocate the polling station for the Selby North polling district from Scott Road Community Centre to the Coultish Centre. The ARO has no objections to this proposal as the Coultish Centre is located right in the middle of the polling district and this would make it equal in terms of distance for electors to travel.

## **2 Legal/Financial Controls and other Policy matters**

### **2.1 Legal Issues**

The legislation which applies to reviews is the Representation of the People Act 1983 and the Electoral Registration and Administration Act 2013.

### **3.2 Financial Issues**

The cost to hire a standard mobile polling station with all other necessary equipment is £2,601.61. The average cost of hiring a fixed polling station across the district is on average £200 to £300.

While the Government reimburse local authorities for the costs of polling stations for national elections, local authorities are required to pay for local government elections in their area.

## **4. Conclusion**

Council is asked to consider the proposals outlined by the ARO with regard to polling places for future elections.

## **5. Background Documents**

None

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### **Appendices:**

#### **Appendix A – Acting Returning Officer’s Proposals**

## Appendix A

Ward	Change	Reason	In place for last election?	Consultation Response
Appleton Roebuck and Church Fenton	Bolton Percy Old School Hall to replace Bolton Percy Parish Room as a polling place	The Bolton Percy Parish Room had been unavailable for both the Police and Crime Commissioner election and the EU Referendum held during 2016. The Bolton Percy Old School Hall was used as a temporary polling place. Feedback from electors and polling station staff suggested that the Old School Hall provided greater space and better facilities. Consequently it is proposed that the Old School Hall be the permanent polling place.	Yes	No objections to the proposals
	Church Fenton Village Hall to replace Mobile Polling Station at Blacksmith's Arms Biggin	Currently a temporary mobile polling station is provided on private land at the Blacksmith's Arms in Biggin for approximately 90 electors from Little Fenton and approximately 100 electors from Biggin. Concerns have been raised about the suitability of mobile polling stations as polling places, and in the absence of any suitable alternative it is proposed that electors from Biggin and Little Fenton use the existing polling place at Church Fenton village hall. For electors in Little Fenton the distance from village to polling station remains approximately 1.7 miles, for electors in Biggin the distance from the current polling place to the Church Fenton village hall is approximately 2.8 miles.	No	No objections to the proposals

## Appendix A

Camblesforth and Carlton	The Sloop Inn to replace the Chapel of St John as a polling place.	Electors and polling station staff expressed concerns about access and facilities at the Chapel of St John and it was deemed unsuitable as a polling place. The Sloop Inn was used as a temporary polling place for the EU Referendum in 2016 and feedback from electors and polling station staff suggested this would be a suitable permanent polling place. Consequently it is proposed that The Sloop Inn be the permanent polling place.	Yes	No objections to the proposals
Monk Fryston	The Crown Inn to replace St Wilfrid's Church, Church Lane as a polling place.	Electors and polling station staff expressed concerns about access and facilities at the St Wilfrid's Church and it was deemed unsuitable as a polling place. The Crown Inn was used as a temporary polling place for the EU Referendum held during 2016 and feedback from electors and polling station staff suggested this would be a suitable permanent polling place. It has been confirmed that the Monk Fryston Community Centre is permanently unavailable, and consequently it is proposed that the Crown Inn be the permanent polling place.	Yes	No objections to the proposals
	Beal Village Hall to replace St Mary's Church, Birkin as a	St Mary's Church (Birkin) became unavailable as a polling place shortly before the Police and Crime Commissioner election in 2016. Due	Yes	No objections to the proposals

## Appendix A

	polling place.	to there being only circa 100 electors it was decided to direct electors to the existing polling place at Beal Village Hall, the distance being 0.9 miles. I have been advised that St Mary's Church remains unavailable, and having taken into account the size of the electorate and there having been no issues during the Police and Crime Commissioner election or the EU Referendum, it is proposed that the permanent polling place is Beal Village Hall.		
Sherburn in Elmet	Sherburn Football Club to replace Harold Mills Community Centre as a polling place.	The Harold Mills Community Centre became unavailable as a polling place shortly before the Police and Crime Commissioner election in 2016 and the Sherburn White Rose Football Club was used as a temporary polling place. Feedback from electors and polling station staff suggested that the Sherburn White Rose Football Club provided greater space, better facilities and increased car parking. Consequently it is proposed that the Sherburn White Rose Football Club be the permanent polling place.	Yes	No objection to the proposals
Tadcaster	Riley Smith Hall to replace Mobile Polling Station at Newton Kyme	Currently a mobile polling station is provided on public land in Newton Kyme village for approximately 340 electors. Concerns have been raised	No	An objection has been received from Tadcaster Town Council who believe moving the polling station to Riley Smith Hall would make voting

## Appendix A

	village green	about the suitability of temporary mobile polling station as polling places, and in the absence of any suitable alternative it is proposed that electors from Newton Kyme use the existing polling place at the Riley Smith Hall in Tadcaster. The distance from the current polling place to the Riley Smith Hall is approximately 2.2 miles, although many electors live some distance from the current polling place (such as those electors at Papyrus Villas).		difficult for many residents in the village, particularly those on foot. They also state that there has recently been a large development at Newton Kyme which will in turn increase the number of residents voting.
Whitley	The George and Dragon Pub to replace Whitley and Eggborough Children's Centre as a polling place.	The Whitley and Eggborough Children's Centre has closed and the building is incorporated into the school. Although the Returning Officer has the power to use the school as a polling place, it was recognised that closure of the school should be avoided if possible. The George and Dragon Public House was used as a temporary polling place for the Police and Crime Commissioner election and the EU Referendum held in 2016 and feedback from electors and polling station staff suggested that this was a suitable location. Consequently it is proposed that the George and Dragon Public House be the permanent polling place.	Yes	No objections to the proposals

## Appendix A

	Kirk Smeaton Community Hall to replace Caravan at Little Smeaton	Since the combined elections in May 2015, electors from Little Smeaton and Stubbs Walden have voted at the Kirk Smeaton Community Hall as a temporary measure due to the unsuitability of the caravan previously provided as a mobile polling station in Little Smeaton. There has been no adverse feedback from electors during this period and it is therefore proposed to make this arrangement permanent.	Yes	No objections proposed.
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### Proposal from Selby Town Council

Selby West	The Coultish Centre to replace one of the polling stations at Scott Road Community Centre	Selby Town Council are proposing relocating the polling station for the Selby North polling district to the Coultish Centre.	No	Selby Town Council have requested that the polling station for the Selby North polling district be moved to the Coultish Centre so to reduce the distance the residents living on Flaxley Road have to travel.
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