

Summons and Agenda for the  
**Council Meeting**

to be held on

**TUESDAY 12 DECEMBER  
2017**

at

**6.00pm**

**SELBY**  
  
DISTRICT COUNCIL

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Mission Statement *"Making Selby a Great Place"*





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 12 DECEMBER 2017** 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 19 September 2017 (pages 8 to 16 attached).

## 4. Communications

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

## 5. Announcements

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

## 6. Petitions

To receive any petitions.

**7. Public Questions**

To receive and answer questions notice of which has been given in accordance with rule 10.1 of the Constitution (pages 18 to 19 attached).

**8. Councillors' Questions**

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

**9. 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 20 to 35 attached).

**10. 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 36 to 40 attached).

**11. Motions**

To consider any motions.

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

To consider the Annual Report of the Monitoring Officer on the Council's Standards Arrangements (pages 42 to 54 attached).

**13. 100% Business Rates Retention Pilot in 2018/19**

To consider a report that informs councillors that an application has been submitted to the Department for Communities and Local Government (DCLG) for a North Yorkshire and East Riding 100% Business Rates Retention Pilot in 2018/19 (pages 56 to 60 attached).

**14. Community Governance Review – Thorpe Willoughby Parish Council**

To consider a report which outlines a request from Thorpe Willoughby Parish Council to conduct a Community Governance Review for a change in the parish boundary (pages 62 to 70 attached).

**15. In accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and public during discussion of the following items as there will be disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 3**

**of Part 1 of Schedule 12(A) of the Act.**

**16. Loan to the Selby and District Housing Trust to Acquire New Build s106 Properties.**

To consider a report which seeks approval of a budget within the Capital Programme to enable the Council to provide loan funding to the Selby and District Housing Trust to facilitate the purchase of affordable housing provided under the terms of a s106 Agreement with the Council on the site as outlined in the report (pages 72 to 77 attached).

**17. Potential Purchase of Commercial Properties**

To consider a report, which outlines an opportunity to purchase two buildings (pages 78 to 83 attached)

**18. 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.

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# Minutes

## Council

Venue: Council Chamber  
Date: Tuesday 19 September 2017  
Time: 6.00pm

17	Apologies for absence
18	Disclosures of Interest
19	Minutes
20	Communications
21	Announcements
22	Petitions
23	Public Questions
24	Councillors' Questions
25	Reports from the Executive
26	Reports from Committees
27	Motions
28	Car Park Strategy and Tarff Review
29	Local Development Scheme
30	Pool of Sites Public Consultation
31	Medium Term Financial Strategy
32	Community Engagement Forums Annual Reports
33	Urgent Action

Present: Councillor Mrs J Chilvers in the Chair

Councillors K Arthur, D Buckle (Vice-Chairman), I Chilvers, M Crane, J Deans, Mrs S Duckett, K Ellis, M Hobson, D Hutchinson, M Jordan, C Lunn, D Mackay, J Mackman, B Marshall, Mrs M McCartney, C Metcalfe, R Musgrave, B Packham, C Pearson, D Peart, B Sage, Mrs J Shaw-Wright, R Sweeting, J Thurlow, P Welch and Mrs D White.

Officers Present: Janet Waggott, Chief Executive, Dave Caulfield, Director of Economic Regeneration and Place, Karen Iveson, Chief Finance Officer, Gillian Marshall Solicitor to the Council, Helen Gregory, Joint Interim Planning Policy Manager, Phil Crabtree, Interim Head of Planning, June Rothwell, Head of Operational Services, James Cokeham, Head of Economic Development and Regeneration, Mike James, Communications and Marketing Manager, Chris Watson, Policy and Performance Officer, Michelle Dinsdale, Senior



Policy and Performance Officer and Victoria Foreman,  
Democratic Services Officer.

Press: 1  
Public: 0

## **17. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors J Cattnach, Mrs W Nichols and I Reynolds.

## **18. DISCLOSURES OF INTEREST**

There were no declarations of interest.

## **19. MINUTES**

The Council considered the minutes of the meeting of meeting held on 18 July 2017.

### **RESOLVED:**

**To approve the minutes of the Council meeting held on 18 July 2017 for signing by the Chairman.**

## **20. COMMUNICATIONS**

There were no communications.

## **21. ANNOUNCEMENTS**

The Chairman welcomed Janet Waggott, the Council's Chief Executive, into her new role. The Chairman informed Council that she had attended The Tadcaster Civic Service on 10th September. The Selby District Council staff dress-down day and cake sale on 13th September had raised £322.00 for her chosen charities, Selby Young Carers and Yorkshire Cancer Research. The Chairman extended her thanks to all those staff members who had been involved.

## **22. PETITIONS**

There were no petitions received.

## **23. PUBLIC QUESTIONS**

There were no questions from members of the public received.

## **24. COUNCILLORS QUESTIONS**

There were no questions from Councillors received.

## 25. 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, the Leader of the Council referred to recent articles in the local and national press regarding devolution in South Yorkshire. The Council was informed that a number of authorities were in favour of the idea of a Yorkshire-wide deal, and the Leader expressed his support for any future developments in this matter.

In response to a query on room provision for group meetings, the Leader of the Council apologised if some rooms had not been suitable, and asked officers to check future arrangements.

A query was raised on the availability of reports produced on the Council's Programme for Growth (P4G) for all Councillors. The Leader of the Council confirmed that P4G reports would be made available electronically for all Councillors.

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

Councillor 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.

There were no questions relating to Councillor Mackman's report.

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

Councillor Lunn, Lead Executive Member for Finance and Resources presented his update on the work he had recently undertaken, as outlined in his report. It was noted that the detailed report on the Medium Term Financial Strategy (MTFS) would be considered later in the meeting's agenda.

There were no questions relating to Councillor Lunn's report.

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

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

There were no questions relating to Councillor Metcalfe's report.

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

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

There were no questions relating to Councillor Musgrave's report.

**RESOLVED:**

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

**26. REPORTS FROM COMMITTEES**

Overview and Scrutiny Committee

The Chairman of Scrutiny, Councillor W Nichols had given her apologies for the meeting. It was noted that the Scrutiny Committee had not met since the last meeting of Full Council in July 2017, and as such there was no update to give to Council.

Councillor J Deans, Chairman of the Policy Review Committee

Councillor Deans, Chairman of the Policy Review Committee confirmed that the Policy Review Committee had not met since the last meeting of Full Council in July 2017, and as such there was no update to give to Council.

Councillor M Jordan, Chairman of the Audit and Governance Committee

Councillor Jordan, Chairman of the Audit and Governance provided an update on the work of the Committee as outlined in his report. There were no questions for Councillor Jordan.

**RESOLVED:**

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

**27. MOTIONS**

There were no motions.

**28. CAR PARK STRATEGY AND TARIFF REVIEW**

Councillor Metcalfe, Executive Lead Member for Communities and Economic Development, presented the report on the draft Car Park Strategy and tariff options.

It was explained that Council was being asked to consider the draft Car Park Strategy, objectives, six key priorities and the preferred tariff option (Option 2) to inform the final decision on the matter at the Special Executive meeting, which was to be held directly after the Council meeting.

The Executive Lead Member for Communities and Economic Development described the importance of the work being undertaken on car parks; it was essential to give a good first impression of the area to visitors, and ensure that car parking provision complemented the economic development the Council wished to see across Selby District.

It was noted that car parking was a discretionary service, and as such, the cost of its provision should be covered by those using it. Council was informed that officers had reviewed tariffs to ensure they were robust, provided value for money and the potential for full cost recovery. It was explained that detailed surveys using car parking machines in Selby and manual counts in Sherburn and Tadcaster had been undertaken to inform the proposed strategy and tariffs.

The Executive Lead Member for Communities and Economic Development explained that following the winter floods in 2015, the recovery of businesses and traders in Tadcaster was still fragile, and as such it was suggested that two hours free parking in Tadcaster should be considered by the Council, as well as an evaluation by officers of a residents parking permit scheme.

It was formally proposed and seconded that the preferred tariff option (Option 2) be amended to include two hours free parking for Tadcaster, and that officers explore the possibility of a reduced-rate parking permit scheme for those residents living adjacent to car parks and impacted by charging.

Some Councillors expressed a concern that the work and proposed decision on car parks was premature. An alternative motion that consideration of the Car Park Strategy and Tariff Review should be deferred and a decision taken at a later date was proposed and seconded. Upon being put to the vote, this motion was lost.

Whilst acknowledging the recovery of the Tadcaster economy, it was felt by some Councillors that two hours free parking should not be exclusive to Tadcaster, but should also be extended to Selby. In response to this an amendment was proposed and seconded to include two hours free parking in Selby as well as Tadcaster. Upon being put to the vote, this motion was lost.

The original recommendations as set out in the report were moved and seconded. However, this motion was subsequently withdrawn without being taken to a vote, as the original recommendations were already under debate.

Following the debate, Councillors moved to a vote on the first amendment; that the Executive be asked to consider an amendment to its preferred tariff option (Option 2) to include two hours free parking for Tadcaster, and that officers explore the possibility of a reduced-rate parking permit scheme for those residents living adjacent to car parks and impacted by charging. Upon being put to the vote, this motion was carried.

**RESOLVED:**

- i) **To recommend to the Executive that its preferred tariff option (Option 2) be amended to include two free hours parking in Tadcaster, and ask officers to explore the possibility of a reduced-rate parking permit scheme for those residents living adjacent to car parks and impacted by charging.**

## **REASONS FOR DECISION**

- 1. To achieve the objective to use the Council's car parks as a platform to boost the local economies of the district by improving the customer experience, whilst supporting the Council's efficiency.*
- 2. To ensure that car park tariffs enable the Council to cover the cost of car park provision.*
- 3. To enable the Council to influence customer behaviour, attracting more users to under used car parks and town centre footfall.*
- 4. To achieve the Council's corporate priority of delivering great value.*
- 5. To facilitate a programme of improvements to the car parks.*

## **29. LOCAL DEVELOPMENT SCHEME**

Councillor Mackman, Deputy Leader of the Council and Executive Lead Member for Place Shaping, presented the Local Development Scheme for approval by the Council.

An amendment was proposed and seconded that the words 'and put it into effect' be added to the end of recommendation (i) of the report, as set out on page 87 of the agenda.

Councillors expressed concern at the length of time the process of site allocations and development was taking, and emphasised the importance of the proposed timetable being adhered to. The Executive Lead Member for Place Shaping explained the significance of the process up to submission to the Secretary of State in November 2018, and how crucial it was to get the consultation part of the process right.

Following the debate, Councillors moved to a vote on the recommendations as set out at page 87 of the agenda and the above amendment.

### **RESOLVED:**

- i. That the Local Development Scheme document at Annex A of the report be approved and put into effect.**
- ii. That responsibility for any minor amendments required to the document for typographical, grammatical and factual or Plain English purposes prior to publication be delegated to the Director of Economic Regeneration and Place, in consultation with the Executive Lead Councillor for Place Shaping.**

## REASONS FOR DECISION

*It is important that there is clarity about what work is being undertaken to progress the Local Plan for Selby District and what documents will be produced. Local Plan documents have key implications for places across the District and for communities, businesses and organisation across and beyond the district. There is a legal requirement to produce a Local Development Scheme, which must be made publicly available and kept up-to-date.*

### 30. POOL OF SITES PUBLIC CONSULTATION

Councillor Mackman, Deputy Leader of the Council and Executive Lead Member for Place Shaping, presented the Pool of Sites document for approval and consultation. It was proposed and seconded that the following (in italics) be added to the end of recommendation (i):

'i. That the Pool of Sites document (included at Appendices 1 and 2) at Annex A of the report be approved for consultation purposes in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) *with the following amendments:*

- *At Appendix 1, Site Summary Tables where the text currently reads "Residential Not Required" in the yellow highlighted boxes be amended to read "Residential May Not Be Required" in each case.*
- *At Appendix 2, Settlement Maps keys will be changed on the empty yellow bounded sites from "Residential Not Required" to read "Residential May Not Be Required" in each case.'*

Councillors requested clarification that following public consultation and consideration by the Policy Review Committee, the next stage of the Local Plan, the preferred sites, would come back to Full Council for a decision. It was confirmed that this was the case.

Concerns were expressed by some Councillors that proposed consultation engagement in the south of the district could be improved, and that some of the exhibitions were too few and far between for residents in the south.

A question was raised regarding provision of consultation information for Selby District residents whose first language was not English. The Executive Lead Member for Place Shaping explained that there was a cost implication related to producing documentation in other languages, but that should residents require further assistance at consultation exhibitions, officers would do what they could to help.

Following the debate, Councillors moved to a vote on the recommendations set out at page 112 of the agenda as amended.

### RESOLVED:

- i. That the Pool of Sites document (included at Appendices 1 and 2) at Annex A of the report be approved for consultation purposes in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended) with the following amendments:

At Appendix 1, Site Summary Tables where the text currently reads “Residential Not Required” in the yellow highlighted boxes be amended to read “Residential May Not Be Required” in each case.

At Appendix 2, Settlement Maps keys will be changed on the empty yellow bounded sites from “Residential Not Required” to read “Residential May Not Be Required” in each case.

- ii. That arrangements for the consultation to take place for 8 weeks between 2 October 2017 and 27 November 2017 be delegated to Officers.
- iii. That any minor amendments required to the documentation for typographical, grammatical, and factual or Plain English purposes to the documents prior to publishing for consultation be delegated to the Director of Economic Regeneration & Place, in consultation with the Executive Leader Councillor for Place Shaping.
- iv. That Policy Review be invited to provide input to prior to the next stage of consultation as part of the plan preparation process.

## **REASONS FOR DECISION**

*To approve the draft document for public consultation in order to further progress the adoption of a Local Plan.*

### **31. MEDIUM TERM FINANACIAL STRATEGY**

Councillor C Lunn, Executive Lead Member for Finance and Resources, presented the Medium Term Financial Strategy for approval.

Councillors expressed concern that there were a number of factors mentioned in the presentation that were uncertain, including the outcome of Brexit negotiations. The Executive Lead Member for Finance and Resources explained that the process of Brexit was out of the hands of local authorities, and that it would not be an efficient use of resources to put time and effort into investigating its potential effects on the Council.

The Leader of the Council confirmed that through the work of the District Council’s Network and the Local Government Association, the Council was able

to feed back to Central Government the issues it was experiencing in relation to uncertainties such as business rate retention and the local government funding settlement.

Following the debate, the Council voted on the recommendation as outlined in the report.

**RESOLVED:**

**That the Medium Term Financial Strategy be approved.**

**REASONS FOR DECISION**

*To set the framework for the 2018/19 budget and 2018 – 2020/21 Medium Term Financial Plan.*

**32. COMMUNITY ENGAGEMENT FORUMS ANNUAL REPORTS**

Councillor Metcalfe, Executive Lead Member for Communities and Economic Development, presented the annual reports from the Community Engagement Forums.

**RESOLVED:**

**That the contents of the reports be noted.**

**REASONS FOR DECISION**

*To ensure that the work of the CEFs is recognised and that they are working towards the delivery of their Community Development Plans.*

**33. URGENT ACTION**

It was noted that the Chief Executive had taken no urgent action since the last meeting.

The meeting closed at 7.30pm.



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## Item 7 - Public Questions

### Public Question 1 – from Maureen Weetman, Woman Against State Pension Inequality (WASPI)

Thank you Chairman and the full Council for allowing me to ask a question.

I am a member of a group called WASPI (Woman Against State Pension Inequality)

We are women born in the 1950s who expected to retire and receive our state pension at 60.

WASPI are an apolitical group who are not against the equalisation of the State Pension age, but what we do object to is the way it has been implemented for woman.

We have cross party support for our campaign and a debate is taking place in Parliament on the 14 th December.

So far there are 137 Councils across the UK who support WASPI please can you be the 138th

I am here today to ask this Council to Support **the 6,700 Women in the Selby and Ainsty** area born in the 1950's, who are having to wait up to 6 years longer than they expected before the receive their State Pension.

The problem is we were never informed of the changes in legislation either in 1995 or in 2011. So we had no time to plan for our retirements.

It has been said we were informed by articles in newspaper for example The Times and The Financial Times and also in selected magazines. But if you didn't read those publications you didn't find out.

I know of one woman who applied to Selby District Council for her bus pass just before she was 60 and was told bus passes were only available at State Pension age imagine her shock to find out she will be 66 when she gets it.

I have sent letters from Selby area woman to the Chairman. We would really appreciate you taking the time to read them. I have also included a sheet that shows how woman born a couple of days apart receive their pension months apart how fair is that!

Throughout the country woman are struggling some are living on their savings which are running out, some are having to sell their homes, lots are unemployed with no chance of finding work as the business world is not prepared for the ageing population. Many left the work place to care for elderly relatives or provide childcare for their grandchildren, and many are alone with no one to support them.

We've had our future retirement plans shattered

We have worked and paid our National Insurance Contribution, my life would have been so much better with the approximately £40,000 I should have received. Plus of course the bus pass, and winter fuel allowance. This is not a hand out it's what we paid for and what we expected to receive when we reached 60.

Why should we this group of woman and just this group of woman bear the price to make the pensions fairer for everyone else?

Myself and 5 woman from the Selby area who only met through WASPI, organised an awareness day in Selby on 18<sup>th</sup> November.

We were warmly welcomed by both men and woman, who signed up to join our campaign we did this as there are still woman out there who think they will retire at 60 and we want to spread the word about how unfair the changes affecting woman born in the 1950s are.

So I call upon this Council to support us, and in doing so show the Government that it is only fair that they make us a transitional State Pension payment to help us survive until we receive our State Pension.

Thank you again for giving me the opportunity to tell you of our plight,



**Cllr Mark Crane**

**Leader of the Council**

**Report to Council on 12 December 2017**

This report covers the period from the Council meeting on 18 September 2017. During this period I have attended a number of meetings on behalf of the Council. Reporting on key items:

**Corporate Peer Challenge**

The LGA Peer Challenge took place during the week commencing 13 November.

We invited them in to look at how the Council operates and how we are positioned to deliver on our big ambitions to make the district a great place to do business, to enjoy life and to make a difference, supported by the Council delivering great value. We asked the team to look specifically at a number of issues for us.

- How well are we achieving our vision of making the Selby district ‘a great place’?
- Do we have the capacity to transform the way we operate to ensure we become more sustainable?
- How well are our Better Together arrangements with North Yorkshire County Council working to make the best use of our joint assets and to join up services across both councils?
- How realistic and achievable are our plans to enable growth and investment?

The Team spent 3 days onsite at the Council during which they: spoke to more than 85 people including a range of council staff together with councillors and external stakeholders; gathered information and views from more than 45 meetings, visits to key sites and additional research and reading; and collectively spent more than 250 hours to determine their findings – the equivalent of one person spending nearly 7 weeks here.

The team has now given us some initial feedback on what they found during their time with us. In giving their feedback, the LGA team highlighted the positive way in which Councillors and Council officers work together to make things happen for the communities we serve. Whilst they put forward some areas for us to consider –

which included the role and effectiveness of scrutiny functions and clarity of Executive responsibilities – the initial feedback has been positive.

In particular the team praised out Better Together work with the County Council, which has already delivered significant savings and improved ways of working. The review team suggest that we expand and develop this partnership to deliver even more improvements.

Our investment in growth is being recognised in the business and wider community. Our Local Enterprise Partnerships and key business contacts consider us to be “punching above our weight” when it comes to supporting new investment. We are considered to be leading the way in this work amongst the region.

The team was very impressed by the welcome they received from us, and the support from everyone who took part in the week.

The initial findings gave an indication of the review team’s thoughts. A final report – with a set of recommendations – will come through to us in a few weeks’ time. We will then develop an improvement plan to ensure we learn from the Peer Challenge and use it to ensure what we do is even better.

## **Devolution to Yorkshire**

Following on from the letter signed by seventeen councils in Yorkshire supporting a broader devolution deal for Yorkshire as an alternative to city region deals and the response of the Secretary of State, I had the opportunity to raise the issue with the Rt Hon Sajid Javid during two meetings with him on behalf of the DCN.

I impressed on him the need to make sure that devolution deals are genuinely locally led and to discuss with him the announcements by Barnsley and Doncaster who will hold community polls in December. The Poll will ask every voter to say which devolution proposal they would prefer to pursue. The choices are wider Yorkshire or Sheffield City Region devolution. The results will be none binding but are likely to be influential in further talks.

## **Budget Setting**

I have been heavily involved alongside my Executive colleagues and the Council’s officer leadership team in discussions for the budget proposals for 2018/19.

The Council will still need to find significant savings in its core budgets to reflect reducing funding and to protect the ability to use windfall income such as the renewables from Drax to support the growth agenda.

The position is challenging but the Council overall is in a strong financial position and unlike many other Councils is still able to invest to achieve the Corporate Plan objectives.

### **Housing Infrastructure Bid**

In July 2017 the Government launched the Housing Infrastructure Fund which is a Capital Grant Programme of up to £2.3 billion providing grant funding for new infrastructure to unlock new homes.

The Fund is available over four years from 2017/18 to 2020/21 but has to be committed by the 31<sup>st</sup> March 2021.

Selby District Council worked collaboratively with landowners to submit a proposal for the Olympia Park site in Selby which is a key strategic development site identified in the Core Strategy.

The £8.878 million bid, which was supported by the York, North Yorkshire and East Riding and Leeds City Region LEPS and Selby College primarily focused on the construction of a new link road with associated junction improvements and addressing abnormal development costs associated with poor ground conditions.

It is anticipated that the Government will announce a decision on successful proposals by January 2018. If successful, the grant funding will be routed through the Council who will be responsible for ensuring that it is committed by the March 2021 cut-off date.

### **Alderman Arthur Cawood**

Colleagues will have been sorry to learn of the death of Honorary Alderman Cawood recently. Arthur Cawood was a longstanding leader of the Conservative Group and Leader of this Council who devoted a great deal of time to public service.

His funeral took place on 22 November at St Mary's Church South Milford. Unfortunately I was unable to attend but I know that several members of Council did and I am sure Council will join me in passing on our condolences to his family.

### **Christmas Parking in Selby**

I have agreed to provide free parking in the build up to Christmas on Saturday 2, 9, 16 and 23 December and after Christmas on Saturday 30 December. Christmas is an important time of the year for local businesses and the District Council is supporting the community by offering free parking in the busy period building up to Christmas.

December is an incredibly busy month for our local businesses. It is important that the council helps support local business by encouraging residents to shop locally and to encourage more shoppers to the district. Practical support like this is part of our wider objective to support growth and jobs, and to make the Selby district a great place to do business.

The free parking will include supporting the nationwide Small Business Saturday initiative, which encourages people to shop local, on Saturday 2 December.

Mark Crane  
Leader



**Councillor John Mackman**

**Deputy Leader of the Council**

**Report to Council on 12 December 2017**

This report covers the period from the Council meeting on 19 September 2017. During this period I have attended Executive and Executive Briefings and represented the Council at local and regional meetings including deputising for the Leader as required.

Reporting on the key items:-

**1) Planning Service Review**

A significant amount of progress has been made in the following areas:

The number of major and minor applications determined 'in time' remains significantly higher than the performance figures achieved during 2016/2017. In the six months between 1.4.17-30.9.17, 87% of majors were determined within the statutory period or agreed extension of time compared with 64% in the same period last year 88% of minors were determined within the statutory period or agreed extension of time compared with 80% in the same period last year. The figures are also higher than the national designation targets set by the Government which are 50% for majors and 65% for minors.

25 appeals were determined in the six months between 1.4.17-30.9.17 of which 32% were allowed and 68% dismissed. Furthermore, we are continuing to consistently meet and exceed our pre-application fee income target and overall planning fees are increasing reflecting the number of applications and major schemes that have been submitted such as Rigid Paper, Church Fenton Media Village, Eggborough and Drax NSIPs.

We have recruited a Principal Planning Officer for the Southern Team, Ann Rawlinson. We still have three vacant posts which we are looking to fill including the Planning Development Officer, Senior Enforcement Officer and half a Senior Planning Post although they are proving difficult to fill. These posts are currently being filled by two agency staff who also have a heavy workload. They are both working on a number of pre-application proposals and NSIPs which have brought with them pre-application fees.

A strategic alliance between the North Yorkshire County Council is continuing through the 'Better Together' initiative. A joint Principal Landscape Architect post has now been filled from which Selby District Council will have one day a week dedicated support. This officer will offer advice and support on the assessment of planning applications, and will also provide support on pre-application proposals and appeals. This post will also help the Planning Service make savings on how much we are currently procuring on expert landscape advice.

The second Stakeholder Forum was held on Monday 2<sup>nd</sup> October. At the meeting a number of items were discussed such as notifying Parish Council's electronically and contact with officers. At the meeting there was positive feedback that the contact with planning officers and planning agents is improving and we will continue to build on this in order to ensure that we are providing a first class customer service.



A key recommendation was to improve efficiency and make savings by consulting Parish Councils electronically. A Parish Council Forum was held on 15 November where an update was given on the Planning Review and moving forward with electronic consultations.

Currently we have four Parishes who are consulted electronically. At the meeting another seven Parishes agreed to receive them electronically and a further nine Parishes agreed in principle and will confirm in the near future. It was agreed that we would offer support and training on Public Access to assist them in the change and the first training session will take place on 5 December 2017. It is anticipated that it will be rolled out on a phased basis to all Parish Councils.

We are starting to undertake work to install a new IT case load management tool/package which will be of great benefit to planning officers in managing their workloads. We are hoping to shortly commence an initial audit so we can identify the priorities and what we want to achieve.

In terms of the Planning Review Action Plan we have made substantial progress and we have now either completed or substantially completed 54 actions out of 67 that we set ourselves at the start of the review. Work is progressing on 10 actions with 3 still to start. As part of the completed actions some of them included ensuring better communication between officers and agents, commencing use of a new report template for reports to Planning Committee and delegated reports, reviewing the pre-application process for major proposals, working with Historic England to improve decision making and partnership working, setting up processes for pre-application consultation of major proposals to the Planning Committee, providing Member and Officer training, setting up Stakeholder and Parish Council Forums, extending the "Better Together" Partnership particularly in regards to our approach to major proposals and NSIPs and procuring specialist advice (in relation to ecology, contamination, and landscape).

## **2) PLAN Selby – next steps**

Further progress has been made on Plan Selby. The Pool of Sites Consultation Document was approved by Executive on 7<sup>th</sup> September. The eight week consultation period closed on the 27 November. As part of the consultation staff from the Planning Policy Team staffed 8 public exhibitions and gave presentations to all the CEF meetings and a number of Parish/Town Council meetings.

I am pleased to report that the Planning Policy Manager, Principal Planning Policy Officer and Planning Policy Officers are now in place to support the progression of PLAN Selby.

## **3) Neighbourhood Plans**

We have now received the Inspector's Report on the Appleton Roebuck and Acaster Selby Neighbourhood Plan following its Examination. The Inspector's report recommended that the Plan proceeded to a Referendum, which took place on 23<sup>rd</sup> November. In total 89% of local residents voted in support of the adoption of the Neighbourhood Plan. This has now become part of the Council's statutory development plan for this area.

On the 9<sup>th</sup> November the Director of Economic Regeneration & Place, in consultation with myself, formally approved the designation of two further neighbourhood plan areas at Escrick and Brayton. This takes the number of Neighbourhood Plan areas in the District to six.

## **4) Eggborough DCO**

The Examination into the application opened on 28 September 2017 and will be presided over by an independent Inspector known as the 'Examining Authority'. The Examination will run for a period of up to 6 months and will finish by 27 March 2018.

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

Further work has been undertaken to bring the five year housing land supply information up to date to support a forthcoming appeal hearing on a development at Ulleskelf. On the 17<sup>th</sup> November the Director of Economic Regeneration & Place, in consultation with myself, formally endorsed a revised five year housing land supply methodology which updated the position to the 30<sup>th</sup> September 2017. Due to the high level of completions in the last two and a half years the Council no longer considers that it has persistently under delivered and has therefore reduced the five year land supply buffer from 20% to 5% in accordance with the NPPF. This updated supply methodology means that the Council now considers that it has 6.2 years supply. The subsequent appeal hearing for Ulleskelf took place on 21<sup>st</sup> November and we await the Inspectors decision. The Council has received nine planning appeals on the basis of five year land supply and are awaiting confirmation of a further four from the Planning Inspectorate.

On 26<sup>th</sup> October the Treasury Solicitor for the Government agreed to quash the Turnham Lane, Cliffe Inspectors decision which was for residential development outside the development limits in Cliffe in which the Planning Inspector allowed the appeal and incorrectly failed to take into account that the Council had a five year housing land supply.

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

The site at Landing Lane in Riccall has now been cleared and negotiations with the appointed contractor to construct 5 new family homes are complete.

Construction will start on site in December 2017 with an anticipated 37 week build-out period. Vehicle access to three existing properties will be also be improved as part of the scheme.

Selby District Council and the Selby District Housing Trust continue to work closely in negotiations to purchase 12 properties at Ousegate in Selby, and are currently progressing discussions on legal agreements.

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



**Councillor Cliff Lunn**

**Executive Member for Finance and Resources**

**Report to Council on 12 December 2017**

**Financial Results and Budget Exceptions Report Q2 2017**

The encouraging start to the year in first quarter has continued to the half year with forecasts indicating surpluses on both the General Fund and the HRA. The General Fund forecast has increased in the second quarter to (£146k) whilst the Housing Revenue Account has remained consistent with quarter 1 at (£379k).

The main drivers for the General Fund are the same as Q1. Salary savings from vacancies have continued to contribute to the underspend and investment income expectations have increased again in line with buoyant cash balances.

The forecasted HRA surplus is unchanged from Q1 and is mainly due to lower than expected external borrowing for new house building. Higher than budgeted savings generated from the pension deficit reduction and rents ahead of target also contribute to the surplus.

At the half year point, we are expecting to deliver the overall planned savings target. Asset rationalisation is expected to be delayed until next financial year with work on the extension to the Civic Centre scheduled to start in January. However, overachievement on other planned savings means that there is a shortfall of just £21k to find in the second half of the year.

The General Fund capital programme continues to progress well. The underspend forecast at Q1 is still anticipated, Disabled Facilities Grants and the Police co-location project continue to drive this.

The HRA capital programme is showing an increased underspend at Q2 of £1.57m. Just over £1m of this is due to the roofing and pointing schemes in Tadcaster. Stage 1 of consultation work has completed but the work on site is not expected to begin until May 2018. There has also been a delay on the start date at Byram Park Road due to changes to the scheme design following planning feedback, work is expected to start in December. The improved boiler programme continues to deliver capital savings due to reduced numbers of replacements.

The new Programme for Growth has formed part of the budget setting exercise and follows a targeted suite of 5 programme themes. Slippage of £115k in this year is expected with four projects expected now to deliver over a two year period.

The positive picture at the end of Q1 has continued to the half year. I will present a further update next quarter.

## **Treasury Management – Monitoring Report for Q2**

The first half of 2017/18 continued to see low interest rates and buoyant cash balances. Average Investment returns of 0.44% were achieved in the six months and whilst this is still very low, high cash balances mean income is forecast to exceed budget by £50k.

At the time of writing the Q2 report, an increase in the base rate was expected in the current year but uncertain. On the 2<sup>nd</sup> November, the Bank of England announced an increase from 0.25% to 0.5%, the first rate rise in over a decade. The impact of this will be incorporated into the Q3 update.

### **Business Case for Merger of Veritau and Veritau North Yorkshire**

The Executive supported a proposal to merge internal audit providers Veritau (a company owned by North Yorkshire County Council and City of York Council) and Veritau North Yorkshire (VNY - a subsidiary owned by Veritau and 4 district Councils in North Yorkshire). The proposal would have delivered internal efficiencies for the company and therefore ultimate benefits to shareholders but due to concerns over share distribution to the district councils (moving from 12.5% in VNY to 6.25% in the merged company) one of the district council shareholders was not in agreement and therefore the proposal has since been withdrawn.

## **Portfolio Issues**

### **100% Business Rates Pilots**

This is the subject of a separate report on the agenda.

### **Business Rates Relief**

Following the approval of the new Business Rate Relief Policy, the revenue and benefits team have contacted business who may be eligible for reliefs.

The current amounts awarded to local businesses from the Spring Budget reliefs are as follows -

Pub relief – 70 pubs at a value of £42,854.80

Supporting small business relief – 47 businesses at a value of £33,222.34

Localised discretionary relief – 37 businesses at a value of £73,970.39, this is quite a low take up compared to the budget available of £185,000, the service will be sending another application form and a reminder letter urging businesses to apply for the relief shortly.

### **Budget Consultation**

Consultation on the Executive's draft budget proposals for 2018/19 commenced on 11 December. The proposals build on the framework set out in the Medium Term Financial Strategy approved by Council in September. The budget assumes the multi-year settlement previously announced by Government will be honoured. Members will note the growing savings challenge and the work we are doing to provide a sustainable financial position for the Council. Briefings for all councillors will be arranged during the consultation period and I would urge you to attend so that we can hear your views.

Final proposals will be considered by the Executive on 1 February before bringing a report to Council for approval on 22nd February 2018.

Cliff Lunn



**Councillor Chris Metcalfe**

**Executive Member for Communities and Economic Development**

**Report to Council on Tuesday 12 December 2017**

This report covers the period from the Council meeting on 19 September 2017

**Selby Town Centre Christmas Campaign, #shoplocal**

Selby town centre has had a welcome boost for the Christmas period, not only from a series of free parking over the December period, but a concerted effort from local businesses to develop a #shoplocal campaign. The idea was born from the Selby Town Enterprise Partnership and launched on 1<sup>st</sup> November as part of the Small Business Saturday Initiative which saw a national launch from the Selby Market Place. The whole campaign has worked well with the Selby Town Council's Christmas Lights switch on and shop front prize giving as well as the Market Cross Shopping Centre's planned attractions over the season. This is an example of great partnership working over the year for the town centre.

**Sherburn Community Trust – Old Girls School Development**

The Sherburn Community Trust has been successful in securing £223,000 Big Lottery funding to develop the Old Girls School in the town centre. This is a real concerted effort from the Trust in partnership with SDC and NYCC as part of the Better Together customer and community programme. The programme has also supported the capital costs of the initiative through a further £40,000. It will support improved meeting space as well as activities that can engage a whole range of our local community.

Selby Library has also upgraded its IT facilities to give residents better access to digital services. The success of this will be rolled out to Sherburn and Tadcaster in Spring 2018. We are gaining an understanding of why people use digital services at our libraries, for example, Tadcaster residents have shown an increase in heritage and family history research.

**Economic Development**

Last month the Council held its first ever Economic Growth Conference at Carlton Towers to launch the "Selby District Economic Development Framework 2017-2022... and beyond". Over 120 delegates from across Yorkshire came together to hear the Council's ambitious plans for growth, which aim to strengthen the local economy and ensure a sustainable future for the businesses and people who live here. The Council's belief in Selby District's economic potential was shared by the conference's guest speakers and participants who ranged from local businesses, investors in the District, the District's two Local Enterprise Partnerships (LEPs) and regional and national bodies such as the Northern Powerhouse Partnership and the Department for International Trade.

Delegates left the conference with several key messages: Selby District is a great place to do business and invest in; the important role that Selby District can play in the wider economic success of not just the North, but the UK; and a real desire on behalf of Selby District Council to work with colleagues and partners from the public and private sectors to achieve our collective growth ambitions for Selby District.

Feedback from the conference was extremely positive, with delegates calling it an “excellent event”, “inspiring”, and that it illustrates a “real will to make Selby [District] a dynamic and attractive place to do business”. The success of the Council’s Economic Growth Conference was also highlighted in the Council’s recent LGA Peer Review Challenge with the Peer Team emphasising the positive impact that the event made on local business leaders and partners.

Last month also saw the Council undergo a LGA Corporate Peer Challenge. Amongst other issues, we asked the Peer Challenge team to explore “how realistic and achievable our plans to enable growth and investment are.” The Council and its Economic Development & Regeneration service received some really positive feedback which reflects the significant progress and the fantastic outcomes that have been delivered over the last 18 months. The Peer Challenge Team fed back that our investment in growth is being recognised in the business and wider community, and that our LEPs and key business partners consider us to be “punching above our weight” when it comes to supporting new investment in the District. Helpful recommendations include the need to prioritise carefully, develop the Council’s Programme 4 Growth and celebrate our successes more.

Significant progress continues to be made to bring forward ‘strategic employment sites’ in Selby District, including:

- Sherburn2, Sherburn;
- The former Kellingley Colliery, M62;
- Church Fenton Airfield;
- Gascoigne Wood/Interchange; and,
- Olympia Park, Selby.

Developers Glentool are actively marketing Sherburn2, the 1.25million sq. feet employment site, which has received significant interest from a range of different sector businesses including manufacturing, construction, agri-food, energy, environmental and office/administration. We are working closely with the developers to attract new investors into the District.

Landowners and developers Harworth Estates continue to carry out remediation work to the former Kellingley Colliery site, with Wheel House No 2 being demolished in late November, completion is targeted for late 2018. Once remediation is complete, the site can be redeveloped as an employment park (providing up to 1.45million sq. feet of employment space) opening up further opportunities for inward investment and economic growth in the District.

The Council is working closely with Makin Enterprises on their plans for a creative hub at Church Fenton Airfield. Home to the Yorkshire Studios, Makin Enterprises’ proposals look to deliver space for a wide range of businesses within the creative industries sector

on a purpose-built campus with the objective of delivering new and diverse employment opportunities in a new, growing and high-value sector for the District.

Work is also underway to unlock Gascoigne Wood/Interchange in Sherburn, a currently under developed employment site with nationally significant rail freight infrastructure. Landowners Harworth Estates have recently commissioned an evidence report to look at the site's potential as a Rail Freight Interchange with the potential to create a regionally significant intermodal interchange with the emphasis being on manufacturing and subassembly for the automotive and rail sectors. In addition, the site has strategic links to the Northern ports of Hull, Goole, and Liverpool, with the national road infrastructure (M1, M62, A1(M)) and the main line rail networks opening up access to the Northern Powerhouse.

The Council's Economic Development and Regeneration team is also progressing work to unlock Olympia Park in Selby, with a bid submitted to the Homes and Communities Agency's (HCA) Housing Infrastructure Fund for £8.878m of funding for a vital access road to the site from the Selby Bypass. Successful bids will be announced in early 2018, followed by a second stage which will require a business case by spring 2018. A final funding announcement will be made by the HCA in summer 2018. We are moving towards pre-application discussions for Olympia Park through the establishment of a formal project board, supported by a cross-service project team.

In relation to the various SME business support programmes Selby District Council is engaged within, the following has been achieved since the last update:

- Referrals to **Ad:venture** has shown engagement with advisers totalling a value of £3,360 and the first grant application has been approved for a Haute Coutour Wedding Shop that is opening in Tadcaster in January. The value of the grant is £3,963.00. The current total benefit for the District from this Leeds City Region LEP business support programme stands at **£7,323**;
- **Digital Enterprise** has three strands: Digital Knowledge Exchange, Digital Vouchers and Connectivity.
  - The Council has a workshop taking place on 5<sup>th</sup> December which is fully booked providing a full day's workshop to 15 delegates. The total value of this workshop is £6,750 (the value to each delegate being £450);
  - In relation to grants approved, there have been 4 in total with a total value of £7,267;
  - The current total benefit for the District from this Leeds City Region LEP digital transformation business support programme stands at **£14,017**;
- **Strategic Growth Programme** - Two businesses have been accepted onto this Leeds City Region LEP business growth programme which offers Growth Coaches that go into businesses and assist with their development strategy. The current total benefit for the District stands at **£2,862**.

In addition to the above, the 1<sup>st</sup> November saw the Small Business Saturday tour bus attend Selby to promote local business. The visit marked the launch of the Selby District Savers Card. 10 retailers have engaged with the initiative to encourage residents to #shoplocal. It is hoped that this number will increase as the scheme increases in popularity. Over 500 Savers cards have been issued to date. The intention is that the scheme will also operate in Tadcaster and Sherburn, however currently no retailers have taken up the scheme.

Following the last update to Council, the two Service Manager positions that were previously vacant in the Economic Development & Regeneration team have now been filled. Iain Brown has been appointed to the position of 'Economy & Infrastructure Manager', whilst Chris Kwasniewski has been appointed to the position of 'Housing & Regeneration Manager'.

Planning is now underway to drive forward delivery of the Council's ambitious growth agenda, as outlined in the Council's Corporate Plan and Economic Development Framework.

**Chris Metcalfe**





**Councillor Richard Musgrave**

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

**Report to Council on Tuesday 12 December 2017**

This report covers the period from the Council meeting on 19 September 2017

**Housing Delivery Programme**

A refreshed three-year Housing Development Programme is being developed and will be submitted to the Executive for consideration in the new year January. The programme will be ambitious in scale and will build on the successes of the work to date. It will provide an enhanced mechanism for building more houses in the District, including on the Council's own land, and will also enable the release of land to self-builders and custom builders.

Meanwhile, work continues to bring forward several sites as part of Phase 1 of the Housing Delivery Programme,

- Planning permission has now been granted for a scheme of 13 new homes, which will be available for social rent, at Byram Park Road in Byram. The Housing & Regeneration team have successfully applied for £468,000 of grant funding from the Homes & Communities Agency's Shared Ownership and Affordable Housing Programme towards the cost of the scheme. Negotiations are being finalised with the preferred contractor and it is anticipated that the scheme will start on site in January 2018.
- The former garages on the Landing Lane site at Riccall have now been cleared and the contract for the construction of 5 new homes via Selby District Housing Trust is being finalised with a view to the scheme starting on site in December 2017.
- The Housing & Regeneration team are assessing potential development options for the Edgerton Lodge site in Tadcaster, which was formerly used as a homeless hostel and is now surplus to requirements.

Due diligence is currently being undertaken and it is anticipated that a report will be brought to the Executive in March 2017 setting out recommended actions to develop the site.

The Council's Officers have also been discussing potential construction training opportunities with Efficiency North. As a result, Efficiency North have agreed the principle of providing an initial grant of £12,000 to sponsor 10 residents in Selby District to undertake construction related apprenticeships, with the training/qualifications being delivered by Selby College.

As part of this scheme two apprentices have recently joined the Council's Repairs & Maintenance team. More details can be found [here](#) and I am sure that Council will join me in wishing Edward and Tom well for their careers.

Construction is a priority sector within the Council's Economic Development Framework and we anticipate that this will be the start of a long-term training Programme to support housing and regeneration projects in the District.

### **Fly Tipping**

Members will be aware that tackling fly tipping is a high priority for this Council and will, no doubt, have been pleased to see that in November the Council successfully [prosecuted](#) two individuals for fly tipping offences, committed near Appleton Roebuck and Church Fenton.

Fly tipping can be reported via this [link](#) and, when evidence can be found, the Council is committed to prosecuting the perpetrators.

### **Parks and Open Spaces Bylaws**

At a meeting of the Executive on 12<sup>th</sup> October, approval was given to reapply to the Secretary of State to replace the existing, outdated parks and open spaces bylaws. The application was made on 1<sup>st</sup> November.

If leave is granted to make the bylaws, the proposals will be published for a 6-week period with the anticipation being that Full Council in February will be asked to agree to repeal the existing bylaws and adopt the new ones.

### **Don't Be a Waster – Reduce, Reuse, Respect**

The success of the Don't Be a Waster campaign is continuing. September saw community litter picks take place in Selby, Sherburn, Tadcaster, Thorganby, and Ulleskelf as part of the [Big Clean-Up](#) initiative. SDC's Senior Management Team, managers and staff from McDonalds, management from Amey Plc and representatives from the Selby Times took part in the Selby event.

A celebration lunch was held at the beginning of November to thank some of the volunteers, community groups, businesses and parish councils who have supported the campaign this year. Those attending included Fairburn residents John and Susan Kos, who have collected over 900 bags of litter in their local area since January.

Following the success of the Paws and Pick It Up anti-dog fouling campaign, with over 1,000 votes cast in the final, a [charity calendar](#) has been produced featuring many of the dogs that were entered the competition. The calendar is on sale now for just £6 from several outlets including the Civic Centre, with all profits going to Woodhaven Kennels who look after the Council's stray dogs.

### **Park Run**

The district will hold its first Parkrun event on Saturday 16<sup>th</sup> December 2017 at 08.50 at Burn Airfield. Parkrun is a national initiative that for a small set-up investment will be self-sustaining in the long term.

The event has been supported through the Programme for Growth Healthy Living Concept Fund and the Southern & Central CEFs. Parkrun events are popular with participants of all ages and all running abilities, so it is a welcome addition to the area.

### **Visitor Economy Strategy**

Make it York are working on the Council's behalf to help shape the Council's Visitor Strategy and an accompanying Action Plan to deliver it. The work to date has included: wide scale engagement with local businesses, stakeholder engagement sessions in Tadcaster, Sherburn and Selby, a Member specific engagement session and a wider survey for Parish Councils, businesses, and residents. Some great themes and ideas have emerged which are now being worked into a coherent strategy for consideration by the Executive in February 2018.

### **Health and Well-Being – District Action Plan**

Selby District Council and NYCC Public Health teams are collaborating with a range of local health and community organisations to develop a district wide [health action plan](#). The work has included engagement across community and voluntary groups to look at how we can influence key health issues (such as obesity, mental health, and road safety) through the way that the district supports better planning, housing development, place shaping and leisure.

This work is attracting interest from the District Council Network and will be highlighted at a Directors of Public Health Conference Event in February 2018. The Healthy Living Concept Fund, supported by Programme for Growth, will be a key contributor to delivering this work.

### **In The Heart Of Yorkshire**

Selby District Council has published a promotional book of interesting and appealing photographs that highlight our vibrant and diverse District as a great place to do business, enjoy life, and make a difference.

*'Celebrating Selby District: In the heart of Yorkshire'* is highly recommended and is now available from selected stockists including The Ink Shop and Library in Tadcaster; Wetherells, Heaven and Home, Mollie Sharp's, and the Abbey in Selby.

### **Tour de Yorkshire**

An impact and legacy report was due for imminent publication at the time of the last full council meeting. It has now been released and can be found [here](#). It gives key highlights from the day, lessons learned from holding large scale events in the district, and, more importantly, shows how the event is a great platform for other locally organised events and festivals.

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



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

The Scrutiny Committee has met three times since the previous update given to Council on 19 September 2017.

#### **28 September 2017**

The main items of business on the agenda for this meeting were Programme for Growth, Olympia Park Development, Corporate Performance for Q1, the Leisure Annual Review, Financial Results and Budget Exceptions and Treasury Management. The Committee discussed a wide range of issues across the agenda items, including:

- Provision of labour, childcare, varied shift patterns and transport to encourage employment around Sherburn in Elmet.
- The future development or expansion of Church Fenton studios.
- Development on the Olympia Park site, submission of a bid for Housing Infrastructure Funding, concerns about flooding and use of industrial/contaminated land and cycle and pedestrian access to the site from Selby Town Centre.
- Monitoring of missed bins and delays in the processing of benefits claims.
- Changing room cleanliness, footfall, student work placements, volunteering and promotion of membership at Selby Leisure Centre.
- Market Cross lease and sub-letting and the potential move of the Council's contact centre, pressure on parking and Police co-location at the Civic Centre, bus station refurbishment and funding for the Selby Town Enterprise Partnership.
- Returns on investments, Housing Trust Loans and the scope for use of £8m affordable housing funds around the District.

The Committee also considered the work plan for the rest of the 2017-18 year and made the following suggestions:

- That the Council's approach to emergency planning be looked at in detail at a future 'single issue' meeting on 23 November 2017.
- That the issue of Council-funded community centres be revisited by the Committee in March 2018.
- That dates for meetings of the Committee for 2018-19 start to be considered.

#### **17 October 2017**

The purpose of the meeting was to consider the call-in of the Executive decision on the Car Parking Strategy and Tariff Review taken at its special meeting on 19 September 2017.

Five Councillors had called-in the decision because they had felt that it was contrary to the decision making principles as set out in the Articles of the Constitution at 13.1 (b) and (i). Of particular concern had been the lack of clarity regarding the financial effects of changes discussed the Council meeting immediately before the Executive.

The Committee debated the call-in extensively before resolving to refer the matter back to the Executive for consideration. Issues that were raised during the discussions included:

- The weight given to additional representations regarding free parking in Tadcaster that were made following the Executive's decision on 3 August 2017.
- The enforcement of the extra free hour in Tadcaster and the potential impact of the loss of income on the Council.
- The rationale behind the level of increases to parking charges in Selby (from £1.20 to £1.50 an hour) and the potential impact on the local economy and deprived areas of the town.
- The impact on the loss of income to the Council in moving from one to two hours' free parking in Tadcaster. Data had been collected from the ticket machines in Selby and had given a picture of varying levels of use in different car parks across the town, as well as two separate usage surveys in Tadcaster.
- The impact of two hours free parking in Selby on the Council's revenue and the twelve month post implementation review of any changes to the District's car parks.
- That to include Tadcaster car parks within the charging and enforcement regime, a new order would be required under Section 35 of the Road Traffic Regulation Act 1984, a process likely to take three months to complete due to consultation and publication.
- The importance of scrutiny in the decision making process of the Council. The Committee felt that more time and consideration should be given to scrutiny and were disappointed that the tariff review and strategy had not been through pre-decision scrutiny prior to being presented to the Executive, and felt that had this been done, the matters being examined at the meeting could have been resolved earlier.

The Car Park Strategy and Tariff Review were reconsidered by the Executive at their meeting on 2 November 2017.

### **23 November 2017**

The main item of business on the agenda for this meeting was to examine emergency planning arrangements at Selby District Council.

The Committee received a presentation from Wendy Muldoon, Senior Emergency Planning Officer and Tom Knox, Resilience and Emergencies Manager at North Yorkshire County Council.

The Committee discussed a number of issues relating to emergency planning:

- The importance of consistent communication within communities during an incident, and the crucial role that the local knowledge of Councillors can play in assisting with emergencies and incidents.
- How important an issue flooding was to Members and the importance of preparedness for any future problems.
- The use of schools and Selby Leisure Centre as rest centres and the suitability of these locations.
- That the presentation given by NYCC staff to the Committee should be offered to all Members, as it contained important information and explained how emergency planning was managed locally and nationally, and Members' roles within this framework.

The Committee also considered the work plan for the rest of the 2017-18 year, as well as starting to think about the 2018/19 year. The Committee suggested that the impact of the Police co-location at the Civic Centre be added to the plan for consideration by the Committee.

The next meeting of the Committee will be held on Thursday 25 January 2018 at 5.00pm.

**Councillor W Nichols**  
**Chair, Scrutiny Committee**



**Councillor Jim Deans – Chair of Policy Review Committee**

The Policy Review Committee has not met since the previous update given to Council on 18 July 2017. The Committee is scheduled to meet again on 16 January 2018 after which a full update would be given.

**Councillor J Deans  
Chair, Policy Review Committee**



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

### **Update to Council 12 December 2017**

The Audit and Governance Committee has met once since the last update provided to Council on 19 September 2017. The Committee held a meeting on Wednesday 27 September 2017.

### **Audit and Governance Committee – 27 September 2017**

The Chair initially discussed the recent scrutiny training undertaken at York Council offices which he felt was extremely useful – he stated that he was looking forward to the further training that would take place in January 2018.

Reports from the Council's Internal and External Auditors were considered, and the Committee was suitably comfortable with current progress. Discussion centred on fraud and how it was being dealt with.

Attention then turned to the Local Government and Social Care Ombudsman Annual Review Letter 2016/17. It was reported that Selby District Council had received a small number of complaints, and that only two of the thirteen complaints received were upheld – both of these issues related to planning. However, it was noted by the Committee that the complaints related to planning were received before the recent Planning Service Review, and that the enforcement team had since been enlarged.

It was also noted that all Ombudsman cases were reported to the Audit and Governance Committee, and not Full Council. Therefore, it was agreed that a report on the Local Government and Social Care Ombudsman Annual Review Letter would be included within the Annual Report of the Monitoring Officer to Full Council.

The Committee then moved into Private Session and discussed a separate issue that related to a standards complaint, which needed to be considered by the Standards Sub-Committee under the Council's new standards arrangements. It was agreed that the three members of the Audit and Governance Committee appointed to sit on the Sub-Committee would be: Councillors Marshall, Sage and Reynolds.

**Councillor M Jordan**  
**Chair, Audit and Governance Committee**



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## Public Session

Report Reference Number: C/17/18

Agenda Item No: 12

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**To:** Council  
**Date:** 12 December 2017  
**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 the arrangements are satisfactory and meet legal duties but the Council must maintain efforts to speed up the complaints process.

### Recommendations:

- i. To note the contents of the Report

### 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 The report at Appendix A covers the period from December 2016 to December 2017. In that period the Monitoring Officer received 8 complaints. The 2016 report covered a period of May 2014 to December 2016 and reported 15 complaints. In the current period two complaints have been made against District Councillors and both are still being considered. Six relate to Parish Councillors involving four Parish Councils. Two were not upheld and four are still awaiting a decision. Two of those are at formal investigation stage (one Parish Council/Councillor) and two at initial assessment stage.
- 2.2 In May 2017 Council approved revised arrangements following the completion of a review by the Audit and Governance Committee. This included the creation of a Standards Sub Committee from Audit and Governance Committee including Parish Councillors where the complaint related to Parish matters. There have been 17 volunteers from Parish Councillors to sit on the Sub Committee if needed. This Sub Committee has not yet met,
- 2.3 Also during this period a significant input has been made on training for Parish Councillors and Parish and District Councillors who will sit on the new Sub Committee.
- 2.4 In addition the Monitoring Officer has made arrangements for the reappointment of Independent Persons under the standards regime. On 18 July 2017 Council approved the appointment of 3 Independent Persons.
- 2.5 The Monitoring Officer has consulted with the Independent Persons on the content of this report. They confirm that they have no issues with how the regime works although the Council still needs to work on concluding investigations as quickly as possible.

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

#### **Legal Issues**

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

#### **Financial Issues**

- 3.2 None

#### **Impact Assessment**

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

### **4. Conclusion**

- 4.1 That the arrangements work satisfactorily but that efforts to speed up the process must continue.

**5. Background Documents**

None

*Contact Officer:*

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**Appendices:**

*Appendix A – Standards Report*

# STANDARDS REPORT 2017

**Gillian Marshall**  
**Monitoring Officer**  
**December 2017**





## **Introduction – Ethical Standards**

The Localism Act 2011 introduced 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.

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 initial standards arrangements adopted by Selby District Council came into force on 1 July 2012 and dealt with complaints against Selby District Councillors and Town and Parish Councillors in the District of Selby. In May 2017 the Council approved updated arrangements.

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 three Independent Persons to provide an independent view on how the Council manages its ethical standards.

This report covers the period December 2016 to December 2017.

## **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.

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 on the Council Website which also sets out details of how complaints about Councillor Conduct can be made and will be considered.

## **Monitoring Officer**

Gillian Marshall, Solicitor to the Council is the Council's Monitoring Officer. Palbinder Mann, Democratic Services Manager is the Deputy 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**

In July 2017 the Council re-appointed Hilary Putman and Wanda Stables as independent persons along with Philip Eastaugh as a new third independent person.

Hilary has been involved with Standards for Local Authority Councillors since March



2009, initially as an Independent Member and then the Chair of the Standards Committee for Selby district. Since July 2012, she has been one of two Independent Persons in Selby, North Yorkshire.

Hilary has a background in people orientated employment and a portfolio of public appointments and voluntary commitments. She is an active member of Soroptimist International. Hilary has also recently been appointed to the Out - of - Court Disposals Scrutiny Panel for North Yorkshire.

Wanda has been an Independent Member of the Standards Committee and then Independent Person for Selby District Council since 2009 and has attended many meetings and several hearings.

She is a retired Statutory Officer of the Crown, a role which she performed for 25 years, latterly as Superintendent Registrar of Births, Deaths and Marriages for the County of North Yorkshire.

Since 2009, she has worked as a volunteer in charitable sector employment at the Citizens Advice Bureau in Selby.

Philip retired from HMRC in 2016 where he worked as a Criminal Investigator dealing with offences of tax and excise offences. This offences required liaison with foreign law enforcement agencies and local authorities. Philip has worked on cases in Courts across the North of England and in London.

Philip has not worked as an Independent Person before but is interested in the role as he wishes to put his skills to use for the benefit of the community.

The appointments were made after a recruitment exercise using a job role and person specification and applications were initially considered by the Chief Executive and the Monitoring Officer prior to appointments being confirmed at Council.

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 last such discussion and training session was held in York in July 2017 which the (then) 2 Independent Persons attended.

### **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 for a scale five fine (up to five thousand pounds) and may also be disqualified from being a councillor for up to five years.

Training has previously been provided 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, it must also be published on their website. For convenience many Parish and Town Councils opt to provide a link to the District Council's website to comply with this requirement.

The Council is currently auditing the Registers and Parish Councillors have been invited to review and update their registers where necessary alongside training on interests and declarations. Following a suggestion during training, the Deputy Monitoring Officer will be rolling out a simplified system of completion, annual review and update of the registers early in 2018.

### **Dispensations**

No requests for dispensations have been received during the period covered by this report.

## **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 removed 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 initially decided not to appoint a Standards Committee. At the time of the last Standards Report Council resolved to review those arrangements amid concerns that the process was becoming increasingly remote from Councillors and particularly from Parish Councillors thus the process of dealing with complaints did not raise the profile of proper councillor conduct.

In May 2017, Council approved proposals of the Audit and Governance Committee to create assessment criteria and to constitute a Standards Sub-Committee consisting of 3 members of the Audit and Governance Committee to hear those cases where the assessment and investigation indicated a potential breach of the Code. Where the case involves a Parish Councillor, two additional members of the Sub Committee would be required from one or more parishes other than the parish of the Councillor against whom the complaint has been submitted. Following those changes, an e mail was sent to Parish Clerks seeking nominees and 17 responses were received. A training session was held in November 2017.

## **Parish and Town Councils**

There are 74 Town or Parish Councils and Parish Meetings in Selby District. Town and Parish Councils 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.

During 2017 links with Parishes have been strengthened and there is now regular dialogue between the Democratic Services Team and Parish Clerks and Chairs.

A Parish Toolkit was launched in 2017 to assist Parishes in areas such as co-option and ensuring Parish Councillors fulfilled the correct qualification criteria.

In 2018 it is intended to commence bi-annual Parish Liaison meetings to further enhance the communication and support to Parish Councils.

## **Training and Development**

Training sessions for District Councillors and also for Town and Parish Councillors and Clerks was provided in July 2017. The events were well attended and lively with good feedback. For the first time these sessions were held around the District at Selby, in Tadcaster and Monk Fryston. The sessions were well attended with 66 Councillors and Clerks attending representing 40 Parishes.

The training dealt with

- The Localism Act 2011
  - The Seven Principles of Public Life
  - The Code of Conduct
  - Disclosable Pecuniary Interests
  - Other Interests
  - The Register of Interests
- Revised Arrangements for dealing with complaints of breaches of the code

Further training will take place in 2018 targeting the training for new Parish Councillors and those Parish Councils who have not yet attended training.

## **Complaints**

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

## Update on complaints pending at the time of the 2016 report

	<b>Council</b>	<b>Allegation</b>	<b>Outcome</b>
1	Brotherton Parish Council	Disrepute	Not upheld after investigation
2	Selby District Council	Disrepute, Conferring an advantage, misuse of confidential info	Rejected at assessment stage
3	Cliffe Parish Council	Disrepute	Rejected at assessment stage
4	Tadcaster Town Council	Disrespect	Upheld – Town Council passed a censure motion and placed the information on its website
5	Hemingbrough Parish Council	Failure to declare DPI	Rejected at assessment stage

## 2017 Complaints

	<b>Council</b>	<b>Allegation</b>	<b>Outcome</b>
1	Sherburn in Elmet	Misuse of position and disrepute	Rejected at assessment stage
2	Womersley Parish Council	Misuse of position	Rejected at assessment stage
3	Hemingbrough Parish Council	Disrespect and bullying	Under investigation
4	Hemingbrough Parish Council	Disrespect and bullying	Under Investigation
5	Brayton Parish Council	Disrespect and bullying	At assessment stage
6	Brayton Parish Council	Disrespect and bullying	At assessment stage
7	Selby District Council	Disrepute/breach of equality duty	At assessment stage
8	Selby District Council	Disrespect and bullying	At assessment stage

## **Future Developments**

In October 2017 DCLG issued a consultation paper on Disqualification Criteria for Mayors and Councillors. Responses were due by 8 December.

Currently individuals cannot stand for or hold office if they have been convicted of an offence and sentenced to a period of over three months imprisonment after taking office or in the 5 years prior to election.

The Government propose to change the rules so that anyone who is subject to registration as a sex offender, the subject of a sexual harm prevention order or a notification order (for overseas offence), anti-social behaviour court sanction (but not a community protection notice issued by the Council) would be disqualified from office. This disqualification would last for as long as the registration requirement or order is in force. Changes would apply only to requirements imposed after the law changes or from re-election.

The Monitoring Officer has submitted a response to the consultation after discussing the matter with the Independent Persons. The response broadly welcomes changes which will promote confidence in elected politicians but raises some concerns about the fact that the proposals do not apply to MPs, PCC's and other elected officials, the proposals in respect of anti-social behaviour are somewhat unclear and querying whether fraud based orders should also be included.

The Committee on Standards in Public Life (CSPL) advises the Prime Minister on ethical standards across the whole of public life in England. It monitors and reports on issues relating to the standards of conduct of all public office holders. The Committee maintains a longstanding interest in local government standards, and regularly receives correspondence from members of the public expressing their concern about this issue.

In 2018, the Committee is intending to undertake a review of local government standards during 2017 and 2018.

This review will be based around a consultation that will be launched in early 2018.

Based on the submissions to this review and meetings with key stakeholders, the Committee intends to publish findings and recommendations late in 2018.

The Committee would like to hear from Councils and individuals who consider they have something to say that would illuminate their view of how standards issues are dealt with by local authorities.

A response to this consultation will be prepared for approval at the relevant time.

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## Public Session

Report Reference Number: C/17/19

Agenda Item No: 13

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<b>To:</b>	<b>Council</b>
<b>Date:</b>	<b>12 December 2017</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>Councillor Cliff Lunn, Executive Lead Member for Finance and Resources</b>

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**Title: 100% Business Rates Retention Pilot in 2018/19**

### Summary:

This report informs councillors that an application has been submitted to the Department for Communities and Local Government (DCLG) for a North Yorkshire and East Riding 100% Business Rates Retention Pilot in 2018/19. The application includes North Yorkshire County Council, 6 of the 7 districts in North Yorkshire and East Riding of Yorkshire Council. The report highlights the potential financial benefit to the pilot based on estimates of business rates receipts (£178k estimated for Selby District) and seeks authority to proceed with the pilot should the application be successful.

### Recommendations:

- i. **To note the application to the DCLG for a 100% business rates retention pilot and to authorise the Chief Executive to proceed with the pilot should the application be successful.**

### Reasons for recommendation

To enable Selby to be part of the proposed pilot and potentially benefit from retention of additional business rates receipts in 2018/19.

#### 1. Introduction and background

- 1.1 The Government through the DCLG has extended the opportunity to all local authorities to become 100% Business Rates Retention Pilots in 2018/19. An



invitation was issued in early September with a deadline for submission of 27 October 2017. The pilot would be for one year only.

- 1.2 100% pilots will retain all locally-collected business rates and will receive additional responsibilities in return. As a minimum, authorities will forego Revenue Support Grant and Rural Services Delivery Grant (this will be adjusted for from the rates retained). Any difference between the increase in business rate retention and new responsibilities will be offset by an adjustment to top-ups or tariffs. The creation of the pilots will be “fiscally neutral” at baseline, but authorities will gain from retaining 100% of any above-baseline growth – we currently retain 50%.
- 1.3 The DCLG is looking for a wide spread of different types of pilot. There will be particular focus on applications from rural areas and from two-tier areas. This is a major opportunity for authorities in these areas, who are clearly going to be at the front of the queue.
- 1.4 It is very unlikely that all applications for pilot status will be successful because of affordability constraints. There is likely to be a competitive process, with applications measured against the following criteria:
  - **Applications should cover a functional economic area.** The invitation talks about covering a “functional economic geography”. This might be a current pool area or county, but could also extend further than this (for instance, to include counties and contiguous unitaries, or potentially even two or more counties).
  - **Preference for applications from two-tier areas.** Pilots will not be limited to two-tier areas, although the split between counties and districts is something the DCLG wants to explore. The 2017-18 pilots only included single-tier authorities.
  - **Proposals would promote financial sustainability.** The DCLG wants pilots to show how they can be more self-reliant and require less support from the national safety net. Furthermore, the DCLG is proposing that the safety net will apply at the pilot level rather than individual authority level (as it does for the first round of pilots). After deliberation the DCLG confirmed that there will be a “no detriment” clause.
  - **Evidence of how pooled income from growth will be used across the pilot area.** The DCLG wants to see how financial gains will be used. Of principal concern, is that gains are used within the pilot to mitigate risk, and to reduce the reliance of individual authorities on the national safety net. Applications for pilot status will need to demonstrate that there would be arrangements in place to share risk and reward. Additionally, the DCLG wants to see how pilots would invest “some retained income from growth to encourage further growth across the area”. This was not something that the first round of pilots were asked to demonstrate, but clearly the DCLG wants the next round of pilots to deliver something more to justify their existence.
- 1.5 Pilots will have a safety net at 97% of Baseline Funding Level - we currently have 92.5% as an individual authority. No levy will be payable by the pilot or the individual authorities. The DCLG has decided there will be a “no

detriment” clause, whereby the pilot as a whole cannot be worse-off than under the existing 50% scheme.

- 1.6 Very little is said in the invitation about transfers of funding streams or new responsibilities. Potentially, the DCLG has decided that it will take too long to negotiate anything new, with the deadlines being so short. Experts had thought that this would be an opportunity for authorities to show a “unique selling point” but the DCLG might now view a ground-breaking transfer as something that might cause a hold up.
- 1.7 All authorities covered by the proposed pilot will have to give their agreement. This has implications for how the pilot is developed by a group of authorities: every authority needs to have an incentive to join the pilot. Governance is also important to the DCLG because they will want to ensure that prospective candidates will deliver.
- 1.8 Decisions about successful pilots will be announced in December, which is also when the Provisional Settlement information is expected. If our application is unsuccessful then we will continue with the North Yorkshire rates pool (under the current 50% system), and those arrangements will be made in parallel.

## **2. The Report**

- 2.1 The North Yorkshire Chief Finance Officers decided at their meeting on 29 September 2017 that the opportunity and benefits of applying to be a Pilot should be investigated with a view that if it was beneficial then an application should be made. The deadline for applications was 27 October 2017.
- 2.2 The services of Pixel Financial Management were commissioned to provide advice and also to undertake the financial modelling required. Pixel already provides advice to the North Yorkshire Rates Pool, and is well placed to understand the complexities that we have. They are also advisors to the Rural Services Network (SPARSE).
- 2.3 The submission covers the existing members of the North Yorkshire Business Rates Pool (NYCC, Craven, Hambleton, Richmondshire, Ryedale, and Scarborough) plus Selby and East Riding of Yorkshire Council. Harrogate and City of York are part of the Leeds City region pool and wish to continue with that. Pixel advice was that without Selby the area would not be attractive to the DCLG and we would be unlikely to be accepted as a pilot.
- 2.4 Participating pools will be treated as one entity by the Department for the purposes of business rates retention and one calculation will be made regarding top-up/ tariff and the safety net payment. Therefore, the pool must nominate a Lead Authority to receive payments from and make payments to the Department on behalf of the entire pool. Any authority within the pool is eligible to fulfil this role. Applications must state which authority will be acting as the Lead Authority for the duration of the pilot. For North Yorkshire the proposal is that this will be Scarborough BC.

- 2.5 The financial appraisal calculations have taken a worst case scenario and a best case scenario. The figures are based on the 2017/18 Non Domestic Rates Returns (NNDR1) that each district billing authority completed in January 2017.
- 2.6 The submission indicated that in total the proposed pool area would be circa £10m better off under the pilot arrangements. Approximately half of this would be top-sliced for a shared investment fund. The submission proposes that Broadband connectivity is prioritised for this funding and looking ahead highlights the benefits of shared investment in housing delivery that such a pilot could bring.

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

#### **Legal Issues**

- 3.1 The offer for the pilots from the DCLG for 2018/19 is made on the understanding that agreement has been secured locally from all relevant authorities to be designated as a pool (in accordance with Part 9 of Schedule 7B to the Local Government Finance Act 1988) and that local arrangements are put in place to pool the additional business rates income.
- 3.2 Pools are required to submit a governance agreement setting out how the pooling arrangements will work in terms of financial distribution and service provision and evidencing how business rates income growth will be shared. The governance agreement should also include how balances and liabilities will be treated if the pool were to be dissolved.
- 3.3 The s.151 officer of each authority has to sign off the proposal before it is submitted. The Department will work closely with all successful applicants to support the implementation and running of the pilot.
- 3.4 At this stage it should be noted that agreement has not been reached with Harrogate as to the tier split that would apply to the rates collected in their area – their submission as part of the LCR pool assumes NYCC would receive an 18% share with Harrogate taking 81% into the LCR pool but for the rest of the districts in the NY/ERYC pool a 49:50 split (County:District) has been put forward – the remaining 1% would be retained by the North Yorkshire Fire and Rescue Authority which remains outside of the proposed pool.

#### **Financial Issues**

- 3.5 The broad financial implications are exemplified in the report. However, the precise implications will not be available until the NNDR1 returns for 2018/19 are prepared in January 2019.

- 3.6 Selby is currently at the 'safety net' for the purposes of Business Rates Retention which means this Council's business rates are below its baseline funding level. Under the existing arrangements the government guarantees 92.5% of the baseline funding and Selby has to cover the remaining 7.5% (£178k) itself – a reserve has been established to cover this.
- 3.7 Under the proposed pilot the pool would cover up to baseline funding level meaning Selby would be £178k better off in 2018/19.
- 3.8 The proposed pilot would have no impact on the Council's renewable energy business rates receipts but further conversions may be subject to pool sharing.

### **Risk Assessment**

- 3.9 Applying to be a pilot is not without risk although the inclusion of the 'no detriment clause' ensures that no authority would be worse off than the current arrangements.

### **Impact Assessment**

- 3.10 There are no equalities impacts as a direct result of this report.

## **4 Conclusion**

- 4.1 Financial modelling demonstrates that there is benefit to piloting 100% business rates retention.

## **5. Background Documents**

Department for Communities and Local Government (DCLG) prospectus and supporting documents for 2018/19 pilots. <https://www.gov.uk/government/publications/100-business-rates-retention-pilots-2018-to-2019-prospectus>

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## Public Session

Report Reference Number: C/17/20

Agenda Item No: 14

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<b>To:</b>	<b>Council</b>
<b>Date:</b>	<b>12 December 2017</b>
<b>Author:</b>	<b>Palbinder Mann, Democratic Services Manager</b>
<b>Lead Officer:</b>	<b>Gillian Marshall, Solicitor to the Council</b>
<b>Executive Lead:</b>	<b>Councillor Mark Crane, Leader of the Council</b>

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**Title: Community Governance Review – Thorpe Willoughby Parish Council**

### Summary:

Selby District Council has received a request from Thorpe Willoughby Parish Council to conduct a Community Governance Review. The request is to amend the parish boundary to include the land up to the Selby Bypass which is currently in Gateforth and Hambleton parishes. Under Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2017, the Council has to consider any requests for a review and make a decision with regard to proceeding to a review.

### Recommendations:

- i) **To proceed with a Community Governance Review as requested by Thorpe Willoughby Parish Council.**
- ii) **To agree the terms of reference as outlined at Appendix C including the timetable.**

### Reasons for recommendation

The request from Thorpe Willoughby Parish Council is a valid request for a Community Governance Review and the Council is legally required to consider any requests for a review.

#### 1. The Report

1.1 A Community Governance Review is a review that can take place for the whole or part of the district area to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;

- The naming of parishes and the style of new parishes;
  - The electoral arrangements for parishes (the ordinary year of election; council size, the number of councillors to be elected to the council, and parish warding) and
  - Grouping parishes under a common parish council or de-grouping parishes;
- 1.2 Under the Local Government and Public Involvement in Health Act 2017, a Community Governance Review can be requested in two ways. The first is through a request from the relevant Parish Council and this in turn must then be considered by the principal local authority. The second is through a public petition signed by the following number of electors in the relevant area:
- Area with fewer than 500 electors – at least 37.5% of the electors;
  - Area with between 500 and 2,500 electors – at least 187 of the electors;
  - Area with more than 2,500 electors – at least 7.5% of the electors.

Unlike a request, a petition will automatically trigger a Community Governance Review.

- 1.2 Thorpe Willoughby Parish Council has submitted a request to the Council to amend their parish boundary so that it includes the land up to the Selby Bypass. A map outlining the area to be moved into Thorpe Willoughby is attached at Appendix A and the request from the Parish Council is attached at Appendix B.
- 1.3 The only way a parish boundary can be amended is via a Community Governance Review and the Council has to decide whether to agree to a review following the request. If a review is undertaken, it must have regard to the guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government and legislation as outlined in the Local Government and Public Involvement in Health Act 2017.
- 1.4 In undertaking a review, legislation requires the Council to consult local government electors for the area under review and any other person or body who appears to have an interest in the review and to take any representations received into account when making the final recommendations.
- 1.5 The Council has one year from the date of the request to complete a review to ensure it meets legislation. Although the original request was received in May 2017, the details and specifics of the request were confirmed on 23 August 2017.
- 1.6 A draft terms of reference including timetable is attached at Appendix C. The Council is asked to agree the terms of reference for the review.

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

### **2.1 Legal Issues**

Under Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2017, the Council has to consider any requests for a Community Governance Review.

## **2.2 Financial Issues**

There will be costs associated with consulting everyone in the affected areas. Any other financial issues will be identified as part of the review.

## **3. Conclusion**

3.1 The Council is asked to agree to proceed with the review.

## **5. Background Documents**

Local Government and Public Involvement in Health Act 2007

Department for Communities and Local Government Guidance on Community Governance Reviews.

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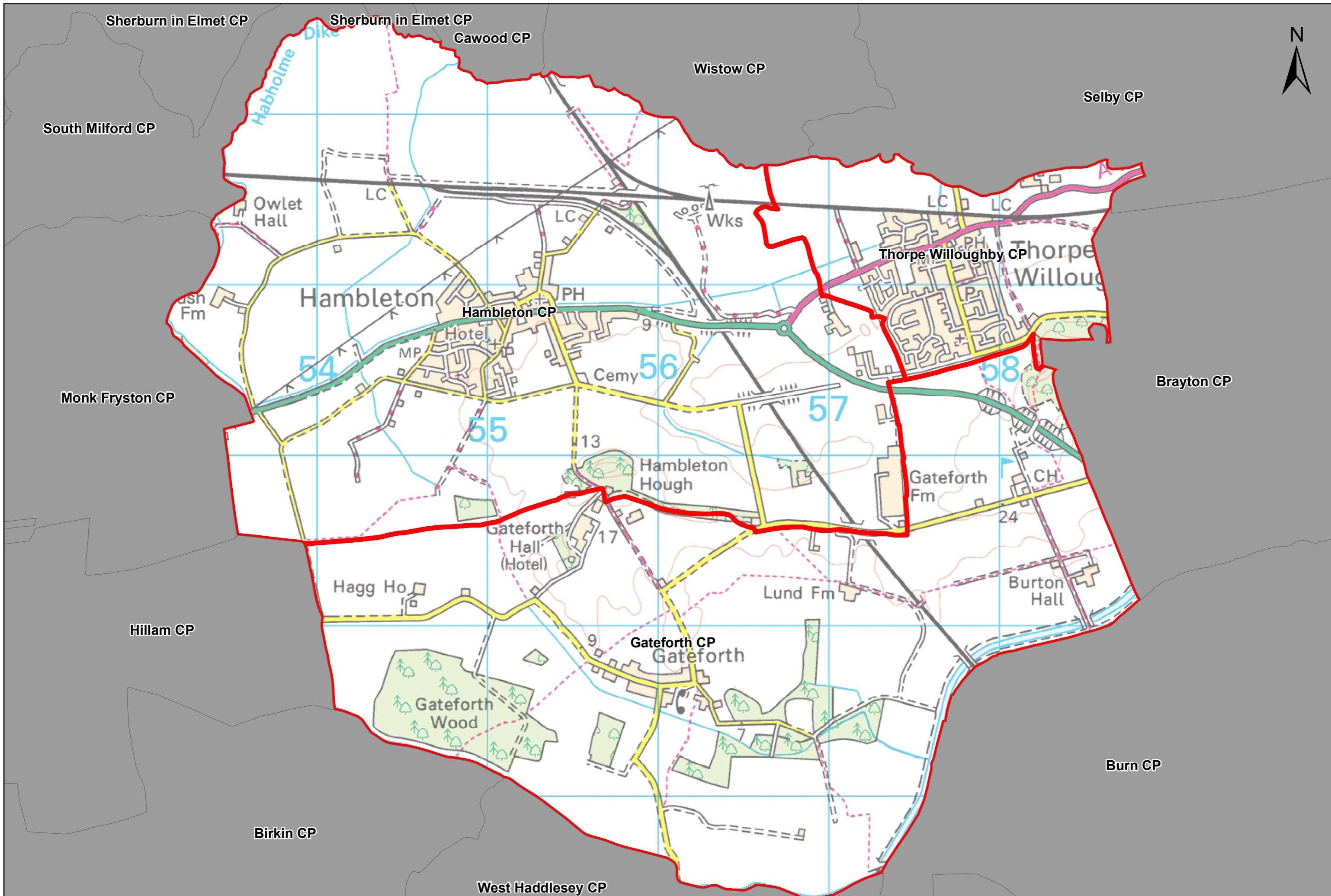
### **Appendices:**

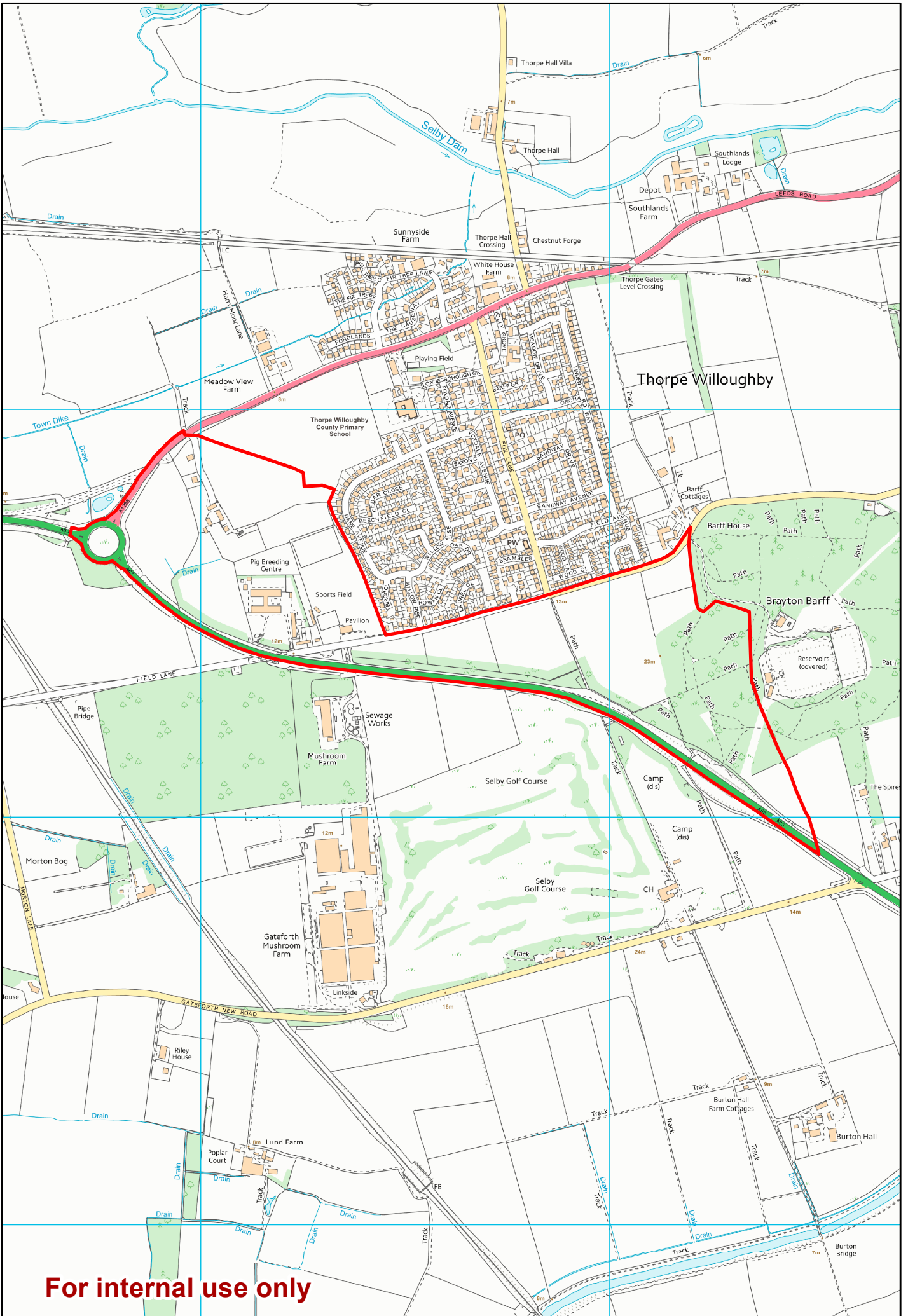
Appendix A – Map of area requested to be moved and of Gateforth, Hambleton and Thorpe Willoughby Parishes.

Appendix B – Request from Thorpe Willoughby Parish Council

Appendix C – Terms of Reference for the Review







**For internal use only**

**THORPE WILLOUGHBY PARISH COUNCIL**

Clerk/RFO: Mr Steven M Peters  
49 Dane Avenue  
Thorpe Willoughby  
Selby YO8 9NU  
Tel: 01757 700970  
Email: [stevepeterstwpc@hotmail.co.uk](mailto:stevepeterstwpc@hotmail.co.uk)



18 May 2017

Dear Sirs

**Parish Boundary at Thorpe Willoughby**

I write on behalf of Thorpe Willoughby Parish Council to request an extension of the parish boundary to include land up to the Selby Bypass.

The bypass is a natural barrier and in fact cuts off the road which originally connected Thorpe Willoughby with Hambleton.

Development of housing is proposed and some planning consent given for houses in this area of land. The CII and section 106 monies will go to other parishes as will the income from precepts, even though occupiers of these houses will expect to use Thorpe Willoughby's facilities, school, village green, doctors etc.

We understand that Hambleton is more receptive to this transfer than before and also request conversations with Gateforth about developments on their land.

Yours sincerely

A handwritten signature in cursive script, appearing to read "mteters".

Mr Steven M Peters  
Clerk/RFO to Thorpe Willoughby Parish Council  
Tel: (01757) 700970

**Selby District Council**

**Community Governance Review of Thorpe Willoughby Parish**

**Terms of Reference**

**Introduction**

Selby District Council has received a request from Thorpe Willoughby Parish Council to amend the parish boundary to include the land up to the Selby Bypass.

The Council will be carrying out a Community Governance Review in accordance with Part 4, Chapter 3 of the Local Government and Public Involvement in Health Act 2007.

The Council is also required to have regard to the Guidance on Community Governance Reviews issued by the Secretary of State for Communities and Local Government. This guidance has been considered in drawing up these terms of reference.

**What is a Community Governance Review?**

A Community Governance Review is a review that can take place for the whole or part of the District area to consider one or more of the following:

- Creating, merging, altering or abolishing parishes;
- The naming of parishes and the style of new parishes;
- The electoral arrangements for parishes (the ordinary year of election; council size, the number of councillors to be elected to the council, and parish warding) and
- Grouping parishes under a common parish council or de-grouping parishes;

**Why undertake this Community Governance Review?**

The Council is undertaking this Community Governance Review in response to a request from the Thorpe Willoughby Parish Council to request an extension of the parish boundary to include land up to the Selby bypass which is currently located in Gateforth and Hambleton parishes. The full request is outlined at Appendix A.

**Purpose of the Review**

In considering the request from the Parish Council, the District Council will ensure that the parish boundary is sufficient to ensure that community governance arrangements continue to reflect local identities and facilitate effective and convenient local government.

A Map of the current parish boundary is attached at Appendix B.

**Who will undertake the Review?**

The District Council is responsible for conducting the review. Full Council will consider and approve the terms of reference and will consider the final recommendations following

completion of the review process by Council Officers will develop. If the final recommendations are approved, the Council will be required to make a Community Governance Order to implement the decision.

## Consultation

A full consultation process will form part of the review to take full account of the views of local people. The Local Government and Public Involvement in Health Act 2007 requires the Council to consult local government electors for the area under review and any other person or body who appears to have an interest in the review and to take the representations that are received into account.

The Council will:

- Consult the Ward Councillors for the area.
- Consult the North Yorkshire County Councillor for the area.
- Consult the properties and residents affected by the boundary change.
- Consult the Parish Councils of Thorpe Willoughby, Gateforth and Hambleton.
- Welcome and take in account comments from any other person or body that wishes to make a representation.
- As required by section 79 of the Local Government and Public Involvement in Health Act 2007, the Council will notify North Yorkshire County Council that a review is to be undertaken, and will provide them with a copy of the terms of reference once agreed and consult them on the matters under review.

Information relating to the review will be available on the Council's website and responses to the consultation can also be emailed to [democraticservices@selby.gov.uk](mailto:democraticservices@selby.gov.uk). Documents regarding the review will be available from the Civic Centre, Doncaster Road, Selby, YO8 9FT.

Selby District Council welcomes all representations from any person or body who may wish to comment or make proposals on any aspect of the matters under review. Representations should be addressed to:

Democratic Services  
Selby District Council  
Civic Centre  
Doncaster Road  
Selby  
YO8 9FT.

Representations may also be sent by email to:

[democraticservices@selby.gov.uk](mailto:democraticservices@selby.gov.uk).

Or via the Council's website at [www.selby.gov.uk](http://www.selby.gov.uk)

In accordance with the Act, representations received in connection with the review will be taken into account, and steps will be taken to notify consultees of the outcome of the review by publishing them on the Council's website at [www.selby.gov.uk](http://www.selby.gov.uk), through general press releases, placing key documents at the Council officers and publication on local noticeboards.

## Timetable for the review

A timetable for the review is outlined below. The Council will need a degree of flexibility in the interests of ensuring that it manages the review process efficiently. Any adjustments to the programme and timetable will be approved by the Council and published on its website.

<b>Action</b>	<b>Date/Timescale</b>
Draft Terms of Reference to be considered at Full Council	12 December 2017
Publish Terms of Reference and Notice of Community Governance Review	13 December 2017
Notify North Yorkshire County Council that a Community Governance Review is to be undertaken	13 December 2017
Development of Draft Consultation Document	December 2017/January 2018
Consultation exercise with: <ul style="list-style-type: none"> <li>• Local government electors for areas under review and other interested parties</li> <li>• Parish Councils affected by review.</li> <li>• Other interested parties</li> </ul>	15 January to 9 March 2018
Deadline for submissions (8 weeks)	9 March 2018
Prepare draft report and recommendations to Full Council	March/April 2018
Report and recommendations to be considered by Full Council	24 April 2018
If required: Organisation of Community Governance Order	Following Council decision in 24 April 2018 and to be implemented in April 2019

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