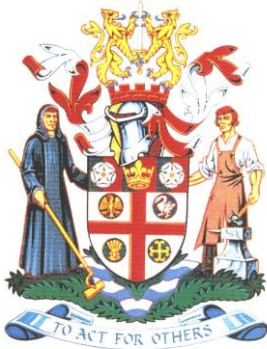


# Selby District Council



## Agenda

Meeting: **Executive**  
Date: **Friday, 10 January 2020**  
Time: **2.00 pm**  
Venue: **Committee Room - Civic Centre, Doncaster Road, Selby, YO8 9FT**  
To: **Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn, C Pearson and D Buckle**

**1. Apologies for Absence**

**2. Minutes** (Pages 1 - 10)

The Executive is asked to approve the minutes of the meeting held on Thursday 5 December 2019.

**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](http://www.selby.gov.uk).

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests.

Councillors should leave the meeting and take no part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

- 4. Recycling Box Recovery Options (Pages 11 - 20)**  

Report E/19/38 outlines a mechanism for the collection of Council owned recycling boxes as proposed by the Recycling Task and Finish Group.
- 5. Policies for the Collection of Waste and Recycling (Pages 21 - 46)**  

Report E/19/39 sets out the draft policies for approval and adoption following input from the Recycling Task and Finish Group and Policy Review Committee.
- 6. Selby Taxi Licensing Policy 2019 (Pages 47 - 100)**  

Report E/19/40 outlines the proposed Selby Taxi Licensing Policy.
- 7. Selby District Local Plan Issues and Options Consultation (Pages 101 - 170)**  

E/19/41 outlines proposals for a consultation to take place on the Local Plan Issues and Options Document which will be undertaken under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).
- 8. Housing Rents 2020/21 (Pages 171 - 176)**  

Report E/19/42 presents proposals for Housing Revenue Account rent levels which have been calculated in accordance with the Ministry of Housing, Communities and Local Government (MHCLG) policy statement on rents for social housing from February 2019.
- 9. Rent Policy 2020 (Pages 177 - 186)**  

Report E/19/42 outlines the proposed Rent Policy 2020.
- 10. North Yorkshire Refugee Resettlement (including Selby District Councils' participation) (Pages 187 - 204)**  

Report E/19/44 outlines Selby District Council's involvement in the North Yorkshire Refugee Resettlement Scheme.
- 11. Tenant Participation Strategy 2020-2023 (Final Version) (Pages 205 - 230)**  

Report E/19/45 outlines the proposed Tenant Participation Strategy 2020-2023.
- 12. Corporate Complaints & Compliments Annual Report 2018 - 2019 (Pages 231 - 238)**

Report E/19/46 outlines the Corporate Complaints and Compliments Annual Report for 2018-19.

*Janet Waggott*

**Janet Waggott  
Chief Executive**

<b>Date of next meeting</b>
Wednesday, 5 February 2020 at 4.00 pm

For enquiries relating to this agenda please contact Palbinder Mann, on 01757 292207 or [pmann@selby.gov.uk](mailto:pmann@selby.gov.uk)

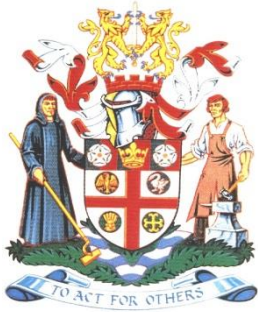
### **Recording at Council Meetings**

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.

This page is intentionally left blank

# Agenda Item 2

## Selby District Council



## Minutes

### Executive

- Venue: Committee Room - Civic Centre, Doncaster Road, Selby, YO8 9FT
- Date: Thursday, 5 December 2019
- Time: 4.00 pm
- Present: Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn, C Pearson and D Buckle
- Also Present: Councillors R Packham
- Officers Present: Janet Waggott (Chief Executive), Dave Caulfield (Director of Economic Regeneration and Place), Julie Slatter (Director of Corporate Services & Commissioning), Karen Iveson (Chief Finance Officer (s151)), Alison Hartley (Solicitor to the Council and Monitoring Officer), Keith Cadman (Head of Commissioning, Contracts and Procurement) (for minute items 60-61), Aimi Brookes (Contracts Team Leader) (for minute items 60-61), June Rothwell (Head of Operational Services) (for minute items 62-67), Tammy Fox (Taxation, Benefits & Debt Team Leader) (for minute items 62-63), Wayne Palmer (Environmental Health Team Leader) (for minute item 64), Jack Hopper (Senior Environmental Health Officer) (for minute item 64) Paula Craddock (Senior Planning Policy Officer) (for minute item 65), Caroline Skelly (Planning Policy Manager) (for minute items 65), Mike James (Communications and Marketing Manager) and Palbinder Mann (Democratic Services Manager)
- Public: 0
- Press: 0

NOTE: Only minute numbers 60-62, 64-67 and 69 are subject to call-in arrangements. The deadline for call-in is 5pm on Tuesday 17 December 2019. Decisions not called in may be implemented from Wednesday 18 December 2019.

**57 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

**58 MINUTES**

The Executive considered the public and private minutes of the meeting held on 7<sup>th</sup> November 2019.

**RESOLVED:**

**To approve the public and private minutes of the meeting held on 7<sup>th</sup> November 2019 for signing by the Chair.**

**59 DISCLOSURES OF INTEREST**

There were no disclosures of interest.

**60 LEISURE SERVICES PLANNED MAINTENANCE PROGRAMME YEAR 11**

The Leader of the Council presented the report which outlined the leisure services planned maintenance programme for year 11.

The Leader of the Council explained that the maintenance programme included essential works and was needed to ensure the Council's leisure centres were fit for purpose.

In response to a query regarding concerns raised around the cleanliness of Selby Leisure Centre, the Contracts Team Leader explained that following the comments, an unplanned inspection had been carried out to inspect the premises and no further complaints had been received.

**RESOLVED:**

- i) To agree that the Year 11 Landlord Planned Maintenance Programme for Selby Leisure Centre and Tadcaster Leisure Centre**
- ii) To fund the Year 11 programme from the Building Repairs Reserve within the budget**

## proposals for 2020/21.

### 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.*

### 61 INTRODUCTION OF FIXED PENALTY NOTICES FOR HOUSEHOLDERS DUTY OF CARE OFFENCES AND FLY TIPPING OFFENCES

The Lead Executive Member for Housing, Health and Culture presented the report which outlined the legal and operational background for the Executive to consider and to make an informed decision on the proposal to introduce a system of Fixed Penalty Notices (FPN's) for offences relating to fly tipping for offences relating to fly tipping by the householder or the fly tipper.

The Lead Executive Member for Housing, Health and Culture explained that the Environmental Protection Regulations had come into effect in January of this year which had allowed FPNs to be issued to householders or fly tipping offenders.

It was noted that proposed notices would be reviewed on an annual basis.

A query was raised whether a householder would still be issued with a FPN even if they had ensured they had carried out the proper checks on someone collecting their waste. The Head of Commissioning, Contracts and Procurement explained that each incident would be dealt with on a case by case basis and it was likely if a householder had carried out the proper checks then they would only be issued with a warning.

### RESOLVED:

- i) **To approve the introduction of a system of FPN's for Householder Duty of Care Offences with an FPN level of £400, with an early payment discount to £300 if paid within 28 days.**
- ii) **To approve the introduction of a system of FPN's for fly tipping offences with an FPN level of £400 with an early payment discount to £300 if paid within 28 days.**
- iii) **To review annually the level of FPN charges to ensure consistency with other local**

**authorities and ensure proportionality is maintained.**

**REASON FOR DECISION:**

*To introduce powers for Selby District Council Enforcement Officers to issue Fixed Penalty Notices for fly tipping or Householder Duty of Care offences.*

**62 EMPTY HOMES AND COUNCIL TAX PREMIUM CHARGES**

The Lead Executive Member for Finance and Resources presented the report which outlined the amount of premium the Council potentially wished to charge going forward for long term empty properties.

The Lead Executive Member for Finance and Resources explained that the options for consideration were outlined in section 2.1 of the report and that the intention was to try to reduce the number of empty properties in the district. It was noted that all affected owners would be given proper notice of any decision taken.

Discussion took place on what specifically constituted an empty home. The Taxation, Benefits and Debt Team Leader explained that if a property was on the council tax listed and classed as habitable then they would be charged council tax. Furthermore, the Executive was informed that an owner could ask for the property to be removed from the valuation officer's list and therefore exempt from Council Tax, however this decision was based on strict criteria which needed to be met in order for a property to be classed as uninhabitable. The Taxation, Benefits and Debt Team Leader added that a property would have to be not weatherproof, for example lacking a roof and windows to be class uninhabitable. The Executive was informed that removal of a bathroom or kitchen alone did not mean a property would be classed as uninhabitable.

A query was raised regarding when properties that were being built could be charged council tax. The Taxation, Benefits and Debt Team Leader explained that as soon as someone was residing in the property then it appeared on the list. Additionally it was explained that the Council could issue a completion notice for new build properties typically at the second fix stage, around three months before the property was due to be completed to bring it onto the list.

A query was raised regarding the exact figure of properties in the district that were classed as uninhabitable. It was agreed this would be circulated to the Executive.

The Executive noted that the majority of council tax from empty



properties was received by North Yorkshire County Council. The Director of Corporate Services and Commissioning explained that discussions had taken place with North Yorkshire County Council concerning funding for the Empty Homes Officer and Property Inspector posts at the District Council.

**RESOLVED:**

**To approve the current empty premium for properties over 2 years is retained at 100% and for longer term empty properties it is increased to the maximum levels as follows:**

- **200% premium from 1 April 2020 for those properties which are empty for 5 years and over;**
- **300% premium from 1 April 2021 for those properties which are empty for 10 years and over.**

**REASON FOR DECISION:**

*The implementation of this is a further measure and central government has aimed it at encouraging owners of empty homes to bring them back into use along with the authorities own Empty Homes Strategy.*

**63 PROPOSED COUNCIL TAX SUPPORT SCHEME FOR 2020/21**

The Lead Executive Member for Finance and Resources presented the report which outlined the proposed Council Tax Support Scheme for 2020/21.

The Lead Executive Member for Finance and Resources explained that the new scheme was based on a banded grid depending on the income received by the individual and was aligned with Universal Credit. It was noted that most people, 97.2% would be better off under the revised scheme however a small number of people may receive less. The Executive was informed that there was a hardship scheme which people could apply for if they were negatively affected by the changes.

The Executive were supportive of the proposals and recommended them to Council.

**RESOLVED:**

**To note the outcomes of the consultation process and to recommend to Council that the Council Tax Support Scheme be amended to the proposed new scheme.**

**REASON FOR DECISION:**

*The Council has to adopt a new Council Tax Support Scheme for each financial year which forms part of the council's budget and policy framework.*

**64 CONTAMINATED LAND STRATEGY 2019-24**

The Lead Executive Member for Housing, Health and Culture presented the report which outlined the Contaminated Land Strategy 2019-24.

The Lead Executive Member for Housing, Health and Culture explained that the strategy assisted the Council in discharging its statutory functions in relation to contaminated land and also supported the corporate priorities.

The Executive were supportive of the strategy.

**RESOLVED:**

**To approve the Contaminated Land Strategy 2019-24.**

**REASON FOR DECISION:**

*The Council has a statutory duty to: -*

- *Determine whether any particular site meets the statutory definition of contaminated land and what if any, remediation is required.*
- *Act as the enforcing authority for all contaminated land within the District, unless the site meets the definition of a "special site", in which case the Environment Agency will act as the enforcing authority.*

**65 HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN - FINAL VERSION**

The Lead Executive Member for Housing, Health and Culture presented the report which outlined the Housing Revenue Account (HRA) Business Plan.

The Lead Executive Member for Housing, Health and Culture explained that the HRA outlined key housing responsibilities for the authority.

The Executive were supportive of the plan and felt it was positive that additional investment was being made in the Council's Housing

Stock.

**RESOLVED:**

**To approve the final HRA Business Plan 2020-2025.**

**REASON FOR DECISION:**

*Approving the HRA Business Plan 2020-2025 allows the Council to detail our ambitions over the next five years and beyond as to how we manage and look to improve our housing stock, ensuring as much as possible that the needs of our residents are met now and in the future.*

**66 PROPOSED REMOVAL BY BRITISH TELECOM (BT) OF ELEVEN BT PAYPHONES IN THE SELBY DISTRICT.**

The Lead Executive Member for Place Shaping presented the report which outlined the Council response to the proposed removal by BT of twelve BT payphones in the Selby District.

It was noted that the report referred to eleven payphones however subsequently it had been discovered that there was an additional payphone in Tadcaster which was also part of the proposals and therefore the total was twelve.

Discussion took place on the proposed delegation of authority to the Director of Economic Regeneration and Place in conjunction with the Lead Executive Member for Place Shaping to make a decision on any future payphones however it was explained that this would require a specific delegation through a different process.

It was noted the process was a consultation by BT who would then make the final decision on whether the payphones were removed or not.

**RESOLVED:**

- i) To approve the scope of the consultation as set out in Appendix 2 and the publication of the First Notification for further consultation as set out in Appendix 3 with the inclusion of the additional payphone in Tadcaster.**
- ii) To delegate authority to the Director of Economic Regeneration & Place in consultation with the Lead Executive Member for Place Shaping to make a decision in relation to any further responses received to the First Notification**

**and to determine the final response (the “Final Notification”) to BT and the Secretary of State**

**REASON FOR DECISION:**

*The Council has a right to respond to this consultation in line with the 2005 Ofcom (Office of Communications) rules for the removal of telephones and phone boxes. These rules give Local Authorities the power to object to such removals and this report seeks approval for consultation to take place on an initial objection, and delegated authority be given to the Director of Economic Regeneration & Place to consider the results and whether to maintain objection in consultation with the Lead Executive Member for Place Shaping.*

**67 CORPORATE PERFORMANCE REPORT - QUARTER 2 - 2019/20 (JULY TO SEPTEMBER)**

The Leader of the Council presented the quarterly Corporate Performance Report for quarter two and provided 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).

The Leader of the Council highlighted the improvement in empty homes brought back into use as a result of direct action. It was noted that the figures included in the report were incorrect as they did not add up to the figure of 27.

The Leader also noted and thanked staff for their hard work in making significant improvements in the time taken to re-let void properties.

It was noted that the target had not been met on the performance indicator relating to council housing rent and arrears collected. The Director of Corporate Services and Commissioning explained that there had been some impact from Universal Credit where some accounts had gone into arrears while claims were waiting to be processed.

A query was raised around the indicator relating to corporate complaints fully responded to in the required time. The Director of Corporate Services and Commissioning explained that the figure had been impacted by three stage two complaints being responded to a day late.

In response to a query concerning the reduction in anti social behaviour and working with the Police, the Head of Operations

explained that the Council worked closely with the Police through the Safer Selby Hub.

The Executive also highlighted the positive indicators in relation to reducing residual household waste and an increase in household waste being recycled.

**RESOLVED:**

**To note and approve the report.**

**REASON FOR DECISION:**

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

**68 DRAFT COUNCIL PLAN 2020-2030**

The Leader of the Council presented the report which outlined an update on the draft Council Plan 2020-2030.

The Leader of the Council highlighted that there were four key priorities and objectives as outlined in the report and that there was a greater focus on environmental issues in the plan.

The Executive was informed that the action plan would be reviewed each year.

Members were supportive of the Plan.

**RESOLVED:**

**To recommend the final draft Council Plan 2020-2030 to Council for approval on 17 December 2019.**

**REASON FOR DECISION:**

*The Council Plan sets the overarching policy direction for the Council including the long term vision, priorities and the high level actions to deliver on those priorities.*

**69 DRAFT REVENUE BUDGET AND CAPITAL PROGRAMME 2020/21 AND MEDIUM TERM FINANCIAL PLAN**

The Lead Executive Member for Finance and Resources presented the report which outlined the draft revenue budget; capital programmes and proposals for the Programme for Growth for 2020/21 to 2022/23.

The Lead Executive Member for Finance and Resources explained

that the budget proposed a council tax increase of £5 for a band D property which was equivalent to 2.81%. Additionally, it was explained that the proposed budget i assumed revenue of £10m from renewable energy business rates in 2020/21 which would be transferred to the Special Projects Reserve.

The Executive was informed that beyond 2020/21, the Council would have to wait for the outcome of the Government's Fair Funding Review, further consultation on the future of New Homes Bonus and reform of the Business Rates Retention System to confirm the need for and level of future savings

It was noted that the consultation for the budget would commence from 13 December 2019 and that the report would also be considered by the Policy Review Committee.

**RESOLVED:**

**To approve the draft budgets, bids and savings for public consultation with effect from 13 December 2019 and submit them to the Policy Review Committee for comments.**

**REASON FOR DECISION:**

*To enable the views of the public and Policy Review Committee members to be gathered through consultation.*

The meeting closed at 5.06 pm.



**Report Reference Number: E/19/38**

---

**To:** Executive  
**Date:** 10 January 2020  
**Status:** Non Key Decision  
**Ward(s) Affected:** All  
**Author:** Keith Cadman, Head of Commissioning, Contracts and Procurement.  
Aimi Brookes, Contracts Team Leader  
**Lead Executive Member:** Cllr Chris Pearson, Lead Executive Member for Housing, Health and Culture  
**Lead Officer:** Julie Slatter, Director of Corporate Services and Commissioning

---

**Title:** Recycling Box Recovery Options

**Summary:**

Approval for the funding to purchase wheeled bins for the new service was submitted to Full Council on 17<sup>th</sup> September 2019. Council agreed an amendment to the recommendation that required the Task and Finish Group consider and agree a mechanism for the collection of Council owned recycling boxes from the doorstep of those residents who do not wish to retain them.

**Recommendation:**

**Preferred recycling box recovery mechanism:**

- I. The Executive consider the options presented within this report and approve option B.ii recommended by officers and supported by the Task and Finish group for implementation by the Council.

**Reasons for recommendation**

The Task and Finish Group were requested by Full Council to consider and recommend a mechanism for collecting redundant recycling boxes from households. The Task and Finish group initially considered four broad options which were appraised using a hierarchy of key considerations as set out below in priority order to logically appraise and identify the best solution.

- i. Operational and customer considerations
- ii. Waste hierarchy considerations, Avoid/ Reduce/ Reuse/ Recycle

iii. Cost

The Task and Finish group considered that no single option originally appraised provided the best solution and have proposed two alternative options. The proposed solutions have been appraised within the body of this report.

## **1. Recycling Box Collection**

- 1.1 The current project for the implementation of the new service has been developed to achieve new service commencement in April 2020 and includes a programme for the purchase and distribution of approximately 80,000 wheeled bins in the first quarter of 2020 (Jan to Mar). The full distribution of the bins will take 10 weeks to complete.
- 1.2 The Task and Finish Group meeting held on 2<sup>nd</sup> October discussed and reviewed the processes for bespoke collections and bin distribution including when the process for implementing bespoke arrangements for individual households would be undertaken. The consensus of the Task and Finish Group was that the “swap out” process for implementing the bespoke collections should commence in April when the distribution of wheeled bins was completed.

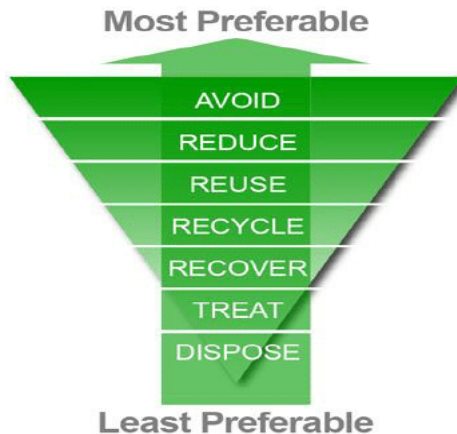
### **Operational and customer considerations**

- 1.3 One of the key considerations of developing a box take back scheme is how this will fit within the overarching project plan for the new service including existing resource capacity, the communications plan and the most practical time to undertake this work.
- 1.4 Clearly a box take back scheme can't start until the new service commences and households will for a time have to store the new wheeled bins whilst still presenting recycling in the current collection boxes. Whilst households may want redundant boxes collected as soon as possible once the new service starts the Council has to consider the most efficient way of collection and factor this into a preferred option.
- 1.5 Communication with householders about the arrangements will be critical to a successful implementation and the simpler it is to understand the more successful any scheme should be. Whilst there will be households who require boxes to be recovered it is anticipated there will be a significant number who wish to retain the boxes for home storage or alternate uses.
- 1.6 When considering the preferred option it is important to note that a similar time period will be required to collect boxes from each household as will be required to distribute the wheeled bins. As stated above the delivery plan for the wheeled bins is over 10 weeks commencing in January 2020. Clear communication will be needed to make clear that households will need to present boxes for collection on a specific day over this period. Storage of redundant boxes and transport to a disposal / recycling facility would also need careful planning.



## Waste hierarchy considerations

- 1.7 The diagram below is a pictorial representation of the waste hierarchy which ranks prefers waste avoidance before alternate options in descending order of preference. The Council decision to change the recycling service included a number of benefits including increasing recycling tonnages and therefore reducing disposal tonnages which is in alignment with the waste hierarchy.



- 1.8 The service change from boxes to bins does have the potential for redundant boxes to require disposal or recycling and therefore when selecting the preferred box recovery mechanism, the option that is higher up the waste hierarchy should be a key consideration within the options appraisal. From the above it is clear that before proposing a scheme which would result in all boxes being sent for recycling the Council should also consider how to avoid or reduce the volumes to be recycled through identifying and promoting opportunities to promote reuse of the boxes.

## Cost considerations

- 1.9 Cost is a consideration but will largely be determined after the options have been assessed against the other considerations set out above. Whilst costs for each option can be estimated they are largely based on a number of assumptions and should be considered indicative to aid final selection of the preferred option. Officers have however obtained a cost from the bin distribution company to provide a collection service from individual households. The company have advised they can only provide a price per household and to provide a collection service from all households would be in the region of £40,000 (£1 per household). They have also advised they have recently provided this service to another local authority to collect from 5,000 households and recovered just 100 boxes.
- 1.10 Officers have identified a company that may be able to recycle the redundant boxes. Any cost / rebate would depend on volumes / weight. However, an estimate for this is challenging as the level of customer demand for box take

back is unknown, although based on previous experience and feedback from the distribution company it is anticipated to be low.

## 2. Recycling box take back options initially considered by the Task and Finish Group

2.1 Four options were initially considered.

- a. Provide a collection service from all households
- b. Provide a minimum of 12 box deposit sites across the district with facilities for schools and residents to collect redundant boxes for re-use.
- c. Provide a minimum of 12 box deposit sites across the district for collection and disposal by the Council.
- d. Do not provide a box collection scheme.

### Options appraisal

- a. Provide a collection service from all households

Pro's	Con's
<ul style="list-style-type: none"> <li>• Available to all households if required</li> <li>• Does not require households to transport unwanted boxes to a take back location</li> <li>• Can be provided from start of new service (subject to contractor availability)</li> <li>• Potential positive publicity regarding box collection</li> </ul>	<ul style="list-style-type: none"> <li>• Cannot be provided within existing resource</li> <li>• Will require customers to present unwanted boxes on a specified collection day</li> <li>• 'Property specific' communication of collection plan required</li> <li>• Recovered boxes will require disposal/recycling</li> <li>• Does not fit well with waste hierarchy</li> <li>• Anticipate limited demand from customers but will have to plan full collection irrespective of demand</li> <li>• Produces the most vehicle emissions and carbon</li> <li>• Will cost at least £40,000 plus letter drop of about £5,000</li> <li>• Potential negative publicity regarding cost and disposal of recovered boxes</li> </ul>

- b. Provide a minimum of 12 box deposit sites across the district with facilities for schools and residents to collect redundant boxes for re-use.

Pro's	Con's
<ul style="list-style-type: none"> <li>• Available to all households if</li> </ul>	<ul style="list-style-type: none"> <li>• Will require customers to transport</li> </ul>

<p>required</p> <ul style="list-style-type: none"> <li>• Can be provided from start of new service</li> <li>• Can be accommodated within existing resources</li> <li>• Flexibility for customers to choose when they take boxes to collection point</li> <li>• Simple single message communication can be accommodated within existing comms plan</li> <li>• Supports the waste hierarchy by offering re-use</li> <li>• Supports the waste hierarchy by minimising disposal</li> <li>• Provides opportunity for residents and schools to use unwanted boxes for free</li> <li>• Is likely to be the least cost option depending on numbers of unwanted boxes</li> <li>• Positive message to residents promoting re-use and waste minimisation</li> </ul>	<p>boxes to a collection point</p> <ul style="list-style-type: none"> <li>• Any recovered boxes will require disposal/recycling</li> <li>• Demand from school and residents for boxes is uncertain</li> <li>• Potential for boxes to be left at sites beyond take back period</li> <li>• Any remaining boxes will require disposal/recycling by the Council</li> <li>• Indicative cost of collecting boxes from bring sites is £3,025</li> </ul>
--	--

c. Provide a minimum of 12 box deposit sites across the district for collection and recycling by the Council.

Pro's	Con's
<ul style="list-style-type: none"> <li>• Available to all households if required</li> <li>• Can be provided from start of new service</li> <li>• Can be accommodated within existing resources</li> <li>• Flexibility for customers to choose when they take boxes to collection point</li> <li>• Simple single message communication can be accommodated within existing comms plan</li> </ul>	<ul style="list-style-type: none"> <li>• Will require customers to transport boxes to a collection point</li> <li>• Poor fit with waste hierarchy</li> <li>• Likely to result in more boxes requiring disposal and associated cost</li> <li>• Any recovered boxes will require disposal/recycling</li> <li>• Potential negative publicity regarding box disposal</li> <li>• Potential for boxes to be left at sites beyond take back period</li> <li>• Indicative cost of collecting boxes from bring sites is £3,025</li> </ul>

d. Do not provide a box collection scheme.

Pro's	Con's
<ul style="list-style-type: none"> <li>No resource requirements</li> </ul>	<ul style="list-style-type: none"> <li>Does not comply with the amendment from Full Council to the Task and Finish Group</li> <li>Likely negative publicity</li> <li>May result in fly tipped boxes</li> <li>May result in boxes being placed in residual waste wheeled bins</li> <li>Does not promote the waste hierarchy of avoid, reduce, reuse etc</li> <li>Any fly tipped boxes will require collection and disposal / recycling</li> </ul>

### 3. Task and Finish group analysis of the options

- 3.1 The Task and Finish group did not believe that any of the options above fully addressed either the Council motion or the moral duty of the Council to deal with and where possible reduce the amount of plastic waste.
- 3.2 The group recognised that not all households would want to return recycling boxes and also expressed concerns that some households, for example residents who were on assisted collections, would have difficulty taking boxes to a collection points. It was also recognised that there is likely to be a demand for redundant boxes by individuals and groups for repurposing and that this should be encouraged.
- 3.3 Resulting from the discussion two further options were identified for consideration by the Executive on an either or basis. The options both include a take back scheme as set out in option B above together with two alternative household collection proposals. In addition members of the Task and Finish group stated that the Council should collect unwanted boxes from households requesting collection but it should not be publicised. For ease of reference the options set out below are indexed as options B.i and B.ii as both include option B above.

#### Task and Finish group options

- 3.4 B.i – Provide a take back scheme to all households as appraised in (a) above and provide a minimum of 12 box deposit sites across the district with facilities for schools and residents to collect redundant boxes for re-use.
- 3.5 B.ii – Provide a take back scheme to households receiving an assisted collection service only (about 1500 households) and provide a minimum of 12 box deposit sites across the district with facilities for schools and residents to collect redundant boxes for re-use.

The tables below provide an options appraisal of the two new options:

**Options appraisal of the Task and Finish group suggestions**

B.i.

Pro's	Con's
<ul style="list-style-type: none"> <li>• Available to all households if required</li> <li>• Does not require households to transport unwanted boxes to a take back location</li> <li>• Can be provided from start of new service (subject to contractor availability)</li> <li>• Potential positive publicity regarding box collection</li> <li>• Flexibility for customers to choose between household collection or taking boxes to a collection point.</li> <li>• Provides more flexibility for customers to choose when they take boxes to collection point within a set timeframe</li> <li>• Supports the waste hierarchy by offering re-use</li> <li>• Supports the waste hierarchy by minimising disposal</li> <li>• Provides opportunity for residents and schools to use unwanted boxes for free</li> <li>• Positive message to residents promoting re-use and waste minimisation</li> </ul>	<ul style="list-style-type: none"> <li>• Cannot be provided within existing resource</li> <li>• Will require customers to present unwanted boxes on a specified collection day if household collection is required.</li> <li>• 'Property specific' communication of collection plan required</li> <li>• Recovered boxes will require recycling</li> <li>• Anticipate limited demand for a household collection service from customers but will have to plan full collection irrespective of demand</li> <li>• Produces the most vehicle emissions and carbon</li> <li>• Will cost at least £40,000 plus letter drop of about £5,000</li> <li>• Indicative cost of collecting boxes from bring sites is £3,025</li> </ul>

B.ii

Pro's	Con's
<ul style="list-style-type: none"> <li>• Available to households that are likely to need assistance in recycling / disposing of redundant boxes</li> <li>• Simpler logistical exercise to plan box collections for smaller number</li> </ul>	<ul style="list-style-type: none"> <li>• Minimal additional resources required for household collections</li> <li>• Recovered boxes will require recycling</li> <li>• Indicative cost of household collection including targeted</li> </ul>

<p>of households</p> <ul style="list-style-type: none"> <li>• Simpler communication to targeted households</li> <li>• Simpler and standard communication to all households</li> <li>• Can be provided from start of new service (subject to contractor availability)</li> <li>• Potential positive publicity regarding box collection</li> <li>• Flexibility for customers on assisted collections to choose between household collection or taking boxes to a collection point.</li> <li>• Provides the flexibility for customers to choose when they take boxes to collection point within a set timeframe</li> <li>• Supports the waste hierarchy by offering re-use</li> <li>• Supports the waste hierarchy by minimising disposal</li> <li>• Provides opportunity for residents and schools to use unwanted boxes for free</li> <li>• Vehicle emissions minimised and therefore limits carbon production</li> <li>• Positive message to residents promoting re-use and waste minimisation</li> </ul>	<p>mailing is included within the bring site servicing cost</p> <ul style="list-style-type: none"> <li>• Indicative cost of collecting boxes from bring sites is £3,025</li> </ul>
---	--

### **Options Analysis**

3.6 The analysis demonstrates that both alternative options provide a comprehensive solution with more positives than negatives. However option B.ii offers the least negatives and when considered on a value for money and carbon reduction basis this option is recommended by Officers. Members of the Task and Finish Group have also been consulted on the revised options and supportive the recommendation of Bii including a comprehensive publicity campaign.

#### **4. Alternative Options Considered**

The options are set out within the body of the report.

## 5. Implications

### 5.1 Legal Implications

5.1.1 There are no legal implications of this report.

### 5.2.1 Financial Implications

A financial analysis has been undertaken to estimate the costs for providing a doorstep collection of boxes, letter drops to households and servicing 12 bring sites. The costs are based on numbers of properties rather than boxes requiring collection as the number of properties are known so provides a firmer base for costing purposes. It is also anticipated that the 12 sites will require servicing over four weekends and this resource can be utilised on other related activities to ensure efficient use of resources. The table below contains the estimated costs for both option Bi and Bii, the cost of option Bii can be contained within existing project resources and budget approvals. However, the funding of option Bi will require additional funding that is not within current budget approvals so will require council approval.

	<u>Box Take Back Financial Analysis</u>	
	Option Bi	Option Bii
Doorstep Collection (40,000 props)	£ 40,000.00	
Doorstep Collection (1,500 props)		Included below
Servicing 12 bring sites (four weekends)	£ 3,025.00	£ 3,025.00
Bespoke Letter Drop (40,000 props)	£ 5,000.00	
Letter Drop (1,500 props) Collection crews post		Nil
	£ 48,025.00	£ 3,025.00

### 5.3 Policy and Risk Implications

Any risk implications associated with implementing option Bii are minimal and revolve around service change, which are manageable, the Council and Amey PLC have experience of implementing such service changes. The implementation plan will include a project risk register to aid risk mitigation and therefore risk would be well managed. The elected member task and finish group will provide added mitigation and supports effective communications and engagement as part of the risk management strategy.

### 5.4 Corporate Plan Implications

By appraising the options for the collection of unwanted recycling boxes the Council is 'making a difference' through the communication and feedback process that will take place, involving residents and stakeholders in the things that we are planning to do and 'delivering great value' through listening to customers about what matters to them around this element of service, and working with our delivery partner to develop great value options.

## **5.5 Resource Implications**

The resource implications for implementing the recommended option have been identified within the body of the report and the overarching project plan.

## **5.6 Other Implications**

These have been considered within the body of the report

## **5.7 Equalities Impact Assessment**

The options identified all use current collection systems and the Council does provide an assisted collection service to residents in need. Whilst a full equality impact assessment will be done once a preferred option decision is made it is unlikely that any service change will have any additional adverse impacts.

## **6. Conclusion**

- 6.1 The recommendation enables the Council to discharge a moral duty to recover unwanted recycling boxes from those Households that may have difficulty taking them to bring sites, whilst also providing a take back service from other households that specifically request collection.

## **7. Background Documents**

None

## **8. Appendices**

None

### ***Contact Officer:***

Keith Cadman  
Head of Commissioning, Contracts and Procurement  
[kcadman@selby.gov.uk](mailto:kcadman@selby.gov.uk)  
01757292252





**Report Reference Number: E/19/39**

---

**To: Executive**  
**Date: 10 January 2020**  
**Ward(s) Affected: All**  
**Author: Aimi Brookes, Contracts Team Leader**  
**Lead Executive Member: Cllr Chris Pearson, Lead Executive Member for Housing, Health and Culture**  
**Lead Officer: Julie Slatter, Director of Corporate Services and Commissioning**

---

**Title:** Policies for the Collection of Waste and Recycling

**Summary:**

The Council has approved a change from kerbside sort recycling to the collection of recycling from two wheeled bins. As part of this service change it is appropriate to review existing policies and implement new policies where necessary.

These policies are:

- Recycling contamination
- Recycling bin size and excess waste
- Assisted collections
- Residual bin size / larger residual bins
- Lane end collections
- Missed collection reporting

The purpose of this report is to set out the draft policies for approval and adoption following input from the Recycling Task and Finish Group and Policy Review Committee.

**Recommendations:**

- i. **It is recommended that the Executive endorse the report and approve the waste and recycling policies as set out in appendix A and listed below:**
  - a. **Recycling contamination**
  - b. **Recycling bin size and excess waste**
  - c. **Assisted Collections**
  - d. **Residual bin size / Larger residual bins**
  - e. **Lane end collections**

## **f. Missed collection reporting**

### **Reasons for recommendation**

The Executive are asked to approve the adoption of the new suite of policies detailed in appendix A to ensure that the Council has a robust approach to waste management and also to enable the policies to feed into the communications campaign relating to the new recycling service which will launch in the New Year.

#### **1. Introduction and background**

1.1 Selby District Council is a Waste Collection Authority (WCA) with responsibility for household waste and recycling collections across the district.

1.2 At a meeting of the Executive on 5 September 2019, the Council approved a change from a kerbside sort recycling service to a wheeled bin recycling service. This followed a public consultation which attracted over 6,700 responses and which was overwhelmingly in support of wheeled bin collections.

1.3 This change in service necessitated a review of existing waste policies and the production of new policies in consultation with the cross party members Task and Finish group. The policies were reviewed at a meeting of the Task and Finish group on 30 October 2019 and then at Policy Review Committee on 12 November 2019.

<b>Policy</b>	<b>Task and Finish Group</b>	<b>Policy Review Committee</b>
a. Recycling contamination	Policy as Drafted Agreed	Policy as Drafted Agreed
b. Recycling bin size and excess waste	Policy as Drafted Agreed	Policy as Drafted Agreed
c. Assisted collections	Policy as Drafted Agreed	Amendments suggested to criteria
d. Residual bin size / larger residual bins	Policy as Drafted Agreed	Policy as Drafted Agreed
e. Lane end collections	Policy as Drafted Agreed	Proposed further consultation with affected properties
f. Missed collection reporting	Policy as Drafted Agreed	Policy as Drafted Agreed

1.4 The policies are included in full as Appendix A

#### **2. Waste and Recycling Collection Policies**

##### **2.1 a. Recycling Contamination (NEW POLICY)**

2.1.1 As the Council currently provides a kerbside sort service, this means that crews can leave non-recyclable items and so a contamination policy has not previously been required. This new policy sets out how the Council will deal with

contaminated recycling bins i.e. bins that contain material that cannot be recycled or composted.

2.1.2 The Materials Recycling Facility where the mixed material will be taken sets a contamination limit of between 2 and 4%. Any loads with higher levels of contamination may be rejected resulting in increased costs to the Council of transporting this waste to Allerton Waste Recovery Park and so this is a key policy.

2.1.3 Prior to the start of the service a wide range of communications material will be delivered to all residents which will inform them what can be recycled in each bin. This will include bins hangers and information packs sent by direct mail. We understand that there may still be occasions where residents contaminate bins and that additional direct contact may be necessary to provide further education.

2.1.4 As the Council is moving from a kerbside sort system to a wheeled bin system we expect contamination levels to be low as residents are used to sorting their waste and there is no change to the type of materials that residents will be able to recycle.

2.1.5 This policy covers both individual properties and communal properties and focuses on influencing behaviour change.

2.1.6 Both the Task and Finish group and Policy Review committee supported this policy. The following is a summary of comments from the groups:

- The communications campaign must be clear about what can and can't be recycled using the new bins.
- The Council should look now at areas where box contamination is present and carry out some 'pre-education' in these areas
- Following up on communications is key and shouldn't just be left once the scheme has launched.
- There was agreement that the Council needed to take a firm stance with those who repeatedly contaminate bins despite attempts to education and work with individuals.

## **2.2 b. Recycling Bin Size and Excess Waste (NEW POLICY)**

2.2.1 This new policy sets out under what circumstances the Council will provide larger or smaller recycling bins and how residents and the Council can safely deal with excess recycling.

2.2.2 The change from kerbside collection vehicles to a standard rear loading fleet of RCV's means that the Council will more easily be able to deal with larger cardboard boxes as we will no longer have the restriction of the size of the collection troughs on the vehicles.

2.2.3 Both the Task and Finish group and Policy Review committee supported this policy. The following is a summary of comments from the groups:

- The new service will make it easier to take large plastic containers (in the bin) and also large cardboard boxes which will be able to be collected if left next to the bin.
- Arrangements will need to be made for dealing with additional recycling at Christmas as this is a time when many residents will have additional packaging. This will be reviewed nearer the time.
- The 'Decision Tree' sets out under what circumstances people can apply for a smaller or larger bin but residents will be able to request a swap at a later date if they find the need a larger bin.
- Bespoke collections are being designed for those areas which may struggle to accommodate two additional bins and these residents will be contacted directly.
- Residents won't need to put their bins out for every collection if they don't have large amounts of waste.
- Changes will be needed to the Developer Guidance Document to ensure both internal and external storage areas are suitable in new build properties.

### **2.3 c. Assisted Collection (EXISTING POLICY)**

2.3.1 The purpose of this existing policy is to ensure that residents who are unable to present their bins at their property boundaries due to age, disability or health reasons, are able to access assistance and so are not disadvantaged.

2.3.2 The policy has been updated to include temporary assistance for reasons such as pregnancy, illness or recovery from an operation or illness. The amended policy also provides clarification on suitable access / egress routes for collection crews.

2.3.3 Both the Task and Finish group and Policy Review Committee supported this policy. The following is a summary of comments from the groups:

- This is a vital service provided for some of the Councils most vulnerable residents and as such we should not introduce an age limit or request proof of qualification.
- There is an existing review process in place which helps to ensure that only those who qualify for the service are receiving it.
- Moving from a box service to a wheeled bin service will make it easier for residents and operatives and some residents may no longer require assistance if they no longer have to carry boxes.

2.3.1 Policy Review Committee proposed that the list of additional criteria be removed from the draft policy. Officers recommend retaining this list as a check but that proof of eligibility is not requested from residents unless there is some uncertainty around qualification.

### **2.4 d. Residual Bin Size / Larger Residual Bins (EXISTING POLICY)**

2.4.1 The current standard residual bin size is 240 litres. This amended policy proposes reducing this to 180 litres as standard.

2.5.2 Prior to the introduction of kerbside recycling each household had 240 litres of waste capacity per week. This capacity has increased over time with the introduction of kerbside recycling and green waste collections and the new service will see this increase further to 360 litres of capacity per week; an overall increase of 50%. The change of service will see existing dry recycling capacity (paper/card, glass, cans and plastic) increase from 82.5 litres per week to 120 litres per week (45% more capacity) which should significantly reduce the amount that residents are putting into their residual waste bins.

2.5.3 The top 10 recycling Local Authorities in England all have either 180 litre or 140 litre residual waste bins as standard.

2.5.4 The proposal is that the new standard residual bin size would apply to new / replacement bins and not that all bins will be exchanged on mass.

2.5.5 There are currently two main criteria to be met in order for households to qualify for a larger 360 litre residual bin. There either needs to be 5 or more people in permanent residency or for smaller households, that someone produces large amounts of non-hazardous medical waste. The policy on large families was previously reduced from 7 down to 5 when the Council moved to alternate waste collections in 2009. The recommendation here is that this figure is increased to 6 which would bring the Council in line with the majority of North Yorkshire District / Borough Councils and the neighbouring unitary authorities. The increase in recycling capacity brought about by the new service will allow families to recycle a higher percentage of their waste reducing the need to dispose of items in their residual bin. There will be no change to the policy relating to residents who produce large quantities of non-hazardous medical waste.

2.5.6 The Council currently holds a database of properties who have qualified for a larger residual waste bin and this is reviewed on a rolling 2 year programme. Those households with 5 or more people living in permanent residency who have previously qualified for a larger bin will retain their larger bin until such time as the property is subject to review.

2.5.7 Both the Task and Finish group and Policy Review committee supported this policy. The following is a summary of comments from the groups:

- With the increase in recycling capacity, reducing the size of the residual waste bin is an important tool in nudging behaviour and encouraging residents to make full use of the recycling provision.
- Benchmarking has confirmed that reducing residual bin size does result in increases in recycling rates.
- The new policy would apply to new / replacement bins and residents would still be able to apply for a larger bin if they meet the criteria.

### **2.5 e. Lane End Collections (NEW POLICY)**

2.5.1 This policy relates to the collection of waste from remote / rural properties. There is no existing formal policy relating to these properties. The current arrangement is that the Council will provide collections directly from these properties

which often involve driving a considerable distance down un-adopted and badly maintained, private access roads and tracks to collect waste from a single property. This is inefficient and increases the environmental impact of the collection round as well as the risk of damage to the collection vehicle.

2.5.2 The implementation of this new policy seeks to ensure that collection vehicles are only accessing roads which meet a set of specified criteria to reduce the potential of damage to private roads, reduce the potential of damage to collection vehicles and ensures that collections are as efficient as possible.

2.5.3 There are currently approx. 380 properties serviced by the remote / rural round and for the majority of these properties the waste collection point will not change. The policy seeks to address the small number of properties where access continues to be challenging.

2.5.4 The Task and Finish group supported this policy. The following is a summary of comments from the group:

- There are currently no criteria which set out which properties / lanes the Council will access on the rural round.
- Where properties are moved to a lane end collections, additional support may be required for residents who need assistance with collections – this is likely to be less than 5 properties.
- Clarification is needed on what an acceptable standard of road is.

2.5.5 The Policy Review Committee proposed that no new policy should be introduced before those residents who may be affected by the change are consulted with and made aware of the policy on assisted collections.

2.5.6 The new suite of waste and recycling policies will be applied across the district to over 38,000 properties. The proposed lane end collections would apply to around 100 properties.

2.5.7 The existing waste service for most residents is provided on the basis of boundary presentation (i.e. the boundary between the private property and public highway). The proposed policy would ensure consistency of collection point.

2.5.8 Should this policy be adopted, no changes will take place until discussions have taken place with all affected properties which will consider individual circumstances.

## **2.6 f. Missed Collection Reporting (NEW POLICY)**

2.6.1 This new policy sets out how the Council will respond to reports of missed waste collections. Currently there is no limit to when residents can make a report of a missed collection leading on occasion to crews returning to a property over a week after a collection was due. This is inefficient and increases the environmental impact of the collection rounds.

2.6.2 The numbers of missed collections reported to the Council remain low and in the last 12 months 87% of missed collections were reported by 5pm at the end of the second working day after the collection was scheduled. The new policy proposes introducing this as a cut-off. E.g. collections missed on a Monday would need to be reported by 5pm on the following Wednesday. The Council would not return to missed bins reported after this cut-off time.

2.6.2 All crews complete a daily report sheet which records any bins which were not presented for collection or in the case of recycling / green waste bins, which were contaminated. As is current practice the Council would not return to any bins which are recorded as not presented. Officers would refer to the new contaminated bin policy for bins reported as contaminated.

2.6.3 Both the Task and Finish group and Policy Review committee supported this policy. The following is a summary of comments from the groups:

- Benchmarking of 24 other LA's showed 17 had a deadline for reporting of no more than 48 hours after the scheduled collection and 3 did not return to any missed collections
- Amey aim to return by the end of the following working day after a missed collection is reported
- Wherever possible the crew responsible for a missed collection are the crew that will return
- If Amey move to a four day working week (Tuesday to Friday) consideration will need to be given to how this may affect responding to missed collections
- The round rebalancing exercise that is currently being undertaken will address the issues of roll-overs in some areas (non-completion of rounds)
- Reference should be made in the policy to collections missed due to blocked access – this change has been made.

### **3. Alternative Options Considered**

N/A

### **4. Implications**

#### **4.1 Legal Implications**

Section 46 of the Environmental Protection Act allows WCA's to specify the type, number and size of receptacles used to collect household waste. It also allows WCA's to specify where those receptacles must be presented for collection.

#### **4.2 Financial Implications**

There are no direct financial issues associated with the policies however their implementation along with the service changes will help to ensure that waste and recycling services are as efficient as possible and supports the Councils savings plan.

#### **4.3 Policy and Risk Implications**

N/A

#### **4.4 Corporate Plan Implications**

By carrying out a review of associated policies the Council is 'delivering great value' by ensuring that we are providing high quality, effective and efficient waste and recycling collection services.

#### **4.5 Resource Implications**

N/A

#### **4.6 Other Implications**

N/A

#### **4.7 Equalities Impact Assessment**

Due consideration has been given to equality, diversity and community issues, and a screening document has been completed that details how the Council will mitigate against any potential impact.

A copy of the screening document is included as Appendix B.

### **5. Conclusion**

The Executive are asked to approve the adoption of the new suite of policies to ensure that the Council has a robust approach to waste management and also to enable the policies to feed into the communications campaign relating to the new recycling service which will launch in the New Year.

### **6. Background Documents**

None

### **7. Appendices**

Appendix A – Waste and Recycling Service Policies  
Appendix B – Equality Impact Screening

#### **Contact Officer:**

Aimi Brookes  
Contracts Team Leader  
[abrookes@selby.gov.uk](mailto:abrookes@selby.gov.uk)  
01757 292269





Service Area	Policy Description	Version
Recycling and Waste Collection	a. Recycling and Green Waste Contamination	1

### **Purpose of Policy**

The Council will provide clear and detailed information about what materials can be put into the recycling and green waste bins.

This policy sets out how the Council will deal with the contamination of recycling and green waste bins. I.e. what will happen when materials that can't be recycled / composted are put into the bins for collection.

### **Procedure**

#### **Individual Properties**

##### **Contaminating a bin once**

1. A bin is identified as contaminated and the crew will log a contamination report
2. The crew leave the contaminated bin and put a tag on it to explain why it hasn't been emptied
3. The bin will not be cleared and the householder will need to clear the contamination from the recycling bin / green waste bin in order for the bin to be collected on the next scheduled collection
4. The Council will not return to empty a recycling bin / green waste bin that has been recorded as being contaminated before the next scheduled collection

##### **Contaminating a bin twice (in rolling three month period)**

1. A bin is identified as contaminated and the crew will log a contamination report
2. The crew leave the contaminated bin and put a tag on it to explain why it hasn't been emptied
3. The Council will issue a letter and information leaflet to the address. The letter explains that if the contamination continues the recycling bin won't be collected in future. The information leaflet reiterates what materials can be put in each bin and includes graphics as well as text
4. The Council will not return to empty a recycling bin / green waste bin that has been recorded as being contaminated before the next scheduled collection

### **Contaminating a bin three times (in rolling three month period)**

1. A bin is identified as contaminated and the crew will log a contamination report
2. The crew leave the contaminated bin and put a tag on it to explain why it hasn't been emptied
3. The recycling / green waste bin will be removed from the property and a supply of clear plastic sacks will be issued for the household to use to recycle their paper/card, cans and plastic. We will be unable to collect glass from a plastic bag because of the risk of breakage / injury.

If at any stage the bin is not reported as contaminated then the process ends. However, any future report of contamination within a three month period will lead to further action.

Where a bin has been removed and the Council is notified of a change of occupier bins will be returned to the property.

### **Communal Properties**

Where the information is available, the Council holds a database of management companies who have responsibility for communal properties.

1. A bin is identified as contaminated and the crew will log a contamination report
2. The crew leave the contaminated bin and put a tag on it to explain why it hasn't been emptied
3. The Council will notify the management company of the contamination
4. The bin will not be cleared and the management company will either need to arrange to clear the contamination from the recycling bin in order for it to be collected on the next scheduled collection
5. If the management company are unable to arrange for the contamination to be removed, the Council may arrange for the bin to be emptied for a charge



Service Area	Policy Description	Version
Recycling and Waste Collection	b. Dry Recycling Bin Size / Excess Recycling	1

### **Purpose of Policy**

This policy sets out the Council's policy on dry recycling bins and under what circumstances residents may qualify for larger or smaller bins.

### **Background**

The Council provides two standard dry recycling bins of 240 litres for residents living in an individual property. All waste must be contained within the bins with the lid closed flat.

### **Larger Recycling Bins**

Where residents are regularly producing more recycling than will fit into their bins they can request an exchange to a larger 360 litre recycling bin. If they are still producing more recycling than will fit into this larger bin they can request an exchange to 2 x 240 litre recycling bins.

Alternative methods of collection may be provided to flats, communal properties or properties on a rural / remote collection.

### **Smaller Recycling Bins**

In some circumstance residents can request an exchange to smaller, 140 litre dry recycling bins. Residents who request smaller bins must still ensure that all waste is contained within the bin and the bin is closed flat. Please see Appendix A: Decision Tree for more information.

### **Excess Recycling**

With the exception of large cardboard boxes all recycling must be contained within the relevant bin and extra waste will not be taken.

Large cardboard boxes must be flattened and left neatly at the side of the brown recycling bin on the scheduled collection day.

Extra glass, cans or plastic can be taken to one of the Household Waste and Recycling Centers or one of the Councils recycling bring sites. Details of these sites can be found at [www.selby.gov.uk/recycling](http://www.selby.gov.uk/recycling)

Residents who are producing more recycling than will fit into their bin on a regular basis can request a larger bin – see Larger Recycling Bins above



Service Area	Policy Description	Version
Recycling and Waste Collection	c. Assisted Collection Service	1

### **Purpose of Policy**

This policy sets out how the Council will respond to request for assistance from residents to ensure that only those who genuinely need assistance receive it.

### **Permanent Assisted Collections**

To apply for a permanent assisted collection the following criteria must first be met:

- the resident must permanently reside at the address where the application is being made
- there must be no other able bodied people in the property over the age of 16 who could reasonably be expected to present bins at the kerbside for collection

In addition one or more of the following criteria must then be met:

- the resident is elderly or frail and could provide a written reference from a Carer or Healthcare Professional on request
- the resident is registered blind or partially sighted
- the resident holds a blue badge for parking
- the resident receives Disability Living Allowance, Personal Independence Payment (PIP) or Attendance Allowance
- the resident is not in receipt of any disability benefits, but could provide suitable documentary evidence of a disability on request

Proof of eligibility will not be required at the time of application but must be made available to the Council on request.

The collection point for the waste must be from a safe, convenient and easily accessible location for our contractor. We may need to assess private roads and tracks to properties to ensure vehicles can travel on them and will take into consideration whether they are maintained to a suitable standard. We can refuse to collect from a location if it does not meet these criteria.

The waste and recycling bins must be stored on the premises in an accessible position on a hard flat surface suitable for wheeled passage, free from steps and protrusions with sufficient access for the bins to pass through. A site visit may be required to confirm this

and where the access does not meet these criteria , the resident may be required to leave their bins permanently at their entrances and place their household waste in small quantities into the bins as they leave the premises.

### **Temporary Assisted Collections**

Residents can apply for a temporary assisted collection for up to 6 months, which can be renewed after 6 months if needed. This may be due to pregnancy, illness, or recovery from an operation or injury.

To apply for a temporary assisted collection the following criteria must be met:

- the resident must permanently reside at the address where the application is being made
- there must be no other able bodied people in the property over the age of 16 who could reasonably be expected to present bins at the kerbside for collection

Proof of eligibility will not be required at the time of application but must be made available to the Council on request.

If applying for assistance during pregnancy, residents can receive assisted bin collection throughout their pregnancy and up to 26 weeks afterwards.

The collection point for the waste must be from a safe, convenient and easily accessible location for our contractor. We may need to assess private roads and tracks to properties to ensure vehicles can travel on them and will take into consideration whether they are maintained to a suitable standard. We can refuse to collect from a location if it does not meet these criteria.

The waste and recycling bins must be stored on the premises in an accessible position on a hard flat surface suitable for wheeled passage, free from steps and protrusions with sufficient access for the bins to pass through. A site visit may be required to confirm this and where the access does not meet these criteria , the resident may be required to leave their bins permanently at their entrances and place their household waste in small quantities into the bins as they leave the premises.



Service Area	Policy Description	Version
Recycling and Waste Collection	d. Residual Waste Bins / Larger Bin Policy	1

### Purpose of Policy

This policy sets out the Council's policy on residual waste bins and under what circumstances residents may qualify for a larger bin.

### Background

The Council is moving from a standard residual waste bin of 240 litres to 180 litres for residents living in an individual property. This standard size will apply to all requests for a new or replacement wheeled bin.

All waste must be contained within the bin with the lid closed flat. Waste left on top or at the side of the bin will not be removed.

Alternative methods of collection may be provided to flats, communal properties or properties on a rural / remote collection.

### Smaller / Larger Bins

As the standard residual waste bin size is 180 litres the Council will no longer be supplying smaller, 140 litre residual waste bins.

Residents can request a larger bin if they meet the following criteria:

- The household is recycling as much as possible and present all recycling bins on every collection
- There are 6 or more people living permanently in the property (previously 5 or more). **Proof of residency of all residents must be provided.**

Or

- There are less than 6 people living permanently in the property (previously 5 or more) but they are producing large quantities of non-hazardous medical waste. **This does not include nappies.**

Any household requesting a larger bin must complete the application form and a decision will be made on the basis of the information supplied. The Council will keep a list of households with larger bins, which is reviewed on a rolling two year basis to ensure that residents still qualify for the larger bin.

Those households with 5 or more people living in permanent residency who have previously qualified for a larger bin will retain their larger bin until such time as the property is subject to review.





Service Area	Policy Description	Version
Recycling and Waste Collection	e. Lane End Collections	1

### **Purpose of Policy**

This policy sets out how the Council will collect waste from remote / rural properties.

### **Background**

The Council operates a kerbside collection for waste and recycling which in the majority of circumstances requires residents to present their waste for collection at the boundary of their property and the public highway. Exceptions to this are residents in receipt of an assisted collection and rural / remote properties. This policy deals with rural / remote properties. Please also see separate 'Assisted Collection' policy.

### **Collection from Rural / Remote Properties**

Where there are fewer than three properties down a lane, collections will normally be from the lane end where bins can be stored on even and firm ground.

Where there are more than four properties, collection vehicles will only travel on un-adopted roads where the following criteria have been met:

- Roads must have a minimum width of 5 metres allowing the collection vehicles to continue in a forward direction.
- There must be a minimum turning circle of 23 metres at the end of a dead end road.
- The bearing strength of the road and any associated structure must be adequate for a 15 tonne vehicle.
- The condition of the road surface must be maintained to an acceptable standard and not subject to multiple deep potholes which may cause damage to the collection vehicle.
- There should be no requirement for the collection vehicle to access any verge.
- There should be no risk of vehicle damage (including but not limited to hydraulics, mirrors or paintwork) resulting from overhanging or projecting trees/bushes.
- There should be no risk of damage to the collection vehicle or increase health and safety risk to the collection crew resulting from excessive road gradient or camber.

Where un-adopted roads do not meet the criteria the Council will agree alternative collection arrangements at the lane end.

Neither the council nor its contractor will accept any liability for damage to un-adopted lanes by collection vehicles.

This approach is consistent with many other Councils and would support the Council to

- Reduce the environmental impact of its waste and recycling fleet by reducing vehicle miles
- Deliver a cost effective waste and recycling service
- Reduce the potential to cause damage to private roads
- Reduce the risk of damage to collection vehicles



Service Area	Policy Description	Version
Recycling and Waste Collection	f. Missed Bins	1

### **Purpose of Policy**

This policy sets out how the Council will respond to reports of missed refuse, recycling and green waste collections.

### **Procedure**

Missed bins can be reported on line or via the Customer Contact Centre.

Residents reporting a missed bin on the day of collection will be asked to contact the Council again the next working day. This is to ensure that crews are not just running late.

All crews complete a daily report sheet which records any bins which were not presented for collection or in the case of recycling / green waste bins, which were contaminated.

We will not return to empty bins which were not presented at the time of collection or which the crew has recorded as contaminated. Where bins are contaminated, the contamination will need to be removed by the resident before the next scheduled collection.

Missed collections must be reported by 5pm two working days after the scheduled collection. E.g. bins missed on a Monday must be reported by 5pm on the Wednesday. We will not return to bins reported as missed after this time.

We aim to return to any missed bins by the end of the following working day.

Where a street or larger area has been missed due to road works, blocked access, vehicle breakdown or adverse weather conditions we will return as soon as feasibly possible. We will inform the relevant District Councillor and Parish Council Clerk and where appropriate share the information via our social media channels.

This page is intentionally left blank

# Equality, Diversity, and Community Impact Screening



As a public authority we should ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, cohesion and integration.

This form should be read in conjunction with the Equality Diversity and Community Impact Assessment Toolkit

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions. Completed at the earliest opportunity it will help to determine:

- the relevance of proposals and decisions to equality, diversity, cohesion and integration.
- whether or not equality, diversity, cohesion and integration is being/has already been considered, and
- whether or not it is necessary to carry out an impact assessment

<b>Project Name/Service Area: Policies for the collection of household waste and recycling</b>	
<b>Lead person:</b> Aimi Brookes	<b>Contact number:</b> 42269

<b>1. Title: Waste and Recycling Service Policies</b>	
<b>Is this</b>	
<input checked="" type="checkbox"/>	A Strategy or Policy
<input checked="" type="checkbox"/>	A change to a service or function
<input type="checkbox"/>	Other (specify)

<b>2. Please provide a brief description of what you are screening</b>
<p>The Council has approved a change from kerbside sort recycling to the collection of recycling from two wheeled bins. As part of this service change it is appropriate to review all associated policies and implement new policies where necessary.</p> <p>These policies are:</p> <ul style="list-style-type: none"> <li>• Recycling contamination</li> <li>• Recycling bins size and excess waste</li> <li>• Assisted collections</li> <li>• Residual bin size / larger residual bin policy</li> </ul>

- Lane end collections
- Missed collections

This screening is for the proposed new and amended policies.

### 3. Relevance to equality, diversity, and community impact

All the council's strategies/policies, services/functions affect service users and the wider community – district wide or more local.

The effects may have a greater/lesser relevance to equality, diversity, cohesion and integration.

The following questions will help you to identify how relevant EDCI is to your proposals.

When considering these questions think about the protected characteristics : age, disability, gender reassignment, pregnancy or maternity, race, religion or belief, sex, sexual orientation, and any other relevant characteristics (for example socio-economic status, social class, income, unemployment, residential location or family background, caring responsibilities and education or skills levels).

Questions	Yes	No
Does the proposal have (or could it have) a different impact for people with protected equality characteristics?	Yes	
Have there been or is there likely to be any public concern about the policy or proposal?	Yes	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	Yes	
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> <li>• Eliminating unlawful discrimination, victimisation and harassment</li> <li>• Advancing equality of opportunity</li> <li>• Fostering good relations</li> </ul>	Yes	

If you have answered **no** to the questions above please complete **sections 6 and 7**

If you have answered **yes** to any of the above and;

- Believe you have already considered the impact on equality, diversity and community impact within your proposal please go to **section 4**.
- Are not already considering the impact on equality, diversity and community impact within your proposal please go to **section 5**.

#### 4. Considering the impact on equality, diversity and community impact

If you can demonstrate you have considered how your proposals impact on equality, diversity and community impact you have carried out an impact assessment.

Please provide specific details for all three areas below (use the prompts for guidance).

- **How have you considered equality, diversity and community impact?**

(**think about** the scope of the proposal, who is likely to be affected, equality related information, gaps in information and plans to address, consultation and engagement activities (taken place or planned) with those likely to be affected)

The policies being reviewed are:

- Recycling contamination
- Recycling bins size and excess waste
- Assisted collections
- Residual bin size / larger residual bin policy
- Lane end collections
- Missed collections

#### **Recycling Contamination**

This policy does not have a different impact for people with protected equality characteristics

#### **Recycling Bin Size / Excess Waste**

This policy does not have a different impact for people with protected equality characteristics

#### **Assisted Collections**

The review of this policy is to ensure that assistance is readily available for those who require it either on a long or short term basis

#### **Residual Bin Size / Larger Residual Bin Policy**

The policy allows for residents that produce large amounts of waste due to a disability or medical condition to have a larger residual waste bin ensuring that they are not unfairly disadvantaged

This policy does not have a different impact on any other protected equality characteristics

#### **Lane End Collections**

This policy does not have a different impact for people with protected equality characteristics

#### **Missed Collections**

The review of this policy has taken into consideration the needs to those residents in receipt of assistance with their collections to ensure that they are not unfairly disadvantaged

- **Key findings**

(**think about** any potential positive and negative impact on different equality characteristics, potential to promote strong and positive relationships between groups, potential to bring groups/communities into increased contact with each other, perception that the proposal could benefit one group at the expense of another)

The set of new policies will ensure that waste and recycling services are carried out as efficiently as possible and that assistance is readily available to those residents who may need it. The policies clearly set out under what circumstances that this assistance will be applied.

- **Actions**

(**think about** how you will promote positive impact and remove/ reduce negative impact)

The policies are being developed as part of a full service change. A full communications plan is being developed with the Media and Communications Team and with input from the cross party Member Task and Finish Group. The communications plan will include details on how the policies will be publicised.

**5. If you are not already considering the impact on equality, diversity, cohesion and integration you will need to carry out an impact assessment.**

Date to scope and plan your impact assessment:	
Date to complete your impact assessment	
Lead person for your impact assessment (Include name and job title)	

**6. Governance, ownership and approval**

Please state here who has approved the actions and outcomes of the screening

Name	Job title	Date

**7. Publishing**

This Equality, Diversity, and community impact screening will act as evidence that due regard to equality and diversity has been given.

If this impact assessment relates to a **Key Delegated Decision or Executive or full Council** or a **Decision** a copy should be emailed to Democratic Services and will be published along with the relevant report.



A copy of **all other** Equality and Diversity and community impact assessments should be kept on the project file (but need not be published).

**Date screening completed: 25/10/19**

This page is intentionally left blank



**Report Reference Number: E/19/40**

---

**To: Executive**  
**Date: 10 January 2020**  
**Status: Non Key Decision**  
**Ward(s) Affected: All**  
**Author: Sharon Cousins, Licensing Manager**  
**Lead Executive Member: Councillor Pearson, Lead Executive Member for Housing, Health and Culture**  
**Lead Officer: Alison Hartley, Solicitor to the Council**

---

**Title:** Selby Taxi Licensing Policy 2019

**Summary:**

A consultation was held between the 1 December 2018 and 4 February 2019 concerning revisions to Selby's Taxi Licensing Policy.

Officers have reviewed the consultation responses received and have updated the consultation draft of the policy. Updates are shown by way of tracked changes.

On the 8 April 2019 the Licensing Committee resolved to adopt the Officer Recommendations and endorsed the proposed Selby Taxi Licensing Policy (Annex A), which incorporated the required changes following the reviewing of the consultation responses and recommended the same to the Executive Committee for adoption.

On 2 December 2019 the Licensing Committee was reconsulted (following the time lapse and intervening decisions regarding suspending Section 6 of the current Policy), to enable any further representations to be made. These will be reported verbally to the Executive.

**1. Recommendations:**

The Executive to approve the proposed Taxi Licensing Policy 2019 shown at Appendix A.

**2. Introduction and background**

2.1 The Council has a duty to provide a safe and secure taxi service to the public which provides value for money. The proposed changes to Selby's Taxi

Licensing Policy are intended to strengthen the current policy by endorsing the requirement that public safety is paramount, and bring it in line with current guidance and best practice, in particular in relation to safeguarding and equalities.

- 2.2 Although the Council has no legal duty to consult, a consultation took place between 1 December 2018 and 4 February 2019 and included:
- Taxi Trade
  - Public website consultation through an on-line questionnaire
  - North Yorkshire Police
  - North Yorkshire Fire and Rescue Service
  - Suzy Lamplugh Trust
  - Selby Disability Forum
- 2.3 We received 9 responses in total to the consultation. 3 responses via the public consultation website (statuses unknown), 1 from North Yorkshire Passenger Transport Service, and 5 from Selby Hackney Carriage Drivers, the feedback of which is summarised in Appendix B.
- 2.4 The consultation focused on the following key areas, which were set out in the report to the Licensing Committee on 19 November 2018:
- (a) Whether the policy should consistently refer to the private hire and hackney carriage vehicles as 'taxi's – a generic name used for both.
  - (b) Replacing the current convictions policy with those found in the Institute of Licensing guidance on determining the suitability of applicants and licenses in the hackney and private hire trades.

### **Operators**

- (a) Private hire operators must have a copy of their table of fares on display if they have a private hire base and in any event in each private hire vehicle that it operates.
- (b) Will be required to DBS check any front line staff.
- (c) Completion of a safeguarding course (by the council's authorised provider) for new applications and requirement to refresh every 2 years. Existing operators to complete a safeguarding course within 1 year of this policy coming into effect.

### **Drivers**

- (a) The Council will make checks on the National Anti-Fraud network database on refusals and revocations of hackney carriage and private hire licences on applications.
- (b) Requirement to sign up to the DBS update service when their next DBS is due (currently every three years).

- (c) Group 2 medicals required for all drivers every 3 years, until the age of 65 when it will be required annually (currently only from the age of 45).
- (d) Requirement to inform the Council of any change of medical condition within 3 days.
- (e) Requirement to hold a DVLA licence for 2 years prior to application (currently 1 year).
- (f) Duties under section 165 of the Equality Act 2010 becomes enforceable if the list of wheelchair accessible vehicles is published under section 167 of the Act. Along with a procedure to be medically exempt from these duties.
- (g) The drivers badge to replace the paper licence. Introduction of handbook for drivers to show conditions of the licence and other relevant information.

### **Vehicle Proprietor/Vehicles**

- (a) Introduction of a vehicle age limit of 12 years (existing licence holder will be given 5 years from the date the policy comes into effect to change their vehicles).
- (b) A vehicle cannot be licensed for the first time if it's over the age of 5 years (age will be determined by the first date of registration on the vehicles V5 registration document).
- (c) Requirement to sign a statutory declaration each year that nothing has changed.
- (d) Inspection frequency

Vehicle Age	Frequency of vehicle tests and checks
0 – 1 years	1 check per year
1 – 5 years	2 checks per year
5-12 years	3 checks per year

- (e) If a licensed vehicle fails its vehicle inspection, the proprietor must inform the Council immediately. The vehicle will be suspended until the Council receives confirmation that the vehicle has passed a vehicle test.
- (f) New definition of what a wheelchair accessible vehicle is.
- (g) Requirement for a Lifting Operations and Lifting Equipment Regulations (Loler) certificate to be produced upon application and annually if there is a mechanical lift for wheelchairs.
- (h) Introduction of a handbook showing the conditions of the licence and other relevant information.
- (i) Private hire vehicles applying for discreet plate licensing will need to apply via an application form.
- (j) Creating and publishing a list of wheelchair accessible vehicles under section 167 of The Equality Act 2010.

- (k) All new Hackney carriage vehicles to the fleet must be wheelchair accessible (i.e. VOSA Certificate of Conformance issued)
3. The consultation responses have been reviewed and any relevant changes are now shown as tracked changes in Selby's proposed Taxi Licensing Policy 2019 (Appendix A).
  4. On the 8 April 2019 the Licensing Committee resolved to adopt the officer recommendations and endorsed the proposed Selby Taxi Licensing Policy 2019 (Appendix A).
  5. On the 11 June 2019 Policy Review Committee raised concerns about the new policy and requested that their comments be given to the Executive prior to a decision being made.

The concerns raised were:

- The Hackney Carriage fleet should be mixed. A mixture of saloon type vehicles and wheelchair accessible. Due to this they recommended that the proposed Taxi Licensing Policy should still include the 70/30 split. Some Councillors suggested 50/50.
  - How officers implement 70/30 if this was to remain in the proposed policy. It was suggested that there was an understanding that this would be a long process, taking up officer time and difficult to manage.
6. The 2019 Taxi Licensing Policy, if approved, would update wheelchair accessibility standards to comply with the Equalities Act legislation. The effect of this would be that those wheelchair accessible vehicles currently licensed as Hackney Carriage vehicles (HC) would no longer meet the requirements to be officially recognised as "Wheelchair Accessible" in the 2019 Taxi Licensing Policy, and would instead become and be treated as non-wheelchair accessible HC Vehicles.
  7. If the 2019 Taxi Licensing Policy is adopted, the distinction between the current Policy "Wheelchair Accessible" vehicles and "non-wheelchair accessible" becomes academic. The only HC vehicles that would be recognised as "Wheelchair Accessible" would be those that meet the new standards for the purposes of the Equalities Act legislation.
  8. Upon renewal of an existing HC Wheelchair Accessible vehicle, the applicant would be required to provide a VOSA Certificate of Conformance for the adapted vehicle. If this is not provided the licence condition on the licence relating to the vehicle being "Wheelchair Accessible" will be removed, and the vehicle will become "Non-Wheelchair Accessible". (NB. For new, replacement

vehicles a VOSA Certificate of Conformance must be produced otherwise such application would be contrary to this Policy and be put before Licensing Committee for decision under the present scheme of delegation).

9. It is anticipated that by the end of the year, following the Policy adoption the HC fleet will be almost 100% 'Non-Wheelchair Accessible', (i.e. saloon type vehicles). This will resolve the issue concerning members that not all the current WAVs meet the Equality Act standards, and lead to a refreshed fleet of new compliant WAVs, albeit over a lengthy period of time.
10. After the implementation of the 2019 Taxi Licensing Policy, the number of wheelchair accessible vehicles would gradually be built up over time and in accordance with the new standards of wheelchair accessible, which would comply with the Equalities Act legislation.
11. On the 7 November 2019 the Executive resolved to suspend the whole of Section 6 of Selby's current Taxi Licensing Policy until the new policy is adopted. This means that in the interim, any vehicles, existing or new to the Hackney Carriage fleet could be a wheelchair accessible vehicle by Selby's current definition or be non-wheelchair accessible vehicle. It is anticipated that a number of non-wheelchair accessible applications will be submitted, increasing the number of non-wheelchair accessible type vehicles to the Hackney Carriage Fleet.
12. Policies are live documents and therefore should be reviewed regularly. This is a proposal that reflects current issues and circumstances, but will be reviewed in the future as circumstances may change.
13. On the 2 December 2019 the Licensing Committee were content with the new policy, but made the following observations:
  - That the number of Wheelchair Accessible Hackney Carriage Vehicles be reported annually to the Licensing Committee, and that
  - In the event that the split approaches 70/30 the Executive consider reviewing that part of the policy, and
  - That at page 26 of the policy, in relation to immediate revocation, the Committee suggested that it states the Head of Legal in consultation with the Chair of Licensing Committee takes such a decision.

## **14. Implications**

### **14.1 Legal Implications**

There is no statutory requirement to have a taxi licensing policy, however, it is good practice to do so and will provide consistent decision making. The policy sets out the standard that the Council will use to inform its decisions on

application for licences, their renewal and consideration for their continuance. The Council must consider each case on its own merit and may depart from this policy in exceptional cases.

There are a range of powers contained in legislation that allows the Council to specify the standards that must be met in order to be licensed by the Council and to protect public safety. Furthermore, if these standards are not met the Council is permitted by legislation to refuse, revoke or suspend a licence.

The Council must have due regard to the public sector equality duty which is contained within the Equality Act 2010. An Equalities Impact Assessment has been carried out. A copy of this assessment can be requested from the background documents.

#### **14.2 Financial Implications**

There are no additional costs involved and changes will be brought in within the current budget.

#### **14.3 Policy and Risk Implications**

No foreseen impacts.

#### **14.4 Corporate Plan Implications**

The consultation process, although not necessary will help us to achieve our corporate priority of making Selby a great place to live and to make a difference. Through allowing local people and businesses to contribute to the development of the policy we are achieving a key focus of the priority, namely, 'empowering and involving people in decisions about their area and services'.

A fit for purpose Taxi Licensing Policy will bring consistency and certainty to both the trade and customers of the trade, this will help us to make Selby a great place to do business.

#### **14.5 Resource Implications**

N/A

#### **14.6 Other Implications**

N/A

#### **15. Equalities Impact Assessment**

Equalities impact screening has taken place and no significant negative impacts were identified in the immediate future.



A key finding in the Equality impact assessment was that some consultation responses suggested that some users, especially the elderly struggle to use wheelchair accessible vehicles, but this can be the case for saloon vehicles also. If the vehicle is higher than the average saloon there are steps for larger vehicles to allow passenger access. After making enquiries with a manufacturer of wheelchair accessible vehicles there are various other models that are the same height of passenger, saloons vehicles. This is a government recommendation to give wheelchair users the same accessibility rights as everybody else.

We expect the vast majority of our current fleet will not meet the definition of a wheelchair accessible vehicle, making any list that we publish under S167 of the Equality Act 2010 small. This will take time to build up and the policy and numbers of the list will remain under review.

The policy is always under review to make amendments when required.

## **16. Conclusion**

- 16.1** Adoption of the revised policy and the measures within it will support the statutory position and will help protect public safety.

## **17. Background Documents**

Consultation Responses  
Equality Impact Assessment

## **18. Appendices**

Appendix A – Selby’s Proposed Taxi Policy (tracked changes)  
Appendix B – Summary of consultation responses.

### ***Contact Officer:***

Sharon Cousins  
Licensing Manager  
scousins@selby.gov.uk  
01757 2942033

This page is intentionally left blank



# **‘Taxi’ Licensing Policy**

**Hackney Carriage and Private Hire  
Vehicles, Drivers, Operators and  
Proprietors.**

**2019**





## Contents

1. Introduction .....	3
2. Vehicle Proprietors.....	4
3. Drivers .....	5
4. Private Hire Operators .....	6
5. How decisions are made.....	7
6. Relevance of previous convictions .....	10
7. Application Process .....	14
8. Checks on Drivers.....	16
9. Safeguarding .....	18
10. Vehicles .....	18
11. Complying with the Law .....	26
12. Complaints.....	27
13. Enforcement .....	27
Appendix A - Guidance notes for applicants (Drivers).....	29
Appendix B - Guidance notes for Private Hire Operators .....	31
Appendix C - Guidance notes for vehicle inspections .....	32
Appendix D - Discreet Plate Licensing.....	35
Appendix E - Applying for an exemption under the Equality Act 2010.....	36
Appendix F - Code of Conduct.....	38
Appendix G - Hackney Carriage Enforcement .....	40
Appendix H - Private Hire Enforcement .....	42
Appendix I - Definitions in this Policy .....	44

## Introduction

Selby District Council (the Council) is responsible for the licensing of Hackney Carriage and Private Hire Vehicles (collectively referred to as taxis), their Drivers, Operators and Proprietors in the District. This Policy sets out the standard that the Council will use to inform its decisions on applications for licences, their renewal and consideration of their continuance. This Policy will also be useful for members of the hackney carriage and private hire trades, those seeking licences, the travelling public and others in the community. Licence holders and applicants for licences will find guidance on the application processes in the Appendices to this Policy and on the Council website. If a member of the public has a concern or question about the taxi trade, they should get in touch with The Licensing team at the Council at: [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk)

Taxis form an important part of the local transport provision. As a regulator, the Council aims to ensure the safety of drivers and the public and promote the availability of a safe, accessible and convenient taxi service in and beyond the District.

### 1.1. About this policy

This Policy sets out the Council's approach to regulating the hackney carriage and private hire trades. It includes and describes the way the Council makes licensing decisions and how the required standards in respect of licenced drivers, operators, proprietors and vehicles will be enforced. Licensing and enforcement decisions will be made with regard to this policy, any national or other guidance, the law and all other relevant factors. However, the Council may depart from this policy in exceptional cases and where that occurs full reasons will be given.

### 1.2. Licences issued by the Council

- Hackney carriage driver's licence (HCDL)
- Hackney carriage vehicle licence (HCVL)
- Private hire driver's licence (PHDL)
- Private hire vehicle licence (PHVL)
- Private hire operator's licence (PHOL)

Note that the licence the Council issues to individuals who wish to drive taxis or private hire vehicles is referred to as a '**driver's licence**', and the licence issued to all motor road vehicle drivers by the DVLA is referred to as a '**driving licence**'.

The Council does not issue school transport permits, these are issued by North Yorkshire County Council.

Any badge, licence or vehicle plate issued to any person remains the property of the Council.

### 1.3 Hackney carriages and private hire vehicles; what's the difference?

The licences, fares, insurance and working practices of the vehicles are different.

Only hackney carriages may use the word 'Taxi' or 'Cabs' in their name, advertising or signage.

Other differences are set out in this table:

	Private Hire	Hackney Carriage
<b>Bookings</b>		
Can be pre-booked	✓	✓
Can wait in a hackney carriage rank	✗	✓
Can be hailed	✗	✓
<b>Fares</b>		
Set by the council	✗	✓
Uses a taximeter	✗	✓
Set by Operator	✓	✗
<b>Visual differences</b>		
Illuminated roof sign	✗	✓
'Black cab' type allowed	✗	✓
Cab or Taxi in name	✗	✓
Licence plate position	Front and Rear	Rear

## 2. Vehicle Proprietors

Taxi Vehicle Proprietors may not always drive the vehicle they licence (if they do they will have to hold a driver's licence as well) though they clearly have an interest in the vehicle. They will also be responsible for the maintenance of the vehicle. Vehicles that are not properly maintained have a clear impact on and are a potential risk to public safety.

A checklist to help prepare for a vehicle inspection is at Appendix C – Guidance Notes for Vehicle Inspections.

Proprietors will be required to complete a Basic Disclosure and Barring Service check (DBS) every 3 years and in addition will need to complete an annual declaration, no later than the anniversary of the grant of the licence.

Vehicle licences are issued for 1 year.

TX4 or similar vehicle (commonly referred to as a 'London cab') will not be licensed as a private hire vehicle.

The age of the vehicle will be determined from the date of first registration as stated on the vehicle registration document (V5)

A vehicle cannot be licensed for the first time when it reaches 5 years old.

Once a vehicle reaches 12 years old it can no longer be renewed as a licensed vehicle.

Proprietors of existing licensed vehicles that are beyond the maximum age set out in this policy at the date it comes into force will have a maximum period of 5 years to change the vehicles.

Taxi Vehicle proprietors have two principle responsibilities.

Firstly, they must ensure that the vehicle is maintained to an acceptable standard at all times.

Secondly, they must ensure that the vehicle is not used for illegal or illicit purposes.

### **3. Drivers**

The term 'taxi driver' encompasses the occupations of hackney carriage driver (HCD) and private hire driver (PHD) and is therefore used as a broad, generic term to cover both. In both cases there are identical statutory and other criteria to be met before any applicant can be granted a licence.

Many members of society use, and rely on taxis to provide transportation services. This can be on a regular or occasional basis. In all cases passengers, other road users and society as a whole must have confidence in the safety and suitability of the driver. They must feel that a taxi is a safe place to be.

Any applicant must have held a full driving licence for a minimum of 2 years, have the right to reside and work in the UK, and be able to satisfy the Council that they are a fit and proper person to hold a licence.

Private hire drivers must work through a licensed private hire operator to accept bookings, and must keep the Council informed as to which operator they are working through.

Driver licences are issued for maximum of 3 years. Licences may be granted for a period of less than 3 years at the discretion of the Council if it is appropriate to do so in the circumstances of the case. The duration of the licence will be specified within the licence granted.

#### **3.1 Plying for hire**

A PHD's licence does not permit the licensee to ply or stand for hire, but only accept bookings through their licensed private hire operators. To stand or ply for hire is a criminal offence and any driver found to be doing so may be subject to enforcement action.

## 4. Private Hire Operators

A private hire operator (PHO) is the person who takes a booking for a private hire vehicle (PHV), then despatches a PHV driven by a licensed private hire driver (PHD) to fulfil that booking. All three licences (PHO, PHV and PHD) must have been granted by the same authority. The Council cannot grant a PHO licence unless the applicant has the right to reside and work in the UK and is satisfied that they are a fit and proper person.

Operators must:

- Have an operating base within the district.
- Make sure that all of their drivers are licensed by Selby District Council.
- Make sure that their premises are sanctioned by the Council, including any planning permission required for the site.
- Make sure that all vehicles in the fleet are licensed.
- Prevent defective or unsafe vehicles from being used, even if licensed.
- Familiarise themselves with this policy.
- Ensure that any of their staff who has access to data have a basic DBS check, renewed every 3 years and keep a record of this.
- Inform the Council in writing of any changes to the detail of their licence within 3 days of the change being made, including changes to –
  - The operator's own contact details, home address or business premises

If the Council offices are closed during the 3 day period to report please email: [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk) or put in writing.

Operators must always and only use the trading name registered on the licence for business purposes such as bookings and advertising.

### 4.1 Record Keeping

Operators must keep records of each booking, the name of the passenger, the destination, the name of the driver, the number of the vehicle and any fare quoted at the time of booking, including where the booking has been received from or subcontracted to another operator. This information will enable the passenger to be traced if this becomes necessary and should improve driver security. Records are to be held for at least twelve months and be available for inspection upon request.

### 4.2 Prompt Attendance

If a PHO accepts a booking under contract for private hire, they will use their best endeavours to ensure that that the vehicle is on time for that appointment in the correct place, unless delayed or prevented by sufficient cause. If a legitimate reason for the delay is encountered, every reasonable effort must be made to contact the passenger.

### 4.3 Insurance

Operators must make sure that every operating base that has access to the public is covered by public liability insurance and employer's liability insurance is in place for the duration of their licence. The insurance certificate must be available for inspection upon request.



If the licensed operator has an operating base to which the public have access then the licence should be on display.

The operator will ensure that all vehicles and drivers under their control have the necessary insurance before allocating a booking for hire.

#### **4.4 Hackney Ranks**

PHVs are not permitted to use hackney ranks for any reason, including picking up and dropping off passengers.

PHOLs are none transferable and are issued for a maximum of 5 years. Licences may be granted for a period of less than 5 years at the discretion of the Council if it is appropriate to do so in the circumstances of the case. The duration of the licence will be specified within the licence granted.

### **5. How decisions are made**

The overriding aim of the Council when carrying out its functions relating to the licensing of taxi drivers, vehicles and operators, is the protection of the public and others who use (or can be affected by) hackney carriage and private hire services.

The relevant legislation provides that any person who wishes to hold a PHO, PHD, PHV, HCV, or HCD Licence must satisfy the Council that they are a fit and proper person to hold a licence and that test will be applied after an applicant has gained any reasonable required qualifications. It is the final part of the process of an application when the decision is made, whether by a committee, sub-committee or an officer under a scheme of delegation. It involves a detailed examination of their entire character in order to make a judgement as to their fitness and propriety.

Each case will be considered on its own merits.. The Council can depart from its policy where it considers it appropriate to do so. This may happen where the Council considers that there are exceptional circumstances which warrant a different decision. Full reasons for any departure from the policy will be given.

Applications are not complete unless all of the pre-required documents and evidence of any qualifications have been received and any fees are paid. Only then will the application move forward for a decision to be made. When all the information have been received the decision will be made on the applicants own merits and the appropriate test applied.

The Council will make checks on the National Anti-Fraud Network database for any previous refusals and revocations of hackney carriage and private hire licences.

As the decision process is 'black and white', either 'grant or refuse' no temporary plates or probationary licences will be granted.

#### **5.1 Vehicle proprietor**

In relation to both hackney carriage and private hire vehicles, the Council has an absolute discretion over granting the licence and will therefore ensure that both its enquiries and

considerations are thorough and robust. Much more is involved than simply looking at the vehicle itself and all considerations are equally applicable on applications to transfer a vehicle as on grant applications.

Vehicle proprietor means the individual, limited company, together with its directors and secretary, or all members of a partnership. This is not an exempt occupation for the purposes of the provisions of the Rehabilitation of Offenders Act 1974 but the Council are able to request a basic DBS, declaration and consideration of spent convictions.

A suitable test would be:

'Would I be comfortable allowing this person to have control of a licensed vehicle that can travel anywhere, at any time of the day or night without arousing suspicion, and be satisfied that he / she would not allow it to be used for criminal or other unacceptable purposes, and be confident that he / she would maintain it to an acceptable standard throughout the period of the licence?'

## **5.2 Taxi Drivers**

A driver has direct responsibility for the safety of their passengers, direct responsibility for the safety of other road users and significant control over passengers who are in the vehicle. As those passengers may be alone, and could also be vulnerable, any previous convictions or unacceptable behaviour will weigh heavily against a licence being granted or retained.

Where an applicant has more than one conviction showing a pattern or tendency irrespective of time since the convictions, serious consideration will need to be given as to whether they are a safe and suitable person.

The Council can require the applicant to provide such information as the Council may consider necessary to enable us to determine whether the licence should be granted or whether the licence should be granted and whether conditions should be attached to any such licence.

The information the Council may require can include, any pre-conditions or tests that the Council feel necessary.

The provision of information in these terms can satisfy the Council that a person has the skills and competencies to be a professional driver to hold a licence. However, the concept of safety and suitability goes beyond this. There is the character of the person to be considered as well.

The character of the driver in its entirety will be the paramount consideration when considering whether they should be licensed. It is important to recognise that the authority is not imposing any additional punishment in relation to previous convictions or behaviour, but are using the information that is available to us to make an informed decision as to whether or not an applicant or licensee is or remains a safe and suitable person.

Taxi drivers are exempted from the provisions of the Rehabilitation of Offenders Act 1974. This means that there are no 'spent' convictions and that any relevant criminal convictions (apart from 'protected convictions' and 'protected cautions' can be taken into account.

The Council must be satisfied in making its decision to grant a taxi driver's licence if the person is a 'safe and suitable' person to hold such a licence.

A suitable test would be:

'Would you (as a member of the licensing committee or other person with the ability to grant a taxi driver's licence) allow your son or daughter, spouse or partner, mother or father, grandson or granddaughter or any other person for whom you care, to get into a vehicle with this person alone?'

### **5.3 Private hire operator**

A PHO does not have direct responsibility for the safety of passengers, other road users or direct contact with passengers who are in the private hire vehicle (except where they are also a licensed driver). However, in performing their duties they obtain and hold considerable amounts of personal, sensitive and private information about their passengers and their family and property which must be treated in confidence and not revealed to others, or used by the operator or their staff for criminal or other unacceptable purposes.

The 'fit and proper' test for a PHO is applied to an individual, a limited company, together with its directors, secretary or other officers, and all members of partnerships to ensure that they are safe and suitable to hold a licence.

Where an applicant has more than one conviction, serious consideration will be given as to whether they are a safe and suitable person to hold or to continue to hold any licence.

As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to operators as those applied to drivers.

A suitable test would be:

'Would I be comfortable allowing this person to have control of a licensed vehicle that can travel anywhere, at any time of the day or night without arousing suspicion, and be satisfied that he / she would not allow it to be used for criminal or other unacceptable purposes, and be confident that he / she would maintain it an acceptable standard throughout the period of licence?'

## **6. Relevance of Previous Convictions**

Convictions for attempt or conspiracy will be regarded as convictions for the substantive crime. A caution is regarded in exactly the same way as a conviction. Fixed penalties and community resolutions will also be considered in the same way as a conviction.

It is important to recognise that matters which have not resulted in a criminal conviction (whether that is the result of an acquittal, a conviction being quashed, a decision not to prosecute or an investigation which is continuing where the individual has been bailed) can and will be taken into account by the Council. In addition, complaints where there was no police involvement will also be investigated and considered. Within this document, any reference to 'conviction' will also include matters that amount to criminal or unacceptable behaviour, but have not resulted in a conviction.

In the case of any new applicant who has been charged with an offence and is awaiting trial, the determination will be deferred until the trial has been completed or the charges withdrawn. Where an existing licensee is charged, it will be for the Council to decide what action to take in the light of these guidelines.

In all cases, the Council will consider the conviction or behaviour in question and what weight should be attached to it, and each and every case will be determined on its own merits, and in the light of these guidelines.

Any offences committed, or unacceptable behaviour reported whilst driving a hackney carriage or private hire vehicle, concerning the use of a hackney carriage or private hire vehicle, or in connection with an operator of a private hire vehicle will be viewed as aggravating features, and the fact that any other offences were not connected with the taxi trades will not be seen as mitigating factors.

As the Council will be looking at the entirety of the individual, in many cases safety and suitability will not be determined by a specified period of time have elapsed following a conviction or the completion of a sentence. Time periods are relevant and weighty considerations, but they are not the only determining factor.

In addition to the nature of the offence or other behaviour, the quantity of matters and the period over which they were committed will also be considered. Patterns of repeated unacceptable or criminal behaviour are likely to cause greater concern than isolated occurrences as such patterns can demonstrate a propensity for such behaviour or offending.

Most applicants or licensees will have no convictions and that is clearly the ideal situation. In relation to other people, it is accepted that human beings do make mistakes and lapse in their conduct for a variety of reasons, and it is further accepted that many learn from experience and do not go on to commit further offences. Accordingly, in many cases an isolated conviction, especially if committed some time ago, may not prevent the grant or renewal of a licence.

It is also important to recognise that once a licence has been granted, there is a continuing requirement on the part of the licensee to maintain their safety and suitability. The licensing authority has powers to take action against the holder of all types of licence (driver's, vehicle and operator's) and it must be understood that any convictions or other actions on the part of the licensee which would have prevented them being granted a licence on initial application will most likely lead to that licence being revoked.

Any dishonesty by any applicant or other person on the applicant's behalf which is discovered to have occurred in any part of any application process (e.g. failure to declare convictions, false names or addresses, falsified references) will result in a licence being refused, or if already granted, revoked and may result in prosecution.

As the direct impact on the public varies depending upon the type of licence applied for or held, it is necessary to consider the impact of particular offences on those licences separately. However, there are some overriding considerations which will apply in all circumstances.

Generally where a person has more than one conviction, this result will raise serious questions about their safety and suitability. The Licensing Authority is

looking for safe and suitable individuals, and if a pattern or trend of repeated offending is apparent, it is less likely that a licence will be granted or renewed.

Where an applicant / licensee is convicted of an offence which is not detailed in this guidance, the licensing authority will take that conviction into account and use these guidelines as an indication of the approach that should be taken.

These guidelines do not replace the duty of the licensing authority to refuse to grant a licence where they are not satisfied that the applicant or licensee is a fit and proper person. Where a situation is not covered by these guidelines, the authority must consider the matter from first principles and determine the fitness and propriety of the individual.

## **6.1 Drivers**

As stated above, where an applicant has more than one conviction showing a pattern or tendency irrespective of time since the convictions, serious consideration will need to be given as to whether they are a safe and suitable person.

In relation to single convictions, the following time periods should elapse following completion of the sentences (or the date of conviction if a fine was imposed) before a licence will be granted.

### **Crimes resulting in death**

Where an applicant or licensee has been convicted of a crime which resulted in the death of another person or was intended to cause the death or serious injury of another person they will not be licensed.

### **Exploitation**

Where an applicant or licensee has been convicted of a crime involving, related to, or has any connection with abuse, exploitation, use or treatment of another individual irrespective of whether the victim or victims were adults or children, they will not be licensed. This includes slavery, child sexual exploitation, grooming, psychological, emotional or financial abuse, but this is not an exhaustive list.

### **Offences involving violence**

Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least 7 years have elapsed since the completion of the sentence imposed.

### **Possession of a weapon**

Where an applicant has a conviction for possession of a weapon or any other weapon related offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

### **Sex and indecency offences**

Where an applicant has a conviction for any offence involving or connected with illegal sexual activity or any form of indecency, a licence will not be granted.

In addition to the above, the licensing authority will not grant a licence to any applicant who is currently on the Sex Offenders Register or on any 'barred' list.

## **Dishonesty**

Where an applicant has a conviction for any offence of dishonesty, or any offence where dishonesty is an element of the offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

## **Drugs**

Where an applicant has any conviction for, or related to, the supply of drugs, or possession with intent to supply or connected with possession with intent to supply, a licence will not be granted until at least 10 years have elapsed since the completion of any sentence imposed.

Where an applicant has a conviction for possession of drugs, or related to the possession of drugs, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed. In these circumstances, any applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

## **Discrimination**

Where an applicant has a conviction involving or connected with discrimination in any form, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

## **Motoring convictions**

Taxi drivers are professional drivers charged with the responsibility of carrying the public. Any motoring convictions demonstrate a lack of professionalism and will be considered seriously. It is accepted that offences can be committed unintentionally, and a single occurrence of a minor traffic offence would not prohibit the grant of a licence or may not result in action against an existing licence. Subsequent convictions reinforce the fact that the licensee does not take their professional responsibilities seriously and is therefore not a safe and suitable person to be granted or retain a licence.

## **Drink driving/driving under the influence of drugs / using a hand-held telephone or hand-held device whilst driving**

Where an applicant has a conviction for drink driving or driving under the influence of drugs, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence or driving ban imposed. In these circumstances, an applicant will also have to undergo drugs testing at their own expense to demonstrate that they are not using controlled drugs.

Where an applicant has a conviction for using a hand-held mobile telephone or hand-held device whilst driving, a licence will not be granted until at least 5 years have elapsed since the conviction or completion of any sentence or driving ban imposed, whichever is the later.

## **Other Motoring offences**

A minor traffic or vehicle related offence is one which does not involve loss of life, driving under the influence of drink or drugs, driving whilst using a mobile phone, and has not

resulted in injury to any person or damage any property (including vehicles). Where an applicant has 7 or more points on their DVLA licence for minor traffic or similar offences, a licence will not be granted until at least 5 years have elapsed since the completion of any sentence imposed.

A major traffic or vehicle related offence is one which is not covered above and also any offence which resulted in injury to any person or damage to any property (including vehicles). It also includes driving without insurance or any offence connected with motor insurance. Where an applicant has a conviction for a major traffic offence or similar offence, a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

### **Hackney carriage and private hire offences**

Where an applicant has a conviction for an offence concerned with or connected to hackney carriage or private hire activity (excluding vehicle use), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

### **Vehicle use offences**

Where an applicant has a conviction for any offence which involves the use of a vehicle (including hackney carriages and private hire vehicles), a licence will not be granted until at least 7 years have elapsed since the completion of any sentence imposed.

## **6.2 Private Hire Operators**

As stated above, where the applicant has more than one conviction, serious consideration will need to be given as to whether they are a safe and suitable person.

Operators must ensure that any staff that are used within the business (whether employees or independent contractors) and are able to access any information such as personal and private information about their passengers, are subject to the same standards as operators themselves, by means of those individual staff members being required by the operator to obtain a basic DBS certificate. If an operator is found not to be applying the required standards and using staff that do not meet the Council's overall criteria of obtaining the basic DBS check, this will normally lead to the operator's licence being revoked.

As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards of relevance will be applied to operators as those applied to drivers, which are set out above.

## **6.3 Vehicle proprietors**

As stated above, where an applicant has more than one conviction, serious consideration will need to be given as to whether they are a safe and suitable person to be granted or retain a vehicle licence.

As public trust and confidence in the overall safety and integrity of the private hire system is vital, the same standards will be applied to proprietors as those applied to drivers, which are outlined above.

## **7. Application Process**

### **7.1 Licence fees**

All licence fees are published on the Council's website. These are reviewed annually in line with the Corporate Charging Policy.

### **7.2 Guidance notes**

The full fees for any application (including all associated fees for criminal records checks, medical report, driving proficiency test, wheelchair assistance test and safeguarding training or any other requirement that the Council determines is reasonably required) are to be paid by the applicant. The Council cannot reimburse applicants for any fees incurred, whether a licence is granted or not.

Applications must be submitted in their entirety, with all of the required documents and the relevant application fee/s. No application will be considered for decision unless all fees, any associated fees have been paid and all required information provided at which time the application will be deemed 'complete'.

### **7.3 Character reference**

In order to ensure a high standard of safety for users of the taxi service in Selby District, the Council require a character reference for each applicant. Each applicant is asked to nominate a referee who has known them for at least five years, and has a position of good standing in the community. The Council normally expect a reference from a professional, qualified person, for example a lawyer, doctor or other healthcare professional, teacher, engineer or accountant.

If an applicant has, from the age of 10 years, spent six continuous months or more outside of the United Kingdom, evidence of a criminal record check from the country or countries covering the relevant period will be required.

### **7.4 Applying for a Vehicle Proprietor Licence**

**An application must include:**

- A fully completed application form
- Vehicle registration document (V5)
- Vehicle insurance
- Fee



- MOT
- Vehicle compliance test certificate - Pass
- Basic DBS – On application and then every 3 years thereafter
- Right to Reside and Right to Work check documentation (if the applicant has lived outside of the UK for more than 6 months a certificate of good conduct will be required from the relevant embassy)
- Statutory declaration

#### **Additional application requirements for HCV's:**

- V5 confirms that the vehicle is adapted to EC Whole type approval (ECWVTA) or confirmation of compliance certificate. (Adapted to a wheelchair accessible vehicle (WAV)).
- Certificate of Installation / calibration of taxi meter from the Council approved list.
- LOLER certificate on first application (if there is mechanical wheelchair lift)

#### **7.5 Applying for a Drivers licence**

If a new applicant has held a licence as a taxi driver in any other area, or has ever had a licence suspended or revoked, they must declare this in their application form. The Council will run a check on the applicant's licensing history in these cases.

#### **An application must include:**

- A fully completed application form
- Fee
- Enhanced Disclosure and Barring Service (DBS) check
- Agreement to Sign up to and remain on the DBS update service (a check will be carried out).
- One passport photograph
- At least one Reference
- Completed Group 2 medical (carried out by your own GP)
- Right to Reside and Right to Work check documentation (if the applicant has lived outside of the UK for more than 6 months a certificate of good conduct will be required from the relevant embassy)
- Knowledge and Safeguarding Certificate (from the provider approved by the Council)
- DVLA access code (note that these codes are only valid for 21 days)
- Pass certificate for 'Practical driving test for driver's hackney carriage or private hire vehicles.

#### **Additional application requirements for all HCD's and the PHD's on the designated list of Wheelchair Accessible Vehicles:**

- Certificate of a wheelchair assistance test.

A list of approved course providers can be found on our website [www.selby.gov.uk/licensing](http://www.selby.gov.uk/licensing) or by contacting the Licensing team.

#### **7.6 Applying for a PHO licence**

#### **An application must include:**

- A fully completed application form
- Fee
- A copy of public liability insurance
- At least one reference from a professional and qualified person. (Refer to section 6.3).
- Basic DBS (If a Limited company or partnership, all directors / partners must provide this)
- Right to Reside and Right to Work check documentation (if the applicant has lived outside of the UK for more than 6 months a certificate of good conduct will be required from the relevant embassy)
- Knowledge and Safeguarding Certificate (from the provider approved by the Council)
- Declaration confirming that all staff who have access to data or engage directly with customers will have a Basic DBS check before commencing employment and every 3 years thereafter and records of the checks are kept and available for inspection.

## **8. Checks on drivers**

To effectively meet our regulatory goals, the Council carry out a number of checks on licence holders and applicants. These checks are carried out to ensure that all licensees are and remain fit and proper to drive taxi vehicles, and are eligible to reside and work in the UK. Driving a licensed vehicle will bring members of the trade into regular, close contact with members of the public, and often involves working with vulnerable groups such as children, the elderly, and disabled people. These background checks help to keep the public safe, and increase the trust in the taxi industry.

The Council require that all new drivers complete a DBS, and sign an agreement to sign up to and remain on the DBS update service. A check is carried out annually on the anniversary of the grant of the licence to confirm that the subscription is still in place.

Existing drivers previously submitted a DBS every three years. On completion of their next DBS they are required to sign up to the DBS update service. A check will be carried out to ensure that they have done so.

If a driver is found to have not maintained their subscription to the DBS update service they will be required to apply for another full DBS check, at which point they must subscribe again to the update service. Failure to obtain any required DBS Certificate or maintain the update service subscription may be taken as conduct which could lead to the suspension or revocation of a licence.

### **8.1 Medical checks**

Drivers need to be in a good condition of health to ensure the safety of their passengers, themselves and other road users. As well as driving, the day-to-day work of a licensed driver may also include lifting heavy items of luggage, wheelchairs and shopping etc. Any applicant for the grant or renewal of a licence who is unable to satisfy the licensing authority that they meet the required medical standard will not be issued a licence.

The Council have a standard medical form which is filled in by the applicants own GP, the costs of which must be met by the applicant. Every licence holder must undergo a

medical check upon application and then every 3 years until the age of 65, after which a medical check must be done annually.

The driver must be fit to drive up to the DVLA Group 2 standard.

In addition, all licence holders are required to inform the Council of any illness or condition that affects their ability to drive, as soon as possible but always within 3 days. If the Council offices are closed during this time please email: [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk) or put in writing to the Council.

## **8.2 Driving proficiency and experience**

All applicants must have held a full DVLA driving licence for at least two years.

All new applicants for taxi driver's licences will be required to produce evidence that they have successfully completed a practical driving test for drivers of hackney carriage and private hire vehicles and where applicable a wheelchair assistance test from a list of approved providers prior to the initial application. The current approved list can be found on the Council's website.

If complaints are received concerning the driving standards of a licensed driver, the driver may be required to retake another driving standards test.

## **8.3 Changes to licensees' circumstances**

All Licence holders must inform the Council if they move house, if their health condition changes, if they are involved in a motor vehicle accident, no matter how minor, convicted of a crime or cautioned by a police officer and any Immigration Penalties. Notifications of this type must be made as soon as reasonably practicable, and always within 3 days. If the Council offices are closed during this time please email: [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk) or put in writing to the Council. A list of incidents and changes in licence details that the Council must be informed of is found in Appendix A – Guidance notes for applicants.

## **8.4 Failure to notify**

Failure to report or declare these changes is very serious, and often attracts an additional weighting to the actual offence, with harsher enforcement action. Failure to report can demonstrate dishonesty or conduct which could lead to suspension or revocation due to breaching this policy and disregarding the legal obligation to notify.

Failure to notify the Council of a conviction or caution by the police is extremely serious. Licensees should note that the police will notify us directly in many cases, and this should be in addition to the licensee's notification.

## **9. Safeguarding**

The Council expects all licensed drivers and operators to support the Council in its aims to raise awareness of and tackle issues around child and adult safeguarding. Licensees must remain alert to these and similar issues, failure to do so may call into question their continuing fitness and propriety

All drivers and operators will be expected to complete and pass the safeguarding course upon first application and a refresher course is to be undertaken every 2 years, the costs of the courses shall be covered by the applicant / licence holder.

Existing operators and drivers will be expected to have completed the safeguarding course within 1 year of this policy coming into effect.

## 10. Vehicles

### About the vehicle inspection

The Council's Testing Standards are based on the Freight Transport Association Hackney Carriage and Private Hire Vehicle National Inspection Standards Best Practice Guide (August 2012).

Vehicle Age	Frequency of vehicle inspections
0–1 years	1 check per year
1– 5 years	2 checks per year
5-12 years	3 checks per year

Routine vehicle inspections must be booked about 4 – 6 weeks in advance of the expiry of the vehicle licence. It is required that drivers or proprietors attend and co-operate with the vehicle inspection.

If a vehicle licence is suspended the vehicle must have another inspection within two months of the suspension notice, otherwise the vehicle licence is revoked.

If a licensed vehicle fails its vehicle inspection, the proprietor must inform the Council immediately. The vehicle licence will be suspended until the Council receive confirmation that the vehicle has passed a vehicle inspection. .

#### 10.1 Vehicle age limits

The Council will only accept applications to licence vehicles for the first time for vehicles under 5 years old. Existing licensed vehicles will not be licensed after the age of 12 years. (The age of the vehicle will be taken from the V5 registration document for the vehicle). Existing vehicle proprietors will have 5 years from the date this policy comes into effect to change their vehicles.

#### 10.2 Licence plates

The licence plates must be clearly on display at all times, as below:

- Large plate- must be fixed securely to the outside back of the vehicle
- Small plate – must be fixed securely outside, nearside Front of the vehicle (private hire vehicles only)
- Internal plate – must be fixed in a position easily visible to passengers, in the holder provided on the front screen.

Loss of (or damage to) a licence plate must be reported and replaced immediately at the licensee's expense. No hiring contract is to be entered into without a licence plate affixed to the vehicle. If the vehicle is being taken off the road and not being replaced, the licence plates must be returned to the Council.

### **10.3 Discreet plates**

Some private hire operators run chauffeur services or executive travel and may not wish to display the vehicles licence plate. To apply for this an application form must be completed along with the required fee. Please refer to Appendix D.

### **10.4 Safety Equipment**

All licensed vehicles must have seat belts in the driver's seat and all passenger seats where fitted by the manufacturer. The Council recognise that some vehicles, including purpose-built taxis with rear-facing seats, do not have seatbelts fitted for all seats. However, the Council expect that the majority of vehicles will have the same number of seatbelts as the maximum number of passengers permitted by the licence (as well as the driver's own seatbelt).

The vehicle must carry a fire extinguisher, which must be in date and tested annually.

A first aid kit must be carried and kept in an accessible position inside the vehicle. The first aid kit may be carried out of view.

The following list, recommended by the Health and Safety Executive, is for the guidance of drivers and proprietors:

- A leaflet giving general guidance on first aid
- 20 individually wrapped sterile adhesive dressings (assorted sizes)
- sterile eye pads
- individually wrapped triangular bandages
- safety pins
- large, individually wrapped, sterile, un-medicated wound dressings
- medium-sized, individually wrapped, sterile, un-medicated wound dressings
- a pair of disposable gloves

If safety equipment is not clearly visible, then signs must be in place to indicate its location.

The vehicle must also carry a replacement bulb kit.

### **10.5 Vehicle Condition**

Between inspections the driver must maintain the licensed vehicle in good condition, making sure it is roadworthy and clean inside and out.

### **10.6 Logos and Liveries**

PHV's will be issued with a self-adhesive door sign which states that the vehicle must be pre-booked only. This must be displayed on the front passenger door, clearly visible to passengers.

If a logo or livery is required on a licensed vehicle a request must be submitted to the Council in writing. Approval must be given by the Council before any changes can be made.

### **10.7 Taxi lights**

In order to help members of the public tell the difference between taxis and private hire vehicles, taxis must be fitted with an illuminated sign on the roof, with the word 'Taxi' displayed on it. Private hire and mini cab vehicles are prohibited from any sign on the roof to ensure they are not mistaken for a taxi.

### **10.8 Tinted windows**

All windows must be sufficiently transparent so as not to compromise road safety or prevent clear vision into the vehicle. As a guide, vehicles fitted with manufacturers tinted windows will only be accepted if the front windscreen allows 75% of light, all other windows must allow at least 70% of light to be transmitted through them. Any vehicles with windows darker than the above specification and which do not allow the occupants to be clearly visible from the exterior will not be licensed (notwithstanding the exceptions made in section 10.9).

### **10.9 Non-standard vehicles**

Vehicles which do not conform to the above type specification may still be considered for licensing, and further conditions may be attached to ensure the safety of the public. Each application will be considered on its merits by the Licensing Committee who may inspect the vehicle.

In allowing for non-standard vehicles, the Council aims to include executive vehicles, limousines and novelty vehicles in the transport hire industry. It is not to make exceptions for substandard vehicles which would not otherwise be licensed.

### **10.10 Taxi meters**

All HCV's must be fitted with taximeters. Installation of taximeters must be carried out by an appropriate installer and accompanied with a certificate of installation and calibration. The meter shall be calibrated and set to the Council's agreed charging distances and tariffs currently in force. No attempt should be made to change the taximeter, except by an authorised officer. An officer can request to see any calibration certificate at any time.

The taximeter will be used for all journeys taken by taxi, even if under a private hire contract. For journeys ending outside of Selby District, another fee may be agreed in advance. If no such agreement is made, only the fare showing on the taximeter may be charged. More information can be found in Section 9.23 – Fares. The taximeter must be visible to passengers at all times

### **10.11 Trailers**

A driver who wishes to tow a trailer must satisfy the Council that insurance is in place for this use. Where the trailer obstructs the view of the rear vehicle plate, an additional licence plate must also be clearly displayed on the rear of the trailer (in addition to the rear of the vehicle) there will be a fee for the additional plate.

## **10.12 Advertising**

If a driver or operator wishes to display advertising anywhere on or in the vehicle, written permission must be obtained from the Council. Advertising which could cause offence is not permitted in any location on a taxi or private hire vehicle. Specific subject matter that will not be permitted includes alcohol, cigarettes and political parties. Unauthorised advertising will be subject to enforcement action.

## **10.13 CCTV in Vehicles**

The Department for Transport Best Practice Guidance recommends that councils look sympathetically on or even actively encourage the installation of security measures such as a screen between driver and passengers or CCTV systems as a means of providing some protection for vehicle drivers and passengers. It is not currently proposed that such measures should be required as part of the licensing regime and it is considered that they are best left to the judgement of the proprietors and drivers themselves.

If CCTV is installed, the vehicle proprietor of any vehicle with CCTV must notify the Council and display a sign approved by the Council advising passengers that a CCTV system is in operation in the vehicle.

Where the CCTV is in place there is an expectation that it is in working order when passengers are being carried. The CCTV system should be maintained to the manufacturer's standards and recording must be retained for 28 days and made available for viewing by the Police Officer or an authorised officer of the Council on request. Any failure to comply with this request will be reported to the Council.

The vehicle proprietor must register with the Information Commissioners Office (ICO) and to comply with any ICO Code.

Any reports of misuse of CCTV or recorded images may result in the immediate referral to the Licensing Committee with a view to suspending or revoking both the vehicle and driver licences.

## **10.14 Environmental Considerations**

On 29<sup>th</sup> February 2016 the Council declared the first Air Quality Management Area (AQMA) in the district, following elevated levels of pollutants measured within Selby Town Centre. Vehicles including Taxis are identified as a contributor to the poor air quality within the town centre, but the Council also recognises the importance of their availability to provide transport for Selby's residents.

Emission standards for Taxis will be subject to review, taking into consideration up-to-date emission monitoring results. To determine whether sufficient progress is being made towards achieving the health based air quality objectives and improving health and well-being of local residents.

Frequent maintenance of vehicles is also recommended, and emissions may also be further reduced by switching off engines whilst stationary or idling, particularly at ranks and stood in traffic.

The AQMA area is along a short stretch of New Street, near Selby Abbey and The Crescent which frequently is subject to high traffic volumes and frequent idling. This area

should also be avoided to aid improvement of air quality along the AQMA and alternative routes considered.

### Plan of the AQMA



The Council will look further at the impact of taxi emissions via the introduction of low-emission and hybrid vehicle use and the possibility to provide grant incentives and schemes to promote the uptake of low-emission, hybrid and electric vehicles in the fleet.



In addition; these types of vehicles tend to carry much cheaper road tax, fuel and insurance costs.

This policy is part of the Council's responsibility to review and assess air quality and meeting national air quality objectives to benefit people's health and create a more pleasant environment for residents and visitors of Selby District.

For further information on the AQMA, Action Plan and air quality please visit;

<https://www.selby.gov.uk/air-quality>

### **10.15 Vehicle Accidents**

If at any time the licensed vehicle is involved in an accident, however minor, the driver must inform the Council of this fact as soon as possible and in any event within one working day (by telephone or email). An accident report form will then need to be completed and submitted to the Council within five working days of the accident occurring, along with photographs of the damage. If the photographs and accident form are not returned within the time limit above, the vehicle license will be suspended.

If the damage appears to be more than minor or superficial the vehicle must be submitted for an inspection at the Council's authorised testing station. – The appointment will be made by the licence holder, who is liable for any fees incurred. The vehicle license will be suspended until a valid compliance test has been provided to the Council.

If the vehicle is so damaged that it cannot be driven, then the vehicle proprietor must inform the Council of the fact and the Council will then advise the proprietor of the action to be taken

Failure to do the required steps above may result in enforcement action.

If a proprietor wishes to use a 'Hire vehicle' whilst their licensed vehicle is damaged, the Council will not accept any application from any insurer or hire company wishing to supply such a vehicle unless the above steps have been completed.

### **10.16 Changing a vehicle**

The Council cannot directly transfer a licence to another vehicle. Instead a new licence will be issued for the new vehicle and a refund made for any full calendar months remaining on the previous vehicle license.

### **10.17 Accessibility and hackney carriage vehicle requirements**

In regulating the hackney carriage and private hire trade the Council aim to meet the diverse needs of all accessibility requirements in the district. This includes wheelchair users, the visually impaired, the elderly and other groups that may be disabled or otherwise have accessibility requirements. The Council do not place any restrictions on PHV types. However, if the vehicle is to be wheelchair accessible, to ensure public safety, PHV applicants will be required to provide the V5 document that shows that the vehicle has been defined as wheelchair accessible or the certificate of conformance (refer to section 10.20 below).

### **10.18 New vehicles with new applicants**

Where a new application for a HCV licence is made, the licence will only be granted if the vehicle is wheelchair accessible.

### **10.19 Replacement vehicles**

HCV's will only be replaced by vehicles that are wheelchair accessible.

### **10.20 Definition of a wheelchair accessible vehicle**

A vehicle will only be defined as wheelchair accessible if it is 'European Community Whole Vehicle Type Approval (ECWVTA). This will be shown on either the vehicles V5 registration document or by a 'certificate of conformity' (COC), which shows that the vehicles have been produced to a very high and vigorous standard.

The COC should show the number of passengers the vehicle is able to carry with the wheelchair conversion.

Approved anchorages must be provided for the wheelchair and the wheelchair user. These anchorages must be either chassis or floor linked and capable of withstanding approved dynamic or static tests. Restraints for wheelchair and occupant must be independent of each other. Anchorage must also be provided for the safe stowage of a wheelchair when not in use, folded or otherwise, if carried within the passenger compartment. They must be designed so as not to cause injury within the passenger compartment. They must be designed so as not to cause injury to other passengers.

A ramp or ramps for the loading of a wheelchair and occupant must be available at all times for existing wheelchair accessible vehicles. The entry must be either via the nearside door or via the rear. An adequate locking device must be fitted to ensure that the ramps do not slip or tilt when in use. Provision must be made for the ramps to be stored safely when not in use.

If the vehicle has a purpose designed wheelchair lift, then a 'LOLER' certificate must be produced with the initial application, and this must be renewed annually. The onus will be on the vehicle proprietor to ensure this is kept up to date and the certificate can be requested at any time by an Authorised Officer.

### **10.21 List of wheelchair accessible vehicles**

Section 165 – 167 of the Equalities Act 2010 (the 2010 Act) came into force 7<sup>th</sup> April 2017, and allows local authorities to create a list of designated wheelchair accessible vehicles (a S167 List).

The Council will publish a S167 List of wheelchair accessible vehicles. This means that any vehicle that meets the Council's definition of a wheelchair accessible vehicle will be designated on the list.

By the Council creating the S167 List, this brings into effect the duties placed on drivers under section 165 of the 2010 Act, making it a criminal offence if the driver of a designated vehicle fails to comply with the duties specified under section 165 (see Appendix E).

The Council can exempt drivers from the duties to assist passengers in wheelchairs if they are satisfied that it is appropriate to do so on medical grounds or because the

driver's physical condition makes it impossible or unreasonably difficult for him or her to comply with the duties. There is no other form of exemption.

To apply for a medical exemption an application form will need to be obtained from the Council, which can also be downloaded from our website. This will need to be given to the applicant's doctor and submitted with a written request for medical exemption to the licensing team. The decision to medically exempt a driver will be made by the Licensing Committee.

If a HCD is granted an exemption, this only exempts them from the duties under section 165 and does not affect the vehicle which is still required to be wheelchair accessible.

### **10.22 Assistance dogs**

Taxis must carry guide / assistance dogs at no extra charge, failure to comply with this may be an offence of the PHO and / or the driver.

Any person with a medical condition that would be aggravated by carrying dogs may apply to the Council for an exemption from this requirement.

### **10.23 Fares**

The Council sets rates for taxi fares (but not for private hire vehicles). The most up to date taxi fares can be found on the Council website. The table of fares should be clearly displayed in HCV's. Private hire vehicles operators and owners are able to set their own fares.

A Hackney Carriage driver may not demand a fare in excess of the fare shown on the taxi meter, unless a fare has been previously agreed. If a fare has been previously agreed, the Hackney Carriage driver may not charge more than this agreement.

Drivers must make no attempt to cancel or hide the fare shown on the taximeter.

## **11. Complying with the law**

All people at all times should comply with the law. Taxi and private hire drivers/operators are no exception, and should not do anything illegal at any time. There are a number of offences which are particularly serious breaches of the law for professional drivers. If a driver does not comply with the law in a way that could put members of the public in danger, the driver's licence may be suspended or revoked in addition to any enforcement action due to breach of the law.

### **11.1 Mobile phone use**

Drivers must not use a mobile phone or any other mobile device whilst driving. It is legal to bring the vehicle to a halt in a safe place and take a phone call, although it may be considered unreasonable to do so with passengers in the vehicle. The hard shoulder of a motorway is not a safe place, and drivers must never stop on a hard shoulder to make or answer a call. The only permitted use of a mobile device while driving is with a hands-free system – though this may also be inappropriate with passengers.

### **11.2 Alcohol**

Drink driving is a serious offence for any motorist. Professional drivers must take particular care, and not drink alcohol immediately before or at any time while driving or being in charge of a vehicle.

### **11.3 Discrimination**

Drivers should carry all passengers upon every reasonable request without discriminating in any way. If a driver refuses to carry a passenger, they will be invited to a hearing and given a chance to state their reasons for refusal. If the Council is satisfied that the reasons are justifiable then no action will be taken, otherwise appropriate enforcement action will be considered and applied. Particularly serious is discrimination on the basis of the protected characteristics of the Equality Act 2010 (including age, disability, gender identity, race, religion, sex and sexual orientation).

### **11.4 Carrying the right number of passengers**

Vehicles are licensed to carry up to a specified maximum number of passengers.

Carrying more passengers than this maximum is a severe breach of policy.

### **11.5 Parking at hackney carriage ranks**

HCD's must remain with their vehicle while at the rank. Drivers are not permitted to use ranks to park their vehicle.

PHV's are not allowed to use the ranks in any capacity.

If the taxi rank is full the driver must drive on. The driver must only wait where it is safe and legal to do so without obstructing the highway or access.

### **11.6 Vehicle use**

It is illegal to allow a person who does not hold a PHDL to drive a licensed PHV, even when that vehicle is not being used as a PHV. This means that a licensed driver's family and friends are not permitted to drive the PHV at any time.

## **12. Complaints**

Members of the public are able to make complaints about licence holders in the taxi trade. In these cases the Council will always keep in touch with the complainant while carrying out the investigation. The licence holder will be told about the complaint, and invited to an interview to discuss it as part of the investigation. The Council will follow up by taking enforcement action where appropriate.

## **13. Enforcement**

The Council's commitment to fair and effective enforcement activity is not only good for public safety, but also for the responsible people in the taxi trades. The Council believe that the majority of those in the taxi trades will seek to comply with this policy and the law. The Council will clamp down on unlicensed operators and liaise with other agencies, especially the police, to ensure compliance with this policy and with the law. Any enforcement action will be taken in line with the Corporate Enforcement Policy: <https://www.selby.gov.uk/enforcement-policy>

### **13.1 Considerations**

Where enforcement action is being taken or considered by the Council, there will be a full investigation of the circumstances which may involve taking statements, interviewing the licence holder and considering the licence holders record before the appropriate action is determined.

### **13.2 Levels of enforcement action**

In the event of minor transgressions, particularly if the driver has no history of transgressions and the Council believe that the transgression was unintentional, a written warning is likely to be issued.

In more serious cases of transgression, or where the Council find evidence of malpractice or non-compliance with this policy among licence holders, the Council can suspend or revoke licences. Where public safety is the primary cause for concern, the Council has the legal right to suspend or revoke licences immediately.

Licences which are suspended or revoked must be returned to the Council, along with any badges, cards and licence plates.

### **13.3 Appeals**

The Council can refuse to grant or renew a licence, or impose conditions upon a licence of any type except for HCDL.

The Council is able to suspend or revoke a licence.

Any person aggrieved by a decision by the Council can appeal to the Magistrates' Court within 28 days of receipt of notification in writing of the decision.

In the case of an immediate suspension on the grounds of public safety, this carries its own right of appeal.

### **13.4 Policy review**

As a regulatory body, the Council are always monitoring changes to legislation. When changes take place, the Council review the policy and update it as necessary and will also regularly carry out a review to monitor its effectiveness and keep it in line with best practice, guidance and local considerations.

## **Appendix A – Guidance notes for applicants (Drivers)**

### **Am I eligible?**

To become a taxi driver you will need to get a licence from the Council.

In order to be eligible for a licence you must:

- Have held a DVLA licence for at least 2 years.
- Be able to demonstrate that you are a 'fit and proper person' to hold a licence.

The Council carry out a number of checks to determine whether you meet these criteria as outlined in section 8, Checks on the driver.

### **Before you apply**

You will need to contact the licensing team on 01737 705101 or [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk) to make an appointment with a member of the team. During this appointment the full application process will be explained and the application pack given to you. A Right to work check will also be carried out; you will need to provide 3 documents for proof of identity.

Applicants must complete a practical driving test for drivers of hackney carriage and private hire vehicles and where applicable a wheelchair assistance test from a list of approved providers before applying to the Council for a driver's licence.

Drivers must have a good working knowledge of the area in which they work. Applicants will need to complete a 'knowledge and safeguarding course' held at the York work development unit.

<https://york.learningpool.com>

Further information on this course will be given to you during the meeting with licensing.

The Council may extend its course requirements, by an approved provider if deemed to be necessary at any time.

**You are ready to submit your application when you have all of the following documents:**

- Completed application form
- A digital photograph (sent via email to [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk))
- DVLA Access code (please be aware that these only last for 21 days)
- DBS certificate (dated within 3 months of your application)
- Group 2 medical form completed by your own GP
- The relevant fee (non-refundable)
- Referee contact details for your character reference
- Practical driving test certificate/wheelchair assistance certificate (if applicable)/knowledge and safeguarding certificate.

**What happens next?**

Once the checks have been carried out the Council will determine your application and inform you of their decision in writing. You may be asked to the Licensing Committee to provide further evidence that you are a fit and proper person.

**If you are unsuccessful**

Should you be unsuccessful, the reason for your refusal will be confirmed in writing. You will be informed of your right to appeal, which would go to the Magistrates' Court and must be made within twenty-one days of the notice of refusal.

**If you are successful**

If you are successful you will receive your driver's badge along with your driver's handbook. Once you have received and signed for these you will be licensed to drive a hackney carriage (for hackney carriage drivers) or a private hire vehicle (in the case of private hire drivers). The vehicles used for hire must be licensed by Selby District Council, although the vehicle that you drive does not necessarily have to be owned by you. When working as a driver you must wear your badge in such a position that it can be seen at all times.

It is important that you read and fully understand the driver's handbook. If you are found to be in breach of them it may result in your licence being suspended or revoked.

When your driver's licence is due for renewal you will receive a reminder 4-6 weeks before the licence expires. It is your responsibility to ensure that the full renewal application, documents and fee are received in good time to avoid the lapse of your licence.

**What if my circumstances change?**

It is very important that the Council knows of changes to circumstances which affect the licence. We have put together this list of things we need to be told about, this list is not exhaustive. Please be aware notification of these must always be within 3 days (please see changes to licensee circumstances). If the Council offices are closed you are still able to email on: [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk) or put in writing to the Council.

Every licensee must let the Council know if they

- Move house, or change primary address details
- Move business premises
- Change contact details (including phone number and email address)
- Receive a police warning or caution, or are fined or arrested.
- Immigration Penalties

Additionally, every licensed driver must inform the Council if they:

- Have a motor vehicle accident
- Get points on their driving licence, or are suspended/disqualified from driving
- Develop a health condition, or a known health condition deteriorates
- Change the operator through whom they work (private hire only)

## Appendix B – Guidance notes for Private Hire Operators

Operators must:

- Have an operating base within the district.
- Make sure that all of their drivers are licensed by Selby District Council.
- Make sure that their premises are sanctioned by the Council, including any planning permission required for the site.
- Make sure that all vehicles in the fleet are licensed.
- Prevent defective or unsafe vehicles from being used, even if licensed.
- Familiarise themselves with this policy.
- Ensure that any of their staff who has access to data have a basic DBS check, renewed every 3 years and keep a record of this.
- Inform the Council in writing of any changes to the detail of their licence within 3 days of the change being made, including changes to –
  - The operator's own contact details, home address or business premises
- If the Council offices are closed during the 3 day period to report please email: [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk) or put in writing.
- Operators must always and only use the trading name registered on the licence for business purposes such as bookings and advertising.
- **Record Keeping**
- Operators must keep records of each booking, the name of the passenger, the destination, the name of the driver, the number of the vehicle and any fare quoted at the time of booking, including where the booking has been received from or subcontracted to another operator. This information will enable the passenger to be traced if this becomes necessary and should improve driver security. Records



are to be held for at least twelve months and be available for inspection upon request.

- **Prompt Attendance**
- If a PHO accepts a booking under contract for private hire, they will use their best endeavours to ensure that the vehicle is on time for that appointment in the correct place, unless delayed or prevented by sufficient cause. If a legitimate reason for the delay is encountered, every reasonable effort must be made to contact the passenger.
- **Insurance**
- Operators must make sure that every operating base that has access to the public is covered by public liability insurance and employer's liability insurance is in place for the duration of their licence. The insurance certificate must be available for inspection upon request.
- If the licensed operator has an operating base to which the public have access then the licence should be on display.
- The operator will ensure that all vehicles and drivers under their control have the necessary insurance before allocating a booking for hire.

## **Appendix C – Guidance notes for vehicle inspections**

Vehicles are tested at least every year at a full vehicle inspection. Vehicles over two years old also must have interim inspections (see section 10 - Vehicles).

### **Payment**

Payment for the test must be made at the Access Centre. You can also pay for any renewal / new application here.

You will be given a receipt which will show a payment reference number for the test. Telephone 'Watson's Mot and service centre' our contracted garage on 01757 213650 to book your vehicle in for test, you will need to quote the payment reference number on your receipt to show that you have paid and you will be required to show this to the garage on the day of the test.

Please be aware if you miss your vehicle appointment, you will need to pay the test fee again.

### **Vehicle standards**

At the inspection, as throughout the year, the vehicle must be:

- Safe, clean and tidy inside and out
- In good mechanical order
- Fitted with working seat belts
- Equipped with spare bulb kit
- Fitted with a fire extinguisher, which must be:

- A water or foam extinguisher
- At least 600g
- Within its functional date (i.e. not expired)
- Near the driver
- Readily available for use at all times.

## Seating

The vehicle must be presented for inspection with the number of seats in position for which it is to be licensed. If it is wheelchair accessible, the number of seats and wheelchair spaces must not exceed the number of seats for which the vehicle is licensed.

## Licence plates

If the vehicle is being inspected at renewal or for an interim inspection, the plates provided by the Council must be securely attached to the outside of the vehicle. The small plate must be securely attached to the dashboard.

If you are changing your vehicle or taking it off the road, the old plates must be returned to the Council at the Civic centre before new plates can be issued.

If the vehicle has not been licensed before, you will be contacted by the licensing team after your application has been determined. If granted you will be asked to come to the Civic centre to sign for and collect your plate and vehicle handbook.

## Notice for display in vehicle

It is encouraged that the following notices be displayed in a prominent position, visible to passengers. There is one notice for taxis and one for private hire vehicles, highlighting some of the differences between the licences and vehicle type.

**Notices for private hire vehicles –** What you can expect from the private hire vehicle trade and what the trade expect from you.

The driver will:

- Ensure that the passenger has pre-booked and agrees with the fare before setting off
- Drive with due care and courtesy towards the passenger and other road users
- Take the most time efficient route, bearing in mind likely traffic problems and known diversions, and explain any diversion from the most direct route.

The passenger will:

- Treat the vehicle and the driver with respect and obey any notices (e.g. in relation to eating in the vehicle).
- Ensure that they have enough money to pay the fare before travelling. If wishing to pay by credit card or to stop on route to use a cash machine, check with the driver before setting off.
- Be aware that the driver is likely to be restricted by traffic regulations in relation to where s/he can drive the vehicle.

DRAFT

**Notice for Taxi Passengers –** What you can expect from the taxi trade and what the taxi trade can expect from you.

The driver will:

- Drive with due care and courtesy towards the passenger and other road users
- Use the meter within the licensed area, unless the passenger has agreed to hire by time
- If using the meter, not start the meter until the passenger is seated in the vehicle.
- If travelling outside the licensed area, agree the fare in advance. If no fare has been negotiated in advance for a journey going beyond the licensing area then the driver must adhere to the meter.
- Take the most time efficient route, bearing in mind likely traffic problems and known diversions, explain any diversions from the most direct route.

The passenger will:

- Treat the vehicle and the driver with respect
- Ensure that they have enough money to pay the fare before travelling. If wishing to pay by credit card or to stop on route to use a cash machine, check with the driver before setting off
- Be aware of the fare on the meter and make the driver aware if it is approaching the limit of their financial resources
- Be aware that the driver is likely to be restricted by traffic regulations in relation to where they can stop the vehicle.

## Appendix D – Discreet plate licensing

### The application process:

- A completed application form is required.
- At least 3 references from current customers/potential customers wishing to use the proposed service
- Photographs of the vehicle with the registration plate clearly visible.

The decision if the vehicle is suitable will be on a case by case basis.

If granted the discreet licence must be renewed annually.

### Discreet Vehicle Licence Conditions:

- The vehicle must only be used for executive hire – no school contracts, or other contracts that involved the transport of children, young people, or vulnerable adults.
- The private hire licence plate must be carried in the vehicle at all times, although it need not be visible to the passenger.
- The driver of the vehicle must wear visible photo identification at all times.
- The executive hire vehicle is kept to a high standard both internally and externally at all times.
- The exemption certificate (granting the discreet vehicle licence) is to be displayed on the left of the dashboard / bottom left of the windscreen at all times.
- A record is kept of all executive hire contracts undertaken by the vehicle and is to be made available for inspection by the Police and any Authorised Officer upon request.
- That a dress code is adhered to by drivers, to include a collar and tie.

## **Appendix E – Applying for exemption on physical or medical grounds from the duties placed on drivers under section 165 of The Equality Act 2010**

If a driver on the list under Section 166 of the Equalities Act 2010 wishes to apply for an exemption. They should contact the licensing team for an application form. This form will need to be taken to your own GP to be completed and submitted back to Licensing.

The licensing committee shall make the final decision.

(Please note the legislation quoted below is correct as of 30 November 2018 and may change)

### **Section 165 of the Equalities Act 2010:**

Passengers in wheelchairs

(1) This section imposes duties on the driver of a designated taxi which has been hired—

(a) by or for a disabled person who is in a wheelchair, or

(b) by another person who wishes to be accompanied by a disabled person who is in a wheelchair.

(2) This section also imposes duties on the driver of a designated private hire vehicle, if a person within paragraph (a) or (b) of subsection (1) has indicated to the driver that the person wishes to travel in the vehicle.

(3) For the purposes of this section—

(a) a taxi or private hire vehicle is 'designated' if it appears on a list maintained under section 167;

(b) 'the passenger' means the disabled person concerned.

(4) The duties are—

(a) to carry the passenger while in the wheelchair;

(b) not to make any additional charge for doing so;

(c) if the passenger chooses to sit in a passenger seat, to carry the wheelchair;

(d) to take such steps as are necessary to ensure that the passenger is carried in safety and reasonable comfort;

(e) to give the passenger such mobility assistance as is reasonably required.

(5) Mobility assistance is assistance—

(a) to enable the passenger to get into or out of the vehicle;

(b) if the passenger wishes to remain in the wheelchair, to enable the passenger to get into and out of the vehicle while in the wheelchair;

(c) to load the passenger's luggage into or out of the vehicle;

(d) if the passenger does not wish to remain in the wheelchair, to load the wheelchair into or out of the vehicle.

(6) This section does not require the driver—

(a) unless the vehicle is of a description prescribed by the Secretary of State, to carry more than one person in a wheelchair, or more than one wheelchair, on any one journey;

(b) to carry a person in circumstances in which it would otherwise be lawful for the driver to refuse to carry the person.

(7) A driver of a designated taxi or designated private hire vehicle commits an offence by failing to comply with a duty imposed on the driver by this section.

(8) A person guilty of an offence under subsection (7) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(9) It is a defence for a person charged with the offence to show that at the time of the alleged offence—

(a) the vehicle conformed to the accessibility requirements which applied to it, but

(b) it would not have been possible for the wheelchair to be carried safely in the vehicle.

(10) In this section and sections 166 and 167 'private hire vehicle' means—

(a) a vehicle licensed under section 48 of the Local Government (Miscellaneous Provisions) Act 1976;

(b) a vehicle licensed under section 7 of the Private Hire Vehicles (London) Act 1998;

(c) a vehicle licensed under an equivalent provision of a local enactment;

(d) a private hire car licensed under section 10 of the Civic Government (Scotland) Act 1982.

## **Appendix F - Code of conduct**

### **Behaviour**

All licensees must behave in a civil, polite and courteous manner at all times while working as a driver or operator. No swearing, abusive language or offensive gestures are sanctioned, and licensees must conduct themselves so as to avoid offence, nuisance and hazard to the public.

Licensees may be required to attend an interview or hearing. They must therefore respond to an interview request by the licensing authority. It is an offence to fail to comply with a reasonable request from an authorised officer.

Taxi drivers have a duty of care to their passengers, and must behave accordingly.

### **Prompt Attendance**

If a driver is aware of a booking under contract for private hire, they must be on time for that appointment in the correct place, unless delayed or prevented by sufficient cause. If a legitimate reason for the delay is encountered, every reasonable effort must be made to contact the passenger.

### **Dress code**

The Council are committed to encouraging a professional image of drivers in the district. As such, drivers' clothing must be clean, smart and professional at all times. Specifically, sportswear, including jogging or tracksuit bottoms, T-shirts and beach clothing are not appropriate for drivers while on duty.

### **Identification badge**

Drivers must wear their licence which is the identification badge as issued by the Council at all times when on duty. It must match the photo ID displayed in the vehicle being driven.

The Council will supply a driver's badge and photo ID. If a badge is lost, damaged or stolen this must be reported immediately, and a replacement badge paid for.

The photo ID must be visibly displayed in the vehicle to the passengers. Only the ID of the driver currently driving the vehicle may be displayed.

### **Receipts**

A driver must issue a receipt if requested by a passenger following a journey, and may not refuse to issue a receipt in these circumstances. Many licensees issue receipts as standard practice, which the Council encourage.

### **Luggage**

Drivers are to give all reasonable assistance with passengers' luggage in loading and unloading. According to this definition of reasonable, drivers are expected to help passengers to get their luggage to and from the entrance of a building.



## **Safe places to drop off and pick up passengers**

Drivers must never pick up or drop off a passenger in an unsafe location, nor allow a passenger to get out of the vehicle in an unsafe way (onto a road, for example).

## **Lost property**

Drivers must check the vehicle for property that may have been inadvertently left there by a passenger. If any property is found, drivers must take all reasonable steps to return property to any passenger who leaves something in the vehicle. Where this is impractical or the attempt to return property has failed, the driver must return the property to the Council, where it will be recorded and further attempts to return the property will be made.

## **Animals**

Drivers may not carry any animal which does not belong to a passenger in the vehicle. Carriage of an animal owned by a passenger is at the discretion of the driver, apart from guide dogs and other assistance dogs, which must be permitted with their owner free of charge.

## **Food in the vehicle**

The driver must not eat or drink whilst carrying fare-paying passengers in the vehicle.

## **Music**

Noise nuisance is to be avoided. Drivers must not use the radio or any other sound equipment without the express permission of the passenger. Even with passenger permission, the radio system must never be used in a way that would alarm or cause nuisance to any person, including members of the public.

## **Smoking and e-cigarettes**

The Council enforces a no smoking and no e-cigarette policy in licensed vehicles. Drivers must not smoke tobacco or use e-cigarettes or vaporisers, nor allow passengers to do so whilst in the vehicle. The vehicle must clearly have a no smoking sign on display.

## Appendix G – Hackney Carriage - Enforcement

The following sections outline the hackney carriage offences. It is important that drivers become familiar with the offences, as ignorance of an offence will not protect a licence holder from the full weight of the law.

Many of the offences are explicitly discussed in the policy. This is simply provided as a comprehensive list of offences for which we can prosecute.

### Offences under the Town Police Clauses Act 1847

- Giving false information on application for hackney carriage proprietor's licence
- Failure to notify change of address of hackney carriage proprietor
- Plying for hire without hackney carriage proprietor's licence
- Driving a hackney carriage without hackney carriage driver's licence
- Lending or parting with hackney carriage driver's licence
- Hackney carriage proprietor employing unlicensed driver
- Failure by hackney carriage proprietor to hold hackney carriage driver's licence
- Failure by hackney carriage proprietor to produce hackney carriage driver's licence
- Failure to display hackney carriage plate
- Refusal to take a fare
- Charging more than the agreed fare
- Obtaining more than the legal fare
- Travelling less than the lawful distance for an agreed fare
- Failing to wait after a deposit to wait has been paid
- Charging more than the legal fare
- Carrying other person than the hirer without consent
- Driving hackney carriage without proprietor's consent
- Person allowing another to drive hackney carriage without proprietor's consent
- Drunken driving of hackney carriage
- Wanton or furious driving or wilful misconduct leading to injury or danger

- Driver leaving hackney carriage unattended
- Hackney carriage driver obstructing other hackney carriages

### **Offences under the Local Government (Miscellaneous Provisions) Act 1976**

- Failure to notify transfer of hackney carriage proprietor's licence
- Failure to present hackney carriage for inspection as required
- Failure to inform local authority where hackney carriage is stored if requested
- Failure to report an accident to local authority
- Failure to produce hackney carriage proprietor's licence and insurance certificate
- Failure to produce hackney carriage driver's licence
- Making false statement or withholding information to obtain hackney carriage driver's licence
- Failure to return plate after notice given, after expiry, revocation or suspension of hackney carriage proprietor's licence
- Failure to surrender driver's licence after suspension, revocation or refusal to renew
- Permitting any vehicle other than hackney carriage to wait on a hackney carriage stand
- Charging more than the meter fare for a journey ending outside the district, without prior agreement
- Charging more than the meter fare when hackney carriage used as private hire vehicle
- Unnecessarily prolonging a journey
- Interfering with a taximeter
- Obstruction of authorised officer or constable
- Failure to comply with requirement of authorised officer or constable
- Failure to give information or assistance to authorised officer or constable

The above list is not exhaustive and the Council reserves the right to prosecute any other appropriate offence in line with the Corporate Enforcement policy.

## Appendix H – Private Hire - Enforcement

The following sections outline the private hire offences. It is important that drivers become familiar with the offences, as ignorance of an offence will not protect a licence holder from the full weight of the law.

Many of the offences are explicitly discussed in the policy. This is simply provided as a comprehensive list of offences for which we can prosecute.

### Offences under the Local Government (Miscellaneous Provisions) Act 1976

- Using an unlicensed private hire vehicle
- Driving a private hire vehicle without a private hire driver's licence
- Proprietor of a private hire vehicle using an unlicensed driver
- Operating a private hire vehicle without a private hire operator's licence
- Operating a vehicle as a private hire vehicle when the vehicle is not licensed as a private hire vehicle
- Operating a private hire vehicle when the driver is not licensed as a private hire driver
- Failure to display private hire vehicle plate
- Failure to notify transfer of private hire vehicle licence
- Failure to present private hire vehicle for inspection as required
- Failure to inform local authority where private hire vehicle is stored if requested
- Failure to report an accident to local authority
- Failure to produce private hire vehicle licence and insurance certificate
- Failure to produce private hire driver's licence
- Failure to wear private hire driver's badge
- Failure by private hire operator to keep records of bookings
- Failure by private hire operator to keep records of private hire vehicles operated by him
- Failure to produce private hire operator's licence on request
- Making false statement or withholding information to obtain private hire driver's or operator's licence
- Failure to return plate after notice given after expiry, revocation or suspension of private hire vehicle licence

- Failure to surrender drivers licence after suspension, revocation or refusal to renew
- Charging more than the meter fare when hackney carriage used as private hire vehicle
- Unnecessarily prolonging a journey
- Interfering with a taximeter
- Obstruction of authorised officer or constable
- Failure to comply with requirement of authorised officer or constable
- Failure to give information or assistance to authorised officer or constable
- Knowingly sub-contracting a booking to another operator who is not complying with the relevant legislation

### **Offences under the Transport Act 1980**

- Driving a private hire vehicle with a roof sign which contravenes section 64(1)
- Causing or permitting a private hire vehicle to be driven with a roof sign which contravenes section 64(1)

The above list is not exhaustive and the Council reserves the right to prosecute any other appropriate offence in line with the Corporate Enforcement policy.

## Appendix I – Definitions in this Policy

Applicant	An individual or organisation applying for the grant or renewal of a licence or licences
Authorised officer	An officer of the Council with powers to administer and enforce relevant legislation.
the Council	Selby District Council
DBS	Disclosure and Barring Service
Driver licence	A licence issued by the Council to taxi drivers.
Driving licence	A licence issued by the DVLA.
DVLA	Driver and Vehicle Licensing Agency
DVLA Group 2	The minimum standard of medical health required of professional drivers.
DVSA	Driving Standards Agency
Hackney Carriage Vehicle	A vehicle which can be hired under the Town Police Clauses Act (1847) either immediately or pre booked.
Licensing Committee	A committee of the Council with authority to determine applications for licences, including private hire operators, drivers and vehicle proprietors.
MOT test	A statutory inspection required for all licensed vehicles.
MOT	Ministry of Transport
Private Hire Operator	An individual, a company or a partnership licenced to make arrangements for the hire of a Private Hire Vehicle
Private Hire Vehicle	A vehicle which can be hired under the Local Government (Miscellaneous Provisions) Act 1976.
Taximeter	A meter which calculates the distance travelled and time spent on a journey in a taxi. The rates are set by the Council and determine a fair fee for the passenger.
Vehicle Proprietor	A person responsible for the maintenance of the vehicle (Usually the owner of the vehicle).

**Appendix B –**

Summary of consultation responses to the Selby Taxi Licensing Policy 2019

<b>Section of the Policy</b>	<b>Feedback</b>	<b>Officer comments</b>
Section 8.1 Medical Checks	<p>3 responses were in agreement with our proposals (Received from the public website).</p> <p>A further 4 queried the need for the increase, referring to cost, and the need to inform of medical changes to the council. (All 4 responses were from Hackney Carriage drivers).</p> <p>Where is the training for the Council to decide what a change to a medical condition is.</p>	<p>The medical condition of every individual can change at any time. As the main purpose of the Authority is protection of the public it is crucial that medicals are carried out on our drivers regularly to ensure that public safety is maintained.</p> <p>If someone notifies a change of condition, no one decides if the change is fundamental, just advised to get a further medical.</p>
Convictions Policy	<p>3 responses were in agreement with our proposals (Received from the public website).</p> <p>2 responses queried (Hackney Carriage Drivers) abuse of the Rehabilitation of Offenders Act 1974.</p> <p>Pattern of behaviour - concern over the Licensing committee deeming people guilty (2 Hackney Carriage Drivers).</p>	<p>The 1974 Act states that convictions become spent and therefore do not have to be declared. However, the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 exempts that provision for Hackney Carriage drivers and Private Hire drivers and are listed as exempt activities. Such exemptions do not only apply to Councils.</p> <p>There is always an appeal process. This is always given at the end of each decision.</p>
Fire Extinguishes	<p>Recommendation of water or foam instead of powder in accordance with the Freight Transport Association Hackney Carriage and private Hire Vehicle National Inspection</p>	

	Standards best practice guide (August 2012). – (Response from North Yorkshire Passenger) Transport & 1 Hackney Carriage Driver)	
All new Hackney Carriage vehicles must be wheelchair accessible (as per the wheelchair accessible definition within the policy).	<p>Elderly people struggle to get in and out of the vehicle due to the height of the vehicle.</p> <p>A mixed fleet of saloon and wheelchair accessible vehicles is best.</p>	<p>There are various types of vehicles on the market. If the vehicle purchased is too high, steps can be purchased to aid customers.</p> <p>We are aware that by making it a requirement for all new Hackney Carriage vehicles to be Wheelchair accessible that the majority of our current licensed vehicles will not fit the criteria and will still be a Hackney Carriage vehicle, but will not show on the list as wheelchair accessible.</p> <p>Due to this, if we do create a list under Section 167 of the Equality Act 2010, the number of vehicles on it will be low and it will take time for this to increase, therefore the requirement of Hackney Carriage vehicles being wheelchair accessible will help to build this up.</p> <p>The policy is always under review; therefore we would look at where we are at some point in the future to see if any exemptions to the requirement should then be considered once the wheelchair fleet has increased.</p>





**Report Reference Number: E/19/41**

---

**To: Executive**  
**Date: 10<sup>th</sup> January 2020**  
**Status: Key Decision**  
**Ward(s) Affected: All Wards**  
**Author: Caroline Skelly, Planning Policy Manager**  
**Lead Executive Member: Cllr Richard Musgrave, Lead Executive Member for Place Shaping**  
**Lead Officer: Dave Caulfield, Director of Economic Regeneration and Place**

---

**Title:** Selby District Local Plan Issues and Options Consultation

**Summary:**

On 17 September 2019 Council gave approval for work to commence on the preparation of a new comprehensive Local Plan for the District. Approval is now sought for consultation to take place on the Local Plan Issues and Options Document, which will be undertaken under Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

**Recommendations:**

That Executive

- i. Approve the Issues and Options document at Appendix 1 of this report for consultation in accordance with the Town and Country Planning (Local Planning) (England) regulations 2012 (as amended)
- ii. Delegate to Officers the arrangements for the consultation to take place for 6 weeks between 24<sup>th</sup> January and 6<sup>th</sup> March 2020.
- iii. Delegate to the Director of Economic Regeneration and Place, in consultation with the Lead Councillor for Place Shaping, any minor amendments required to the documentation for typographical, grammatical and factual or Plain English purposes to the documents prior to publishing for consultation.

**Reasons for recommendation**

Executive are asked to approve the Issues and Options document for public consultation in order to further progress the adoption of a Local Plan.

**1. Introduction and background**

- 1.1 The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the requirements in relation to the preparation of Local Plans.

Regulation 18 says that the Local Planning Authority must notify relevant organisation or individuals about the intention to prepare a Plan and to invite comments on what it should contain.

- 1.2 The Draft Issues and Options Consultation Document attached at Appendix 1 is the first stage in the preparation of a new Local Plan and seeks to fulfil the requirements set out under Regulation 18.

## **2.0 Issues and Options Consultation Document**

- 2.1 The aim of the Issues and Options document is to identify the issues that the Local Plan needs to address and consider options for how these could be addressed spatially. The Issues and Options Consultation seeks views on the following topics: -

- The spatial portrait of the District
- The key issues which need to be addressed
- The scale of future development
- Where new development should take place

- 2.2 The Issues and Options consultation identifies the following key themes which the Local Plan needs to address:-

- Providing a diverse local economy and thriving Town Centres
- Providing the right infrastructure to support local communities
- Creating high quality places to live
- Maintaining a high quality natural environment

- 2.3 Addressing Climate Change and Health and Well-being are considered to be topics which run throughout all four themes and will be key issues to address in the new plan.

- 2.4 The Issues and Option consultation document suggests four options for future employment growth in the District and five options for new housing development. The consultation document will seek the views of local people, stakeholders and business on these high level spatial growth options and the key issues identified. The views received will help to shape the development of the Draft Local Plan.

## **3.0 Preparation of the Issues and Options Document**

- 3.1 The National Planning Policy Framework says that Local Plans should be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees. As part of the early stages of consultation Officers have held two member workshops and five thematic based stakeholder workshops which have helped to inform the issues and spatial growth options identified in the consultation document.

## **4.0 The Duty to Co-operate**

- 4.1 The Duty to Co-operate was introduced in 2011 by the Localism Act and places a legal duty on local planning authorities to engage constructively, proactively and on an ongoing basis with other duty to co-operate bodies to maximise the effectiveness of Local Plan preparation relating to strategic matters.
- 4.2 It will be crucial for the Council to demonstrate that it has met the requirements under the Duty to Co-operate. We have already begun this engagement by inviting Duty to Co-operate partners to the Local Plan stakeholder workshops and will continue to engage continuously throughout the preparation of the plan. In addition the programme for the Local Plan will include presentations to the Leeds City Region and York, North Yorkshire and East Riding Spatial Planning Boards.

## **5.0 Evidence**

- 5.1 The preparation of the Local Plan will be informed by a number of key pieces of evidence. We have already appointed AECOM to undertake the Sustainability Appraisal and Habitats Regulations Assessment of the Local Plan. Knight Kavannagh and Page have also been appointed to undertake an Indoor and Outdoor Sports Facilities Survey which will identify where there are deficits in sports provision across the District.
- 5.2 The following evidence documents will also be commissioned early in the New Year:-
- Strategic Flood Risk Assessment
  - Conservation Area Appraisal
  - Retail and Leisure Survey
  - Housing and Economic Development Needs Assessment
- 5.3 In addition we are also working closely with NYCC Highways to commission a highways model for the District, which will help to inform the preparation of the Infrastructure Delivery Plan.
- 5.4 A “Call for Sites” exercise has also commenced which requests landowners/developers to put forward sites, which they wish to be considered for allocation in the new plan. In order for sites to be considered in the Draft Local Plan sites will need to have been submitted by the end of August 2020.

## **6.0 Next Steps**

- 6.1 If approved by Executive consultation on the Issues and Options Document will take place between 24<sup>th</sup> January and 6<sup>th</sup> March 2020. The consultation will include a number of public drop-in events as set out below:-
- Selby Library - 27<sup>th</sup> January
  - Tadcaster Library - 3<sup>rd</sup> February

- Barlby Library - 5<sup>th</sup> February
- Tesco's, Selby - 13<sup>th</sup> February
- Sherburn Library - TBC

6.2 Unfortunately the public CEF meetings do not coincide with the consultation exercise and therefore Parish Councils and the public will be invited to attend presentations on the Issues and Options as set out below:-

- Old Girls School, Sherburn - 30<sup>th</sup> January
- Regen Centre, Riccall - 6<sup>th</sup> February
- Civic Centre Selby District Council - 11<sup>th</sup> February
- The Barn, Tadcaster - 13<sup>th</sup> February
- Thorpe Willoughby - 18<sup>th</sup> February

6.3 In addition a focussed engagement session with landowners/developers will be held on 27<sup>th</sup> January at the Civic Centre.

6.4 The next step in the programme will be the preparation of a Draft Local Plan. The Draft version of the local plan will set out the draft planning policies and identify sites for future development up to 2040. In accordance with the current Local Development Scheme consultation on the draft plan is due to take place in January/February 2021, with submission to the Secretary of State for examination anticipated in June 2022.

## **7. Alternative Options Considered**

7.1 The consultation is required to fulfil Regulation 18 of The Town and Country Planning (Local Planning) (England) Regulations 2012 which state that the Local Planning Authority must notify relevant organisation or individuals about the intention to prepare a Plan and to invite comments on what it should contain.

## **8. Implications**

### **8.1 Legal Implications**

Consultation on this first stage of the Local Plan fulfils the statutory requirements as set out in Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended).

### **8.2 Financial Implications**

The consultation is covered by the Local Plan budget.

### **8.3 Policy and Risk Implications**

Not consulting at this stage in plan will result in failure to comply with the statutory regulations for plan making.

#### **8.4 Corporate Plan Implications**

The preparation of a new Local Plan will help the Council to deliver its Corporate Plan objectives to make Selby a great place to do business and to enjoy life. More specifically it will contribute to the objective to have a local plan in place which will deliver more houses in the District, business opportunities, promote health and well-being and protect and enhance the local environment. Working through 'Better Together' on the preparation of a new plan will enable us to plan over a longer time period and provide and invest in local infrastructure.

#### **8.5 Resource Implications**

The consultation is covered by the Local Plan budget.

#### **8.6 Other Implications**

None

#### **8.7 Equalities Impact Assessment**

An impact screening assessment has been undertaken and this concludes that proposals are in place to ensure that as many people as possible are made aware of and are engaged with the consultation.

### **9. Conclusion**

- 9.1 Consultation on the Issues and Options Document attached at Appendix 1 is the first formal stage in the preparation of the plan and will ensure that the Council complies with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Regulation 18 says that the Local Planning Authority must notify relevant organisation or individuals about the intention to prepare a Plan and to invite comments on what it should contain.

### **10. Background Documents**

None

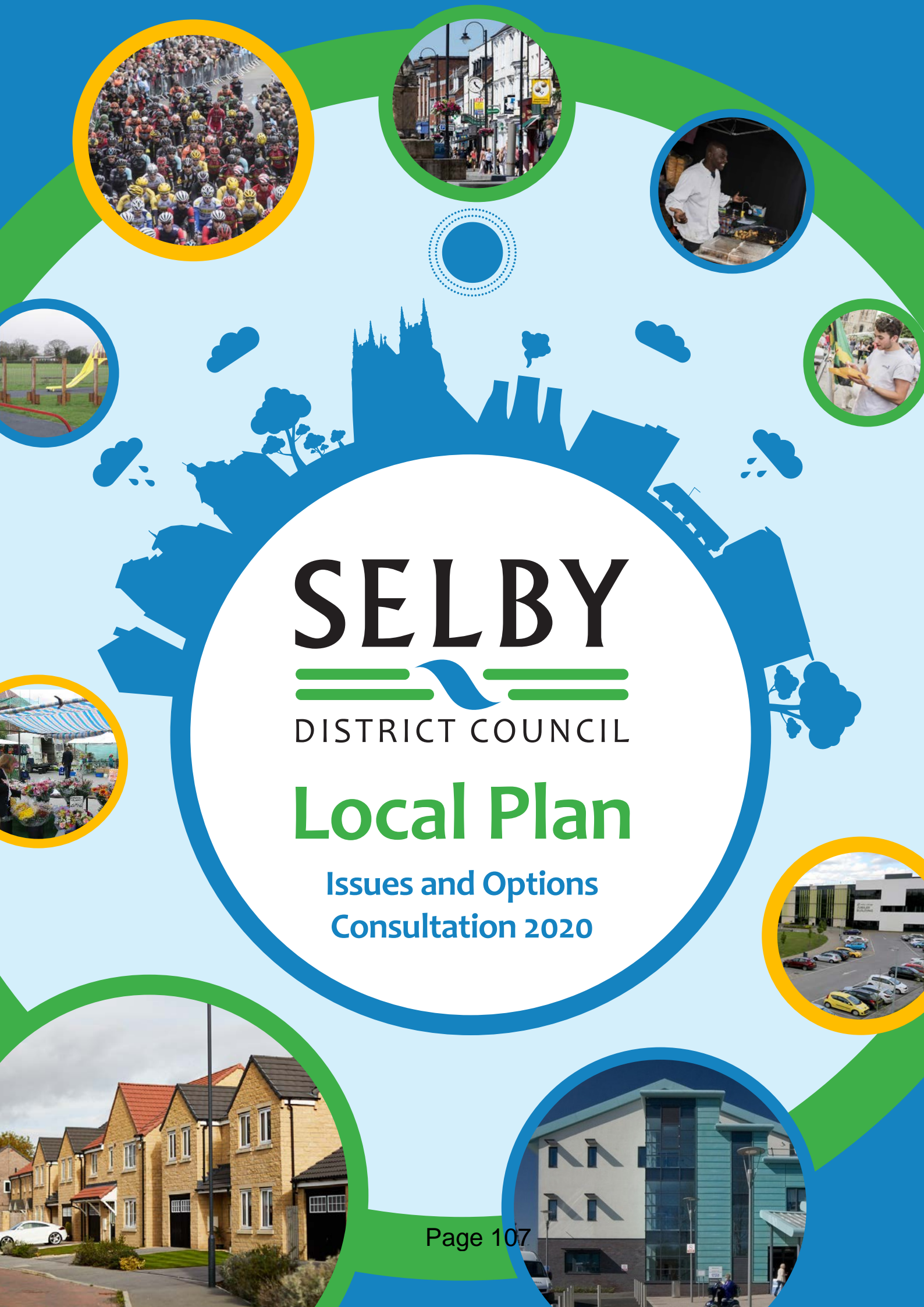
### **11. Appendices**

Appendix 1 - Issues and Options Consultation Document

**Contact Officer:**

Caroline Skelly  
Planning Policy Manager  
[cskelly@Selby.gov.uk](mailto:cskelly@Selby.gov.uk)  
01757 292137





# SELBY



DISTRICT COUNCIL

## Local Plan

Issues and Options  
Consultation 2020





## Contents

**Issues and Options**

---

<b>1 Forward</b>	<b>2</b>
<b>2 Introduction and Background</b>	<b>3</b>
<b>3 Issues and Opportunities for the Local Plan</b>	<b>13</b>
<b>4 Options for Growth</b>	<b>35</b>

## Issues and Options Consultation

### **1 Forward**

#### **1.1 TO BE INSERTED**

## Issues and Options Consultation

## 2 Introduction and Background

### INTRODUCTION

- 2.1** Selby District Council is preparing a new Local Plan which will help shape the growth of the district over the next 20 years. Although we are a small District Council we have big ambitions for growth. We want to support new development to help the district to grow whilst ensuring it remains a special place to live.
- 2.2** Local Plans should set out a vision and a framework for the future development of an area, addressing needs and opportunities in relation to housing, the economy, community facilities and infrastructure – as well as a basis for conserving and enhancing the natural and historic environment, mitigating and adapting to climate change, and achieving well designed places. It is essential that plans are in place and kept up to date with latest government guidance specifying that strategic policies should be reviewed every five years.
- 2.3** The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. Planning law requires that planning decisions are taken in line with the development plan unless material considerations indicate otherwise. The Town and Country Planning (Local Planning) (England) Regulations 2012 prescribe processes that the council must follow when preparing the Local Plan. This consultation on the Issues and Options is the first formal stage in the preparation of the new Local Plan.

### How to Get Involved

- 2.4** We're really keen to get you involved in shaping the new Local Plan and for you to have your say on how the district will grow over the next 20 years.
- 2.5** We've already undertaken some early engagement with key stakeholders to help inform this Issues and Options Consultation document which has identified a number of issues we need to address and also opportunities which could help to change the district. We have also considered the comments raised during the various stages of consultation undertaken to inform the Site Allocations Local Plan. This provides a starting point, however we would like to hear your views on what you think are the key challenges and opportunities for the district.
- 2.6** You can comment on this issues and options consultation using the form in the following ways:
- Comment using the comment form online using the Planning Policy Consultation Portal: [insert link](#)
  - Download the comment form from the Council's website: [insert link](#)

## Issues and Options Consultation

- Email your comments to [localplan@selby.gov.uk](mailto:localplan@selby.gov.uk)
- Pick up a comments form from local libraries or the Civic Centre and return to Planning Policy, Civic Centre, Doncaster Road, Selby, YO8 9FT.

**2.7** To submit your comments via the consultation portal you must first log into the system. Registering with the system is a two step process; please make sure you have completed both parts or you may find you cannot login. You must complete all name and address fields for your comments to be validated. You only need to register as an 'Agent' if you are a planning agent, i.e. a planning professional submitting comments on behalf of landowners and / or stakeholders.

**2.8** Once you are registered on our consultation database we will update you on progress as the plan goes forward.

## Issues and Options Consultation

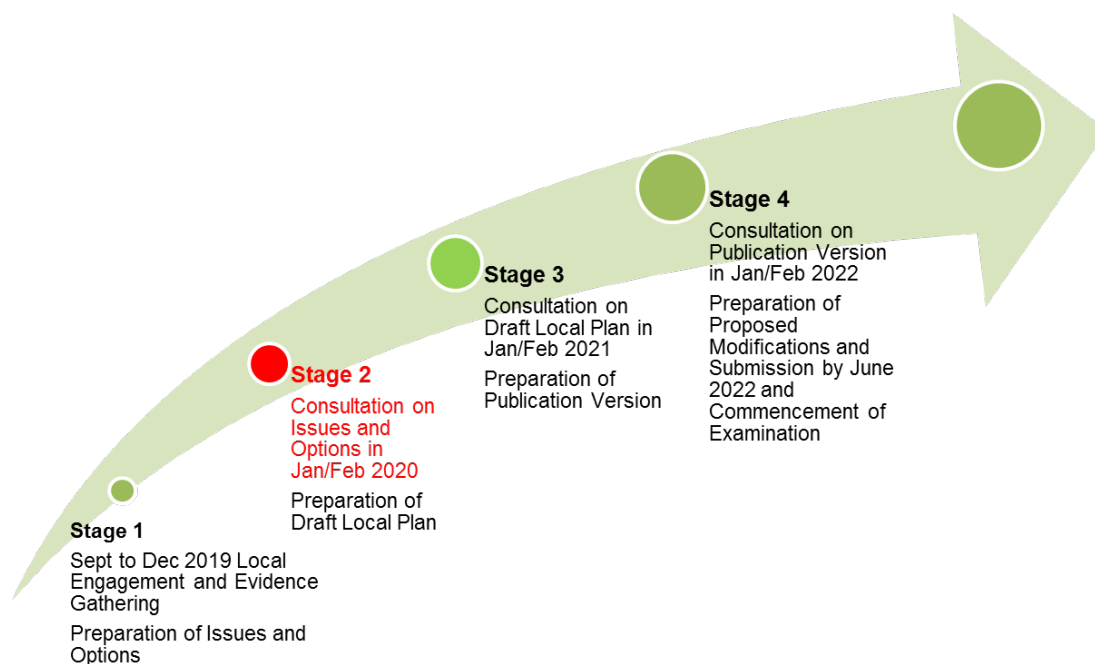
### WHAT IS A LOCAL PLAN?

- 2.9** The preparation of a new Local Plan gives us the opportunity to consider what sort of place Selby should be in 2040. The Local Plan will provide a comprehensive plan which will set out the strategic vision for the district, identify where new development will happen and set out the policies against which planning applications will be determined.
- 2.10** Our current development plan comprises the Selby District Local Plan (2005) and the Core Strategy (2013). The adopted Core Strategy document includes development policies that set out the vision and strategic policies that broadly direct how much development should take place and where it should be located across the district. Since the adoption of the Core Strategy work had been underway on the preparation of the Site Allocations Local Plan which would specifically allocate sites to deliver the policy aspirations set out in the Core Strategy. However given the evolving local context and approach set out in revised national planning policy it is considered that the time is now right to commence work on the preparation of a new Local Plan for the district in order to deliver our aspirations up to 2040.
- 2.11** Developing a longer term vision and objectives for the district will ensure we capture opportunities for new investments to improve local infrastructure, the creation of new jobs, homes, successful town centres, the creation of healthy communities in a sustainable manner in order to address climate change. Once adopted the new Local Plan will replace the adopted Core Strategy and Selby District Local Plan.
- 2.12** The new Local Plan will be prepared in accordance with the National Planning Policy Framework which requires that the plan should be prepared with the objective of contributing to sustainable development; be prepared in way which is aspirational but deliverable; be shaped by early, proportionate and effective engagement; contain clearly written unambiguous policies; be accessible through the use of digital tools; and serve a clear purpose and avoid unnecessary duplication with other policy documents.
- 2.13** The Local Plan will include:
- A spatial portrait of the district illustrating its locally distinct characteristics and the issues which the plan will need to address along with a Vision for how the District will look in 2040.
  - The spatial approach to new development and a list of sites where development will be supported known as allocations.
  - A set of policies which will be used as the basis for determining future planning applications and informing investment decisions.
  - A policies map, which will show the location of new site allocations and identify any areas of constraint

## Issues and Options Consultation

### WHAT IS THE PURPOSE OF THIS CONSULTATION?

- 2.14** This Consultation Document is the first step in the preparation of a new Local Plan for the district. The purpose of this Issues and Options consultation document is to explore the key issues and opportunities that could be addressed through the development of a new Local Plan.
- 2.15** We are asking questions which will help us to consider a number of issues and potential approaches. It is important to note that although we are asking questions about particular subjects this does not necessarily mean that we consider this to be the best option but we are keen to hear your views before we develop our approach further. The responses received to the consultation will be used to develop a draft Local Plan which will set out the preferred spatial approach to new development including the locations where it will take place.
- 2.16** The development of the Local Plan is estimated to take around two and a half years before it is ready to be submitted to the Secretary of State when it will be subject to examination by an independent Inspector. The timescales for the preparation of the Local Plan are shown in the figure below.



Picture 1

### HOW WILL THE LOCAL PLAN BE PREPARED?

- 2.17** The development of the Local Plan will involve a number of consultation stages. In addition to being prepared in accordance with relevant regulations and national planning policy, the Plan will also need to be informed by a number of statutory requirements and must reflect a range of strategic plans and priorities as explained in the following section.

## Issues and Options Consultation

### Sustainability Appraisal and Habitat Regulations Assessment

- 2.18** The Local Plan must be prepared in accordance with a Sustainability Appraisal and Habitats Regulations Assessment that meet the relevant legal requirements. This should demonstrate how the plan has addressed relevant economic, social and environmental objectives. Significant adverse impacts should be avoided and, where possible, alternative options which reduce or eliminate such impacts should be pursued.

### Duty to Co-operate

- 2.19** The Duty to Cooperate was introduced in 2011 by the Localism Act and places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis with other duty to cooperate bodies to maximise the effectiveness of Local Plan preparation relating to strategic matters. The duty to cooperate is not a duty to agree but local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination. The duty to cooperate applies to strategic issues which have significant impacts affecting two or more local authority areas.
- 2.20** The Council's participation in cross-boundary planning with its duty to cooperate partners, which include neighbouring authorities, North Yorkshire County Council and the two Local Enterprise Partnerships, will be an ongoing process throughout the preparation of the plan.

### Neighbourhood Planning

- 2.21** Neighbourhood Planning is a key part of the Government's Localism agenda. It aims to give local communities greater power to shape development by taking a more active role in the development of planning policies at a local level. Neighbourhood Plans can be developed before, after or in parallel with a local plan but the law requires that they must be in general conformity with the strategic policies in the adopted local plan. When Neighbourhood Plans are brought into force they become part of the statutory development plan for the area that they cover.
- 2.22** Within the District there are currently 5 designated Neighbourhood Plan areas (Church Fenton, Selby Town, Ulleskelf, Escrick and Brayton) and one adopted Neighbourhood Plan at Appleton Roebuck / Acaster Selby.
- 2.23** The Local Plan must make appropriate reference to Neighbourhood Plan policies and proposals.

### STRATEGIC PLANS AND PRIORITIES

- 2.24** The Local Plan will be informed by a range of policies and strategies at the national, regional and local level.

## Issues and Options Consultation

### National Priorities

**2.25** The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied, this is supported by the Planning Practice Guidance. The National Planning Policy Framework says that strategic policies should set out an overall strategy for the pattern, scale and quality of development and make sufficient provision for:

- housing (including affordable housing), employment, retail, leisure and other commercial development;
- infrastructure for transport, telecommunications, security, waste management, water supply, waste water, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- community facilities (such as health, education and cultural infrastructure); and
- conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure and planning measures to address climate change mitigation and adaptation.

### Northern Powerhouse

**2.26** The Northern Powerhouse is the government's vision for a super-connected, globally competitive northern economy with a flourishing private sector, a highly-skilled population and world-renowned civic and business leadership. The Northern Powerhouse geography covers all 11 Local Enterprise Partnerships as well as North Wales. Selby District is well placed to benefit from government investment in transport infrastructure.

### Transport for the North

**2.27** The Transport for the North Partnership brings together the North's 20 local transport authorities and business leaders together with Network Rail and highways England. The partnership aims to add strategic value by ensuring that funding decisions are informed by local knowledge and requirements. Selby District is included in two Strategic Development Corridors which have been identified as economic areas where progress towards transformational growth could be made by bringing forward major road and rail investment.

### Sub Regional Strategic Priorities

**2.28** The Local Plan will be informed by and help to deliver the key strategic objectives of a range of sub regional plans and strategies including;

- Emerging Local Industrial Strategies
- Housing Strategies
- Local and Strategic Transport Plans
- Health and Well-Being Strategies



## Issues and Options Consultation

### Local Enterprise Partnerships

- 2.29** Selby District Council sits within both the Leeds City Region and the York, North Yorkshire and East Riding Local Enterprise Partnership areas and there is a long history of cooperation and joint working across both areas.
- 2.30** The Leeds City Region Strategic Economic Plan was published in 2016 and provides an update to the city region's first SEP (2014). The plan presents an up to date assessment of the local economy, labour market and wider place characteristics of the City Region. Analysis of the Leeds City Region economy shows an area with enormous potential, but which faces key challenges on innovation, exporting, skills and connectivity if it is to realise that potential and stay both competitive and resilient.
- 2.31** A key issue which has emerged through the 2016 update is the scale of the challenge in ensuring that all communities benefit from the opportunities arising from economic growth. The strengths of Selby District's economy are identified as energy generation, manufacturing and transport and storage. The District has a lower unemployment rate than most of the other authorities in the Leeds City Region and is the only authority in the Leeds City Region where residents have earnings above the UK average.
- 2.32** The York, North Yorkshire and East Riding Strategic Economic Plan was approved in March 2014 and an update was published in 2016. Selby is identified as one of the growth towns in the A1/A19 growth corridor and Drax Power Station is identified as a growth driver, which is subject to a £700 m investment to transform itself into a largely biomass fuelled facility.
- 2.33** Selby District's active role within both Local Enterprises has meant that the Council has been able to obtain funding for a number of infrastructure projects across the District, which support growth of the local economy.
- 2.34** The Local Enterprise Partnerships are currently preparing Local Industrial Strategies that will determine the next 20 years of productivity and growth. The preparation of a new Local Plan offers the opportunity to respond to the emerging priorities for economic development from these strategies.

### Local Economic Partnership Housing Strategy

- 2.35** The York, North Yorkshire and East Riding Housing Strategy 2015-21 was approved by the Housing Board in May 2015. The strategy sets the priorities for housing growth and delivery from 2015 to 2021 and covers the Local Enterprise Partnership area of York, North Yorkshire and East Riding. The priorities of the strategy include doubling housebuilding (compared to 2012-14 building rates) and tripling the delivery of affordable housing.

### North Yorkshire Local Transport Plan 4

- 2.36** All local transport authorities are required to produce plans and strategies for maintaining and improving all aspects of the local transport system. As the highway authority, North Yorkshire County Council is responsible for all adopted roads and

## Issues and Options Consultation

footways within North Yorkshire and for the management, maintenance and improvement of the highway network. The Local Transport Plan 4 sets out the County Council's priorities, plans and strategies for managing, maintaining and improving all aspects of the local transport system for the next 30 years and is based on 5 themes:

- Economic Growth - Contributing to economic growth by delivering reliable and efficient transport networks and services.
- Road Safety - Improving road and transport safety.
- Access to Services - Improving equality of opportunity by facilitating access to services.
- Environment and Climate Change - Managing the adverse impact of transport on the environment.
- Healthier Travel - Promoting healthier travel opportunities

### Joint Health and Well - Being Strategy (North Yorkshire) 2015-20

**2.37** The Joint Health and Well-Being Strategy is a shared agreement between organisations that are represented on the Health and Well-Being Board. These include local authorities, Clinical Commissioning Groups and National Health Service (NHS) England. It is based on five key themes:

- Connected Communities
- Start Well Live Well
- Age Well
- Dying Well

**2.38** The overall outcome of the Strategy is for North Yorkshire to be a place where communities flourish, people shape services and have control of their lives.

### Local Priorities

**2.39** The Local Plan will help to deliver a range of Council Plans and Priorities including;

- The Council Plan
- The Economic Development Framework
- The Visitor Economy Strategy

### Draft Selby Council Plan 2020 to 2030

**2.40** The Council Plan sets the overarching policy direction for the Council including the long term vision, priorities and high level actions to deliver on those priorities. The Council Plan priorities and objectives are:-

## Issues and Options Consultation

- a great place to live - through improved housing supply, better quality homes and improved town centres;
- a great place to enjoy - through improved environmental quality, safe neighbourhoods and improved sustainable transport;
- a great place to grow - through increased investment in the district, more well paid jobs and higher skills levels;
- Selby District Council delivers great value - through digital enabled customer service, good quality services and being financially stable.

**2.41** Delivery of the Council Plan will be underpinned by detailed three year Delivery Plans, which will be the basis for performance monitoring and reporting. The first Delivery Plan will cover the period 2020-2023 and will be published in March 2020.

### Selby Economic Development Framework

**2.42** The Selby District Economic Development Framework for 2017-2022 and beyond was launched by the Council in November 2017. The framework sets out a number of priorities and objectives to deliver the Council's growth ambitions. The framework highlights the close interrelationship between its three priorities, which are focused on the ambition of 'Making Selby a great place...'

- For enterprise and business growth - attract investment, support business and target priority sector growth
- To live and work - develop vibrant communities with a quality housing, retail and leisure offer.
- To achieve your potential - develop a skilled and responsive workforce.

**2.43** The 2017 EDF was strongly focussed on the delivery of 5 predominantly brownfield sites for employment growth, 3 of which now have planning permission: Kellingley Colliery, Sherburn2 and Church Fenton Creative and Digital Hub.

**2.44** The Selby District Economic Framework was updated by the Council Executive in January 2019. The revised framework reviewed the progress made in delivering the 2017 EDF, including:

- Highest average wages in Yorkshire and Humber 7000+ new jobs coming from major sites
- Fastest growing District in North Yorkshire
- Over 3 million sq feet of new office & employment approved
- Economic activity rates above UK & Y&H.

**2.45** However, it was recognised that there had been less progress made in improving the District's places and town centres. To focus the Council's economic development activities, recognise progress made and seize new opportunities, 10 priority work streams were agreed for the Council as an economic development authority. Of these, the following have land use strategy implications that are relevant to the development of new planning policy for Selby District:

## Issues and Options Consultation

- M62 Strategic Development Zone/Energy Corridor - identify future sites and infrastructure needs to develop the low carbon economy
- Deliver Strategic sites – Olympia Park, Selby; Gascoigne Wood; Kellingley; Church Fenton; Sherburn 2
- Regenerate and enhance town centres and Selby Station – including Transforming Cities Fund proposals, HAZ and LCWIPs
- Support the growth of SME's and large employees in the District

### Local Evidence

**2.46** The Local Plan will be informed by a range of local evidence including:

- Housing and Economic Development Needs Assessment
- Strategic Housing Land Availability Assessment
- Strategic Flood Risk Assessment
- Retail and Town Centre Study
- Infrastructure Delivery Plan
- Whole Plan Viability Assessment

**2.47** An Infrastructure Delivery Plan will be prepared alongside the Local Plan, which will identify any improvements to infrastructure provision which will be required to support future development.

## Issues and Options Consultation

### 3 Issues and Opportunities for the Local Plan

#### Spatial Portrait

- 3.1** Selby district is a largely rural district covering an area of 6,190km<sup>2</sup>. The district is the most southerly in North Yorkshire with Neighbouring Authorities comprising York, Leeds, Doncaster, Harrogate, Wakefield and the East Riding of Yorkshire. Selby district's population is one of the fastest growing in the region and house prices are lower than neighbouring Council areas, which means it is attractive for first time buyers and young families. Residents have a high life expectancy in line with the national average, although inequalities do exist across the district and in the most deprived areas of Selby Town life expectancy is slightly lower for both men and women.
- 3.2** The district is well connected by road with direct access to the A19, A63 and A64, and the M62 and A1(M) national motorway routes which cross the district. It also benefits from a number of strategic railway links including the electrified East Coast line and the Manchester to Hull trans-Pennine line and Selby has a direct service to London. The district benefits from 7 other passenger rail stations. It is anticipated that rail services will continue to improve in speed and frequency from Selby Town particularly to Leeds but also Hull, Manchester, London and Doncaster, this provides opportunities for the regeneration around the town centre and railway station. These transport connections means there is a strong relationship between the district and the cities of Leeds, Wakefield and York particularly in terms of travel to work patterns.
- 3.3** Selby district's landscape comprises relatively flat, low-lying farmland although the northern and western boundaries have greater topographic variation as a result of the Escrick Moraine and Magnesian limestone ridge, respectively. The numerous rivers (including the Rivers Ouse, Wharfe, Aire and Derwent) which flow through the district, and their floodplains, have a major influence on the District's landscape character.
- 3.4** The district has a number of areas which are important ecological habitats which include the River Derwent, Lower Derwent Valley and Skipwith Common which have both European conservation status and nationally important Sites of Special Scientific Interest. In addition there are a number of designated local Sites of Importance for Nature Conservation (SINCs) including species rich grassland, ancient woodlands and wetlands.
- 3.5** The area also includes a considerable number of heritage assets such as Scheduled Monuments, Registered Parks and Gardens, Listed Buildings and 23 Conservation Areas.
- 3.6** Selby district's local economy has traditionally been dominated by agriculture, coal mining and the energy industries. Although unemployment is low there is a very high level of commuting to work outside of the district. The energy sector has been an integral part of the district's local economy since the opening of the Selby coalfield in 1976. The focus of the economy is changing with a new focus on the creative industries and food technology research and development. The district benefits from

## Issues and Options Consultation

sitting within the Local Enterprise Partnership areas of both the Leeds City Region and the York, North Yorkshire and East Riding. The district has several large brownfield sites including former airfields, power stations and mines, which are in close proximity to strategic transport routes (A1M, M62), this means there are opportunities for further investment opportunities.

- 3.7** Selby Town is the largest town in the district with a population of approximately 19,677 and is the main shopping centre and focus for housing, employment and other local facilities. The town centre has a wealth of historic heritage shaped by the magnificent Selby Abbey and the historic Market Place. The shops provide a mix of local independent retailers and services alongside a number of national multiples, restaurants, along with Selby Leisure Centre, a bowling alley and the Summit Indoor Adventure centre.
- 3.8** Tadcaster is one of three main settlements in the district and benefits from a wide range of facilities and services, with a population of approximately 7,506. The Breweries continue to play an important role in the local economy with the Coors, Heineken and Sam Smith's breweries represented. The town has rich historic assets with its Conservation Area, Listed Buildings and ancient monuments and is the second largest centre in terms of retail provision. Although the town does have a supermarket the retail offer is largely limited and focused on independent operators. The town has a number of community facilities including the sports centre and swimming pool. The surrounding Green Belt and designated Locally Important Landscape Area, along with the important green wedge along the riverside also make a significant contribution to the context of the town.
- 3.9** Sherburn in Elmet, located 15km to the west of Selby town is the district's third largest centre, with a population of 7,386. The retail offer although limited provides for the immediate needs of the local community and includes a small range of local independent shops and supermarkets. The village also has a number of community facilities including a library. Sherburn has seen a significant amount of housing and employment development over the last decade with the successful development of the Sherburn Enterprise Estate.
- 3.10** There are over 60 other villages across the district, which vary in size and facilities. The settlements of Barlby, Osgodby, Brayton and Thorpe Willoughby have grown into large villages and although they have a range of their own facilities, also utilise those located in Selby Town. Like Sherburn in Elmet and South Milford have also seen high levels of growth as a result of their good transport links to West Yorkshire.

### What are the Key Issues for the Local Plan?

- 3.11** The preparation of a new Local Plan gives us the opportunity to consider what sort of place we would like the Selby district to be in 2040. As part of the first stage in preparing a new Local Plan we need to consider ideas and options for the long term growth of the district. In order to do this we firstly need to consider the key issues for the Local Plan and develop the vision and objectives for how the district will develop over the next 20 years.

## Issues and Options Consultation

- 3.12** Through a number of workshops with our councillors and a range of key stakeholders we have identified a range of issues and opportunities which we consider the Local Plan needs to address and have summarised these into key themes. However it has become clear from our initial discussions that issues around climate change and health and well-being run across all themes and will be a core element of the new plan.
- 3.13** Climate Change and its impact are one of the key issues facing the district and society as a whole. Although it is often seen as a long-term challenge the impacts are already being experienced now through global and local weather events. Climate change will have an impact not only on wildlife and our environment but is also likely to have an economic impact. The Local Plan will have a key role to play in helping to move towards a net zero carbon economy, both in planning development in a way that reduces carbon emissions but also in mitigating against the impacts of climate change.
- 3.14** Addressing issues relating to climate change will run through all of the new Local Plan policies and will relate to decisions on where development will be located, how it is designed and constructed, and how we maximise opportunities for mitigation for example through tree planting and increasing/improving green infrastructure.
- 3.15** There is a clear understanding that where people live and work has an impact on their physical and mental well-being. If people live in poor housing conditions this will inevitably have an impact on their well being in the same way that not having places to exercise will have impacts on physical health. One of the key aims of the Local Plan will be to ensure that new development helps to achieve healthy, inclusive and safe communities. The Local Plan will have a key role to play in ensuring that it delivers good quality housing, which provides access to outdoor spaces for exercise and relaxation to help improve health and well-being and create communities, prevent social isolation and encourage active travel.
- 3.16** The initial engagement with stakeholders who have an interest in the district has identified a number of key issues as shown in Picture 2.

## Issues and Options Consultation



Picture 2

**3.17** Many of the issues in Figure 2 are interlinked, with the Climate Change and Health and Well-being agenda running as the golden thread through all themes. The emerging key themes for the local plan are:-

- Supporting a diverse local economy and thriving Town Centres
- Providing the right infrastructure to support local communities
- Creating high quality places to live
- Maintaining a high quality natural environment

**3.18** The following section sets out by theme the key strengths which have been identified by our stakeholders, along with details of the emerging evidence base and key issues which the Local Plan will seek to address.



## Issues and Options Consultation

### Supporting a diverse local economy and thriving Town Centres

#### Local Economy & Town Centres - Key Facts

- 36,000 jobs - 10,000 of which are part time.
- Unemployment rate at 1.6% compared to England average 2.6%
- Manufacturing is the largest employment sector - 12%.
- 5 year survival rates for new enterprises are 47%
- Net out-commuting of over 7,000 workers to nearby cities.
- Retail vacant units - Selby = 9%, Tadcaster = 21.9% and Sherburn = 1.59%
- Estimated Visitor spend - £40m per year, 56% of tourist customers from outside the area.

**3.19** Selby district's local economy has traditionally been dominated by agriculture, coal mining and the energy industries. The local economy has been highly impacted by the energy sector particularly to the south of the District where Drax and Eggborough power stations are located, whilst Tadcaster has been shaped by its breweries. Although unemployment is low there is a high level of commuting to work outside of the district. The local workforce is highly qualified and this is reflected in the highest wage levels in North Yorkshire (£526.50/week compared to £487.70 in North Yorkshire). The Local Plan provides the opportunity to set out our ambitions for the district's growth and its continued promotion as a great place to do business.

**3.20** Selby district is well placed at the heart of Yorkshire because of its good transport connections into the District from Leeds and York although it is recognised that connections through and across the district are more limited. The access to the major cities of York and Leeds means that Selby district is in an ideal position to reap the benefits arising from the Government's vision for a super-connected, globally competitive, northern economy. Over the last five years there has been significant employment growth which has far exceeded anticipated levels.

**3.21** A number of key employment areas which have been permitted in the district include;

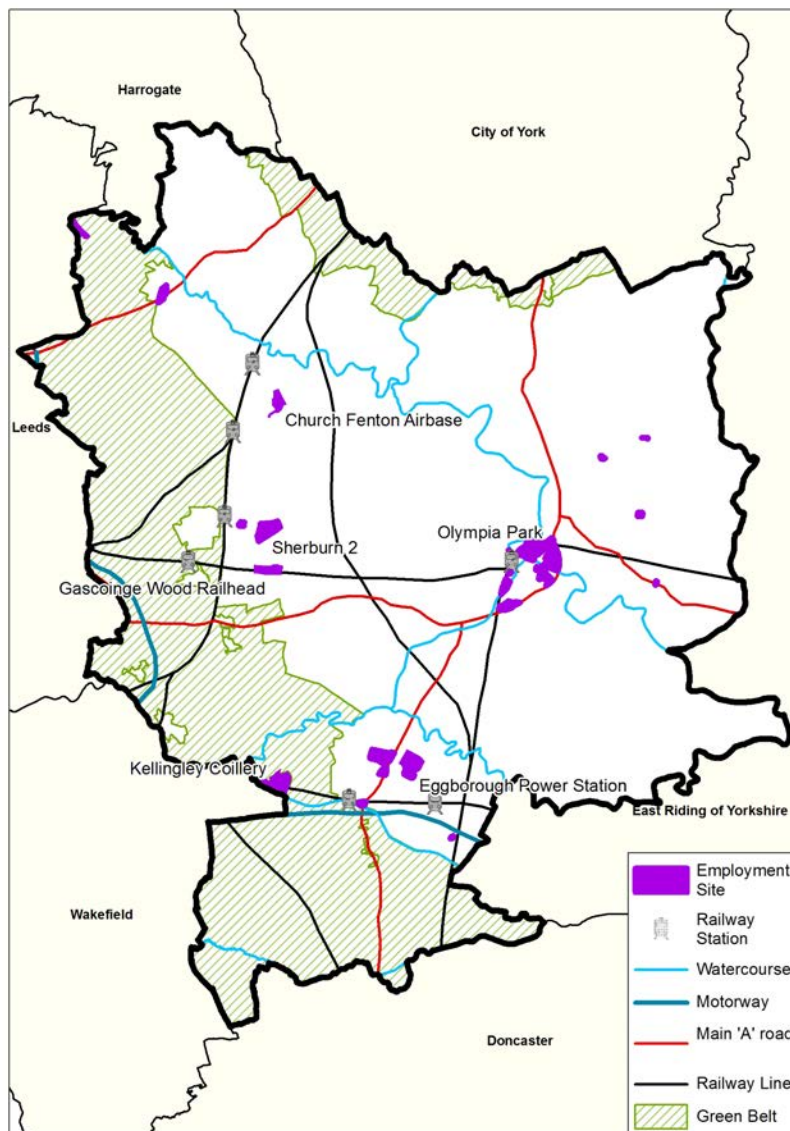
- Sherburn Enterprise Park – this large site is home to a number of national companies including Sainsbury's distribution, Kingspan and Eddie Stobart. Outline planning permission has been granted for 35 hectares of employment land for the creation of Sherburn 2 on the adjacent land.
- Former Kellingley Colliery – the site was one of the last deep coal mines which closed in December 2015. The site is close to the M62 motorway, has multi modal transport links and benefits from its existing power grid infrastructure. Permission has been granted for the development of 74.62 hectares of manufacturing and distribution space to create up to 3000 jobs and bring in £200 million of benefits to the local economy.
- Church Fenton Airfield -this is a former RAF base which ceased operation in 2013. It is home to Yorkshire Studios and building on the recent and continuing

## Issues and Options Consultation

success of the site for this use, the site has recently been granted permission (subject to a S106 agreement) for the permanent use of existing buildings together with the erection of new buildings for commercial film-making and associated uses at the southern end of the site and the development of a Creative Industries Employment Park to the northern part of the site.

**3.22** In addition to sites permitted there are also a number of locations which present opportunities for the re-use of land including;

- Gascoigne Wood Interchange - a 68 hectare site, which is regionally significant in terms of its rail freight infrastructure.
- Olympia Park - a 90 hectare site on the outskirts of Selby Town, with direct road links to the A19 and A63. A total of 18ha of the site is previously developed land.
- Eggborough Power Station - the former coal fired power station was closed in 2018. The site extends to around 130 acres and is located just off junction 34 of the M62 motorway.



Picture 3 Strategic Employment Sites

## Issues and Options Consultation

- 3.23** It is recognised that many children starting primary school today by 2040 may be working in sectors which have not yet been invented with more people likely to be working from home. We need to ensure that we plan for the digital technology to support future enterprises and changes in the way we work. The move towards net zero carbon emissions by 2050 signals a requirement to shift the direction towards low carbon technology industries.
- 3.24** Selby has a greater percentage of small businesses compared to neighbouring areas and smaller scale businesses continue to make a significant contribution to the local economy. This gives us an opportunity to support these to grow, bringing new jobs and opportunities and supporting sectors in which small companies thrive, such as the creative industries.
- 3.25** The district has a strong industrial and cultural heritage and although it already attracts tourists there are opportunities to develop this sector further. The jewel in the crown of the District is undoubtedly Selby Abbey, although there are also a number of other important heritage assets across the District such as Towton Battlefield and Cawood Castle. Sites such as Abbot's Staith provide specific opportunities to restore and re-use iconic properties in a way that can help encourage footfall in Selby town centre. A Visitor Economy Strategy has been prepared by the Council which seeks to grow the sector by 20% by 2022.
- 3.26** The District has three town centres - Selby, Tadcaster and Sherburn in Elmet, which provide a crucial role in the local economy and provide key services and facilities for residents. Our town centres continue to be the heart of our local communities, but they need to respond to changing patterns in the way that residents will shop and interact in the future.
- 3.27** Work is currently being undertaken to review the vitality of the town centres which has found that the vacancy rate in Selby is just below the national average figures and that 36% of ground floor units are retail and 23% are residential. Other uses include takeaways, restaurants and professional units. In Tadcaster over a fifth of all town centre properties are vacant and the centre displays poor signs of vitality and viability. Sherburn in Elmet has minimal vacancies but there is a lack of developable space within the town centre. Sherburn in Elmet has had a lot of housing and employment growth in recent years and there are concerns that the provision of services hasn't kept up to support the increase in population. One of the key challenges for the local plan will be considering how our town centres could be re-purposed in the future.
- 3.28** The Council is currently working with the West Yorkshire Combined Authority and partners across the Leeds City Region on a Transforming Cities Fund bid to improve Selby Station and its connections with the town centre and key redevelopment sites. The Transforming Cities Fund Bid will aim to deliver transformational improvements to Selby by enhancing the station and surrounding areas, and providing improved public spaces and connections between transport services and the town centre.

## Issues and Options Consultation

- 3.29** Selby Town Centre will benefit from a £430,000 boost following a successful bid from the Government's High Street Heritage Action Zone, this will be used to lever in additional funding. This emerging project is targeted at the historic part of the town centre around the Abbey and adjoins the area targeted for improvement through the Transforming Cities Fund. Proposals will be drawn up to spend the funds on the regeneration of historic buildings and the associated public realm, the aim of which is to help make Selby a connected, accessible town with a lively, active historic centre. This masterplanning work will also consider how improvements can be made to linking access to the town centres through improvements to walking and cycling routes.
- 3.30** One of the key issues will be how the Local Plan can support the emerging priorities from these studies including improvements to the accommodation and hospitality businesses to help improve the experience of our town centres for both residents and businesses. Our market towns also provide a key opportunity to promote a circular economy, whereby everything which is produced in our towns is re-used to create value and help to reach the UK's carbon neutral targets.

### Options for New Economic Growth

- 3.31** The Core Strategy sets out an indicative requirement to provide an additional 37-52 hectares of employment land across the district in the period 2011 to 2027 which has been greatly exceeded. This high level of growth demonstrates that the district is continuing to attract new investment, making the most of the opportunities arising from Selby district's geographical location and the potential regeneration of brownfield sites.
- 3.32** A Housing and Economic Development Needs Assessment will be prepared to inform the draft Local Plan and will consider predicted levels of employment growth and recommend potential locations for new development over the plan period and align growth with housing requirements. However we would be keen to hear from you if you have any views about the level of future employment growth which we should identify through the Local Plan.
- 3.33** The Local Plan will need to consider in detail the relationship between the provision of employment land and housing. It will be important that we recognise that increased employment growth is likely to mean we need more homes for employees working within these new businesses and that new homes will need to reflect the types of jobs which are being created.

## Issues and Options Consultation

### Question 1

#### Levels of Economic Growth

What levels of economic growth should we be planning for?

Option 1: The levels of growth that are forecasted in our emerging Housing & Economic Development Needs Assessment

Option 2: A higher level of growth in order to attract inward investment opportunities

#### Key Strengths

- Good road connections on the periphery of the district to the major motorway networks of the M1 and M62.
- Good rail connections from Selby Town and opportunities for improvements to existing services along other routes.
- Good geographical location - close proximity to the economic hubs of Leeds, Sheffield, York and Hull.
- Well qualified local workforce
- The district's existing energy infrastructure

#### Key Strategies, Policies and Initiatives

- Selby District Council Economic Development Framework 2017-2022 (and beyond)
- Selby District Visitor Economy Strategy (2018-2022)
- Leeds City Region Strategic Economic Plan (2016-2036)
- York, North Yorkshire and East Riding Local Enterprise Strategic Economic Plan (2016 update)
- Emerging Local Industrial Strategies
- Understanding Town Trends In Selby

### Issue 1

#### Supporting a diverse local economy and thriving town centres - Key Issues and Opportunities

To make the most of opportunities for growth arising from Selby District's location at the heart of Yorkshire, which offers businesses a range of excellent road, rail, water and energy infrastructure.

Ensuring that the District has the digital and communications infrastructure in place in order to respond to future industrial emissions and changing work patterns and improve self-sufficiency and lower carbon emissions.

## Issues and Options Consultation

We also need to ensure that employment growth aligns with the levels and types of new homes we deliver across the District and improve transport connectivity between the workforce and employment sites.

Take advantage of opportunities to regenerate brownfield former industrial sites across the District to make the best use of the current infrastructure provision.

Promote development along the M62 Energy Corridor working with businesses and providing opportunities to move towards low and net zero carbon operations and expand this employment sector.

Helping to support the development of higher education facilities, acknowledging the role they play in up-skilling the local workforce. This will help to ensure that the District develops and retains a high skilled work force to support a buoyant local economy.

Supporting the diversification of the District's rural economy without damaging the special qualities of the natural environment, recognising that the high quality place is why people choose to live in the District.

Capitalise on Selby District's heritage to attract visitors to the District and to boost the tourism sector of the economy. This includes promoting and identifying locations for a range of tourist accommodation and other supporting infrastructure.

Support retail, leisure and residential opportunities to help the revitalisation of Selby, Tadcaster and Sherburn town centres.

Seek opportunities to improve walking and cycling links to our town centres, future housing and employment growth and improvements to the public realm to attract people to the District to live and work.

### Question 2

#### **Supporting a diverse local economy and thriving Town Centres**

Have we identified all the key issues and opportunities which the Local Plan should seek to address?

Are there other issues or opportunities which we have missed? Please outline what other issues and opportunities which need to be addressed in the Local Plan.

## Issues and Options Consultation

### Providing the right infrastructure to support local communities

#### Infrastructure - Key Facts

- **Strategic Highways - M62, A64 and A1(M)**
- **7 passenger railway stations**
- **6 Secondary Schools, 16 Primary Schools - 16% of pupils travelling into the District to attend school**
- **3 main providers of further education**
- **1 District Hospital**

- 3.34** Infrastructure is considered to be the services, facilities and installations which are need to sustain our communities and includes transport, utilities, telecommunications, schools, community facilities, health care facilities, waste and greenspaces, all of which are key to making Selby district a great place to live.
- 3.35** The district is well located in terms of transport connections, however there are limitations in the existing infrastructure which make it difficult to travel around the district itself. The M62 runs through the south of the district providing road links to Manchester and Hull, whilst the A1(m) skirts the western boundary. There are regular train services between York and Hull which stop at Selby, Sherburn, Church Fenton and Ulleskelf. Less regular services run between York and Leeds stopping at Ulleskelf and Church Fenton and between Selby and York stopping at South Milford. Several trains a day also run to London Kings Cross. In addition there are a number of villages with stations with more limited local services (Whitley Bridge and Hensall to Goole/Leeds).
- 3.36** The proposals for the national High Speed 2 (HS2) railway network will pass through Selby district as the line branches off the existing East Coast Main Line near to Church Fenton on its way to Leeds. In terms of freight lines, Sherburn Rail Freight Terminal in Selby district is one of three facilities in the North of England which meet the criteria for a strategic rail freight interchange. Selby Town is also connected to the inland waterway network via the Selby Canal and the River Ouse.
- 3.37** Most bus services in the district are operated by Arriva Yorkshire, while Yorkshire Coastliner operates long-distance services which connect Tadcaster to Leeds, York and the East Coast. There are a number of other companies operating local services in the district. Bus companies operate services either where they are economically viable or where supported by additional funds, and are willing to add new services or increase frequencies where profitable to the business. The location of new development may influence the future of bus services across the district.
- 3.38** Selby district also has a number of water networks including the Selby Canal and parts of the Aire and Calder Navigation and the River Aire and River Ouse. These routes currently serve predominantly leisure traffic. The Canals and Rivers Trust

## Issues and Options Consultation

have identified the River Ouse and the Aire and Calder Navigation as routes with the most potential to support freight use as they link to the Humber ports and have the potential to transport goods and aggregates.

- 3.39** Education and health facilities to support new development will be key aspects of the new Local Plan. The Council will work closely with North Yorkshire County Council and the Clinical Commissioning Groups/NHS to identify the requirements to support the growth of the district to 2040. Similarly the Council will work with a range of utility providers such as Northern Powegrid, Yorkshire Water and northern gas networks to consider the impact of development and the improvements which will be required. A number of pieces of evidence are currently being prepared which will help to identify gaps in terms of sports and open space provision across the district.
- 3.40** Given the nature of the district, flooding will be a significant risk as the effects of climate change increase. The Council will continue to liaise with a range of partners (Internal Drainage Boards, Environment Agency, NYCC) and adjacent local authorities to consider options for mitigating against flood risk, which will involve a range of measures from slowing the flow upstream, the provision of engineered flood risk solutions and the use of the landscape for flood storage. This will also need to be a key consideration in the location and design of new homes.
- 3.41** An Infrastructure Delivery Plan will set out the infrastructure required to support new development set out in the Local Plan. The Infrastructure Delivery Plan will not only set out the necessary improvements to infrastructure but will also consider how they will be funded. One of the key challenges for the Local Plan will be providing the right infrastructure to unlock development opportunities across the district in a way which seeks to minimise carbon emissions.

### Key Strengths

- Rail links to Manchester, York, Hull, Leeds and London
- Proximity in parts of the District to major roads - M62, M1, A1(M), A19 and A63
- Inland Waterways - Selby Canal and the Aire and Calder Navigation



### Key Strategies, Policies and Initiatives

- North Yorkshire County Council Local Transport Plan (LTP4) (2016-2045)
- Transport for the North Strategy
- Leeds City Region Growth Strategy
- Leeds City Region Transforming Cities Fund bid.



## Issues and Options Consultation

### **Providing the right infrastructure to support local communities- Key Issues and Opportunities**

To work with infrastructure providers to help make sure our local communities are well connected in terms of public and private transport infrastructure and services, maximising the opportunities which will arise through improvements to the rail network.

Maximising the opportunity presented by the district's location with good access to the existing rail and road infrastructure and improve linkages across the District.

Improving the linkages for walking and cycling into and around settlements across the District for leisure, to access local facilities public transport and reduce carbon emissions.

Addressing mitigation measures for increased incidents of flooding and dealing with flood events.

Making the best use of receipts from the Community Infrastructure Levy, Section 106 obligations and Government funding to ensure local residents continue to have access to a range of healthcare, community and education facilities.

### **Question 3**

#### **Providing the right infrastructure to support local communities**

Have we identified all the key issues and opportunities which the Local Plan should seek to address?

Are there other issues or opportunities which we have missed? Please outline what other issues and opportunities which need to be addressed in the Local Plan.

## Issues and Options Consultation

### Creating High Quality Places to Live

#### Places to Live - Key Facts

- Population - 87,885 (ONS 2017 mid year estimate)
- Housing types - 40% detached, (22% England) 35% semi detached (31% England), 17% terraced (25% England) and 6% flats (16.7%)
- The housing affordability ratio is 6.6 (ratio of median house price to median gross annual workplace based earnings 2018)
- 76% owner occupied compared to 64% in England
- Average house price - £224,464 (February 2019) compared to England Average £234,370 (Land Registry September 2019)
- Overall crime rate lower than the average across England

#### Heritage Assets

- 48 Scheduled Monument
- 637 Listed Buildings
- 23 Conservation Areas
- 1 Ancient Battlefield at Towton
- 2 Grade II Listed Historic Parks & Gardens
- 12 Designated Parks and Gardens

- 3.42** One of the key priorities for the Council is to make Selby District a great place to live and work. People are attracted to live in Selby District because of its links to the cities of York and Leeds but also because it has good quality natural environment and offers a range of good schools and local services. Ensuring we support the development of well designed places with a range of facilities will be crucial in supporting the health and well-being of residents and preventing social isolation.
- 3.43** The district is home to 87,885 residents and is continuing to grow. One of the key issues for the Local Plan will be to identify locations and levels of new housing growth and to ensure that the right types of homes are delivered for local people.
- 3.44** Although the district has lower house prices than many neighbouring authorities, many local people still cannot afford to buy their own home or rent privately. The Local Plan will play a key role in delivering sufficient levels of affordable homes, ensuring that they are built to lifetime home standards so that they are flexible for different needs.
- 3.45** We also need to consider the types of homes which are built and how they are designed to ensure they are good places to live. Selby already has a high quality historic environment which new development must conserve and enhance but there is also the opportunity to regenerate and improve our town centres for residents. Ensuring new development is well designed will be a key aim in order to help create places which we want to conserve in the future.

## Issues and Options Consultation

- 3.46** Our population projections show that the population of the district is ageing and therefore we need to ensure that we build homes to accommodate a greater number of older people. This doesn't necessarily mean the construction of bungalows but perhaps a more flexible approach where homes can be easily adapted as the needs of residents change, or the construction of purpose built facilities. All new homes should achieve high standards of design and developments should create a sense of place for new communities.
- 3.47** In line with net zero carbon emissions targets we will also need to ensure that new homes are built to high energy efficiency standards, constructed in a sustainable manner and maximise opportunities for the use of renewable and low carbon energy.
- 3.48** We also need to consider the opportunities which arise for self build or custom build in the district as these types of homes can help to meet the specific housing needs for individuals. Alongside more specific housing requirements the Local Plan will also need to consider the requirements for the district's Gypsy, Traveller and Showperson population.
- 3.49** North Yorkshire County Council and Selby District Council are currently developing a Local Cycling and Walking Infrastructure Plan for the District. The study which is part of the North Yorkshire County Council Access Fund project will aim to deliver improvements to the accessibility of local railway stations for active travel modes. This project aims to identify key improvements to walking and cycling routes to encourage active travel and will be an important factor in developing the Local Plan and reducing carbon emissions.

### Key Strengths

- Lower House Prices than Adjacent Authorities
- Good quality environment to live in with a good standard of local facilities
- A strong cultural and industrial heritage, with a wealth of heritage assets

### Key Strategies, Policies and Initiatives

- North Yorkshire and East Riding Housing Strategy
- Selby Housing Revenue Account Business Plan
- Strategic Housing Market Assessment February 2019
- 5 Year Housing Land Statement 2019
- Strategic Housing Land Availability Assessment 2019
- Conservation Area Appraisals
- North Yorkshire Health and Well Being Strategy

## Issue 2

### Creating High Quality Places to Live - Key Issues and Opportunities

Delivering enough housing of the right size, type and tenure to support the future growth of the District.

## Issues and Options Consultation

Making sure that that new homes have good space standards and are well designed and provide access to open spaces to assist the health and well being of residents and prevent social isolation. New development should create a sense of place linking well with established neighbourhoods.

Delivering a range of specialist housing include old people's provisions, custom build, self build and meeting the needs of our Gypsy, Traveller and Showperson communities.

To ensure that all new residential developments consider the potential to reduce carbon emissions, recognise changing work practices and help mitigate against the effects of climate change.

Promote high quality urban design to ensure the creation of new neighbourhoods, with a range of facilities, open spaces and areas that compliment the existing built environment in Selby's towns and villages.

### Question 4

#### Creating High Quality Places to Live

Have we identified the key issues and opportunities that the Local Plan should seek to address?

Are there other issues which we have missed?

#### Levels of Future Housing Growth

- 3.50** Policy SP5 of the adopted Core Strategy set out the scale and distribution of housing and identified that a minimum of 7,200 new dwellings were required to support the growth of the District in the period 2011 to 2027, equating to a minimum of 450 dwellings per annum.
- 3.51** The revised National Planning Policy Framework says that in order to determine the minimum number of homes needed, strategic policies should be informed by a local housing need assessment, conducted using the standard method in national planning guidance – unless exceptional circumstances justify an alternative approach which also reflects current and future demographic trends and market signals. Using the latest published government data the standard method provides a housing requirement figure for Selby District of 365 dwellings per year.
- 3.52** The Strategic Housing Market Assessment for Selby District was updated in February 2019. This report considers housing needs up to 2037 and therefore will be reviewed in light of the proposed timescales for the Local Plan. The Strategic Housing Market Assessment has considered the information in the Employment Land Review and the levels of new employment land coming forward in the District. Based on this information it is considered that in order to meet the needs arising as a result of

## Issues and Options Consultation

economic growth that approximately 410 new dwellings are needed each year, this was based on proposed existing employment allocations and outline supply at January 2019 (includes Sherburn 2, Church Fenton Airfield, 23ha at Olympia Park and Kellingley Colliery).

**3.53** This essentially provides three potential options for the levels of growth which could be delivered through the Local Plan as set out in the table below.

	Option 1 - Standard Methodology Figure Sept 2018	Option 2 - SHMA Economic Led Figure	Option 3 - Economic Led Figure Plus 5% to add flexibility in supply
Dwellings Per Annum	365	410	up to 430
Total Dwellings Over Local Plan Period	7300	8200	8600

Table 1

**3.54** Although house prices are lower than in neighbouring properties, the affordability of properties remains a key issue for the new Local Plan. Affordable housing can be delivered through two mechanisms, either directly by Registered Providers and the Selby District Housing Trust or as a requirement through S106 legal agreements made with developers on larger open market sites.

**3.55** The Council considers that there are a number of options we can consider in terms of how much housing the Local Plan could plan for. It is important to note that any figure established in the Local Plan will be a minimum requirement and will need to take into consideration the numbers of homes expected to be delivered in the future on sites which already have planning permission.

### **Option 1- Plan to provide for the standard methodology figure of 7,300 new homes (365 dwellings per annum)**

**3.56** Although this could be considered as an option the Government has stated that the current methodology will be reviewed in the future. The adoption of this baseline figure in the the Local Plan will mean that it will be undermined by fluctuations in household projection figures which although they could go down, they could also rise which would mean the Council would not be able to meet its housing requirements over the lifetime of the plan. In addition the standard methodology does not take into account the levels of employment growth anticipated in the district and the impact this has on housing requirements.

### **Advantages**

- Aligns with the requirements of the National Planning Policy Framework

## Issues and Options Consultation

### Limitations

- Risk that the figure will increase if the Government's standard method changes
- Unlikely to provide sufficient flexibility for the whole plan period
- does not align with anticipated economic growth.

### Option 2 – plan to provide sufficient land for the development of approximately 8200 homes in order to support economic growth (410 dwellings per annum)?

**3.57** This option is based on the outcomes of the most recent Strategic Housing Market Assessment (February 2019) which was based on expected demographic changes and levels of housing which may be required to meet economic forecasts. A revised Housing and Economic Development Needs Assessment will be undertaken to provide further information of the appropriate levels of new housing to meet economic growth forecasts.

### Advantages

- Is above the standard methodology figure which is likely to change
- Better reflects local housing requirements
- Aligns with the current forecasts for employment growth in the District
- Helps support the approach to re-balance commuting patterns
- Will help to support provision of affordable housing.

### Limitations

- Will need to ensure types of housing align with predicted employment growth
- Requires further sites to be allocated

**3.58** **Option 3 - Plan to provide sufficient sites to meet the housing requirement which is set as a range. The base of the range will be set using the standard method. The top of the range will be set using the economic led figure, plus an additional 5% in order to provide flexibility.**

**3.59** The Local Plan will look forward over a 20 year period and by allocating more land than required will provide greater flexibility in the plan.

### 3.60 Advantages

- Allows for flexibility should the standard methodology figure change
- Allows for flexibility to accommodate higher levels of economic growth than predicted
- helps to meet affordable housing needs

### 3.61 Limitations

## Issues and Options Consultation

- Requires the allocation of a greater number of sites to be allocated
- Provides a greater challenge in terms of maintaining supply

### Question 5

#### Levels of Housing Growth

What levels of growth should we be planning for?

Option 1: Plan to provide for the standard methodology figure of 7,300 new homes (365 dwellings per annum)

Option 2: Plan to provide sufficient land for the development of approximately 8,200 homes in order to support economic growth (410 dwellings per annum)

Option 3: Plan to provide sufficient sites to meet the housing requirement which is set as a range. The base of the range will be set using the standard method. The top of the range will be set using the economic led figure, plus an additional 5% in order to provide flexibility

Option 4: An alternative approach. Please describe the approach and explain why you consider it is a more suitable option.

Please give reasons for your preferred approach.

## Issues and Options Consultation

### Maintaining a High Quality Natural Environment

#### High Quality Natural Environment - Key Facts

- 1 Special Protection Area (Lower Derwent Valley)
- 3 Special Areas for Conservation (Lower Derwent Valley, Skipwith Common and River Derwent)
- 14 Sites of Special Scientific Interest
- 2 National Nature Reserves (Skipwith Common and Lower Derwent Valley)
- 2 Local Nature Reserves (Barlow Common and Fairburn Ings)
- 48 (named) Ancient Woodlands
- 112 Site of Importance for Nature Conservation (ratified)
- 3 Locally Important Landscape Areas (Magnesian Limestone ridge plus Brayton Barff and Hambleton Hough)

- 3.62** Selby district has a high quality natural environment with wide areas of open countryside and locally distinctive towns and villages. This contributes to making the District a special place to live and work. It also plays an important role in the health and well-being of local residents, in relation to access to open spaces for both recreation and as a visual amenity supporting physical and mental health.
- 3.63** National Policy requires that all development provide net gains to biodiversity and is expected that this will become a mandatory requirement. One of the key issues for the Local Plan will be to set out a strategy and policies to achieve the delivery of net gains in biodiversity and to make the most of opportunities for natural capital - the stocks of natural assets which include geology, soil, air, water and all living things.
- 3.64** The environment also plays a key role for the district in helping to mitigate against the impact of climate change for example in relation to flooding and supporting plants and animals adapt to changes to their habitats. The White Rose Forest is a local authority based joint venture that covers the Leeds City Region who are working with Mersey Forest, Manchester City of Trees, Heywoods in Hull and the Woodland Trust nationally to create the new Northern Forest. There are opportunities to work with the partnership in developing a strategic approach to natural flood management across the Leeds City Region.
- 3.65** It is important to protect the landscape and its key features such as trees and parks and gardens in relation to both urban and rural areas for its own sake and to contribute to others key environment objectives. The district has some designated Locally Important Landscape Areas (LILAs) which can be protected through allowing only new development which meets high quality design principles.
- 3.66** Protecting against loss of and enhancing the amount and connectivity of the network of green (multi-functional spaces in both urban and rural areas) and blue infrastructure (water bodies and courses) can help deliver a wide range of environmental and quality of life benefits for local communities. This can be through access for recreation and benefits to health and well-being, protection and enhancement of habitats for



## Issues and Options Consultation

biodiversity - to contribute to a strong nature recovery network and mitigating and adapting to the effects of climate change - for example through carbon capture, urban cooling, tree planting and as flood storage.

### Key Strengths

- Diverse important habitats
- High Quality Local Environment
- Access to landscape

### Key Strategies, Policies and Initiatives

- Leeds City Region Green and Blue Infrastructure Strategy
- Local Nature Partnerships Strategy
- Biodiversity Action Plan
- Air Quality Management Plan
- Landscape Character Appraisal
- Strategic Flood Risk Assessment
- Internal Drainage Board Plans

### Issue 3

#### Maintaining a high quality natural environment - Key Issues and Opportunities

To Improve and create new linkages to and between green and blue infrastructure across the district which has the potential to meet a range of objectives:

- improve access for local residents for health and well-being
- protect and enhance habitats to support biodiversity and adaptation to climate change
- mitigate the effects of climate change through tree planting for example and the use of the green space for flood storage
- protect important landscapes (e.g. LILAs and Registered Parks and Gardens)
- improve air quality
- potential to improve active travel (cycling and walking)

Developing a strategy to deliver net gains in biodiversity and the benefits of natural capital.

Promote development of well-designed places where nature is prioritised and integrated and attractive open spaces are provided in locations that are easy to access alongside hard and soft landscaping which all contribute to the quality of a place and to people's quality of life

## Issues and Options Consultation

### **Question 6**

#### **Maintaining a High Quality Natural Environment**

Have we identified the key issues that the Local Plan needs to address?

Are there other issues which we have missed?

## Issues and Options Consultation

### 4 Options for Growth

#### SPATIAL GROWTH OPTIONS

- 4.1** In order to inform the preparation of the Local Plan it is necessary to first consider a range of options for the future development of the district. This part of the consultation document considers the advantages and limitations of a number of spatial options which we consider could accommodate future housing and employment growth.
- 4.2** One of the key approaches to all new development options will be to avoid areas which are at the highest risk of flooding and have national or international environmental protection such as Sites of Special Scientific Interest. The options will also be informed by a range of evidence which is currently being prepared including Strategic Flood Risk Assessment, Ecology Appraisals and Heritage Impact Assessments.
- 4.3** All of these options will also be tested through the Sustainability Appraisal Assessment and this alongside the comments from this consultation will help to inform the Local Plan. The role of this assessment is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic and social objectives.
- 4.4** **It is important to note that although we have presented a number of options we are also asking whether you believe a mix of options would be the most suitable option.**

#### Call For Sites

- 4.5** The Council must be able to demonstrate that all of the sites allocated in the Local Plan are both deliverable and viable. In order to inform the spatial approach and make decisions on sites where development will take place we have launched a call for sites exercise, where we ask landowners to submit sites which they wish to develop. In order to inform the Draft Local Plan site submissions must be sent to the Council by 31st August 2020.
- 4.6** Further information on this "Call for Sites" exercise can be found at [Call For Sites](#)

## Issues and Options Consultation

### Spatial Approach to Employment Land

#### Spatial Employment Option 1 - Focus New Employment Development in locations which are in close proximity to existing large scale employment hubs

- 4.7** There are a number of key employment hubs across the district including larger industrial estates in Selby and Sherburn in Elmet. Recent permissions have also supported the re-development of Church Fenton Airfield and Kellingley Colliery.
- 4.8** One option would be to continue to grow employment near to existing employment locations where land is available. This would help to focus employment in key locations and support improvements to local infrastructure. These hubs would include the town of Selby, and areas near to the key employment sites of Kellingley, Sherburn in Elmet and Church Fenton.

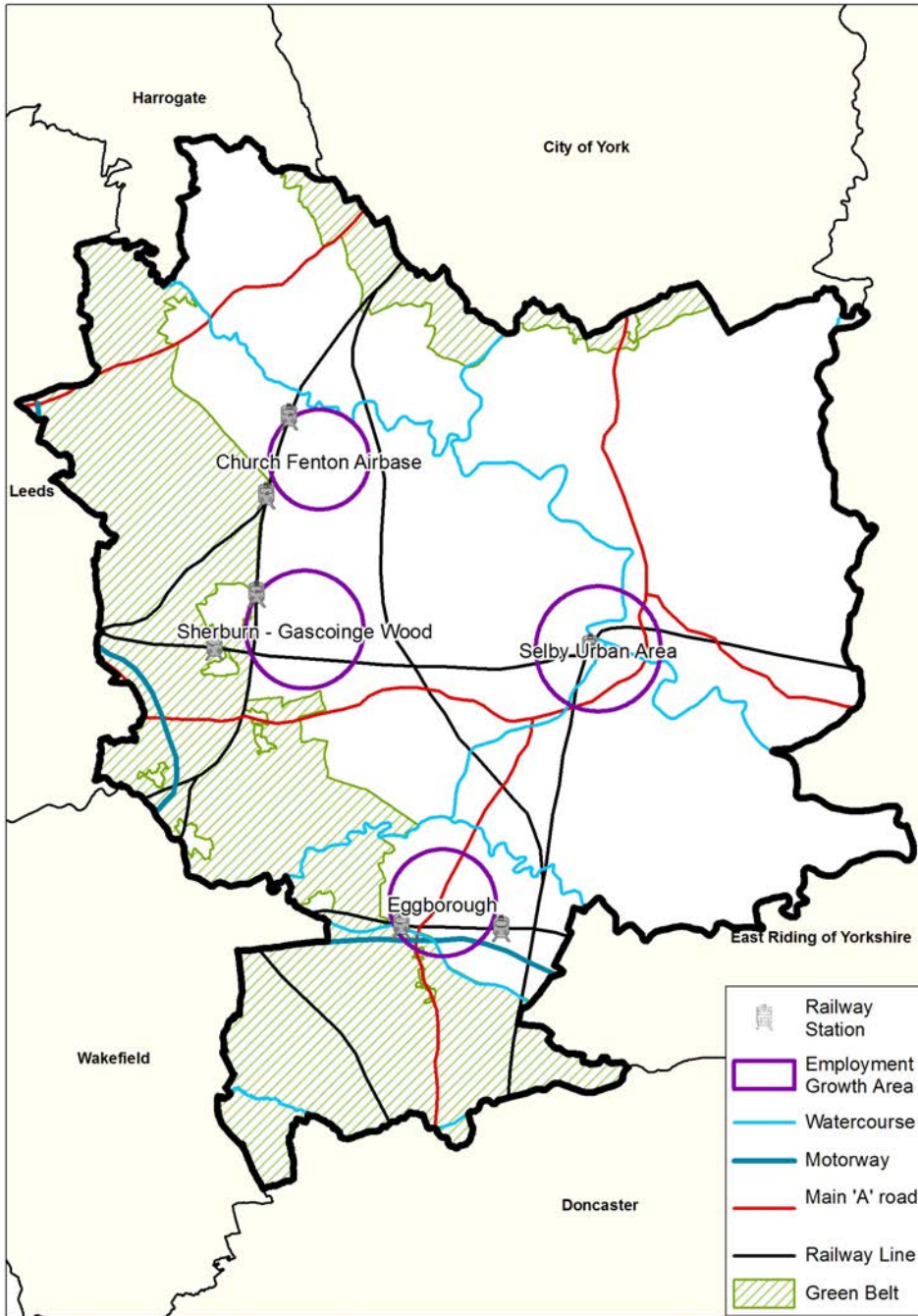
#### Advantages

- Will help to provide scale of development which will support investment in improvements to local infrastructure
- Could create the volume of development to support public transport options
- Supports the expansion of existing businesses

#### Limitations

- Limits choice and flexibility for new businesses
- There are already limitations with the highways network in some of these locations which will need to be addressed.

Issues and Options Consultation



Picture 4 Spatial Employment Option 1 - Focus New Employment Development in locations which are in close proximity to existing large scale employment hubs

## Issues and Options Consultation

### **Spatial Employment Option 2 - The re-use of brownfield sites for employment**

- 4.9** Over recent years Selby district has seen significant employment development on a number of previously developed sites such as the Creative Studios at Church Fenton and the Industrial Estate at Sherburn in Elmet both of which were disused airfields.
- 4.10** There are still a number of brownfield sites across the district , which have previously been used for some form of employment whether as a coal mine, former airfields or are located on key transport nodes. These include places like Gascoigne Wood which is located on a regionally important rail interchange, Eggborough Power Station which closed in 2018 and Olympia Park, which includes a large area of previously developed land on the outskirts of Selby Town.
- 4.11** A further option for addressing future employment growth would be to continue to re-use brownfield sites which become available.

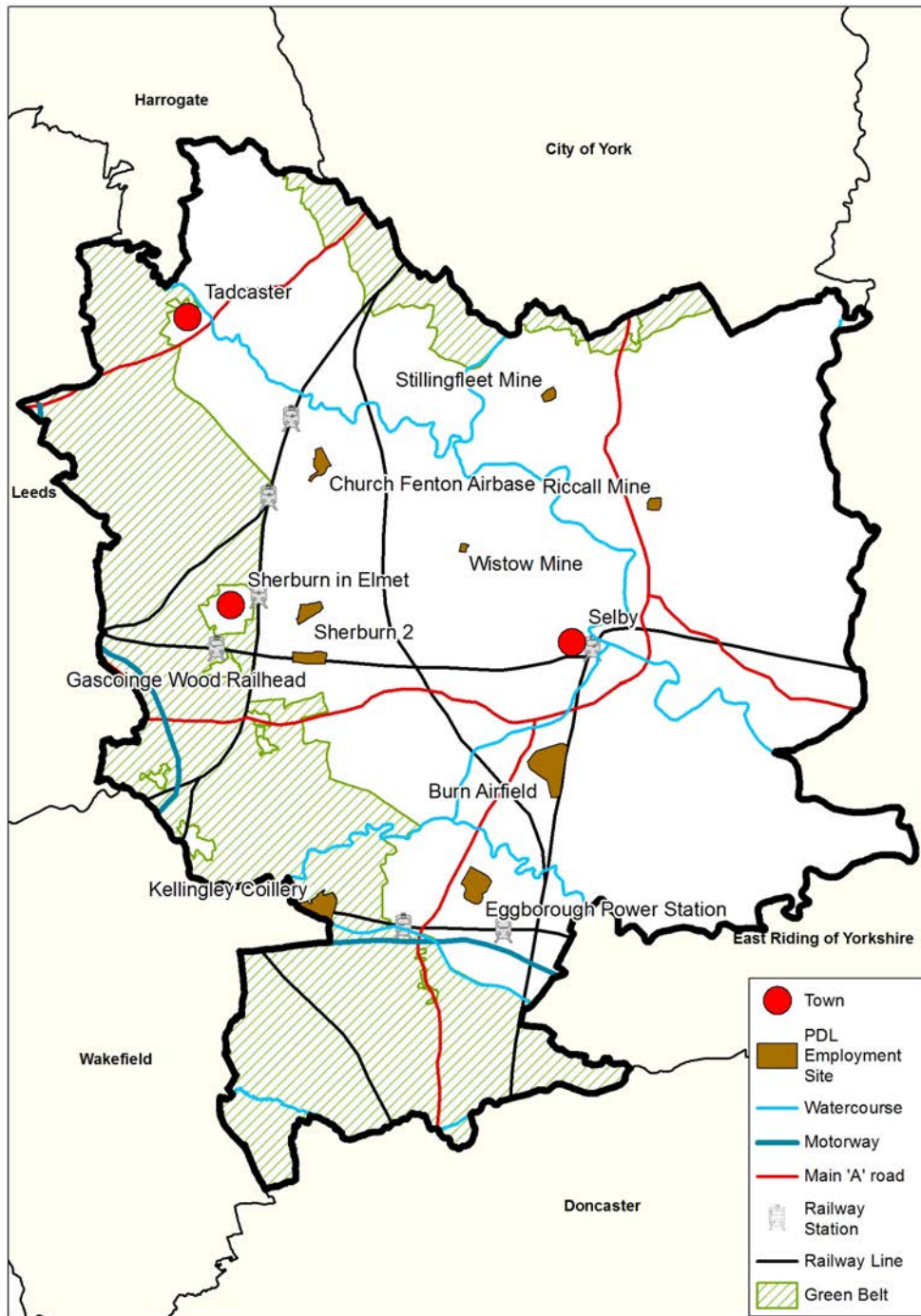
#### **Advantages**

- Makes the most of existing transport and utility connections
- Re-use of brownfield rather than greenfield development

#### **Limitations**

- Limits opportunities for further employment development
- New employment sectors may require different locations to traditional industry.
- Could be more expensive to develop due to contamination issues.

# Issues and Options Consultation



Picture 5 Spatial Employment Option 2 - The re-use of brownfield sites for employment

## Issues and Options Consultation

### **Spatial Employment Option 3 - Focus new employment development in close proximity to settlements along strategic transport corridors.**

**4.12** In order to address commuting into and out of the district another option would be to focus new employment growth in close proximity to existing settlements. This would mean that new employment growth is located in close proximity to Selby, Tadcaster, Sherburn in Elmet and in the villages within 2km of the the key transport corridors including the M62, A64, A19 and A63 and the railway stations with the most regular services. However in order to support growth along the western and northern fringes of the District removal of land in the greenbelt will be necessary.

#### **Strengths**

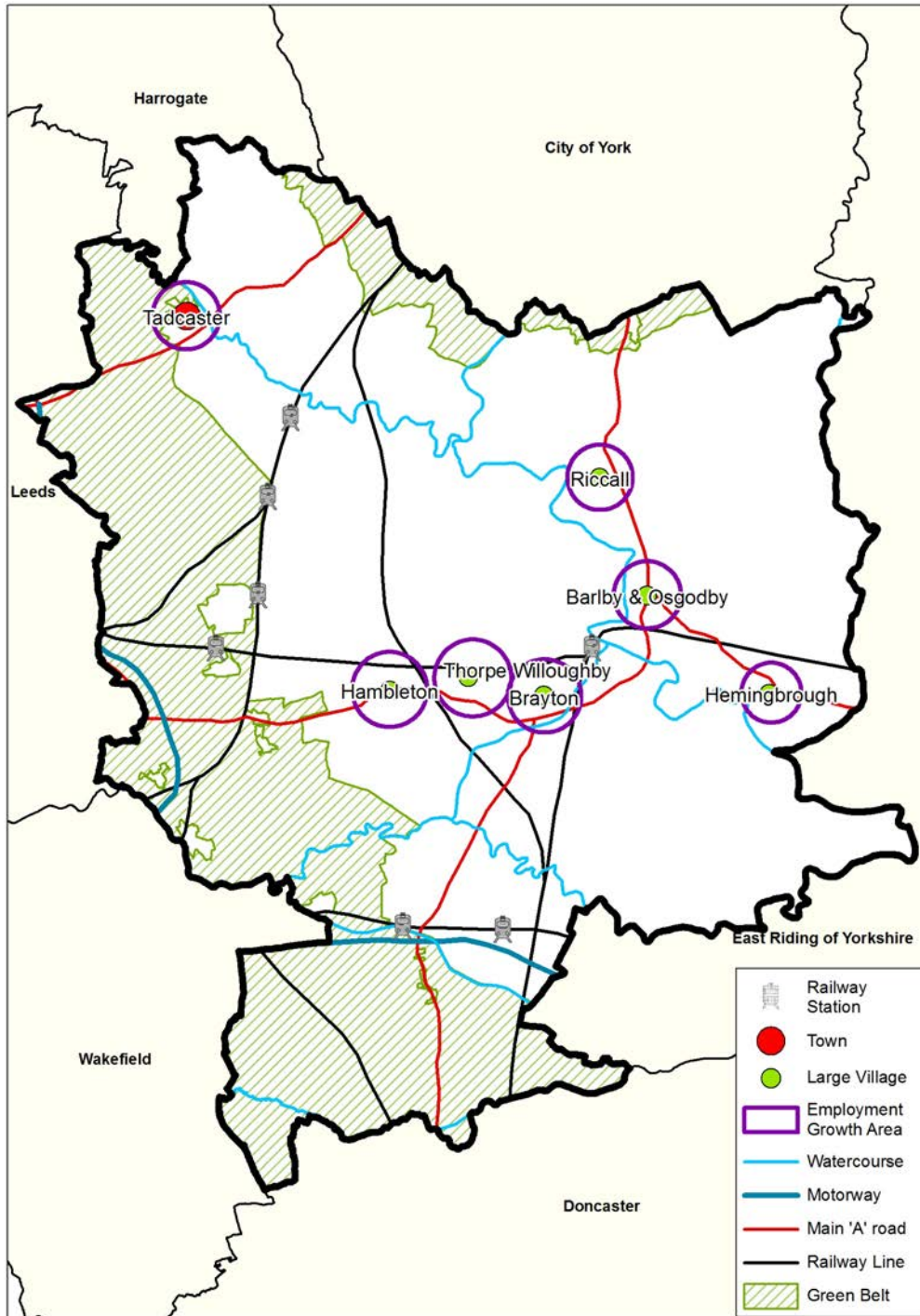
- More sustainable approach
- Helps to provide the workforce to support growth

#### **Weaknesses**

- may require greenbelt review to support growth in the western and northern edge of the district



Issues and Options Consultation



Picture 6 Spatial Employment Option 3 - Focus new employment development in close proximity to settlements along strategic transport corridors.

## Issues and Options Consultation

### **Spatial Employment Option 4 - Focus New Employment Development in close proximity to key transport hubs**

**4.13** As there are a number of limitations with local infrastructure in the district a further option for employment growth is to locate new opportunities in close proximity to existing transport hubs. This would present opportunities to grow business opportunities in locations near railway stations which would provide more sustainable travel patterns.

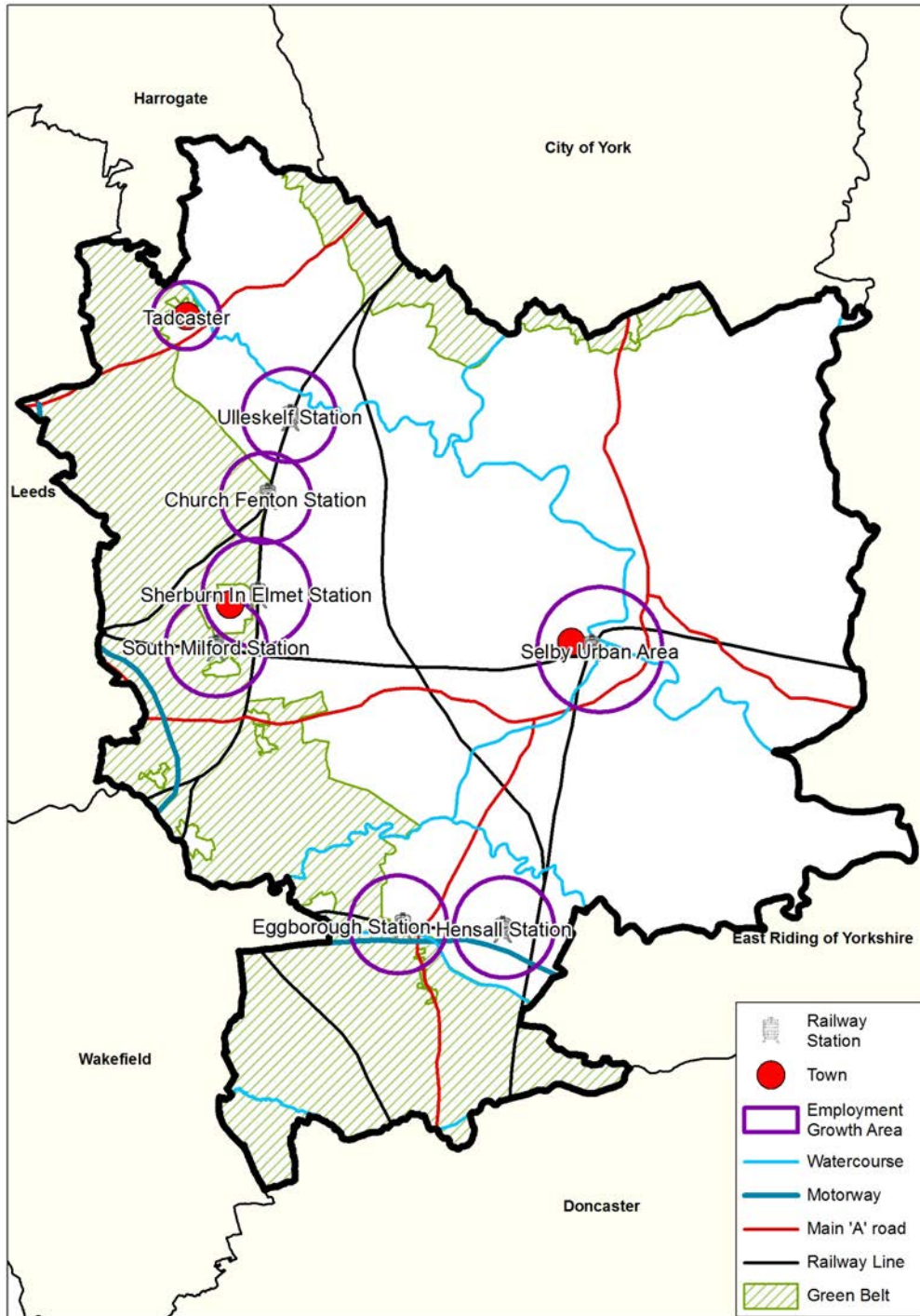
#### **Strengths**

- Focus on existing transport routes
- Helps to retain rail services

#### **Weaknesses**

- In some locations there may be existing capacity issues to be addressed
- constrained by Green Belt in some locations

# Issues and Options Consultation



Picture 7 Spatial Employment Option 4 - Focus New Employment Development in close proximity to key transport hubs

## Issues and Options Consultation

### **Question 7**

#### **Spatial Employment Options**

Which do you think is the best way to meet future economic growth?

Option 1: Focus new development in locations which are in close proximity to existing large scale employment hubs

Option 2: The re-use of brownfield sites for development

Option 3: Focus new employment development in close proximity to settlements along strategic transport corridors

Option 4: Focus new employment development in close proximity to key transport hubs

Option 5: Mix of the above options

Option 6: An alternative option. Please describe the approach and explain why you consider it is a more suitable option.

Please give reasons for your preferred approach.

## Issues and Options Consultation

### Spatial Options for New Housing Growth

- 4.14** The current spatial approach has been established through reference to a settlement hierarchy which identifies Selby as the district's Principal Town, Sherburn in Elmet and Tadcaster as Local Service Centres and numerous villages and hamlets. Based on an assessment of the relative overall sustainability of village settlements, including the availability of services and accessibility to higher order services and employment opportunities, 18 villages were identified as 'Designated Service Villages' considered capable of accommodating additional limited growth.
- 4.15** The preparation of a new Local Plan provides an opportunity to consider whether this approach remains appropriate.
- 4.16** The current spatial strategy approach was prepared using the evidence which informed the Regional Spatial Strategy (revoked in 2013) as a starting point. The aims of this approach were to:
- Direct most growth to Selby Town in order to foster regeneration and strengthen and diversify its economy; and
  - Encourage diversification in rural areas, focussing some growth in Sherburn in Elmet and Tadcaster to meet local needs and to identify local needs to support smaller settlements.
- 4.17** The Core Strategy approach specified that 51% of the total housing requirement would be met in Selby, 11% in Sherburn in Elmet and 7% in Tadcaster.
- 4.18** As can be seen from Figure 1 below there has been limited development in Tadcaster with only 25 new dwellings completed since 2011 and significant under provision in Selby Town. Conversely a much greater level of development has taken place than anticipated in Sherburn in Elmet and the Designated Service Villages.

Settlement Hierarchy	Number of Completions between April 2011 and March 2019	Total of dwellings with planning permission at 1st April 2019	Adopted Core Strategy Target	Provision of new dwellings against Core Strategy target
Selby Urban Area	980	500	3700	-2220
Sherburn in Elmet	614	710	790	+534
Tadcaster	27	167	500	-306
Designated Service Villages	1517	1022	2000	+539
Secondary Villages	377	181	170	+400

## Issues and Options Consultation

Totals	3484	3273	7200	-1093
--------	------	------	------	-------

**Table 2**

- 4.19** Given the constraints around Selby in terms of flood risk and the greenbelt constraints around Tadcaster and Sherburn in Elmet it is unlikely that sufficient land will be available in these locations to deliver the same volumes of growth in the future and therefore a different approach will need to be taken in the new local plan.
- 4.20** If we are going to change the current spatial approach we firstly need to establish what the basis will be for a new approach. Should this continue to be based on focussing development in locations with the best public transport and greatest level of services (shops, schools, leisure facilities etc) or should we recognise that in a rural area local services play a role in serving a network of villages and therefore we should consider their inter relationships.

### Question 8

#### Settlement Hierarchy

What services and facilities do you think it is important for villages to contain?

Do you think we should consider a different approach to our settlement hierarchy and provide greater emphasis on they way villages interact with each other to help secure their future sustainability?

Please set out the reasons for your response.

## Issues and Options Consultation

### **Spatial Housing Option 1 - New housing development to be dispersed across all settlements**

**4.21** There are over sixty villages across the district which vary in size and in the number of services they provide. A number of these villages along the west and to the north of the district are located within the Green Belt and therefore further development is limited unless Green Belt boundaries are reviewed.

**4.22** A greater spread of development will mean that all settlements will need to grow more proportionately dependent on their size and services. This approach would still mean that the towns and larger villages will see greater volumes of development, but there would be much more development in smaller villages than supported in the current approach. For example, this distribution could see growth in Selby Town of around 1,300 new dwellings, in Tadcaster 500 new dwellings but for a much smaller village would be around 15 new dwellings over the 20 year lifetime of the plan.

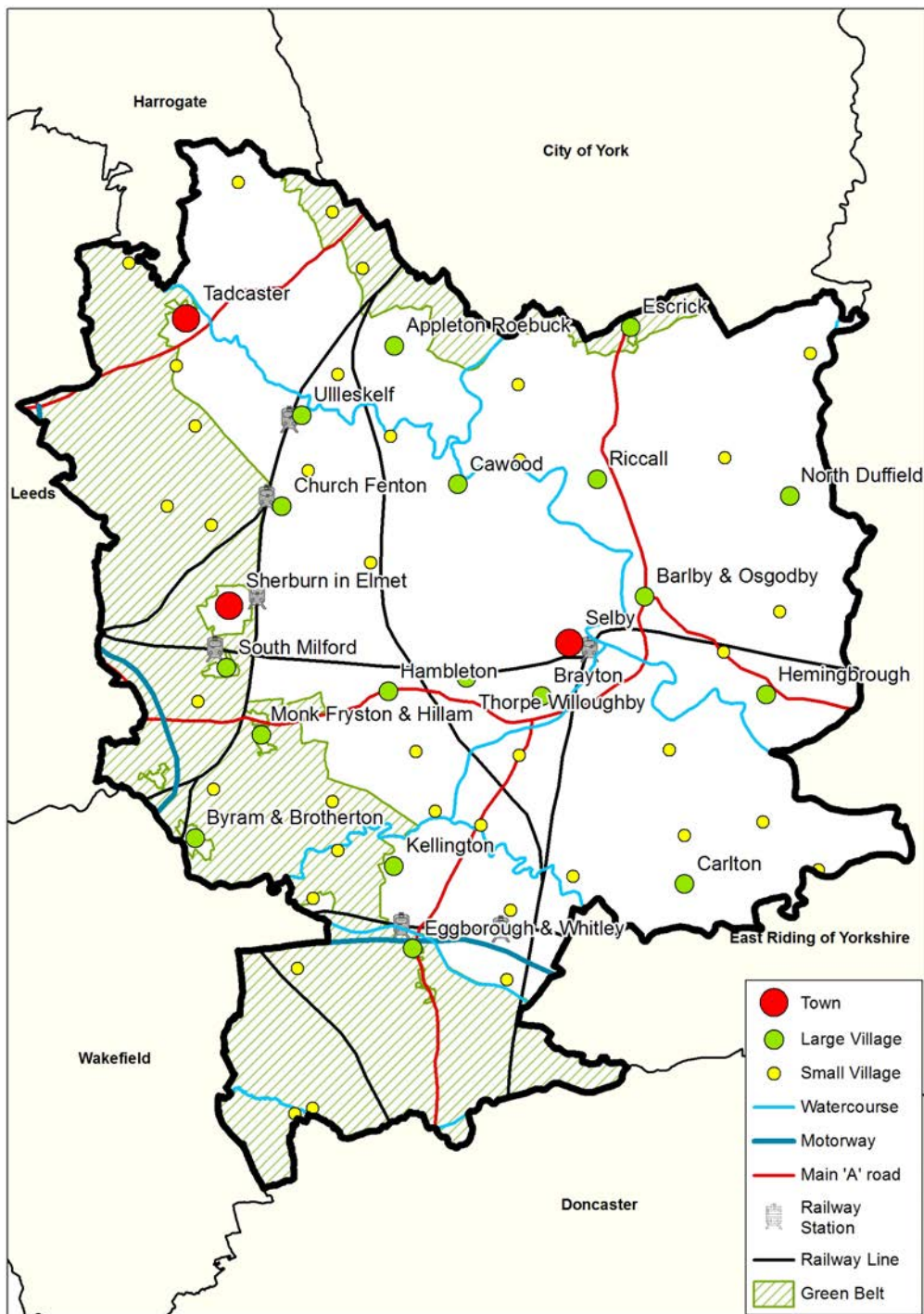
#### **4.23 Advantages**

- Supports the continued sustainability of villages
- Volume of growth is still focussed on settlements with a greater range of facilities

#### **Limitations**

- May require review of Green Belt boundaries to support growth in the west and north of the district
- Increases commuting to employment/service
- Will increase carbon emissions

# Issues and Options Consultation



Picture 8 Spatial Housing Option 1 - New housing development to be dispersed across all settlements



## Issues and Options Consultation

### **Spatial Housing Option 2 - Focus development in the towns and larger villages which have a number of key facilities and have good rail and highway connections**

- 4.24** In addition to the towns of Selby and Tadcaster there are a number of larger villages across the District which are well linked to transport corridors and have a greater range of services than other settlements. These larger settlements include Sherburn in Elmet, Brayton, Barlby/Osgodby, Eggborough/Whitley, Thorpe Willoughby, Riccall and South Milford.
- 4.25** All these villages have upwards of 1000 households in addition to key services which include post office/convenience store, primary school and medical surgery. Although not all of these villages have access to rail services they are located along the district main roads and therefore have relatively good access to wider urban locations such as Leeds and York. For these reasons these villages and towns are considered to be the most sustainable locations for new development.
- 4.26** In order to meet the housing requirements over the plan period likely levels of growth will need to accommodate very broadly the levels of growth identified in the table below, with much less development i.e. the remaining requirement of around 2000 new dwellings distributed across smaller settlements.

Settlement	Total Dwellings over Plan Period to 2040	Annual Figure
Barlby with Osgodby	600	30
Brayton	600	30
Eggborough	200	10
Riccall	300	15
Selby	2000	100
Sherburn in Elmet	800	40
South Milford	300	15
Thorpe Willoughby	350	18
Tadcaster	750	37
<b>Total</b>	<b>5900</b>	<b>295</b>

**Table 3**

- 4.27** It should be noted that this table provides a very broad indication of levels of potential growth, however the proposed allocations will be dependent on the nature of the sites put forward for consideration and a further review of the capacity of villages to

## Issues and Options Consultation

accommodate growth in terms of facilities and services. The levels of current commitments (i.e. current planning permissions) will also need to be taken into account in decisions about future growth.

- 4.28** These larger settlements have a wider range of facilities available to residents and are well located in terms of transport infrastructure, albeit improvements are likely to be necessary.

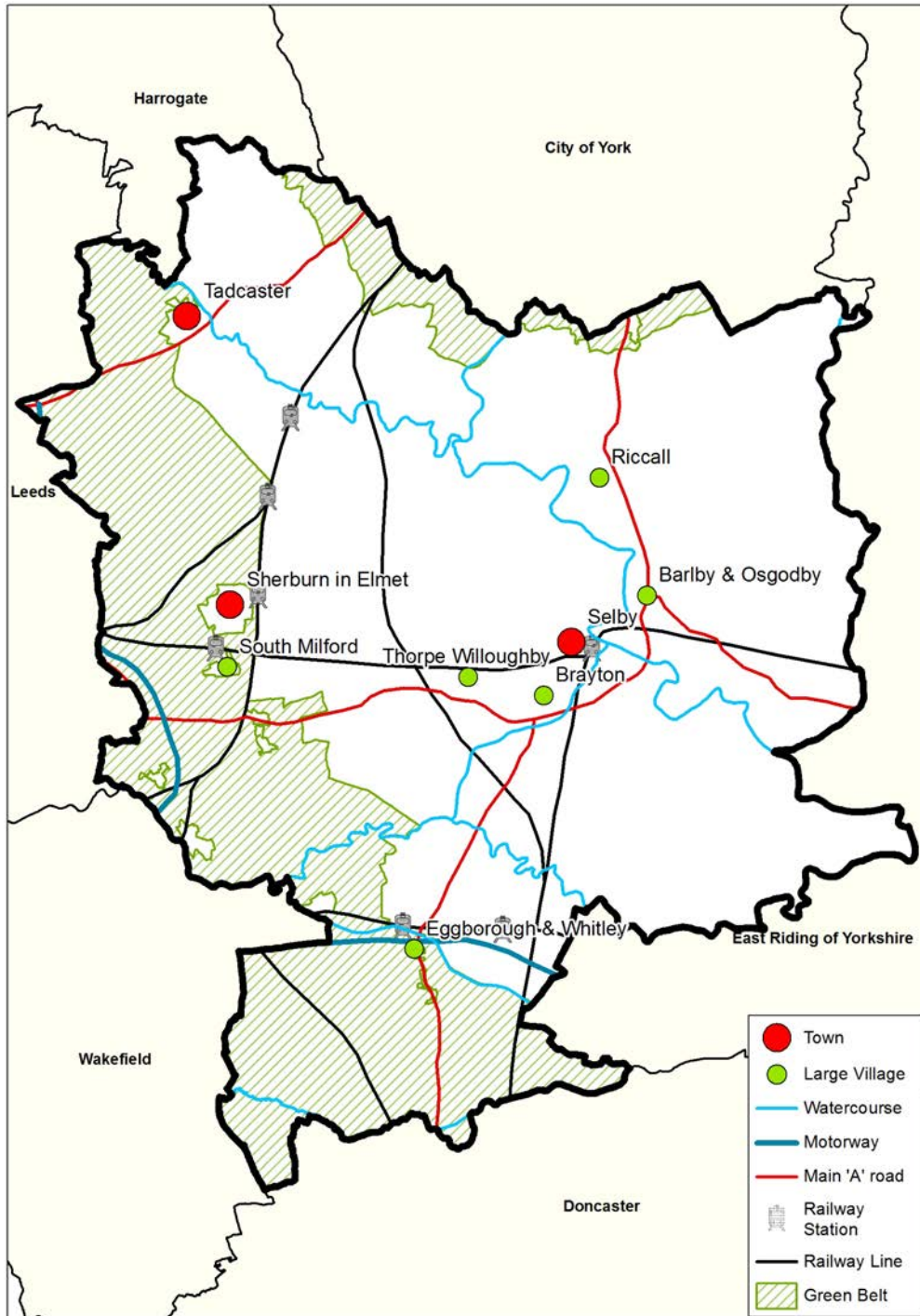
### Advantages

- Has the potential to reduce commuting and encourage travel by more sustainable modes of transport than the private car.
- Focuses development in locations which have a broader range of services and facilities.

### Disadvantages

- Will represent a very high level of growth in these locations and will have implications for local infrastructure
- Will require greenbelt release in western villages
- May require development to take place within designated Strategic Gaps, which aim to prevent coalescence of settlements

Issues and Options Consultation



Picture 9 Spatial Housing Option 2 - Focus development in the towns and larger villages which have a number of key facilities and have good rail and highway connections

## Issues and Options Consultation

### **Spatial Housing Option 3 – Focus new housing development in close proximity to future employment sites, through the expansion of villages in these locations**

- 4.29** As outlined in the options for employment growth a number of key employment sites will emerge over the plan period. In the future there may also be new economic development along the M62 corridor in relation to the energy sector. In these locations we could work with our neighbouring authorities of Wakefield and the East Riding to consider where new housing could be provided.
- 4.30** One option for housing growth would be to align it alongside planned employment growth. This could help improve sustainability by delivering homes that match the types of jobs which are coming forward, rather than relying on bringing the workforce from other parts or outside of the district.

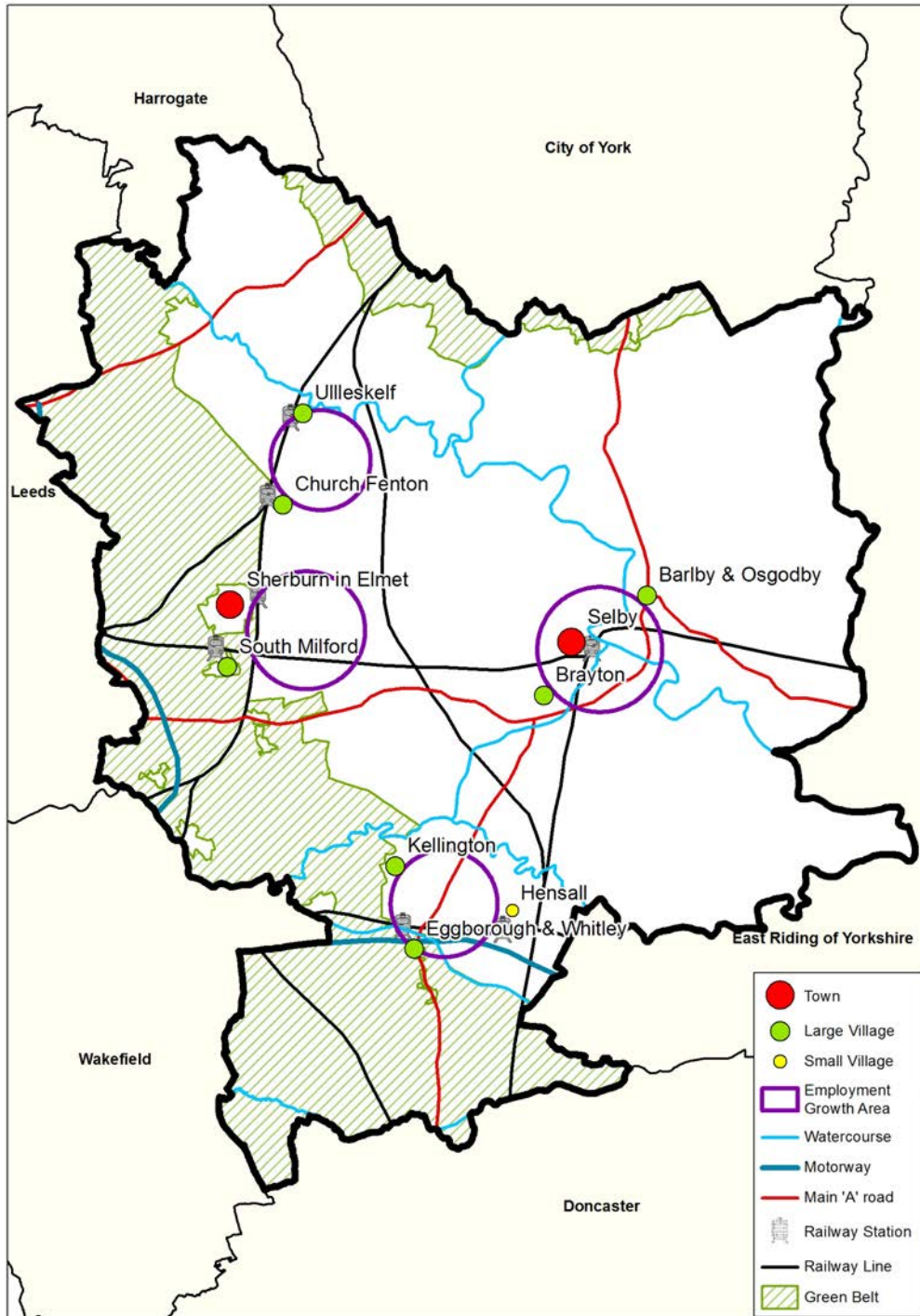
#### **Advantages**

- Providing the right types of homes may help to re-address the commuting patterns of residents
- Improves sustainability and helps to reduce Carbon Emissions

#### **Limitations**

- Housing will need to reflect the types of jobs which are provided
- Residents may have limited access to community facilities

Issues and Options Consultation



Picture 10 Spatial Housing Option 3 – Focus new housing development in close proximity to future employment sites, through the expansion of villages in these locations

## Issues and Options Consultation

### **Spatial Housing Option 4 - Development along Strategic Transport Corridors**

- 4.31** The district has good rail and transport connections and this is one of the reasons why residents commute into and out of the district for work. Rather than try to address the issue of commuting an option for the local plan would be to recognise this situation and focus new housing growth along the strategic transport corridors.
- 4.32** This would mean that new development would be focussed in existing settlements which are within 2km of the M62, A19, A64 and A63 along with key railway stations.

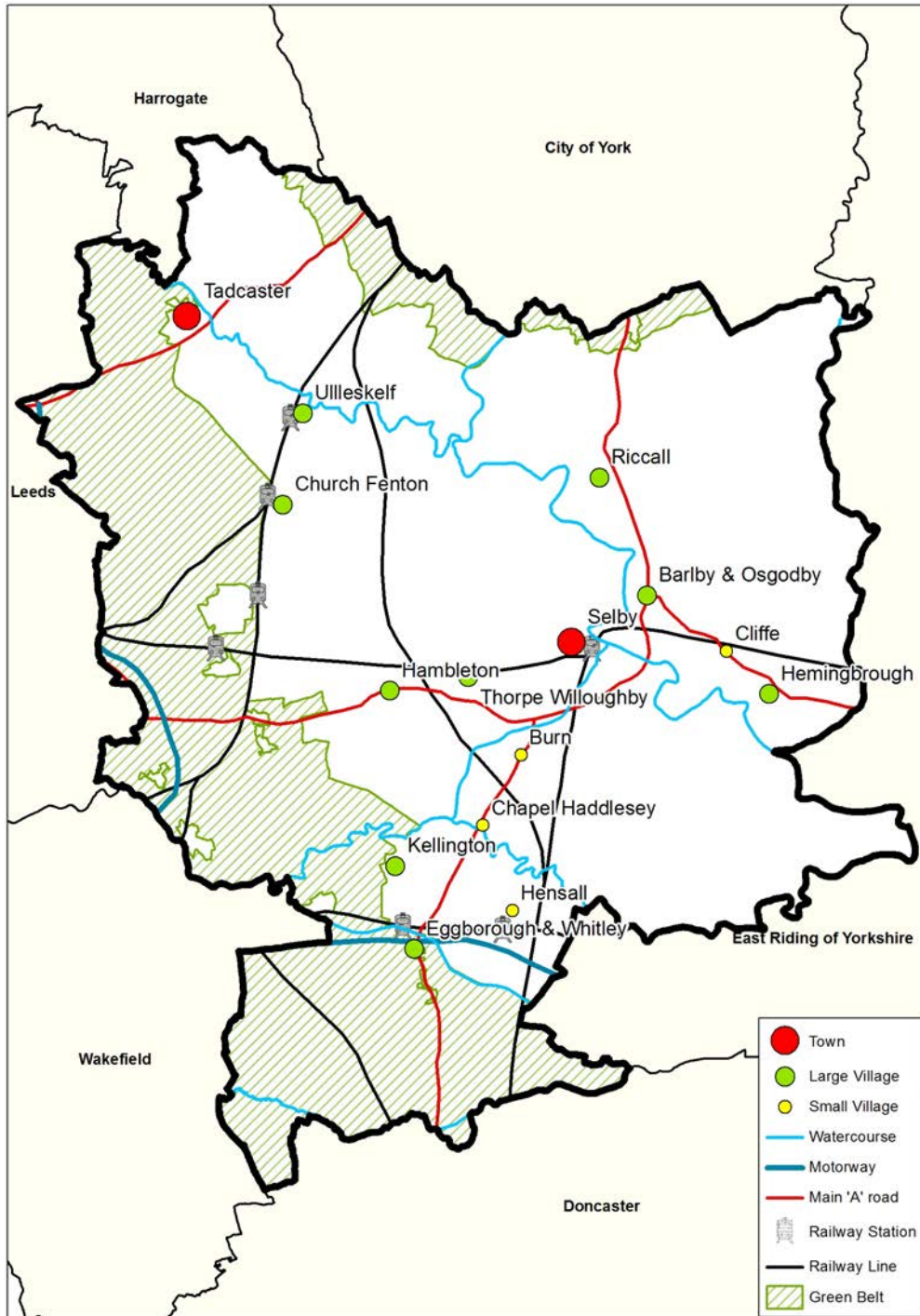
#### **Strengths**

- development near railway stations would be more sustainable

#### **Weaknesses**

- likely to require removal of areas in the Green Belt to the west of the district
- likely to require improvements to existing highway infrastructure
- will increase car based commuting so less sustainable

Issues and Options Consultation



Picture 11 Spatial Housing Option 4 - Development along Strategic Transport Corridors

## Issues and Options Consultation

### Spatial Housing Option 5 – Provision of New Settlement

**4.33** Recognising the constraints outlined above means that planning for the creation of one or more new settlements may provide the opportunity to contribute to meeting the scale of development necessary for the longer term future of the District. It is likely that a new settlement would need to provide in the range of 5,000 new homes in order to support the level of infrastructure required which would include the provision of a new primary and secondary schools and healthcare services. This approach could establish an entirely new settlement or it could be located close to an existing settlement so that services could be shared.

#### Advantages

- Provides for long term growth of the District
- Can provide the volume of development to support a range of new services and facilities
- May have limited impact on existing residents depending on location
- Will support well designed new communities
- Opportunity to provide housing and employment opportunities in the same broad location

#### Limitations

- Will require sufficient levels of development to support new infrastructure
- Necessity to front load investment in infrastructure
- Long lead in times to get development going

**4.34** Any site submitted for consideration as a new settlement will need to meet the criteria as set out in the Site Selection Methodology as explained in the introduction of this consultation document. This steers development away from areas with key constraints including;

- the areas of highest flood risk (Flood Zones 3)
- International and National Environmental Designations
- Ancient Woodlands
- Health and Safety Executive Zones

**4.35** In addition, a new settlement will need to be located where there is good connectivity to the main highways network or access to regular train services. For this reason the areas of search for a new settlement option are along the A63, A19, M62 and A64 and the main rail networks as improvements to existing infrastructure are likely to be more viable than significant new proposals.



## Issues and Options Consultation

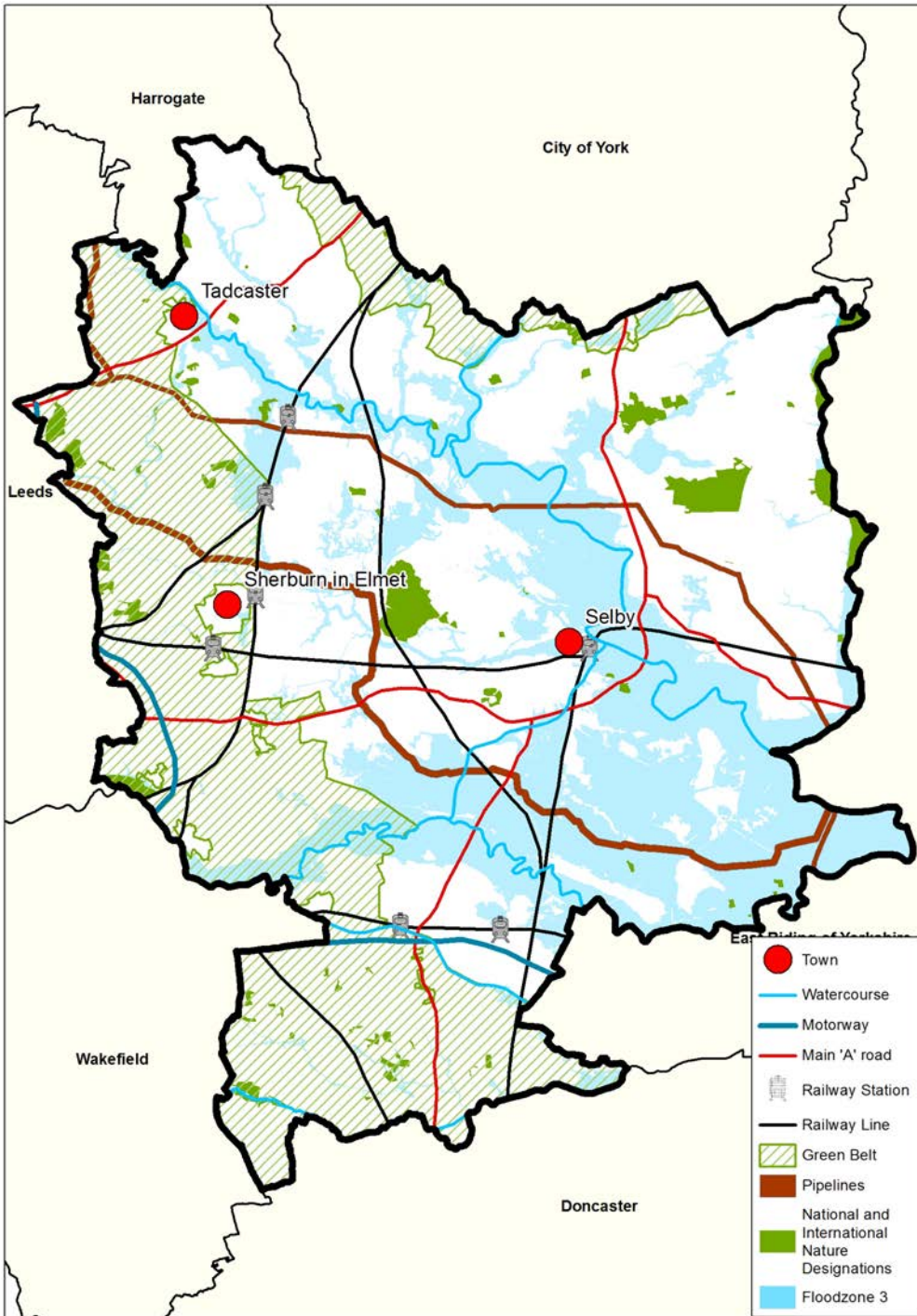
**Question 9****Criteria for choosing a location for a new settlement**

Do you agree with the criteria outlined above as a means to identify the most suitable location for the development of a new settlement to deliver 5,000 new homes?

Are there any other considerations you feel would be necessary?

- 4.36** If a new settlement is to be considered it will be necessary to identify at the outset the criteria for deciding the best location, albeit acknowledging that this will be influenced by the sites which are put forward through the Call for Sites exercise.
- 4.37** It will also be important to note that all development proposals will be subject a Habitats Regulations Assessment and development should not be supported if it may have significant effects on European Habitats or species. This is therefore likely to rule out development in areas close to the Lower Derwent Valley, Skipwith Common and the River Derwent.
- 4.38** Based on the approach set out above this would restrict potential locations for a new settlement to the areas shown in white on the map below, i.e. those areas without key constraints.

## Issues and Options Consultation



Picture 12 Spatial Housing Option 5 – Provision of New Settlement

### Spatial Housing Option 6 - Mix of Options outlined above

**4.39** Having considered all of the options outlined above you may consider that a mix of options would provide the most appropriate way forward. If this is the case we would like to have an understanding of which mix of solutions you think would be the most suitable.

## Issues and Options Consultation

### Question 10

#### Spatial Housing Options

Which do you think is the best way to meet future housing growth?

Option 1: New housing development to be dispersed across all settlements

Option 2: Focus development in towns and larger villages which have a number of key facilities and have good rail and highway connections

Option 3: Focus new housing development in close proximity to future employment sites, through the expansion of villages in these locations

Option 4: Development along strategic transport corridors

Option 5: Provision of a new settlement

Option 6: Mix of options. Do you think the best approach is a mix of all the options presented above?

Option 7: An alternative option. Are there alternative options to meet housing growth? Please explain what these are and why this approach is a more suitable option.

Please give reasons for your preferred approach

#### Green Belt Land

- 4.40** Depending on which spatial approach is taken it may be necessary to consider whether the Green Belt and settlement boundaries should be reviewed in order to support a new different approach.
- 4.41** The Green Belt in Selby District equates to a total of 19,240 hectares and incorporates parts of both the West Yorkshire and York Green Belts. The West Yorkshire Green Belt covers the western area of the District and the York Green Belt lies on the District's northern boundary.
- 4.42** The revised National Planning Policy Framework says that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The policy goes on to say that once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. The current Green Belts in the District have not been reviewed since the Selby District Local Plan and therefore we will be undertaking a review to inform the emerging plan.

## Issues and Options Consultation

- 4.43** If we were to release greenbelt land national policy requires that we will need to be able to demonstrate exceptional circumstances for doing so. As set out in the options for growth outlined above the delivery of these growth strategies may be dependent on the release of greenbelt land and therefore we would be keen to hear your views on this matter at an early stage.

### Question 11

#### Green Belt

Should we review the Green Belt to support more development around villages? In what circumstances do you think this should be considered?

#### Development Limits

- 4.44** The Selby District Local Plan established Development Limits around a number of villages in order to support development which is appropriate to the form, character and circumstances of each settlement. Some of the smallest villages and hamlets within the District do not have designated Development Limits and are treated as falling within the wider countryside. Where there are proposed allocations we will seek to amend the existing development limit to accommodate the new proposals.
- 4.45** Tightly drawn development boundaries may prevent the incremental growth of smaller villages, whereas not having boundaries can lead to more subjectivity at the decision stage.
- 4.46** An alternative approach to the current approach of defined development limits around villages would be to develop a criteria based approach which could support limited growth. This would set out a clear approach for determining proposals for small scale development on the edges of villages, which would include requirements for design to reflect local character.

#### Advantages

- Development Limits provides clarity to residents and developers on where development can take place.
- A criteria based approach would allow for the sustainable, small scale growth of villages.

#### Limitations

- Development Limits prevents the natural growth of smaller villages
- Restrictions on development can increase affordability of homes

## Issues and Options Consultation

### Question 12

#### Development Limits

Should we consider the removal of Development Limits in the smaller settlements to support the right scale of development? This would replace the Development Limits with a criteria based approach.

#### Strategic Countryside Gaps

**4.47** The Selby District Local Plan identifies ten Strategic Countryside gaps, which are located at Barlby/Osgodby, Barlby Top/Barlby Crescent, Brayton/Selby, Church Fenton East/West, Cliffe/Hemingbrough, Gateforth, Hensall North/South, Skipwith, Stillingfleet and Thorganby. The purpose of this designation is to ensure that the separate identity of the villages which surround Selby are maintained. Although largely a policy to prevent the coalescence of settlements it also provides areas of openness around the town which provide opportunities for leisure and recreation.

#### Advantages

- Helps to ensure the intrinsic character and value of the countryside can be recognised and maintained.
- Prevents coalescence and character of settlements
- Provides opportunities for recreation and leisure activities
- Provide green links/corridors for wildlife
- Contribute to mitigating the effects of climate change

#### Limitations

- Will limit development opportunities.

**4.48** It is important to note that there are no current strategic countryside gaps around villages which are located in the Greenbelt as this already serves to prevent the coalescence of settlements.

### Question 13

#### Strategic Countryside Gaps

Should we continue to protect the Strategic Countryside Gaps? Please outline the reasons for your response.

This page is intentionally left blank



**Report Reference Number: E/19/42**

---

**To: Executive**  
**Date: 10 January 2020**  
**Status: Key Decision**  
**Ward(s) Affected: All**  
**Author: Kevin Ross, Accountant**  
**Lead Executive Member: Cllr Cliff Lunn, Lead Executive Member for Finance & Resources**  
**Lead Officer: Karen Iveson, Chief Finance Officer**

---

**Title: Housing Rents 2020/21**

**Summary:**

This report presents proposals for Housing Revenue Account rent levels which have been calculated in accordance with MHCLG policy statement on rents for social housing from February 2019. The new policy comes in to effect from 1 April 2020 and allows rents to rise by no more than CPI + 1% in any year for the next 5 years. This follows from 4 years of 1% annual rent reductions from April 2016 in accordance with the Welfare Reform and Work Act 2016.

2020/21 is the first year of this 5 year policy which will see rents increase on average from £82.48 in 2019/20 to £84.98 (adjusted for sales, housing development & dwellings meeting target through relets) per week on a 48 week basis, an average increase of £2.50 (across both Social and Affordable rent properties).

Overall this increase in rents is estimated to grow Housing Revenue Account rent yield by approximately £317k in 2020/21 to reinvest in our housing stock as outlined in the HRA Business Plan. Rent income is a key component of the HRA Budget and is vital that the recommended increase is approved to fund the ambitions of the HRA Business plan particularly for further investment in the capital programme to achieve a decent homes+ standard for our tenants going forward.

**Recommendations:**

Recommendations:

It is recommended that:

- i) The Executive approve the proposed 2.7% rent increase for 2020/21.

## **Reasons for recommendation**

To allow rent levels to be set in advance of the coming financial year following the government's policy on rents for social housing from 1 April 2020 onwards.

### **1. Introduction and background**

- 1.1 Since 2001, rents for properties let at 'social rent' have been set based on a formula set by government. This creates a formula rent for each property, which is calculated based on the relative value of the property, relative local income levels and the size of the property. An aim of this formula based approach is to ensure that similar rents are charged for similar social rent properties.
- 1.2 In 2011, the government introduced affordable rent which permits rents to be set at up to 80% of market rent (including service charges). This is the amount a property could reasonably expect to receive if it was available on the open market. Landlords can only let new properties at affordable rent where certain conditions apply.
- 1.3 From April 2015 the government made it possible for social landlords to charge a full market rent where a social tenant household has an annual income of at least £60,000. This was designed to allow landlords to make better use of their social housing, rather than requiring them to provide sub-market rent properties to households with relatively high incomes.
- 1.4 Government policy previously limited maximum annual changes in social rent and affordable rent levels. From April, 2016 to end March 2020, the Welfare Reform and Work Act 2016 required social landlords to reduce their rents by 1% each year. This was designed to help put welfare spend on a more sustainable footing and to ensure that the social housing sector plays its part in helping to reduce the public spending deficit.
- 1.5 In October 2017, the government announced its intention to set a long term rent deal for both local authority landlords and housing associations. This would permit annual rent increases on both social and affordable rent properties of up to CPI + 1% (at September of the previous year) for a period of at least 5 years. This policy recognises the need for a stable financial environment to support the delivery of new homes. This new policy will come into effect from 1 April 2020.
- 1.6 For the first time, the government intends to direct the Regulator to apply its rent standard to all registered providers (local authorities and private registered providers – the majority being housing associations). The rent standard should apply to local authority registered providers from 2020 onwards because the previous arrangements for limiting the welfare costs



associated with local authority rents will not operate alongside Universal Credit.

## 2. Proposed Rent Increases

- 2.0 From 1 April 2020, registered providers may not increase by more than CPI (at September of the previous year) + 1% in any year. Providers must adhere to this limit on rent increases even if a tenants rent is below formula. Providers also have the discretion to apply a lower increase, or to freeze or reduce rents.
- 2.1 The Council has recently approved a new Housing Revenue Account Business Plan. The modelling within the plan, which sets out ambitions to improve current stock and build new affordable homes, has assumed rent increases of CPI + 1%. Therefore, it is essential that the maximum increase of 2.7% is applied to match the ambitions of the Housing Revenue Business Plan 2020-2025. This will ensure as much as possible that the needs of our residents are met now and in the future. This includes significant capital investment in meeting the decent homes+ standard. The business plan also aligns to the HRA budget proposals submitted to 5 December Executive.
- 2.2 The 2019/20 weekly average rent, set on a 48 week basis is £82.48 (per Housing Rents report to Executive; 10 January 2019).
- 2.3 Formula rents will increase by CPI + 1% each year from 20/21 onwards, but is subject to a rent cap. Rent caps apply as a maximum ceiling on the formula rent and depend on the size of the property (the number of bedrooms it contains). Where the formula rent would be higher than the rent cap for a particular size of property the rent cap must be used instead. Selby District Councils housing stock does not have any property that exceeds this cap.
- 2.4 Where a property is below formula rent, the provider may only move the rent up to formula when the property is re-let following vacancy.
- 2.5 **Social Rents - Average Rent Charges on a 48 week basis**

Year	2020/21 Proposed increase	2021/22 (increase)	2022/23 (increase)
<b>Actual Rent £</b>	84.60	87.13*	89.75*
<b>% (Decrease) / Increase</b>	2.7	3.0	3.0
<b>Formula Rent £</b>	86.00	88.58*	91.24*
<b>% (Decrease) / Increase</b>	2.7	3.0	3.0
<b>Difference Actual vs. Formula £</b>	1.40	1.45	1.49

*\*CPI assumed to be 2% based on HRA Business Plan assumptions*

- 2.6 The above table shows the formula rent against the actual rent to be charged to tenants. Formula rent is the rent target for our dwellings to be comparable with Registered Social Landlords.

- 2.7 Formula rents on average for 2020/21 are £1.40 per week higher than actual rents on a 48 week basis.
- 2.8 Affordable rents are typically higher than social rents; the intention behind this flexibility is to enable properties let on this basis to generate additional capacity for investment in new affordable housing. Providers must not increase rents for properties let on affordable rent terms by more than CPI + 1% each year.
- 2.9 Affordable housing rent (inclusive of service charges) must not exceed 80% of gross market rent, and there must be an agreement in place between the provider and Homes England to permit that property to be let at affordable rent. These rents are applicable on our new homes built to date and the on-going programme for empty property purchases. It is a condition of the grant funding from Homes England, which has supported the Council's new build programme that the rents charged are affordable. Through these agreements to date 30 properties have been built or purchased.

2.10 **Affordable Rents - Average Rent Charges on a 48 week basis**

Year	2020/21 Proposed increase	2021/22 (increase)	2022/23 (increase)
<b>Actual Rent £</b>	122.96	126.65*	130.45*
<b>% (Decrease) / Increase</b>	2.7	3.0	3.0

*\*CPI assumed to be 2% based on HRA Business Plan assumptions*

### 3. Alternative Options Considered

- 3.1 No alternative options have been considered. The rent increase proposal is linked to delivering the ambitions of the HRA Business Plan, any lower than proposed increase will be of detriment to the delivery of the plan. A 0.5% reduction in the rent increase proposed would have an impact of approximately £58k and a recurring loss of income across the 30 year business plan of £2.6m.

### 4. Implications

#### 4.1 Legal Implications

To set rents in accordance with the government's policy statement on rents for social housing.

#### 4.2 Financial Implications

- 4.2.1 The rent yield from the proposals in this report are summarised as follows:

	2019/20 (£000)	2020/21 (£000)	2021/22 (£000)	2022/23 (£000)
Budgeted Rent (£k)	11,840	12,157	12,522	12,987

Annual (Decrease) / Increase (£k)		317	365	465
-----------------------------------	--	-----	-----	-----

- 4.2.2 Under the HRA self-financing regime, the Council keeps all of the rent collected and no longer has to pay subsidy. The amount of debt the Council took on as part of this change was influenced by rent income projections based on formula rent convergence. Rent generated is utilised to service the debt incurred, invest in maintaining our housing stock and new build opportunities as well as cover the running costs of our Housing Revenue Account service.
- 4.2.3 The final HRA Business Plan Refresh was presented to the Executive on 5 December 2019. Housing Rents have a significant role in is ensuring that the Council has a financially viable Housing Revenue Account Business Plan, to manage its objectives, to both invest in its current stock, as well as increase overall housing supply in the district.

### 4.3 Policy and Risk Implications

- 4.3.1 Rents have been calculated in accordance with MHCLC's 'Policy Statement on rents for Social Housing' of which the SDC rent policy document provides further detail.

### 4.4 Corporate Plan Implications

- 4.4.1 Implementation of the rent increase proposal links directly to that of the HRA Business Plan 2020-2025 which meets the Council Plan's aim to ensure resident 'enjoy life' by increasing the overall condition and supply of housing in the district.
- 4.4.2 Ultimately, the Council's aim is to drive the development of more new homes and for all housing in the district to be of a quality, type and size which meets the needs of local communities. The HRA Business Plan's new and approved objectives are:

**Objective 1:** To ensure good quality housing within the district which helps meet the needs of our local community.

**Objective 2:** To provide a first rate housing management service which makes the best use of our existing stock.

**Objective 3:** To deliver a financially sustainable service which demonstrates value for money and ensures that investment is targeted to council priorities.

### 4.5 Resource Implications

- 4.5.1 The proposed rent increase has a positive impact on the overall funding of the HRA, meaning that there will be more resource for re-investment in our housing stock after 4 years of reductions. This funding is vitally important to meet both the ambitions and objectives of the latest HRA Business Plan refresh.

## **4.6 Other Implications**

4.6.1 No further implications.

## **4.7 Equalities Impact Assessment**

4.7.1 Rents have been calculated in line with government rent setting policy and are applied across all the council's social and affordable housing and as such are not to the detriment of any particular group.

## **5. Conclusion**

5.1 2020/21 will see rents increase on average from £82.48 in 2019/20 to £84.98. These rents have been calculated in line with the government's policy statement on rents for social housing. This increase combined with sales, housing development, relets at target and provisions for bad debts and void losses is expected to have the impact of increasing rent income by £317k compared to the 2019/20 budget.

5.2 From April 2020, the government is committed to increases of up to CPI + 1% for a period of at least 5 years which will provide some stability in relation to financial decision making within the HRA. The rent rise will increase the ability to reinvest in the housing stock and meet the objectives of the HRA Business Plan which provides tenants, the Council, and its members with priorities and direction as to how it will manage Council owned social housing in the Selby district.

## **6. Background Documents**

MHCLC's 'Policy Statement on rents for Social Housing'  
SDC Rent Policy Report

### ***Contact Officer:***

Kevin Ross  
Accountant  
Selby District Council  
[kross@selby.gov.uk](mailto:kross@selby.gov.uk)



**Report Reference Number: E/19/43**

---

**To:** Executive  
**Date:** 10 January 2020  
**Status:** Non Key Decision  
**Ward(s) Affected:** All  
**Author:** Sarah Thompson  
(Housing and Environmental Health Service Manager)  
Hannah McCoubrey  
(Housing Strategy Officer)  
**Lead Executive Member:** Cllr Chris Pearson  
(Lead Executive Member for Housing, Health and Culture)  
**Lead Officer:** June Rothwell  
(Head of Operational Services)

---

**Title:** Rent Policy 2020

**Summary:**

Local authorities must charge reasonable rents for tenants living in their housing stock and this applies to most secure, flexible and introductory tenancies. As such, Selby District Council follows Government guidance and the Rent Standard as set by the Social Housing Regulator; in calculating rents and undergoing any subsequent rent reductions or increases. In publishing a Rent Policy 2020, we provide tenants with a clear framework on Selby District Council's approach to setting Social and Affordable Rent on existing and new build Council dwellings and any property acquisitions that are in future assimilated into the Council's housing stock.

**Recommendations:**

That Executive Members approve the attached Rent Policy 2020 (Appendix 1).

**Reasons for recommendation:**

Approving the Rent Policy further guarantees that Council rents are set in accordance with relevant statutory and regulatory obligations. It also ensures that rents are set at a level which ensures the Council meets its responsibilities to customers, maintains stock at a high standard, plans for future investment and continues to function as a financially viable organisation.

**1 Introduction and background**

**1.1** Social rents were set under a national rent regime in 2002 which introduced a rent convergence policy. A 'rent formula' was established which took account of the values of properties and local earnings, relative to national earnings. A

'bedroom weighting' factor was also applied to try and ensure that the resulting rents better reflected the perceived value of the properties being occupied.

- 1.2 As part of 2013's Spending Round, the Coalition Government announced that from 2015/16, social rents would rise by Consumer Price Index (CPI) +1% each year for the subsequent ten years. However, in July 2015's Summer Budget, it was announced that rents in social housing would be reduced by 1% a year for four years, resulting in a 12% reduction in average rents by 2020/21. This measure was forecast to save £1.4bn within this time, primarily in reduced Housing Benefit expenditure.
- 1.3 Following this four year rent reduction, in February 2019 it was confirmed that following consultation, the Government would permit annual social housing rent increases of up to CPI +1% from April 2020, for a period of five years; as well as bring both local authority and private registered providers within the scope of the Regulator of Social Housing's Rent Standard. More detail as to the impact of this decision can be found in the Rent Setting Report which is also being presented to the Executive for approval.
- 1.4 Given this change, it is appropriate to publish a Rent Policy on behalf of Selby District Council. The purpose of this policy is to:
  - Ensure that Selby District Council rents are set in accordance with relevant statutory and regulatory obligations.
  - Ensure that rents are set at a level which ensures the Council meets its responsibilities to customers, maintains stock at a high standard, plans for future investment and continues to function as a financially viable organisation.
  - Protect Council tenants from excessive increases in rents.
  - Help ensure sub-market rents are being provided throughout the district to those in housing need.
  - Provide a clear framework for Selby District Council's approach to setting Social and Affordable Rent on existing and new build Council dwellings and any property acquisitions that are assimilated into the Council's housing stock.

## **2 The Rent Policy 2020**

- 2.1 The attached Rent Policy 2020 (Appendix 1) will clearly set out for our tenants and relevant stakeholders:
  - How Social and Affordable Rents are calculated and set.
  - What flexibility is afforded to the Council by Government policy.
  - What accommodation is exempt from the Rent Policy.
  - The importance of ensuring Affordable Rent remains 'affordable.'
  - The impact of tenancy type on rent setting.
  - The appeals process.
- 2.2 Given that the Council must adhere to Government guidance in the form of MHCLC's 'Policy Statement on rents for Social Housing,' much of the Rent Policy outlines our statutory functions in order that tenants can better understand how and why we undergo the rent setting process.

- 2.3** However, there is some flexibility afforded to the Council which is included within this Rent Policy. For example, whilst calculating ‘formula rent’ requires a January 1999 property valuations via the Royal Institution of Chartered Surveyors (RICS) method; we also reserve the right to re-value properties where we have carried out ‘major works’ that have materially affected the value of the property. ‘Major works’ do not include normal stock management activity such as repairs, maintenance or updating of properties; but will include structural alterations, such as adding an extra room or extensions. This may be valuable when we look to re-set rent on commencement of a new tenancy, where a property has undergone considerable work since 1999. This will provide additional income to the Housing Revenue Account (HRA) and ensure rental amounts are appropriate to the property in question.
- 2.4** Additionally, in setting Affordable Rent guidance, the Council should address two objectives: the need to ensure Affordable Rents are affordable relative to average incomes in the district, taking into account Housing Benefit and welfare caps, as well as the ability of Registered Providers (including the Council) to optimise rent income to support affordable housing delivery throughout the district. Therefore, whilst the Council is able to charge an Affordable Rent higher than the Local Housing Allowance for any relevant property, we will always consider the local market and applicable Local Housing Allowance rate when setting Affordable Rents. Where appropriate, we will also look to demonstrate some flexibility when setting Affordable Rents, based on individual business cases.
- 2.5** We consequently intend to publish this Rent Policy as soon as approval is gained, in preparation for the subsequent rent alterations taking place in April 2020.

### **3 Alternative Options Considered**

None

### **4 Implications**

#### **4.1 Legal Implications**

The Local Government and Housing Act 1989 sets out the obligations for annual reviews of rent to ensure there is a balanced budget for the Housing Revenue Account (HRA). This Rent Policy compliments our yearly Rent Report which reviews Council rents.

#### **4.2 Financial Implications**

Our rental income is a key component of the HRA Budget. Working in-line with this Rent Policy, along with the complimentary Rent Report, will ensure that the HRA continues to operate as a viable business.

As advised, any changes to Affordable Rent amounts are at the discretion of the Council and subject to individual business cases. Financial viability remains central to this consideration.

#### **4.3 Policy and Risk Implications**

N/A

#### **4.4 Corporate Plan Implications**

N/A

#### **4.5 Resource Implications**

N/A

#### **4.6 Other Implications**

N/A

#### **4.7 Equalities Impact Assessment**

An Equality, Diversity, and Community Impact Screening was completed on 20 November 2019. The screening showed that there were no equalities implications as a result of the rent policy.

### **5 Conclusion**

Approving the Rent Policy 2020 helps to ensure that rents are set at a level which ensures the Council meets its responsibilities to customers, maintains stock at a high standard, plans for future investment and continues to function as a financially viable organisation. It also provides our tenants and key stakeholders with a clear and concise framework as to how the Council approaches rent setting in all of our properties, increasing our transparency.

### **6 Background Documents**

MHCLC's 'Policy Statement on rents for Social Housing'  
Report to Executive 9 January 2020 - Rent Report

### **7 Appendices**

Appendix 1 - Rent Policy

#### **Contact Officers:**

Sarah Thompson  
Housing and Environmental Health Service Manager  
Selby District Council  
[sthompson@selby.gov.uk](mailto:sthompson@selby.gov.uk)

Hannah McCoubrey  
Housing Strategy Officer  
Selby District Council  
[hmccoubrey@selby.gov.uk](mailto:hmccoubrey@selby.gov.uk)



## Selby District Council – Rent Setting Policy (2020)

### 1. Introduction

1.1 The purpose of this policy is to:

- Ensure that Selby District Council rents are set in accordance with relevant statutory and regulatory obligations.
- Ensure that rents are set at a level which ensures the Council meets its responsibilities to customers, maintains stock at a high standard, plans for future investment and continues to function as a financially viable organisation.
- Protect Council tenants from excessive increases in rents.
- Help ensure sub-market rents are being provided throughout the district to those in housing need.
- Provide a clear framework for Selby District Council's approach to setting Social and Affordable Rent on existing and new build Council dwellings and any property acquisitions that are assimilated into the Council's housing stock.

### 2. Social Rents – A Brief History

2.1 Social rents were set under a national rent regime in 2002 which introduced a rent convergence policy. A 'rent formula' was established which took account of the values of properties and local earnings, relative to national earnings. A 'bedroom weighting' factor was also applied to try and ensure that the resulting rents better reflected the perceived value of the properties being occupied.

2.2 As part of 2013's Spending Round, the Coalition Government announced that from 2015/16, social rents would rise by Consumer Price Index (CPI) +1% each year for the subsequent ten years. However, this was short lived when in July 2015's Summer Budget, the then Chancellor announced that rents in social housing would be reduced by 1% a year for four years, resulting in a 12% reduction in average rents by 2020/21. This measure was forecast to save £1.4bn within this time, primarily in reduced Housing Benefit expenditure.

2.3 Following this four year rent reduction, in February 2019 it was confirmed that following consultation, the Government would permit annual social housing rent increases of up to CPI +1% from April 2020, for a period of five years; as well as bring both local authority and private registered providers within the scope of the Regulator of Social Housing's Rent Standard.

### 3. Setting Social Rents

3.1 Local authorities must charge reasonable rents for tenants living in their housing stock and this applies to most secure, flexible and introductory tenancies. As such, Selby District Council follows Government guidance and the Rent Standard as set by the Social Housing Regulator; in calculating formula rents and undergoing any subsequent rent reductions or increases to social rent.

- 3.2 Formula rent is also subject to a rent cap based on the size of the property (2019-2020 figures can be found in Appendix A of the MHCLC's 'Policy Statement on rents for Social Housing'). From 2020-21 onwards, rent caps will increase by CPI +1.5% annually. Where the formula rent would be higher than the rent cap, the rent cap will be used instead.
- 3.3 As advised, social rents are set using a government formula; and current policy provides flexibility for registered providers to set rents at up to 5% above formula rent, and 10% for supported housing. Selby District Council reserves the right to apply this flexibility, but must provide a clear rationale for doing so which takes into account local circumstances and affordability.
- 3.4 Calculating formula rent requires a consistent approach to property valuations. These will be done in accordance with a method recognised by the Royal Institution of Chartered Surveyors (RICS) and will be made at January 1999 prices. Selby District Council does however reserve the right to re-value properties where we have carried out 'major works' that have materially affected the value of the property. 'Major works' do not include normal stock management activity such as repairs, maintenance or updating of properties; but will include structural alterations, such as adding an extra room or extensions.
- 3.5 From April 2020, as per Government direction, Selby District Council are permitted to increase social rents annually by up to CPI +1% for a minimum of five years. This will be a yearly consideration for Executive Members to undertake. Any conditions relating to this process included in The Direction of the Rent Standard 2019 and corresponding Policy Statement will also be adhered to, including the requirement to restrict any rent increase in the first year following the rent reduction to the 2020 limit for existing tenants.
- 3.6 Annual rent changes will normally take place on the 1st Monday of each April. When considering a change in rent, the Council will take into consideration local factors and concerns, and affordability for tenants; in balance with providing a financially viable Housing Revenue Account.
- 3.7 Tenants who undergo a change in rental amount will receive notification of the changes at least 4 weeks prior to the change taking effect.
- 3.8 Exemptions: it is noted that certain types of local authority accommodation are exempt from the Rent Standard, including:
- Shared ownership low cost rental accommodation
  - Intermediate rent accommodation
  - Specialised supported housing
  - Relevant local authority accommodation
  - Student accommodation

- PFI social housing
- Temporary social housing
- Care homes

(Full definitions can be found in Chapter 5 of the MHCLC's 'Policy Statement on rents for Social Housing').

#### 4. Setting Affordable Rent

- 4.1 'Affordable Rent' is rent charged at up to 80% of gross Market Rent (the rental amount a property could reasonably expect to receive if it was available to rent on the open market). A valuation of Market Rent must be made in accordance with a Royal Institution of Chartered Surveyors (RICS) recognised method. Property size, location type and service provision must be taken into account when determining Market Rent.
- 4.2 A property can only be considered for an 'Affordable Rent' where it is linked to an agreement with the HCA (now Homes England) on investment. This includes purchasing affordable homes constructed by another developer and buying back previous Right to Buy Council properties. Relevant Selby District Council properties will be let at Affordable Rent unless the Social Rent level in the area is higher. When setting Affordable Rents, the Council will comply with the terms of any agreement entered into with Homes England and valuations for initial rent setting will be made in accordance with a method recognised by the RICS.
- 4.3 In order to provide certainty for tenants, the maximum annual rent increase on an Affordable Rent property will be CPI +1%, in accordance with the Rent Standard. CPI will be taken as at September of the previous year. Affordable Rents are not subject to the Local Housing Allowance. However, the Council will have regard to the local market context, including the relevant Local Housing Allowance, when setting affordable rents.
- 4.4 Regulations require the Council to re-base rent on every occasion that a new tenancy is issued or renewed for an Affordable Rent property (except where the accommodation is re-let to the same tenant as a result of an introductory tenancy coming to an end). If the property is being re-let to an existing tenant, the rent must not increase by more than CPI +1%. This requirement is designed to ensure that the rent set at the beginning of each new tenancy is no higher than 80% of the gross Market Rent.

#### 5. Ensuring Affordable Rents are affordable

- 5.1 In setting Affordable Rent guidance, the Council should address two objectives: the need to ensure Affordable Rents are affordable *relative to average incomes* in the district, taking into account Housing Benefit and welfare caps, as well as the ability of Registered Providers (including the Council) to optimise rent income to support affordable housing delivery throughout the district. Consequently, it is important that Affordable Rents do not make it more economical for tenants to leave employment, or for them to remain on benefits when suitable employment may be available.

5.2 Selby is covered by four Broad Rental Market Areas (BRMAs) with differing Local Housing Allowance (LHA) rates as shown below (amounts set by Government and liable to change):

	York		Doncaster		Wakefield		Leeds	
	Weekly	Monthly	Weekly	Monthly	Weekly	Monthly	Weekly	Monthly
Shared Room	£67.09	£291.52	£55.12	£239.51	£55.00	£238.99	£62.48	£271.49
1 bedroom	£98.96	£430.00	£78.08	£339.28	£86.30	£374.99	£100.05	£434.74
2 bedrooms	£123.58	£536.98	£93.23	£405.11	£103.56	£449.99	£122.36	£531.68
3 bedrooms	£141.24	£613.72	£103.56	£449.99	£113.92	£495.01	£149.59	£650.00
4 bedrooms	£200.09	£869.44	£143.84	£625.02	£149.59	£650.00	£195.62	£850.02

5.3 Whilst the majority of the authority is covered by the 'York' BRMA, a number of towns within the district instead fall within an alternative BRMA (shown below) and therefore could potentially have Affordable Rents above the LHA rate:

- Leeds: Church Fenton, Barkston Ash, Sherburn-In-Elmet, South Milford and Monk Fryston.
- Wakefield: Fairburn, Brotherton and Byram.
- Doncaster: Womersley, Walden Stubbs and Balne.

5.4 The Council are able to charge an Affordable Rent higher than the Local Housing Allowance for any relevant property. However, the Council will always consider the local market and applicable Local Housing Allowance rate when setting Affordable Rents. It will also advise potential tenants of any differences between the Affordable Rent and the Local Housing Allowance when properties are advertised on North Yorkshire Home Choice and will complete an affordability check before any offer of accommodation is made where the Affordable Rent is in excess of the Local Housing Allowance to ensure tenancy sustainability.

5.5 In order to ensure affordability throughout the district, the Council will, where appropriate, demonstrate flexibility when setting Affordable Rents, based on individual business cases.

## 6. Two types of tenancy

6.1 From April 2016, Selby District Council has differentiated between two tenancy types for their social housing tenants: secure (lifetime) tenancies or flexible (secure fixed-term) tenancies. Both tenancy types can be offered at either Affordable or Social Rent, with the rent levels being set by the Council in accordance with Government policy.

6.2 Where an existing fixed-term tenancy is being terminated but a further tenancy in the same property is offered, an existing tenant paying Social Rent will be offered a new tenancy at Social Rent, and an existing tenant paying Affordable Rent will be offered another Affordable Rent (subject to a new valuation). If the property no longer meets

the needs of the household and they are offered a new tenancy at another property, then that property will be let as defined by this policy.

## 7. Appeals

- 7.1 Any tenant charged either Social or Affordable Rent who feels their rent has not been set in accordance with this policy (since its implementation) can appeal using the Council's complaints procedure.
  
- 7.2 Any tenant who is considering appealing should first seek independent advice from a legal advisor or from Citizen's Advice.

This page is intentionally left blank



Report Reference Number: E/19/44

---

**To:** Executive  
**Date:** 10<sup>th</sup> January 2020  
**Status:** Non Key Decision  
**Ward(s) Affected:** ALL  
**Authors:** Sarah Thompson,  
(Housing and Environmental Health Service Manager)  
**Lead Executive Member:** Cllr Chris Pearson,  
(Lead Executive Member for Housing, Health and Culture)  
**Lead Officer:** June Rothwell,  
(Head of Operational Services)

---

**Title:** North Yorkshire Refugee Resettlement (including Selby District Councils' participation)

**Summary:** The number of refugees worldwide is calculated to be at its highest ever, standing at 25.9 million. Consequently, in June 2019, the Home Secretary wrote to Parliament to reaffirm Government commitment to the resettlement of refugees beyond the conclusion of the Syrian Resettlement Programme (SRP) and Vulnerable Children's Resettlement Scheme (VCRS), due to conclude in 2020. A letter outlining these details has been sent to Council Leaders, to seek participation in the new scheme, attached in Appendix A. Further details about the new scheme (provisionally called the 'Global Resettlement Scheme') are also attached in Appendix B.

Specifically for the Selby district, provisional numbers indicate that participation in the new scheme would require a commitment to resettling approximately 29 refugees in total, between the period 2020/21 and 2023/24.

**Recommendations:** To approve Selby District Council's participation in the new 'Global Resettlement Scheme' and to commit to resettling a minimum of 29 persons between 2020/21 and 2023/24.

**Reasons for recommendation:**

To enable Selby District Council to participate in the wider North Yorkshire resettlement scheme and commit to supporting the resettlement of refugees.

## 1 Introduction and background

Previous scheme: North Yorkshire

- 1.1** As part of the previous resettlement programme, North Yorkshire authorities agreed to resettle a total of 219 refugees, with each district pledging a minimum commitment based upon North Yorkshire (as a whole) taking 1% of the country's total quota. North Yorkshire began accepting refugees in July 2016 and finished in February 2018, as shown in Appendix C. The actual number of refugees resettled in North Yorkshire in this period was 238 in total (209 SVPs and 29 VCRS across 50 families). Families were typically two adults and three children (most of the children were primary school aged).
- 1.2** Since this time, seven families (34 persons) have since left North Yorkshire; the main reason being to live nearer to relatives resettled elsewhere in the UK. The nationalities of the VCRS families resettled in North Yorkshire were Sudanese and Iraqi.

Previous scheme: Selby

- 1.3** Seven refugee families (32 persons) were resettled in the Selby district between July 2016 and July 2017, using seven properties. No families have since left the district, but there has been one house move within the district.
- 1.4** The progress of the adults in attaining a reasonable understanding of the English language has generally been slow (reflecting the case overall in the county). As of September 2019, one adult is in employment and a further three adults have had work experience, with one being offered employment. Two other adults are carers. A number of the remaining adults of working-age are volunteering and are being supported to get into employment.
- 1.5** Local volunteers have helped befriend the families and assisted with their language development alongside the more formal English language classes provided. With assistance from the Refugee Council, volunteers have also assisted the families with building their independence and encouraging their participation in the wider community.

New scheme

- 1.6** The new 'Global Resettlement Scheme' will incorporate all current resettlement programmes (SRP, VCRS and Gateway Protection Programme) into one, summarised below:
- In 2020/21, the government will aim to resettle 5,000 refugees. The grant provided to local authorities for arrivals will be funded at the current rate and for the same period as the current schemes (five years for local authorities).
  - The government has not confirmed the funding for arrivals after the year 2020/21 as they are awaiting the outcome of a comprehensive spending review. However, they have declared an intention to run the new programme long-term. Consequently the scheme is not to be seen as a one year extension to the existing resettlement programmes, but rather a permanent consolidation into one scheme.



- The numbers of refugees to be resettled on a yearly basis beyond 2020/21 is thought unlikely to change significantly and the funding expected to remain the same (though it is not yet known whether inflationary cost pressures will be taken into account in subsequent years). The process for accepting refugees will also be the same as under the previous scheme, with the United Nations High Commissioner for Refugees (UNHCR) making recommendations to the Home Office, and the final decision resting with local authorities.
- The geographical focus will however be broadened beyond the Middle East and North African region. There will also be a new process for emergency resettlement, allowing the UK to respond quickly to instances where lives are at risk. The number of refugees expected to be brought to the UK under this process will remain a minor part of the overall number.

**1.7** In the Yorkshire and Humber region, the regional partnership agreement between Migration Yorkshire and relevant local authorities is likely to remain the same under the new scheme. The Refugee Council will continue to provide integration support in 2020/21, as planned. However, a procurement exercise is expected to take place at the same time to appoint an integration support provider for the longer term. This exercise will also provide an opportunity to remodel the existing integration support if required.

## **2 The Report: Participation in the ‘Global Resettlement Scheme’**

### Things to consider

- 2.1** All North Yorkshire district councils will need to consider participation in the new scheme via their formal decision-making process. Informal discussions indicate that, in principle, North Yorkshire County Council will participate in the Global Resettlement Scheme provided that:
- This is in partnership with North Yorkshire district councils;
  - The funding is no lower than envisaged by the Home Office;
  - All arrangements are similar to the SVP and VCRS programmes; and families are resettled on a phased basis across districts as happened on the SVP and VCRs programmes.
- 2.2** Selby District Council would be responsible for identifying suitable properties to be used for resettlement. The flexibility to use a range of housing types will enable the officers to identify the most suitable property available at the time of resettlement. When determining the suitability of a property consideration would be given to demand for housing, availability, the needs of the family and the suitability of the area. It is recommended that all housing tenure options are considered and we would aim to work with Housing Associations and private sector landlords to identify suitable properties in addition to council owned housing.
- 2.3** There have been issues with the use of privately rented property in resettling refugees around the country; due to affordability issues, adaption requirements, and finding private landlords willing to accept families on welfare benefits. Selby District Council chose to use council owned accommodation for the previous

resettlement scheme and this worked well. In other areas the predominant use of private rented accommodation was seen to slow down the speed of resettlement significantly, in regards to numbers of families being accepted from each flight. It has also become apparent that families in private rented accommodation are more likely to have to move after their initial 12 months, resulting in additional costs and upheaval for the families concerned.

- 2.4** Future arrivals would need to be resettled in towns to ensure they have access to the appropriate support services. Ideally, it is suggested that new arrivals are resettled in the same town as existing refugee families to help consolidate a support network between families and possibly improve retention rates.
- 2.5** The schedule of arrivals across each of the seven North Yorkshire districts has yet to be confirmed but will begin with resettling families in no more than three districts at a time. Resettlement would take place over the space of several months, before moving on to the remaining districts. For practical reasons, it is advised that districts do not look to spread out resettlement of families across the years 2020/21 to 2023/24, as this would be more difficult to manage and require a greater level of resource on an ongoing basis.
- 2.6** Careful consideration would also need to take place in regards to the country and cultural background of refugees being resettled in relation to existing immigrant communities. Experience has shown that resettling only one family from a separate cultural background to other refugee families heightens the risk of that family moving out of the county.
- 2.7** It is currently being suggested that, should there be agreement for some or all North Yorkshire local authorities to participate in the Global Resettlement Scheme, it should proceed on the basis that participation will be a longer term commitment than 2020/21. Locally, a four year commitment would be needed for planning purposes. A review could then be taken towards the end of that period regarding future participation in the scheme.

Indicative numbers:

- 2.8** Under the current scheme, North Yorkshire districts resettled an average of 150 persons each year from July 2016 to February 2018. However, due to pressures on local housing, noting also the duties introduced under The Homelessness Reduction Act 2017, a more conservative target of 50 refugees per year (approximately 11-13 families) are proposed to be resettled under the new scheme.
- 2.9** 50 persons per year from 2020/21 to 2023/24 would equate to 1% of the envisaged national programme, providing the same ‘fair share’ approach used for the SVP and VCRS programmes (given that North Yorkshire’s population is just under 1% of the UK’s population). The number of refugees that would be resettled in each district under this programme is shown below:

District	2018 population mid-year estimate by district	Percentage of North Yorkshire population by	Refugees to be resettled in total 2020/21 to
----------	---	---	--

		<b>district</b>	<b>2023/24</b>
Craven	56,832	9.3	19
Hambleton	91,134	14.8	30
Harrogate	160,533	26.1	52
Richmondshire	53,244	8.7	17
Ryedale	54,920	8.9	18
Scarborough	108,736	17.7	35
Selby	89,106	14.5	29
<b>Total</b>	<b>614,505</b>	<b>100</b>	<b>200</b>

**2.10** To achieve an average resettlement rate of 50 persons per year, a minimum of two to three districts a year would need to participate in the scheme. The actual numbers resettled might be marginally higher than those listed due to the need to match family sizes to specific properties.

**2.11** Finally, each district council would need to arrange to provide the required supply of housing during their allocated time period. The schedule of charter flights is likely to be known some time in advance of the families arriving, providing an opportunity for Officers to arrange availability of their own accommodation, or to have early discussions with national, regional and local housing providers to secure their commitment to the project.

Positive reasons for participating in the new refugee resettlement scheme:

**2.12** On the whole, North Yorkshire's previous resettlement programme has progressed smoothly and families have settled in relatively well considering their past traumatic lives.

**2.13** There has been a good spirit of partnership working between the local authorities in North Yorkshire, the Refugee Council and other resettlement partners (such as Health and the Police). This would need to continue in order to ensure that the refugee resettlement for later arrivals was a success.

**2.14** The current level of funding provided by the Home Office to local authorities is sufficient to provide appropriate levels of support to the refugee families resettled in North Yorkshire.

### **3 Alternative Options Considered**

The option not to participate in the scheme was considered. Even though participation in the scheme is voluntary, non-participation would be at odds with wider national, regional and countywide commitments.

## **4 Implications**

### **4.1 Legal Implications**

This report seeks agreement to renew a partnership agreement between the Council the other districts, NYCC and Migration Yorkshire. That agreement shall set out the obligations of different parties.

## **4.2 Financial Implications**

There are no direct financial implications for the Council. Costs associated with the resettlement of refugees are met by government grant. NYCC are responsible for the receipt and spending of grant monies, including the payment of eligible housing costs to the Council.

The proposed scheme does however have indirect cost implications and these include the staff time required preceding resettlement to source and prepare the accommodation. This cost is ineligible for grant payment and would be absorbed within existing staffing levels and workloads.

The government has not been able to confirm the funding for arrivals after 2020/21 due to needing to await the outcome of the comprehensive spending review but they have declared their intention to run the new programme in the long term. It is important to note that participation by NYCC (and the districts) is subject to on-going funding from Government at the same levels as the previous Syrian Resettlement Programme

## **4.3 Policy Implications**

The North Yorkshire Home Choice Policy sets out how we allocate our Housing and although any allocation made to support the refugee programme would be made within Policy, this would have an impact on the supply of social and affordable housing available to other applicants with a housing need in the district.

In the period October 2018 to 2019 the Council re-let 60 3 bedroom properties across the district and of these 15 went to applicants with gold banding, 21 silver and 24 bronze. Applicants who have been awarded Gold or Silver banding are considered to be in housing need and those with a bronze banding, are adequately housed. Hence the Council does have sufficient suitable housing to accommodate the refugees, although there may be an impact on applicants with a local connection, but who do not have a priority banding.

## **5 Conclusion**

The report proposes that Selby District Council commits to working in partnership with North Yorkshire County Council to support the delivery of the sub-regional 'Global Resettlement Scheme'.

## **6 Appendices**

- Appendix A - Letter to Council Leaders, dated 17 June 2019, from the Rt. Hon. Caroline Nokes MP (Minister of State for Immigration: Home Office); and Lord Bourne of Aberystwyth (Minister for Faith: Ministry of Housing, Communities and Local Government).

- Appendix B - UK Resettlement Scheme: Note for Local Authorities, August 2015 (Home Office).
- Appendix C - North Yorkshire Refugee Resettlement Schedule: July 2016 to February 2018.

**Contact Officers:**

Sarah Thompson  
Housing and Environmental Health Service Manager  
Selby District Council  
[sthompson@selby.gov.uk](mailto:sthompson@selby.gov.uk)

This page is intentionally left blank



Home Office

Ministry of Housing,  
Communities &  
Local GovernmentRt Hon Caroline Nokes MP  
Minister of State for ImmigrationLord Bourne of Aberystwyth  
Minister for Faith2 Marsham Street  
London SW1P 4DF  
[www.gov.uk/home-office](http://www.gov.uk/home-office)Council Leaders  
Local Authorities in England

Sent via email

17 June 2019

Dear Leader,

We are writing to inform you that the Government has today reaffirmed our commitment to the resettlement of refugees in anticipation of the conclusion of our three largest resettlement schemes in 2020. We hope this is welcome news to you and your communities. The success of resettlement in the UK to date has been achieved by working in partnership with over 300 local authorities. Many of you are participating in delivering the current schemes and your work to support and integrate these vulnerable refugees is greatly appreciated.

In the statement the Home Secretary has made to Parliament, he set out the Government's ongoing commitment to resettlement. We will consolidate our biggest schemes into a new global resettlement scheme. Our priority will be to continue to resettle the most vulnerable refugees, identified and referred by UNHCR. Under the global resettlement scheme, we will broaden our geographical focus beyond the Middle East and North Africa region and will also be better placed to swiftly respond to international crises in coordination with global partners.

In the first year of operation, the UK will aim to resettle in the region of 5,000 of the world's most vulnerable refugees. Ensuring local authorities can provide resettled refugees with the help and support they need to successfully integrate in their new communities remains central to our approach. Hence, we are happy to confirm we have retained current funding rates for those arriving in the first year of the scheme, meaning a local authority will continue to receive the five-year tariff of £20,520 for each refugee with a top-up (for year 1) for children aged 3-18 years.

A new process for emergency resettlement will also be developed, allowing the UK to respond quickly to instances of heightened protection need, providing a faster route to protection where lives are at risk. We will work closely with local authorities, regional Strategic Migration Partnerships and other partners over the coming months as we develop the new arrangements.

The Community Sponsorship scheme, which enables community groups to directly welcome and support refugees in the UK, will continue. Building on the experience of delivering the current schemes and the significant contribution of our community sponsors, a key part of our resettlement offer will be that those resettled through our community sponsorship and Mandate routes will be in addition to our yearly, global commitment.

We would like to take the opportunity to acknowledge the invaluable contribution that many of you have made in delivering the current commitments. We hope you will continue to support refugees under the new scheme. In addition, we would welcome pledges of support from authorities yet to engage in resettlement. Our officials will be in touch soon to provide more detailed information on how you can support us. In the meantime, if you would like to discuss any aspect of this letter, please do not hesitate to contact us.

Over the last few years, we have together made significant progress in our contribution to global resettlement efforts. We recognise the positive difference that local authorities, regional Strategic Migration Partnerships, communities, and community sponsors have made to the lives of refugees resettled in the UK. It is right that we today reaffirm our ongoing commitment to supporting refugees, and to working with partners to find a longer-term approach to refugee protection – an approach that restores dignity and offers refugees a viable future.

We are copying this letter to regional Strategic Migration Partnerships.

A handwritten signature in blue ink that reads "Yours ever Caroline".

**Rt Hon Caroline Nokes MP**  
**Minister of State for Immigration**  
**Home Office**

A handwritten signature in blue ink that reads "Yours ever Lord Bourne".

**Lord Bourne of Aberystwyth**  
**Minister for Faith**  
**Ministry of Housing, Communities and**  
**Local Government**





Home Office

# UK Resettlement Scheme

## Note for Local Authorities

August 2019

## Introduction

Resettlement continues to be a critical protection tool, providing a pathway to safety for refugees who can no longer remain in their host-countries. With the support of local government, the UK's existing schemes have provided safe and legal routes for tens of thousands of people to start new lives. However, the global need for resettlement continues to grow; the United Nations High Commissioner for Refugees (UNHCR) estimate that in 2020 more than 1.4 million refugees will need to be resettled.

The UK Government confirmed on 17 June 2019 its ongoing commitment to resettlement, announcing plans for a new UK Resettlement Scheme which will see thousands more refugees provided with a route to protection when it begins in 2020. This briefing note sets out further information for local authorities about the new scheme.

## Overview

The UK Resettlement Scheme will consolidate the existing Vulnerable Persons' Resettlement Scheme (VPRS), Vulnerable Children's Resettlement Scheme (VCRS) and Gateway Protection Programme which will all naturally come to an end in 2020. This new scheme will be open to refugees identified by UNHCR to be in need of resettlement to the UK because of their vulnerability and does not have a specific geographical focus. Those resettled through our Community Sponsorship and Mandate routes will be in addition to our yearly, global commitment.<sup>1</sup>

We are looking for the ongoing support and participation of local government across the UK and encourage local authorities to submit their offer of places for the new scheme as soon as possible. We continue to warmly welcome interest from those authorities who have yet to take part in resettlement.

We are planning a smooth transition, with arrivals under the new scheme expected to start once arrivals under the VPRS are completed; this is estimated to be in Spring 2020. We expect there to be a seamless continuation of arrivals between the current and the new scheme. This is in line with feedback from regional Strategic Migration Partnerships (SMPs) on what LAs would find most helpful in transition.

We would also welcome conversations with local authorities who are able to offer additional places under the current schemes. This would enable authorities to maintain momentum with their arrivals and ensure consistency in provision of services as we move towards the start of the new scheme.

## Eligibility

The new UK Resettlement Scheme will continue to be based on vulnerability, with refugees assessed for resettlement by UNHCR against their [resettlement submission categories](#). We

---

<sup>1</sup> More information on all current resettlement schemes can be found [here](#)

will work closely with UNHCR to identify vulnerable refugees from around the world where resettlement to the UK offers the best durable solution.

### **Who we will resettle**

In the first year of the new scheme it is anticipated that the caseloads of refugees we resettle will continue to look broadly similar to those we see under our existing schemes, with the majority coming from the MENA region. We already operate in line with UNHCR's global priorities and will continue to do so, however over time the nationalities of refugees resettled may change in response to world events and the global context.

As the profiles of those we resettle change, the Home Office will continue to work closely with SMPs and local authorities to match refugees to housing availability in areas that can provide appropriate support to those we resettle.

### **Numbers**

In the first year of operation of the new scheme, the UK will aim to resettle in the region of 5000 refugees with those arriving through our Mandate and Community Sponsorship routes additional to this number. The Government remains committed to resettlement, and decisions on the number of refugees to be resettled in subsequent years will be determined through future spending rounds.

Year on year, resettlement volumes are likely to fluctuate according to the flow of referrals from overseas and the availability of suitable accommodation and support in the UK.

### **Role of Local Authorities**

Local authority participation in the new scheme will continue to be voluntary, with refugees allocated in the same way as currently under VPRS and VCRS. We will continue to work closely with local authorities across the UK to ensure they are able to support those who are allocated to them for resettlement under the new scheme.

Local authorities will retain the same role in the community sponsorship process and we would ask they continue to engage positively with groups that come forward to participate in community sponsorship.

### **Role of Regional Strategic Migration Partnerships**

SMPs will continue to provide support to local authorities to help deliver resettlement, including coordinating offers of places and planning for the arrival of refugees, together with sharing of expertise and knowledge to enable councils to resettle successfully.

### **Funding Package**

The funding package available under the new scheme will mirror that currently paid under VPRS and VCRS; a local authority will receive a five-year tariff of £20,520<sup>2</sup> for each refugee with an additional education tariff (for year one) for children aged 3-18 years. Additional

---

<sup>2</sup> £20,000 in Northern Ireland as social care element paid directly to Department of Health

funding will continue to be made available, on a case by case basis, for exceptional costs incurred by local authorities, including; property adaptations, void costs for larger (4 bed) properties, special educational needs, and adult social care.

The post-arrival resettlement support requirements of local authorities will mirror those issued under the VPRS and VCRS.

### **Health Care**

All refugees referred for potential resettlement undergo a health assessment through International Organization for Migration as part of the resettlement process. The findings of these assessments will continue to be passed to local authorities considering resettlement of that individual to ensure suitable treatment/support can be provided upon arrival.

As with existing schemes, resettled refugees under the new scheme will be able to access healthcare via the NHS free of charge. The £2600 per refugee for health costs made available to healthcare providers under the VPRS and VCRS will continue to be available under the new scheme.

### **Access to Benefits and Work**

Refugees resettled under the new scheme will have access to mainstream benefits and services to enable their integration; work continues across Government to ensure services meet the needs of refugees. They will also have immediate and unrestricted access to the labour market.

### **English Language**

Refugees will continue to be able to access English language tuition that is fully funded through the Adult Education Budget (AEB) if they are unemployed and in receipt of certain benefits; or if they are in an area that is part of the AEB low wage trial and they earn less than £16,009.50. Children in full time education will receive English language support in schools.

Additional language funding of £850pp will continue to be available in year one. This is intended to boost local capacity and supplement mainstream AEB provision. As with the current scheme, Home Office will include outcomes associated with this additional funding in the annual funding instruction. Local authorities will also continue to be able to use the tariff to further top up costs of language provision. Funding will also be available to help with child care costs in relation to attendance at ESOL classes.

### **Community Sponsorship**

The community sponsorship scheme has been a real success and is established now, with a broad range of experience, training and support available to community groups, through Reset, the organisation established to build capacity amongst potential community sponsors. Reset currently provides services including in-person training, a range of online material to support groups in preparing their application and supporting a family <https://training-resetuk.org/> an application checking service and a post-arrival advice

line. Reset are also developing resources for local authorities about the process of providing consent.

***Please get in touch with your Resettlement Contact Officer and regional SMP lead if you require further information, and to discuss your offer of new resettlement places under the current or future scheme.***

This page is intentionally left blank

## Appendix C

### North Yorkshire Refugee Resettlement Schedule: July 2016 to February 2018

<i>Month</i>	<i>Syrian Vulnerable Persons (SVP) numbers by district</i>	<i>North Yorkshire Districts</i>
<b>2016</b>		
July	34 (11 = Craven / 9 = Harrogate / 14 = Selby)	Craven, Harrogate and Selby
September	3 (Craven)	Craven
October	30 (8 = Selby / 22 = Harrogate)	Selby and Harrogate
November	6 (Harrogate)	Harrogate
<b>2017</b>		
January	52 (10 = Craven / 17 = Harrogate / 25 = Scarborough)	Harrogate and Scarborough
April	5 (Selby)	Selby
June	28 (6 = Craven / 11 = Ryedale / 11 = Scarborough)	Craven, Ryedale and Scarborough
July	5 (Ryedale )	Ryedale
<b>2018</b>		
January	40 (22 = Hambleton /18 = Richmondshire)	Hambleton and Richmondshire
February	6 (6 = Hambleton)	Hambleton

<i>District</i>	<i>SVP minimum agreed number</i>	<i>Actual nos. initially resettled (exc. births in UK)</i>	<i>Remaining in North Yorkshire (exc. births in UK)</i>
Craven	25	30	15
Hambleton	28	28	28
Harrogate	50	54	48
Richmondshire	16	18	13
Ryedale	16	16	16
Scarborough	36	36	36
Selby	26	27	27
Totals	197	209	183

<b>Month</b>	<b>Vulnerable Children's Resettlement Scheme (VCRS) numbers by district</b>	<b>North Yorkshire Districts</b>
<b>2017</b>		
April	7 (2 families) = Harrogate	Harrogate and Selby
June	5 (1 family) = Ryedale	Ryedale
July	5 (1 family) = Selby	Selby
September	4 (1 family) = Craven	Craven
<b>2018</b>		
January	8 (2 families) = Richmondshire	Richmondshire

<b>District</b>	<b>VCRS minimum agreed number</b>	<b>Actual nos. initially resettled (exc. births in UK)</b>	<b>Remaining in North Yorkshire (exc. births in the UK)</b>
Craven	3 (1 family)	4 (1 family)	0
Hambleton	4 (1 family)	0	0
Harrogate	7 (2 families)	7 (2 families)	7
Richmondshire	2 (1 family)	8 (2 families)	4
Ryedale	2 (1 family)	5 (1 family)	5
Scarborough	0	0	0
Selby	4 (1 family)	5 (1 family)	5
Totals	22	29	21





**Report Reference Number: E/19/45**

---

**To:** Executive  
**Date:** 10<sup>th</sup> January 2020  
**Status:** Non Key Decision  
**Ward(s) Affected:** All  
**Authors:** Sarah Thompson,  
(Housing and Environmental Health Service Manager)  
Hannah McCoubrey,  
(Housing Strategy Officer)  
**Lead Executive Member:** Cllr Chris Pearson,  
(Lead Member for Housing, Health and Culture)  
**Lead Officer:** June Rothwell,  
(Head of Operational Services)

---

**Title:** Tenant Participation Strategy 2020-2023 (Final version)

**Summary:**

All social housing tenants and leaseholders have a right to be consulted and to be involved in tenant participation activities. The Council's previous Tenant Participation Strategy was written in 2010 and required update, taking into account recent Government direction and modern methods of engagement. A draft version of the Strategy has now been consulted on with our tenants, and a final version is ready for approval.

**Recommendations:**

That Executive Members approve the final Tenant Participation Strategy 2020-2023.

**Reasons for recommendation:**

Whilst tenant participation is not new to the Council, we want to build on current opportunities and increase our expertise and reputation in this field. Approving this plan provides the Council with a real opportunity to further develop a genuine partnership with both our tenants and leaseholders, working with them to shape the future of our housing service.

**1 Introduction and background**

**1.1** The Council's previous Tenant Participation Strategy was published in 2010. However, the ways in which we involve and communicate with our tenants has changed, providing us with the opportunity to improve our approach to tenant engagement in new and refreshed Strategy. Since April 2017, the Council has dedicated additional staffing resource to tenant engagement, providing a 0.5FTE Tenant Participation Officer role. This provides us with the resource to

further cement and improve our relationships with tenants - providing new, diverse and modern approaches to tenant engagement.

- 1.2** The Council has been a member of TPAS since 2015 and we aim to achieve our objectives by following the TPAS Community Engagement Standards:
- Engagement Strategy: Ensure our tenant engagement links directly to business plan objectives.
  - Resources for Engagement: Engagement must be adequately resourced to ensure it is effective in delivering planned outcomes.
  - Information and Insight: We should provide access to information at the right level, at the right time, and in the right way.
  - Influence and Scrutiny: Ensure tenants, leaseholders and communities can influence appropriately.
  - Community Engagement: We should engage with communities and local stakeholders to develop projects and plans to meet jointly identified needs.
  - Valuing Engagement: Ensure our tenant engagement outcomes will benefit stakeholder organisations, tenants, leaseholders and communities.
- 1.3** Since approval of the Strategy's consultation draft by Executive Members on 1<sup>st</sup> August 2019, the Council has undergone a period of consultation with our tenants, gathering their thoughts on the draft. A summary of this feedback is provided in Appendix A. Slight changes (detailed below) have consequently been made in response to this feedback and the final version of the Strategy is attached in Appendix B.

## **2 The Report**

- 2.1** Consultation of the draft Tenant Participation Strategy included:
- An online survey advertised on our website and social media, and emailed to our already engaged tenants.
  - A presentation to our Tenant's Scrutiny Panel, who also helped to create the objectives agreed in the Strategy.
  - A presentation to Selby's Tenant and Resident Association (TARA).
  - Two drop-in sessions held at local Community Centres around the District, where tenants were welcome to come and discuss the Strategy in more detail with our Housing Strategy and Tenant Participation Officers.
  - The draft strategy was also reviewed at Policy Review Committee on 16<sup>th</sup> December 2019 and no additional comments were made.
- 2.2** In regards to feedback, the overwhelming message was of support for the Strategy and its content; but constructive feedback has also helped to shape its final version, taking into account our tenant's thoughts and comments. The main alteration made was to try and make the Strategy more succinct, as whilst all consultees agreed the information included was important and required, there were some concerns that the Strategy may be too long. An additional task was also included in our Action Plan following recent work that took place between our Tenant Scrutiny Panel and the Tenant Participation Advisory Service (TPAS), and the subsequent recommendations made by TPAS that came from this.

- 2.3** With this in mind, our final Tenant Participation Strategy 2020-2023 will demonstrate how the Council will work in partnership with its tenants and leaseholders to shape and deliver a high quality housing service within the District. It will build on the good initiatives already in place, but also recognise the need to modernise and improve our approach to tenant involvement. It will also set out the standards we work towards in order to ensure that tenants remain involved and consulted at whatever level they choose to be. This includes providing tenants with a 'Menu of Engagement' which outlines the various engagement opportunities available to tenants/leaseholders and the level of commitment each requires.
- 2.4** The Strategy will run for three years with review opportunities in each year to further develop our approach to engagement. We acknowledge that, as the environment we do business in evolves and changes, as too does the customer base we serve; and we will make every effort to engage all types of tenant, including those most vulnerable and frequently under-represented.
- 2.5** Taking into account our previous good work and TPAS recommendations, the Strategy puts forward four overarching aims, which are:
- 1) To set out how we will encourage tenants to become actively involved and empowered in the decision making processes of Selby District Council.
  - 2) To develop an innovative and modern approach to tenant participation at Selby District Council to achieve diversity in the participation opportunities we offer and the voices we hear.
  - 3) To demonstrate that tenants are part of our continuous improvement process and ensure all Council staff actively participates with the engagement agenda.
  - 4) To promote an honest and trustworthy relationship between Selby District Council and our tenants and leaseholders; focusing on a free exchange of information and ideas.
- 2.6** The Strategy also recognises that there are a number of barriers experienced by tenants and leaseholders which can limit their ability to engage with us. However, we must try and overcome these barriers if we are to ensure the aims and objectives of the Strategy are met. Consequently, the Council is clear in what resources it can offer, and as well as dedicated staffing, commit to offering practical solutions to make tenant participation a viable option for as many tenants and leaseholders as possible.

### **3 Alternative Options Considered**

None

### **4 Implications**

#### **4.1 Legal Implications**

The Regulatory Framework for Social Housing in England (April 2012), states that registered providers must ensure that tenants are given a wide range of opportunities to influence and be involved in the formulation of their landlord's housing related policies and strategic priorities. This includes housing service delivery, service standards, scrutiny, management of homes and repairs.

#### **4.2 Financial Implications**

The Housing Revenue Account provides a budget of £26,950 per year for Tenant Participation. This is deemed adequate at present in fulfilling the Strategy's aims and objectives.

Engaging with tenants will however allow us to identify their aspirations in regards to their properties. Although the costs of engagement can be managed within budget, there could be wider financial implications in regards to managing tenant's priorities on stock condition; identified via increased engagement and potentially impacting on capital investment within our housing stock. This investment programme will be addressed in the Housing Revenue Account Business Plan.

#### **4.3 Policy and Risk Implications**

N/A

#### **4.4 Corporate Plan Implications**

The Strategy supports Priority 3 of the Corporate Plan – making Selby District a great place to make a difference. This priority focuses on supporting communities to have an active and influential role in working with us to deliver the right services.

#### **4.5 Resource Implications**

There are no additional implications.

#### **4.6 Other Implications**

N/A

#### **4.7 Equalities Impact Assessment**

An Equality, Diversity and Community Impact Screening was completed on 18<sup>th</sup> June 2019.

### **5 Conclusion**

All social landlords have a responsibility to involve local people in the issues that affect them. Approving the Tenant Participation Strategy 2019-2022 provides a starting point for the next three years, building on the Council's good work and furthering developing and delivering meaningful engagement; where tenants and leaseholders will have a range of participation opportunities which will ultimately lead to service improvement.

### **6 Background Documents**

Selby District Council's Tenant Participation Strategy 2010

### **7 Appendices**

Appendix A) Summary of consultation feedback  
Appendix B) Tenant Participation Strategy 2020-2023  
Appendix C) Tenant Participation Action Plan 2020-2023

**Contact Officers:**

Sarah Thompson  
Housing and Environmental Health Service Manager  
Selby District Council  
[sthompson@selby.gov.uk](mailto:sthompson@selby.gov.uk)

Hannah McCoubrey  
Housing Strategy Officer  
Selby District Council  
[hmccoubrey@selby.gov.uk](mailto:hmccoubrey@selby.gov.uk)

This page is intentionally left blank

## Appendix A

### Summary of feedback: Tenant Participation Strategy 2020-2023

In total, we received feedback from around 40 tenants. This was a mix of online surveys and discussions with our tenants at local Community Centre drop-in events and attendance at a local TARA. This also includes feedback from our Tenant Scrutiny Panel. Below is a summary of the feedback provided:

#### Survey Results

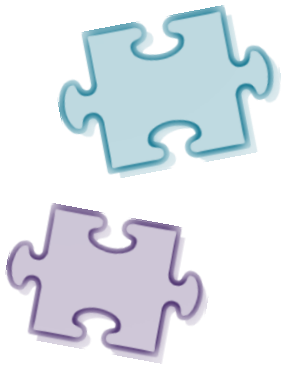
- 70% of respondents felt the draft was easy to read and understandable. Only 1 respondent did not, and the rest were undecided.
- 68% said the information within the draft was useful and the rest were undecided.
- Of the 4 practical objectives included in the draft:
  1. Providing development and training opportunities for tenants: this was the most split of the objectives with 43% saying this was very important to them and 46% saying important. 2 respondents were undecided on its importance and 2 did not think it was important (this was the only objective which received this vote).
  2. Improving communication and transparency: this was overwhelmingly popular, with 84% of respondents saying this was very important to them, and the rest saying it was important.
  3. Increase and improve feedback methods for communication: 78% of respondents felt this was very important, 16% felt it was important and 2 respondents were undecided.
  4. Provide a wide range of accessible engagement opportunities: 60% felt this was very important and 32% important. 3 respondents were undecided.
- Of the comments made:
  - Respondents stressed the importance of listening to tenants, making improvements and trying to get younger tenants more involved.
  - Some felt the draft may be a little long, but that the information was needed.
  - Respondents felt the information was clear and nicely presented.

#### Interviews

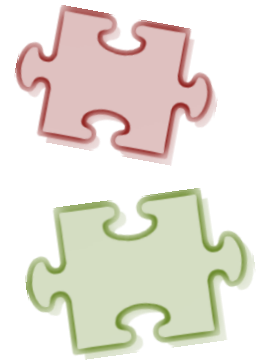
- Tenants were happy with the objectives of the strategy, but showed some scepticism as to whether the actions within the strategy would be implemented (not specific to this strategy, but more a general comment on strategies and plans that the Council look to implement).
- Tenants felt we offered the right amount of options for them to get involved with tenant engagement activities, and especially liked the short surveys. They also liked the idea of us taking a modern approach to try and hit different demographic groups. However, they felt we did not publicise the options available as much as we could (which we hope the Menu of Engagement will combat).

- In terms of the services we currently offer, one of the most popular was the Neighbourhood Officer surgeries, where tenants can meet with the officer at a local venue and ask questions.
- They had positive things to say in regards to SDC's website, stating it was easy to use and liked the capability to translate to other languages.
- They also liked the idea of having a Tenant's Forum, as this would allow tenants to meet each other and discuss matters which affect them. They liked the idea of hearing from different tenants in different areas of the district, as they may have a different point of view.
- They also like the idea of tenant participation being more informal, as long as results are achieved from the meetings etc.
- One issue noted by some tenants which affected their want to engage with us was a lack of effective communication between various teams, such as Property Services, external contractors and NYCC. Poor communication understandably frustrated tenants and created a feeling of apathy.

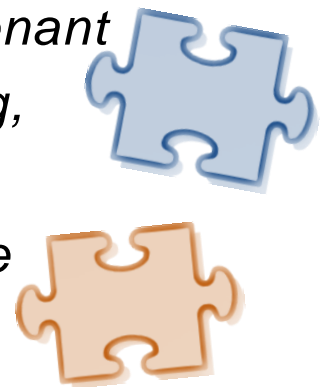




# Tenant Participation Strategy 2020-2023



*‘Selby District Council is committed to tenant involvement and empowerment, listening, believing, understanding and working in partnership with its tenants to ensure the continuous improvement of its services.’*



**Contents**

1. Foreword.....i

2. Introduction..... 1

3. What is tenant participation? ..... 2

4. Our vision ..... 3

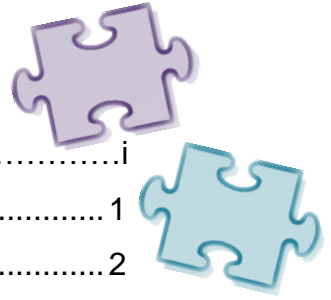
5. Delivering the vision – Action Plan ..... 6

6. Tenant Engagement diagram ..... 8

7. Opportunities for engagement ..... 9

8. Resources – Fighting the barriers..... 10

9. Contact us and get involved ..... 11



## **Foreword**

*By Councillor Chris Pearson, Member of the Executive and Lead Councillor for Housing, Health and Culture.*

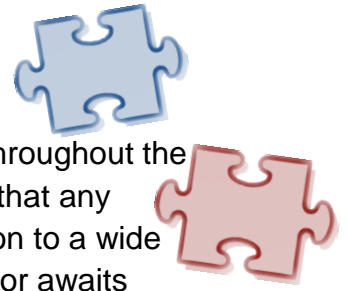


Tenant involvement should be central to the housing service that Selby District Council delivers; and whilst this practice is not new to us, we remain keen to build on current opportunities and increase our expertise and reputation in the field.

Acknowledging the recent Government focus on tenant participation, we have a real opportunity to develop a genuine partnership with both our tenants and leaseholders, working with them to shape the future of our housing service.

Notably, this strategy has been developed by tenants working in partnership with the Council and we would therefore like to thank everyone who took part in the consultation and helped to develop this document.

Our new Tenant Participation Strategy will consequently set out how, over the next three years, Selby District Council will look to further cement and improve our relationships with tenants - providing new, diverse and modern approaches to tenant engagement.



## 1. Introduction

- 1.1 Tenant participation within the field of social housing has evolved throughout the years; and as an organisation, Selby District Council acknowledge that any effective engagement strategy must be developed with consideration to a wide range of local and national factors. Notably, the social housing sector awaits potentially radical reforms with the introduction of the Government's green paper 'A New Deal for Social Housing' published in August 2018. Tenant engagement is a central theme running throughout this consultation paper, and a rebalance of power between tenant and landlord would appear its primary intention.
- 1.2 Successful tenant participation should consequently deliver benefits for all those involved, that being the landlord, its staff, and its tenants. It should create a culture of respect and partnership, with benefits often including fewer complaints, higher tenant satisfaction and shared accountability when making decisions.
- 1.3 With this in mind, our new **Tenant Participation Strategy 2020-2023** will demonstrate how the Council will work in partnership with its tenants and leaseholders to shape and deliver a high quality housing service within the district. It will build on the good initiatives already in place, but also recognise the need to modernise and improve our approach to tenant involvement. It will also set out the standards we work towards in order to ensure that tenants remain involved and consulted at whatever level they choose to be. Tenant views are key to the continual development of our service and such consultation has supported the drafting of this strategy and its objectives.

- 1.4 This strategy will run for three years with review opportunities in each year to further develop our approach to engagement with our tenants and leaseholders. All social landlords have a responsibility to involve local people in the issues that affect them, and moving forward, we aim to engage our tenants flexibly by offering a range of different involvement opportunities. We acknowledge that, as the environment we do business in evolves and changes, as too does the customer base we serve; and we should make every effort to engage all types of tenant, including those most vulnerable and frequently under-represented.

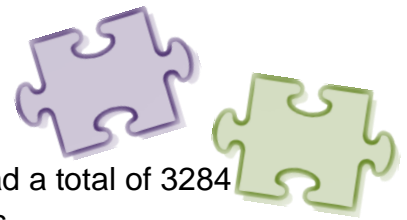


## 2. What is tenant participation?

2.1 The overall aim of tenant involvement is to understand the needs, aspirations and experiences of Council tenants and to improve services as a result of this. Selby District Council has been a member of the Tenant Participation Advisory Service (TPAS) since 2015 and we aim to achieve our objectives by following the TPAS community engagement standards set out below:



### 3. Our vision



#### Background

- 3.1 At the end of 2018/19's financial year, Selby District Council had a total of 3284 tenants, spread over our general stock, garages, and homeless accommodation. We also have 156 leaseholders. The views of these tenants and leaseholders have always been of central importance to the Council and we are keen to ensure that tenant participation remains essential in shaping our housing service delivery.
- 3.2 Our previous Tenant Participation Strategy was written in 2010 and there is an acknowledgement that the ways in which we involve and communicate with our tenants has changed. Our mission statement at the time stated that:



- 3.3 Notably, whilst much has changed within the Council's housing service since this time, this commitment has not and remains as valid now as it did in 2010. Our mission statement in 2020 therefore remains the same.

#### National Standards

- 3.4 All Council and Housing Association landlords are required to meet the National Standards for housing services which provide a framework for:
- Tenant involvement and empowerment standard** - how we involve tenants in decisions about their home, neighbourhood and community; and how we deal with and learn from tenant complaints and customer care, especially considering tenants with additional support needs.
- Home standard** - how we look after our tenant's homes, including day-to-day repairs and the quality of accommodation.
- Tenancy standard** - how we manage tenancies, including allocating empty homes and rent collection.

**Neighbourhood and Community Standard** - how we manage estate and community, including neighbourhood management, local area co-operation and anti-social behaviour.

**Value for Money Standard** - how we make sure that the services we provide are cost efficient.

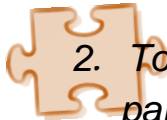
**Governance Standard** – how we ensure we are making the correct decisions and governing appropriately.

#### Strategy Aims and Objectives

3.5 The above standards have been carefully considered when formulating the overall aims of this Tenant Participation Strategy 2020-2023. They are:



*1. To set out how we will encourage tenants to become actively involved and empowered in the decision making processes of Selby District Council.*



*2. To develop an innovative and modern approach to tenant participation at Selby District Council to achieve diversity in the participation opportunities we offer and the voices we hear.*



*3. To demonstrate that tenants are part of our continuous improvement process and ensure all Council staff actively participate with the engagement agenda.*



*4. To promote an honest and trustworthy relationship between Selby District Council and our tenants and leaseholders; focusing on a free exchange of information and ideas.*



3.6 To meet these aims, four specific objectives were created following collaboration between Council staff and our tenant Scrutiny Panel. The objectives agreed are to:

**Objective 1**

Provide development and training opportunities for tenants via local engagement and increase local offer for tenants throughout the district.

**Objective 2**

Improve communication and transparency between tenants and Selby District Council, helping to facilitate more positive relationships between individual service areas and tenants.

**Objective 3**

Increase and improve feedback methods for customer communication, better understanding what tenants want from Selby District Council in regards to tenant participation, in order to meet these needs.

**Objective 4**

Provide a wide range of accessible engagement opportunities for our tenants, focusing on improving our online offer and new forms of communication.



## 4. Delivering the vision – Action Plan

4.1 Below are the key priorities that we have agreed in order to improve our offer of tenant participation over the next three years. These will form the basis of the Tenant Participation Strategy Action Plan 2020-2023 (Appendix A).

Aim 1:	Priorities:
<p>To set out how we will encourage tenants to become actively involved and empowered in the decision making processes of Selby District Council.</p>	<ul style="list-style-type: none"> <li>• Investigate whether our tenants want a designated disability group as part of our engagement offer to them.</li> <li>• Pilot a ‘Tenants Forum’ in relation to 2020’s Annual Report (allowing all tenants involved in tenant engagement to come together and scrutinise the Council’s housing service delivery).</li> <li>• Improve advertisement of tenant engagement opportunities and events district wide, including publishing our first ‘Menu of Engagement’ and an updated ‘Tenants Handbook.’</li> <li>• Explore data profiling opportunities at Selby District Council to ensure we understand our entire customer cohort and their needs in regards to tenant participation.</li> </ul>

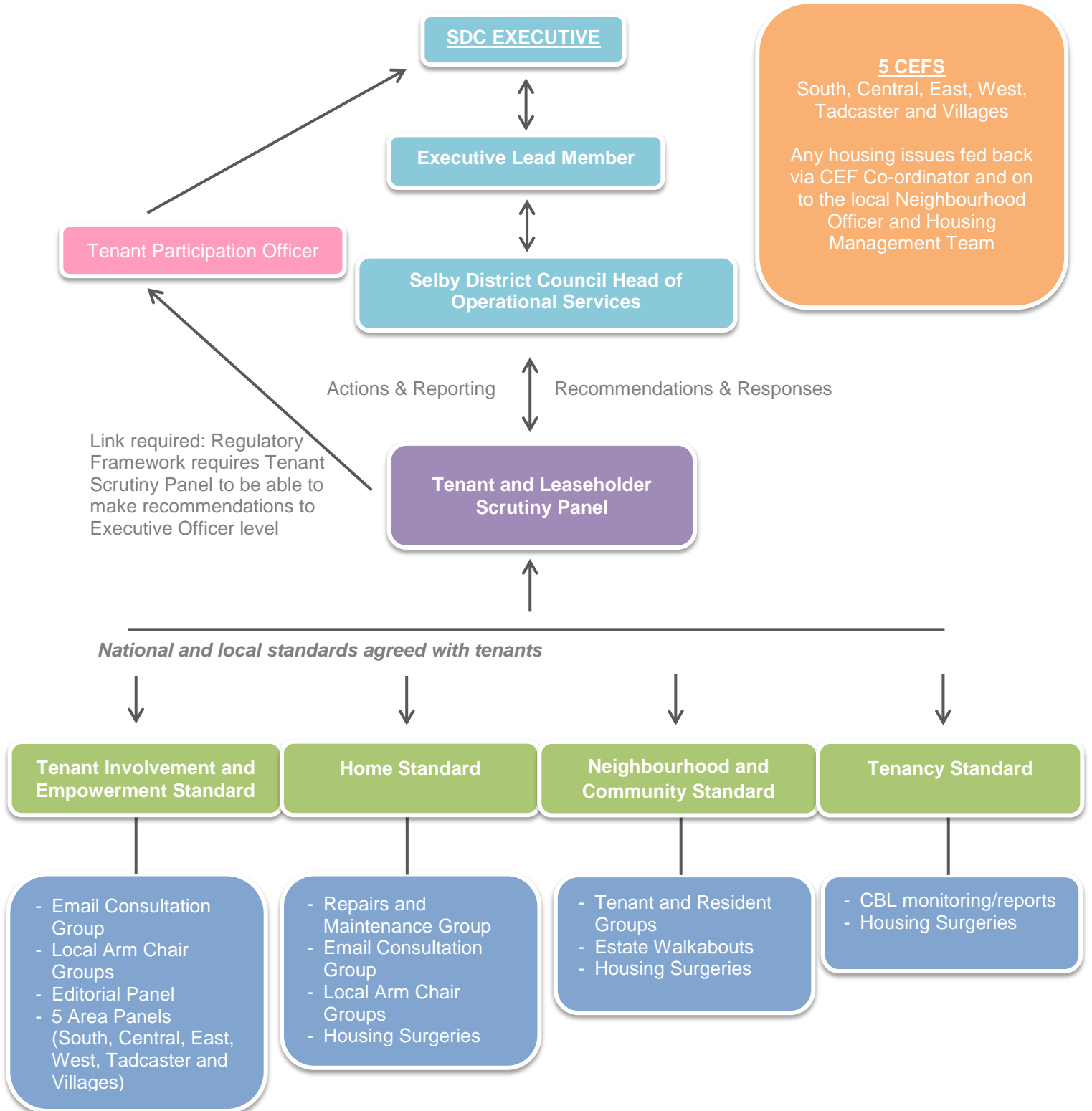
Aim 2:	Priorities:
<p>To develop an innovative and modern approach to tenant participation at Selby District Council to achieve diversity in the participation opportunities we offer and the voices we hear.</p>	<ul style="list-style-type: none"> <li>• Ensure Selby District Council remain up to date with all current legislative requirements and best practice in relation to tenant engagement.</li> <li>• Look to increase innovative and modern ways to communicate with our tenants, focusing particularly on online communication forms, such as our ‘armchair’ surveys.</li> <li>• Assist both tenants and staff with the adoption of our new online ‘Tenant Portal’ when it goes live (estimated to be 2020).</li> <li>• Ensure we communicate with all tenants via their preferred method and appropriately meet their needs. This includes providing communication in various languages and formats.</li> </ul>

Aim 3:	Priorities:
<p>To demonstrate that tenants are part of our continuous improvement process and ensure all Council staff actively participate with the engagement agenda.</p>	<ul style="list-style-type: none"> <li>● Improve and increase Selby District Council staff attendance at relevant tenant engagement events, such as the Repairs and Maintenance Group.</li> <li>● Maintain TPAS membership and continue to provide a dedicated staff resource for tenant engagement, ensuring they are also trained appropriately.</li> <li>● Ensure tenant engagement information is readily available to our Customer Services staff via the 'Campaign' system and that this information is passed appropriately to our tenants in absence of the Tenant Participation Officer.</li> <li>● Increase the effectiveness of our Tenant's Scrutiny Panel by devising new and appropriate processes, making it result driven.</li> </ul>

Aim 4:	Priorities:
<p>To promote an honest and trustworthy relationship between Selby District Council and our tenants and leaseholders; focusing on a free exchange of information and ideas.</p>	<ul style="list-style-type: none"> <li>● Continue to develop our professional network with other local authorities and registered housing providers in order to share good practice in regards to tenant engagement.</li> <li>● Investigate whether a 'Tenant Complaints Panel' would be beneficial to Selby District Council and its tenants, exploring how this would work and what resources it would require.</li> <li>● Establish what kind of engagement offer would be desired by Selby District Council's leaseholders and ensure this offer is made and maintained.</li> </ul>

## 5. Tenant Engagement diagram

5.1 This diagram illustrates the various participation opportunities available to our tenants and details how this engagement and the information gathered from it, feeds into the Council's wider structure.



## 6. Opportunities for engagement

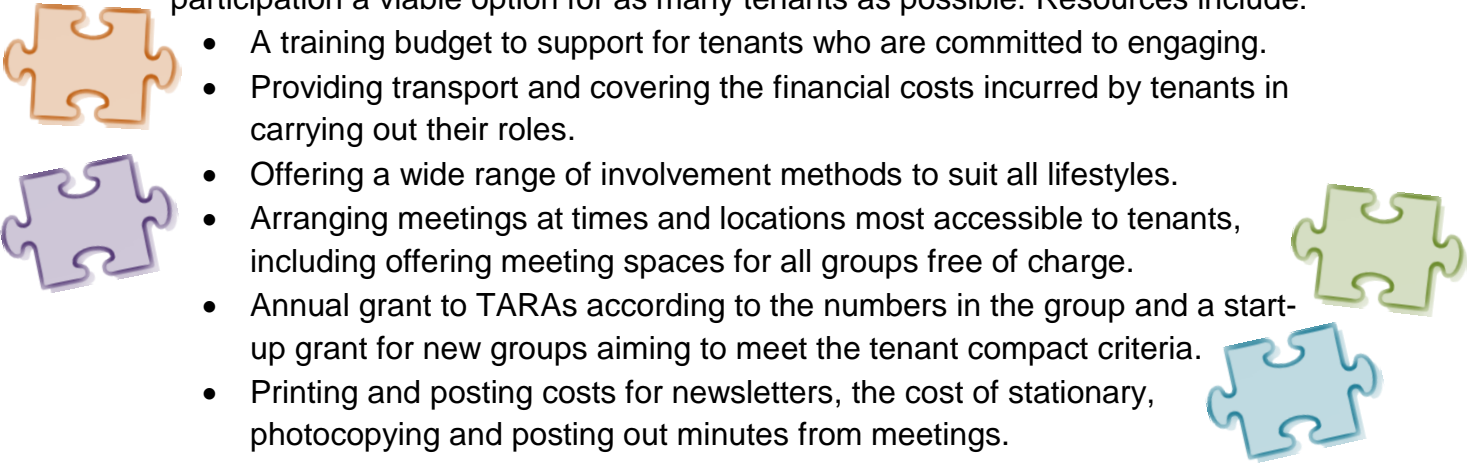
6.1 Below are a number of opportunities available to our tenants with detail as to how they may want to get involved, in relation to the model above. This 'menu' provides tenants with a list of key participation options, allowing them to decide the extent of their involvement with Selby District Council.

<b>Menu of Engagement</b>		
<b>Opportunity</b>	<b>Regularity</b>	<b>Detail</b>
<b>Scrutiny Panel</b>	Monthly	Work within a small team to analyse and provide recommendations in relation to a specific area of the Council's housing service.
<b>Repairs and Maintenance Group</b>	Quarterly	A core group, who represent all tenants, to drive improvement in our Property Services and ensure we are meeting the standards we have set.
<b>Estate Walkabouts</b>	Quarterly	Join a resident led walk through your local area, with Officers from various services, to highlight issues and develop an action plan for improvement.
<b>Editorial Panel</b>	Quarterly	Develop, review and suggest content for the Open Door tenant and leaseholder newsletter.
<b>Local Tenant Groups</b>	Quarterly	Attend meetings in your local area to discuss local issues and build friendlier communities.
<b>Online Surveys</b>	As and when	Provide invaluable feedback as part of a consultation into new services we are developing or proposed changes to those we already have.
<b>Armchair Consultation</b>	As and when	If meetings aren't for you, armchair consultation is! Help us improve from the comfort of your own home, via email or telephone consultation.
<b>Focus Groups</b>	As and when	Help us develop policies and procedures, implement legislation or respond to government proposals by being a member of a focus group.

## 7. Resources – Fighting the barriers

7.1 To enable tenants and leaseholders to be fully engaged, the Council recognise there must be adequate resources available. Factors which stop a tenant from participating are important to both acknowledge and try to overcome and we recognise there are many barriers which prevent tenants from engaging with us, including: lack of training or confidence, issues with transport, travel and child-care arrangements, and time constraints.

7.2 We are therefore committed to offering practical solutions to make tenant participation a viable option for as many tenants as possible. Resources include:

- 
- A training budget to support for tenants who are committed to engaging.
  - Providing transport and covering the financial costs incurred by tenants in carrying out their roles.
  - Offering a wide range of involvement methods to suit all lifestyles.
  - Arranging meetings at times and locations most accessible to tenants, including offering meeting spaces for all groups free of charge.
  - Annual grant to TARAs according to the numbers in the group and a start-up grant for new groups aiming to meet the tenant compact criteria.
  - Printing and posting costs for newsletters, the cost of stationary, photocopying and posting out minutes from meetings.
  - Dedicated staff resource and time.
  - Access to expert organisations, such as TPAS, as and when required.

7.3 Selby District Council is responsible for planning, developing, monitoring and reviewing tenant involvement activities. We look to provide support to tenants trying to develop new and existing groups, in order to improve service delivery. Our overall aim is to support and empower any engagement activity to the point where it is self-sufficient and can run without direct Council involvement.

7.4 The Council are keen to utilise new and modern ways of engagement. The introduction of a new housing management system and corresponding 'Tenant Portal' will consequently improve the way we connect with our tenants and increase our digital offer to them. This portal will not only allow tenants to self-serve, but provide us the ability to advertise further engagement opportunities and ensure tenants are fully consulted on any important changes to the service.

7.5 Selby District Council also revised its equality and diversity objectives in April 2017, to ensure all Council policies are non-discriminatory. We are committed to treating all tenants and residents with respect and fairness, and will tackle discrimination and harassment when required; ensuring our services are accessible for all, irrespective of race, religion, disability, gender, age or sexual orientation. Integral to our strategy is the need to ensure all individuals have equal opportunity to engage with us.

## 8. Contact us and get involved

8.1 If you are a tenant or leaseholder of Selby District Council and would like to get involved in any of the tenant participation opportunities we offer, you can contact us in multiple different ways.

8.2 By post, you can write to us at:  
Tenant Participation Officer,  
Selby District Council,  
Civic Centre,  
Doncaster Road,  
Selby.  
YO8 9FT



8.3 You can email us at:  
[info@selby.gov.uk](mailto:info@selby.gov.uk)

8.4 You can follow us on Twitter/Facebook.

8.5 You can make a face-to-face customer enquiry, either via one of our Customer Services representatives, or by speaking to your Neighbourhood Officer.

8.6 Tenant participation is a chance for you to have your voice heard and have a real say in how the Council delivers its services throughout the Selby district. Your voice matters – get involved!



## Appendix C

### Tenant Participation Strategy: Action Plan 2020 – 2023

Aim:	Actions:	When will we do it by?	Who will do it?	What will success look like?
1	Investigate whether our tenants want a designated disability group as part of our engagement offer to them.	December 2019	Tenant Participation Officer	Consultation with tenants completed as to their requirement/want for a designated disability group, and any recommendations taken forward.
1	Pilot a 'Tenants Forum' in relation to 2020's Annual Report (allowing all tenants involved in tenant engagement to come together and scrutinise the Council's housing service delivery).	October 2020	Tenant Participation Officer	Tenants Forum will have successfully taken place and considerations as to whether this should become an annual event.
1	Improve advertisement of tenant engagement opportunities and events district wide, including publishing our first 'Menu of Engagement' and an updated 'Tenants Handbook.'	Continuing	Tenant Participation Officer  Communication Team	Tenants feel they are fully aware of the various engagement opportunities available to them.
1	Explore data profiling opportunities at Selby District Council to ensure we understand our entire customer cohort and their needs in regards to tenant participation.	June 2020	Tenant Participation Officer  Housing Strategy Officer	SDC tenants are profiled and segmented appropriately in order to capture each individual customer cohort base and their needs in regards to tenant engagement.

Aim:	Actions:	When will we do it by?	Who will do it?	What will success look like?
2	Ensure Selby District Council remain up to date with all current legislative requirements and best practice in	Continuing	Tenant Participation Officer	SDC is at the forefront of tenant engagement in the region and remains up to date with all current

	relation to tenant engagement.			legislative requirements.
<b>2</b>	Look to increase innovative and modern ways to communicate with our tenants, focusing particularly on online communication like our 'armchair' surveys.	Continuing	Tenant Participation Officer	SDC offer new ways to engage with their tenants online and increase the amount of tenants submitting online feedback.
<b>2</b>	Assist both tenants and staff with the adoption of the new online 'Tenant Portal' when it goes live (estimated to be 2020).	July 2020	Tenant Participation Officer Business Transformation Team	Tenants and SDC staff are comfortable using the new tenant portal and feel it benefits tenant engagement activities.
<b>2</b>	Ensure we communicate with all tenants via their preferred method and appropriately meet their needs. This includes providing communication in various languages and formats.	Continuing	Tenant Participation Officer	SDC hold a register of tenants who would prefer communication in another format and ensure this is adhered to.

<b>Aim:</b>	<b>Actions:</b>	<b>When will we do it by?</b>	<b>Who will do it?</b>	<b>What will success look like?</b>
<b>3</b>	Improve and increase Selby District Council staff attendance at relevant tenant engagement events, such as the Repairs and Maintenance group.	December 2019	Tenant Participation Officer Property Services Team	A member of the Council's Property Management team will attend every Repairs and Maintenance meeting and feedback to senior management when appropriate.
<b>3</b>	Maintain TPAS membership and continue to provide a dedicated staff resource for tenant engagement, ensuring they are also trained appropriately.	Continuing	Tenant Participation Officer	SDC will continue to be a member of TPAS and benefit from this membership. SDC will continue to dedicate staff time and resources to tenant engagement activities.



<b>3</b>	Ensure tenant engagement information is readily available to our Customer Services staff via the 'Campaign' system and that this information is passed appropriately to our tenants in absence of the Tenant Participation Officer.	Continuing	Tenant Participation Officer Customer Services	Customer Services staff will be confident in relaying tenant engagement information to tenants in the absence of the Tenant Participation Officer.
<b>3</b>	Increase the effectiveness of our Tenant's Scrutiny Panel by devising new and appropriate processes, making it result driven.	Continuing	Tenant Participation Officer Tenant Scrutiny Panel	A Tenant Scrutiny Panel who provide clear and effective recommendations to improve the Council's housing service.

<b>Aim:</b>	<b>Actions:</b>	<b>When will we do it by?</b>	<b>Who will do it?</b>	<b>What will success look like?</b>
<b>4</b>	Continue to develop our professional network with other local authorities and registered housing providers in order to share good practice in regards to tenant engagement.	Continuing	Tenant Participation Officer	SDC network will have grown and engagement activities improved due to the sharing of this good practice.
<b>4</b>	Investigate whether a 'Tenant Complaints Panel' would be beneficial to Selby District Council and its tenants, exploring how this would work and what resources it would require.	April 2020	Tenant Participation Officer Housing Strategy Officer	A review will have taken place as to the usefulness of a 'Tenants Complaints Panel' and any recommendations taken forward.
<b>4</b>	Establish what kind of engagement offer would be desired by Selby District Council's leaseholders and ensure this offer is made and maintained.	January 2020	Tenant Participation Officer	SDC leaseholders will have been consulted on their requirements in regards to tenant engagement, and any recommendations taken forward.





**Report Reference Number: E/19/46**

---

**To: Executive Briefing**  
**Date: 2 January 2020**  
**Status: Non Key Decision**  
**Author: Allison Heap, Customer Service Manager**  
**Lead Executive Member: Councillor David Buckle, Lead Executive Member for Communities and Economic Development**  
**Lead Officer: June Rothwell, Head of Operational Services**

---

**Title: Corporate Complaints & Compliments Annual Report 2018 – 2019**

### **Summary:**

Selby District Council is committed to customer service. We believe that the needs of our customers are our top priority and we are committed to putting our customers first by improving the quality of our services and our customers' experience of them. As part of our drive for better services, we value the part corporate complaints play in helping us to make improvements to our services. The Council adopted a new Complaints Policy in 2017. In this we have made a commitment to publish our performance on dealing with complaints every quarter as part of the Corporate Performance Report and to publish an annual complaints report.

This annual report includes how we have done in responding to complaints and how we have used complaints to inform service improvement.

### **Recommendations:**

That the Executive note and provide comments on the Corporate Complaints Annual Report

### **Reasons for recommendation**

In our Complaints Policy we have made a commitment to publish an annual complaints report. This report includes how we have done in responding to complaints and how we have used complaints to inform service improvement.

#### **1.0 Introduction and background -**

1.1 Complaints arrive into the Council in varying ways; telephone, email, and letter. The central point for receipt, recording and administration is Customer services (Customer Contact Centre and Leadership Support), who triage to assess the type of complaint received. The assessment is to establish if the

complaint is a service area complaint, which can be initially dealt with by the Customer Service team, or if there is a requirement for the Leadership team to log as a corporate complaint and trigger the designated timelines.

- 1.2 Compliments are usually received direct from a service area, a line manager or a colleague, when positive feedback has been received from a customer. The Customer Service team can log details of the named member of staff or team and the service area, with brief details of the customer's comments.
- 1.3 Customer Services (Customer Contact Centre and Leadership Support) monitor complaints for responses to both Stage 1 and Stage 2 and Ombudsman complaints and they issue reminders to colleagues for completion dates, As Customer Services are such a reactive service area, the ability to monitor complaints to ensure key dates are kept to can be challenging. This now sits with Leadership support to issue relevant administration to ensure complaint deadlines are adhered to.
- 1.4 At the moment there is no automated system at the moment for complaint reminders similar to the RAG (red, amber, green) system that's used for Freedom of information requests.
- 1.5 Information is gathered monthly and quarterly for Stage 1, Stage 2 and Ombudsman complaints, including details of the numbers received and if they have been responded to in the required timeframe. This information is then recorded in KPI reports and published on the web.

## 2.0 Complaints Performance Report:

### Stage 1 Corporate Complaint's

- 2.1 The tables below illustrate a comparison of Stage 1 complaints for the last two financial years, and the data that forms part of the current KPI and the yearly return of the council's performance:-

#### 2018-2019:-

Service Area	Total	On time	Late	Not Justified	Partially Justified	Justified	No data provided
Operational	49	47	2	35	10	4	4
Planning	24	20	4	8	2	4	10
Legal	5	5	0	5	0	0	0
Contracts	5	4	1	4	1	0	0
Business Dev	1	1	0	1	0	0	0
Comm. & Partnership	1	1	0	1	0	0	0
<b>Total</b>	<b>85</b>	<b>78</b>	<b>7</b>	<b>54</b>	<b>13</b>	<b>8</b>	<b>14</b>

**2017-2018:-**

<b>Service Area</b>	<b>Total</b>	<b>On time</b>	<b>Late</b>	<b>Not Justified</b>	<b>Partially Justified</b>	<b>Justified</b>	<b>No data provided</b>
Operational	55	51	4	22	10	5	18
Planning	20	6	14	4	3	1	12
Legal	4	4	0	2	0	0	2
Contracts	7	7	0	2	1	2	2
Business Dev	0	0	0	0	0	0	0
Comm. & Partnership	1	1	0	0	0	0	1
<b>Total</b>	<b>87</b>	<b>69</b>	<b>18</b>	<b>30</b>	<b>14</b>	<b>8</b>	<b>35</b>

2.2 These figures illustrate a slight decrease in Stage 1 Complaints against the previous year. Whilst late responses have decreased, non-receipt of monitoring sheets, which provide information about complaint justification, continues to be an issue. Whilst it is encouraging from a performance perspective that the overall figure has decreased, the number of complaints where no outcome data has been received from service areas represents 25% of all complaints received by the Council and does not give a true reflection of how the Council deals with its complaints at Stage 1.

**Stage 2 Corporate Complaints**

2.3 The figures below again illustrate a slight decrease overall. Late responses have decreased, as have partial and full justifications. Only one monitoring sheet wasn't returned for Stage 2 complaints across both years.

**2018-2019:-**

<b>Service Area</b>	<b>Total</b>	<b>On time</b>	<b>Late</b>	<b>Not Justified</b>	<b>Partially Justified</b>	<b>Justified</b>	<b>No data provided</b>
Ops	10	8	2	8	1	1	0
Planning	9	9	0	5	2	1	1
Legal	0	0	0	0	0	0	0
Contracts	1	1	0	1	0	0	0
Business Dev	0	0	0	0	0	0	0
Comm. & Partnership	1	1	0	1	0	0	0
<b>Total</b>	<b>21</b>	<b>19</b>	<b>2</b>	<b>15</b>	<b>3</b>	<b>2</b>	<b>1</b>

## 2017-2018:-

Service Area	Total	On time	Late	Not Justified	Partially Justified	Justified	No data provided
Ops	12	8	4	6	5	0	1
Planning	9	8	1	5	2	2	0
Legal	2	2	0	2	0	0	0
Contracts	0	0	0	0	0	0	0
Business Dev	0	0	0	0	0	0	0
Comm. & Partnership	2	1	1	2	0	0	0
<b>Total</b>	<b>25</b>	<b>19</b>	<b>6</b>	<b>15</b>	<b>7</b>	<b>2</b>	<b>1</b>

- 2.4 Whilst the corporate complaints for stage 1 and stage 2 have decreased slightly, the focus for quarterly and yearly reports is number based, rather than theme based. There is limited information about lessons learnt or actions taken to rectify an issue to prevent repeat complaints.
- 2.5 Reviewing the monitoring sheets that have been returned where there has been partial or full justification, some of the sheets have been noted with actions that are to be taken to clarify procedure or change a working process. However this data is not collected anywhere or reviewed to ensure practices and procedures have been amended to minimize future complaints.
- 2.6 The common theme for partial or full justifications is communication. Customers have highlighted lack of contact when highlighting an issue to us, which has then escalated to a corporate complaint.
- 2.7 We have then on occasion mirrored this when dealing with complaints, with either not dealing with each point raised or not fully communicated what ownership we have taken or proposed action to rectify issues.

### **LGA Ombudsman Complaints**

- 2.8 The figures below illustrate an increase in the amount of complaints escalated to the LGA Ombudsman, and an increase of one for the number upheld over the two year period.
- 2.9 Planning and Operational Services have been escalated in the main to the LGO, the figures illustrate few complaints are upheld, with the few that are, we have had to compensate for lack of contact or not fully addressing the complaint in the first instance.

**2018-2019:-**

Received	Investigated	Not investigated	Complaint upheld	Complaint not upheld
14	2	12	2	12

**2017-2018:-**

Received	Investigated	Not investigated	Complaint upheld	Complaint not upheld
8	2	6	1	7

**Compliments**

2.10 The figures below illustrate the number of compliments received over the two year period and the service areas concerned.

**2018- 2019:-**

Received	Contact Centre	Assets	Lifeline	Housing	CT& Bens	Data & Systems	Contracts	Planning
117	37	29	2	17	6	8	16	2

**2017-2018:-**

Received	Contact Centre	Assets	Lifeline	Housing	EH	Contracts	Legal	Planning
65	23	17	1	14	1	7	1	1

2.11 It is encouraging from a performance perspective that the number of compliments has almost doubled. However, data regarding compliments received isn't currently recorded as a KPI for the council.

**Other Complaints**

2.12 Separate from the complaints procedure, MP enquires come direct to Leadership Support to instigate a response. This can cause confusion as the customer could have raised an enquiry with customer services which may be already being processed, or a corporate complaint, which again may be being processed. Alongside the customer may raise this with their MP, with administrating these type of enquires separately this can lead to a fractured response.

**Vexatious Complaints**

- 2.13 As a Council we have only progressed a couple of customers to the vexatious procedure in the past, limiting the customer to contact with one nominated person and outlining what communication we will accept. In the last financial year we have received repeat complaints from two customers that could have been considered for referral to vexatious sooner to avoid vast amounts of repeat communication with the customers raising the same issues.
- 2.14 The process can sometimes become disjointed with several parties receiving repeat complaints about the same issue but through different routes into the council, corporate complaints, MP enquiries and direct emails to the officer dealing or to numerous different people in a single email.
- 2.15 Moving forward with stronger complaint administration, Leadership support can review all communication received and highlight any issues to the Customer Service Manager, to discuss with the relevant area if referral to the vexatious procedure would be appropriate.

### **3.0 Implications**

- 3.1 The current KPI will be revised and a new KPI indicator be agreed, providing quarterly information for compliments received. This will provide a greater opportunity for a more balanced overview of the council's performance in this area. This would add value to complaint procedures and assist with officer buy into the process as a whole.
- 3.2 A new RAG (red amber green) email to be formulated, from the complaint spreadsheet, to assist with complaint administration, similar to one presently used for Freedom of information administration. This will move ownership from the Leadership support team who presently issue reminders and chase for key dates to be adhered to, to assist Officers managing their own dairies to ensure complaints are handled in a timely manner.

#### **Legal Implications**

- 3.3 Improve on procedures and processes to support the monitoring officer with the yearly return. Support Legal with robust complaint information for the vexatious procedure.

#### **Financial Implications**

- 3.4 With stronger complaint administration and key data on lessons learnt, this may assist with claims against the Council for compensation for delays with complaint handling.

### **4. Conclusion**



The administration of complaints and MP enquiries was fractured and this has led to confusion. A more holistic approach has been adopted which has minimise confusion for customers and colleagues.

Corporate complaints are a tool to provide vital feedback for the Council to improve our performance. The current performance on Stage 1 monitoring sheets requires improvement to strive for 100 percent returns similar to Stage 2's.

Whilst corporate complaints have decreased slightly for both stages, further work can be done to improve the customer journey. With emphasis on a KPI for lessons learnt and how we could improve our policies and procedures this would strengthen the council's relationship and with our customer base, illustrating the value we place on complaints received.

**5. Background Documents**

Corporate Compliant and Compliment Report 2018-2019

**6. Appendices – Monitoring form**

**Contact Officer:**

Allison Heap,  
Customer Services Manager  
Email [aheap@selby.gov.uk](mailto:aheap@selby.gov.uk)

This page is intentionally left blank