



Summons and Agenda for the
Council Meeting

to be held on

**Tuesday, 15 December
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, 15 DECEMBER 2020** starting at **6.00 pm**. The Agenda for the meeting is set out below.

Janet Waggott

Janet Waggott
Chief Executive

The 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

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.

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 22 September 2020 and the Extraordinary meeting on 5 November 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 (Pages 17 - 18)

To receive and answer questions submitted by councillors in accordance with rule 11.2 of the Constitution. Two questions have been submitted for consideration.

Councillor Questions Process:

- **Councillors can ask questions in accordance with rule 11.2 of the Constitution.**
- **An answer to a question submitted may take the form of:**
 - a) **A direct oral answer;**
 - b) **Where the desired information is in a publication of the Council or other published work, a reference to that publication; or**
 - c) **Where the reply cannot conveniently be given orally, a written answer circulated later to all members of the Council.**
- **A councillor asking a question may ask one supplementary question, without notice, of the councillor to whom the first question was asked. The supplementary question must arise directly out of the original question or the reply.**

9. Reports from the Executive (Pages 19 - 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

To consider any motions.

12. Report of the Monitoring Officer 2020 - Standards Arrangements (Pages 47 - 76)

To consider the report of the Monitoring Officer for 2020.

13. Reflecting on 2020

To consider a presentation reflecting on the work in 2020.

14. 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.

Agenda Item 3



Minutes

Council

Venue: Microsoft Teams - Remote
Date: Tuesday, 22 September 2020
Time: 6.00 pm

Present: Councillor D Mackay in the Chair

Councillors J Duggan (Vice-Chair), K Arthur, D Brook, D Buckle, J Cattnach, 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 and P Welch

Officers Present: Janet Waggott (Chief Executive), Dave Caulfield (Director of Economic Regeneration and Place), Suzan Harrington (Interim Director Corporate Services and Commissioning), Karen Iveson (Chief Finance Officer (s151)), Alison Hartley (Solicitor to the Council and Monitoring Officer) and Palbinder Mann (Democratic Services Manager)

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 DISCLOSURES OF INTEREST

Councillor Lee declared a personal interest in minute item 14 – Review of Statement of Licensing Policy as he was the holder of a premises licence and stated he would not be participating in the discussion or voting on the item.

3 MINUTES

The Council considered the minutes of the meeting held on 20 February 2020.

RESOLVED:

To approve the minutes of the Council meeting held on 20 February 2020 for signing by the Chairman.

4 COMMUNICATIONS

The Chief Executive informed Council that the Chairman and Vice Chairman had agreed not to hold an annual meeting of Council this year and that their current positions along with any Committee places not affected by the report later in the agenda would remain the same until May 2021.

5 ANNOUNCEMENTS

There were no announcements.

6 PETITIONS

There were no petitions received.

7 PUBLIC QUESTIONS

There were no questions received from members of the public.

8 COUNCILLORS' QUESTIONS

There were no questions received from Councillors.

9 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.

A query was raised regarding the devolution proposals in North Yorkshire including the Local Government review and whether the review would still occur. The Leader of the Council stated that the Government were working on a number of different issues and it remained to be seen whether the review would still happen or whether it would be delayed.

In response to a query concerning consultation on the KPMG report, the Leader of the Council agreed that there should be wider consultation on the proposals.

A query was raised regarding the costs for the KPMG report. The Leader of the Council explained that each district had placed £25k in a joint fund which had resulted in a fund of £175k overall and the cost of the report had been met from that fund.

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

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

In addition to the report, the Lead Executive Member for Place Shaping informed Council that he had agreed with the Director of Economic Regeneration and Place to publish the five year housing land supply figure for the authority which was currently 7.7.

In response to a query concerning enforcement cases, the Lead Executive Member for Place Shaping explained that there had been an increase in cases reported over the last six months along with changes issued by the Government. He added that discussions had taken place with officers on how to reduce the backlog.

A query was raised regarding the appointment of the Project Manager and what areas were covered by the High Street Heritage Action Zone Project as the map of the project seemed to only cover half of Gowthorpe. The Lead Executive Member for Communities and Economic Development stated the post would be funded by the grant received for the project and agreed to get clarification on the areas covered by the project.

Councillor Cliff Lunn, Lead Executive Member for Finance and Resources

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

A query was raised regarding whether there had been any issues of fraud with the Government grants relating to Covid-19. The Lead Executive Member for Finance and Resources explained that there had been no reported cases of fraud to date however Veritau were looking at possible cases of fraud and rejecting application if necessary. Additionally, Council was informed that if there were any prosecutions then these would be reported.

In response to a query concerning the New Homes Bonus, the Lead Executive Member for Finance and Resources explained that it was the expectation that the funding would finish and that the Council would have to meet the money lost from the Business Equalisation Reserve.

Councillor David Buckle, Lead Executive Member for Communities and Economic Development

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

The Lead Executive Member for Communities and Economic Development reported that the Council had received £500k from the High Streets Fund.

Concern was raised at the condition of the Sustrans cycle route between Selby and York. The Lead Executive Member for Communities and Economic Development stated that he would ask officers to look into this.

With regard to the Sherburn draft town centre action plan, it was queried who would be invited to the Stakeholder meeting. The Lead Executive Member for

Communities and Economic Development explained that the Council was awaiting the report from Chris Wade before holding the meeting and that stakeholders invited would include representatives from Town Councils, businesses, town centre groups, North Yorkshire County Council and Selby College.

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

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

A query was raised regarding how many fixed penalty notices and prosecutions had there been from the Council in relation to breaches of Covid-19. The Lead Executive Member for Housing, Health and Culture agreed to look into this and reply.

In response to a query concerning funding for Welcome to Yorkshire, the Leader of the Council explained that the Council had provided £10k of funding to Welcome to Yorkshire.

Concern was raised that the Council were not monitoring licenced premises in the district to ensure they were complying with Covid-19 guidance such as for track and trace. The Lead Executive Member for Housing, Health and Culture reported that licenced premises had been visited and materials such as signage had been provided. It was also noted that North Yorkshire Police had separately been in touch with premises as well.

In response to a query concerning no food hygiene checks being carried out in the last six months, the Leader of the Council stated that food hygiene checks had been carried out.

RESOLVED:

To receive and note the reports from the Executive.

10 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.

There were no questions from Members.

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.

There were no questions from Members.

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.

11 MOTIONS

It was noted that one motion had been submitted for consideration as follows:

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 .

Councillor Steve Shaw-Wright proposed the motion and stated that the Council should be concerned that deaths during the pandemic were being recorded on the death certificate by the medical examiner as Covid 19 without a post mortem examination being undertaken.

Council was informed that without the correct cause of death being appended to the death certificate, any compensation to the deceased widow/family would be denied due to the death meeting the criteria set by the Department for Work and Pensions (DWP) as the department did not access medical records as a proof of death.

It was explained that a post mortem examination was conclusive proof that the deceased died while suffering from underlying health conditions and in some cases industrial diseases such as emphysema and asbestosis.

Members were supportive of the motion however it was proposed and seconded to amend the last line of the motion to state that Nigel Adams MP be asked to continue his support for this campaign rather than the stated wording as he had already provided some support. It was agreed to accept the amendment and vote once for the amended motion.

RESOLVED:

To agree the above amended motion.

12 REVISED ESTIMATE 2020/21 AND MEDIUM-TERM FINANCIAL STRATEGY

Councillor Lunn, Lead Executive Member for Finance and Resources provided a presentation on Executive's revised budget for 2020/21 and the Medium Term Financial Strategy.

The key elements of the presentation were as follows:

- There had been delays to the Fairer Funding and Business Rates Reviews as a result of the virus.
- The Council had budgeted for a 2% pay award however the final figure agreed had been 2.75% therefore additional funds needed to be allocated to this.
- Covid-19 had impacted significantly on the Council's finances in areas such as additional costs, income losses, delays to savings and creating backlogs in services.
- As at the end of July, the full year forecast of the impact of Covid-19 for 2020/21 was £3.8m for the General Fund and Housing Revenue Account. It was noted that the Council had received £1,068m emergency funding from the Government to compensate for some of the impact however the revised estimates assume no further support would be provided.
- Additional funding had been added to operational contingency for the local government reorganisation for potential added costs.
- Other additional pressures included planning fees, leisure income and the street scene contract.
- There would be £400k less to the Major Repairs Reserve for the Housing Revenue Account which would leave £8.7m for the improvement programme.
- The Council would assume that the 2021/22 Local Government Finance Settlement would be a further one year roll over.

Members debated the proposals. A query was raised regarding any underspends in the budget. The Lead Executive Member for Finance and Resources explained that any underspends had been compensated by the additional spending on areas such as technology to ensure the Council was prepared for working in the current circumstances.

Councillor Packham on behalf of the Labour Group responded to the proposals and outlined the following comments:

- It was acknowledged that forward projections were difficult given the risk and uncertain climate.
- Concern was raised regarding the impact of the local government re-organisation and the savings that it may bring.
- Concern was raised that the additional income from Business Rates and Council Tax at the expected levels may not occur.
- The projected rise in planning income seemed optimistic and was contradicted in a separate area of the report.
- Concern was raised at the impact in the reduction of service related government grants for homelessness and it was suggested that further discussion take place regarding this when future budgets are produced.
- Questions were raised over the employment of agency staff and whether the planned savings would be achievable.

In line with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the Chairman explained that a recorded vote must be taken on this item.

For the proposal: 30

Councillors K Arthur, D Brook, D Buckle, J Cattanach, 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, J McCartney, M McCartney R Musgrave, W Nichols, B Packham, C Pearson, N Reader, J Shaw-Wright, S Shaw-Wright, R Sweeting, M Topping, and P Welch

Against the proposal: 0

RESOLVED:

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

REASON FOR DECISION

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.

13 PROGRAMME FOR GROWTH PROPOSALS

Councillor Crane, Leader of the Council presented the report which outlined proposals for budget allocations for the Programme for Growth following

engagement with Group Leaders.

Members discussed the proposals and welcomed the cross party dialogue that had occurred regarding the report. It was stated that there should continue to be dialogue between different groups when drawing up future budgets and there should be an 'ideas lab' involving all Members when this is a possible option.

Discussion took place regarding the planting of more trees for environment and Members were supportive of this.

RESOLVED:

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

REASON FOR DECISION:

To enable priority projects to be progressed.

14 REVIEW OF STATEMENT OF LICENSING POLICY

Councillor Pearson, Lead Executive Member for Housing, Health and Culture presented the report which outlined the review of the Statement of Licensing Policy.

There was no discussion on this item.

RESOLVED:

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

REASON FOR DECISION

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.

15 ADOPTION OF THE STATEMENT OF COMMUNITY INVOLVEMENT (2020)

Councillor Musgrave, Lead Executive Member for Place Shaping presented the report which outlined the Statement of Community Involvement (2020) for adoption.

Concern was raised at the proposals to no longer notify neighbours of a proposed planning application if a site notice was in place. Discussion took place on the positives and negatives of sending out notification letters to neighbours. It was acknowledged that it was important to keep the community informed however it was difficult to confirm specifically which people should be written out to for each application. Additionally it was stated that there were a number of different ways for people to find out about planning applications and that closer working with the Parish Councils in this area may be required.

The Lead Executive Member for Place Shaping informed Council that the process could be reviewed at a later date if it was found not to be working and that officers would be asked to work closer with Parish Councils on this issue.

RESOLVED:

To adopt the Statement of Community Involvement (2020) as attached at Appendix 2.

REASON FOR DECISION:

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.

16 CONSTITUTION UPDATES AND OTHER DECISIONS TAKEN SINCE 23RD MARCH 2020 DURING CORONAVIRUS PANDEMIC

The Monitoring Officer presented the report which outlined updates to the Constitution and other decisions taken since 23rd March 2020 during the Coronavirus pandemic.

There were no comments from Members.

RESOLVED:

- 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**
Council - Minutes

Animals) (England) Regulations 2018

REASON FOR DECISION:

To ensure the Council maintains the highest standards of Governance in line with the Constitution and legislation.

17 ALLOCATION OF COMMITTEE PLACES

Councillor Crane, Leader of the Council presented the report which outlined proposals for the allocation of Committee places.

Members were advised that with regard to the committee place on the Planning Committee, this had been allocated to the ungrouped Member who had decided not to take up the place when it had been offered. It was noted however that Council had the option of allocating the seat outside the political balance rules to another group however this was dependent on no Member voting against this proposal.

It was proposed and seconded to allocate the seat outside of the political balance rules to the Labour Group who had the next highest rounding up figure on the Committee. When being put to the vote, there were votes cast against this proposal therefore it was explained this could not be agreed therefore the seat on the Planning Committee would be left unallocated.

RESOLVED:

- i) To leave the remaining seat on the Planning Committee unallocated.**
- ii) To agree the allocation of Committee places as outlined at Appendix A.**

REASON FOR DECISION:

To meet legislative requirements and to enable the proper functioning of the Council in the 2020/21 municipal year.

18 CALL-IN OF EXECUTIVE DECISION RELATING TO THE REVIEW OF CAR PARKING TARIFFS

Councillor Steve Shaw-Wright presented the report which outlined the Call-In referral from the Scrutiny Committee 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.

Discussion took place on the call in and the options available. It was proposed and seconded to refer the decision back to the Executive for reconsideration. Upon being put to the vote, this proposal was lost.

RESOLVED:

To not object to the decision made by the Executive.

REASON FOR DECISION:

To ensure the Call-In procedure is followed as outlined in the Constitution.

19 URGENT ACTION

There was no urgent action to report.

The meeting closed at 8.44 pm.

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Extraordinary Council

Venue: Microsoft Teams - Remote
Date: Thursday, 5 November 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, 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, S Shaw-Wright, R Sweeting, M Topping and P Welch

Officers Present: Janet Waggott (Chief Executive), Dave Caulfield (Director of Economic Regeneration and Place), Suzan Harrington (Interim Director Corporate Services and Commissioning), Karen Iveson (Chief Finance Officer (s151)), Alison Hartley (Solicitor to the Council and Monitoring Officer), Leanne Cahill (Communications Officer) and Palbinder Mann (Democratic Services Manager)

Public: 6

20 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Ellie Jordan. The Council sent congratulations on the birth of her baby daughter.

21 DISCLOSURES OF INTEREST

The Monitoring Officer confirmed that all Members had been granted a dispensation in respect of the disclosable pecuniary interests Members had declared to her.

The Chief Executive stated that as well as being appointed by Members as the Chief Executive at Selby District Council, they appointed her as Assistant Chief Executive at North Yorkshire County Council (NYCC) for one day a week. To manage the risk of any potential actual or perceived conflict, she had not been involved in the Local Government Reform submission by NYCC and

had taken no part in the Management Board at NYCC since July 2020.

The Chief Finance Officer declared that as well as being the Chief Finance Officer for Selby District Council, she was an Assistant Director at NYCC had not been involved in the Local Government Reform submission by NYCC therefore did not have any conflict of interest.

Councillor Nichols declared that she was an employee of NYCC however had been granted a dispensation by the Monitoring Officer in respect of this disclosable pecuniary interest and so could take part in the discussion and vote in the meeting.

22 LOCAL GOVERNMENT REFORM IN YORK AND NORTH YORKSHIRE

The Chief Executive introduced the report which presented the York and North Yorkshire Local Government Reorganisation Case for Change.

The Chief Executive explained that the proposal has been a collaboration between the seven District Councils in the area alongside KPMG who had been commissioned by the authorities to write the report. Council was informed that following consideration of a number of different options, the District Councils had settled on the idea of an east/west model outlined in the report.

The Leader of the Council explained that the Government had wanted Local Government reform to achieve devolution in the area. Council was informed there had not been any clarity from the Government regarding the requirement for a maximum or minimum population under a proposal with different figures being quoted.

Members discussed the report and the following comments were made during debate:

- Although some Members were not supportive of the District Councils submission, they felt both proposals should be submitted to the Government to allow them to have options when making a decision.
- Some Members felt there should not be any change to the local government structure in the area however reluctantly would support the submission so that all possible options were considered by the Government.
- Some Parish Councils had highlighted that the NYCC proposal could affect local level decision making. For example, the NYCC proposal would include one local plan for the whole area which could make it difficult to take into account local planning issues.
- The District Councils' submission had considered all possible options whereas the NYCC proposal had only considered one option in detail

and there had been no consideration to the inclusion of York in their proposal, which was more central to the area than Northallerton.

- Some concern was raised that this was the wrong time to undertake such a review with issues such as the Covid-19 pandemic still affecting all local authorities. It was felt that the process must not be undertaken carelessly and must be given serious consideration despite the difficult positions local authorities were in.
- One Member stated that consideration should have been given to splitting Selby to its nearest authorities such as those in West and South Yorkshire.
- Some Members stated that the NYCC proposal was unacceptable due to the size of the possible authority. It was queried how York would fill their developments for housing due to issues with land in their area.
- One Member said that the NYCC proposal should be favoured due to it already having services such as children's and adult social care already set up and running. If the District Councils submission was accepted, these services would need to be set up from the beginning again.
- Concern was raised that any proposal accepted would be a cost cutting exercise by the Government.
- NYCC already had local services set up in Selby which would be a benefit if their proposal was accepted.
- There could be a reduction of Councillors in the NYCC proposal which would impact local areas detrimentally. Additional issues such as the Covid-19 pandemic and Brexit would impact local areas as well.

The Chief Executive explained the Government had been asked by the District Councils to defer the current process however the Government response received last night was that it would not be deferred.

In line with Council Procedure Rule 19.4 (b) a recorded vote was requested on the recommendations.

For the proposal: 25

Councillors K Arthur, D Brook, D Buckle, J Cattanach, I Chilvers, J Chilvers, M Crane, S Duckett, J Duggan, K Franks, M Jordan, C Lunn, D Mackay, J Mackman, J McCartney, M McCartney R Musgrave, W Nichols, B Packham, C Pearson, N Reader, J Shaw-Wright, S Shaw-Wright, M Topping, and P Welch.

Against the proposal: 4

Councillors K Ellis, T Grogan, A Lee and R Sweeting.

Council - Minutes

Thursday, 5 November 2020

RESOLVED:

- i) To determine that the function of responding to the invitation from the Secretary of the State pursuant to the Local Government and Public Involvement in Health Act 2007 is a function for the Council; and**
- ii) To note the letter from the Secretary of State and the issues as set out in this report; and**
- iii) To agree the submission to Government of the Case for Change set out in Appendix 1; and**
- iv) To agree to delegate authority to the Chief Executive in consultation with the Leader of the Council to make the initial submission, in line with the decision above, within the Government's timescale, i.e. by 9 November 2020; and**
- v) To agree to delegate authority to the Chief Executive in consultation with the Leader of the Council to make any necessary changes to the initial submission and to submit the final submission in line with relevant government guidance within the Government's timescale, i.e. by 9 December 2020.**

REASON FOR DECISION

To ensure that the proposal set out at Appendix 1 is submitted in accordance with the MHCLG timescales to include such further information as required following receipt of the letter dated 9 October 2020.

The meeting closed at 7.01 pm.

Agenda Item 8

Council – 15 December 2020

Agenda Item 8 - Councillor Questions

8.1 – Question submitted by Councillor John McCartney

To ask the Lead Executive Member for Housing, Health and Culture:

Fly-tipping continues to blight our green and pleasant land. We are seeing tyres being tipped on an industrial scale. This is not about a man in a white van, they are using tipper trucks. The staff working on the front line are doing a sterling job; visiting the polluted sites quickly and getting the rubbish removed. But, the Council policies are not working. Fixed penalty notices allow anonymous fly-tippers to remain anonymous and as far as the public are concerned to get away with it.

The public want to see the Council taking real action to fight fly-tipping. Working with trading standards, the police and the industry to track and trace dumped tyres. And using many more CCTV systems in “hot spots”. We have to do more than simply remove the fly-tipping and issue a few “Fixed Penalty Notices” it is time that the Council’s actions reflected the anger of the majority of residents of the Selby District. So, what is your plan to deal with this scourge on our countryside?

8.2 – Question submitted by Councillor John McCartney

To ask the Leader of the Council:

For at least four years the residents of three SDC elderly peoples bungalows on Northfield Close, Womersley, have been complaining to the Council about a row of huge trees overshadowing their very small back yards and bungalows. The trees are growing in the garden of an adjacent private dwelling. The property, which is about 20 years old, has never been occupied. The owner lives in Pontefract. Apparently the owner has promised to cut them back a number of times but never does. Can please you your position to get this issue sorted please. Maybe this is the time for SDC to issue a Section 215 Notice

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Councillor Mark Crane

Leader of the Council – December 2020

This report covers the period from the Council meeting on 22 September 2020. During this period I have attended virtual Executive meetings and represented the Council at local, regional and national virtual meetings. I have also attended meetings of the COVID outbreak planning board and a number of District Council Network events. There was an extraordinary meeting of Council on 5 November where it was resolved to submit a response to the invitation from Government to put forward a proposal for local government reform for York and North Yorkshire. Council resolved to submit the East West proposal to Government before 9 December 2020.

The work relating to the COVID pandemic has taken a lot of time and effort for many of us to keep our residents and businesses safe. We have been working really hard to manage and reduce the number of cases in the Selby District. The number of cases remained stubbornly high however I am pleased to report that there has been a significant reduction since the second lockdown. Our staff have worked extremely hard and continue to work very closely with Public Health, health and social care colleagues, partners in the health sector and the voluntary and community sectors.

I am really grateful for the continued effort and commitment displayed by our staff and all partners throughout the period, I know people are tired and it was very heartening to know that vaccines have been approved and will be rolled out. We know that the Selby District is tier 2, that is consistent with the other Districts and Boroughs in North Yorkshire and the city of York. The latest guidance is available on our website for your information. There will be a review of the Tiers on the 16 December and we know we all need to continue to be vigilant.

Covid 19 Test centre - I am pleased to report that the Covid 19 Test centre is open at Portholme Crescent Selby, thank those involved who have worked hard to deliver this facility within our District. Having the facility to get a test locally is helping to reduce the transmission rates. Mass vaccination – I will update separately when more detail is confirmed.

I would like to place on record my sincere thanks to the Director of Public Health Dr Lincoln Sergeant who has worked with us for over 8 years. Lincoln and his team have worked really hard in Selby and have been key players, with our own staff, in Selby Health matters, Lincoln leaves North Yorkshire to take up a position in Torbay and is replaced in the interim by Louise Wallace, I wish Lincoln the best of luck in his new role and welcome Louise.

Local Government Reorganisation – since the extraordinary meeting of Council on 5 November the Leaders of 6 District Councils have worked on the detailed submission for the case for change which will be submitted by the 9 December 2020. If the government decide to consult on our proposal it will be for a period of 8 weeks and we have been informed that will probably start in February. It is possible that the Government decide to consult on both proposals if they meet the criteria. I understand that the City of York Council have submitted representations to support why they wish to stay the same. I, together with the other Leaders of the District and Borough Councils, have agreed to change the implementation date from May 2022 to May 2023 as the vesting date

for the two new authorities , having taken advice this is a more realistic and deliverable timetable . It has become clear that the white paper for Devolution continues to slip and is not expected to be published until after May 2021.

The Chief Executive received a letter from Paul Rowsell stating that we should make clear in our proposal whether or not we wish to defer the County and any District election in 2021 , the Police Fire and Crime Commissioner (PFCC) election will go ahead in 2021. Having taking advice on this matter, my view, and that of the other District Leaders , is that the elections should go ahead as planned in 2021.

External meetings

I have attended LEP Infrastructure and joint assets board 22 October where £6M was allocated to the A19 . I also attended the first virtual LEP conference which was well attended and full of interesting topics including a specific session on the circular economy. The Yorkshire Leaders Board has also met , the main focus of the meeting was Health and the Economy. I have also attended the LGA Environment, Economy, Housing and Transport Boards and the DCN Executive

Council Delivery Plan 2020-23

Our three-year Delivery Plan has now been approved by Executive. It sets out the specific actions that will be delivered in order to achieve the strategic priorities set out in our Council Plan (a great place to live, a great place to enjoy, a great place to grow and a great place with a Council delivering great value). It also reflects the challenges and risks we face around local government reorganisation, staff capacity, finance and incorporates our plans for recovery from the Covid-19 pandemic.

A number of the actions focus on our ambitions to improve our housing, increase the number of houses, support our town centres, reduce our impact on the environment, deliver the Local Plan, support the district to recover from Covid-19 and improve the way the Council operates such as increasing our use of technology and developing our staff.

It provides the detail to support Council services and stakeholders to understand and share priorities for the next three years – and a framework against which to check and communicate progress.

Thank you

I am acutely aware of how difficult this year has been for our residents and businesses and I would like to take this opportunity to say thank for working together for the benefit of Selby and the wider community. I was really pleased that we went ahead with the business awards, well done to all those nominated and to the winners . I have had feedback and I know that it was really well received and offered hope and good news at a time it is needed, Councillor Buckle will have more to say on this later in the agenda.

Finally I wish you, your families and friends a very Merry Christmas, it will be unusual Christmas this year and I hope that you enjoy a safe, relaxing and restful festive period and that 2021 brings health , happiness and restores prosperity to you all.

Mark Crane
Leader of the Council

Councillor Richard Musgrave

Deputy Leader of the Council

Report to Council on 15th December 2020

This report covers the period from the Council meeting on 22nd September 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 Service

In the period between 01.09.2020 to 31.10.2020, 90% of major applications were determined within the statutory period or agreed extension of time. This equates to 10 determined, 1 within the statutory 13 weeks and 8 within the extension of time period agreed and 1 out 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, 01.09.2020 to 31.10.2020, 80% of non-major applications (minors and others) were determined within the statutory period or agreed extension of time. This equates to 110 determined, 38 within the statutory 8 weeks and 50 within the extension of time period agreed and 22 out of time. These figures are 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 applications received, and applications made valid from the months of September and October 2019 and 2020. This has highlighted that there has been a 5.6% increase in received applications and 5.4% increase in valid applications compared to the same period in 2019. This is on the back of around a 40% increase for August.

With regard to performance at appeal, in the period between 01.09.2020 to 31.10.2020 a total of 7 were determined, 3 were allowed and 4 were dismissed.

At the 1st November 2020 the Planning Enforcement team had 363 live enforcement cases open. We received 60 new cases and closed 58 within the two month period. In September and October 2020 the Planning Enforcement Team served 1 Temporary stop notice and 3 Planning Contravention notices.

Enforcement Officers have been dealing with a significant case at Hilliam relating to an illegal Gypsy and Traveller encampment. The service responded quickly serving a Temporary Stop Notice on the day the site became occupied and are now pursuing action through the courts.

In terms of the helping to reduce the backlog in Development Management and Planning Enforcement we have a new Planning Solicitor to work in Enforcement for two days a week for 6

months, we have appointed a new temporary Principal Planning Enforcement Officer for 6 months and we are in the process of appointing two temporary Senior Planning Officer for 4 months. These posts will be crucial to assist us in dealing with increased workloads in the service.

A date has been set for a Public Inquiry for to the reserved matters application relating to appearance, landscaping, layout and scale for erection of 50 dwellings at land to the south of Main Street, Church Fenton. This is scheduled on the 9th February for 4 sitting days. Members resolved to refused this application at Planning Committee on 4th March 2020.

On 30th October we received the Planning Inspectors decision for the Viners Station which was for the respective permission of four biomass boilers in the open countryside. The appeal was a joint planning and enforcement appeal, which the Inspector dismissed and upheld the enforcement notice.

2. Planning Policy

The Planning Policy Team has made significant progress in a very short timescale on the preparation of the Preferred Options Local Plan. The consultation document will be presented to Executive in January with a view to public consultation commencing at the end of the month in accordance with the challenging timescales set out in the approved Local Development Scheme.

The Preferred Options Local Plan will set out the Council's preferred approach for where new housing and employment will be provided to accommodate growth in the District up to 2040. In addition to preferred sites the document will also include the development management policies against which applications will be assessed. The preparation of the document has involved the assessment of 436 sites against an extensive Site Assessment Methodology. As part of this exercise Officers undertook site visits and arranged virtual meetings with Parish Councils to seek local input on the submitted sites.

To support the Preferred Options Local Plan a range of supporting evidence has been undertaken. This includes a Housing and Economic Development Needs Assessment, Retail and Leisure Study, the first stage the Highways Modelling work, the Indoor and Outdoor Sports Facilities study. A Local Plan Viability Study and CIL Review, Sustainability Appraisal, Habitats Regulations Appraisal, Strategic Flood Risk Assessment and a review of Sites of Important Nature Conservation are progressing.

Work has commenced on the preparation of 12 Conservation Areas Appraisals across the District. Member briefings on the draft Selby Town and Tadcaster Conservation Area Appraisals took place prior to the current public consultation, which ends in the New Year.

Officers have been undertaking an extensive review of the District's natural environment to help inform the emerging requirements in the Environmental Bill for bio-diversity offsetting and tree planting strategies. Discussions with local landowners has resulted in Escrick Park being chosen as one of a number of national pilot schemes by Natural England.

As part of the new CIL Regulations Officers have prepared an Infrastructure Funding Statement, which will be published on the Council's website.

3. Low Carbon Working Group

The Policy Review Low Carbon Working Group (LCWG) have met on a number of occasions to discuss ways in which the Council can contribute to the low carbon agenda. Work has included calculating the Council's annual direct carbon footprint and research into the work of other local

authorities, including North Yorkshire County Council, and partner organisations e.g. York and North Yorkshire Local Enterprise Partnership. A draft Low Carbon Action Plan has been developed which focuses on those actions which the Council can directly deliver, as well as those it can influence, through collaboration with others. I am considering the recommendations and will feedback in 2021 but based on the LCWG's report I am confident that the Council will be carbon neutral by 2030.

Richard Musgrave
Deputy Leader of the Council

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Councillor Cliff Lunn

Executive Member for Finance and Resources – December 2020

National lockdown support grants

Following the announced national lockdown for all business in the non-essential retail, leisure, personal care, sports facilities and hospitality sectors, further support has been given in the form of grants to businesses affected by these restrictions for the period 5 November 2020 to 2 December 2020.

The Government has given funding to local authorities to support businesses which have been forced to close through this time, with a Local Restrictions Support Grant.

The scheme in Selby District went live on the 16th November and within 2 weeks the Taxation and Benefits team had paid 279 applicants grants at total value of £415,818, with most applications being paid within two days of receiving the application form.

A further local discretionary scheme has been developed to provide help to those businesses which, although not forced to close, have had their income and trade severely affected by the lockdown - this is the Additional Restrictions Grant and this was launched for applications on the 27th November 2020.

Both schemes will provide a vital assistance to businesses in the District during these difficult times.

Financial Impacts of Covid-19

SDC has received £1,168k of the of the additional funding 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.

An initial claim for £71k relating to the fees and charges compensation scheme was submitted at the end of September – a further claim is due to be submitted in December.

As at the end of September these income and cost pressures were estimated at around £3.4m for the year, a slight improvement on the £3.8m reported at Quarter 1 but these figures are still very much subject to further change. The financial impacts are being closely monitored and revised through monthly updates to the Government.

The Quarter 2 finance and treasury management reports were considered by the Executive last month. These highlighted the financial pressures evident to date and the potential impacts for the rest of this year. Following approval of a revised estimate which included drawdown of an additional £1.4m from reserves, although some variances on spending and income were reported, overall the budget was broadly on track.

Draft Budget

The Executive approved for consultation, its draft budget for the coming year. The consultation, which includes the public, local businesses, councillors, stakeholders and Policy Review Committee, went live on the Council's website on 4th December. The results of the consultation will be considered as we finalise our proposals in advance of February Council.

Digital Update

The Digital programme continues towards ensuring we all have the right technology and skills to be able to improve how services are delivered to customers, through investment in a robust and resilient IT infrastructure.

Over the last 6 months the investment made, has delivered value for money and significant benefits for the Council. Using the technology and new skills, staff have been able to continue their duties and deliver services away from the office, to best serve customers, during covid-19 restrictions.

Notably the council has used the technology to move to online 'video' meetings and digital 'chat' groups. These have proved successful to ensure decisions have continued to be made and work progressed. In the last few weeks the focus had been on rolling out Microsoft OneDrive which moves all our information into the 'cloud' - improving access to documents, freeing up storage space and improving back up protection – and SharePoint which supports the simple sharing of files and supports collaboration, including with our trusted partners.

Notwithstanding covid-19 restrictions, the new technology has reduced travel across different sites and the requirement for printing, all contributing to new greener, environmentally friendly ways of working in the future.

Improvements have also been made to the website following new regulations announced, whereby all government sites must meet a new accessibility criterion. Since January this year, we have improved our website accessibility – making it easier for our customers to use the website – from a score of 3/10 to a good 8/10 and the improvements will continue. In addition to this, public council meetings are now streamed on You Tube making them more accessible and transparent to the public.

Overall, the digital programme has been vital to delivery of our services over the last year and has ensured we have been able to continue to respond to customer needs.

Councillor Cliff Lunn
Executive Member for Finance and Resources

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Councillor David Buckle

Executive Member for Communities and Economic Development

December 2020

High Street HAZ (HSHAZ) Cultural Consortium:

- The application to Historic England for £10,000 to enable the Cultural Consortium to work with a creative team to begin building Selby in Minecraft (the project is called Selby Block Party) has been successful and the Minecraft team have been appointed. The project begins with 'building' Selby Abbey and Abbots Staith and volunteers from both will be supporting the project.
- The Community Engagement Plan is complete. This sets out the framework for how we will engage with residents, visitors and businesses for the next 4 years.
- The Cultural Consortium have met for the first time. Work has begun to develop the programme of cultural activity which will be delivered. We can apply to Historic England for up to £120,000. The deadline is December 11th.

Other Community Support:

The Communities Team have been supporting Selby Big Local and Groundwork to take over a small piece of Council owned land next to St James Church on New Lane, Selby which has been overgrown for many years. Planning permission and lease arrangements are now in place for work to start to develop the area into an accessible community garden. The project will also link well with wider initiatives by the council, Big Local, Groundwork, Selby Hands of Hope and HSBC which include a community grow at Selby Park, green recovery and mental health projects and a newly established community fridge project at Community House.

Regeneration

Selby Station Gateway Transforming Cities Fund (TCF)

- The Selby TCF is a joint project between Selby District Council and North Yorkshire County Council (NYCC), to improve the linkages between the station, town centre, development sites and the wider Leeds City Region, and to encourage a shift to sustainable transport. Leeds City Region was awarded £317m by the Department of Transport in the March 2020 budget, with an indicative £17.465m allocated to the Selby Station Gateway TCF. The final allocation will be confirmed once the Full Business Case has been agreed by this Council's Executive and has then been assessed by WYCA in the second half of 2021.

- Selby District Council has now entered into a Partnership Agreement with NYCC for the development and delivery of the Selby Station Gateway TCF. The full package of proposals include: relocation of some parking to the east of the station, a new public space in front of the station frontage and improvements to walking, cycling and public transport infrastructure; a new pedestrian/cycle bridge across the river; and Ousegate active travel corridor and public realm enhancements. However, the extent of the proposals will be decided at Full Business Case when all the associated costs and delivery issues are established.
- Public consultation on design options is planned for January / February 2021. The public consultation feedback will help shape final designs and inform the Final Business Case that will be submitted to WYCA for approval later in 2021.
- Cushman and Wakefield have provided a report on land assembly opportunities in relation to the Transforming Cities programme with a view to the Council acquiring key sites necessary for the delivery of the programme. In addition, their report addresses future opportunities to deliver commercial opportunities in and around the Selby Station. Based on this guidance, negotiations have started with the affected landowners.
- Currently, consultants WSP are working with SDC and NYCC in finalising design options ready for the January 2021 consultation stage.

Market Towns Revitalisation Programme

- The inaugural Town Centre Regeneration Board meeting took place on Friday 23rd October 2020. The Board will provide strategic oversight and guidance on the Selby District Town Centre Regeneration Projects. The Board contains a wide range of stakeholders including Councillors, representation from Selby College, York and North Yorkshire LEP, Federation of Small Businesses, Historic England and NYCC Highways. The Board will assess and monitor all essential milestones for active projects, with appropriate review stages to ensure the work progresses to expected timescales and budget/funding frameworks.
- Regular stakeholder meetings have continued to be held with Selby, Tadcaster, and Sherburn business and community representatives about future projects and actions. These have been led by Chris Wade from People and Places consultancy. Chris is now completing the final part of his work which includes finalising the Action Plans for each of the Towns. Chris will make his final presentation at the next Board meeting which will be held on 27th January 2021.
- The Action Plan for Selby is finalised and has a focus for business marketing and digital development. It also includes promoting the development of a community and heritage engagement group for the High St Heritage Action Zone.
- The Action Plan for Sherburn is in its final draft and has recently been considered by the main stakeholder group. Work focuses on high street environment, access, and digital development.
- The Tadcaster Action Plan is currently being finalised and takes account of the successful on-line consultation undertaken in October. The findings are still to be discussed with local community groups and businesses and will inform the priorities in the Action Plan.

- A new post has recently been advertised at SDC to provide support in developing and delivering the wider work programme for our town centres. The new Town Centres Regeneration Officer role will focus on developing and co-ordinating the successful delivery of projects within the towns of Selby, Sherburn, and Tadcaster. They will act as the focal point for all town centre activities and co-ordinate the delivery of the three town centre partnership Action Plans.

Selby District Places and Movement Study

- In March 2020 Selby District Council, North Yorkshire County Council, and York and North Yorkshire LEP commissioned WSP to develop a Places and Movement Study encompassing the three main settlements in the district: Selby, Sherburn-in-Elmet, and Tadcaster.
- The study focusses on managing access and movement to and within the respective town centres over the next 10 years, with an overarching study aim to identify and agree projects and packages for delivery in the short-to-medium term. 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 study provides an evidence base which identifies strengths, weakness, opportunities, and threats in each area.
- A workshop took place on 3rd 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.
- Proposals for Selby included enhancing the key ‘gateways’ in the town, improving wayfinding and providing alternative, sustainable, transport solutions. There was a strong need to enhance the town centre by providing suitable settings for its important heritage buildings. There was a desire to improve air quality, particularly within the Air Quality Management Area.
- Within Sherburn in Elmet there was a clear need to create a true, strong identity in the centre of the village. Again, there was a strong requirement for the traffic and movement assessment to enhancing the existing public realm and help celebrate its heritage. and to facilitate varied uses.
- In Tadcaster it was felt that a restored sense of place and tranquillity in the town, could be achieved by creating a safer place to walk and cycle in. There was a clear desire to create attractive walking and cycle routes.
- Much of the analysis work, including traffic modelling, has now been completed. A series of options are now being developed by WSP, and there will be further consultation on the emerging ideas in the New Year.

Economic Development

- Work is close to completion to provide a detailed report on options available for delivery of potential development on the Council-owned land at Burn Airfield. The findings from this report will be presented to the Executive for approval in January 2021.
- Selby officers have further updated proposals for pipeline project investment in collaboration with the York and North Yorkshire LEP as part of a region wide bid to government to allocate funding to the area in advance of a possible devolution

deal. These projects address a number of opportunities for transport and infrastructure solutions, communities and place, climate change and digital infrastructure and there is a very strong alignment with the Government's recently announced £4 billion Levelling Up Fund. In addition, we are also looking at our priorities and how we might benefit from bids to the £621 million Towns Fund and the UK Shared Prosperity Fund.

- Selby officers are continuing to work with Selby College to promote their range of opportunities for local adults to enhance their skills. In particular, we are focusing on the government's Kickstart programme targeted at 16 to 24-year olds in collaboration with the regional DWP and Job Centre Plus.
- Over the last three months, a number of strategic site developers across the district have seen a significant uplift in enquiries for new investment in commercial space. There is an increased demand for new manufacturing space from both UK and international investors and closely reflects to Council's emphasis on bringing well paid skilled jobs into the district. These include investment in leading edge agricultural technology such as vertical farming, and manufacturing components for consumer products.
- Business engagement over the period has, as expected, been dominated by Covid related activity. Through November the interest has been predominately in relation to questions relating to lock down grants and Brexit/Covid support.
- EU Transition activity by smaller businesses across the District has been slow and is only now gaining momentum as we approach the New Year deadline. Officers are working closely with the Department for International Trade and the LEP to ensure the messages and information are reaching all businesses with extensive use of the Council's web site and social media to extend the reach.
- In November we finally delivered the 2020 Selby District Business Awards to the winners and runners up across 8 business categories and this culminated with an outstanding two page article in the Selby Times celebrating great business news in a period of unprecedented challenges. One of our category winners, The Drover's Arms at Skipwith, won our hospitality business award and then went on to be the category winner in the regional White Rose awards.
- At the York and North Yorkshire LEP's annual and on this occasion, virtual Business Conference last month the appointment of the LEP's new chairperson was announced. Helen Simpson, an experienced non-executive chair and director, will replace David Kerfoot when his term of office comes to an end next March.

Councillor David Buckle

Executive Member for Communities and Economic Development



Councillor Christopher Pearson

Executive Member for Housing, Health, & Culture – December 2020

Housing

The Housing Team have continued to offer support to tenants throughout the pandemic. We suspended formal rent recovery action and spent time supporting those tenants who were experiencing difficulties paying their rent because of a loss of earnings or due to self isolation or illness. The Team provided advice and assistance on Universal Credit and on wider benefits to help tenants maximise their income to help prevent rent arrears building up.

We have continued to advertise and allocate our properties through North Yorkshire Home Choice and we have recently let six newly acquired properties that were purchased through the Empty Homes Programme. The programme is supported by funding from Homes England of £39,000 per property and the properties purchased have now been added to our Housing Revenue Account. Four of the properties purchased were in Tadcaster and a local lettings plan was put in place to give priority to applicants with a connection to Tadcaster or the surrounding villages. All the properties have been let at an Affordable Rent.

Visitor Economy

A significant amount of work has been underway to attract local visitors to our high streets and to our district wide offer to enable people to explore in these difficult times.

The Scrutiny Committee have recently heard about the great work on the visitor economy strategy and a Member's webinar will shortly be available for the council to understand more of the incredible progress achieved and the plans for the next year.

I send my utmost congratulations to the Community, Partnerships & Customers service, Selby Abbey and the range of partners who came together to deliver Selby950. The programme was awarded Bronze Award in the White Rose Tourism Awards for Best Arts & Culture against some tough competition across the region. It is also with special thanks to funders: the Arts Council, National Lottery Heritage Fund and Drax Power for their collective £135,000 investment in the programme against the District Council's Programme For Growth investment of £50,000. In response to this, this Council has agreed further investment into arts and culture over the next 3-5 years through the funding agreed at the September meeting. We shall use this funding to engage investors further in a series of activities that will be designed to engage local people, develop the creative sectors and embed

Key highlights from the last two months include:

- **Three themed Selby District Trails have been developed** – Escape in your own back yard (Nature & Wildlife Trail), Your Home's History (Heritage Trail) and Young

– at The Heart of Yorkshire (Family Adventure Trail). These aim to encourage residents and visitors to explore the District and experience our must-see landmarks and attractions, focusing on landscape, green open spaces, heritage stories and family adventure. They will be available in various forms and are available to download via the Selby District Council website.

- The trails are being launched with a new campaign: **HOME at the Heart of Yorkshire**. This campaign includes advertising on 5 buses (various routes across the District) and on the billboards at Selby Station and on the A64. Partnering with digital platforms such as Selby, Tadcaster & Goole (STAG) Mumbler, has achieved encouraging results, with advertising resulting in over 1 million impressions, a reach of 52,000 via social media channels and 4,000 visits to the dedicated 'Home at the Heart of Yorkshire' page on the website.
- **MonsterVillain Safari – Halloween Trail**. We brought the MonsterVillain Safari to the high streets of Selby, Tadcaster and Sherburn – a trail of “monsters” in shop windows, which families were encouraged to collect, using the individual QR codes, instead of trick or treating at Halloween. The trails were successful and well-received by businesses, so we're currently looking at implementing the Christmas version, as another way of bringing people to the high street. If this isn't possible, due to restrictions, we will look to move the plan to February half-term or Easter, as appropriate.
- **Shop Local Campaigns** - We're looking at how we can encourage residents to support local, shop local and enjoy local, as well as highlighting the online offer, via ShopAppy. Similar to the Home at the Heart of Yorkshire campaign, activity will include digital advertising, social media, local press and a partnership with STAG Mumbler.
- **Visitor Economy Advisory Board** (VEAB) is in place, with 12 members from across the District, who represent accommodation providers, visitor attractions and hospitality businesses. The group will meet on a monthly basis initially to identify how the sector can best be supported and developed.
- **Development of the visitor destination branding** for the District continues. A 'Brand Council' has met (with representatives of the VEAB, key stakeholders (including the LEP) and local businesses). There will be wider consultation with the sector and council representatives as the work develops.

Visitor Economy Sector Support during Covid:

- The Tourism Development Officer continues to work closely with individual VE businesses to help with queries concerning the local restrictions support grant, and anything else they may need support with. We reach out to over 100 visitor economy businesses with relevant news and advice. Individual enquiries from over 45 businesses have been received and actioned since May.
- **Welcome to Yorkshire** - Regular meetings are scheduled with Area Director and we continue to feed content into campaigns, to ensure the District is accurately represented. WTY provided support to amplify our Home at the Heart of Yorkshire campaign messages and posted about the Selby District trails on their Facebook page. The post reached around 20,000 people and enjoyed some fantastic engagement, with 527 likes, comments and shares. The Chief Executive of

Welcome to Yorkshire is due to visit the District in the New Year to meet sector business representatives, as well as senior leaders at SDC. He aims to understand the needs of the sector and the area.

Contracts

We have taken delivery of the final new refuse vehicles during November to complete the delivery of a brand new fleet for Selby District. Staff at Amey have worked closely with officers to ensure the new service has been delivered smoothly and the mobilisation of the new vehicles was seamless. This has been a massive change to a frontline service that affects every household weekly and I would like to express my thanks and gratitude on behalf of the Council to all the Staff at Amey and our officers for their commitment and dedication in managing this change for our customers.

We have recently procured a contract for garden waste composting by a number of organisations that replaces our existing contracts ending on 3rd November. The new contracts provides service continuity for our garden waste collection service providing local processing facilities that minimise travel from the collection rounds to the processing facilities.

Councillor Christopher Pearson
Executive Member for Housing, Health and Culture

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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 September 2020.

17 September 2020 – Extraordinary Meeting

Call-In of Executive decision relating to the Review of Car Parking Tariffs

The Committee received the report 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. Present at the meeting were the Deputy Leader, Lead Executive Member for Finance and Resources and the Lead Executive Member for Communities and Development.

Members discussed the call-in and asked a number of questions of Officers and the Executive Members relating to cashless payments, links to regeneration, the local economy and investment in the District's towns, the availability of car parking spaces and parking on residential roads.

The Committee felt that further consideration was required on the matter before them and should be referred to Council for a decision for 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; there were concerns around the split between Selby and Tadcaster; there was a lack of consultation with local communities in Selby, Tadcaster and Sherburn, and the report did not mention clearly that cash payments would still be available.

24 September 2020

Work Programme

The committee agreed the work programme as presented.

Corporate Performance Report - Quarter 1 2020/21 (April to June)

Members considered the report and asked Officers to relay the Committee's thanks to all staff that had been working particularly hard during the Covid-19 pandemic.

The report was noted by the Committee.

Financial Results and Budget Exceptions Report to 30th June

The Committee received the report which asked Members to consider and comment on the financial information that covered Quarter 1 of 2020-21. Members had a number of queries about the report in relation to the HRA deficit, the adaptations budget,

budgetary underspends and reasons for these, and the retail and hospitality grants issued by the Council during lockdown.

The report was noted by the Committee.

Treasury Management - Quarterly Update Q1 2020/21

The Committee received the report for Quarter 1 of 2020-21 which reviewed the Council's borrowing and investment activity (Treasury Management) for the period 1 April to 30 June 2020 (Q1) and presented performance against the Prudential Indicators.

The report was noted by the Committee.

Outcome of Housing Centre Review by Task and Finish Group - with recommendations

The Committee considered the report which asked Members to agree the recommendations for subsequent referral to the Executive for consideration and approval.

The recommendations of the Task and Finish Group were set out in the report and summarised by Officers. The Committee agreed that it had been useful to visit all of the Housing Centres in the district in order to inform the recommendations that were to be referred to the Executive.

The Committee agreed that the recommendations set out in the report should be referred the Executive for consideration and approval.

Inspiring Healthy Lifestyles - Selby Annual Review 2019-20 and Verbal Update on Urgent Decision taken during Covid-19 relating to Leisure Services made in May 2020

The Committee received the report which asked Members to consider and comment on the content of the Annual Review 2019-20, and note the information provided by Officers on the urgent decision taken during Covid-19 in May 2020 relating to the waiving of a portion of the management fees for the Leisure Services Contract.

Members asked if Officers were aware of any financial difficulties being experienced by IHL in light of the Covid-19 pandemic. Officers advised that there was weekly dialogue between the Council and IHL on this matter, and that in response to the reduced income the management fee had been waived by the Council between April and June 2020. Officers were working with IHL to establish how the service would operate in the future.

The Committee noted the information provided.

Information on Local Government Reorganisation - Discussion Item

The Committee were informed by the Director of Corporate Services and Commissioning that since the discussions at full Council on 22 September 2020, there had been no further developments on the government's proposed local government reorganisation. The Committee agreed that an update should be given at a future Scrutiny Committee meeting when appropriate.

North Yorkshire Safeguarding Children Board and North Yorkshire Safeguarding Adults Board Annual Reports 2018-2019

The Committee considered the report that asked Members to note the content of the annual reports for the North Yorkshire Safeguarding Children and North Yorkshire Safeguarding Adult's Boards.

Members discussed the reports and agreed that further scrutiny on the topic in the future could be worthwhile, perhaps as a half or full 'scrutiny in a day' session.

The Committee noted the content of the annual reports.

26 November 2020

Work Programme

Members agreed the work programme as presented and asked that a letter of thanks be sent to Dr Lincoln Sargeant on behalf of the Committee to thank him for his work as Director of Public Health for North Yorkshire, as he was leaving his post in December.

Yorkshire Wildlife Trust - Barlow Common Activity Review April 2019 to September 2020 and the Wildlife Habitat Protection Trust - Hambleton Hough Annual Report 2019-20

The Committee received the report as set out in the agenda; in attendance at the meeting remotely were David Craven from Yorkshire Wildlife Trust and Martin Blakey from Wildlife Habitat Protection Trust.

Members asked some questions relating to the theft of newly planted trees and some issues experienced at Hambleton Hough.

The Committee noted the report.

Financial Results and Budget Exceptions Report to 30th September 2020

The Committee considered the report which asked them to note the contents and make any comments on the Council's financial results and budget exceptions.

Some questions were asked of Officers about contributions to the Bawtry Road roundabout scheme and the Council's savings targets.

The Committee noted the report.

Treasury Management - Quarterly Update Q2 2020/21

The Committee received the report which asked them to consider the content and make any comments on the Council's treasury management. The Executive Member for Finance and Resources commented on the return on the Council's property fund, which the Committee noted, along with the report.

Council Delivery Plan 2020-23

The Committee were given an overview of the Council's Delivery Plan 2020-23 by the Head of Business Development and Improvement and noted the content of the report.

Update on delivery of the 2018 - 2021 Visitor Economy Strategy

Members were given a comprehensive presentation on the Council's 2018 - 2021 Visitor Economy Strategy by the Head of Community, Partnerships and Customers.

Members thanked Officers for the information and suggested that all Councillors and possibly Parishes should also see the presentation.

The Committee asked questions relating to Welcome to Yorkshire, the Tour de Yorkshire, permissions for advertising events on lampposts and in shop windows on posters and the Hidden Histories project.

The Committee noted the report.

Recommendations from Scrutiny Training on 9 October 2020

The Committee were supportive of the recommendations from the Scrutiny training session on 9 October 2020 and emphasised the importance of ensuring that Ward Members were kept better informed about issues within their areas, i.e. scaffolding and why it had been/would be erected on some properties.

Cross party working was also mentioned, with the work of the Low Carbon Working Group and Housing Centre Working Group sited as prime examples.

Members agreed to take the recommendations forward.

Future Meetings: The next meeting of the Committee will be on 21 January 2021.

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

Policy Review Committee Report to Council – 15 December 2020

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

20 October 2020

Low Carbon Working Group – Standing Update

The Committee had a very comprehensive discussion about the draft Low Carbon Action plan, covering the following points:

- The Working Group had met on five occasions (16 January 2020, 27 February 2020, 23 June 2020, 28 July 2020 and 6 October 2020), with updates from the group being a standing agenda item on Policy Review Committee meetings. Members agreed that the work of the group had been collaborative and cross party, and that it should continue following consideration by the Executive.
- APSE (Association of Public Service Excellence) had been commissioned to undertake work on calculating the Council's carbon footprint (based on 2018-19 data) and had calculated the Council's scope 1 and 2 emissions.
- The Council's annual carbon footprint was calculated at 418 tonnes. Scope 1 emissions made up 38% (160 tonnes) and scope 2 emissions 62% (257 tonnes).
- Members accepted that the Council was dependent on outside contractors, for services such as waste and recycling, to reach the target of being carbon neutral by 2030. Additional concern was expressed around the increasing use of green technology and interventions such as solar panels and electric vehicles, where the Council could be unwittingly generating carbon elsewhere, for example, in their manufacture. Officers explained that the calculation of the Council's carbon footprint did not include emissions from manufacturing the interventions because this would fall under Scope 3, which was outside of the scope of this piece of work.
- Scope 3 data was problematic due to the amount of time it took to collect; some local authorities had tried to trace their carbon footprint for everything, but it had proved problematic in places.
- Concerns around gathering further data were noted, and the general consensus from the Committee was that the action plan as set out should be submitted to the Executive and the work be taken forward, without the need for the additional data.

- The committee endorsed the draft Low Carbon Action Plan for submission to the Executive.

Allocation of Housing – Update Presentation

The Committee received a comprehensive presentation and report from the Housing Service Manager which updated them on the allocation of housing in the district.

- Members had expressed concerns around inward migration and as such, Officers acknowledged the importance of the needs of Selby district residents being met and provided feedback on the use of the rural area restrictions.
- The presentation explained the demand for affordable housing and homelessness across Selby district, affordable housing delivery, the acquisition of empty homes and Right to buy and buy backs, the allocation of affordable housing through North Yorkshire Home Choice, local lettings and the rural area restrictions and the new Affordable Housing Delivery Strategy timeline.
- Members noted that a new Affordable Housing Development Strategy was being developed and would be brought to Policy Review Committee for consultation in due course.
- The Committee asked a number of questions regarding housing around variations to S106 Agreements and comments on planning applications from the Housing Team, the advertising of rural area restrictions, the future of the Home Choice scheme once York City Council had left and the acquisition of empty homes.
- Officers confirmed that seven empty homes had been acquired by the Council so far, and that there was a list of around 20 to 30 properties that were long term empty which the Council had identified.
- The Committee asked that an update report on empty homes be brought back to them at a future meeting.

Work Programme

The Committee asked that the consultation report for the preferred options from the Local Plan Programme Board and the draft Affordable Housing Strategy be added to the work programme.

Future Meetings: 12 January 2021

The Policy Review Committee will be meeting next on 12 January 2021.

Councillor Andrew Lee
Chair, Policy Review Committee



Councillor Karl Arthur – Chair of Audit and Governance Committee

Update to Council on 15 December 2020

The Audit and Governance Committee has met once since the last update provided to the Council on 22nd September 2020. The meeting took place on Wednesday 21st October 2020.

Audit and Governance Committee Meeting – 21st October 2020

This Audit and Governance meeting had eleven items on the agenda. As usual I would like to thank both officers and committee members for their support and comments during the course of the meeting.

During the chairs address at the start of the meeting I updated members on the work of Sir Tony Redmond, who has led an independent review into oversight of local audit and transparency of local government reporting.

A number of detailed recommendations have been put forward to the review. These include:

- A review of potential simplification of local government accounts and a revision to the deadline for publishing the audited accounts from 31st July to 30th September each year;
- A review of the governance arrangements within local authorities by local councils with the purpose of an annual report being submitted to Full Council by the external auditors;
- Consideration being given to the appointment of at least one independent member, suitably qualified, to the Audit Committee;
- Formalising a facility for the Councils Chief Executive Officer (CEO), Monitoring Officer and Chief Finance Officer (CFO) to meet the Key Audit Partner at least annually; and
- A revision to the current fee structure for local authorities to ensure that adequate resources are deployed to meet the full extent of local audit requirements.

To date the review has not been considered by the Government, the committee looks forward to a formal report from officers any of the contents become mandatory.

Members noted the purpose of the Redmond Review.

During the course of the meeting the most important item which the committee discussed was the Statement of Accounts for 2019-20.

Members queried what had occurred in the General Fund to produce the negative variance in customer and client receipts. It was confirmed that the scale of planning applications received had not been as high as had been budgeted for, and that this had resulted in reduced income from planning fees, there was also reduced property and recycling income and reduced occupancy in industrial units.

In response to a query regarding why targets had not been realised in budgets savings, the Chief Finance Officer advised members that the Council had a Comprehensive Savings Plan, which is reported to the Executive quarterly. It has highlighted that the short fall in savings was due to a number of different reasons. These included capacity to process the Digital Strategy and transformation.

Following the discussion the Committee approved the Statement of Accounts, subject to the completion of the audit.

Members received the External Audit Completion Report 2019-20 from the Partner at Mazars – the authority's external auditor. In response to a question about how assurance of the valuation of the North Yorkshire County Council (NYCC) Pension Scheme was acquired, it was confirmed that there was a routine liaison arrangement in place with the auditor at NYCC to provide yearly figures.

Members also asked a number of questions in relation to material certainty on the valuation of property, plant and equipment made at 31st March, how assets were valued and how the £33k triviality level was determined. It was confirmed that challenge on the valuation estimation was undertaken and the judgment reached by the valuer had been considered, assets were valued at a fair value, and the triviality level was a proportion of the Council's gross revenue expenditure. Members noted the report.

Members also considered the Internal Audit, Counter Fraud and Information Governance Report 2020-21. The Audit Manager from Veritau presented the report which provided an update on progress made in delivery of the internal audit work plan for 2020-21, along with an update on the counter fraud and information governance work undertaken to date in 2020-21.

In relation to a query regarding when the council had last been inspected for compliance regarding the Regulation of Investigation Powers Act 2000, the Solicitor to the Council was unable to confirm the specific date but confirmed that the policy was currently being reviewed and would be circulated to the committee once the review was complete.

The committee asked a number of questions in relation to three identified fraudulent Covid-19 grant applications. It was confirmed that one company had not been operational and two had provided false details to divert monies. It was confirmed that the perpetrators had been reported to the relevant authorities for action to be taken against them.

In relation to the review of the Councils Privacy Notices members queried what gaps had been identified in the review, and why a new privacy notice had been written for Council Employees in response to Covid-19. Veritau informed members that the gap had been identified in service areas where specific privacy notices were required, and that the new employee privacy notice informed employees about what the Council did with their personal details and how they protected the data.

Members noted the report.

Turning to the CIPFA Management Code, members were satisfied that the self-assessment was completed in December 2019 and adopted by the Leadership Team in January 2020. It was highlighted that some areas for improvement had been identified with a number of actions on the action plan agreed by the Leadership Team. Members noted the report.

The Committee also considered the Local Government and Social Care Ombudsman Annual Review Letter 2019-20 and were assured that the complaints process was operating effectively and noted the importance of complaints in terms of positive learning and improvement of services following their consideration. The Committee was informed that the Council had received 12 complaints in 2019-20 and of those only five had gone to detailed investigation by the Ombudsman of which three had been upheld. The Committee noted the report.

Finally, the Committee considered and approved the Annual Audit and Governance Committee Report 2019-20.

Change of Committee Membership

At our last meeting in October the Committee welcomed three new members Cllr's Mike Jordan and Tim Grogan from the Conservative Group and Don Mackay from the Independent Group. They replaced Cllr's John Mackman, Ellie Jordan and Dave Brook and I would to place on record my thanks to them for their input and support at previous meetings.

Next Meeting

The next meeting of the Audit and Governance Committee will be taking place on Wednesday 27 January 2021.

I commend my statement to the council.

Councillor Karl Arthur

Chair, Audit and Governance Committee

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Report Reference Number: C/20/09

To: Council
Date: 15 December 2020
Ward(s) Affected: All
Author: Alison Hartley, Monitoring Officer and Solicitor to the Council
Lead Officer: Alison Hartley, Monitoring Officer and Solicitor to the Council

Title: Report of the Monitoring Officer 2020 – Standards Arrangements

Summary:

This report covers the operation of the current standards regime for Selby District Council, and Town and Parish Councils within Selby District. It considers the complaints history and concludes that the arrangements are satisfactory and meet legal duties. The impacts of Covid this year has inevitably diminished the Monitoring Officer's time resource available to deal with complaints as quickly as she would like. Whilst they continue to be processed and considered, additional administrative support has been identified to speed up the process going into the next year.

Recommendations:

To note the content of the report.

Reasons for recommendation

To ensure that high standards of conduct by Councillors and co-optees are promoted and maintained.

1. Introduction and background

- 1.1 Under Section 27 of the Localism Act the Council is under a duty to promote and maintain high standards of conduct by Councillors and co-optees. The primary responsibility for the discharge of this duty falls to the Monitoring Officer.
- 1.2 The Monitoring Officer ensures that Councillors are provided with information about what interests must be registered and declared, compiles and maintains a register of such interests and deals with complaints about the conduct of Councillors when acting in the capacity of Councillor. Under the legislation the

District Council Monitoring Officer is also responsible for registering interests for and dealing with complaints relating to Town and Parish Councillors.

2. The Report

- 2.1 In 2020, ten complaints were received (between 1st December 2019 – 30 November 2020). Eight of the complaints concern Parish Councillors. One of the District Councillor complaints was rejected at assessment stage. The other District Councillor complaint was resolved locally, with a public apology given. Four of the Parish complaints were rejected at assessment stage. In another of the Parish complaints, no breach was found after further information was sought by the Monitoring Officer. Three of the Parish complaints are currently being assessed by the Monitoring Officer in consultation with the Independent Persons. The four unresolved complaints from 2019 were concluded in 2020 with no further action being taken following further information sought by the Monitoring Officer.
- 2.2 By way of comparison, in 2019, five complaints were received. Four of the complaints concerned Town and Parish Councillors. Following enquiries made by the Monitoring Officer, and consultation with the Independent Persons (in 2020), none of the four Parish complaints were upheld and no further action was taken. The District Councillor complaint was rejected at assessment stage. An unresolved complaint from 2018 was resolved in 2019 with no further action being taken following an investigation.

3. Implications

3.1 Legal Implications

The Council should take positive steps to discharge the s27 duty. The report indicates that the duty is being discharged correctly and increased administrative resource has been identified from within the Leadership Support Team to assist the Monitoring Officer to improve timeliness in processing the complaints arrangements.

4.2 Financial Implications

None.

4.3 Policy and Risk Implications

None.

4.4 Corporate Plan Implications

None.

4.5 Resource Implications

None.

4.6 Other Implications

None.

4.7 Equalities Impact Assessment

None.

5. Conclusion

That the regime is operating effectively.

6. Background Documents

None.

7. Appendices

Appendix A – Standards Report 2020

Appendix B – LGA Model Councillor Code of Conduct 2020

Contact Officer:

Alison Hartley, Solicitor to the Council and Monitoring Officer
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STANDARDS REPORT 2020

Alison Hartley
Monitoring Officer
December 2020



Introduction – Ethical Standards

The Localism Act 2011 introduced a duty placed upon all councils to promote and maintain high standards of conduct by councillors and co-opted members.

Personal and Prejudicial interests were replaced by a set of nationally defined “Disclosable Pecuniary Interests” – reinforced by new criminal sanctions - and locally determined “other interests”.

All Councils were required to develop and adopt their own local Code of Conduct based upon the Seven General Principles of Public Life.

In addition, principal councils were required to adopt their own arrangements for dealing with complaints against councillors alleged to have breached their council’s code of conduct.

The standards arrangements adopted by Selby District Council came into force on 1 July 2012 and dealt with complaints against Selby District Councillors and Town and Parish Councillors in the District of Selby. In May 2017 the Council approved updated arrangements. In 2019, minor amendments were made to align with best practice as recommended by the Report of the Committee for Standards in Public Life (January 2019).

The Council’s Monitoring Officer is responsible for advising the Council on its duty to maintain high ethical standards; for advising councillors on their responsibilities to conduct themselves appropriately, register and declare their interests and not otherwise jeopardise the proper decision-making of the Council; and for managing the arrangements for dealing with complaints.

The Council has appointed three Independent Persons to provide an independent view of how the Council manages its ethical standards.

This report covers the period 1 December 2019 to 30 November 2020.

Code of Conduct

Selby District Council adopted a local Code of Conduct on 24 April 2012. The Code came into effect from 1 July 2012.

Town and Parish Councils in Selby District have generally either adopted the same Code as the District Council or they have adopted the model code issued by the National Association of Local Councils (NALC).

The Localism Act 2011 required that all codes of conduct should be based upon the seven principles of public life:

1. Selflessness
2. Integrity
3. Objectivity
4. Accountability
5. Openness
6. Honesty
7. Leadership

A copy of the Selby District Council Code of Conduct is available on the Council website which also sets out details of how complaints about Councillor Conduct can be made and will be considered.

Monitoring Officer

Alison Hartley, Solicitor to the Council is the Council's Monitoring Officer. She has appointed Glenn Sharpe, Solicitor, as her Deputy Monitoring Officer with full powers to act in her absence. She has appointed Palbinder Mann, Democratic Services Manager, as a Deputy Monitoring Officer to assist in relation to standards investigations.

The Monitoring Officer ("MO") is a statutory role and is required to ensure that the Council, its Councillors and Officers carry out their functions in a proper and lawful manner. The MO has an important role to play in ensuring that high standards of conduct are promoted and maintained throughout the organisation.

The MO is responsible for establishing, maintaining and publishing the Register of Councillors' Interests for District, Town and Parish Councils and for ensuring that the Council's Constitution is effective.

Alison meets regularly with other Monitoring Officers across Yorkshire to share best and emerging practice, co-ordinate training and development and co-operate in the investigation and hearing of complaints.

Independent Persons

In July 2017 the Council appointed Hilary Putman, Wanda Stables and Philip Eastaugh as independent persons.

Hilary has been involved with Standards for Local Authority Councillors since March 2009, initially as an Independent Member and then the Chair of the Standards Committee for Selby district. Since July 2012, she has been one of the Independent Persons for Selby District Council. Hilary has a background in people orientated employment and a portfolio of public appointments and voluntary commitments. She is an active member of Soroptimist International. Hilary is also a member of the Out - of - Court Disposals Scrutiny Panel for North Yorkshire.

Wanda has been an Independent Member of the Standards Committee and then Independent Person for Selby District Council since 2009 and has attended many meetings and several hearings. She is a retired Statutory Officer of the Crown, a role which she performed for 25 years, latterly as Superintendent Registrar of Births, Deaths and Marriages for the County of North Yorkshire. Since 2009, she has worked as a volunteer in charitable sector employment at the Citizens Advice Bureau in Selby.

Philip was appointed as an Independent Person in 2017. He retired from HMRC in 2016 where he worked as a Criminal Investigator dealing with tax and excise offences. This required liaison with foreign law enforcement agencies and local authorities. Philip has worked on cases in Courts across the North of England and in London. He also volunteers for the Coroners Court Support Service for North Yorkshire.

The role of the Independent Persons is to:

- be consulted by the Monitoring Officer as part of the complaint handling process;
- be consulted by the Council before it makes a finding about whether a Councillor or co-optee has failed to comply with the Code of Conduct;
- advise the Council, when consulted, on the effective working of the Code of Conduct and the Council's arrangements for dealing with complaints;
- be available to be consulted by a Councillor against whom a complaint has been made; and
- have a freestanding remit to offer comment to the Council on its performance of the general duty to promote high standards of ethical conduct.

The MO and Independent Persons meet quarterly to share their experience, consider best and emerging practice and discuss training and development.

The Independent Persons are also invited to attend meetings of Audit and Governance Committee and have contributed to training sessions in the past.

The positive working relationships between them and the MO and the District Council are of great assistance in meeting the legal duty to promote high standards of conduct.

Registration of Interests

The Localism Act 2011 requires all Councils to adopt a local Code of Conduct which includes provisions for the registration and disclosure of pecuniary interests and other interests.

Councillors with disclosable pecuniary interests in the business of their Council are prohibited from participating in such business unless they have a dispensation. The Act also introduced a criminal offence relating to failure to register disclosable pecuniary interests. Councillors convicted of such offences are liable for a scale five fine (up to five thousand pounds) and may also be disqualified from being a councillor for up to five years.

Councillors have been made aware that even if a Councillor's interest does not amount to a disclosable pecuniary interest, the interest might lead them to predetermine a decision or give rise to a perception of bias. In such cases, it would not be appropriate for them to participate in the decision. If they do participate, the decision could be vulnerable to challenge.

The Monitoring Officer has a legal duty to establish and maintain a register of interests for the District Council and also for Town and Parish Councils in the District. The Register(s) must be available for inspection at all reasonable hours and must be published on the District Council's website. Where a Town or Parish Council also has a website a copy of the Register for that Town or Parish Council must also be published on their website. For convenience, many Parish and Town Councils opt to provide a link to the District Council's website to comply with this requirement.

In 2018 the Council introduced a new software system supporting the publication of agendas and minutes alongside information on registered interests and Councillors' attendance at meetings. As part of this process, District and Parish Councillors have been invited to review and update their registers. All District and Parish Councillor registers of interests are published on the Council's website through the new system.

Dispensations

During the period covered by this report, the Monitoring Officer has granted dispensations to all Members of Selby District Council in respect of decisions relating to Local Government Review.

Sensitive Interests

Two requests for interests to be withheld from publication as 'sensitive' have been received during the period covered by this report (s.32 Localism Act 2011).

Standards Arrangements

The Local Government Act 2000 previously required all principal authorities to establish a Standards Committee as the body with responsibility for promoting high standards of ethical conduct.

The Localism Act 2011 removed the obligation to appoint a Standards Committee. Many local authorities chose to retain a Standards Committee as part of their new local arrangements.

At SDC, the Standards Committee operates when required as a sub-committee of the Audit and Governance Committee. The Arrangements include target timescales

for assessing and dealing with complaints. When the complaints involve Parish Councillors, the Arrangements include the ability to co-opt one of a number of Parish Council representatives onto the Panel to ensure that the Parish Voice is heard in decision making.

No hearings have been required in the period covered by this report.

The Monitoring Officer continues to strive to improve the timescales for considering responses. Due to the unprecedented impacts of the Covid Pandemic since March 2020, administration of complaints this year had to be re-prioritised to accommodate the other pressures of work of the Solicitor to the Council in responding to the crisis. This has inevitably caused unavoidable delay in assessing complaints. Contact has been maintained with complainants and the Independent Persons to explain the delay and to keep the situation under review in terms of prioritisation.

The Committee on Standards in Public Life

The Committee on Standards in Public Life undertook a comprehensive review of local government ethical standards and published a report in January 2019. The Committee made 26 formal recommendations to the Prime Minister and 15 Best Practice recommendations. A number of the recommendations would require legislative changes to be implemented.

The LGA has published a Model Code, although legislative changes will be required before all the proposals in the Code could be adopted. This is awaited before any further changes are recommended to SDC Code of Conduct for Members. The SDC Code was last updated to reflect the findings of the on 10 April 2019 by the Audit and Governance Committee.

Parish and Town Councils

There are 74 Town or Parish Councils and Parish Meetings in Selby District. Town and Parish Councils are under the same obligation to promote and maintain high standards of conduct and to adopt a local code of conduct for councillors.

All Parish and Town Councillors have an obligation to register their DPIs and other interests.

The Council holds bi-annual Parish Liaison meetings where the Chairs and Clerks of each Parish Council are invited to further enhance the communication and support to Parish Councils. Parish Council contact information and their registers of interests are published on the Council's website.

The few complaints dealt with by the MO this year have concerned a small number of Parish Councillors. Of the complaints assessed, none have resulted in a formal hearing or sanctions, and instead have been locally resolved.

It should be noted that in respect of Parish Councils, the extent of jurisdiction as Monitoring Officer is limited to dealing with complaints about the ethical conduct of individual parish councillors. The MO has received some procedural queries this

year and has directed Clerks to the National Association of Local Councils (NALC) for advice.

Complaints History

The table below shows complaints dealt with under the Arrangements in the period covered by this rep

Update on complaints in 2019 from the last report

	Type of Council	Allegations	Outcome
1	Town Councillor	Disrespect / Bullying / Disrepute	Assessed. No breach
2	Town Councillor	Disrespect/Bullying / Disrepute	Assessed. No breach.
3	Town Councillor	Disrespect/ Bullying/ Disrepute	Assessed. No breach.
4	Town Councillor	Disrespect / Bullying / Disrepute	Assessed. No breach.
5	Parish Councillor	Disrepute	Rejected at assessment stage.
6	Parish Councillor	Disrepute Disrespect and bullying Improper use of resources Improperly conferring advantage or disadvantage	Assessed. No breach.
7	Parish Councillor	Disrepute Compromising impartiality of Council Officer	Assessed. No breach.

Complaints in 2020

	Type of Council	Allegations	Outcome
1	Parish Councillor	Disrespect and bullying	Assessed. Rejected – Anonymous
2	Parish Councillor	Disrepute	Assessed. No breach.
3	Parish Councillor	Disrepute Disrespect and bullying Improper use of resources Improperly conferring advantage or disadvantage	Assessed. No breach.
4	SDC Councillor	Disrepute Compromising impartiality of Council Officer	Rejected at assessment stage.
5	SDC Councillor	Disrepute	Locally resolved. Apology given.
6	Parish Councillor	Disrespect	Assessed. No breach.
7	Parish Councillor	Disrespect	Pending
8	Parish Councillor	Disrespect	Pending
9.	Parish Councillor	Disrespect	Pending
10	Parish Councillor	Disrespect	Pending

Future Developments

The Committee for Standards in Public Life (CfSPL) made recommendations on the contents of Codes of Conduct and the availability of effective sanctions. Changes to primary legislation will be required for some of the recommendations to be implemented.

The final report of the CfSPL was discussed at the Audit and Governance Committee in April 2019. On 3 December 2020 the Local Government Association published a Model Code, which is attached for information. The impacts of the Covid pandemic have meant that parliamentary time has been directed to responding to the pandemic, so updated legislation is still awaited at this time, and the Model Code will need to be reviewed in the event that legislation is changed.

The LGA have stated that further guidance will be issued regarding interpretation of the Model Code. Once this guidance is published, the Monitoring Officer will report to the Audit and Governance Committee to consider any recommended changes to the existing SDC Code in 2021.

Alison Hartley, Monitoring Officer
December 2020

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Local Government Association

Model Councillor Code of Conduct 2020

Joint statement

The role of councillor across all tiers of local government is a vital part of our country's system of democracy. It is important that as councillors we can be held accountable and all adopt the behaviours and responsibilities associated with the role. Our conduct as an individual councillor affects the reputation of all councillors. We want the role of councillor to be one that people aspire to. We also want individuals from a range of backgrounds and circumstances to be putting themselves forward to become councillors.

As councillors, we represent local residents, work to develop better services and deliver local change. The public have high expectations of us and entrust us to represent our local area; taking decisions fairly, openly, and transparently. We have both an individual and collective responsibility to meet these expectations by maintaining high standards and demonstrating good conduct, and by challenging behaviour which falls below expectations.

Importantly, we should be able to undertake our role as a councillor without being intimidated, abused, bullied or threatened by anyone, including the general public.

This Code has been designed to protect our democratic role, encourage good conduct and safeguard the public's trust in local government.

Introduction

The Local Government Association (LGA) has developed this Model Councillor Code of Conduct, in association with key partners and after extensive consultation with the sector, as part of its work on supporting all tiers of local government to continue to aspire to high standards of leadership and performance. It is a template for councils to adopt in whole and/or with local amendments.

All councils are required to have a local Councillor Code of Conduct.

The LGA will undertake an annual review of this Code to ensure it continues to be fit-for-purpose, incorporating advances in technology, social media and changes in legislation. The LGA can also offer support, training and mediation to councils and councillors on the application of the Code and the National Association of Local Councils (NALC) and the county associations of local councils can offer advice and support to town and parish councils.

Definitions

For the purposes of this Code of Conduct, a “councillor” means a member or co-opted member of a local authority or a directly elected mayor. A “co-opted member” is defined in the Localism Act 2011 Section 27(4) as “a person who is not a member of the authority but who

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee”.

For the purposes of this Code of Conduct, “local authority” includes county councils, district councils, London borough councils, parish councils, town councils, fire and rescue authorities, police authorities, joint authorities, economic prosperity boards, combined authorities and National Park authorities.

Purpose of the Code of Conduct

The purpose of this Code of Conduct is to assist you, as a councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow councillors, local authority officers and the reputation of local government. It sets out general principles of conduct expected of all councillors and your specific obligations in relation to standards of conduct. The LGA encourages the use of support, training and mediation prior to action being taken using the Code. The fundamental aim of the Code is to create and maintain public confidence in the role of councillor and local government.

General principles of councillor conduct

Everyone in public office at all levels; all who serve the public or deliver public services, including ministers, civil servants, councillors and local authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty
- I act lawfully
- I treat all persons fairly and with respect; and
- I lead by example and act in a way that secures public confidence in the role of councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community
- I do not improperly seek to confer an advantage, or disadvantage, on any person
- I avoid conflicts of interest
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my local authority's requirements and in the public interest.

Application of the Code of Conduct

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of councillor or attend your first meeting as a co-opted member and continues to apply to you until you cease to be a councillor.

This Code of Conduct applies to you when:

- you are acting in your capacity as a councillor and/or as a representative of your council
- you are claiming to act as a councillor and/or as a representative of your council
- you are giving the impression that you are acting as a councillor and/or as a representative of your council
- you refer publicly to your role as a councillor or use knowledge you could only obtain in your role as a councillor.

The Code applies to all forms of communication and interaction, including:

- at face-to-face meetings
- at online or telephone meetings
- in written communication
- in verbal communication
- in non-verbal communication
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Town and parish councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

Standards of councillor conduct

This section sets out your obligations, which are the minimum standards of conduct required of you as a councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

General Conduct

1. *Respect*

As a councillor:

1.1 I treat other councillors and members of the public with respect.

1.2 I treat local authority employees, employees and representatives of partner organisations and those volunteering for the local authority with respect and respect the role they play.

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

2. *Bullying, harassment and discrimination*

As a councillor:

2.1 I do not bully any person.

2.2 I do not harass any person.

2.3 I promote equalities and do not discriminate unlawfully against any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. *Impartiality of officers of the council*

As a councillor:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the local authority.

Officers work for the local authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and access to information

As a councillor:

4.1 I do not disclose information:

- a. given to me in confidence by anyone**
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless**
 - i. I have received the consent of a person authorised to give it;**
 - ii. I am required by law to do so;**
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or**
 - iv. the disclosure is:**
 - 1. reasonable and in the public interest; and**
 - 2. made in good faith and in compliance with the reasonable requirements of the local authority; and**
 - 3. I have consulted the Monitoring Officer prior to its release.**

4.2 I do not improperly use knowledge gained solely as a result of my role as a councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

As a councillor:

5.1 I do not bring my role or local authority into disrepute.

As a councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in your or your local authority's ability to discharge your/it's functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of position

As a councillor:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of local authority resources and facilities

As a councillor:

7.1 I do not misuse council resources.

7.2 I will, when using the resources of the local or authorising their use by others:

- a. act in accordance with the local authority's requirements; and**
- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the local authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the local authority to assist you in carrying out your duties as a councillor.

Examples include:

- office support
- stationery
- equipment such as phones, and computers
- transport
- access and use of local authority buildings and rooms.

These are given to you to help you carry out your role as a councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the local authority's own policies regarding their use.

8. *Complying with the Code of Conduct*

As a councillor:

8.1 I undertake Code of Conduct training provided by my local authority.

8.2 I cooperate with any Code of Conduct investigation and/or determination.

8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.

8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.

It is extremely important for you as a councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the local authority or its governance. If you do not understand or are concerned about the local authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your reputation and the reputation of the local authority

9. *Interests*

As a councillor:

9.1 I register and declare my interests.

You need to register your interests so that the public, local authority employees and fellow councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should declare an interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be declared by you or other councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or declare a disclosable pecuniary (i.e. financial) interest is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and declaring interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and hospitality

As a councillor:

10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the local authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.

10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50 within 28 days of its receipt.

10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.

In order to protect your position and the reputation of the local authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a councillor. If you are unsure, do contact your Monitoring Officer for guidance.

Appendices

Appendix A – The Seven Principles of Public Life

The principles are:

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

Appendix B

Registering interests

1. Within 28 days of this Code of Conduct being adopted by the local authority or your election or appointment to office (where that is later) you must register with the Monitoring Officer the interests which fall within the categories set out in Table 1 (Disclosable Pecuniary Interests) and Table 2 (Other Registerable Interests). Disclosable Pecuniary Interests means issues relating to money and finances.
2. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
3. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor/member or co-opted member, or a person connected with the member or co-opted member, being subject to violence or intimidation.
4. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Declaring interests

5. Where a matter arises at a meeting which directly relates one of your Disclosable Pecuniary Interests, you must declare the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest, just that you have an interest.
6. Where a matter arises at a meeting which directly relates to one of your Other Registerable Interests, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', again you do not have to declare the nature of the interest.
7. Where a matter arises at a meeting which *directly relates* to your financial interest or well-being (and is not a Disclosable Pecuniary Interest) or a financial interest or well-being of a relative or close associate, you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room

unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

8. Where a matter arises at a meeting which *affects* –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a friend, relative, close associate; or
 - c. a body included in those you need to declare under Disclosable Pecuniary Interests

you must disclose the interest.

9. Where the matter affects the financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

you must declare the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to declare the nature of the interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licences	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were</p>

	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registerable Interests

Any Body of which you are a member or in a position of general control or management and to which you are appointed or nominated by the council;	
Any Body -	(a) exercising functions of a public nature;
	(b) directed to charitable purposes; or
	(c) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
of which you are a member or in a position of general control or management.	

Appendix C – the Committee on Standards in Public Life

The LGA has undertaken this review whilst the Government continues to consider the recommendations made by the Committee on Standards in Public Life in their report on [Local Government Ethical Standards](#). If the Government chooses to implement any of the recommendations, this could require a change to this Code.

The recommendations cover:

- Recommendations for changes to the Localism Act 2011 to clarify in law when the Code of Conduct applies
- The introduction of sanctions
- An appeals process through the Local Government Ombudsman
- Changes to the Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012
- Updates to the Local Government Transparency Code
- Changes to the role and responsibilities of the Independent Person
- That the criminal offences in the Localism Act 2011 relating to Disclosable Pecuniary Interests should be abolished

The Local Government Ethical Standards report also includes Best Practice recommendations. These are:

Best practice 1: Local authorities should include prohibitions on bullying and harassment in codes of conduct. These should include a definition of bullying and harassment, supplemented with a list of examples of the sort of behaviour covered by such a definition.

Best practice 2: Councils should include provisions in their code of conduct requiring councillors to comply with any formal standards investigation and prohibiting trivial or malicious allegations by councillors.

Best practice 3: Principal authorities should review their code of conduct each year and regularly seek, where possible, the views of the public, community organisations and neighbouring authorities.

Best practice 4: An authority's code should be readily accessible to both councillors and the public, in a prominent position on a council's website and available in council premises.

Best practice 5: Local authorities should update their gifts and hospitality register at least once per quarter, and publish it in an accessible format, such as CSV.

Best practice 6: Councils should publish a clear and straightforward public interest test against which allegations are filtered.

Best practice 7: Local authorities should have access to at least two Independent Persons.

Best practice 8: An Independent Person should be consulted as to whether to undertake a formal investigation on an allegation, and should be given the option to

review and comment on allegations which the responsible officer is minded to dismiss as being without merit, vexatious, or trivial.

Best practice 9: Where a local authority makes a decision on an allegation of misconduct following a formal investigation, a decision notice should be published as soon as possible on its website, including a brief statement of facts, the provisions of the code engaged by the allegations, the view of the Independent Person, the reasoning of the decision-maker, and any sanction applied.

Best practice 10: A local authority should have straightforward and accessible guidance on its website on how to make a complaint under the code of conduct, the process for handling complaints, and estimated timescales for investigations and outcomes.

Best practice 11: Formal standards complaints about the conduct of a parish councillor towards a clerk should be made by the chair or by the parish council as a whole, rather than the clerk in all but exceptional circumstances.

Best practice 12: Monitoring Officers' roles should include providing advice, support and management of investigations and adjudications on alleged breaches to parish councils within the remit of the principal authority. They should be provided with adequate training, corporate support and resources to undertake this work.

Best practice 13: A local authority should have procedures in place to address any conflicts of interest when undertaking a standards investigation. Possible steps should include asking the Monitoring Officer from a different authority to undertake the investigation.

Best practice 14: Councils should report on separate bodies they have set up or which they own as part of their annual governance statement and give a full picture of their relationship with those bodies. Separate bodies created by local authorities should abide by the Nolan principle of openness and publish their board agendas and minutes and annual reports in an accessible place.

Best practice 15: Senior officers should meet regularly with political group leaders or group whips to discuss standards issues.

The LGA has committed to reviewing the Code on an annual basis to ensure it is still fit for purpose.