

Selby District Council



Agenda

Meeting: **Executive**
Date: **1 November 2012**
Time: **4pm**
Venue: **Committee Room**
To: Councillor Mark Crane, Councillor Mrs Gillian Ivey, Councillor Cliff Lunn, Councillor John Mackman and Councillor Chris Metcalfe

1. Apologies for absence

2. Minutes

The Executive is asked to approve the minutes of the meeting held on 4 October 2012. Pages 4 to 12.

3. Disclosures of Interest

A copy of the Register of Interest for each Selby District Councillor is available for inspection at 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.

4. 2nd Interim Corporate Plan Progress Report

Report E/12/33 provides details of Access Selby key performance indicators following the 2nd quarter of reporting for the financial year 2012/13. Pages 13 to 29.

5. Fees and Charges 2013/14 – Key Decision

Report E/12/34 asks the Executive to agree the exceptions to the Medium Term Financial Strategy. Pages 30 to 41.

6. 2nd Interim Budget Exceptions Report – Key Decision

Report E/12/35 asks the Executive to consider details of major variations between budgeted and actual expenditure and income for the 2012/13 financial year to 30 September 2013. Pages 42 to 60.

7. 2nd Interim Treasury Management Report – Key Decision

Report E/12/36 asks the Executive to endorse the actions of officers with regard to the Council's treasury management activity. Pages 61 to 69.

8. Leisure Landlord Maintenance Programme

Report E/12/37 provides the Executive with further information in relation to the Leisure Landlord Maintenance Programme. Pages 70 to 72.

9. Homeless Prevention

Report E/12/38 asks the Executive to consider the proposed commissioning of Access Selby to deliver homeless prevention work using additional funding provided by Department for Communities and Local Government. Pages 73 to 76.

10. Repossessions Prevention

Report E/12/39 asks the Executive to consider the proposed commissioning of Access Selby to deliver a repossessions prevention scheme using additional funding provided by Department for Communities and Local Government. Pages 77 to 80.

11. Review of the ICT Strategy

Report E/12/40 asks the Executive to approve the ICT Strategy 2012-2017. Pages 81 to 111.

12. Core Strategy Update – Key Decision

Report E/12/41 provides the Executive with an update on the progress of the Core Strategy. Pages 112 to 172.

13. Potential Site for the Travelling Community – Key Decision

Report E/12/42 provides an update on progress following the Executive's decision to authorise Access Selby to open negotiations with HCA and submit applications to facilitate the delivery of a traveller's site. Pages 173 to 176.

14. Programme For Growth

Report E/12/43 presents the proposed progress with the Programme for Growth, following the Executive's presentation to the Extraordinary meeting of the Council on 24 July 2012. Pages 177 to 180.

15. Civil Parking Enforcement (CPE)

Report E/12/44 asks the Executive to whether the Council wishes to support the proposed implementation of Civil Parking Enforcement throughout North Yorkshire and adjust the Access Selby cost envelope accordingly. Pages 181 to 193.

M Connor
Chief Executive

Dates of next meetings

13 November 2012 Executive Briefing
6 December 2012 Executive

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Selby District Council



Minutes

Executive

Venue:	Committee Room, Civic Centre, Selby
Date:	4 October 2012
Present:	Councillor M Crane (Chair), Councillor Mrs G Ivey, C Lunn, J Mackman and C Metcalfe
Officers present:	Deputy Chief Executive, Executive Director (S151), Executive Director, Business Manager, Policy Officer, Development Manager, Lead Officer Contracts and Democratic Services Manager.
Also Present:	Councillor R Sayner
Public:	3
Press:	0

NOTE: Only minute numbers 36, 38, 39, 40, 41, 46, 47, 50, and 52 are subject to call-in arrangements. The deadline for call-in is 5pm 16th October 2012. Decisions not called in may be implemented on 17th October 2012.

31. Apologies for Absence

None received.

32. Minutes

The minutes of the meeting on 6 September 2012 were submitted and agreed as a correct record and signed by the Chair.

33. Disclosure of Interest

None received.

34. Petition from the residents of Burn

Councillor Crane informed the Executive that he had received a petition from residents of Burn village. The petition was in opposition to a potential second Gypsy and Traveller Site at Burn.

Chris Phillipson, Chairman of Burn Parish Council, addressed the Executive. He outlined the concerns and strong opposition of local residents about a potential second site at Burn.

The Executive asked officers to meet with Mr Phillipson to discuss some of the points raised.

Councillor R Sayner also addressed the Executive, she provided further details of the opposition to the second site at Burn.

Resolved:

To consider the petition as part of the Council's ongoing work to identify a suitable Gypsy and Traveller Site.

Reason for decision:

To ensure the petition is considered appropriately by the Council.

35. Financial Strategy

Councillor Lunn presented an update to the Medium Term Financial Strategy (MTFS) approved by full Council in December 2011. The report also proposed the framework for the 2013/14 budget.

Councillor Lunn set out the key issues for the 2013/14 budget, these included the continuing economic recession and its impact on investment returns and income generation. He outlined that there remains significant risk and uncertainty to public sector funding and a cut of 10%, as assumed in the report, was a prudent mid-range forecast for 2013/14.

Resolved:

To submit to Council for approval the draft update to the Medium Term Financial Strategy, subject to comments from the Policy Review Committee.

Reason for the decision:

To set the framework for the 2013/14 budget and 2013 – 2015/16 Medium Term Financial Strategy.

36. Leisure Landlord Maintenance Programme

Councillor Lunn presented the report which set out proposals for landlord maintenance at Tadcaster Leisure Centre and Selby Park for year 4 of the programme.

Councillor Lunn identified that the programme allowed for the resurfacing of the crazy golf course at Selby Park at a cost of £6,300. Whilst no essential maintenance items were scheduled for Tadcaster Leisure Centre, the report highlighted an issue with the platform lift.

The Executive discussed the report and felt that further information was required before a decision could be reached. The report was deferred until the November meeting.

Resolved:

To defer the report until the 1st November Executive meeting.

Reason for the decision:

To allow the Executive to consider further information before making a decision on the matter.

37. HRA Business Plan

Councillor Lunn presented the draft HRA Business Plan following consultation with tenants and Policy Review Committee.

The Executive heard that the Plan was a strategic document which took into account the Corporate Plan and the '5 Big Things'. It had been developed against a backdrop of major change in the form of the Localism Act; self-financing and enhanced 'Right-to Buy'.

The Executive Director (s151) outlined the costly penalties associated with the potential early repayment of some of the Council's loans.

Recommendation to Council:

To approve the Housing Revenue Account Business Plan.

Reason for the decision:

- i) To set out a viable business plan for the HRA service;
- ii) To comply with the requirements set out in the Localism Act.

38. Options for additional funding within HRS Capital Programme

Councillor Lunn presented the report. Following a previous request of the Executive, the report identified options available for the efficient use of the £314k saving within the Housing Revenue Account in 2012/13.

The Executive discussed the options put forward in the report and how to use the savings most effectively. This included an option to allocate some of the funding to the second phase of Airey property redevelopment.

However, the Executive concluded that the savings available would have greatest impact if spent on Option 1 in the report, to fund damp works, a doors programme and part of the fencing programme.

Resolved:

To utilise the £314k saving on the HRA in 2012/13 to fund Option 1 of damp works (£170k), doors programme (£86k) and (£58k) of the fencing programme

Reason for the decision:

Option 1 addresses the important issues and is deliverable within the time scales and funding available.

39. Tenancy Strategy

Councillor Mrs G Ivey presented the North Yorkshire Tenancy Strategy. The Strategy had been developed in partnership with other local authorities to provide an overarching guide to social landlords working in the county for the development of their individual tenancy policies.

The Executive discussed the Strategy and the accompanying decision making process for its approval. Councillor Mrs G Ivey outlined that the Strategy allowed sufficient freedom for each authority's Tenancy Policy to reflect local circumstances.

Resolved:

To approve the North Yorkshire Tenancy Strategy prior to presentation for approval by the North Yorkshire Housing Board on 8th October.

Reason for the decision:

To ensure that all local authorities have signed off the Strategy prior to the Housing Board meeting and implementation.

40. Tenancy Policy – Key Decision

Councillor Mrs G Ivey presented the report which set out the Council's Tenancy Policy.

The Executive were broadly supportive of the approach being taken, but felt that further work was required on a number of aspects within the Policy. It was requested that the Policy return to a later meeting for consideration.

The Executive reconfirmed its support for the use of fixed term tenancies where appropriate. Councillor Crane also clarified that, in respect of the Choice Based Lettings Scheme, more people from Selby District had secured homes outside the district than vice versa.

Resolved:

- i) To endorse the approach to the development of the Tenancy Policy;**
- ii) To consider a further draft of the Tenancy Policy at a future meeting, which addresses the concerns expressed at the meeting.**

Reason for the decision:

To ensure that Councillors are aware of how work on the Policy is developing and provide that a final document can be signed off early in 2013 as required.

41. Anti Social Behaviour Policy

Councillor Mrs G Ivey presented the report which provided the Executive with the Anti-Social Behaviour Policy.

Councillor Mrs G Ivey advised that the approach takes account of the recent the recent White Paper placing an emphasis on prevention and partnership working. The Policy was to be used as informal guidance until a review in 2014.

Resolved:

- i) To approve the draft Anti-social Behaviour Policy for use as informal officer guidance;**
- ii) To ask officers to programme a full review of the Anti-social Behaviour Policy in 2014.**

Reason for the decision:

To provide an interim document to guide officers until the guidance is available and a full review can be completed in 2014.

42. Private Session

Resolved:

In accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, to exclude from the meeting the Press and Public during discussion of the following item as there is likely to 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.

43. Leisure Services following the fire at Abbey Leisure Centre – Key Decision

Councillor Mrs G Ivey presented the report which provided the Executive with details of the options for the reprovision of Abbey Leisure Centre following the fire at the end of February 2012.

The Executive discussed each of the options with regard to the quality of facility to be provided and the associated cost.

Recommendation to Council:

To recommend to full Council option 3 as set out in the report.

Reason for the decision:

To allow the Executive to consider the options developed in consultation with the Councillor task and finish group and to present to Council a fully funded project to support delivery of a new or repaired leisure centre.

At this point, Councillor Mrs G Ivey left the meeting.

44. Public Session

To return to public session

45. Review of the Asset Management Strategy – Key Decision

Councillor Crane presented the report which asked the Executive to approve the Strategy for submission to Council.

Councillor Crane provided an update on the usage and condition of the Council's garages.

Recommendation to Council:

To approve the Asset Management Strategy.

Reason for the decision:

To ensure Executive approval of the Strategy before submission to Council.

46. Countryside Management and Green Space Strategy – Key Decision

Councillor Metcalfe presented the Countryside Management and Green Space Strategy to the Executive.

Councillor Metcalfe explained that the Strategy sets out how the Council would conserve and enhance the district's biodiversity by working with a range of partners and involving communities. The Strategy now needed to go through the formal consultation process.

Resolved:

To approve the final Countryside & Greenspace Strategy 2012 and the supporting annex for consultation purposes.

Reason for the decision:

Public consultation on the final document is necessary in order for the strategy to be robust, as it will form part of the evidence base which will underpin future actions such as negotiation on planning obligations (e.g. through Community Infrastructure Levy).

47. CCTV Procurement

Councillor Metcalfe presented the report which set out the latest position in respect of the Council's CCTV procurement.

The Executive considered the costs associated with providing the new hub. The Lead Officer Contracts clarified the need to relocate the hub in order to ensure a legally compliant EU procurement process.

The Executive resolved to move into private session to allow for further detailed consideration of the financial issues associated with the project.

48. Private Session

Resolved:

In accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, to exclude from the meeting the Press and public during discussion of the following item as there is likely to 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.

The Lead Officer Contracts provided more detailed information regarding the costs associated with the project.

49. Public Session

To return to public session

50. CCTV Procurement – Continued

Recommendation to Council:

- i) To approve capital expenditure of £75,000 in 2012 / 2013 for the relocation of the CCTV fibre network termination point to a fibre hub and connection to an electrical supply located at Vivars way, Selby;**
- ii) To approve capital expenditure of £10,000 in 2012 / 2013 and £13,600 in 2013 / 2014 for the decommissioning and removal of redundant CCTV equipment;**
- iii) To release of £98,600 from the Spend to Save Reserve to cover the capital costs;**
- iv) To set aside £3,750 p.a. from the annual revenue savings, in an earmarked reserve to cover the cost of replacing the hub at the end of its estimated 20 year life.**

Reason for the decision:

- i) Relocation of the hub is necessary to provide a legally compliant EU procurement process.**
- ii) To ensure a fit for purpose CCTV network.**

51. Private Session

Resolved:

In accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of the business to be transacted, to exclude from the meeting the Press and public during discussion of the following item as there is likely to 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.

52. Telecommunications Mast at Portholme Road, Selby

Councillor Crane presented the report which provided the Executive with an updated position on Telecommunications Mast at Portholme Road, Selby.

Resolved:

To authorise the Deputy Chief Executive to pursue the surrender of the lease by North Yorkshire Police of land at Portholme Road, Selby and the transfer of ownership of the telecoms mast from NYP to SDC, subject to there being no adverse financial implications and appropriate confirmation of the current rental income, tenancies and terms, adequate reassurance in respect of technical and structural issues and agreement in respect of compensation under the Landlord and Tenant Act 1954/early lease surrender.

Reason for the decision:

To simplify the land ownership and tenancy relationships affecting the telecommunications mast at Portholme Road, Selby to assist in the future relocation of the mast.

The meeting closed at 6.55pm.

Selby District Council

REPORT

Reference: E/12/33

Item 4 - Public



To: The Executive
Date: 1 November 2012
Status: Non Key Decision
Report Published: 24 October 2012
Author: Chris Smith and Caroline Sampson Paver
Executive Member: Councillor Mark Crane
Lead Officer: Keith Dawson

Title:

2nd Interim Corporate Plan Progress Report

Summary:

This report provides details of Access Selby key performance indicators, following the 2nd quarter of reporting for the financial year (April 2012 – September 2012) 2012/13, and recommends appropriate action where required. An update is also provided of progress of the development plan that is included within the Service Level Agreement between The Core and Access Selby.

Recommendations:

It is recommended that the Executive approves the report.

Reasons for recommendation

The ongoing management of performance and improvement data assists Access Selby in achieving its priorities for 2012/13.

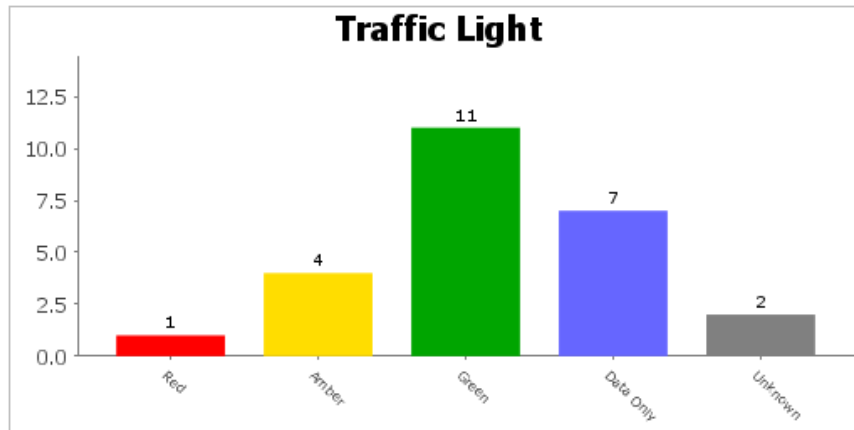
1. Introduction and background

- 1.1** Performance indicators for the relevant period together with appropriate commentary from officers are shown at Appendix A.
- 1.2** A total of twenty-five key performance indicators have been created and divided into four themes: *customer and community, learning and*

growth, process and finance. These four themes form the basis of the 'balanced scorecard' approach, and are designed to support the long-term sustainability of the organisation.

- 1.3 Appendix B provides a reminder of a number of projects that are contained within the development plan for the SLA (Schedule 6 of the SLA)

2. The Report



- 2.1 Based on the performance indicators that hold reported data, results are above target on eleven indicators with four indicators reported at Amber and one indicator at Red status. The data only indicators present a baseline position from which targets will be set.
- 2.2 The 11 KPIs that currently report annually, and are due for development this year, do not contain results for 2011/12, and are therefore reliant on commentary to reflect progress.
- 2.3 Slippage in SLA development has occurred in 2 of the project areas that are listed in Appendix B
- **Development of KPIs** – specifically in those measures that are scheduled to progress or report during the first quarter. Unfortunately some slippage has occurred, which has continued through quarter 2. Although progress continues to be made the challenge remains to present a range of renewed KPIs in the refreshed 2012/13 SLA. Targets have not been met for all relevant KPIs due to resource issues within Access Selby.
 - **Further define client satisfaction and quality assurance** – Access Selby utilising management indicators and other intelligence to develop a way of progressing this project.
- 2.4 The reason that slippage has occurred is that Access Selby resources have suffered from competing high priorities in operational areas.

Work continues in key project areas such as Business Intelligence, which will further deliver on the SLA requirements.

3. Legal/Financial Controls and other Policy matters

- 3.1** Subject to the actions determined by councillors to address weakness identified, there are no financial implications arising from the contents of this report.
- 3.2** Any actions identified for improvements to performance would need to be properly assessed for financial implications and, if required, approval for any additional funding sought and such issues would be highlighted in the budget exceptions report elsewhere on the agenda.

Conclusion

- 4.1** In summary, performance has been maintained in those indicators where data has been provided with improvements evident. Mechanisms have been put in place to resolve ongoing performance issues and these will continue throughout quarter 3 in the Benefits/Taxation and Planning business areas.
- 4.2** Additionally, development of performance measures, and other development projects within the SLA need to be kept under regular review, and be afforded the necessary priority in the work plans of Access Selby and The Core, so that targets may be achieved.

5. Background Documents

None

Contact Details

Chris Smith

Lead Officer – Data & Systems Access Selby

Caroline Sampson Paver

Commissioning & Performance Officer, Core Selby

Appendices:

Appendix A - Access Selby 2nd Interim Key Performance Indicator Report: April 2012 – September 2012

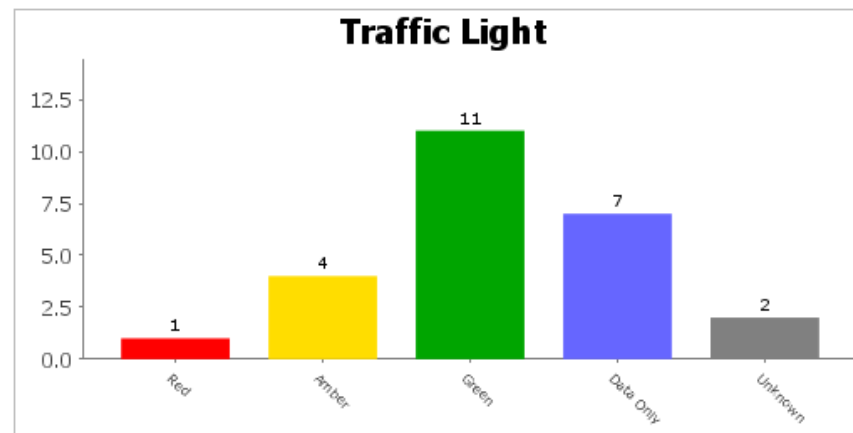
Appendix B – Service Level Agreement Development Plan

Access Selby 2nd Interim Key Performance Indicator Report: April 2012 - September 2012 (Quarter 2)






Report Type: PIs Report
Report Author: Data & Systems
Generated on: 03 October 2012





PI Status		Long Term Trends		Short Term Trends	
	Alert		Improving		Improving
	Warning		No Change		No Change
	OK		Getting Worse		Getting Worse
	Unknown				
	Data Only				



Code	Short Name	Direction of Travel	Current Target	Current Value	Short Term Trend Arrow	Long Term Trend Arrow	Traffic Light	Quarter 2 2011/2012 Performance	Latest Note
SLA_001	% of satisfied customers	Aim to Maximise	60.00%	98.03%	↑	↑	🟢	97.43%	<p>How are we doing/Moving Forward? The scope has now been broadened to measure satisfaction across all public facing business areas following successful roll out of the customer pledge in accord with the approved timescale & project plan. The year to date results are therefore, extremely positive. As business intelligence emerges arising from the pledge we will be able to review the target.</p>
SLA_002	% of contact 'right first time'	Aim to Maximise	80.00%	91.16%	↑	↑	🟢	87.58%	<p>How are we doing/Moving Forward? The total contacts made through all channels at the CCC following the 2nd quarter was 74373 with 67795 answered at first point of contact. The emerging ICT Strategy may provide opportunity to develop the measurement of this PI depending upon the specification & capability of any subsequent CRM improvements. Subsequent timescales will be dependant upon the Strategy, its development in relation to corporate ICT solutions & corporate funding cycles.</p>
SLA_003	% satisfied with street cleanliness	Aim to Maximise	70.00%	62.00%	▬	▬	🟡		<p>How are we doing/Moving Forward? As we no longer carry out formal satisfaction surveys we have developed a method of measuring performance based on targeted complaints. The street cleansing service consists of a number of categories comprising of: -</p> <ul style="list-style-type: none"> • Litter and dog bins • Work quality • Total number of complaints








Code	Short Name	Direction of Travel	Current Target	Current Value	Short Term Trend Arrow	Long Term Trend Arrow	Traffic Light	Quarter 2 2011/2012 Performance	Latest Note
									<ul style="list-style-type: none"> Litter and dog bins responded to within 24 hours and Offensive graffiti responded to within 24 hours. <p>These categories have been weighted and individual targets have been set.</p> <p>Following on from Q1 we have seen a decrease in performance for Q2. We received 27 enquiries regarding litter and dog bins and of these one was not cleared within the 24 hour target. We also received 2 work quality complaints in September.</p> <p>We were within target in two areas of the service with 83 total enquiries against a target of 105 and one report off offensive graffiti which was cleared within 24 hours.</p> <p>This resulted in the achievement of 62% for the service for the first quarter. This is the first year we have calculated this KPI using this weighted method and we will continue to monitor it to ensure we are providing a fair and accurate picture of the service.</p>
SLA_004	% satisfied with leisure facilities provided on behalf of the Council	Aim to Maximise	70.00%	78.00%					<p>How are we doing/Moving Forward? This is an annual target based on an external survey carried out by WLCT in March. Management PIs are collected monthly on number of complaints received. So far this year WLCT have had 4 complaints compared to 17 in the same period last year.</p>

Code	Short Name	Direction of Travel	Current Target	Current Value	Short Term Trend Arrow	Long Term Trend Arrow	Traffic Light	Quarter 2 2011/2012 Performance	Latest Note
SLA_009.1	% or repairs to council-owned properties completed within agreed timescales (EMERGENCY/URGENT REPAIRS combined)	Aim to Maximise	90.00%	94.95%	↑	↑	✔	84.40%	<p>How are we doing/Moving Forward?</p> <p>376 out of 381 jobs attended within the target time throughout September. The 4th month in a row where target has been exceeded by over 8%</p>
SLA_009.2	% or repairs to council-owned properties completed within agreed timescales (NON-URGENT REPAIRS)	Aim to Maximise	85.00%	98.74%	↑	↑	✔	90.83%	<p>How are we doing/Moving Forward?</p> <p>1 job out of 189 not attended on time throughout September (99.47%), performance on this target has been above 98% against a target of 85% for the last 6 months</p>
SLA_010	Average time taken to re-let local authority housing	Aim to Minimise	26 days	21.3 days	↓	↑	✔	44 days	<p>How are we doing/Moving Forward?</p> <p>Continued implementation of new working practice has allowed this good performance to be maintained in the coming month there are some voids with a high work content however performance is still expected to be kept within the targets set</p>
SLA_012	% of employees attaining behavioural competency key milestones	Aim to Maximise	90.00%						<p>How are we doing/Moving Forward?</p> <p>This is an annual measure reported in March based on the level of competencies measured through Performance Contracts and associated training and development plans. Performance Contracts have now been carried out and a corporate training</p>



Code	Short Name	Direction of Travel	Current Target	Current Value	Short Term Trend Arrow	Long Term Trend Arrow	Traffic Light	Quarter 2 2011/2012 Performance	Latest Note
									and development plan is being put in place in order to meet individual development needs and also the future needs of the business.
SLA_013	% increase in employees confidence and perception of the organisation	Aim to Maximise	Baseline						How are we doing/Moving Forward? The staff survey is due to be carried out again in October and the results will be compared to last year's to determine any increase in employees perception and will also inform future staff engagement strategies. We will be able to report more on this in January 2013.
SLA_014.1	Inspection of premises in accordance with statutory code of practice (High Risk)	Aim to Maximise	100.00%	96.00%				100%	<p>Food Hygiene Inspections: High Risk Premises (Risk Rated A or B) - 22 out of 22 premises inspected = 100%</p> <p>Health and Safety Inspections: High Risk Premises (Risk Rated A) - 1 from 1 of premises due for inspection = 100%.</p> <p>PPC Inspections High Risk Premises (Risk Rated >80) - 1 out of 2 premises due for inspection.</p> <p>Single failure due to the operator not co-operating with a request for an inspection. Ongoing discussions noted on file and legal involvement = 50%.</p> <p>General: A further 19 programmed high risk rated premises due for inspection over the next 6 months</p>

Code	Short Name	Direction of Travel	Current Target	Current Value	Short Term Trend Arrow	Long Term Trend Arrow	Traffic Light	Quarter 2 2011/2012 Performance	Latest Note
SLA_014.2	Inspection of premises in accordance with statutory code of practice (Medium Risk)	Aim to Maximise	95.00%	98.23%	↓	↑	🟢		<p>Food Inspections: Medium Risk Premises (Risk Rated C or D) - 108 out of 110 premises inspected = 98%</p> <p>Health and Safety Inspections: Note: Following a recent review of the statutory guidance for health and safety inspections it is no longer possible to include medium risk premises in the routine inspection programme.</p> <p>PPC Inspections Medium Risk premises - 2 out of 2 due = 100%</p> <p>The frequency of inspection is determined with reference to the risk associated with the premises, as assessed by a qualified & competent officer.</p>
SLA_015	% Response to Environmental Health enquiries and complaints	Aim to Maximise	100.00%	100.00%	▬	▬	🟢	100%	<p>How are we doing/Moving Forward? 100% - 20 out of 20 food and safety complaints responded within target. (Checked 2 October 2012) Sub regional target is 95% through North Yorkshire Quality Management System (ISO accredited). Access Selby performance in 2011/12 was 100%. New Environmental Health business area has maintained this performance by implementing new working practices in respect of proactive & reactive work streams and support from community officers in respect of general environmental health enquiries & service requests. Demand is comparable to previous years.</p>

Code	Short Name	Direction of Travel	Current Target	Current Value	Short Term Trend Arrow	Long Term Trend Arrow	Traffic Light	Quarter 2 2011/2012 Performance	Latest Note
SLA_016	Number of high risk enforcement issues resolved	Aim to Maximise	60.00%	99.54%	↓	↓	🟢	100%	<p>How are we doing/Moving Forward? KPI SDV 016 – High Risk Enforcement resolved – 100%</p> <p>Year to date the Enforcement team have resolved (cases closed April 2012 – 30th Sept 2012); 220 High Risk Enforcement Cases 102 Medium/low Risk Enforcement Cases</p> <p>1 case met the definition of 'Not Resolved'</p>
SLA_018	% of new benefit claims and changes processed within 5 days upon receipt of complete application	Aim to Maximise	90.00%	80.69%	↓	↓	🔴	84.38%	<p>How are we doing/Moving Forward?</p> <p>September continued the trend of very high volume of Benefits work being received. However we have seen the volume of outstanding work reduce from 8 weeks old to 6 weeks old.</p> <p>A recovery plan is in place and is being implemented to provide additional resources to improve performance and achieve target by financial year-end.</p> <p>Taking the backlog processing into account September's monthly performance has been 77.93% processed within 5 working days reducing our performance to 80.69% YTD.</p>
SLA_019	% of Council Tax debt recovered	Aim to Maximise	58.50%	58.41%	↑	↓	🟡	58.50%	<p>How are we doing/Moving Forward? Our collection rate remains good and on track for year end target.</p>

Code	Short Name	Direction of Travel	Current Target	Current Value	Short Term Trend Arrow	Long Term Trend Arrow	Traffic Light	Quarter 2 2011/2012 Performance	Latest Note
SLA_020	% of Council Rent debt recovered	Aim to Maximise	95.29%	95.76%				95.85%	How are we doing/Moving Forward? Collection rate is ahead of target by 0.47% & only just under YTD figure for Sept 2011 by 0.09%. We work pro-actively with the Community team and Contact Centre to support new tenants and promote and facilitate housing benefit take up when required. We also work closely with external partner agencies to provide financial advice, guidance and support and with our Homeless Prevention team to prevent homelessness.
SLA_021	% of applications considered within time under scheme of delegation	Aim to Maximise	70.00%	66.57%				87.23%	How are we doing/Moving Forward? The team achieved a figure of 80.44% for the month of September 2012 which is well above the 70% target for delegated decision within time. This is the third consecutive increase in monthly performance in a row (c.f. 63% in July and 77% in August), demonstrating that the team is able to work to and exceed the performance target once it is unburdened by a significant back log. The result of the above is to improve the overall performance for the year, which now stands at 66.57%, (3.43% below target). The recovery programme will help to clear an increased number of older applications in the next quarter.
SLA_022	Development of work program for policy development (Approve Priority)	Aim to Maximise							How are we doing/Moving Forward? There has been slippage in the work programme due to a further suspension by the Inspector to the LDF Examination in Public. At the request of Councillors Access Selby have brought forward the

Code	Short Name	Direction of Travel	Current Target	Current Value	Short Term Trend Arrow	Long Term Trend Arrow	Traffic Light	Quarter 2 2011/2012 Performance	Latest Note
									Anti Social Behaviour Policy plus provided additional support to developing the Countryside and Green Space Strategy. We have been working with Core with regard to the 5 big things which will inform the work programme for 2013/14.
SLA_023	% of invoices paid on time	Aim to Maximise	80.00%	89.32%	↑	↑	🟢	81.22%	How are we doing/Moving Forward? The year to date performance remains above target. The focus continues to be put on Business areas to ensure prompt payment of invoices to ensure that performance is maintained.
SLA_025	% internal rate of return on commercial assets	Aim to Maximise	Baseline				📊		How are we doing/Moving Forward? This is an annual indicator and we are currently collecting the base data as part of the Asset Management Strategy. Target will be linked to the interest rate within the MTFS.
SLA_026	Reducing internal costs on non operational sites	Aim to Maximise	Baseline				📊		How are we doing/Moving Forward? This is an annual indicator and we are currently collecting the base data as part of the Asset Management Strategy
SLA_027	% increase in income generation	Aim to Maximise	Baseline				📊		How are we doing/Moving Forward? The new and increased charges agreed in November and introduced in April 2012 are expected to exceed estimated additional income. A report will be presented to Executive in November to consider recommended exemptions to the

Code	Short Name	Direction of Travel	Current Target	Current Value	Short Term Trend Arrow	Long Term Trend Arrow	Traffic Light	Quarter 2 2011/2012 Performance	Latest Note
									MTFS for 2013/14.
SLA_028	Efficiency and productivity improvements (Delivering within Cost Envelope)	Aim to Maximise	Baseline						How are we doing/Moving Forward? Access Selby has taken a number of steps to deliver effective and efficient services within the cost envelope. This includes the delivery of a range of BPI projects, robust financial management by Budget Officers and also the application of a flexible approach to the use of our resources which is a key value of Access Selby.
SLA_029	% increase in productivity	Aim to Maximise	15.00%						How are we doing/Moving Forward? Ongoing work to develop relevant and robust productivity measures across the business. This is integral to the Business Intelligence project and builds on the time recording project that has been rolled out across Access Selby.
SLA_030	% efficiency gain in commissioned services, whether financial or added value	Aim to Maximise	Baseline						How are we doing/Moving Forward? We are still in discussion about the most effective means of measuring this. The Savings Plan targets on Procurement and efficiencies on contracts will link to this. There are some initiatives in the pipeline which could achieve annual efficiencies of around £50k - we will be able to report progress on this in January 2013.

Appendix B

Schedule 6 – Service Level Agreement Development Plan

Service Level Agreement Development Plan

Project	Ownership	Development	Timeframe	Progress
To develop the range of KPI's identified in schedule 2	The Core & Access Selby	Business Areas, Data & Systems and the Core to jointly develop in line with known BPI's and emerging key projects	Throughout the year, with first developments being progressed in April 2012	The majority of KPIs have a development plan that is being progressed, with slippage in a proportion, this needs to receive immediate attention in order to be sufficiently developed in time to feed in to the SLA refresh. The 3 proposed new KPIs for development are to be developed during the 3rd quarter in step with SLA refresh.
An annual plan to deliver	Access Selby	To progress from an adopted,	To be submitted to	Business Plan

Services, to include work plans for individual service areas where appropriate and plans for business development		longer term Business Plan.	A/S Board in January 2013	updated for 2012/13 and adopted by A/S Board in March. Updated 3 year plan is currently being developed and is scheduled for Board approval in January 2013
Further development of the outcomes expected of Access Selby by the Council	The Core	In conjunction with progressing projects to deliver the Corporate Plan through the 5 Big Things	To be developed during April – June 2012	Being developed alongside the finalisation of the Programme for Growth – will be included in the next refresh of the SLA
Soft measures of performance in areas such as the customer relationship and developing trust	Access Selby	In line with progression of the Customer Pledge, improved customer satisfaction measures and the CEFs	Linked to customer satisfaction BPI – key findings available in May 2012	Initial findings reported - being developed as a product of listening to and acting upon satisfaction intelligence – reporting initial results in 3rd quarter
Further details on the partnering arrangements	The Core and Access Selby	Research best practice and consider the benefits of	To be developed during April – June	Research carried out – to be

		including additional protocol	2012	developed in step with the SLA refresh
Development of new income streams for Access Selby	Access Selby	Scope and identify areas to increase income	To be developed by July 2012	3 streams identified for this year, which are being marketed – report new income as it arises. Programme for Growth to be targeted for additional income opportunities – as projects finalised.
Develop risk and reward statements, relating to key risks and ownership	The Core and Access Selby	Identify risks specific to the partnership arrangement, and areas in which the potential for reward may be increased	To be developed during April – June 2012	Produced in draft and is being developed for finalisation in step with the SLA refresh
Further definition of Client satisfaction and quality assurance	The Core and Access Selby	Linked to development of related KPI – (Mike James leading) – will help inform the identification of signs of quality	Agree developed reporting mechanism and likely date of initial reporting by July 2012	Associated KPI now cancelled – A/S considering how it will progress this project to feed into Business Intelligence by the end of the year
A Customer Pledge	The Core	To improve customer	Pilot running from	Reporting has

		satisfaction knowledge	April 2012, to report on progress by July	commenced, protocol for gaining most value from results being developed by a Core and A/S group of Officers – begin reporting in October
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REPORT

Reference: E/12/34

Public – Item 5



To: The Executive
Date: 1 November 2012
Status: Key Decision
Report Published: 24 October 2012
Author: Eileen Scothern
Executive Member: Councillor C. Lunn
Lead Officer: Executive Director – Karen Iveson

Title: Fees and Charges

Summary:

In accordance with the Medium Term Financial Strategy (MTFS) attached for your consideration cases where there is a justification to increasing fees above RPI, and to consider the whether we are to cover the additional costs to a previously approved subsidy.

Recommendation(s):

- i. **To agree the exceptions to the Medium Term Financial Strategy (MTFS) as detailed in this report.**
- ii. **To agree the option for discount value for the over 60's and Disable Persons Railcards.**

1. Introduction and Background

- 1.1 The Medium Term Financial Strategy (MTFS) provides the strategic framework for the Council in determining the Fees and Charging policy, the MTFS states that

Fees and charges will be set to recover the full cost of services unless there is a specific decision to subsidise a service. As a minimum, fees and charges will be increased by RPI as at September each year unless there is a clear business case for a lesser increase.

2. The Report

- 2.1 The Council generates around £3.4m in income from levying fees and charges for the provision of certain services. Under the Council's new organisational model, fees and charges income from services forms part of Access Selby's resources although responsibility for approving annual increases remains with the Executive.
- 2.2 The appendices identifies proposed changes to fees and charges which are either below the minimum increase (RPI as at September 2012) as outlined in the MTFs; charges introduced for the first time, where the proposed increase is significantly above the RPI and where no increase is proposed. The RPI at September 2012 was 2.6%.

Increases above RPI

- 2.3 Officers have identified tariffs within the Legal business area; bulky waste and commercial waste, which require an increase above RPI to maintain full cost recovery and new charges linked to providing Export Health Certificates and the potential of widening the scope of pre planning application fees for smaller householder types, this will be the subject of a further report. It is also proposed to increase the charges for railcards but this still require a discount by the Council.

Legal Services

- 2.4 Over the last few months through the time and activity recording project and benchmarking with other local authorities, has shown that our charge out rates are well below full cost recovery. The income for legal can be divided into two categories costs awarded by the courts and charges set by the Council for legal agreements. Whilst we determine the level of costs we seek based on full cost recovery when taking cases to Court we have no control on the amounts the Courts award the Council. In 2011/12 approximately £10,000 income we receive is linked to legal agreements, it is only these rates we are seeking to increase to reflect recovery of our costs and an average increase of 52% is recommended. See Appendix A for the details. It is envisaged this will increase income by £7,200

Bulky Household Waste

- 2.5 A recent review of the Bulky Household Waste collection service has identified that the current charge introduced in 2005 has remained at £20. The original calculation to achieve a cost neutral position was based on service demand in the previous year, the then cost of the service.

- 2.6 Since the charge was set the service has experienced a number of changes affecting the level of customer demand including the introduction of a charge and implementation of the WEEE directive in January 2007 (supplier take back scheme) and the concern by residents that items are left outside their properties for up to 10 days. The reduced demand was reflected in the environmental services tender in 2009 with anticipated demand of 1,350 collections per annum and the associated cost reduction.
- 2.7 An analysis of the charges levied by other districts within North Yorkshire demonstrates that the current charge of £20 for up to 5 items is the lowest levied by any district. On a cost per item basis the charges range from £4 per item in Selby to £17.25 in Harrogate. Comparator chart attached at Appendix B.
- 2.8 Demand for the service has reduced further and is currently estimated to be 1000 collections per annum. This has resulted in the service operating at a loss rather than being cost neutral as originally anticipated. To operate this service with a charge that results in a cost neutral position it is proposed the charge per collection be increased to £30 with a 50% discount collection service to households on benefits.
- 2.9 In addition we are piloting a booking system whereby a resident is advised of the day of collection when a bulky collection is ordered and that they should only leave the items outside on that day. To achieve this, the district has been broken down into four geographical areas based on villages utilising the last two years collection history to ensure each geographical area has a broadly similar level of daily calls. Following any fine tuning this service will be advertised in the new year.

Commercial Waste

- 2.10 Following last year's variable price increase, the calculation has been further refined and updated to reflect anticipated service management, waste disposal and collection cost increases for 2013 / 2014. The proposed fees for 2013 / 2014 have again been set on a variable basis to maintain a competitive edge that the market can bear as set out in appendix C. The average increase across all producer bands is 11% ranging from 3% to a 20% increase.
- 2.11 Further analysis of the potential customer market by type of business has identified areas for greatest growth which have also been factored into the proposed fees.

Railcards

- 2.12 At the meeting of Policy and Resources Committee on 24 March 2009 Councillors agreed to sell Senior Citizens and Disabled persons rail cards for a discounted price of £14.00 and £10.00 respectively to

eligible residents in the district. The cost to the Council of discounting these cards was at the time £5.20 and £8.00. (The cards were costing £19.20 and £18.00). In January 2011, Social Board considered as part of the budgetary process the Council's approach to providing a discount for over 60s and disabled rail cards to residents of Selby District. It was agreed by Social Board to provide a discount of £5 per railcard.

- 2.13 By purchasing the over 60's railcards in bulk SDC can obtain a competitive price however the price has increased over the years and the Council does not receive any discount for the purchase of the Disabled Persons Railcard. The current charge to residents has remained at the rates agreed in January 2011 (£14.50 and £12).
- 2.14 The Council is requested to consider whether as part of the Council's priorities to continue this offer; increasing the level of discount/subsidy or increase the cost to be paid by residents to but retaining the £5 per card discount. The implications of each option is set out in Appendix E, in summary they are
- 2.15 Option 1 – Discontinue the offer of discounted railcards.
Over 60's Railcard – Doncaster, Harrogate, Leeds and Wakefield
Disabled Persons Railcard – None of our neighbouring authorities currently offer a subsidy.
- 2.16 Option 2 – to continue with providing discounted railcards with the authority bearing the any additional cost. Under this option the discount will grow as and when the cost of the railcards are increased. It is currently unknown whether neighbouring authorities will raise their prices or increase the discount.
- 2.17 Option 3 – to continue with the discount but linked to the price of the card ensure the resident always receives a discount of £5 per card.
- 2.18 It is recommended by officers that Option 3 is supported, this will increase the cost to be borne by the customer however this is still above the discount provided by the majority of our neighbours and in respect of the Disabled Persons Railcard this is an additional benefit we provided to our residents which currently none of our neighbouring authorities offer.

New Charges

- 2.19 Our Inspections team have checked the position with our neighbours with regards to Export Health Certificates and the rates they currently charge for certificates vary from £32.50 up to £100 for some of the more detailed requests. The certificates that we prepare are generally drafted by the customer, but require checking before copies are run off and all carry our stamp and an officer signature. It is therefore proposed we charge towards the lower rate at £35 per certificate.

2.20 It is also proposed that we widen the scope of householder type pre planning application advice. We are currently investigating the cost of providing the service, and will be bringing forward a proposed schedule to the next meeting to show the charges required to ensure full cost recovery.

Charges not to be increased

2.21 District Councils currently set the Excess Charge Notice rate under the Road Traffic Regulation Act (1984) which allows local discretion. Currently Selby District's charges are lower than the other local authorities in North Yorkshire (see Appendix D). If Selby supports the implementation of a North Yorkshire Civil Parking Enforcement Scheme the Penalty Charge Notice rate will be governed by the Traffic Management Act 2004, under this proposal the Penalty Charge will increase across the County from Summer 2013. In view of the potential implementation of this scheme it is recommended the Fixed Penalty remains at £50 with a reduced charge of £30 if paid within 7 days.

Update from last year exceptions to RPI

2.22 Last year the Executive agreed changes to the Commercial Waste Fees & Charges; Water Sampling and to introduce charges for the hire of the Committee Rooms.

Service/Charge	Charge agreed last year	Predicted Outcome over 12 months
Water Sampling Fees – minus lab fees	55% increase	£1,310
Civic Centre Room Hire	New Charge	£5,000
Commercial Waste Fees & Charges	Average 6.35% increase	Cost Neutral £479,200 income level

2.23`Water Sampling – The charges have been introduced and both the inspections on target and it is expected that the income will be above that estimated back in November last year.

2.24 Committee Hire - At the time of writing the report over £3,000 of new income had been generated and the target of £5,000 is expected to be achieved. As part of open for business, Access Selby is preparing a marketing strategy to increase funding in future years.

2.25 Commercial Waste -The mechanism utilised for the calculation of the fees and charges in 2012/2013 resulted in a variable increase depending on size of waste producer that has stabilised the service to

an anticipated cost neutral position. Income forecasts are currently on track.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

If Railcard Option 1 is the preferred option, Access Selby will carry out the necessary consultation and advertisement of the removal of this subsidy.

3.2 Financial Issues

The expected impact on income over the next three years will be an additional £57,050 per annum (See Appendix F&G for details).

Over 60's Railcards. Option 1 would provide a saving to the Council and Access Selby. Option 2 would increase the cost to the authority every time the Railcards prices rise. Under Option 3 the Council would limit its costs to a maximum of £5 per card.

4. Conclusion

There are five services that require an exception to the MTFS. A decision by required which Railcard Option the Council would like to pursue.

5. Background Documents

Medium Term Financial Strategy

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Appendix A - Legal Services

Selby District Council - Legal Fees and Charges

Charge (2012/13)	Details	Proposed Charge 2013/14
Unit Price (£)		Unit Price (£)
53	Local Authority Covenant Consent	100
50	Right to Buy Charges Work (Straight forward)	200
	Property Lease	
250	Licence for alterations and red deposit deeds	350
1000	Conditional Sale Agreement	1026
500	Deed of Release	750
350	Licence to Assign	500
350	Licence to Underlet	500
500	Underlease	750
350	Licence to Occupy	500
25	Copy Documents (Transfers / Agreements etc)	25.65
	S106	
500-700	Straight forward 106 where SDC draft the document.	1000
1000-1500	Affordable Housing and large scale development where developer drafts doc	1500
1500-2000	Affordable Housing and large scale development where SDC drafts doc	3000
500	Unilateral Undertaking	750
500	Sale of Land (up to £15,000)	750
500	Deed of Variation	750
	additional per hour charge above 10 hours	75

Appendix B Bulky Waste Comparisons

Name	Charge 2012/13	Benefits Customers	Proposed Charge 2013/14	Benefits Customers
Selby District Council	£20 for up to 5 Items Items Collected within 10 working days	Free	£30 for up to 5 Items. Resident advised of Collection Date	£15 for up to 5 Items. Resident advised of Collection Date
Ryedale District Council Will arrange collection day	£22 min charge up to 2 items not inc. fixtures & fittings	Free		
Scarborough Borough Council Will book collection day	£22 up to 3 items £3 each additional item up to 5 items max	No mention		
Craven District Council Items collected within 10 working days	£21.07 up to 3 items £5.82 each additional item up to 5 items max £52.80 min for over 5 items	No Concessions		
Harrogate Borough Council Collect on normal refuse collection days	£34.50 for up to 2 items	£15 up to 2 items Proof of benefits required		
Richmondshire District Council	£30 up to 5 Items or £38.50 if items include White or Electrical items such as a fridge or TV	No Mention		
Hambleton District Council Each request requires estimate	No fixed fee – by estimate only	No Mention		

Commercial Waste Charges 2013 / 2014

Standard Contracts - Refuse Charges

Bin	12/13 Lift Price	Cost per Lift 13/14	% Increase	13/14 Lift Price	Competitor Charge*
60	£1.29	£1.00	20	£1.55	£2.39
120	£2.46	£2.00	20	£2.96	n / a
140	£2.46	£2.34	20	£2.96	n / a
240	£4.14	£4.01	20	£4.97	£6.23
360	£5.91	£6.01	15	£6.80	£7.12
660	£9.30	£11.02	3	£9.58	£9.40
1100	£15.50	£18.35	3	£15.97	£11.81
1280	£19.35	£21.35	3	£19.94	n / a

Standard Contracts - Recycling Charges (profit does not include income from sale of recyclates)

Bin	12/13 Lift Price	Cost per Lift 13/14	% Increase	13/14 Lift Price	Competitor Charge*
55	£0.79	£0.50	20	£0.95	n / a
120	£1.21	£1.08	20	£1.60	n / a
140	£1.33	£1.26	20	£1.60	n / a
240	£2.09	£2.17	20	£2.51	£4.88
360	£3.30	£3.25	15	£3.80	n / a
660	£5.06	£5.96	3	£5.22	n / a
1100	£8.42	£9.93	3	£8.68	n / a
1280	£9.74	£11.55	3	£10.04	n / a

Chargeable Domestic - Refuse Charges

Bin	12/13 Lift Price	Cost per Lift 13/14	% Increase	13/14 Lift Price	Competitor Charge*
60	£0.86	£0.00	20	£1.03	n / a
120	£1.29	£0.55	20	£1.55	n / a
140	£1.29	£0.64	20	£1.55	n / a
240	£2.24	£1.10	20	£2.69	n / a
360	£3.12	£1.65	15	£3.59	n / a
660	£5.26	£3.03	3	£5.42	n / a
1100	£8.74	£5.04	3	£9.00	n / a
1280	£9.68	£5.87	3	£9.97	n / a

Chargeable Domestic - Recycling Charges (profit does not include income from sale of recyclates)

Bin	12/13 Lift Price	Cost per Lift 13/14	% Increase	13/14 Lift Price	Competitor Charge*
55	£0.49	£0.25	20	£0.59	n /a
120	£0.92	£0.55	20	£1.10	n /a
140	£0.92	£0.64	20	£1.10	n /a
240	£1.35	£1.10	20	£1.62	n /a
360	£1.94	£1.65	15	£2.23	n /a
660	£3.51	£3.03	3	£3.62	n /a
1100	£5.89	£5.04	3	£6.07	n /a
1280	£6.80	£5.87	3	£7.00	n /a

* Competitor prices provided for comparable service only

Appendix D Fixed Penalties

	Band	Penalty Charge	Reduced Charge	Number of days reduced charge is valid
Current	Craven	£60	£35	14
	Ryedale	£92	£46	7
	Hambleton	£75	£50	14
	Richmondshire	£60	£30	14
	Selby	£50	£30	7

Appendix E Railcard Options

Over 60's Railcard (Disabled Person Railcard)	Discount as at 2012/13	Discount offered by other authorities	Cost to authority ¹ 2013/14
Option 1 Discontinue the service			
Over 60's	£13.50	York £5:00 Ryedale £2:00 Wakefield/Harrogate/ Leeds/Doncaster – No Discount	NIL
Older Persons	£8.00	None	Nil
Option 2 No increase in price to the customer			
Over 60's	£13.50 per card		£8,729.50
Older Persons	£8.00 per card		£664
Option 3 £5 subsidy per card			
Over 60's	£13.50 per card		£6,715
Older Persons	£8.00 per card		£415

Notes

1. Assuming no increase in volume of sales.
2. Charge to residents would be linked to retail price.
3. All figures exclude the cost of administration of the scheme.

Appendix F Exceptions to the Medium Term Financial Strategy.

Budget Heading	Reason for recommendation	Current Charge/Discount (-)	Proposed Charge	% increase/decrease
Increases above RPI				
Legal See Appendix for details	To recovery costs of delivering the service	variable	variable	average of 52% increase
Bulky Waste	Increase charges to reflect full recovery costs	£20	£30	50%
Commercial Waste	To cover above inflation costs and retain business	Range 49p to £19.35 per lift	Range 59p to £19.94 per lift	Average 11% increase
New Charges				
Export Health Certificate	New Charge to bring us in line with neighbouring authorities	0	35	N/A
No increases				
Car Park Fixed Penalties		£50	£50	0%
Railcards	Link discount to Railcard Increases	- £5	-£5	0%

Appendix G Gross Income over three years

Budget Heading	2012/13	2013/14	2014/05	2015/16
Legal	13,000	20,000	20,000	20,000
Export Health Certificate	0	£1,750	£1,750	£1,750
Bulky Waste	£9,000	£ 15,300	£15,300	£15,300
Commercial Waste	£453,200	£495,000	£495,000	£495,000
Total	£475,000	£532,050	£532,050	£532,

Selby District Council

REPORT

Reference: E/12/35

Item 6 - Public



To: The Executive
Date: 1 November 2012
Status: Key Decision
Report Published: 24 October 2012
Author: Nicola Chick – Lead Officer Finance
Executive Member: Councillor C Lunn – Lead Member for finance & Resources
Lead Officer: Karen Iveson – Executive Director (and S151)

Title: Financial Results and Budget Exceptions Report to 30 September 2012

Summary:

This report is to update the Executive with details of major variances between budgeted and actual expenditure and income for the 2012/13 financial year to 30 September 2012, for the Core, Access Selby and Communities Selby. Also included are details supporting the Capital Programme for 2012/13 and savings identified to date.

Recommendations:

- i) Councillors endorse the actions of officers and note the contents of the report.
- ii) That the budgets be adjusted to reflect the savings expected to be achieved this year as per Appendix C, and that the Councils Medium Term Financial Plan be amended to take account of projected savings in 2012/13 and 2013/14 where these are not currently allowed for in the budget.

Reasons for recommendation

To ensure that budget exceptions are brought to the attention of the Executive with explanations from officers; in order to approve remedial action as necessary.

1. Introduction and background

- 1.1 This is the 2nd quarter 2012/13 budget exception report and provides details of the Core, Access Selby and Communities Selby General Fund (GF), and Housing Revenue Account (HRA) expenditure and income variations for the financial year 2012/13 and where appropriate remedial action.

2. The Report

Financial Results

- 2.1 Appendix A presents the major forecasted variances identified to date for the 2nd quarter 2012/13 against the latest approved budgets.

General Fund - Revenue

- 2.2 The full year forecast for the General Fund currently shows an estimated deficit of £406k:

General Fund	Budget £000's	Forecast Full Year variance £000's
Core	3,628	(109)
Access Selby	5,668	526
Communities Selby	262	(11)
	9,558	406

- 2.3 The Cores savings include additional Investment Income (£50k) from higher than estimated cash flows and a one off receipt of the final dividend from BCCI (£46k).
- 2.4 Communities Selby saving is in relation to employee costs following the transfer of administration for the Community Engagement Forums to AVS from 1st October 2012.
- 2.5 Access Selby's latest reported results show a forecasted deficit of £526k which highlights the unavoidable impact of the government's withdrawal of the localised planning fees. Nearly half of the forecasted deficit is as a direct result of this central government policy change.

- 2.6 Access Selby is working hard to deliver in-year savings to minimise the deficit although the Executive have allocated £300k to Access Selby's reserve to mitigate this budget risk. Access Selby's reserve currently contains £563k (including its trading surplus of £263k for 2011/12).

Housing Revenue Account

- 2.7 The HRA full year forecast saving is £94k:

HRA	Budget £000's	Forecast Full Year variance £000's
Core	3,979	(18)
Access Selby	(3,759)	(76)
Communities Selby	0	0
	0	(94)

- 2.8 The variances are: Investment Income (£25k) due to increased cash flow from HRA Self Financing and recharge income (£57k) from Supporting People funding and Property Services for rechargeable works.

Capital

- 2.9 There are several capital budget exceptions for 2012/13, the details of which are set out in Appendix B. Some delays are expected due in some areas for issues out of the Councils Control. The HRA capital programme is now progressing well as contractors are on site and remaining contracts let.

Savings

- 2.10 Appendix C presents an update on progress against the Council's savings action plan for the General Fund and HRA.
- 2.11 Overall progress on savings is proving a challenge for 2012/13. General Fund savings of £2.540m (£361k Core & Communities Selby and £2.179m Access Selby) and HRA (Access Selby) savings of £532k have been achieved, but there is still considerable work to be done to reach the target for the year.
- 2.12 Additional savings of £279k for Access Selby are still required in order to achieve the overall General Fund target for the year. In addition, amber and red savings total £309k still need to be delivered for the year in order to achieve the overall General Fund target. The HRA is currently exceeding its target by £172k.
- 2.13 Following the reorganisation of the Council it was recognised that the allocation of costs between the General Fund and the HRA would

require further review and analysis as part of the 2013/14 budget setting process. An estimated saving of £150k was included within the General Fund savings target. This review has commenced and initial estimates show that £200k is achievable. In addition the detailed time recording and costing project which is underway will confirm the actual costs. The saving is also forecast to be achievable in 2012/13 and this will help offset the Access Selby cost pressures in the General Fund.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

There are no legal issues as a result of this report.

3.2 Financial Issues

The financial issues are highlighted in the body of the report.

4. Conclusion

4.1 The financial results show a declining position for Access Selby largely due to the impact of planning fees – a risk that was highlighted and provided for within the Council's spending plans for the year.

4.2 It should also be stressed that there are a number of cost and income pressures which officers are managing (such as the impact of inflation on the street scene and leisure contracts, rising energy prices, reduced income). These will continue to be a challenge going forward and the need to meet savings targets is crucial to minimise operating losses.

4.3 Looking forward, continuing uncertainty within the economy and future cuts to public sector funding mean that robust budget management is essential to ensure services are delivered within the budgets set.

5. Background Documents

None

Contact Details

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Appendices:

Appendix A – General Fund and Housing Revenue Account Revenue budget exceptions
Appendix B – General Fund and Housing Revenue Account Capital Programme
Appendix C – General Fund and Housing Revenue Account Savings

BUDGET EXCEPTIONS REPORT

April 2012 - September 2012

Core

General Fund Income

Budget Description	Annual Budget £000's	Forecast Variance £000's	One-Off/ On-going	Comments
Investment Income	(165)	(50)	One-Off	Increased forecast for investment income due to higher than estimated cash flows.
Customer & Client Receipts	0	(46)	One-Off	The Council received the final dividend payment from the liquidators of BCCI in August.
Elections	0	(28)	One-Off	This is the reimbursement to the Council from the elections accounts of expenses towards costs of setting up and running elections in previous years.
Total Variance - General Fund Income		(124)		
Total Variance - General Fund Revenue		(124)		

Access Selby

General Fund Income

Budget Description	Annual Budget £000's	Forecast Variance £000's	One-Off/ On-going	Comments
Contract Adjustments*	(30)	144	On-going	Forecast Wigan Leisure & Culture Trust saving will be refundable to the Core for reduced delivery of leisure services
Government Grants**	(22,448)	88	One-Off	Housing Benefit Admin Subsidy is expected to be (£58k) over the budgeted figure. Based on current estimates, Council tax benefit has reduced in line with expected payments by £374k, subsequently subsidy for Rent Allowances (£100k) and Rent Rebates (£116k) have increased, together with additional Supporting people grant (£12k).
Customer & Client Receipts***	(3,486)	334	On-going	The current projection is due in the main to a shortfall on planning fee income of £387k, (£250k as a consequence of the withdrawal of a national planning fee structure, and £137k in planning fee income due to the current economic climate), and £25k for Planning advice. The variance is partially offset by the estimated value of Housing Benefits Overpayments Debtors raised through the year of (£92k) and supporting people income (£19k).
Total Variance - General Fund Income		566		

Access Selby
General Fund Expenditure

Budget Description	Annual Budget £000's	Forecast Variance £000's	One-Off/ On-going	Comments
Employees	5,530	(73)	On-going	The forecast saving is the net effect of savings from frozen and vacant posts. This is offset by estimated costs for maternity cover (£20K), Legal assistance/cover (£12K), Planning consultants to assist with the backlog (£16K) and changes to Community Support structures (£7.6k).
Premises	641	54	On-going	There is a potential deficit of £46k on Civic Centre NNDR, an appeal has been submitted by a Valuer to the Valuation Office. In addition there are Grounds Maintenance costs from the old Civic Centre Site of £5k and NNDR at the Contact Centre is £4k above budget.
Third Party Payments*	289	(144)	On-going	This forecast saving is due to payments to Wigan Leisure and Culture Trust being reduced due to the reduction in service provision between the new Profiles gymnasium and Abbey Leisure Centre.
Benefit Payments**	21,513	(159)	One-Off	Based on current information Rent Allowance £101k and Rent Rebates £117k are exceeding budgets due to rent increases and increased caseload. Council Tax benefit payments will be (£377k) less than budget because an inflationary increase was applied to the budget. Current caseload suggests that there will be no significant increase on last years claims.
Support Services***	372	31	One-Off	There has been an increase in the client base for the Lifeline Service with additional costs of £31k. This has a net nil impact upon the General Fund as is fully recharged to the HRA. Income has increased in line with this recharge.
Budget Savings Required	(236)	252	One-Off	The current forecasted level of savings still required is £252k to achieve a balanced budget. Officers continually review these, and if not achieved will add to the overall deficit.
Total Variance - General Fund Expenditure		(39)		
Total Variance - General Fund Revenue		527		

* Reduced cost Leisure Service delivery offset by increased contract payment to the Core.

** Reduced benefit payments are offset by reduced benefit subsidy.

*** Additional Supporting People Grant (Government Grants) and Private Payer Income is recharged to the HRA through Support Services.

**Communities Selby
General Fund Expenditure**

Budget Description	Annual Budget £000's	Forecast Variance £000's	One-Off/ On-going	Comments
Employee Costs	94	(11)	One-Off	Saving on staffing costs following the transfer of administration of CEF's to AVS.
Total Variance - General Fund Expenditure		(11)		

**Core
Housing Revenue Account Income**

Budget Description	Annual Budget £000's	Forecast Variance £000's	One-Off/ On-going	Comments
Investment Income	(20)	(25)	One-Off	Additional investment income due to increased HRA cash flow balances due to self financing.
Total Variance - HRA Income		(25)		

**Core
Housing Revenue Account Expenditure**

Budget Description	Annual Budget £000's	Forecast Variance £000's	One-Off/ On-going	Comments
Employees	178	12	One-Off	Payments to NYCC pension fund for the backfunding element of pension contributions is higher than expected as the budget was not increased in line with payments.
Total Variance - HRA Expenditure		12		
Total Variance - HRA Revenue		(13)		

Access Selby
Housing Revenue Account Income

Budget Description	Annual Budget £000's	Forecast Variance £000's	One-Off/ On-going	Comments
Recharges	392	(57)	One-Off	Recharges for for chargeable repair works are expected to achieve (£26k) and additional Supporting People funding recharged from the General Fund (£31k) as previously mentioned in Access Selby General Fund Support Services.
Total Variance - HRA Income		(57)		

Access Selby
Housing Revenue Account Expenditure

Budget Description	Annual Budget £000's	Forecast Variance £000's	One-Off/ On-going	Comments
Supplies & Services	1,260	(13)	One-Off	Efficiencies in property assessments for Energy Performance Certificates has saved (£8k) and Gas Consultancy usage (£10k) based upon last years usage. This is offset by Council Tax charges at Edgerton Lodge £5k through low occupancy.
Total Variance - HRA Expenditure		(13)		
Total Variance - HRA Revenue		(70)		

2012/13 Selby District Council Capital Programme - September 2012

Appendix B

General Fund	Annual Budget	Year to date Budget	Year to date Actual	Year to date Variance	Forecast	Comments
Industrial Units - Road Adoption	25,000	0	0	0	25,000	Funding was for work on 2 roads - 1 of which has now been adopted due to work by Yorkshire Water. Work on the second road has commenced & will be completed shortly. There are some legal costs to pay in relation to the first road, however a small saving is expected.
Selby Community Project	82,000	0	-140,120	-140,120	0	No further costs are anticipated for the project other than payment of retention monies to which the £82k budget relates, the accrual of £140k was the final value for this and has been charged to 2011/12.
Financial Management System	17,930	0	0	0	17,930	Upgrade to Version 4.1 completed September (£10k). Asset register implementation (£7.9k) due by December.
ICT - Desktop Replacement Programme	25,000	20,000	23,762	3,762	25,000	
Tadcaster Central Area Redevelopment	258,440	0	0	0	258,440	This work in Tadcaster is currently held up by Judicial Review which is scheduled for March 2013, this budget will need to be carried forward.
Abbey Leisure Centre - All Weather Pitch	250,000	0	0	0	0	Project will now form part of the rebuild / refurbishment of the leisure centre the options for which are currently being assessed.
Asset Management Plan Leisure Centres & Park	136,725	0	0	0	8,775	£128k relates to works at the Abbey Leisure Centre which will now form part of the overall project. £6k work to Tadcaster Leisure Centre car park and £3k Selby Park crazy golf.
Mast Relocation Project	147,190	36,798	840	-35,958	147,190	Further options are being considered in regard to the future of the mast and its location.
ICT - Capital Investment Projects	322,250	0	0	0	0	System upgrades & replacements within ICT Strategy - subject to business case - covers areas such as Legal / Customer Services / Corporate ICT such as e-mail & website. The ICT strategy is currently being reviewed to assess the investment required.
Abbey Leisure Centre - Fire Damage	600,000	600,000	583,785	-16,215	600,000	Costs associated with setting up the new gym and dance studio as a result of the fire at Abbey Leisure Centre. Councils insurers paid £450k, Council funding the balance of £150k. Balance is for outstanding costs for the associated Car Park works.
Conservation & Heritage Grants	10,000	10,000	5,589	-4,411	5,600	Project complete - saving of £4.4k
Private Sector - Home Improvement Loans	42,500	6,250	5,380	-870	42,500	The current committed spend is £18,000 (approved and completed). YTD we have completed 2 loans, have 2 approved awaiting completion and 3 awaiting approval. Forecast full spend of the budget by year end.
Disabled Facilities Grants	350,000	75,000	74,839	-161	350,000	The current committed spend is £155,000 (approved and completed). YTD we have completed 18 grants, have 11 approved awaiting completion and 14 awaiting approval. Forecast full spend of the budget by year end.
Energy Efficiency & Fuel Poverty	13,640	0	0	0	13,640	The current committed spend is nil and there is currently no activity within this budget however public interest generally occurs in the autumn/winter and therefore the forecast is for the budget to be spent by year end.
	2,280,675	748,048	554,075	-193,973	1,494,075	

2012/13 Selby District Council Capital Programme - September 2012

Appendix B

Housing Revenue Account	Annual Budget	Year to date Budget	Year to date Actual	Year to date Variance	Forecast	
Kitchen Replacements	398,090	199,405	1,658	-197,747	398,090	Phase 1 is completed and Phase 2 is nearing completion. 128 kitchens have been fitted out of an estimate of 135. Invoice from contractor expected shortly.
Electrical Rewires	396,810	198,405	135,263	-63,142	260,000	The programme is underway - the forecast spend is less than budget due to a larger than expected number of properties only requiring upgrades to consumer units rather than total rewires. Future years programmes will be adjusted to reflect this reduction in cost. This saving will be put back into the resources available for future years.
Central Heating System Replacements	1,088,370	544,185	305,918	-238,267	1,088,370	Programme of replacements commenced. There have been approx 40 refusals for replacement E7 systems in phase 1. This will be addressed in future years of the 3 year programme or when the property becomes vacant.
Solid Fuel System Replacements	350,530	175,265	65,044	-110,221	150,000	Solid Fuel Servicing is 70% complete and fewer failures than anticipated have been identified. A saving is expected here, but not yet quantified. Capital programme will require refresh to allow for replacements in future years.
Roof Replacements	1,016,710	508,355	852,496	344,141	1,016,710	Programme progressing well approximately 90% of completed.
Damp Works	190,000	95,000	153,207	58,207	190,000	Backlog of jobs completed, work is slowing to cover more responsive works. A proposal for additional funding of £170k has been submitted to Executive for the 4 October meeting.
Airey Property Works	1,312,520	635,760	824,513	188,753	1,170,000	The programme is progressing well and will be completed by february 2013. To date 12 properties have been completed out of 32 and work is ongoing on the rest. Indications are that the forecasted saving of £142k will be achieved. This can be carried forward to offset the additional costs of phases 2 and 3.
Airey Property Disabled Adaptation	30,000	0	0	0	30,000	This is an extension to an Airey Property. Planning permission was granted mid September and work will now commence.
External Cyclical Repairs (Painting & Windows)	142,000	35,000	16,641	-18,359	142,000	Programme has commenced with the work being combined with the external door replacement and window replacement programmes and will be completed this year.
External Door Replacements	57,500	14,000	2,080	-11,920	57,500	As External Cyclical Repairs and will be completed in year. A proposal for an additional investment of £86k has been submitted to Executive for the 4 Octob meeting.
Window Replacements	140,000	35,000	0	-35,000	140,000	As External Cyclical Repairs and will be completed in year.
Void Property Repairs	50,000	25,000	16,000	-9,000	50,000	This work is responsive to the level of void properties and is dependent on each individual scenario as to the level of work required.
	5,172,530	2,465,375	2,372,820	-92,555	4,692,670	
Total Capital Programme	7,453,205	3,213,423	2,926,895	-286,528	6,186,745	

GENERAL FUND BASE BUDGET
SAVINGS/EFFICIENCIES ACTION PLAN
2012/13 - 2014/15 (V62)
Updated July 2012

Key:

Green	Savings likely to be achieved/low risk
Amber	Tentative savings - further work required/medium risk
Red	Savings require a change in Council policy or significant change in service delivery/high risk

Proposed Savings	Status	2012/13 £	2013/14 £	2014/15 £	Progress
Inflation factor		0.020	0.020	0.020	
Procurement Workstream					
Election software	Green	4,700	4,700	4,700	Completed
Audit Partnership	Green	10,000	15,000	15,000	Completed. Planned reduction in Audit days and merger with Veritau.
		14,700	19,700	19,700	
WTT - Transformation (Core)	Green	50,000	50,000	50,000	Completed
Total Transformation		50,000	50,000	50,000	
Asset Management Workstream					
Total Asset Management		-	-	-	
Value for Money Workstream					
Internal Drainage Boards	Green	146,000	146,000	146,000	Completed - The savings increased from £40k to £146k to reflect lower precepts as a consequence of 3 Drainage Boards freezing their precept and the remainder adding an average 1.39% inflation. This was set against a budgeted increase of 3.5% and an additional £75k to counter any large increases.
Community Safety	Green	15,000	15,000	15,000	Completed
Total Value for Money		161,000	161,000	161,000	
Base Budget Review Workstream					

Proposed Savings	Status	2012/13 £	2013/14 £	2014/15 £	Progress
External Audit Fee	Green	31,840	31,840	31,840	Completed
Early Retirements - Strain on Pension Fund	Green	75,000	75,000	75,000	Completed
Corporate and Democratic Core	Green	7,000	7,000	7,000	Completed
Car Allowances	Green	2,850	2,850	2,850	Completed
Total Base Budget Review		116,690	116,690	116,690	
Discretionary Service Review Workstream					
External Grants	Green	12,000	12,000	12,000	Completed
Total Discretionary Service Review		12,000	12,000	12,000	
Inflation adjustment		7,088	14,519	21,998	
Total General Fund Savings		361,478	373,909	381,388	
Target		255,478	265,789	271,108	
Headroom/Deficit (+/-)		106,000	108,120	110,280	
Green Savings		361,478	373,909	381,388	
Amber Savings		-	-	-	
Red Savings**		-	-	-	
Total		361,478	373,909	381,388	

**ACCESS SELBY
GENERAL FUND BASE BUDGET
SAVINGS/EFFICIENCIES ACTION PLAN
2012/13 - 2014/15 (V75)
Updated September 2012**

Key:

Green	Savings likely to be achieved/low risk
Amber	Tentative savings - further work required/medium risk
Red	Savings require a change in Council policy or significant change in service delivery/high risk

Proposed Savings	Status	2012/13 £	2013/14 £	2014/15 £	Progress
Inflation factor		0.020	0.020	0.020	
Procurement Workstream					
Change provider for telephone calls and rationalisation of telephone accounts	Green	18,780	20,480	20,530	Completed
Partnering Back Office Support	Green	93,000	93,000	93,000	Completed
Pest Control Contract	Green	1,200	1,200	1,200	Completed
CCTV	Amber	13,400	32,950	32,950	EU Procurement exercise has commenced with ITT due to be issued in September 2012 - conclusion of the procurement is expected by the end of the year. Actual savings forecast yet to be determined following the outcome of procurement. Full year saving for 2012/13 will not be achieved, so the forecast is for a saving in Q4
Recycling	Green	159,000	159,000	159,000	Completed
Green Waste - Gate fees and reduced mileage costs negotiated with Enterprise	Green	5,000	20,000	20,000	Negotiations are completed. New contracts will be awarded at the end of October 2012. The estimated full year saving of £29k is now revised to £20k. The part year saving for 2012/13 is revised from £15k to £5k
Collaborative corporate contracts through shared procurement service Note: The balance of this target will reduce as individual procurement projects are identified	Red	36,660	40,410	65,360	Spend Analysis carried out and a detailed action plan is being put together for targeted procurement. Options limited on non-HRA spend but looking at opportunities for collaborative procurement. This will include a savings target for this project where possible. Ongoing savings have been identified on individual /discrete procurement projects. Still potential for 2012/13 target to be achieved however it is still a risk area.
Contact Centre Electricity	Green	10,000	10,000	10,000	Completed
ICT - Server Virtualisation	Green	10,000	10,000	10,000	Completed
Gas Utilities Contract	Green	6,160	6,160	6,160	Completed

Proposed Savings	Status	2012/13 £	2013/14 £	2014/15 £	Progress
Negotiate savings within Street Scene and Leisure contracts	Amber	-	40,000	40,000	Access Selby and Enterprise have undertaken a review of the contract and identified potential opportunities for efficiency savings. A cost/benefit analysis is being carried out to be presented to the Partnering Board for agreement with the aim of implementing any low risk quick wins by Q4 in 2012/13. This could provide some in year savings.
Citizen Link Printing	Green	800	800	800	Completed
Coshh Management	Green	3,000	3,000	3,000	Completed
		357,000	437,000	462,000	
WTT - Review of remaining cash collection	Amber	600	2,600	2,600	Arrangements for cash collection will not go ahead as planned due to fire at Abbey Leisure Centre - alternative options are currently being explored which will produce a saving through reduced bank charges and reduced security collection costs.
WTT - Transformation (SDV)	Green	1,380,890	1,380,890	1,380,890	Completed
WTT - Transformation HRA Impact	Green	-120,000	-120,000	-120,000	Completed - Impact of savings generated through staff reduction which are transferred to HRA via CEC
Spend to save initiatives	Red	0	0	25,000	
Service delivery options	Red	0	25,000	50,000	Commercial & marketing strategy approved and a range of business development activities are planned for Q3 & Q4. The outcome of which will inform delivery options.
BPI	Red	-	-	25,000	
Total Transformation		1,261,490	1,288,490	1,363,490	
Asset Management Workstream					
Vacation of Portholme Road Depot	Green	13,497	13,497	13,497	Completed. In addition, there is a saving to the HRA of £26,833
Running costs of new Civic Centre	Amber	40,000	40,000	40,000	A NNDR appeal has been submitted, if this is not successful then savings target will not be able to be achieved. We have now agreed with the PCT the formula for calculating the electricity split, still awaiting the invoice from PCT.
Closure of Tadcaster office	Green	30,000	30,000	30,000	Completed
Barlby Depot	Amber	23,750	35,000	35,000	Depot being considered by an interested party. It is expected that it will be let in late October / early November, with a rental income of £15k per annum in addition to the cost savings identified of £20k.

Proposed Savings	Status	2012/13 £	2013/14 £	2014/15 £	Progress
Total Asset Management		107,247	118,497	118,497	
Value for Money Workstream					
Telecommunications Mast	Red		13,000	13,000	This project is being reviewed in light of the sale of the old civic centre car park site not going ahead. Options are currently being reviewed and a decision on the future of the project is expected shortly. Target for 2012/13 will not be achieved.
Decentralisation of Planning Fees	Red	-	-	-	Devolved Planning fees – £250k Saving removed for 12/13 - 14/15 as the national plan has been cancelled. Indication fees to be increased by up to 15% in the Autumn. Impact to be assessed when details are confirmed. Impact on future years will be kept under review.
Negotiation for share of out performance on Council Tax collection	Red		25,000	25,000	Currently underachieving on the collection of Council Tax by 0.8%, this target will not be met in 2012/13
Car Park Income	Amber	60,000	60,000	60,000	An increase of 20% for both long and short stay park was implemented from 1 December 2011. As saving was not fully achieved in 11/12, income will continue to be monitored in 12/13. At the end of June, income is £6k below target, but will be clawed back through opening the new car park at the old Civic Centre Site.
Total Value for Money		60,000	98,000	98,000	
Base Budget Review Workstream					
Car Allowances	Amber	41,150	41,150	41,150	Expected saving was not achieved in 11/12 as changes to car allowances etc were not implemented until Q2 onwards. Further review of current position is taking place to determine forecast for savings in 2012/13.
Rationalisation IT Support Costs	Green	50,000	50,000	50,000	Completed
Rationalisation of cost base	Green	100,000	100,000	100,000	£140k identified £40k added to Contingency to mitigate increased budget risk
Redundant ICT systems	Red	25,000	25,000	25,000	Work ongoing to establish savings in year following system improvements and rationalisation. £25k to be achieved through decommissioning of 4 systems.
Frozen posts/vacancies	Green	50,000	50,000	50,000	Frozen posts continue to remain vacant.
Compensation for legacy costs/income	Green	136,000	136,000	136,000	
Review and refine apportionments between general Fund and HRA	Red		150,000	150,000	No progress on this yet. This will be looked at after closedown of accounts in time to inform the Budget setting process for 2013/14
2011/12 Profits	Green	50,000	-	-	Carry Forward 11/12 profits to offset future losses.
Finance Budget Savings	Green	1,900	1,900	1,900	Completed
Additional Licensing Income	Green	5,660	5,660	5,660	Completed
O/S Survey Mapping Fees	Green	15,000	15,000	15,000	Completed

Proposed Savings	Status	2012/13 £	2013/14 £	2014/15 £	Progress
Housing Benefit Admin Miscellaneous Savings	Green	3,800	3,800	3,800	Completed
Primary Care Trust	Green	10,000	10,000	10,000	Completed
Street Cleansing - General Advertising	Green	10,000	10,000	10,000	Completed
Total Base Budget Review		498,510	598,510	598,510	
Discretionary Service Review Workstream					
HR - Budget review	Green	5,000	5,000	5,000	Completed
New charge for planning advice	Red	12,000	30,000	30,000	Income running behind expectations currently £18k under target 12/13 reduced to reflect this.
Reduce opening hours at Access Selby	Green	35,000	35,000	35,000	Completed
Maximise current income streams	Red	25,000	50,000	100,000	Pilot Projects' for Marketing Strategy now in development - each will have a potential income target which are yet to be agreed. Can update progress monthly
Redeploy resources to pursue grant funding opportunities	Red	25,000	50,000	50,000	Lead officers considering grant opportunities as part of their budget monitoring.
Policy changes to introduce new income streams	Red	-	-	150,000	Potential for green waste/parking charges in Tadcaster etc. New charges introduced for hiring of committee rooms, water sampling. Parking Charges can't be considered at Tadcaster until the legal challenge has been heard and we have carried out the improvements. In 2012/13 additional 90 car spaces from September, plus any commuted sums from residential schemes of 1 - 9 houses (5% to be for administration)
Barlow Nature Reserve	Green	53,000	53,000	53,000	Completed

Proposed Savings	Status	2012/13 £	2013/14 £	2014/15 £	Progress
Total Discretionary Service Review		155,000	223,000	423,000	
Inflation adjustment		48,785	111,645	187,511	
Total General Fund Savings		2,488,032	2,875,142	3,251,008	
Target (Per 2012/13 - 2015/16 MTFP)		2,436,783	2,727,400	2,949,451	
New savings per budget 13/14 - 15/16		330,610	642,980	786,960	
New Target		2,767,393	3,370,380	3,736,411	
Headroom/Deficit (+/-)	** -	279,361	- 495,238	- 485,403	
Green Savings		2,179,421	2,188,364	2,232,184	
Amber Savings		182,478	261,869	267,106	
Red Savings**		126,133	424,910	751,717	
Still to identify**		279,361	495,238	485,403	
Total		2,767,393	3,370,380	3,736,411	

HOUSING REVENUE ACCOUNT BASE BUDGET SAVINGS 2012/13 - 2014/15**Updated September (v9)****Key:**

Green	Savings likely to be achieved/low risk
Amber	Tentative savings - further work required/medium risk
Red	Savings require a change in Council policy or significant change in service delivery/high risk

	Status	2012/13 £	2013/14 £	2014/15	Progress
Inflation factor		0.020	0.020		
Proposed Savings					
Review of Property Services unfilled posts	Green	50,000	50,000	50,000	Completed
Gas Servicing Contract	Green	20,000	20,000	20,000	Reduced servicing costs from replacement boilers.
Grassed Areas & Open Spaces base budget review	Green	29,000	29,000	29,000	Completed
Various Suppliers	Green	22,000	22,000	22,000	Completed - Improvement in supplier terms and conditions.
WTT - Savings	Green	129,591	129,591	129,591	Completed
2011/12 Pay Award	Green	27,000	27,000	27,000	Completed
Car Allowances	Green	5,600	5,600	5,600	Identified as part of budget 2012/13 - input to spreadsheets
Savings on Audit Fees and early Retirement Charges	Green	24,800	24,800	24,800	Completed
Ryecare Help-Line Telecom Saving	Green	700	700	700	Completed
Consolidation of IT Budgets	Green	23,685	23,685	23,685	Completed
WTT - Savings from recharges from GF	Green	200,000	200,000	200,000	
Total Housing Revenue Account Savings		532,376	532,376	532,376	
Target Savings		360,000	360,000	360,000	
Headroom/Deficit (+/-)		172,376	172,376	172,376	
	Green Savings	532,376	532,376	532,376	
	Amber Savings				
	Red Savings**				

Selby District Council

REPORT

Reference: E/12/36

Item 7 - Public



To: The Executive
Date: 1 November 2012
Status: Key Decision
Report Published: 24 October 2012
Author: Nicola Chick – Lead Officer Finance
Executive Member: Councillor C Lunn – Lead Member for Finance & Resources
Lead Director: Karen Iveson – Executive Director (s151)

Title: Treasury Management – Monitoring Report to 30 September 2012

Summary:

This report reviews the Council's borrowing and investment activity (Treasury Management) for the first six months of 2012/13 and presents performance against the Prudential Indicators.

Investments – despite interest rates continuing at their low level and forecasts for a rise being put back to 2014 at the earliest, we are forecasting an outturn of £260k, which is £75k above budget.

Borrowing – the Council has long term borrowing of £60.33m at 30 September 2012.

Prudential Indicators – the Council's affordable limits for borrowing were not breached during this period.

Recommendations:

- i. **Councillors endorse the actions of officers on the Council's treasury activities for the period ending 30th September 2012 and approve the report**

Reasons for recommendation

To comply with the Treasury Management Code of Practice, the Executive is required to receive and review regular treasury management monitoring reports.

1. Introduction and background

- 1.1 This is the second monitoring report for treasury management in 2012/13 and covers the period 1 April to 30 September 2012. During this period the Council complied with its legislative and regulatory requirements.
- 1.2 Treasury management in Local Government is governed by the CIPFA “Code of Practice on Treasury Management in the Public Services” and in this context is the management of the Council’s cash flows, its banking and its capital market transactions, the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks. This Council has adopted the Code and complies with its requirements.
- 1.3 The Council's Treasury Strategy, including the Annual Investment Strategy and Prudential Indicators was approved by Council on 28 February 2012.
- 1.4 The two key budgets related to the Council's treasury management activities are the amount of interest earned on investments £185k (£165k General Fund, £20k HRA) and the amount of interest paid on borrowing £2,532k (£119k General Fund, £2,413k HRA).

2. The Report

Interest Rates and Market Conditions

- 2.1 The Bank of England is continuing to maintain interest rates at 0.5% (the bank rate). Due to the economic situation forecasters are now not expecting a rise until at least 2014 with some expecting a rate decrease before then.
- 2.2 Consumer Price Inflation (CPI) started the financial year in April at 3% and fell unexpectedly to 2.8% in May, and has fallen further to 2.6% in August, which was good news for the markets, which hope that this trend will continue. The Retail Price Index (RPI) was at 3.5% in April and as with the CPI fell to 3% in May and in August stood at 2.9%.
- 2.3 Table 1 overleaf, shows that since the start of the year there has been a reduction in investment interest rates. This has reflected the market sentiment that the Bank of England may reduce rates and the expectation for a rise has now moving back to 2014 at the earliest.

Table 1: Average Interest Rates 1 April 2012 to 30 September 2012

	April 2012	May 2012	June 2012	September 2012
Base Rate (Bank Rate)	0.50	0.50	0.50	0.50
Over Night	0.50	0.50	0.50	0.40
7 Days	0.50	0.50	0.50	0.45
1 month	0.73	0.73	0.50	0.40
3 Months	1.05	1.05	0.85	0.48
6 Months	1.35	1.35	1.10	0.71
1 Year	1.85	1.85	1.65	1.00

- 2.4 The Council's Treasury Advisors, Sector provided a forecast for interest rates for both investments and PWLB borrowing as part of the Treasury Management Strategy. This forecast is monitored regularly and has recently been updated. Table 2 shows the forecast included in the Treasury Strategy and Table 3 shows the latest forecast.

Table 2: Forecast for Interest Rates Included in Treasury Strategy

	2012		2013		2014		2015
	Now	Q4	Q1/2	Q3/4	Q1/2	Q3/4	Q1/2
	%	%	%	%	%	%	%
Bank Rate	0.50	0.50	0.50	0.88	1.38	2.13	2.50
5 Yr PWLB	1.89	2.40	2.55	2.75	3.00	3.40	3.70
10 Yr PWLB	2.91	3.40	3.55	3.75	4.10	4.50	4.80
25 Yr PWLB	4.15	4.30	4.45	4.65	4.85	5.05	5.20
50 yr PWLB	4.32	4.40	4.55	4.75	4.95	5.15	5.30

- 2.5 As can be seen from Tables 2 and 3 because the bank rate has remained at 0.5% this has had an impact on the forecast for rates later in this financial year and into the following financial years.
- 2.6 The forecasts are based on moderate economic recovery and Monetary Policy Committee (MPC) views about inflation looking two years ahead. There is a high level of uncertainty in all forecasts due to the factors involved and their sensitivity to each other. The MPC undertook a further £50bn of quantitative easing in July, which was in line with market sentiment that it needed to happen by September.

Table 3: Forecast for Interest Rates September 2012

	2012		2013		2014		2015
	Now	Q4	Q1/2	Q3/4	Q1/2	Q3/4	Q1/2
	%	%	%	%	%	%	%
Bank Rate	0.50	0.50	0.50	0.50	0.50	0.62	1.00
5 Yr PWLB	1.89	1.50	1.50	1.65	1.85	2.05	2.30
10 Yr PWLB	2.91	2.50	2.50	2.65	2.85	3.15	3.30
25 Yr PWLB	4.15	3.70	3.70	3.80	3.95	4.15	4.30
50 yr PWLB	4.32	3.90	3.90	4.00	4.15	4.35	4.50

Annual Investment Strategy

2.7 The Annual Investment Strategy outlines the Council's investment priorities which are :

- ⊕ Security of Capital and
- ⊕ Liquidity of its investments

These priorities are consistent with those recommended by DCLG and CIPFA.

2.8 The Council aims to achieve optimum return on investments commensurate with these priorities. In the current economic climate officers are striving to achieve a balance of investments that will give at least an average of the budgeted level of return of 1.25% whilst minimising the ongoing risks within the banking sector.

2.9 The Council continues to invest in only highly credit rated institutions using the Sector suggested creditworthiness matrices which take information from all the credit ratings agencies. Officers can confirm that the Council has not breached its approved investment limits during the second quarter of the year (maximum £5m). Appendix A shows an analysis of Investments at 1 April, 30 June 2012 and 30 September 2012.

2.10 Despite interest rates remaining low the Council secured some deposits generating returns above the budget estimate, and cash for investment is currently above estimate. These deposits have been placed with mainly other local authorities and government backed banks. The current forecast is that the Council will achieve an additional £75k on its interest income giving £260k of which £215k would be allocated to the General Fund (an additional £55k) and £45k to the Housing Revenue Account (an additional £25k).

2.11 The average level of funds available for investment during the six

months to September was £24.02m, of which £19.78m was invested in fixed term deposits at an average of 1.47% and £2.04m was held in the Council's immediate access deposit account at a rate of 0.5%. In June the Council started to invest in money market funds and since then has invested an average of £7.7m at an average rate of 0.6%. These funds were available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept payments, receipt of grants and progress on the capital programme which has increased cash available to invest in the short term. The Council holds approximately £14.0m of core cash balances made up of earmarked reserves and capital receipts set aside to repay debt for investment purposes (i.e. funds available for more than one year).

- 2.12 The Council has a benchmark of its budget target of 1.25% to reflect performance of investments. The overall average rate to September of 1.21% is marginally below benchmark. Officers have taken a cautious approach to the forecast for the average rate for the year, which due to the uncertainties in the market is expected to be 0.90% which is below benchmark. This forecast is being kept under constant review. The Council's cash flows remain healthy and this should enable the interest earned to be above budget.
- 2.13 The impact of lower than forecast interest rates means the interest earned is less. The forecast at the time that the budget was set was for interest rates to start to rise early 2013. The base rate is now not expected to rise until at least 2014 and some forecasters are expecting a drop to 0.25% before then. Interest rates currently on offer are averaging between 0.5% up to 1.60% depending on the period and the institution.

Borrowing

- 2.14 It is a statutory duty for the Council to determine and keep under review its "Affordable Borrowing Limits". The Council's approved Prudential Indicators (affordable limits) were outlined in the Treasury Management Strategy Statement (TMSS). A list of the limits is shown at Appendix B. Officers can confirm that the Prudential Indicators were not breached during the first six months of the year.
- 2.15 The TMSS indicated there was no need to take long term borrowing during 2012/13 to support the budgeted capital programme. However since the budget was set the Council had to revise its HRA capital programme and up to £263k of prudential borrowing was approved. This borrowing can be accommodated within the Authorised and Operational borrowing limits set by the Council. The Council has not required any temporary borrowing during the first six months of the year for cash flow purposes.
- 2.16 The Council approved an Authorised Borrowing Limit of £75.0m (£72m

debt and £3m Leases) and an Operational Borrowing Limit of £71.0m (£68m debt and £3m Leases) for 2012/13. The highest total gross amount of debt in the year to 30 September has not been more than £66.6m on any occasion.

- 2.17 The actual interest chargeable to the HRA will be £314k below the budget original budget of £2.727m. The budget for interest charges has been revised to reflect this to £2.532m. The forecast for the HRA is £2.413m and the General Fund £119k of external interest charges.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

There are no legal issues as a result of this report.

3.2 Financial Issues

There are no financial implications as a result of this report. However, the Executive Director (s151) and Lead Officer - Finance will, with advice from the Council's advisor (Sector Treasury Services) look to maximise opportunities with the Council's investment and borrowing position.

4. Conclusion

- 4.1 The impact of the economy, and the turmoil in the financial markets, continues to have an impact on the Council's investment returns and will continue to do so for some while.

5. Background Documents

Treasury Management Strategy 2012/13

Contact Details

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Appendices:

Appendix A – Analysis of Deposits at 1 April 2012, 30 June 2012, 30 September 2012
Appendix B – Prudential Indicators as at 30 September 2012

APPENDIX A

Analysis of Deposits At 1 April 2012, 30 June 2012, 30 September 2012

Institution	At 1 April 2012			At 30 June 2012			At 30 September 2012		
	Amount £'000	Maturity	Rate %	Amount £'000	Maturity	Rate %	Amount £'000	Maturity	Rate %
Barclays				1,000	14-Sep-12	0.92	1,000	14-Dec-12	0.59
Doncaster Council	1,000	24-May-13	1.40	1,000	24-May-13	1.40	1,000	24-May-13	1.40
Fife Council	2,000	29-Mar-13	0.90	2,000	29-Mar-13	0.90	2,000	29-Mar-13	0.90
Fife Council	1,000	06-Jan-14	1.30	1,000	06-Jan-14	1.30	1,000	06-Jan-14	1.30
Leeds City Council	2,000	12-Sep-12	2.00	2,000	12-Sep-12	2.00			
Lloyds TSB	3,000	16-Jul-12	1.75	3,000	16-Jul-12	1.75	3,000	16-Oct-12	1.35
Lloyds TSB							2,000	01-Aug-14	3.20
Newcastle City Council	2,000	02-Apr-12	1.30						
Newcastle City Council	2,000	03-Sep-12	1.70	2,000	03-Sep-12	1.70			
Newcastle City Council	1,000	30-May-12	1.60						
North Lanarkshire	2,000	20-May-13	1.20	2,000	20-May-13	1.20	2,000	20-May-13	1.20
Sheffield City Council	3,000	29-Nov-12	1.55	3,000	29-Nov-12	1.55	3,000	29-Nov-12	1.55
NatWest							1,000	09-Sep-13	1.28
NatWest				3,000	30 day	1.10	2,500	30 day	1.10
NatWest	2,030	Call	0.50	3,249	Call	0.50	331	Call	0.50
Svenska Handelsbanken							3,000	Call	0.80
Money Market Fund - Ignis				500	Call	0.69	2,750	Call	0.61
Total Deposits	21,030			23,749			24,581		

Prudential Indicators – As at 30 September 2012

Note	Prudential Indicator	2012/13 Indicator	Quarter 2 Actual
1.	Mid Year Capital Financing Requirement £'000	63,529	62,407
	Gross Borrowing £'000	63,481	62,080
	Investments £'000	15,000	24,581
2.	Net Borrowing £'000	48,481	37,499
3.	Authorised Limit for External Debt £'000	75,000	75,000
4.	Operational Boundary for External Debt £'000	71,000	71,000
5.	Limit of fixed interest rates based on net debt %	100%	100%
5.	Limit of variable interest rates based on net debt %	30%	30%
6.	Principal sums invested for over 364 days		
	1 to 2 Years £'000	20,000	3,000
	2 to 3 Years £'000	15,000	0
	3 to 4 Years £'000	5,000	0
	4 to 5 Years £'000	5,000	0
7.	Maturity Structure of external debt borrowing limits		
	Under 12 Months %	20	0
	1 Year to 2 Years %	20	0
	2 Years to 5 Years %	50	1.66
	5 Years to 10 Years %	90	10.77
	10 Years to 15 Years %	90	0
	15 Years and above %	90	87.57

Notes to the Prudential Indicators

1. Capital Financing Requirement – this is a measure of the Council's underlying need to borrow long term to fund its capital projects. The information in the table shows a need to borrow £62.407m at 30

APPENDIX B

September. The actual figure reflects the updated value of the leases that are within the Street Scene Contract and held within the Council's accounts together with the impact of the additional borrowing approved for the HRA capital programme £263k has also been included in the Q2 actual figure.

2. Net Borrowing (Gross Borrowing less Investments) – this must not except in the short term exceed the capital financing requirement.
3. Authorised Limit for External Debt – this is the maximum amount of borrowing the Council believes it would need to undertake its functions during the year. It is set above the Operational Limit to accommodate unusual or exceptional cashflow movements.
4. Operational Boundary for External Debt – this is set at the Council's most likely operation level. Any breaches of this would be reported to Councillor's immediately.
5. Limit of fixed and variable interest rates on net debt – this is to manage interest rate fluctuations to ensure that the Council does not over expose itself to variable rate debt.
6. Principal Sums Invested for over 364 days – the purpose of these limits is so that the Council contains its exposure to the possibility of loss that might arise as a result of having to seek early repayment or redemption of investments.
7. Maturity Structure of Borrowing Limits – the purpose of this is to ensure that the Council is not required to repay all of its debt in one year. The debt in the 15 years and over category is spread over a range of maturities from 23 years to 50 years.

Selby District Council

REPORT

Reference: E/12/37

Item 8 - Public



To: The Executive
Date: 1 November 2012
Status: Non-Key Decision
Report Published: 24 October 2012
Author: Sarah Smith, Business Manager
Executive Member: Cllr Cliff Lunn

Lead Officer: Karen Iveson, Executive Director

Title: Leisure Planned Maintenance Programme – Year 4

Summary:

A report was presented to the Executive on 4th October which set out proposals for the Year 4 Planned Maintenance Programme. There were two main items identified for Year 4;

Selby Park – Renewal of the crazy gold surface
Tadcaster Leisure Centre – replacement of the lift.

The Executive deferred any decision on the proposals as they wished to give further consideration to the rationale for investing in the crazy golf at Selby Park and also requested further information regarding the lift at Tadcaster Leisure Centre.

Following further consultation with WLCT, it has been agreed that renewal of the crazy golf surface is not required at this time and it will therefore be removed from the Year 4 Maintenance Programme.

The disabled lift at Tadcaster Leisure Centre is in need of major repair or replacement, at a cost of up to £21,500

Recommendations:

- i. To defer the renewal of the crazy golf surface at Selby Park to later in the 10 Year Programme if required.**
- ii. To delegate responsibility to Officers to arrange the repair or replacement of the lift at Tadcaster Leisure Centre in the most cost effective means within a budget of up to £20,500.**

Reason for Recommendation

To ensure that the lift at Tadcaster Leisure Centre is reinstated to support the continued use of the facilities by disabled customers and crèche users. As the renewal of the crazy golf is not required at this time, it means Council funds can be invested where they are needed most.

1.0 Introduction and Background

A report was presented to the Executive on 4th October which set out proposals for the Year 4 Planned Maintenance Programme. There were two main items identified for Year 4;

Selby Park – Renewal of the crazy gold surface
Tadcaster Leisure Centre – replacement of the lift.

In this report, the estimated costs for the renewal of the crazy golf of £6,300 was included for consideration, however, the estimated cost of the lift replacement was not included as a formal item as discussion were on-going with WLCT regarding the need for replacement and consideration of other options.

The Executive did not agree to the proposals for Year 4 Maintenance and questioned the rationale for investing further into the crazy golf at Selby Park and wished to consider if there were any other, more profitable uses.

2.0 The Report

Selby Park – renewal of the crazy golf surface.

After further discussions with the Selby General Manager at WLCT, it was concluded that renewal of the crazy golf would not add any value to the current provision and would not increase the income potential of the facility. The current surface remains playable and it was agreed that further investment is not required at this time.

Tadcaster Leisure Centre – replacement/repair of disabled lift.

The lift is current out of use and engineers are recommending the full replacement at a cost of around £20, 475. The options to repair are limited due to many of the parts now being obsolete.

The primary purpose of the lift is to take disabled customers to the first floor where a range of classes are carried out, however, the crèche is also located on the first floor and use of the lift has therefore been wider than it's intended purpose. The number of classes on the first floor has also increased from 4 to 14 over the life of the contract – potentially increasing the use of the lift.

The original condition survey carried out in 2007, which was the basis of the 10 Year Planned Maintenance Programme, identified the condition as 'good' and replacement of the lift was therefore not included in the 10 year plan.

3.0 Legal/Financial Controls & other Policy Matters

3.1 Legal Issues

The Council, as Landlord, is required under the terms of the contract to ensure that essential maintenance work is carried out at the facilities leased by WLCT. The main risk is that currently Tadcaster Leisure Centre may not be compliant with Equalities Act 2010 and not supporting the usage of the service by disabled customers.

3.2 Financial Issues

Tadcaster Leisure Centre

Repair or replacement of the lift up to a value of £20,500.

4.0 Conclusion

Following further consultation with WLCT, it has been agreed that renewal of the crazy golf surface is not required at this time and it will therefore be removed from the Year 4 Maintenance Programme.

The disabled lift at Tadcaster Leisure Centre is in need of major repair or replacement, at a cost of up to £21,500

5.0 Background Documents

Leisure Maintenance Year 4 report to the Executive 4th October 2012

Contact Details

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Selby District Council

REPORT

Reference: E/12/38

Item 9 - Public



To: The Executive
Date: 1 November 2012
Status: Non Key Decision
Report Published: 24 October 2012
Author: Dean Richardson
Executive Member: Cllr C Lunn
Lead Officer: Karen Iveson

Title: Commissioning of Access Selby to deliver Homeless Prevention.

Summary:

The report concerns the proposed commissioning of Access Selby to deliver homeless prevention work using additional funding provided by Department for Communities and Local Government.

Recommendations:

- i. That Access Selby are commissioned to deliver homeless prevention work using additional DCLG funding, in the sum of £53,000.00
- ii. That Access Selby Officers be authorised to resource and develop local initiatives and appropriate operating procedures
- iii. That Access Selby works in partnership with Citizens Advice Bureaux to provide advice to customers in support of homeless prevention work.

Reasons for recommendation

1. Introduction and background

- 1.1 DCLG has provided additional funding of £53,000.00 to Selby District Council for homeless prevention work coinciding with the introduction of national welfare reforms.

2. The Report

- 2.1 Access Selby currently provides the statutory homeless service, principally through the housing options business area, including delivery of a range of prevention initiatives with sub regional partners.
- 2.2 The additional funding, from DCLG, will be utilised broadly to; work in partnership with CAB to provide advice to customers in support of homeless prevention work, provide additional capacity in the housing options team to deliver a range of initiatives in conjunction with partners and for Access Selby to develop a homeless prevention fund, for the prevention of homelessness with appropriate local operating procedures and eligibility criteria. The fund would be administered by the housing options business area and provide financial support to prevent homelessness (maximum sum of £1,000.00 per household). Examples would include: rent/bond in advance, one-off payment to clear arrears, support to relocate to more suitable property, for example due to under-occupancy. It is anticipated that welfare reforms, due to commence April 2013, will give rise to a significant increase in demand upon Access Selby although it is not possible to accurately project the demand at this stage.
- 2.3 Delivery will be managed with reference to the North Yorkshire Housing and Homeless Strategy, upon which progress is reported regularly to the North Yorkshire Chief Housing Officers Group and the North Yorkshire Housing Board which comprises Officers and Councillors from the constituent authorities of North Yorkshire and the City of York. Please refer to annex 1 attached. In addition, any support from CAB will be subject to a service level agreement to manage performance and ensure value for money.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

- 3.1.1 There are no specific legal implications arising from this report.

3.2 Financial Issues

- 3.2.1 DCLG has provided £53,000.00 additional funding for Selby District Council for homeless prevention work coinciding with the introduction of national welfare reforms. This additional funding is outside the scope of the current Access Selby cost envelope.

4. Conclusion

- 4.1 The additional funding, from DCLG, will be utilised to support homeless prevention work, provide additional capacity in the housing options team to deliver a range of initiatives in conjunction with partners and for Access Selby to develop a homeless prevention fund, for the

prevention of homelessness with appropriate local operating procedures and eligibility criteria.

5. Background Documents

North Yorkshire Housing & Homeless Strategy
<http://www.northyorkshirehousingstrategy.co.uk/>

Contact Details:

Dean Richardson (Access Selby Business Manager)

Appendices:

Annex 1. North Yorkshire Housing and Homeless Strategy

Annex 1. North Yorkshire Housing and Homeless Strategy

Strategy Objective	Performance Measure	Target	Notes	Outcome
No1. Preventing Homelessness	Number of homeless acceptances	To sustain the level / no increase in acceptances per annum	Acceptances in 11/12 (26) Statutory, priority need homeless acceptances.	Reduced homelessness by protecting & supporting vulnerable people
	Number of homeless preventions	To prevent a decrease in the levels per annum	Homeless preventions in 11/12 (157)	
	Number of homeless households placed in Access Selby temporary accommodation (3)	To sustain the level / no increase per annum	Number in 11/12 (37)	
	Number of homeless acceptances due to mortgage arrears / repossessions	To sustain the level / no increase per annum	Acceptances in 11/12 (2)	
	Number of repossessions preventions	20 households over 12 months		

Note.

- (1) The above targets, based upon 11/12 outturn, are based upon a total of 429 households approaching Access Selby housing options for advice or assistance in 11/12.
- (2) The number of enquiries that were due to mortgage arrears / repossessions in 11/12 was 91.
- (3) Edgerton Lodge & Ousegate Hostels.

Selby District Council

REPORT

Reference: E/12/39

Item 10 - Public



To: The Executive
Date: 1 November 2012
Status: Non Key Decision
Report Published: 24 October 2012
Author: Dean Richardson
Executive Member: Cllr C Lunn
Lead Officer: Karen Iveson

Title: Commissioning of Access Selby to deliver Repossessions Prevention.

Summary:

The report concerns the proposed commissioning of Access Selby to deliver a repossessions prevention scheme using additional funding provided by Department for Communities and Local Government.

Recommendations:

- i. That Access Selby are commissioned to deliver the DCLG Repossessions Prevention Scheme using DCLG funding, in the sum of £40,000.00
- ii. That Access Selby Officers be authorised to develop a local scheme and appropriate operating procedures
- iii. That Access Selby works in partnership with Citizens Advice Bureaux to provide money advice to customers in support of the scheme.

Reasons for recommendation

1. Introduction and background

- 1.1 It is expected that DCLG will provide £40,000.00 to Selby District Council for repossessions prevention along with detailed operational guidance on implementation.

- 1.2 This is an initiative that the Council (Housing Services) formerly implemented and it is proposed that Access Selby is commissioned to recommence the scheme, over a twelve month period from commencement in 2013. The scheme will provide financial support to prevent homelessness to coincide with the commencement of national welfare reforms in April 2013.

2. The Report

- 2.1 Access Selby currently provides the statutory homeless service, principally through the housing options business area, including delivery of a range of prevention initiatives with sub regional partners.
- 2.2 The additional funding, from DCLG, will allow delivery of the repossessions scheme with appropriate local operating procedures and eligibility criteria. The scheme will incorporate financial assistance to households facing repossession thus preventing homelessness and will incorporate money advice to customers. It is anticipated that welfare reforms, due to commence April 2013, will give rise to a significant increase in demand upon Access Selby although it is not possible to accurately project the demand at this stage.
- 2.3 Delivery will be managed with reference to the North Yorkshire Housing and Homeless Strategy, upon which progress is reported regularly to the North Yorkshire Chief Housing Officers Group and the North Yorkshire Housing Board which comprises Officers and Councillors from the constituent authorities of North Yorkshire and the City of York. Please refer to annex 1 attached. In addition, any support from CAB will be subject to a service level agreement to manage performance and ensure value for money.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

- 3.1.1 There are no specific legal implications arising from this report.

3.2 Financial Issues

- 3.2.1 It is expected that DCLG will provide £40,000.00 repossessions prevention funding for Selby District Council coinciding with the introduction of national welfare reforms and following the recent funding announcements. The scheme is subject to receipt of the DCLG funding. This additional funding is outside the scope of the current Access Selby cost envelope.

4. Conclusion

- 4.1 The additional funding, from DCLG, will be utilised to deliver repossessions prevention with appropriate local operating procedures and eligibility criteria.

5. Background Documents

North Yorkshire Housing & Homeless Strategy
<http://www.northyorkshirehousingstrategy.co.uk/>

Contact Details:

Dean Richardson (Access Selby Business Manager)

Appendices:

Annex 1. North Yorkshire Housing and Homeless Strategy

Annex 1. North Yorkshire Housing and Homeless Strategy

Strategy Objective	Performance Measure	Target	Notes	Outcome
No1. Preventing Homelessness	Number of homeless acceptances	To sustain the level / no increase in acceptances per annum	Acceptances in 11/12 (26) Statutory, priority need homeless acceptances.	Reduced homelessness by protecting & supporting vulnerable people
	Number of homeless preventions	To prevent a decrease in the levels per annum	Homeless preventions in 11/12 (157)	
	Number of homeless households placed in Access Selby's temporary accommodation (3)	To sustain the level / no increase per annum	Number in 11/12 (37)	
	Number of homeless acceptances due to mortgage arrears / repossessions	To sustain the level / no increase per annum	Acceptances in 11/12 (2)	
	Number of repossessions preventions	20 households over 12 months		

Note.

- (1) The above targets, based upon 11/12 outturn, are based upon a total of 429 households approaching Access Selby for housing options advice or assistance in 11/12.
- (2) The number of enquiries that were due to mortgage arrears / repossessions in 11/12 was 91.
- (3) Edgerton Lodge & Ousegate Hostels.

Selby District Council

REPORT

Reference: E/12/40

Item 11 - Public



To: The Executive
Date: 1 November 2012
Status: Non Key Decision
Report Published: 24 October 2012
Author: Janette Barlow
Executive Member: Cllr C Lunn
Lead Officer: Karen Iveson

Title: ICT Strategy 2012- 2017

Summary:

The ICT Strategy sets out the key business drivers and ICT enabled change priorities for the organisation.

Recommendations:

That the Executive agree the ICT Strategy 2012-2017

Reasons for recommendation

ICT is vital for the delivery of efficient, cost-effective services which are responsive to the needs of our customers. By having a clear Strategy in place the organisation will be able to make best use of resources to enable this to happen.

1. Introduction and background

This Strategy sets out the strategic direction for ICT which has been developed through consultation with key stakeholders including Access Selby Board. The implementation plans will be managed and monitored through the ICT Board.

2. The Report

The need for 'fit for purpose' ICT is more important than ever given the new business model within Selby District Council. This is especially true in relation to Access Selby with the emphasis on generic, flexible and mobile working practices.

Work has been completed to review the existing ICT strategy with the objective of refreshing this to ensure that it meets business needs over the medium term. In doing so it has been important to

- *Baseline current ICT provision and cost information*
- *Assess what we have that works for us and assess sustainability*
- *Map what the business wants from ICT in the future*
- *Assess ICT risks and business impact*

In reviewing the Strategy a consultative approach has been adopted. Business areas have also been involved in identifying key priority areas for improvement moving forward.

Work completed to date with senior stakeholders has identified five Strategic business themes set out within the Strategy, namely:

- *Firm Foundations*
- *Organisational Agility*
- *Information to Intelligence*
- *Value for money and being competitive*
- *Customer centred Business*

The Firm Foundations work stream will ensure that the organisation has a planned investment programme to achieve solid foundations from an IT perspective upon which to build key systems in the future which will deliver improved business solutions to ultimately improve service delivery and reduce costs. Without investment in the firm foundations the organisation will not be able to operate.

Appendix 2 of the Strategy sets out the key business and infrastructure elements of the programme going forward. Some of these elements are business critical and others will be subject to further business case development.

Key risks associated with the Strategy are set out in Appendix 3 and will be managed through the corporate and AS Risk Register

3. Legal/Financial Controls and other Policy matters

Legal Issues

None

Financial Issues

Funding for the investment programme will be met from the Council's ICT Replacement Reserve, which currently receives £150k p.a. from the General Fund and £20k from the HRA. At 1 April 2012 the reserve has a balance of £511k although the estimated spend profile shows the reserve balance overdrawn by up to £133k in 2013/14. Clearly the current level of funding available will not meet all the identified ICT requirements and a bid for additional resources will be submitted as part of the 2013/14 budget round.

4. Conclusion

ICT is a fundamental tool that every modern organisation needs to transform the way services are delivered to enhance customer service and to deliver efficiencies.

This Strategy captures the latest ambitions of SDC and Access Selby in relation to what the senior leadership want ICT to 'do for them'. In doing so it must address the business drivers of both SDC and Access Selby and presents ICT as a vital area for investment in order to enable excellent service delivery and sustainability.

ICT delivery is integral to wider business transformation within the organisation. As such it is a key enabler of daily operational service delivery and future business development, if not survival in a complex and competitive market place.

5. Background Documents

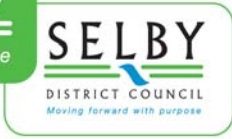
None

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Appendices:

ICT Strategy
ICT Spend Profile



Transforming to deliver: ICT enabled change

ICT Strategy

2012-2017

DRAFT

October 2012

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11	Disaster Recovery (DR) & Business Continuity Planning (BCP)
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Executive Summary

This ICT Strategy maps the business drivers and ICT enabled change priorities to 2017. It should be considered alongside the Access Selby Business Transformation Strategy and as such is integral to the overall transformation of the Access Selby business.

The strategy reflects senior leadership ambitions and data gathered through workshops indicate five themes within which ICT enabled change should be delivered

- Firm Foundations
- Organisational Agility
- Information to Intelligence
- Value for Money and being Competitive
- Customer Centred Business

These themes provide a structure for ICT projects and future investment. They also align with the Balanced Scorecard approach to managing business performance in Access Selby and help to focus strategic decision making in areas of priority.

Moving forward this strategy will give shape to the IT and Data & Systems work programmes. It will also serve to support business case development for all ICT solutions.

It is recommended that delivery on this ICT strategy is programme managed by the ICT Strategy Board. It is also important that the business manages within this strategy in parallel with the Business Plan and linked Transformation Strategy for Access Selby.

These three documents combine to summarise strategic ambitions and priorities for Access Selby and Selby District Council.

1. Introduction

The Selby District Council (SDC) Information, Communications and Technology (ICT) Strategy is an essential first step to understanding and agreeing business requirements to 2017. This is a strategic reference point for ICT development over the next five years and is a direct enabler of cross organisational transformation. ¹

This strategy links to parallel work to develop a Transformation Strategy for Access Selby (AS) and provides clarity of purpose and structure to future ICT work prioritisation and resourcing of technology projects and programmes within SDC.

Put simply, the main objectives of this strategy are

- To map a strategic vision for ICT development in SDC and specifically Access Selby
- To provide direction and focus for ICT across the business (including IT shared service) thereby enabling delivery on existing and future contracts and transformation
- To provide a framework by which priorities for IT investment/delivery can be set
- To enable effective governance of future ICT projects and investments via the ICT Strategy Board

This strategy must underpin the end to end process of service delivery to customers (internal and external) thereby enabling Selby District Council and Access Selby to deliver on business plan objectives and vision.

In reading this strategy the following documents should also be considered

- SDC Medium Term Financial Strategy
- SDC Corporate Plan '5 Big Things'
- Access Selby Savings Plan 2012/15
- Access Selby Business Plan Objectives & Service Level Agreement 2012/15
- Organisational Development Strategy
- Access Selby Transformation Strategy & Programme
- IT shared service partnership & Service Level Agreement
- Community Needs assessment
- Relevant ICT Audit Reports

¹ *The Access Selby Business Transformation Strategy has been developed July 2012. This informs subsequent transformation programmes and projects. ICT is integral to this wider transformation.*

2. Business Context

The approach to delivering the local government business in Selby District is changing. This is evidenced by a shift to a commissioning approach to service delivery since April 2011. This organisational change takes place at a time of fundamental challenge to the public sector nationally. This strategy is written against a landscape of austerity and emerging competitors in the public sector market place.

- This new business model in SDC gives rise to three distinct elements
- Commissioning core (the Client)
- Access Selby (Service Delivery Vehicle)
- Communities Selby (transitional arrangements for community leadership and engagement)

The changing relationship brings into focus the need to deliver services to customers in a flexible, responsive and innovative way. Thus ensuring Access Selby can meet potentially diverse client needs whilst making best use of available resources & assets over the medium term. The Access Selby Business Plan clearly illustrates the need to innovate in service delivery and ICT will play a key role in this development.

It is accepted that all future investment in the business must enable improved value and efficiency both in terms of how the business works (people & process); customer experience and commercial viability over the medium term. ICT clearly has a role to play in helping Access Selby sustain and innovate in a competitive and changing market place.

3. Business Alignment

The ICT strategy is aligned to the vision and values of SDC and Access Selby and the guiding principles of the Access Selby business.

Table 1: Business Principles

Principle	Benefit to client
Increased flexible working across the organisation to support a 'generic' community team based around CEF areas	Enables resources to be dynamically deployed to meet changing needs of the community, improves coordination of tasks to deliver right first time for customers, staff empowered to make the decisions that matter to residents
Delivering priority areas and giving these appropriate resource	Ensures organisation can be focussed on delivering the issues most important to the community, through better deployment of resources
Working within the agreed cost envelope and maximising potential for income generation	Ensures services are delivered within the financial envelope agreed by the council, demonstrates value for money to resident s,

	maximises opportunities for re-investment in services through income generation
Improved demand management	Supports long term sustainable improvements in performance , delivering a better service for customers, helping them to help themselves and enhancing the reputation of the council
Investing in developing what we do and how we deliver services	Maximise opportunities for reinvestment, building resilience and long term growth in local services benefitting the whole community
Investment in information communication technology (ICT) to support greater generic working	Supports timeliness and quality response, supporting right first time approach

This ICT strategy and subsequent technical work programmes must also tie back to the Council's values. These also serve to influence investment decisions and prioritisation of work programmes.

Table 2: Selby District Council Values

External	Internal
Customer focussed – we will engage with our communities to build a sound understanding of their diverse needs	Customer focussed – we will build our services around the needs of our customers
Business like – we will be efficient and professional and deliver on our promises to customers and 'shareholders'	Business like – we will be efficient and professional and ensure that everything we do adds value to our business
One 'Team Selby' – we will build strong relationships with our partners and communities	One 'Team Selby' – we will value our people and work together to strive for excellence
Flexible – we will be open and flexible in our approach to the changing needs of our customers	Flexible – we will be open to change and flexible in our approach to the changing needs of our business
Forward thinking – we will look for innovation and make best use of modern technology to help our customers help themselves	Forward thinking – we will look for innovation and make best use of modern technology to drive business improvement
Building trust – we will be transparent and accountable to our customers and 'shareholders'	Building trust – we will develop and empower our people to take personal responsibility for making a positive difference

4. ICT Strategy Context

This strategy must support and be shaped by the wider corporate strategy of Selby District Council.

All technical solutions adapted to 2017 must enable a resilient business delivery over the medium term whilst future proofing to grow the business for example to clients outside of the traditional council model. This is especially important in the management of customers; flexible working practices and access to relevant and timely information to drive business performance.

The purpose of this strategy is to document an agreed approach to ICT development for the business, one that is hinged in clear principles and values of the new organisation and sponsored by the senior leadership team of SDC.

All subsequent technical plans must then reflect strategic priorities and equip Access Selby to deliver for internal, external and changing customer groups.² It must also enable effective management of the business by way of firm information technology foundations whilst remaining agile to changing business pressures.

This is an all encompassing document that is designed to capture the technology issues that the business needs to address to support delivery on business plan objectives.

It also includes details of priority work programmes for management by ICT strategy board and delivery by the IT Shared Service and Data & Systems.

5. Looking back: ICT Strategy Achievements

In developing this strategy it is important to reflect on achievements to date, these relate to

A. **Delivery on existing ICT strategy/work programmes (include health check document) Appendix 1.**

Work has been completed to review programme delivery to March 2012. This highlights progress in a number of areas and also identifies gaps in delivering on the strategy. Achievements include the move to a new Civic Centre in August 2011 which also saw the virtualisation of over 80% of our server environment, implementation of a new storage and back up solution, a new network, wifi and a remote working solution allowing users to work remotely and securely.

B. **Establishment of new teams within Access Selby to support business development & collaborative working with IT shared service**

A newly formed Data & Systems team was created within Access Selby. This team is intended to compliment the ICT strategy delivery and enable wider business development options for Access Selby. The focus for this team is two-fold

² A Technical Plan is required and sits within the ICT Shared Service. Delivery on priority work areas in this plan link to Access Selby Data and Systems team.

- a) to enable effective and managed systems administration & development
- b) to develop a business intelligence capability across Access Selby (systems, reporting, management decision)

A collaborative approach to work planning and delivery on technical strategy has given us a good base line on which we have developed this strategy and a potential programme of improvement. The IT Shared Service provides the platform infrastructure upon which software and business applications hang.

C. Business Transformation

Business Transformation working with data and systems projects in Access Selby are focussed to challenge current service delivery approaches (including technology) and to enable improved business performance over the long term. Projects to date have identified varied business change opportunities and potential capacity creating options for the business. Technology solutions account for 80% of the planned benefit realisation to the business for example in areas of customer contact management and mobile working.

D. IT Shared Service

The creation of the IT shared service with Craven District Council provides technical and infrastructure support and project delivery across two separate Council areas. The IT Shared Service Manager is a key role in developing proactive relationships with Access Selby and in delivering on this strategy.

6. Looking forward: Drivers for change

The changed operating context for Access Selby is further defined by ongoing pressures to deliver income back to the business and manage costs down.

The business plan 2012/15 clearly illustrates the need to deliver an additional £1 million savings to 2014 whilst developing the business to deliver for other clients, therefore generating income and profit.³

The business plan is very clear on objectives to increase staff productivity and enable flexible work methods. It is evident that technology enabled transformation is at the core of a sustainable Access Selby moving forward.

Strategic business drivers 2012/15

- Improve customer management end to end
- Manage demand for service
- Optimise resource use

³ *The Access Selby vision was refreshed in June 2012. This reiterates the delivery of services to varied client groups, for profit and to enable a self-sustaining business.*

- Improve information links (systems and data) to better manage the business
- Enable remote, flexible and more productive working
- Deliver savings
- Benefit realisation following transformation projects

7. Developing the ICT strategy: An approach

In refreshing the ICT strategy a consultative approach has been adopted. This has included workshops with key stakeholders and technical leads who have contributed to the formulation of a number of priority areas for development and implementation throughout the life of this strategy. This will ensure that the strategy is business led.

Throughout the consultation five key themes have been identified:

1. Firm Foundations

What this means? 'House in order'

It is apparent that the current infrastructure within SDC is at various states. It is also evident that the existence of multiple systems at various stages of life, cost and upgrade limit the effectiveness and efficiency of the Access Selby business overall.

Within the infrastructure there are certain elements which are unsupported which need rectifying.

What needs to happen?

That agreed ICT infrastructure and critical business systems are brought up to date and kept up to up to date supported with adequate resource and budget allocation.

That there is an agreed implementation plan in place which will be monitored by the ICT Board.

Timeframe – high importance by April 2014

2. Organisational agility

What this means? "Flexible, scaleable, innovative technologies to deliver business strategy"

The ability to work flexibly and remotely as required supported by appropriate technologies is vital to the success of the new business model. All solutions must deliver benefits back to the business and be scaleable. New IT solutions must fundamentally improve service delivery approaches thus creating time and flexibilities in delivering in new roles.

What needs to happen?

That that ICT resources are aligned to the Transformation programme.

Timeframe – to align with the transformation programme

3. Information to intelligence

What this means? “Understand the business; understand the customer”

Access Selby currently has in excess of 50 discrete systems all of which hold information relating to service demand, resources and performance. System linkage is limited and the ability to manipulate data into intelligence varies. Issues persist relating to data quality; double keying; multiple records and timely update to key business information.

What needs to happen?

Key business information to drive better demand management, resource allocation and cost and assessment of performance must be available. This is a key area within the Access Selby business plan 2012/15. Any approach and solution to ‘business intelligence’ must be capable of being used for any customer group. This may require the development of existing systems and/or enhanced software solutions to enable business performance (strategic and operational) to be managed dynamically.

Timeframe – high importance 12 months

4. Value for Money and Competitive Advantage

What this means? “Efficient and effective business operations and best value in procurement”

ICT can be a high cost area specifically when considering the necessary new technologies to deliver on the Access Selby Business plan and wider business model. In making the most of existing systems, contract terms will be reviewed and renegotiated appropriate intervals. The procurement of new IT solutions (hardware and software) will be subject to rigorous business case. Consideration will be given to how new technologies or the exploitation of existing solutions in SDC can provide Access Selby with competitive advantage over others in how the business is delivered. All ICT investment will be about future proofing the business not the technology. This means, equipping staff appropriately to deliver and supporting staff to develop appropriate IT skills.

What needs to happen?

A review of all contracts and savings identified for inclusion in the Savings Plan.

That business cases demonstrate a true benefit to the business and to the end customer.

Timeframe – high importance ongoing

5. Customer centred business

What this means? “End to end management of customer; customer profiling; channel shift; future proofing to extend the Access Selby customer base”

The Access Selby business plan 2012/15 recognises the need to delivering better services to our customers, understand and manage demand for services better and to sharpen the way customers are managed through improved technology.

ICT investment in this area could see a significant impact on the business both in relation to the customer experience and abilities to move demand. Emerging technologies allow linking of customer records; self serve and channel shift; automatic update and less reliance on manual process. This compliments emerging mobile working technologies.

What needs to happen?

Building on BPI projects, appropriate solutions are explored to business case, considered by ICT Strategy Board and options agreed.

Timeframe – high importance 24 months ongoing

8. New Technology

Once the firm foundations are in place this will enable us to look into new technologies and have an infrastructure in place to deliver these. This will help improve Service Delivery and the way we deliver services to the public.

Going forward we will need to refresh the Council Website. The aim will be to:

- Support the Council in delivering better-quality services with reducing budgets
- Improve Customer Service Delivery
 - Deliver improved service to community without increasing cost
 - More efficient interactions with customers
 - Reliable 24/7 access to Council information and services
 - Faster resolution of enquiries
- Enable the migration of users from high-cost channels to low-cost web transaction.
 - Free up resources to help socially excluded groups or those less able to use technology.

9. Disaster Recovery (DR) / Business Continuity Planning (BCP)

On the back of the Internal Audit report and the Council’s Business Continuity Plans it is essential appropriate and effective ICT Disaster Recovery is implemented. Currently the Council have a contract with SunGard for £2.5k per year for a trailer to come to site with power only. In the worst case scenario where the building was lost it would currently take months to recovery the ICT systems. A solution in conjunction with the Shared Service partner Craven District Council should be implemented.

10. Data Security

Due to the nature of our Business and the data we store it is imperative we limit the risk to data leakage. The Council could be liable to large fines from the ICO due to loss of data through incorrectly sent emails, loss of laptop, loss of Council owned mobile phone etc if we have not taken reasonable action to secure this in line with our Government Connect standards.

11. Partnership

At every opportunity we will liaise with Craven District Council and other partners to ensure we bring ourselves into line to make the management of the infrastructure and business applications simpler. This should help reduce costs through procurement. We have been successful in doing this recently with the ICT Service Desk and the Council's Enterprise Security product. We will also look at new ways of working to ensure we are effective and deliver a service to the best of our ability given the resources we work with.

12. Programme Prioritisation and Investment

Integral to the workshop activity, all project strands have been assessed using a prioritisation model. This model consists of ten criteria by which the business assesses project relevance and impact.

The table below indicates the criteria used to inform the model. Whilst relevant to both SDC and Access Selby it is important to distinguish between the criteria as a 'requirement' of system specification and an outcome for the business. This distinction is important ICT investment decisions and future work programmes will be determined using such a model.

Table 4: Assessment criteria & business benefit

Assessment Criteria	Impact	SDC Driver/requirement	Access Selby Business Benefit
Maintain or improve what we have, keeping pace with external developments	Remain competitive	✓	✓
Meeting/Delivering to statutory requirements	Enable Compliance	✓	✓
Aids Self-Serve	Improved Demand management	✓	✓
Meeting corporate plan objectives	Sustained Contract delivery	✓	
Improves value for money	Better value; reduced cost; increased productivity gains	✓	✓
Gives competitive advantage	Increased Market share		✓
Improves business intelligence	Improved Performance Management		✓
Solutions are flexible and scalable	Sustainable Relevant		✓
Transforms the business	Service delivery and improved experience (internal & external)	✓	✓
Enhances User (including Customer) experience	Customer focus; Channel shift	✓	✓

In determining programme priorities it is important to balance the need to ensure compliance (for example with statutory requirements) with an ability to invest in ICT that will transform the business over the medium term. These factors are of relevance when deciding what; where, when and how to invest in the wider context of Access Selby business plan and SDC cost envelope.

Set out at appendix 2 a summary of the prioritisation of Business requests detailing all key systems and infrastructure work to be carried out. The Plan identifies the agreed priority level for implementation and progress to date. In certain instances Business Cases will have to be developed to ensure the appropriate solution is procured and that the adequate budgets are in place. This will form the basis for monitoring progress through the ICT Board.

13. Finance

Funding for the investment programme will be met from the Council's ICT Replacement Reserve, which currently receives £150k p.a. from the General Fund and £20k from the HRA.

At the 1 April 2012 the reserve has a balance of £511k.

Taking the proposed programme of investment into account, the estimated profile of the reserve over the next 5 years shows:

Profile of the ICT Replacement Reserve:

	2012/13 £000's	2013/14 £000's	2014/15 £000's	2015/16 £000's	2016/17 £000's
Opening balance	511	14	-133	-38	77
Receipts	170	170	170	170	170
Spend	667	317	75	55	307
Closing balance	14	-133	-38	77	-60

The reserve is intended to provide sustainable resources to upgrade or replace our existing web-site, infrastructure and systems.

Based on the current annual contribution level there are not sufficient resources to cover our estimated spend over the life of this strategy, overall resources reduce by £571k by 2016/17 and the reserve will be overdrawn by up to £133k in 2013/14, signalling that increased contributions are required to sustain this level of spending.

As a minimum, a further £133k contribution to the reserve will be needed as part of the 2013/14 budget and a bid will be submitted to the Executive as part of the forth coming budget round.

Currently the HRA contributes £20k p.a. into the reserve and it is proposed that this sum be reviewed in light of the necessary investment in infrastructure needed to support the whole organisation as well as the replacement of dedicated housing applications. Any changes to this sum will be taken forward through the annual budget process and will be subject to Council approval.

Furthermore the implementation of new systems designed to facilitate service transformation and efficiency will be subject to business case and revenue savings will need to cover the additional reserve contributions required to sustain the system as well as deliver savings against the annual revenue budget.

The revenue consequences of ICT infrastructure, hardware and systems are contained within the Council's and Access Selby's revenue budget – the current budget for all ICT related spend is £381k for 2012/13, which covers support and maintenance of our web-site and infrastructure (servers and networks) and our business applications. This strategy assumes that revenue costs will not exceed the current budget level.

14. Constraints & Risks to ICT Programme Delivery

This strategy places ICT in a current strategic and operational context and is a key element of the wider approach to Business Transformation in Access Selby. Whilst the issues and business drivers described here are medium term they can also change. It is pragmatic therefore to acknowledge that there are certain constraints and risks in delivering this strategy which require active management. Set out at appendix 3 is a list of key risks associated with the strategy. These will be monitored and updated in line with the corporate and Access Selby risk register.

15. Strategy Review

It is recommended that Access Selby manage within this strategy framework and that it is tested for relevance annually to align with the review of Business Plan priorities and linked business transformation strategy and subsequent work programmes.

In doing so it is possible to review the direction of travel and business risks. It will also enable appropriate links to the SDC budget process.

16. To Conclude

This strategy captures the latest ambitions of SDC and Access Selby in relation to what the senior leadership want ICT to 'do for them'. In doing so it must address the business drivers of both SDC and Access Selby and presents ICT as a vital area for investment in order to enable excellent service delivery and sustainability.

The strategy further defines the relationship of ICT to wider business transformation and serves to give added impetus to collaborative working between the IT shared service and Data and Systems. Indirectly this strategy framework should allow resources to be used smartly in delivering what matters most and within clear timescales.

The model prioritisation technique provides an important reference point for management decision regarding priorities and investment. It is however a tool to aid decision making and must be considered in a dynamic operational context. It is not necessarily the last word.

Moving forward ICT must enable a direct benefit to both the customer and staff. It should also support management in their needs.

In this context ICT delivery is integral to wider business transformation within Access Selby. As such it is a key enabler of daily operational service delivery and future business development, if not survival in a complex and competitive market place.

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Appendices

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Appendix 1: ICT Strategy Review April 2012

ICT Strategy Theme	Specific Work Strand	Position Statement	Status	2012/13 Priority & Business Impact
Network Infrastructure				
1	High speed network connection through use of NYnet	The Council shares a NYnet connection with the hospital	Complete	
2	Use of NYCC VPN connection	Not in place		
3	Video Conferencing	Have a agreed to run a trial of Microsoft Lync to give internal customers access to instant messaging and video conferencing		
4	Increased internet connectivity	Yes through NYnet	Complete	
5	Implement Wireless networking to support mobile technologies	Wireless used within the Civic Centre and Housing application on mobile devices	Complete	
6	Use of voice implementation technologies over the network	Not done		
7	Encourage other Councils to improve their infrastructure	Not done		
Harmonisation of ICT Systems				
1	Harmonisation of ICT systems with neighbouring Councils –	Partly done – Shared Finance system and ICT Service Desk – See Inventory of NY systems	Ongoing	
2	Harmonisation of contract renewal dates with other Councils –	Not done		
3	Utilisation of virtual server technology	Done		
4	Harmonise system replacement dates	Not done		
5	Jointly procure larger systems with other councils –	Finance system procured with Hambleton and Richmondshire		
Server Virtualisation				
1	All existing servers virtualised –	80% Done – Some cannot be virtualised for technical reasons		Infrastructure changes and investment remain a priority to complete. The impact on the business delivery must be managed proactively and improved links with Data & systems to avoid software/system failure following virtualisation.

Desktop Virtualisation				
1	Implement virtual desktops –	Not Done		
Hosting				
1	Consider the ability to further remotely host systems –	Finance system hosted at HDC/RDC. Revs and Bens and CRM at East Riding		
Electronic Document & Record Management				
1	Move towards a single EDRM -	No		
Procurement				
1	Move towards joint procurement with other partners –	Started, with Craven, Hambleton and Richmondshire District Councils		
Mobile/Remote Technologies				
1	Keep an eye on new technologies for the future and procure if needed	Looking into options		Work continues within Transformation Team to develop Business options paper for mobile solution and integration solutions to business critical data/systems. Planned completion May 12.
Green ICT				
1	Server virtualisation	80% completed		See SV1.
2	Mobile/remote working	Work under way but issues/problems with carrying it out(at early stage)		Ongoing see MT1. Any solution must be appropriately scoped including detailed cost profile. This is a key area for ICT Board to define a vision and timeframe.
3	Network infrastructure to facilitate remote working	Implemented and being rolled out		
4	Remote hosting	Some Done		
5	Rationalisation of assets and implementation of centralised printing –	Under way for rationalising of assets – centralised printing completed		
New Civic Centre				
Rationalisation of Assets				
1	Move existing systems onto a smaller number of virtual servers	Completed		
2	Use fewer high capacity printers -	Completed		
3	Use mobile remote technology to reduce demand on office accommodation	Not Done		
4	Improve take up of website to reduce phone calls	Corporate Project to facilitate the website to do more for members of the public		Channel shift remains a corporate priority and in part is reflected through BPI Projects (for example Contact Centre).
Maintaining current systems				
1	Keep up to date will all upgrades, maintenance and the associated costs that go with them	Has not been done – Transformation and Data and Systems are now finding out current		Extensive work completed to understand SDC exact position with system costs and upgrades. Ongoing to inform prioritisation and spend 12/13.

		position and formulating a way forward		
Organising to Deliver				
1	Review ICT service provision and develop and implement a new organisation structure for the delivery of ICT	ICT Shared Service with Craven District Council		Opportunities to review current delivery and alignment with Data & Systems, to include joint work planning and priority resourcing.
BPI				
1	Development of new ways of working and improved business processes –	Team has not had a BPI review		Opportunity building on above.
Skills Development				
1	Undertake an assessment of training needs	Yes, but outcomes subject to funding		
2	Develop a training plan in line with our workforce strategy	No		
Policies				
1	Policies to be introduced on security	New Policies to be done in line with Shared Service		
2	Policies to be introduced on reducing energy consumption	No		
Promoting take up of electronic services				
1	Continue with media releases and ensure that Twitter and website is kept up to date	– On-going and to be looked at/reviews as part of the corporate project.		
National Strategy				
1	Attendance of officers in information networks/meetings to find out the best practice for dealing with national policy changes	No		
Budgets				
1	Investment of £150k in ICT per year for infrastructure/hardware works	Budgets unknown		Detailed work carried out by Data & Systems & Finance to fully understand budgets and what is possible to deliver 12/13.
2	Keep ICT reserve under review	Unknown		Linked above and bids for 12/13.

Appendix 2: Prioritisation of Business Requests

1 = Unlikely to Achieve/Satisfy 2 = Some Potential to Achieve 3 = More Likely to Achieve 4 = Will Achieve	ICT Strategy Themes	Project Brief	Weighted Score	Project Update & Costs
P085 TLC upgrade	Firm Foundations/Customer Centred	Upgrades to current planning systems to enable improved customer access and business area use	381	All IDOX software applications were upgraded on w/c 09/07/12 at a cost of £5k. A further upgrade to the server platform is required during 2012 costing £15k
P082 Uniform Public Access	Firm Foundations/Customer Centred	Upgrades to current planning systems to enable improved customer access and business area use	357	
P084 Uniform Upgrade to v8.2	Firm Foundations/Customer Centred	Upgrades to current planning systems to enable improved customer access and business area use	351	
P002 PARIS (PCI/DSS cards)	Firm Foundations/Customer Centred	Upgrade to payment systems. Options to align with CDEC and upgrade to Civica product.	351	To continue taking credit/debit card payments for Mastercard and Visa all sites will need to be PA-DSS compliant or have a plan to become so by July 2012. This is not just with software but all our infrastructure will need to be compliant. Costs associated with a software upgrade from Northgate for the PARIS Bureau Service Module is £24672.00 per year (based on transactions) Work ongoing to identify our current debit/credit card payment streams to compare.
P092 Remote/flexible working roll out	Firm Foundations/Organisational agility/Value for Money	Roll out of appropriate IT hardware to allow remote/flexible working. Includes remote sign on and links to GCSX	351	Laptops have been bought already out of the desktop replacement budget
P089 UPRN Project	Firm Foundations/Organisational agility/Value for Money	This relates to Unique Property Reference & Numbering. It is a basic requirement of system/address integration. Links to GIS and partner agencies data quality	323	Project commenced allowing a UPRN for address searches linked to our LLPG database. A connector already exists between Uniform and DIP but requires roll-out to other business critical systems. No further connector is required if we move M3 into Uniform.

P109 IT Group policy	Firm Foundations	IT Gap	288	To improve security and reduce ICT Service Desks. To be done by internal staff.
P087 M3 Improvement	Firm Foundations	This is to replace the system with the possibility of migrating the data from M3 onto Uniform with the potential saving of £25,000 year on year on maintenance costs but the initial investment has to be made	282	Upgrading our current M3 system including links into the LLPG addressing database plus training and consultancy days would cost around £26k. By removing M3 and incorporating it in to Uniform would mean an initial investment of £45k-£55k but by Yr3 a saving would be achieved leading to an overall saving of £45k by Yr5.
P098 Mobile Working	Organisational Agility/Value for Money/Customer Centred	This forms part of the CRM replacement 2012-2013 £200,000. Mobile Working/Website are key strands that will benefit from this project	278	Awaiting information on the CRM project before progressing with this
P083 Anite Upgrade	Firm Foundations/Value for Money	Potential option to migrate DIP into CRM. We have budgeted for an Document Retention module £10K once the upgrades have taken place	277	Require a healthcheck on the software the output of which would be an upgrade specification. Estimate around 9 days of upgrade work in live and test to bring your systems up to level. This would include upgrade to additional modules such as Northgate Public access, GIM, ETD etc. Costs incurred approx £40k including server upgrades.
P099 CRM	Customer Centred/Organisational Agility/Information to Intelligence	CRM replacement 2012-2013 £200,000. Mobile Working/Website are key strands that will benefit from this project	275	Awaiting information on the CRM project before progressing with this
P078 Long-term DR strategy	Organisational Agility/Firm Foundations	IT Gap	273	Implement effective DR/BCP to reduce risks to the Council highlighted in the Internal Audit report
P096 Implement encrypted USB	Firm Foundations	IT Gap	270	Implement secure solution to reduce risk of data loss and possible ICO fine.
P079 GCSX Compliance	Firm Foundations	IT Gap	243	Ensure the Council is compliant with the standards set by Central Government. Upgrade of Infrastructure.
P012 Exchange 2010	Firm Foundations	IT Gap	241	Migrate to Exchange 2010 from Exchange 2003 - Cost £10K - Budget available in Capital Programme
P013 Deployment of Applications and Updates	Firm Foundations	This forms part of the Data & Systems work plan each year showing when upgrades and projects/resource has been allocated	238	Data & Systems plan showing expected software upgrade timeline created up to 2013-14

P091 Patch management	Firm Foundations	IT Gap	238	Keep Servers up to date and secure to stop potential loss of network and data
P081 Automate manual processes/ transfer to Data and Systems	Firm Foundations	This will be discussed as part of the IT/D&S functions that will be documented in the relevant work plans	204	This will be discussed as part of the IT/D&S functions that will be documented in the relevant work plans
P105 Application decommissioning	Firm Foundations/Value for Money	Work has already commenced with decommissioning software applications with an initial saving of £28k	187	Work has already commenced with decommissioning Ordnance Survey £15,000. Incase/Insearch £8,000; Browsealoud £3,000; Cmetrix £2,000. Moving forward we are looking to replace CRM, M3, DIP, PARIS and Genero in the next couple of years
P104 repair finder update	Customer Centred	GENERO upgrade/replacement	188	This forms part of the GENERO upgrade/replacement alongside the E-State Pro software. Potential compliance issue with our current recording of Asbestos matters.
P110 Upgrade to office 2010	Firm Foundations	IT Gap	175	Migrate to supported version in conjunction with Business Application upgrades to enable users to be more effective.
P102 Genero Development	Customer Centred/Firm Foundations	GENERO upgrade/replacement	173	Genero upgrade scheduled for 2013/14 but due to compliance issues this might become a priority for the authority and need to be brought forward.
P088 eProcurement and COA upgrade	Firm Foundations	Finance COA upgrade 2012-2013	167	COA upgrade due in September 12 (£10k) alongside the Collaborative Planning software and e-procurement roll-out

Key – Highlighted in Blue are the infrastructure projects

Appendix 3: ICT Strategy - Risk Register

Risk	Description	Probability	Impact	Risk Level	Risk Owner	Counter-measures & action/s
1	Lack of investment in the business to support ICT enabled business transformation	4	4	16	ICT Board	Clarity regarding funding streams/bid process Engage sponsor support early & test expectations Robust business case & market testing
2	Unclear/delayed decision making to enable projects to commence	3	4	12	JB	Robust business case development to inform management decision
3	Competing/changed priorities in year for ICT resource and limited capacity within the Shared Service to deliver within agreed timescales	4	4	16	GT	Effective and timely prioritisation & work plans developed Cascade training to business areas to self serve (help desk) Business areas identify business needs early
4	Shared IT service fails	3	4	12	JB	Effective management & review Robust programme & project management
5	Poor project management in business areas to ensure projects delivered to time, brief and budget	3	3	9	GT/CS	Refresher training Joined up working with IT resource and Data & Systems

Appendix 4: Glossary of Terms

Term	Explanation
Application software/Software applications	Computer software designed to help perform a particular task
Cloud computing	The use of a 3rd party service to provide the computing needs of an organisation across the internet on a 'pay as you go' basis, e.g. Gmail
Code of Connection (CoCo)	In order to connect to the GCSx, local authorities must comply with the GCSx Code of Connection (GCSX CoCo) - a set of security controls defined by the Office of Government Commerce (OGC) on the advice of CESG (part of GCHQ and the national technical authority for information assurance) and broadly based on ISO 27000 - the international standard for information assurance. Also see Government Connect Secure Extranet.
Data Centre Data centre/Server farm/Computer suite:	A facility used to house computer systems and associated components, such as telecommunications and storage systems. It generally includes redundant or backup power supplies, redundant data communications connections, environmental controls (e.g. air conditioning, fire suppression) and security devices
Desktop virtualisation	Desktop virtualisation is the concept of separating a personal computer desktop environment from the physical machine through a client-server computing model. The resulting "virtualised" desktop is stored on a remote central server, instead of on the local storage of a remote client; thus, when users work from their remote desktop client, all of the programs, applications, processes, and data used are kept and run centrally, allowing users to access their desktops on any capable device, such as a traditional personal computer, notebook computer, smart phone, or thin client
Disaster Recovery (DR)	Disaster Recovery (DR): is the process, policies and procedures related to preparing for recovery or continuation of technology infrastructure critical to an organisation after a natural or human induced disaster.
Extranet	Refers to an intranet that is partially accessible to authorised outsiders. Whereas an intranet resides behind a firewall and is accessible only to people who are members of the same company or organisation, an extranet provides various levels of accessibility to outsiders. You can access an extranet only if you have a valid username and password, and your identity determines which parts of the extranet you can view. Extranets are becoming a very popular means for business partners to exchange information
Firewall	Part of a computer system or network that is designed to block unauthorised access while permitting authorised communications. It is a device or set of devices configured to control all (in and out) computer traffic between networks and the internet based upon a set of rules and

	other criteria.
GIS Geographic Information System(s).	<p>Geographic Information Systems are designed to work with data that is referenced by spatial or geographic coordinates. GIS includes tools and systems for managing, modelling and analysing data that can be referenced</p> <p>by spatial or geographic coordinates</p>
Government Connect Secure Extranet (GCSx)	Central government uses the Government Secure Intranet (GSI) for its telecommunications, e-mail services and Internet access. The GSI has been extended to Local Government via the Government Connect Secure Extranet (GCSx). Also see CoCo Compliance.
Information Management	Information management (IM) is the collection and management of information from one or more sources and the distribution of that information to one or more audiences. This sometimes involves those who have a stake in, or a right to that information. Management means the organisation of and control over the structure, processing and delivery of information.
Infrastructure	The physical hardware used to interconnect computers and users. Infrastructure includes the transmission media, including telephone lines, cable television lines, and satellites and antennas. Infrastructure also includes the software used to send, receive, and manage the signals that are transmitted.
Virtual Private Network (VPN):	VPN A network that provides secure, remote access into an organisations computer systems.
Virtualisation	Virtual servers/Virtual environment/Virtualisation: allows more than one copy of the operating system to be installed on each physical server providing multiple but distinct computing environments

Finance

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	Hardware	0	0	0	0	10,000	0
	Software	17,930	0	0	0	70,000	0
	Implementation	0	0	0	0	10,000	0
	TOTAL (Capital)	17,930	0	0	0	90,000	0
Revenue	Support/Licence	18,111	18,618	19,140	19,678	20,232	20,803
	Other	0	0	0	0	0	0
	TOTAL (Revenue)	18,111	18,618	19,140	19,678	20,232	20,803
Combined	TOTAL	36,041	18,618	19,140	19,678	110,232	20,803

Enforcement

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	Hardware	0	0	0	0	0	0
	Software	0	0	0	0	0	0
	Implementation	0	0	0	0	0	0
	TOTAL (Capital)	0	0	0	0	0	0
Revenue	Support/Licence	2,675	0	0	0	0	0
	Other	0	0	0	0	0	0
	TOTAL (Revenue)	2,675	0	0	0	0	0
Combined	TOTAL	2,675	0	0	0	0	0

Customer Services

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	Hardware	600	0	0	0	0	10,000
	Software	241,500	0	0	0	0	80,000
	Implementation	29,750	0	0	0	0	10,000
	TOTAL (Capital)	271,850	0	0	0	0	100,000
Revenue	Support/Licence	27,908	28,596	29,461	30,348	31,340	32,273
	Other	25,472	25,472	25,472	25,472	25,472	25,472
	TOTAL (Revenue)	53,380	54,068	54,933	55,820	56,812	57,745
Combined	TOTAL	325,230	54,068	54,933	55,820	56,812	157,745

Human Resources

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	Hardware	0	0	0	0	0	0
	Software	0	5,000	5,000	0	0	0
	Implementation	0	0	0	0	0	0
	TOTAL (Capital)	0	5,000	5,000	0	0	0
Revenue	Support/Licence	4,800	4,900	5,050	5,250	5,450	5,650
	Other	0	0	0	0	0	0
	TOTAL (Revenue)	4,800	4,900	5,050	5,250	5,450	5,650
Combined	TOTAL	4,800	9,900	10,050	5,250	5,450	5,650

Transformation

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	Hardware	0	0	0	0	0	0
	Software	20,000	0	0	0	0	0
	Implementation	0	0	0	0	0	0
	TOTAL (Capital)	20,000	0	0	0	0	0
Revenue	Support/Licence	2,284	4,000	4,400	4,800	5,200	5,600
	Other	0	0	0	0	0	0
	TOTAL (Revenue)	2,284	4,000	4,400	4,800	5,200	5,600
Combined	TOTAL	22,284	4,000	4,400	4,800	5,200	5,600

Marketing & Communication

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	Hardware	0	0	0	0	0	0
	Software	3,500	0	0	0	0	3,500
	Implementation	0	0	0	0	0	0
	TOTAL (Capital)	3,500	0	0	0	0	3,500
Revenue	Support/Licence	500	550	600	650	700	750
	Other	0	0	0	0	0	0
	TOTAL (Revenue)	500	550	600	650	700	750
Combined	TOTAL	4,000	550	600	650	700	4,250

Data & Systems

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
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<i>Capital</i>	<i>Hardware</i>	10,000	0	0	0	0	0
	<i>Software</i>	50,000	105,000	20,000	0	0	20,000
	<i>Implementation</i>	0	0	0	0	0	0
	TOTAL (Capital)	60,000	105,000	20,000	0	0	20,000
<i>Revenue</i>	<i>Support/Licence</i>	43,993	46,304	46,035	48,779	51,493	54,217
	<i>Other</i>	0	0	0	0	0	0
	TOTAL (Revenue)	43,993	46,304	46,035	48,779	51,493	54,217
Combined	TOTAL	103,993	151,304	66,035	48,779	51,493	74,217

Environmental Health

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
<i>Capital</i>	<i>Hardware</i>	0	10,000	0	0	0	0
	<i>Software</i>	8,000	55,000	0	0	10,000	0
	<i>Implementation</i>	0	0	0	0	0	0
	TOTAL (Capital)	8,000	65,000	0	0	10,000	0
<i>Revenue</i>	<i>Support/Licence</i>	15,127	3,800	4,500	5,200	5,900	6,600
	<i>Other</i>	0	0	0	0	0	0
	TOTAL (Revenue)	15,127	3,800	4,500	5,200	5,900	6,600
Combined	TOTAL	23,127	68,800	4,500	5,200	15,900	6,600

Assets

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
<i>Capital</i>	<i>Hardware</i>	10,000	0	0	0	10,000	0
	<i>Software</i>	56,000	5,000	0	0	40,000	0
	<i>Implementation</i>	4,000	0	0	0	5,000	0
	TOTAL (Capital)	70,000	5,000	0	0	55,000	0
<i>Revenue</i>	<i>Support/Licence</i>	64,717	67,182	69,089	73,151	75,220	77,448
	<i>Other</i>	0	0	0	0	0	0
	TOTAL (Revenue)	64,717	67,182	69,089	73,151	75,220	77,448
Combined	TOTAL	134,717	72,182	69,089	73,151	130,220	77,448

Legal

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
<i>Capital</i>	<i>Hardware</i>	0	0	0	0	0	0
	<i>Software</i>	4,000	0	0	0	0	4,000
	<i>Implementation</i>	1,000	0	0	0	0	1,000
	TOTAL (Capital)	5,000	0	0	0	0	5,000
<i>Revenue</i>	<i>Support/Licence</i>	4,376	4,450	4,600	4,778	4,890	5,020
	<i>Other</i>	0	0	0	0	0	0
	TOTAL (Revenue)	4,376	4,450	4,600	4,778	4,890	5,020
Combined	TOTAL	9,376	4,450	4,600	4,778	4,890	10,020

Planning

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
<i>Capital</i>	<i>Hardware</i>	5,000	0	0	0	7,000	10,000
	<i>Software</i>	5,500	0	0	0	0	50,000
	<i>Implementation</i>	4,500	0	0	0	0	0
	TOTAL (Capital)	15,000	0	0	0	7,000	60,000
<i>Revenue</i>	<i>Support/Licence</i>	30,742	31,525	32,379	33,885	35,548	37,192
	<i>Other</i>	6,100	1,200	1,200	1,200	1,200	1,200
	TOTAL (Revenue)	36,842	32,725	33,579	35,085	36,748	38,392
Combined	TOTAL	51,842	32,725	33,579	35,085	43,748	98,392

Democratic Services

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
<i>Capital</i>	<i>Hardware</i>	0	0	0	0	0	0
	<i>Software</i>	5,000	0	0	0	10,000	0
	<i>Implementation</i>	5,000	0	0	0	0	0
	TOTAL (Capital)	10,000	0	0	0	10,000	0
<i>Revenue</i>	<i>Support/Licence</i>	10,300	10,500	10,700	10,900	11,100	11,300
	<i>Other</i>	0	0	0	0	0	0
	TOTAL (Revenue)	10,300	10,500	10,700	10,900	11,100	11,300
Combined	TOTAL	20,300	10,500	10,700	10,900	21,100	11,300

Benefits & Taxation

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
<i>Capital</i>	<i>Hardware</i>	10,000	0	0	0	0	10,000
	<i>Software</i>	0	10,000	10,000	10,000	10,000	40,000
	<i>Implementation</i>	0	5,000	5,000	5,000	5,000	10,000

	TOTAL (Capital)	10,000	15,000	15,000	15,000	15,000	60,000
Revenue	Support/Licence	35,925	37,925	39,925	41,925	43,925	45,925
	Other	250	250	250	250	250	250
	TOTAL (Revenue)	36,175	38,175	40,175	42,175	44,175	46,175
Combined	TOTAL	46,175	53,175	55,175	57,175	59,175	106,175

Revenues

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	Hardware	0	0	0	0	0	0
	Software	0	0	0	0	0	0
	Implementation	0	0	0	0	0	0
	TOTAL (Capital)	0	0	0	0	0	0
Revenues	Support/Licence	500	500	500	500	500	500
	Other	0	0	0	0	0	0
	TOTAL (Revenue)	500	500	500	500	500	500
Combined	TOTAL	500	500	500	500	500	500

Contracts

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	Hardware	0	0	0	0	0	0
	Software	0	0	0	0	0	0
	Implementation	0	0	0	0	0	0
	TOTAL (Capital)	0	0	0	0	0	0
Revenues	Support/Licence	1,000	1,000	1,000	1,000	1,000	1,000
	Other	0	0	0	0	0	0
	TOTAL (Revenue)	1,000	1,000	1,000	1,000	1,000	1,000
Combined	TOTAL	1,000	1,000	1,000	1,000	1,000	1,000

IT

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	Hardware	24,000	50,000	25,000	30,000	75,000	15,000
	Software	148,219	49,376	0	0	30,000	0
	Implementation	3,500	22,500	10,000	10,000	15,000	5,000
	TOTAL (Capital)	175,719	121,876	35,000	40,000	120,000	20,000
Revenues	Support/Licence	158,109	166,739	182,872	191,602	199,831	209,062
	Other	21,935	0	0	0	0	0
	TOTAL (Revenue)	180,044	166,739	182,872	191,602	199,831	209,062
Combined	TOTAL	355,763	288,615	217,872	231,602	319,831	229,062

Summary Totals

Summary of costs		2012/13	2013/14	2014/15	2015/16	2016/17	2017/18
Capital	Hardware	59,600	60,000	25,000	30,000	102,000	45,000
	Software	559,649	229,376	35,000	10,000	170,000	197,500
	Implementation	47,750	27,500	15,000	15,000	35,000	26,000
	TOTAL (Capital)	666,999	316,876	75,000	55,000	307,000	268,500
Revenue	Support/Licence	421,067	426,589	450,251	472,446	492,329	513,340
	Other	53,757	26,922	26,922	26,922	26,922	26,922
	TOTAL (Revenue)	474,824	453,511	477,173	499,368	519,251	540,262
Combined	TOTAL	1,141,823	770,387	552,173	554,368	826,251	808,762

REPORT

Reference: E/12/41

Item 12 - Public



To: The Executive
Date: 1 November 2012
Status: Key Decision
Report Published: 24 October 2012
Author: Helen Gregory, Policy Officer
Executive Member: Councillor John Mackman
Lead Officer: Mark Steward, Managing Director

Title: Core Strategy Examination in Public

Summary:

This report updates the Executive on the progress of the Core Strategy through the Examination in Public (EIP) at the reconvened sessions that took place on 5 and 6 September 2012.

It provides for information only, a copy of the Draft Council report which sets out the key issues and the draft further proposed changes required in order to ensure consistency with the new National Planning Policy Framework (NPPF).

The Proposed Changes respond to the June/July 2012 public consultation on compliance between the Core Strategy and the NPPF and which were debated at the September 2012 EIP. The remaining few changes require a further consultation exercise and the soundness issues will be examined at a reconvened EIP in February 2013.

The Inspector has provided a Note outlining his remaining areas of concern which is being published on the same day as this Executive report (23 October).

At this stage therefore, this Executive report provides only a brief summary of the Inspector's Note. By the time this Executive report is considered on 1 November, Officers will have considered the Inspector's comments in detail. Extraordinary Council on 6 November (published on 29 October) will therefore consider an amended report and revised Schedule, which will take into account any changes arising as a result of the Inspector's Note for approval for consultation purposes (commencing on 12 November).

Recommendation:

i. Note:

- **the contents of the attached DRAFT report for Extraordinary Council (6 November 2012);**
- **the contents of the Inspector's Note;**
- **the related issues set out in this covering report; and**
- **that the Final Council Report will be amended as required taking into account the Inspector's comments.**

Reasons for recommendations:

A formally adopted Core Strategy is an essential part of the Council's Local Development Framework (now referred to as the Local Plan) and is needed for the proper planning of the District of Selby.

The recommendations seek to assist the progress of the Core Strategy towards adoption and will contribute towards the implementation of the statutory development plan within the timescale agreed with the Government Inspector.

1. Purpose of the Report

1.1 This report informs councillors about:

- the progress of the Core Strategy through the Examination in Public (EIP);
- key issues arising including important legal issues;
- further proposed changes; and
- the next steps.

2. Background

2.1 The reconvened EIP held on 5 and 6 September 2012 has been adjourned until 27 February 2013 in order to consider any further changes required to comply with the national planning policy framework (NPPF).

2.2 Councillors should refer to the attached draft Council report and appendices which outline the background and next steps.

2.3 The Council report recommends the Council to approve a further, 7th Set of Proposed Changes to the Selby District Core Strategy in order to ensure it meets 'soundness' tests. A further round of consultation is necessary prior to the February 2013 EIP.

3. Update

3.1 Officers have provided the Inspector with a copy of the Draft 7th Set of Proposed Changes and he has now published (on 23 October) a Note outlining his comments on them and highlighting any remaining areas of

concern. The Note is published on the Core Strategy EIP Webpage alongside the Draft 7th Set of Proposed Changes (as attached in the Appendix to this report).

- 3.2 At this stage therefore, this Executive report provides only a brief summary of the Inspector's Note. By the time this Executive report is considered on 1 November, Officers will have considered the Inspector's comments in detail. Extraordinary Council on 6 November (published on 29 October) will therefore consider an amended report and revised Schedule, which will take into account any changes arising as a result of the Inspector's Note for approval for consultation purposes (commencing on 12 November).
- 3.3 The Inspector's Note is also attached to this Executive report for information at Appendix 2.
- 3.4 The revised timetable for the remaining steps, between October 2012 and the reconvened EIP in February 2013 has been published on the EIP webpage and is attached at Appendix 3 for councillors' information.

4. Key Policy Issues

- 4.1 The key issues arising out of consultation and the April 2012 EIP are set out in the attached draft Council report. This section of this Executive report highlights only the key points raised by the Inspector in his Note (Appendix 2) for information.
- 4.2 The final Extraordinary Council Report will contain the officer response to the Inspector's Note and consequently a revised set of proposed changes for approval for consultation purposes taking into account the issues raised by the Inspector.

Other Matters

- 4.3 The Inspector notes that, as a result of the Council's positive response to, initially, the reasons for the Examination being suspended and, subsequently, to the representations and discussions concerning the National Planning Policy Framework (NPPF), the areas where there remains a risk of him having to recommend main modifications to achieve a sound plan are relatively few.
- 4.4 Other than the one topic below, on Fairburn, the Inspector says that the various concerns he has expressed on a range of other matters throughout the Examination, have largely been addressed, at least to the extent that (on current thinking) they are unlikely to be the subject of recommendations by the Inspector of main modifications which have not been suggested by the Council.

Green Belt (Policy CPXX)

- 4.5 The Inspector suggests some re-phrasing in the Policy CPXX, given that there might potentially, in time, be more than one circumstance which triggers the need for a Green Belt review.

Scale of Housing and Windfall Development (Policy CP2 and text)

- 4.6 The Inspector welcomes the recognition now given to the contribution from windfalls, for it makes clear that the CS is expected to result in more houses being delivered than the 450 dpa minimum of Policy CP2, thereby satisfying the NPPF requirement to significantly boost housing supply. It also allays any residual concern of his about overall housing numbers.
- 4.7 However, he requires some further clarification regarding how the housing target is to be met (from allocations and existing permissions at the base date).

Rural Affordable Housing (Policy CP6)

- 4.8 The Inspector raises some queries regarding:
- the consistency between revised Policy CP6 and Policy CP1 Part A, Section (b)
 - whether it is appropriate that the Rural Exceptions Policy applies to all settlements rather than just villages
 - the suggested deletion of a previous propose change at CP6 Part (i), which clarifies where the policy would apply within the settlement hierarchy

Economic Growth (Policy CP9)

- 4.9 The Inspector requires some clarification on the particular areas to which the rural economy, Part C applies. He also considers that that the NPPF qualification that all rural development should be sustainable is an important one. In addition he raises some presentational points.

Renewable and Low Carbon Energy (Policy CP14)

- 4.10 The Inspector suggests some improvements to the wording of the revised policy.

Identification of Designated Service Villages (DSVs) (Policy CP1)

Fairburn

- 4.11 The Inspector is clear that the objective analysis in the Core Strategy Background Paper (No. 6 Village Growth Potential) as updated by evidence during the Examination, does not support Fairburn's designation as a DSV. He considers that nothing in NPPF changes this – there is no compelling evidence that additional housing would lead to a more sustainable rural community or enhance its vitality. Unlike Appleton Roebuck (the other settlement where the objective analysis calls DSV designation into question), no case is advanced that Fairburn is part of a recognised group

of villages where development would support services in other villages nearby (indeed the reverse is true, for the nearest villages to Fairburn are already identified as DSVs). On the evidence thus far, the Inspector is likely to recommend deletion of Fairburn as a DSV.

Escrick

- 4.12 The Inspector considers that the recent identification of Escrick as a DSV is soundly based on the objective evidence and, for that reason, appears justified. However, the Inspector suggests that Policy CP1A (a) be annotated to clarify that Escrick is largely surrounded by Green Belt and any development on Green Belt land would have to accord with policy GBXX and the results of any Green Belt review.

5. Legal Issues

Main Modifications and the Duty to Cooperate

- 5.1 The unresolved legal point about the Inspector's ability to recommend Main Modifications (see attached Council report) represents a risk to the legality of the Core Strategy.
- 5.2 Councillors should be aware that this is a significant issue and at this point in time there is no certain outcome. Also that the legal points are inter-related to the remaining requirement that the Core Strategy must be in general conformity to the Regional Strategy (RS) and that there is a requirement to demonstrate that the Core Strategy is consistent with the NPPF including the Duty to Cooperate.
- 5.3 It is a risk to the Council that the legal opinions are not requested until January. As such officers requested an early view from the Inspector.
- 5.4 As such, the Inspector's Note sets out that he gave his ruling on the legal aspect of the Duty to Cooperate in April 2012, concluding that it does not apply in this case (INSP/12). He considers that the argument that this finding does not allow him to recommend main modifications seems, on the face of it, to have little merit because s20(7) of the 2004 Act consistently refers to *any* duty imposed by s33A – the Inspector interprets this as allowing for situations in which (for whatever reason) the Duty to Cooperate does not bite. He states that he cannot reach a firm conclusion on this point until he has considered the full legal submissions to be put to him early next year, but his initial view is that s20(7C) does apply and that he has the power to recommend main modifications.

Regional Strategy (RS) Compliance

- 5.5 The Core Strategy must be in general conformity with the RS. Although SDC has reviewed its housing figures in the light of the debate at the September 2011 EIP and within the expectations of the planning reforms, the SDCS remains in general conformity with the statutory RS.
- 5.6 Although the Government has signalled its intention to revoke Regional

Strategies nationally (and this is recognised in the SDCS), there have been delays in that process. There is no timetable for the revocation of RS in the Yorkshire and Humber Region. The Government is currently consulting on the Strategic Environmental Assessment of the Revocation of the Yorkshire and Humber Regional Strategy. However the RS is expected to still be in place by the time the SDCS EIP reconvenes in February 2013 and during the reporting period of the Inspector. It is not known what the implications would be if RS was revoked prior to the adoption of the SDCS, which presents a further risk to the Council in trying to progress the Core Strategy.

Statutory Challenge to the Plan

- 5.7 The decision of the Inspector to suspend the EIP in September 2011 was not challenged under the Planning and Compulsory Purchase Act 2004 (PCPA) by any of the interested parties. The Council did receive a formal Letter Before Action in respect of the decision of Full Council on 13th December 2011 from an interested party but following an exchange of correspondence, that party took a view that they would not challenge the Council at this time. The interested party is reserving their position pending the outcome of the reconvened EIP.
- 5.8 Therefore, in the event that the Inspector finds the Core Strategy both legally compliant and sound, and the Council seek to adopt a modified plan in the light of the Inspector's report, there is a risk that there will be a statutory challenge to the Council under s113 of the PCPA. Such a challenge would delay the adoption of the Core Strategy with the associated implications for ensuring an up-to-date local plan for the District. It would also incur additional expense to the Council in defending the challenge.

Changes from a Local Development Framework to a new Local Plan format

- 5.9 The SDCS (submitted in May 2011) has been developed within the context of the Local Development Framework which made provision for a suite of separate documents. In Selby District, the Local Development Scheme envisaged the Core Strategy followed by the Site Allocations DPD and Development Management DPD.
- 5.10 The Localism Act 2011 and new 2012 Regulations (and the NPPF published in March 2012) now envisages a single Local Plan and there is no longer a requirement for separate Core Strategy and further Development Plan Documents (DPDs). The new system has evolved whilst the SDCS has passed through its various stages.
- 5.11 Officers are currently reviewing how to progress the remainder of the new Local Plan (former LDF suite of documents) and the implications. It should be noted that although "DPDs" will no longer exist per se, it is acceptable to produce the Local Plan in separate documents.
- 5.12 Officers will bring another report to Councillors in due course with a recommendation for the best way forward with either separate or combined

documents and in the light of the advice in NPPF. Legal issues regarding transitional arrangements need to be also considered in detail.

6. Financial Issues

- 6.1 The initial assessment indicated there would be an additional cost of £40k – £50k as a consequence of the Suspension of the September 2011 EIP to address the three topics. This did not include legal costs and did not anticipate further adjournments.
- 6.2 It is estimated that the additional PINS fees for the reconvened April 2012 EIP is likely to be in the region of £13k. Similar figures are expected for each of the EIPs in September 2012 EIP and February 2013 EIP (if it runs to 2 days).
- 6.3 Extra legal costs have been £11,700 so far and more legal costs are still to be incurred for opinion on the ‘main mods’ issues as well as preparation and representation at the February 2013 EIP. These additional Legal costs (Counsel and SDC Solicitor time) are likely to be more than £20k.
- 6.4 The actual cost in consultants’ fees of additional work undertaken between September 2011 and March 2012 during the suspension is approximately £10k. The cost of further additional work between April 2012 and October 2012 for consultants (housing numbers - Arup and Sustainability Appraisal - Watermans) has been £11K. Further technical/expert advice from consultants is likely to be minimal although the additional SA work that has been undertaken will be approximately £4k.
- 6.5 The advertising costs for the January consultation was about £3k and for the June consultation another £2k. The additional November/December consultation exercise will incur further costs for advertising and document production etc of around £2k. There are also other miscellaneous costs.
- 6.6 These total additional costs of approximately £102k can be met within the existing LDF budget although overall this will create budget pressures on the future parts of LDF/Local Plan. The precise amounts will be assessed as part of the work identified under para 6.7 below.
- 6.7 There has also been an impact on other work programmes. Whilst not having a direct bearing on the Core Strategy, it is worth noting that the delay in the Core Strategy will have a knock on effect for the timetable of subsequent Local Plan documents including the Site Allocations and Development Management policies elements. The implications and impact on the revised timetable is currently being assessed as outlined above at 5.9 – 5.12)

7. Conclusion

- 7.1 Council on 6 November will be recommended to approve a final revised 7th Set of Proposed Changes for consultation. The final proposed changes will respond to both the previous consultation on the 6th Set of Proposed Changes, the debate at the September 2012 EIP and the Inspector’s Note. The further changes are required to ensure consistency with national policy

in the NPPF and in order to comply with the tests of soundness. They are a pro-active response in a changing national policy arena.

- 7.2 The report also highlights that there are still risks associated with dealing with issues which are not restricted to Selby District and which are being debated nationally in an evolving planning system. The risks are being minimised by ensuring we have access to expert advice and support on technical issues but some of the legal risks are beyond the Council's control.

Background Documents

Submission Draft Core Strategy (May 2011) and subsequent Composite Schedule of Proposed Changes.

National Planning Policy Framework (NPPF), March 2012.

Inspector's Note, 23 October 2012

Selby Core Strategy Background Paper No. 6 'Village Growth Potential', February 2012 and Addendum, January 2011, (CS/CD22e, EIP Library)

Inspector's Ruling on the legal aspect of the Duty to Cooperate, April 2012 (INSP/12, EIP Library).

All available via the Council's website www.selby.gov.uk

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Appendix 1 DRAFT Extraordinary Council Report 6 November 2012 and Associated Appendix / Annexes

Appendix 2 Inspector's Note, October 2012

Appendix 3 Revised Timetable

Public Session

Report Reference Number

Agenda Item No:

To: Extraordinary Council
Date: 6 November 2012
Author: Helen Gregory, Policy Officer
Lead Officer: Keith Dawson, Director of Community Services
Executive Member: Councillor Mark Crane, Leader of the Council

Title: Local Development Framework: Core Strategy Examination in Public.

Summary:

This report updates the Council on the progress of the Core Strategy through the Examination in Public (EIP) at the reconvened sessions that took place on 5 and 6 September 2012.

It sets out for approval the further proposed changes required in order to ensure consistency with the new National Planning Policy Framework (NPPF) published during the Core Strategy process (in March 2012).

The Proposed Changes respond to the June/July 2012 public consultation on compliance between the Core Strategy and the NPPF and which were debated at the September 2012 EIP.

The remaining few changes require a further consultation exercise and the soundness issues will be examined at a reconvened EIP in February 2013.

The report sets out the key issues and next steps for consultation and provides a schedule of the 7th Set of Proposed Changes for approval for consultation.

Recommendations:

- I. To agree the 7th Set of Proposed Changes for consultation.**
- II. To note that the documents will be subject to public consultation between 12 November and 28 December 2012 and that they will be considered alongside representations received at the reconvened EIP in February 2013.**
- III. To authorise the Director of Community Services to deal with any procedural issues not covered by existing delegations to enable effective conduct of the reconvened EIP in February 2013 and to authorise Officers to make the necessary arrangements to allow the Inspector to progress the EIP and Reporting procedure.**

Reasons for recommendations:

A formally adopted Core Strategy is an essential part of the Council's Local Development Framework (now referred to as the Local Plan) and is needed for the proper planning of the District of Selby.

The recommendations seek to assist the progress of the Core Strategy towards adoption and will contribute towards the implementation of the statutory development plan within the timescale agreed with the Government Inspector.

1. Introduction

- 1.1 The Core Strategy remains subject to the examination process following formal Submission in May 2011. The previous report to Extraordinary Council on 29 May 2012 (reference C/12/ 2) provides further background to the process. In summary, following the enactment of the Localism Act 2011 and new National Planning Policy Framework (NPPF, March 2012) the process has been delayed whilst the Inspector examines the Core Strategy in the light of new Government policy and Regulations.
- 1.2 The April 2012 EIP considered three key topics and the NPPF, whilst the reconvened EIP hearing sessions which took place on 5 and 6 September 2012 were required in order for the Inspector to re-examine the Core Strategy in relation to the policies and soundness tests in the new NPPF. The Agendas for the 2 separate sessions are available on the Core Strategy EIP web pages of the Council's website.
- 1.3 The Council finds itself in new territory both in terms of exploring the subtleties of new national policy framework, and in exploring legal issues in the context of recently published Regulations. Whilst some level of debate over the policies in the Strategy was anticipated, the Council is in a hybrid LDF/Local Plan system and there is no clear guidance from the Government or Planning Inspectorate how that should operate. Consequently, the EIP process has been extended again to an unprecedented 4th session.

2. Background and Update on September 2012 EIP

- 2.1 The reconvened EIP in September 2012 was for the purpose of considering the Core Strategy in the light of the National Planning Policy Framework (NPPF). The Council published a Position Statement (31 August 2012) prior to the EIP to assist the Inspector and to use as a basis for discussion at the Hearing Sessions.
- 2.2 At the end of the 2 days, the Inspector highlighted that there remained a limited amount of issues that the Council need to reflect on. The Inspector agreed to provide a Position Statement on what his areas of concern were by mid-October.
- 2.3 The Inspector was clear however that any Main Modifications will require further consultation, and for consistency this consultation exercise should also include all Additional Modifications, any new evidence and any new Sustainability Appraisals.

- 2.4 “Main Modifications” are those which the Council must ask the Inspector to consider. The Inspector may then recommend Main Modifications as part of his report in order to make the Core Strategy sound. His ability to recommend Main Modifications is limited to those changes which are necessary to remedy unsoundness or legal compliance. “Additional Modifications” are those which do not materially affect the policies of the Core Strategy. These may be made without the need to be examined in public.
- 2.5 Although both the Main and Additional Modifications are open for re-consultation as part of the November/December consultation and at EIP, the Inspector will only consider the Main Modifications to the Plan and not the lesser Additional Modifications. It is for the Council, to make those Additional Modifications prior to adoption.

3. Legal Issues

- 3.1 One participant raised legal issues related to Section 20(7) of the Planning and Compulsory Purchase Act 2004 (as amended by s112 of the Localism Act 2011) which provides the Independent Inspector with powers to make Main Modifications to the Core Strategy where it is reasonable to conclude that the Local Authority complied with any duty imposed on the authority by section 33A.
- 3.2 The Inspector has previously ruled that the legal duty to meet Duty to Cooperate (under s33A) does not apply to the Submission Draft Core Strategy (SDCS) because it was submitted prior to the commencement date of 15 November.
- 3.3 The participant opined that the wording of the Act was such that because the LPA has not met the duty imposed then this does not allow the Inspector to make Main Modifications.
- 3.4 This is a legal issue which relates to the drafting of the Government’s primary legislation and how the section applies to those authorities with Core Strategies where the DTC does not apply. This would not just affect Selby Core Strategy.
- 3.5 There is no Government guidance either from the Planning Inspectorate or the Department of Communities and Local Government; although the Inspector indicated that this might be forthcoming (no timings are available). We await the Inspector’s legal view on the interpretation of the Act. In the meantime the Inspector has requested both the participant and Council to provide legal submissions on this point of law – but not until January 2013.
- 3.6 This represents a risk to the Council. Officers have instructed Counsel to provide a legal opinion and have requested an early view from the Inspector.

4. Next Steps

- 4.1 In order to respond to the Inspector’s remaining concerns in the light of debate at the EIP it is necessary for the Council to agree further changes to the Core Strategy to ensure the Core Strategy is found sound by the

Inspector. This 7th Set of Proposed Changes must be agreed and then subject to further consultation.

4.2 It has been agreed with the Inspector that the proposed changes will be made available for consultation for 6 weeks. Officers have proposed more than 6 weeks to take account of the Christmas period.

4.3 Officers of the Council have suggested the following timetable to the Inspector:

- 6 weeks consultation 12 November – 28 December 2012
- Legal Submissions in January 2013
- Final EIP hearing sessions on 27 February 2013 (and 28 February reserve / over-run)

4.4 The documents which will be subject to consultation are the 7th Set of Proposed Changes and the SEA/SA Addendum (October 2012) (see Section 6 below). This Council report will be added to the EIP 'library' as part of the Core Documents.

4.5 The purpose of the February 2013 EIP is for the Inspector to re-examine the Core Strategy only in light of the 7th Set of Proposed Changes which relate to changes arising out of the debate at the September 2012 EIP and in order to ensure consistency with the new National Planning Policy Framework (NPPF). It is not another opportunity to reopen debates on the other aspects of the Core Strategy that have already been heard at the EIP sessions. The Inspector will publish his Agenda nearer to the time.

5. Key Issues and Main Changes

5.1 Appendix 1 provides a full schedule of the draft 7th Set of Proposed Changes to the SDCS for consultation. It highlights which are the Main Modifications and Additional Modifications (see paragraphs 2.4-2.5 above for definitions). The key issues are summarised below:

(a) Green Belt Policy CPXX

5.2 The Green Belt policy was introduced and consulted upon in January 2012 following the September 2011 EIP. The principle and wording has already been debated at the previous hearing sessions and in response, the 7th Set of Proposed Changes simply provides some clarity of wording in the supporting text and proposes a rewording of the main policy to improve readability to reflect the policy intentions. The changes do not alter the Council's decision to review Green Belt and to allocate some sites for development where appropriate. It is merely a restructuring and simplification of the wording to emphasise that development of some Green Belt land in some settlements (for example Tadcaster) may be more appropriate than non-Green Belt land in other locations (such as transferring Tadcaster's growth to another settlement).

5.3 Rewording has already been debated at the EIP and, at the request of the Inspector, already been circulated to and subject to comments by other participants prior to publication for consultation (and being reported to Council) in order to streamline the process of consultation.

- 5.4 No comments from third parties have been received. The Inspector has provided his views on the proposed wording and these have been incorporated into the revision at *Appendix 1, Annex A*.

(b) Review of Development Limits

- 5.5 The Submission Draft Core Strategy already refers to the intention that the Site Allocation DPD will review the Development Limits of the three main towns and Designated Service Villages. In the light of changes to the development plan system and for completeness/consistency, it is now proposed to extend the review of Development Limits to also now include Secondary Villages (i.e. all Developments Limits around all settlements).

(c) Policy CP1A Garden Land

- 5.6 Respondents to the 6th set of changes and NPPF consultation in June/July considered that the approach in Policy CP1A which resisted development on garden land in Secondary Villages was overly restrictive and contrary to policies in the NPPF seeking to promote the rural economy.
- 5.7 Officers considered that it might be necessary to remove the differentiation between the Designated Service Villages (where development in garden land is acceptable) and Secondary Villages (where it is not) because of the inability to evidence the impacts of the effects of garden land development in one part of the settlement hierarchy compared to another. As such the Council's Position Statement (31 August 2012), which was published to assist debate at the EIP suggested that it may be necessary to amend Policy CP1A to remove the differentiation between the treatment of garden land in Designated Service Villages and Secondary Villages.
- 5.8 However in the light of debate and the views of the Inspector at the September 2012 EIP, it is now considered that the differentiation is justified by the existing strategy in the Core Strategy to treat the levels of the settlement hierarchy differently in order to focus development in the towns and Designated Service Villages, whilst only allowing limited amount of development in the smaller rural Secondary Villages. Several third parties remain of the view that restrictions in Secondary Villages should be lifted to make them equal to Designated Service Villages.
- 5.9 On reflection it is not considered necessary to change the policy in this respect and it is sound, and consistent with NPPF to retain the Policy as that submitted: that there remains differentiation between the Designated Service Villages (where development on garden land is acceptable in principle) and Secondary Villages (where it is not). There are however some minor word changes to the policy which are proposed to improve clarity – see *Appendix 1, Annex B*

(d) Policy CP2 (Housing numbers) and Treatment of Windfalls

- 5.10 Several objectors (house builders and their agents) continue to push for a higher annual housing requirement of 500-550 dwellings per annum (dpa),

although the Council continues to promote 450 dwellings per annum (dpa) as a realistic and achievable minimum target based on sound evidence. The Inspector has yet to form a view on this.

- 5.11 The issue of windfalls has been debated at great length at each of the hearing sessions. The Council has provided further information to the Inspector about past trends and provided amendments to text to clarify the definitions used and how supply of housing from non-allocated sites will contribute to the overall delivery of housing in the District over the Plan period.
- 5.12 The Council has been working on the basis that windfalls are additional to identified housing requirement set out in the Plan – i.e. are over and above the amount that will come forward on planned sites.
- 5.13 The Council's position (see Position Statement, 7 June 2012) was that the NPPF did not change that approach and only allowed for Local Planning Authorities to make an allowance for windfalls in the 5 year housing land supply (not in the planned for development in the Local Plan policy). As such in response to the NPPF, the Council proposed amended text to the Core Strategy to clarify that windfalls would continue to come forward and would be in addition to the 450 dpa on planned-for sites. However, because of the difficulty in quantifying the actual amount of windfalls likely to occur (by their nature unidentifiable sites) then the Council has not included an allowance for them.
- 5.14 However the Inspector made it clear at the September 2012 EIP that the new NPPF *does* allow windfalls to form part of the District's housing land supply over the Plan period, and considered it was possible to make an estimation of future likely contribution based on available evidence. He asked the Council to reflect on the evidence available to enable a projection to be made by quantifying the likely number of windfall completions per annum. This may demonstrate a more accurate picture of all housing delivery expected throughout the Plan period.
- 5.15 Officers have undertaken some further research using existing evidence in the light of paragraph 48 of the NPPF which states that:
- “Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.”*
- 5.16 The Council's Position Statement produced for the previous changes/EIP (7 June 2012) set out the position that past trends are not necessarily an accurate prediction of future performance because of different planning contexts (the Selby District Local Plan control on development versus the new Core Strategy and positively planned allocations through the Site Allocations Development Plan Document) so that the opportunity for windfalls on non-allocated sites is likely to be fewer than in the past. However, the SDLP policies are more restrictive in terms of allowing development on previously developed sites only, whereas Core Strategy Policy CP1A provides the framework for managing residential

development in settlements which allows for development on non-allocated sites including Greenfield, which may provide some balance.

5.17 The Council consider therefore that the previous delivery of windfalls may not necessarily continue at the same high levels in the future. However, in the light of the Inspector's request to identify a realistic allowance, the following approach has been taken (in line with NPPF paragraph 48):

5.18 Any allowance should be realistic (not include residential gardens) having regard to:

- (i) historic windfall delivery rates
- (ii) the Strategic Housing Land Availability Assessment
- (iii) expected future trends

5.19 The best available evidence indicates that windfalls might be expected to contribute between 105 and 170 dwellings per year on top of the 450 dpa housing requirement. Further information is provided in Appendix 2 of this Council Report.

5.20 It is not proposed that windfalls are relied upon to deliver the 450 dpa housing requirement which is based on objectively assessed needs. Instead it is sensible to set out that on top of the 450 dpa - flexibility is provided (to meet the NPPF requirement to significantly boost housing supply) by referring in the Core Strategy to 450 dpa being provided on planned-for sites (those existing commitments and net allocations in Policy CP2) and that a minimum of about 105 dwellings per year are expected to be provided in addition on windfall sites. This does not change the Council's view on the Core Strategy Housing numbers; instead it simply quantifies the windfall element that is already anticipated.

5.21 In order to be clear on the approach to windfalls it is proposed to add a footnote to Policy CP2 which sets out the 105 dpa windfalls per annum is on top of the 450 dpa. Also it is already proposed to amend the housing trajectory (a previous published change) to include affordable housing and it is now considered appropriate to include the windfall element in the same graph. Additional modifications to the reasoned justification are also necessary.

5.22 The amended Policy CP2 also includes the specific reference to the 450 dpa being a minimum amount which meets the NPPF pro-growth agenda.

5.23 It should also be noted that there is a consequential amendment to correct a drafting error to Policy CP2. The previous set of changes only changed the text regarding the removal of phasing and not the policy.

5.24 See Appendix 1 Annex C for amended policy wording and trajectory graph.

(e) Policy CP5 Affordable Housing

5.25 No further issues were raised at the EIP hearing session on Policy CP5. However, to clarify that the small sites commuted sum off-site contribution to affordable housing is negotiable (consistent with the 40% target), the Council (in the Position Statement and raised at the EIP with the Inspector) suggested inserting "up to" before 10%.

(f) Policy CP6 Rural Affordable Housing

- 5.26 Objectors highlighted that the proposed change (PC6.55) regarding the Core Strategy approach to market housing on rural exceptions sites is better placed in the policy rather than being introduced as text.
- 5.27 The Council concur and now propose to add to the policy what the 6th Set of Proposed Changes already changed in the text to reflect the NPPF. It also incorporates additional amendments to improve readability. A previous change (PC3.10) is considered superfluous and is proposed to be deleted - see *Appendix 1, Annex D*

(g) Policy CP9 Scale and Distribution of Economic Growth

- 5.28 Objectors to the 6th Set of Proposed Changes and the NPPF consultation in June/July have raised issues regarding development in open countryside and whilst NPPF allows for well designed new buildings the Core Strategy currently only allows for re-use.
- 5.29 The SDC Position Statement published to assist discussion at the EIP (31 August 2012) accepted that Policy CP9 which allowed for re-use but did not allow for well designed new buildings was overly-restrictive in the light of NPPF.
- 5.30 In addition, with particular reference to former mine sites, it was noted that to retain criteria 1 and 2 in Part C would mean that restrictions on these sites would be more restrictive than that applied to the open countryside and was considered would represent an inappropriate anomaly and be contrary to the NPPF.
- 5.31 These points were debated at the EIP and there was general consensus that the policy should be re-worded in a different way to capture the re-use and new-buildings elements as they affect ALL former commercial sites in the countryside equally, without the necessity to specifically refer to the mine sites as special cases.
- 5.32 Alternative revised wording is therefore proposed in the draft 7th Set for consultation. This comprises changes to the policy to ensure consistency with the NPPF whilst retaining the local strategy for supporting jobs growth which utilises existing infrastructure as well as some minor consequential updating of the reasoned justification – see *Appendix 1, Annex E*

(h) Policy CP14 Low Carbon and Renewable Energy

- 5.33 Objectors to the 6th Set of changes and NPPF consultation consider that the introduction of text which stated that renewable energy projects would only be supported if they fall within identified suitable areas which may be identified in future local plan documents, is unjustified, unnecessary and not compliant with NPPF. The Council accept that this was not the intention of the proposed re-wording and as written, the policy is unduly restrictive and now propose a further change to the first part of Policy CP14.

5.34 Further, objectors state that NPPF Paragraph 91 wording of special circumstances is different to that proposed in the Core Strategy. The Council agree and consider that it would be helpful to ensure that the Core Strategy more closely aligns with the wording in the NPPF. As such the Council now proposes to amend Policy CP14 (previous proposed change PC6.86), last paragraph. *See Appendix 1, Annex F for amended policy wording*

6. Evidence base and Sustainability Appraisal (SA)

6.1 Evidence that underpins the draft 7th Set of Proposed Changes has not changed since the EIP in September 2012. Additional work has been undertaken to set out more clearly the windfall contribution (see Appendix 2) and how this may be included in the Core Strategy.

6.2 The Council set out in its previous Position Statement (31 August 2012) for the EIP and the Extraordinary Council report of 29 May 2012, that it does not consider it necessary to undertake additional Strategic Environmental Assessment and Sustainability Appraisal (SEA/SA) work for the 6th Set of Proposed Changes which were published and consulted upon in June 2012.

6.3 For completeness, the 7th Set of Proposed Changes to individual policies has been assessed within the SEA/SA framework alongside the 6th Set of Proposed Changes. The appraisal also considers the cumulative effects of all the proposed changes.

6.4 The full new SA Addendum will be made available alongside the 7th Set of changes for consultation. An extract comprising the Non-Technical Summary is attached at Appendix 3 to this report. In summary, the majority of the changes do not change the findings of the previous SA work. Where changes have been identified these are either positive or remove uncertainty but do not fundamentally change the findings of the SA.

7. Conclusions

7.1 A number of further changes as discussed at the September 2012 EIP are proposed to the Core Strategy in order to ensure it meets the Soundness test of consistency with national policy. However, they do not cumulatively alter the overall strategy and do not represent a significant change to the Core Strategy which was submitted for examination.

7.2 The schedule of proposed changes and other associated documents (including the Addendum to the SA) will be subject to consultation for (more than) six weeks prior to being examined at the February 2013 EIP.

7.3 The Inspector will then provide his report and this will be considered by the Council in due course.

- Appendix 1** **Draft 7th Set of Proposed Changes** (separate)
Appendix 2 **Windfall information**
Appendix 3 **SA Addendum, October 2012** (separate)

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Background Documents

Core Strategy, Submission Draft, May 2011 (and associated Core Documents including Composite Set of Proposed Changes)*
Inspector's Notes* dated 10 October 2011, 14 October 2011, 4 April 2012 and 10 April 2012.

Extraordinary Council report, 29 May 2012 (reference C/12/ 2)

SDC Position Statement 7 June 2012 (EIP Core Document CS/CD66)*

SDC Windfall Response 31 May 2012 (EIP Core Document, CS/CD67)*

SDC Position Statement 31 August 2012 (EIP Core Document CS/CD69)*

**available on Core Strategy EIP web page*

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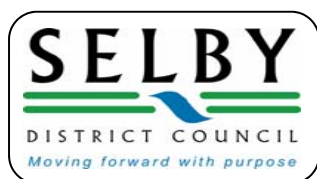
APPENDIX 1 To Extraordinary Council Report 6 November 2012

Selby District Submission Draft Core Strategy

CS/CD2g

SEVENTH Set of Proposed Changes
(Main Modifications and Additional Modifications)
to the Submission Draft Core Strategy (SDCS)

12 November 2012



**7th Set of Proposed Changes
(Main Modifications and Additional Modifications)
to the Submission Draft Core Strategy (SDCS)
12 November 2012**

This document has been produced to support the Submission version of the Selby District Core Strategy.

The schedule includes changes in policy to address and strengthen soundness and consequential changes in the light of new national policy guidance (e.g. NPPF).

Where these latest changes affect previous proposed changes, the latest proposed change prevails.

The proposed changes include main and additional modifications both of which are open for re-consultation as part of the Examination in Public Hearing process which is under consideration by the Planning Inspector, but the Inspector will only consider the main modifications to the plan (which the Council must request that the inspector make) and not the more minor, additional modifications. It is for the Council, to make those additional modifications prior to adoption.

They do not necessarily cover all the consequential additional modifications that will be necessary prior to adoption – there may also be some additional modifications where minor amendments to text are suggested to improve consistency with the NPPF.

The schedule includes Annexes comprising amended versions of text/policies. Only the **yellow highlighted** elements are the 7th Set of Proposed Changes which are subject to consultation at this stage. Main modifications are shown in **red text** and additional modifications shown in **blue text**

For convenience the Council has also produced a ‘tracked changes’ version of the Core Strategy in order that participants can view the changes in context. That document is provided for information purposes only and is not subject to consultation in itself.

Proposed Change Number	Policy / Paragraph / Section	Proposed Change	Explanatory Notes	MAIN MOD?
PC7.1	Paragraphs 4.39g – 4.39k (CPXX)	Amend supporting text as shown in Annex A	To reflect CPXX policy, ensure consistency with NPPF and improve clarity	NO
PC7.2	CPXX	Amend Policy wording as shown in Annex A	To provide clarity and simplify policy wording through removal of unnecessary text and ensure consistency with NPPF	YES
PC7.3	Para 4.29	<p>Amend text in box after Para 4.29 as follows:</p> <p><i>“References to Development Limits in this document refer to the Development Limits as defined in the Adopted Selby District Local Plan. The Development Limits for Selby, Sherburn in Elmet, Tadcaster and Designated Service Villages will be reviewed through further Local Plan documents. -as part of the Site Allocations DPD preparation process .</i></p> <p>And add footnote to Policy CP1A as follows:</p> <p>a) In order to ensure that speculative (windfall) housing development on non-allocated sites (PC1.23) contributes to sustainable</p>	<p>To update because need to refer change reference from SADPD to Local Plan and that Secondary Village DLs also need reviewing at same time as other settlements</p> <p>And to provide clarity</p>	YES

Proposed Change Number	Policy / Paragraph / Section	Proposed Change	Explanatory Notes	MAIN MOD?
		<p>development and the continued evolution of viable communities, the following types of residential development will be acceptable in principle, within Development Limits¹: in different settlement types, as follows:</p> <p>¹see paragraph 4.29 and associated text-box regarding definition of Development Limits</p>		
PC7.4	Para 4.29	Amend paragraph 4.29 by adding “and well designed new buildings” at the end of the first sentence.	To ensure consistency amended Policy CP1 below	NO
PC7.5	Policy CP1	<p>Amend Policy CP1 Part A, Section (c) by adding “well designed new buildings” as follows:</p> <p>c) Development in the countryside (outside Development Limits) will be limited to the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes, and well designed new buildings to proposals of an appropriate scale which would diversify the local</p>	To ensure consistency with NPPF and amended Policy CP9	YES

Proposed Change Number	Policy / Paragraph / Section	Proposed Change	Explanatory Notes	MAIN MOD?
		<p>economy which would contribute towards and improve the local economy (PC1.20) where it will enhance or maintain the vitality of rural communities (PC6.27), or meet affordable housing need (which meets the provisions of Policy CP6), (PC6.29) or other exceptional special (PC6.28) circumstances.</p>		
PC7.6	Para 4.47 (CP1A)	<p>Provide additional text at the end of paragraph 4.47 as follows:</p> <p>Residential development in Secondary Villages will be more restrictive so that development on garden land will be resisted (PC6.34) (unless it comprises the filling of a small liner gap in an otherwise built up residential frontage or conversion/redevelopment of a farmstead).</p>	Consequential changes to ensure that the text reflects the policy	NO
PC7.7	CP1A	Small changes to policy wording to add ref to: garden land, design codes and settlements rather than villages as shown in Annex B	To provide further clarity.	NO
PC7.8	Paras 5.28	Amendments to windfall paras to ensure	To provide clarity	NO

Proposed Change Number	Policy / Paragraph / Section	Proposed Change	Explanatory Notes	MAIN MOD?
	onwards (CP2)	clarity and approach consistent with policy and NPPF See Annex C		
PC7.9	CP2	Addition to Policy CP2 by adding a footnote regarding the contribution of windfalls. See Annex C	To provide clarity	NO
PC7.10	CP2	add “a minimum of” before “ 450 dwellings” in Part A See Annex C	To reflect the situation that the housing target is not a ceiling but a minimum target figure. This has already been inserted into text and this further change simply adds it to the main policy as well.	NO
PC7.11	CP2	Delete reference to phasing in CP2 which was introduced by PC5.26 but was intended to be deleted by PC6.40 and missed by mistake. (Note that phasing was not part of the SDCS). See Annex C	To correct a drafting error in previous PC6.40	NO
PC7.12	Para 5.44c-f (CP3)	Delete these duplicate paragraphs regarding PDL targets to correct a mistake in the previous proposed changes. Para 5.44c – 5.44f should have been deleted as they have been replaced by 5.53-5.55 which have also been amended to take into account the change in target to indicator.	To correct an error	NO
PC7.13	5.55a	Delete “To facilitate Tadcaster’s own growth”	To clarify text	NO

Proposed Change Number	Policy / Paragraph / Section	Proposed Change	Explanatory Notes	MAIN MOD?
	(CP3)	at start of paragraph, and replace with "To facilitate the appropriate level of growth in Tadcaster"		
PC7.14	5.55d (CP3)	Delete paragraph because refers to review of plan and is superseded by revised CP3.	To clarify text and ensure it reflects the Policy	NO
PC7.15	5.55e (CP3)	Delete ""own housing need" at end of paragraph, and replace with "appropriate level of growth".	To clarify text and improve consistency	NO
PC7.16	CP3	Amend Policy CP3, Part B as follows: B Under-performance is defined as: 1. Delivery which falls short of the quantum expected in the annual target over a continuous 3 year period; or 2. Situations in which the Where there is less than a 5 year housing land supply is less than the required Supply Period as defined by latest Government policy. Plus consequential amendments to related text in paragraphs 5.44b, 5.44h, 5.44m, 5.44n	To ensure consistency with NPPF regarding reference to a 5 year land supply rather than a 'supply period'	NO

Proposed Change Number	Policy / Paragraph / Section	Proposed Change	Explanatory Notes	MAIN MOD?
		and 5.44o as additional modifications.		
PC7.17	CP5	Inset “up to” before “10%”	To clarify that the contribution is negotiable in line with the 40% target in the policy.	YES
PC7.18	CP6	Amend policy as set out in Annex D to: <ul style="list-style-type: none"> o Add reference to the council's approach to allowing some market housing on rural exceptions site. o Delete previous change PC3.10 which is superfluous. 	To add to the policy what the 6 th Set of PCs already changed in the text to reflect NPPF and improve clarity.	YES
PC7.19	CP9	Reword Part C, including to add reference to “well designed new buildings” and remove specific reference to individual former mine sites as set out in Annex E And consequential changes to reasoned justification.	To ensure the structure and content more closely reflect NPPF as well as Core Strategy objectives.	YES
PC7.20	CP12	Re-instate previous proposed change PC4.30 as shown below: A. Promoting Sustainable Development In preparing its Site Allocations and Development Management DPDs (PC4.30), to address the causes and potential impacts of climate change,	To correct a previous mistake (it should be noted that in proposing PC6.79 which amended the wording at the start of Policy CP12, a previous proposed change (PC4.30) was deleted by mistake.	NO

Proposed Change Number	Policy / Paragraph / Section	Proposed Change	Explanatory Notes	MAIN MOD?
		<p>the Council will: to achieve sustainable development, the Council will: (PC6.79)</p>		
PC7.21	CP12	<p>Amend the wording of Policy CP12, Criterion (b) as amended by PC6.80 as follows:</p> <p>b) Give preference to land of lesser environmental value, (PC6.80) the re-use, best-use and adaption of existing buildings and the use of previously developed land where this is sustainably located and provided that it is not of high environmental value;</p>	To more closely reflect wording in NPPF	NO
PC7.22	Para 7.53 (CP14)	<p>Amend the paragraph as follows:</p> <p>“Although the District is affected by contains some international, national and locally designated protection areas, none would automatically preclude renewable energy developments. However where renewable energy proposals would conflict with the openness of the Green Belt (and many elements of renewable energy projects are</p>	To more closely reflect NPPF wording	NO

Proposed Change Number	Policy / Paragraph / Section	Proposed Change	Explanatory Notes	MAIN MOD?
		therefore inappropriate within the NPPF PPG2 definition) developers will need to demonstrate very special circumstances that clearly outweigh any harm to the Green Belt also in accordance with Policy CPXX, Very special circumstances may include wider environmental benefits associated with increased production of energy from renewable sources."		
PC7.23	CP14	Amend start of policy as set out in Annex F to refer to identification of opportunities for renewable and low carbon energy, co-locating, consider identifying suitable areas for RLC and support for community-led initiatives.	To ensure consistency with NPPF	YES
PC7.24	CP14	Amend last paragraph of policy as set out in Annex F (previous proposed change PC6.86) to refer to elements of renewable energy schemes in Green Belt areas.	To ensure more closely aligns with the wording in the NPPF	YES

SEE ALSO SEPARATE ANNEXES

ANNEXES

Annex A	CPXX and text
Annex B	CP1A
Annex C	CP2 and text on windfalls
Annex D	CP6
Annex E	CP9
Annex F	CP14

KEY TO NOTATIONS

7th Set changes shown in **yellow highlight**.

All 7 Sets of Proposed Changes use the following protocol:

Main Modification is denoted by **RED TEXT**

Additional Modification is denoted by **BLUE TEXT**.

ANNEX A - Proposed Revised Policy CPXX post-September 2012 EIP

NOTES:

Paragraphs 4.39a-p were introduced by PC5.6 as a main modification to replace SDCS Paras 4.37-4.39

PC6.19 removed supporting text and policy references to Major Developed Sites in the Green Belt. For ease of reading, those deletions are not shown below

Only the yellow highlighted sections are subject to consultation and all the changes in the paragraphs are Additional Modifications.

The only Main Modification is a rewording in the policy for clarification in the light of debate at the EIP.

Green Belt

- 4.39a The District is covered by parts of both the West Yorkshire and York Green Belts. One of the functions of the Green Belt is to prevent the coalescence of settlements, for example by preserving the open countryside gap between Sherburn in Elmet and South Milford. ~~National planning guidance~~ The NPPF (PC6.20) stresses the importance of protecting the open character of Green Belt, and ~~that~~ 'inappropriate' forms of development ~~as expressed in higher order policy (PC6.20)~~ will be resisted unless very special circumstances can be demonstrated.
- 4.39b The area covered by Green Belt is defined on the Proposals Map. For the avoidance of doubt, the boundary line shown on the Proposals map is included in the Green Belt designation. Where there are different versions of maps that contradict one another, the most up to date map from the Council's GIS system has authority.

Green Belt Review

- 4.39g RSS Policy YH9: Green Belts of the Yorkshire and Humber states that "localised reviews of the Green Belt boundaries may be necessary in some places to deliver the Core Approach and Sub Area policies". ~~The NPPF states that Green Belt boundaries should only be altered in exceptional circumstances, as part of the Local Plan process, and that any review of boundaries should take account of the need to promote sustainable patterns of development. The Council considers that only in exceptional circumstances where there is an overriding need to accommodate what would otherwise be inappropriate development, and or (PC6.20) where Green Belt land offers the most sustainable option, would will (PC6.20) land be considered for taking taken (PC6.20) out of the Green Belt. The A (PC6.20) Green Belt review may also consider identifying areas of safeguarded land to facilitate future growth beyond the plan period.~~
- 4.39h The text accompanying Core Strategy Policy CP3 notes the land supply

issue at Tadcaster and other locations which has limited the potential delivery of housing in otherwise very sustainable locations. The Council is seeking to protect the settlement hierarchy and considers that the most sustainable option is to ensure that the Principal Town, ~~and~~ Local Service Centres ~~and~~ (PC6.20) ~~other sustainable~~ DSVs in (PC6.20) the settlement hierarchy (PC6.20) ~~meet their own needs~~ provide for the appropriate level of growth in accordance with NPPF Para 85 “ensure consistency with the Local Plan strategy for meeting identified requirements for sustainable development”. (PC6.20) This is especially true in Tadcaster where it is vitally important in order to deliver the Core Strategy Vision, Aims and Objectives to meet local needs and support the health and regeneration of the town.

- 4.39i The overriding objective to accommodate development where it is needed to support the local economy (alongside other town centre regeneration schemes) cannot take place elsewhere in the District and still have the same effect on securing Tadcaster’s ~~and other settlements’~~ (PC6.20) longer term health. Core Strategy Policies CP2 and CP3 seek to bring land forward in the most sustainable locations within Development Limits in ~~Selby~~, Tadcaster, ~~Sherburn and the other~~ sustainable DSVs. The current, 2011 SHLAA generally demonstrates sufficient sites to achieve this, however ~~but~~ (PC6.20) the Core Strategy must be pragmatic, flexible and future-proofed. Therefore, ~~if land remains unavailable sites are not forthcoming~~ (PC6.20) ~~delivered~~ and other options ~~explored~~ (PC6.20) for facilitating delivery fail, the Council must consider an alternative sustainable option.
- 4.39j The need for a Green Belt review ~~only~~ arises if sufficient deliverable / developable land outside the Green Belt cannot be found in those settlements to which development is directed in accordance with the settlement hierarchy ~~and~~ if development in alternative, non Green Belt settlements / locations is a significantly less sustainable option (because the needs of the particular settlement to which the development is directed outweigh ~~both~~ the loss of Green Belt land and any opportunity for that development to take place on non-Green Belt land elsewhere). A Green Belt review may also consider identifying areas of Safeguarded Land to facilitate future growth beyond the Plan period. The Council ~~therefore~~ considers that this ~~offers~~ constitutes the exceptional circumstances that justify a need to strategically assess ~~the District’s~~ (PC6.20) growth options across the Green Belt.
- 4.39k Such a review would seek to ensure that only land that meets the purposes and objectives of Green Belt is designated as Green Belt – it would not be an exercise to introduce unnecessary additional controls over land by expanding the Green Belt for its own sake. Similarly, the review would not seek to remove land from the Green Belt where it is perceived simply to be a nuisance to obtaining planning permission. The review may also address anomalies such as (but not exclusively) cartographic errors and updates in response to planning approvals, reconsider “washed over” villages against Green Belt objectives, and consider simplifying the on-the-ground identification of ~~all the~~ Green Belt boundaries by ~~following logical physical~~

features identifying physical features that are readily recognisable and likely to be permanent. (PC6.20)

4.39l The review would be carried out in accordance with up to date national policy and involve all stakeholders, and take into consideration the need for growth alongside the need to protect the openness of the District. It would examine Green Belt areas for their suitability in terms of the purpose of Green Belt in accordance with the NPPF. (PC6.20)

4.39n The review may also consider

- the relationship between urban and rural fringe; and
- the degree of physical and visual separation of settlements

4.39o This could supply a schedule of areas for further investigation where sites may be considered for suitability for development, and be subject to a Sustainability Appraisal sustainability assessment. This may consider other policy/strategy designations such as existing Local Plan 2005, sustainability criteria such as accessibility to services, facilities and public transport, heritage assets, landscape character, nature conservation and also flood risk. The Green Belt review and Sustainability Appraisal would then undergo public consultation. (PC6.20)

4.39oo ~~A lower order The Sites Allocation DPD may then identify land for development during the plan period. It may also safeguard land and/or safeguarding to facilitate development beyond the plan period and avoid a further Green Belt review in the future.~~

The Local Plan will be the mechanism to respond to the Review and establish a robust Green Belt that should not need to be amended for many years. It will:

- Define the Green Belt boundary using landmarks and features that are easily identifiable on a map and on the ground.
- Review those settlements that are 'washed over' by Green Belt and those that are 'inset' (i.e. where Green Belt surrounds the village but the village itself is not defined as Green Belt).
- Allocate sites to deliver the development needs in this Plan period
- Identify areas of Safeguarded Land that are not to be developed in this Plan period, but that give options for future plans to consider allocations.

4.39p Additional detail and a comprehensive review programme may be developed by a Review Panel made up of interested parties (similar to the existing Strategic Housing Land Availability Assessment Panel Stakeholder Working Group).

Policy CPXX Green Belt

- A. Those areas covered by Green Belt are defined on the Proposals Map.
- B. In accordance with **the NPPF higher order policies**, within the defined Green Belt, planning permission will not be granted for inappropriate development unless the applicant has demonstrated that very special circumstances exist to justify why permission should be granted.

~~G. Within Major Developed Sites in the Green Belt (as defined on the Proposals Map), some limited infilling and/or, redevelopment to support economic development of existing uses will be permitted in line with higher order policies. (PC6.19)~~

Replace D and E with new C and D as follows

C. Green Belt boundaries will only be altered in exceptional circumstances through the Local Plan. Exceptional circumstances may exist where:

- (i) there is a compelling need to accommodate development in a particular settlement to deliver the aims of the settlement hierarchy, and**
- (ii) in that settlement, sufficient land to meet the identified needs is not available outside the Green Belt, and**
- (iii) removal of land from the Green Belt would represent a significantly more sustainable solution than development elsewhere on non-Green Belt land.**

D. To ensure that Green Belt boundaries endure in the long term, any Green Belt review through the Local Plan will:

- (i) define boundaries clearly using physical features that are readily recognisable and likely to be permanent**
- (ii) review washed-over villages**
- (iii) ensure that there is sufficient land available to meet development requirements throughout the Plan period and identify safeguarded land to facilitate development beyond the Plan period.**

~~E. Any sites considered for removal from amendments to the Green Belt under Criterion C (above) will be subject to public consultation and a Sustainability Appraisal, and assessed for their impact upon the following issues (non-exhaustive):~~

[Was F]

- any other relevant policy/strategy; and
- flood risk; and

- nature conservation; and
- impact upon heritage assets; and
- impact upon landscape character; and
- appropriate access to services and facilities; and
- appropriate access to public transport.

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ANNEX B - Proposed revised Policy CP1A post-September 2012 EIP

Policy CP1A Management of Residential Development in Settlements

- a) In order to ensure that ~~speculative (windfall) housing~~ **development on non-allocated sites (PC1.23)** contributes to sustainable development and the continued evolution of viable communities, the following types of residential development will be acceptable in principle, within Development Limits: in different settlement types, as follows:
- In Selby, Sherburn in Elmet, Tadcaster and Designated Service Villages – conversions, replacement dwellings, redevelopment of previously developed land, and appropriate scale development on greenfield land (including **garden land and** conversion/redevelopment of farmsteads).
 - In Secondary Villages – conversions, replacement dwellings, redevelopment of previously developed land, filling of small linear gaps in otherwise built up residential frontages, and conversion/redevelopment of farmsteads.
- b) Proposals for the conversion and/or redevelopment of farmsteads to residential use within Development Limits will be treated on their merits according to the following principles:
- Priority will be given to the sympathetic conversion of traditional buildings which conserves the existing character of the site and buildings
 - Redevelopment of modern buildings and sympathetic development on farmyards and open areas may be acceptable where this improves the appearance of the area and
 - Proposals must ~~contribute to the form and character~~ **relate sensitively to the existing form and character (PC1.22)** of the village
- c) In all cases proposals will be expected to protect local amenity, to preserve and enhance the character of the local area, and to comply with normal planning considerations, with full regard taken of the principles contained in **Design Codes (e.g. Village Design Statements)**, where available.
- d) Appropriate scale will be assessed in relation to the density, character and form of the local area and should be appropriate to the role and function of the **village settlement** within the **settlement** hierarchy.
- e) All proposals in villages washed over by Green Belt must accord with national Green Belt policy.

ANNEX C - Proposed revised Policy CP2 post-September 2012 EIP**Policy CP2 The Scale and Distribution of Housing**

A. Provision will be made for the delivery of **a minimum of 450 dwellings per annum and associated infrastructure in the period up to March 2027 phased as follows**

2011/12 – 2016/17 — 400 dpa

2017/18 – 2021/22 — 460 dpa

2022/23 – 2026/27 — 500 dpa

B. After taking account of current commitments, housing land allocations will be required to provide for a target of **5340 dwellings between 2011 and 2027, distributed as follows:**

(Rounded Figures)	%	Minimum require't 16 yrs total 2011-2027	dpa	Existing PPs 31.03.11¹	New Allocations needed (dw)	% of new allocations
Selby ²	51	3700	230	1150	2500	47
Sherburn	11	790	50	70	700	13
Tadcaster	7	500	30	140	360	7
Designated Service Villages	29	2000	130	290	1780	33
Secondary Villages ³	2	170	10	170	-	-
Total⁴	100	7200⁵	450⁶	1820	5340	100

Notes

- 1 Commitments have been reduced by 10% to allow for non-delivery.
- 2 Corresponds with the Contiguous Selby Urban Area and does not include the adjacent villages of Barlby, Osgodby, Brayton and Thorpe Willoughby.
- 3 Contribution from existing commitments only.
- 4 Totals may not sum due to rounding
- 5 Target Land Supply Provision (450 dwellings per annum x 16 years) See also Policy CP3 for explanation about phasing of sites and redistribution of housing growth in the event of a shortfall in delivery at Tadcaster. (PC6.41)
- 6 450 dpa is the minimum to be provided on planned-for sites. An additional contribution to housing land supply of a minimum of 105 dwellings per annum is expected to be delivered on windfall and other non-planned sites.

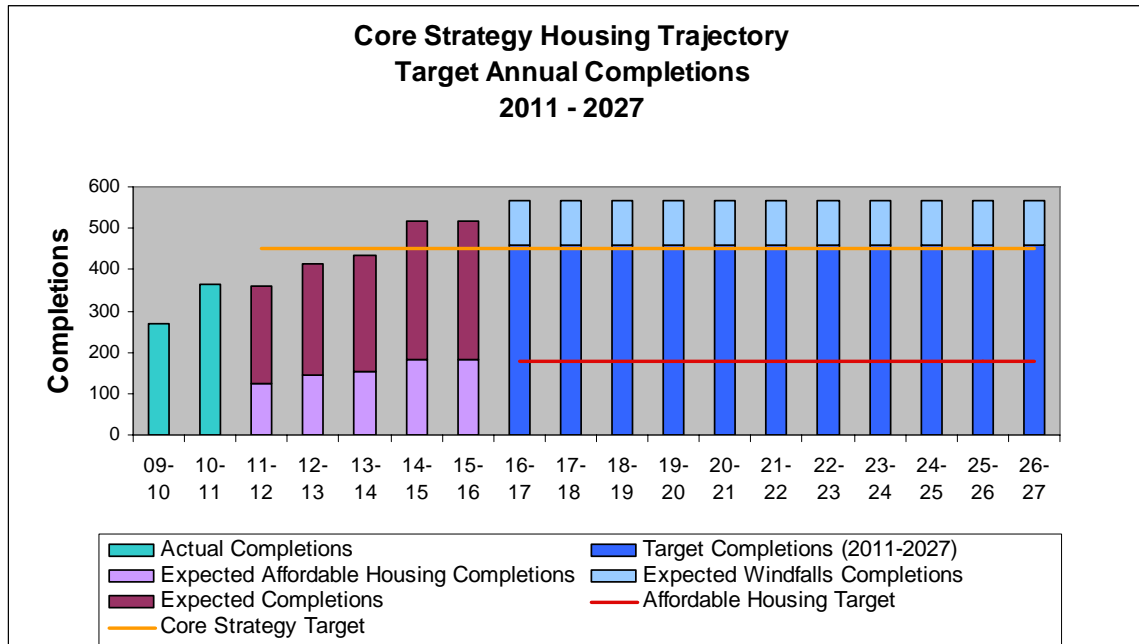
C. In order to accommodate the scale of growth required at Selby 1000 dwellings ~~and 23 ha of employment land~~ will be delivered through a mixed use urban extension to the east of the town, in the period up to 2027, in accordance with Policy CP2A. Smaller scale sites within and/or adjacent to the boundary of the Contiguous Urban Area of Selby to accommodate a further 1500 dwellings will be identified through the Site Allocations part of the Local Plan ~~DPD~~.

D. Options for meeting the more limited housing requirement in Sherburn in Elmet and Tadcaster will be considered in the Site Allocations part of the Local Plan ~~DPD~~

E. Allocations will be sought in the most sustainable villages (Designated Service Villages) where local need is established through a Strategic Housing Market Assessment and/or other local information. Specific sites will be identified through the Site Allocations part of the Local Plan ~~DPD~~

(PC5.26 incorporating PC3.5 and PC4.6)

Proposed revised Figure 9 - Housing Trajectory



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Proposed Revised WINDFALL text post-September 2012 EIP

Further changes to previous PC6.39

- 5.27 ~~PPS3 The NPPF requires LDFs Local Plans to be drawn up over an appropriate time scale, preferably a 15-year time horizon plan housing provision for 15 years from the date of adoption by identifying sufficient specific, deliverable sites to meet the requirement for at least the first ten years. Where possible land should also be identified for the final five years of the plan otherwise broad areas for future growth should be indicated. This Core Strategy covers the period up until 2026 2027 (PC5.22), which will be 15 years from anticipated adoption in 2014 2012 (PC5.23).~~
- Note see 5.44a for up date in relation to NPPF and supply issues
- 5.27a Paragraph 48 of the NPPF states that local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.
- 5.28 ~~The Council defines windfall as all development that comes forward on non-allocated sites. Windfall development typically takes the form of rounding off or infilling on undeveloped land including garden curtilages, or redevelopment of previously developed land. However, the precise level of windfall development generally cannot be predicted with a high degree of certainty.~~
- 5.28a Windfalls have been a significant source of housing land supply in recent years. Over the period 2004/05 to 2010/11 windfalls accounted for around 69% of completions which held back the release of allocated sites because the Council was always able to demonstrate a healthy 5-years supply of housing land.
- 5.28b ~~However, The supply of windfalls fluctuates significantly year on year and in the same period (2004/05 to 2010/11), the windfall element of completions varied from 57.7% in 2010/11 to 91.6% in 2005/06. Further to this unpredictability of number, recent changes in the definition of PDL may reduce the likelihood of windfall delivery. The Council cannot therefore be sure of the contribution that windfalls could make to the overall target.~~
- 5.28c ~~In addition to the uncertainty, the NPPF does not allow Councils to make an allowance for windfalls to deliver their overall housing target (paragraph 48 says that an allowance for windfalls, except for garden land can be made in the 5 year supply). The SHLAA 2011 shows sufficient land available to accommodate the quantum of development in Policy CP2, and so to ensure certainty and deliverability the site allocations Local Plan SADPD will allocate sufficient land to meet accommodate all of the housing target. Any windfalls will simply add to the District's overall housing completions.~~
- 5.28d ~~However, over the Core Strategy Period to 2027, windfalls are expected to continue to contribute to some level to the delivery of housing and other~~

non-allocated development will continue to provide a reliable source of supply. In the light of both past delivery rates and opportunities for future contributions, from such sites, it is estimated that windfalls and other non-allocated development will contribute to overall housing supply in addition to the 450 dpa housing target, within a range of 105 and 170 dwellings per annum. As such Policy CP2 and the housing trajectory include a figure of a minimum of about 105 dpa as the expected contribution. Once windfalls and other non-allocated development become (deliverable) commitments they may will be reflected in future monitoring assessments (the 5 year supply) and taken into account when reviewing the need to allocate land in accordance with Policy CP3 by establishing a new baseline date for the quantum of housing to be allocated at the time in the allocations Local Plan.

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ANNEX D - Proposed revised Policy CP6 post-September 2012 EIP

Policy CP6 Rural Housing Exceptions Sites

In settlements with less than 3,000 population (PC6.57) Planning permission will be granted for small scale 'rural affordable housing' as an exception to normal planning policy where schemes are restricted to affordable housing only and provided all of the following criteria are met:

- i) The site is within or adjoining Development Limits **in the case of secondary villages, and adjoining development limits in the case of Designated Service Villages (PC3.10);**
- ii) A local need has been identified **by a local housing needs survey (PC6.58)**, the nature of which is met by the proposed development; and
- iii) The development is sympathetic to the form and character and landscape setting of the village and in accordance with normal development management criteria.

An appropriate agreement will be secured, at the time of the granting of planning permission to secure the long-term future of the affordable housing in perpetuity.

Small numbers of market homes may be allowed on Rural Exception sites at the local authority's discretion, for example where essential to enable the delivery of affordable units without grant funding in accordance with the NPPF. Future Local Plan documents will consider introducing a detailed policy and / or specific allocations for such sites.

ANNEX E Proposed revised Policy CP9 & Text post-September 2012 EIP

Rural Areas and Rural Diversification [moved]

6.25a **moved** While most employment opportunities are concentrated in the three towns, the rural nature of Selby District also gives rise to a scattered distribution of settlements and associated employment opportunities. **(PC6.71)**

6.25b **moved** While it is important that economic growth is concentrated on Selby and the Local Service Centres, it is also important that opportunities are provided in rural locations to maintain the viability of rural communities and to reduce the need to travel. This could include the redevelopment of existing businesses, the redevelopment or re-use of rural buildings for suitable employment purposes, **development of appropriately designed new buildings**, as well as farm diversification activities. Proposals for appropriate forms of recreation and tourism activity will also be encouraged. **(PC6.72)**

6.23 Outside Selby and the Local Service Centres, a continuing need for local employment opportunities in rural communities has been identified.

6.24 Eggborough is a relatively attractive employment location in view of its close proximity to Junction 34 of the M62 and a number of local and international businesses are already established there. Additional sites for employment growth may be identified through a Site Allocations DPD.

6.25 In the longer term the accommodation of specific research and development uses along the A19 corridor, north of Selby, may be appropriate if there is a proven need.

Other Employment Activities

6.26 The energy sector will continue to be important to the economy of the District. Drax and Eggborough Power Stations are both major employers which contribute to national energy infrastructure as well as the local economy. They also have the potential for future development of renewable and low carbon energy, and Drax is pioneering co-firing technologies and energy generation from biomass. Both locations have the advantage of a direct connection to the National Grid. It is recognised that there is a need for further investment in energy infrastructure in line with PPS4 as a prominent contributor to economic prosperity. Supporting the energy sector will assist in reinvigorating, expanding, and modernising the District's economy.

6.27 While electricity generation from wind turbines is potentially controversial in view of the open nature of the landscape and impact on existing communities, there are opportunities for a wide range of appropriately designed and sited renewable energy technologies. A

recent BIS Market Intelligence report¹ highlighted that the shift to a low carbon economy will bring huge business opportunities. Local businesses are increasingly becoming associated with the low carbon sector including both renewable energy production as well as training and skills. Given the high employment dependency on manufacturing and energy sector jobs, Selby District potentially has an appropriately skilled workforce in these sectors. There is therefore an opportunity to promote further growth of the low carbon sector and build on the success of recent developments.

- 6.28 The Council also supports the reuse of **buildings at** the former Gascoigne Wood mine, provided this is directly linked to the use of the existing rail infrastructure that exists at the site. Furthermore, support exists for the re-use of former employment **sites, commercial premises** and institutional sites (outside Development Limits) for employment uses, provided they are compatible with the countryside location.
- 6.29 Former mine sites at Whitemoor and Riccall, which already have the benefit of planning consent, are acknowledged locations for meeting the needs of existing indigenous employment. The remaining two **former** mine sites at Stillingfleet and Wistow are **more** remote and are not considered suitable for re-use for large scale **or** intensive economic activities. **(Part of the former North Selby mine site also falls within the administrative boundary of the District although the majority of the site, including the remaining buildings, is within the City of York Council area). (PC1.34).**
- 6.30 It will be necessary for any re-use of these former mine sites to consider and remediate any mining legacy issues that may be present to ensure that no public safety issues arise from their beneficial re-use.
- 6.31 The Council recognises that the limited extent of many homeworking situations allow them to be operated as permitted development. However, of those that require planning permission, support will be given to proposals that are supported by evidence that the scale and nature of the activity does not compromise wider sustainable development objectives. Further guidance will be provided through a future Development Management DPD.
- 6.31a Employment development outside the Designated Service Villages will be carefully assessed against development management, environmental and highways criteria, with considerable weight attached to safeguarding the character of the area and minimising the impact on existing communities. Proposals within Green Belt will need to comply with national Green Belt policy and Policy CPXX (PC6.73)**

¹ Department for Business and Skills, 'Low Carbon and Environmental Goods and Services: an industry analysis Update for 2008/09' Innovas Solutions Ltd, March 2010

Policy CP9 Scale and Distribution of Economic Growth

Support will be given to developing and revitalising the local economy **in all areas** by:

A. Scale and Distribution

1. Providing for an additional 37 – 52 ha of employment land **across the District** in the period up to ~~2026~~ **2027 (PC5.42)**,
2. **Within this total, providing for** including 23 ha **of employment land** as part of a ~~mixed strategic housing / employment expansion~~ **the Olympia Park mixed strategic housing/employment site (PC1.35)** to the east of Selby to meet the needs of both incoming and existing employment uses.
3. The precise **scale and** location of smaller sites in Selby, Tadcaster, Sherburn in Elmet and rural areas will be **informed by an up-to-date Employment Land Availability Assessment** and determined through a Site Allocation DPD.
4. Giving priority to higher value business, professional and financial services and other growth sector jobs, particularly in Selby Town Centre and in high quality environments close to Selby by-pass.
5. **Encouraging re-use of premises and intensification of employment sites to accommodate finance and insurance sector businesses and** Encouraging high value knowledge based activities in Tadcaster.

B. Strategic Development Management

1. Supporting the more efficient use of existing employment sites and premises within defined Development Limits through modernisation of existing premises, expansion, redevelopment, re-use, and intensification.
2. Safeguarding ~~existing~~ **Established Employment Areas (PC3.11)** and allocated sites **unless it can be demonstrated that there is no reasonable prospect of a site being used for that purpose.**
 - ~~vi) Encouraging rural diversification in line with Policy CP10.~~
3. Promoting opportunities relating to recreation and leisure uses.

C. Rural Economy

Outside Development Limits, on both greenfield and previously developed sites, development proposals for the re-use of existing

buildings and infrastructure, and well-designed new buildings which bring local employment opportunities or sustainable economic growth or expansion of businesses and enterprise in rural areas will be supported, including:

- 1. The diversification of agriculture and other land based rural businesses.**
- 2. On former employment sites or commercial premises.**
 - ~~1. Supporting The development of activities and re-use of existing buildings directly linked to existing rail infrastructure at the former Gascoigne Wood surface mine.~~
 - ~~2. Supporting The re-use of buildings and infrastructure on (PC4.24) former mine sites and other commercial premises outside Development Limits, with economic activities appropriate to their countryside location, including tourism, recreation, research, and low-carbon/renewable energy generation.~~
- ~~12. Supporting development and farm diversification in accordance with Policy CP10-~~
- 3. Sustainable rural tourism and recreation / leisure developments, research, and low-carbon, decentralised and renewable energy generation, small scale rural offices or other small scale rural development. conversion of existing buildings and well designed new buildings**
- 4. The retention of local services and supporting development and expansion of local services and facilities in accordance with Policy CP11.**

In all cases, development should be appropriate in scale and type to a rural location, not harm the rural character of the area, be appropriate in scale and type to a rural location, and positively contribute to the amenity of the locality.

(PC6.74)



ANNEX F - Proposed revised Policy CP14 post-September 2012 EIP

Policy CP14 Low-Carbon and Renewable Energy

In future Local Plan documents, the Council will seek to identify opportunities where development can draw its energy from renewable, low carbon or decentralised energy supply systems and for co-locating potential heat customers and suppliers, and consider identifying 'suitable areas' for renewable and low carbon energy sources and supporting infrastructure.

The Council will support community-led initiatives for renewable and low carbon energy developments being taken forward through neighbourhood plans if outside any identified suitable areas.

The Council will support new sources of renewable energy and low-carbon energy generation and supporting infrastructure (PC6.84) provided that development proposals ~~fall within any identified suitable areas for renewable and low carbon energy sources which may be designated in future Local Plan documents or Neighbourhood Plans and: (PC6.85)~~

- i. are designed and located to protect the environment and local amenity and or (PC4.36)
- ii. can demonstrate that the wider environmental, economic and social benefits outweigh any harm caused to the environment and local amenity, and
- iii. impacts on local communities are minimised.

The Council will support new sources of renewable energy and low-carbon energy generation and supporting infrastructure (PC6.84) provided that development proposals ~~fall within any identified suitable areas for renewable and low carbon energy sources which may be designated in future Local Plan documents or Neighbourhood Plans and: (PC6.85)~~

- iv. are designed and located to protect the environment and local amenity and or (PC4.36)
- v. can demonstrate that the wider environmental, economic and social benefits outweigh any harm caused to the environment and local amenity, and
- vi. impacts on local communities are minimised.

Schemes may utilise the full range of available technology including;

- a) Renewable energy schemes, which contribute to meeting or exceeding current local targets of 32 megawatts by

2021 or prevailing sub-regional or local targets;

- b) Micro-generation schemes, which are not necessarily grid-connected but which nevertheless, reduce reliance on scarce, non-renewable energy resources;
- c) Clean Coal Bed Methane extraction, clean coal energy generation and Carbon Capture and Storage technologies (in accordance with County Minerals Policies); and
- d) Improvements at existing fossil fuel energy generating plants to reduce carbon emissions, within the national energy strategy for a balanced mix of energy sources to meet demands.

In areas designated as affected by Green Belt, elements of many renewable energy projects will comprise inappropriate development and in such cases applicants must demonstrate very special circumstances if projects are to proceed and proposals must meet the requirements of Policy CPXX and national Green Belt policies. (PC6.86)

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Appendix 2 Windfall Information

Introduction

In line with Para 48 of NPPF, any allowance should be realistic (not include residential gardens) having regard to:

- (i) historic windfall delivery rates
- (ii) the Strategic Housing Land Availability Assessment
- (iii) expected future trends

(i) historic windfall delivery rates

A1 The Council already provided windfall data for the past 7 years to the EIP (see Core Strategy/CD67) and the table is reproduced below.

A2 This shows that historically the annual windfall delivery rates have contributed significantly to the overall housing delivery but have fluctuated year on year.

Table 1 District Wide

Period	1	2	3	Figures for all non-allocated sites (includes GF and PDL)		6	7	Figures for only those non-allocated sites which are also PDL	
				4	5			8	9
	Completions total	Completions on allocated sites	% of completions On allocated sites	Completions on all other sites (windfall)	% of Completions on all other sites (windfall)	All completions on PDL	% of all completions on PDL	Of windfalls, how many on PDL*	% of windfall completions on PDL
2010-11	366	155	42.3	211	57.7	181	49.5	174	82.5
2009-10	270	107	39.6	163	60.4	125	46.3	117	71.8
2008-09	222	59	26.6	163	73.1	154	69.4	146	89.6
2007-08	583	240	41.2	343	58.8	299	51.3	271	79.0
2006-07	874	187	21.4	687	78.6	585	66.9	585	85.2
2005-06	633	53	8.4	580	91.6	473	74.7	473	81.6
2004-05	469	167	35.6	302	64.4	242	51.6	242	80.1
TOTAL 2005-2010	3417	968	-	2449	-	2059	-	2008	-
Average 2005-2010	488	138	30.7%	350	69.2%	294	58.5	286.9	81.4%

*column 8 includes garden land. Prior to 2010 was defined as PDL but should now be excluded as classed as Greenfield.

- A3 Column 8 shows the windfalls - built dwellings on non-allocated, Previously Developed Land. The highest level was at the height of the economic boom in 2006/07, at 585 dwellings and the lowest during the recession in 2009/10 was 117 dwellings. The average over the past 7 years is a higher figure of 287 dwellings which takes into account two very high years 2006/07 and 2007/08. The average of the 5 years not including these two peaks is 190 dpa.
- A4 The distribution of windfall development (all non-allocated sites i.e. on Greenfield and PDL) from the various elements of the settlement hierarchy was debated orally at the April 2012 EIP. Further interrogation of the data (a breakdown of the historic data for completions for the years 2004 – 2011) to identify patterns across the settlement hierarchy reveals the following (in Table 2):

Table 2 Settlement Hierarchy

(Rounded)	Total over 7 years	Proportion %	3 main towns combined %	3 towns and DSVs combined %	7 year average DWELLINGS PER YEAR	dpa
Selby	670	27	37	78	98	132
Sherburn	122	5				
Tadcaster	122	5				
DSVs	1015	41	41		145	145
SVs	545	22	22	22	78	78
Total	2474 ¹				355 ²	

- A5 Note that these are for the 7 year average, which is different to the approach used District wide because it is not appropriate to use the lowest figures in this context as some are zero.
- A6 The table shows that the main towns and Designated Service Villages (DSVs) made the biggest contribution to windfalls 277 dw although Secondary Villages (SVs) have made an annual contribution of more than 70 dw. The ratio between the 3 main towns and DSVs compared to SVs is approximately 80:20.
- (ii) the Strategic Housing Land Availability Assessment (SHLAA)
- A7 A SHLAA does not provide a list of future sites for development. It is a database of a pool of sites identified which may be suitable, available and deliverable for housing development without any indication of whether it is acceptable in policy terms (i.e. what *could* be developed not *should* be

¹ The 2474 dw in Table 2 approximates to the 2449 dw in Column 4 of Table 1. The difference is due to a slight variation in the way the figures have been extracted.

² The 355 dw in Table 2 approximates to the 350 dw in Column 4 of Table 1 i.e. both GF and PDL

developed).

- A8 The Selby District SHLAA 2011 has a site size threshold and therefore does not include sites of less than 0.4 hectares. As such, it would not identify small windfall sites. Further, the SHLAA cannot be used to identify larger sites (of 0.4 ha or more) which might come forward as windfalls because such sites in the SHLAA, identified as appropriate for development would be allocated as part of the Site Allocations Development Plan Document. In addition, the SHLAA does not necessarily capture potential redevelopment opportunities on current operational sites which may come forward during the Plan period.
- A9 This represents the limitations of the SHLAA in predicting the number of windfalls coming forward across the District. However the SHLAA does provide a cross-check on opportunities which might be available on windfall sites in Secondary Villages that have been submitted through the call-for-sites (but would not be allocated under Policy CP2).
- A10 The SHLAA data shows that for the 15 year period, the potential yield for all sites in Secondary Villages is about 4100 dwellings (273 dwellings per annum), which includes identified sites in or adjacent to the Development Limits and on green field and Previously Developed Land (this may include some garden land as this is not identified separately as yet in the database).
- A11 However this is not a realistic estimate (not a 'reliable source of supply') because land outside Development Limits would not accord with Policy CP1A (see also (iii) below). So that, of the 4100 dwelling capacity overall, only land for about 147 dwellings (approximately 10 dpa over the next 15 years) actually falls within Development Limits.
- A12 This SHLAA data provides a broad indication of the capacity/yield in Secondary Villages based on 35 dwellings per hectare. The actual amount that could come forward may be more than this if additional sites are identified although it should be noted that, because Policy CP1A only supports small scale development in Secondary Villages the actual contribution from this source (sites over 0.4 ha) might be limited (once subject to policy considerations).
- A13 Contributions from other small sites which are not captured by the SHLAA site size threshold, for example from the frontage infill and farmsteads source – see paragraph A18 below, would be likely to provide the main source of supply in Secondary Villages, alongside PDL redevelopment.
- (iii) expected future trends
- A14 To understand future trends this must be related what might be expected to come forward in the light of Local Plan policy and the economy.
- A15 Policies in the Core Strategy set the framework for promoting new development in the District over the Plan period. Policy CP2 provides that allocations will be made in the three main towns and the Designated Service Villages and that no allocations will be made in the Secondary Villages. However, growth and vitality in these smaller, rural villages will be supported through opportunities on non-allocated sites in appropriate circumstances.

- A16 The scope for new development in all settlements is set out in Policy CP1A. This provides a basis for estimating future opportunities for windfall (see SHLAA at (ii) above) across the District.
- A17 Further more detailed evidence has already been provided by the Council to the EIP (in Written Statement No. 6, September 2011) regarding the potential quantity of new dwellings on infill frontage development and redevelopment of farmsteads in Secondary Villages under Policy CP1A.
- A18 This indicates that the additional contribution from infill, frontage development in all Secondary Villages might be up to about 60 dwellings in total over the Plan period. A further contribution from the redevelopment of farmsteads could be about 500 dwellings over the Plan period (the maximum if all known farmsteads within these villages were redeveloped).

Windfall Evidence Conclusion

- A19 The NPPF suggests that the potential windfall contribution may be derived from the various elements outlined above in (i), (ii) and (iii). The evidence must be considered as a whole and balanced to provide a figure which is considered to be a reliable future source of supply.
- A20 Taken together therefore, based on the information available on past windfalls (quantity and distribution) and potential for future opportunities under the new policy framework, officers consider that it would be reasonable to predict that in the future windfalls will be delivered at an annual rate of between approximately 105 dpa and 170 dpa.
- A21 This is based on the lowest historic delivery of 117 dpa and the 5 year average of 190 dpa excluding the two high peaks and discounting 10% for garden land³. The Council considers that using 105 dpa as the minimum figure, is conservative but represents a level which is realistically what might be expected to be achieved and likely to be a reliable source of supply in the future. The reference to a range in the reasoned justification highlights the uncertainty in defining a precise figure.
- A22 Consideration was given to using the average over the past 7 years but officers consider that the resultant, much higher figure of 287 dwellings (or about 240 dw excluding 10% for garden land) over-states what is expected to realistically come forward on windfalls in the future within the context of the new positively planned framework for the District which aims to allocate land to meet needs and not rely (as in the past) on the windfalls propping up the housing land supply. This higher figure could not be reasonably quantified / evidence based to justify as a reliable source of supply
- A23 It is not proposed that windfalls are relied upon to deliver the 450 dpa housing requirement which is based on objectively assessed needs. Instead it is sensible to set out that on top of the 450 dpa - flexibility is provided (to meet the NPPF requirement to significantly boost housing supply) by referring in the Core Strategy to 450 dpa being provided on planned-for sites (already committed and new allocations in Policy CP2) and that a

³ Note: The data set covers the years 2004 to 2011. The definition of garden land changed from PDL to green field in 2010. Previous work (see Written Statement No.6, September 2011 EIP) shows that in the District garden land accounted for 10% of completions. As such this figure should be discounted by this proportion to reflect NPPF which says windfall estimates must exclude garden land.

minimum of about 105 dwellings per year are expected to be provided in addition on windfall sites. This does not change the Council's view on the Core Strategy Housing numbers; instead it simply quantifies the windfall element that is already anticipated.

A24

In order to be clear on the approach to windfalls it is proposed to add a footnote to Policy CP2 which sets out the 105 dpa windfalls per year on top of the 450 dpa. Also it is already proposed to amend the housing trajectory (previous published change) to include affordable housing and it is now considered appropriate to include the windfall element in the same graph. Additional modifications to the reasoned justification are also necessary.

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Selby District Draft Core Strategy Sixth & Seventh Set of Proposed Changes

Further Sustainability Appraisal Addendum Report

October 2012

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Non-Technical Summary

The Selby District Core Strategy will set out the long-term spatial vision, objectives and strategy for the District and provide a framework for delivering development for the period up to 2027. A Sustainability Appraisal (SA) of the Draft Core Strategy was undertaken by Waterman Energy, Environment & Design Ltd on behalf of Selby District Council (SDC) in December 2010. The Submission Draft Core Strategy was submitted to the Secretary of State in May 2011. Following an Examination in Public in September 2011, changes, known as the fifth set of changes, were made to the Submission Draft Core Strategy by SDC to address comments and concerns raised by the Inspector. Waterman undertook a SA of the Submission Draft Core Strategy incorporating the fifth set of proposed changes in December 2011. In particular revised Policies CP2 and CP3 and new Policy CPXX were appraised.

Since consultation on the fifth set of changes, new national planning policy has been published and SDC has prepared further sets of changes (the sixth and seventh set of proposed changes) to respond to this new policy as well as address and strengthen the soundness of the Core Strategy as a result of further work undertaken by the SDC. The sixth set of changes was consulted on in June 2012 whilst the seventh set will be consulted on in November 2012. Waterman has therefore undertaken further SA work on the proposed changes.

Before appraising the new and revised policies, Waterman reviewed any changes in planning policy and baseline data to see whether these would change the SA framework against which the Core Strategy is assessed. Whilst there have been significant changes to planning policy, particularly at national level, the key sustainability issues for Selby District remain the same as previously identified in the aforementioned SA Reports of 2010 and 2011 and therefore no changes to the SA Framework were considered to be required. The SA Framework therefore remains set out below:

The SA Framework for the Core Strategy DPD

	Economic	Social	Environmental
SA Objectives	1. Good quality employment opportunities available to all	3. Education and training opportunities to build skills and capacities	10. A transport network which maximises access whilst minimising detrimental effect
	2. Conditions which enable business success, economic growth and investment	4. Conditions and services to engender good health	11. A quality built environment and efficient land use patterns that make good use of derelict sites, minimise travel and promote balanced development
		5. Safety and security for people and property	12. Preserve, enhance and manage the character and appearance of archaeological sites, historic buildings, Conservation Areas, historic parks and gardens, battlefields and other architectural and historically important features and areas and their settings
		6. Vibrant communities to participate in decision-making	13. A bio-diverse and attractive natural environment
		7. Culture, leisure and recreation activities available to all	14. Minimal pollution levels

	Economic	Social	Environmental
SA Objectives		8. Quality housing available to everyone	15. Reduce greenhouse gas emissions and a managed response to the effects of climate change
		9. Local needs met locally	16. Reduce the risk of flooding to people and property
			17. Prudent and efficient use of resources

The sixth and seventh set of proposed changes to the Core Strategy were appraised against the above SA Framework. The appraisal found that the changes either had neutral or beneficial sustainability effects. Sustainability implications of the proposed changes to the Core Strategy included:

- Improved compatibility between the revised Core Strategy Objectives and SA Objectives with Core Strategy Objective 12 now considered to be compatible with SA Objectives 4 and 6 due to the specific reference to health facilities and facilitating social interaction which are likely to assist in creating conditions that engender good health and result in vibrant communities;
- More positive effects on community vibrancy and meeting local needs through changes to CP1: Spatial Development Strategy;
- Reduced uncertainty in relation to flood risk from CP7: Travellers due to reference to national planning policy which requires land allocations for traveller communities to consider flood risk;
- Very positive effects on SA Objective 14: Minimal Pollution Levels from the changes in Policy CP15: Low Carbon and Renewable Energy and CP16: Design Quality due to enhanced or additional requirements for developments to consider pollution;
- Slightly positive effects on SA17: Efficient Use of Resources from the changes to CP15: Low Carbon and Renewable Energy due to the requirement to consider agricultural land in the allocation of future development sites;
- Slightly positive effects on SA7: Culture Leisure and recreational Activities as a result of the changes to CP16: Design Quality that encourage Public Rights of Way to be created or improved.

None of the changes were considered to result in any additional potentially negative effects than those identified previously as part of the 2010 SA Report or the 2011 SA Addendum Report. The changes to Policy CP9 which enable employment land to be redeveloped for other purposes if there is no reasonable prospect of it being used for employment, result in an uncertain effect on employment land provision in the medium to long term. However, monitoring the net loss of employment land as proposed by the Core Strategy, should enable additional employment land to be allocated if a shortfall is identified.

Whilst the majority of the sustainability effects were positive or neutral it is not considered that they change the assessment of cumulative impacts presented within the 2010 SA Report or 2011 SA Addendum.

The overall results of the appraisal of the Core Strategy Policies (as amended) are shown in the table overleaf.

The seventh set of proposed amendments to the Core Strategy and this SA Addendum Report will now be formally published for 6 weeks for consultation, after which the Examination in Public will be reconvened in February 2013.

Once the Core Strategy is adopted, a SA/SEA Post Adoption Statement will be prepared, which will explain how the sustainability appraisal and consultation process have influenced the final document. The Post Adoption Statement will also provide details of how monitoring will be carried out during implementation of the Core Strategy DPD.

Summary of SA of the Core Strategy policies (results based on cumulative short, medium and long-term predicted effects)

SA Objective (abridged)																	
Policy	1. Employment	2. Economy	3. Education	4. Health	5. Security	6. Communities	7. Leisure	8. Housing	9. Local Needs	10. Transport	11. Built environment	12. Historic built environment	13. Biodiversity	14. Pollution	15. Climate change	16. Flooding	17. Resources
LP1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CPXX	-	-	-	-	-	-	-	✓	-	-	x	-	-	-	-	-	x
CP1	✓	✓	-	-	-	✓/-	✓	✓	✓/-	-	✓	?	?	✓	?/x	✓	?
CP1A	-	-	-	-	-	-	-	-	✓	-	✓	?	?	✓	-	?	-
CP2	-	-	?	?	-	-	-	✓	✓	✓	✓	?	?	-	?/x	?	?
CP2A	✓	✓	-	✓	✓	✓	✓	✓✓	✓	✓✓	✓	-	-	✓	-	x	x
CP3	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
CP4	-	-	-	-	-	-	-	✓✓	-	-	-	-	-	-	-	-	-
CP5	-	-	-	-	-	✓	-	✓✓	✓	-	-	-	-	-	?/x	?	?
CP6	-	-	?	?	-	✓	-	✓✓	✓	?	✓	?	?	-	-	?	x
CP7	-	-	-	-	-	-	✓	✓	-	✓	-	✓	✓	-	-	✓	-
CP8	-	-	✓	✓	-	✓	✓	-	✓✓	✓	✓	-	✓	-	-	-	-
CP9	✓✓	✓✓	-	-	-	✓	✓	-	✓	?	✓	?	?	-	x	?	x
CP10	✓	✓✓	-	-	-	✓	✓✓	-	✓	-	✓	-	✓	-	-	?	-
CP11	✓	✓	-	-	✓	✓	✓	-	✓✓	✓	✓	?	?	-	?	?	x
CP12	-	-	-	-	-	-	-	✓	-	✓	✓✓	-	✓	✓✓	✓	✓	✓✓
CP13	-	-	-	-	-	-	-	✓	-	✓	✓	-	✓	x	✓✓	-	✓✓
CP14	-	-	-	-	-	-	-	-	-	-	-	-	-	-	✓✓	-	✓
CP15	-	-	-	-	-	-	✓	-	-	-	✓	✓✓	✓✓	✓✓	-	-	✓/-
CP16	-	-	-	✓	✓	✓	✓/-	✓	✓	✓	✓✓	✓✓	✓	✓✓	✓	-	✓✓

KEY	
✓✓	Very sustainable
✓	Sustainable
?	Effect is uncertain and may depend on how the policy is implemented
-	Neutral
x	Unsustainable
xx	Very unsustainable

Appendix 2

NOTE TO COUNCIL ON DRAFT 7TH SET OF PROPOSED CHANGES

1. At the September 2012 Examination hearings I sought (and obtained) agreement from participants to give a “steer” to the Council on my current thinking on the latest version of the CS before it published its final set of Proposed Changes (PCs) for consultation later this year. The Council subsequently sent me its draft 7th set of PCs and draft report for comment.
2. As a result of the Council’s positive response to, initially, the reasons for the Examination being suspended and, subsequently, to the representations and discussions concerning the National Planning Policy Framework (NPPF), the areas where there remains a risk of my having to recommend main modifications to achieve a sound plan are relatively few. The comments below are primarily directed to the draft 7th set of PCs, though I also address other matters which potentially go to soundness. I also respond to the Council’s request for my current thinking on the ‘duty to cooperate’ legal issue.
3. It is important to appreciate that the views expressed below should not be taken as definitive of the final conclusion I may reach in my report. Whilst they represent my current thinking, the decisions I come to in my report can only be made after all the representations have been considered, the hearings have finished and the complete body of evidence has been taken into account.

Green Belt

4. One of the reasons for the Examination being suspended was my concern that the CS failed to give guidance on the important ‘exceptional circumstances’ test which has to be met if Green Belt releases are to be justified. At the discussion during subsequent hearings I repeated my view that a policy which facilitated a Green Belt review should set out the reasoning which, in Selby, could result in exceptional circumstances being found. To further assist the Council, I also provided my thoughts on its first re-draft of policy GBXX following the September 2012 hearings.
5. The Council has broadly incorporated my latest comments into the 7th set of PCs. That being so, I have just one point in relation to the first line of paragraph 4.39j. Given that there might potentially, in time, be other circumstances which trigger the need for a Green Belt review, it could be argued that there is an over-emphasis on the word “only”. It might be better to re-phrase the first line as follows:
“Thus the need for a Green Belt review is most likely to arise if sufficient deliverable/”.

Scale of housing and windfall development

6. The recognition now given to the contribution from windfalls is welcomed, for it makes clear that the CS is expected to result in more houses being delivered than the 450 dpa minimum of policy CP2, thereby satisfying the NPPF requirement to significantly boost housing supply. It also allays any residual concern of mine about overall housing numbers. However, despite the intention to allocate the full housing target (paragraph 5.28c), I am not at all certain that, as currently written, the contribution from windfalls would be counted as an addition to the 450 dpa target figure.

7. In the 5 year supply calculation (excluding the buffer element), the contribution from completed windfall sites and those committed windfall sites regarded as deliverable is proposed to form part of the built/ committed supply¹. If the target remains at 450 dpa, the situation would be similar to that which applied in the past (paragraph 5.28a of the text) – the scale of need for additional sites would be reduced below the 450 dpa on allocated sites because of the contribution from built/committed windfalls. The same principle applies to the establishment of a new baseline date for the Site Allocations plan – the overall total to be allocated would be lower than the target of 450 dpa on non-windfall sites because of built/committed windfalls in the intervening period.

8. Is the above analysis correct, or have I misunderstood the process of calculating the 5 year supply and the overall scale of housing provision? If I am right, however, the final sentence of paragraph 5.28d is not consistent with the rest of paragraphs 5.28c and 5.28d and does not properly reflect the plan's stated intention to provide significantly more than 450 dpa, as illustrated in the trajectory.

9. It seems to me that there are two main ways in which this problem could be overcome. One is to specifically exclude windfalls (and other non-allocated development) from the 5 year supply calculation, the other is to increase the target figure to include some or all of the anticipated windfall supply.

Rural affordable housing

10. The inclusion of the market homes provision in policy CP6 is consistent with NPPF. However, does the reference to "100%" affordable housing in policy CP1(A)(b) remain appropriate if some market homes are now possible? On a separate matter, as now drafted policy CP6 could arguably be applied to the District's towns – is this appropriate? Would it be clearer to start the policy with "In villages....." (criterion (iii) refers to the setting of *the village*, so presumably the intention is to limit the policy to villages)?

11. It is not obvious to me why PC3.10 should be deleted, given that policy CP1A(a) makes a clear distinction between the types of development acceptable in DSVs compared with Secondary Villages. Deletion of PC3.10 raises the following question: on what types of site within DSVs would development be

¹ I appreciate that it was my suggestion that the text at the final sentence of paragraph 5.28d be changed from "may" to "will", but that is the usual approach and no one from the Council argued otherwise. In addition, there was no indication of how "may" would be interpreted (ie which windfall sites would be included and which would not).

allowed for rural affordable housing which would not otherwise be permitted? On the face of it, PC3.10 seems to make an appropriate distinction - is there something I have missed?

Economic growth

12. Whilst the general approach to the rural economy and the changes resulting from the September 2012 hearings are consistent with NPPF, the latest wording for part C of policy CP9 raises a number of issues. The first is definitional – it is not entirely clear to what areas the “Rural Economy” heading applies, and whether this is the same as “rural areas” in the first sentence of part C. I assume from Part A (3) that it relates to DSVs, SVs and the countryside – is that correct, and should it be specified?

13. Secondly, the first sentence of part C seems not to apply the “sustainable” test of NPPF paragraph 28 to all development. Thus a small scale, well designed building for employment development on a greenfield site in open countryside in a remote part of the District would appear to gain support from the policy, even though it might be regarded as unsustainable because of its location and/or use of greenfield land. It seems to me that the NPPF qualification that all rural development should be sustainable is an important one.

14. On a matter of presentation, the inclusion of certain types of site (C.2) in a list which otherwise refers to categories of use and development appears somewhat out of place, especially as the policy starts with “Development proposals for.....”

Renewable and low carbon energy

15. The addition of the first new paragraph to policy CP14 closely follows NPPF paragraph 97 and is fine (though it might be easier to comprehend if the two main elements were better separated). The second new sentence is poorly phrased as drafted, for it could be taken to imply that Council support might *not* be given for schemes within ‘identified suitable areas’; I suggest the “if” after ‘neighbourhood plans’ is replaced by “including those”, or similar.

16. The assessment criteria then follow. The first set deletes the previous reference to ‘identified suitable areas’ (deleting PC6.85) and is appropriate. There then follows a repeat of the criteria with the ‘identified suitable areas’ clause of PC6.85 retained – I assume this is an error, for if not the policy does not make sense.

Other matters

17. I have no specific comment on the other PCs now proposed in the 7th set. Of course, it is not possible to say that this will remain the position following receipt of representations on these PCs and the consideration of them at the final hearing session in February 2013.

18. Other than the one topic below, the various concerns I have expressed on a range of other matters throughout the Examination have largely been addressed, at least to the extent that (on current thinking) they are unlikely to

be the subject of recommendations by me of main modifications which have not been suggested by the Council.

Identification of DSVs

19. I do remain concerned about the inclusion of Fairburn as a DSV. The objective analysis in CS/CD22e, as updated by evidence during the Examination, does not support such designation. Nothing in NPPF changes this - there is no compelling evidence that additional housing would lead to a more sustainable rural community or enhance its vitality. Unlike Appleton Roebuck (the other settlement where the objective analysis calls DSV designation into question), no case is advanced that Fairburn is part of a recognised group of villages where development would support services in other villages nearby (indeed the reverse is true, for the nearest villages to Fairburn are already identified as DSVs). On the evidence thus far, I am likely to recommend deletion of Fairburn as a DSV.

20. The recent identification of Escrick as a DSV is soundly based on the objective evidence and, for that reason, appears justified. However, I appreciate the argument that, as it is almost completely surrounded by Green Belt, its inclusion as a DSV might imply that some development on Green Belt land is inevitable. In my view that is not the case – the tests of policy GBXX would have to be applied to any potential Green Belt releases at Escrick and the outcome should not be predetermined by designation as a DSV. I believe that such a qualification should be made explicit in policy CP1A (a) – perhaps by a notation (similar to the linked villages asterisk) which states that Escrick is largely surrounded by Green Belt and any development on Green Belt land would have to accord with policy GBXX and the results of any Green Belt review.

Duty to cooperate

21. I gave my ruling on the legal aspect of the duty to cooperate in April 2012, concluding that it does not apply in this case (INSP/12). The argument that this finding does not allow me to recommend main modifications seems, on the face of it, to have little merit because s20(7) of the 2004 Act consistently refers to *any* duty imposed by s33A – I interpret this as allowing for situations in which (for whatever reason) the duty to cooperate does not bite. Clearly I cannot reach a firm conclusion on this point until I have considered the full legal submissions to be put to me early next year, but my initial view is that s20(7C) does apply and that I have the power to recommend main modifications.

Martin Pike

INSPECTOR
October 2012

Appendix 3

Examination Programme, October 2012 to February 2013

23 October 2012	Council publishes papers for Executive Meeting on 1 November
23 October 2012	Inspector publishes Note to Council on draft Proposed Changes
12 November to 28 December 2012	Consultation period on Council's 7th Set of Proposed Changes
18 January 2013	Council publishes copies of all Representations received on 7 th Set of Proposed Changes
18 January 2013	Deadline for legal submissions to Inspector on interpretation of S20(7) of Planning and Compulsory Act 2004 (as amended)
1 February 2013	Deadline for responses to above legal submissions
15 Feb 2013	Inspector produces Agenda for final Examination hearing session
27 February 2013	Final Examination hearing session into 7 th set of Proposed Changes
28 February 2013	Reserve day in case of hearing over-run

Selby District Council

REPORT

Reference: E/12/42

Item 13 - Public



To: The Executive
Date: 1 November 2012
Status: Key Decision
Report Published: 24 October 2012
Author: Eileen Scothern
Executive Member: Councillor J. Mackman
Lead Officer: Managing Director – Mark Steward

Title: Potential site for the Travelling Community

Summary:

To provide an update following the Executive decision to authorise Access Selby to open negotiations with HCA and submit applications to facilitate the delivery of a travellers site.

Recommendations:

- i. To note the action to date and current position with regard to delivery of a suitable Gypsy & Traveller site.
- ii. To authorise officers to prepare tender documents for the development of the site and the management of the site.
- iii. To request Council considers the request for match funding.
- iv. To open formal negotiations with the landowner.

Reasons for recommendation

- i. For background information
- ii. To enable the Council to form and to robustly defend its future position in this matter

1. Introduction and background

- 1.1 There is a recognised homelessness need and a cultural/ethnic desire for members of the travelling community to live in caravans. The Council recognises this need for the travelling community and through the Issues and Options and Preferred Options stage of the

Site Allocation Development Plan Document (SADPD) carried out a transparent approach to site provision based on planning principles.

2. The Report

Summary of events to date

- 2.1 Gypsy and Travellers Accommodation Assessment (GTAA) report 2008 undertaken at County Level.
- 2.2 In the Autumn of 2010, The SADPD was considered by Policy & Resources and Full Council. Its approach was to consider sites that had been put forward for other uses, so of the (then) 312 sites in the database, 60 were considered “potential” for consultation on the issue.
- 2.3 The Policy Review Committee Report 2011 confirmed that the process of site identification is difficult but generally correct. It suggests minor amendments and also advocates reconsideration of Green Belt sites, and suggested we approached Homes and Communities Agency (HCA) regarding Burn Airfield as a potential site.
- 2.4 On the 5th July the Executive gave officers the authority to progress and submit applications linked to the Burn site and continue to progress the Site Allocation Development Plan Document (SADPD).
- 2.5 The Council has submitted two bids to the HCA, one was for a basic 15 pitches the second scheme incorporates a manager’s office and a community centre plus space for stables and workshops.
- 2.6 Access Selby has recently commissioned with an adjoining local authority a GTAA to provide a robust evidence base for the SADPD.
- 2.7 At the Executive on 4th October Councillor Crane informed the meeting he had received a petition from residents of Burn village. The petition was in opposition to a potential second Gypsy and Traveller Site at Burn. Chris Phillipson, Chairman of Burn Parish Council, addressed the Executive. He outlined the concerns and strong opposition of local residents about a potential second site at Burn. Officers are working with the Parish Council on the issues raised at the Executive.

The Bid

- 2.8 Two bids were submitted to the HCA on 28th September, there is no indication of the timeline for making an announcement on the successful bids, Access Selby recommends not submitting the planning application until the announcement is made, however

generic preparation work is continuing including agreeing the pre application consultation process.

2.9 There are risks associated with the bids these are listed below.

- Revenue Implications - The costs of managing the site (via a Registered Provider) are unknown until we carry out a procurement exercise. The initial assessment assuming 90% occupancy is that the scheme can be managed within budget.
- HCA bid is unsuccessful - We have submitted two bids, one below the indicative grant per pitch and one slightly above the indicative level. This hopefully will increase the chances of success. If none of the bids are successful then the Council will need to decide whether to continue with the project.
- Purchase of land falls through - HCA are currently willing sellers and this is unlikely to change. It is worth noting however that vacant possession will only be achieved on gaining full planning permission. Therefore to safeguard HCA and the Council positions an option to purchase will be agreed by both parties subject to planning permission.
- SDC Match funding - The Council has agreed to a bid by Access Selby to prepare and fund the HCA and Planning application submissions. The Council however has yet to consider the Council's contribution to the project, which ranges from £170,000 to £188,000.
- Planning - Access Selby will be submitting only one planning application (this will be prepared once a clear steer of whether the Council and HCA are supportive of Scheme 1 or 2). Prior to submission consultation will take place with the local traveller and settled community, however it is expected the application will receive wide interest and a large number of responses. Planning Committee will have two options Minded to Approve and refer to Government Office or Refusal.

Next Steps

2.10 As there are no funds identified within the Council's long term financial strategy to meet such costs, the Council will need to consider whether to fund the project, for the basic scheme the costs will be £170,000 and the enhanced scheme £188,000.

2.11 It is recommended that the Council commissions Access Selby to prepare the tender documents for the construction of the serviced site and the management of the proposed site. These tenders will not be issued until the HCA decision has been announced.

- 2.12 If the results of the GTAA show additional pitches to be provided this will be through the SADPD.

3 Legal/Financial Controls and other Policy matters

3.1 Legal Issues

- 3.1.1 The existing Equalities Impact Assessment will be reviewed to take into account any decision reached and how that will inform specific decisions in future regarding the potential allocation of this site.

3.2 Financial Issues

Short Term

- 3.2.1 The cost of developing a serviced site with 15 pitches has been and an enhanced scheme including a community building, manager's office and space for stables/workshops have been costed at £850,000 - £940,000. The Council are seeking an 80% grant towards these costs. As there are no funds identified within the Council's long term financial strategy to meet such costs, the Council will need to consider whether to fund the scheme up to the value of £188,000.
- 3.2.2 It is difficult to quantify the ongoing revenue implications until a procurement exercise has been completed, however initial assessments indicate the break even point is at 90% occupancy.

4. Conclusion

- 4.1 The Council has a difficult task in providing suitable sites for the travelling community; however the pragmatic approach of identifying a site in Burn and commissioning a new GTAA will assist the Council in delivering its legal responsibilities.

5. Background Documents

North Yorkshire Gypsy & Traveller Accommodation Assessment (ARC4)
SADPD Issues and Options
SADPD Preferred Options

Contact Details

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Selby District Council

REPORT

Reference: E/12/43

Item 14 - Public



To: The Executive
Date: 1 November 2012
Status: Non Key Decision
Report Published: 24 October 2012
Author: Martin Connor, Chief Executive
Executive Member: Councillor Mark Crane
Lead Officer: Martin Connor

Title: Programme for Growth

Summary:

This report presents the proposed progress with the Programme for Growth, following the Executive's presentation to the Extraordinary meeting of the Council on 24 July 2012.

Recommendations:

That the Executive:

- (i) Accepts the proposed programme
- (ii) Supports its recommendation to Council
- (iii) Moves on to the next stage of implementation

Reasons for recommendation

To enable progress to be made with the Programme for Growth.

1. Introduction and background

- 1.1 At a special meeting of the Council on 24 July, the Leader and members of the Executive outlined their proposals for a Programme for

Growth aimed at delivering against the “5 Big Things” via projects under the following four strands:

- Jobs
- Leisure
- Housing and Environment
- Retail

2. The Report

- 2.1** Since this announcement at a headline level, the Executive members, supported by colleagues and officers, have been refining the potential projects which might deliver the greatest impact and matching these against the projected available resources over the next few years.
- 2.2** The attached schedule represents the views of the Executive to date in setting out its proposed project preferences. It will be obvious from inspection of the schedule that some of the projects will start with a critical feasibility examination which may result in projects being modified, withdrawn from the list or substituted by other projects which either didn't make the first cut or have arisen because of opportunities or changes in circumstances.
- 2.3** It is proposed that the programme is now moved to the next stage, engaging a wider range of councillors and other partners. It is important to recognise that the programme is intended to be inclusive of others, particularly our wider communities. The Executive regards the Council's input as one of a facilitating partner rather than as a prime provider.
- 2.4** With the Council's support, the Leader intends to provide a progress report on an exceptions basis both through the formal Executive and to Council. Where individual projects are such that they require agreement by the Council as a whole, reports will come forward accordingly. The first such report, relating to the future of leisure provision in the district, will be placed before Council at an extraordinary meeting on 6 November 2012.

3. Legal/Financial Controls and other Policy matters

Legal Issues

Financial Issues

Costs as per attached schedule.

4. Background Documents

None.

Contact Details

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Appendices:

Appendix 1 - Schedule for Programme for Growth

Programme for Growth - Draft supported programme subject to approval

Project	Assumed Spend Profile					Comments
	Capital £	Revenue £	12/13 £	13/14 £	14/15 £	
Programme Management		93,333	13,333	40,000	40,000	Up to £40k p.a.
Housing Trust	-	30,000	30,000	-		Capital replaced by S106 monies
Housing Policy Reviews	-	20,000	5,000	15,000		
Local Authority Mortgage Scheme	-	-				£3k set up costs - Project not supported
Environment - infrastructure review		20,000	20,000			
Environment - site acquisition (see below)	-	-	-			See site acquisition fund (£300k)
Environment - policy reviews		20,000		20,000		
Environment - Masterplan		50,000	20,000	30,000		
Environment - improvements to gateways		15,000		15,000		
Olympia Park (see below)	-	-				£200k to £1m to underwrite loan to Selby Farms with a charge on the land to cover SDC - see site acquisition fund (£1m)
Identify target sector	-	5,000	5,000			
Business Selby	-	40,000		15,000	25,000	
Procurement rules review	-	-				£10k to be covered by NY Procurement Partnership
Ready 4 Work	-	72,500	9,063	36,250	27,188	Over 2 years plus match funding from Access Selby
Abbey Leisure Centre (new build option)	2,000,000	-			2,000,000	Plus £1.5m from Sport England, £850k from reserves, £3m insurance, £700k savings
Affordable Access	-	-				£25k on-going cost to be met by savings on ALC whilst build on-going
Community Delivery	-	-				£100k set up costs to be met by savings on ALC whilst build on-going
Empty homes	-	26,000	3,250	13,000	9,750	£13k p.a. for 2 years for an officer - capital investment via Housing Trust to be funded by rents
Retail experience	-	350,000		350,000		Support for the 3 towns - committed
Growing enterprise	-	150,000		150,000		
Set up an enterprise board/engagement with	-	-				Merged with growing enterprise
Improve connectivity and access and acquire empty properties in Selby Town	-	-				Spend will be subject to business cases - see site acquisition fund (£1m)
Site acquisition fund:	1,750,000	-	1,000,000	750,000		Subject to business cases (£2.3m individual projects reduced to £1.75m)
- Environment - site acquisition						
- Olympia Park						
- Improve connectivity and access and acquire empty properties in Selby Town						
Total	3,750,000	891,833	1,105,646	1,434,250	2,101,938	
Total		4,641,833				
Resources		£	£	£	£	
Balance Brought Fwd			-	1,116,354	562,104	
Special projects reserve - revenue		3,489,000	1,729,000	880,000	880,000	Special projects reserve @ 31 March 2013 = £1.729m plus NHB for 13/14 and 14/15 @ £880k p.a.
Special projects reserve - capital		1,493,000	493,000		1,000,000	Assumes sale of car park at old civic centre @ £1m - if this does take place within the life of the programme Prudential Borrowing would be taken on the ALC project, funded by revenue savings.
Project Spend			- 1,105,646	- 1,434,250	- 2,101,938	
Balance		4,982,000	1,116,354	562,104	340,167	
Funding contingency		- 340,167				

Selby District Council

REPORT

Reference: E/12/44

Item 15 - Public



To: The Executive
Date: 1 November 2012
Status: Non Key Decision
Report Published: 24 October 2012
Author: Dean Richardson
Executive Member: Cllr Chris Metcalfe
Lead Officer: Rose Norris

Title: Civil Parking Enforcement

Summary:

The report concerns North Yorkshire County Council's consultation, with Selby District Council, concerning the proposed implementation of Civil Parking Enforcement (CPE) in North Yorkshire.

Recommendations:

That Executive determines whether Selby District Council wishes to support the proposed implementation of Civil Parking Enforcement (CPE) (as set out in annex 1) throughout North Yorkshire and adjust the Access Selby cost envelope accordingly.

Reasons for recommendation

1. Introduction and background

- 1.1 In North Yorkshire the County Council is responsible for on-street parking on the local highway network and the District Councils and National Parks are responsible for most public off-street car parks. These responsibilities will be unaffected by the introduction of Civil Parking Enforcement (CPE).
- 1.2 The Traffic Management Act 2004 provides the legal framework for local Highway Authorities to apply for and then operate CPE. The introduction of CPE means that the powers to enforce on-street parking

restrictions are transferred from the Police to the local Highway Authority.

- 1.3 In North Yorkshire CPE has been successfully operational in Harrogate Borough since 2002 and in Scarborough Borough since 2007. Harrogate and Scarborough Borough Councils operate CPE on and off-street within the respective boroughs, the on-street operation under agreement with the County Council.
- 1.4 The County Council has made a commitment in the third Local Transport Plan (LTP3) and the County Council Parking Strategy to introduce CPE in the remainder of the County.

2. The Report

- 2.1 A partnership approach to the Countywide CPE project has been adopted involving the County Council, the District Councils and the Police, with officers meeting regularly to develop the proposal.
- 2.2 A report, prepared by the County Council, concerning the proposal is attached (annex 1) and sets out the detail of the scheme.

3. Legal/Financial Controls and other Policy matters

3.1 Legal Issues

- 3.1.1 The Traffic Management Act 2004 provides the legal framework for local Highway Authorities to apply for and then operate CPE. The introduction of CPE means that the powers to enforce on-street parking restrictions are transferred from the Police to the local Highway Authority.
- 3.1.2 The District Councils in North Yorkshire, with the exception of Harrogate and Scarborough, currently carry out enforcement in their off-street car parks under the Road Traffic Regulation Act 1984. The Department for Transport (DfT) has indicated that they want to see off-street car parks managed by District Councils included in the CPE Designation Order. This would mean that on and off-street enforcement is undertaken under the Traffic Management Act 2004.

3.2 Financial Issues

- 3.2.1 Under CPE the District Council will retain all fee income in respect of off-street pay and display car parks and penalty charges from off-street car parks and will retain discretion to set pay and display fees at off-street car parks (within the legal framework Sections 35C and 46A of the Road Traffic Regulation Act 1984 when varying existing charges). However, the Council would cease to have discretion to vary penalty charges, which would be set within the Countywide CPE scheme by North Yorkshire County Council.

- 3.2.2 The cost of the scheme is £18,400.00 in year one and £13,339.00 in years two and three and this is required to be funded from off-street car park income under the terms of CPE. (Year one is higher due to set up costs).
- 3.2.3 The current operational cost, to Access Selby, of off-street car park enforcement is estimated at £11,596.53 (including on-costs) The savings cannot be realised because they comprise relatively modest elements of multi-disciplinary roles that the business requires to fulfil operational requirements in respect of a range of statutory duties. Therefore, this is a cost of supporting the scheme. There is a realistic prospect of robust on and off-street enforcement giving rise to additional pay and display income but it is not possible to project the sums. There is capacity within the Council's off-street car parks to accommodate additional vehicles (approximately 20%).
- 3.2.4 County have given an undertaking to subsidise any losses subject to an open book accounting exercise and the figures below are the projected sums. Additional income will need to be reflected in the Access Selby cost envelope to mitigate any operational financial detriment. Beyond year three there is no underwriting safeguard from County but the SLA would be reviewed and renegotiated. The scheme cannot be rescinded. Subsequent car park fee reviews will need to take account of the costs and impact of CPE.
- 3.2.5 The projected costs to the Council are summarised in figure 1. below.

Figure 1. Projected Costs.

<u>Current Cost</u>	<u>Cost (£)</u>	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
Access Selby Operational Costs	11,596.53	11,596.53	11,596.53	11,596.53
CPE Cost	0	18,400.00	13,339.00	13,339.00
Penalty Notice Income	(8,500)	(6,931)	(6,931)	(6,931)
Net Cost	3,096.53	23,065.53	18,004.63	18,004.63
Percentage increase in pay & display income required	-	6.6%	5.1%	5.1%

Notes:

- Projected pay & display income is £352,000.00 (12/13)
- Based on 12/13 budget & excludes any subsequent year inflation or fee increases

- The percentage required (in figure 1) is the increase in pay & display income required to cover the cost of CPE, excluding any increase in fees.
- There is approximately 20% capacity in the off-street car-parks.

4. Conclusion

- 4.1 The County Council is proposing a joint on and off-street model of operation because it is considered to be the most cost effective way of introducing CPE and provides consistency for the general public and strategic benefits in terms of effective traffic management in the County. The scheme would also provide more effective and robust on-street enforcement (formerly undertaken by the Police) increased from two wardens in five Districts to a minimum of one full-time in each District and also an equivalent to existing off-street enforcement formerly undertaken by each District thus giving a total of 1.3FTE on and off-street enforcement in Selby District. There is a realistic prospect of increased pay and display car park income as a result but this cannot be quantified at this stage.
- 4.2 Scarborough and Harrogate Borough Councils are existing CPE authorities and Ryedale, Richmondshire and Hambleton have recently approved support for the application. Craven and Selby are currently consulting Executive to determine their position.
- 4.3 Should the Executive choose to support the proposal the projected costs are estimated in figure 1 above. Subject to open book accounting, at year-end, the Council would be reimbursed for any demonstrable losses arising from CPE.

5. Background Documents

None.

Contact Details:

Dean Richardson (Access Selby Business Manager)
Tom Bryant (CPE Officer NYCC)

Appendices:

Annex 1: Report by North Yorkshire County Council

Annex 1: Report by North Yorkshire County Council

1.0 PURPOSE OF REPORT

- 1.1 To seek Members' approval for:
- i. The inclusion of district council managed off-street car parks in the Civil Parking Enforcement designation order.
 - ii. The inclusion of the district council in the proposed countywide Civil Parking Enforcement operational model

2.0 BACKGROUND

- 2.1 In North Yorkshire the County Council is responsible for on-street parking on the local highway network and the District Councils and National Parks are responsible for most public off-street car parks. These responsibilities will be unaffected by the introduction of Civil Parking Enforcement (CPE).
- 2.2 The Traffic Management Act 2004 provides the legal framework for local highway authorities to apply for and then operate CPE. The introduction of CPE means that the powers to enforce on-street parking restrictions are transferred from the police to the local highway authority. CPE enables the local highway authority to influence driver behaviour by issuing Penalty Charge Notices (PCNs) for contraventions of parking restrictions.
- 2.3 In North Yorkshire CPE has been successfully operational in Harrogate Borough since 2002 and in Scarborough Borough since 2007. Harrogate and Scarborough Borough Councils operate CPE on and off street within the respective boroughs, the on-street operation under agreement with the County Council.
- 2.4 The County Council has made a commitment in the third Local Transport Plan (LTP3) and the County Council Parking Strategy to introduce CPE in the remainder of the county.
- 2.5 A partnership approach to the countywide CPE project has been adopted involving the County Council, the district councils and the police, with officers meeting regularly to develop the proposal.

3.0 THE REASON WHY THE COUNTY COUNCIL IS DOING THIS

- 3.1 The County Council, as highway authority, has a legal obligation to keep the highways free moving, safe and available to all users. One of

the ways the County Council is able fulfil this legal duty is through the use of parking and waiting restrictions. However, currently the County Council has no control over the enforcement of existing on-street restrictions outside of the Harrogate and Scarborough Boroughs, and this also limits their ability to introduce new restrictions.

- 3.2 Due to other statutory obligations and pressures it will become increasingly difficult for North Yorkshire Police to commit sufficient resources to enforce on-street parking and waiting restrictions. There is also the potential for the Police to decide to stop enforcing on-street parking restrictions altogether and the County Council do not want a future scenario where there is no on-street enforcement because of the detrimental impact on traffic management.
- 3.3 The County Council therefore need to find an alternative way of enforcing on-street parking and waiting restrictions. The introduction of CPE throughout the county is the only way in which a body other than the police can assume these responsibilities.
- 3.4 The introduction of countywide CPE is integral to the LTP3 commitment to manage, maintain and improve transport networks and services' as a hierarchy of intervention. CPE powers will enable the County Council to better manage the road network throughout the county and contribute towards achievement of the LTP3 objectives. The benefits include:
- Reducing congestion
 - Improving localised air quality
 - Improving road safety
 - Maintaining access to and encouraging use of public transport
 - Balancing on and off street parking supply and demand
 - Helping businesses with collections and deliveries
 - Enabling residents to park near to their properties
- 3.5 It should be noted that under CPE the police retain sole responsibility for the parking offences listed below:
- dangerous parking
 - obstruction
 - failure to comply with police 'no parking' signs placed in emergencies
 - any vehicle where security or other traffic policing issues are involved

4.0 THE REASON WHY THIS AFFECTS DISTRICT COUNCILS

- 4.1 The district councils in North Yorkshire, with the exception of Harrogate and Scarborough, currently carry out enforcement in their off-street car parks under the Road Traffic Regulation Act 1984. The Department for Transport (DfT) has indicated that they want to see off-street car parks managed by district councils included in the CPE designation order.

This would mean that on and off street enforcement is undertaken under the Traffic Management Act 2004.

- 4.2 The DfT adopt this stance because they want to make the new arrangements easier for the public to understand. There will be consistency in the issue of Penalty Charge Notices (PCNs) and in the way that challenges, representations and appeals are dealt with. In other words the contravention of a parking restriction committed on or off street will be dealt with under the same process.
- 4.3 The County Council has been told by the DfT that they would not support a proposal from them for a district where CPE is introduced on-street under the Traffic Management Act 2004 and the district council continue to enforce off-street under the Road Traffic Regulation Act 1984. Indeed the CPE Operational Guidance to local authorities states that *'the Secretary of State recommends that a CPE application is delayed if a district or borough is not prepared to include its off-street car parking within a Civil Enforcement Area'*. The County Council is therefore proposing to apply for a CPE designation order which includes off-street car parks subject to approval by the district councils.

5.0 PROPOSED MODEL OF OPERATION

Process

- 5.1 The business case for a countywide CPE model of operation has been prepared collaboratively between the County Council, Harrogate Borough Council and Scarborough Borough Council with input from all district councils through an officer working group.
- 5.2 This business case represents the final stage in a three stage process as detailed below:
- Stage 1 - Outline business case
 - Stage 2 - Financial appraisal
 - Stage 3 - Business case development
- 5.3 The outline business case stage compared the relative overall performance of a number of operational models based on cost and risk. The purpose of this work was to eliminate the unfeasible operational models and identify those worth taking forward to the financial appraisal stage.
- 5.4 The financial appraisal stage concluded that a countywide operation and extensions of the Harrogate and Scarborough operations were the best performing options in financial terms. All other potential options were dismissed at this stage because they were considered to be financially unviable. One of the options dismissed at this stage was the creation of new stand alone CPE operations at a district level.

- 5.5 It was recognised that a countywide operation was not realistic in the short to medium term because successful CPE operations are already in place in both Harrogate and Scarborough Boroughs with separate agreements requiring three years' notice to terminate.

Proposal

- 5.6 The proposed business case for countywide CPE is that the Harrogate and Scarborough operations are extended as set out below:
- Scarborough Borough Council managing the on and off street enforcement operation in Ryedale, Hambleton and Richmondshire
 - Harrogate Borough Council managing the on and off street enforcement operation in Craven and Selby
- 5.7 This proposal is considered to represent a natural geographic split and maximises the experience and expertise built up in the existing Harrogate and Scarborough operations. This is felt to be important as under CPE the process of considering challenges, representations and defence of appeals is a complex legal process.
- 5.8 There is also a need to retain customer access points in both Harrogate and Scarborough because of the substantial number of PCNs issued and permits administered.
- 5.9 It is proposed that there will be a review of the model of operation after a period of three years to ensure that it continues to be the most effective way of delivering countywide CPE.

Benefits of a joint on and off street operation

- 5.10 The County Council is proposing a joint on and off-street model of operation because it is considered to be the most cost effective way of introducing CPE and provides consistency for the general public.
- 5.11 All of the business case work undertaken has demonstrated that it would cost more to set up additional stand alone CPE operations at a district level. That is why in terms of on-street enforcement the County Council is proposing to extend the Harrogate and Scarborough operations.
- 5.12 It would be possible for a district council to establish a stand alone off-street CPE operation under the Traffic Management Act 2004 within the individual district. However, it needs to be recognised that the legal process when a PCN is disputed requires officers to be trained in the relevant legislation and how to apply it. There will also be set up costs requiring investment, for example technology and systems that are capable of managing the processing of PCNs. The experience of Harrogate and Scarborough shows that it takes time to establish an effective CPE operation.

- 5.13 The business case work has demonstrated that a stand alone off-street CPE operation within an individual district would cost more to establish and deliver than the proposal presented in this report. The viability of a stand alone off-street CPE operation within an individual district is also questionable given the relatively small number of PCNs that would be issued.
- 5.14 The County Council believe that in the longer term there will be potential efficiencies for both the County Council and district councils from the proposed model of operation. Indeed the CPE Operational Guidance to local authorities states that *'there should be significant efficiency gains in having a unified civil parking enforcement operation'*. The key opportunities for efficiencies are set out below:
- Rather than individual Notice processing operations within each district council there will only be operations within Harrogate and Scarborough Borough Councils. This should result in either direct financial savings to district councils or free up staff resource to deal with other duties.
 - The travel costs associated with Civil Enforcement Officers (CEOs) can be shared between the County Council and district councils as the CEO will be able to enforce on the public highway and in off-street car parks at the location visited
 - There will be economies of scale, for example in procuring supplies and delivering staff training
- 5.15 The proposed model of operation will mean that the same CEO can enforce both the public highway and off-street car parks. Separate operations would mean that an on-street CEO would be unable to enforce off-street contraventions and vice versa for an off-street CEO.

6.0 RESPONSIBILITY FOR OFF-STREET PARKING

- 6.1 Neither the introduction of CPE nor the proposed model of operation will affect the district council function of parking authority responsible for off-street car parks.
- 6.2 The proposed model of operation simply means that rather than delivering the enforcement of off-street car parks as an in house service, district councils will be buying in a CPE service from either Harrogate or Scarborough Borough Council. Whilst the district council will not be the employing authority they will still retain complete local control over where off-street enforcement takes place. This will be achieved through a service level agreement between the respective councils and ongoing engagement at an operational level.
- 6.3 Furthermore, the district council will not be committing to the proposed model of operation indefinitely. For example the legal agreements currently in place between the County Council and Harrogate/Scarborough Borough Councils to deliver on-street

enforcement on behalf of the County Council state that either party can terminate the agreement at three years notice. If there is a breach in the agreement (i.e. failure to deliver the functions to a satisfactory standard) then the agreement can be terminated within 12 months. The County Council is proposing that a similar agreement is put in place between the district council and the Borough Council delivering the enforcement service (either Harrogate or Scarborough).

- 6.4 All off-street surplus income from pay and display parking, permits and Penalty Charge Notices, after the costs of buying in this CPE service have been met, will remain with the district councils as it does now.

7.0 ON STREET ANALYSIS (COUNTY COUNCIL RESPONSIBILITY)

- 7.1 The County Council proposes to set up the operation with one full time equivalent on-street Civil Enforcement Officer (CEO) per district. This on-street enforcement resource will be in addition to the off-street enforcement resource determined by individual district councils. The Police currently employ two traffic wardens shared between Craven, Hambleton, Ryedale, Richmondshire and Selby.
- 7.2 The projected on-street budget for the proposed new operation is summarised in the table below. It can be seen that the operation in the five current non-CPE districts is likely to run at a relatively small deficit. The costs are higher in year one because of the expenditure associated with start up.

On-street budget with 1 x on-street CEO per current non-CPE district			
	Cost (£)	Income (£)	Balance (£)
Year 1	166,639.23	113,617.50	- 53,021.73
Year 2	137,629.11	103,256.25	- £34,372.86
Year 3	137,629.11	92,895.00	- £44,734.11

- 7.3 None of the five current non-CPE districts will generate an on-street surplus. The likely on-street deficit across the new operation for years 1-3 is relatively small when set in the context of the combined Harrogate and Scarborough surplus which in 2010/11 was £1,978,322.
- 7.4 The projected on-street deficit in the five current non-CPE districts would be covered by the on-street surplus currently generated in Harrogate and Scarborough. The remaining on-street surplus will be spent in proportion to where it is generated i.e. within Harrogate and Scarborough Boroughs.

8.0 OFF-STREET ANALYSIS (DISTRICT COUNCIL RESPONSIBILITY)

Costs

- 8.1 The proposed business case presents a three year cost to deliver the off-street CPE operation for each district council. These costs are

based on continuing to deliver the current level of off-street enforcement. The amount of off-street enforcement can be altered in the future at the discretion of the district council, but this would clearly impact upon the costs presented in the business case.

- 8.2 The costs are based on the apportionment of PCNs issued on and off street, which is considered to be a reasonable proxy of time spent processing PCNs, and will therefore be subject to a small amount of variation.
- 8.3 It must be emphasised that this project is about implementing countywide CPE. The off-street costs presented relate to the enforcement of off-street car parks and the processing of PCNs. The costs also include other related activities for a CEO, for example inspecting parking equipment, fixing minor faults and reporting defective signing. The costs presented in the business case do not include:
- Permit administration
 - Cash collection
 - General car park maintenance
- 8.4 The off-street enforcement costs for individual district councils have been based on the current level of off-street enforcement as provided by the district councils and set out below. It is and always will be for district councils to determine the level of off-street enforcement.
- Craven – 0.7 FTE
 - Hambleton – 1.7 FTE
 - Richmondshire – 1 FTE
 - Ryedale – 2.1 FTE
 - Selby – 0.3 FTE
- 8.5 The table below summarises the off-street costs for individual district councils. The costs are higher in year one because of the expenditure associated with start up. A detailed breakdown of these costs is set out in Appendix 1.

Off-street costs based on the current level of off-street enforcement				
	Year 1 (£)	Year 2 (£)	Year 3 (£)	Cumulative (Years 1 - 3) (£)
Richmondshire	41,738.88	36,584.50	36,584.50	114,907.88
Hambleton	66,634.96	58,355.84	58,355.84	183,346.64
Ryedale	71,507.35	63,575.96	63,575.96	198,659.27
Craven	37,420	32,359	32,359	102,138
Selby	18,400	13,339	13,339	45,078

Penalty Charge Notice income

- 8.6 District Councils currently set the Excess Charge Notice rate under the Road Traffic Regulation Act (1984) which allows local discretion. Under CPE the Penalty Charge Notice rate is governed by the Traffic

Management Act 2004 and it is not possible to set discretionary rates. Even by applying Band 2 charges, which are the highest possible, the current district council Excess Charge Notice rates are nearly all higher as shown by the table below.

	Band	Higher Level Penalty Charge	Lower Level Penalty Charge	Reduced Charge	Number of days reduced charge is valid
CPE	1	£60	£40	50%	14
	2	£70	£50	50%	14
Current	Craven	£60		£35	14
	Ryedale	£92		£46	7
	Hambleton	£75		£50	14
	Richmondshire	£60		£30	14
	Selby	£50		£30	7

8.7 The estimated reduction in income (based on income per PCN) for the district councils is set out in the table below. This has been calculated by multiplying the number of Excess Charge Notices currently issued by £23.90, which is the average income generated for each off-street PCN issued across 102 existing CPE operations taking into account non-payment and cancellations. This figure is similar to the average income per off-street PCN issued in Harrogate (£24.21) and Scarborough (£21.86).

District	ECN's issued 2010/11	ECN income 2010/11	Estimated PCN income (ECNs issued x £23.90)	Estimated annual reduction in PCN income
Craven	962	£26,827	£22,991.80	- £3,835.20
Ryedale	1,013	£35,750	£24,210.70	- £11,539.30
Hambleton	1,277	£58,425	£30,520.30	- £27,904.7
Richmondshire	899	£30,310	£21,486.10	- £8,823.9
Selby	290	£8,469.60	£6,931	- £1,538.60

9.0 **COUNTY COUNCIL UNDERWRITING POTENTIAL INCREASED OPERATIONAL COSTS / LOSS OF INCOME**

- 9.1 The County Council is prepared to guarantee that moving to this new model of operation will be at worst cost neutral to the district council.
- 9.2 Where a district council can demonstrate through an open book accounting arrangement that moving to this model of operation will cost them more and/or it reduces their likely income from PCNs, then the County Council is willing to initially underwrite any deficit for a period of up to three years after which the position will be reviewed.

- 9.3 However, there is evidence to suggest that better on-street enforcement encourages increased use of off-street car parks resulting in increased pay and display income and a higher number of Notices being issued. If this materialises the County Council expects that any increase in revenue from pay and display and/or more PCNs being issued is balanced against the additional costs / reduction in income per PCN before any deficit is funded by the County Council. There would need to be a calculation at the end of each financial year to determine whether or not a deficit has been incurred by the district council.
- 9.4 The County Council will also fund the set-up costs associated with the:
- requirement to consolidate existing off-street parking places orders into one order to enable the new enforcement method (CPE) under the Traffic Management Act 2004
 - requirement to amend off-street car park signing to reflect the new enforcement method

10.0 NEXT STEPS

- 10.1 The proposed business case needs to be approved by all local authorities involved before an application can be submitted to the DfT.
- 10.2 DfT has recently introduced two 'windows' throughout the calendar year where applications will be dealt with. The completed application needs to have been formally accepted by the DfT by the end of November 2012 for them to make the proposed order by mid-April 2013. Countywide CPE would then be introduced in early summer 2013.
- 10.3 The proposed timetable for CPE implementation is set out in the table below.

Final Business Case approval as of May 2012	
Completed application submitted to DfT	November 2012
Proposed order made by the DfT	Mid-April 2013
CPE implementation	Summer 2013

11.0 RECOMMENDATION

- 11.1 That Members approve
- i. The inclusion of district council managed off-street car parks in the Civil Parking Enforcement designation order.
 - ii. The inclusion of the district council in the proposed countywide Civil Parking Enforcement operational model