



Summons and Agenda for the  
**Council Meeting**

to be held on

**Tuesday, 22 September  
2020**

at

**6.00 pm**







To: All District Councillors

cc: Chief Officers

You are hereby summoned to a meeting of the Council to be held remotely through Microsoft Teams - Remote accessed via [this link](#) on **TUESDAY, 22 SEPTEMBER 2020** starting at **6.00 pm**. The Agenda for the meeting is set out below.

*Janet Waggott*

**Janet Waggott**  
**Chief Executive**

This meeting will be streamed live online. To watch the meeting when it takes place, [click here](#).

### **Recording of Council Meetings**

Selby District Council advocates openness and transparency as part of its democratic processes. Anyone wishing to record (film or audio) the public parts of the meeting should inform Democratic Services of their intentions prior to the meeting on [democraticservices@selby.gov.uk](mailto:democraticservices@selby.gov.uk)

# AGENDA

Opening Prayers.

## 1. Apologies for Absence

To receive apologies for absence.

## 2. 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.

## 3. Minutes (Pages 1 - 16)

To approve as a correct record the minutes of the meeting of the Council held on 20 February 2020.

## 4. Communications

The Chairman, Leader of the Council or the Chief Executive will deal with any communications which need to be reported to the Council.

## 5. Announcements

To receive any announcements from the Chairman, Leader or Members of the Executive.

## 6. Petitions

To receive any petitions.

## 7. Public Questions

To receive and answer questions, notice of which has been given in accordance with rule 10.1 of the Constitution.



## **8. Councillors' Questions**

To receive and answer questions submitted by councillors in accordance with rule 11.2 of the Constitution.

## **9. Reports from the Executive (Pages 17 - 36)**

The Leader of the Council, and other members of the Executive, will report on their work since the last meeting of the Council and will respond to questions from Councillors on that work.

## **10. Reports from Committees (Pages 37 - 46)**

To receive reports from the Council's committees which need to be brought to the attention of Council. To receive questions and provide answers on any of those reports.

## **11. Motions**

### **Motions Process:**

- **No speeches may be made after the mover has moved a proposal and explained the purpose of it until the motion has been seconded.**
- **When seconding a motion or amendment, a councillor may reserve their speech until later in the debate.**
- **Speeches must be directed to the motion under discussion or to a personal explanation or point of order. No speech may exceed five minutes without the consent of the Chairman.**
- **A councillor who has spoken on a motion may not speak again whilst it is the subject of debate, except:**
  - a) **To speak once on an amendment moved by another councillor;**
  - b) **To move a further amendment if the motion has been amended since he/she last spoke;**
  - c) **If his/her first speech was on an amendment moved by another councillor, to speak on the main issue (whether or not the amendment on which he/she spoke was carried);**
  - d) **In exercise of a right of reply (see Rule 15.9 of the Constitution);**
  - e) **On a point of order (see Rule 15.12 of the Constitution); and**
  - f) **By way of personal explanation (see Rule 15.13 of the Constitution).**

- **For amendments, please refer to Rule 15.6 of the Constitution.**

There has been one motion submitted for consideration as outlined below.

**Proposed by Councillors Duckett, Franks, Nichols, Packham, Jennifer Shaw-Wright, Steve Shaw-Wright and Welch:**

*This council supports the current campaign to allow families to ask for a post mortem where the deceased had worked in an industry associated with cases of COPD, emphysema, pneumoconiosis and asbestosis. Recognising that many residents of Selby district worked or in some cases still work in such industries*

*For families to receive the compensation they deserve, cause of death has to record as industrial disease contributing to the death and not just Covid 19.*

*This council will contact Nigel Adams MP to ask that he also adds his support to the campaign .*

**12. Revised Estimate 2020/21 and Medium-Term Financial Strategy (Pages 47 - 106)**

To consider and approve a revised Budget for 2020/21 and an update to the Medium Term Financial Strategy (MTFS) covering both the General Fund and Housing Revenue Account (HRA)

**In accordance with The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, all local authorities must record in their minutes how each Councillor voted (or abstained from voting) on the question of Budget and Council tax setting at the ‘Budget Decision Meeting’ of the Council. This rule will therefore apply and a recorded vote will be taken on this item.**

**13. Programme for Growth Proposals (Pages 107 - 122)**

To consider a report which presents proposals for budget allocations for the Programme for Growth following engagement with Group Leaders.

**14. Review of Statement of Licensing Policy (Pages 123 - 184)**

To consider a report which outlines the review of and the amended Statement of Licensing Policy.

**15. Adoption of the Statement of Community Involvement (2020) (Pages 185 - 244)**

To consider a report which outlines the Statement of Community Involvement 2020.

**16. Constitution Updates and Other Decisions Taken Since 23rd March 2020 During Coronavirus Pandemic (Pages 245 - 274)**

To consider a report which outlines updates to the Constitution and other decisions taken since 23rd March 2020 during the Coronavirus pandemic.

**17. Allocation of Committee Places (Pages 275 - 278)**

To consider a report which outlines the process and changes to the allocation of Committee places.

**18. Call-In of Executive Decision Relating to the Review of Car Parking Tariffs (Pages 279 - 304)**

To consider the Call-In referral from the Scrutiny Committee on 17 September 2020.

**19. Urgent Action**

The Chief Executive will report on any instances where she has acted in urgent or emergency situations under the functions delegated to her in the Constitution.

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# Agenda Item 3



## Minutes

### Council

Venue: Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT

Date: Thursday, 20 February 2020

Time: 6.00 pm

Present: Councillor D Mackay in the Chair

Councillors J Duggan (Vice-Chair), K Arthur, D Brook, D Buckle, J Cattanach, I Chilvers, J Chilvers, M Crane, S Duckett, K Ellis, K Franks, T Grogan, E Jordan, M Jordan, A Lee, C Lunn, J Mackman, J McCartney, M McCartney, R Musgrave, W Nichols, R Packham, C Pearson, N Reader, J Shaw-Wright, Shaw-Wright, R Sweeting, M Topping, P Welburn and P Welch

Officers Present: Janet Waggott (Chief Executive), Dave Caulfield (Director of Economic Regeneration and Place), Karen Iveson (Chief Finance Officer (s151)) and Alison Hartley (Solicitor to the Council and Monitoring Officer)

Press: 2

Public: 9

#### 59 APOLOGIES FOR ABSENCE

There were no apologies for absence.

#### 60 DISCLOSURES OF INTEREST

There were no disclosures of interest.

#### 61 MINUTES

The Council considered the minutes of the meeting held on 17 December 2019.

#### RESOLVED:

**To approve the minutes of the Council meeting held on 17 December 2019 for signing by the Chairman.**

Council - Minutes  
Thursday, 20 February 2020

## **62 COMMUNICATIONS**

The Leader updated the Council on the flooding situation in the district, particularly at Hirst Courtney and in relation to the closure of the A19 between Chapel Haddlesey and Whitley. The Environment Agency were working closely with Council Officers who had been out assisting residents late into the night. The Leader thanked the Head of Operational Services and her team for all their hard work.

## **63 ANNOUNCEMENTS**

The Chairman reminded Members about his upcoming charity concert in March to be held at Selby Abbey and encouraged them to purchase tickets for the event. He also thanked former Chairman Cllr David Buckle for his assistance in planning and publicising the event.

## **64 PETITIONS**

There were no petitions received.

## **65 PUBLIC QUESTIONS**

A public question had been received from Mr David Bowgett, who put the following question to the Lead Executive Member for Housing, Health and Culture:

*“In the past, Selby District Council’s policy with regards to public toilets has been to encourage businesses to make their toilets available, rather than providing purpose-built facilities. Is this still the council’s policy, and if so, do you believe it to be an adequate one, particularly when it comes to meeting the needs of handicapped people?”*

Councillor C Pearson responded by explaining that he was not aware of a Council policy on public toilets, but that the Council did provide facilities and also had agreements with local businesses who would make their facilities available to the public if needed.

Mr Bowgett asked a supplementary question regarding the toilets in Tadcaster at the bus station, which were often out of order.

Councillor Pearson confirmed that he would investigate why the toilets at Tadcaster bus station were not currently working.

## **66 COUNCILLORS' QUESTIONS**

It was noted that two questions had been submitted for consideration.

### Question One

Councillor J McCartney asked question one which related to the length of

recent sentences given to convicted fly-tippers, and if the Council was raising the issue of longer sentences with Central Government and the judiciary.

The Leader sympathised with Councillor McCartney's frustration, and explained that he had again written to the magistrates on the matter but had received no response. He went on to confirm that he had also raised the issue of fly-tipping with Nigel Adams MP, at the District Councils Network and the Local Government Association and would continue to do so.

Councillor McCartney felt that the imposition of larger fines by local authorities would act as a better deterrent.

### Question Two

Councillor J McCartney asked question two, which related to prosecutions and fixed penalty notices for fly-tipping tyres, and what efforts were being made to trace the origin of fly-tipped tyres by Trading Standards and the police forces from West and South Yorkshire and the East Riding of Yorkshire.

The Lead Executive Member for Housing, Health and Culture explained the difficulty in tracing fly-tipped tyres, and unless the actual incident was witnessed, it was almost impossible to find out where they were from. However, the Council was working with the police on the matter.

Councillor McCartney expressed his frustration at the lack of prosecutions and emphasised the impact of the crime on local communities and the countryside.

The Lead Executive Member made the point that the amount of general fly-tipping in the district had reduced, and that several fixed penalty notices had been given out.

## **67 REPORTS FROM THE EXECUTIVE**

### Councillor Mark Crane, Leader of the Council

The Leader of the Council presented his update on the work he had recently undertaken, as outlined in his report.

In response to queries regarding the potential creation of a combined authority of York and North Yorkshire, development of a post of a Mayor for the combined authority, and the subsequent relationship between the different tiers of local government, the Leader explained that many ideas had been discussed with other North Yorkshire Leaders and Chief Executives at a recent meeting he had attended.

Members noted that a potential structure was being drafted by North Yorkshire Chief Executives, but were sceptical as to whether a mayoral model would work in North Yorkshire. The Leader explained that he and other Leaders had agreed on the importance of suitable checks and balances on the powers of any future mayor.

Councillor Richard Musgrave, Deputy Leader of the Council and Executive Member for Place Shaping

Councillor Musgrave provided an update on the work he had recently undertaken, as outlined in his report.

A question relating to the design and layout of public spaces within new housing developments was asked, and whether there was potential for involvement of local communities and residents in the design process. Councillor Musgrave agreed that good design was essential, but that it would be difficult to change the design of schemes that had already been approved. However, he explained that Officers had been working on design matters and emphasised the importance of this being fed into the issues and options consultation for the development of the new local plan.

A query was raised relating to the permeability of new driveways, due to the potential effects of this on groundwater flooding. Councillor Musgrave explained that with regards to new developments, matters such as driveways would be controlled by condition, but that if there were issues with the resurfacing of existing driveways these should be reported to the Planning Enforcement Team. Councillor Musgrave resolved to investigate the matter further.

In response to concerns expressed around tackling climate change, Councillor Musgrave agreed that more work needed to be done and at a faster pace, including the progress of the work of the Policy Review Committee's Low Carbon Working Group.

In relation to public open spaces created as part of new developments, some Members expressed frustration on behalf of residents who had concerns around the responsibility for such spaces, where there was sometimes no consistency of approach or transparency of management. Councillor Musgrave acknowledged Members' concerns and confirmed that he was happy to follow these up with local Councillors.

Lastly, Councillor Musgrave assured Members that he would ask Officers to provide a response to a question regarding tree planting on roundabouts in the district.

Councillor Cliff Lunn, Executive Member for Finance and Resources

Councillor Lunn provided an update on the work he had recently undertaken, as outlined in his report.

In response to a question relating to car parking in Tadcaster and the potential impact that not charging for parking was having on the Council's income, Councillor Lunn explained that the financial impacts were negligible and that a report on car parking would be brought forward in the coming months.



Councillor David Buckle, Executive Member for Communities and Economic Development

Councillor Buckle provided an update on the work he had recently undertaken, as outlined in his report.

Members asked questions about the need for more investment and improved infrastructure in Eggborough and Kellington, and about the changes to the Local Enterprise Partnerships (LEPs) in the area.

Councillor Buckle agreed it was important that jobs were being created in the Selby district, but that the infrastructure was also there to support them.

In relation to the LEP question, it was confirmed that from 1 April 2020 Selby would be part of the York and North Yorkshire LEP, and reassured Members that this change would not affect the existing Transforming Cities fund.

The Leader came in at this point and explained that central government had taken the decision that Selby would be part of the York and North Yorkshire LEP. It was acknowledged that the Leeds City Region LEP received more funding, but that as a percentage Selby would be a bigger part of the York and North Yorkshire LEP, and as such, would receive more funding per head of population. Members asked the Leader to request some financial implications information from the LEP.

Councillor Chris Pearson, Executive Member for Housing, Health and Culture

Councillor Pearson provided an update on the work he had recently undertaken, as outlined in his report.

Some Members expressed doubts regarding the results of the survey of Selby by Keep Britain Tidy, as some areas of the district were not very clean. It was explained by Councillor Pearson that the Council had no choice as to where in the district the survey had been undertaken.

A query was raised regarding collection points and associated costs; Councillor Pearson confirmed that he would look into this and send details to Members directly.

Some Members expressed concerns about a case of rough sleeping in Tadcaster and emphasised the importance of help and assistance being offered, as there were concerns the individual's safety. Councillor Pearson reassured Members that help had been offered but not been accepted. Councillor Pearson assured Members that he would investigate further and let them know the outcome.

The availability for use of local businesses toilets to the public was also queried by Members, particularly around how people would know they could use them and if they were advertised. A list of such facilities was requested for circulation to Members. A number of Councillors expressed concern at the

lack of public toilets in towns in the district, which could cause difficulty for people and vulnerable groups. Councillor Pearson explained that some public facilities had been closed for various reasons but agreed to investigate the matter further.

The Executive Member was also asked how two Members, himself included, had been chosen to feature on the Selby Treasures posters. Councillor Pearson explained that the project was advertised in the Selby Times for people to bring an artefact in and have their picture taken with it. The project had been a success and there had been some suggestions that a local museum for such artefacts would be welcome.

Two final questions were raised, the first on homelessness and utilising the local knowledge of town and parish councils, the second relating to where the 10 'Visitor Information Points' mentioned in the Executive Member's report would be sited. Councillor Pearson confirmed that parish and town councils would be consulted on the Homelessness and Rough Sleeping Strategy, and that he would provide a written response to Members regarding the siting of the information points.

**RESOLVED:**

**To receive and note the reports from the Executive.**

**68 REPORTS FROM COMMITTEES**

Councillor Steve Shaw-Wright, Chairman of the Overview and Scrutiny Committee

Councillor Shaw-Wright, Chairman of the Overview and Scrutiny Committee, provided an update on the work of the Committee as outlined in his report.

Councillor Shaw-Wright also updated the Council on the most recent meeting held on 13 February 2020 which was themed around education, and had several attendees from North Yorkshire County Council, York and Selby Colleges and Ebor Academy Trust. The meeting had been a success and numerous issues had been discussed, including school access to Section 106 and Community Infrastructure Levy (CIL) monies.

As a result of the debate at the meeting the development of a district-wide skills strategy by the Council and education partners had been suggested; the Chair urged both Executive Members and Officers to explore this idea further.

Councillor Andrew Lee, Chairman of the Policy Review Committee

Councillor Lee, Chairman of the Policy Review Committee, provided an update on the work of the Committee as outlined in his report.

A query was raised regarding the inclusion of details as to how Members voted in relation to the budget item at the meeting of the committee held on 14 January 2020. The Chair explained that some Members had asked that their

position on the proposed increase in Council Tax be recorded.

Councillor Karl Arthur, Chair of the Audit and Governance Committee

Councillor Arthur, Chairman of the Audit and Governance Committee, provided an update on the work of the Committee as outlined in his report.

There were no questions from Members.

**RESOLVED:**

**To receive and note the reports from the Committees.**

**69 MOTIONS**

It was noted that two motions had been submitted for discussion. The first motion submitted was as follows:

*'That this Full Council agrees that Selby District Council should move from an Executive Structure to a modern Committee based structure that recognises the primacy of the Full Council and in which every elected Councillor plays a full and meaningful part in the Council decision making process.*

*That a Working Party under the leadership of Chairman of the Scrutiny Committee, working with senior officers, is tasked with putting forward recommendations to this Full Council that enable the changes to occur as soon as possible.'*

Councillor Mary McCartney proposed the motion and explained that approving the motion would ensure a fairer method of governance, rather than the current model where decisions were made by five Members.

The motion was seconded by Councillor John McCartney.

Discussion took place on the motion and comments were made by Members in support and against the motion.

In opposition to the motion, Members noted that the same motion had been considered six months ago and urged that it was not brought back again. Some Members stated that approving the motion would mean the Council returning to an antiquated committee system, causing Council business to take longer and decisions being taken in an ineffective way; slower decision making would hinder the progress of the Council.

In support of the motion, Members argued that the current system created two 'classes[' of Councillor. As a result, this limited the engagement of many Members in the decision-making process. It was also felt by some Councillors that the powers of the Scrutiny Committee were too limited in affording proper examination of the work of the Executive.

A vote was taken on the motion, with 16 against and 15 in favour. The motion

was therefore rejected.

**RESOLVED:**

**To refuse the above motion.**

The second motion submitted was as follows:

**“Background**

A new definition of anti-Semitism was adopted by the International Holocaust Remembrance Alliance (IHRA) in Bucharest in 2016 - *‘Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, towards Jewish community institutions and religious facilities.’*

The UK Government announced on December 11<sup>th</sup>, 2016 that it would sign up to the internationally recognised IHRA guidelines. Over 100 councils across the UK have adopted the definition.

**Proposal**

The Leader proposes the following motion:

*That Council notes:*

The new definition of anti-Semitism is an important tool for public bodies to understand how anti-Semitism manifests itself as it gives examples of the kind of behaviours which can constitute anti-Semitism.

Adopting the new definition will:

- Demonstrate the Council’s commitment to ensuring everyone in the District is treated with the respect they deserve;
- Make it clear that hatred of any kind, including anti-Semitism or discrimination against people for their beliefs has no place in our communities;
- Support the Council’s obligations under the Equality Act 2010, and its responsibilities under the Public Sector Equality Duty, to demonstrate due regard and to:
  - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
  - Advance equality of opportunity between people who share a protected characteristic and those who do not.
  - Foster good relations between people who share a protected characteristic and those who do not.

***That Council therefore commits to: adopting the International Holocaust Remembrance Alliance (IHRA) definition of anti-Semitism:***

*‘Anti-Semitism is a certain perception of Jews, which may be expressed as hatred toward Jews. Rhetorical and physical manifestations of anti-Semitism are directed towards Jewish or non-Jewish individuals and/or their property, towards Jewish community institutions and religious facilities.’*

The Leader proposed the motion and expressed his support for it.

The motion was seconded by Councillor R Packham, who added that the Council and Members must demonstrate their dedication to the sentiments within the motion and act where it was needed.

Discussion took place on the motion and comments were made by Members in support of the motion.

Some Members expressed their concern that anti-Semitism was again becoming more prevalent and emphasised the importance of every individual being able to practice their religion. There was some debate around the separation of anti-Semitism with criticism of the state of Israel, but the overwhelming opinion of Members was that this motion should be adopted.

A vote was taken on the motion, with all in favour; the motion was therefore agreed.

**RESOLVED:**

**To agree the above motion.**

**70 THE BUDGET, RESERVES AND BALANCES 2020/21**

Karen Iveson, Chief Finance Officer presented the report which provided the Council with assurance on the proposed budget and the Council's reserves in order to formally set the budget and Council Tax for 2020-21.

The Chief Finance Officer confirmed that she felt that the Council's budget proposals were robust and that the reserves were adequate.

**RESOLVED:**

**To consider the Chief Finance Officer's statements in paragraphs 2.6 and 2.12 of the report when setting the Council Tax.**

**REASON FOR DECISION:**

*To provide Council with assurance on the proposed budget and the Council's reserves in order to formally set the budget and Council Tax for 2020-21.*

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

Councillor Lunn, Lead Executive Member for Finance and Resources provided a presentation on Executive's proposed revenue budget, capital programmes and outline Programme for Growth, for 2020-21 to 2022/23. The proposed

budget also set out recommendations for formal Council Tax setting.

The key elements of the presentation were as follows:

- A Band D Council Tax increase of £5 was proposed for 2020/21 which was in accordance with the approved Medium Term Financial Strategy.
- The 2020/21 budgets showed a forecasted balanced budget, after taking into account planned savings and reserve transfers.
- In 2020/21 it was proposed that £10.46m be transferred to the Special Projects Reserve to support delivery of the new Council Plan objectives. In accordance with the approved Medium Term Financial Strategy (MTFS), the allocation of these receipts would be subject to confirmation as part of the next MTFS refresh and budget for 2021/22 although indicatively, it was planned that these would be allocated to the Programme for Growth.
- The Medium Term Financial Plan (3 year budget) showed there was an underlying gap between core spending and current assumed core funding as a result of New Homes Bonus being phased out, and the renewable energy business rates windfalls ceasing. Beyond 2020/21 the Council awaited 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.
- Whilst there was capacity in reserves to smooth the impact of savings and manage risk, the on-going use of reserves to support the revenue budget was not a long term sustainable solution, and therefore achievement of efficiency savings and additional income generation remained crucial as plans for Business Rates and Council Tax growth were brought to fruition.
- The proposed budget also included recurring revenue budget growth proposals along with Capital Programme proposals for the General Fund and Housing Revenue Account (HRA), which were funded from reserves, external funding and borrowing, along with outline proposals for an extended Programme for Growth.
- The draft budget proposals had been subject to public consultation, scrutiny by the Policy Review Committee and briefings for all Councillors. The results of the consultation along with proposed officer responses were appended to the report as were the minutes of Policy Review Committee.

Members debated the budget proposals before them, with concerns being raised around the volume of new homes being built that did not have the necessary associated infrastructure to support them.

Amendments to the recommendations in the budget report were proposed and seconded. Members discussed the amendments, some expressing their

support for it as it gave more Councillors an influence on how money was being spent at the Council. The importance of helping those living in the most deprived areas was emphasised.

Other Members disagreed and felt strongly that the proposals in the amendment would increase bureaucracy and the demand on Officer time.

Some Councillors agreed with the recommendation in the budget to increase the council tax by £5 in order to prevent a widening funding gap in the future. However, others felt that savings targets should be met before increasing council tax and that any increase equated to less money in the pockets of residents of the district.

Members felt that the P4G funding should be spent on more environmental projects in order to improve cleanliness and tackle fly tipping and the dumping of rubbish that was a real issue in some parts of the district.

The potential for better collaborative working between the different groups on the Council was also discussed, as well as the opportunities that this could afford for better collaborative working by Members and being able to make a real difference for local people.

A vote was taken on the amendment with 30 in favour and 1 against. The amendment was therefore carried.

In line with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the Chairman explained that a recorded vote must be taken on the amended proposals which had been put forward as outlined in the report.

For the proposal: 29

Councillors K Arthur, D Brook, D Buckle, J Cattnach, I Chilvers, J Chilvers, M Crane, S Duckett, J Duggan, K Ellis, K Franks, T Grogan, E Jordan, M Jordan, A Lee, C Lunn, D Mackay, J Mackman, R Musgrave, W Nichols, B Packham, C Pearson, N Reader, J Shaw-Wright, S Shaw-Wright, R Sweeting, M Topping, P Welburn and P Welch

Against the proposal: 2

Councillors J McCartney and M McCartney

**RESOLVED:**

- i) To approve the revenue budgets, savings, capital programme and programme for Growth at Appendices A to E;**
- ii) To agree the increase in Council Tax by £5 to £183.22 for a Band D property for 2020/21;**
- iii) To approve the formal Council Tax resolution set out in Appendix I;**

- iv) **To agree the transfer of the Surplus of £3.176m on the HRA to the Major Repairs Reserve to support the capital programme.**
- v) **To carry out a full review of the use of Green Energy Rebates and New Homes Bonus insofar as these are utilised to fund P4G projects by:**
  - a) **Considering the reallocation of the unspent P4G budget relating to abandoned or unsustainable projects where there is no progress, as part of the annual process set out below; and**
  - b) **With the exception of salaries and the Town Centre Action Plans, which are supported and are recommended for inclusion in the budget, considering which new projects for the P4G (included in Appendix E2 of the agenda, and other projects suggested in respect of (vi) below), should be pursued, utilising any savings from the above, and the approximately £18 million pounds that is expected to be transferred to the SPR over the next two financial years; and**
  - c) **When reviewing P4G projects to consider establishing a Programme 4 People (P4P) within the P4G budget, identifying projects, the aim of which would be to enhance the environment of the District and the lives of our residents by improving access to facilities, and addressing infrastructure shortcomings.**
- vi) **To involve all Councillors in this process by:**
  - a) **Inviting all Councillors to put forward ideas for projects either individually or in Groups.**
  - b) **Holding an 'Ideas Lab', involving all Councillors, to discuss suggestions for projects, express their views on each option (including Appendix E2 projects), and request advice from Officers on their proposals.**
  - c) **Requiring Officers to compile a report outlining projects proposed at the 'Ideas Lab' and Appendix E2 projects and their views on financial and operational feasibility and potential costs.**
  - d) **Following the Executive's consideration of this report, for the Executive to submit a report to Full Council giving their view on the Officer's report and their recommendations. The final decision, following consideration of the Executive's views, would be taken by Full Council and become part of the Council's budget for the next financial year. This would allow all Councillors to have a considered input into what projects the Council undertake.**



- e) To repeat the 'Ideas Lab' at a frequency proposed by the Executive and agreed by Council to review existing and propose new ideas for P4G and P4P projects.

**REASON FOR DECISION:**

*To ensure the Executive's budget proposals are fully funded for 2020-21.*

**72 PAY POLICY STATEMENT 2020/21**

Councillor Crane, Leader of the Council, presented the report which sought approval of the Council's Pay Policy Statement 2020-21 in accordance with section 38 of the Localism Act 2011.

It was noted this report had to be produced each year.

**RESOLVED:**

**To approve the Pay Policy Statement for 2020-21.**

**REASON FOR DECISION:**

*To comply with Localism Act 2011 (the Act) to prepare a Pay Policy Statement articulating the Council's policy towards the pay of the workforce.*

**73 URGENT DECISION TO INCREASE THE CAPITAL FUNDING TO COMPLETE THE WHEELED BIN DISTRIBUTION FOR NEW RECYCLING SERVICE**

The Chief Executive explained to Members the reasons for the urgent decision for additional funding to complete the distribution of wheeled bins for recycling to all domestic properties in the district.

A report to Council on 17 September 2019 had recommended the purchase and distribution of 74,400 wheeled bins at an estimated cost of £1.35 million, including an estimated cost of distributing the bins. The procurement exercises for the procurement of bins and the distribution had resulted in a revised budget requirement of £1.42 million to complete the distribution of bins to all domestic properties, for service commencement at the start of April 2020 as planned.

Members queried how and why the estimated cost had been different from the original figures. The Chief Executive explained that the costs had originally been worked out on a basis of per household, not per bin, which had caused the discrepancy.

**RESOLVED:**

**To note the urgent decision of the Chief Executive after consultation with the Chairmen of the Scrutiny and Policy Review Committees and previously reported to the Executive meeting on 5 February 2020. The increase in the**

**capital programme for this scheme was for £74,725 from an original budget of £1.35 million to £1.42 million.**

**REASON FOR DECISION:**

*Due to the urgent nature of the decision it had not been included on the Forward Plan; in accordance with Rule 5.6 (Special Urgency) the Chief Executive has obtained the agreement of the Chairs of the Scrutiny Committee and Policy Review Committees that the decision may reasonably be regarded as urgent.*

**74 CALENDAR OF MEETINGS 2020/21**

Councillor Crane, Leader of the Council presented the report which asked Council to consider and approve the attached Calendar of Meetings for 2020-21.

Two amendments to the calendar were proposed and seconded; these were to move the date of Annual Council in May 2020 and Budget Council in February 2021.

It was subsequently agreed that Annual Council in May 2020 would be held on Tuesday 19 May 2020, and that Budget Council in February 2021 would be held on Thursday 18 February 2021.

**RESOLVED:**

**To approve the Calendar of Meetings for 2020-21, subject to the amendments the Council dates set out above.**

**REASON FOR DECISION:**

*To enable the proper functioning of the Council in the 2020-21 municipal year.*

**75 TREASURY MANAGEMENT STRATEGY**

Councillor Lunn, Lead Executive Member for Finance and Resources presented the report which presented for approval the proposed Treasury Management Strategy together with the Minimum Revenue Provision Policy Statement, Annual Investment Strategy for 2020/21, Capital Strategy 2020/21 and Prudential Indicators 2020/21 as required by the Ministry for Housing, Communities and Local Government and CIPFA (as updated 2017). A review of CIPFA's Commercial Property Investment Guidance (issued in autumn 2019) has also been undertaken.

The capital expenditure plans for the next three years, along with re-profiled budgets carried forward from 2019/20 totalled £42m, which included Housing Delivery projects and Programme for Growth. Given the anticipated level of expenditure, whilst there were no immediate plans to externally borrow, authorised borrowing limits remained at £90m to enable prudent assessment of the Council's borrowing needs over the year.

Cash balances were expected to remain relatively high over the three-year period, whilst Programme for Growth projects were still in progress, and due to re-profiled capital plans. The Council would continue to adopt the NYCC investment strategy for cash balances, along with consideration of other alternative investment opportunities, where considered prudent and operating within CIPFA's investment guidance.

There were no comments from Members on the report.

**RESOLVED:**

- i) That the Operational Borrowing Limit for 2020/21 be set at £85m.**
- ii) That the Authorised Borrowing Limit for 2020/21 be set at £90m**
- iii) To delegate authority to the Chief Finance Officer to effect movement within the agreed authorised boundary limits for long-term borrowing for 2020/21 onwards.**
- iv) To delegate authority to the Chief Finance Officer to effect movement within the agreed operational boundary limits for long-term borrowing for 2020/21 onwards.**
- v) To approve the treasury management strategy statement 2020/21.**
- vi) To approve the minimum revenue provision policy statement for 2020/21.**
- vii) To approve the treasury management investment strategy for 2020/21.**
- viii) To approve the prudential indicators for 2020/21 which reflected the capital expenditure plans which were affordable, prudent and sustainable.**
- ix) To approve the Capital Strategy for 2020/21.**

**REASON FOR DECISION:**

*To ensure the Council's Treasury Management Strategy and associated policies are prudent and affordable.*

**76 URGENT ACTION**

There was no urgent action.

The meeting closed at 8.24 pm.

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**Councillor Mark Crane**

**Leader of the Council - 22 September 2020**

This report covers the period from the Council meeting on 20<sup>th</sup> February 2020. During this period I have attended virtual Executive and represented the Council at local, regional and national virtual meetings. I have held two virtual staff sessions with the Chief Executive, virtual Parish Meetings. I have also attended meetings of the COVID outbreak planning board.

I start my statement by thanking Officers and Councillors who have worked collectively, with a single determination to keep our communities safe during this very difficult period. I would particularly like to express my thanks the Leaders of the opposition Groups Councillors Bob Packham and Mary McCartney, the Chairman of Overview and Scrutiny Cllr Steve Shaw Wright and the Chairman of Policy Review Cllr Andrew Lee all of whom have worked together whilst we have operated, as a Council, using urgency powers. This cooperation and understanding has enabled swift action to be taken to deliver the services and support that residents and businesses needed. I would also like to thank the Chairmen of committees who have made sure business continues.

During this period we have all had to adjust to many changes including new ways of working and most of us have had to learn new skills. As Councillors we have all got more used virtual meetings and have used “Teams live”, as we are today.

This has happened as a result of the tremendous efforts of our staff who have worked extremely hard over a long period of time to ensure this is possible. Our staff, like us, have also had to cope with many demands and changes including learning new ways of working. I recognise that they have gone above and beyond in their approach to work. I know the Executive members have thanked the staff teams within their portfolio area. I would also like to add my thanks.

Finally, and by no means least, I would like to recognise the work of our Town and Parish Councils, Parish meetings and the unstinting efforts of our voluntary and community sectors and all our partners who work tirelessly to provide the services and support to those who are often are in most need.

I would like to place on record my appreciation for all your efforts, it makes very proud to be the Leader of Selby District Council.

However the virus has not gone away. As with other District Council Leaders across North Yorkshire I am a member of the COVID Outbreak planning board. As you are aware there has been an increase in the number of people who have tested positively in the Selby district and I know it was a great disappointment to many that the fundraising event planned for Hemingbrough on the 12 September had to be cancelled .

I thought it would be helpful to outline the role Selby District Council has in supporting NHS Track and Trace and the Local outbreak plans and powers. NYCC Public Health are leading local outbreak planning, within a national framework, and with the support of NHS Test and Trace, Public Health England and other government departments. Selby District Council along with the other districts with responsibility for Environmental Health are working closely with NYCC to manage any local outbreak which meet the agreed criteria. COVID-19 local outbreak plans are based on the tried and tested practice of preventing and containing outbreaks. The Environmental Health service play an important role by assisting the investigation of complex COVID-19 cases and completion of follow-up investigations of contact tracing and outbreak consequence management. There is no direct funding to support the districts additional work which is already currently estimated to be operating at 150% of capacity.

### **An update on the Civic Centre**

The final arrangements to make the workplace COVID-secure are being put in place and staff have begun to return to the Civic centre. Part of the work has been the removal of a large number of desks to allow for social distancing – reducing capacity by half. The use of many meeting rooms is also significantly affected by the need to maintain distance between occupants.

As a result, only those staff who cannot deliver their role effectively from home will return to the Civic Centre in the short term. Staff have started to return to the Civic Centre in a phased way, this has been supported by risk assessments. The majority of staff will continue to work at home and we will ensure they are also supported to perform their roles. As colleagues are aware, the rollout of Microsoft Teams has meant we can all now work more effectively from home.

Other changes to the Civic Centre include the introduction of a one-way system for moving around the building, introduction of multiple sanitising stations and single occupancy toilets and lifts. There will also be new entry and exit doors for staff and a protective screen for the reception area. There are waiting times for the latter items and it will only be when all of this is in place that the building can fully re-open.

The Contact Centre will not return to Market Cross. Customer Services will now be based at the Civic Centre – although many will continue to work at home. Face to face services are not planned to resume until the building is COVID-secure and then it will be by appointment only. Detailed plans for this are being finalised and will be communicated shortly.

### **Performance update**

Earlier this month, Executive reviewed Council performance for the first quarter. This was the main period when the COVID lockdown was in place. Whilst there were some aspects of service delivery that suffered during lockdown, such as leisure services (the centres were closed due to COVID regulations) and housing repairs which were limited to emergencies only, colleagues were impressed with the way good performance was maintained across a number of services. This was at a time when there was an increased demand for some services such as council tax support and hardship payments to residents whilst additional services were also delivered, including payment of government grants and support to businesses and calls to support vulnerable residents. We successfully implemented a new waste collection service and saw an increase in collection volumes. Customer services were maintained via online and telephony channels to support residents through this period.

Executive thanked staff for their work during the lockdown period and specifically acknowledged the work of the Council to support small businesses in the District during COVID-19, as well as the work of Officers to progress the Council's new Local Plan.

## **Leisure**

We have been working with IHL since the lockdown began to discuss their recovery plan. The Council was successful in obtaining a grant of £4,000 from Sport England to enable us to engage Strategic Leisure to support us in providing specialist advice on how COVID-19 impacts on the provision of leisure services and to support the provision of a realistic delivery plan. Following these discussions IHL re-opened the Selby Leisure Centre on 25<sup>th</sup> July 2020 and provided the leisure services which were compliant with the government's latest advice. Tadcaster Leisure Centre opened on Saturday 8<sup>th</sup> August 2020.

The Summit provides a greater challenge in terms of the nature of the services provided and the Council, supported by Strategic Leisure, remain in discussion with IHL about proposals for this facility.

## **Devolution in York and North Yorkshire**

Since my last report I have spent quite a lot of time in meetings discussing devolution for York and North Yorkshire and more recently Local Government Review. The Leaders of York and North Yorkshire County and Districts meet with the then Minister Simon Clark on 7 July 2020. The Minister made it quite clear that any devolution deal would be dependent on Local Government Review (LGR) and the formation of unitary Councils. We were told that this would be part of the Devolution and Growth white paper thought to be September.

The Minister informed the Leaders that the optimum size of a unitary authority would be 400,000 and York at 210,000 was therefore sub optimal. Since that time there seems to have been different interpretations of what the Minister said and we have written to the Minister to seek clarification on this point. I also met the Minister separately.

As you may be aware the county of North Yorkshire intend to submit a proposal for a Unitary Council covering the whole of North Yorkshire with a population 610,000 and I understand York intend to remain as a Unitary Council of 210,000 residents. We were told that we would receive a letter inviting us to put forward a proposal and the letter would be received "shortly", as I write to you today no letter has arrived. We were informed that it only requires one Organisation to submit a proposal and the Government will consider that and consult upon it.

As we know that NYCC and the City of York will submit proposals I have worked with the North Yorkshire District Leaders and Chief Executives to consider what is the best option for Selby residents and businesses. We engaged KPMG to support us with this work and are preparing an outline business case for change. Because this is of such importance I have said that I will give you as much opportunity as possible to have your say on what you think is best for Selby. I am grateful to those members who were able to attend the discussion session on 3 September

**The website lets get change right gives further detail on the proposals.** [www.get-change-right.com](http://www.get-change-right.com)

On the matter of Devolution – the devolved powers from Whitehall to York and North Yorkshire. A report was considered by Executive on 6.8.2020 which outlined the proposals for a devolution deal for North and North Yorkshire. Executive agreed to start the negotiations with Government to progress a devolution deal. The Borough and Districts councils of North Yorkshire with the City of

York and North Yorkshire County Council have considered this matter and the majority have agreed to start the process to negotiate a Devolution deal for York and North Yorkshire.

Because Simon Clark MP has now been replaced by Luke Hall as the Minister for MHCLG and that fact that there has still been no letter to invite Local Authorities to put forward proposals for LGR, we need to be clear about the views and priorities of the Minister and find out when the White paper will be published. It is therefore sensible for us to wait before we start negotiations on Devolution and Executive will consider this further.

The Devo Asks are summarised here, the whole document is available. In summary the devolution deal would devolve powers from Central Government and decisions would be made more locally, in addition there would be a “gain share” of £25M per annum to deliver for the local area.

[https://democracy.selby.gov.uk/documents/s10039/Appendix%203%20-%20YNY%20devolution%20proposal%20to%20Govt\\_Summary.pdf](https://democracy.selby.gov.uk/documents/s10039/Appendix%203%20-%20YNY%20devolution%20proposal%20to%20Govt_Summary.pdf)

<https://democracy.selby.gov.uk/documents/s10040/Appendix%204%20-%20YNY%20devo%20proposal%20to%20Govt.pdf>

**Mark Crane**  
**Leader of the Council**





**Councillor Richard Musgrave**

**Deputy Leader of the Council**

**Report to Council on 22<sup>nd</sup> September 2020**

This report covers the period from the Council meeting on 20<sup>th</sup> February 2020. During this period, I have attended virtual Executive and represented the Council at local and regional virtual meetings including deputising for the Leader as required.

Reporting on the key items:-

**1) Development Management**

In the period between 01.07.2020 to 31.08.2020, all 7 major applications determined were within the statutory period or agreed extension of time. These figures are significantly higher than the national designation targets set by the Government for majors which is 60%.

In the period between, 01.07.2020 to 31.08.2020, 71.7% of non-major applications (minors and others) were determined within the statutory period or agreed extension of time. This equates to 92 determined, 26 within the statutory 8 weeks and 40 within the extension of time period agreed and 26 out of time. These figures are slightly higher than the national designation targets set by the Government for minor applications which is 70%.

We have undertaken an exercise to look at comparable data of application received, and applications made valid from the months of July and August 2019 and 2020. This has highlighted that there has been a 30.2% increase in valid applications and 40% increase in received application in August 2020 compared to the same period 2019.

With regard to performance at appeal, in the period between 01.07.2020 to 31.08.2020 a total of 5 were determined and they were all dismissed.

At the 1st September 2020 the Planning Enforcement team had 360 live enforcement cases open. We received 77 new cases and closed 75 within the two month period. In July and August 2020 the Planning Enforcement Team served a TRN (Tree Replacement Notice) for the removal of a Protected tree and an Enforcement Notice was served in relation to the unauthorised siting of a static caravan and change of use of land to residential.

On the 18<sup>th</sup> August we had our first virtual planning and enforcement virtual hearing at the Viners station for a biomass development. This application was refused at Planning Committee on 6<sup>th</sup> February 2019. The virtual hearing went well, and we expect a decision within the next couple of months.

At Planning Committee on 2<sup>nd</sup> September Members of the Committee made a minded to approve decision subject to referral to the Secretary Of State for demolition and redevelopment of the

Eggborough Power Station site for approximately 211,000 Sqm B1(c); B2 and B8; 500 jobs during construction, up to 4,100 when in operation; and the replacement excellent sport facilities.

## **2) Planning Policy**

In September 2019 Council gave approval for work to begin on the preparation of a new Local Plan for the District. Consultation on the first stage, the 'Issues and Options', ended on March 6th.

Through lockdown we have held a total of eight Local Plan Programme Board meetings on Microsoft Teams which has ensure significant progress has been made on the preparation of a Preferred Options Consultation Document.

The Preferred Options document will be presented to Executive in December to seek approval for an eight-week consultation in the New Year in accordance with the Local Development Scheme.

To support the preparation of the Local Plan a range of supporting evidence has been undertaken. A Housing and Economic Development Needs Assessment, Retail and Leisure Study, the first stage the Highways Modelling work and the Indoor and Outdoor Sports Facilities study are nearing completion, with the Local Plan Viability and CIL Review and a Strategic Flood Risk Assessment well underway. NYCC and the Data Partnership have also been commissioned to undertake a review of Sites of Important Nature Conservation, which will provide important information not only for the Local Plan, but will help to shape future plans for biodiversity offsetting and tree planting.

The Call for Sites Exercise for consideration in the next consultation stage closed on 31<sup>st</sup> August. A total of 436 sites were submitted as part of this exercise and are being assessed in accordance with the Site Assessment Methodology.

A new Statement of Consultation is being recommended for adoption as part of the Full Council Agenda. The preparation of this document is an important step to ensure that the Local Plan is being prepared in accordance with legal and procedural requirements and whether they are sound.

Officers are currently preparing detailed responses to the Government's Planning Reforms as set out in consultations on "Planning for The Future White Paper" and "Changes to the Current Planning System". These consultations set out radical proposals to overhaul the current planning system and we are proactively engaging with this process through the Planning Advisory Service.

We have appointed consultants to undertake 12 Conservation Areas Appraisals across the District. Consultation on the four Conservation Area Appraisals for Selby Town are planned to take place prior to Christmas. The updated appraisals will form key evidence to inform the work of the Selby Town High Street Heritage Action Zone Project.

We have now appointed a Project Manager to oversee the four-year High Street Heritage Action Zone Project which aims to recognise the special character of Selby Town Centre through an exemplar approach to heritage management; working with local communities and business to revive the historic fabric, improve the public realm, and instil a growing sense of local pride in our heritage.

**Richard Musgrave**  
**Deputy Leader of the Council**

**Councillor Cliff Lunn**

**Executive Member for Finance and Resources September 2020**

**Work to support businesses and Council Taxpayers during Coronavirus**

Since my last report to Council, work on the various business grants and business rate relief has been completed and claims for additional Council Tax Support are on-going. In summary the following financial support has been provided to date:

- Small Business and Retail Hospitality Grants - £16,790,000 paid to 1,472 businesses
- Discretionary grants - £800,000 paid to 96 businesses
- Business Rate relief - £6,972,544 awarded
- Council Tax Support - £285,000 awarded to 2040 customers

**Debt Recovery**

Debt recovery action was suspended for 12 weeks to provide a period of respite for those that needed it. Soft reminders were issued at the end of August to encourage people to make contact to discuss their options should they find themselves in financial difficulty. The format of these has been well received with many customers contacting the council to claim Council Tax Support and make arrangements that are more affordable for them. Official reminders will be issued from mid-September to allow steps to be taken towards more formal recovery action, particularly for those persistent non-payers. Our policies and procedures are such that support is available for those finding themselves in genuine hardship.

**Financial Impacts of Covid-19**

SDC has received £1,068k of the £3.7bn announced by government to help local councils. This extra funding is welcomed and we have used it to support emergency spending on things such as personal protective equipment, homelessness support and enabling people to work from home so we can continue to deliver core services and it is also helping to cover losses in key income streams.

A new fees and charges compensation scheme has been announced by the Government and officers are working on our first claim which is due for submission at the end of September – I will report on the outcome of that at our next Council meeting.

As at the end of July these income and cost pressures were estimated at around £3.8m for the year but these figures are very much dependent on the how the economy recovers as lockdown measures are eased. The financial impacts are being closely monitored and revised through monthly updates to the Government.

The quarterly finance and treasury management reports to Executive earlier this month highlight the financial pressures evident to date and the potential impacts for the rest of this year. A revised budget for 2020/21 is elsewhere on this agenda, along with a refresh of the Medium-Term Financial Strategy.

**Cliff Lunn**

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**Councillor David Buckle**

**Executive Member for Communities and Economic Development**

**September 2020**

**Market Towns revitalisation**

- We are still waiting to hear whether our submitted action plan for the Reopening the High Streets Safely Fund ERDF grant is acceptable. We expect to be allocated a grants officer in September and should be able to move rapidly to signing the contract. Meanwhile we continue to deliver the work – business packs have been distributed, signage is in place (and some additions commissioned).
- The initial communications campaign “Let’s get Selby District Back to Business” has generated strong interaction on social media. The Minster FM engagement figures were as follows.
  - Facebook – average post reach from Minster FM updates: 10,500
  - Instagram – average post reach from Minster FM updates: 9,700
  - Twitter – average post reach from Minster FM updates: 7,400
- The Selby Times partnership delivered a free double-page spread feature. This is worth around £2,000 of advertising spend. The Local IQ partnership required the biggest investment but has delivered by far the biggest online impact. Combining digital display advertising and sponsored social media posts, the material recorded 990,000 views in total. On the Council’s own social media channels, the material was consistently the best performing of the year so far, in terms of engagement rates. Facebook total audience reach of the material – 33,300. This makes this the best-performing channel for the material.  
Best performing Facebook posts
  - 15 July – Sweet Finkle: 9,332
  - 10 July – Stag and Boy: 5,974
  - 17 July – Jac D Clothing: 5,172Twitter total audience reach of the material (as measured through page impressions) – 14,556.
- The first campaign was centred on welcoming people back to safe shops and services, but businesses are telling us that older people have not returned, so the next campaign will look at targeting older shoppers with messaging to ensure they feel safe and their anxieties are reduced.
- We have participated in the High Street Task Force’s pilot of the Maybe\* platform, which has enabled us to track social media chatter to see how people are talking about their towns. This gives good insight into the effectiveness of campaign such as Eat Out to Help Out and will also enable us to steer conversations towards particular campaigns we’re delivering. Comparison with other towns is also possible, to understand whether our high street businesses are using social media effectively, for example, recently York’s chatter was

consistently around York as a great place to visit and a safe place to return to, whilst Selby's was about vaping.

- Regular stakeholder meetings are being held with all three, town business and community representatives so we can hear the concerns and issues of businesses and other stakeholders. There's currently some focus on planning for autumn/winter – e.g. managing queuing in bad weather.
- Initial baselining of footfall has been completed and a programme of counts drawn up for the next 6 months. This will allow us to track recovery.
- A local campaign raising the profile of ShopAppy has begun. This included an online campaign which went live on bank holiday Monday (31<sup>st</sup> August)
- The Sherburn draft town centre action plan will be discussed with local stakeholders next week.
- The first Tadcaster town centre Action Plan meeting was on the 2<sup>nd</sup> September with positive engagement from town and district councils and local business representatives. Engagement around town centre Covid-19 recovery has already given a good start to this work.

### **Community Safety Hub**

- Streets Ahead Project: an initiative from the Early Help Team, will commence shortly, with workers deployed to Selby's more disadvantaged wards (Flaxley Road and Abbots Road), to work with young people. This will link with the IHL / Leeds Utd project (likely to commence in October) and align with a Selby Big Local activity programme.  
The programme is linked to the Hidden Harm agenda and has been developed by the Early Help team as a response to many young people not been seen by professionals (teachers) due to Covid-19. It is hoped that the model will replicate some of the youth activity that was lost when the re-structure of youth services happened around 2 years ago.

### **Economic Development and Regeneration**

- The Executive agreed on 6 August 2020 to sign the Partnership Agreement with North Yorkshire County Council to deliver the Transforming Cities Fund (TCF) project, in line with the £17.5m funding allocated from the Department for Transport to the West Yorkshire Combined Authority for the Selby station proposals. The Executive also agreed to progress the Selby TCF proposals to full business case, including undertaking appropriate investigations, negotiations, design work and further public consultation before the Council agrees the final detailed designs and costs for the works early in 2021.
- On 3 September 2020, the Executive agreed to purchase the land at James William House, Cowie Drive, Selby, to contribute to the delivery of the Selby TCF proposals and regenerate the area east of Selby station. Contracts have been exchanged and a deposit paid, with completion expected immanently.
- Cushman and Wakefield are advising the Council over land acquisition relating to delivery of the Selby TCF package and discussions with relevant landowners will be taking place over forthcoming weeks.

- A workshop took place on 3 September to help identify relevant issues and opportunities in the centres of Selby, Sherburn and Tadcaster, as well as potential interventions – from simple tweaks to wholesale changes. This is part of the work is underway on the Places and Movements study for three towns, funded by the YNY LEP, NYCC and SDC. The study will identify how to improve key road junctions, safety, walking and cycling routes and public spaces in the town centres and prepare outline cases for funding bids for the priority projects. The workshop was a required step to comply with the Department for Transport approach to developing transport funding bids and was attended by a number of Members.
- Three new members of staff have now started work with the Economy and Regeneration Team: Duncan Ferguson is the new Regeneration Manager; Marcin Dane is the new Senior Economic Development Officer; and Stephanie Dick is the new Project Delivery Lead. One post remains unfilled at this stage.
- Work is underway to provide a detailed assessment of flood risk on land owned by the Council at Burn Airfield. This will allow potential future uses to be assessed through the emerging local plan.
- Selby officers have provided updated proposals for investment in towns in North Yorkshire, to form part of a bid to government to allocate funding to the area in advance of a possible devolution deal.
- The Council is to work with Selby College to promote their range of opportunities for local adults to enhance their skills. These packages can assist both those in work and people seeking a new role or career.

## **Market Towns revitalisation**

### **Covid Recovery**

A Reopening High Streets Safely Plan has been developed to support the reopening of businesses and public spaces to encourage people back to our town centres. Selby District Council has been awarded just over £80,000 from the Government's Reopening High Streets Safely Fund (RHSSF). This is a European-funded initiative which focuses on marketing, information provision and temporary changes to the public realm to support the safe reopening of High Streets. Over 200 Back to Business packs have been created and delivered to high street businesses including a second tranche of packs for leisure and hospitality businesses which reopened in July. We're liaising closely with colleagues at NYCC with regards to highways management designed to enable the widening of pavements and the safe movement of pedestrians, as well as appropriate signage and safe use of pavements. A marketing plan is in place and marketing campaigns have been commissioned, which are designed to ensure businesses feel empowered to reopen and operate safely and local people feel comfortable to return to the High Streets. Virtual stakeholder groups have been developed for each town, to enable this work to be iterative and respond closely to business & community need.

### **Towns Action Planning**

The longer-term work to develop partnership-based town centre action plans continues and the immediate response work for covid dovetails well with this. So much so that we have been recognised as a good practice case study by the Local Government Association (LGA), using a long term framework approach to ensuring the range of infrastructure, access, culture and business development supports town growth in a holistic way. An advisory board will be established in September to oversee the work at a district level. Selby – the action plan is finalised and the key stakeholder groups are being brought together to support the plan. These include businesses focused on marketing and digital development and will also include a community and heritage engagement group for the High St HAZ. Sherburn – the action plan is in final draft and has been taken to the stakeholder group. Work focuses on high street environment, access and digital development. Tadcaster – engagement has commenced. There has been initial engagement with businesses and stakeholders as a result of the Covid-recovery work which provides an excellent start. Information on each town will be publicly available on the council's website.

### **Community Support during Covid**

We are all aware of the significant impact the last 6 months has had on local residents and communities. We have seen a fantastic response across the district. Alongside NYCC we have helped establish 3 Community Support Organisations in the 3 towns as the main contacts for supporting local residents unable to get support for themselves with things like shopping, prescription collection and financial and food assistance. Underneath the Support Organisations have been a wealth of local community support groups and networks that have ensured that the vast majority of our residents in need have had a direct and immediate local response. At the beginning of the crisis the council quickly designated £25,000 of CEF funding to support local community networks who were focused on supporting local people in crisis. This fund continues to be held by the community support organisations for local groups to access who are continuing to support recovering from Covid. As local community spaces start to open back up and encourage people out to shop and socialise, this continues to be the offer.

**Councillor David Buckle**

**Executive Member for Communities and Economic Development**





**Councillor Christopher Pearson**

**Executive Member for Housing, Health, & Culture**

**September 2020**

We commenced the new collection service as planned the first week in April and experienced an unprecedented increase in household waste arisings due primarily to the lockdown restrictions which included the closure of all HWRC's. Total waste arisings increased by almost 1,500 tonnes or 150 refuse vehicle loads of waste in the first quarter when compared with the same period last year. Whilst all waste collection streams increased the largest increase in percentage terms was for the new recycling service which reflected the consultation feedback that customers would recycle more material if they had wheeled bins. During quarter two the recycling tonnages are remaining high whilst residual waste tonnages are returning back to more normal levels which if maintained for the rest of the year will have a positive impact on recycling rates.

Under normal circumstances the mobilisation of the new service went very smoothly but when you consider we started the service under a pandemic lockdown and social distancing it is fair to say that it has gone exceptionally well and all officers and Amey staff have gone the extra mile to ensure a quality service is delivered.

The numbers of missed collections have been monitored during the mobilisation and by June they were back at a similar level to last year which is about 80 for the month across all waste services including green waste. It is expected they will reduce further as the service beds in.

The first new waste collection vehicles are due to arrive at the end of this month and final delivery is expected in November.

**Visitor Economy**

- The first Visitor Economy Advisory Board (VEAB) meeting is set for Wednesday 9<sup>th</sup> September, where the Terms of Reference will be agreed. Nine representatives from the sector, from across the District, have confirmed attendance including: The Drover's Arms/The Castle Inn, Stillingfleet Lodge Gardens, The Escapologist, Selby Abbey, Drax, Dovecote Barns, Yorkshire Paintball Centre, Towton Battlefield Society.
- LazenbyBrown have been appointed to create Visitor Destination branding for the District and to develop a full marketing plan. There will be a series of branding workshops in Sept/Oct for stakeholders and the VEAB will take a lead in shaping the output of this work.

- Selby Abbey is open to visitors and, with early support from the Tourism Development Officer, has been working to train volunteers as tour guides. The first tour will go live as soon as it is safe for them to do. The Abbey was successful in achieving a Covid Recovery grant from the National Lottery Heritage Fund (over £40k), which has made an important financial contribution to ensuring the Abbey's continued viability. This is especially important as income from visitors has dropped substantially. The grant will also pay for some additions, such as contactless donation points.
- Selby Abbey has been awarded a Trip Advisor Travellers Choice award, which means it is in the top 10% internationally. This is hugely significant.
- The Tourism Development Officer continues to work closely with individual VE businesses to help them achieve Covid-secure opening. A contact list of over 100 visitor economy businesses is regularly kept up to date with relevant news and advice. Individual enquiries from over 20 businesses have been received and actioned since the beginning of April.
- We have a new area manager at Welcome to Yorkshire (recently restructured) and have agreed our Strategic Support Agreement for this year. WtY are including the themes from our niche trails in their marketing for the region – Heritage, Nature & Wildlife and Family Adventure.
- 'We're Good to Go' industry standard – over 25 businesses in the Selby District have achieved the mark/green tick. VisitBritain have developed an interactive map showcasing all of the businesses with the Covid-19 secure industry standard, available on their website.

### **Selby 950**

- Headline results for the impact of the year long programme include: 20,000 spectators with 1300 local direct participants. An economic impact return of £348,000. An infographic is attached and the details will be presented to Scrutiny in November. A great success for the town.
- The programme has been recognised as a Finalist in the White Rose Awards (Arts & Culture category). The award ceremony is in November (date yet to be announced)
- The Audience Development Plan for the District is complete and is already being used to ensure the Community Engagement Plan for the HSHAZ engages our target audiences. Key audiences for development are older people, young people (especially teenagers), families living in our more disadvantaged wards and people with disabilities.
- The Selby Treasures Online museum is live and accessible on SDC's website and a comms campaign has been delivered to publicise this.

### **Cultural Development Framework**

- Beam have completed the first phase of the consultation programme.
- Initial delivery areas are:
  - Place-making & authenticity (recognising the rich & multi-layered identity of Selby District)
  - Opportunities created by Covid, which has placed a new value on “local”
  - Developing the cultural & creative sectors, especially networking and up-skilling to ensure the sector can make a meaningful contribution to inclusive, growth/regeneration, as well as providing adequate creative workspace in the District
  - Pop-up/meanwhile use of buildings to increase the vibrancy of our town centres
  - Projects which engage young people and increase their aspirations
  - Creation of a central repository for heritage (not necessarily a building) which will ensure that voices and stories are not lost (e.g ship-building)
  - Work in the public realm, including an events programme which is both hyper-local and grander in scale
- The Arts Council have re-opened their project grant funds, so we will shortly be applying for support to develop a large-scale project for enhancing Barlby Road, as an important gateway to Selby.

### **Strategic Health**

- Supporting local Primary Care Networks to plan for the seasonal flu campaign. Considering whether council assets can be used to support walk-in clinic capacity across district. To be confirmed. Mass flu vaccination is being discussed at the Local Resilience Forum level. Priority for vaccination likely to be: most vulnerable, Yr 7 pupils, Shield Patient List Households, Health & social Care staff, care support staff, 50-60+yrs (all dependent on vaccine availability).
- Liaison with CCG, Primary Care Networks, NYCC and Two Ridings Community Foundation to consider a Lottery bid for a community leaders programme with the health and community sectors to strengthen the capacity of the community sector to deliver health based initiatives.
- Awaiting needs assessment data from the CCG to develop the next Selby Health Matters plan on wider determinants of health.
- As schools resume, work on the Healthy Schools Zone will recommence including a park and stride initiative looking at 2-3 local drop off points as well as a food growing project supported by £8k Healthy Living Concept Fund across Selby High and 3 cluster primary schools in Selby town.

### **Disabled Facilities Grant post lockdown:**

- The Disabled Facilities Grant (DFG) is a mandatory means tested Grant and a statutory requirement of every strategic housing authority. A DFG is available to people who own their own home (including caravans and river boats), private tenants and tenants of social landlords to enable them to live well and independently for as long as possible in their own home. Unfortunately, DFG is NOT available to council tenants. Adaptations to Council properties have to be funded via the HRA.
- During lockdown all work that could be progressed was. This enabled the team to approve (ready for the contract to get on site) a significant number of adaptations, currently 36 are awaiting the contractor to confirm a start date.
- Since the end of lockdown contractors managed to get back on site during June and have now completed 10 adaptations. Each adaptation is unique and some require significant more work than others. On average we have 3 contractors on site at any one time.

### **Capital programme**

Following the easing of Government restrictions the Council have been able to re-engage our major works partners on delivery of our HRA Capital Investment Programme. Whilst this is obviously positive news, it is important to note that the significant period of national shutdown will still impact what can be achieved in the current year. Securing appropriate labour resources and certain materials is still proving challenging in some instances as manufacturers and contractors seek to catch up with their own respective backlogs.

Notwithstanding however, as a result of our commitment to increasing investment in our housing portfolio, as detailed in the Housing Revenue Account Business Plan, customers will begin to see substantial improvements to their homes in the coming months and years.

As highlighted, we are currently working with our contract partners to finalise this year's delivery programme and whilst achieving everything we had originally planned will prove challenging, we are confident we will still deliver significant financial investment including:

- Repointing of 190 properties
- Up to 110 bathroom and/or wet room replacements
- Up to 107 kitchen replacements
- Up to 240 properties being rewired – subject to findings of individual tests
- 50 properties receiving new windows, and;
- Up to 203 homes receiving new doors

In total, the above programmes equate to circa £4million pounds worth of investment in our homes.

### **Housing and Homelessness**

At the end of March, the Ministry of Housing, Communities and Local Government advised all Local Authorities that there they should provide emergency shelter to any person in need of accommodation. Anyone who presented as homeless to our Housing Options Team and had no access to a safe place to stay was provided with emergency bed and breakfast. Between 23<sup>rd</sup> March and 31<sup>st</sup> August, we provided 31 households with emergency accommodation which was a 72% increase in placements compared to the same period in 2019. The team worked closely with partner agencies to ensure that

anyone accommodated had access to food and any medical supplies they needed and once restrictions were lifted we supported them into longer term accommodation.

We have continued to advertise and allocate our properties through North Yorkshire Home Choice and we have now recommenced viewings and sign-ups. We have also been continuously supporting our communities in dealing with cases of antisocial behaviour but with the temporary closure of courts and changes to the law around evictions, cases have had to be managed very differently. During lockdown, we were not able to support victims face-to-face as we normally would, and Enforcement Officers developed new working processes to continue to deliver support in partnership with the Police and other agencies. We have now started to reintroduce more services and are carrying out pre-planned visits.

**Councillor Christopher Pearson**  
**Executive Member for Housing, Health and Culture**

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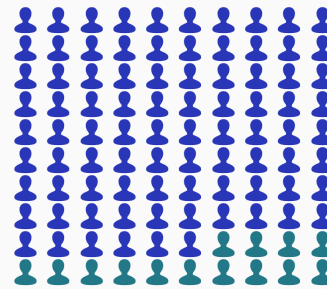


A town-wide celebration of Selby Abbey's 950<sup>th</sup> year and the heritage of the town.



An arts-based approach to celebrating heritage.

"It exceeded expectations and the level of modern art expected in a small town - it felt like something you would expect to see in an important European city."



**86%**

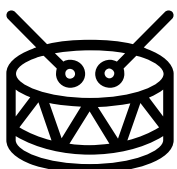
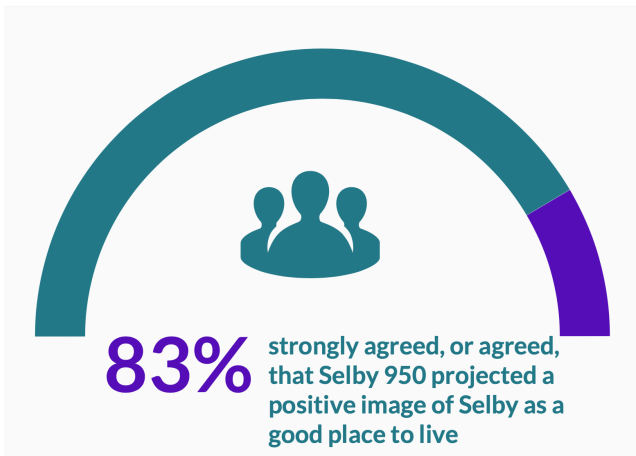
strongly agreed, or agreed, that Selby 950 gave everyone chance to share and celebrate together

Audience of **20,396**

**1,303** participants



All events **free** to attend.



- 5 commissions of new work
- 30 culture professionals
- 43 volunteers

**79%** of the audience were from Selby District



Economic impact

**£348,500**

**21%** of the audience were visitors

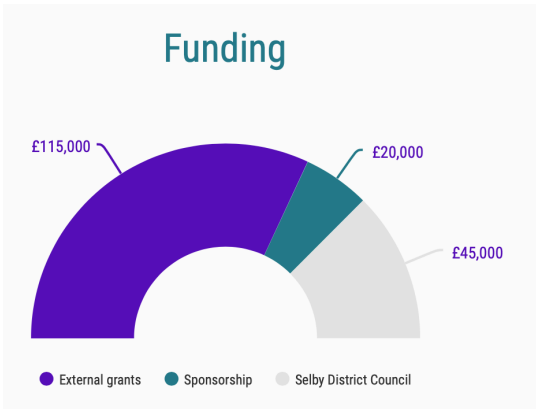
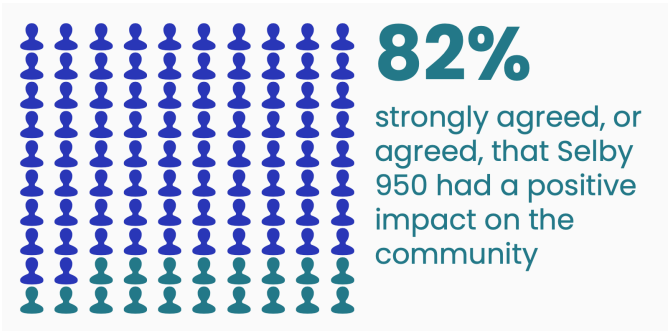
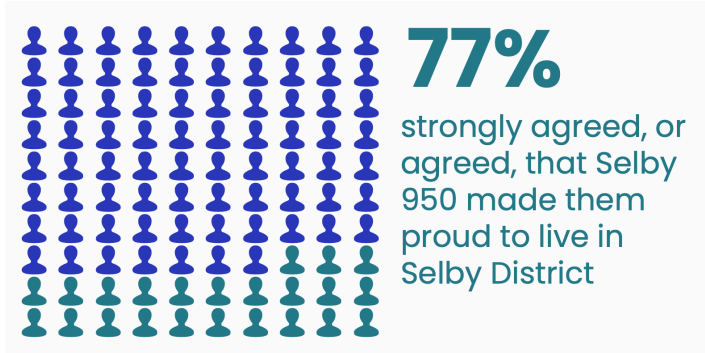


**55** events delivered by  
**17** community partners

'Selby 950 has been a fantastic thing for Selby. It has improved our links with the town and community, and we are keen to pursue them further.'

"Selby nailed it again"

"Look what you missed and Selby was on the tele for ages"





# Agenda Item 10



## **Councillor Steve Shaw-Wright – Chair of Scrutiny Committee**

The Scrutiny Committee was due to meet twice since the last update to Council in February 2020; on 20 and 24 March.

### **20 March 2020**

This meeting was cancelled due to the COVID-19 outbreak.

### **24 March 2020**

This meeting was cancelled due to the COVID-19 outbreak.

### **13 August 2020**

At this meeting the Committee discussed the Committee's Annual Report 2019-20, its Work Programme for 2020-21, both of which were agreed as circulated on the agenda.

The Committee also considered the Council's Corporate Performance Report for Q4/Year End 2019-20, the Treasury Management Monitoring Report for Q3 and Q4 2019/20 and the Financial Results and Budget Exceptions Report for Q3 and Q4 2019/20. Members made a number of comments and requested further information relating to interest returns, the costs of not re-letting void properties, the provision of affordable homes (particularly what was causing the difference between the targets and the number of actual homes delivered) and the need to upgrade and let out more Council-owned industrial units.

**Future Meetings:** The next meeting of the Committee will be an extraordinary meeting on **Thursday 17 September 2020** where the Committee will discuss the call-in of the Executive decision relating to the Review of Car Parking Tariffs. The next ordinary meeting of the Committee will be on **Thursday 24 September 2020**.

**Councillor S Shaw-Wright**  
**Chair, Scrutiny Committee**

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## **Policy Review Committee Report to Council – 22 September 2020**

The Policy Review Committee has met twice since the previous update given to Council in February 2020.

### **10 March 2020**

#### **Update from the Low Carbon Working Group (Standing Item)**

There had been two meetings of the Low Carbon Working Group, at which presentations and benchmarking data on the Council's carbon footprint had been provided; however, there was still some outstanding data to be supplied. Officers were looking for a steer from Members as to the priorities for the actions and projects resulting from their research.

Members acknowledged that the six-month time period was a tight timescale to work to and present recommendations to the Executive and suggested that initial report to the Executive set out 'quick wins' and actions that could be taken as soon as possible. Members also requested that the Working Group continue its work throughout the rest of the year.

The Committee discussed the Northern Forest initiative and the importance of potential areas for planting in the district being identified as quickly as possible. Some parish councils had started to undertake similar work and had several ideas that could be fed into policies such as the Local Plan.

Members asked that a number of points be fed back to Officers relating to tree planting, engaging with local communities, benchmarking data, identifying 'quick wins', taxis idling at taxi ranks and campaigns against idling vehicles outside schools.

The Committee agreed at its next meeting in April they would want to be able to distil ideas into short and long term actions, working in conjunction with the 'Ideas Lab' that was agreed as part of the Council's budget in February 2020. Members also asked Officers to check the resources available for the low carbon work agreed at Council in February 2020 as part of new project bids within the Programme for Growth (P4G).

#### **Work Programme 2019-20 and Planning For 2020-21**

The Committee agreed that work planning for 2020-21 should be undertaken at the next meeting.

### **7 April 2020**

This meeting was cancelled due to the COVID-19 pandemic.

## **16 June 2020**

This meeting was cancelled due to the COVID-19 pandemic.

## **21 July 2020**

This meeting was cancelled due to the COVID-19 pandemic.

## **4 August 2020**

This meeting was postponed due to technical issues.

## **8 September 2020**

### **Revised Estimate 2020-21 and Medium-Term Financial Strategy**

The main item of business for consideration by Members at the meeting was the proposed revised Budget for 2020-21 and updated Medium-Term Financial Strategy (MTFS). It had been explained that for the General Fund and the Housing Revenue Account (HRA) three scenarios, 'best', 'mid' and 'worst' case, had been modelled over the 10 years from 2021-22 to 2030-31, the mid-case scenarios were proposed as the framework for the forthcoming budget.

Members acknowledged that Covid-19 had, and continued to have, a significant impact on the Council's finances. As at the end of July 2020 the full year forecast for 2020-21 totalled £3.8m, it was confirmed that £1.068m had been received from the Government to help off-set these impacts. The key assumptions that underpinned the strategy had been updated, and this forecast had informed the revised estimate put forward for approval, with £1.44m New Homes Bonus proposed to be diverted from reserves to help mitigate the impacts.

Concern was raised regarding the proposal to divert the New Homes Bonus and it was suggested that Community Infrastructure Levy (CIL) reserves be used for the purpose. Officers explained that the Council had no control over the CIL monies which were restricted to the uses specified through the planning process, and that it was for each Parish Council to make a claim.

Members queried the savings requirement which identified an estimated rise to between £2.4m and £2.9m over the next 3 years; with savings of £848k p.a. already planned from which area's would the further £2m be identified. It was confirmed that at this time the report was to highlight the potential savings identified and that it would be subject to discussion with Members.

The Committee heard that the MTFS mid-case scenario assumed a Council Tax rise of £5 (2.8%) for 2021-22, discussion took place regarding the proposed £5 increase, it was confirmed that the amount had not been agreed and that the final decision would sit with Council. There were mixed views about increasing Council Tax particularly when savings were needed but local communities had been hit by the pandemic and were struggling financially.

Members queried what effect the government's plans to introduce unitary authorities would have on the budget and were informed that the MTFS assumed that the Council was a going concern, and were assured that the Executive were keen to ensure that Selby District Council's resources would be used for the benefit of Selby District.

The Committee asked a number of questions regarding the furlough system operated by the Government, and whose decision it was not to furlough any of the Council's personnel, and the impact of the pay award which included one extra annual leave day. It was confirmed that the rules around furloughing staff had been very strict and that as local authorities had received government grants it was felt that it would be inappropriate to furlough staff. It was further confirmed that staff across the organisation had come together to help different teams to aid in the work of awarding government business grants and safeguarding vulnerable people within our community. In terms of the associated benefits within the pay award it was noted that beyond the estimates included within the revised budget there would not be a significant financial impact.

Members were assured that despite the challenges faced, the Council was in a strong financial position but savings remained a key feature of the budget going forward.

#### Annual Report of the Policy Review Committee 2019-20

The Committee agreed the annual report for 2019-20. Members felt that it was a very comprehensive report, and one member complimented the Committee on their work on the Taxi Licensing Policy.

The Chair thanked the Committee for their support and continued hard work.

#### Work Programme

Members noted the work programme for the rest of the 2020-21 municipal year.

**Future Meetings:** The next meeting of the Policy Review Committee will be on 13 October 2020.

**Councillor Andrew Lee**  
**Chair, Policy Review Committee**

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## **Councillor Karl Arthur – Chair of Audit and Governance Committee**

### **Update to Council 22<sup>nd</sup> September 2020**

The Audit and Governance Committee has met once since the last update provided to the council on 20<sup>th</sup> February 2020. This meeting took place on Wednesday 29<sup>th</sup> July 2020.

### **Audit and Governance Committee Meeting – 29<sup>th</sup> July 2020**

The Audit and Governance Committee agenda was extremely busy with no fewer than sixteen items on the agenda. I would like to thank both officers and committee members for their support and comments during the course of the meeting. Unfortunately, due to work commitments I had to leave the meeting after item 10 of the agenda and I would like to thank the committee's vice chair, Cllr. Neil Reader, for stepping in and chairing the meeting after I had to leave.

During the chair's address at the start of the meeting I informed members that the statement of accounts for 2019-20 would have usually been brought before the committee for approval at the July meeting. However, the statutory deadlines had been extended to the end of November 2020 as a result of Covid-19; the statement of accounts will therefore be presented to the October meeting.

Members considered the External Audit Strategy Memorandum and asked which principle assets were reviewed as part of the property, plant and equipment valuation and who prepared the valuations. It was confirmed that the principle assets were council dwellings, land and buildings and that valuations were prepared by external experts. Members were also informed that an error had occurred in 2018-19 in the property, plant and equipment valuation because this valuation had commenced late. To prevent a repeat, the 2019-20 valuation on property, plant and equipment had taken place first. Members noted this report.

The committee also discussed the Internal Audit, Counter Fraud and Information Governance plan for 2020-21. A number of queries were raised in relation to this report:

- Members asked a number of questions regarding essential audit work. The Audit Manager for Veritau explained that the work of internal audit was a statutory requirement and assured the committee that the reports contents reflected good coverage of the council's activities and assurance of effective management;
- The committee queried the costs of detecting fraud, and asked if the money would be better spent protecting against fraud. They were informed that both fraud detection and protection were important, but that detection also provided a deterrent;
- Members queried if ways to publicise the counter fraud activity of Veritau to act as a deterrent had been introduced. They were informed that a counter fraud message was printed on all Council Tax bills in the district;

- A query was raised regarding what actions were taken against fraudsters once it had been identified. It was confirmed that appropriate action was taken and that the severest sanction could be prosecution.

The committee then agreed to approve the Internal Audit, Counter Fraud and Governance Plan for 2020-21.

Members considered the Annual Governance Statement 2019-20 which was provided by the Chief Finance Officer who explained that the report provided an assessment of the governance environment for 2019-20 and would form part of the draft Statement of Accounts which would be brought to the committee in October. In a response to a query in relation to committee meetings the Democratic Services Manager confirmed that the Scrutiny and Policy Review Committee meetings would be resumed in the near future. Members acknowledged that the action plan was being monitored by the leadership team but queried what assurance could be given that deadlines would be met. Members noted the draft Annual Governance Statement.

The committee received the Annual Report of the Head of Internal Audit which provided a summary of the internal audit work carried out since April 2019 and the counter fraud work carried out during the year 2019-20. Members queried reasonable assurance opinions on the report, when the audit of Performance Management would be completed and the cost of the staff hours taken to achieve the £17k savings against fraud.

The Committee also received the Risk Management Annual Report 2019-20 which summarised the risk management activity during the year 2019-20, whilst also showing planned work for the current 2020-21 municipal year. Members noted this report.

The Audit Manager presented the Corporate Risk Register 2020-21 and explained that this report contained the twice yearly update on the movements within this register. This was last reported to the committee in January 2020. Members noted the current status of the register.

The Solicitor to the Council and Monitoring Officer presented the report which provided an update on the amendments made to the Constitution of the Council following a review undertaken in her role as Monitoring Officer, it was noted that the changes which had been made under delegation were either administrative, as a result of legislative changes, or as approved by the Audit and Governance Committee in the resolution dated 10 April 2019 in relation to standards arrangements; and also included giving effect to new remote meeting procedure rules.

The committee then reviewed the updated Selby District Council Code of Conduct and Local Government Association (LGA) Model Code of Conduct Consultation which confirmed the amendments made to the Councils Code of Conduct for Members, and arrangements for dealing with standards complaints. Members were advised that the best practice list identified by the Standards in Public Life Commission had been considered by the Audit and Governance Committee in April 2019 had been incorporated into the Councils Code of Conduct for Members and now fully complied with these recommendations. Members noted the updated Council Code of Conduct for Members and the arrangements for dealing with standards complaints and also to note the LGA Model Code of Conduct.

The committee considered the Audit and Governance Committee Annual Report for 2019-20. A member felt that although the report reviewed the work of the Audit and Governance Committee during the previous municipal year it should also include future objectives for the committee. It was decided to ask the chair to consider adding this to the Audit and



Governance Committee Annual Report and then bring it back to the next committee meeting. I have considered this issue since the committee met and consider it worthy of merit so that the amended report will now come back to the committee in October.

Finally, the Solicitor to the Council and Monitoring Officer presented the report which provided members of the committee with details of the decisions taken by the leader of the Council and senior officers under urgency procedures between 23<sup>rd</sup> March 2020 and 14<sup>th</sup> July 2020 due to the corona virus lockdown. Members noted the decisions taken.

### **Audit Committee Training**

I explained to the committee that officers would plan some dedicated committee briefings to replace the quarterly pre-meeting training and development sessions held directly prior to the committee meeting. Members were asked to consider any specific topics they would like to cover and feed these back to the Democratic Services Officer.

### **Next Meeting**

The next meeting of the Audit and Governance Committee will be taking place on Wednesday 21<sup>st</sup> October 2020.

I commend my statement to the council.

**Councillor Karl Arthur**

**Chair, Audit and Governance Committee**

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**Report Reference Number: C/20/1**

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**To: Council**  
**Date: 22 September 2020**  
**Ward(s) Affected: All**  
**Author: Karen Iveson, Chief Finance Officer**  
**Lead Executive Councillor Cliff Lunn, Lead Executive**  
**Member: Member for Finance & Resources**  
**Lead Officer: Karen Iveson, Chief Finance Officer**

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**Title: Revised Estimate 2020/21 and Medium-Term Financial Strategy**

**Summary:**

This report presents a revised Budget for 2020/21 and an update to the Medium Term Financial Strategy (MTFS) covering both the General Fund and Housing Revenue Account (HRA) following consultation with Policy Review Committee.

Covid-19 has had, and continues to have, a significant impact on the Council's finances. As at the end of July 2020 the full year forecast for 2020/21 totals £3.8m. The key assumptions that underpin the strategy have been updated - Policy Review Committee members will be consulted prior to Council considering it later in September.

The MTFS highlights further delays to the Fair Funding Review and the reform of the Business rates Retention system, as a result of Covid. It is assumed therefore, that the settlement for 2021/22 will be another roll-forward which could result in a further year of the renewable energy business rates windfall. Should the Local Government Finance Settlement be announced early then any necessary changes will be incorporated into the draft Budget as part of the process during the autumn.

The MTFS identifies risk and uncertainty around business rates retention, on-going reductions to Government funding, wider economic uncertainty at the prospect of a no-deal Brexit and local government re-organisation on the back of a potential devolution deal.

In spite of the uncertainty, the MTFS confirms the Council's strategic approach to continuing to invest 'one-off' or finite resources to stimulate local economic growth and achieve sustainable income through Council Tax and Business Rates growth, whilst reducing its base revenue budget.

The MTFS also sets out the Council's reserves strategy which seeks to set aside sums to cover known commitments and cover financial risk as well as earmarking resources to support delivery of the "Council Plan".

Following the district elections in May 2019, a number of emerging cost pressures have been identified which will if they materialise, increase the requirement for on-going savings. Some resources are available from the Business Rates Equalisation Reserve to support in the shorter term, although a top-up of this reserve is required.

Progress against our savings targets has been delayed as a result of Covid and therefore additional drawdown from the Business Rates Equalisation Reserve is expected.

Based on the assumptions within the MTFS, the savings requirement is estimated to rise to between £2.4m and £2.9m over the next 3 years. With savings of £848k p.a. already planned, a further £2m will need to be identified.

The comments from Policy Review Committee are attached at Appendix 2.

### **Recommendations:**

The Executive recommend that:

- i) **The Revised Estimates for 2020/21 and the Medium-Term Financial Strategy be approved.**

### **Reasons for recommendation**

To reflect the latest financial issues within the budget for 2020/21 and to set the framework for the 2021/22 budget and Medium-Term Financial Plan to 2023/24.

## **1. Introduction and background**

- 1.1 This report presents revised estimates following an assessment of the impacts of Covid-19 along with an update to the MTFS taking into account changes to the key assumptions within the strategy. The draft MTFS (incorporating a revised budget for 2020/21) including associated appendices is attached at **Appendix 1**.
- 1.2 The strategy covers both the General Fund and HRA to provide a holistic view of the Council's finances.
- 1.3 As a result of Covid-19 the usual 6 week budget consultation with Policy Review Committee was curtailed but the Committee considered the report at their meeting on 8 September 2020. Comments from the Committee are set out at **Appendix 2**.

## **2. The Report**

- 2.1 The attached update paper presents a revised budget for 2020/21 as a result of the financial impacts of Covid-19. The virus has had, and continues to have, a significant impact on the Council's finances - as at the end of July 2020 the full year forecast for 2020/21 totals £3.8m. To the end of July 2020, £1.068m has been received from the Government to help off-set these impacts. This forecast has informed the revised estimate put forward for approval, with £1.44m New Homes Bonus proposed to be diverted from reserves to help mitigate the impacts. Base on current assumptions a surplus of £43k is forecast but given the risk and volatility as a result of the virus, this could change. Any subsequent changes, for example additional Government funding, will be reported through the quarterly exception reports to Executive and Scrutiny Committee.
- 2.2 The paper also models the Council's revenue budgets over the next 10 years although major risk and uncertainty around business rates retention, on-going reductions to Government funding, wider economic uncertainty as the transition phase of Brexit draws to a close and local government re-organisation on the back of a potential devolution deal, mean that meaningful future forecasting is extremely difficult. A mid-range forecast is the scenario that is proposed as the basis for the forthcoming budget round for 2021/22.
- 2.3 Significant changes to the Business Rates Retention Scheme were previously anticipated following the Government's announcement that in future 100% of Business Rates will be retained by Local Government and Revenue Support Grant would be phased out. Since then these plans have been scaled back and the Government piloted 75% Business Rates Retention in 2019/20 and then reverted to a 50% scheme in 2020/21. The reform of the Local Government Finance System was anticipated from 2020/21 but as result of political challenges nationally and the prospect of the no-deal Brexit HM Treasury announced there would be a one year settlement for 2020/21 and the system will be reviewed in 2020. Since then Covid-19 and the subsequent lockdown measures have led to further delays.
- 2.4 It is assumed therefore, that the settlement for 2021/22 will be another roll-forward from 2020/21 which could result in a further year of the renewable energy business rates windfall. As in previous years however, it is not proposed to allocate or commit these funds until they are confirmed. Should the Local Government Finance Settlement be announced early then any necessary changes will be incorporated into the draft Budget as part of the process during the autumn.
- 2.5 For the HRA the MTFs aligns with the refreshed HRA Business Plan and models an on-going CPI +1% increase in housing rents following 4 years of 1% reductions ending in 2019/20.
- 2.6 The MTFs mid-case scenario assumes a Council Tax rise of £5 (2.8%) for 2021/22, which mirrors the referendum principles that applied in 2020/21.

- 2.7 The Council's approach to the management of its reserves is also re-confirmed in the MTFS – earmarking resources to cover commitments, manage risk and support growth, with £1.5m retained as a minimum general working balance for both the General Fund and HRA.
- 2.8 Following the district elections in May 2019, a number of emerging risks/cost pressures have been identified, including for example: street scene and leisure contract negotiations, additional ICT investment and internal capacity issues – these costs pressures could range from £300k - £500k p.a. recurring.
- 2.9 Based on the assumptions updated within the MTFS, taking the forecast resources available, the estimated deficit before planned savings is £2.4m by 2023/24 (up to £2.9m taking into account the emerging risks/cost pressures). After current planned savings the residual shortfall on the General Fund is estimated at £1.6m by 2023/24 (£2.1m taking into account the emerging cost pressures).
- 2.10 Given the risk within our savings programme £6.9m is to be held back in the Business Rates Equalisation Reserve (BRER), which requires an additional £2m top up to this reserve from the Special Projects Reserve in 2021/22. The BRER provides funding to support the revenue budget should savings be delayed. It must be stressed however that using reserves to support the revenue budget in this way is not sustainable and failure to deliver the savings target would undermine the Council's long term financial resilience and therefore work to deliver and identify further savings to bridge any gap must continue.
- 2.11 The HRA is experiencing its own challenges as a result of Covid-19 and previous rent reductions. Savings are planned in order to maximise in-year HRA surpluses whilst setting aside sufficient sums to repay the self-financing debt. Revenue surpluses are transferred to the Major Repairs Reserve to fund enhancements to the Council's housing stock and a long term programme to deliver a decent homes 'plus' standard and support 1-for-1 replacement of homes sold through right-to buy.
- 2.12 Whilst revenue resources are challenging, capital receipts and s106 sums remain relatively buoyant which will enable the Council's capital programmes to be sustained as we consider opportunities to further invest in housing related schemes alongside the Programme for Growth and other reserve programmes which aim to deliver more sustainable income streams whilst improving outcomes for citizens and delivering internal efficiencies.
- 2.13 Programme for Growth proposals, following engagement with Group Leaders, are the subject of a separate report on this agenda.

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

- 3.1 The MTFS models mid, best and worst case scenarios, which are set out at Appendix A to the update paper.

## **4. Implications**

### **4.1 Legal Implications**

None as a direct result of this report.

### **4.2 Financial Implications**

4.2.1 The financial issues are highlighted within the body of the report.

The estimated deficit rises to £2.4m by 2023/24 (up to £2.9m including indicative emerging risks/costs). Work is progressing towards the target but this has been delayed by Covid-19. The MTFS makes further provision in the Business Rates Equalisation Reserve to mitigate the savings shortfalls over the next 3 years but focussed effort will be needed to bring this back on track once the effects of the virus have subsided.

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

4.3.1 The MTFS is based upon the Council's current policy framework and where there are opportunities to vary this framework these are identified within the report – for example the level of Council Tax and the replenishment/use of reserves.

4.3.2 The MTFS identifies and where possible quantifies (in outline) the risks to the Council's financial position and presents appropriate mitigations – for example the impacts of Covid-19 are mitigated through the use of New Homes Bonus and the risk inherent within the Local Government Finance Settlement and risks to the savings plan are mitigated through the Business Rates Equalisation Reserve.

### **4.4 Corporate Plan Implications**

4.4.1 The MTFS underpins delivery of the Council Plan.

### **4.5 Resource Implications**

4.5.1 The MTFS assesses the financial resources available to the Council over the coming 10 years. Based on the assumptions within the strategy a recurring shortfall is expected.

### **4.6 Other Implications**

4.6.1 As set out in the report.

## **4.7 Equalities Impact Assessment**

There are no equality impacts as a result of this report – individual savings ideas will be subject to assessment as they are brought forward for consideration/implementation.

## **5. Conclusion**

- 5.1 Covid-19 is impacting significantly on the Council's finances. Whilst Government funding has been received, to date it is not sufficient to cover the forecast costs/income losses. The proposed Revised Estimate incorporates the latest assessment of these impacts.
- 5.2 The key assumptions which underpin the MTFs have been updated based on the latest intelligence available however there is much uncertainty around public sector finance. There remains risk within the Local Government funding system and at this stage a cautious stance has been taken regarding the fair funding review and business rates 'reset' now expected after 2021/22.
- 5.3 The mid-case assumes a £5 (2.8%) increase in Council Tax and for the HRA the MTFs models a CPI+1% increase in housing rents.
- 5.4 There is also uncertainty over New Homes Bonus, the economic situation as a result of a no-deal Brexit, income generation and delivery of savings. The Council's longer-term financial position is heavily reliant upon resources keeping pace with inflation and costs being contained within base budget.
- 5.6 Over the next 3 years the savings requirement is expected to rise to £2.4m p.a. (£2.9m including emerging cost pressures). Given the size of the deficit and delays to the savings programme it is likely that additional reserves will be needed, although this is not a sustainable solution.
- 5.7 Additional income from Council Tax and Business Rates as a result of our investment in economic growth will help to bridge the funding gap in the long term but in the meantime we must strive to be as efficient as possible and additional savings targets are proposed. We will need to keep this under review as the future for Local Government funding becomes clearer.
- 5.8 The on-going risk to the Council's General Fund and HRA funding means that a careful balance between savings and investment will need to be struck.

## **6. Background Documents**

Approved MTFs Update September 2019

Approved Budget February 2020



## **7. Appendices**

Appendix 1 – Revised Estimate 2020/21 and Medium-Term Financial Strategy Update September 2020

Appendix 2 – Extract from minutes of Policy Review Committee 8 September 2020

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## Selby District Council

### Revised Estimates 2020/21 Medium Term Financial Strategy Update September 2020

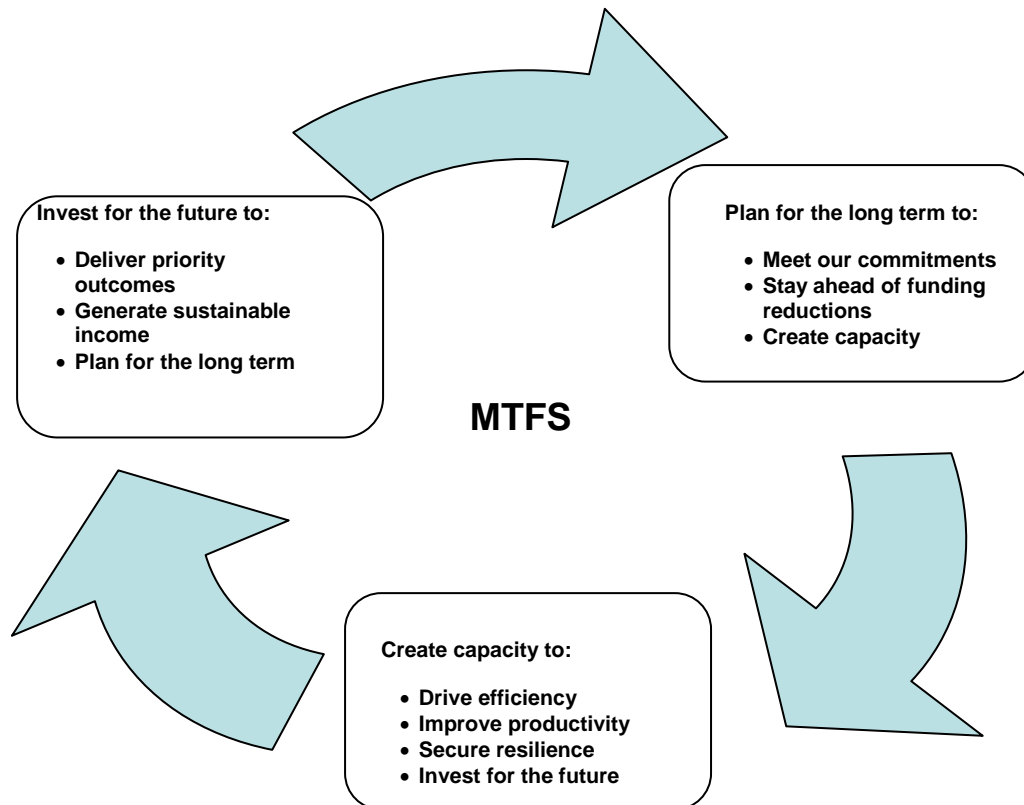
#### 1. Introduction and Background

- 1.1 This paper presents an update to the General Fund Medium Term Financial Strategy (MTFS) approved by Council in September 2019 along with an overview of the Housing Revenue Account. It considers the budget pressures and issues facing the Council over the next 3 years and beyond and in response to the financial impacts of Covid-19, it presents a revised estimate for 2020/21 for approval by Council.
- 1.2 This MTFS provides the framework for the forthcoming budget round and the longer-term outlook to inform funding and investment decisions. A refreshed full HRA Business Plan was approved in 2019/20 and this update provides an overview of the current issues facing the HRA service within the context of the approved Plan.
- 1.3 To date 2020 has been a year of major uncertainty as the effects of the Covid-19 global pandemic have unfolded (and continue to do so). Furthermore, the impacts of Brexit, on public sector finances are still not known as the transition phase draws to a close. Add to this the outlook for devolution and Local Government reorganisation and it is clear, that uncertainty will reign for some time to come.
- 1.4 The Government's proposals for a reviewed Local Government funding system have already been delayed 1 year, on the back of Brexit and now a further delay has been announced as a result of Covid-19. 2021/22 will be a one-year settlement with the Fair Funding Review and 75% Business Rates Retention implementation being pushed out to 20/22/23 (or later).
- 1.5 Against this backdrop of major uncertainty, the key drivers for the financial strategy remain unchanged although the level of risk has undoubtedly increased. Whilst Local Government re-organisation is looking likely, this MTFS assumes the Council is a going concern and as such, meeting the on-going savings challenge will continue to feature strongly in the Council's strategic and operational plans.
- 1.6 In 2019 we refreshed our Corporate Plan and with it restated the Council's priorities through to 2029/30. Whilst there were no significant departures from the previous plan, it was an opportunity to refine some priorities. The Council has a clear and ambitious agenda – aiming **to make Selby a great place to live, enjoy and grow with a Council that delivers great value**. This financial strategy aims to provide

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financial sustainability, resilience and capacity for the Council in pursuing its objectives.

- 1.7 This strategy aims to secure the resources necessary to deliver the Council Plan, whilst managing the risks we are facing – ultimately over the long term achieving a self-sustaining financial model which sees the Council free from reliance on central government funding by raising income locally through Council Tax and Business Rates as well as through charging appropriately for services and maximising its investments.



- 1.8 To support this paper and due to the significant volatility, three scenarios ('best', 'mid' and 'worst' case) for the General Fund and for the HRA have been modelled over the 10 years from 2021/22 to 2030/31 and are attached at **Appendix A**. The mid-case scenarios are the proposed as the frameworks for the forthcoming budget.
- 1.9 Despite the challenges we face, the Council is in a strong financial position, helped by its historic approach to delivering savings and efficiency, its success in generating New Homes Bonus and the significantly, business rates windfalls from renewable energy facilities. However, given the uncertainty for public sector finances, we remain ready to cope with a worst-case scenario whilst staying focussed on our Council Plan objectives - using our strong financial position to carefully balance investment and savings.

## 2 Update on financial assumptions

### Economic Assumptions

#### Interest Rates

- 2.1 The bank base rate was cut to 0.1% on 19 March 2020 in response to the economic fallout from Covid-19. In the latest forecasts received from Link (the Council's treasury management advisors) in July 2020, the bank rate is projected to remain at 0.1% through to 2023.
- 2.2 The approved strategy includes provision for a £350k cap on the amount of investment interest earned on cash balances used to support the General Fund revenue budget and an equivalent cap of £135k for the HRA. In addition, the General Fund includes budgets for investment income from Property Funds of £200k and loans to Selby & District Housing Trust (SDHT) of £100k (both as a result of initiatives contained within the approved savings plan). Whilst SDHT loan rates are fixed, as a result of the latest interest rate cut, the level of Council balances, and unstable financial markets, it is anticipated that returns on cash balances and property funds will be below these levels for the foreseeable future. This forecast will add to the financial pressure in both the General Fund and HRA:

	2020/21*	2021/22	2022/23	2023/24
Average rate %	0.41%	0.25%	0.25%	0.25%
GF Interest £000's	188	100	88	78
HRA Interest £000's	72	38	34	30
<b>Total Interest from cash balances £000's</b>	<b>260</b>	<b>138</b>	<b>123</b>	<b>108</b>
<b>Add:</b>				
Property Funds £'000's	100	100	100	100
SDHT Loans £'000's	100	100	100	100
<b>Total Investment Returns</b>	<b>460</b>	<b>338</b>	<b>323</b>	<b>308</b>

\*2020/21 Quarter 1 Treasury Management Report

- 2.3 Given the economic uncertainty, as a result of Covid-19 and Brexit, there is a risk of further reductions and forecasts will be kept under review. In the unlikely event that rates rise, any surplus receipts above the cap will be transferred to the Contingency Reserve. Rates will be kept under review and forecasts updated as necessary.

#### Inflation

- 2.4 As at July 2020 CPI inflation was running at 0.6% (0.5% the previous month) compared to average weekly earnings which fell by 0.3% in the 3 months to May 2020. The Monetary Policy Committee sets policies to meet the 2% CPI target and expect rates to rise over the next 2 years although the effects of Covid and Brexit mean on-going uncertainty.

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The MTFs assumptions on inflation therefore range from 1.5% to 3.5%, although a provision for inflation will only be provided on contractual budgets and staff pay, which builds in a level of risk mitigation.

### General Fund Assumptions

#### Settlement Funding

- 2.5 This element of funding has seen the most significant changes in recent years following the localisation of Business Rates and Council Tax Support.
- 2.6 The 2017/18 Local Government Finance Settlement provided figures for Settlement funding through to 2019/20. Settlement Funding includes Revenue Support Grant (RSG), Business Rates Baseline Funding (BRBF) and in addition Rural Services Delivery Grant (RSDG) and Transitional Grant (TG) were included in the settlement.
- 2.7 In its final year the Government confirmed the settlement and following consultation, removed proposals on negative RSG. It was assumed that this would be rolled into the new settlement from 2020/21 so any benefit would be for one year only but delays to the Fair Funding review and the review of the Business Rates retention system mean that it was rolled on a year. Subsequent announcements following Covid-19 have confirmed that there will be further roll-over to 2021/22.
- 2.8 For the purposes of the mid-case scenario and in the absence of any indication from the Government about the likely level of future settlements, a 2% annual uplift is assumed.

Local Government Finance Settlement	17/18 £000's	18/19 £000's	19/20 £000's	20/21 £000's *	21/22 £000's *	22/23 £000's	23/24 £000's
RSG	593	265	0	0	0	0	0
BRBF	2,294	2,365	2,554	2,459	2,515	2,565	2,617
Tariff adjustment			-101	-103		0	0
<b>SFA</b>	<b>2,887</b>	<b>2,630</b>	<b>2,554</b>	<b>2,459</b>	<b>2,515</b>	<b>2,565</b>	<b>2,617</b>
RSDG	108	135	108	108	108	0	0
TG	11	0	0	0	0	0	0
<b>Total</b>	<b>3,006</b>	<b>2,765</b>	<b>2,554</b>	<b>2,567</b>	<b>2,623</b>	<b>2,565</b>	<b>2,617</b>

*\*Multi-Year Settlement runs to 2019/20 – 2021/22 (+2% inflation thereafter). From 22/23 figures are subject to Fair Funding Review and Business Rates Reset*

- 2.9 The settlement shows there has been a real term core funding reduction of approximately £1.9m from 2015/16 to 2019/20 with RSG being completely phased out over the period.

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- 2.10 The Government has now shelved plans for Local Government to retain 100% of business rates and piloted a 75% retention system in 2019/20 – Selby was part of the North and West Yorkshire 75% pool pilot. In 2020/21, with the uncertainty over the future for Local Government funding, Government reverted to the 50% scheme and Selby withdrew from the pool. In the absence of any indication about the future of Business Rates this position is assumed going forward.

### Business Rates Retention

- 2.11 The current approach to Business Rates Retention income is to set aside gains above our baseline funding (per settlement) into the Business Rates Equalisation reserve to off-set potential future losses. A rolling balance of 3 years cover down to the safety net **plus** funds to back fill planned savings will be maintained in this reserve. Balances above this level will be available for investment.
- 2.12 The Council is currently at the ‘safety net’ for the purposes of rates retention but in receipt of a large windfall from renewable energy (£9.019m p.a. in 2020/21). It is anticipated that this financial situation will continue for a further year until the system is reset from 2022/23, although it would not be prudent to make plans for spending this income until this is confirmed.
- 2.13 Our forecast for 2020/21 is based on our NNDR1 return taking account of the 2017 revaluation, any revaluations and the latest intelligence on appeals, business growth and closures known at that time. From 2022/23 and the assumed system reset, the 50% baseline is assumed:

Business Rates Income	Actual 2019/20* £000's	Forecast 2020/21 £000's	Estimate 2021/22 £000's	Estimate 2022/23 £000's	Estimate 2023/24 £000's
<b>Safety-Net</b>	<b>2,426</b>	<b>2,274</b>	<b>2,326</b>		
Transfer from BRER	128	185	189		
<b>= Baseline</b>	<b>2,554</b>	<b>2,459</b>	<b>2,515</b>	<b>2,565</b>	<b>2,617</b>
<b>Assumed growth</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>Renewable Energy/Surplus</b>	<b>8,865</b>	<b>9,019</b>	<b>9,172</b>	<b>0</b>	<b>0</b>

\*In 2019/20 Selby was part of a 75% pool pilot with a safety threshold of 95%

- 2.14 These forecasts do not include any provision for new significant appeals or closures beyond those already known at NNDR1 stage and therefore they should be treated with extreme caution, particularly in light of the potential impacts of Covid-19. The figures for 2019/20 included a downward revaluation for Eggborough Power Station and a revaluation of Drax. As Selby is already below the safety net, any further losses are borne by the Government, and no growth above our baseline funding is anticipated for the foreseeable future. Following the system reset, any subsequent additional growth will be factored into our plans once a clear trend can be established and decisions on

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future allocations will need to be taken in light of the overall funding available and risk at that time.

### New Homes Bonus

- 2.15 New Homes Bonus (NHB) is an incentive scheme which rewards housing growth. The scheme is funded partly by the Government and also by top-slicing the Local Government funding settlement. Selby achieved £2.4m p.a. when the scheme reached maturity for 2016/17 (year 6 of the scheme).
- 2.16 The Government's evaluation of NHB and consultation early in 2016 resulted in it being scaled back to a 4 year scheme with a 0.4% growth threshold. New Homes Bonus funding is only secured to 2020/21 and latest intelligence suggests that this scheme will be replaced in its entirety, with the Government considering alternative ways to incentivise housing growth alongside the reformed system of Local Government funding. The 2020/21 settlement indicated that new payments for 20/21 would be for one year only and the scheme would run down over the following 2 years. New Homes Bonus forecasts are therefore:

New Homes Bonus	2019/20 £000's	2020/21 £000's	2021/22 £000's	2022/23 £000's	2023/24 £000's
Year 1					
Year 2					
Year 3					
Year 4					
Year 5					
Year 6	368				
Year 7	405	405			
Year 8	415	415	415	0	0
Year 9	767	767	767	767	0
Year 10*		947	0	0	0
<b>Total</b>	<b>1,955</b>	<b>2,534</b>	<b>1,182</b>	<b>767</b>	<b>0</b>

*Year 10 is assumed as a one off as indicated in the 20/21 settlement*

Given the pressures on the revenue income as a result of Covid-19, these resources will be used to support the revenue budget for the remaining years of the scheme.



## Special and Specific Grants

- 2.17 The Council is in receipt of a number of additional grants for 2020/21 which may continue into the future:

Grants	2019/20 £000's	2020/21 £000's	2021/22 £000's	2022/23 £000's	2023/24 £000's
Rural Services Delivery Grant*	<del>408</del>	108	108	0	0
Transition Grant	0	0	0	0	0
Other Grants	105	113	113	0	0
Covid - emergency funding (allocated to GF)	0	1,068	0	0	0
<b>Total Grants</b>	<b>105</b>	<b>1,289</b>	<b>221</b>	<b>0</b>	<b>0</b>

\*RSDG rolled into Business Rates Baseline in 2019/20 to reflect 75% retention system pilot.

- 2.18 Future funding is dependent upon the outcome of the new Business Rates Retention system – which has been delayed until 2022/23. For 2021/22 it is assumed that the current position is rolled on for a further year. Beyond 2022 it is assumed that these grants will be rolled into Business Rates funding.
- 2.19 Covid-19 funding of £1.068m has been received to date in 2020/21 with £1.068m allocated to the GF and £0m to the HRA. At this stage it is not known if further funding will be made available. The full year impacts of Covid-19 are currently estimated at £3.7m for 2020/21 (mid-case scenario £2.6m GF and £1.1m HRA). If no further funding is received then the gap would need to be funded from the Council's own resources.
- 2.20 Non-service grants are not ring-fenced and are applied to finance the General Fund revenue budget. In addition, there are various service specific grants which are included within the Net Revenue budget – (see paragraph 2.31). It is assumed that there is corresponding expenditure for these elements, although reductions in such grants add further pressure to our savings requirements (as we have seen with Council Tax and Housing Benefit Administration Grants).

## Council Tax

- 2.21 A Council Tax Base of 31,989 has been set for 2020/21 with a 1% rise forecast thereafter included in the Council's current Medium-Term Financial Plan. Every 0.5% variance in level would add/subtract approximately 156 Band D equivalents to our Tax Base which equates to around £29k p.a. at the current Band D charge (£183.22).
- 2.22 Covid-19 has had an impact in the early stages of 2020/21 with an increase in residents requiring Council Tax Support and delays to

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development in the district. At the end of June, the number receiving support had increased by 526, resulting in a tax base reduction of 364 and property growth added 263 to the tax base – a net reduction of 101 (a tax base of 31,888). The mid-case scenario assumes the tax base remains at 31,888 in 2021/22, with any developments being netted off by increases in Council Tax Support. The mid-case scenario assumes 0.5% growth for 2022/23, with growth returning to 1% from 2023/24 onwards.

	2019/20	2020/21	2021/22	2022/23	2023/24
Revised Tax Base growth			-0.32%	0.5%	1.0%
New Mid-case Tax Base	31,395	31,989	31,888	32,047	32,368

- 2.23 Compared to the current Medium-Term Financial Plan (3 year budget) by 2022/23 the tax base will be 585 lower – which equates to a reduction in Council Tax income of £107k p.a. at the current Band D charge. The impacts of Covid-19 on employment and businesses continues, and there is inherent risk that the tax base could fall further if Council Tax Support continues to rise.
- 2.24 In addition, collection rates have been lower in the first quarter and this is expected to continue over the remainder of 2020/21. This combined with the reduced tax base is expected to result in an overall collection fund shortfall of £245k in 2020/21, which will be charged as a Collection Fund deficit in 2021/22. Higher payment failure is only assumed in 2020/21.
- 2.25 At this stage the Government has not proposed changes to the council tax referendum principles that were used in 2020/21 although an update is expected alongside the provisional local government finance settlement. The current principles are to allow district councils to increase their Band D charge by up to £5 or 2% (whichever is the higher) without triggering a referendum. The mid-case assumes a £5 increase.
- 2.26 A £5 (2.8%) increase equates to an increase of 9.6p per week for 2021/22. A 1.99% rise (in line with inflation assumptions) has been modelled for 2022/23 onwards:

	2019/20	2020/21	2021/22	2022/23	2023/24
Tax Base	31,395	31,989	31,888	32,047	32,368
Band D Charge £	178.22	183.22	188.22	191.97	195.79
Increase %	2.89%	2.81	2.73	1.99	1.99
Council Tax Income £000's	5,595	5,861	6,002	6,152	6,337
Collection Fund Surplus/(Deficit)	77	(245k)	0	0	0

Note: Collection fund deficit for 20/21 will be distributed in 21/22

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2.27 Subject to the referendum principles, should the Council wish to consider an alternative policy on Council Tax:

- a 1.99% increase in 2021/22 would reduce income by a further £43k (in addition to the £107k as a result of the reduced tax base) – a loss of circa £492k over the life of the MTFS.

The best case scenario incorporates the £5 increase and the worst case a 1.99% increase.

### Service Income

2.28 The Council approved an Income Strategy in 2016 which established full cost recovery as the default for all discretionary charges unless a specific decision to subsidise has been taken.

2.29 Covid-19 has had a significant impact on a number of income streams in 2020/21. The mid-case scenario assumes that prices are increased in line with inflation and, with the exception of planning income (which could continue to be depressed into 2021/22), pre-Covid demand returns with effect from 1 April 2021.

2.30 The table below shows the main service-related income streams:

<b>Service Income</b>	<b>2019/20 Actual</b>	<b>2020/21 Forecast *</b>	<b>2021/22 Estimate</b>	<b>2022/23 Estimate</b>	<b>2023/24 Estimate</b>
	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>
<b>General Fund</b>					
Waste Collection & Recycling	1,301	1,263	1,325	1,350	1,377
Planning	980	596	1,013	1,157	1,158
Car Park Income	325	174	355	355	355
Selby Leisure Centre / Summit	438	0	479	469	475
Commercial Property Rental	285	214	367	368	369
Lifeline Private Clients	232	250	286	292	298
Court Fees / Summons Costs	172	50	155	155	155
Land Charges Search Fees	116	100	124	126	128
Miscellaneous Fees & Charges	175	101	103	105	107
Licences	163	135	138	141	144
<b>Total Service Income</b>	<b>4,187</b>	<b>2,883</b>	<b>4,345</b>	<b>4,518</b>	<b>4,566</b>

\*Per Q1 20/21 and MHCLG return July 2020

## Service-Related Grants

- 2.31 Service-related grants fund a variety Government backed activities and associated costs within services. It is assumed that such grants are matched by equivalent costs, and that should the grants reduce or cease, the Council's corresponding costs would also reduce or cease. Latest forecasts are:

<b>Service Related Grants</b>	<b>2019/20 Actual</b>	<b>2020/21 Forecast *</b>	<b>2021/22 Estimate</b>	<b>2022/23 Estimate</b>	<b>2023/24 Estimate</b>
	£000's	£000's	£000's	£000's	£000's
Private Sector / Disabled Facilities Home Improvement Works	444	444	444	444	444
Housing Benefits Admin & Counter Fraud Grant	190	159	159	159	159
Homeless Persons	474	220	171	171	171
Discretionary Housing Payments Grant	101	127	115	115	115
Other Small Grants	87	0	0	0	0
New burdens : business grants	0	130	0	0	0
<b>Total</b>	<b>1,295</b>	<b>1,080</b>	<b>889</b>	<b>889</b>	<b>889</b>

## Service Expenditure

- 2.32 Contingency Budgets are provided to enable in-year funding should unforeseen issues arise. Base budgets include:
- General Fund Operational Contingency - £100k
  - General Fund Commissioning Contingency - £100k
- 2.33 Looking ahead to the potential for Local Government reorganisation it would be prudent to temporarily increase the Operational Contingency to allow for additional costs arising from the process. An additional £150k is proposed for 2020/21 and 2021/22.
- 2.34 Latest forecasts for 2020/21 indicate an increase in non-recurring expenditure of £173k as a result of Covid-19. These costs have been included in the revised budget position for 2020/21.

## Housing Revenue Account Assumptions

- 2.35 The core assumptions which impact the HRA include: inflation and interest rates; rent levels; void properties; bad debts; right to buy sales; and new build/acquisitions. The economic assumptions applied to the General Fund will also be applied to the HRA.

### Dwelling Rents

- 2.36 2019/20 was the final year of the Government's 4 year plan to reduce Social Housing rents by 1% year on year. This squeeze on rental income has reduced the amount available to invest in improving our housing stock and new build housing. From 2020/21 the Government's new rent policy came into force with a CPI + 1% (max) rise for the period through to 2024/25 (although there could be further Government policy change in this period so rental assumptions should be treated with caution). The assumption on void properties has increased from 1% to 2% and doubtful debts remain unchanged with 1% in respect of general debt and 3% in respect of universal credit, applied.

### Council House Sales and New Builds/Acquisitions

- 2.37 In the first quarter of 2020/21, 4 sales have been completed under right to buy – slightly below normal levels. For 2020/21 16 sales are assumed with sales return to 20 p.a. from 2021/22. Such sales are sensitive to economic change and therefore these will be kept under close review.
- 2.38 New builds and acquisitions are currently forecast in line with the Council's approved Housing Development Programme. The HRA Business Plan includes the aspiration for 1 for 1 replacement of homes sold through right-to-buy. However, as our plans are being brought forward some flex will be required as we deal with the impacts of Covid-19 and consequently these assumptions are subject to change. Any such change will be subject to business cases which will consider the impact on the long term financial outlook for the HRA and seek to strengthen and improve the long term sustainability/viability of the HRA. Taking assumed rent levels and property numbers, rent forecasts are:

<b>Rent Forecasts</b>	<b>2019/20</b>	<b>2020/21</b>	<b>2021/22</b>	<b>2022/23</b>	<b>2023/24</b>
Number of dwellings (mid-year average)	3,040	3,032	3,029	3,029	3,029
Average Rent - Rent Restructuring £	82.48	84.98	86.34	88.07	90.27
<b>Net Rent Income £000's</b>	<b>11,836</b>	<b>12,157</b>	<b>12,302</b>	<b>12,548</b>	<b>12,862</b>

## Other Income

- 2.39 In accordance with our fees and charges policy it is assumed that garage rents will increase by CPI inflation each year:

Service Income	2019/20 £000's	2020/21 £000's	2021/22 £000's	2022/23 £000's	2023/24 £000's
HRA Garage Rents	102	106	107	109	111

## Debt Charges Assumptions

- 2.40 Management of the Council's debt is governed by the Treasury Management Strategy and Prudential Indicators which aim to ensure the Council's capital expenditure plans are prudent, affordable and sustainable, with decisions on borrowing taken in light of spending plans and available funding, cash flow needs and interest rates (current and future forecasts).
- 2.41 Borrowing enables the Council to spread the cost of capital expenditure over time. Generally speaking it gives rise to two charges against the revenue budget: Minimum Revenue Provision (MRP) and interest payable on debt.
- 2.42 MRP is an amount set aside to repay debt in accordance with the approved policy within the Treasury Management Strategy. As part of the overall savings plan, the Council has maximised General Fund MRP set aside, by applying some of the business rates windfalls received. This voluntary set-aside has delivered a corresponding annual revenue saving.
- 2.43 A small amount of MRP charge remains within the General Fund relating to the cost of the 'fit-out' of the Summit which is covered by the trading concession fee received from 'Inspiring Healthy Lifestyles' – this arrangement aims to ensure that the facility remains sustainable by maintaining financial capacity to replace the interior at the end of the 10 year contract, should this be required.
- 2.44 The majority of debt charges fall on the HRA as a result of taking on circa £60m of central government debt when the previous HRA subsidy system was abolished in April 2012. MRP is currently £1.49m p.a. (rising to £2.68m in 2022/23) and interest payable is £2.06m p.a. increasing to £2.12m in 2022/23. The amount of borrowing allowable within the HRA is no longer subject to a 'debt cap' and therefore borrowing is available to support future capital investment subject to this being prudent and affordable.

- 2.45 The current environment of low returns on cash investments means that it is more favourable to borrow internally (i.e. use available cash earmarked for future spend) than take out new external borrowing. However, this will be kept under review as part of monitoring the Council's Treasury activities and corresponding interest charges will be factored into the budget to ensure sufficient capacity to accommodate any necessary borrowing.

### **Reserves and Balances Assumptions**

#### General Balances

- 2.46 In accordance with the current strategy it is assumed that General balances are **not** used to support the revenue budget.
- 2.47 General Balances remain funding of last resort. The approved minimum working balance is £1.5m for both the General Fund and HRA and resources will be managed to maintain this level over the medium to long term.

#### Earmarked Reserves

- 2.48 The following has been extracted from the current approved MTFs and updated with the latest available intelligence – it sets out the rationale for each reserve and the proposed contribution where applicable.

#### Earmarked General Fund Reserves

A review of major earmarked reserves has been undertaken and the following proposed:

- PFI – Based on current forecasts and following an additional lump sum contribution in 2016/17. The on-going adequacy of this reserve is kept under review in light of interest rates and inflation. Any necessary increases in contributions will form part of the revenue budget and will be funded as a commitment before further service growth is considered.
- ICT Replacement – annual contributions of up to £250k p.a. General Fund and £50k p.a. HRA contributions are planned to sustain this important reserve, which provides the financial capacity to upgrade and replace our ICT infrastructure, hardware and systems in accordance with our approved ICT Strategy. The use of ICT to support the Council's customer 'self-service' and channel shift agenda means that the financial capacity to invest in modern technologies is crucial to support future services and deliver savings. A review of the Council's ICT strategy was undertaken in 2017/18 and a one-off injection of £500k was included in the approved revenue budget in 2018/19. Fixed contributions allow the

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smoothing of these irregular costs to avoid peaks and troughs in funding requirements. Spending is planned over a 10 year period allowing for known upgrades and systems/replacements. From 2020/21 to 2022/23 the level of contributions are being increased up to £300k p.a. to sustain this reserve.

- Asset Management - £200k p.a. (£178k plus £22k for the Summit Indoor Adventure), is transferred into this reserve to cover our commitments to maintaining our built assets. Major surfacing works to the Council's car parks are in progress with £900k spent/committed from this reserve for these works. Accordingly, a one-off top-up of this reserve was approved in 2018/19. An update to the assessment of works required to maintain our assets over the coming 10 years will be done as part of the next Asset Management Strategy refresh. In the meantime, it is proposed that annual contributions be maintained at £200k p.a. pending a more detailed view of future spending needs.
- Special Projects Reserve – Excess business rates income beyond that required for the Business Rates Equalisation Reserve (see above) is used to top up this reserve which is currently applied to fund the Council's 'Programme for Growth'. At 31 March 2021 it is estimated that a further £9.2m will be available for allocation to extend the Programme and/or support other non-recurring spending priorities as well as increase capacity to deliver the programme. Proposals will be brought forward as part of the forthcoming budget round. **However, it must be stressed that the use of these resources to fund growth is wholly dependent upon achieving the revenue savings targets set.**
- s106 and Community Infrastructure Levy Reserves – these reserves are restricted to the uses specified through the planning process. They include affordable housing commuted sums, general s106 receipts and Community Infrastructure Levies (CIL). Affordable housing commuted sums are ring-fenced to support new affordable housing delivery with restrictions on use and requirements to spend within a given timescale. The reserve receives any in-year s106 affordable housing commuted sums which are then applied to our affordable homes programme aiming to deliver more homes 'off-site' than could have been delivered through 'on-site' provision. Other s106 sums and CIL are held pending allocation to infrastructure and related uses.
- Discretionary Rate Relief – this reserve was established with £300k from the 2012/13 General Fund revenue surplus. Future contributions could come from excess Business Rates income subject to availability and prioritising against the revenue budget and 'Programme for Growth'. A budget of £100k p.a. has been created and will be funded by this reserve – this will enable applications for relief to be considered and awarded promptly. The



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balance will be kept under review and topped up from in-year savings if required.

- Business Development – the need for on-going savings and efficiencies to achieve the Council's objectives remains a key priority. This reserve provides up-front investment for service improvements and efficiency initiatives, to support the Council's savings plan – in particular commercialisation and income generation. The reserve will be topped up from in-year surpluses, if any, subject to other reserve priorities.
- Pension Equalisation – this reserve receives contributions which provide capacity within the General Fund revenue budget for a rise in employer pension contributions following each triennial valuation. However, the Council has reduced its historic pension fund deficit with a one-off lump sum payment of £9.4m in 2016/17. Following the triennial valuation in 2019 contributions to this reserve have been reviewed with phase increases up to £185k over the next 3 years. Future requirements will be reviewed again in light of the next triennial valuation due in 2022.
- Business Rates Equalisation – this reserve was created in 2012/13 in anticipation of localised Business Rates and the funding risk inherent within the scheme. The current strategy assumes that any excess Business Rates above our baseline are transferred into this reserve to mitigate any funding shortfalls prior to the safety net being reached.

For the purposes of rates retention and whilst receiving the large cash windfalls from renewable energy, the Council is at the safety net and is expected to be in this position until the system is reset. Given the anticipated changes to the rates retention scheme, the current MTFS provides that 3 years' worth of safety net 'top-up' be held as a minimum balance plus a further sum to back-fill savings targets and support the revenue budget. This is the reserve that is being used to support the revenue budget as a result of discretionary decisions regarding Covid-19 and this will be the reserve that is called upon if Government funding is not sufficient to cover all of the Covid-19 impacts.

Latest mid-case projections show a savings requirement of up to £6.5m over the next 3 years. This, along with a safety net 'top-up' suggests a balance of £6.9m. The estimated balance at the end of 2020/21 is £4.9m and therefore, a £2m top-up is required from the renewable energy windfall expected to be received in 2020/21.

The impact of the system reset and the potential for a 75% rates retention pool will be considered and if necessary future changes to this reserve will be brought forward in due course.

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- Local Plan Reserve – delivery of a district wide local plan requires a significant and sustained resource input over a relatively long period of time, which can put pressure on in-year budgets when peaks in work occur. £355k was earmarked in 2015/16, with a further £145k from the revenue budget in 2016/17 and then £50k p.a. set aside thereafter. With growing demands in this area an additional £250k transfer from the Contingency Reserve was approved in 2018/19. The reserve has been reviewed in light of the decision to take forward a new local plan. The on-going adequacy of this reserve will be kept under review and should further one-off injections be required, funds will be appropriated from the Special Projects Reserve.
- Contingency – this reserve provides resources to cover unforeseen issues beyond those that can be accommodated by in year contingency budgets – for example significant planning appeal costs. The reserve is topped-up using year-end surpluses if available and required.

### Housing Revenue Account Reserves

- Major Repairs Reserve – this reserve provides the resources to manage the condition of the Council's housing stock over the long term. It receives depreciation charges along with any in-year surpluses generated through the HRA.

### Capital Reserves

- Useable Capital Receipts – generated through the sale of Council assets (General Fund and HRA). The Council's Asset Management Strategy sets out our approach to assets, including review of assets for disposal. These receipts can only be used to fund capital expenditure and are allocated in light of our capital investment plans.
- Retained housing receipts – receipts generated from right to buy sales over and above the Government's assumptions following extension of right to buy discounts can, subject to terms and conditions, be retained for re-investment in new homes.

2.49 A forecast of reserve balances is set out at **Appendix B**.

### 3 Revised Revenue Budget 2020/21 and Outlook 2021/22 to 2023/24

#### Costs

- 3.1 Covid-19 has already had a major impact on the Council's finances in 2020/21, with additional costs and delays to savings plans, as a result of the lockdown measures that were introduced in March 2020. As at Q1, forecasts have been updated to reflect the easing of lockdown measures and a gradual return to 'normality' although there is risk of a second spike in cases and lockdown restrictions resuming.
- 3.2 Latest forecasts for 2020/21 indicate additional non-recurring expenditure of £173k directly as a result of Covid-19. Requirements include preparations for changes to the office, additional IT kit for remote working and additional homelessness support. These costs are included in the revised budget position for 2020/21.
- 3.3 In addition to direct costs some services are experiencing backlogs. The 'Live' planning and enforcement caseload has increased by 70% - 150% to over 500 cases against a normal workload of 200 – 300. Additional staffing resources (including agency staff) and legal support will be needed to clear the backlog over the remainder of the current financial year. The extra cost of these resources is estimated at £166k.
- 3.4 Beyond 2020/21 no residual financial revenue cost impacts are currently assumed although some service backlogs, delays to capital programmes and slippage in programme for growth projects are likely to carry into 2021/22.
- 3.5 Covid-19 aside, it is assumed that on average costs will increase in line with inflation. Whilst reductions in general grant continue, demand led recurring cost pressures must be contained within the net revenue budget. The strategy assumes that such cost pressures are managed within the overall base budget and therefore any proposed cost increases must be covered by equivalent savings elsewhere, over the medium-term.
- 3.6 The single largest cost to the Council is its employees. In 2020/21 the Council's payroll budget is approximately £8.3m. £7.0m of this is base budget salary (£7.0m in the General Fund and £0.08m in the HRA), whilst £1.3m is funded from grants or reserves (including circa £1m to directly support the Programme for Growth). The salary budget includes a 5% vacancy factor. Provision for a 2% pay award has been factored into our current medium-term financial plan but there is a risk of above inflationary increases which will ultimately increase the need for revenue savings. The latest pay offer for 2020/21 is 2.75%, which if accepted, would result in an increase of £53k – this has been included in the proposed revised budget and the base going forward.

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- 3.7 Generally, there is downward pressure on staffing budgets meaning underspends and associated capacity issues. Work on our approach to Organisational Development is in progress but as a small authority we often find it difficult to compete particularly in professional services such as planning.
- 3.8 The Council's ambitious growth agenda (an agenda which is fundamental to the long-term sustainability of our vital public services) meant a need to increase our internal capacity. In the shorter term this continues to require support from the Council's reserves and the Council has approved fixed term funding through the Programme for Growth. These salary costs will need to be managed out of the budget when projects are completed, and this funding comes to an end.
- 3.9 In addition there are a number of emerging priorities and risks that are currently being monitored and strategic choices which may require funding:
- Street scene and leisure – ongoing contract negotiations plus uncertainty around recycling income rates and credits and the potential effect LGR could have on the market;
  - Climate change –interventions which could be off-set by investment in renewable energy to deliver revenue returns;
  - Continuing ICT investment to enable transformational change e.g. digital strategy;
  - Brexit – as the transition phase draws to a close there remains the prospect of no trade deal with Europe and future economic uncertainty, which could have far reaching impacts on the public sector;
  - Local Government reorganisation and devolution.
- 3.10 One-off projects, for example to support future growth can be funded through reserves supported by renewable business rates and new homes bonus (whilst we have them), issues which have recurring cost impacts will add pressure to the base budget. At this stage, a broad estimate of the additional recurring costs could be in the region of £300k - 500k p.a. but further work will be required to assess as these issues become clearer.
- 3.11 Impacts of this magnitude would be impossible to contain within the revenue budget and therefore the savings gap would inevitably widen. The worst case scenario builds in these additional costs and shows that by 2021/22 the recurring deficit on the revenue budget would be around £3m, and without savings, available reserves would be fully depleted within the next 3 years

### Income

- 3.12 As highlighted in paragraph 3.1, Covid-19 has had a major impact on the Council's finances in 2020/21, with significant income losses as a

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result of the lockdown measures that were introduced. Again, forecasts have been updated to reflect the easing of these measures. Beyond 2020/21 pre-Covid income levels are expected to return in most services although planning income is expected to take longer to recover.

- 3.13 Opportunities for income generation remain a priority although recovery from the impacts of Covid-19 and the prospect of Local Government re-organisation will limit our shorter-term capacity.
- 3.14 The windfall from Business Rates income will have a significant positive impact on our General Fund financial position at least in the short term but we will need to keep this under close review and, with the exception of salary costs, in accordance with the previously approved MTFs and budget, it is assumed that growth above our baseline funding is used to fund 'one-off' project related spending to support service investment and local economic growth. Whilst the Government's review of Local Government Funding and the Business Rates Retention system are delayed it is impossible to predict with confidence, the level of resources we can expect beyond 2020/21.
- 3.15 Housing rents are subject to the Government's control. From 2020/21, it is assumed that the maximum CPI + 1% will be applied in line with government policy for a 5 year period but as highlighted in paragraph 2.36 above this could be subject to change.

### Net Budget Forecast (Mid-Case)

- 3.16 The forecasted resources and revenue budgets to 2023/24, including approved bids and known commitments, are shown in the table below. The revised budget includes the Covid-19 emergency funding received to date, and supplementary estimates approved, along with their corresponding reserve drawdowns (gross £208k and net nil). The movements relating to Covid-19 are set out at **Appendix C**.

<b>General Fund</b>	<b>Revised Budget 2020/21 £000's</b>	<b>2021/22 £000's</b>	<b>2022/23 £000's</b>	<b>2023/24 £000's</b>
Council Tax-	-5,861	-6,002	-6,152	-6,337
CTax Collection Fund Surpluses/ Deficit (-/+)	-74	245**	0	0
Business Rates Collection Fund Surpluses*	-9,019	-9,172	0	0
Business Rates	-2,274	-2,326	-2,565	-2,617
Rural Services Delivery Grant	-108	-108	0	0
New Homes Bonus	-2,534	-1,182	-767	0
Other Non-Service Grants	-1,181	-113	0	0
<b>Total Resources</b>	<b>-21,051</b>	<b>-18,658</b>	<b>-9,484</b>	<b>-8,954</b>
<b>Net Budget before trfs to/from Reserves</b>	<b>15,077</b>	<b>12,176</b>	<b>12,181</b>	<b>9,886</b>

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General Fund Cont'd	Revised Budget 2020/21 £000's	2021/22 £000's	2022/23 £000's	2023/24 £000's
<b>Net Budget before trfs to/from Reserves</b>	<b>15,077</b>	<b>12,176</b>	<b>12,181</b>	<b>9,886</b>
Net transfer to/from Reserves	105	5,267	-3,833	11
Increased contingency	150	150	0	0
Covid cost pressures	173			
Covid income pressures	1,543	493	362	372
Covid Savings	603			
Additional pay award	53	54	55	56
Other cost/savings pressures	166	185	186	186
Cap Programme and P4G reprofiled	3,304	1,254	1,262	0
<b>Revised Forecast Surplus/Deficit (-/+)</b>	<b>-43</b>	<b>921</b>	<b>729</b>	<b>1,557</b>
Note: Planned Savings included within services	155	747	848	848

\*Renewable energy business rates

\*\*Collection fund deficit relating to Covid impacts in 2020/21

Housing Revenue Account	Latest Budget 2020/21 £000's	Revised Budget 2020/21 £000's	2021/22 £000's	2022/23 £000's	2023/24 £000's
Dwellings Rents	-12,157	-12,157	-12,302	-12,548	-12,862
Garage Rents	-106	-106	-107	-109	-111
Total Resources	-12,263	-12,263	-12,409	-12,657	-12,973
<b>Net Service Costs</b>	<b>7,055</b>	<b>6,931</b>	<b>7,154</b>	<b>7,294</b>	<b>7,457</b>
MRP	1,492	1,492	1,575	2,682	2,769
Covid cost pressures		279			
Covid income pressures		219			
<b>Forecast Surplus/Deficit (-/+) transferred to MRR to fund the capital programme</b>	<b>-3,716</b>	<b>-3,342</b>	<b>-3,680</b>	<b>-2,681</b>	<b>-2,747</b>

- 3.17 The General Fund shows a revised budget surplus of £43k in 2020/21 after the application of £1.4m of New Homes Bonus towards the financial impacts of Covid-19 and other cost pressures, and the delivery of £155k of planned savings. The impacts of Covid and other cost/income pressures, coupled with reducing New Homes Bonus, means that the residual deficit (after current planned savings) reaches £1.6m by 2023/24. Planned savings currently total £848k which means there is an overall shortfall of £2.4m by 2023/24 although as

highlighted at paragraph 3.11 further emerging cost pressures could increase this.

- 3.18 The HRA shows a forecast surplus on its revenue activities but pressures arising from stock conditions and the previous 4 years rent reductions means that financing the required improvements will be challenging in the short to medium term and therefore cash flows will have to be carefully managed.
- 3.19 The on-going risk to the Council's funding (General Fund and HRA) means that we will need to strike a balance between savings and investment. We will continue to strive for more efficient and effective services and maximising income where possible and appropriate, which in turn will enable the financial capacity for investment to achieve sustainable cash 'returns' and minimise the impact on front line service outcomes and in the case of the HRA the amount available for investment in our housing stock.

#### 4. Savings

- 4.1 This MTFs emphasises the careful balance that is required between investment and savings in order to ensure the Council's finances remain sustainable. Delivering on-going efficiencies is a key part of the Council's 'Great Value' priority – being as efficient as possible and living within our means, whilst using the financial capacity created to generate long-term gains to improve outcomes for citizens.
- 4.2 Taking the proposals for Council Tax, growth, and reserve transfers and assumptions on Formula Grant, the estimated requirement for savings on the General Fund is £2.4m by 2023/24 (and potentially higher if further emerging cost pressures materialise).
- 4.3 Historically, the Council has a good track record for delivering savings, but progress has been behind profile in both of the last two years and at the end of quarter 1 of 2020/21, the impacts of Covid-19 have led to substantial shortfalls. Risk to delivery of the savings plan is recognised and reserves have been earmarked to mitigate non-delivery in the shorter term, as it is becoming increasingly difficult to achieve further savings from a reducing cost base (a situation exacerbated by Covid-19). However, the focus on delivering planned savings will be maintained, given the importance of savings in achieving the Council's financial (and wider) objectives and to avoid the long term use of balances to support on-going spending which is unsustainable. The Council's approach to savings covers three key strands:
- **Growing** our resources through charging for services, trading externally and importantly investing in economic growth to drive growth in Council Tax and Business Rates;
  - **Transforming** our business through the use of technology and

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flexible working to meet citizen and customer needs;

- **Commissioning** from and with partners to achieve shared efficiencies and reduce the demand for public sector services.

4.4 A number of 'technical' savings have also been delivered which involved the set-aside of one-off sums to reduce the on-going base budget – these included a £1.5m contribution to the Private Finance Initiative (PFI); £3.3m voluntary minimum revenue provision in relation to outstanding debt; and a £9.391m lump sum payment to the North Yorkshire Pension Fund to reduce employer contributions.

4.5 The General Fund savings forecast for 2020/21 currently totals £155k and totals £19k for the HRA. Taking into account the updated forecasts in the MTFs and progress on the current savings plan, the estimated position on savings is:

GF Savings Summary	Revised 2020/21 £000's	2021/22 £000's	2022/23 £000's	2023/24 £000's
Estimated Deficit / (Surplus) (mid-case)	(43)	1,668	1,577	2,405
<b>Savings planned:</b>				
Low risk	(69)	(70)	(71)	(71)
Medium risk	(86)	(577)	(577)	(577)
High risk	0	(100)	(200)	(200)
<b>Total per plan</b>	<b>(155)</b>	<b>(747)</b>	<b>(848)</b>	<b>(848)</b>
<b>Residual Shortfall/(Surplus)</b>	<b>(198)</b>	<b>921</b>	<b>729</b>	<b>1,557</b>
HRA Savings Summary	2020/21 £000's	2021/22 £000's	2022/23 £000's	2023/24 £000's
Assumed residual target	214	214	214	214
Low risk	19	12	12	12
Medium risk	0	194	194	194
High risk	0	8	8	8
<b>Total per plan</b>	<b>19</b>	<b>214</b>	<b>214</b>	<b>214</b>
<b>Residual Shortfall</b>	<b>195</b>	<b>0</b>	<b>0</b>	<b>0</b>

*Note HRA is in surplus but resources are required for capital programme so an assumed savings target is applied*

4.6 **It is stressed that failure to deliver the savings target would require the use of further reserves to balance the budget which would undermine the Council's long-term financial resilience and therefore work to deliver and identify further savings to bridge any gap must continue.**

4.7 The current savings plan is attached at **Appendix D**.



## 5 Capital Programmes

- 5.1 The Council's Capital Programmes contain the 'business as usual' capital projects planned – for the General Fund these include Disabled Facilities Grants (DFGs), ICT replacements, major works to the Council's assets and loans/grants to Selby and District Housing Trust to support affordable housing delivery; and for the HRA the various enhancement works to the Council's housing stock as well as new build schemes. Expenditure is funded by earmarked reserves set aside for these specific purposes, or through capital receipts from Council House and other asset sales. For information, the approved programmes are attached at **Appendix E**.
- 5.2 The impact of Covid-19 has contributed to considerable delays in the programmes in 2020/21. The quarter 1 financial update report proposes carry forwards of £3.3m in the General fund and £5.7m in the Housing Revenue Account as laid out in **Appendix E**.
- 5.3 After current commitments, there is currently around £3.4m available in usable capital receipts estimated over next 3 years from right to buy receipts, and land/property sales. In recent years low level receipts have been used to cover the cost of Disabled Facilities Grants, however increases in Council House sales and the Council's agreement with the Government to retain extra receipts to achieve one for one replacement of Council homes, means that going forward, receipts retained from council house sales can be used to support the Council's affordable homes development strategy and deliver new build homes across the district.
- 5.4 In addition s106 affordable housing commuted sums are anticipated, which provide the potential to extend our house building/acquisition programme further. Plans are already in progress on the £22m development programme approved by the Executive in January 2018, but with rising right to buy receipts and s106 commuted sums, there is potential to increase our existing programme further.
- 5.5 For the purpose of this strategy it is assumed that new acquisitions (purchased or built) will be subject to business cases and at least self-financing through the rental income achieved.
- 5.6 It is not expected that there will be any new additions to the existing capital programme. Delivery has been delayed as a result of Covid-19 and quarter 1 forecasts indicate £3.3m of slippage into subsequent years on the General Fund and £5.7m on the HRA and therefore focus will be on maximising delivery of the existing programme. Borrowing requirements will continue to be kept under review.

## 6 Programme for Growth

6.1 The 'Programme for Growth' is the Council's strategic programme to support delivery of its Corporate Plan. The programme comprises a range of cross cutting projects designed to '**make Selby a great place**' by investing in jobs; housing; infrastructure/economic development; and the tourism economy. The approved programme, is set out at **Appendix F with the latest phasing of spend.**

6.2 The programme is now in its fourth incarnation, with an initial suite of projects approved as part of the 2018/19 budget and then revised in January 2019. Extensions to contracts were approved as part of the 20/21 budget. The table below shows the value of spend to date on the programme and the value still to be delivered:

Programme for Growth	Spent to 2019/20 £000's	Spend from 2020/21 £000's	Total £000 £000's
Total Allocated to projects	2,639	7,139	9,778
Internal capacity	2,400	3,379	5,779
Assumed remaining project delivery fund (subject to available resources)		3,915	3,915
<b>Funding from Special Projects Reserve</b>	<b>5,039</b>	<b>14,433</b>	<b>19,472</b>

6.3 These resources could increase further subject to the future Business Rates and delivery of savings. **The mid-case scenario shows a further £6.583m available in the 'Special Projects Reserve' for allocation to the programme in 2021/22.**

6.4 The resources available to fund the programme will be reviewed annually in light of announcements on Local Government funding and the Council's financial outlook. However the Council's strategic approach to its future financial sustainability is reliant upon investment to stimulate housing and business growth which in turn will generate local funds through Council Tax and Business Rates to mitigate losses in central Government funding and provide the capacity for further reinvestment.

6.5 There may also be opportunity to extend the programme for growth further through bids for funding from external partners (such as the LEP and HCA). Proposals for further projects will be brought to Council for approval in September 2020.

## 7 Conclusions

- 7.1 The 2020/21 estimates have been updated to reflect the latest assessment of the financial impacts of Covid-19, with £1.4m of New Homes Bonus diverted from reserves to mitigate the risk to the revenue budget. The future impacts are clearly uncertain and any subsequent changes (such as further Government funding) be required these will be reported through the quarterly updates to executive and Scrutiny Committee.
- 7.2 The key assumptions which underpin the Financial Strategy have been updated based on the latest intelligence available however there remains much uncertainty around public sector finance. There is risk within the Business Rates Retention scheme as we approach the system reset although this will now be delayed until at least 2022/23. At this stage a cautious stance has been taken and whilst a delay could lead to further renewable energy receipts in 2021/22 these can only be allocated when they are confirmed.
- 7.3 There is also uncertainty over New Homes Bonus, the economic situation, income generation and delivery of savings. The Council's longer-term financial position is heavily reliant upon overall resources keeping pace with inflation and costs being contained within base budget.
- 7.4 Based on the assumptions in this strategy, the mid-case savings requirement is anticipated to rise to £2.4m by 2023/24 (although further emerging growth of £300k - £500k could increase this). After delivery of planned savings, the residual shortfall is forecast to be £1.6m (excluding the emerging growth risk).
- 7.5 In the long-term, the additional income from Council Tax and Business Rates, as a result of our investment in economic growth, will help to bridge the funding gap but inevitably this will take time to come to fruition and therefore in the meantime we must continue to strive to be as efficient as possible and deliver the additional savings targets that have been proposed. We will need to keep these targets under review as the future for Local Government in North Yorkshire and funding becomes clearer.
- 7.6 Over the next 10 years there is capacity within the HRA Business Plan to support additional capital expenditure but we will need to balance investment in our current stock with acquisition of new homes and repayment of debt. For the purpose of this strategy it is assumed that new acquisitions (purchased or built) will be subject to business cases and at least self-financing through the rental income achieved. As plans for the Housing Development Programme are progressed this budget will be updated as required.

- 7.7 Whilst Local Government re-organisation is looking likely, this MTFS assumes the Council is a going concern and as such, meeting the on-going savings challenge will continue to feature strongly in the Council's strategic and operational plans. Our collaboration with North Yorkshire County Council and other partners, progressing our digital strategy and reducing demand for services, the commercialisation of our business, income generation and efficiency savings remain important to this work.
- 7.8 However achieving financial self-sufficiency will mean that a careful balance between savings and investment will need to be struck. We will continue to strive for more efficient and effective services which in turn will provide the financial capacity for investment in delivering local economic growth – replacing central Government funding with sustainable cash returns in the form of income from services, Council Tax and Business Rates.
- 7.9 Despite the challenges we face, the Council is in a strong financial position, helped by its historic approach to delivering savings and efficiency, its success in generating New Homes Bonus and significantly, the business rates windfalls from renewable energy. This MTFS provides a clear framework to support delivery of our Council Plan objectives - using our strong financial position to carefully balance investment and savings.

APPENDIX A1 - SELBY DISTRICT COUNCIL - 10 YEAR FINANCIAL PLAN Mid Case

GENERAL FUND	Revised 2020/21	← Medium Term Financial Plan 2021/22	2022/23	2023/24	← Long Term Forecast 2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	Comments
<b>KEY ASSUMPTIONS</b>												
Growth/Inflation		1.70%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
Interest Rates		0.10%	0.10%	0.10%	0.25%	0.50%	0.75%	1.00%	1.25%	1.50%	1.75%	Assumed a cautious 0.25% recovery after 23/24
Tax Base Increase		-0.32%	0.50%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	
Government Settlement Funding change		1.70%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
Council Tax Increase	£5	£5	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	
<b>COUNCIL TAX</b>												
Tax Base (Number of Band D Equivalents)	31,989	31,888	32,047	32,368	32,692	33,018	33,349	33,682	34,019	34,359	34,703	Tax base reduction 21/22 as a result of Covid-19
Council Tax @ Band D (£)	183.22	188.22	191.97	195.79	199.69	203.66	207.71	211.85	216.06	220.36	224.75	
Council Tax Income (£000's)	5,861	6,002	6,152	6,337	6,528	6,725	6,927	7,135	7,350	7,571	7,799	
Precept (£000's)	5,861	6,002	6,152	6,337	6,528	6,725	6,927	7,135	7,350	7,571	7,799	
<b>REVENUE FINANCING</b>	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	
<b>Local Income</b>												
Council Tax	- 5,861	- 6,002	- 6,152	- 6,337	- 6,528	- 6,725	- 6,927	- 7,135	- 7,350	- 7,571	- 7,799	
Council Tax Collection Fund Surplus/Deficit (+/-)	- 74	245										Deficit in 22/23 re Covid-19 losses in 20/21
Business Rates Collection Fund Surplus/Deficit (+/-)	- 9,019	- 9,172										Assumes renewable energy receipts cease after BR baseline reset
<b>Gov't Funding/Grants</b>												
Settlement Funding - Business Rates Safely Net (Baseline from 22/23)	- 2,274	- 2,326	- 2,565	- 2,617	- 2,669	- 2,722	- 2,777	- 2,832	- 2,889	- 2,947	- 3,006	Safety net 20/21 and 21/22. Baseline from reset in 22/23
Settlement Funding - Revenue Support Grant												
Settlement Funding - Rural Services and Transitional Grants	- 108	- 108										Assumes 1 year roll over
New Homes Bonus	- 2,534	- 1,182	- 767									Assumes phasing out per 20/21 settlement
Other Specific Grants	- 113	- 113										Assumes 1 year roll over
Covid Emergency and New Burdens Funding	- 1,198											Funds received to July 2020
<b>TOTAL EXTERNAL RESOURCES (a)</b>	<b>- 21,181</b>	<b>- 18,658</b>	<b>- 9,484</b>	<b>- 8,954</b>	<b>- 9,197</b>	<b>- 9,447</b>	<b>- 9,704</b>	<b>- 9,968</b>	<b>- 10,239</b>	<b>- 10,518</b>	<b>- 10,805</b>	
<b>REVENUE BUDGET</b>	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	
Approved Operational Budget - Net (Per Council Feb 20)	11,067	10,301	10,289	10,648	10,705	10,919	11,137	11,525	11,587	11,819	12,055	District election costs in 2023/24 and 2027/28
Investment Interest (Received and Paid)	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	£350k Cap + £200k PF + £100k SDHT - £75k interest paid
Capital Adjustments	- 1,706	- 740	- 741	- 561	- 561	- 561	- 561	- 561	- 561	- 561	- 561	23/24 adjusted for cap bids from cap receipts
Approved Growth Bids	6,091	2,990	3,008	174	174	174	174	174	174	174	174	
Contingencies	200	200	200	200	200	200	200	200	200	200	200	
<b>Net Budget Before Contributions to/from Reserves</b>	<b>15,077</b>	<b>12,176</b>	<b>12,181</b>	<b>9,886</b>	<b>9,943</b>	<b>10,157</b>	<b>10,375</b>	<b>10,763</b>	<b>10,825</b>	<b>11,057</b>	<b>11,293</b>	<b>2020/21 - 2022/23 agrees to Budget approved Feb 2020</b>
Supplementary Estimates Approved (Covid-19 related)												
- Car Parks - suspension of charges	168											
- Industrial Unit - suspension of rents	40											
Other cost and income pressures:												
- Covid - costs associated with new burdens funding	130											
- Covid - cost pressures	173											
- Covid - Income pressures	1,335	493	362	372	290	209	124	50	38	25	13	Investment returns 21/22 - 23/24 and planning fees 21/22
- Covid - savings delayed	603											
- Non-Covid savings reduction		150	150	150	150	150	150	150	150	150	150	
- Additional pay award	53	54	55	56	57	59	60	61	62	63	65	Additional 0.75% from 20/21
- Land charges fees		35	36	36	37	38	39	39	40	41	42	Reg change in rules - personal searches now free
- LGR Contingency increase	150	150										
- Planning and Enforcement backlog	166											6 month extension of agency staff and additional legal support
Capital Financing re-profiled	762	378	-									
P4G re-profiled	- 889	694	4,949									
<b>Net Budget Before Contributions to/from reserves</b>	<b>17,768</b>	<b>14,130</b>	<b>17,733</b>	<b>10,500</b>	<b>10,477</b>	<b>10,612</b>	<b>10,747</b>	<b>11,063</b>	<b>11,115</b>	<b>11,336</b>	<b>11,563</b>	
<b>Contributions to Reserves:</b>												
Asset Management	200	200	200	200	200	200	200	200	200	200	200	
ICT	177	213	250	250	250	250	250	250	250	250	250	
District Election	34	38	38	38	38	38	38	38	38	38	38	
Pension Equalisation	-	97	185	185	185	185	185	185	185	185	185	
Special Projects/P4G	9,019	9,172	-	-	-	-	-	-	-	-	-	Renewable energy business rates
Local Plan	50	50	50	50	50	50	50	50	50	50	50	
Business Rates Equalisation												
<b>Contributions from Reserves:</b>												
Asset Management	- 510	- 515	- 16	- 200	- 204	- 208	- 212	- 216	- 221	- 225	- 230	Average costs from 2023/24 pending asset management strategy
Business Development/Spend to Save	- 68	- 69	- 71									
ICT	- 471	- 387	- 174	- 174	- 174	- 174	- 174	- 174	- 174	- 174	- 174	
PFI	- 153	- 167	- 177	- 186	- 190	- 194	- 200	- 207	- 215	- 225	- 237	
District Election				- 153				- 165				District election
Contingency	- 100	- 100	- 100									
Local Plan	- 243	- 75	- 150									
Programme for Growth	- 4,137	- 3,008	- 7,288									
Affordable Housing Commuted Sums	- 220											
Business Rates Equalisation/Internal safety net top-up	- 208		- 266									
<b>Net Contributions to/from reserves (+/-)</b>	<b>3,370</b>	<b>5,449</b>	<b>- 7,519</b>	<b>10</b>	<b>155</b>	<b>147</b>	<b>137</b>	<b>- 39</b>	<b>113</b>	<b>99</b>	<b>82</b>	
<b>Forecast Net Revenue Budget (b)</b>	<b>21,138</b>	<b>19,579</b>	<b>10,214</b>	<b>10,510</b>	<b>10,632</b>	<b>10,759</b>	<b>10,884</b>	<b>11,024</b>	<b>11,229</b>	<b>11,435</b>	<b>11,645</b>	
<b>Difference between resources and forecast budget (a + b)</b>	<b>- 43</b>	<b>921</b>	<b>729</b>	<b>1,557</b>	<b>1,435</b>	<b>1,312</b>	<b>1,180</b>	<b>1,056</b>	<b>989</b>	<b>917</b>	<b>840</b>	
Note savings included in operational budgets not yet delivered	155	747	848	848								
Add new savings targets	-	921	729	1,557								
<b>Total savings to be delivered</b>	<b>155</b>	<b>1,668</b>	<b>1,577</b>	<b>2,405</b>								

**APPENDIX A1 - SELBY DISTRICT COUNCIL - 10 YEAR FINANCIAL PLAN Best Case**

GENERAL FUND	Revised 2020/21	← Medium Term 2021/22	Term Financial Plan 2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	Comments
<b>KEY ASSUMPTIONS</b>												
Growth/Inflation		1.50%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
Interest Rates		0.10%	0.15%	0.20%	0.25%	0.50%	0.75%	1.00%	1.25%	1.50%	1.75%	Assumed a cautious 0.25% recovery after 24/25
Tax Base Increase		0.50%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	
Government Settlement Funding change		2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
Council Tax Increase	£5	£5	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	
<b>COUNCIL TAX</b>												
Tax Base (Number of Band D Equivalents)	31,989	32,149	32,470	32,795	33,123	33,454	33,789	34,127	34,468	34,813	35,161	Tax base reduction 21/22 as a result of Covid-19
Council Tax @ Band D (£)	183.22	188.22	191.97	195.79	199.69	203.66	207.71	211.85	216.06	220.36	224.75	
Council Tax Income (£000's)	5,861	6,051	6,233	6,421	6,614	6,813	7,018	7,230	7,447	7,671	7,902	
Precept (£000's)	5,861	6,051	6,233	6,421	6,614	6,813	7,018	7,230	7,447	7,671	7,902	
<b>REVENUE FINANCING</b>	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	
<b>Local Income</b>												
Council Tax	- 5,861	- 6,051	- 6,233	- 6,421	- 6,614	- 6,813	- 7,018	- 7,230	- 7,447	- 7,671	- 7,902	
Council Tax Collection Fund Surplus/Deficit (+/-)	- 74	141										Deficit in 22/23 re Covid-19 losses in 20/21
Business Rates Collection Fund Surplus/Deficit (+/-)	- 9,019	- 9,154										Assumes renewable energy receipts cease after BR baseline reset
<b>Gov't Funding/Grants</b>												
Settlement Funding - Business Rates Sately Net (Baseline from 22/2)	- 2,274	- 2,326	- 2,565	- 2,617	- 2,669	- 2,722	- 2,777	- 2,832	- 2,889	- 2,947	- 3,006	Safety net 20/21 and 21/22. Baseline from reset in 22/23
Settlement Funding - Revenue Support Grant												
Settlement Funding - Rural Services and Transitional Grants	- 108	- 108										Assumes 1 year roll over
New Homes Bonus	- 2,534	- 1,182	- 767									Assumes phasing out per 20/21 settlement
Other Specific Grants	- 113	- 113										Assumes 1 year roll over
Covid Emergency and New Burdens Funding	- 1,198											Funds received to July 2020
<b>TOTAL EXTERNAL RESOURCES (a)</b>	<b>- 21,181</b>	<b>- 18,793</b>	<b>- 9,566</b>	<b>- 9,038</b>	<b>- 9,283</b>	<b>- 9,536</b>	<b>- 9,795</b>	<b>- 10,062</b>	<b>- 10,336</b>	<b>- 10,618</b>	<b>- 10,908</b>	
<b>REVENUE BUDGET</b>	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	
Approved Operational Budget - Net (Per Council Feb 20)	11,067	10,301	10,289	10,648	10,705	10,919	11,137	11,525	11,587	11,819	12,055	District election costs in 2023/24 and 2027/28
Investment Interest (Received and Paid)	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	£350k Cap + £200k PF + £100k SDHT - £75k interest paid
Capital Adjustments	- 1,706	- 740	- 741	- 561	- 561	- 561	- 561	- 561	- 561	- 561	- 561	
Approved Growth Bids	6,091	2,990	3,008	174	174	174	174	174	174	174	174	
Contingencies	200	200	200	200	200	200	200	200	200	200	200	
<b>Net Budget Before Contributions to/from Reserves</b>	<b>15,077</b>	<b>12,176</b>	<b>12,181</b>	<b>9,886</b>	<b>9,943</b>	<b>10,157</b>	<b>10,375</b>	<b>10,763</b>	<b>10,825</b>	<b>11,057</b>	<b>11,293</b>	<b>2020/21 - 2022/23 agrees to Budget approved Feb 2020</b>
Supplementary Estimates Approved (Covid-19 related)												
- Car Parks - suspension of charges	168											
- Industrial Unit - suspension of rents	40											
Other cost and income pressures:												
- Covid - costs associated with new burdens funding	130											
- Covid - cost pressures	173											
- Covid - Income pressures	1,321	291	309	326								Investment returns 21/22 - 23/24
- Covid - savings delayed	553											
- Non-Covid savings reduction	-	100	100	100	100	100	100	100	100	100	100	
- Additional pay award	-	-	-	-	-	-	-	-	-	-	-	Additional 0.75% from 20/21
- Land charges fees		35	35	35	35	35	35	35	35	35	35	Reg change in rules - personal searches now free
- LGR Contingency increase	150	100										
- Planning and Enforcement backlog	120											
Capital Financing re-profiled	762	378	-									
P4G re-profiled	- 889	694	4,949									
<b>Net Budget Before Contributions to/from reserves</b>	<b>17,605</b>	<b>13,774</b>	<b>17,574</b>	<b>10,347</b>	<b>10,078</b>	<b>10,292</b>	<b>10,510</b>	<b>10,898</b>	<b>10,960</b>	<b>11,192</b>	<b>11,428</b>	
<b>Contributions to Reserves:</b>												
Asset Management	200	200	200	200	200	200	200	200	200	200	200	
ICT	177	213	250	250	250	250	250	250	250	250	250	
District Election	34	38	38	38	38	38	38	38	38	38	38	
Pension Equalisation	-	97	185	185	185	185	185	185	185	185	185	
Special Projects/P4G	9,019	9,172	-	-	-	-	-	-	-	-	-	Renewable energy business rates
Local Plan	50	50	50	50	50	50	50	50	50	50	50	
Business Rates Equalisation												
<b>Contributions from Reserves:</b>												
Asset Management	- 510	- 515	- 16	- 200	- 204	- 208	- 212	- 216	- 221	- 225	- 230	Average costs from 2023/24 pending asset management strategy
Business Development/Spend to Save	- 68	- 69	- 71									
ICT	- 471	- 387	- 174	- 174	- 174	- 174	- 174	- 174	- 174	- 174	- 174	
PFI	- 153	- 167	- 177	- 186	- 190	- 194	- 200	- 207	- 215	- 225	- 237	
District Election				- 153				- 165				District election
Contingency	- 100	- 100	- 100									
Local Plan	- 243	- 75	- 150									
Programme for Growth	- 4,137	- 3,008	- 7,288									
Affordable Housing Commuted Sums	- 220											
Business Rates Equalisation/Internal safety net top-up	- 208		- 266									
<b>Net Contributions to/from reserves (+/-)</b>	<b>3,370</b>	<b>5,449</b>	<b>- 7,519</b>	<b>10</b>	<b>155</b>	<b>147</b>	<b>137</b>	<b>- 39</b>	<b>113</b>	<b>99</b>	<b>82</b>	
<b>Forecast Net Revenue Budget (b)</b>	<b>20,975</b>	<b>19,223</b>	<b>10,055</b>	<b>10,357</b>	<b>10,233</b>	<b>10,439</b>	<b>10,647</b>	<b>10,858</b>	<b>11,073</b>	<b>11,291</b>	<b>11,510</b>	
<b>Difference between resources and forecast budget (a + b)</b>	<b>- 206</b>	<b>430</b>	<b>489</b>	<b>1,319</b>	<b>950</b>	<b>903</b>	<b>852</b>	<b>797</b>	<b>737</b>	<b>672</b>	<b>603</b>	
Note savings included in operational budgets not yet delivered	155	747	848	848								
Add new savings targets	-	430	489	1,319								
<b>Total savings to be delivered</b>	<b>155</b>	<b>1,177</b>	<b>1,337</b>	<b>2,167</b>								

**APPENDIX A1 - SELBY DISTRICT COUNCIL - 10 YEAR FINANCIAL PLAN Worst Case**

GENERAL FUND	Revised 2020/21	← Medium Term 2021/22	Term Financial Plan 2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	Comments
<b>KEY ASSUMPTIONS</b>												
Growth/Inflation		3.50%	2.50%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
Interest Rates		0.10%	0.10%	0.10%	0.10%	0.25%	0.50%	0.75%	1.00%	1.25%	1.50%	Assumed a cautious 0.25% recovery after 23/24
Tax Base Increase		0.00%	0.50%	0.50%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	
Government Settlement Funding change		2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
Council Tax Increase	£5	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	
<b>COUNCIL TAX</b>												
Tax Base (Number of Band D Equivalents)	31,989	31,989	32,149	32,310	32,633	32,959	33,289	33,622	33,958	34,297	34,640	Tax base reduction 21/22 as a result of Covid-19
Council Tax @ Band D (£)	183.22	186.87	190.59	194.38	198.25	202.19	206.22	210.32	214.51	218.78	223.13	
Council Tax Income (£000's)	5,861	5,978	6,127	6,280	6,469	6,664	6,865	7,071	7,284	7,504	7,729	
Precept (£000's)	5,861	5,978	6,127	6,280	6,469	6,664	6,865	7,071	7,284	7,504	7,729	
<b>REVENUE FINANCING</b>	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	
<b>Local Income</b>												
Council Tax	- 5,861	- 5,978	- 6,127	- 6,280	- 6,469	- 6,664	- 6,865	- 7,071	- 7,284	- 7,504	- 7,729	
Council Tax Collection Fund Surplus/Deficit (+/-)	- 74	406	406									Deficit in 21/22 and 22/23 re Covid-19 losses in 20/21 and 21/22
Business Rates Collection Fund Surplus/Deficit (+/-)	- 9,019	- 9,334										Assumes renewable energy receipts cease after BR baseline reset
<b>Gov't Funding/Grants</b>												
Settlement Funding - Business Rates Safely Net (Baseline from 22/2)	- 2,274	- 2,326	- 2,565	- 2,617	- 2,669	- 2,722	- 2,777	- 2,832	- 2,889	- 2,947	- 3,006	Safety net 20/21 and 21/22. Baseline from reset in 22/23
Settlement Funding - Revenue Support Grant	- 108	- 108										Assumes 1 year roll over
Settlement Funding - Rural Services and Transitional Grants	- 2,534	- 1,182	- 767									Assumes phasing out per 20/21 settlement
New Homes Bonus	- 113	- 113										Assumes 1 year roll over
Other Specific Grants	- 1,198											Funds received to July 2020
Covid Emergency and New Burdens Funding	- 1,198											
<b>TOTAL EXTERNAL RESOURCES (a)</b>	<b>- 21,181</b>	<b>- 18,635</b>	<b>- 9,054</b>	<b>- 8,897</b>	<b>- 9,138</b>	<b>- 9,387</b>	<b>- 9,641</b>	<b>- 9,904</b>	<b>- 10,173</b>	<b>- 10,450</b>	<b>- 10,735</b>	
<b>REVENUE BUDGET</b>	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	
Approved Operational Budget - Net (Per Council Feb 20)	11,067	10,301	10,289	10,648	10,705	10,919	11,137	11,525	11,587	11,819	12,055	District election costs in 2023/24 and 2027/28
Investment Interest (Received and Paid)	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	£350k Cap + £200k PF + £100k SDHT - £75k interest paid
Capital Adjustments	- 1,706	- 740	- 741	- 561	- 561	- 561	- 561	- 561	- 561	- 561	- 561	
Approved Growth Bids	6,091	2,990	3,008	174	174	174	174	174	174	174	174	
Contingencies	200	200	200	200	200	200	200	200	200	200	200	
<b>Net Budget Before Contributions to/from Reserves</b>	<b>15,077</b>	<b>12,176</b>	<b>12,181</b>	<b>9,886</b>	<b>9,943</b>	<b>10,157</b>	<b>10,375</b>	<b>10,763</b>	<b>10,825</b>	<b>11,057</b>	<b>11,293</b>	<b>2020/21 - 2022/23 agrees to Budget approved Feb 2020</b>
Supplementary Estimates Approved (Covid-19 related)												
- Car Parks - suspension of charges	168											
- Industrial Unit - suspension of rents	40											
Other cost and income pressures:												
- Covid - costs associated with new burdens funding	130											
- Covid - cost pressures	353	353										
- Covid - Income pressures	1,792	1815	862	872	500	500	500	500	500	500	500	Investment returns 21/22 - 23/24, planning fees
- Covid - savings delayed	603	603										21/22, car park income and contracts
- Non-Covid savings reduction			200	200	200	200	200	200	200	200	200	
- Additional pay award	106	106	106	106	106	106	106	106	106	106	106	Additional 0.75% from 20/21
- Land charges fees		65	50	50	50	50	50	50	50	50	50	Reg change in rules - personal searches now free
- LGR Contingency increase	200	200										
- Planning and Enforcement backlog	166											
Capital Financing re-profiled	762	378	-									
P4G re-profiled	- 889	694	4,949									
Inflation provision (Operational budget excluding pay roll)		60	80	80	80	80	80	80	80	80	80	
<b>Net Budget Before Contributions to/from reserves</b>	<b>18,508</b>	<b>16,450</b>	<b>18,428</b>	<b>11,194</b>	<b>10,879</b>	<b>11,093</b>	<b>11,311</b>	<b>11,699</b>	<b>11,761</b>	<b>11,993</b>	<b>12,229</b>	
<b>Contributions to Reserves:</b>												
Asset Management	200	200	200	200	200	200	200	200	200	200	200	
ICT	177	213	250	250	250	250	250	250	250	250	250	
District Election	34	38	38	38	38	38	38	38	38	38	38	
Pension Equalisation	-	97	185	185	185	185	185	185	185	185	185	
Special Projects/P4G	9,019	9,172	-	-	-	-	-	-	-	-	-	Renewable energy business rates
Local Plan	50	50	50	50	50	50	50	50	50	50	50	
Business Rates Equalisation												
<b>Contributions from Reserves:</b>												
Asset Management	- 510	- 515	- 16	- 200	- 204	- 208	- 212	- 216	- 221	- 225	- 230	Average costs from 2023/24 pending asset management strategy
Business Development/Spend to Save	- 68	- 69	- 71									
ICT	- 471	- 387	- 174	- 174	- 174	- 174	- 174	- 174	- 174	- 174	- 174	
PFI	- 153	- 167	- 177	- 186	- 190	- 194	- 200	- 207	- 215	- 225	- 237	
District Election				- 153				- 165				District election
Contingency	- 100	- 100	- 100									
Local Plan	- 243	- 75	- 150									
Programme for Growth	- 4,137	- 3,008	- 7,288									
Affordable Housing Commuted Sums	- 220											
Business Rates Equalisation/Internal safety net top-up	- 208		- 266									
<b>Net Contributions to/from reserves (+/-)</b>	<b>3,370</b>	<b>5,449</b>	<b>- 7,519</b>	<b>10</b>	<b>155</b>	<b>147</b>	<b>137</b>	<b>- 39</b>	<b>113</b>	<b>99</b>	<b>82</b>	
<b>Forecast Net Revenue Budget (b)</b>	<b>21,878</b>	<b>21,899</b>	<b>10,909</b>	<b>11,204</b>	<b>11,034</b>	<b>11,240</b>	<b>11,448</b>	<b>11,659</b>	<b>11,874</b>	<b>12,092</b>	<b>12,311</b>	
<b>Difference between resources and forecast budget (a + b)</b>	<b>697</b>	<b>3,264</b>	<b>1,856</b>	<b>2,307</b>	<b>1,895</b>	<b>1,853</b>	<b>1,806</b>	<b>1,756</b>	<b>1,701</b>	<b>1,641</b>	<b>1,577</b>	
Note savings included in operational budgets not yet delivered	155	747	848	848								
Add new savings targets	-	3,264	1,856	2,307								
<b>Total savings to be delivered</b>	<b>155</b>	<b>4,011</b>	<b>2,704</b>	<b>3,155</b>								

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**Appendix A2 - SELBY DISTRICT COUNCIL - HRA 30 YEAR FINANCIAL PLAN**  
**MID-CASE (Based on 30 Year MRP - Original Budget)**

	1	2	3	4	5	6	7	8	9	10	11	12
Mid Case Scenario	2019/20	Forecast	Medium Term Financial Plan			2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
		2020/21	2021/22	2022/23	2023/24							
<b>KEY ASSUMPTIONS</b>												
Inflation	2.00%	2.00%	1.50%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Estimated Sales	-17	-16	-20	-20	-20	-20	-20	-20	-20	-20	-20	-20
Estimated New Build	7	10	20	20	20	20	20	20	20	20	20	20
Rent Increase CPI + 1%	-1.00%	2.70%	1.60%	2.00%	2.50%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%	3.00%
Number of Dwellings (Mid Year Average)	3,040	3,032	3,029	3,029	3,029	3,029	3,029	3,029	3,029	3,029	3,029	3,029
Average Rent - Rent Restructuring	82.48	84.98	86.34	88.07	90.27	92.98	95.77	98.64	101.60	104.65	107.78	111.02
Rent Weeks	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00
Rent Income (£)	-12,035,482	-12,367,649	-12,553,099	-12,804,161	-13,124,265	-13,517,993	-13,923,533	-14,341,238	-14,771,476	-15,214,620	-15,671,059	-16,141,190
Void loss	-195,482	-210,809	-251,062	-256,083	-262,485	-270,360	-278,471	-286,825	-295,430	-304,292	-313,421	-322,824
Provision for Bad & Doubtful Debts	-260,480	-267,450	-270,645	-276,058	-282,959	-291,448	-300,191	-309,197	-318,473	-328,027	-337,868	-348,004
Net Rent Income	-11,579,520	-11,889,390	-12,031,392	-12,272,020	-12,578,820	-12,956,185	-13,344,870	-13,745,217	-14,157,573	-14,582,300	-15,019,769	-15,470,362
% Increase in Rent	-0.94	3.03	1.60	2.00	2.50	3.00	3.00	3.00	3.00	3.00	3.00	3.00
<b>REVENUE FINANCING</b>												
Dwellings Rents	- 11,836,231	- 12,156,840	- 12,302,037	- 12,548,077	- 12,861,779	- 13,247,633	- 13,645,062	- 14,054,414	- 14,476,046	- 14,910,328	- 15,357,637	- 15,818,366
Garage Rents	- 101,828	- 105,570	- 107,154	- 109,297	- 111,483	- 113,712	- 115,986	- 118,306	- 120,672	- 123,086	- 125,547	- 128,058
<b>Total Resources (£)</b>	<b>- 11,938,059</b>	<b>- 12,262,410</b>	<b>- 12,409,190</b>	<b>- 12,657,374</b>	<b>- 12,973,262</b>	<b>- 13,361,345</b>	<b>- 13,761,048</b>	<b>- 14,172,720</b>	<b>- 14,596,718</b>	<b>- 15,033,413</b>	<b>- 15,483,185</b>	<b>- 15,946,425</b>
<b>REVENUE BUDGET</b>												
Operational Services	1,920,018	1,882,036	1,906,908	1,921,393	1,959,820	1,999,017	2,038,997	2,079,777	2,121,373	2,163,800	2,207,076	2,251,218
Commissioning Contracts & Procurement	112,100	111,380	114,410	117,540	119,891	122,289	124,734	127,229	129,774	132,369	135,017	137,717
Contingency	-	75,000	75,000	76,500	78,030	79,591	81,182	82,806	84,462	86,151	87,874	89,632
Provision for Bad & Doubtful Debts	236,918	267,450	270,645	276,058	282,959	291,448	300,191	309,197	318,473	328,027	337,868	348,004
CEC Recharge from General Fund	2,787,000	2,741,768	2,800,669	2,860,584	2,917,796	2,976,152	3,035,675	3,096,388	3,158,316	3,221,482	3,285,912	3,351,630
Savings Target	- 195,000											
Debt Management Costs	6,000	6,000	6,000	6,120	6,242	6,367	6,495	6,624	6,757	6,892	7,030	7,171
Investment Interest - Notional Sum	- 186,661	- 135,000	- 135,000	- 137,025	- 139,423	- 142,211	- 145,411	- 149,046	- 152,773	- 156,592	- 160,507	- 164,519
Repayment of HRA Reform Loan (Interest)	2,412,930	1,889,387	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905
Contribution to Computer Development Reserve	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Other Cost & Income Pressures												
- Covid Cost Pressures		279,000										
- Covid Income Pressures		218,600										
<b>Net Service Costs</b>	<b>7,143,305</b>	<b>7,385,621</b>	<b>6,930,536</b>	<b>7,013,074</b>	<b>7,117,221</b>	<b>7,224,556</b>	<b>7,333,768</b>	<b>7,444,881</b>	<b>7,558,287</b>	<b>7,674,035</b>	<b>7,792,175</b>	<b>7,912,757</b>
<b>Net Service Surplus / Deficit before contribution to MRR &amp; CAA</b>	<b>-4,794,754</b>	<b>-4,876,789</b>	<b>-5,478,654</b>	<b>-5,644,300</b>	<b>-5,856,041</b>	<b>-6,136,789</b>	<b>-6,427,280</b>	<b>-6,727,839</b>	<b>-7,038,432</b>	<b>-7,359,378</b>	<b>-7,691,010</b>	<b>-8,033,668</b>
Voluntary MRP for Self-Financing Debt	1,260,000	1,260,000	1,260,000	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650
Assumed Voluntary MRP for HDP	0	231,726	315,310	400,567	487,528	576,229	666,703	758,987	853,117	949,129	1,047,062	1,146,953
Assumed HDP Interest	0	166,807	223,477	281,281	340,240	400,379	461,721	524,290	588,110	653,206	719,605	787,331
<b>Net Resources Transferred to Major repairs Reserve</b>	<b>- 3,534,754</b>	<b>- 3,218,257</b>	<b>- 3,679,867</b>	<b>- 2,680,803</b>	<b>- 2,746,623</b>	<b>- 2,878,531</b>	<b>- 3,017,205</b>	<b>- 3,162,912</b>	<b>- 3,315,555</b>	<b>- 3,475,392</b>	<b>- 3,642,693</b>	<b>- 3,817,734</b>
<b>Major Repairs Reserve</b>												
Opening Balance	- 8,177,969	- 6,937,285	- 6,678,647	- 4,990,958	- 2,501,920	14,228	2,526,169	5,974,765	8,665,299	11,327,910	14,110,783	17,170,081
Transfers / Carry Forwards	- 766,697	- 2,167,201	- 2,660,228									
Revenue Contributions	- 3,534,754	- 3,218,257	- 3,679,867	- 2,680,803	- 2,746,623	- 2,878,531	- 3,017,205	- 3,162,912	- 3,315,555	- 3,475,392	- 3,642,693	- 3,817,734
- Covid Cost Pressures on Capital Programme		600,000										
Assumed Capital Programme	5,542,135	5,044,096	8,027,783	5,169,841	5,262,771	5,390,472	6,465,801	5,853,446	5,978,165	6,258,266	6,701,991	9,034,975
Closing Balance	<b>-6,937,285</b>	<b>-6,678,647</b>	<b>-4,990,958</b>	<b>-2,501,920</b>	<b>14,228</b>	<b>2,526,169</b>	<b>5,974,765</b>	<b>8,665,299</b>	<b>11,327,910</b>	<b>14,110,783</b>	<b>17,170,081</b>	<b>22,387,322</b>
<b>CFR/Cashflow</b>												
Opening Balance	- 8,319,960	- 9,579,960	- 4,571,686	- 6,146,996	- 8,829,213	- 11,598,391	- 14,456,269	- 17,404,622	- 20,445,260	- 23,580,027	- 26,810,806	- 30,139,518
Less unfinanced capital expenditure (internal borrowing)												
Add Voluntary MRP	- 1,260,000	- 1,491,726	- 1,575,310	- 2,682,217	- 2,769,178	- 2,857,879	- 2,948,353	- 3,040,637	- 3,134,767	- 3,230,779	- 3,328,712	- 3,428,603

**APPENDIX A2 - SELBY DISTRICT COUNCIL - HRA 30 YEAR FINANCIAL PLAN**  
**BEST CASE (Based on 30 Year MRP - Original Budget)**

	1	2	3	4	5	6	7	8	9	10	11	12
Best Case Scenario	2019/20	Forecast 2020/21	← Medium Term Financial Plan 2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
<b>KEY ASSUMPTIONS</b>												
Inflation	2.00%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%	2.50%
Estimated Sales	-17	-15	-15	-15	-15	-15	-15	-15	-15	-15	-15	-15
Estimated New Build	7	40	40	40	40	40	40	40	40	40	40	40
Rent Increase CPI + 1%	-1.00%	3.50%	2.00%	3.50%	3.50%	3.50%	3.50%	3.50%	3.50%	3.50%	3.50%	3.50%
Number of Dwellings (Mid Year Average)	3,040	3,048	3,073	3,098	3,123	3,148	3,173	3,198	3,223	3,248	3,273	3,298
Average Rent - Rent Restructuring	82.48	85.37	87.07	90.12	93.28	96.54	99.92	103.42	107.04	110.78	114.66	118.67
Rent Weeks	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00
Rent Income (£)	-12,035,482	-12,487,456	-12,841,694	-13,399,299	-13,980,206	-14,585,362	-15,215,753	-15,872,404	-16,556,382	-17,268,794	-18,010,794	-18,783,580
Void loss	-195,482	-187,312	-192,625	-200,989	-209,703	-218,780	-228,236	-238,086	-248,346	-259,032	-270,162	-281,754
Provision for Bad & Doubtful Debts	-260,480	-209,102	-215,034	-224,371	-234,099	-244,232	-254,788	-265,783	-277,237	-289,166	-301,591	-314,531
Net Rent Income	-11,579,520	-12,091,041	-12,434,034	-12,973,938	-13,536,404	-14,122,349	-14,732,729	-15,368,535	-16,030,800	-16,720,597	-17,439,042	-18,187,295
% Increase in Rent	-0.94	3.50	2.00	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50	3.50
<b>REVENUE FINANCING</b>												
Dwellings Rents	- 11,836,231	- 12,300,144	- 12,649,068	- 13,198,309	- 13,770,503	- 14,366,581	- 14,987,516	- 15,634,318	- 16,308,036	- 17,009,762	- 17,740,632	- 18,501,826
Garage Rents	- 101,828	- 104,374	- 106,983	- 109,658	- 112,399	- 115,209	- 118,089	- 121,041	- 124,068	- 127,169	- 130,348	- 133,607
<b>Total Resources (£)</b>	<b>- 11,938,059</b>	<b>- 12,404,517</b>	<b>- 12,756,051</b>	<b>- 13,307,967</b>	<b>- 13,882,902</b>	<b>- 14,481,790</b>	<b>- 15,105,606</b>	<b>- 15,755,360</b>	<b>- 16,432,104</b>	<b>- 17,136,932</b>	<b>- 17,870,981</b>	<b>- 18,635,433</b>
<b>REVENUE BUDGET</b>												
Operational Services	1,920,018	1,880,840	1,906,737	1,921,754	1,969,797	2,019,042	2,069,518	2,121,256	2,174,288	2,228,645	2,284,361	2,341,470
Commissioning Contracts & Procurement	112,100	111,380	114,410	117,540	120,479	123,490	126,578	129,742	132,986	136,310	139,718	143,211
Contingency	-	75,000	75,000	76,875	78,797	80,767	82,786	84,856	86,977	89,151	91,380	93,665
Provision for Bad & Doubtful Debts	236,918	209,102	215,034	224,371	234,099	244,232	254,788	265,783	277,237	289,166	301,591	314,531
CEC Recharge from General Fund	2,787,000	2,741,768	2,800,669	2,860,584	2,932,099	3,005,401	3,080,536	3,157,549	3,236,488	3,317,400	3,400,335	3,485,344
Savings Target	- 195,000											
Debt Management Costs	6,000	6,000	6,000	6,150	6,304	6,461	6,623	6,788	6,958	7,132	7,310	7,493
Investment Interest - Notional Sum	- 186,661	- 135,000	- 135,000	- 137,025	- 139,423	- 142,211	- 145,411	- 149,046	- 153,145	- 157,740	- 162,472	- 167,346
Repayment of HRA Reform Loan (Interest)	2,412,930	1,889,387	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905
Contribution to Computer Development Reserve	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Other Cost & Income Pressures												
- Covid Cost Pressures		275,000										
- Covid Income Pressures		190,000										
<b>Net Service Costs</b>	<b>7,143,305</b>	<b>7,293,477</b>	<b>6,874,755</b>	<b>6,962,154</b>	<b>7,094,056</b>	<b>7,229,088</b>	<b>7,367,323</b>	<b>7,508,834</b>	<b>7,653,693</b>	<b>7,801,971</b>	<b>7,954,129</b>	<b>8,110,273</b>
<b>Net Service Surplus / Deficit before contribution to MRR &amp; CAA</b>	<b>-4,794,754</b>	<b>-5,111,040</b>	<b>-5,881,296</b>	<b>-6,345,813</b>	<b>-6,788,846</b>	<b>-7,252,703</b>	<b>-7,738,283</b>	<b>-8,246,526</b>	<b>-8,778,410</b>	<b>-9,334,961</b>	<b>-9,916,851</b>	<b>-10,525,160</b>
Voluntary MRP for Self-Financing Debt	1,260,000	1,260,000	1,260,000	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650
Assumed Voluntary MRP for HDP	0	313,671	480,841	651,353	825,276	1,002,677	1,183,626	1,368,194	1,556,454	1,748,479	1,944,344	2,144,127
Assumed HDP Interest	0	222,366	335,706	451,314	569,233	689,511	812,195	937,332	1,064,972	1,195,165	1,327,962	1,463,414
<b>Net Resources Transferred to Major repairs Reserve</b>	<b>- 3,534,754</b>	<b>- 3,315,003</b>	<b>- 3,804,749</b>	<b>- 2,961,496</b>	<b>- 3,112,687</b>	<b>- 3,278,864</b>	<b>- 3,460,812</b>	<b>- 3,659,349</b>	<b>- 3,875,334</b>	<b>- 4,109,667</b>	<b>- 4,362,896</b>	<b>- 4,635,969</b>
<b>Major Repairs Reserve</b>												
Opening Balance	- 8,177,969	- 6,937,285	- 4,915,282	- 1,400,552	2,850,550	7,139,760	11,489,723	16,885,638	21,542,953	26,221,412	31,073,085	36,232,503
Transfers	- 766,697	- 2,167,201	- 2,660,228									
Revenue Contributions	- 3,534,754	- 3,315,003	- 3,804,749	- 2,961,496	- 3,112,687	- 3,278,864	- 3,460,812	- 3,659,349	- 3,875,334	- 4,109,667	- 4,362,896	- 4,635,969
- Covid Cost Pressures on Capital Programme		600,000										
Assumed Capital Programme	5,542,135	6,904,207	9,979,707	7,212,599	7,401,896	7,628,827	8,856,727	8,316,663	8,553,793	8,961,340	9,522,314	4,995,696
Closing Balance	<b>-6,937,285</b>	<b>-4,915,282</b>	<b>-1,400,552</b>	<b>2,850,550</b>	<b>7,139,760</b>	<b>11,489,723</b>	<b>16,885,638</b>	<b>21,542,953</b>	<b>26,221,412</b>	<b>31,073,085</b>	<b>36,232,503</b>	<b>36,592,230</b>
<b>CFR/Cashflow</b>												
Opening Balance	- 8,319,960	- 9,579,960	- 4,653,631	- 6,394,472	- 9,327,475	- 12,434,401	- 15,718,728	- 19,184,004	- 22,833,848	- 26,671,952	- 30,702,081	- 34,928,075
Less unfinanced capital expenditure (internal borrowing)												
Add Voluntary MRP	- 1,260,000	- 1,573,671	- 1,740,841	- 2,933,003	- 3,106,926	- 3,284,327	- 3,465,276	- 3,649,844	- 3,838,104	- 4,030,129	- 4,225,994	- 4,425,777

**APPENDIX A2 - SELBY DISTRICT COUNCIL - HRA 30 YEAR FINANCIAL PLAN**  
**WORST CASE (Based on 30 Year MRP - Original Budget)**

	1	2	3	4	5	6	7	8	9	10	11	12
	2019/20	Forecast 2020/21	← Medium Term Financial Plan 2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
<b>Worst Case Scenario</b>												
<b>KEY ASSUMPTIONS</b>												
Inflation	2.00%	1.50%	1.00%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%	1.50%
Estimated Sales	-17	-25	-25	-25	-25	-25	-25	-25	-25	-25	-25	-25
Estimated New Build	7	10	10	10	10	10	10	10	10	10	10	10
Rent Increase CPI + 1%	-1.00%	2.50%	1.20%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%
Number of Dwellings (Mid Year Average)	3,040	3,028	3,013	2,998	2,983	2,968	2,953	2,938	2,923	2,908	2,893	2,878
Average Rent - Rent Restructuring	82.48	84.54	85.56	87.27	89.01	90.79	92.61	94.46	96.35	98.28	100.24	102.25
Rent Weeks	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00	48.00
Rent Income (£)	-12,035,482	-12,285,643	-12,371,471	-12,556,067	-12,743,099	-12,932,590	-13,124,563	-13,319,042	-13,516,051	-13,715,612	-13,917,749	-14,122,486
Void loss	-195,482	-307,141	-309,287	-313,902	-318,577	-323,315	-328,114	-332,976	-337,901	-342,890	-347,944	-353,062
Provision for Bad & Doubtful Debts	-260,480	-416,852	-419,764	-426,027	-432,373	-438,803	-445,316	-451,915	-458,600	-465,371	-472,229	-479,176
Net Rent Income	-11,579,520	-11,561,650	-11,642,420	-11,816,138	-11,992,148	-12,170,472	-12,351,133	-12,534,151	-12,719,550	-12,907,351	-13,097,576	-13,290,248
% Increase in Rent	-0.94	2.50	1.20	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00	2.00
<b>REVENUE FINANCING</b>												
Dwellings Rents	- 11,836,231	- 11,978,502	- 12,062,184	- 12,242,166	- 12,424,522	- 12,609,275	- 12,796,449	- 12,986,066	- 13,178,150	- 13,372,722	- 13,569,806	- 13,769,424
Garage Rents	- 101,828	- 103,355	- 104,906	- 106,479	- 108,077	- 109,698	- 111,343	- 113,013	- 114,708	- 116,429	- 118,176	- 119,948
<b>Total Resources (£)</b>	<b>- 11,938,059</b>	<b>- 12,081,858</b>	<b>- 12,167,089</b>	<b>- 12,348,645</b>	<b>- 12,532,598</b>	<b>- 12,718,973</b>	<b>- 12,907,792</b>	<b>- 13,099,080</b>	<b>- 13,292,858</b>	<b>- 13,489,151</b>	<b>- 13,687,981</b>	<b>- 13,889,372</b>
<b>REVENUE BUDGET</b>												
Operational Services	1,920,018	1,879,821	1,904,660	1,918,575	1,947,354	1,976,564	2,006,213	2,036,306	2,066,851	2,097,853	2,129,321	2,161,261
Commissioning Contracts & Procurement	112,100	111,380	114,410	117,540	119,303	121,093	122,909	124,753	126,624	128,523	130,451	132,408
Contingency	-	75,000	75,000	76,125	77,267	78,426	79,602	80,796	82,008	83,238	84,487	85,754
Provision for Bad & Doubtful Debts	236,918	416,852	419,764	426,027	432,373	438,803	445,316	451,915	458,600	465,371	472,229	479,176
CEC Recharge from General Fund	2,787,000	2,741,768	2,800,669	2,860,584	2,903,493	2,947,045	2,991,251	3,036,120	3,081,661	3,127,886	3,174,805	3,222,427
Savings Target	- 195,000											
Debt Management Costs	6,000	6,000	6,000	6,090	6,181	6,274	6,368	6,464	6,561	6,659	6,759	6,860
Investment Interest - Notional Sum	- 186,661	- 135,000	- 135,000	- 137,025	- 139,423	- 142,211	- 145,056	- 147,957	- 150,916	- 153,934	- 157,013	- 160,153
Repayment of HRA Reform Loan (Interest)	2,412,930	1,889,387	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905	1,841,905
Contribution to Computer Development Reserve	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000	50,000
Other Cost & Income Pressures												
- Covid Cost Pressures		339,000										
- Covid Income Pressures		406,000										
<b>Net Service Costs</b>	<b>7,143,305</b>	<b>7,780,208</b>	<b>7,077,408</b>	<b>7,159,822</b>	<b>7,238,453</b>	<b>7,317,898</b>	<b>7,398,509</b>	<b>7,480,302</b>	<b>7,563,294</b>	<b>7,647,502</b>	<b>7,732,944</b>	<b>7,819,638</b>
<b>Net Service Surplus / Deficit before contribution to MRR &amp; CAA</b>	<b>-4,794,754</b>	<b>-4,301,649</b>	<b>-5,089,682</b>	<b>-5,188,823</b>	<b>-5,294,145</b>	<b>-5,401,075</b>	<b>-5,509,283</b>	<b>-5,618,778</b>	<b>-5,729,565</b>	<b>-5,841,649</b>	<b>-5,955,037</b>	<b>-6,069,734</b>
Voluntary MRP for Self-Financing Debt	1,260,000	1,260,000	1,260,000	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650	2,281,650
Assumed Voluntary MRP for HDP	0	190,753	232,545	275,173	318,654	363,004	408,242	454,384	501,449	549,455	598,421	648,367
Assumed HDP Interest	0	139,027	167,362	196,264	225,744	255,813	286,484	317,769	349,679	382,227	415,426	449,289
<b>Net Resources Transferred to Major repairs Reserve</b>	<b>- 3,534,754</b>	<b>- 2,711,870</b>	<b>- 3,429,774</b>	<b>- 2,435,736</b>	<b>- 2,468,097</b>	<b>- 2,500,607</b>	<b>- 2,532,908</b>	<b>- 2,564,976</b>	<b>- 2,596,787</b>	<b>- 2,628,317</b>	<b>- 2,659,540</b>	<b>- 2,690,428</b>
<b>Major Repairs Reserve</b>												
Opening Balance	- 8,177,969	- 6,937,285	- 5,989,560	- 4,489,301	- 2,212,126	105,070	2,496,271	5,885,380	8,622,385	11,426,767	14,447,408	17,854,211
Transfers	- 766,697	- 2,167,201	- 2,660,228									
Revenue Contributions	- 3,534,754	- 2,711,870	- 3,429,774	- 2,435,736	- 2,468,097	- 2,500,607	- 2,532,908	- 2,564,976	- 2,596,787	- 2,628,317	- 2,659,540	- 2,690,428
- Covid Cost Pressures on Capital Programme		1,200,000										
Assumed Capital Programme	5,542,135	4,626,795	7,590,262	4,712,910	4,785,293	4,891,808	5,922,016	5,301,981	5,401,169	5,648,958	6,066,343	8,256,707
Closing Balance	<b>-6,937,285</b>	<b>-5,989,560</b>	<b>-4,489,301</b>	<b>-2,212,126</b>	<b>105,070</b>	<b>2,496,271</b>	<b>5,885,380</b>	<b>8,622,385</b>	<b>11,426,767</b>	<b>14,447,408</b>	<b>17,854,211</b>	<b>23,420,490</b>
												- Covid Cost Pressures on Capital Programme
<b>CFR/Cashflow</b>												
Opening Balance	- 8,319,960	- 9,579,960	- 4,530,713	- 6,023,258	- 8,580,082	- 11,180,386	- 13,825,040	- 16,514,932	- 19,250,965	- 22,034,064	- 24,865,169	- 27,745,240
Less unfinanced capital expenditure (internal borrowing)												
Add Voluntary MRP	- 1,260,000	- 1,450,753	- 1,492,545	- 2,556,823	- 2,600,304	- 2,644,654	- 2,689,892	- 2,736,034	- 2,783,099	- 2,831,105	- 2,880,071	- 2,930,017

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**Appendix B : Reserve Balances 2020 - 2023 Including Growth Bids**

Description	Estimated Balance 31 March 20	Use	Transfers	Contribs	Estimated Balance 31 March 21	Use	Transfers	Contribs	Estimated Balance 31 March 22	Use	Contribs	Estimated Balance 31 March 23	Comments
	£	£	£	£	£	£	£	£	£	£	£	£	
<b>Revenue Reserves</b>													
<b>General Fund</b>													
<b>Reserves to fund future commitments:</b>													
PFI Scheme	3,393,599	-153,000			3,240,599	-167,000			3,073,599	-177,000		2,896,599	Reserve expected to be fully spent by 2035/36.
ICT	392,012	-471,000		227,000	148,012	-387,000		263,000	24,012	-174,000	300,000	150,012	Aligns with Digital Strategy
Asset Management	1,072,002	-510,000		200,000	762,002	-514,928		200,000	447,074	-16,205	200,000	630,869	Subject to refreshed Asset Management Strategy
GF Carried Fwd Budgets	271,356	-271,356			0				0			0	
Election	63,686			34,000	97,686			38,000	135,686		38,000	173,686	
<b>Total Reserves to fund future commitments</b>	<b>5,192,655</b>	<b>-1,405,356</b>	<b>0</b>	<b>461,000</b>	<b>4,248,299</b>	<b>-1,068,928</b>	<b>0</b>	<b>501,000</b>	<b>3,680,371</b>	<b>-367,205</b>	<b>538,000</b>	<b>3,851,166</b>	
<b>Reserves to fund growth and improvement:</b>													
Special Projects/Unallocated	8,042,921	0	-8,479,000	9,019,112	8,583,033	0	-8,583,033	9,172,000	9,172,000	0		9,172,000	In 2021/22 £2.1m transferred to BRER to support the revenue budget/savings plan and £6.483m transferred to P4G
Programme for Growth	5,601,220	-4,137,000	8,479,000	228,000	10,171,220	-3,008,000	6,583,033		13,746,253	-7,288,000		6,458,253	Remainder of Approved P4G Programme, reprofiled over remaining years. £6.483m to be allocated from 2021/22
Discretionary Rate Relief Fund	240,003				240,003				240,003			240,003	
NYCC Collaboration	50,000				50,000				50,000			50,000	
Spend To Save (Business Development)	419,208	-67,660			351,548	-69,080			282,468	-70,500		211,968	Held to support upfront investment or transitional costs to deliver savings/efficiencies/income generation - spend subject to business case approval
<b>Total Reserves to fund growth and improvement</b>	<b>14,353,353</b>	<b>-4,204,660</b>	<b>0</b>	<b>9,247,112</b>	<b>19,395,805</b>	<b>-3,077,080</b>	<b>-2,000,000</b>	<b>9,172,000</b>	<b>23,490,725</b>	<b>-7,358,500</b>	<b>0</b>	<b>16,132,225</b>	
<b>Reserves to mitigate financial risk:</b>													
Pensions Equalisation Reserve	0	-208,000			-208,000			96,810	-111,190		185,057	73,867	Phased provision following 2019 valuation
Business Rates Equalisation	4,976,748				4,976,748	0	2,000,000		6,976,748	-266,079		6,710,669	Funds held to support revenue budget - drawdown is subject to savings delivery
Local Plan	649,083	-242,500		50,000	456,583	-75,000		50,000	431,583	-150,000	50,000	331,583	Funding for new local plan
Contingency	370,409	-100,000			270,409	-100,000			170,409	-100,000		70,409	
General Fund	1,503,222				1,503,222				1,503,222			1,503,222	Minimum working balance £1.5m
<b>Total Reserves to mitigate financial risk</b>	<b>7,499,463</b>	<b>-550,500</b>	<b>0</b>	<b>50,000</b>	<b>6,998,963</b>	<b>-175,000</b>	<b>2,000,000</b>	<b>146,810</b>	<b>8,970,773</b>	<b>-516,079</b>	<b>235,057</b>	<b>8,689,751</b>	
<b>Total GF Revenue reserves</b>	<b>27,045,471</b>	<b>-6,160,516</b>	<b>-</b>	<b>9,758,112</b>	<b>30,643,067</b>	<b>-4,321,008</b>	<b>-</b>	<b>9,819,810</b>	<b>36,141,869</b>	<b>-8,241,784</b>	<b>773,057</b>	<b>28,673,142</b>	
<b>HRA</b>													
HRA Unallocated Balance	1,500,000				1,500,000				1,500,000			1,500,000	Minimum working balance £1.5m remainder transferred to MRR to support housing improvement programme
C/fwd Budgets (HRA)	2,167,201				2,167,201				2,167,201			2,167,201	
Major Repairs Reserve - Capital Programme	6,937,285	-7,299,370		3,715,859	3,353,774	-5,367,555		3,894,548	1,880,767	-5,169,841	3,022,239	266,835	Spend profile subject to approved capital programme - aligns to HRA Business Plan Mid-Case
<b>Total HRA Reserves</b>	<b>10,604,486</b>	<b>-7,299,370</b>	<b>-</b>	<b>3,715,859</b>	<b>7,020,975</b>	<b>-5,367,555</b>	<b>-</b>	<b>3,894,548</b>	<b>5,547,968</b>	<b>-5,169,841</b>	<b>3,022,239</b>	<b>3,400,366</b>	
<b>Total Revenue Reserves</b>	<b>37,649,957</b>	<b>-13,459,886</b>	<b>-</b>	<b>13,473,971</b>	<b>37,664,042</b>	<b>-9,688,563</b>	<b>-</b>	<b>13,714,358</b>	<b>41,689,837</b>	<b>-13,411,625</b>	<b>3,795,296</b>	<b>32,073,508</b>	
<b>Capital Reserves</b>	<b>5,579,882</b>												
Home Improvement Loans													
General Fund Receipts (after P4G removed)	1,465,677	-12,407			1,453,270				1,453,270			1,453,270	Earmarked for replacement wheeled bins
HRA Receipts	3,839,232	-713,376		500,000	3,625,856	-1,117,500		500,000	3,008,356	-180,000	500,000	3,328,356	Includes 6 play area refurbishments
Other GF Capital Receipts	493,000	-			493,000				493,000			493,000	
Total Useable Capital Receipts	5,797,909	-725,783		500,000	5,572,126	-1,117,500		500,000	4,954,626	-180,000	500,000	5,274,626	
Capital Receipts (HRA Reserved)	45,901				45,901				45,901			45,901	
<b>Total GF Capital Receipts</b>	<b>5,843,810</b>	<b>-725,783</b>	<b>-</b>	<b>500,000</b>	<b>5,618,027</b>	<b>-1,117,500</b>	<b>-</b>	<b>500,000</b>	<b>5,000,527</b>	<b>-180,000</b>	<b>500,000</b>	<b>5,320,527</b>	
<b>Restricted Reserves</b>													
S106 Affordable Housing Commuted Sums	7,996,390	-915,000		1,218,744	8,300,134			609,372	8,909,506			8,909,506	Funds ring-fenced and spend subject to progress on housing developments
Other s106 contributions	135,019				135,019				135,019			135,019	New reserve to be created
Community Infrastructure Levy	2,108,260				2,108,260				2,108,260			2,108,260	New reserve to be created
<b>Total Restricted Reserves</b>	<b>10,239,669</b>	<b>-915,000</b>	<b>0</b>	<b>1,218,744</b>	<b>10,543,413</b>	<b>0</b>	<b>-</b>	<b>609,372</b>	<b>11,152,785</b>	<b>0</b>	<b>0</b>	<b>11,152,785</b>	

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## Appendix C

### Covid Scenarios

1. Latest forecasts of the Covid-19 impacts in 2020/21 are illustrated below:

General Fund	Mid-case	Best-Case	Worst-Case
Expenditure	173	173	353
Savings programmes	603	553	603
Income Loss	1,788	1,462	2,198
<b>Total General Fund</b>	<b>2,617</b>	<b>2,188</b>	<b>3,154</b>

Housing Revenue Account	Mid-case	Best-Case	Worst-Case
Expenditure	670	670	1,300
Savings programmes	195	195	195
Income Loss	243	200	423
<b>Total HRA</b>	<b>1,108</b>	<b>1,065</b>	<b>1,918</b>

2. Additional costs in the general fund include spend on office changes, homelessness support, equipment for remote working and additional support for businesses and communities. Housing revenue account expenditure pressures come mainly from the capital programme plus some additional overtime.
3. Savings programmes have been substantially delayed, resources have been redirected to dealing with the pandemic and recovery.
4. The greatest impact is on income. A number of income streams are affected with those of a value greater than £100k below:

Key Income Streams	Mid-case	Best-Case	Worst-Case
Council Tax	*245	141	406
Planning	358	237	449
Leisure	323	323	373
Car park income	181	163	203
Investment interest	162	135	162
Property funds	100	100	100

*Note Council Tax deficit distributed 2021/22*

5. It is anticipated that Investment income will be under continued pressure with low Bank of England base rates through to 2023/24 and then a slow and tapered rise thereafter.

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**APPENDIX D - Planned Savings**

Strategic Category	Lead	General Fund - Potential Saving	Budget Risk	Saving Delivered to March 19/20 £000's	2020/21 Target £000's	2020/21 Forecast £000's	2020/21 Shortfall £000's	2021/22 Remaining Target £000's	2022/23 Remaining Target £000's	Commentary
Growing resources	Suzan Harrington	Asset rationalisation	Medium	20	131	31	100	100	100	Additional income has been generated from our assets which were not budgeted, particularly around the use of our office space by third parties. This has allowed us to increase the target from the original target of £100k which relates to the move from Market Cross. Covid-19 has delayed the contact centre move and negotiations with the landlord, it is considered unlikely that savings will be made on the Market Cross lease this year.
Growing resources	Suzan Harrington	New SDHT Loans	Low	100	0	0	0	0	0	The revised and expanded Housing Development Programme agreed by Executive in January 2018 identifies a significant role for the SDHT in delivery which will provide further loan opportunities for SDC, although the timing of these new opportunities will only become clearer as the programme progresses. Targets will be updated as new loans are approved but current target will be met from existing loans in year.
Growing resources	Dave Caulfield	Business Rates Growth	High	0	0	0	0	100	200	The Council's Economic Development Strategy will proactively foster new inward investment and indigenous business growth. This 'saving' is however high risk due to uncertainties regarding the BRR system reset. This cautious target assumes that the reset brings the Council out of its current safety net position and enables modest year on year growth to be realised. Delays to business rates retention system reset mean that this target is delayed a year and proposed targets have been reprofiled accordingly.
Growing resources	Karen Iveson	Property Fund Investment	Medium	200	0	0	0	0	0	An investment was made in October 2018 into 2 property funds with an estimated net return of 4% per annum. Last year this return 4% but covid-19 has impacted on returns and expectaton currently is that these will return 2% in the current year. Returns are subject to fund performance.
Growing resources	Karen Iveson	Increase cap on investment income - NEW	Medium	50	0	0	0	0	0	This was achieved in 2019/20, but as a result of the pandemic the Bank of England has reduced interest rates to 0.1%. As a result this saving will not be achieved this year but will be kept under review should base rates change again in the future.
<b>Total Growing Resources</b>			<b>0</b>	<b>370</b>	<b>131</b>	<b>31</b>	<b>100</b>	<b>200</b>	<b>300</b>	
Transforming	Suzan Harrington / Alison Hartley	Process improvements /on-line transactions	Medium	138	112	0	112	162	162	The Channel shift project is currently being delivered and savings from this are starting to be recognised. Further programmes to role out digitalisation are delayed due to covid-19, and any potential benefits from this may not be made in the short term due to additional workload pressures as a result of the pandemic across the Council.
Transforming	Suzan Harrington	Introduce CT Penalty Scheme - NEW	Medium	0	10	5	5	5	5	Introduce CT Penalty scheme to assist with cost recovery of the additional work required when details are not updated. Current changes to enforcement mean that it is unlikely that we will be making many of these charges in the current year. This is to be kept under review.
Transforming	Suzan Harrington	Review and introduce increased empty homes premium.	Medium	0	45	45	0	0	0	Latest indications from the planning review indicate a saving in the service of £67k, but the review is yet to be implemented. Covid-19 has had substantial impacts on the planning service, so the saving is unlikely to be made this year.

Strategic Category	Lead	General Fund - Potential Saving	Budget Risk	Saving Delivered to March 19/20 £000's	2020/21 Target £000's	2020/21 Forecast £000's	2020/21 Shortfall £000's	2021/22 Remaining Target £000's	2022/23 Remaining Target £000's	Commentary
Transforming	Dave Caulfield	Planning service review	Medium	0	67	0	67	100	100	Latest indications from the planning review indicate a saving in the service of £67k. The additional £33k saving beyond this relates to increased income from pre-application advice.
<b>Total Transforming</b>				<b>138</b>	<b>234</b>	<b>50</b>	<b>184</b>	<b>267</b>	<b>267</b>	
Commissioning	Suzan Harrington	Contract renegotiations	Medium	0	324	6	318	318	318	Renewal of the public conveniences contract has generated a £6k per annum saving. The purchase of the waste vehicle fleet will result in cost savings. However, these renewals are delayed until later in the year. Figures will become clearer later in the autumn but current assumption is that no saving will be made this year.
Commissioning	Suzan Harrington	Procurement partnership	Low	12	0	0	0	0	0	Completed - Selby has exited from the North Yorkshire Procurement Partnership in April 2019. Approved by the Executive 4/10/2018.
<b>Total Collaboration &amp; Commissioning</b>				<b>0</b>	<b>324</b>	<b>6</b>	<b>318</b>	<b>318</b>	<b>318</b>	
Technical/housekeeping	Karen Iveson	Remove contributions to pension reserve	Low	100	0	0	0	0	0	Completed - This mitigates above inflationary rises in future pension contributions - risk to be managed within base budget.
Technical/housekeeping	Karen Iveson	Reduce contingencies	Low	160	0	0	0	0	0	Completed - The operational contingency has been reduced to £100k (the minimum advisable for operational purposes) and funding from the Contingency reserve will be drawn down for additional Executive Commissions as part of the annual budget process. The Contingency reserve will continue to be topped up through windfalls/in-year surpluses.
Technical/housekeeping	Karen Iveson	Reduction in pension contributions	Low	0	69	69	0	1	0	Reduction in pension contributions following the 2019 triennial valuation. Rates are subject to final confirmation but there is sufficient headroom in the fund to consider this low risk. Rates are expected to increase from 2023/24 and budget provision will be made to mitigate this.
<b>Total Technical/Housekeeping</b>				<b>0</b>	<b>260</b>	<b>69</b>	<b>0</b>	<b>1</b>	<b>0</b>	
<b>Total</b>				<b>780</b>	<b>758</b>	<b>156</b>	<b>602</b>	<b>786</b>	<b>885</b>	

Low Risk			69	69	0	1	0
Medium Risk			45	45	0	685	685
High Risk			644	42	602	100	200
<b>Total</b>			<b>758</b>	<b>156</b>	<b>602</b>	<b>786</b>	<b>885</b>

Strategic Category	Lead	HRA - Potential Saving	Risk	Saving Delivered to March 19/20 £000's	2020/21 Target £000's	2020/21 Forecast £000's	2020/21 Shortfall £000's	2021/22 Remaining Target £000's	2022/23 Remaining Target £000's	Update/Comments
Transforming	Suzan Harrington	Process improvements /on-line transactions	Medium	7	195	0	195	195	195	The new housing/asset management system is in the process of being implemented and is set to go live in 20/21.
Commissioning		NYCC Procurement Partnership	Low	12	0	0	0	0	0	Completed - Selby has exited from the North Yorkshire Procurement Partnership in April 2019. Approved by the Executive 4/10/2018.
Technical/housekeeping	Karen Iveson	Reduction in pension contributions	Low	0	23	23	0	0	1	
<b>Total</b>				<b>-</b>	<b>19</b>	<b>218</b>	<b>195</b>	<b>195</b>	<b>196</b>	

**Appendix E : 2020/21 Selby District Council Capital Programme - To 30 June 2020**

General Fund	Revised Budget Incl C/F	Year to date Budget	Year to date Actual	YTD Variance	Forecast	Carry Forward	Year End Variance	Comments
Transforming Customer Services	110,000	27,500	2,700	-24,800	110,000	0	0	Covid-19 has prevented the start of work on the reception alterations delaying the contact centre move. It is hoped that procurement of the contractor will be completed during summer with work being completed in October with the contact centre operating from the Civic as soon as possible following completion. The project is expected to be on budget.
Website Development	10,000	2,500	0	-2,500	10,000	0	0	This project is to enhance the platform to allow for future development of the website. We are in discussions with NYCC to deliver the new platform.
Industrial Units - Road Adoption	325,000	81,250	0	-81,250	0	0	-325,000	Further information being sought from NYCC Highways regarding detailed specification requirements and contribution to enable formulation of an estimate of costs. Budget costings received from contractor. This budget has been rolled forward for a number of years and a decision is now required as to whether to invest in upgrading the highway provision to adoptable standard. The current condition of the road is such that significant investment at the current time merely to enable adoption is not appropriate. It is proposed not to progress at this juncture and to seek to re-secure funding for the works when the condition dictates those works are appropriate and necessary. There are no plans to carry out this work at present as the road still has a significant useful life. A report will be prepared recommending to remove this budget.
GIS System	37,131	9,283	0	-9,283	37,131	0	0	The project still to be scoped for this budget. Decision to be made is dependant on the decision for an Appointment System for the new Customer Contact Centre.
Benefits & Taxation System upgrade	16,475	4,119	2,915	-1,204	16,475	0	0	This budget is linked to software upgrade supporting Channel Shift Phase 2.
IDOX Planning System	15,000	3,750	0	-3,750	15,000	0	0	To support the IDOX suite of software applications for upgrades and patches as part of the IDOX Roadmap. This will ensure that we remain PSN compliant throughout 2020/21
ICT - Annual Software Licence	85,000	21,250	0	-21,250	85,000	85,000	0	Annual Microsoft Licence
ICT - Servers	7,590	1,898	0	-1,898	7,590	0	0	Servers are being upgraded to align to Microsoft licencing requirements. 50% of idox upgrade has been paid but the remaining £7.5k will be paid in Q2 of 2020/21 when the work is completed.
ICT - Software	29,694	7,424	8,000	577	29,694	0	0	Budget committed to the Digital Workforce Project. The project is underway for the implementation of Microsoft 365 tools. The project has been delayed due to Covid-19, however it is anticipated that the project will be completed in the current financial year.
Adobe Licence Replacement	0	0	0	0	0	0	0	
Finance System Replacement	0	0	0	0	0	0	0	
Committee Management System	3,000	750	0	-750	3,000	0	0	ModernGov software now live as of 2019/20, the final £3k budget to cover final costs to upgrade the software due Q2 2020/21.
Upgrade to Assure from M3	20,000	5,000	10,000	5,000	20,000	0	0	This budget is to migrate from M3 to Assure software, this project will commence in Q3 2020/21 to be completed in the current year.
Cash receipting System	32,500	8,125	0	-8,125	32,500	0	0	Income Management Software replacement project. The capital budget for this project will be used for training and consultancy on the new software commencing in Q2 with delivery completing in Q4 2020/21.
Northgate Revs & Bens	7,856	1,964	0	-1,964	7,856	0	0	Budget required for system upgrades following legislative changes in relation to e-billing. The budget will be to complete the software changes / upgrades.

Approved Programme & Carry Forward Proposal		
Forecast 21/22	Forecast 22/23	Forecast 23/24
15,000	15,000	
15,000	15,000	
85,000	85,000	85,000
30,000		
15,000		
150,000		

**Appendix E : 2020/21 Selby District Council Capital Programme - To 30 June 2020**

General Fund	Revised Budget Incl C/F	Year to date Budget	Year to date Actual	Year to date Variance	Forecast	Carry Forward	Forecast Variance	Comments	Forecast 21/22	Forecast 22/23	Forecast 23/24
Asset Management Plan - Leisure & Parks	32,780	8,195	0	-8,195	32,780	0	0	There are a number of planned maintenance works to be carried out this year at both Selby and Tadcaster leisure centres. The works are being co-ordinated by IHL and are expected to be completed on time.	54,728	9,005	
Committee Room Microphone system	65,000	16,250	0	-16,250	65,000	0	0	Specification is written and tenders have been invited for the Committee Room microphone system. However, the project is currently on hold due to Covid-19.			
Car Park Ticket Machines	36,000	9,000	0	-9,000	36,000	0	0	The purchase of new ticket machines is linked to changes to the Car Parking Strategy, new tariffs etc. Given the delays to all services as a result of coronavirus it is currently unclear when the policy changes required prior to the acquisition of new machines will occur.			
Industrial Units Maintenance	150,000	37,500	0	-37,500	20,000	130,000	-130,000	An initial report presenting options has been provided to LT for consideration. Further work is now required to develop a formal business case for each option. Given the nature of the options being considered it is considered inappropriate to seek approval to invest the existing capital funds at this time. The outturn forecast has therefore been revised accordingly and a carry forward will be requested. Improvements to the industrial units are subject to the outcome of a report to Executive in respect of the future direction. We are awaiting information regarding demand from colleagues in ED to inform the recommendations of the report. The budget has currently been re-forecast of the basis of expected essential spend for the year.	227,200	7,200	
Car Park Improvement Programme	530,096	132,524	0	-132,524	300,000	230,096	-230,096	Work to progress improvement to Back Micklegate and Micklegate car parks has been placed on hold in order to maximise funding options through external funding bids such as the Heritage Action Zone funding. The funds will be required in 20/21 as match funding for the wider investment programme being considered.	230,096		
ICT - Channel Shift 2 Website & Intranet	57,500	14,375	40,775	26,400	57,500	0	0	Channel shift Phase 2 (Customer portal) project which has been delayed from 19/20 as per the business case and project plan. Citizens Access Portal (Revenues) will be LIVE in Q3 2020/21 with Citizens Access Portal (Benefits) in Q4 2020/21. A commitment of £22.5k will be made once the software is LIVE. This budget will be used for Scanstation/CAB/CAR and CA_LL and e-forms development through 2020/21			
ICT - Channel Shift 3 Website & Intranet	18,000	4,500	0	-4,500		18,000	-18,000	Channel shift Phase 3 (Housing management CX integration) project which has been delayed from 19/20 as per the business case and project plan. This will follow the implementation of Channel shift phase 2 (Customer portal project) expected to be during 2020/21. This budget will be used as the Digital Front Door Options Appraisal, however, due to Covid-19 it is anticipated that this will not commence until 2021/22.	18,000		
ICT - Disaster Recovery Improvements - Software / Hardware	24,786	6,197	6,992	796	24,786	0	0	Design changes have enabled lower costs for this project. This budget is for improvements aligned to Microsoft requirements & DR Improvements including new server in 2020/21.			
ICT - End User Devices - Software / Hardware	25,341	6,335	0	-6,335	25,341	59,000	0	Budget is required for replacement hardware in relation to the digital workforce strand of the digital strategy.	59,000	59,000	59,000
ICT - Digital Workforce - Telephones - Mobile Working	16,000	4,000	0	-4,000	16,000	0	0	Budget is for replacement Mobile phone hardware in relation to the digital workforce strand of the digital strategy.			

**Appendix E : 2020/21 Selby District Council Capital Programme - To 30 June 2020**

General Fund	Revised Budget Incl C/F	Year to date Budget	Year to date Actual	Year to date Variance	Forecast	Carry Forward	Forecast Variance	Comments	Forecast 21/22	Forecast 22/23	Forecast 23/24
South Milford Retaining Wall	15,000	3,750	0	-3,750	15,000	0	0	We are still awaiting confirmation from the parish priest as to whether approval for the improvement works to the wall will need to go through a Faculty application (similar to Listed Building Approval). It is currently unknown how long the process will take. Given the relatively small amount of funding involved, no alteration to the outturn forecast has been made at this time.			
Waste Collection Fleet	4,000,000	1,000,000	0	-1,000,000	4,000,000	0	0	An order was placed last year via a framework for the purchase of 21 x RCV's and 1 x mechanical sweeper. The fleet is likely to be delivered between August and November 2020.			
Council Play Area Maintenance	105,000	26,250	0	-26,250	105,000	0	0	Groundwork have been commissioned to project manage this project and the design and consultation stages have been completed for the first site which is Grange Road, Tadcaster. Groundwork will shortly be going out to tender for the works. Design work is starting on the second site which is Charles Street, Selby.	100,000	100,000	
Replacement of Vehicle Fleet	7,950	1,988	0	-1,988	7,950	0	0	Delivery of the replacement vehicle fleet has been delayed until September/October due to coronavirus.			
Purchase of Land	937,500	234,375	0	-234,375	0	937,500	-937,500	To facilitate affordable housing development and acquisitions and will be subject to business case.	937,500		
New Build Projects (Loans to SDHT)	2,400,000	600,000	0	-600,000	400,000	2,000,000	-2,000,000	Sites have been identified for potential aquisition. However, the Covid lockdown has delayed negotiations. There are also small sites identified for development and are with the Planning Team, when approved, tenders can be completed to attain absolute costs, this has also been delayed due to the Covid lockdown. tenders will be issued during Septemeber. Discussions will then take place with SDHT to decide if they wish to progress them. Until the SDHT Business Plan is finalised current assumptions have been used to commence 15 new units / acquisitions in 2020/21, 30 units in 2021/22 and 2022/23 with the balance of the funding in 2023/24.	2,000,000		
Private Sector - Home Improvement Loans	39,031	9,758	3,423	-6,335	39,031	0	0	There has been a slow start to RAS Loans in 2020/21, due in part to Covid-19 but also due to RAS loans been somewhat seasonal and difficult to profile, despite this we would still expecting full spend of the budget in 2020/21. RAS loans are repaid to the council upon sale of the property and then recycled into new loans. This allows more vulnerable households to receive the help they need.-In 2019/20 we received 4 repaid loans totalling £12,117 which meant that around 3 additional households were able to receive essential assistance. We would expect to recieve at least a similar number of repayments in 2020/21.			
Empty Property Grants	80,000	20,000	17,832	-2,168	80,000	0	0	We have completed 1 Empty Homes Grant in quarter 1 of 2020/21. In addition, there have been around 6 expressions of interest from empty property owners which we would expect to convey into full grants in due course. Empty Homes Grants remain popular and are an excellent way of sourcing private rented accommodation for vulnerable households at risk of homelessness. It is expected that the full budget be spent in 2020/21.	80,000	80,000	
Disabled Facilities Grants (DFG)	680,317	170,079	28,391	-141,688	680,317	0	0	Covid-19 has had a significant impact on the delivery of DFGs. At the end of Q1 only 3 have been completed. The good news is 17 are approved with contractors now on site. it is hoped that by the end of of this year we will have recovered with performance similar to last year.	402,360	402,360	
<b>Total General Fund</b>	<b>9,919,547</b>	<b>2,479,887</b>	<b>121,028</b>	<b>-2,358,859</b>	<b>6,278,951</b>	<b>3,459,596</b>	<b>-3,640,596</b>		<b>4,418,884</b>	<b>772,565</b>	<b>144,000</b>

**Appendix E : 2020/21 Selby District Council Capital Programme - To 30 June 2020**

Housing Revenue Account	Revised Budget Incl C/F	Year to date Budget	Year to date Actual	Year to date Variance	Forecast	Carry Forward	Forecast Variance	Comments	Approved Programme & Carry Forward Proposal		
									Forecast 21/22	Forecast 22/23	Forecast 23/24
Housing & Asset Management System	132,375	33,094	0	-33,094	132,375	0	0	The remaining capital of £132k will be invoiced in August 2020 following the Rents module Go Live in July 2020. The repairs module will commence in September 2020, with the remaining revenue expenditure to be used to implement this by a scheduled date of January 2021.			
St Wilfrid's Court	113,000	28,250	19,267	-8,983	19,267	93,733	-93,733	The programme scoping meeting identified requirement for significantly more investment than is available in the current budget. The current budget will therefore be utilised to address some of the higher priority issues identified during visit, as well as any essential health and safety related works. Work to replace the Tunstall system within the property has now been completed as this was deemed an emergency due to increasing false/no alarm reports. Progress in identifying additional improvement works at the scheme are however still on hold due to coronavirus. Due to the nature of the scheme and protect the safety of the residents it is felt essential to limit the works being undertaken whilst the Covid situation remains uncertain.	93,733		
Environmental Improvement Plan	108,152	27,038	0	-27,038	108,152	0	0	This funding is earmarked to support a scheme being led by colleagues in the Contracts and Procurement Team. Work to progress the scheme has however been delayed by the coronavirus outbreak. Currently awaiting a revised programme from colleagues in the Contracts and Procurement team.			
Housing Development Project	3,427,643	856,911	0	-856,911	400,000	3,027,643	-3,027,643	Programme for the development of up to 10 HRA properties on small sites, Starts on these sites is anticipated in 2020/21. Work including, feasibility studies, asbestos surveys and garage clearance are being progressed. Planning permission for development of three schemes has now been secured and work is underway to progress these through to tender. The coronavirus pandemic will result in delays in progressing these projects to site however.	3,027,643		
Housegate Hostel	10,394	2,599	0	-2,599	10,394	0	0	An upgrade of the CCTV within the building was undertaken with Fire Risk Assessment and communal area refurbishment works progressing in tandem. This budget is required to complete the final elements of the works identified within the Fire Risk Assessment and will be assessed for Covid compliance.			
Phase 1 HDP Byram Park Road	0	0	-5,805	-5,805	0	0	0	Final Retention invoice received £5k lower than anticipated			
Community Centre Refurbishment	64,377	16,094	0	-16,094	64,377	0	0	The Fire Risk Assessment works identified at Grove House have now been completed except for the installation of the new entrance doors and door entry system which are on order. Work to identify further requirements outlined for other community centres under the FRA process is currently underway Progress on delivery of this programme has been delayed due to the coronavirus outbreak.			
Empty Homes Programme - Improvements to Property	1,094,740	273,685	0	-273,685	1,094,740	0	0	This supports the Empty Homes Programme and is available to purchase Empty properties that will be brought back in to use and let through the HRA and former council properties sold through the Right to Buy. This is part of a 3 year programme to fund the purchase of 20 properties and includes S106 and Homes England Grant funding. We purchased 7 properties in 2019/2020, the work to improve these properties to a lettable position has been delayed due to the Covid lockdown, there was 1 long term empty property and 6 former Right to Buy, buy backs. We are also still progressing with the Compulsory Purchase of a long term empty property. These properties have been added to the HRA and will be let at an affordable rent once the works are complete. A revised programme is being drawn up for further acquisitions in 20/21.			
Assets Vehicle Fleet	60,950	15,238	0	-15,238	60,950	0	0	Delays in obtaining the new vehicle fleet due to coronavirus have resulted in underspend on this budget YTD. The fleet is now estimated to arrived in September/October.			

**Appendix E : 2020/21 Selby District Council Capital Programme - To 30 June 2020**

Housing Revenue Account	Revised Budget Incl C/F	Year to date Budget	Year to date Actual	Year to date Variance	Forecast	Carry Forward	Forecast Variance	Comments	Forecast 21/22	Forecast 22/23	Forecast 23/24
Energy Efficient Programme	701,869	175,467	64,971	-110,496	701,869	0	0	The cessation of all but emergency repairs due to coronavirus has impacted delivery of the capital investment programme. We have issued the scope of works to our contractor partners about programme delivery and are pushing for this programme of works to be completed in the current financial year.	500,224	510,225	
Health and Safety Improvement Programme	886,724	221,681	101,922	-119,759	598,000	288,724	-288,724	The cessation of all but emergency repairs due to coronavirus has impacted delivery of the capital investment programme. We are currently working on our recovery plans for reintroduction of services and talking with contractor partners about programme delivery. £289k has been forecasted to drop into the next financial year, this is electrical re-wire works linked to the delays on the Property Refurbishment Programme.	648,724	554,675	
Property Refurbishment Programme	4,618,490	1,154,623	101,308	-1,053,315	3,131,094	1,487,396	-1,487,396	The cessation of all but emergency repairs due to coronavirus has impacted delivery of the capital investment programme. We are currently working on our recovery plans for reintroduction of services and talking with contractor partners about programme delivery. Current estimations are to deliver 60% of the programme in the current financial year, this will re-assessed once the recommencement plan is received from our contractors. The forecast includes £600k Covid impact based on 5% increase in costs as a result of project delays	5,103,140	3,677,796	
Property Investment Programme	1,140,375	285,094	1,484	-283,610	350,000	790,375	-790,375	The cessation of all but emergency repairs due to coronavirus has impacted delivery of the capital investment programme. We are currently working on our recovery plans for reintroduction of services and talking with contractor partners about programme delivery. Current estimations are to deliver 30% of the programme in the current financial year, this will be re-assessed once the recommencement plan has been received.	1,373,310	427,133	
	0	0	0	0		0	0				
<b>Total HRA</b>	<b>12,359,089</b>	<b>3,089,772</b>	<b>283,147</b>	<b>-2,806,625</b>	<b>6,671,218</b>	<b>5,687,871</b>	<b>-5,687,871</b>		<b>10,746,774</b>	<b>5,169,829</b>	<b>0</b>
<b>Total Capital Programme</b>	<b>22,278,636</b>	<b>5,569,659</b>	<b>404,175</b>	<b>-5,165,484</b>	<b>12,950,169</b>	<b>9,147,467</b>	<b>-9,328,467</b>		<b>15,165,658</b>	<b>5,942,394</b>	<b>144,000</b>

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Appendix F : Programme for Growth 2020/21 Financial Year Project Updates  
Multi Year schedule for the project lifespan

Project	Lead Officer	Multi-Year Project Budget	Position @ 30 June 2020			Project Budget Remaining	Update	Phasing of future spend Q1		
			In Year Revised Budget 20/21	In Year Spend 20/21	Forecast			Forecast 20/21	Forecast 21/22	Forecast 22/23
Healthy Living Concepts Fund	Angela Crossland	53,291	53,291	0	53,281	53,291	Of the remaining £53,281 in this fund - £10k allocated to develop active travel sustainable travel packs in line with the visitor economy niche trails work, £30k allocated to development of project with Yorkshire Wildlife Trust for Barlow Common (TBC re: covid recovery). Remaining £13k will support health initiatives identified as part of covid recovery plans.	53,291	0	0
Visitor Economy (Tourism & Culture)	Angela Crossland	352,912	352,912	30,211	352,912	322,701	Delivery of the Visitor Economy Strategy is a 3 year programme, which will complete in October 2021. Projects to complete in 2020/21 include: Visitor Economy Place-branding and first year of the marketing plan A suite of niche trails (heritage, outdoor/nature, family fun etc.) which, in light of COVID-19, encourage local people to explore their district. These exist as postcard and an online interactive map with functionality on a mobile phone. The development of a Cultural Development Framework for the District (part-funded by Arts Council England) A programme of support & development for the Food & Drink/hospitality sector Creation of a Visitor Economy business toolkit to support VE businesses to develop their product and their audiences Project delivery on target against Covid-reset of Visitor Economy, which accelerates much of the work and emphasises sector-support activity and the need to engage local audiences. The Tourism Development Officer is working with Welcome to Yorkshire, the LEP, Visit Leeds, Visit York etc. to maximise opportunities from partnership working and joined up thinking regarding Covid-recovery planning.	200,000	152,912	0
Celebrating Selby 950	Angela Crossland	30,311	30,311	11,695	30,311	18,616	Final reports have been submitted to funders. All delivery is complete, including an Audience Development Plan which builds on the findings in the Evaluation Report. National Lottery Heritage Fund have approved final activity report and financial evidence. Their final payment of (10%) will be made shortly. NLHF describe the activity as "brilliant". Arts Council England have different financial reporting requirements, which are not yet complete.	30,311	0	0
Marketing Selby's USP	Mike James	7,753	7,753	4,841	7,753	2,912	The final elements of this phase of the campaign have now been completed, apart from one remaining case study which was put on hold due to the flooding and Coronavirus emergencies, we are awaiting the final invoices. The 2019/20 phase of the place branding work has delivered the following: human interest marketing materials linked to the Council's strategic development sites (used by ourselves and partners in local, regional and national marketing), on-going positive regional coverage about opportunities in the district through media partnerships, new media partnerships focusing on the benefits of growth to existing residents and businesses, national coverage for the district in partnership with LEPs and the LGA, and the development of a new 'business portal website, linked through the Council's main website. As per other proposed PFG projects for 2020/21, no decision has been made on future funding, so this comms work will be scaled back to deliver only those actions that have no cost.	7,753	0	0
Retail Experience - STEP	Angela Crossland	76,749	76,749	2,085	76,749	74,664	Town centre revitalisation and strategy work is underway. Noticeboard element of street scene work completed in line with car park refurbishment. Work to deliver on priorities in line with the town centre strategy and revitalisation action plan. Anticipate that plans for local delivery will align with reprioritisation for town centres as part of new Corporate Plan period 2020+ Town centre baseline reports completed for Selby and Sherburn. Selby action plan in draft. Work being prioritised on digital development in line with recent LEP support and post Covid19 planning.	76,749	0	0
Towns Masterplanning (Regeneration)	Angela Crossland	102,257	102,257	3,251	102,257	99,006	Work has been commissioned in 2019/20 from the People and Places consultancy (Chris Wade) to develop town centre revitalisation plans and prepare for Future High Streets Fund applications throughout 2019. The first stage of work for Selby has been completed. Sherburn action plan draft now to finalise and Tadcaster engagement due to commence mid-August. Work will identify where match fund and further commission is needed and establish the further multi-partner governance model needed to deliver the strategies and action plans for each town centre. Places and movement study with Highways due to commence July 2020 and supported from this funding allocation. Circa £30k. Anticipate that plans for local delivery will align with reprioritisation for town centres as part of new Corporate Plan period 2020+ and covid recovery planning.	65,000	37,257	0
Strategic Sites Masterplanning	Iain Brown	104,833	104,833	5,778	104,833	99,055	Funded due diligence work for Selby Station Masterplan area and Selby TCF revenue costs (in partnership with NYCC). Future costs will include consultancy costs for development to Full Business Case stage, surveys, design, legal and valuation fees. A large proportion, if not all, of Selby TCF revenue costs should be reimbursed back to this budget by WYCA.	104,833	0	0
Access to Employment	Iain Brown	39,895	39,895	570	19,282	18,712	Projects within this budget will be targeted at supporting social mobility to give unemployed people in areas of higher deprivation in Selby District access to current and future employment opportunities e.g. connecting people to employment opportunities at Sherburn, the former Kellingley Colliery, Church Fenton etc. Future initiatives being reviewed against this budget include the opportunity to support future LCWIP projects linking residential communities with employment hubs and opportunities related to electric bike programmes.	19,282	0	0

Project	Lead Officer	Multi-Year Project Budget	In Year Revised Budget 20/21	In Year Spend 20/21	Forecast	Project Budget Remaining	Update	Forecast 20/21	Forecast 21/22	Forecast 22/23
Growing Enterprise	Iain Brown	60,521	60,521	570	60,521	59,951	Budget to support one of the 10 priorities in Economic Development Framework (EDF) 2 year delivery programme as approved at the January 2019 Executive. It helps to match-fund small business support with the Leeds City Region LEP and unlock assistance for small businesses through the Ad:Venture and Digital Enterprise. New initiatives that will be funded through the coming year will include a widening of the skills support programme and work with any businesses that could be affected by the TCF programme around Selby Station.	60,521	0	0
Empty Homes	June Rothwell Simon Parkinson	3,846	3,846	95	3,846	3,751	Overall the project is progressing well and the Empty Homes Officer has directly helped bring empty homes back into use in line with the targets set by offering advice and assistance to owners. Homes England Grant funding has been secured to support the options of voluntary and compulsory purchase. A total of £390,000 has been secured, subject to individual business cases for the properties, to purchase and repair the empty homes, bringing them to a habitable standard. This indicative funding is to bring back in to use 10 empty properties up to 2020, providing up to £39,000 per property. We can also use the funding to purchase 'right to buy' buy backs and this is something we will consider on a case by case basis. We are currently pursuing our first Compulsory Purchase Order - although this has been delayed due to the current Coronavirus crisis. If successful it is hoped that this will send a strong message that tackling empty homes are a priority for us. In 19/20 we brought 5 properties back into use through the Empty Homes Grants/Loans service. These provided homes to vulnerable households who were at risk of homelessness.	3,846	0	0
Selby District Housing Trust	June Rothwell Phil Hiscott	34,850	34,850	0	34,850	34,850	This fund is to support SDHTs role in the more ambitious HDP approved by Executive in January 2018. A new officer has now been appointed to support the SDHT. The Trust have taken occupation of an additional 17 new affordable homes in 2018/19 delivered through new build and Section 106 acquisitions and a further 12 Section 106 acquisitions in Q1 2019/20. SDHT continue to work with SDC colleagues on the affordability and viability of new properties coming forward via the Housing Development Programme. Discussions with external providers regarding possible S106 acquisitions are also ongoing.	10,000	10,000	14,850
Stepping Stone Housing Delivery	June Rothwell Phil Hiscott	7,052	7,052	108	7,052	6,944	The Project will support the implementation of the Housing Development Programme approved by the Executive in January 2018. Seeking opportunities to maximise the social and economic benefits of the Council's asset portfolio.	7,052	0	0
Olympia Park	Iain Brown	4,733	4,733	0	4,733	4,733	Following further detailed information about costs and technical issues at the Olympia Park development site in Selby, Selby District Council, the landowners and developers involved have reluctantly concluded that conditions attached to a government housing infrastructure grant towards site costs cannot now be met. Despite the best endeavours taken by the Council, its advisers and Olympia Park Development (OPD), the project in its current form cannot be delivered within the timescales required to access the grant offered towards infrastructure costs. Everyone involved remains fully committed to effective use of the site in the future to support existing businesses and enable the delivery of appropriate new employment space and homes. The Council and OPD now have the benefit of significant detailed technical information regarding the site and continue to work together to unlock its significant potential for development, particularly given the close proximity to the town centre and railway station. The Council is in discussion with OPD regarding the scope for a significant employment development on the site and, on this basis, has retained a pedestrian and cycle footbridge to the site from the town centre and station in the TCF proposals. Further details will be provided once further discussions have taken place.	4,733	0	0
Making our Assets work	Iain Brown	0	0	0	0	0	The budget is targeted at funding due diligence work to bring the Council's own land assets to the market. These include small garage sites, Portholme Rd, Egerton Lodge, Barby Rd depot and Bondgate. There is some in year spend which was covered by year end accruals. Funding for further work to progress this workstream are to be reallocated from other budgets to provide funding capacity for additional site investigations.	0	0	0
Housing development Feasibility Work	Phil Hiscott	3,546	3,546	23,000	3,546	(19,454)	Housing development feasibility project to identify viability of sites for development. Phase 2 feasibility costs have been transferred to the individual development budgets for three identified sites; Camblesforth, Hambleton and Sherburn in Elmet. Burn is still in planning awaiting a decision and West Haddlesey has not yet been submitted. Outstanding work is still required at Burn, and will commit the carried forward budget. A large proportion of the costs have been incurred as abort fee against sites which will not be progressing.	3,546	0	0
Asset Strategy	Phil Hiscott	80,000	80,000	0	80,000	80,000	Budget for the production of the Asset Management Strategy This funding is required to support development of the Council's new Asset Management Strategy. Work to agree the brief has been completed. however progressing this to tender has been delayed by coronavirus.	80,000	0	0

Project	Lead Officer	Multi-Year Project Budget	In Year Revised Budget 20/21	In Year Spend 20/21	Forecast	Project Budget Remaining	Update	Forecast 20/21	Forecast 21/22	Forecast 22/23
Commercial property acquisition fund	Iain Brown	3,039,424	3,039,424	0	3,039,424	3,039,424	This budget will be used to acquire strategic development sites consistent with the Councils regeneration and commercial development opportunities, in some instances this may be used to match fund acquisitions as part of the TCF bid submission. The current live project being developed with funding from this budget is the purchase of a site near Selby Station to provide new access to platform 2 and additional car parking. A significant amount of funding from this budget has been put forward as match funding within the Council's TCF proposals for Selby Station.	1,000,000	1,000,000	1,039,424
High Street shop fronts	Angela Crossland	100,000	100,000	0	100,000	100,000	The Project Fund is a match fund contribution to the successful High Streets Heritage Action Zone (HAZ) bid. Programme delivery commenced 1st April and this fund is part of a 4 year programme profile. HAZ Officer due to start in post August 2020	0	50,000	50,000
New lane - Public Realm	Angela Crossland	200,000	200,000	0	200,000	200,000	The Project Fund is a match fund contribution to the successful High Streets Heritage Action Zone (HAZ) bid. Programme delivery commenced 1st April and this fund is part of a 4 year programme profile. HAZ Officer due to start in post August 2020. Experimental road closures in place as part of Reopening High Streets project (ERDF Funded)	0	0	200,000
Town Centre Action Plan	Angela Crossland	2,600,000	2,600,000	0	2,600,000	2,600,000	A Forward Framework and Action Plan is being prepared for each of the 3 town centres - work led by Chris Wade funded from the current Town Master planning P4G project. Two elements to this new ask: 1) Feasibility pot to work up project ideas e.g as required for the TCF bid; 2) Delivery budget - for implementation of projects - split as follows: Selby - £1m; Sherburn - £500k; Tadcaster - £500k.	1,200,000	700,000	700,000
Staffing costs		3,379,092	3,379,092	200,480	3,379,092	3,178,612	This covers all the P4G funded posts across SDC including the extensions to contracts approved in the budget. These posts support delivery of this P4G programme. It also covers the additional core staffing costs in a number of teams required to deliver the Council's corporate growth ambitions including the Economic Development and Regeneration team (to deliver the Economic Development Framework 2 year action plan) and key posts in Communities and Partnerships, Planning and Marketing and Communications.	953,087	1,057,690	1,368,315
Contingency		4,151,760	4,151,760	0	4,172,373	4,151,760	The funding we are receiving from the West & North Yorkshire Business Rates pool for the Tour de Yorkshire and UCI £200k has been put back into P4G contingency to fund essential work on the asset management strategy. Also the balance remaining on Tadcaster Linear Park has been transferred back to P4G contingency.	257,373		3,915,000
		<b>14,432,825</b>	<b>14,432,825</b>	<b>282,684</b>	<b>14,432,815</b>	<b>14,129,528</b>		<b>4,137,377</b>	<b>3,007,859</b>	<b>7,287,589</b>

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## 5 REVISED ESTIMATE 2020/21 AND MEDIUM-TERM FINANCIAL STRATEGY (PR/20/3)

The Committee received the report of the Chief Finance Officer, which asked Members to consider the content of the report and make any comments on the proposed revised Budget for 2020-21, and updated Medium-Term Financial Strategy (MTFS), prior to consideration by Council later in September 2020.

The Chief Finance Officer explained that for the General Fund and the HRA three scenarios, 'best', 'mid' and 'worst' case, had been modelled over the 10 years from 2021-22 to 2030-31 and were attached at appendix A of the report, the mid-case scenarios were proposed as the framework for the forthcoming budget.

Members acknowledged that Covid-19 had, and continued to have, a significant impact on the Council's finances. As at the end of July 2020 the full year forecast for 2020-21 totalled £3.8m, it was confirmed that £1.068m had been received from the Government to help off-set these impacts. The key assumptions that underpinned the strategy had been updated, and this forecast had informed the revised estimate put forward for approval, with £1.44m New Homes Bonus proposed to be diverted from reserves to help mitigate the impacts. Based on current assumptions a surplus of £43k was forecast but given the risk and volatility as a result of the virus, this could change.

The Chief Finance Officer explained that the MTFS highlighted further delays to the Fair Funding Review and the reform of the Business rates Retention system, as a result of Covid-19. It was assumed therefore that the settlement for 2021-22 would be another roll-forward, which could result in a further year of the renewable energy business rates income.

It was highlighted that the MTFS mid-case scenario assumed a Council Tax rise of £5 (2.8%) for 2021-22, which mirrored the referendum principles that applied in 2020/21, and an on-going CPI +1% increase in housing rents.

The Committee were informed that the MTFS also set out the Council's reserves strategy which sought to set aside sums to cover known commitments and cover financial risk, as well as earmarking resources to support delivery of the "Council Plan".

The Chief Finance Officer assured Members that despite the challenges faced, the Council was in a strong financial position but savings remained a key feature of the budget going forward.

A query was raised regarding the savings requirement which identified an estimated rise to between £2.4m and £2.9m over the next 3 years; with savings of £848k p.a. already planned from which area's would the further £2m be identified. It was confirmed that at this time the report was to highlight the potential savings identified and that it would be subject to

discussion with Members.

Members queried what effect the government's plans to introduce unitary authorities would have on the budget. The Chief Finance Officer stated that the MTFs assumed that the Council was a going concern. The Lead Executive Member for Finance and Resources assured Members that the Executive were keen to ensure that Selby District Council's resources would be used for the benefit of Selby District.

In response to queries regarding Council employees in respect of the furlough system operated by the Government, and whose decision it was not to furlough any of the Council's personnel, and the impact of the pay award which included one extra annual leave day, it was confirmed that the rules around furloughing staff had been very strict and that as local authorities had received government grants it was felt that it would be inappropriate to furlough staff. It was further confirmed that staff across the organisation had come together to help different teams to aid in the work of awarding government business grants and safeguarding vulnerable people within our community. In terms of the associated benefits within the pay award it was noted that beyond the estimates included within the revised budget there would not be a significant financial impact.

Concern was raised regarding the proposal to divert the New Homes Bonus from reserves to help mitigate the impacts of Covid and it was suggested that Community Infrastructure Levy (CIL) reserves be used for the purpose. It was explained that the CIL reserves were restricted to the uses specified through the planning process. The Lead Executive Member for Finance and Resources further explained that the Council had no control over the CIL monies and that it was for each Parish Council to make a claim.

Discussion took place regarding the proposed £5 increase in Council Tax for 2021-22 and whether this amount had been agreed, the Chief Finance Officer informed Members that the amount had not been agreed and that the final decision would sit with Council. There were mixed views about increasing Council Tax particularly when savings were needed but local communities had been hit by the pandemic and were struggling financially.

**RESOLVED:**

- i. **To note the revised Budget for 2020/21 and the update to the Medium-Term Financial Strategy (MTFS) covering both the General Fund and Housing Revenue Account (HRA).**
- ii. **To note the Policy Review Committee's comments as detailed above.**



**Report Reference Number: C/20/2**

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**To: Council**  
**Date: 22 September 2020**  
**Ward(s) Affected: All**  
**Author: Karen Iveson, Chief Finance Officer**  
**Lead Executive Councillor Mark Crane, Leader of the Council**  
**Member: Council**  
**Lead Officer: Karen Iveson, Chief Finance Officer**

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**Title: Programme for Growth Proposals**

**Summary:**

This report presents proposals for budget allocations for the Programme for Growth following engagement with Group Leaders.

From 2020/21 a total Programme budget of £14.433m is proposed with £3.654m allocated to new project bids and a further £438k retained in the approved budget as contingency/ unallocated should further projects be identified.

From 2021/22 a further £6.583m is estimated as available for allocation, which subject to confirmation of those receipts and together with £5.039m spent up to 31 March 2019, would take the total programme budget to £26.055m.

**Recommendations:**

The Executive recommend that:

- i) The budget allocations including £438k contingency set out at Appendix A be approved.**

**Reasons for recommendation**

To enable priority projects to be progressed.

**1. Introduction and background**

1.1 The Programme for Growth is the Council’s strategic programme of projects which underpin the priorities set out in the approved Council Plan.

1.2 At Council in February 2020 approval of some project budgets was deferred pending further engagement with members. This report presents revised proposals for approval.

## 2. The Report

2.1 The ‘Programme for Growth’ is the Council’s strategic programme to support delivery of the Council Plan. The programme comprises a range of cross cutting projects designed to ‘**make Selby a great place**’ by supporting our communities through investing in jobs; housing; the environment, infrastructure and the visitor economy.

2.2 The programme is now in its fourth incarnation, with an initial suite of projects approved as part of the 2018/19 budget and then revised in January 2019. Extensions to contracts were approved as part of the 2020/21 budget.

2.3 The mid-case scenario within the Medium-Term Financial strategy shows a further £6.583m estimated in 2020/21 and available in the ‘Special Projects Reserve’ for allocation to the programme in 2021/22. The table below shows the value of spend to date on the programme and subject to the funding received in 2020/21, the value still to be delivered:

<b>Programme for Growth</b>	<b>Spent to end 2019/20</b>	<b>Spend from 2020/21</b>	<b>Indicative Spend from 2021/22</b>	<b>Total</b>
	<b>£000’s</b>	<b>£000’s</b>	<b>£000’s</b>	<b>£000’s</b>
Total Allocated to projects/internal capacity	5,039	10,518	0	15,557
Assumed remaining project delivery fund (subject to available resources)		3,915	*6,583	10,498
<b>Funding from Special Projects Reserve</b>	<b>5,039</b>	<b>14,433</b>	<b>6,583</b>	<b>26,055</b>

*\*Estimated for receipt in 2020/21 and available for allocation from April 2021.*

2.4 The resources available to fund the programme will be reviewed annually in light of announcements on Local Government funding and the Council’s financial outlook. However the Council’s strategic approach to its future financial sustainability is reliant upon investment to stimulate housing and business growth which in turn will generate local funds through Council Tax



and Business Rates to mitigate losses in central Government funding and provide the capacity for further reinvestment in service delivery.

- 2.5 There may also be opportunity to extend the programme for growth further through bids for funding from external partners (such as the LEP and HCA).
- 2.6 **Appendix A** sets out the proposed Programme allocations for approval by Council. Approval of the budget allocations will allow further work on the necessary Business Cases to commence before individual projects are approved by the Executive for implementation.

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

- 3.1 Members have had opportunity to contribute ideas into the process and the full range of ideas put forward have been considered. **Appendix B** sets out the Executive's response to the list of ideas put forward.

### 4. **Implications**

#### 4.1 **Legal Implications**

- 4.1.1 None as a direct result of this report.

#### 4.2 **Financial Implications**

- 4.2.1 Funding of the Programme is from Special Projects Reserve, which has been established for this purpose. There are no new projects proposed that will deliver a direct revenue return to the Council. However, projects aimed at boosting the local economy through business and housing growth will ultimately, under the current Local Government funding regime, deliver more sustainable income for the Council.
- 4.2.2 Importantly no projects will increase the Council's base budget – commitments which increase the Council's recurring costs are not sustainable in light of the underlying savings that are needed. Any projects of a revenue nature are, of necessity, time limited and will require appropriate exit strategies when funding comes to an end.
- 4.2.3 The proposed project allocations put forward total £3.654m against available funding of £4.092m leaving £438k available as a contingency should further opportunities be identified.
- 4.2.4 For clarity, **Appendix C** sets out the overall Programme including the proposed projects/bids included within this report.

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

4.3.1 The proposed budget allocations support delivery of the priorities contained within the Council Plan.

4.3.2 Projects are subject to Executive approval of Business Cases to ensure the objectives, financial implications, risks and rewards are fully understood and within the approved budget and policy framework, before work commences.

### **4.4 Corporate Plan Implications**

4.4.1 The Programme for Growth underpins delivery of the Council Plan.

### **4.5 Resource Implications**

4.5.1 Resources required to deliver the programme are identified within the allocations already approved and proposed.

### **4.6 Other Implications**

4.6.1 As set out in the report.

### **4.7 Equalities Impact Assessment**

There are no equality impacts as a direct result of this report – individual proposals will be subject to assessment as the business cases are brought forward for consideration.

## **5. Conclusion**

5.1 The proposals set out in this report have been open to discussion with members of the Executive and group leaders. Whilst Covid-19 and restrictions to Council meetings has meant that the planned 'ideas lab' agreed at Council in February 2020 has not been able to take place, members have had opportunity to contribute their ideas through their group leaders.

5.2 The proposed Programme provides a broad range of projects aimed at delivering the Council's priorities and £438k funding remains available for allocation should further project opportunities be identified. Subject to confirmation of receipts in 2020/21 a further £6.583m could be available from 2021/22, taking overall potential available resources after proposed allocations, to £7.021m and the overall Programme total to £26.055m.

**6. Background Documents**

Approved Budget/Council Minutes February 2020

**7. Appendices**

Appendix A – Proposed budget allocations put forward for approval

Appendix B – Responses to ideas from Group Leaders

Appendix C – Overall Programme for Growth Summary

**Contact Officer:**

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## P4G NEW BIDS 2020/21 - 22/23

Bid Ref No	Project Name	Description	Strategic Priority	New Corporate Plan Objective	Delivery Priority (1st 3 years)	Revenue £000's				Capital £000's				Comments	Term	Funded From
						20/21	21/22	22/23	23/24	20/21	21/22	22/23	22/23			
1	<b>Visitor Economy, Arts and Culture Delivery programme</b>	The Visitor Economy and Selby 950 projects have delivered significant benefits for the district. Arts Council England & the National Lottery Heritage Fund want to invest further in the district but are looking for match-funding commitments from SDC and partners. The ask is in three parts:  1) An additional Events officer to oversee the bids and delivery 2) An investment pot we can use as match- funding for future bids 3) Extend the 2 existing VE posts by 18 months from October 2021 to April 2023)	Grow and Live	Increased investment and improved Town Centres.	Enable a thriving visitor economy underpinned by a sustained focus on enhancing the district's cultural offer. Develop a long-term programme of market town regeneration to support the development of vibrant town centres.	20	40	40	20						Fixed	P4G
2	<b>Business support programme</b>	Through the existing P4G Growing Enterprise project and match-funding from LCR we employ a Senior Business Advisor to offer advice to small business and sign-post access to wider funding such as Ad:Venture and Digital Enterprise. This has been very successful benefitting dozens of local businesses. The investment would go into supporting the programme of events, activities and supporting funding bids and will be critical in supporting post-covid economic recovery - note potential for this work to increase significantly as more businesses need support to recover.	Grow	Increased investment	Support enterprise and business growth that benefits local residents through development of the necessary infrastructure and support to attract new business investments and support local businesses to grow.	35	70	70	35						Fixed	P4G
Page 113	<b>Low Carbon resources</b>	Low carbon/Environmental Projects Officer to oversee Low Carbon work	Enjoy	Improved Environmental Quality and financial sustainability	Deliver agreed programme/key milestones of projects flowing from the Low Carbon Working Group	22	45	45	23						Fixed	P4G
4	<b>Low Carbon Projects</b>	Phase 1 project delivery fund to support approved projects flowing from the Low Carbon Working Group - projects subject to business case approval by the Executive.	Enjoy and Great value	Improved Environmental Quality and financial sustainability	Deliver agreed programme/key milestones of projects flowing from the Low Carbon Working Group					200	400	400	200	Examples could be: tree planting and green infrastructure; EV charging etc. Projects shown indicatively as capital but may be revenue related	Fixed	P4G
5	<b>Feasibility funding for HDP</b>	Feasibility funding for the Housing Delivery Programme	Live	Improved Housing Supply and Better Quality Council Homes	Undertake feasibility studies to deliver approved capital programme	50	100	100	50					General Fund only - HRA ringfenced to HRA resources	Fixed	P4G
6	<b>Place branding</b>	We have invested in 'place branding' for the Council to present a consistent positive story of the district as a great place to do business. Business confidence is now the 2nd highest in the Leeds City Region & we've been recognised nationally by the LGA as good practice. Also important in helping with covid-19 economic recovery. Additional funding through this bid will enable us to:	Grow	Increased investment	Deliver agree projects/milestones										Fixed	P4G

		1) Continue to invest in good quality material to continue to tell the story of investment, enabling us to invest in good quality images and films that create our story of place. 2) Fund the continuation of the existing P4G communications officer post				10	20	20	10							
						15	30	30	15							
7	Programme resources	Planning - Projects officer (TCF; HAZ; LSWIPs; HS2)	Grow and live	Increased investment and improved environment	Deliver agree projects/milestones	23	47	47	24						Fixed	P4G
8	Programme resources	Legal support - agreements and advice etc associated with the programme/projects	Great value	Underpins all objectives	Support to facilitate approved projects	23	46	46	24						Fixed	P4G
9	Programme resources	Finance support - business case development and financial monitoring/reporting	Great value	Underpins all objectives	Support to facilitate approved projects	23	46	46	24						Fixed	P4G
10	Programme resources	Regeneration -Town Centre Co-ordinator	Grow and Live	Increased investment and improved Town Centres.	Support to facilitate approved projects	20	40	40	20						Fixed	P4G
Page 114	Making our assets work	Top-up of current programme funding - this existing budget, which stands at zero, funds the feasibility, surveys and technical work to enable the Council's own land assets to be brought forward for development to deliver housing and other beneficial uses. The budget is targeted at funding due diligence work to bring the Council's own land assets to the market and see them developed. These include Burn Airfield and Bondgate.	Grow and Great Value	Improved housing supply and financial stability and increased investment	Fund technical work and consultancy advice needed to bring forward SDC land at Burn for development, together with technical work to bring forward other SDC sites, such as Bondgate .In particular specialist work to develop a viable and sound proposition to promote Burn through the Local Plan. Work to assess flood risk on the site is currently underway, together with provision of development advice regarding delivery options for the Council.	80	10	10	0							

12	<b>Strategic sites masterplanning</b>	Top-up of current programme funding - this existing budget funds background studies and technical work to facilitate regeneration and strategic planning acquisitions etc. The budget has funded due diligence work for Selby Station Masterplan area and Selby TCF revenue costs (in partnership with NYCC) that has been paid for thus far. Future costs will include consultancy costs for development to Full Business Case stage, surveys, design, legal and valuation fees. A large proportion of this Council's Selby TCF revenue costs should be reimbursed back to this budget by WYCA.	Grow and Live	Increased investment and improved Town Centres.	Fund specialist investigations and technical support to deliver the TCF programme at Selby (NB whilst the majority of these costs can be reclaimed from WYCA, the spend must first come from this SDC budget and therefore a healthy 'float' is required). In addition, fund technical studies and advice required for sites close to the station, or within the District's town centres, that are not covered by TCF and where the spend is not recoverable from WYCA. This will include covered by the Station masterplan that may need to be considered for potential purchase.	100	25	25	0									
		<b>Total Value of new P4G Bids</b>				<b>521</b>	<b>769</b>	<b>819</b>	<b>345</b>	<b>200</b>	<b>400</b>	<b>400</b>	<b>200</b>					

<b>Programme Summary</b>	<b>£000's</b>
Contingency B/fwd	177
P4G Funding Available 2020/21	3,915
<b>Total to be allocated to projects</b>	<b>3,654</b>
Programme Contingency available for future allocation	438
Potential additional funding available from 2021/22	6,583
<b>Total estimated funding available for future allocation</b>	<b>7,021</b>





**Labour Party, Independent and Yorkshire Party suggestions for P4G/P4P projects:**

1. To help improve the built environment and appearance of the District.
  - a. Better funding of the Maintenance of council land: grass cutting; hard surfaces; ginnels; street furniture. Review of Community Centres.
  - b. Best Kept Village/most attractive Village Competition. 3 categories, up to 1,000, 1,000 to 2,000 and over 2,000.
  - c. A rigorous programme of enforcement against fly tipping, and service of notices to sort out untidy land. Increased use of mobile CCTV Cameras.
  - d. New boundary signs on the boundary of the Selby District on the main A roads. About a dozen or so simple, sturdy and sustainable signs saying, "Welcome to the Selby District. The heart of Yorkshire".
  - e. A survey of street signs and replacement of those that are damaged.
  - f. A programme to address dog fouling and litter, including on spot fines and increased warden resource.

**Response:** There is the potential to review the CEFs (link to proposal under other ideas at 1.5 below) and seek to repurpose funding into projects and initiatives to improve local environments and to progress those initiatives not already being addressed – up to £100k p.a. available. Or potential to establish an Environmental Standards project fund. Community Centres are currently subject to review by Overview and Scrutiny Committee and decisions following the outcome of that review may require a future P4G bid.

2. Speed up work on the Climate Change Strategy. We should be looking for a 14% reduction per year, according to the Manchester University Report. Report <https://www.manchester.ac.uk/discover/news/climate-researchers-launch-online-tool-to-help-local-governments-set-carbon-targets>.

Some suggestions.

- a. Fit solar panels to all new Council properties and vacant properties.
- b. Electric car charging points on Council owned land.
- c. Green policies in Local Plan Review.
- d. Electric pool cars for Community Officers.
- e. An extensive programme of Tree Planting both on Council owned land and private land, working with the Woodland Trust.
- f. Implementation of the HRA energy efficiency proposals.
- g. Investigate means of reducing gas usage in all Council buildings.

**Response:** Feasibility budget, officer support and associated project fund included in P4G bids.

- 3 Investigate how Community Area Offices can be established in smaller settlements, on a hot desk basis, to improve service to residents.

**Response:** As part of our Customer Strategy, Community Officers work out in our communities in order to target those in need of face to face support. Community centres and other local assets (libraries for example) are used for local surgeries.

- 4 Develop a programme to alleviate deprivation (suggested areas: Selby North and South, Brotherton and Byram).

**Response:** Selby Health Matters and Big Local work has had a specific focus on reducing health inequalities in Selby. Healthy Concept Funding has been focused on Healthy Schools in dep areas. The remaining £30k has been earmarked for Barlow Common. Work with GPs is in progress to look at their catchments and need. Will explore further with councillors/scrutiny working group how we can continue to work strategically with partners. Consideration could also be given to how we focus neighbourhood officers and also tenant participation.

- 5 Develop a programme to look at how we can give more support for youth and elderly services.

**Response:** Through Community Safety we have supported IHL and are working with prevention services on outreach youth initiatives. IHL in conjunction with Prevention Services, LUFC - have funding from PCC. We are strengthening Community Safety coordination to facilitate further improvements and seeking to engage with partners such as NYCC.

- 6 Improve internet connectivity in the south of the District by relocating the mast at the former Civic Centre to the south of Selby Town, or constructing a new mast on Council land, which would provide an income stream.

**Response:** Initial discussion has taken place with York who have been supporting some 5G/IOT work with the LEP as part of the core work of our Economic Development team.

### **Other issues and suggestions**

- 1.1 We have specific concerns about development the M62 corridor. We are committed to the development of the Eggborough Power Station and the Kellingley site, along with ongoing development in and around Pollington Airfield, just over the border in the East Riding. All these developments will be serviced by HGVs using the inadequate junction 34 off the M62. There is currently a planning application to remove the power station fly ash from the Gale Common tip site. Another 25 years of HGVs. There may be scope for some employment development further east, in the vicinity of

Drax Power station, which could access the motorway network without impacting on local villages or junction 34.

**Response:** This will be considered through the emerging local plan – the Planning Policy Team will work with Drax and the planners to identify opportunities around Drax to grow the low carbon economy and discussions are underway.

- 1.2 We consider it is essential that the M62 Growth Corridor initiative includes proposals to develop a new junction on the M62 between Whitley and Eggborough. Otherwise, there can be no additional development that requires access to the M62 at this junction.

**Response:** A new junction on the M62 is likely to cost in excess of £100m. DfT policy is that new junctions on trunk roads are only considered as part of very substantial development proposals.

- 1.3 In relation to New Homes Bonus, we also consider the allocation of this should be fully reviewed. This Grant was put forward on the basis that local communities receiving housing development would be consulted on expenditure in the affected areas and this consultation now needs to take place. We note that the Draft budget allocates funds to the three largest settlements. Whilst this is welcome, the amounts allocated are far less than the proportion of New Homes Bonus Sherburn and Selby would receive if allocated proportionally. In addition, a number of the larger villages have received a large number of houses and they should also benefit proportionally from New Homes bonus.

**Response:** New Homes Bonus is being phased out by the Government. Current Medium-Term Financial Strategy has this supporting frontline service delivery.

- 1.4 We note that there are proposals to assess and maintain the small business units in the District, particularly at Sherburn in Elmet, and we strongly support this proposal. But there must be sufficient resources allocated for this. We should prioritise the maintenance of our existing units before buying additional properties using the Commercial Acquisitions Fund.

**Response:** The maintenance of existing units is included within current spending plans and will be taken forward as part of our Asset Management work. Any future units, should opportunities arise, would be subject to business case and inclusion of on-going 'whole life' costs to ensure they are sustainable.

1.5 We consider that Community Engagement Forums should be reviewed, and probably abolished, with the savings redirected in the budget (one idea being Locality Grants, as operated by the County Council). Reviews have been undertaken in the past but no changes have been made. The present model has a number of extreme shortcomings:

- The democratic deficit. Most decisions are made by a majority of unelected Board members, partly due to the failure of Councillors to attend.
- The distribution of Council Grants which takes no account of population.
- The boundaries, which do not always reflect “community” boundaries in the District.

**Response:** A review will be commissioned in light of potential for change in emphasis as set out in idea 1 above.

## Programme for Growth Summary

Project	Lead Officer	Multi-Year Project Budget	Spent to 2019/20 £000's	Forecast Spend 2020/21 £000's	Forecast 2021/22 £000's	Forecast 2022/23 £000's	Forecast 2023/24 £000's
<b>Current approved projects</b>							
Healthy living concepts fund	Angela Crossland	120,213	66,922	53,291	-	-	-
Visitor economy (tourism and culture)	Angela Crossland	542,193	189,281	200,000	152,912	-	-
Celebrating Selby 950	Angela Crossland	68,500	38,189	30,311	-	-	-
Marketing Selby's USP	Mike James	117,914	110,161	7,753	-	-	-
Retail experience - STEP	Angela Crossland	123,700	46,951	76,749	-	-	-
Towns masterplanning (regeneration)	Angela Crossland	120,000	17,743	65,000	37,257	-	-
Strategic sites masterplanning	Iain Brown	345,755	240,922	104,833	-	-	-
Access to employment	Iain Brown	19,387	105	19,282	-	-	-
Growing enterprise	Iain Brown	82,000	21,479	60,521	-	-	-
Empty homes	June Rothwell	115,475	111,629	3,846	-	-	-
Selby District Housing Trust	June Rothwell	52,500	17,650	10,000	10,000	14,850	-
Stepping up housing delivery	June Rothwell	25,000	17,948	7,052	-	-	-
Olympia Park	Iain Brown	450,000	445,267	4,733	-	-	-
Making our assets work	Iain Brown	110,613	110,613	-	-	-	-
Housing development feasibility work	Phil Hiscott	125,000	121,454	3,546	-	-	-
Asset strategy	Phil Hiscott	80,000	-	80,000	-	-	-
Commercial property acquisition fund	Iain Brown	3,500,000	460,576	1,000,000	1,000,000	1,039,424	-
High Street shop fronts	Angela Crossland	100,000	-	-	50,000	50,000	-
New Lane public realm	Angela Crossland	200,000	-	-	-	200,000	-
Town centre action plan	Angela Crossland	2,600,000	-	1,200,000	700,000	700,000	-
Sherburn all weather pitch	Angela Crossland	200,000	200,000	-	-	-	-
Tadcaster Linear Park	Angela Crossland	125,708	125,708	-	-	-	-
UCI Road World Champs	Angela Crossland	20,852	20,852	-	-	-	-
Summit	Keith Cadman	228,480	228,480	-	-	-	-
TDY	Angela Crossland	46	46	-	-	-	-
Business Space & Accom Review	Iain Brown	12,848	12,848	-	-	-	-
Staffing costs	Extended Leadership Team	5,893,725	2,434,250	1,134,265	1,151,690	1,173,520	-

Project	Lead Officer	Multi-Year Project Budget	Spent to 2019/20 £000's	Forecast Spend 2020/21 £000's	Forecast 2021/22 £000's	Forecast 2022/23 £000's	Forecast 2023/24 £000's
<b>New projects/bids</b>							
Visitor economy arts and culture delivery pr	Angela Crossland	870,000		120,000	290,000	340,000	120,000
Business support programme	Iain Brown	210,000		35,000	70,000	70,000	35,000
Low Carbon resources	Dave Caulfield	135,000		22,000	45,000	45,000	23,000
Low Carbon projects (Phase 1)	Dave Caulfield	1,200,000		200,000	400,000	400,000	200,000
Feasibility funding for HDP	June Rothwell	300,000		50,000	100,000	100,000	50,000
Place branding	Mike James	150,000		25,000	50,000	50,000	25,000
New programme resources	Extended Leadership Team	539,000		89,000	179,000	179,000	92,000
Top-up making our assets work	Julian Rudd	100,000		80,000	20,000		
Top-up strategic sites masterplanning	Julian Rudd	150,000		100,000	50,000		
<b>Contingency 2020/21</b>		<b>437,760</b>		<b>437,760</b>			
<b>Indicative funding available from 2021/22</b>		<b>6,583,000</b>			<b>6,583,000</b>		
<b>Total</b>		<b>26,054,669</b>	<b>5,039,074</b>	<b>5,219,942</b>	<b>10,888,859</b>	<b>4,361,794</b>	<b>545,000</b>

Available for allocation and spend profile subject to projects

Estimated receipts and spend profile t.b.c. and subject to projects



**Report Reference Number: C/20/3**

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**To: Council**  
**Date: 22 September 2020**  
**Ward(s) Affected: Whole District**  
**Author: Sharon Cousins, Licensing Manager**  
**Lead Executive Member: Councillor Chris Pearson, Lead Executive Member for Housing, Health and Culture**  
**Lead Officer: Alison Hartley, Solicitor to the Council**

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**Title:** Review of Statement of Licensing Policy

**Summary:**

The Licensing Act 2003 (“the 2003 Act”) requires a licensing authority to prepare and publish a Statement of Licensing Policy (“the Policy”) at least every five years. The current Policy expires at the end of 2020.

Following a six-week consultation between 29 June 2020 to 10 August 2020, 3 responses have been received from the Environmental Health team, North Yorkshire Police and North Yorkshire Public Health.

All consultation responses have been considered and the proposed amendments to the Policy have been made, which are shown in additional tracked changes in Appendix A.

This draft policy was reported to the Licensing Committee on the 20 August 2020 to feedback the consultation results and seek comments. The Committee had no comments.

On the 3<sup>rd</sup> September 2020, the Executive Committee noted and considered the results of the public consultation exercise as summarised in Appendix B and recommended to Full Council that the amended Statement of Licensing Policy attached to the report at Appendix A be adopted.

**Recommendations**

Members are recommended to:

- i. To note and consider the results of the public consultation exercise as summarised in Appendix B of the report.
- ii. Resolve to adopt the amended Statement of Licensing Policy attached to this report at Appendix A.

## **1. Introduction and background**

- 1.1.** Section 5 of the 2003 Act requires a licensing authority to prepare and publish a Policy at least every five years. During the five-year period, the Policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate.
- 1.2.** The general aim of the Policy is ‘to seek a balance which is considered to be generally sound between the benefits that licensed premises bring to the district; and maintaining the protection of the public’. This is achieved by the overriding aim of the Policy, which is to promote the four licensing objectives:
  - 1) The prevention of crime and disorder
  - 2) Public safety
  - 3) The prevention of public nuisance
  - 4) The protection of children from harm
- 1.3.** The existing Policy for Selby District Council became effective on the 1 December 2015. As such the current Policy expires in December 2020.
- 1.4.** The process towards publishing a revised Policy commenced in January 2020, with an officer reviewing the existing Policy, taking into account the current statutory guidance issued by the Secretary of State under section 182 of the 2003 Act and updated legislation. As Members are aware, due to the COVID-19 pandemic affecting Council meetings, there was a delay in obtaining authority to consult from the Executive.
- 1.5.** In accordance with Government Code of Practice on consultation the draft statement was subject to a six-week public consultation between 29 June and 10 August 2020. This was undertaken by directly contacting the relevant responsible authorities and the licensed trade. It was also published on the Council’s website, Local newspaper and Selby Council’s Facebook.
- 1.6.** A total of 3 responses were received to the consultation (Appendix B). The responses were from the Councils Environmental Health Team, North Yorkshire Police and North Yorkshire Public Health.
- 1.7.** As the Policy Review Committee was adjourned on the 4 August 2020, Members comments have been sought via email. No comments were received.
- 1.8.** All responses were considered by officers. Appendix B details the specific considerations and actions taken in relation to the consultation responses. Any amendments to the Policy have been made by way of tracked changes.



- 1.9.** Since the last revision of the Policy, the Statutory Guidance, issued under Section 182 of the 2003 Act has been amended. Where appropriate the draft Policy was amended accordingly.
- 1.10.** The consultation responses were reported back to the Licensing Committee on the 20<sup>th</sup> August 2020. The Licensing Committee had no comments and agreed to endorse the Policy, attached to the report in appendix A.
- 1.11** On the 3<sup>rd</sup> September 2020, the Executive Committee noted and Considered the results of the public consultation exercise as summarised in Appendix B and recommended to Full Council that the amended Statement of Licensing Policy attached to the report at Appendix A be adopted.

## **2. Legal Implications**

- 2.1.** Pursuant to the 2003 Act, Selby District Council is the Licensing Authority, which is responsible for licensing alcohol, entertainment, and late-night refreshments in its District. The Council is required under Section 5 of the 2003 Act to determine and publish a Policy every five years.
- 2.2.** When preparing and determining its Policy, the Council is exercising a licensing function and as such must have regard to the following:
- (a) Promote the four licensing objectives:
    - the prevention of crime and disorder;
    - public safety;
    - the prevention of public nuisance; and
    - the protection of children from harm;
  - (b) Statutory guidance issued by the Secretary of State under section 182 of the 2003 Act;
  - (c) The 2003 Act; and
  - (d) Give appropriate weight to the views of those persons/bodies listed in section 5(3) of the 2003 Act which it is required to consult before determining the Policy.
- 2.3.** The Policy should not be inconsistent with the provisions of the 2003 Act or with obligations placed on the Council under any other legislation, such as human rights/equalities provisions. It should be noted that the Council has a duty under Section 17 of the Crime and Disorder Act 1998, when carrying out its licensing functions, to do all it can to prevent crime and disorder in its District. In addition, the Council will seek to support strategies and policies where they are allied to the Licensing Objectives.

- 2.4. 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.
- 2.5. Pursuant to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, requires that the final approval of the Policy is given by Full Council.
- 2.6. Failure to review the Policy and follow the correct procedures would mean the Council was not complying with its statutory duty and would leave the Council open to legal challenge and any subsequent costs.

### **3. Financial Implications**

- 3.1. There are no financial implications.

### **4. Policy and Risk Implications**

- 4.1. Failure to have an up to date Policy would result in the lack of a decision-making framework for the Council to refer to when responding to Licensing applications. Having a Policy in place will help to ensure that businesses and the public are clear on the Council's position concerning the 2003 Act, including details of how the licensing objectives should be promoted in Selby District.

### **5. Conclusion**

- 5.1. Adoption by the Council of the revised Policy and the measures within it will support the statutory position and help protect public safety.

### **6. Appendices**

Appendix A – proposed Statement of Licensing Policy  
Appendix B – Consultation responses

#### **Contact Officer:**

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Approved Council

## **PART 1**

### **1 Introduction**

- 1.1 Selby District Council is the Licensing Authority (“the Licensing Authority”) under the Licensing Act 2003 (“the 2003 Act”). The Licensing Authority is responsible for the administration and issuing of Premises Licences, Club Premises Certificates, Temporary Event Notices and Personal Licences in the District of Selby in respect of the sale and/or supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment.
- 1.2 Selby district is home to a number of popular restaurants, bars and entertainment venues. The Licensing Regime must balance the competing demands of those who benefit from licensed activities whilst ensuring that these activities do not impact upon residents in a negative way.
- 1.3 The Licensing Authority is aware of the value to the community of a broad range of cultural entertainments, particularly live music, dancing and theatre. The Licensing Authority wishes to see these encouraged for the benefit of all. When drawing up this Policy the Licensing Authority has in mind a wide range of licensed premises such as pubs, members’ clubs, social clubs, restaurants, cafes, theatres, hotels and late night takeaways.
- 1.4 This Policy intends to shape the future of licensing, entertainment and related social activities within the district and has been produced after consultation with all Responsible Authorities, Premises and Club Premises Certificate licence holders, licensed trade representatives and the general public incorporating businesses and residents within Selby district.

## **PART 2**

### **2 The Policy**

- 2.1 The 2003 Act requires a Licensing Authority to prepare and publish a ‘Statement of Licensing Policy’ (“the Policy”) that sets out the principles the Licensing Authority will apply to promote the four Licensing Objectives set out below. The Licensing Authority must base its decisions, in relation to determining applications and attaching any conditions to licences or certificates, on the promotion of these objectives.
- 2.2 This Policy encompasses experience gained in the implementation and regulation of the 2003 Act. The overriding aim of the Policy is to promote the four licensing objectives, each is of equal importance:
  - **The prevention of crime and disorder**
  - **Public safety**
  - **The prevention of public nuisance**
  - **The protection of children from harm**

- 2.3 This Policy was prepared in accordance with the provisions of the 2003 Act having had due regard to the Guidance issued under s182 of the 2003 Act (“the Guidance”). This Policy was reviewed in 2019 following consultation between 29th June 2020 and 10 August 2020 and will come into force in 2021. Due consideration and appropriate weight has been given to all responses in the production of this revised Policy.
- 2.4 This Policy will be kept under review and the Licensing Authority may make any revisions to it as it considers appropriate. In any event the Licensing Authority is required to review their Statement of Licensing Policy every 5 years. The Licensing Authority may make revisions to this Policy following changes to, for example:
- local circumstances;
  - the Licensing Act, associated regulations or statutory guidance;
  - national legislation; or
  - the policies and practices of a responsible authority
- 2.5 This Policy shall not undermine the right for any individual to apply for a variety of permissions under the terms of the 2003 Act and to have any such application considered on its individual merits. Similarly the Policy shall not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act. Each application shall be treated on its own merit.
- 2.6 This Policy is intended to provide clarification to Responsible Authorities applicants and any person on how this Licensing Authority will determine applications and reviews. As the ‘vicinity’ test has now been removed, the Licensing Authority will consider relevant representations from any person irrespective of where they live in relation to the subject premises, however, the Licensing Authority shall give greater weight to the representations of persons immediately affected by the premises and its operation.
- 2.7 The Licensing Authority may depart from this Policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the four licensing objectives. Where it does depart from this Policy full reasons will be provided.
- 2.8 Where revisions are made to the Guidance there may be a period of time when this Policy is inconsistent with the Guidance. In these circumstances the Licensing Authority shall have regard, and give appropriate weight, to the revised Guidance in conjunction with this Licensing Policy.
- 2.9 This Policy recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.
- 2.10 The applicant is expected to comply with relevant legislation on disability including access and egress for disabled persons. This policy will not be used to duplicate such duties as already exist in this area. Further advice can be obtained from the Equality and Human Rights Commission web site [https://www.equalityhumanrights.com/en\\_](https://www.equalityhumanrights.com/en_)

## 2.11 The need for licensed premises

The Licensing Authority will not take “need” into account when considering an application, as this is a matter for planning and the market. However, it recognises that the cumulative impact of the number, type and density of licensed premises in a given area, may lead to problems of nuisance and disorder outside and some distance from the premises.

### 3. Cumulative Impact

3.1 With effect from 6 April 2018, the Policing and Crime Act 2017 introduced the concept of Cumulative Impact Assessments (“CIA”) into the 2003 Act by inserting into the 2003 Act a new section 5A.

3.2 Guidance issued under section 182 of the 2003 Act states the following:

Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area.

In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.

Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.

Variable licensing hours may facilitate a more gradual dispersal of customers from premises. However, in some cases, the impact on surrounding areas of the behaviour of the customers of all premises taken together will be greater than the impact of customers of individual premises. These conditions are more likely to arise in town and city centres, but may also arise in other urban centres and the suburbs, for example on smaller high streets with high concentrations of licensed premises.

A CIA may be published by a licensing authority to help it to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives. CIAs relate to applications for new premises licences and club premises certificates and applications to vary existing premises licences and club premises certificates in a specified area.

3.4 The Licensing Authority has not published a CIA as there is not currently an evidential basis on which to publish a CIA.

3.5 If the Licensing Authority were to consider the publication of a CIA in the future, it would do so in accordance with the requirements of section 5A of 2003 Act and with regard to the Guidance



## **PART 3**

### **4 Principles**

- 4.1 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
  - the representations (including supporting information) presented by all the parties;
  - this Guidance;
  - its own statement of licensing policy.
- 4.2 The use of premises for the sale or provision of alcohol, regulated entertainment or late night refreshment is subject to planning control. Such use will require planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or the change of use of premises.
- 4.3 In line with the S182 Guidance the planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.
- 4.4 Where businesses have indicated, when applying for a licence under the Act, that they have also applied for planning permission or that they intend to do so, the licensing committee and officers will consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.
- 4.5 Where relevant representations are received, any decision on a licence application will not consider whether any decision to grant or refuse planning permission or building consent was lawful and correct. It will take into account what the impact of granting the application will be on the four licensing objectives.
- 4.6 In general, all premises which are the subject of an application, should have the benefit of planning permission, or be deemed permitted development. The onus will be on the applicant to demonstrate that planning permission has been granted or that the premises have the benefit of permitted development rights. Failure to do so may result in representations and the licence being refused or granted subject to conditions which take account of the planning permissions in existence.

- 4.7 In addition, all new developments and premises which have been subject to structural alterations since 1994 will have building control approval in the form of a Building Regulations Completion Certificate. The onus will be on the applicant to demonstrate that any structural alterations have been approved by building control. Failure to do so may result in representations and the licence being refused or granted subject to conditions.
- 4.8 Where premises have not obtained such consents or licences, they may be liable for enforcement action under the appropriate legislation. There may be circumstances when as a condition of planning permission; a terminal hour is set for the use of commercial premises. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Licensing applications therefore will not be a re-run of the planning application process and licensing decisions will not cut across decisions taken by the Planning Committee or permissions granted on appeal.
- 4.9 The Licensing Authority shall expect every licence/certificate holder or event organiser to minimise the impact of their activities on the surrounding area and any anti-social behaviour created by their customers in and within the vicinity of their premises by taking appropriate measures and actions consistent with that responsibility. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 4.10 The Licensing Authority may recommend actions as good practice. Applicants are asked to give these recommendations serious consideration as adoption of best practices may be considered in the investigation of complaints if they arise in connection with the premises in the future.
- 4.11 The Licensing Authority, however, recognises that the licensing law is not the primary mechanism for the general control of nuisance, noise or anti-social behaviour particularly once individuals have left the vicinity of the licensed premises and therefore beyond the direct control of the individual, club or business holding the licence or certificate. However licensing controls and targeted enforcement should have a positive impact on the immediate vicinity of the licensed premises.
- 4.12 The Policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators, for example, the Gambling Act 2005, the Equality Act, The Clean Neighbourhoods and Environmental Act 2005, Health and Safety at Work, etc. Act 1974, Environmental Protection Act 1990, the Noise Act 1996 and the Regulatory Reform (Fire Safety) Order 2005, etc.
- 4.13 The Licensing Authority seeks to encourage the provision of a culturally diverse range of regulated entertainment within the district, particularly live music and dance that are accessible to all people.
- 4.14 The Licensing Authority has a duty under Article 8 of the European Convention on Human Rights to protect the rights of its residents to privacy and family life. The Council also acknowledges the rights of businesses in its area to operate, but this must be balanced against the rights of residents not to be disturbed by unreasonable noise and nuisance caused by licensed premises.
- 4.15 In drafting this Policy, the Licensing Authority acknowledges its duty under Section 17 of The Crime and Disorder Act 1998 that the Council has a duty to exercise its functions with a due regard to the likely effect of the exercise of those functions on,

and the need to do all that it can to prevent, crime and disorder in its area. In addition the Licensing Authority will seek to support strategies where they are allied to the Licensing Objectives such as National and Local Harm Reduction Strategies and any other relevant strategies and policies.

## 5 Conditions

- 5.1 The Licensing Authority is unable to refuse or impose conditions on applications where no relevant representations have been made. Relevant representations are those which relate to the effect of granting or varying the licence on the four licensing objectives. Where relevant representations have been made, the Licensing Authority will aim to facilitate negotiations/mediation between the applicant and Responsible Authorities and any other person to establish whether mutually agreed amendments to the application can result in the representation being withdrawn. If negotiations/mediation proves unsuccessful the Licensing Authority will convene a hearing and where necessary take steps that are appropriate and proportionate to promote the four licensing objectives. This may result in the grant or refusal of the application or the imposition of conditions.
- 5.2 Where conditions are imposed at a licensing hearing, they shall be appropriate and proportionate and shall be tailored to the size, style, characteristics and activities that take place at the premises concerned. However, the Licensing Authority accepts that Responsible Authorities may suggest conditions following negotiation with the applicant when completing their Operating Schedules.
- 5.3 In addition, conditions imposed by a Licensing Authority shall be precise and enforceable, clear in what they intend to achieve, shall not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation, shall not replicate offences set out in the 2003 Act or other legislation, shall be justifiable and capable of being met and shall focus on matters which are within the control of the individual licence holders and not seek to manage the behaviour of customers once they are beyond the direct management of the licence/certificate holder and their staff.
- 5.4 The Licensing Authority recommends that conditions volunteered in the Operating Schedule should be:
- appropriate for the promotion of the licensing objectives;
  - proportionate and enforceable;
  - consistent and not conflicting;
  - relevant, clear and concise; not duplicate other legislation; and
  - expressed in plain language capable of being understood by those expected to comply with or enforce them.
- 5.5 The Licensing Authority when preparing the licences/certificates will not simply replicate the wording from an applicant's Operating Schedule but will interpret conditions in accordance with the applicant's overall intentions.
- 5.6 Applicants are advised before completing their Operating Schedule to seek guidance on the framework for writing conditions in their Operating Schedules. Guidance is available from the Council.

- 5.7 The Licensing Authority recognises that in accordance with Section 43 of the Regulatory Reform (Fire Safety) Order 2005, any conditions imposed by the Licensing Authority that relate to any requirements or prohibitions that are or could be imposed by that Order, shall have no effect. The Licensing Authority shall therefore not impose fire safety conditions where the Order applies.
- 5.8 In much the same way, the Indecent Displays (Control) Act 1981 prohibits the public display of indecent matter and the Licensing Authority shall therefore not seek to impose conditions concerning such displays inside or outside the premises. The existing laws governing indecency and obscenity are adequate to control adult entertainment of this nature. However, the Licensing Authority shall, if it considers necessary in certain premises, consider attaching conditions following a hearing addressing the exclusion of minors.
- 5.9 Although it is accepted that licence conditions should not duplicate other statutory provisions, the Licensing Authority and licensees should be mindful of the requirements and responsibilities placed on them by other legislation.
- 5.10 Whilst the Licensing Authority encourages cultural activities and live music within the district it is also aware of the need to avoid measures that will deter live music when determining what conditions should be placed on licences/certificates, particularly those conditions that impose costs of a disproportionate nature. However, any adverse environmental impact that may arise from individual applications will also be taken into account when considering such applications. With regard to dancing, the Licensing Authority acknowledges the changes set out in the Policing & Crime Act 2009 related to lap dancing clubs and their re-classification as sexual entertainment venues.
- 5.11 With reference to the Protection of Children from Harm Licensing Objective, those conditions relating to the admission of children to any premises remain a matter for the individual licensee or club or person who has given a Temporary Event Notice (TEN). Venue operators may however volunteer prohibitions or restrictions in their Operating Schedules.
- 5.12 All relevant representations will be considered during the decision making process unless they are considered to be frivolous, vexatious, repetitious, or not in line with the four Licensing Objectives.
- 5.13 The Glossary at the back of this Policy sets out the licensable activities and relevant definitions surrounding the licensing process. If any member of the public is uncertain as to whether or not they require a licence or certificate they should contact Licensing Team, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT or e-mail the Licensing Authority on; [licensing@selby.gov.uk](mailto:licensing@selby.gov.uk).

## **6 Licensing Hours**

- 6.1 With regard to licensing hours, when the Licensing Authority's discretion is engaged, it will consider each application on its own merit and shall not seek to impose predetermined licensed hours. Where there are no objections to those hours raised by Responsible Authorities or other persons on the basis of the promotion of the licensing objectives, the Licensing Authority will have no discretion but to grant the hours requested.

- 6.2 With regard to shops, stores and supermarkets, the Licensing Authority shall normally expect such premises to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping unless representations raise reasons for restricting those hours, based on the licensing objectives.
- 6.3 The Licensing Authority recognises that in some circumstances flexible licensing hours for the sale of alcohol may help to ensure that concentrations of customers leaving premises simultaneously are avoided.

## 7 Early Morning Restriction Orders

- 7.1 The power conferred to licensing authorities to make, vary or revoke an **Early Morning Restriction Order (“EMRO”)** is set out in sections 172A to 172E of the Act. This power came into force on 31 October 2012 and the Government provided guidance as part of the S182 Guidance to Licensing Authorities. This gives the Licensing Authority the discretion to restrict sales of alcohol in the whole or part of their area by introducing an EMRO to restrict the sale or supply of alcohol between the hours of midnight and 6am to tackle high levels of alcohol-related crime and disorder, nuisance and anti-social behaviour.
- 7.2 The decision to implement an EMRO must be evidence based and the Licensing Authority must be satisfied that such an Order would be appropriate to promote the licensing objectives. Furthermore, the Licensing Authority shall consider the potential burden that would be imposed on premises licence/certificate holders.
- 7.3 As an EMRO is a powerful tool and a very stringent approach in tackling issues, the Licensing Authority will first consider whether other measures may address the problems and achieve the same goal. These could include:
- The use of a Cumulative Impact Policy ( see Part 2 point 3 );
  - Taking a robust joint agency approach to tackling problem premises;
  - Prior to reviewing a licence/certificate, meeting with the DPS and licence/certificate holder to ensure a Premises Improvement Plan is in place
  - Where this fails, reviewing Premises Licences/Certificates by the North Yorkshire Police or other Responsible Authorities;
  - Using other mechanisms to control the cumulative impact, e.g. planning controls;
  - Using other mechanisms to control noise and anti-social behaviour;
  - Using Closure Notices and Closure Orders;
  - Providing powers to designate parts of the local authority area as places where alcohol may not be consumed publicly;
  - Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
  - Provision of CCTV;
  - Provision of night marshals and street angels, introduction of a late night levy;
  - Reviews and Expedited Reviews of individual premises, etc.
- 7.4 The Licensing Authority would periodically review any active EMROs in order to ensure that it continues to be appropriate for the promotion of the licensing objectives. The applicant may be required to periodically submit evidence as part of this process to demonstrate that the EMRO is appropriate and achieving the goals and confirming that these cannot be achieved by alternative methods.

## 8 Late Night Levy

- 8.1 The Police Reform and Social Responsibility Act 2011 (“the PRSR Act”) has also introduced the power for the Licensing Authority to charge a late night levy (“the levy”) to all premises within Selby District. The late night levy is a discretionary power allowing Councils to collect an annual fee from all licensed premises in the District that are authorised to sell alcohol between the hours of midnight and 6am as a means of raising a contribution towards the costs of policing the night time economy. The decision to introduce, vary or cease the levy will be made by full Council in conjunction with the Police and Crime Commissioner and North Yorkshire Police. However, any decision in relation to the administration and design of the levy will be delegated to the Licensing Committee.

## **9 Representations**

- 9.1 Under the 2003 Act both Responsible Authorities and ‘other persons’ may make representations on licence/certificate applications and review existing premises licences/certificates. A list of Responsible Authorities can be found at Appendix 3.
- 9.2 ‘Other persons’ is defined as any individual, body or business that may be affected by the operation of a licensed premises regardless of their geographical location. Although the other person may be in any geographical location, any representation they make must be relevant to one or more of the licensing objectives. In addition the other person is encouraged to provide evidence supporting their representation or review. This may be for example by way of recording dates where noise nuisance or anti-social behaviour occurs. Any representation however must be specific to the premises in question and not to the area in general.
- 9.3 In addition all representations must be relevant relating to the likely effect of the grant of the licence/certificate on the promotion of at least one of the licensing objectives. The Licensing Authority will determine whether a representation from an individual, body or business is relevant, frivolous, repetitive or vexatious. In borderline cases, the benefit of the doubt will be given to the person or body making that representation.
- 9.4 Any person aggrieved by a rejection of their representation may lodge a complaint through the Council’s complaints procedure or alternatively by way of judicial review.

## **10 Reviews**

- 10.1 Responsible Authorities and other persons may apply to review a licence or certificate where it is believed an operator of a licensed premises is in their opinion managing their business in a manner that does not promote one or more of the four Licensing Objectives.
- 10.2 Examples of triggers for a review may be: continual complaints of noise from or in the vicinity of the premises; continual complaints of noise or intimidation from customers outside the premises; an accumulation of breaches of licensing conditions; poor management where the licensing objectives are undermined; underage sales of alcohol (persistent or otherwise); crime-related activity; anti-social behaviour; sales of alcohol outside of the permitted hours. This list is not exhaustive
- 10.3 Where an application for a review has been submitted the Licensing Authority will determine whether or not it is relevant, frivolous, vexatious or repetitious. In borderline cases the benefit of the doubt will be given to the person making that application. Advice on reviews is available from the Council.
- 10.4 The Licensing Authority will expect applicants for a review to gather sufficient and relevant evidence relating to the specific premises that is subject to the review. This

may include a diary of events and any potential witnesses. With regard to reviews on noise complaints, applicants are encouraged to liaise with the Council's Environmental Health team who may be able to assist with and support the review process.

- 10.5 Prior to a requesting a review, however, North Yorkshire Police, other Responsible Authorities or the Licensing Authority may seek to meet with the licence/certificate holder to address issues through a premises improvement plan.

## **11 Licensing Authority as a Responsible Authority**

- 11.1 The PRSR Act amended the 2003 Act to include the Licensing Authority as a Responsible Authority. This Licensing Authority will therefore be empowered to fulfil the same functions as other Responsible Authorities under the 2003 Act including making relevant representations to new licence/certificate applications and variations and reviewing an existing licence/certificate.
- 11.2 The Licensing Authority will however not normally act on behalf of other parties (e.g. local residents, councillors or community groups) as such parties may make relevant representations in their own right. However, if these parties fail to make such representations and the Licensing Authority is aware of relevant grounds to make a representation, it may in these circumstances choose to act in its capacity as a Responsible Authority.
- 11.3 However, the Licensing Authority expects other Responsible Authorities to intervene where the basis for that intervention falls within the remit of that particular Responsible Authority. The Licensing Authority recognises that each Responsible Authority has equal standing under the 2003 Act and they may act independently without waiting for representations from any other Responsible Authority.
- 11.4 In cases where the Licensing Authority is also acting in its capacity as a Responsible Authority it will ensure that there is a separation of responsibilities within the Council to ensure procedural fairness and eliminate conflict of interests. Officers within the Enforcement Section have been delegated to act as the Responsible Authority for the Licensing Authority. Any Officer requesting a Review shall not be involved in administering the review application process. Indeed, a separate Enforcement Officer will receive and process these applications including preparing any report for the Licensing Committee. Communications between both Officers shall remain formal and separate throughout the process. Thus a separation will be achieved by allocating distinct functions to different Officers. Essentially, the Enforcement Officer advising the Licensing Sub Committee shall be different from the officer who is acting as the Responsible Authority.

## **12 Health as a Responsible Authority**

- 12.1 In 2012 the Police and Social Responsibility Act 2011 introduced Public Health as a responsible authority under the Licensing Act 2003. While the protection of public health is not a discrete licensing objective, it can permeate each of the licensing objectives to contribute to reducing health harms associated with alcohol. In terms of a Public Health challenge, the misuse of alcohol remains a significant national and local concern. The following key messages outline the national picture in relation to alcohol impact and licensing:  
Alcohol is more readily available and accessible than ever before. It is a prominent commodity in the UK marketplace, is widely used in numerous social situations and for many it's associated with positive aspects of life. However, there are currently

over 10 million people drinking at levels which increase their risk of health harm. Among those aged 15 to 49 in England, alcohol is now the leading risk factor for ill-health, early mortality and disability and the fifth leading risk factor for ill health across all age groups.

Since 1980, sales of alcohol in England and Wales have increased by 42%, from roughly 400 million litres in the early 1980s, with a peak at 567 million litres in 2008, and a subsequent decline. This growth has been driven by increased consumption among women, a shift to higher strength products, and increasing affordability of alcohol, particularly through the 1980s and 1990s. Over this period, the way in which alcohol is sold and consumed also changed. In 2016 there were 210,000 license premises in England and Wales, a 4% increase on 2010.

There has been a shift in drinking location such that most alcohol is now bought from shops and drunk at home. Although consumption has declined in recent years, levels of abstinence have also increased. Consequently, it is unclear how much of the decline is actually related to drinkers consuming less alcohol and how much to an increasing proportion of the population not drinking at all.

In recent years, many indicators of alcohol-related harm have increased. There are now over one million hospital admissions relating to alcohol each year, half of which occur in the lowest three socioeconomic deciles. Alcohol-related mortality has also increased, particularly for liver disease which has seen a 400% increase since 1970, and this trend is in stark contrast to much of Western Europe. In England, the average age at death of those dying from an alcohol-specific cause is 54.3 years. The average age of death from all causes is 77.6 years. More working years of life are lost in England as a result of alcohol-related deaths than from cancer of the lung, bronchus, trachea, colon, rectum, brain, pancreas, skin, ovary, kidney, stomach, bladder and prostate, combined.

The public health burden of alcohol is wide ranging, relating to health, social or economic harms. These can be tangible, direct costs (including costs to the health, criminal justice and welfare systems), or indirect costs (including the costs of lost productivity due to absenteeism, unemployment, decreased output or lost working years due to premature pension or death). Nationally, alcohol misuse is estimated to cost the NHS about £3.5 billion per year and society as a whole £21 billion annually.

Harms can also be intangible, including those assigned to pain and suffering, poor quality of life or the emotional distress caused by living with a heavy drinker. Crucially however, the financial burden which alcohol-related harm places on society is not reflected in its market price, with taxpayers picking up a larger amount of the overall cost compared to the individual drinkers.

Despite this burden of harm, some positive trends have emerged over this period, particularly indicators which relate to alcohol consumption among those aged less than 18 years, and there have been steady reductions in alcohol-related road traffic crashes.

In terms of support at a District level, the local Public Health team works across the North Yorkshire County covering the seven Local Authorities of Selby, Harrogate, Scarborough, Ryedale, Hambleton, Richmond and Craven.

As a responsible authority (RA), the public health team can:

- submit a representation against an application for a new or existing premises if it is considered to pose issues or potential harm and a priority for Public Health in that locality
- negotiate conditions with an applicant
- support or apply a review of a premises licence or club premises certificate where there are problems with one or more of the licensing objectives
- help develop and review a cumulative impact assessment (CIA)
- help to develop and review the SLP and have an important role in identifying and interpreting health data and evidence
- build relationships with other RAs and support their representations by providing them with public health evidence



North Yorkshire has a countywide alcohol strategy which recognises that we need to promote responsible safe drinking as the norm for those who use alcohol, while working together to reduce the harms of alcohol misuse. Alcohol can have a wide range of negative impacts on health if consumed above the recommended levels; this can have a range of consequences including hospital admissions and ultimately an increase in morbidity and mortality. The available data shows that for the population in Yorkshire and the Humber the main conditions for alcohol related admissions are hypertensive disease, mental disorders, cardiac arrhythmias and epilepsy.

The strategy acknowledges that alcohol is a complex social issue which forms part of our everyday social fabric, is a source of pleasure and enjoyment to many; but is also a potentially addictive substance which is promoted by powerful commercial forces, especially to young people. It identifies that in North Yorkshire the vast majority of people who drink alcohol, do so responsibly. However, around a quarter of all people who drink are estimated to be drinking at harmful or hazardous levels with approximately 200 people dying each year as a result. Alcohol misuse continues to be present in our communities, putting additional pressure on our emergency departments and police services. Selby District Council supports the North Yorkshire Alcohol Strategy and will, where possible, work in partnership for dealing with both actual and potential harms from alcohol.

In addition to North Yorkshire's alcohol strategy, the Director of Public Health Annual reports 2013-2018 all identify the need to prevent health and social harms caused by high levels of alcohol consumption as does the Joint Health and Wellbeing Strategy 2015 – 2020.

<https://www.nypartnerships.org.uk/sites/default/files/Partnership%20files/Health%20and%20wellbeing/Public%20health/Alcohol%20strategy.pdf>

<https://www.nypartnerships.org.uk/dphreport2018>

<https://www.nypartnerships.org.uk/jhws>

The Public Health Outcomes Framework (PHOF) can be used to identify both national trends in terms of alcohol related harm and local issues specific to Selby District, and track developments over time. This data can be particularly relevant to the protection of children from harm, and may also assist in the prevention of crime and disorder, public nuisance and to public safety. An interactive web tool makes the PHOF data available publicly which allows local authorities to assess progress in comparison to national averages and provide a means for benchmarking progress.

<https://fingertips.phe.org.uk/profile/public-health-outcomes-framework>

For a specific focus on alcohol harms, the Local Alcohol Profiles for England (LAPE) provides information for local government, health organisations, commissioners and other agencies to monitor the impact of alcohol on local communities, and to monitor the services and initiatives that have been put in place to prevent and reduce the harmful impact of alcohol.

The indicators are split into 7 domains; Mortality, Alcohol Related Conditions, Hospital Admissions, Other Impacts, Hospital Admissions by Age-Group, Treatment, Consumption and Availability and they are updated quarterly in February, May, August and November (provided new data are available).

Health data can be used to illustrate the extent to which alcohol related harm differs across the country, therefore enabling Selby to compare itself with other local authority areas.

#### **The main findings for England:**

- between 2015 to 2017 there were an estimated 58,200 new alcohol-related cancer registrations. This equates to approximately 19,400 new cancer cases each year
- the rate of new alcohol-related cancer has increased gradually between 2004 to 2006 and 2011 to 2013 for both males and females. However, since 2012 to 2014 there have been minor reductions in the incidence rate for both genders
- in 2017 to 2018 there were 64,857 premises across England licensed to sell alcohol

- the density of licensed premises largely mirrors population density, meaning London and the major cities have the greatest number of licensed premises per km<sup>2</sup>
- there is an ongoing downward trend in alcohol consumption among those aged under 16. However, by the age of 17, half of all girls and almost two thirds of boys report drinking alcohol every week
- young White populations are much more likely to drink than those from a Black and Minority Ethnic group background.
- young people in the least deprived areas are more likely to drink and more likely to drink regularly at the age of 15
- hospital admissions for alcohol-specific conditions, particularly intoxication, are declining the under 18s
- girls are more likely to be admitted to hospital for alcohol-specific reasons than boys, and are admitted at younger ages
- the number of young people accessing specialist substance misuse services for alcohol problems is at its lowest level, following a peak in 2008-09. However, these young people have a range of related risk factors and vulnerabilities that should be addressed in tandem with their substance misuse
- there is some evidence that the alcohol-harm paradox as seen among adults is also present for young people living in the most deprived areas.
- there is a strong relationship between smoking and drinking, with current smokers much more likely to drink alcohol frequently than non-smokers

\*The alcohol-harm paradox is the term used to describe the observation that deprived populations that apparently consume the same, or a lower level of alcohol, suffer greater alcohol-related harm than more affluent populations.

### **The main findings for Selby:**

#### **Mortality rates**

The trend in alcohol-specific death varies between the North Yorkshire district areas. For males, Craven district has the highest (worst) rate of alcohol specific mortality in 2016-18 with a rate of 15.1 per 100,000 population and Harrogate district has the lowest rate of alcohol mortality with a rate of 8.4 per 100,000 population; the rate in Harrogate is significantly lower than England. As can be seen from the table below, Selby also sits below the England average with a rate of 9.0 per 100,000 but the difference is not statistically significant due to Selby having a wider confidence interval compared with Harrogate. \*Alcohol-specific deaths only include health conditions where each death is a direct consequence of alcohol misuse, such as alcoholic liver disease.

Compared with benchmark: Better Similar Worse Not compared

### Alcohol-specific mortality (Male) 2016 - 18

Directly standardised rate - per 100,000

Area	Recent Trend	Neighbour Rank	Count	Value	95% Lower CI	95% Upper CI
England	-	-	11,367	14.7		14.5 - 15.0
Yorkshire and the Humber region	-	-	1,296	17.0		16.1 - 17.9
North East Lincolnshire	-	-	53	23.1		17.3 - 30.2
Sheffield	-	-	148	20.6		17.4 - 24.2
Kingston upon Hull	-	-	71	20.6		16.0 - 26.0
Leeds	-	-	192	20.0		17.2 - 23.0
Kirklees	-	-	123	19.9		16.5 - 23.8
Wakefield	-	-	100	19.8		16.1 - 24.2
Calderdale	-	-	58	19.0		14.4 - 24.6
Barnsley	-	-	68	18.6		14.4 - 23.6
Bradford	-	-	123	18.5		15.3 - 22.1
Rotherham	-	-	60	15.8		12.0 - 20.4
Craven	-	-	13	15.1		7.8 - 26.2
Scarborough	-	-	26	14.6		9.5 - 21.6
Doncaster	-	-	67	14.6		11.3 - 18.6
York	-	-	38	14.3		10.1 - 19.6
North Lincolnshire	-	-	35	13.0		9.1 - 18.1
Hambleton	-	-	16	11.1		6.3 - 18.2
East Riding of Yorkshire	-	-	57	10.7		8.0 - 13.9
Selby	-	-	12	9.0		4.6 - 15.8
Harrogate	-	-	21	8.4		5.2 - 12.8
Richmondshire	-	-	9	*		- -
Ryedale	-	-	6	*		- -

For females, Selby has the highest (worst) rate of alcohol-specific mortality in 2016-18 in North Yorkshire, with a rate of 10.5 per 100,000 compared to Scarborough at 10.2 and Harrogate at 4.0. It is also considerably higher than both the England average of 7.0 per 100,000, although the difference is not statistically significant. In Selby, the rate for female alcohol-specific mortality is higher than that for males – in other districts rates for females are about half those of men.

Compared with benchmark: Better Similar Worse Not compared

### Alcohol-specific mortality (Female) 2016 - 18

Directly standardised rate - per 100,000

Area	Recent Trend	Neighbour Rank	Count	Value	95% Lower CI	95% Upper CI
England	-	-	5,677	7.0		6.8 - 7.2
Yorkshire and the Humber region	-	-	638	8.1		7.5 - 8.8
Selby	-	-	15	10.5		5.9 - 17.4
Sheffield	-	-	80	10.5		8.3 - 13.1
Rotherham	-	-	41	10.5		7.5 - 14.3
Scarborough	-	-	18	10.2		5.9 - 16.2
Leeds	-	-	97	9.5		7.7 - 11.6
North Lincolnshire	-	-	25	9.5		6.1 - 14.0
Kirklees	-	-	59	9.4		7.1 - 12.1
Kingston upon Hull	-	-	32	8.9		6.1 - 12.6
Wakefield	-	-	45	8.8		6.4 - 11.7
Calderdale	-	-	28	8.7		5.8 - 12.6
North East Lincolnshire	-	-	21	8.6		5.3 - 13.2
Doncaster	-	-	35	7.7		5.4 - 10.8
Barnsley	-	-	25	7.2		4.6 - 10.7
Bradford	-	-	51	7.1		5.3 - 9.4
East Riding of Yorkshire	-	-	25	4.2		2.7 - 6.2
Harrogate	-	-	11	4.0		2.0 - 7.1
Craven	-	-	3	*		- -
Hambleton	-	-	6	*		- -
Richmondshire	-	-	8	*		- -
Ryedale	-	-	5	*		- -
York	-	-	8	*		- -

### Hospital admissions

Overall, the rate of admission episodes for alcohol-specific conditions (Persons) in Selby District is lower than England at 493 per 100,000 population compared to 626 for England, however LAPE figures do highlight that Selby is seeing an increasing trend in terms of admission episodes for alcohol-specific conditions, particularly for males.

When we look at people admitted for alcohol-related conditions (Broad) (Persons), Selby District is lower than England (2,151 per 100,000 population compared to 2,367). As with the alcohol-specific conditions, Selby is also seeing an increasing trend, particularly in males. The manifestation of a wide range of health problems may point to more alcohol-related harm being due to prolonged use. It is important to also look these broader health conditions where alcohol may have had a role, including both physical and mental health.

When we specifically look at hospital admissions by age group, Selby District is higher than England in 2016-18 with a rate of 855 per 100,000 population compared to 679 for the over 65 age group (Narrow) (Female). Selby is also higher than other Districts in North Yorkshire, although there is no significant change in overall trend.

Compared with benchmark: ■ Better ■ Similar ■ Worse ■ Not compared

**Admission episodes for alcohol-related conditions (Narrow) - Over 65s (Female)** 2018/19 Directly standardised rate - per 100,000

Area	Recent Trend	Count	Value	95% Lower CI	95% Upper CI
England	↑	37,586	679	672	686
Yorkshire and the Humber region	→	3,976	720	697	742
Barnsley	→	237	935	819	1,063
Craven	→	74	908	712	1,140
Wakefield	→	304	867	772	970
Selby	→	82	855	680	1,063
Sheffield	→	429	848	769	932
Rotherham	→	229	822	719	936
Harrogate	→	163	807	687	943
Doncaster	→	246	775	681	878
North Lincolnshire	→	149	774	654	909
York	→	158	737	626	863
Bradford	→	312	719	641	804
Kingston upon Hull	→	146	696	587	820
Scarborough	→	110	690	567	832
Richmondshire	→	41	680	488	923
North East Lincolnshire	→	118	678	561	813
Calderdale	→	142	667	562	787
East Riding of Yorkshire	→	299	633	563	709
Kirklees	→	256	608	536	688
Leeds	→	382	558	503	617
Ryedale	→	39	502	357	687
Hambleton	→	61	481	367	619

### Alcohol-related conditions

Admission episodes for alcohol-related unintentional injuries (Narrow) (Male) are higher in Selby than England at 241.7 per 100,000 population compared to 228.8 but slightly lower than Yorkshire and Humber at 244.7.

Alcohol liver disease (Broad) (Persons) in Selby sits significantly below the England average with a rate of 122.2 per 100,000 compared to 131.2. However, the overall trend is that this figure is increasing/getting worse.

Incidence rate of alcohol related cancer (Persons) for Selby is 40.13 per 100,000 population. This is worse than both the England and Yorkshire and Humber rates at 37.82 and 38.39 respectively, and significantly higher than other North Yorkshire district areas. Recent trend data is not available.

In terms of Alcohol related Road Traffic Accidents, Selby has the second highest rate in North Yorkshire of 35.6 per 100,000. Craven District is higher with a rate of 46.4 and Scarborough is the lowest at 13.3. Both Selby and Craven are significantly higher than the England average of 26.4.

For more information go to: <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

### Reducing Impact:

Alcohol misuse can be a contributing factor in a wide variety of diseases. Early identification, harm minimisation, treatment and rehabilitation are all key to reducing misuse and the damage associated with alcohol in our communities. The LAPE figures highlight some areas of concern on which additional support could be focussed; specifically, females in terms of alcohol-specific mortality and the hospital admissions in the over 65s age group and males in terms of hospital admissions for alcohol-specific conditions.

North Yorkshire County Council Public Health currently commissions North Yorkshire Horizons to deliver substance misuse (drugs and alcohol) services for adults in North Yorkshire drinking at dependent levels. Horizons is a partnership of Humankind, Changing Lives and Spectrum CIC with the aim of helping as many people as possible to recover from and be free from drug and alcohol dependency. Horizons help to reduce the harm that is caused to individuals, families and communities by offering support throughout an individual's treatment and help to develop a Recovery Plan that's built around the person. <https://www.nyhorizons.org.uk/>

The Public Health team also have an alcohol awareness campaign called "Wake Up North Yorkshire" which is intended to encourage and inspire people to think about their drinking habits and enjoy alcohol safely. Wake Up features real stories from North Yorkshire people about how and why they manage their alcohol intake. The campaign is based on research about drinking habits in North Yorkshire as well as the opinions of local people. It is specifically designed for people who are drinking at increasing risk levels which is over the Chief Medical Officers guidelines of 14 units/week but less than 35 units/week (for women) or 50 units/week for men. The website contains many helpful hints, tips and links to useful information.

<http://wakeupnorthyorks.co.uk/about-wake-up/>

Going forward it is important that we work together to further prevent:

- Sales to those who are intoxicated
- Non-compliance with any other alcohol licence condition
- Irresponsible drinks promotions and illegal imports of alcohol
- Alcohol related Road Traffic Accidents

And that we continue to work, invest and have a positive impact on:

- Influencing where and when alcohol is sold
- Enforcing laws on underage sales
- Ensuring licensed premises operate responsibly and collaborate to reduce alcohol-related crime

12.2 The local contact for this Responsible Authority is included in the list of Responsible Authorities at Appendix 3 of this Policy.

12.3 Health in North Yorkshire

- Increasing risk and higher risk drinking in North Yorkshire to be estimated at 25.7%, higher than the national average of 23.6%
- alcohol related hospital admissions are increasing year on year;
- nearly 200 people per annum die in the county as a result of alcohol.

12.4 There has also been a long-term increase in the proportion of alcohol purchased from off-license outlets and consumed at home rather than in pubs and bars. This change in drinking patterns is largely driven by low cost alcohol available from the off trade. The Licensing Authority has ensured that the policy recognises this shift in drinking patterns.

12.5 The Authority supports the North Yorkshire Alcohol Strategy and will, where possible, work in partnership for dealing with both actual and potential harms from alcohol.

- 13.1 Due to the introduction of the Live Music Act 2012 the public performance of live amplified and unamplified music between the hours of 08:00 and 23:00 on premises licensed for the supply of alcohol on any day when alcohol is being supplied under the licence and the audience is no more than 500 persons is no longer a licensable activity. Any existing licence/certificate conditions relating to live music remain in place but are suspended between these hours. However, the Licensing Authority may impose new, or reinstate existing conditions, following a review of the premises licence or club premises certificate.
- 13.2 Throughout this Policy the Licensing Authority recognises that the definition of regulated entertainment is determined by central Government and may be subject to change.
- 13.3 When considering whether an activity constitutes the provision of regulated entertainment each case will be treated on its own merit. Live music is a performance of live music in the presence of an audience that it is intended to entertain. Live music for example can include the playing of some recorded music and may be part of the performance of amplified live music. As there will inevitably be a degree of judgement as to whether a performance is live music or not organisers of events are encouraged to consult with the Licensing Authority if in doubt.

#### **14 Minor Variations**

- 14.1 Minor variations generally fall into four categories: minor changes to the structure or layout of premises; small adjustments to licensing hours; the removal of out of date, irrelevant or unenforceable conditions or addition of volunteered conditions. In all cases the Licensing Authority will consider whether the proposed variation would adversely impact on any of the four licensing objectives.
- 14.2 In considering applications the Licensing Authority will consult relevant Responsible Authorities if there is any doubt about the impact of the variation on the licensing objectives and take their views into account when reaching a decision.

#### **15 Sexual Entertainment Venues (SEVs)**

- 15.1 Where an operator seeks to provide activities that include striptease or any other kind of nudity or sexual entertainment (for example, lap dancing clubs or topless waitresses), an application will need to be submitted for a Sexual Entertainment Venue Licence under the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009. However, it is recognised that there is an exception that allows premises to provide sexual entertainment no more than 11 times per year and no more frequently than monthly. Where this exemption is exercised and concerns are identified with a licensed premises this may lead to a review of the premises licence and the imposition of any relevant conditions.

#### **16 Children**

- 16.1 With regard to the Protection of Children from Harm licensing objective, the Licensing Authority and this Policy recognises The Director of Children and Young People's Services at North Yorkshire County Council as the Responsible Authority competent to act in relation to this licensing objective. The Licensing Authority will give considerable weight to representations on child protection matters.
- 16.2 The Licensing Authority shall not seek to limit the access of children to any licensed premises unless it is necessary for the prevention of physical, moral or psychological

harm. In all other cases it will be left to the discretion of the Licensee but the Licensing Authority shall expect that the licensee shall give full consideration of access by children at all times and ensure that there is a policy in place to promote this licensing objective.

The Guidance gives a range of alternatives which may be considered for limiting the access of children where that is appropriate for the prevention of harm to children.

Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

Conditions requiring the admission of children to any premises cannot be attached to licences or certificates. Where no licensing restriction is appropriate, this should remain a matter for the discretion of the individual licence holder, club or premises user.

16.3 Where there are concerns with regard to access of children the Licensing Authority will consult the Director of Children and Young People's Services. However, where the Licensing Authority's discretion is engaged it will judge the merits of each application before deciding whether or not to impose conditions limiting the access of children.

16.4 The following are examples of premises that are likely to raise concern and engage the Licensing Authority as a Responsible Authority to take action:

- Where entertainment or services of an adult or sexual nature are common thereby likely to undermine the licensing objectives;
- Where relevant premises are known to allow unaccompanied children;
- Where the applicant has described in the Operating Schedule that '*no adult or similar entertainment shall take place on the premises*' but intends to hold an event liable to compromise the protection of children from harm licensing objective;
- Where there has been early indication and subsequent evidence of poor management of the premises leading to undermining of the licensing objectives;
- Where the premises have a known association with drug taking or dealing;
- Where the current staff have received convictions or cautions for serving alcohol to minors or where the premises has a reputation for underage drinking or failures in test purchasing;
- Where there is a strong element of gambling on the premises;
- Where there is likely to be under age events with the intention of selling or exposing alcohol for sale or where the intention is to permit adults to this event;
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

- 16.5 Examples of entertainment likely to cause concern are entertainment or services of an adult or sexual nature including topless bar staff, striptease, lap, table or pole dancing, performances involving feigned violence or entertainment involving strong or offensive language.
- 16.6 Where there are events solely provided for children, for example an Under 18's disco in a public house or similar relevant premises, the Licensing Authority strongly advises that no alcohol is served at such events and for the management of the premises to ensure that measures are in place to prevent sales to under aged persons. In addition, it is recommended that measures should be in place to prevent alcohol being brought onto those premises and to prevent under aged persons leaving and returning to the premises in order to consume alcohol in the vicinity of the premises.
- 16.7 In particular, the Licensing Authority will consider what conditions are offered in the Operating Schedule. The applicant in completing the Operating Schedule is required to describe the steps they intend to take to promote this Licensing Objective and highlight any adult entertainment or services, etc. that may give rise to concern in respect of children. However, where the applicant does not state the steps they intend to take to promote this Objective but does state that "*no adult or similar entertainment shall take place on the premises*", the Licensing Authority shall consider that this restriction to be a condition on the Licence/certificate even though it may not state it on the Licence/Certificate itself.
- 16.8 The 2003 Act as amended by the Policing & Crime Act 2009 has introduced a number of mandatory conditions. One of these conditions provides that where a Premises Licence or Club Premises Certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with the recommendations given either by the British Board of Film Classification ("the BBFC") or by the Licensing Authority itself. The Licensing Authority has a procedure in place for the approval of unclassified films that includes conditions relating to the admission of children. In adopting these procedures the Licensing Authority supports the BBFC Guidelines and shall not seek to duplicate the BBFC's recommendations. The Film Authorisation Procedure is available from Council. Any changes to these procedures are not considered changes to this Policy and as such any amendment to these procedures will not necessitate a review of the Licensing Policy.

## **PART 4**

### **17 Licences & Certificates – General**

- 17.1 New applicants and existing licence/certificate holders are encouraged to take heed of the information contained within this Policy. In order to avoid potential representations which generally delay an application, the Licensing Authority strongly recommends that prior to submitting their application applicants consult all Responsible Authorities, in particular North Yorkshire Police and the Environmental Protection team. In some cases, it may be advisable to consult 'other persons' as



defined in the 2003 Act, for example a Town or Parish Council or neighbouring properties.

- 17.2 The Premises Licence/Certificate application outlines the operating conditions and the Operating Schedule that will form the basis of conditions that will be attached to the Licence/Certificate. The Licensing Authority shall expect the applicant to have carefully considered the promotion of all four Licensing Objectives in their Operating Schedule.
- 17.3 The Licensing Authority recognises that large-scale events may attract large crowds and the risks to public safety, crime and disorder and public nuisance are likely to increase with these numbers. Event organisers are recommended to consult with Responsible Authorities and the Safety Advisory Group in good time to discuss the Operating Schedule and any potential issues well before an application is submitted.
- 17.4 Where a festival, carnival or similar event requiring a Premises Licence or Temporary Event Notice is due to take place, the event organiser and/or landowner are recommended to consult with Responsible Authorities and the Safety Advisory Group in good time to discuss any potential issues.

## **18 Immigration Matters**

- 18.1 The commencement of the Immigration Act 2016 made it a requirement for licensing authorities to be satisfied that an applicant has the right to work in the UK. An application made by someone who is not entitled to work in the UK must be rejected.
- 18.2 Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity.
- 18.3 A premises or personal licence issued in respect of an application made on or after 6 April 2017 will lapse if the holders permission to live or work in the UK comes to an end.

The licensing authority will have regard to any guidance issued by the Home Office in relation to the immigration related provisions now contained in the 2003 Act

Immigration offences, including civil penalties, are 'relevant offences' as defined by the 2003 Act;

## **19 Deregulation of Entertainment**

- 19.1 The Legislative Reform (Entertainment Licensing) Orders 2014 and Deregulation Act 2015 deregulated some of the licensable activities under the 2003 Act in addition to the deregulation created by the Live Music Act 2012.
- 19.2 Some of the activities which may no longer require authorisation are;
- Exhibitions of films where they are incidental to another activity which is exempt from licensing.

- 'Not-for-profit' film exhibitions between 08:00 and 23:00 on any day held in community premises provided that the audience size is no more than 500 and the organiser gets consent from the person who is responsible for the premises and ensures that age classification ratings are complied with.
- A performance of amplified live music or playing of recorded music between 08:00 and 23:00 on any day in a church hall, community hall, or other similar community premises, that is not licensed to sell alcohol, provided that the audience size is no more than 500 and the organiser gets consent from the person responsible for the premises.
- A performance of amplified live music or playing of recorded music between 08:00 and 23:00 on any day at the non-residential premises of a local authority, a school or a hospital provided that the audience size is no more than 500 and the organiser gets consent from the local authority or the school or the health care provider for the hospital.

## **20 Wholesale Sales of Alcohol**

- 20.1 All sales of alcohol to members of the public, even in wholesale quantities, from any premises will require an authorisation. Any premises from which alcohol is supplied or sold will require either a premises licence, a club premises certificate or temporary event notice. There will need to be a designated premises supervisor for the premises if the authorisation is in the form of a premises licence.
- 20.2 Sales made to other traders for the purposes of their trade will not be a licensable activity. Similarly, sales made to holders of premises licences, club premises certificates or personal licences will not be a licensable activity if the sale is for the purposes authorised by the premises licence or for the purposes of the qualifying club. Also exempt will be when alcohol is sold wholesale to premises users operating under a temporary event notice

## **21 Mail Order supply of alcohol**

- 21.1 Where alcohol is sold to the public by mail order the premises or warehouse from which the alcohol is dispatch will require a licence.

## **22 Garages**

- 22.1 With regard to the licensing of garages and/or filling stations Section 176 of the 2003 Act prohibits the sale or supply of alcohol from premises that are primarily used as a garage. The Licensing Authority must decide whether or not a premises is used primarily as a garage. The accepted approach is based on "intensity of use" to establish "primary use". For this reason, the Licensing Authority will expect an applicant to provide comprehensive statistical information with their application on the intensity of use to establish primary use.
- 22.2 Where there is insufficient evidence to establish primary use (e.g. where there is a new build) the Licensing Authority shall decide whether to deal with any issues through enforcement action after the licence is granted or defer granting the licence until the primary use issue can be established to the Licensing Authority's satisfaction. R (Murco Petroleum Limited) v Bristol City Council 2010 addresses the

issue of Licensing Authority's compelling applicants to answer questions and to supply relative turnover figures if requested to do so. The Licensing Authority's role is not merely adjudicatory; it may also take a more inquisitorial stance.

- 22.3 In order to promote the four Licensing Objectives, the Licensing Authority may consider seeking Premises Licences for land or buildings under public ownership within the district. The Local Authority will seek to encourage and promote festivals, carnivals and similar events in the district to provide a more vibrant community.
- 22.4 In addition, the Licensing Authority encourages local Town and Parish Councils to seek Premises Licences for land or buildings under public ownership within the community.

### **23 Late Night Refreshment**

- 23.1 It is recognised that the provision of late night refreshment forms an important part of the district's late night economy. As such where late night refreshment is provided between the hours of 11pm and 5am applicants must demonstrate in their Operating Schedule how they will promote the four Licensing Objectives, particularly with regard to the Prevention of Crime and Disorder and the Public Nuisance Licensing Objectives.
- 23.2 Where an applicant wishes to sell alcohol either on or off the premises in such an establishment or provide an alcohol delivery service, the Licensing Authority recommends that the Operating Schedule sets out specific measures to ensure the prevention of Crime and Disorder and Public Nuisance in the vicinity of the premises. Existing premises that seek to provide an alcohol delivery service are expected to notify the Licensing Authority that they are operating such a service setting out specific measures they intend to take to promote the licensing objectives.
- 23.3 Where a delivery service is operated from these premises extra care must be taken by the operator with regard to compliance/breach of licensing hours. For example, a pizza order must be capable of reaching the customer at the delivery address by no later than the end of the permitted hours.
- 23.4 The Licensing Authority recommends takeaways and late night refreshment houses have a responsible policy for regularly clearing litter from outside their premises whilst the premises are open and at the end of the working day. Such a policy could also include notices displayed advising customers to use the bins provided.

### **24 Mobile Premises**

- 24.1 Where licensable activities take place in mobile vehicles, a Premises Licence will be required for the land upon which the vehicle operates. The application must specify the pitch from where trading is to take place. The premises licence will be in addition to any street trading licence or consent that may be required. Where a street trading licence or consent is in force it may have more onerous conditions than the premises licence in which case the licensee will be expected to abide by the more onerous conditions.
- 24.2 As this type of premises is likely to cause people to congregate, the Licensing Authority will expect applicants to demonstrate specific measures to prevent Crime and Disorder, prevent Public Nuisance and promote Public Safety.

- 24.3 In addition, the Licensing Authority shall expect the applicant to consider specific measures to ensure that litter from such premises is regularly disposed of.

## **25 Gaming Machines**

- 25.1 Where licensed premises intend to provide more than two Category C or D gaming machines, the Licensing Authority will hold a licensing hearing to determine the application for an alcohol-licensed premises gaming machine permit.
- 25.2 Compliance within the Gambling Commission's Codes of Practice relating to gaming machines on licensed premises is mandatory.

## **PART 5**

### **26 Personal Licences**

- 26.1 Where a Premises Licence authorises the supply of alcohol, every supply of alcohol must be made or authorised by a Personal Licence Holder. Whilst this does not mean that the Personal Licence Holder must be present at every sale of alcohol or directly supervise each sale, authorisation should be meaningful and properly managed.
- 26.2 The Licensing Authority advises that it is good practice for the Personal Licence holder to give specific written and dated authorisation to individuals to demonstrate due diligence. Whilst the Designated Premises Supervisor ("the DPS") and Personal Licence Holder may authorise sales in their absence, they still remain responsible for those sales. Similarly, the Premises Licence Holder also remains responsible for ensuring that the licensing law and conditions are complied with at that premises.
- 26.3 Where a community premises applies for an exemption from the requirement to have a DPS, the Licensing Authority must be satisfied that arrangements for the management of the premises by their Committee or Board of individuals are sufficient to ensure the adequate supervision of the supply of alcohol on the premises. The applicant will be required to set out how the premises is managed, its committee structure and how the supervision of alcohol sales are conducted. Copies of the Constitution and other management documents must be submitted. The management committee is strongly encouraged to notify the Licensing Authority if there are any key changes in the committee's composition as this committee will collectively be responsible for ensuring compliance with licence conditions and licensing law. Where management arrangements are unclear, the Licensing Authority may seek further details to confirm that the management board or committee is properly constituted and accountable. While overall responsibility lies with the management committee where premises are hired out, the hirer will be clearly identified as having responsibilities falling within their control. Community premises are encouraged to check with the Licensing Authority before making any application.
- 26.4 Where a Premises Licence is in force authorising the supply of alcohol, a DPS will need to be nominated. The main purpose of the DPS is to ensure that there is always one specified individual who can be readily identified by Responsible Authorities as the individual who has day-to-day responsibility for running the business and who can therefore ensure that any problems are dealt with swiftly. As such the DPS will

occupy a pivotal position. Experience has proved that in some cases the Premises Licence Holder has employed a DPS who is remote from the premises and therefore not involved in the day-to-day running of that premises. In these cases where there is no individual readily identifiable by Responsible Authorities, the Licensing Authority will therefore pay particular attention to those premises where the DPS is remote and not the person responsible for the daily running of the premises.

- 26.5 Whilst the Licensing Authority recognises that a DPS may supervise more than one premises, the DPS must be able to ensure that the four Licensing Objectives are promoted and that the licensing law and licensing conditions are complied with. Where the DPS is not available at the premises for whatever reason, the Licensing Authority recommends a responsible individual is nominated who can deal with matters in the absence of the DPS. In addition, the Licensing Authority recommends that a notice is displayed prominently indicating the name and position of that nominated person. Whenever alcohol is to be sold it is recommended that written and dated consent be given to that nominated person.
- 26.6 Applicants for Personal Licences with relevant unspent criminal convictions are required to notify the Licensing Authority of the nature of those convictions upon application. In such cases, the Licensing Authority will advise North Yorkshire Police and, where an objection is received on crime prevention grounds, a hearing will be held to determine whether or not a licence should be granted.
- 26.7 Where a Personal Licence holder appears before a magistrates' court for a relevant offence, the Licence holder must produce his licence to the court at the first hearing or provide the court with a valid reason why they are unable to produce that licence. The magistrates and/or the crown court will then decide on what action, if any, to take.
- 26.8 Where an applicant for a Personal Licence is convicted of a relevant offence as listed in the Licensing Act 2003, the applicant is required to advise the Licensing Authority as soon as is reasonably practicable so that the Licence can be amended.
- 26.9 Experience has indicated that a number of Personal Licence Holders have failed to produce their Personal Licence to the court in accordance with Section 128 of the 2003 Act. The Licensing Authority views this at best as negligent and at worst placing the public at risk as some of the offences have been serious. In view of this the Licensing Authority will take appropriate action against those who continue to fail to notify the courts and provide notification of their change of address in accordance with their statutory duty.
- 26.10 All offences under the Licensing Act 2003 are considered summary offences that normally have to be prosecuted within 6 months of the offence. However, by virtue of Section 186(3) the time limit for the laying of information has been extended from 6 months to 12 months from the date of the offence.

## **PART 6**

### **27 Temporary Event Notices**

- 27.1 The Licensing Act 2003 provides for a light touch authorisation by way of a TEN under which any person (the premises user) may submit a notification to the Licensing Authority to conduct licensable activities on a temporary basis.

- 27.2 A TEN may be given for part of a building such as a single room within a village hall, a plot within a larger area of land or a discrete area within a marquee, as long as the Notice clearly describes the area where the event is to be held.
- 27.3 Although premises users are not required to be on the premises for the event, they will remain liable for any offences that may be committed at the premises whilst the TEN is in place.
- 27.4 As a TEN does not relieve the premises user from any requirements under other regulatory regimes, the Licensing Authority recommends the user contact the Planning Authority, Highways and any other relevant authority well in advance of the event to ensure any other permissions are in place.
- 27.5 It is strongly recommended to avoid the potential of police objections to contact the North Yorkshire Police Licensing Officer and the Environmental Protection Team prior to the submission of the TEN and outline any measures in place to promote the Crime and Disorder and Prevention of Public Nuisance Licensing Objectives.
- 27.6 For larger scale or outdoor events, the Licensing Authority encourages event organisers to seek advice from the Safety Advisory Group in advance of submitting their application. The group will be able to offer local advice on other legislative requirements, such as health and safety issues, road closures, the use of pyrotechnics, local byelaws, etc. along with the need to prevent anti-social behaviour.
- 27.7 The Licensing Authority accepts that there is now a provision for a late TEN to be submitted. These must be received no later than 5 working days (not including the date of receipt of the notice or the date of the event) prior to the event. If objections are received to a late TEN a Counter Notice will be issued and the event will not be allowed to take place.
- 27.8 Event organisers are advised to submit their TEN to The Police Licensing Officer, North Yorkshire Police Headquarters, The Licensing Section, Fulford Road, York, YO10 4BY In addition, event organisers are advised to submit their application to the Licensing Authority and the Environmental Protection Team on a weekday and in any event before 12 midday on a Friday in order to ensure a quick, efficient and timely response.
- 27.9 Temporary Event Organisers are advised to submit their TENS well before the date of the event and in any event, must submit their notifications to the Licensing Authority in accordance with the number of working days currently specified in Regulations. When serving notices, organisers should serve the notice on the Licensing Authority, Police and Environmental Health at the same time. This then ensures that the Responsible Authorities have sufficient opportunity to consider the notice in line with the Prevention of Crime and Disorder and Prevention of Public Nuisance Licensing Objectives.
- 27.10 It is a legal requirement for all organisers to assess the Health and Safety and Fire Risk associated with their event and document any significant findings. If guidance is required it should be sought from an independent specialist. In any event, the Licensing Authority will notify the Fire Authority of all TENS submitted so that they can offer advice to event organisers if necessary. Members of the Safety Advisory Group will also be notified of all TENS for similar reasons. Organisers are recommended to give thought to the provision of first aid at such events. It should be noted that if the Fire Authority is of the opinion that the use of premises/venue involves, or will involve, a risk to relevant persons so serious, including anything affecting their escape from the premises in the event of fire, the Fire Authority may prohibit or restrict premises use without notice.

- 27.11 Event organisers are reminded of Police powers to close down events without notice, on the grounds of disorder, the likelihood of disorder, or public nuisance. The Licensing Authority, therefore, expects organisers to be aware of the relevant offences under the Licensing Act 2003, for example, sales of alcohol to children or to drunken individuals. Event organisers are advised to contact the Licensing Authority for further advice.

## **PART 7**

### **28 Club Premises Certificate**

- 28.1 In order for a qualifying club to supply alcohol and provide other licensable activities on Club premises, a Club Premises Certificate is required. Qualifying conditions are specified in section 62 of the 2003 Act and the Licensing Authority must be satisfied that these conditions have been met, including evidence to support the fact that the Club is non-profit making. Additional information is available from the Council and in Guidance Notes.
- 28.2 The Licensing Authority will require the Club to produce an Operating Schedule evidencing how it will promote the four Licensing Objectives. The Operating Schedule will form part of the Club Premises Certificate.
- 28.3 Where a Club intends to open its premises to the general public, the Licensing Authority recommends a Temporary Event Notice or Premises Licence. Whilst there is no definition of 'guest' within the Licensing Act 2003, the term may include a wide variety of people who are invited by the Club. The manner in which they are admitted as 'guests' would be for the Club to determine and set out in its Club Rules. Where the point is reached that a Club is providing commercial services to the public it will no longer be considered to be conducted in good faith and would therefore no longer meet General Condition 3 in Section 62 of the Licensing Act 2003. Where the Licensing Authority considers a club has ceased to operate in good faith, it will give the Club notice withdrawing their Club Premises Certificate. The Club shall be entitled to appeal this decision and where the appeal is not successful; the Club will be required to apply for a full Premises Licence.
- 28.4 The Licensing Authority will require the Club Secretary's contact details to be readily available in the event of an emergency.

## **PART 8**

### **29 Operating Schedule**

- 29.1 The Operating Schedule is a key part of the application form whereby applicants may volunteer appropriate conditions to demonstrate compliance of the licensing objectives by describing the steps they intend to take to promote these objectives. These volunteered conditions will then form conditions on the Premises Licence or

Certificate. In completing an Operating Schedule, applicants are expected to have regard to this Policy.

- 29.2 The Licensing Authority encourages applicants and existing operators to plan ahead to meet their legal responsibilities under the Equality Act 2010. In addition, applicants are expected to include positive proposals in their Operating Schedule on how they will manage any potential risks. Where their operation is within a cumulative impact area, they will be expected to demonstrate how the operation of their premises will not add to the cumulative impact already being experienced in that area.
- 29.3 Premises Licence and Club Premises Certificate applicants may wish to refer to their Fire Safety and Health and Safety risk assessments that they will have conducted. Applicants are advised to seek the views of independent professional experts in relation to the preparation of these risk assessments. Where a maximum occupancy is set, applicants are advised to have an appropriate method in place to monitor the numbers of people entering and exiting the premises.
- 29.4 In completing their Operating Schedule the Licensing Authority suggest an applicant considers the following:

#### General

- Premises log book
- Management and staff training and awareness of duties under the Licensing Act
- Policies and procedures relating to e.g. age restricted sales, capacity, noise monitoring, dispersal, queuing, etc
- Safe capacities
- Evidence of competent management procedures

#### Prevention of Crime and Disorder

- Drugs policy
- CCTV
- Pub Watch and Radio links with other licensed premises
- Security Industry Authority Door supervisors and Approved Contractor Scheme
- Polycarbonate or shatterproof vessels
- An appropriate ratio of tables and chairs to customers
- Management of outside areas
- Use of 'spikeys' or similar anti-drink spiking device
- Calming atmosphere at close of business/event
- Safe capacities
- Queuing policy
- Stewards for events and event plan
- Provide policies and procedures on modern day slavery, human rights, ethical trading and whistleblowing

#### Public Safety

- Health and Safety and Fire Safety risk assessments and staff training
- Safeguarding measures
- Use of CCTV in and around the premises
- Safe capacities and monitoring procedures
- Provision of local taxi companies who can provide safe transportation home
- Procedures to control access to and egress from premises
- Patrolling of premises
- Glass clearance policy
- Control of ventilation



- Control of litter immediately outside the premises
- First aid trained staff
- Adequate external lighting
- Consideration of the safety of performers appearing at any premises
- Indoor sporting events: medical practitioner; use flame retardant material, proximity of public to the activity; water sports events – lifeguards
- Stewards for events and event plan; and regard to standards of the National Sporting Body
- Ensuring appropriate access for emergency services

#### Prevention of Public Nuisance

- Control of general noise, disturbance, light, odour, litter and anti-social behaviour
- Whilst regulated entertainment is taking place, management of noise disturbance
- Control of litter (e.g. cigarette ends, rubbish, etc), vomiting, urinating and anti-social behaviour in the vicinity of the premises
- Dispersal policy to ensure customers respect their neighbours
- Removal of persons causing disturbance
- Management of outside areas, e.g. pub gardens, smokers, etc.
- Control of deliveries in early hours
- Queuing policy
- Winding down period

#### Protection of Children from Harm

- Refusals book
- Consideration of access to premises where adult entertainment may take place
- Consideration to proximity of premises to schools and youth clubs
- Clarity on activities and times at which events take place to determine whether or not it is appropriate to allow access to children
- Challenge 21 policy
- tills prompts at retail outlets
- Measures to control access to hotel minibars in rooms occupied by children
- Operational measures to avoid proxy purchases
- How to prevent children from being exposed to alcohol sales at under age events, gambling, incidents of violence and disorder and drugs or drug taking
- Consideration of safeguarding issues
- Consideration of children as performers where relevant
- Supervision of children
- Under 18 event Code of Conduct, for example: searches, ticketed event, door supervisors, stewards monitoring event, set hours for event, restricted event, policy to ensure young people leave premises safely, etc.

29.5 These lists are not exhaustive and advice can be obtained from the relevant responsible authorities. However, applicants are reminded again to contact the relevant Responsible Authorities to seek their expert advice before an application is submitted to the Licensing Authority.

29.6 Where an applicant is a vessel, the Licensing Authority strongly recommends advice be sought from the Maritime & Coastguard Agency prior to submitting the application form. This Agency will offer advice on the safety of passengers aboard the vessel.

29.7 Where a premises plans to hold a large event, the event organiser should contact the Safety Advisory Group in the first instance, which is co-ordinated by the Local Authority and made up of representatives from the Local Authority, emergency

services and relevant bodies. This is a forum for discussing and advising on public safety at an event. They aim to help organisers with the planning, and management of the event and to encourage cooperation and coordination between the relevant agencies. Please contact: [sag@selby.gov.uk](mailto:sag@selby.gov.uk)

## **PART 9**

### **30 Enforcement**

- 30.1 With regard to enforcement action the Licensing Authority will take a stepped approach to enforcement in line with the Enforcement Policy.
- 30.2 The Licensing Authority will use a multi-agency approach to ensure the premises complies with the licensing laws and promotes the licensing objectives. This includes the sharing of relevant information about premises and licence holders and may include making copies of all written correspondence between the Licensing Authority and the licence holder available to Responsible Authorities
- 30.3 The Licensing Authority may seek to meet with the licence or certificate holder and/or DPS working closely with them and relevant Responsible Authorities in implementing a Premises Improvement Plan as an alternative to formal action where appropriate.
- 30.4 Where the premises does not comply with an agreed Improvement Plan and continues to breach the licensing laws and/or licence conditions, the Licensing Authority will consider further sanctions, either by way of a review, formal caution, prosecution or serving of a Closure Notice under the Anti-Social Behaviour Crime and Policing Act 2014. Should a magistrate issue a Closure Order the police or the Council may request a review of the licence. In any event, the Licensing Authority will have regard to the Regulators' Code and the Enforcement Concordat together with the Council's own Enforcement Policy.
- 30.5 However, where the premises continues to flout the law, act irresponsibly, or serious issues are identified firm action will be taken that may include immediate prosecution, particularly where the licensing objectives have been undermined.
- 30.6 Enforcement action will be:
- Targeted toward those premises presenting the highest risk;
  - Proportionate to the nature and seriousness of the risk those premises present;
  - Consistent, so that the Licensing Authority takes similar approaches in similar situations;
  - Transparent, so those who are subject to enforcement action know what to expect; and
  - Accountable so that the Licensing Authority and its officers take responsibility for their actions.
- 30.7 In order to ensure compliance with the law and licensing conditions, the Licensing Authority will carry out with North Yorkshire Police whenever possible unscheduled 'non routine' inspections. After each visit the DPS and licence or certificate holder will be notified of any concerns and be given an opportunity to rectify any issues. Where one off events take place, the Licensing Authority may also carry out inspections to ensure the Licensing Objectives are promoted.

- 30.8 In addition, the Licensing Authority will conduct checks to ensure that official notices for new applications, varied applications, reviews and minor variations are accurate and clearly displayed. Notices for reviews shall be displayed at or near the site of the premises, and where there are concerns these shall be regularly checked and recorded.
- 30.9 The licence/certificate holder is required to ensure that the Premises Licence/Club Premises Certificate, or certified copy of that licence or certificate, is kept at the premises and in the custody, or under the control of, either the licence/certificate holder or a person who works at the premises and whom the licence holder has nominated in writing to have custody of that licence. In addition, the 2003 Act requires that a summary, or certified copy, is prominently displayed at the premises together with a notice specifying the name of the person nominated to have custody of the licence. Experience has proved that a number of licensees/certificate holders are not aware of this legislative requirement. With regard to enforcement, where a premises does not display the licence summary or does not have the licence/certificate, or certified copy, on the premises, then the Licensing Authority will write to the licence/certificate holder giving them an initial warning prior to taking any legal action. Continued failure will result in further sanctions being taken as outlined above.
- 30.10 Any decision to instigate legal proceedings will take account of the criteria set down in the Code for Crown Prosecutors and Attorney General Guidelines.

### **31 Fees: Annual Licence Fees**

- 31.1 The PRSR Act gives the Licensing Authority the power to suspend a licence or certificate if the holder fails to pay the annual licence fee promptly in accordance with the invoice. Where the licence/certificate holder fails to pay the annual fee when due the Licensing Authority will notify the licence/certificate holder in writing specifying the date on which the suspension takes effect. This date will be two working days after the day the Licensing Authority has given the licence/certificate holder such notice. The Licensing Authority will work with North Yorkshire Police and appropriate action will be taken when the premises continues trading whilst suspended.
- 31.2 Where the licence/certificate holder has paid the annual fee the Licensing Authority will lift the suspension and inform North Yorkshire Police accordingly.

## **PART 10**

### **32 Licensing Committee**

- 32.1 Decisions on all licensing matters shall be taken in accordance with an approved scheme of delegation. This is aimed at underlining the principles of timely, efficient and effective decision-making.
- 32.2 The Licensing Committee will consist of 10 Members. The Licensing Sub-Committee will conduct any Hearings required under the 2003 Act.
- 32.3 Applications for Premises Licences, Club Premises Certificates or Temporary Event Notices where relevant representations have been received and not withdrawn will be dealt with by a Licensing Sub-Committee unless such representations are

considered irrelevant, frivolous or vexatious or unless the Licensing Authority, the applicant and everyone who has made representations agree that a hearing is not necessary.

- 3.3 The decision determined by the Licensing Sub-Committee shall be accompanied by clear and cogent reasons, having had due regard to the Human Rights Act 1998 and all other legislation.

## **PART 11**

### **33 Administration, Exercise and Delegations of Functions**

- 33.1 The 2003 Act provides that the functions of the Licensing Authority, including all its determinations, are to be carried out by its Licensing Committee with the exception of the preparation of this Policy. Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Licensing Committee has delegated certain decision and functions and has established Sub Committees to deal with them.
- 33.2 Officers have delegated powers to deal with all the Licensing functions of the Licensing Authority save for those where the Act specifically reserves the powers only to the Licensing Committee or to the full Council.
- 33.3 The table at Appendix 1 sets out the agreed delegation of decisions and functions to the Licensing Committee, Licensing Sub Committees and authorised officers.
- 33.4 The Licensing Committee has approved its own rules relating to the procedure of hearings by the Licensing Sub Committee under the Licensing Act 2003.

### **34 The role of District Councillors**

- 34.1 The Licensing Authority recognises that District Councillors play an important role in the local community. They may make representations in writing and speak at the hearing on behalf of any other person such as a local resident or business if specifically asked to do so. They can also make representations in their own right if they have concerns about premises.
- 34.2 Residents or businesses may wish to contact their local District Councillor in respect of a licence/certificate application. Details of how to contact District Councillors may be obtained from the Council's website. Where a resident or business seeks the assistance of a District Councillor it is helpful if they can send them any evidence that a premises is causing a problem in the area. It is also helpful if a resident or business that makes a representation on an application to send a copy of their representation to the relevant District Councillor. This then helps them to gain an understanding of local feelings.
- 34.3 District Councillors may attend hearings of licensing sub committees considering applications and speak on behalf of local residents and businesses, but only if:
- They have made a personal representation;
  - They have made a representation on behalf of local residents or business as 'community advocates'

- They have been nominated by (an objector) who cannot attend the hearing or prefers to be represented at the hearing.

344 District Councillors may however attend a hearing as an observer or as part of training for the Licensing Committee.

34.5 District Councillors wish to be kept informed of licensing related matters within Selby District, such as applications and reviews. The 2003 Act does not prevent Licensing Authorities from providing this information to Councillors, for instance by way of regular updates, as long as it is done in a neutral way that could not be seen as “soliciting” representations. Elected members will be signposted to the Councils Website where all current application/review notices can be viewed.

## **PART 12**

### **35 Appeals against Licensing Authority decisions**

35.1 Following a hearing of an application by the Licensing Authority, the applicant or any objector has the right to appeal against that decision to York Magistrates’ Court within 21 days. In hearing an Appeal against the Licensing Authority’s decision, the court will have regard to this Policy and the Guidance issued under Section 182 of the Licensing Act 2003. However, the court would be entitled to depart from both of these documents if it considers it justified so to do.

35.2 Where an appeal has been lodged against a decision of the Licensing Authority, the Licensing Authority will in all cases be the respondent to the appeal and may call as witnesses any other person or Responsible Authorities who made representations against the application if it so chooses. In addition, and provided the court considers it appropriate, the Licensing Authority may also call as witnesses any individual or body it considers may assist in their response to an Appeal.

## **PART 13**

### **36 Complaints against licensed premises**

36.1 Where the Licensing Authority receives complaints against a licensed premises, complainants are advised in the first instance, whenever possible, to raise their complaint directly with the licensee in order to resolve the matter. The Licensing Authority, however, recognises that it is not always possible or practical for the public to raise complaints directly with the licensed premises. In such circumstances complaints in the first instance should be addressed to: The Enforcement Team, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT; or email the Council at [info@selby.gov.uk](mailto:info@selby.gov.uk).

36.2 Complaints will be dealt with in a timely and efficient manner.

36.3 It is expected that all noise-related complaints are initially raised with the Council’s Environmental Health Team and complaints regarding unlicensed activities and operating outside the permitted hours are raised with the Licensing Authority or Police Licensing Officer.

36.4 On receipt of a licensing complaint, a relevant Officer will investigate the circumstances, discussing the complaint with the DPS of the licensed premises, the licence/certificate holder, any relevant Responsible Authority and the complainant.

Where it is a valid complaint, the Licensing Authority shall endeavour to seek a resolution through informal means prior to taking any formal sanction, dependant on the nature of the complaint.

- 36.5 The Lead Officer of Licensing or Enforcement is responsible for considering complaints in the context of this Policy and will determine whether or not it is a relevant complaint. This officer will authorise suitably qualified officers to discharge duties as appropriate to their seniority, professional qualifications and/or experience.
- 36.6 Where there is a serious complaint, then the Lead Officer of Enforcement shall ensure that it is investigated and enforcement action taken where necessary. The Licensing Authority shall act in accordance with the Enforcement Policy and in accordance with the Regulators' Code and the Enforcement Concordat.
- 36.7 With regard to whether or not a complaint/representation is relevant, the Licensing Manager in conjunction with the Solicitor to the Council shall decide on whether it is vexatious, frivolous, repetitive or not relevant (that is, in line with one or more of the four Licensing Objectives) and there is no right of appeal against this decision. Aggrieved objectors should take their own legal advice. The exclusion of a complaint/representation on the grounds that it is repetitious does not however apply to Responsible Authorities. Responsible Authorities may make more than one request for a review of a Premises Licence/Certificate within the 12-month period or other reasonable interval agreed by the Licensing Authority. Where the decision is made that a complaint is vexatious, frivolous, repetitious or irrelevant, the complainant will be informed of this in writing with full reasons being given for the decision.

### **37 Other Relevant Legislation, Information and Guidance Legislation**

- **Health and Safety at Work Act 1974 and associated legislation**
- **Human Rights Act 1998** – Selby District Council has a duty under the European Convention of Human Rights to protect both the rights of a resident to privacy and family life (Article 8) and the rights of a licensee to operator their business without undue interference (Article 1 of the first protocol).
- **Equality Act 2010** – licensees should make themselves familiar with this legislation as it covers matters relating to unlawful discrimination, for example disability, sex, race and age.
- **Crime and Disorder Act 1998 Section 17** – this Act requires local authorities and others to consider crime and disorder reduction while exercising all of their duties. It states
  - “Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent
  - crime and disorder in its area; and
  - the misuse of drugs, alcohol and other substances in its area; and
  - re-offending in it area.”
- This reflects the reality that there are crime and/or disorder implications in decisions made across the full range of local authority services. The consideration of the

specific licensing objective of the prevention of crime and disorder fulfils the requirements under this Act.

- **Violent Crime Reduction Act 2006** – Part 1 of this Act amends the Licensing Act 2003 and includes measures to tackle alcohol-related violence and disorder.
- **Policing and Crime Act 2009** – Part 3 of this Act amends the Licensing Act 2003 and includes measures to tackle alcohol misuse.
- **Police, Reform and Social Responsibility Act 2011** – Part 2 of the Act amends the Licensing Act 2003.
- **Anti-social Behaviour, Crime and Policing Act 2014** – Section 59 of this Act gives local authorities powers to make a Public Space Protection Orders. Orders can include Alcohol Restriction Zones (ARZ). In areas where an ARZ is in place it is an offence for a person who is consuming alcohol to not cease and/or surrender the alcohol when requested to do so by a police officer or other authorised person.
- **Policing and Crime Act 2017** – Part 7 of this Act amends the Licensing Act 2003.
- **Environmental Protection Act 1990** – this covers a wide range of types of pollution including noise.
- **Regulators' Code under the Legislative and Regulatory Reform Act 2006** – for consideration by all parties.
- **The Clean Neighbourhoods and Environment Act 2005** – this provides local authorities with an additional power to issue a fixed penalty notice to any licensed premises emitting noise that exceeds the permitted level between the hours of 11.00pm – 7.00am.
- **Anti-Social Behaviour Act 2003** – Section 40 and 41 of this Act provides that if the noise from a licensed premises is causing a public nuisance, an authorised environmental health officer will have the power to issue a closure order effective for up to 24 hours. This compliments the police powers under Part 8 of the Licensing Act 2003 to close licensed premises for temporary periods.
- **Health Act 2006 (Workplace Smoking Ban)** – the ban on smoking in all enclosed work places and public places came into force on the 1 July 2007. The ban includes smoking in pubs, restaurants and members clubs where bar or other staff are employed.
- **The Regulatory Reform (Fire Safety) Order 2005** – North Yorkshire Fire and Rescue Service enforce fire safety legislation. Further information of the legal requirements can be found on their website: <http://www.northyorksfire.gov.uk/>
- **Data Protection Act 2018** – applicants should have regard to the provisions of this Act in relation to their premises and in particular to the Information Commissioners Code of Practice on CCTV.
- **Coronavirus Act 2020** – Act of Parliament that grants the Government emergency powers to handle the COVID-19 pandemic.
- **The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020** - made in response to the serious and imminent threat to public health resulting from COVID- 19 (SARS-CoV-2) in England.
- **The Modern Slavery Act 2015**

- A reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.
- A reference to a statute or statutory provision shall include all subordinate legislation made from time to time under that statute or statutory provision.

### **Information and Guidance Documents**

- Licensing Act 2003 - <https://www.legislation.gov.uk/ukpga/2003/17/contents>
- Section 182 Guidance, Pool Conditions Supporting Guidance and Guidance on Persistently Selling Alcohol to Children - <https://www.gov.uk/>
- Alcohol Strategy - <https://www.gov.uk/government/publications/alcohol-strategy>
- Health, Safety and Welfare Music and Other Events - <https://www.thepurpleguide.co.uk/>
- Running a Safety Event - <http://www.hse.gov.uk/event-safety/running.htm>
- Risk Assessments - <http://www.hse.gov.uk/risk/controlling-risks.htm>
- Controlling Noise – <https://www.york.gov.uk/NoisePollution>
- Reducing litter - <https://www.gov.uk/government/publications/reducing-litter-caused-by-food-on-the-go-a-voluntary-code-of-practice-for-local-partnerships>



## Appendix 1 – DELEGATION OF FUNCTIONS

<b>Matters to be dealt with</b>	<i>Council</i>	<b>Sub Committee</b>	<b>Officer</b>
<b>Licensing Policy approval</b>	<b>All cases</b>		
<b>Application for a Personal Licence</b>		<b>If Police objection</b>	<b>If no Police objection</b>
<b>Application for a Premises Licence or Club Premises Certificate</b>		<b>If relevant representation made</b>	<b>If no relevant representation made</b>

<b>Matters to be dealt with</b>	<i>Council</i>	<b>Sub Committee</b>	<b>Officer</b>
<b>Application for a Provisional Statement</b>		<b>If relevant representation made</b>	<b>If no relevant representation made</b>
<b>Application to vary Premises Licence or Club Premises Certificate</b>		<b>If relevant representation made</b>	<b>If no relevant representation made</b>
<b>Application to vary DPS</b>		<b>If Police objection</b>	<b>All other cases</b>
<b>Request to be removed as DPS</b>			<b>All cases</b>
<b>Application for transfer of premises licence</b>		<b>If Police objection</b>	<b>All other cases</b>
<b>Applications for interim authorities</b>		<b>If Police objection</b>	<b>All other cases</b>
<b>Application to review licence or Club Premises Certificate</b>		<b>All cases</b>	
<b>Decision on whether a complaint is irrelevant, repetitious, frivolous, vexatious or repetitious, etc.</b>			<b>All cases</b>

<b>Matters to be dealt with</b>	<i>Council</i>	<b>Sub Committee</b>	<b>Officer</b>
<b>Decision to object when local authority is a consultee and not the relevant authority considering the application</b>		<b>All cases</b>	
<b>Determination of an objection to a TEN</b>		<b>All cases</b>	
<b>Imposition of existing conditions on a standard TEN (s.106A of the 2003 Act)</b>		<b>All cases</b>	
<b>Determination of application to vary licence at community premises to include alternative licence condition</b>		<b>If police objection</b>	<b>All other cases</b>
<b>Decision on whether to consult other Responsible Authorities on minor variation application</b>			<b>All cases</b>
<b>Determination of minor variation application</b>			<b>All cases</b>
<b>Acting as a Responsible Authority on behalf of the Licensing Authority</b>			<b>All cases</b>

<b>Matters to be dealt with</b>	<i>Council</i>	<b>Sub Committee</b>	<b>Officer</b>
<b>Suspension of a licence or Club Premises Certificate for non-payment of annual fee</b>			<b>All cases</b>
<b>Specify the date on which suspension takes effect (min. 2 working days)</b>			<b>All cases</b>
<b>Decision to introduce, vary or end a late night levy</b>	<b>All cases</b>		
<b>Other decisions relating to administration and design of levy</b>	<b>All cases</b>		
<b>Decision to introduce, vary or revoke an Early Morning Restriction Order</b>	<b>All cases</b>		

## Appendix 2 - LICENSING ACT 2003 GLOSSARY

<p><i>Authorised Persons/Officers</i></p> <p><i>Child</i></p>	<p>Officers empowered by the 2003 Act to carry out inspection and enforcement roles. This group includes:</p> <ul style="list-style-type: none"> <li>• Officers of the Licensing Authority</li> <li>• Fire Authority Inspectors</li> <li>• Inspectors locally responsible for the enforcement of the Health and Safety at Work, etc. Act 1974; and</li> <li>• Environmental Health Officers</li> <li>• Trading Standards Officers</li> </ul> <p>North Yorkshire Police are separately empowered and not included in the above list.</p> <p>Any person who is under the age of 16 years.</p>
<p><i>CIP</i></p>	<p>Cumulative Impact Policy</p>
<p><i>Club Premises Certificate (CPC)</i></p>	<p>A Licence to supply alcohol to members of a Qualifying Club and sell it to members and their guests on the premises without the need for any member or employee to hold a Personal Licence.</p>
<p><b>Conditions:</b></p> <p>Proposed Condition</p> <p>Imposed Condition</p> <p>Mandatory Condition</p> <p><i>Cumulative Impact</i></p> <p><b>Cumulative Impact Assessment (CIA)</b></p>	<p>Conditions proposed by the applicant in the Operating Schedule.</p> <p>Conditions imposed by the Licensing Authority after a licensing hearing</p> <p>Conditions laid down by the Licensing Act 2003 as amended</p> <p>Where there is a potential impact on the promotion of the Licensing Objectives of a significant number of licensed premises concentrated in one area.</p> <p>This may be published to help to limit the number or types of licence applications granted in areas where there is evidence to show that the number or density of licensed premises in the area is having a cumulative impact and leading to problems which are undermining the licensing objectives.</p>
<p><i>Designated Premises Supervisor (DPS)</i></p>	<p>A specified individual holding a Personal Licence, who is responsible for the day to day running of the business and whose name will appear on the Premises Licence.</p>
<p>DCMS</p> <p>Frivolous Representation</p> <p><i>Late-Night Refreshment</i></p>	<p>Department of Culture Media &amp; Sports, now known as Department of Culture, Olympics, Media &amp; Sport.</p> <p>Representation or objection that is categorised by its lack of seriousness.</p> <p>The supply of hot food and drink between the hours of 11pm and 5am for consumption on or off the premises.</p>

<b><i>Licence Holder</i></b>	Licence holder is defined as the Premises Licence Holder or Club Premises Certificate Holder.
<b><i>Licensable Activities</i></b>	<ul style="list-style-type: none"> <li>• The sale of alcohol by retail</li> <li>• The supply of alcohol by or on behalf of a club to, or to the order of, a member of a club</li> <li>• The provision of regulated entertainment</li> <li>• The provision of late-night refreshment</li> </ul>
<b><i>Licensing Objectives</i></b>	<ul style="list-style-type: none"> <li>• Prevention of Crime and Disorder</li> <li>• Public Safety</li> <li>• Prevention of Public Nuisance</li> <li>• Protection of Children from Harm</li> </ul>
<b><i>Licensing Qualification</i></b>	Qualification obtained from for example the British Institute of Innkeeping and a requirement for a Personal Licence.
<b><i>Occupancy Levels</i></b>	Safe occupancy limits for a premises or venue is determined by the size of the premises or venue combined with ensuring that escape routes are adequate for the people, and numbers of people, who are likely to use them. This prevents overcrowding which can lead to crime, disorder and concerns over public safety.
<b><i>'Other Persons'</i></b>	Defined as any individual, body or business affected by the operation of a licensed premises, regardless of their geographic proximity to the premises.
<b><i>Operating Schedule</i></b>	<p>This forms part of the completed application form for a Premises Licence and must promote the 4 Licensing Objectives. It must include:</p> <ul style="list-style-type: none"> <li>• The relevant licensable activities</li> <li>• The times during which the applicant proposes that the relevant licensable activities are to take place</li> <li>• Any other times during which the applicant proposes that the premises are to be open to the public</li> <li>• Where the applicant wishes the licence to have effect for a limited period, that period</li> <li>• Where the relevant licensable activities include the sale by retail of alcohol, prescribed information in respect of the individual whom the applicant wishes to have specified as the Designated Premises Supervisor</li> <li>• Whether the relevant licensable activities include the supply of alcohol, whether such sales are proposed to be for consumption on the premises or off the premises, or both</li> <li>• The steps which the applicant proposed to take to promote the 4 Licensing Objectives.</li> </ul>
<b><i>Personal Licence</i></b>	A Licence to authorise individuals to sell or supply alcohol or authorise the sale or supply of alcohol for consumption on or off the premises for which a Premises Licence is in force for the carrying on of that activity. Valid for 10 years.

<b><i>Prejudicial Interest (Members)</i></b>	An interest that a member of the public would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest.
<b><i>Premises Improvement Plan</i></b>	An agreed action plan with timeframes agreed between the licence holder and the Responsible Authority.
<b><i>Premises Licence</i></b>	A Licence in respect of any premises, such as land or buildings within the community that are to be used for one or more licensable activities. Valid for an indefinite period unless reviewed or revoked.
<b><i>Proprietary Clubs</i></b>	Clubs run commercially by individuals, partnerships or business for the purpose of profit.
<b><i>Provisional Statement</i></b>	A statement where premises are being constructed or extended or substantially altered that the Licensing Authority would be provisionally minded to grant a Licence on completion of the works.
<b><i>Proxy Purchases</i></b>	Illegal purchasing of alcohol on behalf of a person under the age of 18.
<b><i>Qualifying Club</i></b>	Where members have joined together for particular social, sporting or political purposes and then combined to buy alcohol in bulk as members. Examples of Qualifying Clubs are: <ul style="list-style-type: none"> <li>• Conservative, Labour and Liberal Clubs</li> <li>• Royal British Legion</li> <li>• Ex-Servicemen's Club</li> <li>• Working Men's Club</li> <li>• Social and Sports Clubs</li> </ul>
<b><i>Regulated Entertainment</i></b>	Entertainment that is defined by statute.
<b><i>Relevant licensed premises</i></b>	Premises that are authorised to supply alcohol for consumption on the premises by a premises licence or CPC.
<b><i>Relevant Offences</i></b>	As set out in Schedule 4 to the Licensing Act 2003.
<b><i>Relevant Representations</i></b>	Representations, or objections, are relevant if they relate to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives.

<b><i>Responsible Authorities</i></b>	<p>This group can make relevant representations and includes public bodies such as:</p> <ul style="list-style-type: none"> <li>• Relevant Licensing Authority</li> <li>• North Yorkshire Police (Chief Officer of Police)</li> <li>• Children and Young People’s Service</li> <li>• North Yorkshire Fire &amp; Rescue Authority</li> <li>• North Yorkshire Trading Standards</li> <li>• The Local Enforcement Agency for the Health and Safety at Work, etc. Act 1974</li> <li>• The Local Authority Environmental Health Service</li> <li>• North York Moors Planning Authority/Local Authority Planning Service</li> <li>• each local authority’s Director of Public Health (DPH) in England<sup>4</sup> and Local Health Boards (in Wales);</li> <li>• Home Office Immigration Enforcement (on behalf of the Secretary of State).</li> <li>• Maritime and Coastguard Agency (if applicable)</li> </ul>
<b><i>Safety Advisory Group</i></b>	<p>Safety Advisory Group – a group of officers from the Council’s Enforcement team, Highways, Police, Fire, Ambulance, Health and Safety, Emergency Planning formed to offer advice to applicants on carrying out events either under a TEN or a restricted Premises Licence</p>
<b><i>Temporary Events Notice (TEN)</i></b>	<p>A Notice served on the Licensing Authority for the temporary carrying on of the sale of alcohol, provision of regulated entertainment or late-night refreshment at a premises not authorised by a Premises Licence or Club Premises Certificate. This Notice is subject to certain limitations as laid down by the Licensing Act 2003.</p>
<b><i>TEN – 10 working days’ notice</i></b>	<p>10 working days <u>exclusive</u> of the day on which the event is to start <u>and</u> exclusive of the day on which the Notice is given to the Licensing Authority.</p>
<b><i>Types of Authorisation</i></b>	<ul style="list-style-type: none"> <li>• Premises Licence</li> <li>• Club Premises Certificate</li> <li>• Personal Licence</li> <li>• Provisional Statement</li> <li>• Temporary Events Notice</li> </ul>
<b><i>Vexatious Representation</i></b>	<p>A representation may be considered vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification.</p>
<b><i>Vicinity</i></b>	<p>A term which has been removed from the Licensing Act 2003 by the Police Reform and Social Responsibility Act 2011. Previously, the Licensing Authority in making their initial decision on the question of vicinity had to consider whether the individual’s residence or business is likely to be directly affected by disorder and disturbance occurring on those premises.</p>



## Appendix 3 – RESPONSIBLE AUTHORITY CONTACT LIST

In accordance with the s182 Guidance this policy lists all the relevant contact points where members of the public may obtain general advice. The Licensing Authority in particular recommends that all applicants seek advice from the Responsible Authorities below prior to submitting applications.

Responsible Authority	Contact Details
<b>Police</b>	North Yorkshire Police Headquarters The Licensing Section Fulford Road York YO10 4BY Email: <a href="mailto:nyplicensing@northyorkshire.pnn.police.uk">nyplicensing@northyorkshire.pnn.police.uk</a>
<b>Environmental Health</b>	Environmental Control Selby District Council Civic Centre Doncaster Road Selby YO8 9FT Email: <a href="mailto:ehdutyofficer@selby.gov.uk">ehdutyofficer@selby.gov.uk</a>
<b>Planning Department</b>	Planning Selby District Council Civic Centre Doncaster Road Selby YO8 9FT Email: <a href="mailto:planningenforcement@selby.gov.uk">planningenforcement@selby.gov.uk</a>
<b>Fire Authority</b>	North Yorkshire Fire and Rescue Authority Chief Fire Officer Fire Brigade Headquarters Crosby Road Northallerton North Yorkshire DL6 1AB Email: <a href="mailto:Electronicconsultation@northyorksfire.gov.uk">Electronicconsultation@northyorksfire.gov.uk</a>
<b>Health &amp; Safety</b>	N/A
<b>Trading Standards</b>	North Yorkshire Trading Standards Licensing Unit 4/5 Thornfield Business Park Standard Way Northallerton North Yorkshire DL6 2XQ Email: <a href="mailto:trading_standards@northyorks.gov.uk">trading_standards@northyorks.gov.uk</a>
<b>Social Services</b>	Social Services (North Yorkshire County Council)(Children) North Yorkshire County Council County Hall Northallerton North Yorkshire DL6 2XQ Email: <a href="mailto:social_services@northyorks.gov.uk">social_services@northyorks.gov.uk</a>

<b>Public Health</b>	Public Health Dr Lincoln Sargeant Director of Public Health North Yorkshire County Council County Hall Northallerton North Yorkshire DL7 8AD Email: <a href="mailto:nypublichealth@northyorks.gov.uk">nypublichealth@northyorks.gov.uk</a>
<b>Licensing Authority</b>	Licensing Enforcement Team Selby District Council Doncaster Road Selby YO8 9FT Email; <a href="mailto:Enforcementteam@selby.gov.uk">Enforcementteam@selby.gov.uk</a>
<b>Home Office</b> Only for Section.17, 42,47,34 & 52 applications	Home Office's Secretary of State Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY Email; <a href="mailto:Alcohol@homeoffice.gsi.gov.uk">Alcohol@homeoffice.gsi.gov.uk</a>

This list may from time to time be subject to change and applicants and existing licence holders are recommended to contact the Licensing Authority for an up to date list.

Para	<b>Observations / Comments from Environmental Health</b>
4.6	<p>States that “<i>all premises which are subject of an application, should have the benefit of planning permission, or be deemed permitted development.</i>”</p> <p>I would recommend that the word “should” is replaced with “must”. Whilst different, the Planning and Licensing regimes do overlap to some extent, in particular, in relation to noise. Planning should be a prerequisite to a premises licence application as it is entirely feasible that a Premises Licence could be issued where Planning consent would not. This could create confusion and ambiguity for the applicant and create unnecessary double handling in enforcement terms. Making it clear which regime takes precedent would also reduce the chance of duplicitous conditions.</p> <p>The above recommendation appears to be in line with para 4.8</p>
	<p><b>Response:</b> Licensing and planning authorities are separate. Planning are consulted with on a licensing application It would be down to planning to enforce any breach of planning</p>
4.12	<p>States that “<i>The policy is not intended to duplicate existing legislation and regulatory regimes</i>” and provides examples including the Environmental Protection Act 1990 and the Noise Act 1996.</p> <p>If reliance on an alternative legislative regime is relied upon either wholly or in part, it is important to understand that regime to ensure it is capable of achieving the licensing objective.</p> <p>The relevant section of the Environmental Protection Act 1990 is section 79 which lists a number of matters which are considered to be a statutory nuisance, the most relevant is section 79(g) which gives noise the potential to be a statutory nuisance, in addition sections 79(d) and 79(fb) include odour and light respectively. To be considered a statutory noise nuisance, noise that is a nuisance or prejudicial to health must be emitted from a premises and must affect an individual's enjoyment of a separate premises.</p> <p>The relevant licensing objective is “<i>the prevention of public nuisance</i>”. Nuisance in this case is a civil tort, public nuisance is a nuisance that affects a number of people and can be a criminal offence.</p> <p>Therefore, statutory nuisance is narrow when compared to public nuisance. It is also worth noting that statutory nuisance regime exists to act where a statutory nuisance exists or is likely to exist and does not prevent a nuisance from happening.</p> <p>In view of the above the statutory nuisance regime does not achieve the licensing objective of preventing public nuisance on two counts, firstly the definition is too narrow and secondly it is not preventative. So, whilst there may be overlaps between the two regimes it would be unwise relying on The Environmental Protection Act 1990 to achieve licensing objectives.</p> <p>The Noise Act 1996 gives the LA powers to issue fixed penalty notices in very specific circumstances. The LA may decide to use those powers in relevant circumstances where appropriate but again it would be unwise to expect that The Noise Act 1996 to achieve licensing objectives.</p> <p>The above Acts, particularly the Environmental Protection Act 1990, could be used to demonstrate that a licensing objective is not being achieved and could provide justification for review. The existence of a statutory nuisance would in itself by definition imply that a public nuisance exists, however, the existence of a public nuisance may well not constitute a statutory nuisance.</p>
	<p><b>Response:</b> Our policy is stating that we do not duplicate what is already in law.</p>
5.3	<p>States that “<i>...and not seek to manage the behaviour of customers once they are beyond the direct management of the licence certificate holder and their staff</i>”</p> <p>Whilst I would agree that it is difficult to manage customer behaviour once they have left the premises I do think that the Licensing Authority should expect reasonable attempts should be made so far as practicable. To fail to do so would fail in the licensing objective of preventing public nuisance.</p>

Appendix 2

Consultation Responses from Environmental Health team, North Yorkshire Police and North Yorkshire Public Health

	<p>This paragraph also appears to be juxtaposed of para 3.2 and 4.9. Para 3.2, albeit concerned principally with cumulative impact, does recognise that “<i>serious problems of nuisance and disorder may arise outside or some distance from the premises.</i>”. Para 4.9 states that “<i>The Licensing Authority shall expect every licence/certificate holder or event organiser to minimise the impact of their activities on the surrounding area and any anti-social behaviour created by their customers in and within the vicinity of their premises by taking appropriate measures and actions consistent with that responsibility.</i>”.</p>
	<p><b>Response:</b> The policy already states, as above that we do not expect licence holders to manage the behaviour of customers beyond their direct management.</p>
9.1	<p>Refers to contact details in Annex 3. The “Environmental Control” should be changed to Environmental Health and the contact email should be given as <a href="mailto:info@selby.gov.uk">info@selby.gov.uk</a></p>
	<p><b>Response:</b> As agreed verbally with Environmental Health the original email of ‘ehdutyofficer@selby.gov.uk’ should remain Annex 3 has been updated to Environmental Health</p>
10.4	<p>Environmental Protection should be changed to Environmental Health.</p>
	<p><b>Response:</b> We have updated this</p>
13.1	<p>Accurately makes clear the effect of deregulation brought about by the introduction of the Live Music Act 2012. The effects of this deregulation has caused complaints of noise nuisance, this is particularly in the case where a large car park area is included within the licensed premises boundary. Where this scenario occurs, it is possible for an outdoor concert to take place, up to 2300, for up to 500 people next door to a residential receptor without any means of noise control. I would question whether this was the intention of the 2012 Act, or whether the intention was allowed for live and amplified music performances to take place within the building of the premises rather than outside in a carpark.</p> <p>I would therefore recommend that a premises licence does not include large outdoor spaces within their defined area, such as carparks, unless that is necessary and can be justified for licensing purposes, ie, the supply of alcohol.</p>
	<p><b>Response:</b> In terms of the policy we will not be amending to recommend that outdoor spaces cannot be licensed. We must welcome all application and consider on its individual merits. If a Responsible Authority disagreed or had concerns with an application, they would need to make representation under the licensing objectives.</p>
27.10	<p>Directs the applicant to the enforcing authority in order to seek guidance on how to conduct risk assessments. This implies that Environmental Health as the enforcing authority for Health and Safety legislation at certain business premises are available to provide guidance. This has the potential to create unrealistic expectations, the Environmental Health team will, where appropriate, comment on particular queries an operator may have but compliance with the law remains the responsibility of the applicant, Environmental Health do not have the capacity or the duty to provide this service. This responsibility needs to be made clear, should assistance be required it should be sought from an independent specialist. Furthermore, it is worth noting that Environmental Health are not the Enforcing Authority for all premises, the enforcement of Health and Safety Regulations are split with the Health and Safety Executive (HSE). So far as I am aware the HSE do not currently offer an advisory service, and if they do it is likely to be chargeable on a commercial basis.</p>
	<p><b>Response:</b> This sentence has been removed, and a sentence added to seek independent specialist advise.</p>
29.3	<p>I would recommend the word “independent” is inserted in front of “professional experts”</p>
	<p><b>Response:</b> This word has been inserted</p>
36.1	<p>Directs complaints to the “Lead Officer for Enforcement”, is this correct?</p>

Appendix 2

Consultation Responses from Environmental Health team, North Yorkshire Police and North Yorkshire Public Health

	<b>Response:</b> This has been updated to the 'Enforcement Team'.
34.3	Community Officers are now called Neighbourhood offers. Neighbourhood officers are not "in Environmental Health" and in any event do not deal with noise complaints relating to commercial premises.  The paragraph also advises that complaints regarding "unlicensed" premises should be raised with the Licensing Authority, should this be amended to "licensed".
	<b>Response:</b> This should be 36.3 We have amended the name of the officer to Environmental Health and removed the sentence about other complaints as this is addressed in 36.1
	<b>Observations / Comments from North Yorkshire Police</b>
2.0	"This Policy was reviewed in 2019 following consultation".  I did respond to a consultation on 02/07/19 but I am assuming that this should be changed to 2020 and the 2019 consultation period has not been factored?
	<b>Response:</b> The policy was reviewed in 2019. There was a delay with the consultation progressing earlier in the year due to the COVID 19 pandemic. The date mentioned in the consultation response has been updated to 2020 to show the work updating the policy in 2020.
4.1	"this Guidance;"  Should this read the Section 182 Guidance?
	<b>Response:</b> The guidance issued under section 182 of the 2003 Act has been defined as 'the Guidance' under section 2.3 of the policy and will be referred to as this throughout the rest of the policy.
18	<b>Immigration Matters</b> In relation to the points highlighted in this section all off which are highly relevant can consideration also be given to adding information in relation to the fact that the Licensed Trade needs to be on guard against exploitation under the Modern Slavery Act 2015. UK businesses with an annual turnover above £36 million must fulfil certain requirements under The Modern Slavery Act 2015. This Act requires a company to, provide policies and procedures on modern slavery, human rights, ethical trading and whistleblowing. Those larger companies or events management companies ( I am thinking of Live Nation and other national event companies) applying for Premises licences should consider this in relation to the operating schedule and how their policies and procedures promote the Prevention of Crime and Disorder.
	<b>Response:</b> The Modern Day Slavery Act 2015 has been added the list of other relevant legislation and a bullet point added under section 29.4 of the policy, to consider as part of the operating schedule
30.4	"the Licensing Authority will consider further sanctions, either by way of a review, formal caution, prosecution or serving of a s19 Closure Notice, under the Anti-Social Behaviour Crime and Policing Act 2014."  A S19 Closure Notice is a notice under the Criminal Justice and Police Act 2001. A closure notice under the Anti-Social Behaviour Crime and Policing Act is a separate notice which results in immediate closure for up to 48 hrs where upon further closure for a period of up to three months has to be applied at the Magistrates Court. Both are enforcement tools but very separate pieces of enforcement and under different legislation.
	<b>Response:</b> The above has been amended
N/A	In conclusion I found the document free following, informative and easy to read.
	<b>Response:</b> No response required.
	<b>Observations / Comments from Public Health</b>

In 2012 the Police and Social Responsibility Act 2011 introduced Public Health as a responsible authority under the Licensing Act 2003. While the protection of public health is not a discrete licensing objective, it can permeate each of the licensing objectives to contribute to reducing health harms associated with alcohol.

In terms of a Public Health challenge, the misuse of alcohol remains a significant national and local concern. The following key messages outline the national picture in relation to alcohol impact and licensing:

Alcohol is more readily available and accessible than ever before. It is a prominent commodity in the UK marketplace, is widely used in numerous social situations and for many it's associated with positive aspects of life. However, there are currently over 10 million people drinking at levels which increase their risk of health harm. Among those aged 15 to 49 in England, alcohol is now the leading risk factor for ill-health, early mortality and disability and the fifth leading risk factor for ill health across all age groups. Since 1980, sales of alcohol in England and Wales have increased by 42%, from roughly 400 million litres in the early 1980s, with a peak at 567 million litres in 2008, and a subsequent decline. This growth has been driven by increased consumption among women, a shift to higher strength products, and increasing affordability of alcohol, particularly through the 1980s and 1990s. Over this period, the way in which alcohol is sold and consumed also changed. In 2016 there were 210,000 license premises in England and Wales, a 4% increase on 2010.

There has been a shift in drinking location such that most alcohol is now bought from shops and drunk at home. Although consumption has declined in recent years, levels of abstinence have also increased. Consequently, it is unclear how much of the decline is actually related to drinkers consuming less alcohol and how much to an increasing proportion of the population not drinking at all.

In recent years, many indicators of alcohol-related harm have increased. There are now over one million hospital admissions relating to alcohol each year, half of which occur in the lowest three socioeconomic deciles. Alcohol-related mortality has also increased, particularly for liver disease which has seen a 400% increase since 1970, and this trend is in stark contrast to much of Western Europe. In England, the average age at death of those dying from an alcohol-specific cause is 54.3 years. The average age of death from all causes is 77.6 years. More working years of life are lost in England as a result of alcohol-related deaths than from cancer of the lung, bronchus, trachea, colon, rectum, brain, pancreas, skin, ovary, kidney, stomach, bladder and prostate, combined.

The public health burden of alcohol is wide ranging, relating to health, social or economic harms. These can be tangible, direct costs (including costs to the health, criminal justice and welfare systems), or indirect costs (including the costs of lost productivity due to absenteeism, unemployment, decreased output or lost working years due to premature pension or death). Nationally, alcohol misuse is estimated to cost the NHS about £3.5 billion per year and society as a whole £21 billion annually.

Harms can also be intangible, including those assigned to pain and suffering, poor quality of life or the emotional distress caused by living with a heavy drinker. Crucially however, the financial burden which alcohol-related harm places on society is not reflected in its market price, with taxpayers picking up a larger amount of the overall cost compared to the individual drinkers.

Despite this burden of harm, some positive trends have emerged over this period, particularly indicators which relate to alcohol consumption among those aged less than 18 years, and there have been steady reductions in alcohol-related road traffic crashes.

In terms of support at a District level, the local Public Health team works across the North Yorkshire County covering the seven Local Authorities of Selby, Harrogate, Scarborough, Ryedale, Hambleton, Richmond and Craven.

As a responsible authority (RA), the public health team can:

- submit a representation against an application for a new or existing premises if it is considered to pose issues or potential harm and a priority for Public Health in that locality
- negotiate conditions with an applicant
- support or apply a review of a premises licence or club premises certificate where there are problems with one or more of the licensing objectives
- help develop and review a cumulative impact assessment (CIA)
- help to develop and review the SLP and have an important role in identifying and interpreting health data and evidence
- build relationships with other RAs and support their representations by providing them with public health evidence

North Yorkshire has a countywide alcohol strategy which recognises that we need to promote

responsible safe drinking as the norm for those who use alcohol, while working together to reduce the harms of alcohol misuse. Alcohol can have a wide range of negative impacts on health if consumed above the recommended levels; this can have a range of consequences including hospital admissions and ultimately an increase in morbidity and mortality. The available data shows that for the population in Yorkshire and the Humber the main conditions for alcohol related admissions are hypertensive disease, mental disorders, cardiac arrhythmias and epilepsy.

The strategy acknowledges that alcohol is a complex social issue which forms part of our everyday social fabric, is a source of pleasure and enjoyment to many; but is also a potentially addictive substance which is promoted by powerful commercial forces, especially to young people. It identifies that in North Yorkshire the vast majority of people who drink alcohol, do so responsibly. However, around a quarter of all people who drink are estimated to be drinking at harmful or hazardous levels with approximately 200 people dying each year as a result. Alcohol misuse continues to be present in our communities, putting additional pressure on our emergency departments and police services. Selby District Council supports the North Yorkshire Alcohol Strategy and will, where possible, work in partnership for dealing with both actual and potential harms from alcohol.

In addition to North Yorkshire's alcohol strategy, the Director of Public Health Annual reports 2013-2018 all identify the need to prevent health and social harms caused by high levels of alcohol consumption as does the Joint Health and Wellbeing Strategy 2015 – 2020.

<https://www.nypartnerships.org.uk/sites/default/files/Partnership%20files/Health%20and%20wellbeing/Public%20health/Alcohol%20strategy.pdf>

<https://www.nypartnerships.org.uk/dphreport2018>

<https://www.nypartnerships.org.uk/jhws>

The Public Health Outcomes Framework (PHOF) can be used to identify both national trends in terms of alcohol related harm and local issues specific to Selby District, and track developments over time. This data can be particularly relevant to the protection of children from harm, and may also assist in the prevention of crime and disorder, public nuisance and to public safety. An interactive web tool makes the PHOF data available publicly which allows local authorities to assess progress in comparison to national averages and provide a means for benchmarking progress. <https://fingertips.phe.org.uk/profile/public-health-outcomes-framework>

For a specific focus on alcohol harms, the Local Alcohol Profiles for England (LAPE) provides information for local government, health organisations, commissioners and other agencies to monitor the impact of alcohol on local communities, and to monitor the services and initiatives that have been put in place to prevent and reduce the harmful impact of alcohol.

The indicators are split into 7 domains; Mortality, Alcohol Related Conditions, Hospital Admissions, Other Impacts, Hospital Admissions by Age-Group, Treatment, Consumption and Availability and they are updated quarterly in February, May, August and November (provided new data are available).

Health data can be used to illustrate the extent to which alcohol related harm differs across the country, therefore enabling Selby to compare itself with other local authority areas.

#### **The main findings for England:**

- between 2015 to 2017 there were an estimated 58,200 new alcohol-related cancer registrations. This equates to approximately 19,400 new cancer cases each year
- the rate of new alcohol-related cancer has increased gradually between 2004 to 2006 and 2011 to 2013 for both males and females. However, since 2012 to 2014 there have been minor reductions in the incidence rate for both genders
- in 2017 to 2018 there were 164,857 premises across England licensed to sell alcohol
- the density of licensed premises largely mirrors population density, meaning London and the major cities have the greatest number of licensed premises per km<sup>2</sup>
- there is an ongoing downward trend in alcohol consumption among those aged under 16. However, by the age of 17, half of all girls and almost two thirds of boys report drinking alcohol every week
- young White populations are much more likely to drink than those from a Black and Minority Ethnic group background.
- young people in the least deprived areas are more likely to drink and more likely to drink regularly at the age of 15
- hospital admissions for alcohol-specific conditions, particularly intoxication, are declining the under 18s
- girls are more likely to be admitted to hospital for alcohol-specific reasons than boys, and are



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admitted at younger ages

- the number of young people accessing specialist substance misuse services for alcohol problems is at its lowest level, following a peak in 2008-09. However, these young people have a range of related risk factors and vulnerabilities that should be addressed in tandem with their substance misuse
- there is some evidence that the alcohol-harm paradox as seen among adults is also present for young people living in the most deprived areas.
- there is a strong relationship between smoking and drinking, with current smokers much more likely to drink alcohol frequently than non-smokers

\*The alcohol-harm paradox is the term used to describe the observation that deprived populations that apparently consume the same, or a lower level of alcohol, suffer greater alcohol-related harm than more affluent populations.

#### The main findings for Selby:

##### Mortality rates

The trend in alcohol-specific death varies between the North Yorkshire district areas. For males, Craven district has the highest (worst) rate of alcohol specific mortality in 2016-18 with a rate of 15.1 per 100,000 population and Harrogate district has the lowest rate of alcohol mortality with a rate of 8.4 per 100,000 population; the rate in Harrogate is significantly lower than England. As can be seen from the table below, Selby also sits below the England average with a rate of 9.0 per 100,000 but the difference is not statistically significant due to Selby having a wider confidence interval compared with Harrogate.

\*Alcohol-specific deaths only include health conditions where each death is a direct consequence of alcohol misuse, such as alcoholic liver disease.

Compared with benchmark: ■ Better ■ Similar ■ Worse ■ Not compared

#### Alcohol-specific mortality (Male) 2016 - 18

Directly standardised rate - per 100,000

Area	Recent Trend	Neighbour Rank	Count	Value	95% Lower CI	95% Upper CI
England	-	-	11,367	14.7	14.5	15.0
Yorkshire and the Humber region	-	-	1,296	17.0	16.1	17.9
North East Lincolnshire	-	-	53	23.1	17.3	30.2
Sheffield	-	-	148	20.6	17.4	24.2
Kingston upon Hull	-	-	71	20.6	16.0	26.0
Leeds	-	-	192	20.0	17.2	23.0
Kirklees	-	-	123	19.9	16.5	23.8
Wakefield	-	-	100	19.8	16.1	24.2
Calderdale	-	-	58	19.0	14.4	24.6
Barnsley	-	-	68	18.6	14.4	23.6
Bradford	-	-	123	18.5	15.3	22.1
Rotherham	-	-	60	15.8	12.0	20.4
Craven	-	-	13	15.1	7.8	26.2
Scarborough	-	-	26	14.6	9.5	21.6
Doncaster	-	-	67	14.6	11.3	18.6
York	-	-	38	14.3	10.1	19.6
North Lincolnshire	-	-	35	13.0	9.1	18.1
Hambleton	-	-	16	11.1	6.3	18.2
East Riding of Yorkshire	-	-	57	10.7	8.0	13.9
Selby	-	-	12	9.0	4.6	15.8
Harrogate	-	-	21	8.4	5.2	12.8
Richmondshire	-	-	9	*	-	-
Ryedale	-	-	6	*	-	-

For females, Selby has the highest (worst) rate of alcohol-specific mortality in 2016-18 in North Yorkshire, with a rate of 10.5 per 100,000 compared to Scarborough at 10.2 and Harrogate at 4.0. It is also considerably higher than both the England average of 7.0 per 100,000, although the difference is not statistically significant. In Selby, the rate for female alcohol-specific mortality is higher than that for males – in other districts rates for females are about half those of men.



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Compared with benchmark: ■ Better ■ Similar ■ Worse ■ Not compared

#### Alcohol-specific mortality (Female) 2016 - 18 Directly standardised rate - per 100,000

Area	Recent Trend	Neighbour Rank	Count	Value	95% Lower CI	95% Upper CI
England	-	-	5,677	7.0	6.8	7.2
Yorkshire and the Humber region	-	-	638	8.1	7.5	8.8
Selby	-	-	15	10.5	5.9	17.4
Sheffield	-	-	80	10.5	8.3	13.1
Rotherham	-	-	41	10.5	7.5	14.3
Scarborough	-	-	18	10.2	5.9	16.2
Leeds	-	-	97	9.5	7.7	11.6
North Lincolnshire	-	-	25	9.5	6.1	14.0
Kirklees	-	-	59	9.4	7.1	12.1
Kingston upon Hull	-	-	32	8.9	6.1	12.6
Wakefield	-	-	45	8.8	6.4	11.7
Calderdale	-	-	28	8.7	5.8	12.6
North East Lincolnshire	-	-	21	8.6	5.3	13.2
Doncaster	-	-	35	7.7	5.4	10.8
Barnsley	-	-	25	7.2	4.6	10.7
Bradford	-	-	51	7.1	5.3	9.4
East Riding of Yorkshire	-	-	25	4.2	2.7	6.2
Harrogate	-	-	11	4.0	2.0	7.1
Craven	-	-	3	*	-	-
Hambleton	-	-	6	*	-	-
Richmondshire	-	-	8	*	-	-
Ryedale	-	-	5	*	-	-
York	-	-	8	*	-	-

#### Hospital admissions

Overall, the rate of admission episodes for alcohol-specific conditions (Persons) in Selby District is lower than England at 493 per 100,000 population compared to 626 for England, however LAPE figures do highlight that Selby is seeing an increasing trend in terms of admission episodes for alcohol-specific conditions, particularly for males.

When we look at people admitted for alcohol-related conditions (Broad) (Persons), Selby District is lower than England (2,151 per 100,000 population compared to 2,367). As with the alcohol-specific conditions, Selby is also seeing an increasing trend, particularly in males. The manifestation of a wide range of health problems may point to more alcohol-related harm being due to prolonged use. It is important to also look these broader health conditions where alcohol may have had a role, including both physical and mental health.

When we specifically look at hospital admissions by age group, Selby District is higher than England in 2016-18 with a rate of 855 per 100,000 population compared to 679 for the over 65 age group (Narrow) (Female). Selby is also higher than other Districts in North Yorkshire, although there is no significant change in overall trend.

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### Consultation Responses from Environmental Health team, North Yorkshire Police and North Yorkshire Public Health

Compared with benchmark: ■ Better ■ Similar ■ Worse ■ Not compared

**Admission episodes for alcohol-related conditions (Narrow) - Over 65s (Female)** 2018/19 Directly standardised rate - per 100,000

Area	Recent Trend	Count	Value	95% Lower CI	95% Upper CI
England	↑	37,586	679	672	686
Yorkshire and the Humber region	→	3,976	720	697	742
Barnsley	→	237	935	819	1,063
Craven	→	74	908	712	1,140
Wakefield	→	304	867	772	970
Selby	→	82	855	680	1,063
Sheffield	→	429	848	769	932
Rotherham	→	229	822	719	936
Harrogate	→	163	807	687	943
Doncaster	→	246	775	681	878
North Lincolnshire	→	149	774	654	909
York	→	158	737	626	863
Bradford	→	312	719	641	804
Kingston upon Hull	→	146	696	587	820
Scarborough	→	110	690	567	832
Richmondshire	→	41	680	488	923
North East Lincolnshire	→	118	678	561	813
Calderdale	→	142	667	562	787
East Riding of Yorkshire	→	299	633	563	709
Kirklees	→	256	608	536	688
Leeds	→	382	558	503	617
Ryedale	→	39	502	357	687
Hambleton	→	61	481	367	619

#### Alcohol-related conditions

Admission episodes for alcohol-related unintentional injuries (Narrow) (Male) are higher in Selby than England at 241.7 per 100,000 population compared to 228.8 but slightly lower than Yorkshire and Humber at 244.7.

Alcohol liver disease (Broad) (Persons) in Selby sits significantly below the England average with a rate of 122.2 per 100,000 compared to 131.2. However, the overall trend is that this figure is increasing/getting worse.

Incidence rate of alcohol related cancer (Persons) for Selby is 40.13 per 100,000 population. This is worse than both the England and Yorkshire and Humber rates at 37.82 and 38.39 respectively, and significantly higher than other North Yorkshire district areas. Recent trend data is not available.

In terms of Alcohol related Road Traffic Accidents, Selby has the second highest rate in North Yorkshire of 35.6 per 100,000. Craven District is higher with a rate of 46.4 and Scarborough is the lowest at 13.3. Both Selby and Craven are significantly higher than the England average of 26.4.

For more information go to: <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

#### Reducing Impact:

Alcohol misuse can be a contributing factor in a wide variety of diseases. Early identification, harm minimisation, treatment and rehabilitation are all key to reducing misuse and the damage associated with alcohol in our communities. The LAPE figures highlight some areas of concern on which additional support could be focussed; specifically, females in terms of alcohol-specific mortality and the hospital admissions in the over 65s age group and males in terms of hospital admissions for alcohol-specific conditions.

North Yorkshire County Council Public Health currently commissions North Yorkshire Horizons to deliver substance misuse (drugs and alcohol) services for adults in North Yorkshire drinking at dependent levels. Horizons is a partnership of Humankind, Changing Lives and Spectrum CIC with the aim of helping as many people as possible to recover from and be free from drug and alcohol dependency. Horizons help to reduce the harm that is caused to individuals, families and communities by offering support throughout an individual's treatment and help to develop a Recovery Plan that's built around the person. <https://www.nyhorizons.org.uk/>

The Public Health team also have an alcohol awareness campaign called "Wake Up North Yorkshire" which is intended to encourage and inspire people to think about their drinking habits and enjoy alcohol safely. Wake Up features real stories from North Yorkshire people about how and why they manage their alcohol intake. The campaign is based on research about drinking habits in North Yorkshire as well as the opinions of local people. It is specifically designed for people who are drinking at increasing risk levels which is over the Chief Medical Officers guidelines of 14 units/week but less than 35 units/week

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	<p>(for women) or 50 units/week for men. The website contains many helpful hints, tips and links to useful information. <a href="http://wakeupnorthyorks.co.uk/about-wake-up/">http://wakeupnorthyorks.co.uk/about-wake-up/</a></p> <p>Going forward it is important that we work together to further prevent:</p> <ul style="list-style-type: none"><li>• Sales to those who are intoxicated</li><li>• Non-compliance with any other alcohol licence condition</li><li>• Irresponsible drinks promotions and illegal imports of alcohol</li><li>• Alcohol related Road Traffic Accidents</li></ul> <p>And that we continue to work, invest and have a positive impact on:</p> <ul style="list-style-type: none"><li>• Influencing where and when alcohol is sold</li><li>• Enforcing laws on underage sales</li><li>• Ensuring licensed premises operate responsibly and collaborate to reduce alcohol-related crime</li></ul>
	<p><b>Response:</b> The above has been updated in section 12.1</p>

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**Report Reference Number: C/20/4**

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**To: Council**  
**Date: 22 September 2020**  
**Ward(s) Affected: All Wards**  
**Author: Paula Craddock, Senior Planning Policy Officer**  
**Lead Executive Member: Cllr Richard Musgrave, Lead Executive Member for Place Shaping**  
**Lead Officer: Dave Caulfield, Director of Economic Regeneration and Place**

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**Title: Adoption of the Statement of Community Involvement (2020)**

**Summary:**

The Statement of Community Involvement is the Council's statutory planning document setting out how the Council will meet statutory requirements for engagement and consultation in the Planning System.

The existing Statement of Community Involvement was adopted in December 2007. Since 2007 there have been numerous changes to legislation and guidance. More recently, the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, brought into force on 6 April 2018, formally requires the Statement of Community Involvement to be reviewed at least every five years. An updated Statement of Community Involvement needs to be adopted to ensure that this statutory document remains up to date, relevant and does not leave the Council open to potential financial risks, costs and legal challenges.

On the 7 November 2019 Executive recommended that a draft Statement of Community Involvement (2019) was released for an eight week consultation between 20 November 2019 and 15 January 2020. This report presents the results of the consultation and seeks approval of the necessary changes to the draft document for adoption of a final version.

**Recommendation:**

That the Council adopt the Statement of Community Involvement (2020) as attached at Appendix 2.

**Reasons for Recommendation:**

The Council, as the Local Planning Authority, has a statutory duty to have in place a Statement of Community Involvement and for this to be reviewed at least every five years.

Comments received in response to the eight week consultation have been considered and incorporated where appropriate into the revised Statement of Community Involvement attached at Appendix 2.

## **1. Introduction and Background**

- 1.1 The Statement of Community Involvement is the Council's statutory planning document that sets out how the Council will meet the statutory requirements for engagement and consultation in the Planning System.
- 1.2 Since the existing Selby District Council Statement of Community Involvement was adopted in December 2007 there have been numerous changes to legislation and guidance. Most importantly the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 set out a requirement for Statements of Community Involvement to be reviewed every 5 years starting from the date of adoption. An updated Statement of Community Involvement is needed to ensure that:
  - a) This statutory document is appropriate and relevant, and
  - b) The Council is not open to potential financial risks, costs and legal challenges with respect to engagement and consultation in the planning system.

## **2. Draft Statement of Community Involvement (2019)**

- 2.1 A draft Statement of Community Involvement (2019) was prepared to take into account the main changes to legislation and guidance since 2007.
- 2.2 The document set out how those people and organisations with an interest in development in the area can be involved in planning matters in the District of Selby including:
  - how and when there are opportunities to influence new planning policy documents such as the Local Plan and Neighbourhood Plans;
  - how and when to comment on planning applications, as well as other forms of application for development such as Listed Buildings and prior notifications submitted to Selby District Council;
  - the role of elected Councillors, Parish and Town Councils and voluntary and community groups in planning matters;
  - who to contact for assistance in planning matters, and
  - what will be expected of the public / organisations.
- 2.3 The document encouraged an increased use of electronic consultation and engagement with the use of the Planning Service's consultation portals and recognition was made of emerging technologies e.g. social media for announcements. All relevant planning documents and information is to be available on the Council's website and at Access Selby. The use of electronic formatting facilities available in software packages to meet specific visual requirements to aid accessibility was also encouraged.

## **3 Consultation on the draft Statement of Community Involvement (2019)**

- 3.1 The draft Statement of Community Involvement (2019) was presented at the 7 November 2019 Executive meeting where it was recommended that the draft Statement of Community Involvement (2019) was released for consultation.

- 3.2 The draft Statement of Community Involvement (2019) was subject to an eight week round of consultation which closed on 15 January 2020. All those individuals and organisations on the Planning Policy Consultation Database as well as the Parish and Town Councils were informed of the publication of this draft document and the opportunity to provide comments.
- 3.4 The comments received and proposed responses to each comment are set out in Appendix 1 of this report. Six respondents provided 17 comments.
- 3.5 The comments were generally in support of the Statement of Community Involvement, especially of early and meaningful involvement in planning matters. The City of York Council stated that the document was "...clear, logical and concise and easy to read in non-planning jargon. It covers most relevant issues, giving an overview of methods of consultation, set out under logical jargon-free headings." They went on to praise the use of the hyperlinks to other documents and sources of information for the electronic version.
- 3.6 Regarding omissions from the document, both the City of York Council and Historic England suggested that there should be an appendix setting out the statutory consultees as set out in the Regulations. The City of York Council also suggested that the document should contain a glossary and more information regarding Duty to Co-operate.
- 3.7 The Statement of Community Involvement presented in Appendix 2 has been amended to take into account the comments received. Three changes are considered appropriate to satisfy the comments received:
- a new paragraph on Duty to Co-operate after paragraph 1.8 (and subsequent renumbering of section 1.)
  - typographical amendment in paragraph 3.52
  - a glossary as an appendix to the document with text directing the reader to the appendix in paragraph 1.14 (renumbered to 1.15).
- 3.8 Various comments were received where it has been considered not appropriate to amend the Statement of Community Involvement, rather to direct the information to be included within other planning documents as appropriate. It is acknowledged that a list of the consultees for the preparation of the Local Plan as set out in Regulations 2 and 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 is not included in the draft Statement of Community Involvement. This is because a link is provided to the Regulations. The Statement of Community Involvement should not replicate the current Regulations, as the list may be amended in future. Monitoring of the Statement of Community Involvement and changes to legislation are set out. Therefore, no change is proposed with respect to the comments received on this omission.
- 3.9 A minor change to the document has been made with respect to Access Selby. The town centre office is now closed. The reference to Access Selby in paragraph 1.31 has been replaced with the "contact us" email and other

references to Access Selby in the document have been replaced with Civic Centre.

- 3.10 In line with the draft Statement of Community Involvement (2019) itself, the consultation on the document and the responses received have been monitored. Despite the low number of responses, it is considered that the document with the changes made does provide the community with the information to access the planning service.
- 3.11 The Statement of Community Involvement (2020) presented at Appendix 2 has been amended as outlined above and is the version to be considered for adoption.

### **Implications from Covid 19**

- 3.12 In response to the Covid 19 Pandemic on the 16 July 2020 MHCLG published revisions to the Plan Making section of the Planning Practice Guidance. The guidance requires local planning authorities to assess their Statements of Community Involvement to identify which policies are inconsistent with current guidance on staying at home and away from others or any superseding guidance.
- 3.13 The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 make temporary changes to how documents are required to be available under regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the 2012 Regulations”). They temporarily remove the requirement on a local planning authority to make documents available for public inspection at the authority’s principal office and at such other places as the authority considers appropriate. They also make temporary changes to regulation 36 of the 2012 Regulations to remove the requirement on a local planning authority to provide hard copies of documents made available under regulation 35. Documents are still required to be made available on the local planning authority’s website. This modification will apply until 31 December 2020.
- 3.14 The SCI requires that consultation documents will be made publicly available on the Council’s website and the Civic Centre. It is recognised that not everyone has access to the internet and therefore where possible hard copies of consultation documents will also be made available in public locations such as libraries and at the Civic Centre, however this is beyond the minimum requirements set out in the Statement of Community Involvement.

## **4. Monitoring and Review**

- 4.1 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, says that the Statement of Community Involvement has to be kept under review. The Statement of Community Involvement sets out measures for monitoring and review, as well as for the engagement processes themselves for the planning service. It states that the results of the monitoring of the Statement of Community Involvement and engagements with the Planning Service will be set out in the annual Authority Monitoring Report (AMR).



## **5. Alternative Options Considered**

- 5.1 The 2017 amendments to the planning regulations introduced a statutory requirement for Statements of Community Involvement to be reviewed every five years. Therefore, the review and adoption of this new document is essential.

## **6. Implications**

### **6.1 Legal Implications**

- 6.1.1 The publication of the Statement of Community Involvement is a requirement of s18 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017). The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 require Statements of Community Involvement to be reviewed every five years. The Statement of Community Involvement (2020) sets out how the Council will meet the statutory requirements for consultation and engagement in the planning system.

- 6.1.2 To continue using the 2007 Statement of Community Involvement the Council risks being subject to legal challenges for not being in line with current legislation. Conversely, undertaking consultation and engagement in line with the current legislation, the Council also risks being subject to legal challenge for not meeting the adopted Statement of Community Involvement (2007).

### **6.2 Financial Implications**

- 6.2.1 The preparation of the Statement of Community Involvement is covered through the Planning Policy Team budget.

- 6.2.2 To put in place an up to date adopted Statement of Community Involvement will mean that the current financial costs for the planning service are greatly reduced. For example: it is no longer mandatory to notify neighbours of a proposed planning application if a site notice is in place. This small change can mean significant paper, printing and postal savings once a new Statement of Community Involvement is adopted.

- 6.2.3 Similarly, for emerging planning policy documents, the Council will not be bound to unnecessary expenses for consultation and engagement in line with the current Statement of Community Involvement (2007).

### **6.3 Policy and Risk Implications**

- 6.3.1 As set out in the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, the Council will have to publish in its annual Authority Monitoring Report the reasons for continuing to use the Statement of Community Involvement (2007) or the reasons for considering a review.

### **6.4 Corporate Plan Implications**

- 6.4.1 In line with the Corporate Plan (as updated 2018) and the Selby Customer Strategy, the Statement of Community Involvement (2020) demonstrates the

planning service is an open, transparent and accessible service available to everyone.

## **6.5 Resource Implications**

- 6.5.1 The preparation of the Statement of Community Involvement (2020) is covered through the resources of the Planning Policy Team.

## **6.6 Other Implications**

### **Data Protection**

- 6.6.1 The consultation arrangements for the draft Statement of Community Involvement (2019) met the requirements under the General Data Protection Regulations (GDPR).

## **6.7 Equalities Impact Assessment**

- 6.7.1 The Equalities Impact Screening Assessment was completed for the draft Statement of Community Involvement (2019) and accompanied the draft Statement of Community Involvement (2019) for consultation. No comments were received on this document. An Equalities Impact Screening Assessment has been completed for the Statement of Community Involvement (2020) and is attached in Appendix 3 to this report.

## **7. Conclusion**

- 7.1 The Statement of Community Involvement (2020) and the monitoring and review procedures to be put in place meet the current legal and procedural requirements set out for community consultation and engagement for the planning service. The legal, financial and policy implications and risks of not considering a review and replacement to the 2007 Statement of Community Involvement are identified. The Executive have considered this report of the results of the consultation and recommend to Council that the Statement of Community Involvement (2020) is considered for adoption.

## **8. Background Documents**

Selby District Council - Statement of Community Involvement (2007)  
Selby District Council – draft Statement of Community Involvement (2019)  
Equalities Impact Screening Assessment on the draft Statement of Community Involvement (2019)  
Executive Report 7 November 2019

## **9. Appendices**

Appendix 1: Results of consultation on the Draft Statement of Community Involvement (2019)  
Appendix 2: Statement of Community Involvement (2020)  
Appendix 3: Equalities Impact Screening Assessment (2020)

### **Contact Officer:**

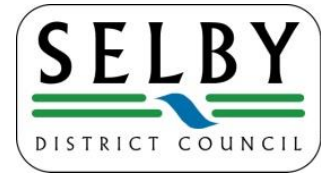
Paula Craddock, Senior Planning Policy Officer  
[pcraddock@selby.gov.uk](mailto:pcraddock@selby.gov.uk)  
01757-292096

comment number	name	company	page	paragraph	support / objection / omission	Comment	Officer Response	Change to SCI?
1	Michael Wigglesworth			whole document	comment	<p>Thanks for the invitation to comment on the above. I do care about what happens in the area and want to make positive comments and suggestions (as well as objections where required) so welcome the opportunity to be involved.</p> <p>Regarding the specific document, it's very "wordy"...(38 pages of text with numerous further links and references can be off-putting). I do appreciate however the need to cover absolutely everything in the public sector environment but to be honest it's more like a thesis than a statement (sorry). Perhaps more emphasis on the bullet point summary / overview right at the beginning in section 1.1 would help? Focus on the key points of the statement please.</p> <p>To this end I will refrain from commenting on specific sections of the statement...just urge you not to put off general members of the public / community from getting involved by hitting them with large volumes of paperwork.</p> <p>People will want to focus on the issues that really matter in making Selby a great place to visit, live &amp; work rather than the administration and policies.</p>	The SCI needs to be clear on how to be involved in planning matters and what to expect of the planning service. The first section sets out what the document is and the principles of engagement whilst the second and third sections deal with Planning Policy and Development Management engagement respectively. The document provides the links to further detail as necessary. The SCI needs to be appropriate, relevant and to meet current legislation requirements. It is considered that the format and layout of the document is appropriate. However, a brief description of the document can be added to the website text to aid clarity.	no
2	Carla Wright	Natural England			support	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: <a href="https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals">https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals</a>.</p> <p>We now ask that all planning consultations are sent electronically to the central hub for our planning and development advisory service at the following address: <a href="mailto:consultations@naturalengland.org.uk">consultations@naturalengland.org.uk</a>. This system enables us to deliver the most efficient and effective service to our customers.</p>	Welcome support for meaningful and early engagement in planning matters.	no
3	Jo Mottershead	Tadcaster Town Council		whole document	comment	The above Statement was discussed at the Council meeting on 3 December 2019. Members agreed that they would like to be involved and informed at every stage of the process.	Welcome the involvement of the Town Council.	no
4	Emma Sharpe	Historic England	general aims and approach		support	As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. We support the general aims and approach to the draft Statement of Community Involvement.	Welcome the support for the general aims and approach.	no
5	Emma Sharpe	Historic England		4.18	support	We welcome the acknowledgement of Historic England as a specific consultation body with respect to planning applications at paragraph 4.18.	Welcome the acknowledgement.	no
6	Emma Sharpe	Historic England		2.18	Omission	However, we would normally expect the Statement of Community Involvement to also include details of the Consultees who should be consulted during preparation of the Local Plan, as set out in Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This could be included as an appendix to the Statement of Community Involvement.	Acknowledge that a list of the consultees for the preparation of the Local Plan as set out in Regulations 2 and 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 is not included in the draft SCI. The SCI did not wish to replicate the current Regulations, as the list may be amended in future.	no

comment number	name	company	page	paragraph	support / objection / omission	Comment	Officer Response	Change to SCI?
7	Emma Sharpe	Historic England		2.28-2.29	Omission	With regards to neighbourhood planning, we would welcome notification of proposed neighbourhood planning areas as well as consultation on draft plans. The regulations state that Historic England should be consulted on draft plans where our interests are considered to be affected. We have guidance on neighbourhood planning, which can be found at: < <a href="https://historicengland.org.uk/advice/planning/plan-making/improve-yourneighbourhood/">https://historicengland.org.uk/advice/planning/plan-making/improve-yourneighbourhood/</a> >	Acknowledge that the consultees for the preparation of Neighbourhood Plans are not set out in the SCI as in the Regulations. However, SDC has produced a guidance note for the preparation of Neighbourhood Plans. Historic England have been included in this note as a consultee, and a link added to the Historic England guidance note.	no
8	Emma Sharpe	Historic England		whole document	Comment	We would welcome consultation at an informal level, in addition to the requirements of the legislation, where issues may benefit from our early involvement. For information and for further consultation please note our consultation email address eyorks@HistoricEngland.org.uk.	The Statement of Community Involvement encourages early discussions as necessary and relevant. Historic England will be notified of opportunities to be involved and to provide comments on planning matters as necessary.	no
9	John Roberts	City of York Council		whole document	support	a) Overall, quite a strategic level document, clear, logical and concise and easy to read in non-planning jargon. It covers most relevant issues, giving an overview of methods of consultation, set out under logical jargon-free headings.	Welcome the positive comments.	no
10	John Roberts	City of York Council		whole document	support	b) Good use of hyper-links to other documents / sources of information in the electronic version of the document.	Welcome the positive comments.	no
11	John Roberts	City of York Council			Omission	c) Very limited reference to Duty to Co-operate – should the document have its own subsection, referring to who it should consult under Section 110 of the Localism Act?	Agree, a section on Duty to Co-operate needs to be added into the SCI after para 1.8 as follows: " 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. 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.	yes
12	John Roberts	City of York Council		2.18	Omission	d) The document does not include a list of organisations / groups to consult (inc Specific Consultation Bodies, General Consultation Bodies and other Locally Identified Groups) during the various consultation stages / items to consult upon – maybe they should be contained in an Annex?	Acknowledge that a list of the consultees for the preparation of the Local Plan as set out in Regulations 2 and 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 is not included in the draft SCI. The SCI did not wish to replicate the current Regulations, as the list may be amended in future.	no
13	John Roberts	City of York Council			Omission	e) Suggest having a 'Glossary of Terms' in an Annex.	Agree. A Glossary of Terms is now included to aid understanding of the various planning terms.	yes
14	John Roberts	City of York Council		3.48	object	f) Paragraph 3.48: implies that only one objector should speak at Planning Committee, representing all objectors – this should be amended to make it clear that it only applies where there is a group or number of objectors with a common interest, rather than individual objectors. Where individuals without a common interest wish to speak, they should be allowed register individually to speak.	Section 12.5 of the Selby District Council Code of Practice for dealing with Planning Matters sets out that only one person can speak on behalf of all the objectors to a planning application. This is different from the process employed by the City of York Council.	no
15	John Roberts	City of York Council		3.52	object	g) Paragraph 3.52: the word 'accepted' should be replaced with 'approved' to read 'You can find out if an application has been approved or refused'.	agree. This appears to be a typing error. Amend as indicated	yes

comment number	name	company	page	paragraph	support / objection / omission	Comment	Officer Response	Change to SCI?
16	Serena Clifford	Forestry Commission	6 + 33			<p>page 6: What do you mean by Community? We note that the council names statutory and non-statutory agencies who have an interest in Selby District as being consulted. We also note that on page 33: Who else does the Council consult with, that you note statutory consultees and provide a link to a GOV.UK page regarding consultations. We have received no planning applications from Selby Council in the last 1 year and we want to ensure that we can provide you with information that as a planning authority you may need to consider. We therefore ask you to add the Forestry Commission (as per the email / address below) as a non-statutory consultee to your local register in relation to any planning application consultations that are located within 500m of any ancient woodland. You can use the Ancient Woodland Inventory (maintained by Natural England), which can be viewed on the MAGIC Map Browser to identify ancient woodland within the Selby District.</p> <p>You may find it helpful to consult us as a non-statutory consulted on any planning applications that are within the boundary of any woodland.</p> <p>Woodland areas can be identified through the National Forest Inventory – again which can be found on the MAGIC Map Browser.</p> <p>The FC do not charge for planning advice. Any responses we submit should be considered as material planning considerations.</p> <p>These could include:</p> <ul style="list-style-type: none"> <li>- An area of woodland that has a felling licence and which has permission conditional upon trees being replaced and maintained for ten years. Specific information can be provided on request.</li> <li>- Areas of land that is grant aided and in receipt of public money for a period of time. Specific information can be provided on request.</li> <li>- An areas of woodland that may be under investigation of illegal felling and where the Forestry Commission are given the power to issue legally enforceable Restocking and Enforcement Notices compelling an individual to replant a site with trees. This can be done as an alternative to, or in conjunction with, seeking a criminal prosecution for illegal felling. We can issue these Notices when we believe that an individual has illegally felled trees and that individual has the legal right to enter and restock the land in question. Such Restocking Notices, and subsequent Enforcement Notices, may be materially relevant to planning applications in situations where the site looks to have been cleared prior to</li> </ul>	<p>Welcome the information regarding links to the NE Magic website and the tools available. However, the SCI on pages 6 and 33 does not list out the non-statutory and statutory consultees, but provides links as appropriate to relevant legislation and guidance. The Forestry Commission are included within table 2 of the www.gov.uk Consultation and pre-decision matters and as such would be contacted as necessary on relevant planning applications. The concerns regarding a lack of consultations on planning applications have been passed to the Development Management section for them to reply directly.</p>	no
17	Serena Clifford	Forestry Commission				<p>The Forestry Commission is also a statutory consultee on the following planning applications: for NSIPs affecting the protection or expansion of forests and woodlands under section 42(a) of the Planning Act 2008 in the screening and scoping process for infrastructure planning EIAs relating to NSIPs, where s42 consultees are also Regulation 9 bodies under EIA regulations under the Town &amp; Country Planning Act 1990 for planning conditions for the restoration of minerals/waste sites to forestry (the growing of a utilisable crop of timber).</p> <p>Aside of planning application consultations, the Forestry Commission is also responsible for consulting local authorities on felling licences where there may be a Tree Preservation Order (TPO) put in place by the council. We ask that Selby Council ensure continued collaborative working on this and provide the Forestry Commission with timely replies to ensure that we can continue to process such requests.</p> <p>The Forestry Commission is the government's forestry experts and therefore we are also able to provide Selby Council with information and advice on grants and incentives on woodland creation and sustainable woodland management.</p> <p>We also provide free of charge seminars on tree health (pests and diseases) and other forestry related matters. If you have any staff who are interested in learning more or attending any events please ask them to sign up to our local stakeholder contact list to receive emails about future events. This can be done by emailing yorkshirenortheast@forestrycommission.gov.uk and requesting to be added to the stakeholder list for Yorkshire.</p> <p>Some incentives currently available towards woodland creation are:</p> <ul style="list-style-type: none"> <li>- Countryside Stewardship Woodland Creation</li> <li>- Northern Forest,</li> <li>- Woodlands for Water,</li> <li>- Woodland Carbon Fund</li> </ul>	<p>Welcome the information on statutory consultees. The Forestry Commission are included within table 2 of the www.gov.uk Consultation and pre-decision matters and as such would be contacted as necessary on relevant planning applications. Selby Council is keen to ensure continued collaborative working on planning application determination and planning policy development. The information regarding grants available and possible seminars have been noted and passed to the Economic Development Section as appropriate.</p>	no

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# Statement of Community Involvement

September 2020

# Statement of Community Involvement

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# 1 Getting Involved In Planning

## What is the Statement of Community Involvement?

- 1.1 The Statement of Community Involvement sets out:
- how the Council will involve the community and other stakeholders in Planning matters including:
    - how and when you can influence new planning policy documents;
    - how and when you can comment on planning applications, as well as other forms of application for development such as Listed Buildings and prior notifications submitted to Selby District Council;
  - the role of elected Councillors, Parish and Town Councils and voluntary and community groups in planning matters;
  - Who you can contact for assistance in planning matters, and
  - What will be expected of you when you make comments.
- 1.2 The Statement of Community Involvement is a statutory planning document and applies to the whole of the Selby District Council area. Selby District Council is the Local Planning Authority for the whole of the District of Selby. North Yorkshire County Council is the Planning Authority for Minerals and Waste. The Ministry for Housing, Communities and Local Government (MHCLG) is the Government department with responsibility for creating great places to live and work, and for giving more power to local people to help shape what happens in their area.
- 1.3 This is the second Statement of Community Involvement that Selby District Council has published.

## Legal Requirements

- 1.4 The legal requirements are set out by the Government in legislation. The [Planning and Compulsory Purchase Act 2004 \(section 18\)](#) (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017) requires Local Authorities to prepare a statement setting out how it will involve those with an interest in development in the area. The [Town and Country Planning \(Local Planning\) \(England\) \(Amendment\) Regulations 2017](#) amends the Act further by including a duty on Local

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Planning Authorities (LPAs) to review their Statement of Community Involvement every five years. Whilst the [Neighbourhood Planning Act 2017](#) has specifically introduced a requirement on Local Planning Authorities to include within the Statement of Community Involvement the policies for giving advice or assistance on making and modifying Neighbourhood Development Plans and on making Neighbourhood Development Orders.

- 1.5 There is a clear emphasis throughout national policy on encouraging early and consistent community involvement. The [National Planning Policy Framework \(NPPF\)\(2019\)](#) encourages front-loading engagement and co-operation with the community so that Local Plans reflect a collective vision and agreed set of priorities, as well as the importance of early community engagement before planning applications are submitted.
- 1.6 Specifically for plan-making, The [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) sets out the steps for the production of Local Plans and supplementary planning documents. It includes who is to be included at each consultation and which documents are available at each stage of the process.
- 1.7 Similarly for planning applications, The [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) sets out the procedure to be followed by local planning authorities when processing planning applications: from receipt of the application to the decision being issued and recorded.
- 1.8 The Public Sector Equalities Duty (section 149 of the [Equalities Act 2010](#)) requires local authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010. The Act also encourages participation in public life or in other activities where the participation by people from protected groups is disproportionately low.
- 1.9 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

## Statement of Community Involvement

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. 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 Local Plan.

- 1.10 If legal requirements alter the participation and engagement requirements for the planning service, any consultation and engagement will be in line with the new legislation until the Statement of Community Involvement is revised.

### What do you mean by “Community”?

- 1.11 By “community” we mean the individuals, groups, organisations, businesses, Parish and Town Councils, Statutory and non-statutory agencies, landowners, developers and agents that live, work, visit, operate or have an interest in Selby District. Being involved in planning allows the “community” to potentially influence the way the District will change over time.

### The Council's Approach to Community Involvement

- 1.12 The Statement of Community Involvement is a key part of the Council's overall approach to community engagement and has been updated to reflect the Council priorities of the Council's [Corporate Plan](#) 2020-2030, Making Selby a Great Place....
- a great place to live;
  - a great place to enjoy;
  - a great place to grow; and that
  - Selby District Council delivers great value.
- 1.13 The Plan sets out the Council's approach to delivering our ambitions:  
- ***we will work collaboratively with others*** – recognising we are not experts in everything, we will use the best expertise, resources and skills across our partners and communities;

## Statement of Community Involvement

- ***we continue to be close to our communities*** – involving more people in decisions about their area and their services;
- ***we will put the customer at the heart of service delivery*** – supporting residents to be more self-sufficient and maximising use of digital technology in service delivery; and
- ***we will support the wellbeing of our residents*** – considering how our decisions impact on healthy life choices and the environment.

These Principles of: *collaboration*; *community-focused*; *customer-centred*; and *wellbeing* will be formally considered and tested as part of our decision-making in delivering the Council Plan.

### Why involve me in Planning?

- 1.14 We believe that everyone should have the opportunity to have their say in shaping their environment at the earliest opportunity. Consultation and engagement with the relevant consultees and any interested parties is an essential part of the planning process for the production of new Planning Policy documents and in the consideration and determination of planning applications submitted to the Council. Planning is an inclusive process. The Statement of Community Involvement sets out when and how everyone will have the opportunity to express their views and comments at the relevant and appropriate times.

### How will you involve me?

- 1.15 Advertising and notification of forthcoming opportunities to be involved is essential. The different methods to be employed for consultation and engagement opportunities are set out in the relevant parts of this document. The Council recognizes that consultees have differing interests, needs, experiences and varying skills for involvement, which could cause conflict and present barriers to effective engagement and consultation. Therefore, the approaches used must be tailored to different audiences. A Glossary of planning terms is provided as an appendix to this document. In line with the [guidelines](#) produced by the [Royal Town Planning Institute \(RTPI\)](#), the Council will work to identify, acknowledge and overcome barriers to consultation as part of our engagement processes. Barriers may include:
- specific issues or topics;

## Statement of Community Involvement

- a particular method of engagement employed, or
- a particular document and how it relates to a particular group of the community.

### Equalities Impact Assessment

1.16 An assessment under the Equalities Regulations may be appropriate and a requirement for some planning policy documents. Equality Impact Assessments (EQIA) have been developed as a tool for ensuring that equality, social inclusion and community cohesion issues are considered when drawing up policies. For further information on Equalities Impact Assessments and how you can be involved in these please see:

<https://www.selby.gov.uk/equality-impact-assessments-eia>

1.17 An Equalities Impact Assessment accompanies this Statement of Community Involvement.

### Equalities Monitoring

1.18 The Council does not currently request equalities monitoring information when you:

- submit a planning application
- make comments on Planning Applications or
- are involved in the production of Planning Policy documents.

### Resource Implications

1.19 The obligation to engage and consult with stakeholders and members of the public is greater than ever before, but the Council has a limited level of resources. Every effort will be made to ensure that the best use is made of available staff time and resources. Methods of consultation and engagement will be tailored to the situation. In order to improve efficiency, the Council will make use of electronic communication tools and build upon existing communication channels wherever possible. Subject to resources, the Council will engage, involve and consult on planning matters in line with the latest regulations and guidance as appropriate and relevant.

## Statement of Community Involvement

### Availability of Documents and information

1.20 All relevant documents and information will be made available on the [Council's website](#) in line with the latest regulations and guidance. We encourage you to make use of any electronic formatting facilities available in your software that could assist you in accessing the relevant documents on the Council's website to meet your specific visual requirements. However, the Council will respond to requests for documents and information to be made available in alternative formats upon request.

### How Do I Make My Comments?

1.21 All comments must be made in writing on the Council's consultation portals or by email or by post if they are to be considered. This will generally be by invite if you or your organisation has previously expressed an interest in the matters being discussed or if the Council considers that your input would assist in the consideration of the planning issue or policy formulation.

### What will be expected of me?

1.22 In order to ensure that your involvement is effective you will be expected to:

- comment within the specified time period;
- provide comments in a clear and succinct format, ensuring that representations relate to the issues and documents being consulted upon;
- be aware that comments will be made publicly available with personal and sensitive information redacted in line with the [General Data Protection Regulations 2018 \(GDPR\)](#);
- be understanding and respectful of alternative views; and
- if you are replying on behalf of a group or organisation, consider how members of the group have been involved in formulating the representation. Ensure that the full range of member views is represented and specify where agreement and disagreement exists.



### What is the Role of the Elected Councillors in the Planning Process?

#### Selby District Ward Councillors

- 1.23 The District Ward Councillors represent their respective Wards in Selby and they listen to residents' concerns and views on planning issues. Ward Councillors can voice their support or make objections to planning applications in writing and speak at Committee on behalf of their constituents. Ward Councillors can provide access to the public information that they receive and answer queries of the community in their ward. They can also request in writing (email) that a planning application is considered by the Planning Committee rather than being considered under delegated powers, provided that valid planning reasons are given for this choice.
- 1.24 District Councillors can be accessed through a number of methods which include;
- email
  - ward surgeries
  - public meetings
  - consultations
- 1.25 The role of locally elected Ward Councillors in representing the views and concerns of residents in the planning process is very important. However, your views can only be formally taken into account when you make them in writing to the Council within the specified time for a particular Consultation. You can check the contact details of your local Ward Councillor [here](#).

#### North Yorkshire County Councillors

- 1.26 There are 9 County Divisions in Selby District. For further information on the role of County Councillors see [here](#).

#### Parish and Town Councillors

- 1.27 Parish and Town Councils play a vital role in community involvement. Parish and Town Councillors can comment on particular planning applications or developing policy documents which may affect their area. They may request to speak at Planning Committee with respect to planning applications being considered in their Parish or Town. Parish and Town Councils have an important role when identifying priorities in their areas and also provide a

## Statement of Community Involvement

valuable means of sharing information about the planning process to their local community. For more information on your Parish or Town Council including the Code of Conduct of Parish and Town Councillors see the [website](#).

### What is the Role of the Community Engagement Boards and Forums?

1.28 There are five Community Engagement Forums in the Selby District. Each covers different towns and villages. The [Community Engagement Forums](#) are split into two parts:

- an open community forum
  - these are public meetings which provide you with the opportunity to get more involved in what happens in your area and the services provided
  - you can raise any concern or make a comment about what's happening in your area
  - all residents of the Community Engagement Forum area can attend and participate
- a Partnership Board meeting
  - these are open to the public but contributions can only be made at the chair's discretion
  - these meetings are where funding applications are discussed and the direction of the CEF is discussed
  - the Partnership Board is made up of district councillors, parish councillors and co-opted members of the community.

### What is the Role of Voluntary and Community Groups?

1.29 We believe that everyone should have the opportunity to be actively involved in decisions which affect them and their community. Voluntary and Community groups are encouraged to be involved in planning matters and can represent their members.

## Statement of Community Involvement

### “Hard to Reach” Groups

1.30 We are aware that some people may be considered ‘hard to reach’. We also understand that particular groups may have specific areas of interest or a limited capacity for involvement. Every opportunity will be taken to add to our knowledge of hard to reach groups, identify issues and policies that are likely to be of particular concern. Documents and information will be made available in alternative formats upon request (see paragraph 1.19).

### Can Planning Officers Help Me?

1.31 Selby District Council employs Planning Officers who are based at the Civic Centre, Doncaster Road, Selby YO8 9FT. They provide specialist professional planning advice to the Council and the community as necessary. They are responsible for:

- producing the Development Plan documents (Local Plan and other planning policy documents)
- providing advice on planning policy
- leading the consultations regarding draft planning documents and the consideration of comments made
- implementing and enforcing requirements under the Community Infrastructure Levy regulations
- providing pre-application advice
- assessing planning applications in accordance with the:
  - adopted Development Plan
  - National Planning Policy
  - any other material considerations including consultation responses and representations.
- considering reports of breaches of planning permission
- providing planning enforcement

#### Contact the Planning Officers via:

By email: [info@selby.gov.uk](mailto:info@selby.gov.uk)

By post: Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT

By telephone: 01757-705101

**For specific queries, you can contact the Planning Officers for:**

## Statement of Community Involvement

Pre-application advice: [See Guidance and complete a form](#)  
Development Plan and Planning Policy: Email: [localplan@selby.gov.uk](mailto:localplan@selby.gov.uk)  
Planning enforcement: [Complete the Planning Enforcement Complaint form](#)  
or email: [planningenforcement@selby.gov.uk](mailto:planningenforcement@selby.gov.uk)

### Where else can I go for Help?

#### Planning Aid England

1.32 Planning Aid England is a voluntary organisation linked to the Royal Town Planning Institute (RTPI). Through its network of volunteers who are Chartered Town Planners it can provide independent and impartial advice. For further information please contact [Planning Aid England](#).

#### Other Organisations

1.33 You may want to appoint a planning consultant to act on your behalf when dealing with the Council on planning matters. The planning consultant will act as your agent to submit your planning application or provide comments on a Planning Policy document. The Royal Town Planning Institute (RTPI) maintains a list of [Planning Consultants](#).

### Monitoring and Review of the Statement of Community Involvement

1.34 In line with current Government legislation (The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017), once adopted, the Statement of Community Involvement is intended to be in use for 5 years before a review may be necessary. The need to review the Statement of Community Involvement will be considered on an annual basis and will be reported in the annual Authority Monitoring Report.

1.35 The need to review will be assessed if there have been any changes to legislation or government advice affecting the Statement of Community Involvement as well as if there has been a particularly low level of community involvement. In this instance, the Statement of Community Involvement will be assessed against the following indicators:

- the number of individuals / groups participating in consultations (including those identified as “hard to reach”)
- which consultation techniques generate the most effective responses

## Statement of Community Involvement

- whether any participants suggest any improvements to consultation
- 1.36 Any necessary changes will be incorporated into a future version of the Statement of Community Involvement. This will ensure that the Statement of Community Involvement remains appropriate and effective in involving the community in the various planning processes.

# 2 Influencing the Local Plan and Planning Policy

- 2.1 This section explains how and when you can be involved in influencing and informing the production of the Development Plan and other planning policy documents in Selby District. Planning applications are determined in accordance with the Development Plan and national planning policies. Legislation sets out which development plan documents need to be in place, the processes for the production of those documents, the opportunities for involvement in their production and the processes for that engagement.
- 2.2 Selby District Council is responsible for producing the following Development Plan Documents:
- Local Plan documents including the Policies Map
  - Supplementary Planning Documents
  - Development Briefs
  - Guidance Notes
- 2.3 Selby District Council supports the production and development of:
- [Neighbourhood Plans](#) (led by Parish and Town Councils)
- 2.4 In line with the legislation as the Development Plan is prepared, various supporting and evidence documents may need to be produced by the District Council to inform the policy direction. These can include:
- Sustainability Appraisal / Habitats Regulations Assessment
  - Duty to Co-operate Statement
  - Infrastructure Delivery Plan
  - Equalities Monitoring Assessment
  - Technical studies to provide detail for the policy direction
  - Consultation Statement
- 2.5 The Development Plan also has to be produced in line with the following procedural documents:
- [Local Development Scheme](#) (the timetable for document production)
  - [Statement of Community Involvement](#) (the engagement and involvement procedures to be undertaken)
- 2.6 The Council is also responsible for the implementation of the [Community Infrastructure Levy](#) (CIL).

### When Will You Involve Me In Preparing Planning Policy Documents?

2.7 The key stages for involvement in the production of planning policy documents are set out by the Government in planning legislation and guidance. This is to ensure that the planning process is inclusive, open and transparent. The opportunities to be involved and provide comments are dependent on the type of planning policy document being produced. However, the stages for involvement are designed to ensure that you can be involved from the earliest opportunity of planning policy preparation. These stages can provide you with various opportunities to be involved and potentially influence the content and direction of a planning policy document.

### How will I know when I can be Involved?

2.8 In line with the latest legislation and guidance, and depending on the stage of production of the policy document, the Council will use various methods of advertising the opportunities to provide comments and the opportunities to be involved:

- announcements on the council website
- notifications for those registered on the [Planning Policy Consultation Portal](#). This is the most reliable method of ensuring that you are made aware of opportunities to provide comments and be involved in the production of planning policy documents.

2.9 In addition to the statutory requirements set out in legislation, the Council may use the following methods of advertisement:

- announcements in the local press - public notices section
- announcements on social media
- features in the local press
- posters on Notice Boards and at community meeting places
- leaflets

2.10 You can also check the reports presented to the [Council's Executive](#) for progress on the production of the various Local Plan and planning policy documents.

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### How Will You Contact Me?

2.11 The Council will notify those registered on the Planning Policy Consultation Portal. Once you are registered on the [Planning Policy Consultation Portal](#) you can choose how you want to be contacted by the Council on planning policy matters. You will be notified by your chosen method of contact at the relevant times. The quickest and easiest method is by email, but you may prefer a letter in the post or to be informed through emerging digital technologies (e.g. social media). To be registered for notifications of opportunities to be involved please click [here](#). Or alternatively you can contact the Council via:

- email at: [localplan@selby.gov.uk](mailto:localplan@selby.gov.uk)
- post at: Civic Centre, Doncaster Road, Selby, North Yorkshire, YO8 9FT
- phone: 01757 705101

### Availability of Documents and Information

2.12 All relevant documents and information will be made available on the [Council's website](#) in line with the latest regulations and guidance. Once registered, you are encouraged to access and view the available documentation via the Planning Policy Consultation Portal. The Council is aware that some people may prefer a paper copy, this service is available but it may incur a charge. For more details you can contact the Council at: [localplan@selby.gov.uk](mailto:localplan@selby.gov.uk)

### How do I make my Comments?

2.13 Accessing the documentation via the Planning Policy Consultation Portal will permit you to respond directly to specific questions or provide comments on text in the relevant document(s). You can still make your comments by downloading, completing and submitting a comment form attached to an email or letter. You can email or post them to the address above, but we would prefer you to use the Planning Policy Consultation Portal as this helps us to respond quicker.



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### How will you respond to me?

- 2.14 Receipt of your comments on planning policy documents will be acknowledged via the planning policy consultation portal. The Council will not respond individually and directly to any points you make, unless it is to clarify or seek further information. A report of consultation will be produced and will be available on the Council's website in line with the guidance available. The consultation statement will set out the Council's consideration and responses to the various comments made. It will also set out how the document has been amended to take on board relevant comments.
- 2.15 All correspondence on the Local Plan will be in line with our corporate service standards and any regulations that guide the Local Plan and planning policy document process.

### What are the Local Plan and Planning Policy Documents?

- 2.16 For the most up to date Development Plan Documents please see the [Council's planning policy webpages](#).

### How will I know when there are Opportunities to be Involved?

- 2.17 The [Local Development Scheme](#) sets out the timetable for the production of planning policy documents. The [Authority Monitoring Report](#) will set out any emerging trends and highlight if consideration needs to be made to revising a planning policy document to meet changing circumstances or new legislation, or if it is considered appropriate to produce a new planning policy document.

### How Can I get Involved in the Preparation of a Local Plan?

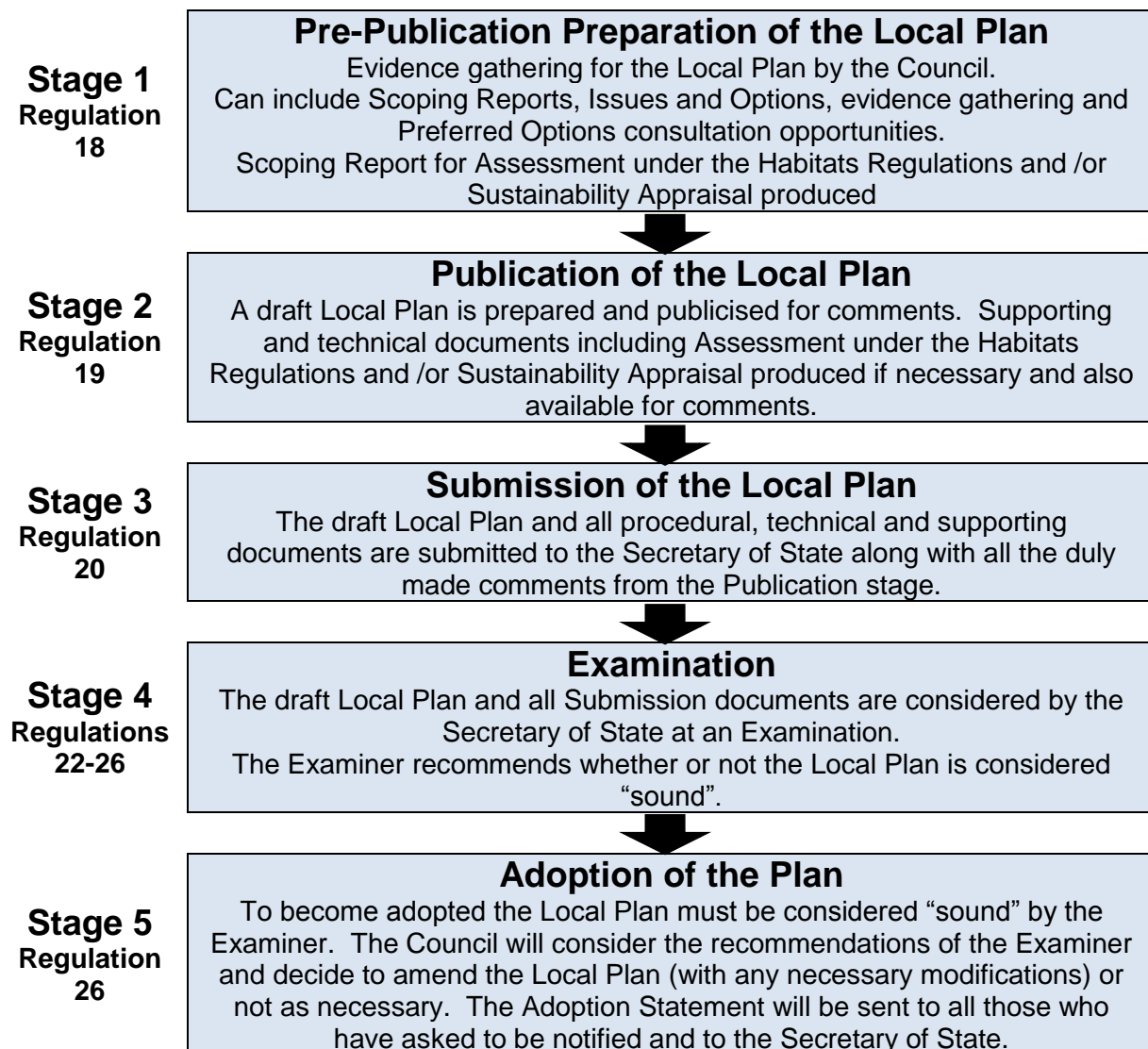
- 2.18 There are prescribed stages for when a Local Plan is available for comments to be made. For more detail please see Figure 1 and the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). The timetable for a new emerging Local Plan or an amendment / revision to a Local Plan will be set out in the Local Development Scheme within the [Authority Monitoring Report](#). You can become involved in the preparation of a Local Plan at any stage, but you have more opportunities to influence its policy direction at the pre-publication preparation stage.

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### Pre-publication Preparation

2.19 At this stage, the Council will undertake a period of research that will form the evidence base. Pre-preparation can include scoping reports, issues & emerging options, further evidence, and preferred options. All of these may not be necessary to be undertaken in the preparation of all Local Plan documents. The Council will consider all relevant comments and prepare a draft document.

**Figure 1 - Key Stages of Local Plan Preparation**



### Publication of a Local Plan

2.20 This is the first formal stage and is when a draft of the emerging Local Plan is first available for comments. The Council will notify and invite all stakeholders to comment at this stage by the published deadline in line with the Regulations. Local Plans and spatial development strategies are examined to

## Statement of Community Involvement

assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Comments, or Representations as they are known at this stage, must be made in relation to these legal and procedural requirements and the Government’s “Tests of Soundness” as set out in Table 1 to ensure that the Local Plan on adoption is considered to be “Sound”.

**Table 1 – Legal and Procedural Requirements and the Tests of Soundness**

<b>Legal and Procedural Requirements</b>	
The Local Plan is prepared in compliance with:	Duty to Co-operate (under section 33A of the Planning and Compulsory Purchase Act)
	the Town and County Planning (Local Planning) (England) Regulations 2012
	the Statement of Community Involvement
	the Local Development Scheme
The Local Plan is published accompanied by a Sustainability Appraisal Report	
<b>Tests of Soundness</b>	
<b>Positively prepared</b>	The Local Plan provides a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development
<b>Justified</b>	The Local Plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence
<b>Effective</b>	The Local Plan Policies are deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground
<b>Consistent with national policy</b>	The Local Plan enables the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework
Sources: <a href="#">National Planning Policy Framework (2019)</a> paragraph 35 and The Planning Inspectorate (2019) <a href="#">Procedure Guide for Local Plan Examinations</a>	

2.21 All relevant and duly made comments received within the published timescale will be considered by the Council. Late comments may not be considered. The Council may propose amendments to the draft Local Plan in response to comments made.

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### Submission of a Local Plan

2.22 The Council must then submit the Publication draft of the Local Plan, a statement of how the draft Publication Local Plan is to be amended by the Council to take on board (or not) the comments received, the supporting information and all the comments received at the Publication stage to the Secretary of State. No further comments can be made at this stage.

### Examination

2.23 All comments / representations made at the formal Publication draft stage will be considered at the Examination by a Planning Inspector appointed by the Secretary of State. If you, your organisation or your representative has made a formal representation you are given the opportunity to be present at the formal hearing sessions.

2.24 Following the close of the Examination hearings, the Planning Inspector will prepare a report and recommendations which may suggest changes to make the draft Local Plan “sound” for adoption. Plans are only considered ‘sound’ if the Inspector considers it meets all the legal and procedural requirements and the Tests of Soundness in Table 1.

### Adoption

2.25 The Council will consider the recommendations of the Planning Inspector and decide to amend the Local Plan (with any necessary modifications) or not as necessary. The Adoption Statement will be sent to all those who have asked to be notified and to the Secretary of State. Further guidance and information regarding the Examination process is available on the Planning Inspectorate [website](#).

### How Can I get Involved in the Preparation of Other Planning Policy Documents?

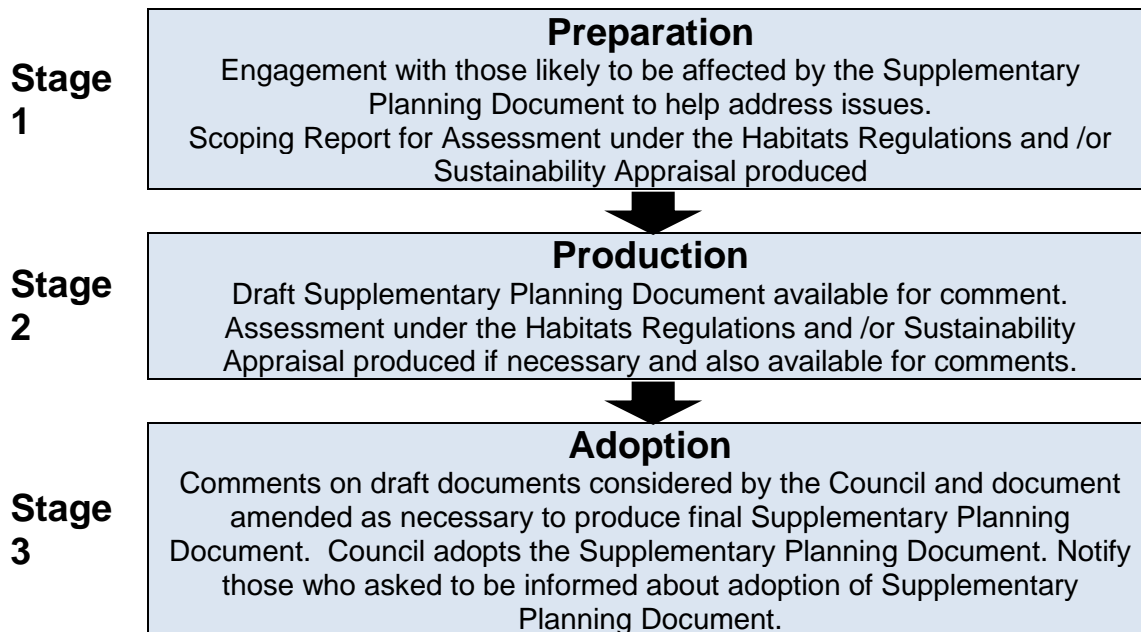
2.26 The Council produces other Planning Policy documents. You can be notified and involved in their preparation if you have indicated on the Planning Policy Consultation Portal that you wish to be notified of opportunities to be involved. Other Planning Policy Documents include Supplementary Planning Documents.

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### Supplementary Planning Documents

2.27 The key stages of the production of Supplementary Planning Documents are set out in Figure 2. Opportunities to be involved are at the preparation stage of policy formulation, are usually for those potentially affected by the implementation of the Supplementary Planning Document, or for those with a specialist interest in the subject of the Supplementary Planning Document.

**Figure 2 - Key Stages of Supplementary Planning Document Production**



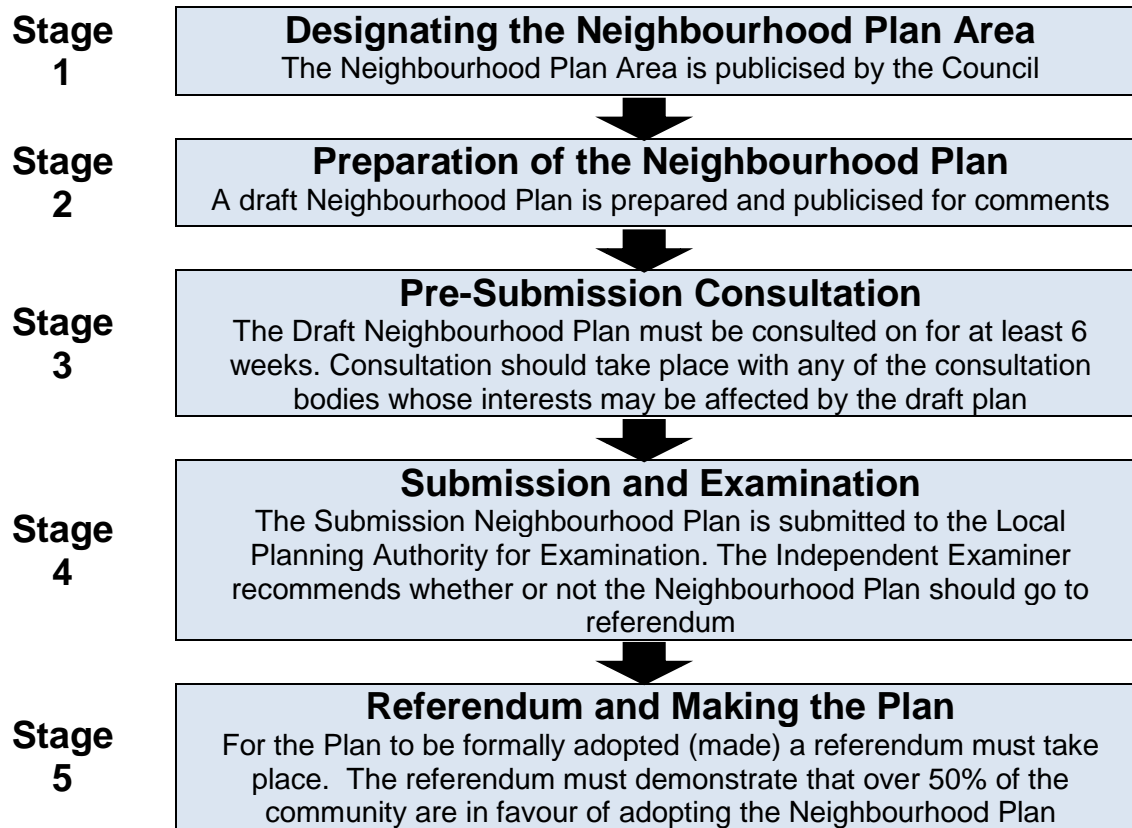
### Neighbourhood Plans

2.28 A Neighbourhood Plan gives local communities direct power to shape the development and growth of their local area by building upon the policies in the Local Plan. Communities can choose where the new homes, shops, offices and other facilities are to be built in their neighbourhood, what the new buildings should look like and what infrastructure should be provided.

2.29 Introduced under the Localism Act (2011), the Parish or Town Council will lead the production of the Neighbourhood Plan in your area with support and guidance from Selby District Council. More information about Neighbourhood Planning can be viewed [here](#). The key stages in the production of a Neighbourhood Plan are set out in Figure 3.

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Figure 3 - Key Stages of Neighbourhood Plan Preparation



### Planning Policy Documents not Prepared by Selby District Council

A number of statutory planning policy documents are produced by other Planning Authorities and organisations. These will be reviewed as necessary and opportunities for involvement in their production will be advertised on the lead authority or organisation website. These include:

- Minerals and Waste Local Plans
- Marine Plans

### 3 Influencing Planning Applications

- 3.1 This section explains how you can get involved with planning applications that have been submitted to the Council. It sets out the ways in which you can comment on planning applications, as well as other forms of consent such as for listed buildings. This section also details what to do if you suspect breaches of planning permission.

#### What Planning Applications does Selby District Council determine?

- 3.2 The Council is responsible for assessing and making decisions on land use planning applications submitted to Selby District Council. The Council's Planning Officers advise the Council's Planning Committee on "Major" and certain other types of applications. They also provide advice on development proposals and deal with any unauthorised development in the District.
- 3.3 The Planning Officers determine around 1500 applications each year. The process of determining a planning application involves important stages of consultation and community involvement, which are described in the following paragraphs. Some planning applications are "delegated"<sup>1</sup> which means that the Planning Officer decides the outcome, whilst "Major" and certain other applications are determined by the Planning Committee.

#### What Planning Applications does North Yorkshire County Council determine?

- 3.4 As part of a two-tier system of Local Government, North Yorkshire County Council is responsible for dealing with planning applications concerning mineral extraction, the disposal of waste, and for applications relating to its own land and buildings. More detail on those is available on the County Council's [website](#).

#### What are the Different types of Planning Application?

- 3.5 Planning applications are split into three basic types defined by the Ministry for Housing, Communities and Local Government (MHCLG) as set out in

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<sup>1</sup> Decisions delegated to officers are set out in Part 3 section 3.9.9 of the Council's Constitution <https://www.selby.gov.uk/sites/default/files/Documents/Committees/Other/Part%203%20Responsibility%20for%20functions%20v5%20July%202018.pdf>

## Statement of Community Involvement

Table 2. Major and Minor applications can be submitted as either an Outline followed by Reserved Matters Applications, or as a Full Application from the start. For more details including guidance and the relevant forms to be used for the many different types of applications determined by Selby District Council, please see [here](#).

**Table 2 – Planning Application Types**

Application Type	Description	
<b>Major</b>	Residential developments of 10 or more dwellings, or a site area of 0.5 hectares or more.  For other proposals, where the floor space being constructed is 1,000 square metres or more, or for a site area of 1 hectare or more.	Applications can be submitted as: <ul style="list-style-type: none"> <li>• Outline</li> <li>• Reserved Matters</li> <li>• Full</li> <li>• Section 73</li> </ul>
<b>Minor</b>	Smaller applications, which do not fall into the category of ‘Other Applications’ for example residential developments of 1-9 dwellings or a site less than 0.5 hectares.	
<b>Other</b>	There are many different other applications which include: <ul style="list-style-type: none"> <li>• householder applications</li> <li>• change of use</li> <li>• work to Listed Buildings</li> <li>• works to trees that are the subject of protection order or in a Conservation Area</li> <li>• advertisements</li> <li>• certificates of Lawfulness</li> <li>• minor amendments</li> <li>• discharge of conditions</li> <li>• Prior Notifications.</li> </ul> See <a href="#">here</a> for the full range of applications.	Prior notification applications follow a different procedure to that of other planning applications, as the case officer is required to give comments on the proposal, rather than to make a formal decision.



## Statement of Community Involvement

3.6 Planning applications are decided in line with National Planning Policy, the Development Plan for Selby District and relevant material considerations.

### Material Considerations

3.7 A material consideration is a matter that should be taken into account in deciding a planning application. Material considerations can include (but are not limited to):

- Government Policy (such as the National Planning Policy Framework)
- A 5-year supply of housing figure
- overlooking/loss of privacy
- loss of light or overshadowing
- impact on the environment
- effect on listed building or conservation area
- nature conservation
- non-designated heritage assets
- parking
- highway safety
- traffic
- noise
- layout and density of building
- the appearance of a proposal
- disabled persons' access
- other proposals
- other Council priorities
- previous planning decisions (including appeal decisions)

3.8 Some matters cannot be taken into account as they are not planning issues such as:

- the loss of property value
- private disputes between neighbours
- the loss of a private view
- the impact of construction work or business competition.

3.9 These lists are not exhaustive and there may be matters that have not been mentioned.

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### Planning Performance Agreements

- 3.10 A Planning Performance Agreement (PPA) is an agreement between a local planning authority and an applicant to provide a project management framework for handling a major planning application.
- 3.11 The key aims of entering into a Planning Performance Agreement are as follows:
- facilitate development
  - solve problems
  - achieve a high quality development

### What is a Nationally Significant Infrastructure Project (NSIP)?

- 3.12 Nationally Significant Infrastructure Projects are projects that meet certain national thresholds and will be determined by the Planning Inspectorate, not the council. The key stages in the process for determining such applications are explained on the National Infrastructure Planning [website](#)
- 3.13 This process requires the developer to carry out extensive consultation on their proposals before submitting an application, including asking the council to comment on the adequacy of the developer's intended consultation arrangements as set out in their 'Statement of Community Consultation'.

### Making and Submitting a Planning Application

- 3.14 The process of making a planning application is set out in detail on the [Planning Portal](#). The Council's [website](#) sets out advice, guidance and the relevant forms to use when making and submitting a planning application or an application for other types of development.

### Pre-Application Advice

- 3.15 You can also obtain Pre-Application advice from Planning Officers. The benefits of this are:
- a clearer understanding of how national, regional and local policies may influence proposals.
  - an opportunity to improve schemes at an early stage
  - identifying need for specialist input at an early stage

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- a shared understanding of constraints and opportunities
- agreeing information requirements
- establishing timescales and explaining administrative processes
- reducing delays
- ascertaining if your proposed development is permitted development

3.16 Advice on this service and the relevant fees are available [here](#).

- Householders and residents can book appointments to meet Planning Officers at the Civic Centre, opening times are located [here](#).
- Developers of larger schemes need to complete a pre-application advice request form and pay the appropriate fee available [here](#).

### Pre-Application Community Involvement

3.17 All applicants are encouraged to do some form of consultation with the public such as neighbouring and nearby properties before they submit a planning application.

#### Encouraging early involvement with neighbours for small scale proposals

3.18 For smaller applications, for example house extensions, applicants are encouraged to speak with their neighbours and show them the proposed plans. In their planning application they should include any comments from their neighbours and any changes made to the proposal as a result. There are benefits to early engagement as it can reduce conflict later on in the planning process. These discussions will not affect consultations that the Council may be required to undertake but it could potentially reduce the time taken to gain planning permission.

#### Developer Pre-Application Discussions

3.19 Dependent upon the nature and potential impact of a development proposal on the local community, applicants making major proposals, or those likely to have any significant impacts, will need to carry out their own pre-application public consultation.

3.20 Planning applications for these proposals will need to be accompanied by a Consultation Statement. Examples of such proposals include:

- major developments, applications for large scale wind turbines or “windfarms”

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- developments requiring Environmental Impact Assessment which are accompanied by an Environment Statement
  - proposals which depart from the Development Plan
  - any development proposals, which the Council thinks, will have significant implications for planning policy.
- 3.21 The form of consultation needs to be tailored to suit the circumstances of the site, proposal and locality. Developers should discuss and agree with the Council the exact nature of consultation in advance, allowing sufficient time for Planning Officers to comment on the proposed events and appropriate changes that are needed to be made. It is important to note that all pre-application discussions with the Council will be kept strictly **confidential**.
- 3.22 Developers need to be clear and up front with the community about the progress of the application as well as the constraints the proposal will occur.
- 3.23 It is expected that consultations are carried out at an early stage in the design process to allow sufficient time for public consultation comments before the submission of the application.
- 3.24 The type of methods to be employed by potential developers could include the following:
- press adverts
  - community meetings
  - exhibitions (opening hours to include out of office hours)
  - information on village and parish notice boards
  - delivery of explanatory leaflets
- 3.25 The Council expects communities to be offered genuine choice and a real opportunity to influence proposals in these consultation exercises. The Council has been set demanding targets by the Government in determining planning applications within strict timescales. Where developers have submitted significant proposals without undertaking any consultation with the community, the onus will be on them to resolve any public objections within the timescale that the Council has to determine the application. Failure to

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consult may reduce the weight the Council gives to the Consultation Statement and be material to the determination of the application.

- 3.26 For probity reasons (ensuring that decisions are taken in a fair and open manner), the Council's Planning Officers would not normally participate in these public meetings or exhibitions other than to provide background information.
- 3.27 As a minimum, the Consultation Statement submitted with the application should include:
- the residents businesses and local community groups consulted
  - methods and timing of consultation
  - a copy of the consultation details
  - evidence of use of open questions, flexible plans and a range of genuinely different options and choices, including alternative sites
  - a summary of all responses received
  - explanation of how public comments have influenced the design of the proposals
  - evidence of how developers have provided feedback to the Town and Parish Councils, community groups and ward members following their responses
  - explanation of what changes have been made as a result of all community comments
  - where suggestions have not influenced the proposed development the developer should state why these suggestions have not led to a change and information on how this was addressed in the development proposal.

### How do I Submit a Planning Application?

- 3.28 Applicants can submit plans and application forms electronically by:
- using the Council's website link to the [Planning Portal](#)
  - email to [ppu@selby.gov.uk](mailto:ppu@selby.gov.uk)
  - or by using iApply at <https://iapply.co.uk/>

or by post to: Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT.

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3.29 The Council will check the information and documents submitted. If all is correct, including the relevant fee, the application will be valid and the applicant or their representative notified. This will then trigger the start of the various consultations to be carried out before the application is considered and the Decision Notice issued. If the planning application is not valid, the Council will inform the applicant, or their representative, of the additional information or correct fee to be provided as necessary to make the application valid.

### How do I find out about Planning Applications in my area?

3.30 The Council must follow the statutory publicity requirements for advertising the availability of valid planning applications. Table 3 sets out the type of development and what type of publicity the Council must undertake.

**Table 3 – Statutory publicity requirements for planning and heritage applications**

Type of development	Site notice	Newspaper advertisement	Website
Applications for major development as defined in Article 2 of the Development Management Procedure Order (which are not covered in any other entry)	X	X	X
Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement	X	X	X
Applications which do not accord with the development plan in force in the area	X	X	X
Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies	X	X	X
Applications for planning permission not covered in the entries above e.g. non-major development	X	-	X
Applications for listed building consent where works to the exterior of the building are proposed	X	X	X
Applications to vary or discharge conditions attached to a listed building consent or involving exterior works to a listed building.	X	X	X
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.	X	X	X

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Source: <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

### Site Notices and Neighbour Notification

3.31 Planning Applications are advertised at the site using a luminous yellow A4 sized notice positioned in a visible location, adjacent or close to the site to which it applies.

### Weekly List

3.32 You can view on Public Access a weekly list of planning applications as well as a monthly list of planning decisions [here](#)

### Press Advertisement

3.33 An advert will be placed in a local newspaper appropriate to the location of the planning application.

### Further Information

3.34 For further information see:

- [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015.](#)
- the Government [website](#):

### How do I view Planning Applications?

3.35 You can use the [Public Access](#) to view a planning application and to comment on a planning application. It is a dynamic system constantly being updated with incoming information including plans, technical reports, and responses from consultees, comments from the general public, full details of the Council's ultimate decision and details of any appeal to the Secretary of State.

- You can also see all other comments made on an application on [Public Access](#)
- You can view the details of all current planning applications with supporting documents
- You can view the details of historic planning applications from 1984, but supporting documentation is only available for those from 2006
- You can also visit the Civic Centre to look at applications online.

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### Customer Contact Centre

3.36 Planning Officers offer a Planning Surgery for householder and permitted development queries only at the Civic Centre. The Planning Officer will aim to answer your query verbally and will provide you with written confirmation of the advice given. More information can be found on how to book appointments [here](#).

### What if I can't get access to view a Planning Application?

3.37 We are aware that some people may have difficulty accessing and seeing the planning applications. We encourage you to visit the Civic Centre to view the documents online. Planning application information can also be viewed online at the following libraries:

- Selby Library
- Tadcaster Community Library
- Sherburn and Villages Community Library
- Barlby Library and Community Hub

For further information see [here](#)

### How long do I have to comment?

3.38 All comments on a planning application must be made in writing to us within 21 days from the date of a press notice or site notice appearing. Please be aware that any comments submitted after the 21 day publicity period may not be considered because a decision may have already been made on the planning application.

### How and where do I Comment on a Planning Application?

3.39 You can make comments on planning applications in the following ways:

- Whilst viewing the details of an application through [Public Access](#).
- You will need to register and login before you are able to leave comments and/or receive updates. Your session may "time out" without warning, so for longer messages you may need to compose your comments outside the webpage and then copy and paste when you are ready to submit. Please include the submission date at the end of your comment.
- By e mail to [planningcomments@selby.gov.uk](mailto:planningcomments@selby.gov.uk)



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- By post to Development Management, Selby District Council, Civic Centre, Doncaster Road, Selby, North Yorkshire, YO8 9FT

3.40 Submitting your comments via Public Access will ensure that certain key pieces of information are automatically provided. However, if you submit your comments by email or post please include the following:

- your name
- your contact address
- the reference number of the application and/or address of the property to which your comments relate

3.41 Please note that we are unable to send an acknowledgement for comments submitted by email or post.

### Does it matter what I think?

3.42 **Yes.** The Council represents all of the community. In knowing your opinions, whether you support or object to the application or whether you just want to make comments, your views can influence the decision of the application. However, planning applications tend to attract a variety of comments. The planning officers can only take account of things that are relevant to planning and the application itself.

3.43 All comments made can be viewed on [Public Access](#)

### Who else does the Council consult with?

3.44 The Council is required to consult with a range of stakeholders as part of the planning application process. These include the general public and statutory consultees. These are set out in the following table:

- **Statutory Consultees on applications for Planning Permission**

Table 2 of <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

### What if the Application is Amended, Can I still Comment?

3.45 Depending on the scale of the amendments the Planning Officer will decide whether it is necessary to re-advertise and re-consult on the amended plans.

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Any amended plans will be available to view and comments made on [Public Access](#).

### Why do some Planning Applications go to Planning Committee and others do not?

- 3.46 Officers make many of the decisions on planning applications. This is known as a **delegated decision**. However if there are particular sensitivities the application will then be decided at the Planning Committee. You can view the Council's Scheme of Delegation [here](#). All views will be included in the report for the Planning Committee to consider in deciding the application. An officer report will be provided for each planning application whether it is to be determined by Planning Committee or the decision is delegated to the Planning Officer.
- 3.47 The agenda for the Planning Committee is published five working days before the Committee meeting. The schedule of meetings, agendas and reports are available [here](#). These meetings are held in public every four weeks at the Civic Centre, Doncaster Road, Selby, North Yorkshire, YO8 9FT.

### Can I address the Planning Committee?

- 3.48 If an application is to be determined at the Planning Committee, the Council allows those (or their representative) who have made a written representation who have also indicated that they wish to speak at the Committee, to speak at the meeting. However, this is usually ONE speaker representing all the objectors. They will be allowed no more than 5 minutes to speak. The Town or Parish Council as well as the ward member and the applicant also have the right to address the Planning Committee.
- 3.49 The applicant or their representative will also be given no more than 5 minutes to present their views verbally to the Planning Committee. They may use this time to respond verbally to any objection made at the Committee. For further information regarding the format for speaking at planning Committee, please see the [Code of Practice for Dealing with Planning Matters](#).

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- 3.50 As part of the Council's commitment to keep the planning process transparent and open, the [Code of Conduct](#) for Members and Officers dealing with Planning Matters ensures that decisions are sound on a planning basis.

### What If there is a Site Visit?

- 3.51 In determining some applications, a site visit by the Planning Committee may take place. This is usually held if the Planning Development Manager or Head of Planning in consultation with the Chair of the Planning Committee considers it would assist Councillors in reaching a decision. The procedures for attending and participating at the site visit are set out in the [Code of Practice for Members and Officers](#). Members of the Planning Committee can not engage in open discussions with the applicant or their representative or with any other people present.

### How do I find out the Decision?

- 3.52 We publish decisions about applications when they are made. You can find out if an application has been approved or refused. We also publish the reasons why. All of this information is included on [Public Access](#)
- 3.53 If the planning application was considered at Committee, you may also see the decision in the [published minutes](#) for Planning Committee.

### What if there is an Appeal?

- 3.54 Appeals can be made by the applicant against a refusal of planning permission or other consent, the conditions attached to the application, for non-determination of the application by the Council or for costs.
- <https://www.gov.uk/topic/planning-development/planning-permission-appeals>
- The applicant has the right to appeal to the Secretary of State. There is no third party right of appeal against refusals of planning permission or other consents. The Council will notify any individual or organisation originally consulted, or who has made any comments or objections by email (if provided) or by post when an appeal is lodged. All comments and objections are passed on to the appointed Inspector for their consideration. This is a separate process. More information relating to the appeals process and how

## Statement of Community Involvement

to be involved can be found on the [Government website](#) and the [Planning Inspectorate website](#).

### Discharge of Conditions

3.55 Conditions may be attached to a Notice of Planning Permission. An application for approval of the details reserved by such a condition will be necessary for a specified aspect of the development which was not fully described in the original application. These details need to be submitted for approval as set out in the Notice of Planning Permission. As such, an application for approval of details reserved by a condition is not an application for planning permission or listed building consent so there is no opportunity for further comment. Applications for approval of details reserved by a condition in a planning permission should be made in writing. Further details can be found [here](#).

### Section 73 Applications

3.56 Section 73 of the Town and Country planning Act 1990 allows for applications to be made for permission to develop without complying with a condition(s) imposed. Section 73 also provides for retrospective planning applications to be made with respect to development that has already taken place without planning permission and for applications to authorise development which has been carried out without complying with a condition(s). There will be opportunity to comment on Section 73 Applications. Further details can be found [here](#).

### Non-Material Changes

3.57 Sometimes following the granting of planning permission it may be necessary to make some changes. Whether or not a proposed amendment is non-material will depend on the circumstances of the case – a change which may be non-material in one case could be material in another. There is no statutory definition of non-material, but the Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application. If you are uncertain, as a developer, you may wish to seek [pre-](#)

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[application advice](#). There are no opportunities for commenting on non-material amendments applications.

### What if I think something has been built or someone is carrying out an activity without planning permission?

- 3.58 When a person or developer carries out development without planning permission the Council has a duty to consider what action is needed.
- 3.59 As a local planning authority, we have the power to take action against breaches of planning control if development has occurred without the necessary planning permissions. We also have the power to take action against unauthorised works to a protected tree or a tree in a conservation area.
- 3.60 We will investigate whether there is a breach, establish what harm is caused as a result of it and then how the situation can be remedied. Immediate enforcement action is sometimes necessary, however in most cases planning authorities allow a person reasonable time to remedy the situation. This may mean submitting a retrospective planning application, removing an unauthorised structure or stopping any unauthorised use. For further information on the Planning Enforcement service please see the [Planning Enforcement Management Plan 2018](#).
- 3.61 A breach may also occur if planning permission has been granted, but the conditions attached to the permission are not being complied with. This is a breach of condition.

#### What we can investigate:

- unauthorised building
- unauthorised changes of use
- unauthorised works to a listed building
- display of unauthorised advertisements/signage
- untidy land
- unauthorised works to protected trees
- unauthorised works to trees in a conservation area
- breach of conditions

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- high hedge issues

### What we cannot investigate:

3.62 Selby will investigate most disputes however the following cannot be investigated by enforcement:

- breaches occurring on or within a public highway. Please contact [North Yorkshire Highways](#) on 01609 780780
- boundary disputes
- internal alterations to houses (unless it is a Listed Building). Please contact the [North Yorkshire Building Control Partnership](#) on 01347 822703

### Making a complaint about a Breach of Planning Control

3.63 If you would like to make a complaint regarding a possible breach of planning control, fill in our [enforcement complaint form](#) or download a [complaint form](#), returning it to either:

- email: [planningenforcement@selby.gov.uk](mailto:planningenforcement@selby.gov.uk)
- or by mail to:  
Selby District Council, Planning Enforcement, Civic Centre, Doncaster Road, Selby, YO8 9FT

ALL COMPLAINANT DETAILS ARE KEPT STRICTLY **CONFIDENTIAL**

### Can I Appeal against an Enforcement Notice?

3.64 You can appeal to the Secretary of State against an Enforcement Notice served on you or your business. All details regarding the Enforcement Notice are passed on to the appointed Inspector for their consideration. This is a separate process. More information relating to the appeals process can be found on the planning Inspectorate [website](#).

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### Appendix 1

#### Glossary

Authority Monitoring Report	A report on the extent to which objectives and policies of the Local Plan are being achieved. It also contains the Local Development Scheme which sets out the progress of preparing the Local Plan and other Development Plan Documents.
Community Infrastructure Levy	A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area. The funds are used to help deliver infrastructure to support the development of their area.
Corporate Plan	The Council's Corporate Plan sets out the corporate vision, values, and priorities for the District Council.
Development Brief	Development briefs are documents prepared by the Local Planning Authority in advance of a planning application being submitted. Usually for larger sites, they set out in further detail what type of development is to be required.
Development Plan	Planning applications are determined against the policies in the development plan unless material considerations indicate otherwise. For Selby District, this includes adopted Local Plans and Neighbourhood Plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004. For more information see <a href="#">here</a> .
Development Plan Documents	<p>Development Plan Documents are prepared by the local planning authority. This includes an adopted policies map which illustrates the spatial extent of policies that must be prepared and maintained to accompany all Development Plan Documents.</p> <p>All DPDs must be subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of the inspector's binding report. Once adopted, development control decisions must be made in accordance with them unless material considerations indicate otherwise.</p>
Habitats Regulations Assessment	A report required to assess the potential effect of the Local Plan on Ramsar sites, Special Protection Areas and Special Areas of Conservation
Infrastructure Delivery Plan	A document prepared by the Local Planning Authority setting out the infrastructure requirements needed to meet development.
Local Development Document	These include Development Plan Documents (which form part of the statutory development plan) and Supplementary Planning Documents (which do not form part of the statutory development plan). LDDs collectively deliver the spatial planning strategy for the local planning authority's area.
Local Development Scheme	A three-year project plan setting out the Council's programme for the preparation of Local Development Documents within the Local Plan. It lists the documents to be prepared and provides a timetable for producing them. Under the Localism Act, there is no longer a requirement for the LDS to be approved by the Secretary

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	of State. It is set out in the Authority Monitoring Report.
Local Plan	The Local Plan comprises the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. This includes the Selby District Core Strategy Local Plan (2013). The Selby District Local Plan (2005) was prepared under the Town and Country Planning Act 1990 and its policies are saved under the 2004 Act on adoption in 2005 and then 'extended' on 8 February 2008 by Direction of the Secretary of State under the 2004 Act until it is superseded.
Marine Plan	A Marine Plan is part of the Development Plan. They are prepared by the Marine Management Organisation. The East Inshore and East Offshore Marine Plan (2014) are part of the Selby Development Plan.
Minerals and Waste Local Plan	The Minerals and Waste Local Plan is prepared by North Yorkshire County Council, the Minerals and Waste Planning Authority who is responsible for mineral and mineral matters for the Selby area. The Minerals and Waste Plans form part of the Development Plan for the District.
National Planning Policy Framework	Document setting out the Government's planning policies for England and how these are expected to be applied. Initially produced in 2012 it was revised in 2018. The NPPF replaced the PPGs and PPSs.
North Yorkshire County Council	Sub-regional tier of government responsible for amongst other things Social Care, Education, Minerals & Waste and Highways within Selby District.
Planning Portal	A national website for members of the public, local planning authorities and planning consultants. The Planning Portal features a wide range of information and services on planning.
Policies Map / Proposals Map	An Ordnance Survey based map showing the proposals for the development and use of land which are set out in the written chapters of the Local Plan. (Note: Under the NPPF 2012, the terminology was changed from "Proposals Map" to "Policies Map". At the time of Adoption, both the saved 2005 Selby District Local Plan Proposals Map and the 2013 Core Strategy Policies Map remain in use, as amended where set out. Therefore both "Proposals Map" and "Policies Map" refer to the most up to date version of any adopted such map).
Prior Notification Applications	A procedure where permission is deemed granted if the local planning authority does not respond to the developer's application within a certain time. Often relating to telecommunication or agricultural developments.
Royal Town Planning Institute	The Royal Town Planning Institute is the membership organisation and Chartered Institute responsible for maintaining professional standards within the planning profession and accrediting world class planning courses nationally and internationally. It is also a charity whose charitable purpose is to advance the science and art of planning (including town and country and spatial planning) for the benefit of the public. It also operates Planning Aid England.
Secretary of State	Government minister who approves or not planning documents



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	submitted by LPAs.
Supplementary Planning Document	Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan. An SPD elaborates on existing policies or proposals in the Local Plan and gives additional guidance.
Sustainability Appraisal	An assessment of the environmental effects of a plan or programme. Identifies and evaluates the effects of the strategy or plan on social, environmental and economic conditions.

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## 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: <i>Statement of Community Involvement</i></b>	
<b>Lead person: <i>Paula Craddock</i></b>	<b>Contact number: <i>x42096</i></b>

<b>1. Title:</b> Statement of Community Involvement (September 2020)	
<b>Is this</b>	
	A Strategy or Policy
	A change to a service or function
x	Other (specify) Updated version of Statement of Community Involvement

<b>2. Please provide a brief description of what you are screening</b>	
<p><i>The existing Statement of Community Involvement was adopted in 2007. A review and revision was needed to ensure that this document remains relevant and up to date to meet the requirements of changes to Planning Legislation and guidance.</i></p> <p><i>Selby District Council is the Local Planning Authority for the whole of the District of Selby. Local Planning Authorities are required to prepare a statement setting out how it will involve those with an interest in development in the area under the following legislation:</i></p> <ul style="list-style-type: none"> <li>• <i>the Planning and Compulsory Purchase Act 2004 (section 18) (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017)</i></li> <li>• <i>The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 includes a duty on Local Planning Authorities (LPAs) to review their Statement of Community Involvement every five years</i></li> </ul>	

- *The Neighbourhood Planning Act 2017 has specifically introduced a requirement on Local Planning Authorities to include within the Statement of Community Involvement the policies for giving advice or assistance on making and modifying Neighbourhood Development Plans and on making Neighbourhood Development Orders.*

*This screening assessment applies to the Statement of Community Involvement (2020). The Statement of Community Involvement is a statutory planning document and applies to the whole of the Selby District Council area.*

*The Statement of Community Involvement (2020) sets out:*

- *how the Council will involve the community and other stakeholders in Planning matters including:*
  - *how and when the community can influence new planning policy documents*
  - *how and when the community can comment on planning applications, as well as other forms of application for development such as Listed Buildings and prior notifications submitted to Selby District Council*
- *the role of elected Councillors, Parish and Town Councils and voluntary and community groups in planning matters*
- *Who the community can contact for assistance in planning matters and*
- *What will be expected of the community when making comments*

***Implications of Covid19***

*The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 make temporary changes to how documents are required to be available for public inspection at the authority’s principal office and at such other places as the authority considers appropriate. Documents are still required to be made available on the local planning authority’s website. This modification will apply until 31 December 2020.*

**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).

<b>Questions</b>	<b>Yes</b>	<b>No</b>
Does the proposal have (or could it have) a different impact for	x	

people with protected equality characteristics?		
Have there been or is there likely to be any public concern about the policy or proposal?	x	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	x	
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>	x	

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 Planning Service believes that everyone, the “community”, should have the opportunity to be involved in decisions that could affect them and their wider community. This includes the individuals, groups, organisations, businesses, Parish and Town Councils, Statutory and non-statutory agencies, landowners, developers and agents that live, work, visit, operate or have an interest in Selby District. Recognition is also made of hard to reach groups and the identification of potential barriers to consultation. To remove these, the Planning Service will tailor different approaches to different audiences in line with the Royal Town Planning Institute (RTPI) guidelines.*

##### Availability of documents and information

*All documentation will be available on the Council’s website in line with the latest legislation and guidance. The use of any electronic formatting facilities available in software is encouraged to assist in accessing the documents to meet any visual or language requirements. Similarly the documents will be available upon request in alternative formats.*

##### Consultation and Engagement on the draft Statement of Community Involvement

*(November 2019)*

*The Planning Service advertised the availability of the draft Statement of Community Involvement (November 2019) on its website and notified those registered on the extensive Planning Policy Consultation portal / database. This includes local residents, businesses, agents, Parish and Town Councils and equality groups.*

*The Planning Service is trying to be as accessible as possible in line with the Corporate Plan, the Selby Customer Strategy and the Statement of Community Involvement itself. To ensure that as many people as possible had the opportunity to be involved in the planning service and this consultation:*

- *Details of the consultation as well as the document, the July 2019 Equality Scoping report and comment form were available on the Council's website.*
- *All documentation was checked for plain English*
- *Copies of the documentation was available at Access Selby and all libraries in the District (all of which have disabled access)*
- *Parish Councils were asked to publicise the availability of the document*

- **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)

*An up to date Statement of Community Involvement will ensure that consultation and engagement with the planning service meets legislation requirements for equality, diversity and inclusivity.*

*Being involved in planning allows the "community" to potentially influence the way the District will change over time. The Planning Service encourages early engagement with the Council's Planning Officers for both draft policy documents and pre-application advice for submitting applications for planning permission. The Statement of Community Involvement (2020) also encourages contacting the Ward Councillors, Parish and Town Councillors, the Community Engagement Forums and the use of independent Planning Consultants and Planning Aid as necessary and relevant to the planning issue.*

*The Statement of Community Involvement (2020) sets out that in line with legislation requirements the Planning Service will use a range of methods of advertising the opportunities to be involved in the planning service for the preparation of planning policy documents to submitting applications for planning permission, commenting upon applications for planning permission and for informing the planning service of potential breaches of planning control.*

- **Actions**

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

*The Statement of Community Involvement (2020) sets out the various processes for being involved with the planning service. It shows that planning is an open, transparent and accessible service available to everyone. Planning Officers are accessible through email, telephone and letter*

*Hard to reach groups and equality groups will be contacted and encouraged to be*

*involved in planning. Through this consultation exercise it is hoped to continue to build upon their involvement and responses.*

*The Statement of Community Involvement requires that consultation documents will be made publicly available on the Council's website. It is recognised that not everyone has access to the internet and therefore where possible hard copies of consultation documents will also be made available in public locations such as libraries and at the Civic Centre.*

*The Statement of Community Involvement (2020) sets out measures for the monitoring and review of the document and engagement processes in planning. The draft Statement of Community Involvement (November 2019) consultation and engagement itself was monitored. In line with the measures set out for monitoring and review, it was considered that there was no need to potentially review of the Statement of Community Involvement itself before adoption. Those on the Local Plan database were invited to comment on the draft document and any changes suggested by those who responded were considered and taken on board as necessary. Other changes made to the document involved changing references to Access Selby in the town centre to the Civic Centre and/or the "contact-us" email. In addition, the Statement of Community Involvement (2020) was not considered to need revising as a result of the temporary changes necessary to planning documents and consultation as a result of the Covid19 pandemic.*

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

	<i>n/a</i>
Date to scope and plan your impact assessment:	<i>n/a</i>
Date to complete your impact assessment	<i>n/a</i>
Lead person for your impact assessment (Include name and job title)	<i>n/a</i>

### **6. Governance, ownership and approval**

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

<b>Name</b>	<b>Job title</b>	<b>Date</b>
Caroline Skelly	Planning Policy Manager	July 2020

### **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** July 2020





**Report Reference Number: C/20/5**

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**To: Council**  
**Date: 22 September 2020**  
**Ward(s) Affected: All**  
**Author: Palbinder Mann, Democratic Services Manager**  
**Lead Officer: Alison Hartley, Solicitor the Council**

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**Title:** Constitution Updates and other Decisions taken since 23<sup>rd</sup> March 2020 during Coronavirus Pandemic

### **Summary:**

As a result of the Coronavirus crisis and national lockdown imposed on 23 March 2020 by the UK Government, all Selby District Council committee meetings were cancelled, and decisions taken using urgency procedures. This report gives details of the urgent decisions taken by the Leader of the Council and senior Officers between 23 March and 14 July 2020. An urgent decision taken since 14 July 2020 regarding Pavement Café Licences is also formally reported. This matter has since been considered by the Licensing Committee.

Additionally, there were some updates made to the Constitution by the Monitoring Officer using delegated powers during the recent period and information on the updates is also outlined in the report.

### **Recommendations:**

- i) To note the urgent decisions made at Appendix A and the additional decision outlined in the report relating to Pavement Café Licences.**
- ii) To note the Constitution amendments made by the Monitoring Officer as outlined at Appendix B.**
- iii) To note the Licensing Committee recommendation to reduce Pavement Café Licences application fees to £0 and the additional delegation to the Solicitor to the Council to suspend licences under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018**

## **Reasons for recommendation**

To ensure the Council maintains the highest standards of Governance in line with the Constitution and legislation.

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

- 1.1 On 23 March 2020 the Leader of the Council took a decision using his urgency powers to cancel all meetings so that the Council could adhere to Government Guidance regarding social distancing during the Coronavirus crisis. Until 4 April 2020, the Local Government Act 1972 required Members to be present in the room to vote at a meeting. It was therefore not possible to undertake lawful decision making other than through delegation and the urgency process.
- 1.2 There were also updates made to the Constitution during this period and these are now being reported back to Council for completeness having already been considered by the Audit and Governance Committee. A minute extract from the Audit and Governance Committee meeting on 29 July is attached at Appendix C.

### **2. Decisions Made Through Urgency**

- 2.1 The governance structure at Selby District Council is a Leader and Executive model which gives the Leader of the Council reserved individual powers to take Executive decisions under urgency. The Local Authorities (Functions and Responsibilities) Regulations define whether a decision is an Executive or non-Executive function. Operating under urgency means that Executive decisions that would have been decided at Executive meetings (both key and non-key) were being made by the Leader following consultation with the necessary officers.
- 2.2 Urgent decisions do not appear on the Council's Forward Plan, and instead require the Chair of Scrutiny Committee to formally agree that a decision is needed urgently. Urgent decisions outside of the Budget and Policy Framework require the agreement of the Chair of Policy Review Committee that a decision is needed urgently. Urgent key and non-key decisions taken between 23 March 2020 and 14 July 2020 are set out in Appendix A to this report.
- 2.3 The usual call-in procedures do not apply to urgent decisions. The Chairman of Council, or in his absence the Chief Executive, must be satisfied that the decision is reasonable and urgently needed. During the pandemic the Chief Executive has considered in each case whether the decision is reasonable and urgently needed and her decision has been noted on the delegated Decision Record and published. Urgent decisions must be reported to the next available meeting of Council in line with the Council's Constitution.
- 2.4 Planning decisions are non-Executive functions, and delegated powers to determine applications that would otherwise have been decided by Planning

Committee lie with the Chief Executive. During the lockdown period, a process was put in place to enable the Chief Executive to take decisions on planning applications on a weekly basis, having regard to views of the Planning Committee following consultation. Planning decisions taken by the Chief Executive and Head of Planning between 23 March 2020 and 14 July 2020 are also set out in Appendix A to this report.

2.5 Licensing decisions are also non-Executive functions. Delegated power to determine matters that would otherwise have been determined by the Licensing Committee again lays with the Chief Executive. Only one urgent licensing decision was required, relating to Pavement Café Licences. This was taken following consultation with the Chair of the Licensing Committee, and subsequently reported to and considered by the Licensing Committee. It is summarised at 2.7 below.

2.6 Any urgent decisions undertaken by officers are also outlined in Appendix A.

2.7 In addition to the decisions outlined at Appendix A, the following decisions were also made under the urgency process:

<b>Report/Decision Title</b>	<b>Date Decision Made</b>	<b>Key?</b>	<b>Decision</b>	<b>Made by</b>
<b>To implement the requirements in the Business and Planning Act 2020 relating to Pavement Licences</b>	24 July 2020	No	i) To approve the application process outlined in the attached report including the standard conditions and the fee of £100 to enable temporary pavement café licence applications to be determined by the Council. All licences to terminate on 30 September 2021.  ii) To delegate authority to the Solicitor to the Council to determine all applications (approval, refusal and revocations).	Chief Executive in consultation with the Leader of the Council and the Chairman of the Licensing Committee
<b>To amend the fee from £100 to £50 for Pavement Licences</b>	31 July 2020	No	i) To amend the fee from £100 to £50 relating to Pavement Licences.	Chief Executive in consultation with the Leader of the Council and the Chairman of the Licensing Committee

2.8 With regard to the fee for Pavement Licences, following this decision and discussion at the Licensing Committee, the Committee at their meeting on 20<sup>th</sup> August proposed to waive all fees relating to future Pavement Café Licence applications. A recommendation is included in this report for noting and the minute extract from the Committee is attached at Appendix D.

### **3. Constitution**

3.1 The Constitution is a key document in the Corporate Governance Framework of the Council. The two overarching principles of good governance as set out in the Chartered Institute of Public Finance and Accountancy (CIPFA) code are:

- Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law; and
- Ensuring openness and comprehensive stakeholder engagement.

3.2 Under Article 15 of the Constitution the Monitoring Officer has a duty to monitor and review the Constitution. The changes made following this review are either administrative, as a result of legislative changes, or as approved by the Audit and Governance Committee on 10 April 2019 in relation to standards arrangements, and therefore fall within delegation under the existing Constitution.

3.3 The review has been undertaken by the Monitoring Officer. The review has considered changes to legislation concerning Remote Meetings, and recommendations of the Audit and Governance Committee in relation to Standards arrangements.

3.4 The table at Appendix B sets out the proposed changes in the different sections of the Constitution. The changes were considered by the Audit and Governance Committee at their meeting on 29 July 2020.

3.5 As the changes relating to remote meetings fall within delegation and are as a result of legislative changes, they became operative in June 2020. Present legislation allows Remote meetings until May 2021.

### **3. Implications**

#### **3.1 Legal Implications**

Officers were advised to seek legal advice from the Monitoring Officer and be clear in evidencing that a clear and transparent decision-making process had been followed.

A local authority is under a duty to prepare and keep up to date its constitution under the Local Government Act 2000 as amended. If the Constitution is not up to date, there is a risk that decisions will not be made on a lawful basis.

### **3.2 Financial Implications**

Any financial implications relating to the decisions taken under urgency will have been set out in the report accompanying the decision record, or in the decision record itself.

## **4. Conclusion**

- 4.1** Council is asked to note the decision made through the urgency process and the amendments to the Constitution undertaken by the Monitoring Officer.

## **5. Background Documents**

Selby District Council Constitution

## **7. Appendices**

Appendix A – Decisions made through the urgency process

Appendix B – Amendments to the Constitution

Appendix C – Minute Extract from the Audit and Governance Committee on 29 July 2020

Appendix D – Minute Extract from the Licensing Committee on 20 August 2020

### **Contact Officer:**

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**Executive Decisions – Key**

Report/Decision Title	Date Decision Made	Key?	Decision	Made by
<b>Cancellation of Meetings due to Coronavirus (COVID-19)</b>	23-Mar-20	Yes	To cancel all Member meetings until Friday 15 May 2020 and that consideration to be given to making decisions under the urgency process as outlined in the Council's constitution.	Councillor Mark Crane, Leader of the Council
<b>Discretionary Discount Scheme Relief for businesses affected by Covid 19</b>	23-Mar-20	Yes - outside Budget and Policy Framework	<p>The Leader agreed:</p> <p>i. That the Council will implement with immediate effect, on 23 March 2020, the Government's financial rescue package to support and protect businesses affected by COVID-19, as set out in Section 4 of this report;</p> <p>ii. To delegate authority to the Council's Section 151 Officer to agree a new Discretionary Rate Relief Scheme, in consultation with the Leader which shall include;</p> <p>a. The matters set out in section 4 of this report, and</p> <p>b. That the new discounts apply from the 1st April 2020.</p> <p>iii. That delegated authority be given to the Head of Operational Services to administer the approved Scheme.</p>	Councillor Mark Crane, Leader of the Council
<b>Continuation of Cancellation of Meetings due to Coronavirus (COVID-19)</b>	06-Apr-20	Yes	<p>The Leader:</p> <p>1) noted the publication of The Local Authorities and Police and Crime Panels (Corona Virus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020; and</p> <p>2) agreed to continue the Council's current process of cancelling all Member meetings until Friday 15 May 2020, and that consideration to be given to making decisions under the urgency process as outlined in the Council's constitution.</p>	Councillor Mark Crane, Leader of the Council

<b>Covid-19 Emergency – Human Resources Service Level Agreement - part of the Better Together collaboration agreement with NYCC</b>	30-Apr-20	Yes	RESOLVED:  That as the matter is urgent, due to putting in place arrangements for Covid-19, the Leader agrees that The Council urgently adds the provision of Human Resources services between NYCC and SDC to the existing Better Together Collaboration Service Level Agreement with NYCC. The addition of the Human Resources Specification to take effect from 1 April for a period of 3 years, and authority be delegated to the Chief Executive in consultation with the Section 151 Officer to agree the detailed terms of the Specification.	Councillor Mark Crane, Leader of the Council
<b>Homelessness and Rough Sleeping Strategy 2020-2025</b>	30-Apr-20	Yes	That the Leader:  (i) approves the Homelessness and Rough Sleeping Strategy 2020-2025; and  (ii) notes that any legislative changes as a result of the Government reaction to Covid-19 which may affect either our strategic homelessness duty or the delivery of this strategy will be responded to with supplementary homelessness strategy guidance as necessary.	Councillor Mark Crane, Leader of the Council
<b>Continuation of Cancellation of Meetings due to Coronavirus (COVID-19)</b>	30-Apr-20	Yes	That the Leader:  1) agrees to the continuation of the Council's current process of cancelling all Member meetings until Wednesday 1 July 2020, and that in the meantime consideration be given to making decisions under the urgency process as outlined in the Council's constitution; and  2) agrees that the position be kept under review.	Councillor Mark Crane, Leader of the Council
<b>Leisure Services Contract – Waiving of Management Fee Payments April – June 2020</b>	07-May-20	Yes	That the portion of the annual management fee payments between 1 April 2020 to 30 June 2020 is waived for the Leisure Services Contract following the Government decision to close all leisure facilities due to COVID-19.	Councillor Mark Crane, Leader of the Council
<b>Summit Contract – Waiving of Management Fee Payments April – June 2020</b>	07-May-20	Yes	That the portion of the management fee payment from 1 April 2020 to 30 June 2020 be waived for the Summit Contract following the Government decision to close all leisure facilities due to COVID-19.	Councillor Mark Crane, Leader of the Council



<b>Discretionary Business Grant Scheme 2020/21 for businesses affected by Covid-19</b>	03-Jun-20	Yes	<b>RESOLVED:</b>  i. That the Leader agrees that the Selby District Council Discretionary Business Grant Scheme which follows the government guidance (attached Appendix 1 to the Officer Report) is approved, including the eligibility criteria set out in Section 4 of the Officer Report; and  ii. That delegated authority be given to the Head of Operational Services to administer the scheme and the Chief Finance Officer is authorised to make technical scheme amendments.	Councillor Mark Crane, Leader of the Council
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### **Executive Decisions – Non-Key**

Report/Decision Title	Date Decision Made	Non Key?	Decision	Made by
<b>Council Tax Support Scheme: Covid-19 Hardship Fund 2020-21</b>	30-Mar-20	Non-key	The Leader agreed that:  i. That the Council will implement with immediate effect, revisions to the Council Tax Support (CTS) Scheme, including additional hardship relief which will provide a further reduction in their annual council tax bill of up to £150 for those eligible for CTS;  ii. To delegate authority to the Council's Section 151 Officer to agree a further CTS Scheme, in consultation with the Leader which shall have regard to:  a. The matters set out in section 4 of the attached report, and b. That the additional relief will apply from the 1 April 2020.  iii. That delegated authority is given to the Head of Operational Services to administer the approved Scheme.	Councillor Mark Crane, Leader of the Council
<b>Expansion of Discretionary Discount Scheme Relief for Businesses Affected by Covid-19</b>	30-Mar-20	Non-key	The Leader  i. agreed that:  a. the Council would implement with immediate effect, from 30 March 2020, the Government's financial rescue package for the additional list of businesses to support and protect businesses affected by Covid-19; and  b. the new discounts would apply from the 1 April 2020.  ii. delegated authority be given to the Head of Operational Services to administer the approved Scheme.	Councillor Mark Crane, Leader of the Council

<b>Suspension of Car Parking Charges for Selby District Council Car Parks, to support Key Workers affected by Covid-19</b>	27-Mar-20	Non-key	That the Council will implement free car parking with immediate effect, from 27 March 2020 for 12 weeks to support residents affected by COVID-19.	Councillor Mark Crane, Leader of the Council
<b>Grant Funding Scheme for Small Business and Retail, Hospitality and Leisure Businesses affected by Covid-19</b>	02-Apr-20	Non key	That as the matter is urgent, due to putting in place arrangements for Covid-19, the Leader agrees that:  i. the Council will begin payments of the grants to eligible businesses commencing 2 April 2020 using the eligibility criteria specified in the guidance and set out in Section 4 of the attached report; and  ii. delegated authority be given to the Head of Operational Services to administer the approved Scheme.	Councillor Mark Crane, Leader of the Council
<b>Suspension of Rents for Council Owned Commercial and Industrial Units for 12 Weeks to support businesses affected by Covid-19</b>	07-Apr-20	Non-key - outside of Budget and Policy Framework	The Leader agrees that the Council will implement a 12 week rent free period for Council owned retail, commercial and industrial units from 1 April 2020 to 27 June 2020 to support businesses affected by COVID-19.	Councillor Mark Crane, Leader of the Council
<b>Support for Selby District Small Medium Enterprises (SMEs)</b>	17-Apr-20	Non-key under urgency	RESOLVED:  That as the matter is urgent, due to putting in place arrangements for Covid-19, the Leader agrees that:  i. the Council urgently enters into a contract with a specific provider, National Federation of Self Employed and Small Businesses Limited, Company Registration Number 01263540 whose registered office is at Sir Frank Whittle Way, Blackpool Business Park, Blackpool, FY4 2FE ("FSB") not to exceed £20,000, for advice services to be provided to those SME's that meet the Council's agreed eligibility criteria; and  ii. delegated authority be given to the Head of Economic Regeneration to agree the eligibility criteria to be included within the Contract to seek to provide a balanced approach to the type of businesses, the sectors and their impact and contribution to employment, supply chain and community related priorities.	Councillor Mark Crane, Leader of the Council

<b>Extended suspension of car parking charges for Selby District Council car parks, to support key workers affected by Covid-19 for 4 weeks</b>	09-Jun-20	Non-key - outside of Budget and Policy Framework	<b>RESOLVED:</b>  The Leader agreed that the Council would implement free car parking with immediate effect, from 19 June 2020 for 4 weeks to support residents and businesses affected by COVID-19.	Councillor Mark Crane, Leader of the Council
<b>Suspension of car parking charges for Selby District Council car parks to 5 September 2020, to support key workers affected by Covid-19</b>	14-Jul-20	Non-key - outside of Budget and Policy Framework	<b>RESOLVED:</b>  The Leader agreed that the Council will implement a further 7 weeks free car parking with immediate effect to 5 September 2020 to support residents affected by COVID-19.	Councillor Mark Crane, Leader of the Council

### Planning Decisions

<b>Application Number and Address</b>	<b>Date Decision Made</b>	<b>Decision</b>	<b>Made by</b>
<b>2019/0311/FUL - The Byre, Sweeming Lane, Little Fenton</b>	01-Apr-20	<b>RESOLVED:</b>  MINDED TO GRANT, following the expiry of the consultation period on 8 April 2020 and subject to:  i. no new issues being raised; ii. the conditions set out in the Officer Report; and iii. the additional condition as set out in the Officer Update Note.	Janet Waggott, Chief Executive
<b>2019/0513/FUL - Hilagarth, Main Street, Church Fenton</b>	01-Apr-20	<b>RESOLVED:</b>  To REFUSE the application for the following reasons, as set out in the report and as amended in the Officer Update Note:  01. The proposed development of the site for 3 (no.) dwellings is not considered to be acceptable on highways grounds on the basis that the proposed introduction of three access points onto Main Street Church Fenton from the site would result in highway safety issues given the character of the road, surrounding uses, on road parking, and the speed of traffic using the road. As such the development is considered to be contrary to Policy ENV1 of the Selby District Local Plan (2005), Policy T1 and T2 of the Selby District Local Plan (2005) and the NPPF.  02. The proposed development of the site for 3 (no.) dwellings represents overdevelopment of the site and will result in unacceptable long terms impacts on the trees subject of TPO 08/2019. Therefore, the development is considered to be to be contrary to Policy ENV1 of the Selby District Local Plan (2005), Policy SP4 of the Core Strategy and the NPPF.	Janet Waggott, Chief Executive

<b>2019/0883/FUL - Cranton, Church Crescent, Stutton</b>	01-Apr-20	<p>RESOLVED: That the application be REFUSED for the following reasons:</p> <p>1. The proposed redevelopment for 3 dwellings would not provide a sustainable site for further housing in terms of its access to everyday facilities and a reliance on the private car. The proposal is therefore contrary to Policies SP 1 and SP 2 of the Core Strategy and would conflict with paragraphs 11 and 102 of the NPPF.</p> <p>2. The proposal to demolish an existing dwelling and replace it with 3 dwellings does not fall within any of the listed acceptable in principle forms of development in secondary villages, which are identified in Policy SP4 a) and therefore the proposal fails to accord with Policy SP4 of the Core Strategy.</p> <p>3. The proposed development fails to preserve and enhance the character of the local area on account of the increased built form and increased density. The proposal is regarded as an over development of the site and contrary to Policy ENV1 (1) and (4), of the Selby District Local Plan, Policy SP 4 c) and d) and SP19 of Core Strategy, national policy contained within the NPPF and the Stutton Village Design Statement (Feb 2012).</p>	Janet Waggott, Chief Executive
<b>2019/1214/Ful - Cemetery, Long Mann Hills Road, Selby</b>	01-Apr-20	<p>RESOLVED:</p> <p>To GRANT the application, subject to the conditions at paragraph 7 of the report and to the additional condition as set out below:</p> <p>The development hereby approved shall be carried out in accordance with the measures described in the Flood Risk Assessment received by the Local Planning Authority on 26 March 2020.</p> <p>Reason: In the interests of flood risk and flood risk reduction and in order to comply with the advice contained within the NPPF and NPPG.</p>	Janet Waggott, Chief Executive
<b>2019/0663/FUL – Fields Garden Centre, Tadcaster Road, Sherburn in Elmet</b>	08-Apr-20	<p>RESOLVED:</p> <p>To GRANT the application, subject to the conditions at paragraph 7 of the report.</p>	Janet Waggott, Chief Executive
<b>2019/1340/FULM – Brocklesby Building Products Ltd., Unit 1, Long Lane, Great Heck</b>	08-Apr-20	<p>RESOLVED:</p> <p>To GRANT the application subject to the conditions set out at paragraph 7 of the report.</p>	Janet Waggott, Chief Executive
<b>2019/1172/FUL – Divisional Police Headquarters, Station Road, Tadcaster</b>	08-Apr-20	<p>RESOLVED:</p> <p>To GRANT the application subject to the conditions set out at paragraph 7 of the report.</p>	Janet Waggott, Chief Executive
<b>2019/1310/FUL – Hall Farm, Butts Lane, Lumby</b>	08-Apr-20	<p>RESOLVED:</p> <p>To GRANT the application subject to the conditions set out in paragraph 6 of the report.</p>	Janet Waggott, Chief Executive

<p><b>2019/0941/FULM – Selby District Council – Old Civic Centre, Portholme Road, Selby</b></p>	<p>08-Apr-20</p>	<p>RESOLVED:</p> <p>To DEFER consideration of the application in order for Officers to gather further information on the following matters:</p> <ul style="list-style-type: none"> <li>• Clarity of position from the Urban Design Team;</li> <li>• More detail on the provision of outside space, i.e. the pocket park;</li> <li>• The loss of trees and related landscaping matters;</li> <li>• Further comments from the Council's Strategic Housing Team on the tenure being offered;</li> <li>• Ensuring that the roads in the scheme are as close to an adoptable standard as possible; and</li> <li>• Additional details relating to a potential Section 106 agreement and planning obligations.</li> </ul>	<p>Martin Grainger, Head of Planning</p>
<p><b>2018/1116/DOV – Warehousing Depot, Station Road, Hambleton</b></p>	<p>16-Apr-20</p>	<p>RESOLVED:</p> <p>To APPROVE the request for a Deed of Variation, with delegation being given to Officers to complete a Deed of Variation to the original Section 106 agreement to allow the payment of a commuted sum to be used towards: (1) the provision of a children's play area and play equipment elsewhere in Hambleton; and/or (2) the enhancement of existing areas of recreational open space in Hambleton; in lieu of the provision of a children's play area and play equipment on the land in respect of planning approval 2005/0876/FUL for residential development comprising of 89 (2 storey and 2 1/2 storey) dwellings and associated works on 2.3 ha of land, following demolition of existing buildings on land off Station Road.</p>	<p>Janet Waggott, Chief Executive</p>
<p><b>2019/1018/PROW – Low Street, Carlton</b></p>	<p>16-Apr-20</p>	<p>RESOLVED:</p> <p>i) To GRANT the making of the Public Path Diversion Order, which will be subject to the required consultation.</p> <p>ii) That consultation be delayed for a period of three weeks due to the Covid-19 lockdown across the United Kingdom; this delay would be subject to review in light of any decisions on the lockdown taken by Central Government on or after 7 May, following which Officers would assess if the consultation could take place.</p> <p>iii) To APPROVE the delegation to Officers to confirm the Public Path Diversion Order following the expiry of a 28 day consultation period, subject to no objections being received or objections that are received through the consultation period being subsequently withdrawn within two months after the expiration of the objection period. Where objections are received within the specified time limit and not subsequently withdrawn within two months after the expiration of the objection period, that delegation be given to Officers to refer the Public Path Diversion Order to the Secretary of State.</p> <p>iv) To APPROVE delegation to Officers to certify the Public Path Diversion Order following the completion of the diversion works in accordance with the Order (where the Public Path Diversion Order has been confirmed in ii. above).</p>	<p>Janet Waggott, Chief Executive</p>
<p><b>2017/1381/FULM - Land At Viner Station Roe Lane</b></p>	<p>29-Apr-20</p>	<p>RESOLVED:</p> <p>To DEFER consideration of the application in order for further legal advice to be sought.</p>	<p>Janet Waggott, Chief Executive</p>

<b>2019/0030/COU - Milford Caravan Park, Great North Road, South Milford</b>	29-Apr-20	<p>RESOLVED: That:</p> <p>a) the Chief Executive Officer be MINDED TO APPROVE the application subject to the schedule of conditions as set out at paragraph 7 of the report;</p> <p>b) that the authority of Officers be confirmed to refer the application to the Secretary of State under The Town and Country Planning (Consultation) (England) Direction 2009 with the Chief Executive Officer's resolution to support it;</p> <p>c) that in the event that the application was not called in by the Secretary of State, authority be delegated to the Planning Development Manager to approve the application subject to the imposition of the attached schedule of conditions, and that delegation to include the alteration, addition or removal of conditions from that schedule if amendment becomes necessary as a result of continuing negotiations and advice and provided such condition(s) meets the six tests for the imposition of conditions, and satisfactorily reflects the wishes of the Chief Executive Officer; and</p> <p>d) that in the event that the application is called in for the Secretary of State's own determination, a further report be presented to the Chief Executive Officer.</p>	Janet Waggott, Chief Executive
<b>2019/0941/FULM - Selby District Council - Old Civic Centre, Portholme Road</b>	29-Apr-20	<p>RESOLVED:</p> <p>To APPROVE the application subject to the prior completion of a Section 106 Agreement relating to affordable housing, maintenance and management of open space, maintenance and management of highways and highway improvement works, and subject to the conditions and informatives set out at paragraph 7 of the report.</p>	Martin Grainger, Head of Planning
<b>2020/0016/S73 - Quarry Drop, Westfield Lane, South Milford</b>	06-May-20	<p>RESOLVED:</p> <p>That the application be GRANTED subject to the conditions set out at paragraph 7 of the report.</p>	Janet Waggott, Chief Executive
<b>2020/0155/S73 - Former Kellingley Colliery, Turners Lane, Kellingley</b>	06-May-20	<p>RESOLVED: That the application be MINDED TO GRANT subject to:</p> <p>(i) the expiration of the consultation period with no new material considerations being raised;</p> <p>(ii) referral of the application to the Secretary of State and their confirmation that the application is not to be called in for their consideration;</p> <p>(iii) the completion of a Deed of Variation to the original Section 106 agreement, and</p> <p>(iv) the conditions set out at paragraph 7 of the report.</p>	Janet Waggott, Chief Executive
<b>2018/1299/FUL – Smallholding, Broach Lane, Kellington</b>	13-May-20	<p>RESOLVED:</p> <p>That the application be MINDED TO GRANT subject to the expiration of the consultation period with no new material considerations being raised, and the conditions set out in the report.</p>	Janet Waggott, Chief Executive

<b>2019/1269/FUL - The Stables, Main Street, Great Heck, Goole</b>	20-May-20	RESOLVED:  That permission be GRANTED subject to the conditions set out at paragraph 7 of the report.	Janet Waggott, Chief Executive
<b>2020/0366/FUL – Birchwood Lodge, Market Weighton Road, Barlby</b>	27-May-20	RESOLVED: That consideration of the application be DEFERRED until after the expiration of the consultation period on Friday 29 May 2020, in order for any additional representations to be considered by the Chief Executive when making her final decision.	Janet Waggott, Chief Executive
<b>2020/0366/FUL – Birchwood Lodge, Market Weighton Road, Barlby</b>	03-Jun-20	RESOLVED:  That the application be GRANTED subject to the conditions set out in the report.	Janet Waggott, Chief Executive
<b>2019/1318/COU – North House Farm, Oxton Lane, Bolton Percy</b>	10-Jun-20	RESOLVED:  That the application be GRANTED subject to the conditions and informatives set out in the report and the Officer Update Note.	Janet Waggott, Chief Executive
<b>2020/0191/FUL – Jubilee Cottage, 13 Main Street, Thorganby</b>	17-Jun-20	RESOLVED:  i. To DEFER consideration of the application.  ii. That if the proposed extension to the deadline for determination to August 2020 was refused by the applicant and their agent, the application be brought back to the CEO Urgent Decision Session scheduled for 24 June 2020 for a decision.	Janet Waggott, Chief Executive
<b>2017/1381/FULM - Land At Viner Station, Roe Lane, Birkin</b>	24-Jun-20	RESOLVED:  To DEFER consideration of the application in order for a debate on technical questions and aspects to be undertaken to be undertaken at a meeting of the Planning Committee.	Janet Waggott, Chief Executive

<p><b>2019/0901/FUL - Field View, Wistow Road, Selby</b></p>	<p>24-Jun-20</p>	<p><b>RESOLVED:</b></p> <p>That the application be REFUSED for the following reasons:</p> <p>1. The proposed development significantly encroaches into open countryside, where in accordance with the overall Spatial Development Strategy for the District, development will be restricted to the replacement or extension of existing buildings, the re-use of buildings preferably for employment purposes, and well-designed new buildings of an appropriate scale, which would contribute towards and improve the local economy and communities, in accordance with Policy SP13; or meet rural affordable housing need (which meets the provisions of Policy SP10), or other special circumstances. The proposal does not comprise any of the types of development that are acceptable in principle under Policy SP2A (c) of the Core Strategy and therefore the proposal is unacceptable in principle and contrary to Policy SP2A (c) of the Selby District Core Strategy and hence the overall Spatial Development Strategy for the District.</p> <p>2. The application site provides the entrance to the settlement where the countryside meets the residential urban form. The proposed change of use to domestic garden land and the siting of a static caravan in this location, would be harmful to this character, particularly due to the open nature of the site and views from Wistow Road. The caravan would create an incongruous feature in the landscape by virtue of its siting, scale and appearance and the proposal would visibly encroach the residential character into the countryside and relate poorly to the remainder of the residential character along Wistow Road. The proposal would have a significant detrimental impact on the character and appearance of the area and fails to comply with Policies ENV1 (1), (4) and (5) of the Selby District Local Plan, and Policies SP18 and SP19 of the Core Strategy and paragraph 127 - 130 of the NPPF as the proposal would not add to the overall quality of the area or be sympathetic to local character.</p>	<p>Janet Waggott, Chief Executive</p>
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### Officer Decisions

Decision Title	Date Decision Made	Key or Non Key?	Decision	Decision Maker
<p><b>Award of Community Engagement Forum Grants</b></p>	<p>01-Apr-20</p>	<p>Non-key</p>	<p>To award £5,000 from each CEF area to their respective Community Support Organisation to act as a 'community float'</p>	<p>Angela Crossland, Head of Community, Partnerships and Customers</p>
<p><b>Award of the Contract for the Servicing, Repair and Installation of Gas Appliances and Associated Works in the Council's Housing Stock</b></p>	<p>29-Apr-20</p>	<p>Key - Decision Under Urgency</p>	<p>To award the contract for the servicing, repair and installation of gas appliances and associated works in the Council's housing stock.</p>	<p>June Rothwell, Head of Operational Services</p>



<b>Changes to the Discretionary Business Grants Policy, Phase 2 – 2020-21</b>	26-Jun-20	Non-key	To approve the changes to the Discretionary Business Grants Policy, Phase 2 2020-21.	Karen Iveson, Chief Finance Officer
<b>Draw down from Business Rates Equalisation Reserve to fund the 2019/20 General Fund year-end deficit</b>	08-Jul-20	Key - Decision Under Urgency	RESOLVED:  To approve the drawdown of £363k from the Business Rates Equalisation Reserve to finance the General Fund deficit.	Janet Waggott, Chief Executive
<b>Age UK Selby Support Funding (grant originally awarded to establish a Bingo group)</b>	In July 2020	Non-key	RESOLVED:  To change the use of the Central CEF grant funding from establishing a bingo club to provide a 'community float' to support older residents in the district who are affected or self-isolated by the Covid-19 epidemic.	Angela Crossland, Head of Community, Partnerships and Customers

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## Appendix B

Set out below are extracts from the Constitution where amendments have been made under delegation. The updated Constitution is available on the Council's website in full. Text in red has been added. Words in italics or scored through indicate where text has been deleted.

### Part 1 - Summary and Explanation

The Constitution is subject to and must be interpreted in accordance with legislation.<sup>1</sup>

<sup>1</sup> NB: Where there is conflict between the Constitution and any legislative changes the legislation takes precedence.

- submit questions to meetings of the Council and contribute to investigations when invited to do so by the overview and scrutiny committees.
- complain to the Monitoring Officer in line with the arrangements in part 5.2 of the constitution if they have evidence which they think shows that a councillor has not followed the Councillor Code of Conduct; and

### Part 2 – Articles of the Constitution

#### 1.4 Interpretation and review of the Constitution

The Constitution is subject to and must be interpreted in accordance with legislation.

Any reference in this Constitution to particular statutory provisions, or subsidiary legislation, shall include any subsequent statutory provisions or subsidiary legislation, which either replicates or substantially replicates any of those particular statutory provisions or subsidiary legislation.

Where the provisions of this Constitution require interpretation, such interpretation will be undertaken by the Monitoring Officer and/or in their absence their Deputy Monitoring Officer.

#### 4.1 Meanings

- (a) **Policy Framework.** The policy framework means the following plans and strategies:
- Corporate Plan
  - Asset Management Strategy
  - Statement of Licensing Policy (Gambling)
  - **Licensing Act 2003 Policy (Alcohol)**
  - Plans and strategies which together comprise the Development Plan.

#### **4.3 Council meetings**

There are three types of Council meeting:

- (a) the annual meeting;
- (b) ordinary meetings;
- (c) extraordinary meetings.

and they will be conducted in accordance with the Council Procedure Rules<sup>1</sup> in Part 4 of this Constitution.

<sup>1</sup> And/or the Remote Meeting Rules as applicable.

#### **7.6 Proceedings of the Executive**

Proceedings of the Executive shall take place in accordance with the Executive Procedure Rules set out in Part 4 of this Constitution.<sup>2</sup>

<sup>2</sup> And/or the Remote Meeting Rules as applicable.

#### **13.5 Decision-making by the Council**

Subject to Article 13.9, the Council meeting will follow the Council Procedures Rules set out in Part 4 of this Constitution when considering any matter.<sup>3</sup>

<sup>3</sup> And the Remote Meeting Rules where applicable.

#### **16.3 Publication**

- (a) The Chief Executive will make available a copy of this Constitution to each councillor upon delivery to him/her of that individual's declaration of acceptance of office on the councillor first being elected to the Council.
- (b) The Chief Executive will ensure that copies are available for inspection at the Council's offices,<sup>4</sup> its website, libraries and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee.

<sup>4</sup> Access to buildings will be subject to compliance with Covid-19 guidance. The Constitution is available on the Council's website.

**Part 3 - Responsibility For Functions**  
**Part 3.2 Summary of Responsibilities**  
**Shared Functions**

<b>Function</b>	<b>Decision-Making Bodies</b>	<b>Extent of Functions</b>
Plans and alterations which together comprise the Development Plan <sup>5</sup>	The Executive	Formulation and Development
	The Council	Adoption, amendment and modification
Licensing Policy Statement (Gambling) <sup>6</sup>	The Executive	Formulation and Development
	The Council	Adoption, amendment and modification
Licensing Act <sup>7</sup> 2003 Policy (Alcohol)	The Executive	Formulation and Development
	The Council	Adoption, amendment and modification

<sup>5</sup> S38 and s15 Planning and Compulsory Purchase Act 2004

<sup>6</sup> S349 Gambling Act 2005

<sup>7</sup> Licensing Act 2003

**Role and Composition of the Executive**  
**Members of the Executive**

Councillor Mark Crane – Leader of the Council with specific responsibility for Strategic Matters, External Relations, Leisure and Partnerships

Councillor Richard Musgrave – Lead Councillor for Place Shaping and Deputy Leader of the Council

Councillor Clifford Lunn – Lead Councillor for Finance and Resources

Councillor David Buckle – Lead Councillor for Communities and Economic Development

Councillor Chris Pearson – Lead Councillor for Housing, Health and Culture

## **The Leader**

### **Main Role**

To lead on **leisure**, the development of external relations and local, regional, national and European policy and strategic partnerships.

## **Deputy Leader and Place Shaping Portfolio**

### **Main Duties and Responsibilities**

iv. To lead on the Housing Delivery Programme Board to give strategic oversight and direction to the implementation of the Council's Housing Delivery Plan

## **Individual Executive Councillor Decision making for 2019/20**

### **3.4.2 LICENSING AND APPEALS COMMITTEE**

(c) Animal welfare functions under The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

## **PART 3.7 - JOINT COMMITTEES**

### ***REMOVED paragraph 3.7.2 North Yorkshire Procurement Partnership***

### **3.9.3 Specific Functions delegated to the Chief Executive**

- (i) to have authority over all other officers (except the Monitoring Officer and the Section 151 Officer when either act in that capacity) and to be able to approve sub delegation of any **of** their functions in their absence;
- (g) Under the Data Protection Act **2018** and Freedom of Information Act 2000, and guided by the Access to Information Procedure Rules, to decide appeals as to whether applications by councillors for access to material should be refused.

### **3.9.5 Specific Functions delegated to the Solicitor to the Council**

- (d) To undertake all of the Council's functions in connection with:
  - Local Authority Legal Services
  - Local Land Charges and Searches/Enquiries
  - 
  - 
  - National Assistance Act 1948 and subsequent legislation
- (i) To be responsible for **the provision of legal advice to the 151 Officer relating to** information governance

### **3.9.6 Specific Functions delegated to the Chief Finance Officer (s151)**

- (xiii) **Information governance including Freedom of Information and Data Protection**

## **Part 4 - Rules of Procedure**

### **4.1 - Council Procedure Rules**

#### **Annual Meeting of the Council**

##### **Timing and Business**

The Annual Meeting of the Council shall be held<sup>1</sup>:

<sup>1</sup> Unless otherwise determined by the Council (or Chief Executive exercising emergency powers) pursuant to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

##### **Time and place of meetings**

The time and place of meetings will be determined by the Council and notified in the summons sent by the Chief Executive <sup>2</sup>

<sup>2</sup> Unless otherwise determined by the Council (or Chief Executive exercising emergency powers) pursuant to The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

### **4.8– Contract Procedure Rules**

#### **CONTRACT PROCEDURE RULES – Appendix C**

2.7 Failure to comply with the CPRs **are a serious matter and** may result in disciplinary action.

2.8 Breaches to these CPR's are to be reported to the Head of Commissioning, Contracts and Procurement in the first instance who will ascertain if a material breach has occurred. Where further action is judged necessary the breach will be reported to Leadership Team to determine appropriate action.

2.9 A record of all breaches will be maintained by the Commissioning, Contracts and Procurement team.

#### **Key Decision and Forward Plan**

##### **9.4 Publication of the Forward Plan**

11.3 The estimated Value of the Contract shall be recorded in writing prior to quotations being sought. Quotations above £25,000 **must** be invited using the E-Sourcing system, **unless an alternative method is agreed with the Head of Commissioning, Contracts and Procurement, or a nominated officer.**

11.4 If a Director or Head of Service considers it to be appropriate that any ITQ shall be available to all potential Participants then a notice advertising the opportunity shall be published through the E-Sourcing System (**unless alternative is agreed**) and, if considered appropriate, a local newspaper and a suitable professional or trade journal or website. The form of advertising shall take into account the Value, location and subject matter of the Contract. The notice shall specify brief details of the Contract, how the ITQ documents may be obtained and the closing day for receipt of

quotations by the Council.

12.2 Where there are sufficient numbers of providers at least **four** written tenders will be invited. Tenders must be invited by publishing an open opportunity on the E-Sourcing System, **unless an alternative method is agreed with the Head of Commissioning, Contracts and Procurement, or a nominated officer.**

13.3 All OJEU Contract notices must also be published on Contracts Finder.

The current thresholds (as at January 2020) are: **[DATE & FIGURES HAVE BEEN AMENDED]**

Goods OR Services - £189,330

Works - £4,733,252

Contracts for Social and other Specified Services - £663,540 (light touch regime)

### **18.3 Open Tenders**

If a Contract (including a Contract for Social or Other Specific Services or a Contract for Works) has a Value in excess of £50,000 but below EU threshold then the following procedures shall apply:

- (i) A notice advertising the opportunity shall be published through the E-Sourcing System and Contracts Finder, **unless an alternative method is agreed with the Head of Commissioning, Contracts and Procurement, or a nominated officer** and, if considered appropriate, a local newspaper and a suitable professional or trade journal or website. The form of advertising shall take into account the Value, location and subject matter of the Contract. The notice shall specify brief details of the Contract, how the ITT documents may be obtained and the closing date for receipt of tenders by the Council.

### **19. Restricted Tenders**

Only in the case of Social or Other Specific Service Contracts or Works Contracts in excess EU thresholds if a Director or Head of Service in consultation with the Solicitor to the Council, **considers** it appropriate that any tender shall be restricted to selected participants by following the restricted procurement procedure, then the following procedures shall apply:

- (i) A notice advertising the opportunity and inviting expressions of interest shall be published through the E-Sourcing System, **unless an alternative method is agreed with the Head of Commissioning, Contracts and Procurement, or a nominated officer** and, if considered appropriate, a local newspaper and a suitable professional or trade journal or website. The form of advertising shall take into account the Value, location and a subject matter of the Contract. The notice shall specify brief details of the Contract and invite potential Participants to complete a request to participate for submission to the Council in order to be considered to be invited to tender. The notice shall include details as to how requests to participate are to be submitted and the closing date for their receipt by the Council.



## 20. Framework Agreements

**[DELETED SECTION 21 - APPROVED LIST OF PROCEDURE]**

### Submission Receipt, Opening and Registration of Tenders

23.4 Emailed tender documents or tender submissions are not acceptable for procurements that have a Value above £5,000, **unless approved by the Head of CC&P, or nominee**

### Submission of Tenders

26.3 Where the electronic tendering system is unavailable or deemed not appropriate for the procurement exercise, authorisation to use alternative electronic means of tender submission is required from **the Head of Commissioning, Contracts and Procurement, or a nominated officer**, Invitations to Tender may be transmitted by electronic means.

### Waiver of Contract Procedure Rules

32.2 ...

- (vii) The purchase of a work of art, **performing art, animation / video** or museum specimen;

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# Minute Extract

## Audit & Governance Committee

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Venue:	Microsoft Teams Live Event - Remote
Date:	Wednesday, 29 July 2020
Time:	5.00 pm
Present remotely via Teams Live Event:	Councillors K Arthur (Chair), N Reader (Vice-Chair), J Chilvers (from agenda item 8), D Brook, J Duggan, K Franks, E Jordan and J Mackman
Officers present remotely via Teams Live Event:	Karen Iveson (Chief Finance Officer), Alison Hartley (Solicitor to the Council and Monitoring Officer), Palbinder Mann (Democratic Services Manager), Nicola Hallas (Manager, Mazars LLP), Ed Martin (Audit Manager, Veritau), Jonathan Dodsworth (Assistant Director - Corporate Fraud, Veritau); and Dawn Drury (Democratic Services Officer)
Others present remotely via Teams Live Event:	Councillor C Lunn (Lead Executive Member for Finance and Resources)

### 13 REVIEW OF THE CONSTITUTION 2020 (A/20/7)

The Committee received the report, presented by the Solicitor to the Council and Monitoring Officer, which provided an update on the amendments made to the Constitution of the Council following a review undertaken in her role as Monitoring Officer, as set out at appendix A of the report and appendix 1 of item 14 of the agenda.

The Committee noted that the changes which had been made by the Monitoring Officer under delegation were either administrative, as a result of legislative changes, or as approved by the Audit and Governance Committee in the resolution dated 10 April 2019 in relation to standards arrangements; and also included giving effect to new remote meeting procedure rules.

#### **RESOLVED:**

Audit & Governance Committee – Minutes

Wednesday, 29 July 2020

Page 271

**To note the changes to the Constitution of the Council as set out at appendix A of the report and appendix 1 of item 14 of the agenda; and refer the same to full Council for noting.**

**16 DECISIONS TAKEN UNDER URGENCY DUE TO COVID-19 (A/20/10)**

The Solicitor to the Council and Monitoring Officer presented the report, which provided members with details of the decisions taken by the Leader of the Council and senior officers under urgency procedures between 23 March 2020 and 14 July 2020 due to the Coronavirus lockdown, as attached at appendix 1.

The Committee was informed that on 23 March 2020 the Leader of the Council took a decision using his urgency powers to cancel all meetings to ensure that the Council could adhere to government guidance regarding social distancing during the Coronavirus crisis. It was further explained that until 4 April 2020, the Local Government Act 1972 required Members to be present in the room to vote, it was therefore not possible to undertake lawful decision making other than through delegation.

Members noted the urgent decisions taken by the Leader of the Council and senior officers at appendix 1 and would be reported to full Council by the Chair of Audit and Governance in the Chair's update which is given at each Council meeting.

**RESOLVED:**

**To note the decisions taken under urgency by the Leader of the Council and senior officers between 23 March 2020 and 14 July 2020 due to the Coronavirus lockdown; and refer the same to full Council for noting.**

The meeting closed at 6.38 pm.

## Minute Extract

### Licensing Committee

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Venue:	Microsoft Teams - Remote
Date:	Thursday, 20 August 2020
Time:	10.00 am
Present remotely via Teams:	Councillors K Ellis (Chair), R Sweeting (Vice-Chair), J Chilvers, S Duckett, I Chilvers, T Grogan, J Duggan, M McCartney and P Welch
Officers present remotely via Teams:	Alison Hartley, Solicitor to the Council and Monitoring Officer, Jade Reynolds, Solicitor, Sharon Cousins, Licensing Manager; and Dawn Drury, Democratic Services Officer

#### **7 TEMPORARY PAVEMENT LICENSES**

The Licensing Manager presented the report which updated the Committee on the urgent decisions taken by the Chief Executive in consultation with the Chairman of the Licensing Committee on the 24 July and 31 July 2020.

The Committee were informed that the Business and Planning Act 2020 received Royal Assent on 22 July 2020 and came into force immediately, the Act introduced a new Pavement Licence to provide a fast track procedure for the grant of a licence through temporary changes to the current regulatory procedures until 30 September 2021. It was further explained that this was a new responsibility for the Council and the Council had to react expediently to put a procedure in place.

Members heard that on 31 July 2020, the Chief Executive and the Chairman of the Licensing Committee, agreed to lower the fee for the pavement licence from £100 to £50 to help businesses further during the COVID pandemic.

Discussion took place regarding waiving the pavement licence fee as the Committee felt that it was not appropriate to charge when the Council could be helping the small businesses who had been hit by the pandemic. One of the Members had contacted other local councils; Bradford, Wakefield and Leeds amongst others and found they had not introduced the fee.

The Solicitor to the Council and Monitoring Officer confirmed that if the Committee were all in agreement that it was within their remit to set fees, and a decision could be taken at the meeting.

The Committee were informed that the original decisions made by the Chief Executive and the Chairman of Licensing Committee attached at Appendix 1 would still be reported to Council, and that no applications had been determined for a pavement licence so there would be no impact if the fee were now set at £0.

It was proposed, and seconded that the pavement licence fee be waived, the vote was unanimous.

**RESOLVED:**

**To note the urgent decisions taken and refer the same to Council for noting, and to waive the fee for Pavement Licences.**

*Reason for decision:*

*To help support businesses within the Selby district to recover from the disruption caused by COVID-19 and to succeed in these challenging times, while allowing members of the public to benefit from this outdoor environment.*

The meeting closed at 10.55 am.



**Report Reference Number: C/20/6**

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**To: Council**  
**Date: 22 September 2020**  
**Ward(s) Affected: All**  
**Author: Palbinder Mann, Democratic Services Manager**  
**Lead Executive Member: Councillor Mark Crane, Leader of the Council**  
**Lead Officer: Alison Hartley, Solicitor the Council**

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**Title:** Allocation of Committee Places

**Summary:**

The establishment of Committees, the allocation of seats to political groups and the appointment of Members to serve on Committees is a matter for decision by the Council.

The Local Government and Housing Act 1989 places a duty on local authorities to allocate committee seats to political groups. The circumstances in which a review of the allocation of Committee seats must take place is prescribed in Section 17 of The Local Government (Committees and Political Groups) Regulations 1990. Due to the recent political changes and the resignation of a Councillor, a review of the allocation of Committee places has taken place.

**Recommendations:**

- i) To confirm one of the following options concerning the Planning Committee:**
  - 1) That the remaining seat on the Planning Committee be left unallocated, or**
  - 2) To allocate the seat outside the political balance rules to another Member provided that no Member votes against the proposal.**
- ii) To agree the allocation of Committee places as outlined at Appendix A.**

**Reasons for recommendation**

To meet legislative requirements and to enable the proper functioning of the Council in the 2020/21 municipal year.

## **1. Introduction and background**

- 1.1 The decision regarding the establishment of Committees, the allocation of seats to political groups and the appointment of Members to serve on Committees is usually taken at Annual Council.
- 1.2 Due to Covid-19, the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 allowed local authorities to not hold annual meetings and carry forward memberships of Committees to the next municipal year.
- 1.3 Due to the recent political changes and the resignation of a Councillor, a review of the allocation of Committee places has taken place.

## **2. Review of Allocation of Committee Places**

- 2.1 Section 15 of the Local Government and Housing Act 1989 places a duty on the Council to allocate seats on Ordinary Committees of the Council between the political groups in accordance with the following principles :-
  - a) That not all the seats on the body to which appointments are being made are allocated to the same political group;
  - b) That the majority of seats on each committee are allocated to a particular political group if the number of persons belonging to that group is a majority of the authority's membership;
  - c) That subject to (a) and (b), when allocating seats to a political group, the total number of their seats across all the ordinary committees of the Council, must reflect their proportion of the authority's membership; and
  - d) Subject to (a) to (c), that the number of seats on each committee is as far as possible in proportion to the group's membership of the authority.
- 2.2 The Local Government and Housing Act 1989 requires that, once the Council has determined the allocation of committee places between the political groups, the Council must then appoint the nominees of the political groups to the committees.
- 2.3 For the purpose of this process there are three political groups making up the Council; the Conservative Group, the Labour Group and the Independent Group. A group consists of two or more members of Council who have indicated that they wish to be treated as a group. Councillors that are not members of political groups have no entitlement to an allocation of seats on



Committees. Political groups are entitled to their proportion of seats and once their entitlement has been reached, any remaining seats may be filled by Councillors not belonging to a political group.

- 2.4 A review of the allocation of Committee Places has taken place due to the political changes at the Council and the resignation of a Councillor. Councillors Ellie Jordan and Mike Jordan have moved to the Conservative Group from the Yorkshire Party. Councillor Paul Welburn has resigned from the Council therefore the Council is currently carrying a vacancy.
- 2.5 Following the recalculation, the allocation of Committee places is allocated below (changes from the previous allocation have been highlighted by the ‘+’ icon:

<b>Committee</b>	<b>Total Seats</b>	<b>Conservative</b>	<b>Labour</b>	<b>Independent</b>	<b>Ungrouped</b>
<b>Audit and Governance</b>	8	5 (+1)	2	(+1)	0
<b>Policy Review</b>	8	5 (+1)	2	1	0
<b>Scrutiny</b>	8	5 (+1)	2	1	0
<b>Planning</b>	9	5	2	1	1 (+1)
<b>Licensing</b>	10	6 (+1)	3	1	0

- 2.6 Places have been allocated depending on the rounding up of seats after the calculation between the political balance of the Council and how this is broken down to the number of places for each Committee. With regard to the Planning Committee, due to each political group not having achieved enough of a figure to be awarded a seat after calculation, this seat is offered to any ungrouped members.
- 2.7 Having been offered the seat on the Planning Committee, the ungrouped Member, Councillor Brook has declined the place therefore it remains unallocated in accordance with the political balance rules. Council has the option of allocating the seat outside the political balance rules to another Member provided that no Member votes against the proposal.
- 2.8 The allocation for all other seats is attached at Appendix A.

### **3. Implications**

#### **3.1 Legal Implications**

The relevant pieces of legislation are The Local Government and Housing Act 1989 and The Local Government (Committees and Political Groups) Regulation 1990.

### **3.2 Financial Implications**

Councillors are entitled to claim for travel expenses incurred when attending meetings physically.

## **4. Conclusion**

- 4.1 Council is asked to consider the proposals outlined in the report concerning allocation of Committee Places

## **5. Background Documents**

None

## **6. Appendices**

Appendix A – Allocation of Committee Places (to follow)

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

Palbinder Mann  
Democratic Services Manager  
01757 292207  
[pmann@selby.gov.uk](mailto:pmann@selby.gov.uk)



**Report Reference Number: C/20/7**

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**To: Council**  
**Date: 22 September 2020**  
**Ward(s) Affected: All**  
**Author: Palbinder Mann, Democratic Services Manager**  
**Lead Officer: Alison Hartley, Solicitor to the Council**  
**Lead Executive Councillor David Buckle, Lead Executive Member:**  
**Member for Communities and Economic Development**

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**Title: Call-In of Executive Decision Relating to the Review of Car Parking Tariffs (Covering Report)**

### **Summary:**

The Scrutiny Committee called in the decision made in respect of report E/20/9 – Review of Car Parking Tariffs 2020 which was made by the Executive at their meeting on 3 September 2020. They discussed the call in at their meeting on 17 September and resolved to refer the Call-In to Council for consideration.

### **Recommendations:**

**Council is asked to consider the Call-In referral from the Scrutiny Committee and agree one of the following options:**

- **Not object to the decision made by the Executive which will mean the decision will become effective with immediate effect; or,**
- **Refer the decision back to the Executive with Council's views on the decision**

### **Reasons for recommendation**

**To ensure the Call-In procedure is followed as outlined in the Constitution.**

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

- 1.1 A Call-In request was received from Councillors Duckett, Franks, Nichols, Packham, Jennifer Shaw-Wright, Steve Shaw Wright and Welch. The request

asks the Scrutiny Committee to consider the decision made by the Executive at their meeting on 3 September 2020 in respect of report E/20/9 – Review of Car Park Tariffs 2020. The report considered by the Executive is attached at Appendix A and the draft minutes of the Executive are attached at Appendix B.

- 1.2 The Scrutiny Committee considered the Call In at their meeting on 17 September 2020 and resolved to refer the decision to Council. The draft minutes of the Scrutiny Committee are attached at Appendix C

## **2. The Report**

- 2.1 The Constitution states that Call-In should only be used where Councillors have evidence which suggests that the decision-maker(s) did not take the decision in accordance with the principles set out in Article 13 of the Constitution.

- 2.2 The decision made in respect of the Review of Car Park Tariffs 2020 was called in on the following grounds:

- All the relevant matters have not been fully taken into account in reaching a decision (Article 13.1 (b)).

- 2.3 In referring the decision to Council, the Scrutiny Committee provided the following reasons:

- the Committee were not convinced of the fullness of the report or the meaning behind the description of the ‘fragile economy’ of Tadcaster;
- concerns around the split between Selby and Tadcaster;
- the lack of consultation with local communities in Selby, Tadcaster and Sherburn; and
- that the report does not mention clearly that cash payments will still be available.

- 2.4 If Council considers the matter and does not object to the decision that has been made, no further action will be necessary and the decision will become effective with immediate effect.

- 2.5 If Council does object to the decision, it has no provision to make changes in respect of an Executive decision unless it is contrary to the policy framework or contrary to or not wholly consistent with the budget.

- 2.6 If the Council does object and unless it considers the wording in paragraph 2.5 to be the case, it will refer the decision back to the Executive, together with the Council’s views on the decision. Following this, within 20 clear working days of receiving the views of the Council, the Executive shall decide whether to amend the decision or not before implementing it.

- 2.7 The rules of Call-In are outlined in Part four of the Constitution.

### **3. Implications**

#### **3.1 Legal Implications**

3.1.1 Any legal issues are covered in the original report E/20/9 which was considered by the Executive.

#### **3.2 Financial Implications**

3.2.1 Any financial issues are covered in the original report E/20/9 which was considered by the Executive.

### **4. Conclusion**

Council is asked to consider the Call-In referral from the Scrutiny Committee and decide what course of action is appropriate.

### **5. Background Documents**

None

### **6. Appendices**

Appendix A – Review of Car Parking Tariffs 2020 report.

Appendix B – Minute Extract from the Executive meeting on 3 September 2020.

Appendix C – Minute Extract from the Scrutiny Committee meeting on 17 September 2020

#### **Contact Officer:**

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01757 292207

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## APPENDIX A

**Report Reference Number:** E/20/9

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**To:** Executive  
**Date:** 3 September 2020  
**Status:** Key Decision  
**Ward(s) Affected:** Selby  
**Author:** June Rothwell, Head of Operational Services and  
Keith Cadman, Head of Contracts and  
Commissioning  
**Lead Executive Member:** Councillor David Buckle, Lead Executive Member for  
Communities and Development  
**Lead Officer:** Suzan Harrington, Director Corporate Services and  
Commissioning

---

**Title:** Review of Car Parking Tariffs 2020

### Summary:

On 2 November 2017 the Executive approved the Car Park Strategy (CPS) and a preferred tariff option (revised Option 2) for statutory consultation. Delegated authority was given to the Director of Corporate Services & Commissioning in consultation with the Solicitor to the Council and Executive Lead Member for Communities and Economic Development to finalise the terms of this decision following statutory consultation.

The CPS supports and underpins the ambitions of Selby District Council's Economic Development Framework and aligns to the Corporate Plan objectives. Significant consultation was undertaken alongside detailed information gathering to inform a review of car park tariffs using survey data and analysis of car park usage.

Following the decision to adopt the CPS, Traffic Regulation Orders (TROs) were drafted for statutory consultation and would have been issued in January 2018. However, at that time a request was received to delay issue of the TRO's pending negotiations regarding the future of the Central car park at Tadcaster, as the outcome of discussion could impact upon the validity of the draft CPS.

During the ongoing discussions, requests have been received seeking a review of the tariff scheme and to consider whether to treat Selby and Tadcaster separately for the purpose of future tariff schemes.

This report provides details of the options for potential car park tariffs. Each has differing implications and Members are asked when considering an appropriate tariff scheme, to balance the support for the local economy and financial impacts, with

the need to sustain income which is sufficient to cover the cost of providing and maintaining the car park service.

**Recommendations:**

- I. **The Executive considers the 4 options set out in this report and approves one of the following:**

**Option 1 - discontinue the process to implement car park tariff which would have introduced charges for the car parks in Tadcaster and provided 1 hours free parking in Selby and 2 hours free parking at Tadcaster.**

**Option 2 – implement a new tariff scheme as approved by the Executive in 2017, this would introduce charges in all car parks at Tadcaster and provided 1 hour free period in Selby and 2 hour free period in Tadcaster.**

**Option 3 – introduce a new tariff scheme which will extend short stay car parking from 2 to 3 hours in Selby as set out in the report.**

**Option 4 – Introduce a new tariff scheme which will extend short stay parking from 2 to 3 hours in Selby and introduce a minimum £1 charge for up to 2 hours stay as set out in the report.**

- II. **Should Option 4 be approved, the Executive recommend to Council that £16k be added to the capital programme in 2020/21 to cover the costs of implementing cashless payments, to be financed from the Asset Management Reserve.**

**Reasons for recommendation:**

1. Having regard to the ongoing discussions in relation to Tadcaster Central Car Park, to achieve at this time, the objective to use the Council's car parks as a platform to boost the local economies of the district by improving the customer experience, whilst supporting the Council's efficiency.
2. To address any shortfall in car park tariff income which may arise from a new tariff scheme.
3. To enable the Council to influence customer behaviour, attracting more users to under used car parks and town centre footfall.
4. To achieve the Council's corporate priority of delivering great value.

**1. Introduction and background**

1.1 The draft Car Park Strategy was approved by the Executive on 2 November 2017.

1.2 The draft Car Park Strategy sets out five priorities:



1. To meet customer needs with regard to car park provision;
  2. To establish a fair, sustainable and value for money tariff scheme that support the of local facilities by the customer;
  3. To provide well-maintained car park facilities which meet the needs of customers;
  4. To enforce car park charges effectively ensuring equity and consistency for customers; and
  5. To maximise use of car parks for the benefit of the local community and local businesses.
- 1.2 The CPS did not propose a new tariff scheme, rather an approach to setting of a new tariff scheme. The strategy provides a service framework and focuses on town centre vitality; supporting the Council's growth ambitions. The draft strategy proposed improvements in the appearance of car parks, reviewing the tariffs with an aim to support growth.
- 1.3 Selby District Council operates 14 managed car parks across the district, of these a charge is levied (tariff) for the 9 car parks in Selby Town. The Council currently provides 8 short stay car parks in Selby Town:
- Micklegate (52 spaces)
  - Church Hill (8 spaces)
  - Selby Park (32 spaces)
  - Market Cross (48 spaces)
  - Audus Street (51 spaces)
  - South Parade (54 spaces)
  - Portholme Crescent (146 spaces)
  - Selby Leisure Centre Car Park (130 spaces)
- Charges for short stay are: up to 1 hour - 50p, up to 2 hours - £1, over 2 hours - £5.40, traders pay - £14.30 per space per day.
- 1.4 The Council provides one long stay car park, Back Micklegate, having closed the Portholme Road long stay car park this year following the decision made by the Executive that it is surplus to requirements.
- 1.5 Car parks in Selby are open (and chargeable) from 8am-6pm Monday-Saturday. Sunday is free.
- 1.6 At Tadcaster the car parks provide a mix of long and short stay spaces and are provided at:
- Central area (154 spaces)
  - Britannia (90 spaces)

The Council does not make a charge to park in these car parks.

1.7 In Sherburn-in-Elmet the Council provides two car parks:

- Church View (29 spaces)
- Low Street (15 spaces)

The Council does not make a charge to park in these car parks.

1.8 All car parks offer free parking to any disabled drivers whilst displaying a valid disabled badge. Disabled drivers may park in a designated disabled bay or any other bay free of charge. Disabled drivers are also permitted to use the car parking space for longer than the designated short stay period.

1.9 We offer residents an opportunity to reduce their parking fees by buying a parking permit. The following are available:

#### Short Stay

- 3 months = £258
- 6 months = £515
- 12 months = £936

#### Long Stay

- 3 months = £130
- 6 months = £258
- 12 months = £468

1.10 Parking enforcement, including the issuing of Fixed Penalty Notices for Selby is operated by Harrogate Borough Council on behalf of the Council. This means Harrogate issues penalty charge notices and deal with all appeals on our behalf.

1.11 There are two different levels of penalty. Parking where waiting, stopping or loading are prohibited will constitute a higher-level contravention, with a charge of £70. Failure to comply with the requirements in designated parking areas will lead to a charge of £50. Both of these charges are discounted by 50% to £25 (£50 PCN) or £35 (£70 PCN) if the PCN is paid in the first 14 days.

1.12 New updated pay machines were installed in the car parks in 2018. These machines currently take cash payments and have the option to upgrade to take card and also contactless payments.

## **2. The Report**

2.1 In 2017 a range of 6 tariff options were provided for Executive to consider. After consideration the Executive selected revised Option 2 (set out in the table below) as the preferred option for implementation.

Selby Long Stay	1 hour	£1.50
	2 hours	£1.50
	3 hours	£1.50
	All day	£3.00
Selby Short Stay	1 hour	Free
	2 hours	£1.00
	All day	£5.40
Tadcaster	1 hour	free
	2 hours	free
	3 hours	£1.00
	All day	£3.00

2.2 Option 2 was selected as it considered the fragile economy of Tadcaster and the views of the car parks' customers providing an additional free hour therefore supporting the short stay retail/leisure users and in turn high street shops. It was therefore considered the revised option 2 was better suited to helping the tariff achieve the Car Park Strategy's overriding objective "*to use the Council's car parks as a platform to boost the local economies of the District by improving the customer experience*".

2.3 The reasons for selecting option 2 were recorded in the minutes of Executive:

1. To achieve the objective to use the Council's car parks as a platform to boost the local economies of the district by improving the customer experience, whilst supporting the Council's efficiency.
2. To ensure that car park tariffs enable the Council to cover the cost of car park provision.
3. To enable the Council to influence customer behaviour, attracting more users to under used car parks and assisting town centre footfall.
4. To achieve the Council's corporate priority of delivering great value.
5. To facilitate a programme of improvements to the car parks.

### **Review of tariff options**

2.4 The proposal to introduce charges at Tadcaster followed two surveys of car park usage. Both surveys found that the car parks were being extensively used by employees of local businesses who were parking all day in the car parks. This limited the number of spaces available for shoppers and visitors to Tadcaster. This was contrary to the objectives of the CPS set out above. In addition, the cost of providing and operating the Tadcaster car parks is being met by Council Taxpayers. The cost of provision is not being recovered from the users.

2.5 Since the decision of the Executive to consult upon the introduction of charges at Tadcaster, discussions regarding the long-term future of Tadcaster

Central car park have been taking place. The outcome of the discussions could impact fundamentally upon the tariff and therefore it is recommended that at this time the Executive discontinues the process to implement car park tariff, option 2, which would have introduced charges for the car parks in Tadcaster and provided 1 hours free parking in Selby and 2 hours free parking at Tadcaster.

- 2.6 The Executive is asked to consider options for the future tariff scheme.

**Option 1 - Continue with the current scheme**

- 2.7 The current scheme is:

Selby Long Stay	1 hour	£1.20
	2 hours	£1.20
	3 hours	£1.20
	All day	£3.00
	Traders pay for the day	£14.30 per space
Selby Short Stay	1 hour	50p
	2 hours	£1.00
	All day	£5.40
Tadcaster	1 hour	free
	2 hours	free
	3 hours	free
	All day	free

In 2017, the Executive did not support this option. It was felt that although this option would continue to support long stay parking in sustainable locations, it would not encourage the shift of customers in Tadcaster from using the car parks all day, and thus not address the issue of long stay parkers or encouraging turnover to support local economy.

- 2.8 If the Executive decide to continue with the current tariff scheme there would be no requirement to issue revised TRO's. This would reduce the risk of protracted legal processes to introduce a tariff scheme. It would enable discussions in relation to Central car park to continue and leave flexibility for the Council to reconsider any implications for a CPS once the outcome of those discussions are more certain.
- 2.9 The service and financial impact remains the same; the current level of income which achieves full cost recovery would be sustained. During 2019/20 there was an overall surplus of £122k which contributes to the long-term maintenance of the car parks of which there was capital spend of £198k.

**Option 2 - Implement the charging scheme approved by the Executive on 2 November 2017**

- 2.10 This tariff is set out in paragraph 2.1 of this report. This would provide two hours free in Tadcaster and charges of £1.00 for 3 hours and £3.00 for all day

parking. A one hour free period would be introduced in Selby Town car parks. The advantage of this option seeks to achieve the objectives of the CPS - that the Council would operate the service at full cost recovery; the use of the charge parks would change; discouraging all day parking by employees of local businesses and residents who are parking all day free of charge and releasing spaces for shoppers and visitors to the High Street.

- 2.11 However, the ongoing discussions in relation to a long-term option to develop Central car park for housing and provide alternative car parking elsewhere in Tadcaster has resulted in a pause to implementing Option 2.
- 2.12 Discussions with Sam Smiths Old Brewery, Tadcaster (SSOBT) indicate that SSOBT may want to provide replacement car parks on SSOBT land for free parking. This would require consideration of how provision of parking would be guaranteed in the long term and of the loss of potential income which would be generated from the Tadcaster car parks.
- 2.13 This option would require the Council to issue new TROs and could find the legal processes protracted. Discussions are continuing with SSOBT, and the outcome of discussions could impact upon the draft CPS proposed in Option 2.
- 2.14 This option would broadly break even in terms of income gained in Tadcaster and lost in Selby but should be noted there would be additional maintenance, cash collection and processing costs associated with ticket machines in Tadcaster.

**Option 3 – Retain current charges and extend short stay from 2 hours to 3 hours**

- 2.15 This option would retain the current tariff scheme and extend to short stay period from 2 hours to 3 hours. Charges would be as set out below:

Selby Long Stay	1 hour	£1.20
	2 hours	£1.20
	3 hours	£1.20
	All day	£3.00
Selby Short Stay	1 hour	50p
	2 hours	£1.00
	3 hours	£1.50
	All day	£5.40
Tadcaster	1 hour	free
	2 hours	free
	3 hours	free
	All day	free

- 2.16 This option would continue to support long stay parking in sustainable locations. It would allow shoppers and visitors to the town to stay for a longer period in the short stay car parks at a lower fee. The aim is to encourage visitors to stay longer in the town to support the high street. It would not

encourage the shift of customers in Tadcaster from using the car parks all day, and thus not address the issue of long stay parkers or encouraging turnover to support local economy.

- 2.17 If the Executive decide to revise the current tariff scheme there would be a requirement to issue revised TRO's. Given the marginal change in the tariff scheme there would be a low risk of a protracted legal process to introduce a tariff scheme. It would enable discussions in relation to Central car park to continue and leave flexibility for the Council to reconsider any implications for a CPS once the outcome of those discussions are more certain.
- 2.18 Further analysis of the usage is required, but income would largely be unaffected, potentially seeing greater use of Back Micklegate Car Park for Long Stay and paying £1.50 to stay for 3 hours rather than £5.40 for anything over the previous 2 hour limit in the short stay car parks. Assuming that occupancy levels remain the same, that 50% of the short stay car park users stayed a maximum of 3 hours rather than pay for all day and 50% of the customers stayed 3 hours instead of 2 for an extra 50p.

**Option 4 – Introduce a new tariff scheme which will extend short stay parking from 2 to 3 hours in Selby and introduce a minimum £1 charge for up to 2 hours stay.**

- 2.19 This option would amend the current tariff scheme to introduce a minimum charge of £1 for up to 2 hours and extend to short stay period from 2 hours to 3 hours. Charges would be as set out below:

Selby Long Stay	1 hour	£1.50
	2 hours	£1.50
	3 hours	£1.50
	All day	£3.00
Selby Short Stay	1 hour	£1.00
	2 hours	£1.00
	3 hours	£1.50
	All day	£5.40
Tadcaster	1 hour	free
	2 hours	free
	3 hours	free
	All day	free

- 2.20 This option would continue to support long stay parking in sustainable locations. It would allow shoppers and visitors to the town to stay for a longer period in the short stay car parks. Currently 144,855 1 hour tickets are sold in Selby car parks generating income of £72k (£60k net of VAT) at 50p per ticket. Introducing a minimum charge of £1.00 for up to 2 hours could potentially increase income by £72k (£60k excluding VAT) assuming customer usage remains unchanged. This option could contribute to meeting the cost of introducing card and contactless payments dependent upon the demand to pay by card.

- 2.21 The aim is to encourage visitors to stay longer in the town to support the high street. It would not encourage the shift of customers in Tadcaster from using the car parks all day, and thus not address the issue of long stay parkers or encouraging turnover to support local economy.

### **Introducing card payments**

- 2.22 The current Pay & Display (P&D) units were installed in advance of the introduction of the new £1 coin in March 2017 to ensure compatibility and provide P&D hardware that could be upgraded to accommodate alternative payment systems to cash in the future.
- 2.23 The P&D machines can be upgraded on a 'plug and play' basis in so much as card readers, keyboards, contactless scanners etc can be purchased and simply plug into the existing P&D machines. This does require an engineer to attend site to commission the internal software.
- 2.24 The P&D company have advised the additional hardware to upgrade the machines for cashless payments is readily available with no supply chain issues due to Covid-19 restrictions. They have also advised there is a minimum 12-week delivery period from receipt of order subject to the level of demand. Upon receipt of hardware and any software changes required an engineer will also need scheduling to conduct the install and commissioning of the hardware and software which can take a further four weeks.
- 2.25 In addition to the hardware and software installs contracts will need to be entered into for the card payment processing. In simple terms each card transaction must be processed by the P&D machine software to send payment details to a payment processing company who then send details to a clearing bank for final payment processing from the customer's account. This is fully described in Appendix A. The cost to upgrade the machines will be £16,387.
- 2.26 Card payment processing does incur a 'transaction charge' for each card payment made which consists of three transaction charges for each card payment. The P&D company charge for initial processing, the payment processing company make a charge and the clearing banks make a charge. Transaction charges are based on volumes, the higher the volume of transactions the lower the charge. This makes it difficult to estimate the transaction cost that Selby would incur. However, indicatively the charge to Selby for each card payment are likely to be 14p for the P&D machine processing, 6p for the payment processing company and 1p for the clearing bank. Total transaction charge for a card payment is likely to be in the region of 21p per card payment. In addition, should a refund be required this too would incur similar transaction charges to credit the customer's account. Based on current transactions of approximately 400,000 per year, to go cashless would incur costs of £84k, 50% by card transaction £42k and 25% £21k per year.

- 2.27 Selby leisure centre is used pre-dominantly by users of the leisure facilities on site and there is an agreement in place whereby users of the facilities can claim back any car park fees on production of a valid pay and display ticket. IHL currently re-imburses users with the cash equivalent of the car park fee paid.
- 2.28 If cashless payments were introduced at Selby Leisure Centre Car Park IHL would not be able to refund parking fees of customers due to all IHL electronic systems being linked to IHL Banking provider. A card refund would have to be processed by Selby District Council creating additional work for Business Support and such a refund would incur the charges set out above. Card payment refunds have to be credited back to the card with no cash alternative due to anti money laundering rules.

### **3.0 Legal/Financial Controls and other Policy matters**

#### **Financial issues**

- 3.1 Priority 6 of the strategy document is the objective to ensure full cost recovery of the car park service. In order to achieve this financial objective, sufficient annual revenue is required to pay for in year costs plus sufficient contributions towards the costs of the capital works programme. Any reduction in net revenues will impact on our ability to resource the works required to deliver an effective service. The Council has on average received £342k over the last 5 years income from car parks against average revenue costs of £160k leaving an annual contribution to long term capital costs of £182k per annum. This achieves full cost recovery and therefore covers the annual revenue costs for managing and maintaining the car parks, the capital costs over the useful life of the asset and the 'opportunity' cost of capital invested in this discretionary service. A financial appraisal applying the 'whole life costs' of the car parks shows that income generated is sufficient to meet the on-going revenue costs of the service and ongoing cyclical capital maintenance.
- 3.2 The charges for parking in Selby compare favourably with other towns. The tariff was last reviewed by Executive in June 2014 when tariffs were frozen. This means there has been no change to tariffs since they were set in December 2011, although costs have increased.
- 3.3 Introducing card payments will have a financial impact. The cost to upgrade the machine will be approximately £16k, which would be met from the Asset Management Reserve. The estimated cost, should all customers pay by card, is in the region of 21p per transaction. Approximately 400,000 payments are made per year which would result in a transaction cost of £84k if all transactions were paid by card.
- 3.4 Applying the principle of full cost recovery, Option 4 proposes that a minimum charge of £1 is introduced. The projected increased income of £60k (net of VAT) would help to offset the cost of introducing card payments assuming the same level of usage. While cash is still collected, there is a fixed cost for the collection contract, small savings would be achieved on lower volumes of



cash processing which is managed externally. It is not anticipated any internal savings could be achieved although there would internal efficiencies.

3.5 Introducing cashless payments along with Options 1-3 would not achieve full cost recovery.

<b>Financial Impact of Car Park Tariff Options against 2020/21 Original Budget</b>				
<b>Year 1</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>
	<b>£(000's)</b>	<b>£(000's)</b>	<b>£(000's)</b>	<b>£(000's)</b>
<b>Income</b>				
Selby	-355	-321	-355	-415
Tadcaster		-38		
<b>Total Income</b>	<b>-355</b>	<b>-359</b>	<b>-355</b>	<b>-415</b>
<b>Expenditure</b>				
Adaptation of Ticket Machines	16	16	16	16
Additional Servicing / Maintenance		6		
Card Processing Costs	76	84	76	76
Cash Collection Service Saving	-9	-11	-9	-9
NNDR	74	74	74	74
Utilities	24	24	24	24
Other Running Costs	29	29	29	29
Support Services	40	40	40	40
<b>Total Expenditure</b>	<b>250</b>	<b>262</b>	<b>250</b>	<b>250</b>
<b>Net Contribution For Future Investment</b>	<b>-105</b>	<b>-97</b>	<b>-105</b>	<b>-165</b>
<b>Year 2</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>
<b>Income</b>	<b>£(000's)</b>	<b>£(000's)</b>	<b>£(000's)</b>	<b>£(000's)</b>
Selby	-355	-321	-355	-415
Tadcaster		-38		
<b>Total Income</b>	<b>-355</b>	<b>-359</b>	<b>-355</b>	<b>-415</b>
<b>Total Expenditure</b>	<b>237</b>	<b>249</b>	<b>237</b>	<b>237</b>
<b>Net Contribution For Future Investment</b>	<b>-118</b>	<b>-110</b>	<b>-118</b>	<b>-178</b>
<b>Year 3</b>	<b>Option 1</b>	<b>Option 2</b>	<b>Option 3</b>	<b>Option 4</b>
<b>Income</b>	<b>£(000's)</b>	<b>£(000's)</b>	<b>£(000's)</b>	<b>£(000's)</b>
Selby	-355	-321	-355	-415
Tadcaster		-38		
<b>Total Income</b>	<b>-355</b>	<b>-359</b>	<b>-355</b>	<b>-415</b>
<b>Total Expenditure</b>	<b>247</b>	<b>259</b>	<b>247</b>	<b>247</b>
<b>Net Contribution For Future Investment</b>	<b>-108</b>	<b>-100</b>	<b>-108</b>	<b>-168</b>

3.6 The above table demonstrates the impact of the income options on the service and includes potential costs for implementing a cashless payment system and going forward includes inflation on utilities, NNDR and grounds maintenance. With the inclusion of cashless payments, Options 1-3 show a reduced contribution towards on-going maintenance and capital works –

revenue savings would be required to make up the shortfall which given the existing savings challenge is not recommended.

- 3.7 The card processing costs are anticipated to be the maximum incurred and assumes cash payments are withdrawn. It is also assumed that charges will reduce in Selby if the Leisure facilities are not included. Further work will also be required through a formal tender to establish final transaction costs.

### **Legal Issues**

- 3.8 The Road Traffic Regulation Act 1984 gives the Council the power to provide off-street car parking places and to make charges in respect of their use (Sections 32 and 35 respectively). Statutory guidance recommends that changes should be proportionate and not be at unreasonable levels.
- 3.9 For the Council to include Tadcaster car parks within the charging and enforcement regime a new order would be required under Section 35. Any comprehensive changes such as this will require the consent of the County Council, consultation and publication of the proposed Order (for a minimum period of eight weeks). The Council must then consider any objections before making the order. The Council may hold a public inquiry to consider the matter. Realistically, the process is likely to take at least 3 months to complete. Simple changes to tariffs in existing car parks covered by an order can be made using a variation order which is a shorter process. Changes to designations and other enforcement and use provisions may require amendments to existing orders. These two types of changes can be undertaken alongside the making of the new order.

## **5. Conclusion**

The draft CPS priorities support the objectives of the Council's draft Economic Development Strategy and Corporate Plan. The Council is investing in its car parks. Any new tariff needs to align to the CPS and at the same time consider impact on income to ensure a sustainable balance is reached and that the council delivers a parking offer which is efficient well maintained and provides value for money. A number of tariff options have been considered by the Executive, the impacts of which, both in terms of delivering the CPS objectives and income, vary. The Executive are asked to consider the four options set out in this report.

## **6. Background Documents**

None.

### **Contact Officers:**

June Rothwell, Head of Operational Services

[jrothwell@selby.gov.uk](mailto:jrothwell@selby.gov.uk)

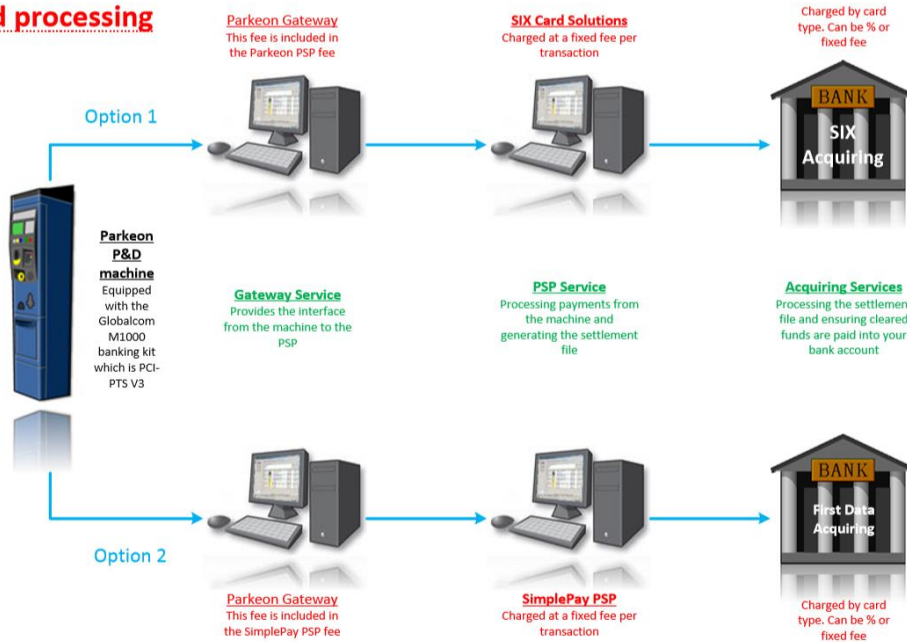
Keith Cadman, Head of Contracts and Commissioning,  
[kcadman@selby.gov.uk](mailto:kcadman@selby.gov.uk)

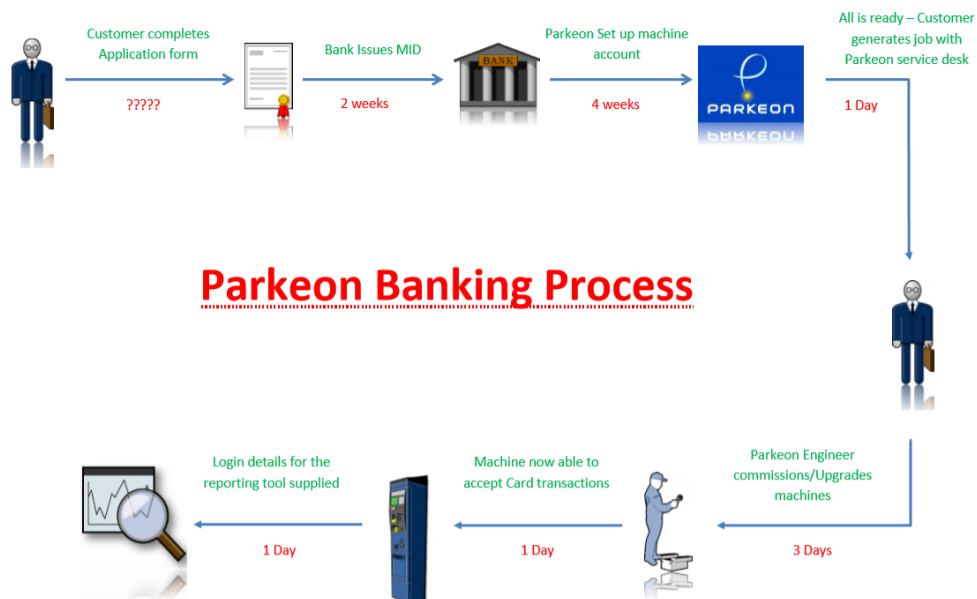


# Parkeon Card Processing

## Q & A

### 2 options for card processing





## Banking Terminology

**PSP** – Payment Services Provider. Responsible for processing the ‘Live’ transactions and generating the end of day report, known as the settlement file.

**Gateway** – This is a server that changes the banking protocol to allow banking kit to communicate with alternative PSP’s

**Acquiring Bank** – Responsible for processing the settlement file and getting all the individual amounts from the end customer and then paying into your bank account.

**MID** – Merchant ID. This is a unique reference number generated by the acquiring bank in order to match the transactions and make sure they are paid into your bank account. You will need a different MID for each bank account you want money paid into.

**PCI-DSS** – Payment Card Industry Data Security Standard. This is the certification to show compliance to store and process card transactions. Parkeon are certified to Level 1

## Bank Processing Q & A

Q How long does the set up take?

A It can take upto 3 weeks, after the application form has been completed, for either SIX or SimplePay to issue a MID and then a further 4 weeks for Parkeon to set up their part of the process

Q How soon will the funds clear into the account?

A Option 1: SIX pay the funds in weekly, 3 days after the end of the weeks trading.

Option 2 : SimplePay can be flexible on when payments are made.

Q How are the banking fees collected?

A Option 1 : SIX deduct the PSP and acquiring fees before paying the funds into your bank

Option 2 : SimplePay can be flexible and can deduct fees at source or invoice monthly

Q Is there a reporting tool for the card transactions?

A Both options : Parkeon provide a 'Live' reporting page within the MyParkfolio Web based reporting tool

Q Can we use our existing bank account?

A Yes. The funds, once cleared, can be paid into any bank account.

Q Can I use my existing acquiring company?

A Parkeon have had to undergo rigorous testing to be able to offer the 2 processing routes detailed in the diagram. Each set of tests can last a year and are very expensive and therefore Parkeon are not able to offer any alternative acquiring banks at the moment.

Q If my credit card usage goes above that quoted, will my transaction fee reduce?

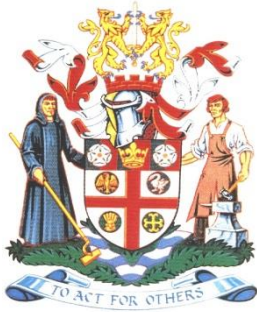
A The initial fees are fixed and based on your anticipated volume of transactions. Parkeon have pushed the 2 banking options into supplying very competitive rates. If your volume of transactions increases dramatically then you should contact your chosen solution provider.

Q If I apply for a new site, will the setup fee apply?

A Any setup fee, and future set up fee, will need to be discussed with SIX or SimplePay at the time of application. Parkeon have no say over the set up fee

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# Selby District Council



## Minute Extract

### Executive

Venue:	Microsoft Teams - Remote
Date:	Thursday, 3 September 2020
Time:	2.00 pm
Present:	Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn and D Buckle
Also Present:	Councillor R Packham
Officers Present:	Janet Waggott – Chief Executive, Karen Iveson – Chief Finance Officer, Alison Hartley – Solicitor to the Council, Suzan Harrington – Director of Corporate Services and Commissioning, Stuart Robinson – Head of Business Development and Improvement, June Rothwell - Head of Operational Services, Julian Rudd – Head of Economic Development and Regeneration, Paula Craddock – Senior Planning Policy Officer, Victoria Foreman – Democratic Services Officer

NOTE: Only minute numbers 25 to 32 are subject to call-in arrangements. The deadline for call-in is 5pm on Tuesday 15 September 2020. Decisions not called in may be implemented from Wednesday 16 September 2020. Minute number 34 is not subject to call-in arrangements as the decision taken by the Executive was deemed to be urgent, as outlined in the Executive procedure rules. The decision was urgent as any delay caused by the call-in process would seriously prejudice the Council's or the public interest.

#### **25 REVIEW OF CAR PARKING TARIFFS 2020**

The Lead Executive Member for Communities and Development presented the first item which asked the Executive to consider the four options set out in the report and approve one of them.

The Executive Member explained that the report provided details of the options for potential car park tariffs. Each option had differing implications and Members were asked when considering an appropriate tariff scheme, to balance the support for the local economy and financial impacts, with the need to sustain income which was sufficient to cover the cost of providing and maintaining the car park service.

Officers confirmed that the decision to add £16k to the capital programme in 2020-21 was an executive function and would not require referral to full Council for approval, as it was not a change of policy.

It was accordingly proposed, seconded and agreed unanimously to approve Option 4 as set out in the report.

### **RESOLVED:**

**i. The Executive approved Option 4, to introduce a new tariff scheme which will extend short stay parking from 2 to 3 hours in Selby and introduce a minimum £1 charge for up to 2 hours stay as set out in the report.**

**ii. The Executive agreed to recommend to Council that £16k be added to the capital programme in 2020/21 to cover the costs of implementing cashless payments, to be financed from the Asset Management Reserve.**

### **REASONS FOR DECISION:**

- 1. Having regard to the ongoing discussions in relation to Tadcaster Central Car Park, to achieve at this time, the objective to use the Council's car parks as a platform to boost the local economies of the district by improving the customer experience, whilst supporting the Council's efficiency.*
- 2. To address any shortfall in car park tariff income which may arise from a new tariff scheme.*
- 3. To enable the Council to influence customer behaviour, attracting more users to under used car parks and town centre footfall.*
- 4. To achieve the Council's corporate priority of delivering great value.*





# Minutes

## Scrutiny Committee

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Venue:	Microsoft Teams - Remote
Date:	Thursday, 17 September 2020
Time:	4.00 pm
Committee Members Present remotely via Teams:	Councillors Shaw-Wright (Chair), W Nichols (Vice-Chair), J McCartney, M Topping
Officers present remotely via Teams:	Karen Iveson – Chief Finance Officer, Suzan Harrington – Director of Corporate Services and Commissioning, Dave Caullfield – Director of Economic Regeneration and Place, June Rothwell – Head of Operational Services, Palbinder Mann – Democratic Services Manager and Victoria Foreman – Democratic Services Officer
Others present remotely via Teams:	Councillor R Musgrave – Deputy Leader, Councillor C Lunn - Lead Executive Member for Finance and Resources, Councillor D Buckle - Lead Executive Member for Communities and Development, Councillor R Packham and Councillor P Welch

*Councillor Neil Reader was present for part of the meeting but was unable to take part fully due to technical issues with his device audio.*

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### 10 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors A Lee and R Sweeting.

### 11 DISCLOSURES OF INTEREST

There were no disclosures of interest.

### 12 CALL IN OF EXECUTIVE DECISION RELATING TO THE REVIEW OF CAR PARKING TARIFFS

The Committee received the report of the Democratic Services Manager which asked the Committee to consider the Call In of the decision made in respect of report E/20/9 – Review of Car Parking Tariffs 2020 by the Executive at their meeting on 3 September 2020.

Also present at the meeting were three Executive Members; the Deputy Leader, Councillor R Musgrave, Councillor C Lunn, Lead Executive Member for Finance and Resources and Councillor D Buckle, Lead Executive Member for Communities and Development.

The Chair of the Committee explained in more detail the reasons for the call-in. Those Members that had called the matter in felt that the decision did not meet the Council's priority of delivering great value, and were also concerned around the lack of consultation with local groups and organisations such as parish councils, Community Engagement Forums and the Selby STEP. Members were also of the opinion that there was no evidence or explanation relating to the description of Tadcaster's 'fragile economy'.

The Scrutiny Committee were asked to recommend one of the following options:

- Refer the decision back to the Executive for reconsideration.
- Agree with the decision made by the Executive and take no further action.
- Refer the decision to Council.

In response to queries from the Committee, the Deputy Leader and Executive Member for Communities and Development explained that the same charges had been in place for nine years, and that the proposed changes were needed to improve the shopping experience for people and ensure more cashless payments could be made, as more people no longer carried cash with them on a regular basis.

The Executive Members felt that the report presented to them on 3 September 2020 was comprehensive and well considered, and that the approach to car parking across the District (by differing the approach from place to place, i.e. Selby and Tadcaster) was necessary in the absence of a single parking strategy for the whole area.

The Deputy Leader explained that discussions were underway between the Council and a major landowner about regeneration, which could result in opportunities and investment for the town. Tadcaster's central area contained significant history and heritage which could be bettered measurably. The Deputy Leader suggested that the best way to support the local economy in Tadcaster was to support the regeneration of the town through investment.

Scrutiny Committee Members expressed the importance of retaining the

ability to pay with cash in car parks and warned against increasing parking charges which could potentially stop people coming into town to shop and use services. They also reflected on the ongoing problem with the central car park in Tadcaster which was usually full of the cars of commuters to Leeds and workers in the town, subsequently not leaving many spaces for shoppers or visitors during the day.

The Lead Executive Member for Communities and Development explained that people would still be able to pay using both cash and card, and that car park tariffs were remaining the same apart from the introduction of a £1 tariff for one hour in Selby short stay car parks.

The Scrutiny Committee also mentioned the issues in Selby with parking on residential roads, which put pressure on local people and was often inconvenient. The Executive Members agreed that all day parking on the street, particularly near people's homes, was not acceptable.

The Chair of the Committee summed up the debate and reminded Members of the three options before them; referral back to the Executive, no further action or referral to Council.

It was proposed that the Committee agree with the decision of the Executive and take no further action, but this motion was not seconded and therefore fell.

The Committee felt that further consideration was required on the matter before them, and as such it was then proposed and seconded that the matter be referred to Council for a decision. A vote was taken on the proposal and was carried.

**RESOLVED:**

**That the decision be referred to Council, for the following reasons:**

- **the Scrutiny Committee were not convinced of the fullness of the report or the meaning behind the description of the 'fragile economy' of Tadcaster;**
- **concerns around the split between Selby and Tadcaster;**
- **the lack of consultation with local communities in Selby, Tadcaster and Sherburn; and**
- **that the report does not mention clearly that cash payments will still be available.**

The meeting closed at 4.32 pm.

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