

Selby District Council



Agenda

Meeting: **Executive**
Date: **Thursday, 6 December 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 - 8)

The Executive is asked to approve the minutes of the meeting held on 8 November 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. **Corporate Performance Report - Quarter 2 - 2018/19 (July to September)** (Pages 9 - 28)

Report E/18/31 provides a progress update on delivery of the Council's Corporate Plan 2015-20 as measured by a combination of: progress against priority projects/high level actions; and performance against key performance indicators (KPIs).

5. **Gambling Policy Refresh** (Pages 29 - 66)

Report E/18/32 outlines the draft Gambling Policy as amended following consultation.

6. **Programme For Growth (P4G) Proposed New Project: UCI World Championships and Para-Cycling Road Race Qualifiers.** (Pages 67 - 74)

Report E/18/33 provides the Executive with a brief outline of the UCI Road World Championships and para-cycle event 2019. It considers the proposed role of the Selby district in this, and the necessary resource required from Selby District Council (SDC) to manage race requirements.

7. **Better Together - Legal Services Update Report** (Pages 75 - 78)

E/18/34 outlines an update on the Better Together arrangements for Legal Services between Selby District Council and North Yorkshire County Council.

8. **Housing Development Programme: Ph2 Sites Detailed Business Cases** (Pages 79 - 120)

Report E/18/35 presents detailed business cases for the small sites element of Phase 2 of the Housing Development Programme.

Appendix C to the report is exempt from publication by virtue of paragraph 3 in Part 1 of Schedule 12A of the Local Government Act 1972 (as amended). If councillors wish to discuss information contained within the appendix it will be necessary to pass the following resolution to exclude the press and public:

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 item as there will be disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

9. **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.

10. Use of a Compulsory Purchase Order to Bring an Empty Home Back into Occupation. (Pages 121 - 182)

Report E/18/35 outlines details of the use of Compulsory Purchase Order (CPO) by the Council to bring an empty home back into occupation.

Janet Waggott

**Janet Waggott
Chief Executive**

Date of next meeting
Thursday, 10 January 2019 at 4.00 pm

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

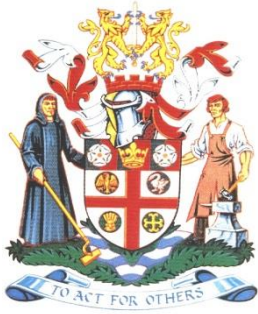
Recording at Council Meetings

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, 8 November 2018
Time:	4.00 pm
Present:	Councillors M Crane (Chair), J Mackman (Vice-Chair), C Metcalfe and C Pearson
Officers Present:	Janet Waggott (Chief Executive), Dave Caulfield (Director of Economic Regeneration and Place), Karen Iveson (Chief Finance Officer (s151)), Gillian Marshall (Solicitor to the Council), Keith Cadman (Head of Commissioning, Contracts and Procurement) (for minute items 49 and 50), Heather Chew (Senior Contract Officer), (Senior Contract Officer) (for minute item 50), June Rothwell (Head of Operational Services) (for minute item 51), Julian Rudd (Head of Economic Development and Regeneration) (for minute items 54 and 55), Mike James (Communications and Marketing Manager) and Palbinder Mann (Democratic Services Manager)
Public:	0
Press:	1

NOTE: Only minute numbers 49 to 55 are subject to call-in arrangements. The deadline for call-in is 5pm on Wednesday 21 November 2018. Decisions not called in may be implemented from Thursday 22 November 2018.

Executive

Thursday, 8 November 2018

46 APOLOGIES FOR ABSENCE

Apologies were received from Councillor Lunn.

47 MINUTES

The Executive considered the minutes of the meeting held on 4 October 2018.

RESOLVED:

To approve the minutes of the meeting held on 4 October 2018 for signature by the Chair.

48 DISCLOSURES OF INTEREST

There were no declarations of interest.

The Chair amended the running order of the agenda so that item five was taken before item four.

49 LEISURE SERVICES PLANNED MAINTENANCE PROGRAMME YEAR 10

Councillor Mark Crane, Leader of the Council, presented the report which asked the Executive to agree the Year 10 Landlord Planned Maintenance Programme for Selby Leisure Centre, Tadcaster Leisure Centre and Selby Park.

The Leader of the Council explained that the Council had the responsibility of maintenance at the three areas and the indicative cost of the works was £17,000.

In response to queries regarding inspections and the planning of maintenance work, the Head of Commissioning, Contracts and Procurement explained that inspections were carried out jointly between Inspiring Healthy Lifestyles and the Council and that a 10 year maintenance plan had been agreed when the contract had been created and this plan was reviewed every five years.

It was queried who had the fire safety responsibility of the sites. The Head of Commissioning, Contracts and Procurement agreed to check this.

RESOLVED:

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- i) **To agree that the Year 10 Landlord Planned Maintenance Programme for Selby Leisure Centre, Tadcaster Leisure Centre and Selby Park**
- ii) **To fund the Year 10 programme from the Building Repairs Reserve within the budget proposals for 2019/20.**

REASON FOR DECISION:

To ensure essential maintenance work required at the Council's leisure facilities is included in the Council's capital programme to enable the Council to discharge its duties as a landlord and ensure the facilities are maintained to an appropriate standard.

50 GARDEN WASTE RECYCLING CREDITS

Councillor Chris Pearson Lead Executive Member for Housing, Health and Culture presented the report which sets out the legal and financial issues arising from North Yorkshire County Council (NYCC) Executive Decision of 4th September 2018, to change the green waste recycling credit payment to all waste collection authorities across North Yorkshire from April 2019.

The Lead Executive Member for Housing, Health and Culture explained that as of 4 September 2018, NYCC had approved the withdrawal of green waste credit payment and the introduction of a lower value green waste incentive payment from 1 April 2019.

Discussion took place on the different options proposed in the report including the recommended option of 2a. A view was expressed that option 2c may be a more effective option for the Council to adopt due to their being less of an immediate financial implication than option 2a. It was noted that if this option was adopted, then the Council would have additional financial payments to pay in later years to deliver the overall saving required by NYCC.

The Head of Commissioning, Contracts and Procurement explained that the legal documents sent to the Council from NYCC had outlined that the agreement would be for a 10 year period and the rates paid by NYCC were consistent through the 10 year period.

Following a query regarding negotiation with NYCC, the Executive were informed that the Council had attempted to negotiate the best deal. Additionally, it was explained that if the Council did not select one of the options outlined in the report, NYCC had stated that a legal notice would be served on the Council which would be a worse option financially.

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With regard to consideration of the option to include a taper, the Chief Finance Officer informed the Executive that this was not an effective option as it effectively meant that the Council would be borrowing money from NYCC and paying it back over the term of the contract whereas alternatively the Council could fund the change from its own resources.

Discussion took place on the implications for the Council if it withdrew from the agreement before the 10 year term. The Executive were informed that if the Council withdraw before the 10 year term, it would then have to pay NYCC the difference between the option it had chosen and option 2a for the remaining years of the term.

The Executive requested that more financial information on the different options including the implications should be made available to them before a decision could be made. It was agreed to delegate authority for the Leader of the Council in conjunction with the Director of Corporate Services and Commissioning to make a decision once the financial information was received and considered.

RESOLVED:

To delegate authority to make a final decision to the Leader of the Council in conjunction with the Director of Corporate Services and Commissioning.

REASON FOR DECISION:

To enable the selected option to deliver the best value for the Council.

51 NATIONAL NON- DOMESTIC RATES DISCRETIONARY RATE RELIEF SCHEME FOR 2019/20 AND 2020/21

Councillor Mark Crane, the Leader of the Council on behalf of Councillor Lunn, Lead Executive Member for Finance and Resources presented the report which provided an update on the relief already provided to businesses 2017/18 and 2018/19 from the reliefs announced in the Spring 2017 budget and also proposed the amount of relief to be granted for the localised discretionary scheme for 2019/20 and 2020/21 using the amount of government funding available.

In response to a query concerning the impact on the local budget with regard to business rates following the budget announcement by the Government, the Chief Finance Officer explained that the

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Government had announced various initiatives in the budget such as rate relief for pubs and business rate relief however further guidance was expected on these.

RESOLVED:

To approve the proposal for the discretionary relief scheme for 2019/20 and 2020/21.

REASON FOR DECISION:

The proposal is easy to administer and makes the best use of the available funding.

52 FINANCIAL RESULTS AND BUDGET EXCEPTIONS REPORT TO 30TH SEPTEMBER 2018

Councillor Mark Crane, the Leader of the Council on behalf of Councillor Lunn, Lead Executive Member for Finance and Resources presented the report which outlined the financial results and budget exceptions to 30 September 2018.

The Leader of the Council explained that there had been a £157k shortfall in planned savings however additional income of £84k had been received. Additionally there was also a surplus of £348k in the Housing Revenue Account (HRA).

In response to a query regarding the capital programme and why it was behind schedule, the Chief Finance Officer explained that there were a number of reasons for delays to specific pieces of work and these were outlined in the appendix to the report. It was noted that if the work slipped into the following year, the funding would still remain for the work to be completed.

RESOLVED:

To endorse the actions of officers and note the contents of the report.

RESOLVED:

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

53 TREASURY MANAGEMENT - QUARTERLY UPDATE Q2 2018/19

Councillor Mark Crane, the Leader of the Council on behalf of Councillor Lunn, Lead Executive Member for Finance and Resources presented the report which reviewed the Council's borrowing and investment activity (Treasury Management) for the

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period 1st April to 30th September 2018 (Q2) and presented performance against the Prudential Indicators.

RESOLVED:

- i) **To endorse the actions of officers on the Council's treasury activities for Q2 2018/19 and approve the report.**
- ii) **To note that investment income allocated to the General Fund, over the £300k threshold be transferred to Contingency Reserve.**

REASON FOR DECISION:

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

54 PROGRAMME FOR GROWTH - UPDATE ON EXISTING PROGRAMME - TO FOLLOW

Councillor Mark Crane, Leader of the Council presented the report outlined the quarterly progress on delivering the agreed Programme for Growth, in accordance with the approach agreed at Executive on 3 May 2018.

RESOLVED:

- To note the Quarter 2 progress on the Programme for Growth as set out in this report and Appendix A and endorse the approach to delivery of the identified projects and use of associated budgets.**

REASONS FOR DECISION:

The P4G is a significant Council investment programme that must deliver a wide range of outcomes. Therefore, regular monitoring and management of performance is required.

55 SELBY DISTRICT ECONOMIC DEVELOPMENT FRAMEWORK 2017-2022 - YEAR ONE REVIEW AND DELIVERY PLAN 2019 AND 2020

Councillor Chris Metcalfe, Lead Executive Member for Communities and Economic Development presented the one year review of the Selby District Economic Development Framework which examines progress made thus far in implementing the Council's Economic Development Framework (EDF) 2017 to 2022.

Discussion took place on the report and the Executive stated they

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supported the work being done and wished for the report to be shared with all councillors and stakeholders. However it was felt that there should be more detail available on the business case for the allocation of funding to staff resources as outlined in the report

Additionally, the Executive felt that more information on key performance indicators to monitor progress of the action plan and framework should be included.

The Executive therefore agreed that the report should be brought back before the Executive for final approval once progress on the framework and the delivery plan had been shared with all councillors and stakeholders.

The Executive praised the work of the framework, in particular the work being done with Transport for the North which demonstrated the high regard the Council was held in.

RESOLVED:

- i) To note the excellent progress made in delivery the priorities in the Selby District Economic Development Framework 2017-2022 so far.**
- ii) To welcome and support the EDF Delivery Plan for 2019 and 2020 and ask that it be shared with all Members of Council and external partners and stakeholders before being brought back to the next meeting of the Executive for final approval in the light of any feedback.**
- iii) To add further detail to the business case for the recruitment of posts outlined in the report.**
- iv) To provide further information on key performance indicators to monitor progress of the action plan and framework.**

REASON FOR DECISION:

To continue to deliver the EDF and the Corporate Plan following significant progress through P4G investment in this work area.

The meeting closed at 5.15 pm.

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Report Reference Number: E/18/31

To: Executive
Date: 6 December 2018
Status: Non Key Decision
Ward(s) Affected: All
Author: Stuart Robinson, Head of Business Development & Improvement
Lead Executive Member: Mark Crane, Leader of the Council
Lead Officer: Stuart Robinson, Head of Business Development & Improvement

Title: Corporate Performance Report - Quarter 2 – 2018/19 (July to September)

Summary:

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

Recommendations:

- i. The report is noted and approved
- ii. Executive consider any further action they wish to be taken as a result of current performance

Reasons for recommendation

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

1. Introduction and background

1.1 High level performance reporting of progress against the Council's priorities – as set out in the Corporate Plan 2015-20 – is a key element of the performance management arrangements. The Corporate Performance Report clearly follows the structure of the Corporate Plan, with a report card for each of the four main priority areas.

1.2 Progress on delivering the Council's priorities is demonstrated by a combination of:

- progress against priority projects/high level actions (are we meeting/expecting to meet delivery timescales); and
 - performance against KPIs (are targets being met; are we getting better)
- 1.3 The Corporate Performance Report (see appendix A) sets out the detail in terms of progress (or otherwise) against the Council's priorities. It should be noted that the format of the KPI section of the report has changed slightly – with performance reported for each of the last five quarters. In addition to allowing greater automation of reporting - saving officers time – this format supports a greater understanding of the direction of travel for each KPI.

Officers are currently working on a revised way of showing the Executive on-going progress on projects. A monthly report is currently being provided to Leadership Team. It is intended to commence reporting to the Executive at quarter 3.

2. Reporting Period

- 2.1 The specific focus of this report covers the period July to September 2018. The Corporate Plan 2015-20 has provided consistency in terms of the direction the Council is seeking to follow and the specific priorities.

2.2 Summary of progress

Quarter 2

To summarise progress in quarter 2:

- 50% of KPIs are showing improvement over the longer term.
- 57% of KPIs are on target.

2.3 What went well in quarter 2

- Emergency/urgent repairs to council owned properties completed on time – 99.67% against a target of 97% - 1213 repairs completed within Q2 of which all but 5 were completed on time
- In terms of the number of empty homes brought back into use through direct action, there has been significant activity during Q2 with 11 empty homes being brought back into use through 'significant' involvement with the Empty Homes Officer - 17 to date against an annual target of 20
- Stage 1 complaints – 94% fully responded to within the timescale against a target of 90%
- Major planning application processed within time - 100% against a target of 60%
- Stage 2 complaints – 100% fully responded to within the timescale for this quarter and the previous quarter, against a target of 90%. This is a significant improvement on the 50% figure reported this time last year.

2.4 What did not go so well in quarter 2 – and what will we do about it

- Average time taken to re-let vacant council homes – 43.6 days against a target of 26 days. 46 voids were carried forward into Q1 from the previous year. The number peaked at 82. We have re-let 134 properties in Q1 & Q2 which is an increase of 22 properties or 20% compared to the same period in 2017/18. The number of voids has been reduced to 55. The number of voids, volume of work in voids and shortage of staff has led to the increase in the time taken to re-let. Short term measures have increased the staff resource available. A report for the Executive is being prepared outlining potential medium and long term solutions.
- Whilst the target for missed bins has been missed, performance has improved for the third quarter in a row with 86 missed bins in total in Q2 compared to 98 during Q1 and 159 for Q4 of 2017/18. This is out of a total number of scheduled collections of 231,800 for Q2. We continue to work with contractors to mitigate against the pressures caused by the increase in new build properties around the district and performance continues to improve – for October we recorded 20 missed collections against a target of 22 out of over 77,000 planned collections for the month. During the financial year 2017/18 482 new build properties were added to the collection rounds which as at 1st April 2018 amounted to an additional 12,792 scheduled collections during 2018/19. During Q1 and Q2 this year, a further 325 properties have been added to the rounds. Whilst the number of scheduled collections has been increasing year on year the target for missed collections has not been amended to reflect this resulting in the target increasing as a percentage of planned collections. This will be rectified for 2019/20 reporting.
- Number of corporate health and safety incidents reported – 17 against a target of 12 – 8 this quarter, all none reportable to the HSE. The increase could be due in part to raised awareness of the need to report incidents, however minor. The incidents reported include dog bites, cut finger and pulled muscle.
- Average days sick per FTE – Q2 saw 8.1 per FTE days against a target of 5 days – up from 7.3 in Q1. Whilst sickness reduced in July and August, September saw a further spike. Unusually high levels of long term absence continue. May saw the highest number of long term absences in recent history (9) and this continued into June and July. Whilst August saw four long term absentees return to work, a further long term absence commenced in September. We expect the majority of these long term absentees to return to work in October. Further absence training will be rolled out shortly, Leadership Team is to consider a report recommending a programme of support for mental wellbeing and we will review our absence policy at the end of the year.
- Number of active Lifestyle members as a percentage of the population – 10.55% against a target of 13%. In previous years the base data for the KPI has included non-active members i.e. lifestyle card holders who have not attended either leisure centre. A data cleanse has taken place which has removed these dormant members and we are now only reporting active members. Whilst this has resulted in a reduction in this KPI it is

more meaningful. The target has been reduced from 19% to 13% for 2018/19 to reflect this change in reporting. The purpose of the Lifestyle cards is to enable us to monitor service use and customer profiles which in turn allow us to develop services. It is not really used as a performance measure and following recent discussions we will be replacing this KPI next year with the number of gym memberships which will provide more meaningful performance data.

- Number of GP referrals (those people attending leisure centres as a result of a referral from their GP) – 48 against a target of 75 – this KPI continues to be directly affected by other outreach and wellbeing programmes including Move It and Loose It, Active After cancer and the newly launched Strong and Steady trips and falls prevention programme
- Number of visits to combined leisure centres - Visitor numbers during Q2 was slightly below target which we can attribute to the prolonged period of good weather; people are less likely to want to take part in indoor leisure activities when it is hot. The cumulative performance for Q1 and Q2 is ahead of target at 204,819 visits against a target of 200,000. Visitor numbers are seasonally affected and historically Q4 is a high performing period and so we expect to achieve the year-end target. We will consider whether it is appropriate to have profiled targets next year to reflect seasonal variations. We must bear in mind that the leisure centres do not have infinite capacity and whilst we are working to increase visitor numbers we are also working with IHL to ensure there are a range of classes and outdoor fitness offers available to reduce the pressure on the gym during peak times.

3. Alternative Options Considered

N/A

4. Implications

N/A

4.1 Legal Implications

None

4.2 Financial Implications

Delivery of Corporate Plan priorities is reflected in the Medium Term Financial Strategy.

4.3 Policy and Risk Implications

Performance is a corporate risk. Failure to adequately perform will result in the corporate priorities not being delivered. Performance reporting is part of a suite of mitigating actions which make up our performance management framework.

4.4 Corporate Plan Implications

This report provides a progress update on delivery of the Council's Corporate Plan.

4.5 Resource Implications

Performance reporting highlights areas where we are not performing well or are performing too well. Where an under or over allocation of resource is highlighted as a reason for poor performance we can explore opportunities to adjust resources to support effective implementation of the Corporate Plan as part of our on-going business and budget planning.

4.6 Other Implications

N/A

4.7 Equalities Impact Assessment

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

5. Conclusion

- 5.1** The performance data demonstrates continued performance improvement and delivery against Corporate Plan Priorities.

6. Background Documents

None

7. Appendices

Appendix A: Corporate Performance Report Quarter 2 2018/19

Contact Officer:

Stuart Robinson
Head of Business Development & Improvement
Selby District Council
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Delivering
corporate
priorities

Corporate
Performance Report
Quarter 2 2018/19

Delivering corporate priorities: Summary Q1 2018/19

Key focus of our work

What's gone well; what are we concerned about

Delivering Priority 1 - A great place...to do Business

Secure new investment in the district

(Lead Director: D Caulfield)

Some concerns

What's gone well this quarter:

- Winner of Council of the Year Business Insider Yorkshire Property Industry awards for our work to support business growth investment and new jobs;
- Planning applications received for two strategic development sites: Gascoigne Wood and for the 'creative hub' at Church Fenton. We've been working alongside developers in both cases;
- Selby's place branding work included within an LGA support pack for council leaders and chief executives as an example of best practice from across the UK;
- Film launch produced by APSE and ITN, which uses Selby as a case study for how councils are supporting business and housing growth;
- Application to Historic England, looking to establish a Heritage Action Zone, has not gone forward to next round. However further meetings now in place with Historic England to shape the objectives further as a partnership and establish potential resource need;
- Better Together delivery of a joint SDC/NYCC Transformational Infrastructure Workshop to address the long term Infrastructure and Transport priorities needed to unlock the investment, growth, employment and local community potential across the District;
- The commitment by P3P to the development of a Food Technology Development Park at the redundant English Village Salads site in Camblesforth will bring world leading Agri tech to the district with significant investment and new high skilled jobs.

What are we concerned about:

- A number of critical major planning applications are currently being considered and we have developed a collaborative Development Team approach with North Yorkshire County Council and the landowners/developers to ensure we can progress these effectively. These include the Gascoigne Rail Freight Interchange applications and the Church Fenton Creative Hub applications. We are working closely with NYCC to minimise any risks from their recent staffing challenges in Highways to try and ensure that timescales agreed through Planning Performance Agreements with the applicants are met

What's gone well this quarter:

- Work has progressed with neighbouring authorities, in particular Wakefield, to provide a joint solution to connect the Sherburn employment hot spots with areas of employment opportunity (often areas of high deprivation) a joint letter requesting WYCA support will be issued early October;
- The Transformational Infrastructure workshop made direct links to the impacts of transport and Access to Employment as being an essential component releasing investment, growth and employment potential.

What are we concerned about:

- The existing employers at Sherburn Enterprise Park have had challenges in delivering a holistic solution to a common problem of labour market access. We are working collaboratively with the employers, Wakefield Council and West Yorkshire Combined Authority to explore if there are any mutually beneficial transport solutions that would provide access to employment for people in areas of higher unemployment.

Improve employment opportunities

(D Caulfield)

Some concerns

Improve access to training and skills for work

(D Caulfield)

**Some concerns****What's gone well this quarter:**

- Joint venture established between SDC, Selby College and L&G Modular Homes to prepare a joint bid for CITB managed funds to set up and run a dedicated on-site training facilities at L&G Modular Homes;
- SDC attended and supported the annual Careers Fair held at Selby College in collaboration with the local MP, which was supported by over 30 businesses, with in excess of 500 job opportunities available;
- Joint venture to access fully funded training set up between SDC and The Skills Network to provide SME's the opportunity to up skill their employees as part of improved CPD support and for others to receive training to improve employability.

What are we concerned about:

- There is a continued need to ensure that the various skills programmes and providers receive better connectivity across the district. There is a risk that potential gaps between the services will limit the overall opportunities that might otherwise be achieved. We have engaged in greater cross service involvement within SDC linked to increased activity with both LEP and County coordinated services.

What's gone well this quarter:

- Grant support through the STEP to Selby Food Festival, a popular event which showcases local and regional producers/suppliers;
- Selby 950 celebrations launched in Citizenlink and artistic events coordinator appointed;
- Pop up realm – temporary seating and planters installed in Selby Town as part of the STEP plan to increase dwell time and encourage trade down the high street. Constructive as well as highly positive feedback from retailers;
- Tadcaster secured as a start stage host for the para cycling road race event as part of the UCI World Championship road races in September 2019;
- The district will host (start or finish) the Tour De Yorkshire in Selby town in May 2019.

What are we concerned about:


- N/A

Help Selby, Tadcaster and Sherburn reach their potential (D Caulfield)**On track**

Delivering Priority 2 - A Great Place...to Enjoy Life

Improving the supply of housing

(Lead Director: D Caulfield)

 **Some concerns**

What's gone well this quarter:


- We continue to exceed housing supply targets outlined in the core strategy through private developer housing and a number of direct build of affordable housing in the pipeline from Selby District Council and Selby & District Housing Trust (SDHT);
- On site with a SDC scheme of 13 new homes for affordable rent and part funded through SOAHP grant via Homes England;
- Acquisitions programme for SDHT with 24 new affordable s106 homes under contract and due to complete in this financial year;
- Official opening of Jubilee Close (named by local school children) in Riccall – 5 houses delivered by SDHT for affordable rent.

What are we concerned about:

- Increase in construction costs affecting financial viability of some schemes; ensure Value for Money exercise carried out during procurement of new construction contracts.

Improving healthy life choices

(D Caulfield)

 **On track**

What's gone well this quarter:

- The adoption of Parks and Open Space Byelaws will help take a step forward in making Selby district a cycle friendly designation
- Supported a project at Brayton Barff to show visitors what flowers and plants can be found around the woodland area;
- Western CEF provided funding towards producing Monk Fryston souvenir walks and history book;
- Operation Eyeball launched to tackle fly tipping in rural North Yorkshire and York. The first joint day of action which took place in our district resulted in the seizure of a vehicle by the police. The next day of action is planned for November;
- Helping new parents reduce waste with the launch is a new fund to buy reusable nappies as part of 'Don't Be A Waster – Reduce, Reuse, Respect' campaign, with 10 applications received so far;
- Clean Driver Scheme launched to tackle roadside litter around Sherburn Industrial Estate. 80 campaign packs have so far been given out to businesses signing up to the anti-litter scheme;
- Selby Health Matters Partnership supported Public Health England's Heart Age campaign with over 20 people attending the session at Selby Leisure Centre.


What are we concerned about:

- N/A

Delivering Priority 3 - A great place...to Make a Difference

Empowering and involving people in decisions about their area and services

(Lead Director: D Caulfield)

 **On track**


What's gone well this quarter:

- An introduction session held for tenants to hear how they can get involved and to share their experiences;
- Tadcaster & Villages Community Engagement Forum (CEF), helped fund the relocation of a community facility used by a playgroup and scout group;
- CEF chairs and Vice-chairs completed a workshop review of the CEF process with agreement on next steps for inclusive community development plans.

What are we concerned about:

- N/A

Enabling people to get involved, volunteer and contribute to delivering services locally (D Caulfield)

 **On track**

What's gone well this quarter:

- Successfully aided Selby Abbey in submission of Tommy Silhouette 'There but not there' application to the Armed Forces Covenant Fund Trust;
- As a direct result of work with the Tenants and Residents Association and feedback from the Youth Council, volunteers with the help of SDC picked up litter/tidied Flaxley Road in Selby;
- The inaugural Tadcaster Arts Festival was held with a week of performing and visual arts events from the local community;
- Sherburn hosted the second successful Craft and Food Festival, connecting visitors to local food producers and retailers;
- Delivered a celebration event with Heritage Lottery Fund to recognise local community engagement in delivering heritage initiatives as well as promoting further engagement;
- 14 estate walkabouts across 11 locations enabled communities to get involved in local neighbourhood issues;
- Strong feedback received from a tenant consultation survey regarding the housing service SDC provide, will feed into the current review of our HRA Business Plan;
- Tenants have provided ideas and suggestions which will inform the current development of a new Tenants Handbook;
- The Tenant and Leaseholders Scrutiny Panel and Repairs and Maintenance group have volunteered to assist in the development of our new housing system, paying particular attention to the new Tenants Portal.

What are we concerned about:

- N/A

Facilitating people to access and use alternative service delivery methods

(D Caulfield)

 **On track**

What's gone well this quarter:

- Launched interactive planning policy map which makes it easier and faster for users to check relevant policies and information that apply to land in the district;
- Official opening of the Old Girls School community centre in Sherburn. Supporting community hubs to ensure quick access to services through an A-Z guide.


What are we concerned about:

- N/A

Delivering Priority 4 - Delivering **Great Value**

Working with others and co-developing the way in which services are delivered

(Lead Director: J Slatter)

 **On track**

What's gone well this quarter:

- Established third sector leader group, developed a district wide survey on loneliness and facilitated a Big Lottery funding application for third sector network to establish local community initiatives;
- Hosted a Tenant Participation Advisory Service (TPAS)/Local Government Association (LGA) regional event, where other social landlords shared tenant engagement best practice and discussed how tenant participation will be affected by the Social Housing Green Paper. TPAS were impressed with how the event went and will look to use Selby again as a host location;
- The Tenant and Leaseholder Scrutiny panel have recently completed their independent review into tenant engagement, which will feed into our Tenant Engagement Policy, alongside improving our day to day operational practices;
- Developed strong networks between SDC and other local authorities. SDC tenants attended East Riding of Yorkshire's Tenants Forum and Harrogate BC tenants attending SDC's Repairs and Maintenance Group.

What are we concerned about:

- N/A

Commissioning those best placed to deliver services on our behalf

(J Slatter)

 **On track**

What's gone well this quarter:


- Public Notice advertising contract awarded.

What are we concerned about:

- N/A

Making sure we communicate well with customers to help us understand what matters, to listen and learn and to enable us to offer the right support

(J Slatter)

 **On track**

What's gone well this quarter:

- Gambling Policy consultation provided the public with an opportunity to comment on the draft policy prior to approval;
- Tenants' magazine Open Door circulated providing information on issues that are relevant to council tenants;
- In the last twelve months we have significantly increased the audience reach for each social media post – now averaging over 2,000 people seeing each post compared to fewer than 1,000 per post twelve months previously;
- Residents' magazine Citizenlink was circulated to over 36,000 households in the district.
- Local Government Ombudsman annual review letter 2018 received – 5 complaints subject to detailed investigations, none of which were upheld (compared to 2016/17 when 3 complaints were subject to detailed investigations, 2 of which were upheld)

What are we concerned about:

- N/A

Helping people access services digitally

(J Slatter)



On track

What's gone well this quarter:

- Introduced Govroam to Civic Centre enabling other Local Authority partners to work seamlessly;
- Key messages to customers being communicated through different contact points at the customer contact centre;
- Over 50% of new benefit claim forms received in this quarter were completed using the online claim form;
- Dedicated floorwalker at the Customer Contact Centre to support customers using digital methods;
- Digital skills survey for SDC officers rolled out to collate level of skills and identify gaps to determine future training needs.

What are we concerned about:

- N/A

Delivering corporate priorities: Exceptions Q2 2018/19

Summary

50% KPIs improved

57% KPIs on target

- Projects on track

Indicator/action	Exception	Actions/Comments
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Positive performance - KPIs

Emergency/urgent repairs to council owned properties	Target exceeded	99.67% against a target of 97% - 1213 repairs completed this quarter, of which all but 5 were completed on time.
Number of empty homes brought back into use through direct action	Target exceeded	There has been significant activity this quarter with 11 empty homes being brought back into use through significant involvement with the Empty Homes Officer. As at Q2 a total of 17 properties have being brought back into use against an annual target of 20.
% stage one complaints responded to in required timescale	Target exceeded	94% of complaints received were fully responded to within the timescale, against a target of 90%. This compares to 95% for the previous quarter and is a marked improvement on the 74% from this time last year.
Processing of planning application - % major applications processed in 13 weeks	Target exceeded	100% of major planning applications processed against a target of 60%. This is an improvement on the previous quarter figure of 87.50% and the 75% reported this time last year. Performance on minor/other applications is slightly below target.
% stage two complaints responded to within required timescale	Target exceeded	100% of complaints were fully responded to within the timescale, for both this quarter and the previous, against a target of 90%. This is a significant improvement on the 50% figure reported this time last year.

Performance concerns – KPIs

Average time taken to re-let vacant council homes	Target not met	43.6 days against a target of 26 days. 46 voids were carried forward into Q1 from the previous year. The number peaked at 82. We have re-let 134 properties in Q1 & Q2 which is an increase of 22 properties or 20% compared to the same period in 2017/18. The number of voids has been reduced to 55. The number of voids, volume of work in voids and shortage of staff has led to the increase in time taken to re-let. Short term measures have increased the staff resource available. A report for the Executive is being prepared outlining potential medium and long term solutions.
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Delivering corporate priorities: Exceptions Q2 2018/19

Summary

50% KPIs improved

57% KPIs on target

- Projects on track

Indicator/action	Exception	Actions/Comments
Number of missed bins per 1,000 collections	Target not met	Performance has improved again from the previous quarter with 86 missed bins in this quarter, compared to 96 in Q1. However, this is below target and work continues with our contractors to mitigate against the pressures caused by the increase in new build properties in the district. This KPI was first reported as part of the then new environmental services contract in 2009. Since this time the target has reduced year on year and has not taken into account the increase in property growth. We will be reviewing the suite of indicators for the next financial year to ensure that whilst they are still challenging, that they also reflect the current service.
Number of visits to combined leisure centres	Performance getting worse	95,746 visits in Q2 is well down on both Q1 (109,073) and the same period last year (115,523). The prolonged good weather over the summer is likely to have had an impact as people are less likely to take part in indoor leisure activities during good weather.
Number of active Lifestyle members as a percentage of the population	Target not met	10.55% against a target of 13%. In previous years the base data for the KPI has included non-active members i.e. lifestyle card holders who have not attended either leisure centre. A data cleanse has taken place which has removed these dormant members and we are now only reporting active members. Whilst this has resulted in a reduction in this KPI it is more meaningful. The target has been reduced from 19% to 13% for 2018/19 to reflect this change in
Number of corporate health and safety incidents reported within the last 12 months	Target not met	17 against a target of 12. 8 incidents reported this quarter all none reportable to the HSE. The incidents reported include dog bites, cut finger and pulled muscle. The increase could be due in part to raised awareness of the need to report incidents, however minor.
Average days sick per FTE (full time employee).Rolling twelve months	Target not met	Q2 saw 8.1 per FTE days against a target of 5 days – up from 7.3 in Q1. Whilst sickness reduced in July and August, September saw a further spike. Unusually high levels of long term absence continue. May saw the highest number of long term absences in recent history (9) and this continued into June and July. Whilst August saw four long term absentees return to work, a further long term absence commenced in September. We expect the majority of these long term absentees to return to work in October. Further absence training will be rolled out shortly, Leadership Team is to consider a report recommending a programme of support for mental wellbeing and we will review our absence policy at the end of the year.
Number of GP referrals	Target not met	48 against a target of 75. This KPI continues to be directly affected by other outreach and wellbeing programmes including Move It and Loose It, Active After cancer and the newly launched Strong and Steady trips and falls prevention programme.

Delivering corporate priorities: KPIs

Q2 2018/19

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

KPI	Direction of Travel	PI History				Current Value	Target	Short Term Trend	Long Term Trend	Status
		Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19					
		Value	Value	Value	Value					
Number of SMEs supported	Aim to Maximise	26	31	43	49	53	50			
Average time taken to re-let vacant Council homes (General Need & Sheltered combined)	Aim to Minimise	28.7 days	36.3 days	43.6 days	40.5 days	43.6 days	26 days			
% of repairs to council-owned properties completed within agreed timescales (emergency/urgent repairs combined)	Aim to Maximise	99.67%	99.17%	99.90%	98.66%	99.67%	97.00%			
Total number of Empty Homes (6 months +) brought back into use through direct action	Aim to Maximise	4	9	5	6	11	5			
Number of missed bins per 1,000 collections (Note: average collections per month 77,276)	Aim to Minimise	0.28	0.21	0.69	0.42	0.37	0.28			
Number of visits to combined leisure centres	Aim to Maximise	115,523	78,052	109,946	109,073	95,746	100,000			
Number of Lifestyle members as percentage of population	Aim to Maximise	19.3%	19.25%	19.3%	11.4%	10.55%	13%		-	
% of Council Tax collected	Aim to Maximise	57.67%	85.30%	98.37%	29.85%	57.13%	57.50%	-		
% of Council Housing Rent & Arrears collected	Aim to Maximise	95.88%	98.11%	98.52%	93.31%	94.96%	95.47%	-		
% of Non-domestic Rate collected	Aim to Maximise	54.87%	79.89%	99.36%	28.68%	55.50%	55.00%	-		
% of Sundry Debt collected	Aim to Maximise	64.97%	81.95%	98.09%	46.3%	73.09%	64.97%	-		
Amount of planned savings achieved (£000s)	Aim to Maximise	£872,000.00	£889,000.00	£923,000.00	£244,750.00	£896,000.00	£1,053,000.00	-		
Average time to process new claims (total)	Aim to Minimise	23.94 days	17.18 days	21.56 days	23.84 days	21.14 days	22.00 days			
Average days to process Change of Circumstances	Aim to Minimise	5.26 days	4.74 days	3.32 days	4.82 days	5.54 days	8.40 days			
Processing of planning applications: % Major applications processed in 13 weeks	Aim to Maximise	75.00%	65.00%	88.89%	87.50%	100.00%	60.00%			

KPI	Direction of Travel	PI History				Current Value	Target	Short Term Trend	Long Term Trend	Status
		Q2 2017/18	Q3 2017/18	Q4 2017/18	Q1 2018/19					
		Value	Value	Value	Value					
Processing of planning applications - % Minor & Other applications processed in 8 weeks	Aim to Maximise	86.00%	87.69%	89.02%	86.78%	73.53 %	75.00 %	↓	↓	⚠
% (stage 1) complaints responded to in required timescale	Aim to Maximise	74%	92%	88%	95%	94%	90%	↓	↑	✅
% of FOI responded to within 20 days	Aim to Maximise	85.44%	88.11%	86.31%	90.34%	89.06 %	86.00 %	↓	↑	✅
The average wait time - in minutes - before a customer is seen by an advisor.	Aim to Minimise	8.33 min	6.33 min	7.33 min	5.33 min	6.33 min	10.00 min	↓	↑	✅
The average wait time - in minutes - before a customer phone call is answered by an advisor	Aim to Minimise	2.00 min	1.44 min	1.54 min	1.07 min	1.25 min	2.00 min	↓	↑	✅
% of people accessing Benefits forms and Taxation direct debit forms online in relation to other channels	Aim to Maximise				31.92%	32.17 %	30%	↑	-	✅
Corporate Health & Safety : The number of Corporate Health & Safety incidents reported in the last 12 months	Aim to Minimise	13	16	15	14	17	12	↓	↓	⚠
Average Days sick per FTE (full time employee) Rolling 12 months	Aim to Minimise	7.71 days	6.79 days	6.33 days	7.30 days	8.10 days	5.00 days	↓	↓	⚠
Amount of Business Rates retained (£s)	Aim to Maximise	£9,714,147	£9,730,189	£9,720,451	£10,007,543	£10,007,821	£7,500,000	↑	↑	✅
Increase in Council Tax base	Aim to Maximise	30,937.19	30,767.74	30,797.62	30,539	30,870.8	30,750	↑	↓	✅
Number of GP Referrals	Aim to Maximise	93	88	97	63	48	75	↓	↓	⚠
% of active 'Lifestyle' members participating in 1 or more sessions per week	Aim to Maximise	40.54%	42.13%	46.65%	43.88%	39.5%	51%	↓	↓	⚠
Percentage of STAGE 2 Corporate Complaints fully responded to within time.	Aim to Maximise	50%	100%	75%	100%	100%	90%	▬	↑	✅

Context indicators

Q2 2018/19

These indicators are those which we may be able to influence, but not directly affect.

Indicator	Update frequency	Previous Value	Latest Value	Regional comparison
Resident population of the district	annual	86,900	87,900	n/a
% of the district population of working age (16-64)	annual	62%	61.6%	above average
% of the district population aged 65+	annual	19.7%	19.9%	below average
% working age population in employment	quarterly	78.8%	77.7%	above average
% working age population claiming Job Seekers Allowance	quarterly	0.8%	0.9%	below average
% working age population qualified to Level 4+ (annual measure)	annual	31.1%	28%	below average
% working age population with no qualifications (annual measure)	annual	8.9%	7.6%	above average
Total Gross Value Added (£)	annual	£1,879m	£1,930m	n/a
VAT Registrations per 10,000 Population Aged 16+	annual	-	486.9	n/a
Median Gross Weekly Pay for Full-Time Workers £ (Workplace- based)	annual	£500.10	£553.40	above average
Unemployment Rate - % of 16-64 working age population	quarterly	5.7%	5.1%	above average
% adults defined as overweight or obese (annual measure)	annual	63.8%	63.5%	below average
% children defined as obese (at year 6) (annual measure) (to be reported in Q4)	annual	16.5%	17.87%	above average

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Report Reference Number: E/18/32

To: Executive
Date: 6th December 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. The Council consulted on the revised policy between 16 July 2018 to 13 August 2018.

Recommendations:

- **To note the draft Gambling Policy as amended following the consultation and to recommend to the Council that it be adopted.**

Reasons for recommendation

To ensure the Council has an up to date Policy.

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
- Bingo Premises
- Adult Gaming Premises
- Family Entertainment Centre Premises
- Betting 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 draft Policy has been reviewed (Appendix A). 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. The Executive considered the draft policy on 12 July 2018 and approved it for consultation from 16 July 2018 to 13 August 2018. The Consultation was wide, including, those consultees required by statute (listed at Appendix B of the draft Policy), as well as non-statutory consultees such as the general public, Parish Councils and Selby District Councillors.

2.4 The Consultation was carried out between 16 July 2018 to 13 August 2018; the following comments have been received:

2.4.1. HM Revenue and Customs a Responsible Authority listed in the appendices of the policy, made contact to amend their postal contact address from 21 India Street to: HM Revenue and Customs, Excise Processing Teams, BX9 1GL, England.

2.4.2. The Gambling Commission emailed and stated that it did not intend to make any representations, however, it made the following Observation;-

“Within Section 12 of the document, you may wish to include a Council requirement that Local Risk Assessments (LRA) are kept on the premises”.

2.4.2.1. Such a provision may prove helpful to Enforcement Officers when conducting visits to licensed premises as, on occasions, Operators assert the LRA is retained elsewhere / head office.

2.4.2.2. LRA’s are a social responsibility code which helps them demonstrate how they aim to address the local risks to the licensing objectives. Premise licence holders in the District must conduct a local risk assessment. These must take into account the relevant matters identified in the licensing authorities statement of licensing policy.

2.4.2.3. They should be structured in a manner that offers sufficient assurance that the premises have suitable controls and procedures in place. These controls should reflect the level of risk within the particular area, which will be determined by local circumstances.

2.5 The report has been before the Licensing and Policy Review Committee in September, where they approved the amendment of the contact address for HM Revenue and Customs and to approve the requirement and inclusion that local based risk assessments (LRA) are kept on the licensed premises. No further comments were raised.

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. The draft Policy went out for consultation between 16 July 2018 to 13 August 2018. It received no representations, however two comments were received.
- 6.2. Officers are asking for endorsement for approval from Full Council in December. Subject to approval, the new policy will then come in to force by 31 January 2019.

7. Background Documents

Existing Gambling Policy

8. Appendices

Appendix A – draft Gambling Policy (Statement of Principles)

Contact Officer:

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Licensing Manager
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01757 292033



Gambling Policy

Gambling Act 2005

Statement of Principles





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PART A

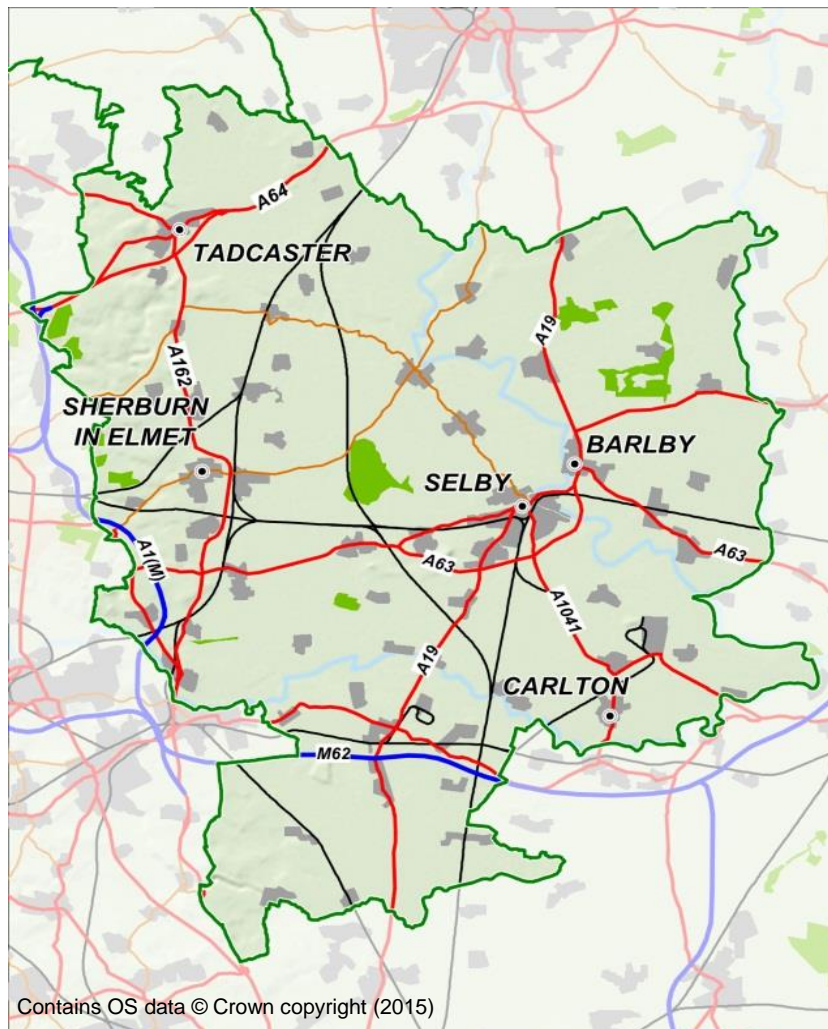
1. Introduction

- 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 16th July 2018 to 13th August 2018. 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. It is a Council requirement that Local Risk assessments (LRA) are kept on the premises. These should be structured in such a manner that offers sufficient assurance that the premises have suitable controls and procedures in place. These controls should reflect the level of risk within the particular area, which will be determined by local circumstances.
- 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
Betfred
Ladbrokes Betting & Gaming Ltd
Ladbrokes
Stan James
William Hill Organisation Ltd
William Hill Bookmakers
William Hill Bookmakers
William Hill
Bowl 'N' Fun
Gamestec Leisure Limited
Popleston Allen

Selby Bowling Club
Inspiring Healthy Lifestyles
BACTA
Association of British Bookmakers Ltd
The Bingo Association
Greyhound Board of Great Britain
The Jockey Club
Federation of Licensed
Victuallers Associations
Alcohol Premises Licence Holders

(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.

Matthew France, Police Licensing
Officer
Chief Fire Officer
The Gambling Commission
H M Revenue & Customs
Social Services Strategy &
Performance
Officer
GamCare
GambleAware
Health and Safety Executive

North Yorkshire Trading Standards
Mr Nigel Adams, MP
Selby District Councillors
Selby District Town and Parish
Councils
Selby District Council Licensing
Committee
Selby District Council Policy Review
Committee
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
Exercise Processing Teams
BX1 1GL**

Tel: 0141 555 3633

The Licensing Officer
Selby Police Station
Portholme Road
Selby
North Yorkshire
YO8 4QQ

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/18/33

To: Executive
Date: 6th December 2018
Status: Non Key Decision
Ward(s) Affected: Tadcaster
Author: Angela Crossland, Head of Community, Partnerships and Customers
Lead Executive Member: Councillor Pearson, Lead Executive Member for Housing, Health and Culture
Lead Officer: Dave Caulfield, Director of Economic Regeneration and Place

Title: Programme For Growth (P4G) Proposed New Project: UCI World Championships and para-cycling road race qualifiers.

Summary:

This report provides the Executive with a brief outline of the UCI Road World Championships and para-cycle event 2019. It considers the proposed role of the Selby district in this, and the necessary resource required from Selby District Council (SDC) to manage race requirements.

Recommendations:

The Executive approve funding of £65,000 to host the para-cycling qualifiers event in line with the UCI Road World Championships Local Authority Agreement and to manage race routes through the district.

It is recommended that the project be considered a P4G project and funded from the programme.

Reasons for recommendation:

The Executive is asked to approve the recommendation in order to meet the requirements of:

- The Local Authority agreement with Y2019 to host the para-cycling start event at Tadcaster
- The P4G funding authority arrangement that all future P4G budget expenditures over the agreed £10,000 threshold will be presented to Executive individually for approval and tracked in future quarterly reports.

1. Introduction and background

1.1 On 26th September 2018 the UCI Road World Championship routes for 2019 were announced. The report gives an outline of the Championships and the associated para-cycle event that will be held in the district from 21st – 29th September 2019.

It identifies that Selby District Council have been asked to support delivery of the para cycle start event at Tadcaster on 21st September 2019 and outlines what is required from resources to deliver such an event.

1.2 The report places this in the context of a range of other activity which is already planned for the district in 2019 and what has already been committed by the Council to deliver an exciting agenda for the area both within year and beyond.

2. UCI Road World Championships:

2.1 The UCI Road World Championships is an annual competition which manages several different types of cycle racing to determine the world's champion cyclists. The delivery partners for the race are British Cycling (BC), Department for Digital Culture, Media and Sport (DCMS), UK Sport (UKS), Sport England (SE), Welcome to Yorkshire (WtY) in conjunction with host Local Authorities. The delivery team for the race is Yorkshire 2019 (Y2019).

2.2 Championships are held for elite men, women, U23s and junior cyclists in road, track, cyclo cross, mountain biking and indoor cycling. The nine day road racing events for 2019 will be held across Yorkshire. The event was held in Innsbruck, Austria for 2018, attracting regional, national and international interest with a media reach from local Look North and Calendar news, to BBC full coverage, and an international audience reach of 133 million.

2.3 The race will also include for the very first time, a para-cycling event with entries from every Paralympic road racing classification with riders preparing for the Tokyo 2020 Olympics.

2.4 The championships will be from 21st – 29th September 2019 with all routes finishing in Harrogate. Starts will occur in Harrogate, Ripon, Northallerton, Richmond, Doncaster, Bradford and Leeds. The para-cycling event will have 4 stage starts in Beverley, Tadcaster, Wetherby and Harrogate. The championships being held in Yorkshire offers a significant variety of route challenges rarely seen in the championship so promises to offer extensive exposure in the cycling world.

2.5 Details for all race routes can be found [here](#). The relevant district routes for the race are as follows and a promotional video can be seen [here](#).

Date - 2019	Race	Start Location	Selby route
Saturday 21 st September	Para-cycle event	4 stage start: <ul style="list-style-type: none"> • Beverley • Tadcaster • Wetherby • Harrogate 	North Duffield – Riccall – Kelfield - Cawood – Ryther - Ulleskelf - Tadcaster
Friday 27 th September	U23 Men’s	Doncaster	Eggborough – Kellington – Beal – Hillam - Sherburn - Tadcaster
Friday 27 th September	Junior Women’s	Doncaster	As above

3. Para-cycle event:

3.1 The para-cycling event is a unique opportunity to showcase the district at the heart of Yorkshire. It will be held on Saturday 21st September 2019 and will essentially have 4 starting locations. The race will comprise four groups of disabled riders (blind and visually impaired, people with cerebral palsy, locomotor disabilities and handcyclists) and a total of 13 classifications for men and women. Riders are placed in the appropriate classification in the light of their functional capacity.

3.2 Those riders racing the longest distance will start in Beverley and the shorter courses will begin along one continuous route in Tadcaster, Wetherby and Harrogate.

3.3 This is the largest and most unique race start of its kind and the first time the para event runs from point to point (a different start and finish) than a circular route. The logistics will need to be carefully planned. It is a great opportunity for the area to be involved in such an inclusive trail blazing approach to the sport.

3.4 As per other races, Y2019 will coordinate the race infrastructure for the athletes although the roles, responsibilities and costs for the start zone will need to be met by the Local Authority. This will include infrastructure very similar to the Tour de Yorkshire (i.e. barriers, toilets), but there will also need to be further consideration of accessibility requirements for athletes and spectators alike to make this a truly inclusive and accessible experience. We anticipate that further details will develop as planning commences.

4. Current events resource for 2019:

4.1 Exploring opportunities to use the UCI Road World Championships as a way to promote the district is an element identified in the Visitor Economy Action Plan agreed by the Executive in March 2018. The Community, Partnerships and Customers (CPC) team, in line with colleagues in Communications and Marketing have a considerable focus next year on large scale events. Programme for Growth funding was allocated in recognition of the importance of 2019 to the area in the following ways:

- Visitor Economy Action Plan: A three year initial investment of £460,000 was agreed to deliver a district wide plan looking to prepare, engage and promote the local visitor, arts, heritage and cultural sectors. Approximately £300,000 of this is currently committed over the three year period. An annual review on progress is due in 2019 but outputs to date include: recruitment of sector specialists in visitor and creative economy and destination management; development of community and sector place branding; strengthening relationships with funders and destination management organisations; and securing the Tour de Yorkshire and UCI stages. There is some scope within this resource to manage a level of the business, community engagement and basic event safety planning needed for UCI. However, any further additional use of this resource would place the deliverability of the longer term, agreed visitor economy plan at risk.
- ‘Selby 950’: This was identified as a priority P4G project to celebrate Selby Abbey’s 950th anniversary. A £50,000 pump prime investment was identified to support match funding applications to Arts Council England and the Heritage Lottery Fund as well as to local businesses. This will include important work to engage local communities, businesses and schools to take part and also includes work with the Arts Council England to develop high quality, celebratory and longer lasting projects for the occasion. This work is a current priority in the visitor economy action plan and is considered a leading piece of work in developing longer term relationships with the creative sector as well as arts and heritage funding bodies. Funding bids for events will be submitted to the Arts Council within the next 4 weeks.
- ‘Tour de Yorkshire 2019’: SDC has successfully bid to host a stage of the TdY 2019 at Selby to support the ‘Selby 950’ celebrations. The race will occur 2nd May – 5th May 2019 prior to UCI but planning and organisation will be in tandem and will now place additional demands on the teams to deliver. Specific resource was factored in to support delivery of a stage start/finish through a P4G allocation of £150,000 in recognition that the race attracts hosting fees and event security/coordination resource needs.

- UCI Road World Championships: SDC were aware that there were provisional plans for the UCI race routes to come through the district but there was no allocated project management or event coordination resource identified for this. A hosting role in the championships places an additional resource implication on the council which has not been accounted for.

5. Risks and Issues:

- Ensuring longer term project delivery capacity:
The recent appointments of the Culture, Visitor and Creative (CVC) Economy Manager and the Tourism Development Officer (TDO) offer substantial resource support to deliver the visitor economy strategy and action plan. They have a keen focus on developing the Selby 950 project and to ensure a creative eye on coordinating local events and activities as part of any race events. Staffing resource (excluding wider event safety) for the cycle races can be managed within existing resources. However, the Visitor Economy Action Plan delivery is resourced to support identified activity over the next 3 years. Use of the VE action plan resource should be focused on this longer term aspiration for the district and we need to maintain a balance of delivering on that plan as well as these major events for the district.
The Executive need to consider that any use of the current allocated resource towards delivering next year's events could risk longer term delivery plans and potential to unlock wider investment funding.
- Working in partnership to ensure a safe, inclusive and successful event:
Whilst there is substantial experience in the county in delivering the Tour de Yorkshire, the para-cycle race four stage starts is a first of its kind. There is limited experience as to how to manage this logistic and what resource and planning will be required. It is considered that the race will not be on the scale of the TdY but SDC should consider how we can manage a flexible resource approach alongside other districts and Y2019 to deliver a safe and high quality experience for participants and spectators alike. Local Organising Committee meetings will focus on this and will include multi-agency representatives used to delivering previous cycle races in the area. As identified, the race may bring additional costs and asks of the council which the proposal in this report tries to accommodate in a proposed budget similar to the TdY.

6. Preferred Option for Delivery:

6.1 Identify the project as a Programme For Growth initiative and allocate £65,000 to deliver the para-cycle start event. The funds would be used as follows:

- £25,000 is required as part of the Local Authority agreement to host a stage of the para-cycling event.

- The remaining £40,000 would provide the resource required in a start zone area for infrastructure and event security coordination responsibilities. This includes as a minimum: security and safety barriers, crowd and road closure stewards and emergency first aiders, toilets, generators. There may be additional asks to the TdY, including hospitality infrastructure which the proposal tries to consider. As a para-cycle start of this nature is a first of its kind, allocating such an amount may also support flexibility for any contingencies in managing additional, unidentified arrangements such as ramps or specialist toilet provision.

6.2 To mitigate cost we will:

- engage Tadcaster TEMPT events management committee who have agreed to deliver a community event in line with previous support for the TdY start in 2017.
- Consider where possible, joint commission for the event infrastructure to reduce costs and manage both the TdY and UCI events. Where appropriate or in line with the LA agreement, centrally procure with NYCC Highways and Y2019.
- Where appropriate, deliver officer staffing costs from within current provision.
- Look at any opportunities there may be for sponsorship or donation from local business. (However this has previously been restricted for TdY events due to contract restrictions on advertising).

7. Alternative Options Considered:

7.1 Option 2: Deliver the project without allocated P4G support and fund from within existing resources.

This would require funds to be drawn from either contingency or existing P4G projects. Drawing from existing projects would place delivery of longer term objectives at risk. This could have an impact on the council's reputation with local and regional partners and a longer term impact on external partnership and investment in the district at a time when these discussions and alignment with partner strategies is in progress.

7.2 Option 3: The Executive do not approve investment in the race start.

SDC would be unable to enter the Local Authority Agreement with Y2019 and would not be able to host the para cycle start. Should the council then be unable to deliver the agreement, there would be a significant reputational risk linked to this option at this stage of the project.

8. Implications:

8.1 Legal Implications

In hosting a start stage for the para-cycle event, this would require the Council to enter contractual agreements with Union Cycliste Internationale and Y2109 as their delegated authority.

8.2 Financial Implications

The process for P4G allocation over £10,000 is an executive decision.

Resource implications from drawing upon existing funds are identified above. There remains a small unallocated P4G fund which could be considered an option to support delivery of the race.

8.3 Policy and Risk Implications

Contracts and Procurement - Any spend will be made in line with the Council's contract procedure rules.

8.4 Corporate Plan Implications

The project is a contributor to the Plan Priority 1 - to do business and '*Make our market towns more attractive places to live, work and visit*'.

Major cycle events such as the TdY and UCI attract national and international attention showcasing the best of our area.

The project is a contributor to the Plan Priority 2 - to enjoy life and 'Create conditions for our residents to be healthier'.

Part of the engagement with BC and Y2019 includes considering legacy plans for cycling in the area.

Working with the district's communities and the Selby District Disability Action Group will also enhance local offers for inclusive engagement in cycling and leisure activities.

The project is a contributor to the Plan Priority 3 – to make a difference.

The inclusion of local community groups to deliver side events and to encourage inclusion is something which has been evidenced in previous TdY legacy reporting as being a platform for local community groups to do more for themselves, and raise aspirations for the area. The UCI events will undoubtedly provide a similar experience with a particular opportunity to showcase how the district's communities deliver in an inclusive and accessible way.

9. Equalities Impact Assessment:

An equality, diversity and community impact screening has been undertaken and does not identify any significant, negative impact from this project. It

identifies that there are positive impacts for communities of protected characteristics such as age and disability, enabling an increased participation across a diverse range of the district's residents.

10. Conclusion:

The report outlines the details of the UCI world race championships and the opportunity to host the para cycle event for Olympic qualifiers for Tokyo 2020. Hosting the para cycle event is an opportunity to raise the profile of the district as an inclusive and great place to live. To do so requires the council to enter into an agreement with Y2019 and to consider resourcing the start of the race through P4G processes.

Contact Officer:

Angela Crossland

Head of Community, Partnerships and Customers

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Report Reference Number: E/18/34

To: Executive
Date: 6 December 2018
Status: None Key Decision
Ward(s) Affected: All
Author: Gillian Marshall, Solicitor to the Council
Lead Executive: Cllr Mark Crane, Leader of the Council
Member:
Lead Officer: Janet Waggott, Chief Executive

Title: Better Together – Legal Services Update Report

Summary:

Since April 2018 the bulk of the legal service for Selby District Council has been provided by North Yorkshire County Council under a shared service/Better Together arrangement.

Better Together projects are monitored via the Better Together Officer Steering Group and Joint Member Group.

When the arrangements were approved by the Executive at Selby, a report back to them on how the arrangements were working was requested. It had originally been intended to bring the report in February however it is being brought forward to December in advance of the departure of the current Selby DC Solicitor to the Council.

The report concludes that the arrangements overall work well. It identifies some challenges around workloads for both Selby and NYCC and indicates how the Councils are working in partnership to resolve them

Recommendations:

To note that the legal services project is working well overall despite challenges which are being resolved within the spirit of collaboration which underpins Better Together arrangements as a whole.

Reasons for recommendation:

To provide the Executive with the requested update and reassurance that the arrangements are delivering the service required.

1. Introduction and background

- 1.1 Since April 2018 the bulk of the legal service for SDC has been provided by NYCC under a shared service/Better Together arrangement. Under the arrangement, 4 members of the Selby team transferred under TUPE provisions and now provide the Selby service as NYCC employees. The costs are met by a transfer of budget. Three members of staff remain as Selby employees – the Solicitor to the Council and 2 part time trainee solicitors.

2. Overview of the Arrangements

- 2.1 Under the agreement NYCC provide SDC with 467 hours of legal work per calendar month – the equivalent of what the 4 staff would have done as Selby employees. Those hours are predominantly done by the 4 transferred staff but can be done by any member of the NYCC team. Any work done by other NYCC staff needs to be offset against work which the transferred staff do for NYCC. Work above the contract level which is not offset is charged at an hourly rate of £120/hour.
- 2.2 In Q1 and Q2 the hours worked for Selby have exceeded the contract amount. Although some work has been done by the transferred staff for NYCC, it has not been sufficient to offset the additional hours.
- 2.3 The key area of work which is putting pressure on delivery of the shared arrangements is in planning, highways and environment. Volumes of planning work at Selby remain very high which is to be expected given the scale of growth the District has seen. There have been insufficient hours undertaken by the transferred staff to offset this. More recently a combination of maternity leave and staff turnover has reduced the capacity of NYCC to service the needs of both Councils.
- 2.4 The work being done by the transferred staff for NYCC is principally around data protection and information governance where one senior solicitor is providing advice to both Councils. This has been well received by staff in both organisations with good feedback. It had been expected that more property work would be done for NYCC but both Councils are engaged in significant volumes of such work and so the offset hours have not been as great as expected.
- 2.5 The arrangements are monitored on a monthly basis using data from the time recording system. The monitoring meetings work well and the two councils are able to work together on mitigating the potential impacts of above contract

hours in terms of cost to Selby and impact on NYCC work. The monitoring arrangements allow the identification of hours spent on capital or programme for growth programmes or projects which are more properly attributable to those budgets rather than from the central recharges for legal.

- 2.6 Moving forwards, it has been agreed that Selby will fund an additional post undertaking planning work which will increase the monthly hours under the contract from 467 to 597. This funding is from the additional 20% increase allowed on planning fees which is ring-fenced in any event to be spent on the planning service (of which legal support is an important element). The post has now been advertised and an appointment is expected shortly. In the interim and until the post holder completes induction, the additional funding is being utilised to buy in additional external capacity through the E M lawshare legal services framework.

3. Compliments, complaints, PIs

- 3.1 The service specification includes the following performance measures

% of acknowledgement of instructions within the agreed SLA of files checked at file review

% of substantive response to queries and advice requests within the agreed SLA of files checked at file review.

4 client feedback forms on closed files to be sent to SDC directorate per month. Rating of 9 or 10 on 80% of feedback gathered.

- 3.2 Monitoring has shown no issues with meeting the performance measures

4. Alternative Options Considered

Should members be minded to end the arrangements the agreed specification requires 12 months' notice by either party. As the arrangement is working well overall, this option is not recommended.

5. Implications

5.1 Legal Implications

none

4.2 Financial Implications

Adequate monitoring is in place to ensure costs are within budget including the additional resources made available.

4.3 Policy and Risk Implications

Both Councils have committed to Better Together arrangements where they bring financial and business benefits. These issues were covered in the approved business case for the shared service. Nothing in the monitoring indicates that the legal services project is not delivering as expected.

4.4 Corporate Plan Implications

Selby's corporate plan refresh provides that we will review our 'Better Together' collaborations with North Yorkshire County Council and consider options for future joint working – ensuring the chosen option continues to deliver benefits; especially for our customers and residents. This monitoring report contributes to that review

4.5 Resource Implications

None beyond those identified above

4.6 Other Implications

None identified

4.7 Equalities Impact Assessment

Not required

5. Conclusion

- 5.1 That the arrangements work well overall and should be continued subject to the close monitoring and partnership working that is in place.

6. Background Documents

None

7. Appendices

Contact Officer: Gillian Marshall x 42095



Report Reference Number: E/18/35

To: Executive
Date: 6 December 2018
Status: Key Decision
Ward(s) Affected: All
Author: Laura Peacock, Development Surveyor
Lead Executive Member: Councillor Chris Pearson, Lead Executive Member for Housing, Health and Culture
Lead Officer: Dave Caulfield, Director of Economic Regeneration & Place

NOT FOR PUBLICATION. Appendix C to this Report contains exempt information under paragraph 3 of schedule 12A to the Local Government Act 1972 as amended

Title: Housing Development Programme: Ph2 Sites Detailed Business Cases

Summary:

The Housing Development Programme (HDP) was approved in Jan 2018. The programme is for 207 homes within a budget envelope of c£22m. There are 3 delivery pillars; small sites, larger sites, s106 purchases. Phase 1 of the programme is now complete or committed.

This report presents detailed business cases for the small sites element of Phase 2 of the HDP. Following a report to Executive dated 12th July approval was given to proceed with the detailed business cases for these schemes using the approved feasibility budget. Six small sites and one larger site (30 units) have now been designed and costed. The costs at this stage are subject to the procurement and planning processes but represent measured cost estimates using the agreed procurement route.

The resultant estimates are outside the normal parameters and pro-rata budget however, officers recommend approval of all but one of the detailed business cases subject to the matters raised in the report to enable delivery of the programme to continue.

Recommendations:

- i That Executive approve the detailed business cases for the seven sites subject to Council's agreement to drawdown additional funding for the programme from the s106 reserve in the 2019/20 budget proposals.
- ii The Director of Economic Regeneration and Place be authorised to offer the sites most suitable for housing to the Selby and District Housing Trust at nil value along with a loan and s106 grant to fund the development of affordable housing on the usual terms and conditions.
- iii That officers be authorised to proceed to award contracts and seek planning consent for the sites in partnership with Selby and District Housing Trust.
- iv That final approval of the transfers and loan documents be delegated to the Chief Finance Officer in consultation with the Lead Councillor for Finance and Resources and the Solicitor to the Council.

Reasons for recommendations

To deliver the programme

1. Introduction and background

- 1.1 The HDP was approved in Jan 2018. The programme is for 207 homes within a budget envelope of c£22m. There are 3 delivery pillars; small sites, larger sites, s106 purchases. The January report noted that phase 1 had been built or committed for 50 units at £6.002m. Of those phase 1 sites, all are now complete with the exception of the 12 units being built at Ousegate. These are scheduled for completion at the end of January 2019.
- 1.2 In terms of Phase 2, the programme assumed that in 2018/19 we will build 10 SDC Units and 7 SDHT units on small sites, 11 units on larger sites and 27 properties will added through s106 acquisitions. Progress on the programme is shown in Appendix A.
- 1.3 Approval was given following a report to Executive dated 12th July to proceed to the detailed business cases for the phase 2 small sites using the approved feasibility budget.

2. Ph2 Sites Detailed Business Cases

Phase 2 sites

- 2.1 The table below shows Phase 2 sites that have been selected following due diligence work but is subject to a changes in house type and numbers

depending on planning and on any changes to housing demand and scheme viability.

Programme Year	Scheme Address	Approx No Units	Potential Type & Mix	Stage	Contract Type	
2018-21	PH2 Small SDC Sites	Sherburn				
		Highfield Villas	8	5 x 3B Houses	Feasibility	JCT D&B
		North Crescent		2 x 2B BUNG,		
		Beechwood Close/Eversley Avenue		1 x 2B BUNG		
2018-21		Station Road, Hambleton	3	3 x 2B BUNG	Feasibility	JCT D&B
2018-21		Barff View, Burn	9	4 x 2B Houses 5 x 3B Houses	Feasibility	JCT D&B
2018-21	Main Street, Kellington	5	5 x 3B Houses	Feasibility	JCT D&B	
2018-21	Land adjacent to the George & Dragon Site, West Haddlesey	5	5 x 2B Houses	Feasibility	JCT D&B	
		Total Units	30			

There is an option to extend the scheme at Highfield Villas to 15 units subject to releasing an area of open space. Should the Executive be minded to extend the scheme a further recommendation to delegate approval of the revised outline business case will be required.

It is expected that sites with houses will be offered to the Selby and District Housing Trust for development whilst the sites suitable for bungalows will be developed within the HRA in line with the previously approved Asset Transfer Policy.

- 2.2 The 7 Ph2 sites have now been designed and costed. The site Business cases are at Appendix B. The estimates show cost increases above the pro-

rata budget for Phase 2. However all schemes are considered viable, within a 30 – 40 year payback, if the budget for s106 support is increased to the maximum indicated in the Council’s policy (£50k/unit) instead of the £20k/unit is approved. An increase in the budget to add more s106 subsidy from the earmarked s106 Affordable Housing reserve will require Council approval. In addition, the sites will need to transfer to the Trust at nil value. For the HRA, Homes England grants need to be achieved (considered highly likely). Homes England grants above the £36k per unit modelled are considered achievable presently but grant funding at that level cannot be guaranteed into the future if there is delay in progressing the programme.

- 2.3 Officers have commenced working with Efficiency North on the selection of contractors for the schemes. It is intended to bundle up the schemes into larger contracts, subject to contractor advice where that will result in a lower price. The cost estimates (subject to planning and final site bundling) are shown in the table at confidential Appendix C. They provide the Executive with a financial picture of each scheme to assist in making an informed decision with regard to financial viability of each site depending on the future landlord. The business case for each development utilises cash flow models with appropriate capital cost assumptions and contingencies, rental income, void rates, and on-going maintenance of the homes.
- 2.4 As can be seen in the table in Appendix C the costs for the phase 2 schemes are above the estimate assumed in setting the HDP budget. The revised cost estimate for the Phase 2 sites is £5.076m which is £1.476m higher than the approved budget of £3.6m. This figure represents total scheme costs and not the build cost.
- 2.5 Officers have therefore considered whether the schemes still represent value for money. It must be recognised that the build element of the programme is designed to build additional affordable housing in the District which, in general terms, is not delivered by the market or through planning and requires an element of public subsidy.
- 2.6 The increase in costs is due to a number of factors. Build cost inflation is running at high levels as the high rate of house building is exacerbating a national shortage of staff with the relevant construction skills and (in some cases) of materials. In addition it must be recognised that the sites selected are challenging in terms of access and have disproportionate overhead costs in terms of site demolition and connection costs. The low number of units compared to a greenfield site means that the benefits from economies of scale are limited even when the sites are packaged in procurement.
- 2.7 A comparison with the phase 1 schemes shows how build costs have increased

Scheme name	Scheme cost	Subsidy per unit	Actual cost per unit
43 Kirkgate and St	£465,091	£9400	£94k

Josephs			
HRA Eggborough/Byram	£1.9m	£29,180	£125k
Riccall	£798,400	£30,380	£139k
Byram Park Road	£1.62m	£10,231 + £36,000 (HE)	£115k

Kirkgate is a conversion not a build scheme and the St Joseph's scheme was subsidised by 1 market sale unit the most comparable sites to the current schemes are at Eggborough/Byram and Riccall. The scheme at Byram Park Road indicates that the larger the sites, the greater the economies of scale.

- 2.8 The current procurement approach utilising the Efficiency North Framework, was adopted following a value for money (VFM) review of the costs and approach to procurement when similar issues were encountered in the tender process for Byram Park Flats and Riccall. Officers have reviewed the current approach and concluded that the framework approach is still more likely to deliver VFM than procuring each individual scheme separately.
- 2.9 Enquiries with Craven District Council confirm they have experienced similar housing construction cost issues in developing similar former garage sites for housing. Officers there sought member approval in January 2017 to procure a local framework agreement for building construction and development work that once in place the council could use to tender their schemes. A procurement exercise was conducted to set up the framework and contractors were appointed to the framework at the end of July 2017. Prior to the issue of tender documents in January 2017 Craven spent 3 to 5 months developing local interest in the framework including breakfast briefings and talking to local builders prior to issuing tender documentation. The Craven construction framework took approximately 12 months to set up, attracted 9 bidders and 7 contractors were appointed to the framework. Craven are currently developing three sites using the framework with an indicative development timeframe for each site of 9 months and costs estimates of £112,000-£142,000 per unit. There is no land value as the sites are being developed for the HRA and land is not being transferred to a third party. It is understood that the schemes are expected to complete by the end of the year.
- 2.10 If SDC were to take this route there would be a significant delay to the programme and an additional resource requirement as there is insufficient technical resource within the Commissioning and Procurement Service to undertake this work.
- 2.11 Having undertaken the VFM review, Officers recommend that the detailed business cases on the phase 2 sites should be approved with the exception of the single bungalow scheme at Beechwood Close Sherburn. A delay in

progressing phase 2 will threaten the expected delivery of the programme overall and the continued build cost inflation rates may actually overtake any gains achieved by a change in procurement approach.

3. Implications

Legal Implications

- 3.1 As the Local Housing Authority, the Council has powers under legislation 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 to SDHT would fall within this definition as would the transfer of unused land at nil value. Accordingly there is a clear power for the Council to transfer the sites and make the loans to SDHT. The Council's investments can be protected by taking a first charge over the properties constructed by SDHT.
- 3.2 The final details of costs estimates and likely tender prices using the EN Framework are in confidential Appendix C. This information, if considered in public would result in the release of information relating the financial or business affairs of the Council, the Selby and District Housing Trust and Efficiency North. The Council is yet to finalise its procurement of schemes and the public interest in achieving best value outweighs the public interest in dealing with the information in the public report.

4.0 Financial Implications

- 4.1 A 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 22nd February 2018. The pro-rata budget for these phase 2 sites is £3.6m.
- 4.2 Phase 2 Detailed Business Cases have been prepared and a summary of this information is attached in Appendix B. Whilst there are cost increases above the pro-rata budget for Phase 2, all schemes are considered viable, within a 30 – 40 year payback (which is considered reasonable given the expected life of the assets), if s106 support is increased to the maximum indicated in the Council's policy and for the HRA, if Homes England grants are achieved.
- 4.3 The proposed HRA schemes assume a level of Homes England grant and should these be approved for tender, officers will continue to work with Homes England to maximise their contributions.

- 4.4 Subject to approval of the revised cost estimates the proposed funding package for the Trust schemes would require loans totalling £2.847m. Latest PWLB rates are around 2.6%, which when applying a 1% margin would mean a fixed loan rate of circa 3.6% for the Trust and interest income to the Council's General Fund of £51k per annum (average) over the life of the loan (£1.7m over the assumed 33 year average loan life).
- 4.5 S106 support for the Trust schemes would need to increase from £600k to £1.19m. As highlighted in section 4.6 above, this is within the maximum £50k per unit established for these receipts although £19.7k per unit over the estimates approved in January 2018. S106 receipts for affordable housing currently stand at £3.1m allowing for previously approved commitments, so there is sufficient to cover these Phase 2 requirements. It is therefore recommended that this increase is built into the 19/20 budget and is also applied to the pro rata budget for phase 3.
- 4.6 These loans contribute to the Council's General Fund savings plan. In 2017/18 these generated an income stream of £18.6k of interest. The savings target for 2018/19 is currently £17k and is forecasted to achieve £18.3k. For 2019/20 the target is £100k and these Phase 2 developments will contribute significantly towards meeting this, alongside the Riccall scheme which is now complete and the Ousegate and Ulleskelf purchases currently being progressed.
- 4.7 The HRA funding package requires a finance package totalling £804k. The borrowing headroom within the HRA, including these schemes is estimated at £10.4m at 31 March 2019 so there is sufficient borrowing capacity within the HRA to accommodate these schemes.
- 4.8 The final funding package will be determined by the Chief Finance Officer in order to optimise the application of any retained right to buy receipts and/or any s106 receipts within the overall subsidy levels approved, in accordance with the previously approved funding hierarchy.

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 2021.
- 5.2 The Phase 1 sites are either completed or under construction and this report seeks delegated authority to proceed with the development of the Phase 2 small sites. As 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 may drop out of the Programme. This has been mitigated by early pre-application discussions with Efficiency North.

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 affordable housing availability and choice for residents in the District

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 Finance 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 regular basis.

Equalities Impact Assessment

6.5 The 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 Despite the increase in construction costs the schemes are considered viable with a modest level of subsidy which remains within the maximum parameters established. It is expected that the terms of the loans offered to the SDHT will have to be extended to between 30 and 40 years which is considered reasonable given the expected life these assets. Accordingly it is recommended that the detailed business cases be approved.

8. Appendices

Appendix A: Progress on the Housing Development Programme

Appendix B: Business cases

Appendix C: Costs estimates for the 7 sites

Laura Peacock

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SDHT New Build Programme**Progress Update – 6th December 2018****Phase 1 (2017/18):**

Delivery Pillar	Provider	Location	Target No. of Units	Status	Completion Date
Small Sites	SDHT	Tadcaster	5	Complete	2016
Small Sites	SDHT	Landing Lane, Riccall	5	On Site	Sep-18
Acquisitions Programme	SDHT	Ousegate, Selby	12	In Contract	Jan-19
TOTAL			22	22	

Phase 2 (2018/19)

Delivery Pillar	Provider	Location	Target No. of Units	Status	Completion Date
Small Sites	SDHT	Main Street, Kellington (5) Highfield Villas, Sherburn (5) Land, West Haddlesey (5)	15	15 Units Feasibility	Jun-20
Large Sites	SDHT	Barff View, Burn	11	9 Units Feasibility	Jun-20
Acquisitions	SDHT	s106 units Ulleskelf (12)	27	12 units in Contract	Mar-19
TOTAL			53	36	

Phase 3 (2019/20 & 2020/21)

Delivery Pillar	Provider	Location	Target No. of Units	Status	Date
Small Sites	SDHT	Turnhead Crescent, Barlby Former Football Field, Barlby River View, Barlby Benedicts Close, Selby Dixon Court, Selby Beech Grove, Burton Salmon Grange Road, Camblesforth Oaklands Crescent, Camblesforth Green Acres, Eggborough Low Street, Briggerton	19		

		Auster Bank View, Tadcaster			
Large Sites	SDHT	TBC	35		
Acquisitions	SDHT	TBC	48		
		TOTAL	102		

Appendix B - Ph2 DBC Summary

Scheme	Type General Needs/ Adapted	No. Units	Loans / Internal Borrowing £	S106 Grant £	Homes England		Total £	Average Cost per Unit £		Average Subsidy Per Unit £	Projected Payback Year
					Grants £	Other Grants £		£	£		
<u>SDHT</u>											
Barff View - Burn	GN	9	1,006,819	450,000			1,456,819	161,869		50,000	32
West Haddlesey	GN	5	561,174	212,000			773,174	154,635		42,400	30
Sherburn - Highfield Villas	GN	5	604,421	250,000			854,421	170,884		50,000	36
Kellington - Main Street	GN	5	674,439	250,000			924,439	184,888		50,000	35
SDHT Total		24	2,846,853	1,162,000	0	0	4,008,853	167,036		48,417	33
<u>HRA</u>											
Sherburn - Beechwood Close	A	1	166,550	18,200	36,000	12,250	233,000	233,000		66,450	30
Sherburn - North Crescent	A	2	275,500		72,000	6,500	354,000	177,000		39,250	28
Station Road - Hambleton	A	3	361,800	10,200	108,000		480,000	160,000		39,400	30
HRA Total		6	803,850	28,400	216,000	18,750	1,067,000	177,833		43,858	29
Phase 2 Total											
		30	3,650,703	1,190,400	216,000	18,750	5,075,853	169,195		47,505	31
Approved Budget (pro-rata)											
		30	3,000,000	600,000	0	0	3,600,000	120,000		20,000	
Difference											
			650,703	590,400	216,000	18,750	1,475,853	47,036		28,417	SDHT
								57,833		23,858	HRA

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APPENDIX B.1 – Highfield Villas, Sherburn in Elmet

Site Description

The site comprises a hardstanding area, and 10 garages of which 4 are currently let, 3 are void and 3 are being used as storage by the Council.

It is proposed to redevelop the site using the existing access and demolishing the garages. The redline boundary of the hardstanding area (approx. 1054m²) offers little opportunity for new housing due to the long linear shape of the site and its close proximity to front elevations of a more recent housing development.



With the current site boundary the site will only achieve 5 units configured a mix of 3Bx5P homes (2 x semi detached and 1 x detached) to the western end of the site and away from existing housing.

More units could be accommodated onto the site if an area of the adjacent green space could be included. Planning policy SP4 has implications for development on open green space in a village setting, and a case for affordable housing will need to be made which outweighs the loss of any greenspace as a result of new development. For this reason private housing within this context would not be supported.

Utilities enquiries have been carried out and the information provided by Northern Powergrid, Northern Gas, and BT Openreach confirms that there is no infrastructure that would be a barrier to any development of the site.

NYCC Highways have been consulted and are happy to stop up the existing public footpath.

The existing play equipment would need to be relocated away from the new development and this could be priced to be included within the new build contract.

The council's existing housing stock of 335 properties in Sherburn consists of 34 x 1 bed bungalows, 80 x 2 bed bungalows, 68 x 2 bed flats, 42 x 2 bed houses, 3 x 3 bed bungalows, 103 x 3 bed houses, and 4 x 4 bed houses.

The data available from North Yorkshire HomeChoice indicates that there are currently 161 bidders who have expressed a preference for Sherburn in Elmet as their first choice – of these, 78 for 1-Bed properties, 53 for 2-Bed properties, 27 for 3-Bed properties, and 3 for 4-Bed properties.

Preferred Option for Development

- The proposal is for up to **5no. units** comprising 3 bed 5 person properties
 - The number of units offers a better relationship to the existing housing
 - Additional units offer a greater degree of security for private outdoor spaces
 - This design layout will meet a specific housing need in Sherburn
- No market housing to cross-subsidise this scheme has been included due to the restriction within any planning application to build on green space
- The level of additional subsidy required for this site is £180,000

Detailed Business Case

The detailed business case is estimated and has been modelled using the council's financial parameters and it would be up to the Housing Trust to determine whether these are appropriate for its needs

For the purpose of the financial appraisals, the scheme has been appraised using the Selby & District Housing Trust Model for comparison.

The rents have been modelled on the basis of 80% of market rents for similar properties in the area.

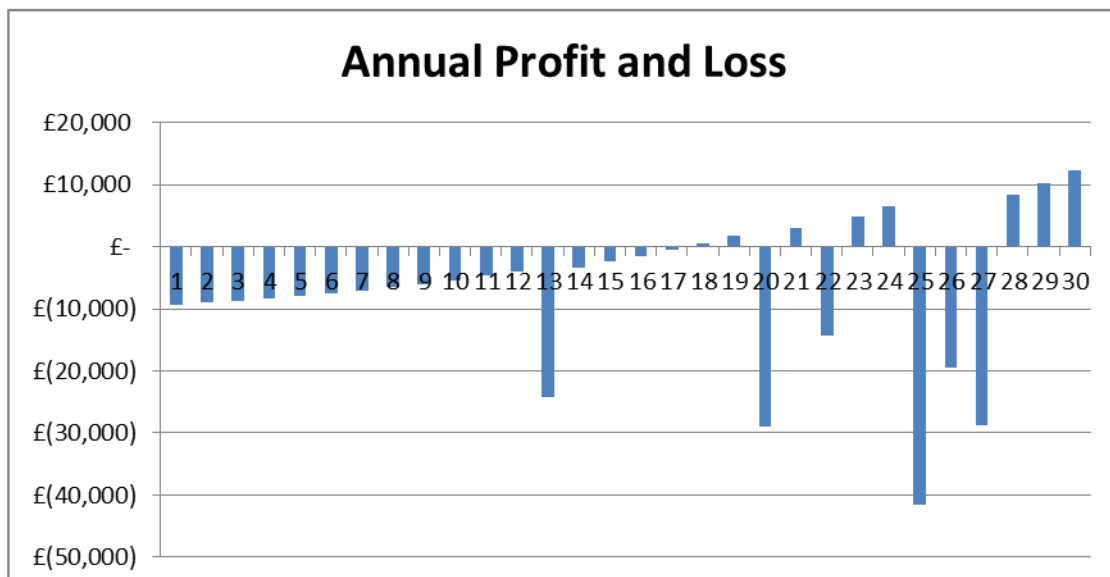
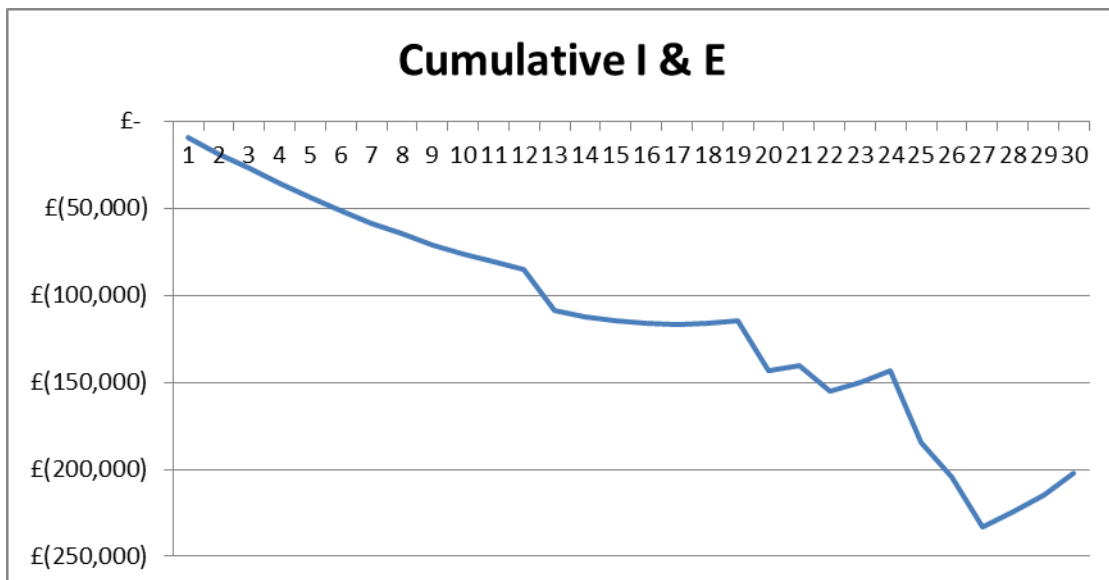
Site acquisition costs have not been included in the financial appraisals at this stage and these would need to be factored in for transferring any of the properties to the Trust.

SDHT Cashflow – (5 x 3B houses)

Estimated Total Scheme Costs: £854,421.00
Estimated total loan amount required: £604,421.00
Estimated total level of subsidy required: £250,000.00

Performance Criteria/Output

		Output	Benchmark	Test
30 Year Net Present Value (£)	-	88,728.78	0	Output>Benchmark
60 Year Net Present Value (£)		279,481.88	0	Output>Benchmark
Payback Year		36	30	Output<Benchmark
30 Year IRR%		2.87%	4.04%	Output>Benchmark
60 Year IRR%		5.70%	4.04%	Output>Benchmark



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APPENDIX B.2 – North Crescent, Sherburn in Elmet

Site Description

The site comprises a hardstanding area; and 6 garages of which 4 are currently let and 2 are not in management.

It is proposed to redevelop the site using the existing access and demolishing the garages. The grassed area to the north of the garage site is also in the ownership of Selby District Council and can be incorporated into the design to provide 2 x 2B semi-detached bungalows.



The utility pole would need relocation and this is included within the project risk register. Utilities enquiries have been carried out and the information provided by Northern Powergrid, Northern Gas, and BT Openreach confirms that there is no infrastructure that would be a barrier to any development of the site.

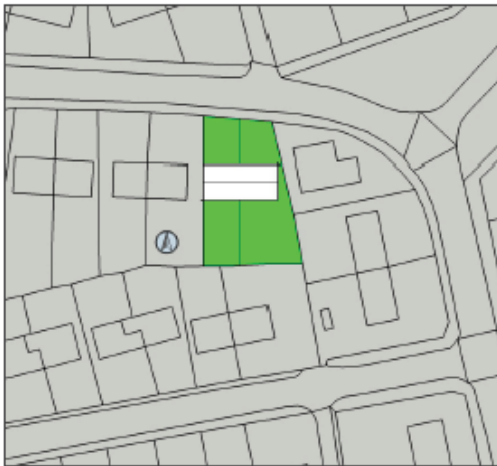
It is confirmed that the footpath is owned by Selby District Council and is not a public footpath. This can be left open although we would need to consider boundary treatments to the east boundary of the new property abutting the footpath to resolve any privacy or security issues.

The council's existing housing stock of 335 properties in Sherburn consists of 34 x 1 bed bungalows, 80 x 2 bed bungalows, 68 x 2 bed flats, 42 x 2 bed houses, 3 x 3 bed bungalows, 103 x 3 bed houses, and 4 x 4 bed houses.

The data available from North Yorkshire HomeChoice indicates that there are currently 161 bidders who have expressed a preference for Sherburn in Elmet as their first choice – of these, 78 for 1-Bed properties, 53 for 2-Bed properties, 27 for 3-Bed properties, and 3 for 4-Bed properties.

Preferred Option for Development

- The proposal is for up to **2no. units** comprising a single block of semi-detached bungalows
 - This design and house type offers a better relationship to the existing housing
 - This design layout will meet a specific housing need in Sherburn
- No market housing to cross-subsidise this scheme has been included due to the restriction within any planning application to build on green space
- The level of additional Homes England subsidy required for this site is £72,000.00
- An additional £6,500.00 of subsidy has been secured from the One Public Estate (OPE)



Detailed Business Case

The detailed business case is estimated and has been modelled using the council's financial parameters.

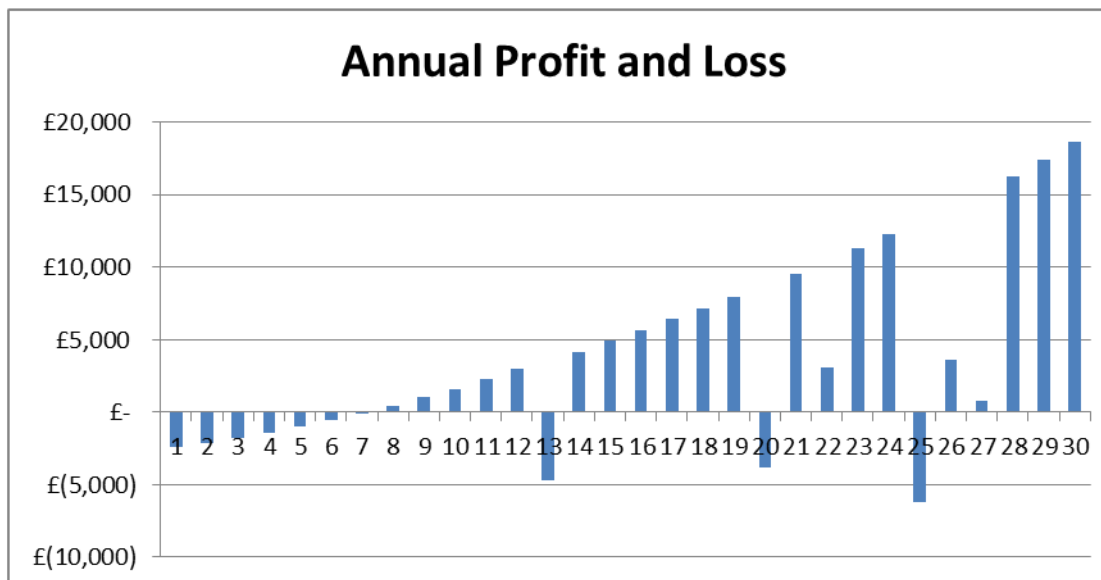
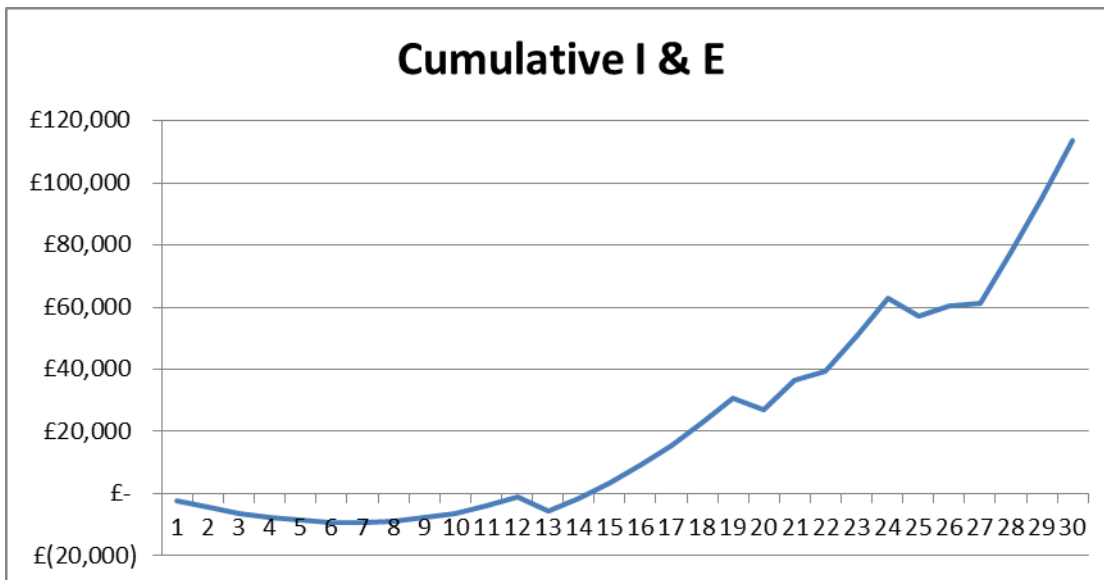
For the purpose of the financial appraisals, the scheme has been appraised using the Housing Revenue Account Model (HRA).

The rents have been modelled on the basis of 80% of market rents for similar properties marketed in the area.

Estimated Total Scheme Costs:	£354,000.00
Estimated total loan amount required:	£275,500.00
Estimated total level of subsidy required:	£78,500.00 <i>*(Includes contribution from OPE demolition grant at £6,500.00)</i>

Performance Criteria/Output

	Output	Benchmark Test
30 Year Net Present Value (£)	37,391.88	0 Output>Benchmark
60 Year Net Present Value (£)	424,044.69	0 Output>Benchmark
Payback Year	28	30 Output<Benchmark
30 Year IRR%	3.92%	3.04% Output>Benchmark
60 Year IRR%	6.68%	3.04% Output>Benchmark



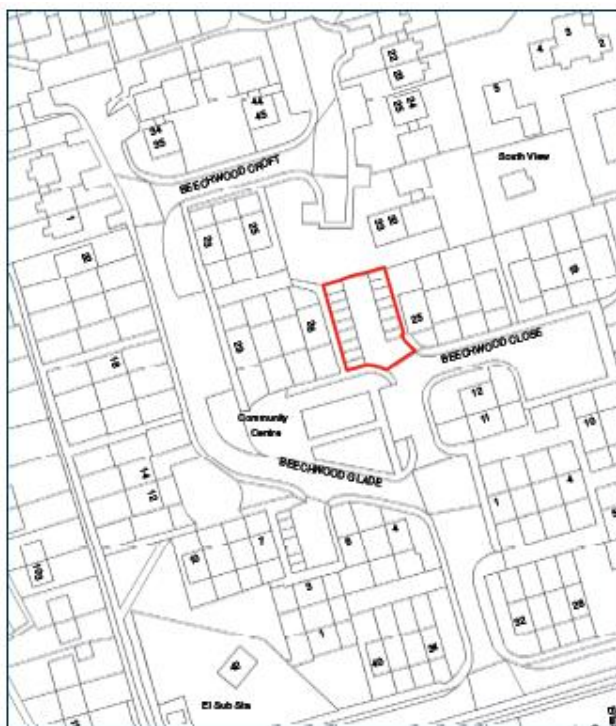
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APPENDIX B.3 – Beechwood Close, Sherburn in Elmet

Site Description

The site comprises a hardstanding area; and 16 garages of which 11 are currently let, 1 is void, 3 are storage and 1 is not in management.

It is proposed to redevelop the site using the existing access and demolishing the garages. The grassed area to the north of the garage site is also in the ownership of Selby District Council and can be incorporated into the design to provide 1 x 2B semi-detached bungalow.



Utilities enquiries have been carried out and the information provided by Northern Powergrid, Northern Gas, and BT Openreach confirms that there is no infrastructure that would be a barrier to any development of the site.

It is confirmed that the footpath is owned by Selby District Council and is not a public footpath. This can be left open although we would need to consider boundary treatments to the east boundary of the new property abutting the footpath to resolve any privacy or security issues.

The council's existing housing stock of 335 properties in Sherburn consists of 34 x 1 bed bungalows, 80 x 2 bed bungalows, 68 x 2 bed flats, 42 x 2 bed houses, 3 x 3 bed bungalows, 103 x 3 bed houses, and 4 x 4 bed houses.

The data available from North Yorkshire HomeChoice indicates that there are currently 161 bidders who have expressed a preference for Sherburn in Elmet as their first choice – of these, 78 for 1-Bed properties, 53 for 2-Bed properties, 27 for 3-Bed properties, and 3 for 4-Bed properties.

Preferred Option for Development

- The proposal is for up to **1no. unit** comprising a single 2B bungalow
 - This design and house type offers a better relationship to the existing housing
 - This design layout will meet a specific housing need in Sherburn
- No market housing to cross-subsidise this scheme has been included
- The level of additional subsidy required for this site to make it viable is £66,450.00 which is made up of Homes England, OPE, and s106 monies.

Outline Business Case

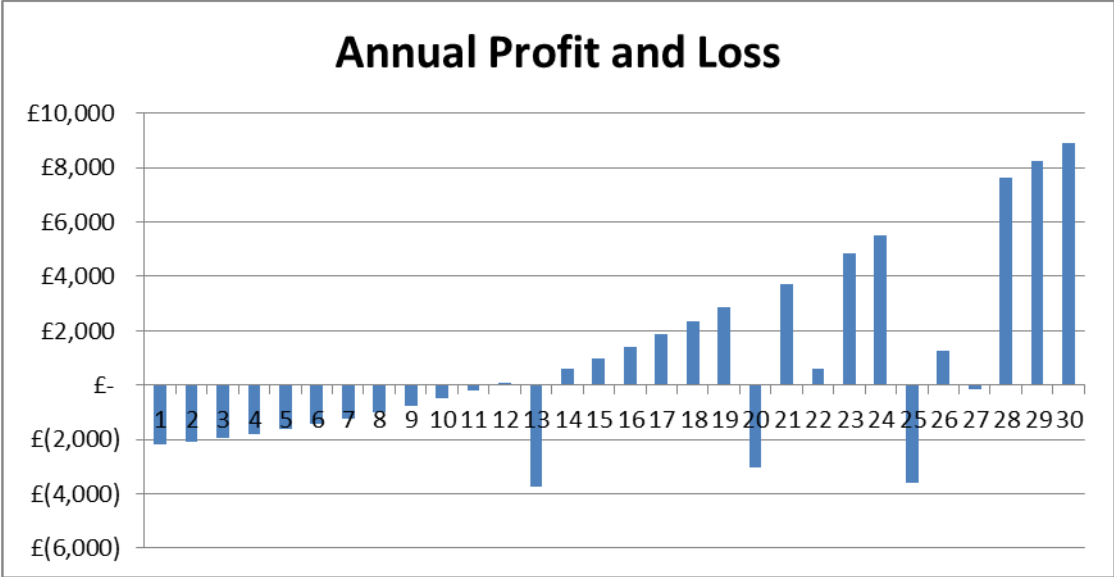
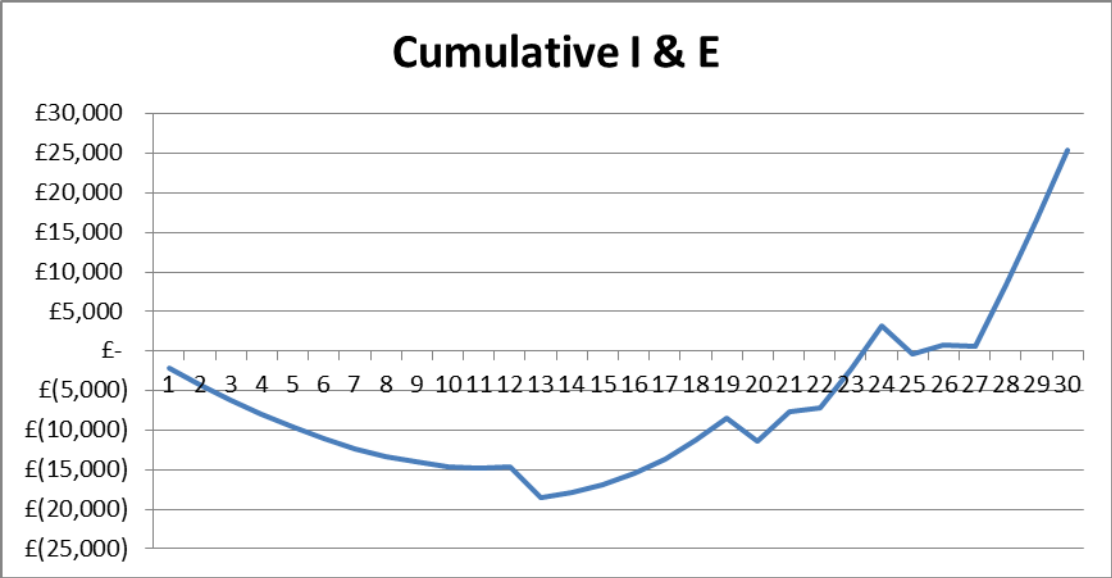
The outline business case is estimated and has been modelled using the council's financial parameters and it would be up to the HRA to determine whether these are appropriate for its needs

The rents have been modelled on the basis 80% market rents of similar properties in the area.

Estimated Total Scheme Costs:	£233,000.00
Estimated total loan amount required:	£166,550.00
Estimated total level of subsidy required:	£ 66,450.00 (<i>Homes England funding at £36,000 plus additional OPE funding of £12,500 for demolitions and £18,500 s106 monies</i>)

Performance Criteria/Output

	Output	Benchmark Test
30 Year Net Present Value (£)	2,627.67	0 Output>Benchmark
60 Year Net Present Value (£)	210,506.07	0 Output>Benchmark
Payback Year	30	30 Output<Benchmark
30 Year IRR%	3.15%	3.04% Output>Benchmark
60 Year IRR%	6.14%	3.04% Output>Benchmark



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APPENDIX B.4 – Station Road, Hambleton

Site Description

The site is a grassed area location in the village of Hambleton opposite the village hall.

The council owns the wider neighbouring street of properties, Church Close which comprises a Selby District Council housing development of 12 x 1 and 2 bed bungalows.



Utilities enquiries have been raised with Northern Powergrid, Northern Gas, and BT Openreach to confirm that there is no infrastructure that would be a barrier to any development of the site.

The council's existing 26 housing stock in Hambleton consists of 7 x 1 bed bungalows, 9 x 2 bed bungalows, 2 x 2 bed houses, 8 x 3 bed houses.

The data available from North Yorkshire HomeChoice indicates that there are 64 bidders who have expressed a preference for Hambleton as their first choice. There are 33 bidders for 1 bed properties, 18 for 2 bed properties, 10 for 3 bed properties, 2 for 4 bed properties and 1 for a 5 bed property.

Preferred Option for Development

- The proposal is for up to **3no. units** comprising bungalows
 - This design and house type offers a better relationship to the existing housing
 - This design layout will meet a specific housing need in Hambleton
- The level of additional subsidy required for this site is £118,200.00

Outline Business Case

The outline business case is estimated and has been modelled using the council's financial parameters and it would be up to the Housing Trust to determine whether these are appropriate for its needs

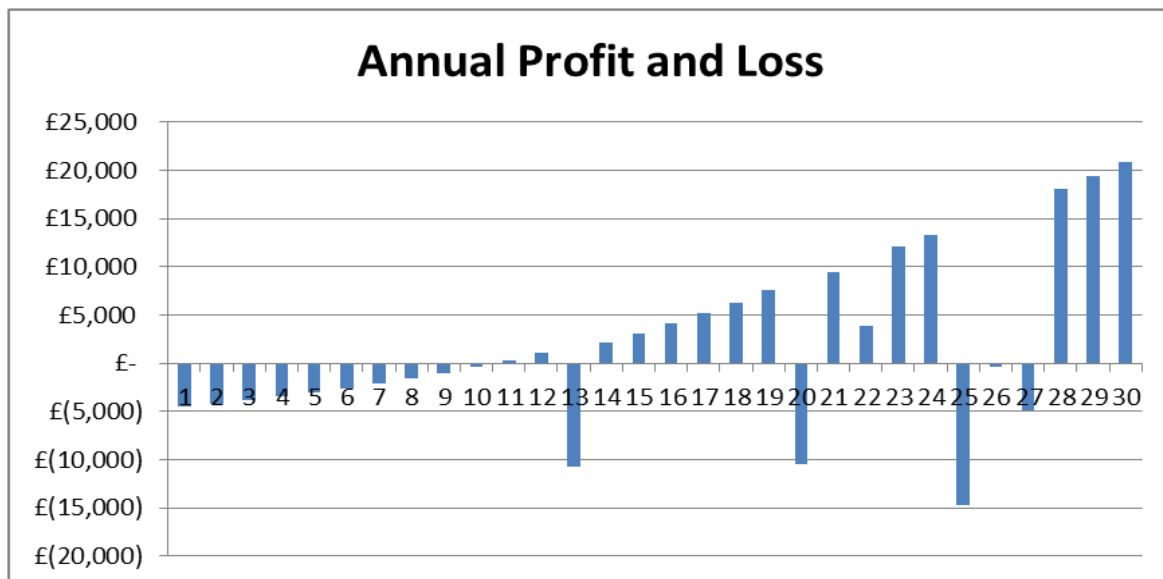
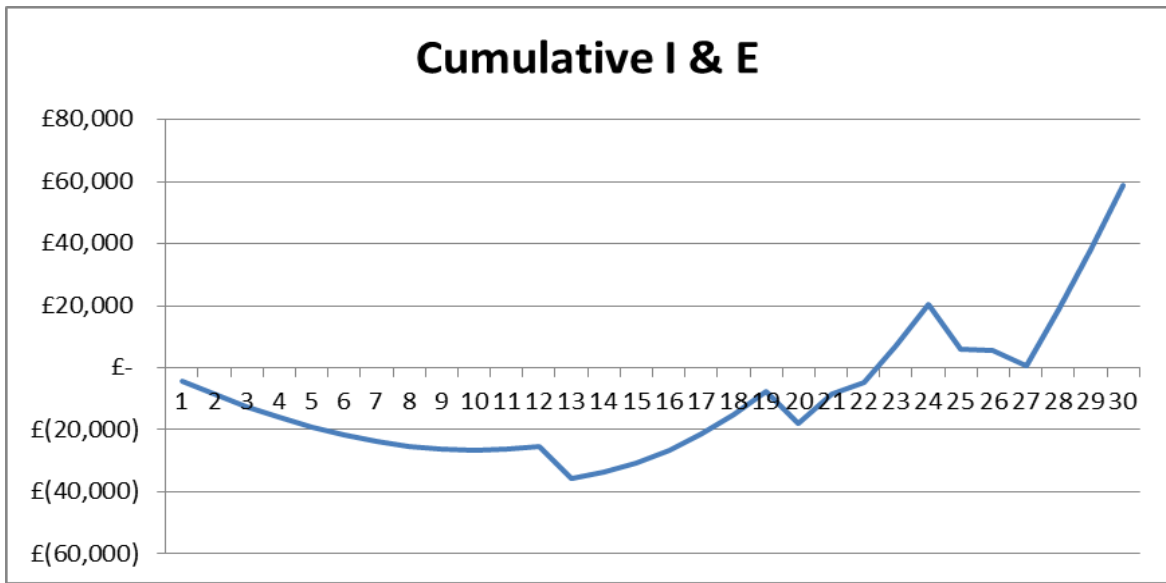
The rents have been modelled on the basis of 80% market rents of similar properties in the area.

Estimated Total Scheme Costs:	£480,000.00
Estimated total loan amount required:	£361,800.00
Estimated total level of subsidy required:	£118,200.00 <i>(includes Homes England</i>
<i>£36k per unit & s106 subsidy £3.4k per unit)</i>	

The scheme pays back within 30 years with additional s106 subsidy.

Performance Criteria/Output

	Output	Benchmark Test
30 Year Net Present Value (£)	6,539.64	0 Output>Benchmark
60 Year Net Present Value (£)	470,350.73	0 Output>Benchmark
Payback Year	30	30 Output<Benchmark
30 Year IRR%	3.16%	3.04% Output>Benchmark
60 Year IRR%	6.21%	3.04% Output>Benchmark



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APPENDIX B.5 – Barff View, Burn

Site Description

The site is a grassed area of approximately 2493m² and is situated at the end of a partly council owned development of mixed semi-detached brick built bungalows.



The site constraints are that any development of the site is largely dictated by the existing sewerage pipe and associated easement, along with overhead cables with utility poles. This forces properties to the northeast to assume a staggered form. The site is also bounded by heavy planting of trees, shrubbery and hedgerows with views of agricultural fields beyond. Other features include, seemingly disused, play equipment (swings) due to the designated area being overgrown.

Utilities enquiries have now been carried out with Northern Powergrid, Northern Gas, and BT Openreach and conclude that there is a main drain crossing the site and overhead cables. The design has taken the location of these into account along with any easements.

The council's existing housing stock in Burn of a total of 14 homes consists of 2 x 1 bed bungalows, 6 x 2 bed bungalows, 6 x 3 bed houses

The data available from North Yorkshire HomeChoice indicates that there are 260 bidders who have expressed a preference for Selby South as their first choice. This includes 119 bidders for 1 bed properties, 100 for 2 bed properties, 35 for 3 bed properties, 5 for 4 bed properties and 1 for a 5 bed property.

Preferred Option for Development

- The proposal is for up to **9no. units** comprising two blocks of semi-detached housing, plus a staggered terrace of 4 units
 - This design and house type offers a better relationship to the existing housing
 - This design layout will meet a specific housing need in Burn
- The level of additional s106 subsidy required for this site is £450,000.00

Outline Business Case

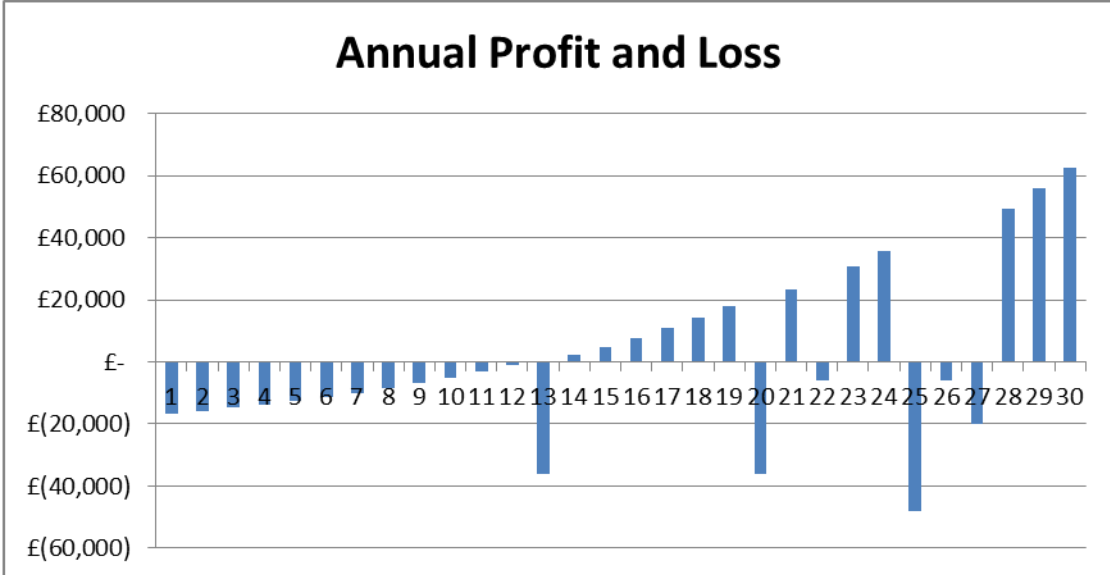
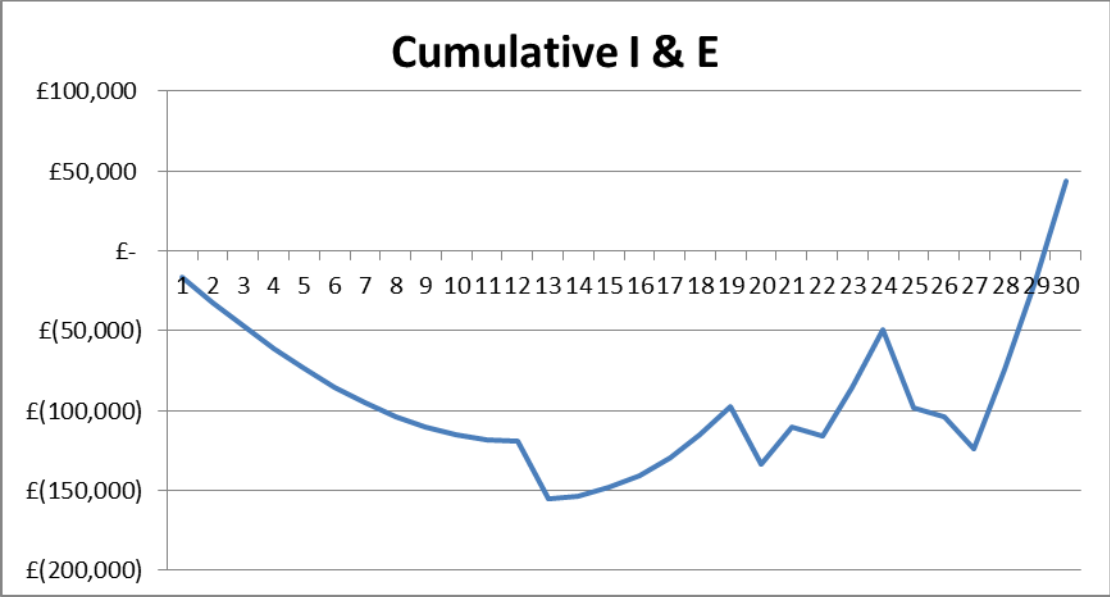
The outline business case is estimated and has been modelled using the council's financial parameters.

The rents have been modelled on the basis of 80% Market Rents of similar properties.

Estimated Total Scheme Costs:	£1,456,819.00
Estimated total loan amount required:	£1,006,819.00
Estimated total level of subsidy required:	£450,000.00

Performance Criteria/Output

	Output	Benchmark Test
30 Year Net Present Value (£)	- 39,088.51	0 Output>Benchmark
60 Year Net Present Value (£)	895,926.61	0 Output>Benchmark
Payback Year	32	30 Output<Benchmark
30 Year IRR%	3.76%	4.04% Output>Benchmark
60 Year IRR%	6.64%	4.04% Output>Benchmark



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APPENDIX B.6 – Land adj the George & Dragon Public House, West Haddlesey

Site Description

The site is an area of approximately 1,051m² and is situated adjacent to the George & Dragon and until recently was leased to the public house for use of additional car parking. The lease has now been terminated and the land secured to prevent adverse possession.



Utilities enquiries have been carried out along with a topographical survey which indicates that consideration needs to be taken in regards an easement for a pumping station and also relocation of a telegraph pole. A provisional sum has been included for this.

The council's housing stock in West Haddlesey consists of 2 x 3 bed houses and through consultation with the housing team, there is a strong demand for housing of this type in this area.

The data available from North Yorkshire HomeChoice indicates that there are 260 bidders who have expressed a preference for Selby South as their first choice. This includes 119 bidders for 1 bed properties, 100 for 2 bed properties, 35 for 3 bed properties, 5 for 4 bed properties and 1 for a 5 bed property.

Preferred Option for Development

- The proposal is for up to **5no. 2 bed 4 person units** comprising two blocks; a block of terrace of 3 and block of semi-detached housing
 - This design and house type offers a better relationship to the existing housing
 - This design layout will meet a specific housing need in West Haddlesey
- The level of additional Homes England subsidy required for this site is £180,000.00

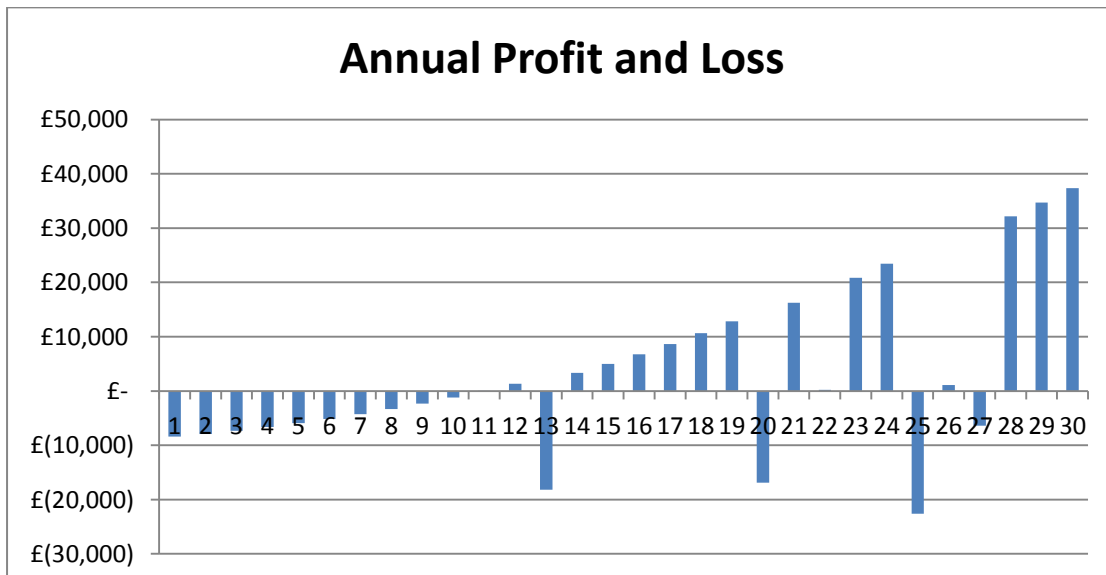
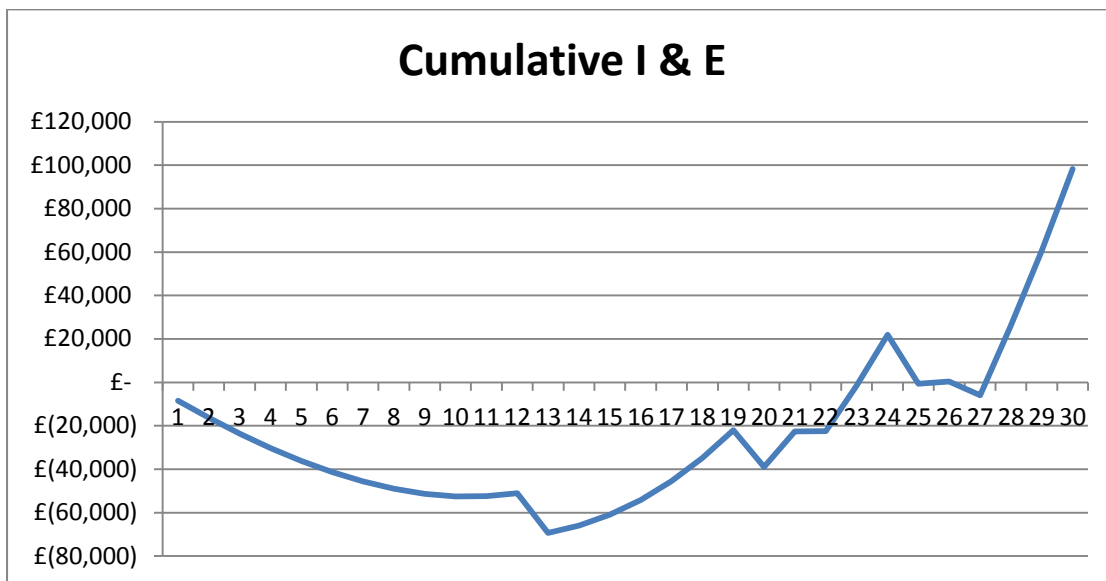
Outline Business Case

The outline business case is estimated and has been modelled using the council's financial parameters and it would be up to the Trust to determine whether these are appropriate for its needs

Estimated Total Scheme Costs:	£773,174.00
Estimated total loan amount required:	£561,174.00
Estimated total level of subsidy required:	£212,000.00

Performance Criteria/Output

	Output	Benchmark	Test
30 Year Net Present Value (£)	210.13	0	Output>Benchmark
60 Year Net Present Value (£)	539,985.74	0	Output>Benchmark
Payback Year	30	30	Output<Benchmark
30 Year IRR%	4.04%	4.04%	Output>Benchmark
60 Year IRR%	6.83%	4.04%	Output>Benchmark



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APPENDIX B.7 – Main Street, Kellington

Site Description

The site is part grassed area of approximately 968m² and is situated on the corner of the Main Street leading to Manor Garth and incorporating an area of approximately 752m² of hardstanding and garages to the rear. The total site is approximately 1720m².

The grassed part of the land is currently designated as open green space by planning policy and a robust case will need to be provided in support of any planning application for affordable housing. This will include; a demonstrable housing need, alternative open space provision within close proximity and sensitive /contextual infill development proposals along with adequate parking provision. Private housing within this context would not be supported.

Utilities enquiries have been carried out and the information provided by Northern Powergrid, Northern Gas, and BT Openreach confirms that there is relocation of 2 x telegraph poles and diversion of a drain. Provisional sums have been included in the cost estimate and included in the scheme risk register.

The data available from North Yorkshire HomeChoice indicates that there are 33 bidders who have expressed a preference for Kellington as their first choice.

Preferred Option for Development

- The proposal is for up to **5no. units** comprising 2 x 3B 5P semi detached and 1 x 3B detached;
 - This design and house type offers a better relationship to the existing housing
 - This design layout will meet a specific housing need in Kellington
- No market housing to cross-subsidise this scheme has been included due to the restriction within any planning application to build on green space
- The level of additional subsidy required for this site is £250,000 for the scheme to payback in 30 year benchmark

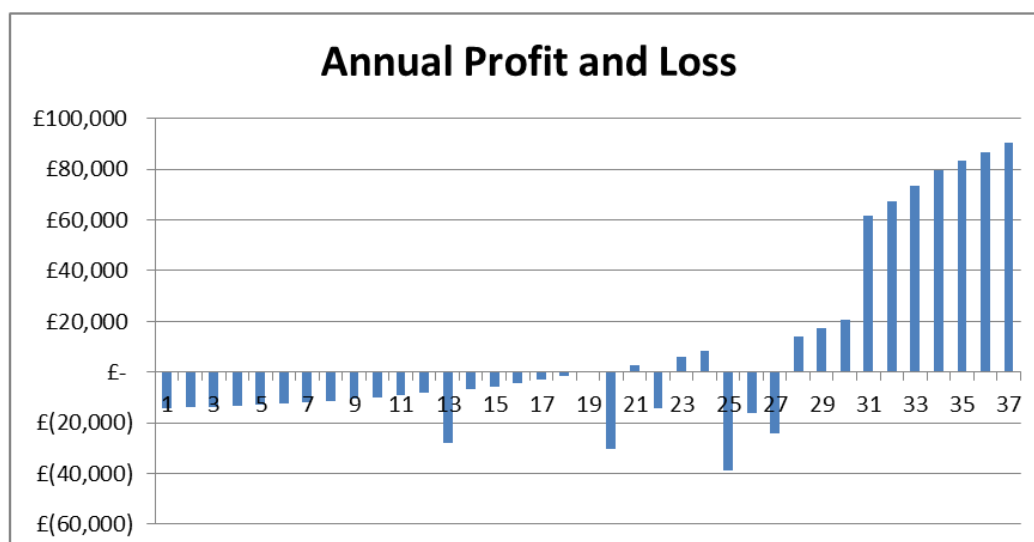
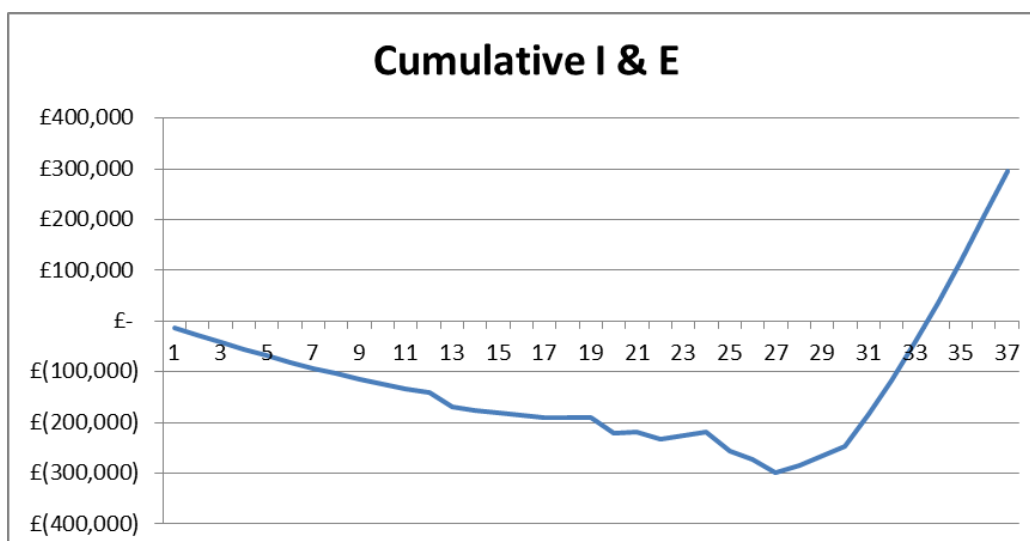
Outline Business Case

The outline business case is estimated and has been modelled using the council's financial parameters and it would be up to the Housing Trust to determine whether these are appropriate for its needs. The scheme pays back in year 35 against the benchmark of 30 with the maximum level of subsidy at £50,000 per unit.

Estimated Total Scheme Costs: £924,439.00
Estimated total loan amount required: £674,439.00
Estimated total level of subsidy required: £250,000.00

Performance Criteria/Output

	Output	Benchmark	Test
30 Year Net Present Value (£)	102,089.89	0	Output>Benchmark
60 Year Net Present Value (£)	447,065.46	0	Output>Benchmark
Payback Year	35	30	Output<Benchmark
30 Year IRR%	2.90%	4.04%	Output>Benchmark
60 Year IRR%	6.05%	4.04%	Output>Benchmark



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Agenda Item 10

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