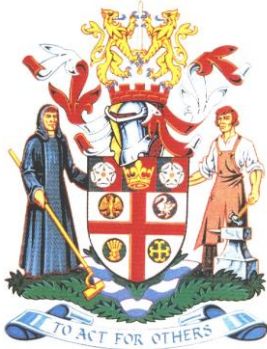


Selby District Council



Agenda

Meeting: **Executive**
Date: **Thursday, 12 July 2018**
Time: **4.00 pm**
Venue: **Committee Room - Civic Centre, Doncaster Road, Selby, YO8 9FT**
To: **Councillors M Crane (Chair), J Mackman (Vice-Chair), C Lunn, C Metcalfe and C Pearson**

1. Apologies for Absence

2. Minutes (Pages 1 - 6)

The Executive is asked to approve the minutes of the meeting held on 7 June 2018.

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. Gambling Policy Refresh (Pages 7 - 44)

Report E/18/08 outlines details for reviewing the Gambling Policy.

5. Leisure Contract Annual Review April 2017 - March 2018 (Pages 45 - 60)

Report E/18/09 outlines the eighth formal annual review of the Leisure Contract with Inspiring healthy lifestyles (IHL) and covers the period April 2017 to March 2018.

6. Housing Development Programme Progress Report (Pages 61 - 74)

E/18/10 provides an update for the Executive on the current status and progress of the Housing Development programme following its approval in January of this year.

7. Private Session

That, in accordance with Section 100(A) (4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and public during discussion of the following items as there will be disclosure of exempt information as defined in paragraph 3 of Schedule 12(A) of the Act.

8. Digital Strategy and Delivery Programme (Pages 75 - 106)

E/18/11 sets out the Council's proposed approach to how technology will be used to support and enable the improvement and transformation of Selby District Council.

Janet Waggott

**Janet Waggott
Chief Executive**

Date of next meeting
Thursday, 2 August 2018 at 4.00 pm

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

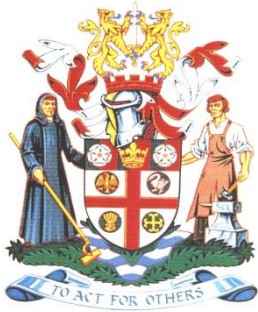
Recording at Council Meetings

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.

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Agenda Item 2

Selby District Council



Minutes

Executive

Venue:	Committee Room - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Thursday, 7 June 2018
Time:	4.00 pm
Present:	Councillors M Crane (Chair), J Mackman (Vice-Chair), C Lunn, C Metcalfe and C Pearson
Officers Present:	Janet Waggott (Chief Executive), Dave Caulfield (Director of Economic Regeneration and Place), Gillian Marshall (Solicitor to the Council), Alex Dochery (Economic Development Officer), Caroline Sampson Paver (Commissioning and Procurement Team Leader), Michelle Dinsdale (Senior Policy and Performance Officer), Chris Watson (Policy & Performance Officer), Julie Walden (Communications & Marketing Officer) and Palbinder Mann (Democratic Services Manager)
Public:	1
Press:	2

NOTE: Only minute numbers 10 to 14 are subject to call-in arrangements. The deadline for call-in is 5pm on Wednesday 20 June 2018. Decisions not called in may be implemented from Thursday 21 June 2018.

Executive
Thursday, 7 June 2018

7 APOLOGIES FOR ABSENCE

There were no apologies for absence.

8 MINUTES

The Executive considered the minutes of the meeting held on 24 May 2018.

RESOLVED:

To approve the minutes of the meeting held on 24 May 2018 for signature by the Chair.

9 DISCLOSURES OF INTEREST

There were no disclosures of interest.

10 SELBY DISTRICT COUNCIL UPDATE ON HS2 PHASE 2B

The Leader of the Council presented the report that updated the Executive on the proposed route for HS2 Phase 2b, the current timeline for the project and Council officers' involvement to date.

The following discussion took place:

- The Executive was supportive in understanding the benefits HS2 could bring to the district however the Leader of the Council explained that the Council was aware that there were issues affecting some areas in the district such as Church Fenton where the new route would go through.
- It was stated that due to Parish Councils being consulted separately on the proposals, it was important to have an understanding of their issues relating to HS2 and to develop a co-ordinated approach between the Parish Councils and the District Council when responding to any consultations on HS2.
- In response to a query concerning the route, the Economic Development Officer explained that HS2 was classified as a national significant infrastructure project and therefore any final decisions on the project such as the design of the route was to be made by Parliament through Royal Assent.
- A query was raised on how the Council could minimise the impact of HS2 however at the same time ensure it maximised the benefits to the district. The Economic Development Officer explained that the Council was keen to

Executive
Thursday, 7 June 2018

promote the benefits for the district's residents and businesses while at the same time ensure that there were minimal impacts on local residents. The Executive was informed that discussions had taken place with HS2 on a range of issues such as landscape, water, drainage and flooding, highways and community impacts, although it had been noted that there was still a lot of work to do on the design refinement of the route by HS2 Ltd prior to its submission to Parliament for Royal Assent. It was noted that the Council had informed HS2 Ltd that there needed to be some lead in time to effectively engage with businesses in the district over the supply chain opportunities afforded by the development of the route.

- It was felt that consideration needed to be given to the additional infrastructure that would be erected to support the construction of the route such as staging posts and their resulting impacts on local communities in the district.
- The Executive was informed that the Leeds City Region was working on a HS2 Growth Strategy, which the Council has inputted into, and that the Council was also working on a strategic transport prospectus with North Yorkshire County Council that sought to identify a set of high level transport and infrastructure asks to maximise the district's strategic development opportunities.
- The Executive were keen to stress that there needed to be investment in the current rail infrastructure and passenger services as some of the services offered such as those affecting Selby were currently unacceptable.

RESOLVED:

- i) To note the update on HS2 Phase 2b;**
- ii) To formally adopt a position to HS2 which sets out that if the development of the route goes ahead, Selby District Council should seek to minimise any adverse local impacts as well as maximise the benefits for Selby District's residents and businesses.**

REASON FOR DECISION:

To enable the Council to maximise the benefits of HS2 for Selby District's residents and businesses, as well as minimise any

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Thursday, 7 June 2018

adverse local impacts.

11 POLICY FOR THE MANAGEMENT OF SELBY DISTRICT COUNCIL OWNED TREES

Councillor Pearson, Lead Executive Member for Housing, Health and Culture presented the report which outlined the draft policy for the management of Selby District Council owned trees for approval and adoption following a period of public consultation.

The Lead Executive Member for Housing, Health and Culture explained that the Council did not have a current policy on tree management in place and although there was no legal requirement to have a policy, having one ensured that the Council could ensure risks were managed effectively and public safety was ensured. It was noted that the policy had been out to consultation and had been considered by the Policy Review Committee.

The following discussion took place:

- With regard to Brayton Barff, it was queried that as this was said to be jointly owned between the Council and Yorkshire Water, who was responsible for the maintenance of the trees. It was acknowledged that rather than the whole site being jointly owned, the Council owned one part of the site and Yorkshire Water, the other. It was felt this needed to be made clearer in the policy.
- Clarification was sought on whether the Council could state that they would not prune or remove Council owned trees to allow the installation of solar panels to a property. The Commissioning and Procurement Team Leader explained that there was a section in another area of the policy which explained the steps to be taken if a tree was touching a property. It was felt that this section needed to be clearer and there needed to be cross referencing to other parts of the policy if there was relevant information in those areas.
- With regard to the section on poisonous fruit, it was felt the wording needed to be amended to state that 'appropriate action will be considered'.
- Concern was raised that pollen, sap or fallen fruit falling on to public footpaths could have an impact on vulnerable people and it was felt that there needed to be clear commitment to protecting vulnerable people throughout the

Executive
Thursday, 7 June 2018

policy.

- With regard to the disposal of green waste, it was felt this needed to state that it would be spread on Council owned land or on private land with the landowner's permission. The Commissioning and Procurement Team Leader explained that Council contractors were aware that green waste needed to be spread on Council owned land and only on other land with permission.
- The Executive felt that an update should be provided on how the policy was progressing in a year.

RESOLVED:

To approve the report and adopt the policy for the management of Selby District Council owned trees with the above amendments.

REASON FOR DECISION:

To ensure that the Council has a robust and compliant approach to the management of trees on its land, and effective risk management.

12 CORPORATE PERFORMANCE REPORT - QUARTER 4 - 2017/18 (JANUARY TO MARCH)/YEAR END 2017/18

Councillor Crane, Leader of the Council presented the report that provided a progress update on the 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 (KPIs).

The following comments/discussion took place:

- The Executive praised the work of the debt collection team as a significant amount of council tax had been collected and all four KPIs had exceeded their target.
- The Executive congratulated officers on exceeding the planned savings target of £880k in 2017/18 and noted the positive number of houses being built in the district.
- Discussion took place on the number of empty properties being brought back into habitable use and it was queried why it was stated that progress would slower in the next financial year. The Solicitor to the Council explained that the

Executive
Thursday, 7 June 2018

work done up to the current date had involved owners being more co-operative in bringing properties back into use however it was expected that work in the next financial year may involve work with homeowners who did not provide the same level of co-operation. The Executive requested that they be provided with periodic updates at an informal level on how the work was progressing.

RESOLVED:

To note and approve the report with the above comments.

REASON FOR DECISION:

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

13 SELBY DISTRICT COUNCIL EQUALITY OBJECTIVES 2017-2020 - PROGRESS REPORT

Councillor Metcalfe, Lead Executive Member for Communities and Economic Development presented the report that provided details of progress made regarding the Selby District Council equality objectives in the six months since the objectives were approved.

The Lead Executive Member for Communities and Economic Development explained that the Council had a legal obligation to publish equality objectives at least every four years. It was noted that the current set of objectives had been approved by the Executive on 12 October 2017.

The Executive praised the layout and content of the report and felt this made the information easier to understand.

RESOLVED:

To note the progress made against the Equality Objectives.

REASON FOR DECISION:

To ensure compliance with the Equality Act 2010 Public Sector Equality Duty and to update the Executive on progress made against the Equality Objectives Action Plan since it was approved in October 2017.

The meeting closed at 4.55 pm.

Executive
Thursday, 7 June 2018



Report Reference Number: E/18/08

To: Executive
Date: 12th July 2018
Status: Non Key Decision
Ward(s) Affected: Whole District
Author: Sharon Cousins, Licensing Manager
Lead Executive Member: Councillor Pearson, Lead Executive Member for Housing, Health and Culture
Lead Officer: Gillian Marshall, Solicitor to the Council

Title: Gambling Policy Refresh

Summary:

Selby District Council is the Licensing Authority responsible for the licensing of certain gambling premises licences and all types of gaming machine permits in Selby District. As part of this role the Council must have regard to the statutory licensing objectives and issue a statement of licensing principles (the Gambling Policy) which must be reviewed every 3 years. The next review is due by January 2019. The existing policy has been reviewed and it is considered that very minor changes are required. This was brought before the Licensing Committee on Monday 14th May 2018 and no comments were made. The Council must consult on the revised policy and it is intended to do this between 22 June and 14 September 2018.

Recommendations:

- i. To note that the statutory review of the gambling policy is required and must go before Policy Review Committee, subject to public consultation before returning to the Executive and being approved by Full Council.
- ii. To approve a public consultation on the draft Gambling Policy at Appendix A.

Reasons for recommendation

To ensure compliance with the Gambling Act 2005.

1. Introduction and background

- 1.1. Selby District Council as a Licensing Authority is given responsibility by the Gambling Act 2005 (the Act) for issuing premises licences for the following in Selby District:

- Casino Premises
 - Family Entertainment Centre Premises
 - Bingo Premises
 - Betting Premises
 - Adult Gaming Premises
- 1.2. The Act also passes responsibility to the Council for the granting of all types of gaming machine permits and alters the manner in which certain categories of lotteries are registered and controlled.
- 1.3. In exercising functions under the Act, the Council must have regard to the Licensing Objectives, which are distinct and different from those contained under the Licensing Act 2003. They are:
- Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 1.4. The Council has a duty which it must discharge under s349 of the Act. The Council is required to formulate a Gambling Policy (Statement of Principles) that it proposes to apply in exercising its functions under the Act.
- 1.5. The Gambling Policy (Statement of Principles) must be reviewed at least every three years, and the current policy must be reviewed and revised (if necessary) by January 2019.

2. The Report

- 2.1. The Gambling Commission (the Commission) is required by s25 of the Act to issue guidance to licensing authorities on the discharge of their functions under the Act. It deals primarily with matters intended to assist in the development of a licensing authority's Gambling Policy and is something the Council must have due regard to. The Commission's guidance was most recently updated in September 2016.
- 2.2. The existing policy has been reviewed. It was adopted in 2017 and the regulatory regime is unchanged. For that reason it is considered that the only changes required are to update the area's population and to add a footnote to the stakes and prizes table (Appendix D of the policy) to show that these may change.
- 2.3. It is proposed to consult on the policy between June and September 2018 to ensure that the policy can be considered by the Executive and adopted by Council and come into force before January 2019.

3. Legal Implications

- 3.1. The review of the Gambling Policy (Statement of Principles) is a legislative requirement. Legislation requires that the final approval for the new Gambling Policy (Statement of Principles) is given by Full Council. Failure to review the policy and follow the correct guidelines will leave decisions on gambling licensing open to challenge.
- 3.2. The approval of the policy is part of the Budget and Policy Framework of the Council and therefore the Executive is responsible for proposing and consulting on the policy whereas the approval of it must be undertaken by full Council.

4. Financial Implications

- 4.1. This policy proposes no significant changes and no financial risk is identified

5. Equalities Impact Assessment

- 5.1. Given the minor nature of the changes to the draft no impacts are anticipated and therefore no screening document completed.

6. Conclusion

- 6.1. The Gambling Policy (Statement of Principles) has received a statutory required review which will ensure the Council is carrying out its role as Licensing Authority in line with the Gambling Act and the most recent Gambling Commission guidance. It is intended that the draft policy goes out for consultation for 4 weeks between 22nd June and the 14th September 2018 and Officers are seeking approval to commence this. The Gambling Policy must go before Policy Review Committee, subject to public consultation, before returning to the Executive and being approved by Full Council The new policy will then come in force 31st January 2019.

7. Background Documents

Existing Gambling Policy

8. Appendices

Appendix A – draft Gambling Policy (Statement of Principles)

Contact Officer:

Sharon Cousins
Licensing Manager
scousins@selby.gov.uk
01757 292033



Gambling Policy

Gambling Act 2005

Statement of Principles





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PART A

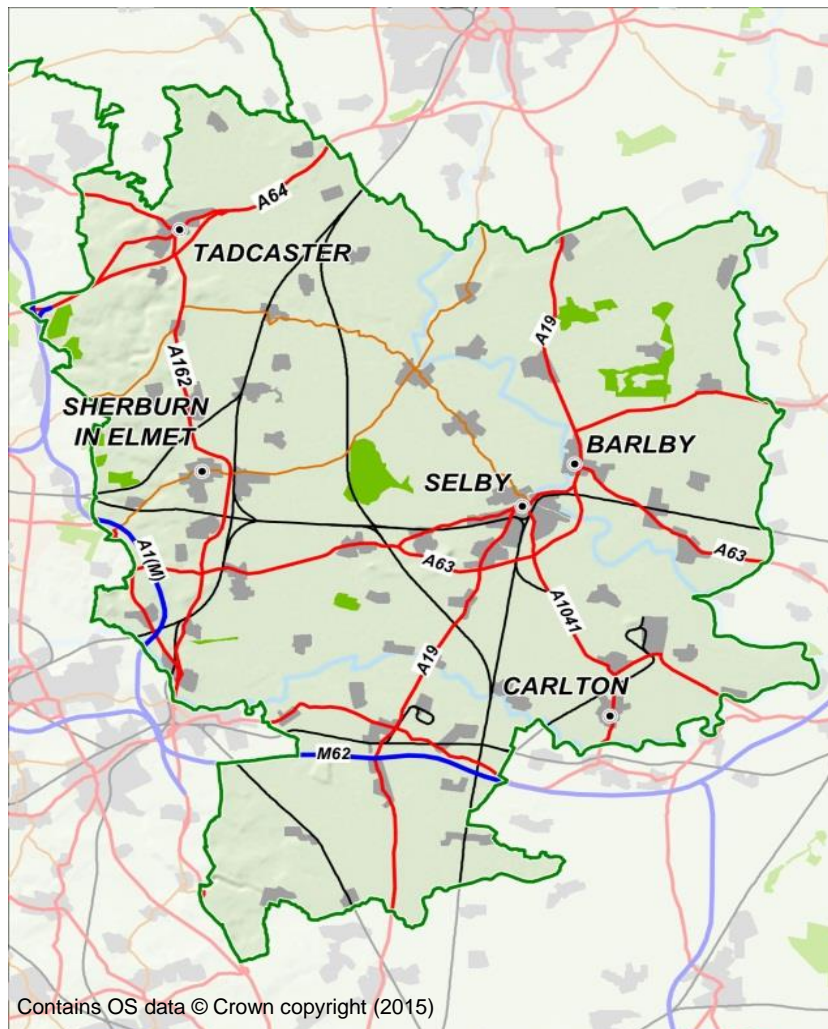
1. Introduction

- 1.1 Section 349 of the Gambling Act 2005 ('the Act') requires us (Selby District Council) as a Licensing Authority in England and Wales to define and publish our Policy Statement on the exercise of our gambling functions at least every three years.
- 1.2 We will review our statement from "time to time" and consult upon any amended parts to the statement. We will then re-publish the amended statement.
- 1.3 In exercising most of our functions under the Act, we must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:
 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - Ensuring that gambling is conducted in a fair and open way
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.3 We have noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".
- 1.4 We have noted that, as per section 153 of the Act, in making decisions about premises licences and temporary use notices we should aim to permit the use of premises for gambling in so far as we think it is:
 - in accordance with any relevant code of practice issued by the Gambling Commission
 - in accordance with any relevant guidance issued by the Gambling Commission
 - reasonably consistent with the licensing objectives and
 - in accordance with the authority's Statement of Principles
- 1.5 The Act requires that we consult with the following parties:
 - The Chief Officer of Police
 - One or more persons who appear to us to represent the interests of persons carrying on gambling businesses in our area
 - One or more persons who appear to us to represent the interests of persons who are likely to be affected by the exercise of the our functions under the Gambling Act 2005
- 1.6 We have consulted widely on this policy statement from to. A list of persons consulted can be found at Appendix A.
- 1.7 There were four comments received in response to this consultation.
- 1.8 This statement of Principles was approved at a meeting of the Full Council on. This is published on our website (www.selby.gov.uk). In addition, copies are placed in the public libraries of the area as well as being available in our customer contact centre.

- 1.9 It should be noted that this Statement of Principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Act.

2. Profile of Selby District

- 2.1 Selby District is situated in the County of North Yorkshire. It covers an area of 602 square kilometres and is situated to the south of the city of York. The district's population is 86,900¹ and the principal settlements are Selby, Tadcaster and Sherburn-in-Elmet. The council area is mainly rural in character and aspect with a dispersed settlement plan. There are 74 Parish Councils as well as various Parish and Community meetings. Selby in particular is of historical importance built as it is around Selby Abbey. As a consequence tourism and leisure are important industries. Detail of the district is shown in the map below.



¹ ONS Mid-Year Estimates 2018

3. Declaration

- 3.1 In producing this Statement of Principles, we have given regard to the licensing objectives of the Act, the guidance issued by the Gambling Commission, and any responses from those consulted on the Statement of Principles.

4. Responsible Authorities

- 4.1 We are required by regulations to state the principles we will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of the licensing authority's area
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group
- 4.2 In accordance with the Gambling Commission's Guidance for local authorities this authority designates Corporate Director of Children and Young People's Services, North Yorkshire County Council, Room 122 County Hall, Racecourse Lane, Northallerton, North Yorkshire, DL7 8DD for this purpose.
- 4.3 The contact details of the Responsible Authorities under the Act can be found at Appendix B and on our website www.selby.gov.uk

5. Interested parties

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Act as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person-

- a) lives sufficiently close to the premises to be likely to be affected by the authorities activities,*
- b) has business interests that might be affected by the authorised activities, or*
- c) represents persons who satisfy paragraph (a) or (b)"*

- 5.2 We are required by regulations to state the principles we will apply in exercising our powers under the Act to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. We will not apply a rigid rule to our decision making. We will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities at 8.12 to 8.17. Note though that decisions on premises and temporary use notices must be "in accordance" with Gambling Commission Guidance (Section 153 of the Act). We will also consider the

Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

- Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor/MP represents the ward likely to be affected. Likewise, parish councils likely to be affected will be considered to be interested parties. Other than these, however, we will generally require written evidence that a person/body (e.g. an advocate/relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing team at:

Licensing
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT
licensing@selby.gov.uk

01757 705101

6. Exchange of Information

- 6.1 We are required to include in our policy statement the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between us and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between us and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that we apply is that we will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. We will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Act.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

7.1 We are required by regulation under the Act to state the principles we will apply to exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

7.2 Our principles are that:

We will be guided by the Gambling Commission's Guidance for local authorities. We will endeavour to be:

- **Proportionate:** regulators should only intervene when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
- **Consistent:** rules and standards must be joined up and implemented fairly;
- **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
- **Targeted:** regulation should be focused on the problem, and minimise side effects.

7.3 As per the Gambling Commission's Guidance for local authorities we will endeavour to avoid duplication with other regulatory regimes so far as possible.

7.4 We have adopted and implemented a risk-based inspection programme, based on:

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this Statement of Licensing Principles

7.5 Our main enforcement and compliance role in terms of the Act will be to ensure compliance with the premises licences and other permissions which we authorise. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that we will not deal with concerns about manufacture, supply or repair of gaming machines but these concerns will be notified to the Gambling Commission.

7.6 We will also keep ourselves informed of developments regarding the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

7.7 Bearing in mind the principle of transparency, our Corporate Enforcement Policy is available upon request from the licensing team (see details on page 7) or online at: <http://www.selby.gov.uk/enforcement-policy>.

8. Licensing Authority functions

8.1 As the Licensing Authority we are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- Issue *Provisional Statements*
- Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue *Club Machine Permits* to *Commercial Clubs*
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

8.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via Operator Licences.

PART B

PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

9. General Principles

9.1 Premises Licences will be subject to the requirements set-out in the Act and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

Decision-making

9.2 We are aware that in making decisions about premises licences we should aim to permit the use of premises for gambling in so far as we think it is:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy (which is available to view at the following webpage: <http://www.selby.gov.uk/licensing-policies>)

9.3 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below) and also that unmet demand is not a criterion for us.

10. Definition of “premises”

10.1 In the Act “premises” is defined as including “any place”. Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

10.2 The Gambling Commission states in the fifth edition of its Guidance to Licensing Authorities that: “in most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the

Gambling Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.

10.3 We take particular note of the Gambling Commission's Guidance to Local Authorities which states that: Licensing Authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

10.4 The Guidance also gives a list of factors which we should be aware of when considering if two or more proposed premises are truly separate, which may include:

- Do the premises have a separate registration for business rates?
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

10.5 We will consider these and other relevant factors in making decision, depending on all the circumstances of the case.

10.6 The Gambling Commission’s relevant access provisions (as defined at 7.23 of the Guidance) for each premises type are reproduced below:

Type of premises	Access Provisions
Casinos	<ul style="list-style-type: none"> • The principal access entrance to the premises must be from a street • No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons • No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence
Adult Gaming Centre	<ul style="list-style-type: none"> • No customer must be able to access the premises directly from any other licensed gambling premises
Betting Shops	<ul style="list-style-type: none"> • Access must be from a street or from another premises with a betting premises licence • No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.
Tracks	<ul style="list-style-type: none"> • No customer should be able to access the premises directly from: <ul style="list-style-type: none"> - a casino, or - an adult gaming centre
Bingo Premises	<ul style="list-style-type: none"> • No customer must be able to access the premises directly from: <ul style="list-style-type: none"> - a casino - an adult gaming centre, or - a betting premises, other than a track
Family Entertainment Centre	<ul style="list-style-type: none"> • No customer must be able to access the premises directly from: <ul style="list-style-type: none"> - a casino - an adult gaming centre, or - a betting premises, other than a track

10.7 Part 7 of the Gambling Commission’s Guidance to Licensing Authorities contains further guidance on this issue, which we will also take into account in our decision-making.

11. Premises “ready for gambling”

11.1 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that we can be satisfied is going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

- 11.2 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.
- 11.3 In deciding whether a premises licence can be granted where there is outstanding construction or alteration works at premises, this authority will determine applications on their merits, applying a two stage consideration process:
- **Stage 1:** whether the premises ought to be permitted to be used for gambling
 - **Stage 2:** whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 11.4 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.
- 11.5 More detailed examples of the circumstances in which such a licence may be granted can be found at paragraphs 7.59-7.66 of the Guidance.

12. Location:

- 12.1 We are aware that demand issues cannot be considered with regard to the location of premises, but that considerations in terms of the licensing objectives are relevant to our decision-making. As per the Gambling Commission's Guidance to Local Authorities, we will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this policy statement will be updated.
- 12.2 We will need to be satisfied that there is sufficient evidence that the particular location of the premises would be harmful to the licensing objectives before refusing. From 6 April 2016, it has been a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under Section 10, for licensees to assess the local risks to the licensing objectives posed by the provisions of gambling facilities at each of their premises, and have policies, procedures and control measure to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this policy statement.
- 12.3 The LCCP say that licensees must review (and update as necessary) their local risk assessments:
- to take account of significant changes in local circumstances, including those identified in this policy statement;
 - when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - when applying for a variation of a premises licence; and
 - in any case, undertake a local risk assessment when applying for a new premises licence.

- 12.4 We expect the local risk assessment to consider as a minimum:
- the location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
 - the demographics of the area in relation to vulnerable groups;
 - whether the premises is in an area subject to high levels of crime and/or disorder.
- 12.5 Local risk assessments should show how vulnerable people, including people with gambling dependencies are protected.
- 12.6 It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how the concerns can be overcome.

13. Duplication with other regulatory regimes:

- 13.1 We will seek to avoid any duplication with other statutory / regulatory systems where possible, including planning. We will not consider whether a licence application is likely to be awarded planning or building approval, in our consideration of it. We will though listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.
- 13.2 When dealing with a premises licence application for finished buildings, we will not take into account whether those buildings have to comply with the necessary planning or building consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning controls, buildings and other regulations and must not form part of the consideration for the premises licence.

14. Licensing objectives

- 14.1 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, we have considered the Gambling Commission's Guidance to Local Authorities:
- 14.2 **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime**
- We are aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. We are aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

14.3 Ensuring that gambling is conducted in a fair and open way

We note that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences (but, if such concerns come to our notice we will forward them to the Commission). There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below.

14.4 Protecting children and other vulnerable persons from being harmed or exploited by gambling

We have noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). We will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

14.5 We will also make ourselves aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific types of premises.

14.6 As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition but states that "it will for regulatory purposes assume that this group includes:

- people who gamble more than they want to;
- people gambling beyond their means; and
- people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs."

14.7 We will consider this licensing objective on a case by case basis.

15. Conditions

15.1 Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises: and
- reasonable in all other respects.

15.2 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures we will consider utilising should there be a perceived need, such as:

- the use of door supervisors;
- supervision of adult gaming machines; and

- appropriate signage for adult only areas etc.

15.3 There are specific comments made in this regard under some of the licence types below. We will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.

15.4 We will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

15.5 We will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

15.6 These considerations will apply to premises including buildings where multiple premises licences are applicable.

15.7 It is noted that there are conditions which we cannot attach to premises licences these are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

16. Door Supervisors

16.1 The Gambling Commission advises in its Guidance to Licensing Authorities that if we are concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then we may require that the entrances to the premises are controlled by a door supervisor, and we are entitled to impose a condition on the premises licence to this effect.

16.2 It is noted that the door supervisors at casinos or bingo premises are not required to be registered by the Security Industry Authority (SIA) under the Private Security Act 2001. Where door supervisors are provided at these premises the operator should ensure that any persons employed in this capacity are fit and proper to carry out such duties. Possible ways

to achieve this could be to carry out a Disclosure and Barring Service check on potential staff and for such personnel to have attended industry recognised training. Door supervisors not directly employed by a casino or bingo operator do have to be SIA registered.

17. Adult Gaming Centres

17.1 We will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

17.2 We may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive.

18. (Licensed) Family Entertainment Centres

18.1 Licensed Family Entertainment Centres (FECs) are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section for adult only 17 gaming machines with higher stakes and prizes. Licensed FECs will be able to make available unlimited category C and D machines where there is a clear segregation in place so children do not access the areas where the category C machines are located.

18.2 We will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

18.3 We may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive.

18.4 We will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. We will also make ourselves aware of any mandatory or default conditions on these premises licences.

19. Casinos

19.1 *No Casinos resolution* – We have not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but we are aware that we have the power to do so. Should we decide in the future to pass such a resolution, we will update this Statement of Principles with details of that resolution. Any such decision will be made by the Full Council.

19.2 *Licence considerations / conditions* – We will attach conditions to casino premises licences according to the principles set out in the Gambling Commission's Guidance at paragraph 9, bearing in mind the mandatory conditions listed at paragraph 17 of the Guidance, and the Licence Conditions and Codes of Practice published by the Gambling Commission.

20. Bingo premises

20.1 We note that the Gambling Commission's Guidance states:

20.2 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

20.3 Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

21. Betting premises

21.1 *Betting machines* - Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises, we will, amongst other things, take into account:

- the size of the premises;
- the number of counter positions available for person-to-person transactions; and
- the ability of staff to monitor the use of the machines by vulnerable persons

21.2 Where an applicant for a betting premises licence intends to offer higher stake category B gaming machines (categories B2-B4) including any Fixed Odds Betting Terminals (FOBTs), then applicants should consider the control measures related to the protection of vulnerable persons.

21.3 Where certain measures are not already addressed by the mandatory and default conditions and the Gambling Commission's Codes of Practice or by the applicant we may consider licence conditions to address such issues.

Appropriate licence conditions may be:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive.

22. Tracks

22.1 Tracks (as defined by s353 the Act means a horse-race course, dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place) are different from other premises in that there may be more than one premises licence in effect and that the track operator may not be required to hold an operating licence as there may be several premises licence holders at the track which will need to hold their own operating licences.

22.2 There may be some specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling and this authority would expect the premises licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided,

although they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

We may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive.

22.3 *Gaming machines* – Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

22.4 *Betting machines* – We have a power under the Act, to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. In relation to betting premises away from tracks, we will take into account the size of the premises and the ability of staff to monitor the use of the machines by vulnerable people when determining the number of machines permitted.

22.5 Similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machine. We will consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.

22.6 We take the view that it would be preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

22.7 **Condition on rules being displayed** - This authority will consider whether to attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

22.8 **Applications and plans** – The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that we have the necessary information to make an informed judgement about whether the premises are fit for gambling.

The plan will also be used for us to plan future premises inspection activity. (See Guidance to Licensing Authorities, paragraph 20.28).

- 22.9 Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations (See Guidance to Licensing Authorities 20.29).
- 22.10 Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (See Guidance to Licensing Authorities 20.31).
- 22.11 In rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the premises boundaries do not need to be defined (See Guidance to Licensing Authorities, paragraphs 20.32).
- 22.12 We appreciate that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information so that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the “five times rule” (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities, paragraph 20.33).

23. Travelling Fairs

- 23.1 Where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, we are responsible for deciding whether the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 23.2 We will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 23.3 It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. We will work with our neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

24. Provisional Statements

- 24.1 Developers may wish to apply to us for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in

light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

24.2 Section 204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed
- expects to be altered; or
- expects to acquire a right to occupy

24.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

24.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

24.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. We will be constrained in the matters we can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances

24.6 In addition to this, we may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premise has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and we note that it can discuss any concerns it has with the applicant before making a decision.

25. Reviews

25.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for us, as the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and

- in accordance with this Gambling Act 2005 - Statement of Principles.

25.2 The request for the review will also be subject to our consideration as to whether the request is frivolous, vexatious, or whether it will certainly not cause us to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

25.3 We can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

25.4 Once we have received a valid application for a review, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after we receive the application, we will publish notice of the application within 7 days of receipt.

25.5 We must carry out the review as soon as possible after the 28 day period for making representations has passed.

25.6 The purpose of the review will be to determine whether we should take any action in relation to the licence. If action is justified, the options open to us are to:-

- (a) add, remove or amend a licence condition we impose;
- (b) exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence

25.7 In determining what action, if any, should be taken following a review, we must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

25.8 In particular, we may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

25.9 Once the review has been completed, we must, as soon as possible, notify our decision to:

- the licence holder
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

PART C

Permits / Temporary & Occasional Use Notice

26. Unlicensed Family Entertainment Centre gaming machine permits

- 26.1 Where a premises does not hold a Premises Licence but wishes to provide gaming machines, it may apply to us for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238 of the Act).
- 26.2 The Act states that a Licensing Authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25 of the Act.
- 26.3 S24.9 of the Guidance also states: “An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application” Licensing Authorities might wish to consider asking applications to demonstrate:
- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
 - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
 - that staff are trained to have a full understanding of the maximum stakes and prizes.
- 26.4 It should be noted that a Licensing Authority cannot attach conditions to this type of permit.
- 26.5 **Statement of Principles:** We expect applicants to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. We also expect (as per Gambling Commission Guidance), that applicants demonstrate:
- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
 - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
 - that staff are trained to have a full understanding of the maximum stakes and prizes.

27. (Alcohol) Licensed premises gaming machine permits

- 27.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify us, as the licensing authority. We can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

27.2 **Permit: 3 or more machines-** If a premises wishes to have more than 2 machines, then it needs to apply for a permit and we must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “*such matters as [we] think relevant.*”

27.3 We consider that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff, who will monitor that the machines are not being used by those under 18. Notices and signage may also be of help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

27.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

27.5 It should be noted that we can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

27.6 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

28. Prize Gaming Permits

28.1 The Act states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

28.2 We have prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law
- clear policies that outline the steps to be taken to protect children from harm.

- 28.3 In making our decision on an application for this permit we do not need (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 28.4 It should be noted that there are conditions in the Act by which the permit holder must comply, but to which we cannot attach conditions.

The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

29. Club Gaming and Club Machines Permits

- 29.1 Members Clubs and Miners' welfare institutes may apply for a Club Gaming Permit or a Club Gaming Machines Permit. A Commercial Club may only apply for a Club Machine Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D), equal chance gaming and games of chance as set out in regulations. A Club Gaming Machine Permit will enable the premises to provide gaming machines (3 machines of categories B3A, B4, C or D). Only one category B3A machine can be sited as part of this entitlement.
- 29.2 Gambling Commission Guidance for licensing authorities states: "Members clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs, which replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include; working men's clubs, branches of Royal British Legion and clubs with political affiliations."
- 29.3 Before granting the permit we will need to be satisfied that the premises meet the requirements of a members' club and we may grant the permit only if the majority of members are over 18 years old.
- 29.4 We are aware that we may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - (b) the applicant's premises are used wholly or mainly by children and/or young persons;
 - (c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - (d) a permit held by the applicant has been cancelled in the previous ten years; or
 - (e) an objection has been lodged by the Commission or the police.

- 29.5 There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Gambling Act 2005 (Schedule 12 paragraph 10). Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced.
- 29.6 The grounds on which an application under the process may be refused are that:
- (a) the club is established primarily for gaming, other than gaming prescribed under schedule 12;
 - (b) in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
 - (c) a club gaming permit or club machine permit issued to the applicant in the last ten years have been cancelled."
- 29.7 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

30. Temporary Use Notices

- 30.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for Temporary Use Notices, according to the Gambling Commission, would include hotels, conference centres and sporting venues.
- 30.2 We can only grant a Temporary Use Notice to a person or company holding a relevant operating licence i.e. a non-remote casino operating licence.
- 30.3 The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this statement the relevant regulations (The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.
- 30.4 There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".
- 30.5 In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.
- 30.6 We expect to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

31. Occasional Use Notices:

- 31.1 The Act provides that where there is betting on a track on eight days or fewer in a calendar year, betting may be permitted by an Occasional Use Notice without the need for a full premises licence.
- 31.2 We have very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. We will, however, consider the definition of a 'track' and whether the applicant is permitted to benefit him/herself of the notice.

32. Registration of Small Society Lotteries

- 32.1 We will adopt a risk based approach towards its enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of an operator:
- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
 - submission of incomplete or incorrect returns
 - breaches of the limits for small society lotteries
- 32.2 Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:
- by, or on behalf of, a charity or for charitable purposes
 - to enable participation in, or support of, sporting athletic or cultural activities.

Appendix A – List of Consultees

The Gambling Act requires that the following parties be consulted on the Licensing Policy:

(a) The Chief Officer of Police

Chief Constable, North Yorkshire Police

(b) One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority's area

Done Brothers (Cash Betting) Ltd	Selby Bowling Club
Betfred	Inspiring Healthy Lifestyles
Ladbrokes Betting & Gaming Ltd	BACTA
Ladbrokes	Association of British Bookmakers Ltd
Stan James	The Bingo Association
William Hill Organisation Ltd	Greyhound Board of Great Britain
William Hill Bookmakers	The Jockey Club
William Hill Bookmakers	Federation of Licensed
William Hill	Victuallers Associations
Bowl 'N' Fun	Alcohol Premises Licence Holders
Gamestec Leisure Limited	
Poppleston Allen	

(c) One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Gambling Act 2005.

Jackie Booth, Police Licensing Officer	North Yorkshire Trading Standards
Chief Fire Officer	Mr Nigel Adams, MP
The Gambling Commission	Selby District Councillors
H M Revenue & Customs	Selby District Town and Parish
Social Services Strategy &	Councils
Performance	Selby District Council Licensing
Officer	Committee
GamCare	Selby District Council Policy Review
GambleAware	Committee
Health and Safety Executive	Responsible Authorities

Appendix B – Responsible Authorities

This list of Responsible Authorities is also available on our website www.selby.gov.uk

North Yorkshire Police (For Licensing applications only)
North Yorkshire Police Headquarters
The Licensing Section
Fulford Road
York
YO10 4BY
nyplicensing@northyorkshire.pnn.police.uk

North Yorkshire Fire and Rescue Authority
Chief Fire Officer
Fire Brigade Headquarters
Crosby Road
Northallerton
North Yorkshire
DL6 1AB
www.northyorksfire.gov.uk/contact-us

The Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP
Tel: 0121 230 6500

Social Services
Strategy & Performance Officer
Children & Young People's Service
Room SB012
County Hall,
Racecourse Lane
Northallerton
DL8 7AE

Lead Officer – Development Control
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

H M Revenue & Customs
National Registration Unit (Betting & Gaming)
Portcullis House
21 India Street
Glasgow
G2 4PZ

Tel: 0141 555 3633

The Licensing Officer
Alcohol Licensing Unit
North Yorkshire Police
Fulford Road
York
YO10 4BY

Environmental Health
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

Solicitor to the Council
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

Health & Safety Section
Environmental Health Department
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT

Appendix C - Table of delegation of licensing functions

Matter to be dealt with	Full Council	Licensing Sub Committee	Officers
Application for premises licences		✓ Where representations have been received and not withdrawn	✓ Where no representations received / representations have been withdrawn
Application for a variation to a licence		✓ Where representations have been received and not withdrawn	✓ Where no representations received / representations have been withdrawn
Application for a transfer of a licence		✓ Where representations have been received from the Commission or responsible authority	✓ Where no representations received from the Commission or responsible authority
Review of a premises licence		✓	
Application for a provisional statement		✓ Where representations have been received and not withdrawn	✓ Where no representations received/representations have been withdrawn
Application for club gaming / club machine permits		✓ Where objections have been made and not withdrawn	Where no objections made/objections have been withdrawn
Cancellation of club gaming / club machine permits		✓	
Applications for other permits		✓ Where the application is for 5 or more machines	✓ (except where there is a possibility of refusal or grant of a reduced number of gaming or betting machines)
Cancellation of licensed premises gaming machine permits			✓
Consideration of temporary use notice			✓
Decision to give a counter notice to a temporary use notice		✓	

Matter to be dealt with	Full Council	Licensing Sub Committee	Officers
Determination as to whether a representation is frivolous, vexatious or repetitive		✓	
Fee Setting – when appropriate		✓	
Three year Gambling Policy	✓		
Policy not to permit casinos	✓		

✓ indicates the lowest level to which decisions can be delegated.

NB. The Council reserves the right to amend this table of delegation

Appendix D – Categories of Gaming Machines

Section 236 of the Gambling Act 2005 provides for the Secretary of State to make regulations to define four classes of gaming machine: categories A, B, C, and D, with category B further divided into sub-categories. The regulations define the classes according to the maximum amount that can be paid for playing the machine and the maximum prize it can deliver.

The following table shows the different categories of machine and the maximum stakes and prizes that currently apply.

Category of machine	Maximum stake (from Jan 2014)*	Maximum prize (from Jan 2014)*
A	No category A gaming machines are currently permitted	
B1	£5	£10,000*
B2	£100	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D – non-money prize (other than a crane grab machine or a coin pusher or penny falls machine)	30p	£8
D – non-money prize (crane grab machine)	£1	£50
D – money prize (other than a coin pusher or penny falls machine)	10p	£5
D – combined money and non-money prize (other than a coin pusher or penny falls machine)	10p	£8 (of which no more than £5 may be prize money)
D – combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be prize money)

* with the option of a maximum £20,000 linked progressive jackpot on a premises basis only.

**Stakes and Prizes may change.

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Report Reference Number: E/18/09

To: Executive
Date: 12 July 2018
Status: Non Key Decision
Ward(s) Affected: All
Author: Aimi Brookes, Contracts Team Leader
Lead Executive Member: Cllr Mark Crane, Leader of the Council
Lead Officer: Julie Slatter, Director of Corporate Services and Commissioning

Title: Leisure Contract Annual Review April 2017 - March 2018

Summary:

This is the eighth formal annual review of the Leisure Contract with Inspiring healthy lifestyles (IHL) and covers the period April 2017 to March 2018. The review covers the work at Selby Leisure Centre, Tadcaster Leisure Centre and Selby Park as well as the outreach work of the Wellbeing Team.

Recommendations:

i. It is recommended that the Executive note the key findings of the report and in particular the performance of IHL to date

Reasons for recommendation

To recognise the work IHL has made in delivering the leisure services offer across the Selby District and in delivering key aspects of the corporate plan.

1. Introduction and background

1.1 The year of this review was the third full year of operation of Selby Leisure Centre. Whilst there was a slight decline in the combined overall visits to Selby and Tadcaster sites, there has been an increase in the percentage of members participating in 3 or more sessions per week and an increase in the percentage of number of Lifestyle card holders. As well as centre based activities the outreach and wellbeing teams also continued to develop making significant impacts particularly around the GP referral and adult weight management programmes.

2.1 The Report

- 2.1.1 A series of draft reports were produced by IHL and evaluated by SDC Officers and the Executive member. The final review document is attached to this report as Appendix A (Inspiring healthy lifestyles Selby Annual Review 2017/18).
- 2.1.2 Once again the review has been designed to provide a summary of the leisure facilities, activities and community based work as well as information about asset maintenance, health and safety and performance.
- 2.1.3 The performance section is the third full year of the new extended performance framework that has largely been designed to support Sport England reporting requirements and associated age grouping requirements. Whilst the age related reporting requirements are required by Sport England for Selby Leisure Centre only, they have been replicated for Tadcaster to provide a balanced picture. Data for 2016/17 has been included along with direction of travel arrows to allow for easy comparison.
- 2.1.4 When reviewing the performance measures it is important to understand the analysis by age and user groups is based on membership information provided and school age groups but does not reflect casual users of the facilities.
- 2.1.5 Following approval of the Annual Review by the Executive, it will once again be taken to the Scrutiny Committee for further analysis.

2.2 Summary of Key Findings

2.2.1 Key findings from the report include:

- 1,500 swimmers on the Learn to Swim programme and two new swim teachers trained to deliver specialist disabled swimming support
- 27 schools using the Selby site for structured school swimming lessons, up from 24 in 2016/17
- Continued support of major cycling events including the Tour de Yorkshire in Tadcaster, the Great Selby Bike Ride, the Three Swans Sportive and the Cyclesense Tadcaster Sportive
- Significant health improvements for residents taking part in the Move It and Lose It programme with 441 participants in the first 6 months.
- Launch of Health Walks programme aligned to the North Yorkshire Public Health Pathways to Health project
- 2 apprentices working towards their NVQ in Activity Leadership and Level 2 Fitness Instructor also received National Pool Lifeguarding and first aid qualifications

3. Alternative Options Considered

N/A

4. Implications

4.1 Legal Implications

There are no legal issues to report.

4.2 Financial Implications

There are no financial implications following the review.

4.3 Policy and Risk Implications

There are no policy or risk implications

4.4 Corporate Plan Implications

IHL's strategic objectives directly support the Council's corporate priorities of Making Selby District a great place to do business, to enjoy life and to make a difference. This is highlighted in the review's executive summary.

4.5 Resource Implications

By undertaking an annual review, this allow the Council to have confidence that resources are being best utilised.

4.6 Other Implications

N/A

4.7 Equalities Impact Assessment

5. Conclusion

- 5.1 IHL continue to secure external funding enabling a broad delivery of community sport and activities across the District for targeted groups and sports. Performance is generally good and it has been recognised that some outreach work is targeting the same customer groups thereby impacting on some PI delivery. The performance framework continues to be reviewed on a regular basis to ensure the suite of indicators is fit for purpose, and the Community Wellbeing PI's have been amended to reflect current programmes.

6. Background Documents

None

7. Appendices

Appendix A Selby Leisure Services Annual Review 2017-18

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*Inspiring
healthy
lifestyles*



Inspiring healthy lifestyles
Selby Annual Review **2017/18**

Introduction

This review covers the period April 2017 to March 2018 inclusive.

- Inspiring healthy lifestyles (IHL) works in partnership with Selby District Council (SDC) to deliver leisure facilities across the Selby District. Services include leisure centre management at Selby Leisure Centre and Tadcaster Leisure Centre, Selby Park and the development of sport and health interventions and outreach work through the Wellbeing team. 2017/18 marks the third full year of the extended 15-year contract.
- As at end of March 2018, within Selby Leisure Centre (including Selby Park) there are 45 employees (21 full time, 24 part-time). There are 8 permanent employees at Tadcaster Leisure Centre, (5 full time, 3 part-time). Overall, this represents a slight increase from 2016/17.
- In August 2017, the incumbent Head of Wellbeing left the organisation to take up a new post. A new Head of Wellbeing began in January 2018. The role provides effective leadership, management and strategic direction of outreach delivery including key health programmes and sports development in addition to working closely to complement the leisure centre delivery.

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Executive Summary

This paper considers the performance and key highlights from 2017/18.

- Leisure centre visits showed a slight decline compared to 2016/17 performance, although they still represent significant sustained increases compared with earlier years. A data capture issue was highlighted at Selby Leisure Centre with a broken Fast-Track entry gate during the first half of the year which necessitated the replacement of equipment and this will have had an adverse impact upon participation figures. The number of Lifestyle members as a percentage of the District's population reflected an increase from 17.9% in 2016/17 to 19.3% in 2017/18. The paper also outlines the broad range of targeted interventions delivered by the Wellbeing Team, summarising the key projects and outcomes.
- In April 2017, we were notified that our application to deliver the Selby element of the North Yorkshire County Council Adult Weight Management contract had been successful. This commenced in July 2017.
- The table below illustrates how our performance measures align to both the IHL strategic objectives and the SDC Corporate Plan:

SDC Corporate Plan	Inspiring healthy lifestyles' Strategic Objectives	Measures
Making Selby District a Great Place to Do Business	<p>We promise to make a difference to education and skills</p> <p>We promise to make a difference to the environment</p>	<ul style="list-style-type: none"> - Provision of apprenticeship opportunities - Support in continued development of Selby Leisure Village site - Number of visitors to leisure centres / sites from outside the district - Membership of STEP - Attracting external funding into the Selby District - Working with business partners such as Welcome to Yorkshire, hosting health and Wellbeing roadshows with Clipper and offering corporate leisure memberships - Attendance at job fairs, school interview and career awareness days
Making Selby District a Great Place to Enjoy Life	<p>We promise to make a difference to health</p>	<ul style="list-style-type: none"> - Number of participants (leisure centres and outreach) - Increased participation rates including from key demographic groups - Number of leisure centre members - Number of participants on targeted health programmes - Support provided in delivery of key events across the District
Making Selby District a Great Place to Make a Difference	<p>We promise to make a difference to education and skills</p> <p>We promise to make a difference to the environment</p>	<ul style="list-style-type: none"> - Customer satisfaction surveys - Partnership working and engagement with CEFs and local community network groups to consult, share resources and secure external funding for new community projects - Quest assessments at leisure centre sites - Extension of learnings from ISO14001 accreditation - Support and promotion of events using the Amphitheatre and Market Place sites

Facility Summaries

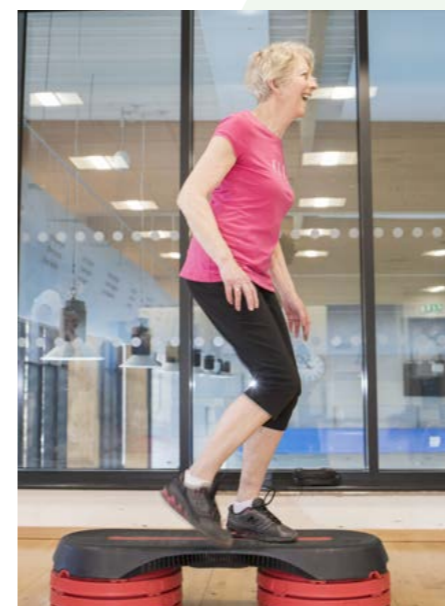
Leisure Centres - Selby

- Selby Leisure Centre brings a wide range of leisure and recreation opportunities. In addition to regular exercise and activity classes, new offers include virtual fitness sessions, three personal trainers, and an extensive range of Les Mills classes. The site also makes use of the latest leisure technology including Technogym and Swimtag, which supports participants to track their activity levels, monitor their progress and illustrate the benefits of being active.
- Alongside these sessions, the team have developed and delivered a range of activities from the site including Buggy Bootcamp, Pilates, Yoga, Body Balance, gymnastics and Parent and Child Dance Aerobics Classes.
- The site delivers the Learn to Swim programme supported by the On Course online management system. 2017/18 saw a further growth in swimming lesson memberships with over 1,500 people accessing the lessons during the year compared with 947 in 2016/17.

- The site has invested in developing staff to support the Learn to Swim programme. Five lifeguards were upskilled to become swimming teachers, supporting the growth of the swimming lesson programme. Two disabled swimming sessions are held using the large and small pools, with two swim teachers being trained to deliver specialist disabled swimming support.
- Leisure centre members took part in a number of themed gym and fitness challenges throughout the year including Let's Move For A Better World, On Your Bike, Great North Run, FA Cup Final Challenge and Christmas Big Burn Off. This approach continues to prove successful in engaging and motivating sustained participation. Two Les Mills launch events were held during the year with over 270 participants attending sessions during the course of the launch weeks.

Selby Leisure Centre has hosted two apprentices for the last ten months and as they approach the end of their course they have been trained in a range of qualifications, including National Pool Lifeguarding and First Aid in addition to their combined apprenticeship qualifications in NVQ in Activity Leadership and Level 2 Fitness Instructor. Whilst completing their qualifications the two apprentices have been able to apply their learning in a practical environment by supporting active camps, schools programme and leisure centre activity. As they approach their qualification, apprentice B is hoping to gain a full-time lifeguard position whilst apprentice G is going to continue in education. Apprentice B stated:

"This has been a fantastic experience for me and a good foot in the door at Selby Leisure Centre. I love my job and hope to be able to gain full time employment. "My aspirations in the future are to potentially progress my career within the leisure centre if I work hard enough. I have learnt so much information throughout my apprenticeship and now feel I have the knowledge to apply to practical situations and become a better member of staff for IHL."



- Alongside the core fitness programmes and class sessions, the Wellbeing Team have refined the range of activities to more effectively meet the demand of our customers, including Swim Fit, low intensity fitness, gymnastics, the health walk programme and walking football. These are particularly targeted at young children, older adults and people with a disability.
- Alongside the indoor leisure offer at Selby, the site's all-weather pitch is used for Bootcamp fitness sessions, walking football, five-a-side football, touch rugby league and children's activity camps. The site is also used as the home base for Selby Hockey Club and junior football teams.
- Selby Leisure Centre is a registered Changing Places facility, one of only two in the town, which is suitable and accessible to people with profound and multiple learning and physical disabilities. The site is also accredited as a Breast Feeding Friendly centre.
- Selby Leisure Centre is also used as a home venue by local community sports clubs including Selby Tiger Sharks (swimming), Selby Aquanauts, Selby Sub Aqua Club and Selby Hockey Club. Selby Sub Aqua Club deliver training and taster sessions from the leisure centre, providing the most active training site for the sport in the country. The centre has also hosted Try Dive taster sessions throughout the year.
- The Wellbeing Team works closely with the leisure centre to host a range of sporting activities and events contributing to Selby's community sport programme. These are open to members and non-members and have seen sports clubs such as gymnastics and tumbling, hockey, football and bowls delivering sessions at the site.
- 27 schools currently use the Selby site for their structured school swimming lessons whilst three schools also use the site to support PE sessions, a further increase on the number of schools using the site in the previous year. The site also hosted two inter-school swimming galas and various school sport festivals. Selby Leisure Centre also hosts visits by school groups based upon five thematic areas: sport and fitness, health, mathematics, science and career opportunities. In addition, the site complements the Healthy Active Schools programme by hosting bespoke activity days aimed at primary school pupils.
- Together, the leisure centre and Wellbeing Team hosted events in aid of Macmillan Cancer Support, International Women's Day and Sport Relief. A charity Yogathon in November raised over £1,700 for Endometriosis UK. The teams have provided activities both at the leisure centres and in the community and have created a strategic approach to future events planning to ensure all IHL services are utilised where possible.

Leisure Services

Leisure Centres - Tadcaster

Leisure centre usage at Tadcaster continued to perform above target during 2017/18, albeit slightly below the levels of the previous year. New classes have been introduced including Fitness Testing, Women's Only Resistance Training, Body Balance and Body Attack. The personal training offer has been increasingly promoted with 50 members currently enrolled onto these packages, whilst women-only introductory weights sessions also proved popular. Other activities delivered from the site include gymnastics, indoor walking football, table tennis, basketball, wheelchair sports, goalball and pickleball.

Participant C had previously lived an active lifestyle. However, in 2014 a debilitating back injury, following on from serious illness, meant she was struggling to perform simple actions such as climbing a flight of stairs. She was signposted to Tadcaster Leisure Centre where a personal trainer advised her to start with Pilates to support her recovery from her back injury. "I thought it would be too slow for me – a few years earlier I'd been doing hours of ballet every week," she said. "I started going once a week, then twice, then three times, and soon Pilates was making a real difference not only to my body but my state of mind. I was getting my strength back and enjoying the feeling of getting fit again."

Today C attends personal training a couple of times a week, in addition to Pilates and gym workouts. Such have been the improvements in her health, that she is now able to lead a more active lifestyle including walking and she is aiming to get back into ballet dancing. C added: "I'm just determined to give myself the very best body I can and do what I do for many years to come. That's what Tadcaster Leisure Centre and their staff are doing for me."



- The site continues to promote swimming by including access to Tadcaster Community Swimming Pool as an element of its membership package, and over 3,900 swims were recorded by members during 2017/18.
- The centre hosted Friday night football sessions delivered in partnership with the Wellbeing Team and York City FC Community team. The centre is also used as a meeting base for Tadcaster Harriers running club and hosts its own gymnastics and junior badminton clubs. Ashton Gymnastics club once again enjoyed a successful year with five youngsters achieving Yorkshire Champion status in competitions.
- The site hosts regular NHS Blood Donation sessions throughout the year in addition to the successful Macmillan Coffee Morning and the Sports Relief event showcased on BBC Radio York.
- Selby and Tadcaster Leisure Centres host weekly sessions for Selby High School and Tadcaster Grammar School respectively, and run four junior gym sessions per week, which has resulted in an increase in sales of junior memberships. Both sites also offer Year 10 student placements to schools in the North Yorkshire and East Riding catchment areas.
- The site supported the Tour de Yorkshire race as a base point for the Army, volunteers and support staff in addition to supporting and promoting activities in the town. Staff also attended the Riverside Primary School open day, Tadcaster Duck Race and the Cyclesense Tadcaster Sportive.

Selby Park

- Delays in replacing the existing parks and open spaces byelaws impacted upon delivery in 2017/18, however plans are in place and partners including Welcome to Yorkshire, North Yorkshire Public Health and Tesco have been engaged with to allow activities to progress once the byelaws have been reviewed.
- Selby Family Fun Day including multi-activities, bands and food stalls continued to bring in tourism to the town during June 2017.

Football Pitches – Portholme Road / Denison Road

- Throughout the year four local teams playing in the York and District football league used the pitches as home venues.
- The Portholme Road site was used by Selby Town Council for the Annual Family Fun Day which was further supported by IHL with the delivery of Selby Vintage Car and Motorbike Rally.

Marketplace and Amphitheatre

- The Wellbeing Team supported groups and events using these sites including for the fifth year the start of the Three Swans Selby Sportive. A range of local charities and organisations have used the sites to raise awareness and promote their work.



Wellbeing Services

There are five staff members forming the Wellbeing Team including the Wellbeing Manager, Wellbeing Coordinator, two Wellbeing Specialist Instructions and the Education Coordinator. Three of these posts are core funded and two are externally commissioned by North Yorkshire Public Health and Macmillan Cancer Trust. Over the course of the year the team has collectively undertaken training in the following areas: GP referral, cardiac rehab, smoking cessation training and alcohol IBA training; first aid, display screen equipment training and an extreme ideologist workshop as part of the Prevent agenda.

Throughout the year, the team hosted 13 student work placements from a range of local and regional schools, colleges and universities. The Wellbeing Team also work with local volunteers, with 19 volunteers supporting various events and sessions during the year.



Key commissioned projects for Selby District

Move It and Lose It

In July 2017, Move It and Lose It (MILI) was successful in gaining a five year contract commissioned by North Yorkshire Public Health following the successful two-year pilot programme. Now, just half way into year one, the annual target for participants achieving a 5% weight loss at six months has already been met and exceeded by 200%, proving the scheme meets the needs of the participants and is providing grounds for long-term sustainability.

MILI has engaged with 441 participants in the first six months of the funded scheme, 179 of whom have completed their initial 12 weeks and 103 of those people achieved a 5% weight loss.

Case Study - Participant K joined the programme in August 2017 suffering from a range of health conditions, including arthritis, as a consequence of being overweight. Despite initially finding the session challenging they were supported by the instructor and within a month were able to take part in all the activities. Since joining the programme, participant K has lost nearly four stone and progressed from only being able to swim eight lengths of the pool to swimming 64 lengths. As they have managed their arthritis they have also been able to resume walking and cycling. They said "I am no longer a couch potato but someone who enjoys exercise!"



Case Study - Participant C joined the programme having previously lived an active lifestyle, but owing to illness had experienced mental and physical wellbeing challenges and lapsed into inactivity and an unhealthy lifestyle. C's wife joined MILI and he was prompted to join her. "The first thing which hit me was the diverse range of ages and abilities within the group," he said. "Everybody was there to achieve their own goals, but did so with a smile on their faces. No competition, nobody screaming at you to do more/better and it was a very relaxed atmosphere. My wife and I have achieved bronze, silver and gold Body Magic Awards at Slimming World. We regularly attend the gym and are far more active and health conscious than we have ever been, have lost over 4.5 stone between us in approximately twelve weeks and we couldn't be more motivated! "But the exceptional thing is the knowledge we have learned on our journeys means we never go hungry and do not struggle. We understand what to do and we do it. It is an amazing feeling to feel in control again and we are much happier for it!"

Schools

The Education Team has delivered 206 after school clubs (5,576 attendances), 279 curriculum sessions (8,310 participants) and Active Holiday Camps (1,686 participants attending 11 weeks of activity), using the full range of facilities and activities at the leisure centre sites. In addition a targeted holiday camp focussed upon children from the most deprived communities in the District was supported by Morrisons, Selby Food Bank, Selby Police and Fire services and the NHS Healthy Child team.

The Education Team was involved in the planning and delivery of the Primary School/Sport Partnership Multi Sport Festival for Sherburn catchment schools and delivered after school-club sports sessions at schools in the Sherburn area. Of particular success is a girls' football team created at Sherburn High School.

The Wellbeing Team has also provided a key link in supporting and signposting schools to access the leisure centres and Summit Indoor Adventure through a number of taster days, school festivals and end-of-term treat events, as well as supporting PE within the centres. Within the past year there have been 17,326 attendances at school swimming lessons.



GP Referral Programme

Selby Wellbeing Team project manage and lead the co-ordination of the GP exercise referral programme. The referral scheme provides tailored physical activity sessions to support patients experiencing a variety of medical conditions including cardiac and stroke recovery. The programme aims to create a sustained healthy lifestyle beyond the initial intervention by linking to the leisure centres and health walk programme. The exercise referral programme exceeded target by engaging with 377 participants with a 63.7% completion rate and 22% of participants converting to full leisure centre memberships.



Additional Projects

Macmillan Active after Cancer project

The Macmillan Active after Cancer project entered its third and final year and has seen 28 new participants take part in the programme. The Wellbeing Team continued their annual Macmillan event held in partnership with York and Scarborough Cancer Trust to raise awareness of the Active after Cancer scheme and provide support to those seeking advice and information. The programme concludes in June 2018, however cancer patients will continue to be supported through the GP exercise referral programme.

Active Workplaces

The Selby Wellbeing Team continue to work with Selby District Council to promote workplace health initiatives and reduce sickness absenteeism. Council staff continue to attend pre-work, lunchtime and post-work sessions at Selby Leisure Centre, taking advantage of corporate membership offers. The Wellbeing Team are planning to utilise the resources at Sherburn outdoor gym and incorporate this into Active Workplace initiatives in summer 2018.

Mental Health

The Wellbeing Team has networked effectively with mental health organisations and groups including York Mind, Horton Housing Community Café group and a local mental health group to develop opportunities in 2018/19. These include hosting mental health and fitness events, incorporating mindfulness and relaxation techniques provided by guest speakers. The Wellbeing team are also in planning stages to implement regular 'walk and talk' and 'run and talk' sessions from Selby and Tadcaster leisure centres.

Youth Service

In partnership with NYCC's Youth Prevention team, Wellbeing delivered a six-week boot camp project with the local youth club to provide positive bespoke activities for targeted groups of young people. This was funded by North Yorkshire Sport's Sportivate initiative and successfully engaged children aged 10-15, in partner-led activities alongside a range of sports and fitness exercises. The aspiration is to continue work with this group as part of a wider project to combat anti-social behaviour in Selby.

Trips and Falls Prevention

The Wellbeing Team recently secured funding from North Yorkshire Sport - commissioned by North Yorkshire Public Health - to provide two targeted trips and falls services in the Selby District. The funding grants £7,000 per year and is available for up to three years. The services will target people aged 65 and older who are at risk of or have experienced trips and falls. Objectives are to increase feelings of independence, resilience and stability levels within this target group. Partnerships with York Teaching Hospital NHS Foundation Trust have already been established to ensure vital links between IHL and the hospital's trips and falls clinic in Selby.



Key Focuses

Health Walks - Walking Groups

The Wellbeing Team has begun developing the current health walks programme, which aligns to the North Yorkshire Public Health Pathways to Health project. The aspiration is to upskill more volunteers to become walk leaders and expand the current walks programme. Included within this will be the walking football offer at Selby and Tadcaster leisure centres and a new range of themed walks, including family nature walks that are due to commence in May 2018 and make use of local natural assets such as Brayton Barff and Fairburn Ings.

Selby Cycle Hub

Whilst current activity is restricted pending review of an historic byelaw, there has been progress made in developing plans for the Cycle Hub to commence in summer 2018. This includes developing more social cycle rides in partnership with British Cycling's Ride Social and Breeze Bike Rides for Women initiatives, which utilises local trained volunteers. The Wellbeing Team are also working with the Selby Town Enterprise Partnership (STEP) working group to attract more visitors into Selby by using the Cycle Hub as a focal point.

Selby Safer Hub

The Wellbeing Team continue to attend the Safer Selby Hub, supporting clients identified as being at risk of social hardship, crime or exploitation and experiencing multiple aspects of deprivation. Collaborative work is being undertaken between IHL, SDC, NYCC's Youth Service and the local Police Community Support Officers to combat the anti-social behaviour issues, with a particular focus on addressing peak times and trouble hot-spots.

Cross-Service Working and Events

Sportives

More than 1,000 riders took part in Selby's fifth annual Three Swans Sportive. The event, organised by Yorkshire Cancer Research in partnership with Selby Cycling Club and IHL, featured three routes of 30, 60 and 100 miles. The Wellbeing Team and leisure centre staff have committed to providing a training programme for the 2018 Sportive, alongside sporting challenges and catering on the day.

Great Selby Bike ride

The Wellbeing Team supported the entry form marketing and distribution and on-the-day registration for the Great Selby Bike Ride. This is the fourth year the team has supported this annual event led by Selby District Lions.

Tour de Yorkshire

Tour de Yorkshire volunteers were hosted at Tadcaster Leisure Centre, with leisure centre and Wellbeing staff supporting aspects of the event in the town, including the community festival and children's cycle races. A starting point for the second stage of the tour was located on the bridge in Tadcaster in April, with thousands of spectators lining the route as the peloton of the men's and women's races passed through. The Wellbeing lead is also a member of the boards of Cycle Yorkshire and Trans-Pennine Trail Steering Group and was involved in the planning process for the 2017 Tour de Yorkshire.

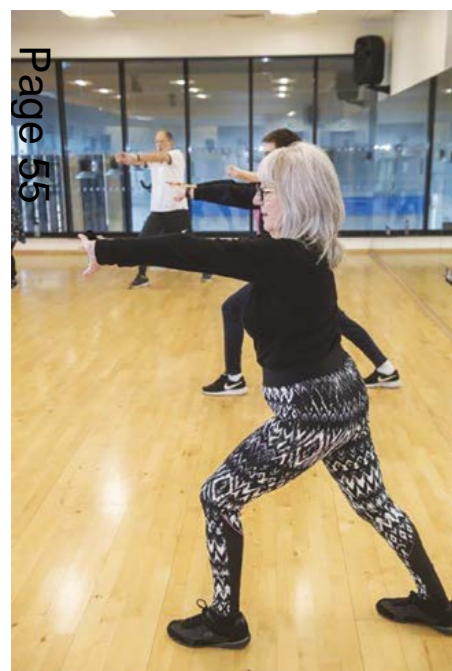
Community Outreach Events

The Wellbeing Team continues to support a range of events through the community sport programme. Examples of this work included:

- Supporting the second annual Couch to 5K programme initiated by the NHS One You campaign and delivered by Selby Striders Running Club. The group uses Selby Leisure Centre as a meeting venue once a week and aims to get more people into running and utilising the newly launched Parkrun at Burn Airfield.
- Attending key local stakeholder meetings including Health and Adult Services Leadership team, all District Community Engagement Forums, Selby Local Area Partnership - Neighbourhood group, Cycle Legacy Group, Trans Pennine Trail steering group and North Yorkshire Sport County Sports Partnership. The team also attended the Selby Big Local Community Board, York Mind partnership covering Selby, Selby Health Matters steering group and the Healthy Lives, Healthy Weight strategy (North Yorkshire) physical activity sub group, Community First Yorkshire Volunteers Network.

Asset Management

- The end of defects certificate for Selby Leisure Centre has now been released by Turner & Townsend plc following the resolution of the outstanding defects.
- A comprehensive programme of pre-planned maintenance is in place across Selby and Tadcaster Leisure Centres covering the servicing and statutory inspection requirements. This also extends to Selby Park.
- At Tadcaster Leisure Centre planned maintenance works have focused on repairs to the high-level heating within the sports hall, light touch refurbishment to the changing rooms and repairs to the car park lighting. No work was scheduled at Selby Leisure Centre during the year.



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Health & Safety



Health and Safety Audits

- The standard of health and safety management across the Selby leisure contract sites continues to be of a high standard. Tadcaster Leisure Centre was audited in February 2018 and achieved a score of 94%. This represents a 23% increase from the previous audit by the IHL Central Audit Team (CAT). The overall rating for Tadcaster is "Very Good". There are no significant areas of concern and the remedial action completion plan will be monitored by the Health and Safety Steering Group.
- Selby Leisure Centre has not yet been audited by the CAT and will be completed in May 2018. All the actions from the 2016-17 audit were completed in good time and the audit workbook was signed off as fully completed in December 2017.

Accidents and Incidents

- The high standard of health and safety management is reflected in the low number of accidents and incidents. During 2017-18 there were two employee accidents, with one occurring at each site. Neither of these resulted in lost workdays.
- There were a total of 32 public accidents across the two facilities, with five at Tadcaster and 27 at Selby.
- 12 involved slips trips and falls, mainly in the wet areas.
- 12 involved some form of sport related activity.
- The remainder were a mixture of causes including; general play, horseplay, contact with sharp objects, striking against / being struck by something.

There were a total of 17 general incidents, the same amount as 2016-17.

Health and Safety Training

- The training of staff continues to be a priority. Five managers completed IOSH Managing Safely, ensuring that a health and safety competent person is always on duty to deal with any safety issues. Nine staff completed Managing Difficult Situations training, six completed fire safety awareness and two risk assessment training. This is in addition to general site and role-specific training.



Performance Summary



The extended contract has a suite of performance measures designed to measure utilisation (footfall), accessibility (target groups), satisfaction and financial performance. The performance measures also provide the basis of reporting to Sport England and external funders to provide a single view of the truth for all reporting.

Quest assessments have been booked for April 2018 (CILE3007 / 3008). In addition to the performance measures related to the leisure contract, this section also includes the indicators linked to the projects delivered by the Wellbeing team and funded externally (section 5). These indicators are not included in the totals in the table below.

Following the review of Sport England priorities and changes to the Wellbeing contracted delivery, the suite of indicators and in particular the demographic breakdowns being reported underwent review ahead of 2017/18. The table below reflects these changes and consequently 2017/18 was a benchmarking year for a number of new indicators.

Number of PIs	%	%	%
26	62% (16)	23% (6)	15% (4)

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Headline Indicators

The indicators below have been identified as headline indicators based upon their importance to the business and their longer-term impact upon SDC's and IHL's priorities for the district's health, wellbeing and lifestyles.

Overall visits to leisure centres
395,893

Target: 400,000 – rating: **Amber**

This is a combined total for both centres. Both sites showed a slight decline on 2016/17, albeit Tadcaster remained significantly ahead of target whilst Selby was within tolerance level of target. Data capture issues were identified at Selby during the first half of the year, which will have impacted upon this performance.

Number of GP referrals
377

Target: 350 – Rating: **Green**

This represented a significant increase from 2016/17 and exceeded target for the year.

Percentage of GP referrals completing 12 week course
63.7%

Target: 60% – Rating: **Green**

Number of Lifestyle members as a percentage of population
19.3%

Target: 18% – rating: **Green**

This represents a continued increase from the previous year's percentage of 17.9%.

Percentage of GP conversions to full membership
22%

Target: 30% – Rating: **Red**

This indicator has dropped below target in the year however demonstrates a steady increase compared to the previous year. Further work will be undertaken with the referral scheme officer and leisure centres to continue to improve performance.

Percentage of active members participating in one or more sessions per week

Selby **44.53%**

Target: 51% – Rating: **Red**

Tadcaster **48.76%**

Target: 51% – Rating: **Amber**

Previously this target had been reported as a combined percentage. 5.78% of active members participated in three or more sessions per week, a slight increase on 2016/17. Although no direct correlation can be made given the different reporting methods and indicator definitions, the latest Active Lives survey data showed 60.0% of Selby District residents were active for 150 minutes per week or more, a decrease compared to the previous year's survey.

Percentage overall user satisfaction

78.4%

Target: 81% – Rating: **Amber**

The satisfaction survey indicator is across both sites. This represented a significant improvement on 2016/17 albeit still fell below target for the year. Common themes were around changing room cleanliness and site reception however it should be noted that positive feedback outweighed negative responses.

PI Ref	Indicator	Reporting Frequency	2016/17	2017/18	Direction of Travel	Target	Variance /RAG
1. UTILISATION (scale and nature of usage)							
CORP15	Visits to Leisure centres	Quarterly / Annual	399,213	395,893	↓ X	400,000	Yellow
CILE1001	Visits to Leisure centres per 1000 population (83,449)	Quarterly / Annual	4783.91	4744.13	↓ X	5006.03	Yellow
CILE1002	Visits to Selby Leisure Centre	Quarterly / Annual	329,792	329,671	↓ X	340,000	Yellow
CILE1003	Visits to Tadcaster Leisure Centre	Quarterly / Annual	69,241	66,222	↓ X	60,000	Green
CORP16	Number of lifestyle members as % of population	Quarterly / Annual	17.9%	19.3%	↑ ✓	18%	Green
CILE1004a	Percentage of Lifestyle members aged 0-13	Quarterly / Annual	-	13.85%	-	-	Grey
CILE1004b	Percentage of Lifestyle members aged 14-25	Quarterly / Annual	-	20.5%	-	-	Grey
CILE1004c	Percentage of Lifestyle members aged 26 and older	Quarterly / Annual	-	65.5%	-	-	Grey
CILE1004d	Percentage of Lifestyle members disabled	Quarterly / Annual	-	0.04%	-	-	Grey
CILE1004e	Percentage of Lifestyle members BAME	Quarterly / Annual	-	0.05%	-	-	Grey
CILE1004f	Percentage of Lifestyle members from top 20% most deprived communities	Quarterly / Annual	-	4.86%	-	-	Grey
CILE1005	% of active members participating in 3 or more sessions per week	Quarterly / Annual	5.76%	5.78%	↑ ✓	4.5%	Green
CILE1006	% of active members participating in 1 or more sessions per week (TADCASTER)	Quarterly / Annual	51.06%	48.76%	↓ X	51%	Yellow
CILE1007	% of active members participating in 1 or more sessions per week (SELBY)	Quarterly / Annual	51.86%	44.53%	↓ X	51.0%	Red
CILE1008	Number of Leisure Centre visits from beyond the District	Quarterly / Annual	-	37,719	-	-	Grey

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PI Ref	Indicator	Reporting Frequency	2016/17	2017/18	Direction of Travel	Target	Variance /RAG
2. ACCESS (use of facilities / service by user group)							
CORP50	Number of GP Referrals	Quarterly / Annual	336	377	↑ ✓	350	Green
CILE2002	Percentage of GP Referrals finishing 12 week course	Quarterly / Annual	72%	63.7%	↓ X	60%	Green
CILE2003	% of GP referral conversions to full membership	Annual	19%	22%	↑ ✓	30%	Red
CILE2004a	Number of participants 0-13 Tadcaster	Quarterly / Annual	-	34	-	-	Grey
CILE2005a	Number of participants 0-13 Selby	Quarterly / Annual	-	1,620	-	-	Grey
CILE2008a	Number of participants 14-25 Tadcaster	Quarterly / Annual	-	545	-	-	Grey
CILE2009a	Number of participants 14-25 Selby	Quarterly / Annual	-	1,784	-	1,800	Yellow
CILE2012a	Number of participants 26 and older Tadcaster	Quarterly / Annual	-	1,771	-	1,760	Green
CILE2013a	Number of participants 26 and older Selby	Quarterly / Annual	-	5,406	-	4,135	Green
CILE2028a	Gender ratio (male : female participation) Tadcaster	Quarterly / Annual	-	44.7:55.3	-	44:56	Green
CILE2028b	Gender ratio (male : female participation) Selby	Quarterly / Annual	-	45.6:54.4	-	44:56	Green
CILE2029a	Number of disabled participants Selby	Quarterly / Annual	-	5	-	-	Grey
CILE2029b	Number of disabled participants Selby	Quarterly / Annual	-	2	-	-	Grey
CILE2029c	Number of BAME participants Selby	Quarterly / Annual	-	5	-	-	Grey
CILE2029d	Number of BAME participants Tadcaster	Quarterly / Annual	-	4	-	-	Grey
CILE2029e	Number of participants from top 20% most deprived communities Selby	Quarterly / Annual	-	425	-	-	Grey
CILE2029f	Number of participants from top 20% most deprived communities Tadcaster	Quarterly / Annual	-	3	-	-	Grey
CILE2030	Visits to activities from disabled participants	Quarterly / Annual	1,147	269	↓ X	7,200	Red
CILE2031	Number of swimming lesson participants	Quarterly / Annual	947	1,560	↑ ✓	900	Green
CILE2031a	Number of improved swimming ability qualifications achieved	Quarterly / Annual	-	1,792	-	-	Grey
CILE2032	Number of Gym Members	Quarterly / Annual	4,704	3,915	↓ X	2,800	Green

PI Ref	Indicator	Reporting Frequency	2016/17	2017/18	Direction of Travel	Target	Variance /RAG
3. SATISFACTION (service effectiveness)							
CILE3001	Number of reportable accidents per 1000 visits Tadcaster	Quarterly / Annual	0.05	0.09	↓	Data Only	
CILE3002	Number of reportable accidents per 1000 visits Selby	Quarterly / Annual	0.11	0.09	↑	Data Only	
CILE3003	Number of complaints received per 1000 visits Tadcaster	Quarterly / Annual	0.30	0.18	↑	0.5	
CILE3004	Number of complaints received per 1000 visits Selby	Quarterly / Annual	0.15	0.13	↑	0.5	
CILE3005	% of customer complaints responded to within timescale	Quarterly / Annual	100%	100%	-	95%	
CILE3006	% Overall user satisfaction	Annual	71.2%	78.4%	↑	81%	
CILE3007	Quest Assessment Score - Tadcaster	Annual	-	-	-	-	
CILE3008	Quest Assessment Score – Selby	Annual	-	-	-	-	
CILE3009	APSE performance score - Value for money	Annual	71.6%	78.4%	↑	77%	
CILE3010	APSE performance score - facility presentation	Annual	68.2%	79%	↑	84%	
CILE3011	APSE performance score - staff & information	Annual	74.4%	77.8%	↑	77%	

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4. FINANCIAL (efficiency & economy VFM)							
CILE4001	Net cost per visit (£) - Tadcaster	Quarterly / Annual	-0.49	-0.81		-	
CILE4002	Net cost per visit (£) - Selby	Quarterly / Annual	-1.01	-1.09		-	
CILE4003	Net cost per resident (£) - Tadcaster	Quarterly / Annual	-0.40	-0.64		-	
CILE4004	Net cost per resident (£) - Selby	Quarterly / Annual	-3.98	-4.31		-	
CILE4005	Net cost per M2 (£) - Tadcaster	Quarterly / Annual	-32.16	-27.48		-	
CILE4006	Net cost per M2 (£) - Selby	Quarterly / Annual	-111.65	-121.13		-	
CILE4007	Income per Visit (£) - Tadcaster	Quarterly / Annual	4.54	4.87		-	
CILE4008	Income per Visit (£) - Selby	Quarterly / Annual	4.25	4.57		-	

PI Ref	Indicator	Reporting Frequency	2016/17	2017/18	Direction of Travel	Target	Variance /RAG
5. COMMUNITY WELLBEING							
CILE6001	External funding secured (£)	Quarterly / Annual	£98,830	£65,536	-	-	
CILE6002	Number of FANS athletes	Quarterly / Annual	-	6	-	-	
CILE6003	Percentage of FANS athletes delivering at least 3 hours' volunteer support per quarter	Quarterly / Annual	-	0%	-	50%	
CILE6004	Number of volunteers	Quarterly / Annual	0	19	↑	-	
CILE6005	Number of volunteer hours delivered	Quarterly / Annual	2	934	↑	-	
CILE6007	Number of surgeries engaged with on GP referral scheme	Quarterly / Annual	-	36	-	-	
CILE6008	Number of cycling opportunities in Selby District	Quarterly / Annual	-	7	-	-	
CILE6009	Number of people trained as walk leaders	Quarterly / Annual	-	5	-	-	
CILE6010	Number of health walk opportunities in Selby District	Quarterly / Annual	-	69	-	-	
CILE6011	Number of health walk attendances	Quarterly / Annual	-	819	-	-	
CILE6012	Number of activities delivered / offered from Selby Park	Quarterly / Annual	-	7	-	-	
CILE6013	Number of people accessing offers from Selby Park	Quarterly / Annual	-	129	-	-	
CILE6014	Number of new partnerships created to enable sport, physical activity and health	Quarterly / Annual	-	31	-	-	
CILE6015	Percentage of primary schools taking up the Daily Mile	Quarterly / Annual	-	14%	-	-	
CILE6016a	Percentage of Selby District schools engaged with	Quarterly / Annual	-	51%	-	-	
CILE6016b	Number of non-Selby District schools engaged with	Quarterly / Annual	-	17	-	-	
CILE6017	Percentage of schools accessing school coaching service	Quarterly / Annual	-	21%	-	-	
CILE6018	Number of school visits to leisure centres / Park	Quarterly / Annual	-	432	-	-	
CILE6019	Number of children supported on school programmes	Quarterly / Annual	-	12,941	-	-	
CILE6020	Number of apprenticeships established	Quarterly / Annual	-	3	-	-	
CILE6021	Percentage of GP referral participants completing IPAQ at 12 weeks	Quarterly / Annual	-	57%	-	-	
CILE6022	Percentage of GP referral participants increasing physical activity at 12 weeks (of those that complete IPAQ)	Quarterly / Annual	-	88%	-	-	
CILE6023	Percentage of GP referral participants increasing physical activity levels at 12 months	Quarterly / Annual	-	-	-	-	
GIAC0001	Number of people accessing Macmillan programme	Annual	75	28			
GIAC0002	Number of volunteers on the Macmillan programme	Annual	2	2			
GIAC0003	Number of new programmes within the Macmillan programme	Annual	0	0			
GIHL001	Number of individuals completing the weight management (MILI) programme	Quarterly / Annual	1,174	1,526*			
GIHL0003	Individuals completing MILI programme and achieving 5% weight loss after 6months	Quarterly / Annual	662	782**			
GIHL0004	Number of new clients accessing the MILI programme	Quarterly / Annual	1,815	2,264***			

* This includes 1,348 from the first programme and 178 from the second phase
 ** This includes 755 from the first programme and 27 from the second phase
 *** This includes 1,983 from the first programme and 281 from the second phase



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Report Reference Number: E/18/10

To: Executive
Date: 12th July 2018
Status: Key Decision
Ward(s) Affected: All
Author: Chris Kwasniewski, Housing and Regeneration Manager
Lead Executive Member: Councillor Pearson, Lead Executive Member for Housing, Health and Culture
Lead Officer: Dave Caulfield, Director of Economic Regeneration and Place

Title: Housing Development Programme Progress Report

Summary:

This report is an update for the Executive on the current status and progress of the Housing Development programme following its approval in January of this year. It seeks approval to declare a small site surplus to requirements and seeks approval for the method of disposal for Edgerton Lodge and Barlby Road Depot with associated delegations to be able to proceed swiftly with these matters.

Recommendations:

The Executive is requested:

1. To note progress that is being made on the Housing Development Programme and to declare the additional phase 2 small site (land adjacent to the George and Dragon West Haddlesey) surplus to operational requirements.
2. To approve the disposal of the Edgerton Lodge site based on the Terms and method outlined in paragraphs 2.12-2.14 of this report and to delegate authority to the Director of Economic Regeneration and Place, in consultation with the Chief Finance Officer and portfolio holder for Finance and Resources to secure the most advantageous offer for the site subject to ensuring that the site delivers housing and market value is achieved.
3. To approve the disposal of the Barlby Road depot site for commercial development and delegate authority to the Director of Economic Regeneration and Place, in consultation with the Chief Finance Officer and the portfolio

holder for Finance and Resources, to dispose of the site by either open market sale or sealed bids, subject to ensuring that best consideration is achieved including securing outline planning consent prior to disposal if required.

Reasons for recommendations

To continue to deliver the Housing Development Programme approved by the Council.

1. Introduction and background

- 1.1 The revised Housing Development Programme was approved by the Executive on the 4th January 2018 based on investment of over £22 million to provide 207 homes for the Council and Selby and District Housing Trust (SDHT) by March 2020 – including 20 completed homes at Eggborough, Byram and Tadcaster.
- 1.2 Since then progress has been made in delivering this revised programme with key schemes now on site and the next phase of smaller sites due to be procured in the next two months on a design and build basis with no commitment to enter into construction contracts until Detailed Business Cases have been approved. This report updates the Executive on the progress that is being made to deliver the various pillars of the Programme.

2. Progress on the Housing Development Programme.

- 2.1 The approved HDP had three delivery pillars or stands:
 - SDC owned small sites
 - SDC owned large sites
 - Acquisitions – both s106 and site acquisitions
- 2.2 A draft Programme for the delivery of the Phase 2 small sites and larger sites in the Council's ownership such as Portholme Road and Edgerton Lodge is attached for information at Appendix A for information.

Small Sites Programme

Previous approvals

- 2.3 In October 2015 the Council's Executive approved the principle of releasing 13 small sites owned by Selby District Council for the development of affordable housing as part of the HRA and the Selby and District Housing Trust's Programmes.
- 2.4 Of the original list of sites approved in October 2015, the following sites have now been **excluded** from the revised HDP for the reasons indicated.

SITE	ASSUMED CAPACITY OCTOBER 2015	REASON FOR EXCLUSION
Barley Horn Road, Ulleskelf	2 x 2 bedroom bungalows. SDHT	Restrictions on the size of the site available means that this is better promoted as a self-build or market sale opportunity
Site 2 Barff View, Burn.	3x 2 bedroom bungalows. HRA	Discounted as a result of existing tree cover on the site, the presence of an existing pumping station and existing car parking issues
Kelcbar Close, Tadcaster	3 x 2 bedroom bungalows. HRA	Poor access, level differences.
Moor Lane, Sherburn	2 x 2 bedroom bungalows. HRA	Poor access; level differences causing potential overlooking issues; on street car parking issues
Westfield/Wharfedale Crescent, Tadcaster	3 x 2 bedroom bungalows SDHT	The garages are well used adjacent to existing allotments. Highways have advised that the existing access is too narrow to support new development and this issue is compounded by existing on street parking

2.5 The revised small sites Programme approved in January of this year is now being progressed in three phases

Phase 1 Sites under construction:

1. *Landing Lane Riccall* (SDHT) scheme (5 units) – **on target for completion in September 2018**
2. *Byram Park Road, Byram* (HRA) scheme (13 units) is on site – **on target for completion January 2019**

£468,000 grant funding from Homes England's Shared Ownership and Affordable Housing Programme has been secured to contribute towards the cost of constructing these 13 homes. The Tranche 1 (start on site) payment of

£351,000 has been received in June 2018 with the Tranche 2 (completion) payment of **£117,000 due in January 2019**.

Phase 2 sites, due to start on site in 2018/19

2.6 The table below shows Phase 2 sites that are currently being progressed for development as a result of initial conversations with the Head of Operational Services, Legal Services and Development Management. Due diligence is being finalised and the assumptions in the table below could be subject to change.

2.7 At this stage the Selby and District Housing Trust have expressed an interest in developing family housing on the Highfield Villas, Sherburn-in-Elmet site and the site at Station Road Hambleton. The remaining properties will be considered for HRA development, all subject to Executive approval of detail business cases.

Programme Year	Scheme Address	Approx No Units	Potential Type & Mix	Stage	Contract Type
2018-21	Sherburn Highfield Villas North Crescent Beechwood Close/Eversley Avenue	15	9 2/3 bedroom family homes; 6 bungalows	Feasibility	JCT D&B
2018-21	Station Road, Hambleton	4	4 2 bedroom houses	Feasibility	JCT D&B
2018-21	Barff View, Burn	8	8 x 2B Houses	Feasibility	JCT D&B
2018-21	Land adjacent to the George & Dragon Site, West Haddlesey	4	4 x 4B houses	Feasibility	JCT D&B
	Total Units	31			

- 2.8 The sites highlighted in bold form part of the Programme approved in October 2015. The site adjacent to the George and Dragon at West Haddlesey requires approval to be declared surplus to requirements.
- 2.9 At this stage we are planning to procure the development of all 6 sites in one exercise using a Design and Build contract via an Efficiency North framework. The three Sherburn sites are likely to be programmed first as £18,750 grant funding from the West Yorkshire Combined Authority One Public Estate 'Small Sites Programme' has already been secured to contribute towards site clearance works. Although the development of these sites will be challenging due to their scale and location, it is expected at this stage that cost of constructing the properties will come within the budget envelope for the Housing Development Programme approved by the Executive in January 2018.
- 2.10 In preparing Detailed Business Cases due diligence on issues such as Title and service provision and feasibility work on the design of schemes will need to be undertaken which will be funded from the P4G Feasibility Budget approved by the Executive in January of this year.

Phase 3 sites – indicative potential subject to further due diligence

- 2.11 Feasibility work has also commenced on the sites identified in the table below. Subject to further due diligence these sites could be added to the Programme in late 2018 with a view to securing a start on site in the summer of 2019. A report is scheduled for approval of the Phase 2 and 3 Detailed Business Cases by the Executive in October 2018. This timescale will keep the Programme on track to enable the construction of the first properties to commence in this financial year.

SITE	POTENTIAL CAPACITY	STATUS
Fir Tree Crescent, Tadcaster	2 family homes	Included in the HRA Programme as part of the October 2015 Executive approval
Oaklands Crescent, Camblesforth	4 family homes	Included in the SDHT Programme as part of the October 2015 Executive approval
Main Street Kellington	3 x semi-detached houses; plus one bungalow	Will require approval to be released for development
Beech Grove, Burton Salmon	4 bungalows/2 family homes	Included in the SDHT Programme as part of the October 2015 Executive approval
Turnhead Crescent, Barlby	2 family homes	Will require approval to be released for development
Grange Road,	2 family homes	Will require approval to

Camblesforth		be released for development
Cathcart Close, Whitley	3 family homes	Will require approval to be released for development
Dixon Court/Dixon Gardens/Bright Walk, Selby	Up to 4 family homes	Will require approval to be released for development
Indicative Phase 3 total	Up to 28 homes	

SDC Large Sites Programme

2.12 **Edgerton Lodge** - due diligence on the Edgerton Lodge site has been completed, subject to further discussions with Planning regarding the design of potential schemes .

2.13 The type of properties that are likely to be developed on this site will not be suitable for the HRA and the Indicative Programme attached in Appendix A is based on a preferred approach for the Council to enter into an agreement with a private sector development partner to develop the site on a joint venture basis. As a first stage the Housing and Regeneration Team has sought Expressions of Interest in developing the site on a joint venture basis for housing purposes.

2.14 Following soft market testing and an 'open day' three SME developers have expressed an interest and been invited to submit detailed proposals to the Council to develop the Edgerton Lodge site which are likely to include:

- A financial offer to purchase the site at market value, including details of any Staged Payments;
- Detailed proposals to develop the site for housing purposes based on pre-application discussions that have been held with Development Management and highways;
- A detailed Programme for the development of the site;
- Proposals for a profit share arrangement with the Council;
- Details of how the developer intends to work with the Selby and District Housing Trust to deliver affordable housing on the site (if appropriate)

The expressions of interest will be evaluated and subject to due diligence and will need to fit with the Council's corporate objective of making Selby a great place to live by delivering high quality housing. The financial appraisal will ensure that we strike an appropriate balance between maximising the return to the Council and minimising any risks of joint working.

2.15 **Former Barlby Rd depot** - following discussions with Development Management and the Environment Agency the Barlby Road depot site has now been withdrawn from the Housing Development Programme, due to flooding constraints. Although flood mitigation measures could have been designed these would have been unviable to implement.

- 2.16 As a result, Members are requested to delegate authority to dispose of the site for commercial development to the Director of Economic Regeneration and Place, in consultation with the Chief Finance Officer and the Lead Councillor for Finance and Resources, by either open market sale or sealed bids, subject to ensuring that best consideration is achieved.
- 2.17 One option being considered to maximise the value of the site is for the Council to clear the site and secure an outline planning consent to develop it for commercial purposes, prior to it being marketed. This option will be explored and pursued if it represents the best financial option.

Acquisitions

Section 106 Acquisitions

- 2.18 The revised HDP approved in January 2018 assumed the acquisition of 75 Section 106 homes by the Selby and District Housing Trust with loan funding from SDC.
- 2.19 In December 2017 The Council approved a proposal to provide loan funding to the Selby and District Housing Trust to purchase 12 affordable homes on a site at Ulleskelf and discussions are being advanced with the developer, with a loan rate and terms of funding now agreed between SDC and the SDHT.
- 2.20 The Housing and Regeneration Team is undertaking early discussions on behalf of the Trust with a range of developers regarding the potential acquisition of other s106 sites.

Off the shelf acquisitions

- 2.21 In addition to these s106 properties, the Trust has completed the acquisition of 12 homes from the developer of the **Ousegate** site in Selby, which are due for completion in January 2019.

3. Implications

Legal Implications

- 3.1 The new build sites considered as part of this report are owned by Selby District Council. Each site will be assessed to ascertain whether there are any restrictive covenants or other legal issues that would prevent development.
- 3.2 The Council's baseline position will be to secure market value or best consideration for land that is disposed of to third parties. Where sites are disposed of to the Housing Trust, consideration will be given to accepting less than best consideration if it will make schemes viable and deliver social wellbeing by increasing the stock of affordable housing in the District.
- 3.3 The proposed expanded Programme falls within the original remit and

objectives of the SDHT and the Council's own functions - the Trust's main purpose, as set out in the Housing Development Strategy (2013), was to develop new affordable housing-initially on Council owned land.

- 3.4 As the Local Housing Authority, the Council has powers under the Housing Act 1985 to invest in the construction of properties within the HRA. Section 24 of the Local Government Act 1988 also provides the Council (as housing authority) with the power to provide any person with financial assistance for the purposes of, or in connection with, the acquisition, construction, conversion, rehabilitation, improvement, maintenance or management (whether by that person or by another) of any property which is or intended to be privately let as housing accommodation. The making of a loan or disposal at undervalue of land for development to SDHT would fall within this definition.
- 3.5 The Council's investments can be protected by taking a first charge over the Properties acquired or constructed by SDHT.

4.0 Financial Implications

- 4.1 A proposed budget envelope of £22.385 million to develop the Housing development Programme in the period up to March 2020 was approved by the Executive on the 4th January 2018 and by full Council on 22 February 2018.
- 4.2 The SDHT loans element of financing the programme is expected to deliver at least a 2% margin over the Council's own cost of capital and accordingly interest receipts of £140k (average per annum) will be factored into the Council's savings plan (the current target is £88k by 2019/20), although the exact timing and profile of these receipts is still to be determined.
- 4.2 Detailed Business Cases will be prepared and submitted for approval by the Executive in October 2018. Whilst in isolation the build costs on some of the smaller sites may be high, officers will ensure that overall the Business Cases developed for the Phase 2 and 3 sites will be within the budget parameters approved by Council in the following ways:
- Value engineering
 - Adopting a Programme approach to the procurement and development of the sites
 - Increasing the levels of grant subsidy from Homes England or other sources such as the Government's Land Release Fund
 - Exploring with the Selby and District Housing Trust whether they wish to obtain Securing Investment Partner status with Homes England, which would enable the Trust to attract grant funding from the Shared ownership and Affordable Housing Programme
- 4.3 As an example, the Phase 1 site that is being developed for the HRA at Byram Park Road had a budget allocation of £1.612 million in the Programme approved in January. At this stage it is anticipated that the Council will achieve savings of £160,000 on the contract in addition to grant funding of

£468,000 for the project that has been secured by the Council's Housing and Regeneration Team from Homes England's Shared ownership and Affordable Housing Programme.

- 4.4 At Detailed Business Case stage it is anticipated that the schemes must be within the overall budget assumptions for the programme and represent value for money to be approved. Sites that prove to be unviable at this stage will not be recommended for development and if necessary will be replaced by other more viable opportunities such as additional s106 acquisitions, to ensure the delivery of the target number of units within the total programme.
- 4.5 Further feasibility work will need to be undertaken on the Barlby Road Depot site that will be funded from the P4G Housing Development Programme Feasibility budget approved in January 2018. It is anticipated that the disposal of both the Edgerton Lodge and Barlby Road sites will result in a capital receipt for the Council.

5.0 Policy and Risk Implications

- 5.1 The revised Housing Development Programme approved by the Council's Executive on the 4th January 2018 was based on the delivery of 207 affordable homes for the Council and Selby and District Housing Trust by March 2020.
- 5.2 The Phase 1 sites are either completed or under construction. Phase 2 sites will be progressed through feasibility and these sites will be subject to further more detailed design work and input from the Council's preferred contractor, there is a risk that individual sites will drop out of the Programme. This has been mitigated by early pre-application discussions and any subsequent removal of sites from the Programme could be offset by accelerating the delivery of the Phase 3 small sites or negotiating additional s106 acquisitions.
- 5.3 The risk of costs increasing above the benchmarks included in the Housing Development Programme approved in January of this year will be mitigated by undertaking detailed design work and due diligence as part of the preparation of detailed business cases

6.0 Corporate Plan Implications

- 6.1 The Housing Development Programme will provide over 200 new affordable homes in the District by March 2020.
- 6.2 This Programme supports the priorities identified in the updated Corporate Plan 2018-20 in the following ways:

To Make Selby a Great Place to do Business

- Supporting Training and Apprenticeships – a trainee on the Council's Graduate Training Programme is working with the Housing and

Regeneration Team on the Programme and officers will be working with contractors and Selby College to deliver future construction apprenticeships and training opportunities as part of the new build schemes

To make Selby a Great Place to Enjoy Life

- The Programme will broaden housing choice for residents in the District
- New Council owned homes will be constructed in the period up to March 2020. Thirteen family homes are under construction at Byram Park Road, Byram
- The Council will work closely with the Selby and district Housing Trust to develop affordable family homes in the period up to March 2020 – 5 family homes are under construction at landing lane, Riccall and are due to be handed over in September 2018.
- The programme will support the policies and objectives outlined in Site Allocations Local Plan
- The programme will pro-actively unlock new housing sites such as Portholme Road in Selby.

Resource Implications

- 6.3 The Housing Development programme is being managed by the Council's Housing and Regeneration Team in consultation with the Council's Chief Financial Officer, Solicitor and Head of Operational Services and the Managing Director and Chairman of the Selby and District Housing Trust
- 6.4 A multi-disciplinary team has been established to manage the Programme which meets on a fortnightly basis. The Executive approval in January 2018 authorised the recruitment of a new 3C post to support the development of the HDP, and in particular the development of the Trust's ambitious growth plans. This post is currently being recruited and an officer is expected to be in place by September.

Equalities Impact Assessment

- 6.5 The revised Housing Development programme will significantly increase the amount of affordable housing available in the District and will have a major impact on broadening housing choice.
- 6.6 The Programme will also deliver significant construction training opportunities in partnership with contractors and Selby College.

7.0 Conclusion

- 7.1 This report updates Members on the progress that is being made on implementing the Housing Development Programme. Members are requested

to authorise a number of Key Decisions to enable the next phase of the Programme to be progressed.

8. Appendices

Appendix A: Revised HDP – indicative programme

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Agenda Item 8

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