

Selby District Council



Agenda

Meeting: **Executive**
Date: **Thursday 6 October 2016**
Time: **1.00pm (Please note the amended start time)**
Venue: **Committee Room**
To: **Councillors M Crane (Chair), J Mackman (Vice Chair),
C Lunn, C Metcalfe and R Musgrave.**

1. Apologies for absence

2. Minutes

The Executive is asked to approve the minutes of the meeting held on 25 August 2016 (pages 1 to 7 attached).

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. Corporate Performance Report – Quarter 1 – 2016/17 (April to June)

Report E/16/18 presents the quarterly Corporate Performance Report which provides a progress update on delivery of the Council's Corporate Plan 2015-20 as measured by a combination of: progress against priority projects/high level actions; and performance against Key Performance Indicators (pages 8 to 29 attached).

5. Council Tax Support Scheme 2017/18

Report E/16/19 outlines the results from the public consultation for the Council Tax Support Scheme 2017/18 (pages 30 to 36 attached).

6. Review of Parks Byelaws

Report E/16/20 presents information on a review of byelaws for parks and open spaces (pages 37 to 64 attached).

7. Charitable Collections Policy

Report E/16/21 presents the draft Charitable Collections Policy for approval for public consultation (pages 65 to 88 attached).

8. PLAN Selby – Further Consultation: Sites and Policies

Report E/16/22 sets out the broad scope and content of the emerging 'PLAN Selby' local plan (and associated documents), the arrangements for public consultation and outlines the next formal stages of plan preparation (pages 89 to 94 attached).

Janet Waggott
Chief Executive

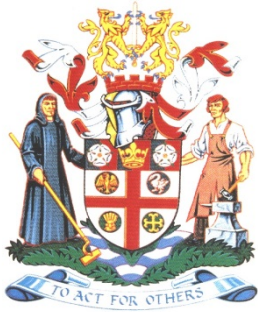
Dates of next meetings
Thursday 20 October 2016 – Executive Briefing, 2pm
Thursday 3 November 2016 – Executive, 4pm

For enquiries relating to this agenda please contact Palbinder Mann,
Democratic Services Manager on 01757 292207 or pmann@selby.gov.uk.

Recording at Council Meetings

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to:- (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Democratic Services Manager using the details above prior to the start of the meeting. Any recording must be conducted openly and not in secret.

Selby District Council



Minutes

Executive

Venue:	Committee Room, Civic Centre, Selby
Date:	Thursday 25 August 2016
Time:	4pm
Present:	Councillors M Crane (Chair), C Lunn, C Metcalfe and R Musgrave.
Officers present:	Janet Waggott - Chief Executive, Karen Iveson - Chief Finance Officer (s151), Dave Caulfield – Director of Economic Regeneration and Place, Julie Slatter – Director of Corporate Services and Commissioning, Mike James - Lead Officer, Communications, Michelle Dinsdale – Policy Officer (Minute Item 19), Chris Watson – Assistant Policy Officer (Minute Item 19), Sally Rawlings – Housing Development Manager (Minute Item 20), Keith Cadman - Head of Commissioning, Contracts and Procurement (Minute Items 24 and 25), James Cokeham – Head of Strategic Planning, Policy and Economic Development (Minute items 19, 20 and 26), Richard Welch – Policy Officer (Minute Item 26) and Palbinder Mann - Democratic Services Manager.
Public:	1
Press:	1

NOTE: Only minute number 20 to 23 and 25 to 27 are subject to call-in arrangements. The deadline for call-in is 5pm on Thursday 8 September 2016. Decisions not called in may be implemented from Friday 9 September 2016.

16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor J Mackman.

17. MINUTES

The Executive considered the minutes from the meeting held on 12 June 2016.

RESOLVED:

To approve the minutes of the meeting held on 12 July 2016 for signature by the Chair.

18. DISCLOSURES OF INTEREST

There were no declarations of interest

19. CAR PARK STRATEGY 2017-2020

Councillor Metcalfe, Lead Executive Member for Communities and Economic Development presented the draft Car Park Strategy and requested that the Executive approve it for public consultation.

The Executive were informed that the strategy was aligned with the Council's Economic Development Strategy

RESOLVED:

To approve the draft Car Park Strategy 2017-2020 for public consultation.

REASON FOR THE DECISION

To obtain views on the Draft Strategy to use the council car parks as a tool to invest in growth and how this can be achieved.

20. HOUSING DEVELOPMENT AT WOODLEA/BYRAM PARK ROAD FLATS, BYRAM – OUTLINE BUSINESS CASE

Councillor Musgrave, Lead Executive Member for Housing, Leisure, Health and Culture presented the report which outlined the different options available with regard to the development of the above site in Byram.

The Executive were supportive of the development for housing however raised concern at the costings for the development as it was felt this was on the higher end of the scale for building costs. The Executive requested that there should be some soft market testing carried with companies on the pricing. It was also suggested that it should be made clear through the procurement

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process that the Council was aiming to ensure there was value for money on the building costs.

With regard to the mix of properties to be built, the Executive were supportive of option one as outlined in the report. The Executive also wished for the development to be funded from the Housing Revenue Account (HRA) budget and therefore selected option B from the report.

RESOLVED:

- i) To approve option one with regard to the development mix of properties for the site.**
- ii) To approve option B with regard to the preferred developer for the site**
- iii) To allocate up to £25,000 from the HRA Housing Development Strategy budget to prepare a detailed business case.**
- iv) To ensure that it is clearly stated during the procurement process that the Council will not accept bids over a certain amount which is to be agreed by officers in consultation with the Lead Executive Member for Housing, Leisure, Health and Culture.**

REASON FOR THE DECISION

- *To facilitate the redevelopment of the site at Byram Park Road flats and Woodlea garages*
- *To provide affordable family accommodation in Byram*
- *To prepare a detailed business case for the redevelopment*

21. FINANCIAL RESULTS AND BUDGET EXCEPTIONS REPORT TO 30 JUNE 2016

Councillor Lunn, Lead Executive Member for Finance and Resources presented the report which provided details of major variations between budgeted and actual expenditure and income for the 2016/17 financial year to 30 June 2016.

The Lead Executive Member for Finance and Resources explained that the full year forecast currently showed an estimated shortfall of £318k however stated opportunities for savings to make up this amount would be explored over the remainder of the year.

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The Executive were informed that the Programme for Growth had been successful and a further report on this would be brought to the Executive in October.

RESOLVED:

- i) **To endorse the actions of officers and note the contents of the report;**
- ii) **To approve a £10k capital programme virement to fund a new contaminated land software solution from the saving on the Democratic Services ICT upgrade.**

REASON FOR THE DECISION

To ensure that budget exceptions are brought to the attention of the Executive in order to approve remedial action where necessary.

22. TREASURY MANAGEMENT – MONITORING REPORT TO 30 JUNE 2016

Councillor Lunn, Lead Executive Member for Finance and Resources presented the report which reviewed the Council's borrowing and investment activity (Treasury Management) for the 3 month period 1 April to 30 June 2016 and presents performance against the Prudential Indicators.

The Lead Executive Member for Finance and Resources explained that the Bank of England had cut the base interest rate from 0.50% to 0.25% on 4 August 2016. He added that this would result in a further reduction in the Council's investment returns.

RESOLVED:

- To endorse the actions of officers on the Council's treasury activities for the period ending 30 June 2016 and approve the report.**

REASON FOR THE DECISION

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

23. MEDIUM TERM FINANCIAL STRATEGY (GENERAL FUND)

Councillor Lunn, Lead Executive Member for Finance and Resources presented an update to the revised Medium Term Financial Strategy (MTFS) approved by Council in February 2016.

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The Lead Executive Member for Finance and Resources explained that the Government were currently consulting on whether local authorities would retain 100% of their business rates with the consultation due to close on 26 September 2016.

It was explained that a savings target of £1.1m was included in the strategy for the 2017/18 budget.

The Executive felt that the strategy was representative of the current situation however felt further changes may need to be made depending on the Chancellor's Autumn Statement.

RESOLVED:

- i) To submit the Medium Term Financial Strategy to Council for approval;**
- ii) To recommend that Council take up the government's offer of a multi-year finance settlement.**

REASON FOR THE DECISION

To set the framework for the 2016/17 budget and 2016 – 2018/19 Medium Term Financial Plan.

24. POSTAL SERVICES COLLECTION AND DELIVERY CONTRACT AWARD

Councillor Lunn, Lead Executive Member for Finance and Resources presented the report which proposed the award of the Council's postal services collection and delivery contract following a regional tender exercise.

The Lead Executive Member for Finance and Resources explained that four bids had been received and the Whistle had provided the winning bid and this would result in an annual saving of £11,000.

RESOLVED:

To endorse the award of the call off contract from the CCS/YPO/ESPO Framework: RM1063 resulting from the regional tender exercise conducted for postal services collection and delivery for a period up to 4 years.

REASON FOR THE DECISION

The contract procedure rules require Executive approval to award a contract above the European Procurement Threshold of

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£172,514. The estimated expenditure on postal services collection and delivery over four years is £272,000 and is therefore above threshold.

25. GREEN WASTE TREATMENT PROCUREMENT

Councillor Musgrave, Lead Executive Member for Housing, Leisure, Health and Culture presented the report which proposed the award of a new framework contract and associated call off contracts for the treatment of green waste collected via the Council's kerbside collection schemes, to replace existing contracts upon expiry.

The Executive were informed that the winning bidders were companies B, C, D, and E as stated in the report.

RESOLVED:

To agree the shortlist of companies who will be formally awarded call off contracts for this framework arrangement to provide the treatment of green waste collected via our kerbside collection schemes.

REASON FOR THE DECISION

To ensure the Council has compliant contracts for the treatment and disposal of green waste collected via our kerbside collection schemes, upon expiry of the existing arrangements.

26. FIVE YEAR HOUSING LAND SUPPLY (2015-16)

Dave Caulfield, Director of Economic Regeneration and Place and Ricard Welch, Policy Officer, presented the report which provided an overall update on the Council's most recent statement on five year housing land supply dated 31 March 2016.

It was clarified that following some thorough inspection of housing completions in previous years, the housing land supply figure had been amended from 6.0 years to 5.9 years. The Executive requested that an updated report be published with the updated information to avoid any confusion.

Discussion took place on the figure of 5.9 years and it was questioned whether this figure was achievable following the Council's house building statistics in previous years. A request was made for the data used in arriving at the figure and it was agreed this would be provided. The Policy Officer explained that the figure

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along with the information in the report was evidence based and had also been tested through the appeals process during a recent planning application and the result had awarded in the Council's favour. It was also stated that the figure including a buffer figure for houses being built.

RESOLVED:

- i) To note the main content of the report and appendices, including the implications of the five-year housing land supply.**

- ii) To endorse the updated Five Year Housing Land Supply Methodology and resultant housing land supply figure of 5.9 years.**

REASON FOR THE DECISION

To enable publication of the latest position on the five-year housing land supply (5YHLS).

The meeting closed at 5.18pm

Selby District Council

REPORT

Reference: E/16/19

Item 4 - Public



To: The Executive
Date: 6 October 2016
Status: Non Key Decision
Report Published: 28 September 2016
Author: Stuart Robinson – Head of Business Development & Improvement
Executive Member: Mark Crane, Leader of the Council
Lead Officer: Stuart Robinson – Head of Business Development & Improvement

Title: Corporate Performance Report - Quarter 1 – 2016/17 (April to June)

1. Summary:

- 1.1 The quarterly Corporate Performance Report provides a progress update on delivery of the Council's Corporate Plan 2015-20 as measured by a combination of: progress against priority projects/high level actions; and performance against KPIs.

2. Recommendations:

- 2.1 The report is noted and approved.

3. Reasons for recommendation

- 3.1 The reporting of performance data enables the Council to demonstrate progress on delivering the Corporate Plan Priorities to make Selby District a great place.

4. Introduction and background

- 4.1 The Council's performance management arrangements are currently being reviewed and revised. High level performance reporting of progress against the Council's priorities – as set out in the Corporate Plan 2015-20 – is a key element of the performance management arrangements. Other elements will

include: service planning; individual performance management (appraisals); data quality; and performance reporting below the corporate level.

4.2 Key principles underpinning the review of performance management arrangements are as follows:

- Simplicity
- Alignment
- Clarity
- Accountability
- Transparency

4.3 In line with the principles set out above, revisions to the Corporate Performance Report for 2016/17 include:

- Simplification – the report is shorter and more easily accessible and digestible - with significant elements of duplication removed – and reflects the move back to one council rather than the previous Core/Access Selby split.
- Alignment – the revised report more clearly follows the structure of the Corporate Plan, with a report card for each of the four main priority areas, and the content – including updated KPIs - more readily supports the reader to understand progress against key priorities.
- Clarity – in line with the two principles above, the revised report improves clarity in terms of *what* it is we are saying is important (in line with the Corporate Plan priorities), *how* we intend to demonstrate progress and *who* is responsible for delivery.
- Accountability – the revised reporting underpins our intention to ensure senior managers (particularly directors) are held accountable for delivery against specific priority areas.
- Transparency – we will be explicit where progress does not meet expectations or performance – as demonstrated by KPIs – is not at the level we expect. Where this is the case, we will identify how the situation will be remedied.

4.4 The Corporate Performance Report is a work in progress. For example, we have identified some gaps in terms of reporting progress on specific priorities – such as KPIs where data is currently unavailable or there are currently no KPIs at all. As the review of performance management arrangements progresses we will revisit these gaps and seek to address them over the coming period.

5. The Report

5.1 The specific focus of this report covers the period April to June 2016. This has been a period of significant change at Selby District Council – both in terms of changes to the operating model and to the senior management structure.

However, the Corporate Plan 2015-20 has provided consistency in terms of the direction the Council is seeking to follow and the specific priorities.

5.2 Summary of progress

The Corporate Performance Report (see appendix) sets out the detail in terms of progress (or otherwise) against the Council's priorities during quarter 1. In terms of a summary:

- 67% of projects/high level actions are on track
- 73% of KPIs are showing improvement over the longer term
- 65% of KPIs are on target

5.3 What went well in quarter 1

- Latest employment figures continue to show improvement in the district.
- Work to secure a five year land supply.
- Over 130 new dwellings completed out of a target for the year of 450
- Successful opening of the new Summit leisure facility – attracting over 13,000 visits in its first 10 weeks – strengthening the leisure offer in the district.
- Maximised the benefit of opportunities provided by the Tour de Yorkshire – particularly demonstrating that Tadcaster remains open for business.
- Delivered phase one of the organisational review – recruiting a new leadership team.
- Consultation draft of the new Economic Development Strategy approved for public engagement.
- Community Navigator Programme procured and pilot commenced to support future volunteering opportunities.
- Online payment facilities introduced – bringing a convenient, secure and user-friendly method of making payments to the local community.
- The Housing Service performed well over a range of KPIs – including letting, repairs and making some (although less than hoped) progress on bringing empty homes back into use.

5.4 What did not go so well in quarter 1 – and what will we do about it

- Greater progress required around enabling people to get involved, volunteer and contribute to delivering services locally. Recent recruitment of a new Head of Service will increase capacity to make a difference in this area.
- Delivery of the customer portal has been delayed – which will impact on our aim to increase online transactions. However, recent discussions with NYCC have been positive and a way forward identified.
- More is needed on the skills agenda. Latest data shows an increase in the proportion of working age people with no qualifications – an issue that will

be addressed through the emerging Economic Development Strategy and additional Council capacity as a result of the restructure.

5.5 Other performance highlights

Whilst the Corporate Plan sets out the Council's high level priorities, it is also valuable to understand any issues that are emerging from day to day service delivery. This section of the Corporate Performance Report will be developed as we revise the performance management framework. However, one or two notable issues for quarter 1 include:

- Successful delivery of three elections in Q1. The Council led a successful campaign with record numbers of residents signing up for postal votes. Over 13,000 people had registered to vote by post in advance of the EU Referendum.

6. Legal/Financial Controls and other Policy matters

Legal Issues

6.1 None

Financial Issues

6.2 Financial – Delivery of Corporate Plan priorities is reflected in the MTFS.

Impact Assessment

6.3 An Equality, Diversity and Community Impact Assessment screening report has been undertaken on the Corporate Plan and its priorities – and due regard has been given.

7. Conclusion

7.1 The performance data demonstrates continued performance improvement and delivery against Corporate Plan Priorities.

8. Background Documents

Contact Officer:

Stuart Robinson
Head of Business Development & Improvement
Selby District Council
srobinson@Selby.gov.uk

Appendices:

Appendix A. Corporate Performance Report Quarter 1 2016/17




Selby District Council


Corporate Performance Report


Quarter 1 2016/17


Key


Projects

-  Cancelled


-  Overdue – Passed completion date


-  Check Progress – Milestone missed


-  In Progress – On track


-  Completed


KPIs


-  Alert – target not met


-  Warning – target not met but within acceptable limit


-  OK – target met/on target





-  Unknown

-  Data Only

-  Trend - Improving

-  Trend - No Change

-  Trend - Getting Worse

Key focus of our work	What's gone well; what are we concerned about	Overall Progress
Secure new investment in the district (Lead Director: D Caulfield)	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> • Positive discussions with Glentroot on bringing forward the Proving Ground, Sherburn-in-Elmet (S2) • Positive discussions with Harworth Estates on bringing forward the regeneration of Kellingley Colliery • Draft Economic Development Strategy approved at Executive and public consultation started • Summer focus on promoting the district's tourism offer has specifically supported a growth in social media followers, which will support a wide range of projects and engagement in the future. <p>What are we concerned about:</p> <ul style="list-style-type: none"> • Capacity to deliver on this new growth agenda. This will be addressed through the Corporate Restructure and timetabled through the Programme for Growth. In the short term we plan to bring in additional internal capacity to allow us to progress the key economic and regeneration opportunities. 	 On track
Improve employment opportunities (D Caulfield)	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> • The Council has run a successful summer Internship scheme • Latest employment statistics show the long term trend remains positive – despite slightly fewer working age people in employment compared to the previous period (December) the employment <i>rate</i> improved slightly. <p>What are we concerned about:</p> <ul style="list-style-type: none"> • Recent longer term reductions in claimants of out of work benefits have stalled in the last six months – although rates remain lower than both regional and national levels. 	 On track
Improve access to training and skills for work (D Caulfield)	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> • Positive discussions with both LEPs on how Selby can secure a greater share of skills funding <p>What are we concerned about:</p> <ul style="list-style-type: none"> • Latest data suggests numbers of working aged residents qualified to at least Level 4 (HND, Degree or higher) are similar to a year ago but much lower than 2012 and 2013. • Progress has not been at the expected level. However, senior management capacity has been increased in recent weeks and we expect to do more in the coming months to improve access to training and skills for work through this increased capacity, further restructuring and through future Programme for Growth projects 	 Some concerns
Help Selby, Tadcaster and Sherburn reach their potential (D Caulfield)	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> • Work progressed on Plan Selby with public consultation to start in October. Work on the next stages of the Towns Master planning is being commenced as part of Plan Selby. • Car Park Strategy approved by the Executive for public consultation • Tour de Yorkshire passed through the district on two days in May – showcasing the district and in particular Tadcaster – including a visit from Gary Verity (Chief Executive, Welcome to Yorkshire) and Cristian Prudhomme (Director of Tour de France) – pushing the message it was open for business and securing extensive media coverage for the town. <p>What are we concerned about:</p> <ul style="list-style-type: none"> • n/a 	 On track








Delivering Priority 1






A great place.....to do BUSINESS: KPIs

Q1 2016/17

Code	Short Name	Direction of Travel	Previous YTD (Q1 15/16)	2016/17 Target	Previous Value (Q4 15/16)	Latest Value (Q1 16/17)	Short Term Trend	Long Term Trend	Traffic Light	Latest Note
NEW	PLACEHOLDER – a measure of private sector investment in the Selby district	Aim to Maximise	n/a	n/a	n/a	n/a	n/a	n/a	n/a	KPI TO BE DEVELOPED
PA_011	Amount of Business Rates retained (£s)	Aim to Maximise	£2,984,307	£7,500,000	7,429,533	£7,492,359				As we remain in the safety net our income comprises 2 parts: the safety net payment of £2.08m and renewables income of £5.41m giving the total of £7.49m. 12 months ago, we were not benefitting from the renewables nor were we in the Safety Net.
NEW	% working age population in employment	Aim to Maximise	75.7%	80.0%	79.9%	80.0%				Data for period to March 2016 Ongoing investment in the District, particularly at Sherburn-in-Elmet (L&G Homes) and Eggborough (Celotex/Saint-Gobain).
NEW	% working age population claiming Job Seekers Allowance	Aim to Minimise	1.6%	1.0%	1.2%	1.2%				Data at February 2016 The Council has run a successful summer Internship scheme. Selby remains below both the regional and national averages. A steady reduction over recent years – mirrors the wider trends but the reduction has stalled in recent months
NEW	% working age population receiving all main out of work benefits	Aim to Minimise	6.7%	6.0%	6.1%	6.1%				Data at February 2016 Comment as above.
NEW	Number of those aged 16 and over in employment	Aim to Maximise	42,800	44,000	44,300	44,100				Data for period to March 2016 Reduction could be linked to potential introduction of National Living Wage on 1 st April 2016.
NEW	% working age population qualified to Level 4+ (annual measure)	Aim to Maximise	34.6%	35%	n/a	34.8%	n/a			Data for period to December 2015 Around 18,500 working aged residents are qualified to at least Level 4, the numbers are similar to a year ago but much lower than 2012 and 2013.
NEW	% working age population with no qualifications (annual measure)	Aim to Minimise	7.9%	7.5%	n/a	8.2%	n/a			Data for period to December 2015 Progress has not been at the expected level. However, we expect to address this through increased senior management capacity, further restructuring and through future Programme for Growth projects

Delivering Priority 1

Code	Action Title	Managed By	Due Date	Progress Icon	Latest update
Securing new investment in the district					
CORP_Proj_009	Supporting Improvements to Infrastructure	J Cokeham	31-Mar-17		Little work carried out on infrastructure projects to date. However, the draft Economic Development Strategy has identified the key strategic sites and Programme for Growth funding will be used, working with key partners, to unlock infrastructure needed to deliver these sites.
PFG_Proj_003	Selby District USP Project	J Cokeham	31-Mar-16		To ensure this project supports the outcomes of the emerging Economic Development Strategy for the district, the project will be held pending the approval of the Economic Development Strategy. Spend will then be re-profiled accordingly.
PFG_Prog_004	Growing Enterprise Programme	A Crossland	29-Mar-18		Leeds City region has confirmed two more years funding to continue the Growth Adviser service beyond 2016. The service supports target sector businesses expand their operations. Evaluation of the Enterprise Cafe programme is almost complete and will highlight how this valuable support to small and micro businesses can continue from 2016/17 onwards. The market incubator retail scheme in place for the March 2016 Saturday market in Selby; this is being delivered in partnership with Selby Town Council.
PFG_Prog_006	Green Infrastructure - Commissioning Phase	J Cokeham	29-Mar-18		The Council is working with Natural England on key methodological aspects of the work and will seek to integrate with the wider Leeds City Region Green Infrastructure work underway.
PFG_Proj_009	Development Fund Project	J Cokeham	29-Mar-18		Fund to bring forward larger sites in the district for development. Work commenced re: future of Eggborough Power Station and some feasibility work regarding Kellingley Colliery as an employment site. Options for Olympia Park being formulated. The timing of spend is difficult to predict given the opportunistic nature of this work and the need to engage with partners.
PFG_Proj_010	Green Energy Investment Project - Feasibility Study	J Cokeham	31-Mar-16		Exploration of a ground mounted solar farm concluded it was unfeasible to deliver a scheme in time to take advantage of the subsidy regime. Plans deferred until 'grid parity' is reached (anticipated in the next 2-3 years). Proposals to prepare a planning application for a ground mounted scheme under consideration. Feasibility work on a roof mounted scheme on the Council's general assets and housing stock planned for next 3-6 months and revised timescales and savings will be assessed. Preparatory work for schemes (including a grid connection and planning application) are expected to require £50k and therefore an additional £30k will be required if we are to prepare business cases to take schemes forward.
NEW - Update on PFG_Proj_007	Economic Development Strategy adopted	J Cokeham	31-Mar-17		A consultation draft is now ready and wider consultation is now being undertaken.

Code	Action Title	Managed By	Due Date	Progress Icon	Latest update
NEW	Tourism Strategy adopted and agreed	A Crossland	31-Mar-17		Work to progress development of the strategy is to commence soon. However, to support the principles of the new tourism strategy we have used the Council's corporate channels of communication to support greater awareness of the district's tourism offer over the summer months. Specifically, we have linked our social media posts to relevant organisations and individuals to increase the audience 'reach' of our messages: this strategy has supported these updates to be amongst the most popular online content and posts over recent months
Improving employment opportunities					
PFG_Proj_005	Community Skills & Capacity Building Project	J Cokeham	29-Mar-18		Following discussion of an initial options paper, it has been agreed that this programme will be co-ordinated with the delivery of the Economic Development Strategy. In the meantime, a number of partnership/funding opportunities have been identified in relation to basic skills; these are currently being explored with partners.
Working with education providers to support people in accessing training					
PFG_Proj_008	Construction Skills Hub Project	J Cokeham	29-Mar-18		Working group of key stakeholders continues to meet. Pending a contract for Olympia Park development progress is limited and deadlines have been deferred. Selby College has secured funding to extend their engineering and construction skills offer by September 2017.
Working with people and businesses to help Selby, Tadcaster and Sherburn reach their potential					
NEW	Car Park Strategy adopted	J Cokeham	31-Mar-17		The Strategy has been drafted and is currently out for public consultation
PFG_Prog_002	Master planning for Towns Programme - Phase 1 Options	J Cokeham	29-Mar-18		Ongoing piece of work to set a direction of growth for our market towns. Initial work has been completed and Phase 2 will be commissioned following agreement on the approach to the Local Plan and there will be other sub-projects to commence on the back of the Local Plan.

Delivering Priority 2

A Great Place...to Enjoy Life: Overall Progress

Q1 2016/17

Improving the supply of housing
(Lead Director: D Caulfield)

What's gone well this quarter:

- Report approved by Executive confirming that we now have a 5.9 year housing land supply
- Over 70 sites are currently delivering housing across the district. These sites have built out over 130 dwellings in the first quarter of this financial year.
- Tenders approved for phase 1 of the Councils housing development in Byram and 2 sites in Eggborough. This will result in 15 bungalows for older and vulnerable people to be delivered through the HRA.

 **On track**


What are we concerned about:

- n/a

Improving healthy life choices
(D Caulfield)

What's gone well this quarter:

- A number of high profile sporting events have taken place in the district including Tour de Yorkshire, Selby & Tadcaster Sportive and Selby Half Marathon. Looking forward, the Council are supporting the Selby Three Swans Sportive with the aim to encourage more residents in the district to take up physical activity
- New Selby Park community Bike Hub launched in April as part of the Tour de France legacy in partnership with Inspiring Healthy Lifestyles, Welcome to Yorkshire and North Yorkshire Sport.
- Selby Summit opened in May - a brand new £5.7m indoor adventure attraction providing more opportunities for regular exercise. The first 10 weeks of operation attracted over 13500 individual visits. Offers and multi activity packages are proving popular, and children's parties have enabled over 360 children to enjoy the experience through a party in the first 10 weeks.
- Our green spaces such as Barlow Common & Hambleton Hough continue to be made more accessible to those with lower mobility. A number of walking clubs have been developed and pathways to health is now complete around the Selby Horseshoe
- A number of initiatives have been successfully delivered to tackle obesity levels in the district with the most successful being the move it to lose it campaign

 **On track**

What are we concerned about:

- We are making progress on improving healthy life choices but the creation of a new Customer, Communities and Partnerships Team as part of the corporate restructure should provide the capacity to further drive forward this agenda

Code	Short Name	Direction of Travel	Previous YTD (Q1 15/16)	2016/17 Target	Previous Value (Q4 15/16)	Latest Value (Q1 16/17)	Short Term Trend	Long Term Trend	Traffic Light	Latest Note
NEW	Number of additional homes provided in the district (annual)	Aim to Maximise	n/a	450	437	n/a	n/a	n/a	n/a	Over 70 sites are currently being developed in the district. These sites have built out over 130 dwellings in the first quarter of this financial year.
NEW	Number of affordable homes provided in the district (biennial)	Aim to Maximise	n/a	tbc	69	n/a	n/a	n/a	n/a	Phase 1 detailed business cases approved by Executive in April 2016 with start on site scheduled for August 2016. The outline business case for the redevelopment of Byram Park Road flats was approved by Executive in August.
PA_010	Increase in Council Tax base	Aim to Maximise	29,360	30,400	30,254	30,291				Q1 has seen 162 new properties added to the Valuation List with the Base growing by 37 Band D equivalents.
PA_001	Average time taken to re-let General Need Housing (days)	Aim to Minimise	25.6	24	22.6	23.7				31 general needs properties were let in Q1. Challenges remain around letting 2 bed first floor flats. Assets and Community Support continue to work together prioritising quick wins.
PA_002	Average time taken to re-let Sheltered Housing (days)	Aim to Minimise	23.9	28	24.7	22.8				35 sheltered properties were let in Q1.
PA_004.1	% of repairs to council-owned properties completed within agreed timescales (Emergency/Urgent repairs combined)	Aim to Maximise	98.83%	97%	98.83%	99.6%				Target achieved through 1st 4 months of year which also saw significant increase in work load.
PA_029	The number of empty properties brought back into habitable use	Aim to Maximise	0	12	0	2				Over 380 properties assessed, 267 (70%) were empty and 112 occupied (or were second homes/demolished). Empty properties contacted to identify reasons and to offer assistance to bring to bring back into use.
NEW	Number of missed bins per 1,000 collections (Note: average collections per month 77,000)	Aim to minimise	0.18	0.29	0.29	0.26				On average 20 bins missed per month in Q1 – all remedied and collected within 24 hours. Target met but service under performance pressure in the long term due to property growth.
NEW	% of relevant land and highways assessed as being within contract standard for litter	Aim to maximise	96.81%	95%	96.15%	98.39%				Standards are being maintained.
NEW	Number of visits to combined leisure centres	Aim to Maximise	95,555	415,000	97,216	100,299				Attendances are higher than the same period last year but are forecast to be slightly below target. Recent promotions should increase visits (the current conversion to full membership stands at 24%). We continue to work closely with Inspiring Healthy Lifestyles to promote these services.







Code	Short Name	Direction of Travel	Previous YTD (Q1 15/16)	2016/17 Target	Previous Value (Q4 15/16)	Latest Value (Q1 16/17)	Short Term Trend	Long Term Trend	Traffic Light	Latest Note
NEW	% adults achieving at least 150 mins physical activity per week (annual)	Aim to Maximise	60.4%	65%	n/a	60.1%	n/a			Data for 2015 Improved attendance at leisure centres and the opening of Summit in May 2016 will help improve this. SDC are also supporting the 3 Swans cycling sportive in September.
NEW	% of adults 16+ who do less than 30 minutes exercise per week	Aim to Minimise	n/a	21%	23.1%	n/a	n/a	n/a		Data for 2015 See comment above
NEW	% adults defined as overweight or obese (annual)	Aim to Minimise	n/a	65%	69.9%	n/a	n/a	n/a		Data for 2012-14 At the end of Q1 over 1200 commenced the adult lifestyles management programme – almost 70% completed the scheme. 408 people lost 3% of their starting body weight in 12 weeks; 303 lost 5% of their body weight.
NEW	% children defined as obese (at Year 6) (annual)	Aim to Minimise	17.4%	17%	n/a	16.8%	n/a			Data for 2014/15 Good progress being made on delivering the Active Healthy Schools Programme.
NEW	Number of GP Activity Referrals	Aim to Maximise	86	300	81	85				The success of the Healthy Lifestyles and weight management project has had an adverse effect on the achievement of this target – as this is a shared client group.
NEW	Number of lifestyle members as % of population	Aim to Maximise	14%	11%	16.7%	16.59%				Lifestyle membership remains above target. IHL implemented a gym membership promotion during the quarter, with early indications are suggesting a 24% conversion to full memberships
NEW	% of active members participating in 1 or more sessions per week	Aim to Maximise	45.20%	47%	50.55%	49.13%				The latest Active People Survey resulted in a figure of 39.6% from the responses on the participation question for Selby District – this is above the national and regional average

Delivering Priority 2

A Great Place...to Enjoy Life: Key Projects




Q1 2016/17

Code	Action Title	Managed By	Due Date	Progress Icon	Latest update
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Code	Action Title	Managed By	Due Date	Progress Icon	Latest update
Improving the supply of housing					
CORP_Prog_011	The Sites and Policies Local Plan (PLAN Selby)	J Cokeham	31-Dec-18		Officers have been preparing the relevant evidence base work such as flood risk assessment, assessing what the public has said previously and preparing the preferred sites and policy framework for an autumn 2016 consultation.
CORP_Proj_005	SDC Affordable Homes Programme	J Cokeham	27-Mar-20		Phase 1 detailed business cases have been approved by SDC Executive in April 2016 with start on site scheduled for August 2016. The outline business case for the redevelopment of Byram Park Road flats was approved by Executive in August.
PFG_Proj_011	Selby & District Housing Trust Affordable Homes Programme	D Caulfield	27-Mar-20		Phase 2 reconfiguration reports are delayed until SDC Executive in November 2016 and will then be presented to SDHT Board in November 2016.
NEW	Commission/deliver review of affordable housing	J Cokeham	31-Mar-17		This work is being scoped out and will form part of a wider review of how the Council can help step up overall housing delivery in the district.
Improving healthy life choices					
CORP_Prog_006	Healthy Lifestyles & Weight Management	K Cadman	29-Mar-18		This period saw the achievement of annual target set for the Adult Lifestyle management programme and subsequent hold status put to the project until the start of Year 2 funding in May.
PFG_Proj_012	Healthy Living - Concept Fund	K Cadman	29-Mar-19		The extended Active Healthy Schools programme is addressing the years of Primary School with the highest levels of overweight and obesity across the District. In Q1, Active Healthy Schools programme delivered to: 5 schools (engaging 205 children); 6 After School Clubs (70 sessions/123 children); 2 in curriculum sessions (2 schools/20 sessions/131 children). Working jointly, Selby Wellbeing Team managed and co-ordinated: end of term treat packages for schools (e.g. sessions at the Leisure Centre); wider activity packages for schools (e.g. Euros tournament to 192 children); and worked with schools to provide activity packages as prizes for good behaviour.

A great place...to Make a Difference: Overall Progress

Q1 2016/17

Key focus of our work	What's gone well; what are we concerned about	Overall Progress
<p>Empowering and involving people in decisions about their area and services (Lead Director: D Caulfield)</p>	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> Working closely with the newly formed Sherburn Community Trust about their ambitions for the Girls School and Sherburn-in-Elmet Community Library Planning for the first Mental Health Conference in Selby which the Council has organised through the Better Together Customer & Communities Programme. The conference will be held on 9 September. A number of consultations have taken place to understand the needs of our communities including Community Engagement, Prevent and Parks. Community Navigator Programme procured Ongoing work to establish Community Hubs <p>What are we concerned about:</p> <ul style="list-style-type: none"> n/a 	<p> On track</p>
<p>Enabling people to get involved, volunteer and contribute to delivering services locally (D Caulfield)</p>	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> Sherburn Community Trust is now up and running with a volunteer Trustee Community Navigators pilot starts in August and they will be providing volunteer opportunities going forward. SDC have supported a number of events encouraging volunteering from within and without the organisation including TDY, Sportive and community property marking. <p>What are we concerned about:</p> <ul style="list-style-type: none"> We need to identify and develop more opportunities for structured volunteering within the district We need to develop sustainable mechanisms for local delivery of services 	<p> Some concerns</p>
<p>Facilitating people to access and use alternative service delivery methods (D Caulfield)</p>	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> Management groups identified for each of the community hubs in Sherburn-in-Elmet and in Tadcaster with a view to managing the libraries from March 2017. Digital Neighbours scheme launched. <p>What are we concerned about:</p> <ul style="list-style-type: none"> Customer Strategy in need of update/review. 	<p> Some concerns</p>

A great place...to Make a Difference: KPIs





Q1 2016/17

Note: KPIs for this priority are being developed and will be reported later in the year.

Code	Short Name	Direction of Travel	Previous YTD (Q1 15/16)	2016/17 Target	Previous Value (Q4 15/16)	Latest Value (Q1 16/17)	Short Term Trend	Long Term Trend	Traffic Light	Latest Note
NEW	PLACEHOLDER Number of engagement events enabling local areas and different customer segments to be involved in designing services	Aim to Maximise	n/a	n/a	n/a	n/a	n/a	n/a	n/a	KPI BEING DEVELOPED
NEW	PLACEHOLDER Number of internal volunteering hours allocated	Aim to Maximise	n/a	n/a	n/a	n/a	n/a	n/a	n/a	KPI BEING DEVELOPED
NEW	PLACEHOLDER Number of external volunteering events brokered by SDC	Aim to maximise	n/a	n/a	n/a	n/a	n/a	n/a	n/a	KPI BEING DEVELOPED
NEW	PLACEHOLDER % SCD resident who are satisfied with the are as a place to live	Aim to Maximise	n/a	n/a	n/a	n/a	n/a	n/a	n/a	KPI BEING DEVELOPED





A great place...to Make a Difference: Projects

Q1 2016/17

Code	Action Title	Managed By	Due Date	Progress Icon	Latest update
Empowering and involving people in decisions about their area and their services					
NEW	Volunteer strategy developed and agreed	A Crossland	31-Mar-18		Sherburn Community Trust is now up and running with a volunteer Trustee. SDC have supported a number of events encouraging volunteering from within and without the organisation including TDY, Sportive and community property marking. We need to identify and develop more opportunities for structured volunteering within the district.
Enabling people to get involved, volunteer and contribute to delivering services locally					
BETT_3.1	Strong communities (Community Navigators)	A Crossland	29-Mar-18		Community Navigator Programme procured. 12 month pilot commenced in August 2016. Community Navigators will be providing volunteer opportunities going forward. Community Engagement Strategy in development.
Facilitating people to access and use alternative service delivery channels					
BETT_3.2	Community Hubs/Networks	A Crossland	29-Mar-18		Community management groups in place. Awaiting property transfer & commencement of building work at Selby Library. Good progress made on the community hubs in Sherburn-in-Elmet.
BETT_3.6	Delivering the customer strategy	A Crossland	31-Mar-18		Annual Review of the Customer Strategy taking place in Sept/Oct and will inform further activity and milestones for this area. Navigators/ digital champions will support people in accessing services which are delivered digitally. NYCC are funding a Digital Neighbours scheme in Selby, which has already been piloted in Scarborough. The first phase of the scheme starts in September when local organisations are asked to register an interest.

Delivering Great Value: Overall Progress

Q1 2016/17

Key focus of our work	What's gone well; what are we concerned about	Overall Progress
<p>Working with others and co-developing the way in which services are delivered (Lead Director: J Slatter)</p>	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> Discussions have begun with Ryedale, Craven, Richmond, for delivering the NYCC supporting people contract collaboratively across the County. This would deliver services consistently across NYCC, strengthening the service and provide resilience and efficiencies for the districts. Be Independent York have also been involved in discussions and this will open many other opportunities for the support service. <p>What are we concerned about:</p> <ul style="list-style-type: none"> NYCC Supporting People tender details are unclear and timelines to deliver a shared service for the contract are under pressure as a result. 	 Some concerns
<p>Commissioning those best placed to deliver services on our behalf (J Slatter)</p>	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> Positive annual report on delivery of the Leisure Contract Progressing the negotiations for the extension of the Environmental Services contract Completed procurement of Green Waste Disposal Services for the next four years Completed a replacement postal services contract for the next four years <p>What are we concerned about:</p> <ul style="list-style-type: none"> n/a 	 On track
<p>Making sure we communicate well with customers to help us understand what matters, to listen and learn and to enable us to offer the right support (J Slatter)</p>	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> We have re-designed the business pages of the Council's website to better reflect the key issues we know people use the site to look for: therefore making it easier to access key information Continue to enhance the Council's social media presence, which has seen significant growth over the past twelve months, through innovative use of video and infographics to boost the 'reach' of key messages. We continue to use the Council's channels of communication to support wider Corporate Plan objectives, including marketing support for community events such as the Three Swans Sportive and on-going promotion of local business networking opportunities. <p>What are we concerned about:</p> <ul style="list-style-type: none"> n/a 	 On track
<p>Helping people access services digitally (J Slatter)</p>	<p>What's gone well this quarter:</p> <ul style="list-style-type: none"> Online payment facilities have been introduced – bringing a convenient, secure and user-friendly method of making payments to the local community. Payments for Business Rates, Council Tax, Housing Benefit over-payments, invoices and Rent payments can be made 24 hours a day from any location with an internet connection Website development to include new tabs – Apply, Tell Us, Pay – improving customer navigation for customers to talk to the Council regarding key services <p>What are we concerned about:</p> <ul style="list-style-type: none"> Some delays on Better Together customer portal project – we need to refocus pilot projects to deliver real business benefits. Delays on the webchat project through understanding what the customer wants and what we need as an organisation for a solution. 	 Some concerns

Delivering Great Value: KPIs

Q1 2016/17









Code	Short Name	Direction of Travel	Previous YTD (Q1 15/16)	2016/17 Target	Previous Value (Q4 15/16)	Latest Value (Q1 16/17)	Short Term Trend	Long Term Trend	Traffic Light	Latest Note
NEW	PLACEHOLDER % customers who are satisfied with the service they receive	Aim to Maximise	n/a	n/a	n/a	n/a	n/a	n/a	n/a	KPI BEING DEVELOPED
PA_005	% of major applications presented to committee within time	Aim to Maximise	50%	95%	93.10%	37.5%				Performance dip because Extension of Time (EoT) not agreed with the applicant on 5 out of 8 applications taken to Committee. New systems now in place to ensure that EoTs are agreed and in place (subject to applicant agreement). Mechanisms are being put in place to reduce the number of majors that go out of time.
PA_012	Time taken to process Housing Benefit new claims and change events (days)	Aim to Minimise	5.70	6.50	4.65	5.82				Despite a dip in performance compared to the previous quarter, Q1 performance remains well within target.
PA_016	The average wait time – in minutes - before a customer is seen by an advisor.	Aim to Minimise	7.70	10.0	7.17	7.33				5,826 face to face customers in Q1 – a thousand less than a year ago. The average wait time is better than last year and well under target.
PA_017	The average wait time – in minutes - before a customer phone call is answered by an advisor	Aim to Minimise	1.98	2.00	1.54	1.77				32,632 phone calls were received in Q1 (87% answered) compared to 32,950 (83% answered) 12 months ago. We have answered 67% of calls in 2 minutes or under, compared to 63% at the same time last year.
NEW	Total number of (stage 1) complaints received	n/a	tbc	n/a	tbc	24	n/a	n/a		24 complaints (requiring a response) were received in Q1.
NEW	% (stage 1) complaints responded to in required timescale	Aim to Maximise	n/a	90%	tbc	54%	n/a	n/a		13 out of 24 responded to in required timescale – better than previous months and follows a reminder of expected standards being sent to all Lead Officers. It is expected that performance will improve throughout the year.
NEW	% complaints upheld	Aim to Minimise	n/a	30%	tbc	29%	n/a	n/a		Of the 24 complaints received, 3 were assessed as justified and 4 partly justified.
NEW	Amount of planned savings achieved (£000s)	Aim to Maximise	£278	£570	£651	£109	n/a	n/a		£109k (full year forecast) delivered in Q1 with a further £148k still to be implemented. The full year forecast shows an expected £313k shortfall against target. Opportunities for additional savings to help bridge the gap will be sought over the remainder of the year and the plan kept under review.
PA_019	% of Council Tax debt recovered	Aim to Maximise	29.97%	97.90%	97.87%	29.99%				This is a cumulative measure with the target to be achieved at year end. Presently we are at target (30% at Q1).








Code	Short Name	Direction of Travel	Previous YTD (Q1 15/16)	2016/17 Target	Previous Value (Q4 15/16)	Latest Value (Q1 16/17)	Short Term Trend	Long Term Trend	Traffic Light	Latest Note
PA_020	% of Council Rent debt recovered	Aim to Maximise	92.66%	92.74%	98.02%	93.21%				Performance is good and better than the same period a year ago. New online payment facility being tested and communications drafted to promote their use.
PA_021	Percentage of Non-domestic Rate debt recovered	Aim to Maximise	27.59%	98.55%	98.99%	28.96%				This is a cumulative measure with the target to be achieved at year end. Presently we are ahead of target (27.5% at Q1).
PA_032	% of Sundry Debt recovered	Aim to Maximise	52.55	92.23%	92.23%	46.62				Performance is on target for year to date collection (36.36%). It is slightly lower than previous YTD due to one large invoice being raised in June but not paid until Q2 (July)
PA_036	External auditor Value for Money conclusion	n/a	unqualified	unqualified	unqualified	n/a	n/a		n/a	2015/16 annual VFM assessment expected August 2016. Positive result anticipated.
NEW	% of people accessing SDC services online in relation to other channels	Aim to Maximise	n/a	n/a	n/a	n/a	n/a	n/a	n/a	KPI BEING DEVELOPED
Indicators of Organisational Health										
NEW	Average days sick per FTE (full time employee)	Aim to Minimise	6.78 days	6.00 days	6.02 days	6.67 days				Sickness has reduced over recent years. Despite a rise in Q1, July saw a large decrease. Services with the highest sickness include Community Officers and the Contact Centre. Audit of sickness absence management underway. We will improve information to help managers address sickness.
NEW	% eligible employees receiving appraisal in last 12 months	Aim to Maximise	n/a	n/a	n/a	n/a	n/a	n/a	n/a	KPI BEING DEVELOPED Anecdotal evidence suggests the focus on maintaining employee appraisals has slipped in recent months. Addressing this will be a priority in the coming months.
NEW	Health & Safety: Accidents in the last 12 months	Aim to Minimise	7	12	13	12				There was one HSE reportable accident in Q1 and one non-reportable accident. These involved lifting and hot liquids respectively. All incidents have been investigated, risk assessments reviewed and action taken where appropriate to prevent recurrences. The Corporate Health & Safety Plan 2016/17 has been developed.
NEW	% employees satisfied	Aim to Maximise	n/a	n/a	n/a	n/a	n/a	n/a	n/a	The next staff survey will be undertaken in the second half of 2016/17

Delivering Priority 4

Delivering Great Value: Projects

Q1 2016/17

Code	Action Title	Managed By	Due Date	Progress Icon	Latest update
Working with others and co-developing the way in which services are delivered					
PROJECTS TO BE DEVELOPED					
Commissioning those best placed to deliver services on our behalf					
BETT 3.5	Health, Social Care & Housing Integration	A Crossland	31-Mar-18		Mental Health Conference on 9 September will inform further activity. A new Head of Service has been recruited who, once in post, will bring additional capacity to develop this work further.
NEW	Commissioning strategy adopted and milestones delivered	K Cadman	31-Mar-18		A new project. A commissioning forward plan is in place to ensure business continuity where there is an ongoing service requirement. A key element of the forward plan will be to assess future demand to ensure services commissioned meet both current and future needs.
Making sure we communicate well with customers to help us understand what matters, to listen and learn and to enable us to offer the right support					
NEW	Understanding the effectiveness of customer engagement	A Crossland	31-Mar-17		Resource identified and secured to evaluate the effectiveness of different types of communications and customer engagement with a view to targeting future resources as effectively as possible.
Helping people to access services digitally					
NEW	Review and update ICT Strategy	S Robinson	31-Mar-17		Head of Service now in place to provide leadership to the ICT function. Plans in place to secure relevant resource. Strategy review and update a priority for the next three months.
NEW	Pilot a new Customer Portal in 2/3 services	S Robinson	31-Mar-17		Online payment facilities have been introduced. Payments for Business Rates, Council Tax, Housing Benefit over-payments, invoices and Rent payments can be made 24 hours a day from any location with an internet connection. Some delays on Better Together customer portal project which is currently being reviewed to ensure pilots are in areas that will offer business and customer benefits.
'Other'					
NEW	Increase income generation	S Robinson	31-Mar-17		Opportunities to increase income generation still being actively explored, e.g. Police co-location project. Review of fees and charges commenced – with statutory fees/charges reviewed in the first instance.
NEW	New Structure in place	J Waggott	31-Mar-17		Interim Chief Executive now in post. All directors and heads of service now recruited. Focus now on structures below heads of service. Additional HR capacity secured from NYCC. Trade Union updated.
NEW	Planning Review completed with agreed Action Plan	J Cokeham	30-Sep-16		Review report and action plan to be considered by the Executive in September.

Code	Action Title	Managed By	Due Date	Progress Icon	Latest update
NEW	Performance Management Framework implemented	S Robinson	Mar-17		Outline proposals for revised performance framework discussed with ELT. Draft Q1 performance report produced.
NEW	A Councillor development programme agreed and delivered in at least 2 areas	G Marshall	Mar-17		Project Plan being drawn up – aim to create a small councillor working group to discuss and finalise the programme to roll out in Oct 2016
NEW	Leadership programme delivered	S Robinson	30-Jun-17		Specifications developed for three modules to be delivered late 2016 and early 2017. Procurement exercise to commence in September.
NEW	Financially sustainable inc Investments (MTFS)	K Iveson	31-Mar-17		Q1 financial results reported to Executive in August – General Fund budget shortfall of £137k forecast against a budgeted surplus of £181k and HRA a small shortfall of £20k. The position will be monitored closely over the next quarter and in-year savings will be sought. MTFS approved by Council on 20 September - £1.7m savings target set over the period 2016/17 to 2018/19.
NEW	Organisational Development Strategy adopted	S Robinson	31-Mar-17		Initial meeting held with IIP representative with a view to updating accreditation in the autumn. IIP review to provide basis for OD Strategy.
NEW	Devo deal/decision – Selby's asks reflected in deal	D Caulfield	31-Mar-17		We continue to play an active role in Devolution discussions in both the Leeds City Region and York, north Yorkshire & East Riding to ensure Selby's interests are properly recognised.
NEW	Agree and start to implement the next P4G programme	D Caulfield	31-Mar-17		Review progress on existing Programme for Growth and agree priorities with members in autumn 2016 for investment from April 2017

Selby District Council

REPORT

Reference: E/16/19

Public



To: The Executive
Date: 06 October 2016
Status: Non Key Decision
Report Published: 28 September 2016
Author: Ralph Gill / Glenn Shelley
Executive Member: Cliff Lunn, Lead Executive Member for Finance and Resources
Lead Officer: Karen Iveson, Chief Finance Officer

Title: Council Tax Support Scheme 2017/18

Summary:

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

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

The report sets out the results from the public consultation and makes recommendations to Executive and then Council for changes to the Scheme.

Recommendations

- i. To recommend to Council to approve the maximum Tax Support level remaining at the current level of 90%
- ii. To recommend to Council to approve the changes proposed to the Council Tax Support Working Age Scheme as outlined in the report.
- iii. To recommend to Council to approve the revised Council Tax Support Working Age Scheme be adopted for a period of two years from April 17 to March 19.

Reasons for recommendation

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

1. Introduction and background

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

2. The Report

- 2.1 At the meeting of the 12 July 2016, the Executive agreed that public consultation be undertaken on retaining the maximum level of Council Tax Support at 90% and on a number of other changes necessary to bring the Scheme into line with wider Central Government welfare reforms. The Council engaged in a six week period of public consultation on the proposed changes between 22 July and 2 September 2016.

Maximum Liability

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

Table 1 – The Maximum award of Council Tax Support across North Yorkshire

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

2.3 Whilst claimants have to pay a minimum of 10% of their Council Tax liability irrespective of their level of income, the Council does operate a discretionary hardship scheme to assist those with limited financial resources.

3. Proposed changes to the Working Age Scheme

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

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

Removal of the Family Premium

3.3 The removal of the Family Premium from 1 April 2017 for new claims will bring the Council Tax Support Scheme in line with Housing Benefit. The family premium is part of the assessment of the 'needs' of any claimant. This is compared with their income. Family Premium is normally given when a claimant has at least one dependent child living with them.

3.4 Removing the family premium will mean that the extra amount given to people with children, currently £17.45 per week, will be removed. This change would not affect those on Universal Credit, Income Support, Income Related Employment and Support Allowance or Income Based Jobseeker's Allowance.

3.5 The table below models the impact of removing the family premium in Selby District.

Table 2 – Impact of Family Premium being removed

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

(Modelling data based on caseload extracts at 5th May 2016. The saving is the overall saving; the Council's share is 10.4% of this.)

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

Reduce Backdating from six months to one month

- 3.7 Currently claims for Council Tax Support from working age claimants can be backdated for up to six months where an applicant shows they could not claim at an earlier time. Central Government has reduced the period for Housing Benefit claims to one month. The Executive approved consultation on this change to bring the Council's Council Tax Support Scheme into line with the changes for Housing Benefit. However, working age residents may see a reduction in the amount of support they receive if they are unable to claim on time.

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

- 3.8 Within the current Scheme, applicants can be temporarily absent from their homes without it affecting their Council Tax Support. This replicated the rule within Housing Benefit. Housing Benefit has been changed so that if a person is absent from Great Britain for a period of more than four weeks, their benefit will cease. It is proposed that the Council's Council Tax Support Scheme is amended to reflect the changes in Housing Benefit. There are exceptions for certain occupations including the armed forces and mariners.
- 3.9 If a person is absent from Great Britain for a period which is likely to exceed four weeks, their Council Tax Support will cease from when they leave the Country. They will need to re-apply on return.

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

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

Limit the number of dependants that Support can be claimed for to two for all cases where a child is born, or a family makes a new claim, on or after 1 April 2017

- 3.12 Within the current Scheme, claimants who have children are awarded a dependants' addition of £66.90 for each child within their applicable amounts. There is no limit to the number of dependants' additions that can be awarded.
- 3.13 From April 2017 Central Government will be limiting dependants' additions in Housing Benefit and Tax Credits to a maximum of two. This will only affect households which have a third or subsequent child on or after 1st April 2017. The Executive approved consultation to amend the Council's Scheme to reflect the changes in Housing Benefit and Central Government Benefits. There will be exceptions where there are multiple births after 1 April 2017 (and the household is not already at their maximum of two dependants within the calculation), adopted children or where households merge.

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

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

4. Public Consultation Responses

- 4.1 The consultation was based on an electronic survey form on the Council's website. A marketing campaign was undertaken which included a press release issued at the start of the consultation and the use of social media throughout.
- 4.2 Details of the consultation were also circulated to over 30 organisations working to support residents including Charities, Housing Associations, Social Services and Health Services.
- 4.3 The Council received 10 responses, only one of which was from an existing recipient of Council Tax Support. The consultation questionnaire and responses received are available as a background paper.
- 4.4 Broadly, the consultation responses were in favour of the proposed changes with strong support for retaining the 90% maximum level of support; reducing the period for which a person can be absent from Great Britain to four weeks; removing the Work Related Element for Employment & Support Claims and removing the Disability Premium.
- 4.5 However, some comments were received in respect the financial hardship created by removing the Family Premium and limiting the number of dependant children to a maximum of two within the calculation of Council Tax Support. These changes are proposed in order to mirror the changes being made by Central Government to the Pension Age Council Tax Support

scheme and other welfare benefits. The modelled impact of removing the family premium shows the change is relatively low in weekly entitlement. Families will still be eligible for the Hardship Scheme where need is shown.

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

5. Equalities Impact Assessment (EIA)

- 5.1 An EIA has been completed and is available as a background paper. It has only been possible to model the impact of these changes with any degree of accuracy with regards to the removal of the family premium.
- 5.2 Only one of the proposed changes, removal of the element of a Work Related Activity Component in the calculation of Council Tax Support, will have no adverse effect.
- 5.3 Changes to the working age scheme affect adults of all ages (below the state pension age) equally, irrespective of any other equalities factors. The proposed changes are relatively small in financial terms and advice and support will continue to be available to assist those in difficulty through Council Tax Support Discretionary Hardship payments.
- 5.4 The Council's approved Council Tax Support Vulnerability and Work Incentives Policy addresses how the Scheme takes account of the Council's responsibilities for:
- Child poverty
 - The chronically sick and disabled
 - The Armed Forces Covenant
 - Work Incentives

Preceptor Consultation

- 5.5 Under the requirements of Schedule 1A of the Local Government Finance Act 1992 the other major Council Tax preceptors (North Yorkshire County Council, The North Yorkshire Police & Crime Commissioner and North Yorkshire Fire & Rescue Authority) were each provided with details of the full consultation and given the opportunity to respond.
- 5.6 The effect of the proposed changes on the preceptors is that the level of Council Tax discounts awarded will reduce and thereby marginally increase each Preceptor's income.

6 Legal Issues

- 6.1 The legislation for the scheme is derived from the Local Government

Finance Act 2012. Once adopted by Council the scheme may not be changed in year. Any changes to the proposed scheme may only be applied from April 2018 and would be subject to further public consultation.

7. Financial Issues

- 7.1 The proposed changes will marginally reduce the level of Council Tax Support awarded. As it is a Council Tax discount scheme this will have the effect of increasing the Council Tax Base by 40.74 Band D equivalents, thereby increasing Council Tax income for the preceptors including Selby District Council as follows:

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

- 7.2 The savings are merely an outcome of the changes and the achievement of financial savings is not one of the objectives of changing the Scheme.

8. Conclusion

- 8.1 The report recommends that the maximum Council Tax Support level should remain at 90% of total liability. Public consultation, whilst limited, supported this recommendation.
- 8.2 The report sets out the results of public consultation on bring the working age scheme into line with the welfare reform changes being made by the Government for the purpose of clarity and consistency. It is recommended that all these changes are reported to Council for inclusion in the Scheme for the next two years.

9. Background papers

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

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

10. Appendices

None

Contact Details

Ralph Gill
Lead Officer
Benefits & Taxation
rgill@selby.gcsx.gov.uk

Selby District Council

REPORT

Reference: E/16/20

Item 6 - Public



To: The Executive
Date: 6 October 2016
Status: Non Key Decision
Report Published: 28 September 2016
Author: Aimi Brookes, Senior Contract Officer
Executive Member: Cllr Richard Musgrave, Lead Member for Housing, Leisure, Health and Culture
Lead Director: Julie Slatter, Director of Corporate Services and Commissioning

Title: Review of Parks Byelaws

Summary

The Regulation of Pleasure Ground byelaws were adopted for Selby Park in 1899 and amended in 1925 to include four other sites (Selby Recreation Ground, Leeds Road Recreation Ground, East Common Recreation Ground and Scott Road Recreation Ground). The byelaws are outdated and we are updating them to ensure they reflect how we currently use our open spaces

Recommendations:

- i. To give approval to apply to the Secretary of State for approval to adopt a new set of byelaws for parks and open spaces
- ii. To publicise the proposed new byelaws if the application to the Secretary of State is successful
- iii. To revoke the existing byelaws adopted by the Council in 1899, upon the new byelaws coming into effect

Reasons for recommendations

To ensure that the correct procedure is followed for the revocation of the current byelaws and the adoption of new byelaws and to ensure that the Councils byelaws are fit for purpose.

1.0 Introduction and background

Selby has a number of public open spaces that directly act as a leisure facility.

Over time, the way these open spaces are used has changed. The Council wants to be able to manage the open spaces in a way that meets the diverse needs of users and encourages residents and visitors to use its open spaces responsibly.

The existing byelaws are outdated and do not correspond with how Selby's residents and visitors are now using or wish to use the open spaces.

One particular example of this is in relation to cycling.

Following the success of the Tour de Yorkshire Grande Depart in 2014 and the Tour de Yorkshire in subsequent years, the District has seen a significant increase in the interest in cycling in the area. The Selby 3 Swans Cycle Sportive has grown in recent years with over 1000 riders expected to take part in the 2016 races, and the Council is developing a central Community Bike Hub in Selby Park funded by Welcome to Yorkshire and Sport England.

The current byelaws do not facilitate the ambitions of the Council to build on the legacy of these events and become a cycle friendly district as cycling, including the wheeling of bikes, is prohibited in Selby Park. We are proposing to replace this with byelaws allowing cycling in designated areas to encourage greater use of the park and other areas.

A further example is the prohibition of mobility scooters. The existing byelaws prohibit the use of mobility scooters which has been addressed as part of this review.

2.0 The Report

Byelaws are local laws set by Local Authorities (and certain other public bodies) which are designed to deal with local issues. Generally, byelaws prohibit certain behaviours in a specific location. where it may cause a nuisance to others.

Byelaws are accompanied by a sanction or penalty for non-compliance and if validly made, breach of a byelaw can attract an offence which can be prosecuted in the Magistrates Courts.

Whilst Local Authorities can draft byelaws they are currently subject to the approval of the Secretary of State (SoS) before they can come into effect.

The rationale for this is that byelaws create criminal offences and should therefore be subject to scrutiny by central government.

The Council has an existing set of byelaws covering the use of 'pleasure grounds' (parks and open spaces). The byelaws were first adopted by the Urban District Council of Selby on 11th October 1899 and initially just covered Selby Park. The byelaws were extended on 21st January 1925 to include Selby Recreation Ground (now known as Portholme Road Recreation Ground, Leeds Road Recreation Ground, East Common Recreation Ground (now known as Denison Road Recreation Ground) and Scott Road Recreation Ground (now owned by Selby Community Trust and so not included in the proposed byelaws).

The byelaws are outdated and difficult to understand due to the archaic language they are written in. The Council wishes to update them to ensure they reflect how we currently use our open spaces.

The Council has chosen to use a set of model byelaws developed by the Department of Communities and Local Government (DCLG). The use of the model byelaws is not mandatory but can help to ensure that byelaws introduced by a local authority are correctly worded and within the authority's powers thus reducing legal challenge that bespoke byelaws may raise.

The Procedure for Adopting the Model Set of Byelaws

There is a prescriptive process that the Council needs to follow in order to make a new set of byelaws. The full project timeline can be found in Appendix A, but a summary of the steps is listed below:-

- Assessment and preparation of draft byelaws
- Public consultation / analysis of feedback
- Executive approval to make the application to the SoS
- Application to SoS
- *Publication of proposals / consideration of representations
- *Decision to adopt the new byelaws and revoke the existing byelaws – to be made at Full Council
- *Making the new byelaw
- *Publicity

*These stages assume approval is granted from the SoS

Consultation

A consultation on the proposed byelaws was run over a 4 week period from 4th to 31st July 2016. The consultation was publicised in a variety of ways including in the local press, on the Councils website and via its social media accounts, at Access Selby, in each of the relevant parks and open spaces and via a letter drop to neighbouring residents and businesses in the vicinity of each of the sites.

17 consultation responses were received in total. Some of the comments received related to the lack of reference to drug and alcohol misuse, dog fouling and the use of drones. The byelaws do not include issues such as drug and alcohol misuse and dog fouling as there is already sufficient

legislation that covers this. A restriction on the use of drones is included in the proposed byelaws.

No amendments have been made to the proposed byelaws as a result of the consultation.

3.0 Legal/Financial Controls and other Policy matters

3.1 Legal Issues

Whilst Local Authorities can draft byelaws they are currently subject to the approval of the Secretary of State (SoS). The procedure for the adoption of the model set of byelaws has been followed.

The function to make and revoke Byelaws sits with full Council. Subject to the Secretary of State's view on the proposed Byelaws, they will then be put before full Council for approval and enactment. At this stage all that is required of the Executive is a recommendation to make the Application to the Secretary of State.

3.1 Financial Issues

N/A

4. Conclusion

The existing byelaws are outdated and in need of review. The proposed model byelaws are designed to ensure that the Councils parks and open spaces can be enjoyed safely by all users and so that appropriate enforcement action can be taken where necessary.

5. Background Documents

N/A

Contact Officer

Aimi Brookes
Senior Contract Officer
abrookes@selby.gov.uk
01757 292269

Appendices

Appendix A Project timetable
Appendix B Existing byelaws

Appendix C Proposed model byelaws

Appendix D Summary of changes between existing and proposed byelaws

Review of Parks Byelaws – Project Timeline

Stage	Detailed Tasks	Date and Timescale
Assessment and Consultation Preparation	<ul style="list-style-type: none"> • Prepare a draft of the Byelaw. • Carry out an Assessment of whether the regulatory burden imposed by the Byelaw is proportionate. • Prepare a Statement of the Assessment. • In carrying out the Assessment, we must consult with such persons we consider are potentially affected by the Byelaw. For example, the Bowling Club, any Football clubs using the park etc. We would need to give thought to how we consult with persons of all ages using the park. We would also need to undertake an Equality Impact Assessment. • The Statement should be publicised on the website and otherwise publicised in a manner which we consider likely to bring the statement to the attention of persons who live in the area of may otherwise be affected. 	6 th June (4 Weeks)
Public Consultation	<ul style="list-style-type: none"> • Issue public notice – local press • On site consultation • Letter drop to local residents and businesses • Consultation documentation in Access Selby • Erect posters in agreed locations / sites • Monitor website • Receive paper questionnaires • Receive electronic questionnaires 	4 th July (4 weeks)
Analysis of consultation feedback	<ul style="list-style-type: none"> • Consolidate manual feedback into electronic form • Summarise feedback • Review proposed byelaws in light of feedback 	1 st August (1 week)
Executive Briefing	<ul style="list-style-type: none"> • Executive briefing to approve byelaw changes and authority to make application to secretary of state 	15 th September
Executive Approval	<ul style="list-style-type: none"> • Executive report to approve byelaw changes and authority to make application to secretary of 	6 th October

	state	
Decision to apply	<ul style="list-style-type: none"> Update register of decisions 	14 th October
Application for Approval	<ul style="list-style-type: none"> Apply to the Secretary of State for approval, providing:- <ol style="list-style-type: none"> The draft Byelaw. The Statement (referred to above). A Report. 	14 th October (1 week)
Application Approval	<ul style="list-style-type: none"> The Secretary of State must respond in writing to an application made within 30 days of the date of submission of the Application. The Secretary of State can either:- <ol style="list-style-type: none"> Give leave to make the Byelaw. Send an Acknowledgement stating it will issue a substantive response as soon as practicable. Refuse to give leave to make the Byelaw. 	17 th October (30 days)
Publication of Proposals	<ul style="list-style-type: none"> If we are granted leave to make the Byelaw, we must publish a Notice on our website and in one or more of the local newspapers circulating the area in which the land is situated in respect of which the Byelaw will apply. We must also publicise the Notice in such other manner as we see fit. 	17 th November (6 weeks)
Consideration of Representations	<ul style="list-style-type: none"> We must consider any written representations before making a decision. <p>It is recommended that the same be put to the Policy Review Committee.</p>	29 th Dec PR committee 17 th Jan
Decision	<p>(No later than six months after the expiration of the period specified in the Notice for Written Representations)</p> <ul style="list-style-type: none"> Make the Byelaw without modification. Make the Byelaw with minor modification. Not make the proposed Byelaw. <p>Full Council Decision. There is Council on 21st February 2017.</p>	21 st February 2017
Making the Byelaw	<ul style="list-style-type: none"> Under the Common Seal of the Authority. 	March 2017

Publicity	<p>(Not less than seven days before the day on which the Byelaw comes into force)</p> <ul style="list-style-type: none"> • Deposit a copy of the Byelaw at our principal office. • Where possible, place signs summarising the Byelaw in conspicuous positions. • Publish on our website a Notice. • Send a copy to the County Council. • Publicise the Byelaw in such other manner as we consider fit. 	March 2017 (4 weeks)

BYELAWS

MADE BY

The Urban District Council of Selby

WITH RESPECT TO THE

REGULATION of a PLEASURE GROUND.



Selby:

E. H. RIMMINGTON, PRINTER, "EXPRESS" OFFICE.

1925.

URBAN DISTRICT COUNCIL OF SELBY.

BYELAWS

MADE BY

The Urban District Council of Selby

WITH RESPECT TO THE

Regulation of a Pleasure Ground.

1. Throughout these byelaws the expression "The Council" means the Urban District Council of Selby, and the expression "the Pleasure Ground" means the pleasure ground situate on the East side of Park Street, in Selby, and known as the Little Park.

2. The pleasure ground shall be opened at the hour of Seven in the forenoon and shall be closed at the hour of Ten in the afternoon of every day during the months of June and July; and shall be opened at the hour of Seven in the forenoon and shall be closed at the hour of Half-past Nine in the afternoon of every day during the months of April, May, August, and September; and shall be opened at the hour of Eight in the forenoon and shall be closed at the hour of Seven in⁴⁶ the afternoon of every day during the months of March and October; and

shall be opened at the hour of Eight in the forenoon and shall be closed at the hour of Six in the afternoon during the months of January, February, November, and December.

Provided always that this byelaw shall not be deemed to require the pleasure ground to be opened and closed at the hours hereinbefore prescribed on any day when, in pursuance of any statutory provision in that behalf, the Council may close such pleasure ground to the public

3. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the pleasure ground, shall not on any day on which the pleasure ground may be open to the public enter the pleasure ground before the time herein-before appointed for the opening thereof, or enter the pleasure ground or remain therein after the time herein-before appointed for the closing thereof.

4. A person shall not enter or quit the pleasure ground otherwise than through some one of the gates, wickets, passages, or openings appointed by the Council as the authorized means of entrance to or egress from the pleasure ground.

5. A person shall not wilfully or improperly remove or displace any board, plate, or tablet, or any support, fastening, or fitting of any board, plate, or tablet used or constructed or adapted to be used for the exhibition of any byelaw or notice, and fixed or set up by the Council in any part of the pleasure ground, or in or on any building or structure therein, or at or near to any one of the appointed means of entrance to or egress from the pleasure ground, or in or on any wall or fence enclosing the pleasure ground.

6. A person shall not carelessly or negligently deface, injure, or destroy any part of any wall or fence in or enclosing the pleasure ground, or any part of any building, barrier, or railing, or of any fixed or movable seat, or of any other structure or erection in the pleasure ground.

7. A person shall not wilfully, carelessly, or negligently remove or displace any barrier, railing, or post, or any fixed or movable seat, or any part of any building, structure or erection, or any monument, work of art, ornament, or decoration, or any implement, utensil, apparatus, appliance, or article provided for use or used or adapted to be used in the laying out, planting, improvement, or maintenance of the pleasure ground, or in the care, cultivation, or protection of any tree, sapling, shrub, underwood, gorse, furze, fern, herb, or plant in the pleasure ground.

8. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the pleasure ground, shall not at any time ride, drive, or bring, or cause or suffer to be ridden, driven, or brought into the pleasure ground any beast of draught or burden.

9. A person shall not drive or bring, or cause to be driven or brought into the pleasure ground any bull, ox, cow, heifer, steer, calf, sheep, lamb, hog, pig, or sow, unless, in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, such person may be duly authorized to drive or bring any such animal or to cause any such animal to be driven or brought into the pleasure ground for pasturage or for any other lawful purpose.

10. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the pleasure ground, shall not at any time drive or wheel, or cause or suffer to be driven or wheeled into the pleasure ground any barrow, truck, or machine, or any vehicle other than a wheeled chair drawn or propelled by hand, or a perambulator or a chaise drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid.

11. A person who shall wheel or bring, or cause to be wheeled or brought into the pleasure ground a wheeled chair drawn or propelled

by hand, or a perambulator or a chaise drawn or propelled by hand and used solely for the conveyance of a child or children or an invalid, shall not at any time wheel or station such chair, perambulator, or chaise, or cause or suffer such chair, perambulator, or chaise to be wheeled or stationed over or upon any part of a flower bed, or over or upon any shrub, underwood, gorse, furze, fern, or plant, or any ground in course of preparation or cultivation as a flower bed, or for the reception or growth of any shrub, underwood, gorse, furze, fern, or plant.

Where, by a notice or notices affixed or set up in some conspicuous position at or near to each of the several entrances to the pleasure ground, the Council may from time to time prohibit the use by any such wheeled chair, perambulator, or chaise of such part or parts of the pleasure ground as shall be defined or described in such notice or notices, a person shall not, at any time while such notice or notices shall continue so affixed or set up, wheel or station any such chair, perambulator, or chaise, or cause, or suffer any such chair, perambulator, or chaise to be wheeled or stationed over or upon such part or parts of the pleasure ground.

12. A person, other than an officer of the Council, or a person acting in pursuance of their directions in that behalf, shall not affix or post any bill, placard, or notice to or upon any wall or fence in or enclosing the pleasure ground, or to or upon any tree, or to or upon any part of any building, barrier or railing, or of any fixed or movable seat, or of any other structure or erection in the pleasure ground.

13. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the pleasure ground, shall not at any time, in any part of the pleasure ground, remove or disturb any part of the soil of any flower bed, or any soil under or about any tree, sapling, shrub, underwood, gorse, furze, fern, or plant, or any soil in course of preparation or cultivation as a flower bed, or for the reception or growth of any shrub, underwood, gorse, furze, fern, or plant.

14. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the pleasure ground, shall not at any time, in any part of the pleasure ground, walk or run over, or stand, sit, or lie upon any part of any flower bed, or any shrub, underwood, gorse, furze, fern, or plant, or any ground in course of preparation or cultivation as a flower bed, or for the reception or growth of any shrub, underwood, gorse, furze, fern, or plant.

15. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance of the pleasure ground, shall not at any time, in any part of the pleasure ground, cut or displace any turf, or uproot or displace any gorse, furze, fern, or plant.

16. A person shall not at any time, in any part of the pleasure ground, pluck any bud, blossom, flower, or leaf of any tree, sapling, shrub, underwood, gorse, furze, fern, or plant.

17. A person shall not wilfully, carelessly, or negligently soil or defile any part of any wall or fence in or enclosing the pleasure ground, or any part of any building, barrier, or railing, or of any fixed or movable seat, or of any monument, work of art, ornament, or decoration, or of any other structure or erection in the pleasure ground, or wilfully, carelessly, or negligently throw or deposit any filth, rubbish, or refuse, or cause or suffer any filth, rubbish or refuse to fall or to be thrown or deposited upon any part of the pleasure ground.

18. A person shall not wilfully, carelessly, or negligently throw or discharge in the pleasure ground any stone or other missile to the damage or danger of any person.

19. A person shall not climb any wall or fence in or enclosing the pleasure ground, or any tree, or any barrier, railing, or post in the pleasure ground.

20. A person shall not bathe, wade, or wash in any lake, pond, stream, or other ornamental water in the pleasure ground, or wilfully, carelessly, or negligently foul or pollute any such water, or take, injure, or destroy, or attempt to take, injure, or destroy, or wilfully disturb any fish in any such water, or wilfully disturb or worry or illtreat any fowl in any such water, or elsewhere in the pleasure ground.

21. A person shall not, in any part of the pleasure ground, wilfully displace or disturb, injure, or destroy any bird's nest, or wilfully take, injure, or destroy any bird's egg.

22. A person shall not, in any part of the pleasure ground, take, injure, or destroy any bird, or spread or use any net, or set or use any snare or other engine, instrument, or means for the taking, injury, or destruction of any bird.

23. A person shall not cause or suffer any dog belonging to him or in his charge to enter or remain in the pleasure ground, unless such dog be and continue to be under proper control, and be effectually restrained from causing annoyance to any person, and from worrying or disturbing any beast, and from entering any ornamental water, and from injuring or destroying, worrying or disturbing any fowl in the pleasure ground.

24. A person shall not, except as is herein-after provided, play or take part in any game of football, quoits, bowls, hockey, cricket, or any other game which, by reason of the rules or manner of playing, or for the prevention of damage, danger, or discomfort to any person in the pleasure ground, may necessitate, at any time during the continuance of the game, the exclusive use by the player or players of any space in the pleasure ground:

Provided that where, by a notice or notices, which shall be affixed or set up in some conspicuous position in the pleasure ground, and at or near to each of the principal entrances thereto, the Council may from time to time set apart, for the playing of any such game or games as may be specified in such notice or notices, such space or spaces in the pleasure ground as shall be defined or described in such notice or

notices, this byelaw shall not be taken to prohibit any person from playing or taking part in any game or games which may be played in such space or spaces and in accordance with the following regulations:—

(i.) Every person resorting to any such space for the purpose of playing or taking part in any such game shall, in making preparation for the playing of such game and in the manner of playing, use reasonable and proper care to prevent undue interference with the reasonable and proper use of such space by any other person engaged in making preparation for playing or in playing therein, or thereafter resorting to such space for the purpose of making preparation for playing or of playing therein:

(ii.) A person resorting to any such space for the purpose of playing or taking part in any such game shall not begin to play at any time when such space is already occupied by such a number of players and in such a manner as to render any addition to the number of players incompatible with the safe and convenient use of such space by the players already in occupation:

(iii.) Except in any case where the exclusive use of any such space or of any part thereof may have been granted by the Council for the playing of any match, of which the occasion and character shall be such as to render expedient an extension of the time herein-after specified, a player or company of players shall not, in making preparation for playing and in playing any game, use any part of such space for a longer time than *one hour* continuously, if, at the expiration of that time any other player or company of players, for whose use no other part of such space or no part of any other space set apart for the purpose may be available, shall make known to such first-mentioned player or company of players an intention to use, for the purpose of playing, such part of such space as shall have been previously used by such player or company of players.

25. A person, other than an officer of the Council, or a person or a servant of a person employed by the Council in or about any work in connexion with the laying out, planting, improvement, or maintenance

of the pleasure ground, shall not, except as herein-after provided, erect any post, rail, fence, pole, tent, booth, stand, building, or other structure in any part of the pleasure ground:

Provided that the foregoing prohibition shall not apply in any case where, upon an application to the Council for permission to erect any post, rail, fence, pole, tent, booth, stand, building, or other structure in any part of the pleasure ground, upon such occasion and for such purpose, as shall be specified in such application, the Council may grant, subject to compliance with such conditions as they may prescribe, permission to any person to erect such post, rail, fence, pole, tent, booth, stand, building or other structure.

26. A person shall not, in any part of the pleasure ground, beat, shake, sweep, brush, or cleanse any carpet, drugget, rug or mat, or any other fabric retaining dust or dirt.

27. A person shall not, in any part of the pleasure ground, hang, spread, or deposit any linen or other fabric for the purpose of drying or bleaching.

28. A person shall not deliver any public address in any part of the pleasure ground.

29. A person shall not, in any part of the pleasure ground, sell, or offer or expose for sale, or let to hire, or offer or expose for letting to hire any commodity or article, unless, in pursuance of an agreement with the Council, or otherwise in the exercise of any lawful right or privilege, such person may be duly authorised to sell or let to hire in the pleasure ground such commodity or article.

30. A person shall not, in any part of the pleasure ground, wilfully obstruct, disturb, interrupt, or annoy any other person in the proper use of the pleasure ground, or wilfully obstruct, disturb, or interrupt any officer of the Council in the proper execution of his duty, or any person or servant of any person employed by the Council in the proper execution of any work in connexion with the laying out, planting, improvement, or maintenance of the pleasure ground.

31. A person shall not, in any part of the pleasure ground, play upon any musical instrument:

Provided that the foregoing prohibition shall not apply in any case where, upon an application to the Council for permission to play upon a musical instrument in the pleasure ground, the Council may grant such permission subject to compliance with such conditions as they may prescribe.

32. Every person who shall offend against any of the foregoing byelaws shall be liable for every such offence to a penalty of Five pounds:

Provided nevertheless, that the justices or court before whom any complaint may be made, or any proceedings may be taken in respect of any such offence may, if they think fit, adjudge the payment, as a penalty, of any sum less than the full amount of the penalty imposed by this byelaw.

33. Every person who shall infringe any byelaw for the regulation of the pleasure ground may be removed therefrom by any officer of the Council, or by any constable, in any one of the several cases herein-after specified; that is to say—

(i.) Where the infraction of the byelaw is committed within the view of such officer or constable, and the name and residence of the person infringing the byelaw are unknown to and cannot be readily ascertained by such officer or constable:

(ii.) Where the infraction of the byelaw is committed within the view of such officer or constable, and, from the nature of such infraction, or from any other fact of which such officer or constable may have knowledge, or of which he may be credibly informed, there may be reasonable ground for belief that the continuance in the pleasure ground of the person infringing the byelaw may result in another infraction of a byelaw, or that the removal of such person from the pleasure ground is otherwise necessary as a security for the proper use and regulation thereof.

The foregoing Byelaws were approved and adopted at a Meeting of the Selby Urban District Council, held the 16th day of August, 1899.

As witness the Seal of the said Council, this 11th day of October, 1899.

THOS. LIVERSIDGE,
Chairman.

JNO. HY. BANTOFT,
Clerk.



Allowed by the Local Government Board this First day of November, 1899.

S. B. PROVIS,
Secretary.

Acting on behalf of the said Board, under the Authority of their General Order, dated the 26th day of May, 1877.



BYELAW

Made by the URBAN DISTRICT COUNCIL OF SELBY with respect to the PLEASURE GROUNDS known as

SELBY RECREATION GROUND,
LEEDS ROAD RECREATION GROUND,
EAST COMMON RECREATION GROUND, and
SCOTT ROAD RECREATION GROUND.

1. From and after the date of the confirmation of this byelaw, the series of byelaws relating to the regulation of a pleasure ground, which was made by the Urban District Council of Selby on the Eleventh day of October, 1899, and was confirmed by the Local Government Board on the First day of November, 1899, shall be deemed to extend and apply to the pleasure grounds known as

SELBY RECREATION GROUND, situate in James Street, Selby;
LEEDS ROAD RECREATION GROUND, situate in Leeds Road, Selby;
EAST COMMON RECREATION GROUND, situate in Volta Street, Selby; and
SCOTT ROAD RECREATION GROUND, situate in Scott Road, Selby.

The forgoing byelaw was approved and adopted at a meeting of the Selby Urban District Council, held on the Twenty-first day of January, 1925.

As witness the Seal of the said Council, this Twenty-first day of January, 1925.



JOHN THOMPSON, Chairman.
JNO. HY. BANTOFT, Clerk to the Council.

Allowed by the Minister of Health this Twenty-ninth day of April, 1925.



A. B. MACHLACHLAN,
Assistant Secretary, 51

Ministry of Health.

SELBY DISTRICT COUNCIL

BYELAWS FOR PLEASURE GROUNDS, PUBLIC WALKS AND OPEN SPACES

ARRANGEMENT OF BYELAWS

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1. General interpretation
2. Application

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4. Unauthorised erection of structures
5. Climbing
6. Grazing
7. Protection of wildlife
8. Dogs
9. Gates
10. Camping
11. Rubbish
12. Fires
13. Missiles
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HORSES, CYCLES AND VEHICLES

15. Interpretation of Part 3
16. Horses - Horse riding prohibited (subject to any bridleway, etc)
17. Cycling
18. Motor vehicles

PART 4

PLAY AREAS, GAMES AND SPORTS

19. Interpretation of Part 4
20. Children's play areas
21. Children's play apparatus
22. Skateboarding, etc - Skateboarding, etc permitted only in designated area

- 23. Ball games - Ball games permitted throughout the ground but designated area for ball games also provided
- 24. Ball games - Rules
- 25. Archery
- 26. Field sports
- 27. Golf - Permitted where part of ground is set aside as a golf course

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MODEL AIRCRAFT

- 28. Interpretation of Part 5
- 29. Model aircraft - Model aircraft permitted in certain grounds [on specified days and at specified times

PART 6

OTHER REGULATED ACTIVITIES

- 30. Provision of services
- 31. Excessive noise
- 32. Public shows and performances
- 33. Aircraft, hang-gliders and hot air balloons
- 34. Kites
- 35. Metal detectors

PART 7

MISCELLANEOUS

- 36. Obstruction
- 37. Savings
- 38. Removal of offenders
- 39. Penalty
- 40. Revocation - General

SCHEDULE 1 - Grounds to which byelaws apply generally

SCHEDULE 2 - Rules for playing ball games in designated areas

Byelaws made under section 164 of the Public Health Act 1875, section 15 of the Open Spaces Act 1906, sections 12 and 15 of the Open Spaces Act 1906 by the Selby District Council with respect to the pleasure grounds, public walks and open spaces specified in Schedule 1.

PART 1
GENERAL

General Interpretation

1. In these byelaws:

“the Council” means Selby District Council;

“the ground” means any of the grounds listed in Schedule 1;

“designated area” means an area in the ground which is set aside for a specified purpose, that area and its purpose to be indicated by notices placed in a conspicuous position;

“invalid carriage” means a vehicle, whether mechanically propelled or not,

- (a) the unladen weight of which does not exceed 150 kilograms,
- (b) the width of which does not exceed 0.85 metres, and
- (c) which has been constructed or adapted for use for the carriage of a person suffering from a disability, and used solely by such a person.

Application

2. These byelaws apply to all of the grounds listed in Schedule 1 unless otherwise stated.

PART 2

PROTECTION OF THE GROUND, ITS WILDLIFE AND THE PUBLIC

Protection of structures and plants

3. (1) No person shall without reasonable excuse remove from or displace within the ground:
- (a) any barrier, post, seat or implement, or any part of a structure or ornament provided for use in the laying out or maintenance of the ground; or
 - (b) any stone, soil or turf or the whole or any part of any plant, shrub or tree.
- (2) No person shall without reasonable excuse deface, injure or destroy any part of any wall or fence enclosing the pleasure ground, or any part of any building, barrier or railing, or of any fixed or movable seat, or of any other structure or erection in the pleasure ground.
- (3) No person shall wilfully or improperly remove or displace any board, plate, or tablet, or any support, fastening, or fitting of any board, plate or tablet used or constructed to be used for the exhibition of any notice, and fixed or set up by the Council in any part of the pleasure

ground, or in or on any building or structure therein, or at or near to any one of the appointed means of entrance to or egress from the pleasure ground, or in or on any wall or fence enclosing the pleasure ground.

- (4) No person shall walk on or ride, drive or station a horse or any vehicle over:
- (a) any flower bed, shrub or plant;
 - (b) any ground in the course of preparation as a flower bed or for the growth of any tree, shrub or plant; or
 - (c) any part of the ground set aside by the Council for the renovation of turf or for other landscaping purposes and indicated by a notice conspicuously displayed.

Unauthorised erection of structures

4. No person shall without the consent of the Council erect any barrier, post, ride or swing, building or any other structure.

Unauthorised posting of signs, boards, plates or tablets

5. No person shall without the consent of the Council erect any sign, board, plate or tablet anywhere in the ground.

Climbing

6. No person shall without reasonable excuse climb any wall or fence in or enclosing the ground, or any tree, or any barrier, railing, post or other structure.

Grazing

7. No person shall without the consent of the Council turn out or permit any animal for which he is responsible to graze in the ground.

Protection of wildlife

8. No person shall kill, injure, take or disturb any animal, or engage in hunting or shooting or the setting of traps or the laying of snares.

Dogs

9. A person shall not cause any dog belonging to him/her to enter or remain in any part of the pleasure ground within which dogs are not permitted.

Gates

10. (1) No person shall leave open any gate to which this byelaw applies and which he has opened or caused to be opened.
- (2) Byelaw 10(1) applies to any gate to which is attached, or near to which is displayed, a conspicuous notice stating that leaving the gate open is prohibited.

Camping

11. No person shall without the consent of the Council erect a tent or use a vehicle, caravan or any other structure for the purpose of camping except in a designated area for camping.

Rubbish

12. No person shall wilfully, carelessly, or negligently throw or deposit any rubbish or refuse or cause any rubbish or refuse to fall or to be thrown or deposited upon any part of the pleasure ground.

Fires

13. (1) No person shall light a fire or place, throw or drop a lighted match or any other thing likely to cause a fire.
- (2) Byelaw 13(1) shall not apply to:
- (a) the lighting of a fire at any event for which the Council has given permission that fires may be lit; or
 - (b) the lighting or use, in such a manner as to safeguard against damage or danger to any person, of a properly constructed camping stove, in a designated area for camping, or of a properly constructed barbecue, in a designated area for barbecues.

Missiles

14. No person shall throw or use any device to propel or discharge in the ground any object which is liable to cause injury to any other person.

Interference with life-saving equipment

15. No person shall except in case of emergency remove from or displace within the ground or otherwise tamper with any life-saving appliance provided by the Council.

PART 3

HORSES, CYCLES AND VEHICLES

Interpretation of Part 3

16. In this Part:

“designated route” means a route in or through the ground which is set aside for a specified purpose, its route and that purpose to be indicated by notices placed in a conspicuous position;

“motor cycle” means a mechanically-propelled vehicle, not being an invalid carriage, with less than four wheels and the weight of which does not exceed 410 kilograms;

“motor vehicle” means any mechanically-propelled vehicle other than a motor cycle or an invalid carriage;

“trailer” means a vehicle drawn by a motor vehicle and includes a caravan.

Horses

17. (1) No person shall ride a horse except in the exercise of a lawful right or privilege.
- (2) Where horse-riding is permitted by virtue of a lawful right or privilege, no person shall ride a horse in such a manner as to cause danger to any other person.

Cycling

18. No person shall without reasonable excuse ride a cycle in the ground except in any part of the ground where there is a right of way for cycles or on a designated route for cycling.

Motor vehicles

19. (1) No person shall without reasonable excuse bring into or drive in the ground a motor cycle, motor vehicle or trailer except in any part of the ground where there is a right of way or a designated route for that class of vehicle.
- (2) Where there is a designated route for motor cycles, motor vehicles or trailers, it shall not be an offence under this byelaw to bring into or drive in the ground a vehicle of that class for the sole purpose of transporting it to the route.

PART 4

PLAY AREAS, GAMES AND SPORTS

Interpretation of Part 4

20. In this Part:

“ball games” means any game involving throwing, catching, kicking, batting or running with any ball or other object designed for throwing and catching, but does not include cricket;

“golf course” means any area within the ground set aside for the purposes of playing golf and includes any golf driving range, golf practice area or putting course;

“self-propelled vehicle” means a vehicle other than a cycle, invalid carriage or pram which is propelled by the weight or force of one or more persons skating, sliding or riding on the vehicle or by one or more persons pulling or pushing the vehicle.

Children's play areas

21. No person aged 10 years or over shall enter or remain in a designated area which is a children's play area unless in charge of a child under the age of 10 years.

Children's play apparatus

22. No person aged 10 years or over shall use any apparatus stated to be for the exclusive use of persons under the age of 10 years by a notice conspicuously displayed on or near the apparatus.

Skateboarding, etc

23. (1) No person shall skate, slide or ride on rollers, skateboards or other self-propelled vehicles except in a designated area for such activities.
- (2) Where there is a designated area for skating, sliding or riding on rollers, skateboards or other self-propelled vehicles, no person shall engage in those activities in such a manner as to cause danger or give reasonable grounds for annoyance to other persons.

Ball games

24. No person shall play ball games outside a designated area for playing ball games in such a manner:
- (a) as to exclude persons not playing ball games from use of that part;
 - (b) as to cause danger or give reasonable grounds for annoyance to any other person in the ground; or
 - (c) which is likely to cause damage to any tree, shrub or plant in the ground.
25. It is an offence for any person using a designated area for playing ball games to break any of the rules set out in Schedule 2 and conspicuously displayed on a sign in the designated area when asked by any person to desist from breaking those rules.

Archery

26. No person shall engage in the sport of archery except in connection with an event organised by or held with the consent of the Council.

Field sports

27. No person shall throw or put any javelin, hammer, discus or shot except in connection with an event organised by or held with the consent of the Council or on land set aside by the Council for that purpose.

Golf

28. (1) No person shall play golf on the golf course unless he holds a valid ticket issued by or on behalf of the Council entitling him to

do so, which ticket shall be retained and shown on demand to any authorised officer or agent of the Council.

- (2) No person shall enter on to or remain on the golf course unless:
 - (a) taking part in the game of golf or accompanying a person so engaged; or
 - (b) doing so in the exercise of a lawful right or privilege.
- (3) No person shall offer his service for hire as an instructor on the golf course without the consent of the Council.

PART 5

MODEL AIRCRAFT

Interpretation of Part 5

29. In this Part:

“model aircraft” means an aircraft which weighs not more than 7 kilograms without its fuel;

“power-driven” means driven by:

- (a) the combustion of petrol vapour or other combustible substances;
- (b) jet propulsion or by means of a rocket, other than by means of a small reaction motor powered by a solid fuel pellet not exceeding 2.54 centimetres in length; or
- (c) one or more electric motors or by compressed gas.

“radio control” means control by a radio signal from a wireless transmitter or similar device.

General prohibition

30. No person shall cause any power-driven model aircraft to:
- (a) take off or otherwise be released for flight or control the flight of such an aircraft in the ground; or
 - (b) land in the ground without reasonable excuse.

PART 6

OTHER REGULATED ACTIVITIES

Provision of services

31. No person shall without the consent of the Council provide or offer to provide any service for which a charge is made.

Excessive noise

32. (1) No person shall, after being requested to desist by any other person in the ground, make or permit to be made any noise which is so loud or so continuous or repeated as to give reasonable cause for annoyance to other persons in the ground by:
- (a) shouting or singing;
 - (b) playing on a musical instrument; or
 - (c) by operating or permitting to be operated any radio, amplifier, tape recorder or similar device.
- (2) Byelaw 34(1) does not apply to any person holding or taking part in any entertainment held with the consent of the Council.

Public shows and performances

33. No person shall without the consent of the Council hold or take part in any public show or performance.

Aircraft, hang gliders and hot air balloons

34. No person shall except in case of emergency or with the consent of the Council take off from or land in the ground in an aircraft, helicopter, hang glider or hot air balloon.

Kites

35. No person shall fly any kite in such a manner as to cause danger or give reasonable grounds for annoyance to any other person.

Metal detectors

36. (1) No person shall without the consent of the Council use any device designed or adapted for detecting or locating any metal or mineral in the ground.

PART 7

MISCELLANEOUS

Obstruction

37. No person shall obstruct:
- (a) any officer of the Council in the proper execution of his duties;
 - (b) any person carrying out an act which is necessary to the proper execution of any contract with the Council; or
 - (c) any other person in the proper use of the ground.

Savings

38. (1) It shall not be an offence under these byelaws for an officer of the Council or any person acting in accordance with a contract with the Council to do anything necessary to the proper execution of his duty.
- (2) Nothing in or done under these byelaws shall in any respect prejudice or injuriously affect any public right of way through the ground, or the rights of any person acting lawfully by virtue of some estate, right or interest in, over or affecting the ground or any part of the ground.

Removal of offenders

39. Any person offending against any of these byelaws may be removed from the ground by an officer of the Council or a constable.

Penalty

40. Any person offending against any of these byelaws shall be liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Revocation

41. The byelaws made by The Urban District Council of Selby on 21 January 1925 and confirmed by the Local Government Board on 29 April 1925 relating to the ground are hereby revoked.

SCHEDULES

SCHEDULE 1

GROUNDS TO WHICH BYELAWS APPLY

The grounds referred to in Byelaw 1 and 2 are:

- Selby Park, Park Street, Selby, YO8 4PW
- Leeds Road Recreation Ground, Leeds Road, Selby, YO8 4JQ
- Portholme Road Recreation Ground, Portholme Road, Selby, YO8 4HQ
- Denison Road Recreation Ground, Denison Road, Selby, YO8 8AN

SCHEDULE 2

RULES FOR PLAYING BALL GAMES IN DESIGNATED AREAS (BYELAW 23)

Any person using a designated area for playing ball games is required by byelaw 23 to comply with the following rules:

- (1) No person shall play any game other than those ball games for which the designated area has been set aside.
- (2) No person shall obstruct any other person who is playing in accordance with these rules.
- (3) Where exclusive use of the designated area has been granted to a person or group of persons by the Council for a specified period, no other person shall play in that area during that period.
- (4) Subject to paragraph (5), where the designated area is already in use by any person, any other person wishing to play in that area must seek their permission to do so.
- (5) Except where they have been granted exclusive use of the designated area for more than two hours by the Council, any person using that area shall vacate it if they have played continuously for two hours or more and any other person wishes to use that area.
- (6) No person shall play in the designated area when a notice has been placed in a conspicuous position by the Council prohibiting play in that area.

Regulation of a Pleasure Ground – Changes to the Byelaws

The current byelaws came into force for Selby Park in 1899. The byelaws were amended to include Selby Recreation Ground (James Street), Leeds Road Recreation Ground, East Common Recreation Ground (Denison Road) and Scott Road Recreation Ground in 1925.

We are proposing the following changes to the existing byelaws:-

Sections 2 and 3 - Opening Hours

The existing byelaws contain the following opening hours:-

January, February, November and December	8am to 6pm
March and October	8am to 7pm
April, May, August and September	7am to 9.30pm
June to July	7am to 10pm

We are proposing to remove the section on opening hours

Section 10 – Wheeled Vehicles

In the existing byelaws this section prevents anyone other than an officer of the Council from driving or wheeling a barrow, truck or machine (other than a pram or wheelchair) in to the parks.

We are proposing to replace this with a section from the model byelaws which will allow cycling in designated areas. There is a section in the new byelaws which covers other motor vehicles.

Section 20 - Watercourses

As there are no lakes, ponds, streams or other ornamental water features in any of these areas we are proposing to remove the section relating to this.

Section 26 – Carpets and Rugs

This section prohibits people from beating, shaking, sweeping or brushing a carpet, rug or similar in the parks. We are proposing to remove this section.

Section 27 – Drying Linen

This section prohibits the spreading, drying and bleaching of linen in the parks. We are proposing to remove this section.

Additions

There are a number of sections in the new model byelaws which are not covered in the existing ones.

Interference with life-saving equipment – will be prohibited

Horses – horse riding will be prohibited (subject to bridleways etc.)

Childrens' Play Areas – no person age 11 or over will be permitted to use any apparatus for the exclusive use of those aged 10 and under

Skateboard etc. – will only be permitted in designated areas

Archery and Field Sports – will only be permitted in connection with an event organised by or held with the consent of the Council

Golf – will only be permitted in areas set aside as a golf course

Model aircraft – will only be allowed with the consent of the Council

Aircraft, hang gliders and hot air balloons – will only be allowed in the case of emergency or with the consent of the Council

Kites – will be allowed provided they are not flown in such a manner as to cause danger or give reasonable annoyance to others

Metal Detectors – will only be allowed with the consent of the Council

We will also be adding a section prohibiting the deposit of rubbish within the sites

Selby District Council

REPORT

Reference: E/16/21

Item 7 - Public



To: The Executive
Date: 6 October 2016
Status: Non Key Decision
Report Published: 28 September 2016
Author: Chris Watson – Assistant Policy Officer
Executive Member: Cllr Richard Musgrave – Lead Councillor for Housing, Leisure, Health and Culture
Lead Officer: Gill Marshall – Solicitor to the Council

Title: Charitable Collections Policy

Summary:

Selby District Council is the Licensing Authority responsible for the licensing of charitable collections in Selby District. These charitable collections fall into two categories: Street Collections and House to House Collections. The Council currently has no charitable collections policy in place. There is no legislative requirement for this policy, however, implementation of a policy is considered to be best practice. This report sets out the scope and timetable for the policy as well as details of the consultation and approval process.

Recommendations:

- i. **To approve the draft Charitable Collections Policy for public consultation.**

Reasons for recommendation

To obtain the views of key stakeholders and the public on the draft Policy.

1. Introduction and background

- 1.1 Selby District Council is the Licensing Authority responsible for the licensing of charitable collections in Selby District. These charitable collections fall into two categories: Street Collections and House to House Collections. The licensing of street collections is regulated under the Police, Factories, etc., (Miscellaneous Provisions) Act 1916; and the regulation of house to house collections is under the House to House Collections Act 1939.
- 1.2 Both these acts give the Council authority to write regulations and policies to control charitable collections. The writing of a policy is not however, a legislative requirement and as such the Council has previously not prepared one.
- 1.3 The popularity and success of events such as the Tour de Yorkshire in the area have seen these days become popular collection date choices for charities. A policy will allow officers to equitably and consistently make decisions on restricting the number of collections.
- 1.4 The development of this policy is an opportune time to help bring the charitable collection licensing in line with the Corporate Plan 2015-2020. This policy will help the council to be a great place to:
 - Enjoy life – by ensuring that the district remains a safe and pleasant place to live by giving confidence that those collecting in the district have met our criteria; and
 - Make a difference – this policy gives preference to local charities to empower them to make a difference locally.
- 1.5 A scoping report was taken to Policy Review Committee on 21 July 2016 where it was agreed that the policy should meet the following aims:
 - To give detailed guidance on the application of the law relating to charitable collections;
 - To provide a clear idea of the requirements that charitable organisations, promoters and collectors must meet before, during and after collections take place;
 - To set out the administrative procedures involved in obtaining a licence; and
 - To ensure that residents in the Selby District area wishing to donate to charity through a Street or House to House collection are able to do so in good faith and secure in the knowledge that an adequate proportion of what they donate will directly benefit the named charity.

1.6 It was also agreed that the Policy should cover specific areas such as:

Street Collections	House to House Collections
The general law	The general law
Requirements from the applicants e.g. length of time application required before collection and information required, prior to and following a collection	Requirements from the applicants e.g. length of time application required before collection and information required, prior to and following a collection
The Council's position on tacit consent (automatic approval, which is given if the applicant has not had a decision from the Council within a prescribed number of days)	The Council's position on tacit consent (automatic approval, which is given if the applicant has not had a decision from the council within a prescribed number of days)
The number of collections allowed per week, per locality (current practice is 1 per week).	Setting out the appeal route
The number of collection permits any one charity can be awarded per year.	
Direct debit collections - these are currently outside the scope of legislation and no permit is legally required.	
Setting out the appeal route	

2. The Report

2.1 As part of the development stage of this draft policy Officers have carried out a benchmarking exercise to establish best practice, formed and consulted with an internal officer working group and noted the introduction of the 'Fundraising Regulator' which launched its 'Code of Fundraising Practice' on 7 July 2016, which we ask all charities collecting in the area to adhere to.

2.2 The draft Policy largely corresponds with current procedure with a few notable changes. These changes are shown in the below table:

Change	Rationale
The introduction of a Direct Debit – Voluntary Code of Conduct	This is designed to stop direct debit street collections from becoming considered a nuisance to the public.
Setting figures for the amount of proceeds to be given to a charity in a House to House Collection (80%)	This is something Policy Review Committee asked to be included. The figure comes from benchmarking. It is a figure used by Kirklees and Daventry (our closest CIPFA comparator Council) amongst others.
Setting figures for the amount of the proceeds of a House to House Collection which can be spent expenses (20%)	This is something Policy Review Committee asked to be included. The figure comes from benchmarking. It is a figure used by Kirklees and Daventry amongst others.
Increasing the tacit authorisation period from 14 days to 28 days.	This brings tacit authorisation in line with the minimum notice required for a charitable collection. This means that if a charity has not heard from us by the day of the collection they may proceed as if they have a licence.
Introducing a route of appeal to Licensing Committee for Street Collectors	There is no legislative 'right' of appeal. This 'route' will therefore bring accountability to the service and ensure that the policy is being followed correctly.

- 2.3 The development of the draft policy has been designed to make procedures robust and protect the Council from legal challenge, whilst making the service transparent to both charities and the public.
- 2.4 As there is no regulatory requirement for a policy, there are no statutory consultees. However, Officers propose to consult broadly on the draft policy. For this reason, Officers intend to consult with: the public, North Yorkshire Police, the Charity Commission, Trading Standards, licence holders from the previous 12 months and elected members.
- 2.5 If approved for consultation, the draft policy will be advertised on and be available to download from the Council's website for a 6 week period between 6 October and 16 November 2016.
- 2.6 As part of the consultation the draft policy will be taken to Licensing Committee on 7 November 2016 and Policy Review Committee on 15 November 2016 for comment.
- 2.7 All consultation responses will be considered and where appropriate the draft policy will be amended accordingly.
- 2.8 The policy is scheduled to be presented for approval to Executive on 1 December 2016 and if approved come into force shortly after.

3. Legal/Financial Controls and other Policy matters

Legal Issues

- 3.1 The licensing of charitable collections follows legislative procedures as set out in the legislation listed in paragraph 1.1 of this report. This policy proposes no significant changes to procedure, but backs procedures with policy. This will reduce the risk of legal challenge.

Financial Issues

- 3.2 The licensing of charitable collections is a statutory function for which we do not request a fee from customers. This policy proposes no significant changes to the running of the service; therefore, no risk is identified.

Other Policy Matters

- 3.3 An Equality, Diversity and Community Impact Screening ('EDCI') has been completed for the draft strategy. The EDCI did not highlight any significant impacts; therefore a further assessment has not been carried out.

4. Conclusion

- 4.1 The draft Policy has been developed to make the Council's charitable collections licensing robust, and any decisions made equitable and accountable.

- 4.2 Officers are seeking approval to consult to gather the views of the public and key stakeholders of the draft policy.
- 4.3 A further report will be brought back to the Executive on 1 December 2016, detailing the outcome of the consultation and seeking approval of the policy.

5. Background Documents

Equality Diversity and Community Impact Screening Document.

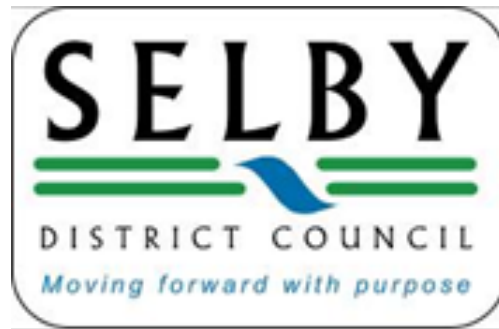
Contact Officer:

*Chris Watson
Assistant Policy Officer
cwatson@Selby.gov.uk*

*Stuart Robinson
Head of Business Improvement and Development
srobinson@selby.gov.uk*

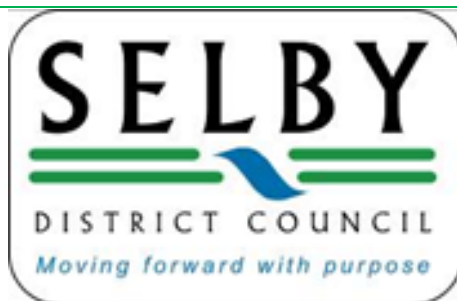
Appendices:

Appendix A – draft Charitable Collections Policy



Charitable Collections Policy





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1 Introduction

- 1.1. We are the Licensing Authority responsible for licensing charitable collections in Selby district. Charitable collections fall into two categories: **House to House Collections** for money or property and **Street Collections**, which include collections for cash or the sale of articles in the street. If articles are sold for personal gain a Street Trading Consent will be required.
- 1.2. The licensing of charitable collections is regulated by two separate Acts of Parliament:
 - a) The *'Police, Factories, Etc. (Miscellaneous Provisions) Act 1916'* ('the 1916 Act') which regulates collections of money or sales of articles for charitable purposes in streets and public places; and
 - b) The *'House to House Collections Act 1939'* ('the 1939 Act') which regulates collections of money or other articles made by means of going from house to house.
- 1.3. Both Acts give us the power to write regulations and policies to control charitable collections.
- 1.4. This policy document forms our Charitable Collections Policy that will apply to Street and House to House Collection activities in the Selby District area to ensure consistency in decision making.
- 1.5. We are always trying to improve the district and believe that effective licensing of charitable collections through this policy will help us achieve our Corporate Plan 2015-2020 (available to view at www.selby.gov.uk) by making Selby a great place to:
 - a. **Enjoy life** – ensuring that the district remains a safe and pleasant place to live by giving confidence that those collecting in the district have met our criteria; and
 - b. **Make a difference** – this policy gives preference to local charities to empower them to make a difference locally.
- 1.6. This policy will be reviewed periodically, taking into account any changes in legislation.

2. General Officer Principles

- 2.1. Each application we receive will be considered on its own merits based on the licensing principles detailed in this policy.
- 2.2. Where it is necessary for us to depart substantially from this policy, clear and compelling reasons for doing so must be given. A duly authorised officer may authorise a departure from the policy in accordance with this section if he/she considers it necessary in the specific circumstances.
- 2.3. We will take into account any decision from another local authority to refuse permission for the individual or organisation in question to hold a street or house to house collection and the reasons for it.
- 2.4. We will take into account information or advice supplied by the police or other relevant bodies in deciding whether or not to grant a permit.

3 Aims

- 3.1. The aims of this policy are to:
 - a) give detailed guidance on the application of the law relating to charitable collections;
 - b) provide a clear idea of the requirements that charitable organisations, promoters and collectors must meet before, during and after collections take place;
 - c) set out the administrative procedures involved in obtaining a licence; and
 - d) ensure that residents in the Selby District area wishing to donate to charity through a Street or House to House collection are able to do so in good faith and secure in the knowledge that an adequate proportion of what they donate will directly benefit the named charity.

Street Collections

4 Introduction

- 4.1. We issue licenses (also known as permits) for collections made in 'any street or public place' for 'charitable or other purposes' in accordance with Section 5 of the 1916 Act.
- 4.2. '**Street**' is defined as including any highway and any public bridge, road, lane, footway, square, court, alley or passage whether a thoroughfare or not.
- 4.3. A '**public place**' is defined as places where public have access and will include shopping centres and the entranceways to shops. The foyer of a supermarket could be considered to be behind closed doors, and therefore would only require the consent of the manager; however, if the collection also took place outside or in the car park, a licence would be required.
- 4.4. Permit holders are not restricted to the collection of money only - they can also sell articles on behalf of a charity.
- 4.5. To support the control of street collections taking place we have passed regulations, and these can be found at Appendix 1. Failure to comply with these regulations can result in a person liable on summary conviction to a fine not exceeding £200.00.

5 What we expect from Charities:

Applications

- 5.1. We must receive one month (28 days) notice between your application and the proposed collection (we may waive this requirement in exceptional circumstances e.g. urgent natural disaster relief).
- 5.2. Application forms are available on request:
 - By calling us on 01757 705101;
 - Online at www.selby.gov.uk/street-collections ; or
 - From the following postal address:

Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

- 5.3. Applications can be submitted:
- **Online** - at the following address:
www.gov.uk/street-collection-licence/selby/apply
 - **By email** – to licensing@selby.gov.uk
 - **By post** – to the above address:
- 5.4. Applications must be completed in full. If further information is needed you must provide this in a timely fashion or it may result in delay to the consideration of or refusal of your application.
- 5.5. If your application proposes to use any table, ‘A-board’ etc. in conjunction with the street collection your application must be supported by:
- Public Liability insurance; and
 - Written permission from the landowner or Local Highways Authority (North Yorkshire County Council).
- 5.6. We ask that you do not submit an excessive number of applications. We do not set a limit of applications which can be submitted, but if we consider the number has become excessive we will refer your application to the Licensing Committee. The Licensing Committee may then impose a restriction on the number of applications it will allow.
- 5.7. We request that any charity carrying out a collection in the area follows the rules set out in the Fundraising Regulator’s ‘Code of Fundraising Practice’ (which can be found at the following address <https://www.fundraisingregulator.org.uk/>).

Collections on Private Land

- 5.8. If you wish to carry out a collection on private land:
- ✓ You will need permission from the landowner.
 - ✗ You do not need a permit from us for these collections.

Returns

- 5.9. You must forward a financial return form (available on request or from our website www.selby.gov.uk/street-collections) to us within 28 days from the date of collection showing details of the monies collected.
- 5.10. You can also submit a return form online at the following address: www.gov.uk/street-collection-licence/selby/tell-us-once
- 5.11. No further permits will be issued to any applicant that has failed to forward the financial return form in respect of previous collections.

Direct Debits

- 5.12. Direct Debit street collections do not require a formal permit but notification of collection dates is required using the formal street collection application process.
- 5.13. The Licensing authority will 'informally' permit one Direct Debit Street Collection by a single charity per locality, per month.
- 5.14. Preference will be given to standard Street Collection applications.
- 5.15. We ask that all Direct Debit street collections are undertaken following our Voluntary Code of Conduct (Appendix 2) and the Fundraising Regulator 'Code of Fundraising Practice' (www.fundraisingregulator.org.uk/code-of-fundraising-practice/code-of-fundraising-practice/).

6 What Charities can expect from us:

Applications

- 6.1. We will deal with your application giving due regard to our general officer principles detailed in section 2.
- 6.2. Permits will be issued on a first come first served basis.
- 6.3. We will only allow one street collection by a single charity within any one locality per week.
- 6.4. However priority will be given to:
 - Local charities; or
 - Charities with a local connection.
- 6.5. Exceptions to this will be for certain national charities whose collections are linked to specific dates in the year and preference will be given to these charities e.g. Children in Need, Royal British Legion and Christian Aid Week.
- 6.6. Preference will also be given to those charities that are registered with The Fundraising Regulator.
- 6.7. If you have not heard from us within 28 days of your application being submitted, you will receive 'tacit authorisation' and you may proceed with your collection as if a permit was issued.
- 6.8. The locality will be determined by a duly authorised officer giving regard to each application.

- 6.9. At our discretion, in special circumstances we will allow two or more collections within any one locality.
- 6.10. Where an applicant seeks a permit to cover multiple locations with several collectors, we may limit the number of permits to one.
- 6.11. Further details on the rules and procedures concerning Street Collections are contained in Appendix 1: Street Collection Regulations.

Appeals

- 6.12. Where an application for a permit is refused by us, we will offer the applicant a route of appeal through our Licensing Committee.
- 6.13. An appeal must be lodged within 14 days of the date on which notice of refusal or revocation was given to the applicant or licence holder.
- 6.14. We offer no route of appeal to Direct Debit Street Collections.

House to House Collections

7 Introduction

- 7.1. House to house collections involve the collection of either money or items directly from a person's property. They are a vital source of funds for many charities as they offer a positive opportunity for the public to support charities. However, they need to be carried out for the benefit of the charity and in accordance with the law.
- 7.2. This policy acknowledges bogus House to House collectors have been an issue nationally and as such it is vital that licences are issued to legitimate applicants. This can give the public confidence that if the collection is licensed an adequate proportion of their donations are being given to the appropriate charity.
- 7.3. House to House collections are controlled by the 1939 Act and the House to House Collections Regulations 1947 ('the Regulations').
- 7.4. House to House collections are for charitable, benevolent or philanthropic purposes.
- 7.5. The definition of '**collection**' extends beyond requests for money, to include the sale of magazines, requests for unwanted clothing and household items, visits to persuade people to buy goods etc., where any part of the proceeds may go to charity.
- 7.6. A collection for a charitable purpose cannot be made unless the provisions of the 1939 Act and the Regulations are complied with; otherwise an offence may be committed. If any person or organisation promotes a charitable collection then they must have a licence to do so.
- 7.7. Anyone acting as a collector where there is not a licensed promoter under whose authority they act also commits a criminal offence.
- 7.8. Offences are punishable by penalties ranging from a fine of up to £200 or in some cases up to six months imprisonment and a fine of up to £1000.
- 7.9. The only exception to the general rule is organisations that have been granted an Exemption Certificate by the Cabinet Office under the provisions of the House to House Collections Act 1939. This certificate allows an organisation to collect in an area without applying for a licence. The organisation must inform the Licensing Authority of the dates and areas of any planned collections. Details of such exempt organisations can be found on the Cabinet Office website (<https://www.gov.uk/government/organisations/cabinet-office>).

8. What we expect from Charities:

Applications

- 8.1. We must receive one month (28 days) notice between your application and the proposed collection (we may waive this requirement in exceptional circumstances).
- 8.2. Application forms are available on request:
- By calling us on 01757 705101;
 - Online at www.selby.gov.uk/street-collections ; or
 - From the following postal address:
- Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT
- 8.3. Applications can be submitted:
- **Online** - at the following address:
www.gov.uk/apply-for-a-licence/house-to-house-collection-licence/selby/apply-1
 - **By email** – to licensing@selby.gov.uk
 - **By post** – to the above address.
- 8.4. Applications must be completed in full. If further information is needed you must provide this in a timely fashion or it may result in delay to the consideration of or refusal of your application.
- 8.5. A copy of the contract between the collector and the charity must be provided to us with the application.
- 8.6. On all applications the applicant must also supply information relating to:-
- Whether the collection beneficiary is a registered charity (with charity number), and the objectives of the charitable cause as supplied to the Charity Commission
 - A statement of the company organisations aims as detailed in any literature
 - Details of the history of the organisation, i.e. when formed; names of trustees, directors, organisers, etc, relevant accounts and financial statements of both the applicant, collection company and the charity (if different)
 - Remuneration amounts of senior members of the applicant's organisation and the charity

- A written agreement between the applicant and the charity as required by the Charities Act 1992.
- Declaration of any previous refusals for House to House Collections
- A basic Disclosure and Barring Service disclosure relating to the Applicant for the licence or director of the collection company if different.

8.7. We can refuse or revoke a licence for a number of reasons (more specifically set out in the 1939 Act). We may refuse to grant a licence or, where a licence has been issued, may revoke a licence if:

- a) If the proportion of the proceeds to be spent on expenses is too high (refusal should be considered if this is over 20% of the value of the collection);
- b) If the proportion of the proceeds to be given to the charity or cause is too low (refusal should be considered if this less than 80% of the value of the collection);
- c) If the grant of a Licence would be likely to facilitate the commission of an offence under Section 3 of the Vagrancy Act 1824, or that an offence under that section has been committed in connection with the collection;
- d) If the promoter or any other person involved in the collection has been convicted of certain criminal offences eg burglary, blackmail or fraud or the granting of the Licence is likely to facilitate the criminal offences;
- e) If the applicant or holder of the licence has failed to exercise due diligence to ensure that the collectors are fit and proper, to ensure compliance with the provisions of the House to House regulations or to prevent prescribed badges or certificates of authority being obtained other than by authorised persons; or
- f) If necessary information is omitted or incorrect information was submitted as part of the application form.

8.8. We request that any charity carrying out a collection in the area follows the rules set out in the Fundraising Regulator's 'Code of Fundraising Practice' (which can be found at the following address <https://www.fundraisingregulator.org.uk/>).

Returns

8.9. You must forward a financial return form (available on request or from our website www.selby.gov.uk/house-house-collections-licence) to us within 28 days from the date of collection showing details of the monies collected.

- 8.10. You can also submit a return form online at the following web address: www.gov.uk/apply-for-a-licence/house-to-house-collection-licence/selby/tell-us-once-1
- 8.11. No further permits will be issued to any applicant that has failed to forward the financial return form in respect of previous collections.

9. What Charities can expect from us:

Applications

- 9.1. We will deal with your application giving due regard to our general officer principles detailed in section 2.
- 9.2. Permits will be issued on a first come first served basis.
- 9.3. However priority will be given to:
- Local charities; or
 - Charities with a local connection.
- 9.4. We will not issue a house to house collection licence for a period of more than 12 months.
- 9.5. We will make every attempt to only permit one house-to-house collection in each location per week, with exceptions considered, including:
- where collection dates of charities holding Exemption Certificates overlap
 - with collection dates already granted by the Licensing Authority to non-Exemption Certificate holders;
 - for small-scale collections in a limited area;
 - during the pre-Christmas period; and
 - for organised one-day charitable events.
- 9.6. We will ordinarily only allow collections to take place between the hours of 08:00 and 20:00. Extra care should be taken by fundraisers when calling once darkness has fallen so as not to cause alarm or distress to householders.
- 9.7. If you have not heard from us within 28 days of your application being submitted, you will receive 'tacit authorisation' and you may proceed with your collection as if a permit was issued.

Appeals

- 9.8. There is a right of appeal to the Minister for the Cabinet Office against our decision to refuse an organisation a licence to hold a house to house collection or to revoke such a licence.

- 9.9. An appeal must be lodged within 14 days of the date on which notice of refusal or revocation was given to the applicant or licence holder.

10. What the public can expect from us:

- 10.1. We will publish details of approved/licenced collectors on our website.
- 10.2. We will make every effort to limit the number of collections to ensure they are not becoming a nuisance to the public.
- 10.3. The public can be confident that a licence will only be issued if we are satisfied:
- The charity is a genuine charity
 - The collection is for an appropriate cause
 - Local charities have been given priority where possible
 - Enough of the proceeds are to be contributed to the charitable cause

11. Enforcement

- 11.1. We recognise that well directed enforcement activity benefits both the public and responsible collectors.
- 11.2. We will carry out any enforcement in line with our Corporate Enforcement Policy.
- 11.3. We aim to work closely with other enforcement agencies when investigating unauthorised Collections and Promoters of those collections and persons causing a nuisance, annoyance or harassment to the public.

12. Information Sharing

- 12.1. We will share with other enforcement bodies information supplied by applicants, or acquired in the course of exercising licensing functions, where it is lawful to do so.
- 12.2. Personal information will only be disclosed in accordance with the Data Protection Act 1998. This may include requests from the Audit Commission or other regulatory agencies where this is necessary for the detection or prevention of crime or required by law or in connection with legal proceedings.

Appendices

Appendix 1: Street Collections Regulations

1 In these Regulations, unless the context otherwise requires:-

“**collection**” means a collection of money or a sale of articles for the benefit of charitable or other purposes and word “collector” shall be construed accordingly;

“**promoter**” means a person who causes others to act as collectors;

“**the Licensing Authority**” means **THE SELBY DISTRICT COUNCIL**;

“**permit**” means a permit for a collection;

“**contributor**” means a person who contributes to a collection and includes a purchaser of articles for sale for the benefit of a charitable or other purposes;

“**collecting box**” means a box or other receptacle for the reception of money from contributors

2 No collection shall, other than as collection taken at a meeting in the open air, be made in any street or public place within the area of the Selby District unless a promoter shall have obtained from the Licensing Authority a permit.

3 Application for a permit shall be made in writing not later than one month before the date on which it is proposed to made the collection:-

Provided that the Licensing Authority may reduce the period of one month if satisfied that there are special reasons for so doing.

4 No collection shall be made except upon the day and between the hours stated in the permit.

5 The Licensing Authority may, in granting a permit, limit the collection to such streets or public places or such parts thereof as it thinks fit.

6 (1) No person may assist or take part in any collection without the written authority of a promoter

(2) Any person authorised under paragraph (1) above shall produce written authority forthwith for inspection on being requested to do so by a duly authorised Officer of the Licensing Authority or any Constable.

- 7 No collection shall be made in any part of the carriageway of any street which has a footway:-

Provided that the Licensing Authority may, if it thinks fit, allow a collection to take place on the said carriageway where such collection has been authorised to be held in connection with the procession.

- 8 No collection shall be made in a manner likely to inconvenience or annoy any person.

- 9 No collection shall importune any person to the annoyance of such person.

- 10 While collecting:-

- (a) a collector shall remain stationary; and
- (b) a collector or two collectors together shall not be nearer to another collector than 25 metres.

Provided that the Licensing Authority may, if it thinks fit, waive the requirements of this Regulation in respect of a collection which has been authorised to be held in connection with a procession.

- 11 No promoter, collector or person who is otherwise connected with a collection shall permit a person under the age of sixteen years to act as a collector.

- 12 (1) Every collector shall carry a collecting box.

- (2) All collecting boxes shall be numbered consecutively and shall be securely closed and sealed in such a way as to prevent them being opened without the seal being broken.

- (3) All money received by a collector from contributors shall immediately be placed in a collecting box.

- (4) Every collector shall deliver, unopened, all collecting boxes in his possession to the promoter.

- 13 A collector shall not carry or use any collecting box, receptacle or tray which does not bear displayed prominently thereon the name of the charity or fund which is to benefit nor any collecting box which is not duly numbered.

- 14 (1) Subject to paragraph (2) below, a collecting box shall be opened in the presence of a promoter and another responsible person.
 - (2) Where a collecting box is delivered, unopened, to a bank, it may be opened by an official at the bank.
 - (3) As soon as a collecting box has been opened, the person opening it shall count the contents and shall enter the amount with a number of collecting box on a list which shall be certified by that person.
- 15 (1) No payment shall be made to any collector
 - (2) No payment shall be made out of the proceeds of a collection, either directly or indirectly, to any other person connected with the promotion or conduct of such collection for, or in respect of, services connected therewith, except such payments as may have been approved by the Licensing Authority.
- 16 (1) Within one month after the date of any collection the person to whom a permit has been granted shall forward to the Licensing Authority.
 - (a) a statement in the form set out in the Schedule to these Regulations, or in a form to the like effect, showing the amount received and the expenses and payments incurred in connection with such collection and certified by that person and a qualified accountant;
 - (b) a list of the collectors;
 - (c) a list of the amounts contained in each collecting box; and shall, if required by the Licensing Authority, satisfy it as to the proper application of the proceeds of the collection.
 - (2) The said person shall also, within the same period, at the expense of that person and after a qualified accountant has given his certificate under paragraph (1)(a) above publish in such newspaper or newspapers as the Licensing Authority may direct a statement showing the name of the person to whom the permit has been granted, the area to which the permit relates, the name of the charity or fund to benefit,

the date of the collection, the amount collected and the amount of the expenses and payments incurred in connection with such collection.

- (3) The Licensing Authority may, if satisfied there are special reasons for so doing extend the period of one month referred to in paragraph (1) above.
- (4) For the purposes of this Regulation "a qualified accountant" means a member of one or more of the following bodies:-

The institute of Chartered Accountants in England and Wales

The Institute of Chartered Accountants for Scotland

The Association of Certified Accountants

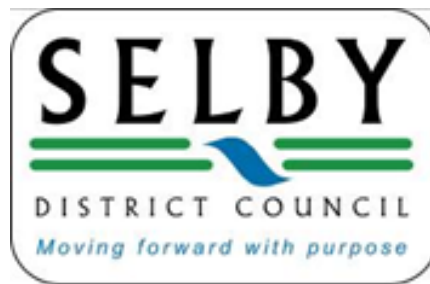
The Institute of Chartered Accountants in Ireland.

17 These regulations shall not apply:

- (a) in respect of a collection taken at a Meeting in the open air; or
- (b) to the selling of articles in any street or public place when the articles are sold in the ordinary course of trade.

AMENDMENT (Section 3) of the Criminal Law Act, 1997

Any person who acts in contravention of any of the foregoing regulations shall be liable on summary conviction to a fine not exceeding two hundred pounds for a first or subsequent offence.



Voluntary Code of Conduct for Charity Collectors

Collecting by Direct Debit

1. Only 2 collectors are allowed to work in any locality at any one time.
2. Only one direct debit collection, by a single charity will be allowed per month, per locality.
3. Permission will be issued on a first come, first served basis.
4. Standard Street Collection requests will be given priority over Direct Debit requests.
5. If a collection has previously been carried out in the area for the same charity within the previous six months, priority would be given to another charity that hadn't yet collected within that time period.
6. Bookings for direct debit collections will be taken a minimum of 28 days prior to the dates required and a maximum of 3 months in advance.
7. The name of the charity and the charity number must be given at the time of the request.
8. Requests must be made on official forms and signed to say the collectors abide by the code of conduct.
9. Selby District Council requests the right to obtain copies of the solicitation statement.
10. Collectors should not harass, pressurise or mislead members of the public.
11. Collectors must always respect the public and behave appropriately.
12. No promoter, collector or person otherwise connected to the collection shall permit a person under the age of 16 years to act as a collector.

13. The public has the right to request permission to see the permit at any time during the collection to ensure the appropriate measures have been taken.

14. I.D. should always be worn for verification purposes.

15. Security is at all times to be maintained when handling personal details.

16. We maintain the right to refuse a permit.

17. A full and accurate report is made when a member of public has felt the need to complain and the details passed onto our relevant officer.

Enquiries to:

Licensing, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT.

Telephone: 01757 705101

Email: licensing@selby.gov.uk

Selby District Council

REPORT

Reference: E/16/22

Public



To: The Executive
Date: 6 October 2016
Status: Non Key Decision
Report Published: 28 September 2016
Author: Phil Wadsworth, Planning Policy Manager
Executive Member: Councillor John Mackman, Lead Member for Place Shaping
Lead Officer: Dave Caulfield, Director of Economic Regeneration & Place

Title: PLAN Selby – Further Consultation: Sites and Policies

Summary:

The report sets out the broad scope and content of the emerging 'PLAN Selby' local plan (and associated documents), the arrangements for public consultation and outlines the next formal stages of plan preparation. Executive is asked to note the contents of the report and the timetable for the next stages.

Recommendations:

That Executive notes the content of the report including the timetable.

Reasons for recommendation

To update the Executive on the progress on the preparation of the local plan.

1. Introduction and background

1.1 The council has a statutory duty to have in place an up-to-date local plan for the district. Following the adoption of the Core Strategy in 2013, which established the strategic policies, the council has been preparing 'PLAN Selby' which will, when adopted, contain the allocated sites for new development and detailed planning policies to deliver the requirements set out in the Core Strategy. Together, PLAN Selby and the Core Strategy will

make up the Local Plan for the district up to 2027 against which planning applications will be assessed.

- 1.2 PLAN Selby has been subject to two rounds of consultation with input from a wide cross-section of local people and organisations.
 - Initial consultation – ‘*delivering the vision*’ (November 2014 – January 2015). This canvassed views on how we can best develop the district and deliver quality homes, jobs and services into the future. That stage effectively scoped the plan.
 - Focused engagement – ‘*let’s talk PLAN Selby*’ (June – August 2015). We sought views on various aspects of the evidence base which sits behind PLAN Selby and the options for developing Selby, Sherburn in Elmet and Tadcaster (Market Towns Study) and assessing sites and designations
- 1.3 Since then a considerable amount of evidence has been progressed and much of it has now been completed. The evidence base and previous consultation responses inform the content of the emerging draft plan.
- 1.4 This report therefore updates the Executive on progress and sets out the forward timetable for the next stages. It is proposed that the “Further Consultation: Sites and Policies” will take place in the new year.

2. The Report

Scope of the consultation document

- 2.1 Broadly, the draft document will cover the following elements:

Context and background - a summary of the relationship to the adopted Core Strategy and context within the regional and national policy framework.

Scale and quantum of growth and development – including how each market town (Selby, Sherburn In Elmet and Tadcaster) will grow and develop over the next ten years and the approach in other settlements.

Draft sites and proposals - the options for site allocations to meet the requirements set out in the Core Strategy.

Scope and content of the detailed policies - sets out the scope and broad content of the policies against which planning applications and other relevant proposals will be assessed within the district.

- 2.2 The main document will also be accompanied by a range of associated documents to support the draft proposals including maps and appendices/background papers which will provide further detailed information.

Evidence base

- 2.3 As described above, the plan's proposals are informed by the evidence base. As such, we will also be publishing the technical documents as part of the consultation. Some documents represent a stage in an on-going process (e.g. Sustainability Appraisal and Habitats Regulations Assessment) while others have now been finalised (e.g. Retail and Leisure Study).
- 2.4 A key area where work is currently on-going is the update to the existing Traveller Needs Assessment including a further piece of work to provide broad areas of search, a site selection methodology and then an assessment of all of the site options. It is envisaged that the gypsy and traveller work will be incorporated into the further consultation document.
- 2.5 Additional evidence work will be undertaken and further documents will be prepared to inform the publication draft next year covering a range of topics. For example, the council is required to undertake an assessment of the impact of proposed new development on the highways network and provide mitigation measures. While much of this work is completed, further computer traffic modelling will be undertaken for the town of Selby in the new year.

Next steps – consultation

- 2.6 The analysis of the evidence base work and drafting of the key documents is underway. It is intended that the draft "Further Consultation: Sites and Policies" is presented to the Executive at its 1 December meeting and the final draft presented to Council on 13 December for approval for consultation purposes.
- 2.7 The consultation period on the emerging PLAN Selby will cover a six-week period in the new year – provisionally suggested as between 12 January to 23 February 2017.

Further work – post consultation

- 2.8 While the consultation document will provide a clear statement of the current position, emerging policies will be subject to further appraisal and possible changes in the light of evidence and consultation as PLAN Selby progresses through to adoption.
- 2.9 Further work is continuing to complete the evidence base. Much progress has been made but there are still some areas to complete, for example – an update of the Market Towns Study (as a means of facilitating the delivery of sites and opportunity areas, Strategic Flood Risk Assessment (level 3), Selby town traffic model and viability testing of sites and policies.
- 2.10 Further on-going engagement on the plan policies and outstanding evidence base will be undertaken prior to the publication stage.

PLAN Selby timetable

2.11 The timetable is set out in the attached in appendix 1

3. Legal/Financial Controls and other Policy matters

Legal Issues

- 3.1 The council as local planning authority has a statutory duty to provide an up-to-date local plan. The plan must be legally compliant and meet the soundness tests as laid down by the relevant acts and regulations and the National Planning Policy Framework (NPPF). PLAN Selby must be consistent with national policy in the NPPF.
- 3.2 While this further consultation is not a formal stage prescribed by the relevant acts and regulations, it contributes to the on-going engagement with stakeholders. The feedback from all stages of engagement, the duty to cooperate and the evidence base (including the Sustainability Appraisal and viability testing) will inform the emerging sites and policies as part of plan preparation.
- 3.3 By publication stage, the council will be publishing what it considers to be a legally compliant and sound plan.

Financial Issues

- 3.4 The work to complete the evidence base and carry out the further consultation can be accommodated within existing budgets.

Equality Impact Assessment

- 3.5 An impact screening is not needed at this stage. This will be undertaken later when firmer proposals and detailed policies are being developed.

4. Conclusion

- 4.1 This report updates the Executive on the scope and format of the emerging PLAN Selby document and sets out the timetable for the plan preparation process. It highlights the outstanding elements of work which will feed into the process either before the consultation begins (Further Consultation: Sites and Policies) or as part of the ongoing process prior to the publication stage next year.

5. Background Documents

- NPPF and National Planning Practice Guidance
at: <http://planningguidance.communities.gov.uk/>

- Selby District Core Strategy at: <http://www.selby.gov.uk/adopted-core-strategy>
- PLAN Selby previous consultation documents and evidence base studies found at: <http://www.selby.gov.uk/sites-and-policies-local-plan-plan-selby>.

Contact Officer:

Philip Wadsworth
Planning Policy Manager
pwadsworth@selby.gov.uk
01757 292293

Appendices:

Appendix 1: PLAN Selby Timetable

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1 Dec 2016	13 Dec 2016	12 Jan to 23 Feb 2017	Nov 2016 to Mar 2017	May / June 2017	June – July 2017	Sept / Oct 2017	Oct / Nov 2017	Feb / Mar 2018	Aug 2018
Executive Meeting	Council			Executive / Council		Executive / Council		10 weeks after Submission	6 weeks min after EIP
Approve consultation document	Approve consultation document	Consultation (6 weeks)	On-going engagement and further evidence	Approve publication draft	Publication draft (6 weeks)	Approve submission plan	Submission to secretary of state	Examination In Public (EIP)	Inspector's report and adoption