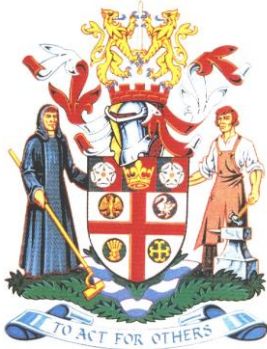


Selby District Council



Agenda

Meeting: **Executive**
Date: **Thursday, 3 September 2020**
Time: **2.00 pm**
Venue: **Microsoft Teams - Remote ([Click here](#))**
To: **Councillors M Crane (Chair), R Musgrave (Vice-Chair),
C Lunn, C Pearson and D Buckle**

1. Apologies for Absence

2. Minutes (Pages 1 - 4)

The Executive is asked to approve the minutes of the meeting held on 6 August 2020.

3. Disclosures of Interest

A copy of the Register of Interest for each Selby District Councillor is available for inspection at www.selby.gov.uk.

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

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

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

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

4. Review of Car Parking Tariffs 2020 (Pages 5 - 20)

Report E/20/9 asks the Executive to consider and approve one of the four options set out in the report.

5. Adoption of the Statement of Community Involvement (2020)
(Pages 21 - 82)

Report E/20/10 asks the Executive to refer the Statement of Community Involvement (2020) to Council for adoption.

6. Corporate Performance Report - Quarter 1 2020/21 (April to June)
(Pages 83 - 102)

Report E/20/11 asks the Executive to note and approve the report and consider any further action they wish to be taken as a result of current performance.

7. Animal Licensing Policy 2020 (Pages 103 - 126)

Report E/20/12 asks the Executive to note and consider the consultation responses and to adopt the proposed policy, to take effect from 1700 hours on the Wednesday 16 September 2020.

8. Review of Statement of Licensing Policy (Pages 127 - 192)

Report E/20/13 asks the Executive to note and consider the results of the public consultation exercise as summarised in Appendix B of the report; and recommend to full Council that the amended Statement of Licensing Policy attached to the report at Appendix A be adopted.

9. Financial Results and Budget Exceptions Report to 30th June 2020
(Pages 193 - 216)

Report E/20/14 asks the Executive to endorse the actions of officers and note the contents of the report; and to approve the re-profiled capital programmes and Programme for Growth as set out at Appendices C and D.

10. Treasury Management - Quarterly Update Q1 2020/21 (Pages 217 - 228)

Report E/20/15 asks the Executive to endorse the actions of officers on the Council's treasury activities for Quarter 1 - 2020/21; and approve the report.

11. Revised Estimate 2020/21 and Medium-Term Financial Strategy
(Pages 229 - 286)

Report E/20/16 asks the Executive to agree that, subject to consultation

with Policy Review Committee, the revised estimates for 2020/21 and the Medium-Term Financial Strategy be submitted to Council for approval.

Janet Waggott

**Janet Waggott
Chief Executive**

Date of next meeting
Thursday, 1 October 2020 at 2.00 pm

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

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

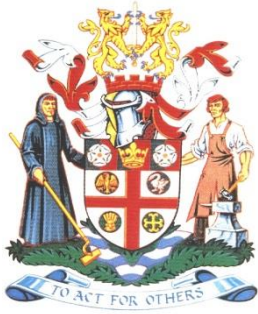
Recording of Council Meetings

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

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Agenda Item 2

Selby District Council



Minutes

Executive

Venue:	Microsoft Teams Live Event - Remote
Date:	Thursday, 6 August 2020
Time:	2.00 pm
Present:	Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn and D Buckle
Also Present:	Councillors R Packham and M McCartney
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), Julian Rudd (Head of Economic Development and Regeneration) (for minute item 21), Tania Weston (Economic and Regeneration Projects Lead) (for minute item 21) Mike James (Communications and Marketing Manager) and Palbinder Mann (Democratic Services Manager)
Public:	1
Press:	0

NOTE: Only minute numbers 19 to 21 are subject to call-in arrangements. The deadline for call-in is 5pm on Wednesday 19 August 2020 Decisions not called in may be implemented from Thursday 20 August 2020.

16 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Pearson.

17 MINUTES

The Executive considered the minutes of the meeting held on 2 July 2020.

RESOLVED:

To approve the minutes of the meeting held on 2 July 2020 for signing by the Chair.

18 DISCLOSURES OF INTEREST

There were no declarations of interest

19 DEVOLUTION FOR NORTH YORKSHIRE AND YORK

The Chief Executive presented the report which sought seeks approval from the Executive for the submission of the devolution proposal to Government for North Yorkshire and the City of York.

The Chief Executive explained that the report outlined an elected Mayor to be in place by 2022 however that date may be moved to 2023 due to the recently announced local government review for the area.

It was suggested the document be reviewed again to ensure there was enough information and 'asks' in relation to Selby.

It was queried whether the document would be brought back again before Members if there were substantial changes proposed by other authorities. The Leader of the Council explained that minor changes would be dealt with by the Chief Executive in consultation with the leader however if there were substantial changes proposed then these would be brought back before Members.

Concern was raised around the proposals for the recently announced local government review and it was felt that a unitary proposal would not be for the benefit of residents in the area.

Councillor Musgrave entered the meeting at this point.

RESOLVED:

To approve the submission of the proposal attached at Appendix 4 to Government and to

delegate to the Chief Executive in consultation with the Leader, the power to make any amendments that are required following feedback from each constituent authority.

REASON FOR DECISION:

To seek approval for the submission of the devolution proposal to Government for North Yorkshire and the City of York.

20 APPOINTMENT TO THE YORK AND NORTH YORKSHIRE LOCAL ENTERPRISE PARTNERSHIP LTD

The Leader of the Council presented the report which seeks approval from the Executive to appoint Councillor Mark Crane as a Director of the York and North Yorkshire Local Enterprise Partnership Limited, a dormant company limited by guarantee registered by the LEP, to meet the requirements of a Government review on LEP governance arrangements.

RESOLVED:

To appoint Councillor Mark Crane as a Director of the York and North Yorkshire Local Enterprise Partnership Limited to meet the requirements of a Government review on LEP governance arrangements.

REASON FOR DECISION:

To ensure the Council assists the LEP in meeting the requirement of the Government review on LEP governance arrangements.

21 SELBY STATION GATEWAY TRANSFORMING CITIES FUND PROJECT

The Lead Executive Member for Communities and Economic Development presented the report which outlined an update for the Selby Station Gateway Transforming Cities Fund (TCF) Project and asks the Executive to approve the funding award and to enter into a Partnership Agreement with North Yorkshire County Council to deliver the project.

It was noted that appendices two and four to the report contained exempt information and if Members wished to discuss these then they needed to move into private session.

The Head of Economic Development and Regeneration explained there had been public support for the scheme following the consultation in September and that approval was needed to enter into a funding agreement for the scheme.

A query was raised regarding the timescales for the proposals. The Head of Economic Development and Regeneration explained that the Department for Transport had maintained their deadline of March 2023 and that there were specific resources dedicated to the project from Selby and North Yorkshire County Council.

RESOLVED:

- i) To delegate authority to the Director of Economic Regeneration and Place, in consultation with the Lead Executive Member for Communities & Economic Development and S151 Officer, to sign the Partnership Agreement with North Yorkshire County Council to deliver the Transforming Cities Fund project, in line with the funding allocated from the Department for Transport.**

- ii) To delegate authority to the Director of Economic Regeneration and Place, in consultation with the Executive Member for Communities & Economic Development, to sign any subsequent Deeds of Variation to the Partnership Agreement with North Yorkshire County Council, as the project passes through set Assurance points.**

- iii) To agree to progress the Selby TCF proposals to full business case, including undertaking appropriate investigations, negotiations, design work and further public consultation before the Council agrees the final detailed designs and costs for the works to be included in the Full Business Case.**

- iv) To note the outline project programme, governance measures and risk attached to the Selby TCF project, as detailed in this report and appendices.**

REASON FOR DECISION

To enable formal partnership arrangements to be implemented, enabling funding to be drawn down for the Selby Station Gateway project.

The meeting closed at 2.49 pm.



Report Reference Number: E/20/9

To: Executive
Date: 3 September 2020
Status: Key Decision
Ward(s) Affected: Selby
Author: June Rothwell, Head of Operational Services and
Keith Cadman, Head of Contracts and
Commissioning
Lead Executive Member: Councillor David Buckle, Lead Executive Member for
Communities and Development
Lead Officer: Suzan Harrington, Director Corporate Services and
Commissioning

Title: Review of Car Parking Tariffs 2020

Summary:

On 2 November 2017 the Executive approved the Car Park Strategy (CPS) and a preferred tariff option (revised Option 2) for statutory consultation. Delegated authority was given to the Director of Corporate Services & Commissioning in consultation with the Solicitor to the Council and Executive Lead Member for Communities and Economic Development to finalise the terms of this decision following statutory consultation.

The CPS supports and underpins the ambitions of Selby District Council's Economic Development Framework and aligns to the Corporate Plan objectives. Significant consultation was undertaken alongside detailed information gathering to inform a review of car park tariffs using survey data and analysis of car park usage.

Following the decision to adopt the CPS, Traffic Regulation Orders (TROs) were drafted for statutory consultation and would have been issued in January 2018. However, at that time a request was received to delay issue of the TRO's pending negotiations regarding the future of the Central car park at Tadcaster, as the outcome of discussion could impact upon the validity of the draft CPS.

During the ongoing discussions, requests have been received seeking a review of the tariff scheme and to consider whether to treat Selby and Tadcaster separately for the purpose of future tariff schemes.

This report provides details of the options for potential car park tariffs. Each has differing implications and Members are asked when considering an appropriate tariff scheme, to balance the support for the local economy and financial impacts, with

the need to sustain income which is sufficient to cover the cost of providing and maintaining the car park service.

Recommendations:

- I. **The Executive considers the 4 options set out in this report and approves one of the following:**

Option 1 - discontinue the process to implement car park tariff which would have introduced charges for the car parks in Tadcaster and provided 1 hours free parking in Selby and 2 hours free parking at Tadcaster.

Option 2 – implement a new tariff scheme as approved by the Executive in 2017, this would introduce charges in all car parks at Tadcaster and provided 1 hour free period in Selby and 2 hour free period in Tadcaster.

Option 3 – introduce a new tariff scheme which will extend short stay car parking from 2 to 3 hours in Selby as set out in the report.

Option 4 – Introduce a new tariff scheme which will extend short stay parking from 2 to 3 hours in Selby and introduce a minimum £1 charge for up to 2 hours stay as set out in the report.

- II. **Should Option 4 be approved, the Executive recommend to Council that £16k be added to the capital programme in 2020/21 to cover the costs of implementing cashless payments, to be financed from the Asset Management Reserve.**

Reasons for recommendation:

1. Having regard to the ongoing discussions in relation to Tadcaster Central Car Park, to achieve at this time, the objective to use the Council's car parks as a platform to boost the local economies of the district by improving the customer experience, whilst supporting the Council's efficiency.
2. To address any shortfall in car park tariff income which may arise from a new tariff scheme.
3. To enable the Council to influence customer behaviour, attracting more users to under used car parks and town centre footfall.
4. To achieve the Council's corporate priority of delivering great value.

1. Introduction and background

1.1 The draft Car Park Strategy was approved by the Executive on 2 November 2017.

1.2 The draft Car Park Strategy sets out five priorities:

1. To meet customer needs with regard to car park provision;
 2. To establish a fair, sustainable and value for money tariff scheme that support the of local facilities by the customer;
 3. To provide well-maintained car park facilities which meet the needs of customers;
 4. To enforce car park charges effectively ensuring equity and consistency for customers; and
 5. To maximise use of car parks for the benefit of the local community and local businesses.
- 1.2 The CPS did not propose a new tariff scheme, rather an approach to setting of a new tariff scheme. The strategy provides a service framework and focuses on town centre vitality; supporting the Council's growth ambitions. The draft strategy proposed improvements in the appearance of car parks, reviewing the tariffs with an aim to support growth.
- 1.3 Selby District Council operates 14 managed car parks across the district, of these a charge is levied (tariff) for the 9 car parks in Selby Town. The Council currently provides 8 short stay car parks in Selby Town:
- Micklegate (52 spaces)
 - Church Hill (8 spaces)
 - Selby Park (32 spaces)
 - Market Cross (48 spaces)
 - Audus Street (51 spaces)
 - South Parade (54 spaces)
 - Portholme Crescent (146 spaces)
 - Selby Leisure Centre Car Park (130 spaces)
- Charges for short stay are: up to 1 hour - 50p, up to 2 hours - £1, over 2 hours - £5.40, traders pay - £14.30 per space per day.
- 1.4 The Council provides one long stay car park, Back Micklegate, having closed the Portholme Road long stay car park this year following the decision made by the Executive that it is surplus to requirements.
- 1.5 Car parks in Selby are open (and chargeable) from 8am-6pm Monday-Saturday. Sunday is free.
- 1.6 At Tadcaster the car parks provide a mix of long and short stay spaces and are provided at:
- Central area (154 spaces)
 - Britannia (90 spaces)

The Council does not make a charge to park in these car parks.

1.7 In Sherburn-in-Elmet the Council provides two car parks:

- Church View (29 spaces)
- Low Street (15 spaces)

The Council does not make a charge to park in these car parks.

1.8 All car parks offer free parking to any disabled drivers whilst displaying a valid disabled badge. Disabled drivers may park in a designated disabled bay or any other bay free of charge. Disabled drivers are also permitted to use the car parking space for longer than the designated short stay period.

1.9 We offer residents an opportunity to reduce their parking fees by buying a parking permit. The following are available:

Short Stay

- 3 months = £258
- 6 months = £515
- 12 months = £936

Long Stay

- 3 months = £130
- 6 months = £258
- 12 months = £468

1.10 Parking enforcement, including the issuing of Fixed Penalty Notices for Selby is operated by Harrogate Borough Council on behalf of the Council. This means Harrogate issues penalty charge notices and deal with all appeals on our behalf.

1.11 There are two different levels of penalty. Parking where waiting, stopping or loading are prohibited will constitute a higher-level contravention, with a charge of £70. Failure to comply with the requirements in designated parking areas will lead to a charge of £50. Both of these charges are discounted by 50% to £25 (£50 PCN) or £35 (£70 PCN) if the PCN is paid in the first 14 days.

1.12 New updated pay machines were installed in the car parks in 2018. These machines currently take cash payments and have the option to upgrade to take card and also contactless payments.

2. The Report

2.1 In 2017 a range of 6 tariff options were provided for Executive to consider. After consideration the Executive selected revised Option 2 (set out in the table below) as the preferred option for implementation.

Selby Long Stay	1 hour	£1.50
	2 hours	£1.50
	3 hours	£1.50
	All day	£3.00
Selby Short Stay	1 hour	Free
	2 hours	£1.00
	All day	£5.40
Tadcaster	1 hour	free
	2 hours	free
	3 hours	£1.00
	All day	£3.00

2.2 Option 2 was selected as it considered the fragile economy of Tadcaster and the views of the car parks' customers providing an additional free hour therefore supporting the short stay retail/leisure users and in turn high street shops. It was therefore considered the revised option 2 was better suited to helping the tariff achieve the Car Park Strategy's overriding objective "*to use the Council's car parks as a platform to boost the local economies of the District by improving the customer experience*".

2.3 The reasons for selecting option 2 were recorded in the minutes of Executive:

1. To achieve the objective to use the Council's car parks as a platform to boost the local economies of the district by improving the customer experience, whilst supporting the Council's efficiency.
2. To ensure that car park tariffs enable the Council to cover the cost of car park provision.
3. To enable the Council to influence customer behaviour, attracting more users to under used car parks and assisting town centre footfall.
4. To achieve the Council's corporate priority of delivering great value.
5. To facilitate a programme of improvements to the car parks.

Review of tariff options

2.4 The proposal to introduce charges at Tadcaster followed two surveys of car park usage. Both surveys found that the car parks were being extensively used by employees of local businesses who were parking all day in the car parks. This limited the number of spaces available for shoppers and visitors to Tadcaster. This was contrary to the objectives of the CPS set out above. In addition, the cost of providing and operating the Tadcaster car parks is being met by Council Taxpayers. The cost of provision is not being recovered from the users.

2.5 Since the decision of the Executive to consult upon the introduction of charges at Tadcaster, discussions regarding the long-term future of Tadcaster

Central car park have been taking place. The outcome of the discussions could impact fundamentally upon the tariff and therefore it is recommended that at this time the Executive discontinues the process to implement car park tariff, option 2, which would have introduced charges for the car parks in Tadcaster and provided 1 hours free parking in Selby and 2 hours free parking at Tadcaster.

- 2.6 The Executive is asked to consider options for the future tariff scheme.

Option 1 - Continue with the current scheme

- 2.7 The current scheme is:

Selby Long Stay	1 hour	£1.20
	2 hours	£1.20
	3 hours	£1.20
	All day	£3.00
	Traders pay for the day	£14.30 per space
Selby Short Stay	1 hour	50p
	2 hours	£1.00
	All day	£5.40
Tadcaster	1 hour	free
	2 hours	free
	3 hours	free
	All day	free

In 2017, the Executive did not support this option. It was felt that although this option would continue to support long stay parking in sustainable locations, it would not encourage the shift of customers in Tadcaster from using the car parks all day, and thus not address the issue of long stay parkers or encouraging turnover to support local economy.

- 2.8 If the Executive decide to continue with the current tariff scheme there would be no requirement to issue revised TRO's. This would reduce the risk of protracted legal processes to introduce a tariff scheme. It would enable discussions in relation to Central car park to continue and leave flexibility for the Council to reconsider any implications for a CPS once the outcome of those discussions are more certain.
- 2.9 The service and financial impact remains the same; the current level of income which achieves full cost recovery would be sustained. During 2019/20 there was an overall surplus of £122k which contributes to the long-term maintenance of the car parks of which there was capital spend of £198k.

Option 2 - Implement the charging scheme approved by the Executive on 2 November 2017

- 2.10 This tariff is set out in paragraph 2.1 of this report. This would provide two hours free in Tadcaster and charges of £1.00 for 3 hours and £3.00 for all day

parking. A one hour free period would be introduced in Selby Town car parks. The advantage of this option seeks to achieve the objectives of the CPS - that the Council would operate the service at full cost recovery; the use of the charge parks would change; discouraging all day parking by employees of local businesses and residents who are parking all day free of charge and releasing spaces for shoppers and visitors to the High Street.

- 2.11 However, the ongoing discussions in relation to a long-term option to develop Central car park for housing and provide alternative car parking elsewhere in Tadcaster has resulted in a pause to implementing Option 2.
- 2.12 Discussions with Sam Smiths Old Brewery, Tadcaster (SSOBT) indicate that SSOBT may want to provide replacement car parks on SSOBT land for free parking. This would require consideration of how provision of parking would be guaranteed in the long term and of the loss of potential income which would be generated from the Tadcaster car parks.
- 2.13 This option would require the Council to issue new TROs and could find the legal processes protracted. Discussions are continuing with SSOBT, and the outcome of discussions could impact upon the draft CPS proposed in Option 2.
- 2.14 This option would broadly break even in terms of income gained in Tadcaster and lost in Selby but should be noted there would be additional maintenance, cash collection and processing costs associated with ticket machines in Tadcaster.

Option 3 – Retain current charges and extend short stay from 2 hours to 3 hours

- 2.15 This option would retain the current tariff scheme and extend to short stay period from 2 hours to 3 hours. Charges would be as set out below:

Selby Long Stay	1 hour	£1.20
	2 hours	£1.20
	3 hours	£1.20
	All day	£3.00
Selby Short Stay	1 hour	50p
	2 hours	£1.00
	3 hours	£1.50
	All day	£5.40
Tadcaster	1 hour	free
	2 hours	free
	3 hours	free
	All day	free

- 2.16 This option would continue to support long stay parking in sustainable locations. It would allow shoppers and visitors to the town to stay for a longer period in the short stay car parks at a lower fee. The aim is to encourage visitors to stay longer in the town to support the high street. It would not

encourage the shift of customers in Tadcaster from using the car parks all day, and thus not address the issue of long stay parkers or encouraging turnover to support local economy.

- 2.17 If the Executive decide to revise the current tariff scheme there would be a requirement to issue revised TRO's. Given the marginal change in the tariff scheme there would be a low risk of a protracted legal process to introduce a tariff scheme. It would enable discussions in relation to Central car park to continue and leave flexibility for the Council to reconsider any implications for a CPS once the outcome of those discussions are more certain.
- 2.18 Further analysis of the usage is required, but income would largely be unaffected, potentially seeing greater use of Back Micklegate Car Park for Long Stay and paying £1.50 to stay for 3 hours rather than £5.40 for anything over the previous 2 hour limit in the short stay car parks. Assuming that occupancy levels remain the same, that 50% of the short stay car park users stayed a maximum of 3 hours rather than pay for all day and 50% of the customers stayed 3 hours instead of 2 for an extra 50p.

Option 4 – Introduce a new tariff scheme which will extend short stay parking from 2 to 3 hours in Selby and introduce a minimum £1 charge for up to 2 hours stay.

- 2.19 This option would amend the current tariff scheme to introduce a minimum charge of £1 for up to 2 hours and extend to short stay period from 2 hours to 3 hours. Charges would be as set out below:

Selby Long Stay	1 hour	£1.50
	2 hours	£1.50
	3 hours	£1.50
	All day	£3.00
Selby Short Stay	1 hour	£1.00
	2 hours	£1.00
	3 hours	£1.50
	All day	£5.40
Tadcaster	1 hour	free
	2 hours	free
	3 hours	free
	All day	free

- 2.20 This option would continue to support long stay parking in sustainable locations. It would allow shoppers and visitors to the town to stay for a longer period in the short stay car parks. Currently 144,855 1 hour tickets are sold in Selby car parks generating income of £72k (£60k net of VAT) at 50p per ticket. Introducing a minimum charge of £1.00 for up to 2 hours could potentially increase income by £72k (£60k excluding VAT) assuming customer usage remains unchanged. This option could contribute to meeting the cost of introducing card and contactless payments dependent upon the demand to pay by card.

- 2.21 The aim is to encourage visitors to stay longer in the town to support the high street. It would not encourage the shift of customers in Tadcaster from using the car parks all day, and thus not address the issue of long stay parkers or encouraging turnover to support local economy.

Introducing card payments

- 2.22 The current Pay & Display (P&D) units were installed in advance of the introduction of the new £1 coin in March 2017 to ensure compatibility and provide P&D hardware that could be upgraded to accommodate alternative payment systems to cash in the future.
- 2.23 The P&D machines can be upgraded on a 'plug and play' basis in so much as card readers, keyboards, contactless scanners etc can be purchased and simply plug into the existing P&D machines. This does require an engineer to attend site to commission the internal software.
- 2.24 The P&D company have advised the additional hardware to upgrade the machines for cashless payments is readily available with no supply chain issues due to Covid-19 restrictions. They have also advised there is a minimum 12-week delivery period from receipt of order subject to the level of demand. Upon receipt of hardware and any software changes required an engineer will also need scheduling to conduct the install and commissioning of the hardware and software which can take a further four weeks.
- 2.25 In addition to the hardware and software installs contracts will need to be entered into for the card payment processing. In simple terms each card transaction must be processed by the P&D machine software to send payment details to a payment processing company who then send details to a clearing bank for final payment processing from the customer's account. This is fully described in Appendix A. The cost to upgrade the machines will be £16,387.
- 2.26 Card payment processing does incur a 'transaction charge' for each card payment made which consists of three transaction charges for each card payment. The P&D company charge for initial processing, the payment processing company make a charge and the clearing banks make a charge. Transaction charges are based on volumes, the higher the volume of transactions the lower the charge. This makes it difficult to estimate the transaction cost that Selby would incur. However, indicatively the charge to Selby for each card payment are likely to be 14p for the P&D machine processing, 6p for the payment processing company and 1p for the clearing bank. Total transaction charge for a card payment is likely to be in the region of 21p per card payment. In addition, should a refund be required this too would incur similar transaction charges to credit the customer's account. Based on current transactions of approximately 400,000 per year, to go cashless would incur costs of £84k, 50% by card transaction £42k and 25% £21k per year.

- 2.27 Selby leisure centre is used pre-dominantly by users of the leisure facilities on site and there is an agreement in place whereby users of the facilities can claim back any car park fees on production of a valid pay and display ticket. IHL currently re-imburses users with the cash equivalent of the car park fee paid.
- 2.28 If cashless payments were introduced at Selby Leisure Centre Car Park IHL would not be able to refund parking fees of customers due to all IHL electronic systems being linked to IHL Banking provider. A card refund would have to be processed by Selby District Council creating additional work for Business Support and such a refund would incur the charges set out above. Card payment refunds have to be credited back to the card with no cash alternative due to anti money laundering rules.

3.0 Legal/Financial Controls and other Policy matters

Financial issues

- 3.1 Priority 6 of the strategy document is the objective to ensure full cost recovery of the car park service. In order to achieve this financial objective, sufficient annual revenue is required to pay for in year costs plus sufficient contributions towards the costs of the capital works programme. Any reduction in net revenues will impact on our ability to resource the works required to deliver an effective service. The Council has on average received £342k over the last 5 years income from car parks against average revenue costs of £160k leaving an annual contribution to long term capital costs of £182k per annum. This achieves full cost recovery and therefore covers the annual revenue costs for managing and maintaining the car parks, the capital costs over the useful life of the asset and the 'opportunity' cost of capital invested in this discretionary service. A financial appraisal applying the 'whole life costs' of the car parks shows that income generated is sufficient to meet the on-going revenue costs of the service and ongoing cyclical capital maintenance.
- 3.2 The charges for parking in Selby compare favourably with other towns. The tariff was last reviewed by Executive in June 2014 when tariffs were frozen. This means there has been no change to tariffs since they were set in December 2011, although costs have increased.
- 3.3 Introducing card payments will have a financial impact. The cost to upgrade the machine will be approximately £16k, which would be met from the Asset Management Reserve. The estimated cost, should all customers pay by card, is in the region of 21p per transaction. Approximately 400,000 payments are made per year which would result in a transaction cost of £84k if all transactions were paid by card.
- 3.4 Applying the principle of full cost recovery, Option 4 proposes that a minimum charge of £1 is introduced. The projected increased income of £60k (net of VAT) would help to offset the cost of introducing card payments assuming the same level of usage. While cash is still collected, there is a fixed cost for the collection contract, small savings would be achieved on lower volumes of

cash processing which is managed externally. It is not anticipated any internal savings could be achieved although there would internal efficiencies.

3.5 Introducing cashless payments along with Options 1-3 would not achieve full cost recovery.

Financial Impact of Car Park Tariff Options against 2020/21 Original Budget				
Year 1	Option 1	Option 2	Option 3	Option 4
	£(000's)	£(000's)	£(000's)	£(000's)
Income				
Selby	-355	-321	-355	-415
Tadcaster		-38		
Total Income	-355	-359	-355	-415
Expenditure				
Adaptation of Ticket Machines	16	16	16	16
Additional Servicing / Maintenance		6		
Card Processing Costs	76	84	76	76
Cash Collection Service Saving	-9	-11	-9	-9
NNDR	74	74	74	74
Utilities	24	24	24	24
Other Running Costs	29	29	29	29
Support Services	40	40	40	40
Total Expenditure	250	262	250	250
Net Contribution For Future Investment	-105	-97	-105	-165
Year 2	Option 1	Option 2	Option 3	Option 4
Income	£(000's)	£(000's)	£(000's)	£(000's)
Selby	-355	-321	-355	-415
Tadcaster		-38		
Total Income	-355	-359	-355	-415
Total Expenditure	237	249	237	237
Net Contribution For Future Investment	-118	-110	-118	-178
Year 3	Option 1	Option 2	Option 3	Option 4
Income	£(000's)	£(000's)	£(000's)	£(000's)
Selby	-355	-321	-355	-415
Tadcaster		-38		
Total Income	-355	-359	-355	-415
Total Expenditure	247	259	247	247
Net Contribution For Future Investment	-108	-100	-108	-168

3.6 The above table demonstrates the impact of the income options on the service and includes potential costs for implementing a cashless payment system and going forward includes inflation on utilities, NNDR and grounds maintenance. With the inclusion of cashless payments, Options 1-3 show a reduced contribution towards on-going maintenance and capital works –

revenue savings would be required to make up the shortfall which given the existing savings challenge is not recommended.

- 3.7 The card processing costs are anticipated to be the maximum incurred and assumes cash payments are withdrawn. It is also assumed that charges will reduce in Selby if the Leisure facilities are not included. Further work will also be required through a formal tender to establish final transaction costs.

Legal Issues

- 3.8 The Road Traffic Regulation Act 1984 gives the Council the power to provide off-street car parking places and to make charges in respect of their use (Sections 32 and 35 respectively). Statutory guidance recommends that changes should be proportionate and not be at unreasonable levels.
- 3.9 For the Council to include Tadcaster car parks within the charging and enforcement regime a new order would be required under Section 35. Any comprehensive changes such as this will require the consent of the County Council, consultation and publication of the proposed Order (for a minimum period of eight weeks). The Council must then consider any objections before making the order. The Council may hold a public inquiry to consider the matter. Realistically, the process is likely to take at least 3 months to complete. Simple changes to tariffs in existing car parks covered by an order can be made using a variation order which is a shorter process. Changes to designations and other enforcement and use provisions may require amendments to existing orders. These two types of changes can be undertaken alongside the making of the new order.

5. Conclusion

The draft CPS priorities support the objectives of the Council's draft Economic Development Strategy and Corporate Plan. The Council is investing in its car parks. Any new tariff needs to align to the CPS and at the same time consider impact on income to ensure a sustainable balance is reached and that the council delivers a parking offer which is efficient well maintained and provides value for money. A number of tariff options have been considered by the Executive, the impacts of which, both in terms of delivering the CPS objectives and income, vary. The Executive are asked to consider the four options set out in this report.

6. Background Documents

None.

Contact Officers:

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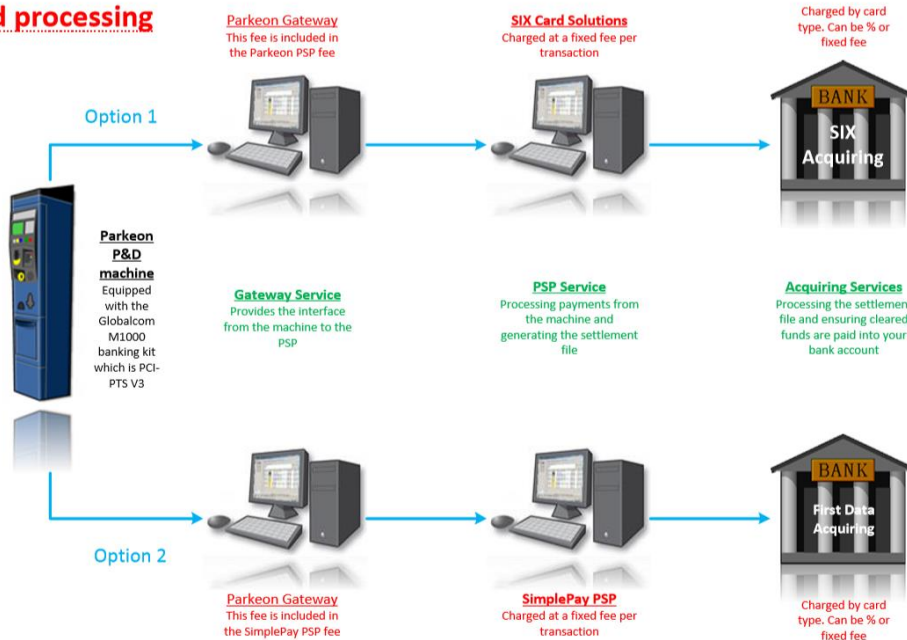
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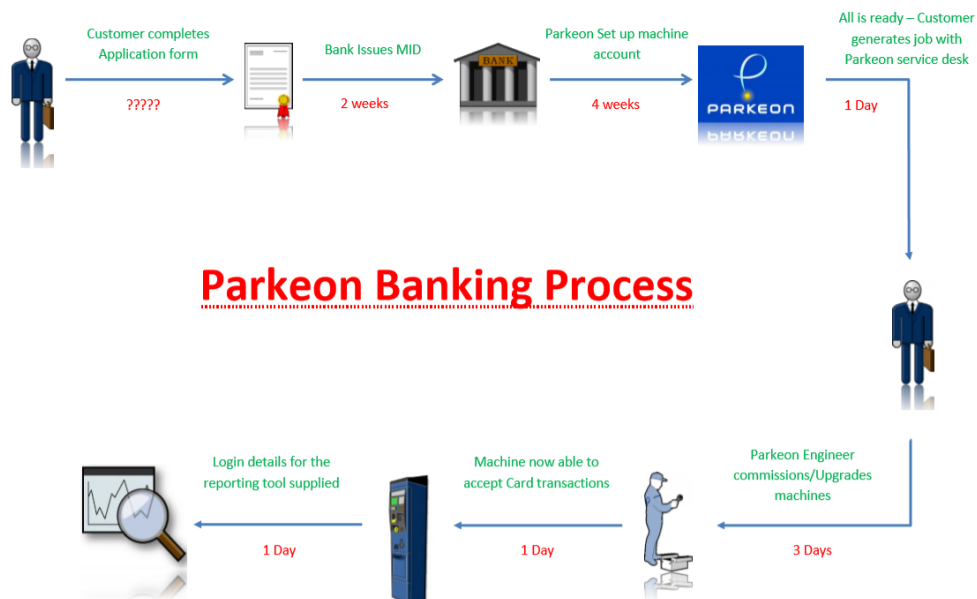


Parkeon Card Processing

Q & A

2 options for card processing





Banking Terminology

PSP – Payment Services Provider. Responsible for processing the ‘Live’ transactions and generating the end of day report, known as the settlement file.

Gateway – This is a server that changes the banking protocol to allow banking kit to communicate with alternative PSP’s

Acquiring Bank – Responsible for processing the settlement file and getting all the individual amounts from the end customer and then paying into your bank account.

MID – Merchant ID. This is a unique reference number generated by the acquiring bank in order to match the transactions and make sure they are paid into your bank account. You will need a different MID for each bank account you want money paid into.

PCI-DSS – Payment Card Industry Data Security Standard. This is the certification to show compliance to store and process card transactions. Parkeon are certified to Level 1

Bank Processing Q & A

Q How long does the set up take?

A It can take upto 3 weeks, after the application form has been completed, for either SIX or SimplePay to issue a MID and then a further 4 weeks for Parkeon to set up their part of the process

Q How soon will the funds clear into the account?

A Option 1: SIX pay the funds in weekly, 3 days after the end of the weeks trading.

Option 2 : SimplePay can be flexible on when payments are made.

Q How are the banking fees collected?

A Option 1 : SIX deduct the PSP and acquiring fees before paying the funds into your bank

Option 2 : SimplePay can be flexible and can deduct fees at source or invoice monthly

Q Is there a reporting tool for the card transactions?

A Both options : Parkeon provide a 'Live' reporting page within the MyParkfolio Web based reporting tool

Q Can we use our existing bank account?

A Yes. The funds, once cleared, can be paid into any bank account.

Q Can I use my existing acquiring company?

A Parkeon have had to undergo rigorous testing to be able to offer the 2 processing routes detailed in the diagram. Each set of tests can last a year and are very expensive and therefore Parkeon are not able to offer any alternative acquiring banks at the moment.

Q If my credit card usage goes above that quoted, will my transaction fee reduce?

A The initial fees are fixed and based on your anticipated volume of transactions. Parkeon have pushed the 2 banking options into supplying very competitive rates. If your volume of transactions increases dramatically then you should contact your chosen solution provider.

Q If I apply for a new site, will the setup fee apply?

A Any setup fee, and future set up fee, will need to be discussed with SIX or SimplePay at the time of application. Parkeon have no say over the set up fee

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Report Reference Number: E/20/10

To: Executive
Date: 3 September 2020
Status: Key Decision
Ward(s) Affected: All Wards
Author: Paula Craddock, Senior Planning Policy Officer
Lead Executive Member: Cllr Richard Musgrave, Lead Executive Member for Place Shaping
Lead Officer: Dave Caulfield, Director of Economic Regeneration and Place

Title: Adoption of the Statement of Community Involvement (2020)

Summary:

The Statement of Community Involvement is the Council's statutory planning document setting out how the Council will meet statutory requirements for engagement and consultation in the Planning System.

The existing Statement of Community Involvement was adopted in December 2007. Since 2007 there have been numerous changes to legislation and guidance. More recently, the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, brought into force on 6 April 2018, formally requires the Statement of Community Involvement to be reviewed at least every five years. An updated Statement of Community Involvement needs to be adopted to ensure that this statutory document remains up to date, relevant and does not leave the Council open to potential financial risks, costs and legal challenges.

On the 7 November 2019 Executive recommended that a draft Statement of Community Involvement (2019) was released for an eight week consultation between 20 November 2019 and 15 January 2020. This report presents the results of the consultation and seeks approval of the necessary changes to the draft document for adoption of a final version.

Recommendation:

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

Reasons for Recommendation:

The Council, as the Local Planning Authority, has a statutory duty to have in place a Statement of Community Involvement and for this to be reviewed at least every five years.

Comments received in response to the eight week consultation have been considered and incorporated where appropriate into the revised Statement of Community Involvement attached at Appendix 2.

1. Introduction and Background

- 1.1 The Statement of Community Involvement is the Council's statutory planning document that sets out how the Council will meet the statutory requirements for engagement and consultation in the Planning System.
- 1.2 Since the existing Selby District Council Statement of Community Involvement was adopted in December 2007 there have been numerous changes to legislation and guidance. Most importantly the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 set out a requirement for Statements of Community Involvement to be reviewed every 5 years starting from the date of adoption. An updated Statement of Community Involvement is needed to ensure that:
 - a) This statutory document is appropriate and relevant, and
 - b) The Council is not open to potential financial risks, costs and legal challenges with respect to engagement and consultation in the planning system.

2. Draft Statement of Community Involvement (2019)

- 2.1 A draft Statement of Community Involvement (2019) was prepared to take into account the main changes to legislation and guidance since 2007.
- 2.2 The document set out how those people and organisations with an interest in development in the area can be involved in planning matters in the District of Selby including:
 - how and when there are opportunities to influence new planning policy documents such as the Local Plan and Neighbourhood Plans;
 - how and when to comment on planning applications, as well as other forms of application for development such as Listed Buildings and prior notifications submitted to Selby District Council;
 - the role of elected Councillors, Parish and Town Councils and voluntary and community groups in planning matters;
 - who to contact for assistance in planning matters, and
 - what will be expected of the public / organisations.
- 2.3 The document encouraged an increased use of electronic consultation and engagement with the use of the Planning Service's consultation portals and recognition was made of emerging technologies e.g. social media for announcements. All relevant planning documents and information is to be available on the Council's website and at Access Selby. The use of electronic formatting facilities available in software packages to meet specific visual requirements to aid accessibility was also encouraged.

3. Consultation on the draft Statement of Community Involvement (2019)

- 3.1 The draft Statement of Community Involvement (2019) was presented at the 7 November 2019 Executive meeting where it was recommended that the draft Statement of Community Involvement (2019) was released for consultation.
- 3.2 The draft Statement of Community Involvement (2019) was subject to an eight week round of consultation which closed on 15 January 2020. All those individuals and organisations on the Planning Policy Consultation Database as well as the Parish and Town Councils were informed of the publication of this draft document and the opportunity to provide comments.
- 3.4 The comments received and proposed responses to each comment are set out in Appendix 1 of this report. Six respondents provided 17 comments.
- 3.5 The comments were generally in support of the Statement of Community Involvement, especially of early and meaningful involvement in planning matters. The City of York Council stated that the document was "...clear, logical and concise and easy to read in non-planning jargon. It covers most relevant issues, giving an overview of methods of consultation, set out under logical jargon-free headings." They went on to praise the use of the hyperlinks to other documents and sources of information for the electronic version.
- 3.6 Regarding omissions from the document, both the City of York Council and Historic England suggested that there should be an appendix setting out the statutory consultees as set out in the Regulations. The City of York Council also suggested that the document should contain a glossary and more information regarding Duty to Co-operate.
- 3.7 The Statement of Community Involvement presented in Appendix 2 has been amended to take into account the comments received. Three changes are considered appropriate to satisfy the comments received:
- a new paragraph on Duty to Co-operate after paragraph 1.8 (and subsequent renumbering of section 1.)
 - typographical amendment in paragraph 3.52
 - a glossary as an appendix to the document with text directing the reader to the appendix in paragraph 1.14 (renumbered to 1.15).
- 3.8 Various comments were received where it has been considered not appropriate to amend the Statement of Community Involvement, rather to direct the information to be included within other planning documents as appropriate. It is acknowledged that a list of the consultees for the preparation of the Local Plan as set out in Regulations 2 and 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 is not included in the draft Statement of Community Involvement. This is because a link is provided to the Regulations. The Statement of Community Involvement should not replicate the current Regulations, as the list may be amended in future. Monitoring of the Statement of Community Involvement and changes to

legislation are set out. Therefore, no change is proposed with respect to the comments received on this omission.

- 3.9 A minor change to the document has been made with respect to Access Selby. The town centre office is now closed. The reference to Access Selby in paragraph 1.31 has been replaced with the “contact us” email and other references to Access Selby in the document have been replaced with Civic Centre.
- 3.10 In line with the draft Statement of Community Involvement (2019) itself, the consultation on the document and the responses received have been monitored. Despite the low number of responses, it is considered that the document with the changes made does provide the community with the information to access the planning service.
- 3.11 The Statement of Community Involvement (2020) presented at Appendix 2 has been amended as outlined above and is the version to be considered for adoption.

Implications from Covid 19

- 3.12 In response to the Covid 19 Pandemic on the 16 July 2020 MHCLG published revisions to the Plan Making section of the Planning Practice Guidance. The guidance requires local planning authorities to assess their Statements of Community Involvement to identify which policies are inconsistent with current guidance on staying at home and away from others or any superseding guidance.
- 3.13 The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 make temporary changes to how documents are required to be available under regulation 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (“the 2012 Regulations”). They temporarily remove the requirement on a local planning authority to make documents available for public inspection at the authority’s principal office and at such other places as the authority considers appropriate. They also make temporary changes to regulation 36 of the 2012 Regulations to remove the requirement on a local planning authority to provide hard copies of documents made available under regulation 35. Documents are still required to be made available on the local planning authority’s website. This modification will apply until 31 December 2020.
- 3.14 The SCI requires that consultation documents will be made publicly available on the Council’s website and the Civic Centre. It is recognised that not everyone has access to the internet and therefore where possible hard copies of consultation documents will also be made available in public locations such as libraries and at the Civic Centre, however this is beyond the minimum requirements set out in the Statement of Community Involvement.

4. Monitoring and Review

- 4.1 The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, says that the Statement of Community Involvement has to be kept under review. The Statement of Community Involvement sets out measures for monitoring and review, as well as for the engagement processes themselves for the planning service. It states that the results of the monitoring of the Statement of Community Involvement and engagements with the Planning Service will be set out in the annual Authority Monitoring Report (AMR).

5. Alternative Options Considered

- 5.1 The 2017 amendments to the planning regulations introduced a statutory requirement for Statements of Community Involvement to be reviewed every five years. Therefore, the review and adoption of this new document is essential.

6. Implications

6.1 Legal Implications

- 6.1.1 The publication of the Statement of Community Involvement is a requirement of s18 of the Planning and Compulsory Purchase Act 2004 (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017). The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 require Statements of Community Involvement to be reviewed every five years. The Statement of Community Involvement (2020) sets out how the Council will meet the statutory requirements for consultation and engagement in the planning system.
- 6.1.2 To continue using the 2007 Statement of Community Involvement the Council risks being subject to legal challenges for not being in line with current legislation. Conversely, undertaking consultation and engagement in line with the current legislation, the Council also risks being subject to legal challenge for not meeting the adopted Statement of Community Involvement (2007).

6.2 Financial Implications

- 6.2.1 The preparation of the Statement of Community Involvement is covered through the Planning Policy Team budget.
- 6.2.2 To put in place an up to date adopted Statement of Community Involvement will mean that the current financial costs for the planning service are greatly reduced. For example: it is no longer mandatory to notify neighbours of a proposed planning application if a site notice is in place. This small change can mean significant paper, printing and postal savings once a new Statement of Community Involvement is adopted.
- 6.2.3 Similarly, for emerging planning policy documents, the Council will not be bound to unnecessary expenses for consultation and engagement in line with the current Statement of Community Involvement (2007).

6.3 Policy and Risk Implications

- 6.3.1 As set out in the Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017, the Council will have to publish in its annual Authority Monitoring Report the reasons for continuing to use the Statement of Community Involvement (2007) or the reasons for considering a review.

6.4 Corporate Plan Implications

- 6.4.1 In line with the Corporate Plan (as updated 2018) and the Selby Customer Strategy, the Statement of Community Involvement (2020) demonstrates the planning service is an open, transparent and accessible service available to everyone.

6.5 Resource Implications

- 6.5.1 The preparation of the Statement of Community Involvement (2020) is covered through the resources of the Planning Policy Team.

6.6 Other Implications

Data Protection

- 6.6.1 The consultation arrangements for the draft Statement of Community Involvement (2019) met the requirements under the General Data Protection Regulations (GDPR).

6.7 Equalities Impact Assessment

- 6.7.1 The Equalities Impact Screening Assessment was completed for the draft Statement of Community Involvement (2019) and accompanied the draft Statement of Community Involvement (2019) for consultation. No comments were received on this document. An Equalities Impact Screening Assessment has been completed for the Statement of Community Involvement (2020) and is attached in Appendix 3 to this report.

7. Conclusion

- 7.1 The Statement of Community Involvement (2020) and the monitoring and review procedures to be put in place meet the current legal and procedural requirements set out for community consultation and engagement for the planning service. The legal, financial and policy implications and risks of not considering a review and replacement to the 2007 Statement of Community Involvement are identified. The Executive are advised to consider this report of the results of the consultation and recommend to Council that the Statement of Community Involvement (2020) is considered for adoption.

8. Background Documents

Selby District Council - Statement of Community Involvement (2007)
Selby District Council – draft Statement of Community Involvement (2019)
Equalities Impact Screening Assessment on the draft Statement of
Community Involvement (2019)
Executive Report 7 November 2019

9. Appendices

Appendix 1: Results of consultation on the Draft Statement of Community
Involvement (2019)

Appendix 2: Statement of Community Involvement (2020)

Appendix 3: Equalities Impact Screening Assessment (2020)

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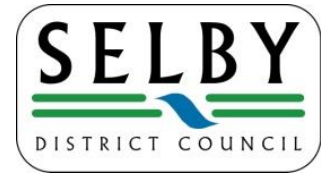
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comment number	name	company	page	paragraph	support / objection / omission	Comment	Officer Response	Change to SCI?
1	Michael Wigglesworth			whole document	comment	<p>Thanks for the invitation to comment on the above. I do care about what happens in the area and want to make positive comments and suggestions (as well as objections where required) so welcome the opportunity to be involved.</p> <p>Regarding the specific document, it's very "wordy"...(38 pages of text with numerous further links and references can be off-putting). I do appreciate however the need to cover absolutely everything in the public sector environment but to be honest it's more like a thesis than a statement (sorry). Perhaps more emphasis on the bullet point summary / overview right at the beginning in section 1.1 would help? Focus on the key points of the statement please.</p> <p>To this end I will refrain from commenting on specific sections of the statement...just urge you not to put off general members of the public / community from getting involved by hitting them with large volumes of paperwork.</p> <p>People will want to focus on the issues that really matter in making Selby a great place to visit, live & work rather than the administration and policies.</p>	The SCI needs to be clear on how to be involved in planning matters and what to expect of the planning service. The first section sets out what the document is and the principles of engagement whilst the second and third sections deal with Planning Policy and Development Management engagement respectively. The document provides the links to further detail as necessary. The SCI needs to be appropriate, relevant and to meet current legislation requirements. It is considered that the format and layout of the document is appropriate. However, a brief description of the document can be added to the website text to aid clarity.	no
2	Carla Wright	Natural England			support	<p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>We are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.</p> <p>We regret we are unable to comment, in detail, on individual Statements of Community Involvement but information on the planning service we offer, including advice on how to consult us, can be found at: https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals.</p> <p>We now ask that all planning consultations are sent electronically to the central hub for our planning and development advisory service at the following address: consultations@naturalengland.org.uk. This system enables us to deliver the most efficient and effective service to our customers.</p>	Welcome support for meaningful and early engagement in planning matters.	no
3	Jo Mottershead	Tadcaster Town Council		whole document	comment	The above Statement was discussed at the Council meeting on 3 December 2019. Members agreed that they would like to be involved and informed at every stage of the process.	Welcome the involvement of the Town Council.	no
4	Emma Sharpe	Historic England	general aims and approach		support	As the Government's adviser on the historic environment Historic England is keen to ensure that the protection of the historic environment is fully taken into account at all stages and levels of the local planning process. We support the general aims and approach to the draft Statement of Community Involvement.	Welcome the support for the general aims and approach.	no
5	Emma Sharpe	Historic England		4.18	support	We welcome the acknowledgement of Historic England as a specific consultation body with respect to planning applications at paragraph 4.18.	Welcome the acknowledgement.	no
6	Emma Sharpe	Historic England		2.18	Omission	However, we would normally expect the Statement of Community Involvement to also include details of the Consultees who should be consulted during preparation of the Local Plan, as set out in Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This could be included as an appendix to the Statement of Community Involvement.	Acknowledge that a list of the consultees for the preparation of the Local Plan as set out in Regulations 2 and 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 is not included in the draft SCI. The SCI did not wish to replicate the current Regulations, as the list may be amended in future.	no

comment number	name	company	page	paragraph	support / objection / omission	Comment	Officer Response	Change to SCI?
7	Emma Sharpe	Historic England		2.28-2.29	Omission	With regards to neighbourhood planning, we would welcome notification of proposed neighbourhood planning areas as well as consultation on draft plans. The regulations state that Historic England should be consulted on draft plans where our interests are considered to be affected. We have guidance on neighbourhood planning, which can be found at: < https://historicengland.org.uk/advice/planning/plan-making/improve-yourneighbourhood/ >	Acknowledge that the consultees for the preparation of Neighbourhood Plans are not set out in the SCI as in the Regulations. However, SDC has produced a guidance note for the preparation of Neighbourhood Plans. Historic England have been included in this note as a consultee, and a link added to the Historic England guidance note.	no
8	Emma Sharpe	Historic England		whole document	Comment	We would welcome consultation at an informal level, in addition to the requirements of the legislation, where issues may benefit from our early involvement. For information and for further consultation please note our consultation email address eyorks@HistoricEngland.org.uk.	The Statement of Community Involvement encourages early discussions as necessary and relevant. Historic England will be notified of opportunities to be involved and to provide comments on planning matters as necessary.	no
9	John Roberts	City of York Council		whole document	support	a) Overall, quite a strategic level document, clear, logical and concise and easy to read in non-planning jargon. It covers most relevant issues, giving an overview of methods of consultation, set out under logical jargon-free headings.	Welcome the positive comments.	no
10	John Roberts	City of York Council		whole document	support	b) Good use of hyper-links to other documents / sources of information in the electronic version of the document.	Welcome the positive comments.	no
11	John Roberts	City of York Council			Omission	c) Very limited reference to Duty to Co-operate – should the document have its own subsection, referring to who it should consult under Section 110 of the Localism Act?	Agree, a section on Duty to Co-operate needs to be added into the SCI after para 1.8 as follows: " The Duty to Cooperate was introduced in 2011 by the Localism Act and places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis with other duty to cooperate bodies to maximise the effectiveness of Local Plan preparation relating to strategic matters. The Duty to cooperate is not a duty to agree but local planning authorities should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their Local Plans for examination. The duty to cooperate applies to strategic issues which have significant impacts affecting two or more local authority areas. The Council's participation in cross-boundary planning with its duty to cooperate partners which include neighbouring authorities, North Yorkshire County Council and the two Local Enterprise Partnerships will be an ongoing process throughout the preparation of the plan.	yes
12	John Roberts	City of York Council		2.18	Omission	d) The document does not include a list of organisations / groups to consult (inc Specific Consultation Bodies, General Consultation Bodies and other Locally Identified Groups) during the various consultation stages / items to consult upon – maybe they should be contained in an Annex?	Acknowledge that a list of the consultees for the preparation of the Local Plan as set out in Regulations 2 and 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012 is not included in the draft SCI. The SCI did not wish to replicate the current Regulations, as the list may be amended in future.	no
13	John Roberts	City of York Council			Omission	e) Suggest having a 'Glossary of Terms' in an Annex.	Agree. A Glossary of Terms is now included to aid understanding of the various planning terms.	yes
14	John Roberts	City of York Council		3.48	object	f) Paragraph 3.48: implies that only one objector should speak at Planning Committee, representing all objectors – this should be amended to make it clear that it only applies where there is a group or number of objectors with a common interest, rather than individual objectors. Where individuals without a common interest wish to speak, they should be allowed register individually to speak.	Section 12.5 of the Selby District Council Code of Practice for dealing with Planning Matters sets out that only one person can speak on behalf of all the objectors to a planning application. This is different from the process employed by the City of York Council.	no
15	John Roberts	City of York Council		3.52	object	g) Paragraph 3.52: the word 'accepted' should be replaced with 'approved' to read 'You can find out if an application has been approved or refused'.	agree. This appears to be a typing error. Amend as indicated	yes

comment number	name	company	page	paragraph	support / objection / omission	Comment	Officer Response	Change to SCI?
16	Serena Clifford	Forestry Commission	6 + 33			<p>page 6: What do you mean by Community? We note that the council names statutory and non-statutory agencies who have an interest in Selby District as being consulted. We also note that on page 33: Who else does the Council consult with, that you note statutory consultees and provide a link to a GOV.UK page regarding consultations. We have received no planning applications from Selby Council in the last 1 year and we want to ensure that we can provide you with information that as a planning authority you may need to consider. We therefore ask you to add the Forestry Commission (as per the email / address below) as a non-statutory consultee to your local register in relation to any planning application consultations that are located within 500m of any ancient woodland. You can use the Ancient Woodland Inventory (maintained by Natural England), which can be viewed on the MAGIC Map Browser to identify ancient woodland within the Selby District.</p> <p>You may find it helpful to consult us as a non-statutory consulted on any planning applications that are within the boundary of any woodland.</p> <p>Woodland areas can be identified through the National Forest Inventory – again which can be found on the MAGIC Map Browser.</p> <p>The FC do not charge for planning advice. Any responses we submit should be considered as material planning considerations.</p> <p>These could include:</p> <ul style="list-style-type: none"> - An area of woodland that has a felling licence and which has permission conditional upon trees being replaced and maintained for ten years. Specific information can be provided on request. - Areas of land that is grant aided and in receipt of public money for a period of time. Specific information can be provided on request. - An areas of woodland that may be under investigation of illegal felling and where the Forestry Commission are given the power to issue legally enforceable Restocking and Enforcement Notices compelling an individual to replant a site with trees. This can be done as an alternative to, or in conjunction with, seeking a criminal prosecution for illegal felling. We can issue these Notices when we believe that an individual has illegally felled trees and that individual has the legal right to enter and restock the land in question. Such Restocking Notices, and subsequent Enforcement Notices, may be materially relevant to planning applications in situations where the site looks to have been cleared prior to 	<p>Welcome the information regarding links to the NE Magic website and the tools available. However, the SCI on pages 6 and 33 does not list out the non-statutory and statutory consultees, but provides links as appropriate to relevant legislation and guidance. The Forestry Commission are included within table 2 of the www.gov.uk Consultation and pre-decision matters and as such would be contacted as necessary on relevant planning applications. The concerns regarding a lack of consultations on planning applications have been passed to the Development Management section for them to reply directly.</p>	no
17	Serena Clifford	Forestry Commission				<p>The Forestry Commission is also a statutory consultee on the following planning applications: for NSIPs affecting the protection or expansion of forests and woodlands under section 42(a) of the Planning Act 2008 in the screening and scoping process for infrastructure planning EIAs relating to NSIPs, where s42 consultees are also Regulation 9 bodies under EIA regulations under the Town & Country Planning Act 1990 for planning conditions for the restoration of minerals/waste sites to forestry (the growing of a utilisable crop of timber).</p> <p>Aside of planning application consultations, the Forestry Commission is also responsible for consulting local authorities on felling licences where there may be a Tree Preservation Order (TPO) put in place by the council. We ask that Selby Council ensure continued collaborative working on this and provide the Forestry Commission with timely replies to ensure that we can continue to process such requests.</p> <p>The Forestry Commission is the government's forestry experts and therefore we are also able to provide Selby Council with information and advice on grants and incentives on woodland creation and sustainable woodland management.</p> <p>We also provide free of charge seminars on tree health (pests and diseases) and other forestry related matters. If you have any staff who are interested in learning more or attending any events please ask them to sign up to our local stakeholder contact list to receive emails about future events. This can be done by emailing yorkshirenortheast@forestrycommission.gov.uk and requesting to be added to the stakeholder list for Yorkshire.</p> <p>Some incentives currently available towards woodland creation are:</p> <ul style="list-style-type: none"> - Countryside Stewardship Woodland Creation - Northern Forest, - Woodlands for Water, - Woodland Carbon Fund 	<p>Welcome the information on statutory consultees. The Forestry Commission are included within table 2 of the www.gov.uk Consultation and pre-decision matters and as such would be contacted as necessary on relevant planning applications. Selby Council is keen to ensure continued collaborative working on planning application determination and planning policy development. The information regarding grants available and possible seminars have been noted and passed to the Economic Development Section as appropriate.</p>	no

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Statement of Community Involvement

September 2020

Statement of Community Involvement

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1 Getting Involved In Planning

What is the Statement of Community Involvement?

- 1.1 The Statement of Community Involvement sets out:
- how the Council will involve the community and other stakeholders in Planning matters including:
 - how and when you can influence new planning policy documents;
 - how and when you can comment on planning applications, as well as other forms of application for development such as Listed Buildings and prior notifications submitted to Selby District Council;
 - the role of elected Councillors, Parish and Town Councils and voluntary and community groups in planning matters;
 - Who you can contact for assistance in planning matters, and
 - What will be expected of you when you make comments.
- 1.2 The Statement of Community Involvement is a statutory planning document and applies to the whole of the Selby District Council area. Selby District Council is the Local Planning Authority for the whole of the District of Selby. North Yorkshire County Council is the Planning Authority for Minerals and Waste. The Ministry for Housing, Communities and Local Government (MHCLG) is the Government department with responsibility for creating great places to live and work, and for giving more power to local people to help shape what happens in their area.
- 1.3 This is the second Statement of Community Involvement that Selby District Council has published.

Legal Requirements

- 1.4 The legal requirements are set out by the Government in legislation. The [Planning and Compulsory Purchase Act 2004 \(section 18\)](#) (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017) requires Local Authorities to prepare a statement setting out how it will involve those with an interest in development in the area. The [Town and Country Planning \(Local Planning\) \(England\) \(Amendment\) Regulations 2017](#) amends the Act further by including a duty on Local

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Planning Authorities (LPAs) to review their Statement of Community Involvement every five years. Whilst the [Neighbourhood Planning Act 2017](#) has specifically introduced a requirement on Local Planning Authorities to include within the Statement of Community Involvement the policies for giving advice or assistance on making and modifying Neighbourhood Development Plans and on making Neighbourhood Development Orders.

- 1.5 There is a clear emphasis throughout national policy on encouraging early and consistent community involvement. The [National Planning Policy Framework \(NPPF\)\(2019\)](#) encourages front-loading engagement and co-operation with the community so that Local Plans reflect a collective vision and agreed set of priorities, as well as the importance of early community engagement before planning applications are submitted.
- 1.6 Specifically for plan-making, The [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#) sets out the steps for the production of Local Plans and supplementary planning documents. It includes who is to be included at each consultation and which documents are available at each stage of the process.
- 1.7 Similarly for planning applications, The [Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015](#) sets out the procedure to be followed by local planning authorities when processing planning applications: from receipt of the application to the decision being issued and recorded.
- 1.8 The Public Sector Equalities Duty (section 149 of the [Equalities Act 2010](#)) requires local authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010. The Act also encourages participation in public life or in other activities where the participation by people from protected groups is disproportionately low.
- 1.9 The Duty to Cooperate was introduced in 2011 by the Localism Act and places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis with other duty to cooperate bodies to

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

- 1.10 If legal requirements alter the participation and engagement requirements for the planning service, any consultation and engagement will be in line with the new legislation until the Statement of Community Involvement is revised.

What do you mean by “Community”?

- 1.11 By “community” we mean the individuals, groups, organisations, businesses, Parish and Town Councils, Statutory and non-statutory agencies, landowners, developers and agents that live, work, visit, operate or have an interest in Selby District. Being involved in planning allows the “community” to potentially influence the way the District will change over time.

The Council's Approach to Community Involvement

- 1.12 The Statement of Community Involvement is a key part of the Council's overall approach to community engagement and has been updated to reflect the Council priorities of the Council's [Corporate Plan](#) 2020-2030, Making Selby a Great Place....
- a great place to live;
 - a great place to enjoy;
 - a great place to grow; and that
 - Selby District Council delivers great value.
- 1.13 The Plan sets out the Council's approach to delivering our ambitions:
- ***we will work collaboratively with others*** – recognising we are not experts in everything, we will use the best expertise, resources and skills across our partners and communities;

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- ***we continue to be close to our communities*** – involving more people in decisions about their area and their services;
- ***we will put the customer at the heart of service delivery*** – supporting residents to be more self-sufficient and maximising use of digital technology in service delivery; and
- ***we will support the wellbeing of our residents*** – considering how our decisions impact on healthy life choices and the environment.

These Principles of: *collaboration*; *community-focused*; *customer-centred*; and *wellbeing* will be formally considered and tested as part of our decision-making in delivering the Council Plan.

Why involve me in Planning?

1.14 We believe that everyone should have the opportunity to have their say in shaping their environment at the earliest opportunity. Consultation and engagement with the relevant consultees and any interested parties is an essential part of the planning process for the production of new Planning Policy documents and in the consideration and determination of planning applications submitted to the Council. Planning is an inclusive process. The Statement of Community Involvement sets out when and how everyone will have the opportunity to express their views and comments at the relevant and appropriate times.

How will you involve me?

1.15 Advertising and notification of forthcoming opportunities to be involved is essential. The different methods to be employed for consultation and engagement opportunities are set out in the relevant parts of this document. The Council recognizes that consultees have differing interests, needs, experiences and varying skills for involvement, which could cause conflict and present barriers to effective engagement and consultation. Therefore, the approaches used must be tailored to different audiences. A Glossary of planning terms is provided as an appendix to this document. In line with the [guidelines](#) produced by the [Royal Town Planning Institute \(RTPI\)](#), the Council will work to identify, acknowledge and overcome barriers to consultation as part of our engagement processes. Barriers may include:

- specific issues or topics;

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- a particular method of engagement employed, or
- a particular document and how it relates to a particular group of the community.

Equalities Impact Assessment

1.16 An assessment under the Equalities Regulations may be appropriate and a requirement for some planning policy documents. Equality Impact Assessments (EQIA) have been developed as a tool for ensuring that equality, social inclusion and community cohesion issues are considered when drawing up policies. For further information on Equalities Impact Assessments and how you can be involved in these please see:

<https://www.selby.gov.uk/equality-impact-assessments-eia>

1.17 An Equalities Impact Assessment accompanies this Statement of Community Involvement.

Equalities Monitoring

1.18 The Council does not currently request equalities monitoring information when you:

- submit a planning application
- make comments on Planning Applications or
- are involved in the production of Planning Policy documents.

Resource Implications

1.19 The obligation to engage and consult with stakeholders and members of the public is greater than ever before, but the Council has a limited level of resources. Every effort will be made to ensure that the best use is made of available staff time and resources. Methods of consultation and engagement will be tailored to the situation. In order to improve efficiency, the Council will make use of electronic communication tools and build upon existing communication channels wherever possible. Subject to resources, the Council will engage, involve and consult on planning matters in line with the latest regulations and guidance as appropriate and relevant.

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Availability of Documents and information

1.20 All relevant documents and information will be made available on the [Council's website](#) in line with the latest regulations and guidance. We encourage you to make use of any electronic formatting facilities available in your software that could assist you in accessing the relevant documents on the Council's website to meet your specific visual requirements. However, the Council will respond to requests for documents and information to be made available in alternative formats upon request.

How Do I Make My Comments?

1.21 All comments must be made in writing on the Council's consultation portals or by email or by post if they are to be considered. This will generally be by invite if you or your organisation has previously expressed an interest in the matters being discussed or if the Council considers that your input would assist in the consideration of the planning issue or policy formulation.

What will be expected of me?

1.22 In order to ensure that your involvement is effective you will be expected to:

- comment within the specified time period;
- provide comments in a clear and succinct format, ensuring that representations relate to the issues and documents being consulted upon;
- be aware that comments will be made publicly available with personal and sensitive information redacted in line with the [General Data Protection Regulations 2018 \(GDPR\)](#);
- be understanding and respectful of alternative views; and
- if you are replying on behalf of a group or organisation, consider how members of the group have been involved in formulating the representation. Ensure that the full range of member views is represented and specify where agreement and disagreement exists.

What is the Role of the Elected Councillors in the Planning Process?

Selby District Ward Councillors

- 1.23 The District Ward Councillors represent their respective Wards in Selby and they listen to residents' concerns and views on planning issues. Ward Councillors can voice their support or make objections to planning applications in writing and speak at Committee on behalf of their constituents. Ward Councillors can provide access to the public information that they receive and answer queries of the community in their ward. They can also request in writing (email) that a planning application is considered by the Planning Committee rather than being considered under delegated powers, provided that valid planning reasons are given for this choice.
- 1.24 District Councillors can be accessed through a number of methods which include;
- email
 - ward surgeries
 - public meetings
 - consultations
- 1.25 The role of locally elected Ward Councillors in representing the views and concerns of residents in the planning process is very important. However, your views can only be formally taken into account when you make them in writing to the Council within the specified time for a particular Consultation. You can check the contact details of your local Ward Councillor [here](#).

North Yorkshire County Councillors

- 1.26 There are 9 County Divisions in Selby District. For further information on the role of County Councillors see [here](#).

Parish and Town Councillors

- 1.27 Parish and Town Councils play a vital role in community involvement. Parish and Town Councillors can comment on particular planning applications or developing policy documents which may affect their area. They may request to speak at Planning Committee with respect to planning applications being considered in their Parish or Town. Parish and Town Councils have an important role when identifying priorities in their areas and also provide a

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valuable means of sharing information about the planning process to their local community. For more information on your Parish or Town Council including the Code of Conduct of Parish and Town Councillors see the [website](#).

What is the Role of the Community Engagement Boards and Forums?

1.28 There are five Community Engagement Forums in the Selby District. Each covers different towns and villages. The [Community Engagement Forums](#) are split into two parts:

- an open community forum
 - these are public meetings which provide you with the opportunity to get more involved in what happens in your area and the services provided
 - you can raise any concern or make a comment about what's happening in your area
 - all residents of the Community Engagement Forum area can attend and participate
- a Partnership Board meeting
 - these are open to the public but contributions can only be made at the chair's discretion
 - these meetings are where funding applications are discussed and the direction of the CEF is discussed
 - the Partnership Board is made up of district councillors, parish councillors and co-opted members of the community.

What is the Role of Voluntary and Community Groups?

1.29 We believe that everyone should have the opportunity to be actively involved in decisions which affect them and their community. Voluntary and Community groups are encouraged to be involved in planning matters and can represent their members.

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“Hard to Reach” Groups

1.30 We are aware that some people may be considered ‘hard to reach’. We also understand that particular groups may have specific areas of interest or a limited capacity for involvement. Every opportunity will be taken to add to our knowledge of hard to reach groups, identify issues and policies that are likely to be of particular concern. Documents and information will be made available in alternative formats upon request (see paragraph 1.19).

Can Planning Officers Help Me?

1.31 Selby District Council employs Planning Officers who are based at the Civic Centre, Doncaster Road, Selby YO8 9FT. They provide specialist professional planning advice to the Council and the community as necessary. They are responsible for:

- producing the Development Plan documents (Local Plan and other planning policy documents)
- providing advice on planning policy
- leading the consultations regarding draft planning documents and the consideration of comments made
- implementing and enforcing requirements under the Community Infrastructure Levy regulations
- providing pre-application advice
- assessing planning applications in accordance with the:
 - adopted Development Plan
 - National Planning Policy
 - any other material considerations including consultation responses and representations.
- considering reports of breaches of planning permission
- providing planning enforcement

Contact the Planning Officers via:

By email: <https://www.selby.gov.uk/contact-us>

By post: Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT

By telephone: 01757-705101

For specific queries, you can contact the Planning Officers for:

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Pre-application advice: [See Guidance and complete a form](#)
Development Plan and Planning Policy: Email: localplan@selby.gov.uk
Planning enforcement: [Complete the Planning Enforcement Complaint form](#)
or email: planningenforcement@selby.gov.uk

Where else can I go for Help?

Planning Aid England

1.32 Planning Aid England is a voluntary organisation linked to the Royal Town Planning Institute (RTPI). Through its network of volunteers who are Chartered Town Planners it can provide independent and impartial advice. For further information please contact [Planning Aid England](#).

Other Organisations

1.33 You may want to appoint a planning consultant to act on your behalf when dealing with the Council on planning matters. The planning consultant will act as your agent to submit your planning application or provide comments on a Planning Policy document. The Royal Town Planning Institute (RTPI) maintains a list of [Planning Consultants](#).

Monitoring and Review of the Statement of Community Involvement

1.34 In line with current Government legislation (The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017), once adopted, the Statement of Community Involvement is intended to be in use for 5 years before a review may be necessary. The need to review the Statement of Community Involvement will be considered on an annual basis and will be reported in the annual Authority Monitoring Report.

1.35 The need to review will be assessed if there have been any changes to legislation or government advice affecting the Statement of Community Involvement as well as if there has been a particularly low level of community involvement. In this instance, the Statement of Community Involvement will be assessed against the following indicators:

- the number of individuals / groups participating in consultations (including those identified as “hard to reach”)
- which consultation techniques generate the most effective responses

Statement of Community Involvement

- whether any participants suggest any improvements to consultation
- 1.36 Any necessary changes will be incorporated into a future version of the Statement of Community Involvement. This will ensure that the Statement of Community Involvement remains appropriate and effective in involving the community in the various planning processes.

2 Influencing the Local Plan and Planning Policy

- 2.1 This section explains how and when you can be involved in influencing and informing the production of the Development Plan and other planning policy documents in Selby District. Planning applications are determined in accordance with the Development Plan and national planning policies. Legislation sets out which development plan documents need to be in place, the processes for the production of those documents, the opportunities for involvement in their production and the processes for that engagement.
- 2.2 Selby District Council is responsible for producing the following Development Plan Documents:
- Local Plan documents including the Policies Map
 - Supplementary Planning Documents
 - Development Briefs
 - Guidance Notes
- 2.3 Selby District Council supports the production and development of:
- [Neighbourhood Plans](#) (led by Parish and Town Councils)
- 2.4 In line with the legislation as the Development Plan is prepared, various supporting and evidence documents may need to be produced by the District Council to inform the policy direction. These can include:
- Sustainability Appraisal / Habitats Regulations Assessment
 - Duty to Co-operate Statement
 - Infrastructure Delivery Plan
 - Equalities Monitoring Assessment
 - Technical studies to provide detail for the policy direction
 - Consultation Statement
- 2.5 The Development Plan also has to be produced in line with the following procedural documents:
- [Local Development Scheme](#) (the timetable for document production)
 - [Statement of Community Involvement](#) (the engagement and involvement procedures to be undertaken)
- 2.6 The Council is also responsible for the implementation of the [Community Infrastructure Levy](#) (CIL).

When Will You Involve Me In Preparing Planning Policy Documents?

2.7 The key stages for involvement in the production of planning policy documents are set out by the Government in planning legislation and guidance. This is to ensure that the planning process is inclusive, open and transparent. The opportunities to be involved and provide comments are dependent on the type of planning policy document being produced. However, the stages for involvement are designed to ensure that you can be involved from the earliest opportunity of planning policy preparation. These stages can provide you with various opportunities to be involved and potentially influence the content and direction of a planning policy document.

How will I know when I can be Involved?

2.8 In line with the latest legislation and guidance, and depending on the stage of production of the policy document, the Council will use various methods of advertising the opportunities to provide comments and the opportunities to be involved:

- announcements on the council website
- notifications for those registered on the [Planning Policy Consultation Portal](#). This is the most reliable method of ensuring that you are made aware of opportunities to provide comments and be involved in the production of planning policy documents.

2.9 In addition to the statutory requirements set out in legislation, the Council may use the following methods of advertisement:

- announcements in the local press - public notices section
- announcements on social media
- features in the local press
- posters on Notice Boards and at community meeting places
- leaflets

2.10 You can also check the reports presented to the [Council's Executive](#) for progress on the production of the various Local Plan and planning policy documents.

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How Will You Contact Me?

2.11 The Council will notify those registered on the Planning Policy Consultation Portal. Once you are registered on the [Planning Policy Consultation Portal](#) you can choose how you want to be contacted by the Council on planning policy matters. You will be notified by your chosen method of contact at the relevant times. The quickest and easiest method is by email, but you may prefer a letter in the post or to be informed through emerging digital technologies (e.g. social media). To be registered for notifications of opportunities to be involved please click [here](#). Or alternatively you can contact the Council via:

- email at: localplan@selby.gov.uk
- post at: Civic Centre, Doncaster Road, Selby, North Yorkshire, YO8 9FT
- phone: 01757 705101

Availability of Documents and Information

2.12 All relevant documents and information will be made available on the [Council's website](#) in line with the latest regulations and guidance. Once registered, you are encouraged to access and view the available documentation via the Planning Policy Consultation Portal. The Council is aware that some people may prefer a paper copy, this service is available but it may incur a charge. For more details you can contact the Council at: localplan@selby.gov.uk

How do I make my Comments?

2.13 Accessing the documentation via the Planning Policy Consultation Portal will permit you to respond directly to specific questions or provide comments on text in the relevant document(s). You can still make your comments by downloading, completing and submitting a comment form attached to an email or letter. You can email or post them to the address above, but we would prefer you to use the Planning Policy Consultation Portal as this helps us to respond quicker.

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How will you respond to me?

- 2.14 Receipt of your comments on planning policy documents will be acknowledged via the planning policy consultation portal. The Council will not respond individually and directly to any points you make, unless it is to clarify or seek further information. A report of consultation will be produced and will be available on the Council's website in line with the guidance available. The consultation statement will set out the Council's consideration and responses to the various comments made. It will also set out how the document has been amended to take on board relevant comments.
- 2.15 All correspondence on the Local Plan will be in line with our corporate service standards and any regulations that guide the Local Plan and planning policy document process.

What are the Local Plan and Planning Policy Documents?

- 2.16 For the most up to date Development Plan Documents please see the [Council's planning policy webpages](#).

How will I know when there are Opportunities to be Involved?

- 2.17 The [Local Development Scheme](#) sets out the timetable for the production of planning policy documents. The [Authority Monitoring Report](#) will set out any emerging trends and highlight if consideration needs to be made to revising a planning policy document to meet changing circumstances or new legislation, or if it is considered appropriate to produce a new planning policy document.

How Can I get Involved in the Preparation of a Local Plan?

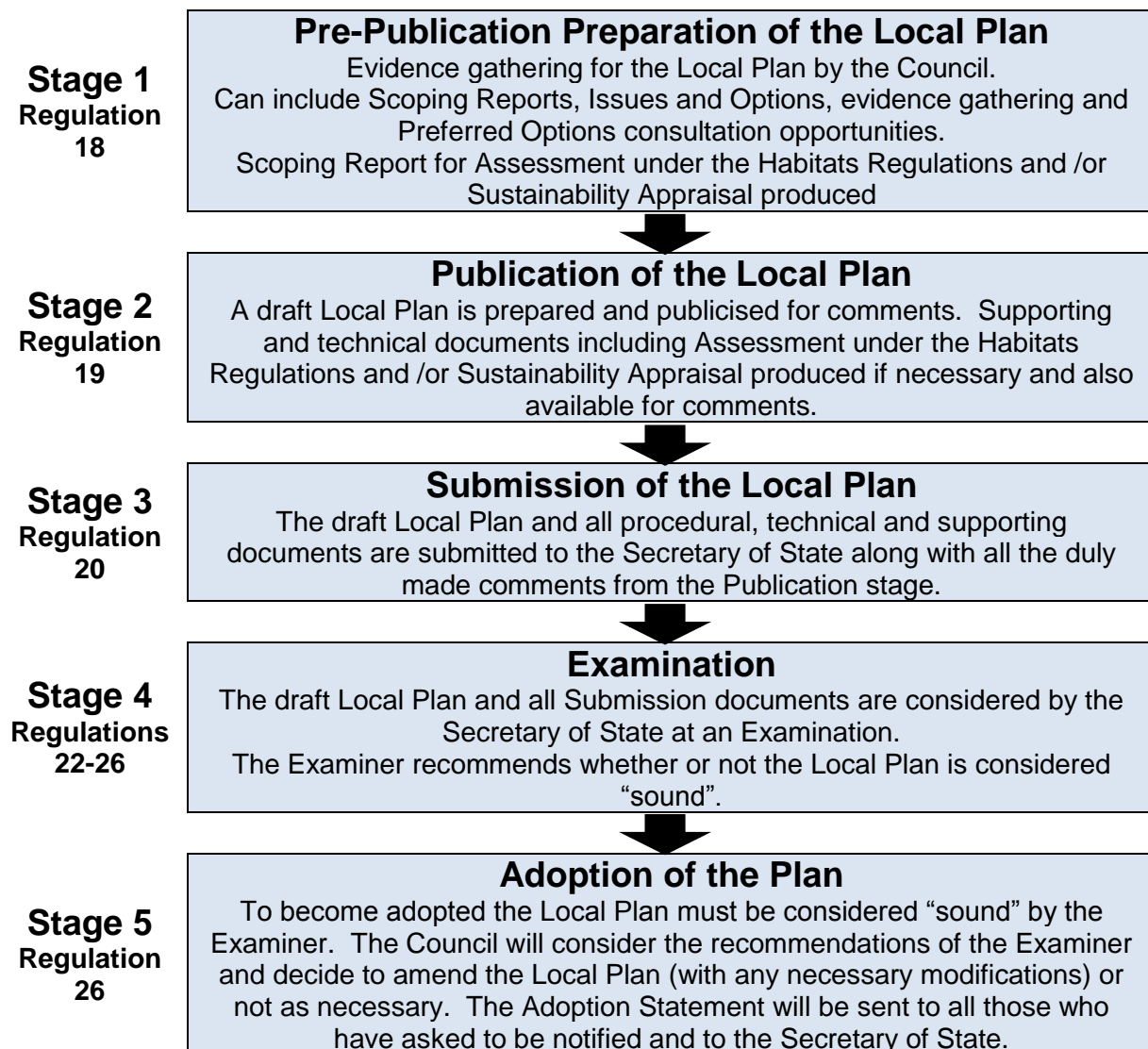
- 2.18 There are prescribed stages for when a Local Plan is available for comments to be made. For more detail please see Figure 1 and the [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012](#). The timetable for a new emerging Local Plan or an amendment / revision to a Local Plan will be set out in the Local Development Scheme within the [Authority Monitoring Report](#). You can become involved in the preparation of a Local Plan at any stage, but you have more opportunities to influence its policy direction at the pre-publication preparation stage.

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Pre-publication Preparation

2.19 At this stage, the Council will undertake a period of research that will form the evidence base. Pre-preparation can include scoping reports, issues & emerging options, further evidence, and preferred options. All of these may not be necessary to be undertaken in the preparation of all Local Plan documents. The Council will consider all relevant comments and prepare a draft document.

Figure 1 - Key Stages of Local Plan Preparation



Publication of a Local Plan

2.20 This is the first formal stage and is when a draft of the emerging Local Plan is first available for comments. The Council will notify and invite all stakeholders to comment at this stage by the published deadline in line with the Regulations. Local Plans and spatial development strategies are examined to

Statement of Community Involvement

assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Comments, or Representations as they are known at this stage, must be made in relation to these legal and procedural requirements and the Government’s “Tests of Soundness” as set out in Table 1 to ensure that the Local Plan on adoption is considered to be “Sound”.

Table 1 – Legal and Procedural Requirements and the Tests of Soundness

Legal and Procedural Requirements	
The Local Plan is prepared in compliance with:	Duty to Co-operate (under section 33A of the Planning and Compulsory Purchase Act)
	the Town and County Planning (Local Planning) (England) Regulations 2012
	the Statement of Community Involvement
	the Local Development Scheme
The Local Plan is published accompanied by a Sustainability Appraisal Report	
Tests of Soundness	
Positively prepared	The Local Plan provides a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development
Justified	The Local Plan is an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence
Effective	The Local Plan Policies are deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground
Consistent with national policy	The Local Plan enables the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework
Sources: National Planning Policy Framework (2019) paragraph 35 and The Planning Inspectorate (2019) Procedure Guide for Local Plan Examinations	

2.21 All relevant and duly made comments received within the published timescale will be considered by the Council. Late comments may not be considered. The Council may propose amendments to the draft Local Plan in response to comments made.

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Submission of a Local Plan

2.22 The Council must then submit the Publication draft of the Local Plan, a statement of how the draft Publication Local Plan is to be amended by the Council to take on board (or not) the comments received, the supporting information and all the comments received at the Publication stage to the Secretary of State. No further comments can be made at this stage.

Examination

2.23 All comments / representations made at the formal Publication draft stage will be considered at the Examination by a Planning Inspector appointed by the Secretary of State. If you, your organisation or your representative has made a formal representation you are given the opportunity to be present at the formal hearing sessions.

2.24 Following the close of the Examination hearings, the Planning Inspector will prepare a report and recommendations which may suggest changes to make the draft Local Plan “sound” for adoption. Plans are only considered ‘sound’ if the Inspector considers it meets all the legal and procedural requirements and the Tests of Soundness in Table 1.

Adoption

2.25 The Council will consider the recommendations of the Planning Inspector and decide to amend the Local Plan (with any necessary modifications) or not as necessary. The Adoption Statement will be sent to all those who have asked to be notified and to the Secretary of State. Further guidance and information regarding the Examination process is available on the Planning Inspectorate [website](#).

How Can I get Involved in the Preparation of Other Planning Policy Documents?

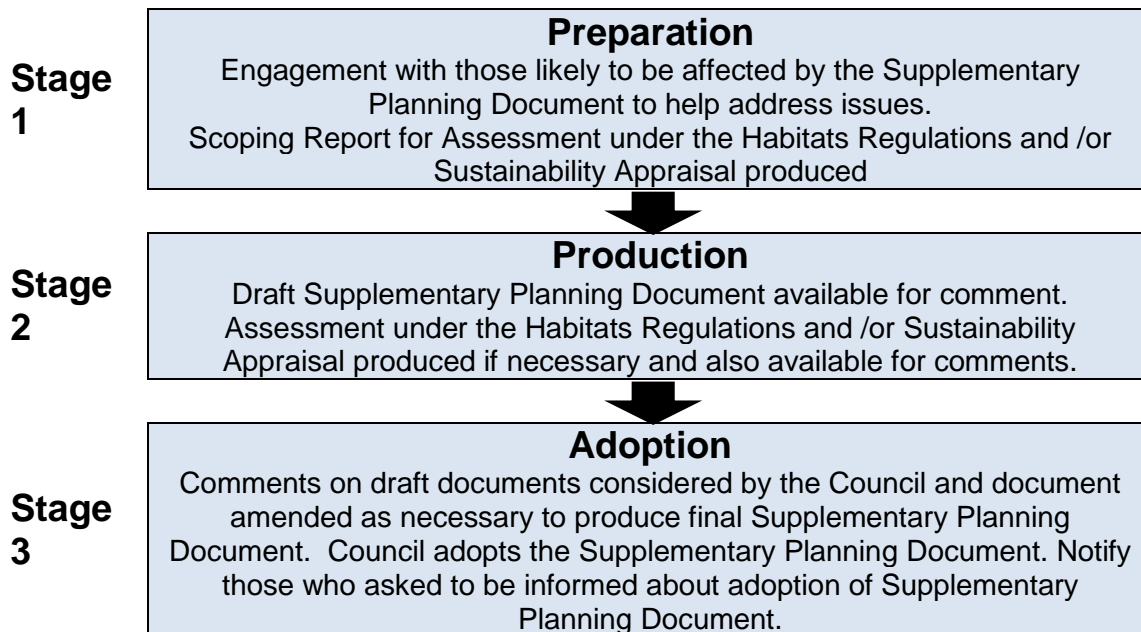
2.26 The Council produces other Planning Policy documents. You can be notified and involved in their preparation if you have indicated on the Planning Policy Consultation Portal that you wish to be notified of opportunities to be involved. Other Planning Policy Documents include Supplementary Planning Documents.

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Supplementary Planning Documents

2.27 The key stages of the production of Supplementary Planning Documents are set out in Figure 2. Opportunities to be involved are at the preparation stage of policy formulation, are usually for those potentially affected by the implementation of the Supplementary Planning Document, or for those with a specialist interest in the subject of the Supplementary Planning Document.

Figure 2 - Key Stages of Supplementary Planning Document Production



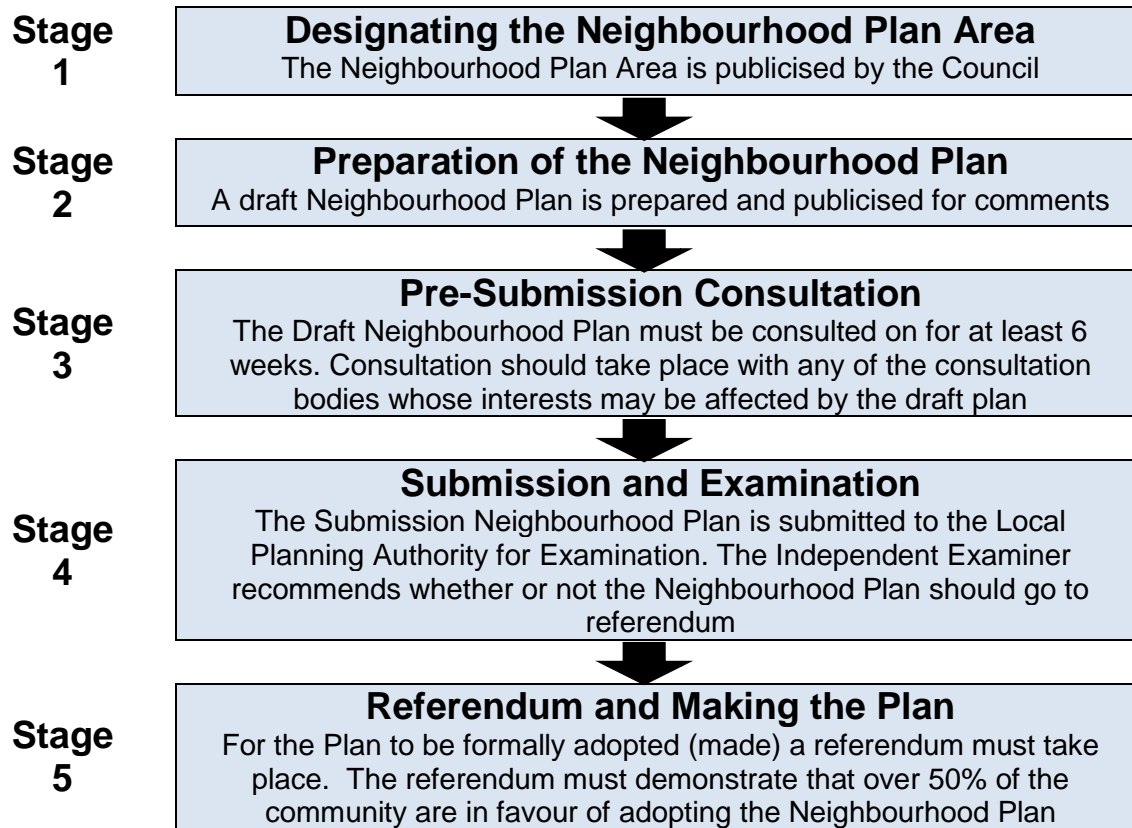
Neighbourhood Plans

2.28 A Neighbourhood Plan gives local communities direct power to shape the development and growth of their local area by building upon the policies in the Local Plan. Communities can choose where the new homes, shops, offices and other facilities are to be built in their neighbourhood, what the new buildings should look like and what infrastructure should be provided.

2.29 Introduced under the Localism Act (2011), the Parish or Town Council will lead the production of the Neighbourhood Plan in your area with support and guidance from Selby District Council. More information about Neighbourhood Planning can be viewed [here](#). The key stages in the production of a Neighbourhood Plan are set out in Figure 3.

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Figure 3 - Key Stages of Neighbourhood Plan Preparation



Planning Policy Documents not Prepared by Selby District Council

A number of statutory planning policy documents are produced by other Planning Authorities and organisations. These will be reviewed as necessary and opportunities for involvement in their production will be advertised on the lead authority or organisation website. These include:

- Minerals and Waste Local Plans
- Marine Plans

3 Influencing Planning Applications

- 3.1 This section explains how you can get involved with planning applications that have been submitted to the Council. It sets out the ways in which you can comment on planning applications, as well as other forms of consent such as for listed buildings. This section also details what to do if you suspect breaches of planning permission.

What Planning Applications does Selby District Council determine?

- 3.2 The Council is responsible for assessing and making decisions on land use planning applications submitted to Selby District Council. The Council's Planning Officers advise the Council's Planning Committee on "Major" and certain other types of applications. They also provide advice on development proposals and deal with any unauthorised development in the District.
- 3.3 The Planning Officers determine around 1500 applications each year. The process of determining a planning application involves important stages of consultation and community involvement, which are described in the following paragraphs. Some planning applications are "delegated"¹ which means that the Planning Officer decides the outcome, whilst "Major" and certain other applications are determined by the Planning Committee.

What Planning Applications does North Yorkshire County Council determine?

- 3.4 As part of a two-tier system of Local Government, North Yorkshire County Council is responsible for dealing with planning applications concerning mineral extraction, the disposal of waste, and for applications relating to its own land and buildings. More detail on those is available on the County Council's [website](#).

What are the Different types of Planning Application?

- 3.5 Planning applications are split into three basic types defined by the Ministry for Housing, Communities and Local Government (MHCLG) as set out in

¹ Decisions delegated to officers are set out in Part 3 section 3.9.9 of the Council's Constitution <https://www.selby.gov.uk/sites/default/files/Documents/Committees/Other/Part%203%20Responsibility%20for%20functions%20v5%20July%202018.pdf>

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Table 2. Major and Minor applications can be submitted as either an Outline followed by Reserved Matters Applications, or as a Full Application from the start. For more details including guidance and the relevant forms to be used for the many different types of applications determined by Selby District Council, please see [here](#).

Table 2 – Planning Application Types

Application Type	Description	
Major	Residential developments of 10 or more dwellings, or a site area of 0.5 hectares or more. For other proposals, where the floor space being constructed is 1,000 square metres or more, or for a site area of 1 hectare or more.	Applications can be submitted as: <ul style="list-style-type: none"> • Outline • Reserved Matters • Full • Section 73
Minor	Smaller applications, which do not fall into the category of ‘Other Applications’ for example residential developments of 1-9 dwellings or a site less than 0.5 hectares.	
Other	There are many different other applications which include: <ul style="list-style-type: none"> • householder applications • change of use • work to Listed Buildings • works to trees that are the subject of protection order or in a Conservation Area • advertisements • certificates of Lawfulness • minor amendments • discharge of conditions • Prior Notifications. See here for the full range of applications.	Prior notification applications follow a different procedure to that of other planning applications, as the case officer is required to give comments on the proposal, rather than to make a formal decision.

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3.6 Planning applications are decided in line with National Planning Policy, the Development Plan for Selby District and relevant material considerations.

Material Considerations

3.7 A material consideration is a matter that should be taken into account in deciding a planning application. Material considerations can include (but are not limited to):

- Government Policy (such as the National Planning Policy Framework)
- A 5-year supply of housing figure
- overlooking/loss of privacy
- loss of light or overshadowing
- impact on the environment
- effect on listed building or conservation area
- nature conservation
- non-designated heritage assets
- parking
- highway safety
- traffic
- noise
- layout and density of building
- the appearance of a proposal
- disabled persons' access
- other proposals
- other Council priorities
- previous planning decisions (including appeal decisions)

3.8 Some matters cannot be taken into account as they are not planning issues such as:

- the loss of property value
- private disputes between neighbours
- the loss of a private view
- the impact of construction work or business competition.

3.9 These lists are not exhaustive and there may be matters that have not been mentioned.

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Planning Performance Agreements

- 3.10 A Planning Performance Agreement (PPA) is an agreement between a local planning authority and an applicant to provide a project management framework for handling a major planning application.
- 3.11 The key aims of entering into a Planning Performance Agreement are as follows:
- facilitate development
 - solve problems
 - achieve a high quality development

What is a Nationally Significant Infrastructure Project (NSIP)?

- 3.12 Nationally Significant Infrastructure Projects are projects that meet certain national thresholds and will be determined by the Planning Inspectorate, not the council. The key stages in the process for determining such applications are explained on the National Infrastructure Planning [website](#)
- 3.13 This process requires the developer to carry out extensive consultation on their proposals before submitting an application, including asking the council to comment on the adequacy of the developer's intended consultation arrangements as set out in their 'Statement of Community Consultation'.

Making and Submitting a Planning Application

- 3.14 The process of making a planning application is set out in detail on the [Planning Portal](#). The Council's [website](#) sets out advice, guidance and the relevant forms to use when making and submitting a planning application or an application for other types of development.

Pre-Application Advice

- 3.15 You can also obtain Pre-Application advice from Planning Officers. The benefits of this are:
- a clearer understanding of how national, regional and local policies may influence proposals.
 - an opportunity to improve schemes at an early stage
 - identifying need for specialist input at an early stage

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- a shared understanding of constraints and opportunities
- agreeing information requirements
- establishing timescales and explaining administrative processes
- reducing delays
- ascertaining if your proposed development is permitted development

3.16 Advice on this service and the relevant fees are available [here](#).

- Householders and residents can book appointments to meet Planning Officers at the Civic Centre, opening times are located [here](#).
- Developers of larger schemes need to complete a pre-application advice request form and pay the appropriate fee available [here](#).

Pre-Application Community Involvement

3.17 All applicants are encouraged to do some form of consultation with the public such as neighbouring and nearby properties before they submit a planning application.

Encouraging early involvement with neighbours for small scale proposals

3.18 For smaller applications, for example house extensions, applicants are encouraged to speak with their neighbours and show them the proposed plans. In their planning application they should include any comments from their neighbours and any changes made to the proposal as a result. There are benefits to early engagement as it can reduce conflict later on in the planning process. These discussions will not affect consultations that the Council may be required to undertake but it could potentially reduce the time taken to gain planning permission.

Developer Pre-Application Discussions

3.19 Dependent upon the nature and potential impact of a development proposal on the local community, applicants making major proposals, or those likely to have any significant impacts, will need to carry out their own pre-application public consultation.

3.20 Planning applications for these proposals will need to be accompanied by a Consultation Statement. Examples of such proposals include:

- major developments, applications for large scale wind turbines or “windfarms”

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- developments requiring Environmental Impact Assessment which are accompanied by an Environment Statement
 - proposals which depart from the Development Plan
 - any development proposals, which the Council thinks, will have significant implications for planning policy.
- 3.21 The form of consultation needs to be tailored to suit the circumstances of the site, proposal and locality. Developers should discuss and agree with the Council the exact nature of consultation in advance, allowing sufficient time for Planning Officers to comment on the proposed events and appropriate changes that are needed to be made. It is important to note that all pre-application discussions with the Council will be kept strictly **confidential**.
- 3.22 Developers need to be clear and up front with the community about the progress of the application as well as the constraints the proposal will occur.
- 3.23 It is expected that consultations are carried out at an early stage in the design process to allow sufficient time for public consultation comments before the submission of the application.
- 3.24 The type of methods to be employed by potential developers could include the following:
- press adverts
 - community meetings
 - exhibitions (opening hours to include out of office hours)
 - information on village and parish notice boards
 - delivery of explanatory leaflets
- 3.25 The Council expects communities to be offered genuine choice and a real opportunity to influence proposals in these consultation exercises. The Council has been set demanding targets by the Government in determining planning applications within strict timescales. Where developers have submitted significant proposals without undertaking any consultation with the community, the onus will be on them to resolve any public objections within the timescale that the Council has to determine the application. Failure to

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consult may reduce the weight the Council gives to the Consultation Statement and be material to the determination of the application.

- 3.26 For probity reasons (ensuring that decisions are taken in a fair and open manner), the Council's Planning Officers would not normally participate in these public meetings or exhibitions other than to provide background information.
- 3.27 As a minimum, the Consultation Statement submitted with the application should include:
- the residents businesses and local community groups consulted
 - methods and timing of consultation
 - a copy of the consultation details
 - evidence of use of open questions, flexible plans and a range of genuinely different options and choices, including alternative sites
 - a summary of all responses received
 - explanation of how public comments have influenced the design of the proposals
 - evidence of how developers have provided feedback to the Town and Parish Councils, community groups and ward members following their responses
 - explanation of what changes have been made as a result of all community comments
 - where suggestions have not influenced the proposed development the developer should state why these suggestions have not led to a change and information on how this was addressed in the development proposal.

How do I Submit a Planning Application?

- 3.28 Applicants can submit plans and application forms electronically by:
- using the Council's website link to the [Planning Portal](#)
 - email to ppu@selby.gov.uk
 - or by using iApply at <https://iapply.co.uk/>

or by post to: Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT.

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3.29 The Council will check the information and documents submitted. If all is correct, including the relevant fee, the application will be valid and the applicant or their representative notified. This will then trigger the start of the various consultations to be carried out before the application is considered and the Decision Notice issued. If the planning application is not valid, the Council will inform the applicant, or their representative, of the additional information or correct fee to be provided as necessary to make the application valid.

How do I find out about Planning Applications in my area?

3.30 The Council must follow the statutory publicity requirements for advertising the availability of valid planning applications. Table 3 sets out the type of development and what type of publicity the Council must undertake.

Table 3 – Statutory publicity requirements for planning and heritage applications

Type of development	Site notice	Newspaper advertisement	Website
Applications for major development as defined in Article 2 of the Development Management Procedure Order (which are not covered in any other entry)	X	X	X
Applications subject to Environmental Impact Assessment which are accompanied by an environmental statement	X	X	X
Applications which do not accord with the development plan in force in the area	X	X	X
Applications which would affect a right of way to which Part 3 of the Wildlife and Countryside Act 1981 applies	X	X	X
Applications for planning permission not covered in the entries above e.g. non-major development	X	-	X
Applications for listed building consent where works to the exterior of the building are proposed	X	X	X
Applications to vary or discharge conditions attached to a listed building consent or involving exterior works to a listed building.	X	X	X
Applications for development which would affect the setting of a listed building, or affect the character or appearance of a conservation area.	X	X	X

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Source: <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

Site Notices and Neighbour Notification

3.31 Planning Applications are advertised at the site using a luminous yellow A4 sized notice positioned in a visible location, adjacent or close to the site to which it applies.

Weekly List

3.32 You can view on Public Access a weekly list of planning applications as well as a monthly list of planning decisions [here](#)

Press Advertisement

3.33 An advert will be placed in a local newspaper appropriate to the location of the planning application.

Further Information

3.34 For further information see:

- [The Town and Country Planning \(Development Management Procedure\) \(England\) Order 2015.](#)
- the Government [website](#):

How do I view Planning Applications?

3.35 You can use the [Public Access](#) to view a planning application and to comment on a planning application. It is a dynamic system constantly being updated with incoming information including plans, technical reports, and responses from consultees, comments from the general public, full details of the Council's ultimate decision and details of any appeal to the Secretary of State.

- You can also see all other comments made on an application on [Public Access](#)
- You can view the details of all current planning applications with supporting documents
- You can view the details of historic planning applications from 1984, but supporting documentation is only available for those from 2006
- You can also visit the Civic Centre to look at applications online.

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Customer Contact Centre

3.36 Planning Officers offer a Planning Surgery for householder and permitted development queries only at the Civic Centre. The Planning Officer will aim to answer your query verbally and will provide you with written confirmation of the advice given. More information can be found on how to book appointments [here](#).

What if I can't get access to view a Planning Application?

3.37 We are aware that some people may have difficulty accessing and seeing the planning applications. We encourage you to visit the Civic Centre to view the documents online. Planning application information can also be viewed online at the following libraries:

- Selby Library
- Tadcaster Community Library
- Sherburn and Villages Community Library
- Barlby Library and Community Hub

For further information see [here](#)

How long do I have to comment?

3.38 All comments on a planning application must be made in writing to us within 21 days from the date of a press notice or site notice appearing. Please be aware that any comments submitted after the 21 day publicity period may not be considered because a decision may have already been made on the planning application.

How and where do I Comment on a Planning Application?

3.39 You can make comments on planning applications in the following ways:

- Whilst viewing the details of an application through [Public Access](#).
- You will need to register and login before you are able to leave comments and/or receive updates. Your session may "time out" without warning, so for longer messages you may need to compose your comments outside the webpage and then copy and paste when you are ready to submit. Please include the submission date at the end of your comment.
- By e mail to planningcomments@selby.gov.uk

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- By post to Development Management, Selby District Council, Civic Centre, Doncaster Road, Selby, North Yorkshire, YO8 9FT

3.40 Submitting your comments via Public Access will ensure that certain key pieces of information are automatically provided. However, if you submit your comments by email or post please include the following:

- your name
- your contact address
- the reference number of the application and/or address of the property to which your comments relate

3.41 Please note that we are unable to send an acknowledgement for comments submitted by email or post.

Does it matter what I think?

3.42 **Yes.** The Council represents all of the community. In knowing your opinions, whether you support or object to the application or whether you just want to make comments, your views can influence the decision of the application. However, planning applications tend to attract a variety of comments. The planning officers can only take account of things that are relevant to planning and the application itself.

3.43 All comments made can be viewed on [Public Access](#)

Who else does the Council consult with?

3.44 The Council is required to consult with a range of stakeholders as part of the planning application process. These include the general public and statutory consultees. These are set out in the following table:

- **Statutory Consultees on applications for Planning Permission**

Table 2 of <https://www.gov.uk/guidance/consultation-and-pre-decision-matters>

What if the Application is Amended, Can I still Comment?

3.45 Depending on the scale of the amendments the Planning Officer will decide whether it is necessary to re-advertise and re-consult on the amended plans.

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Any amended plans will be available to view and comments made on [Public Access](#).

Why do some Planning Applications go to Planning Committee and others do not?

- 3.46 Officers make many of the decisions on planning applications. This is known as a **delegated decision**. However if there are particular sensitivities the application will then be decided at the Planning Committee. You can view the Council's Scheme of Delegation [here](#). All views will be included in the report for the Planning Committee to consider in deciding the application. An officer report will be provided for each planning application whether it is to be determined by Planning Committee or the decision is delegated to the Planning Officer.
- 3.47 The agenda for the Planning Committee is published five working days before the Committee meeting. The schedule of meetings, agendas and reports are available [here](#). These meeting are held in public every four weeks at the Civic Centre, Doncaster Road, Selby, North Yorkshire, YO8 9FT.

Can I address the Planning Committee?

- 3.48 If an application is to be determined at the Planning Committee, the Council allows those (or their representative) who have made a written representation who have also indicated that they wish to speak at the Committee, to speak at the meeting. However, this is usually ONE speaker representing all the objectors. They will be allowed no more than 5 minutes to speak. The Town or Parish Council as well as the ward member and the applicant also have the right to address the Planning Committee.
- 3.49 The applicant or their representative will also be given no more than 5 minutes to present their views verbally to the Planning Committee. They may use this time to respond verbally to any objection made at the Committee. For further information regarding the format for speaking at planning Committee, please see the [Code of Practice for Dealing with Planning Matters](#).

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- 3.50 As part of the Council's commitment to keep the planning process transparent and open, the [Code of Conduct](#) for Members and Officers dealing with Planning Matters ensures that decisions are sound on a planning basis.

What If there is a Site Visit?

- 3.51 In determining some applications, a site visit by the Planning Committee may take place. This is usually held if the Planning Development Manager or Head of Planning in consultation with the Chair of the Planning Committee considers it would assist Councillors in reaching a decision. The procedures for attending and participating at the site visit are set out in the [Code of Practice for Members and Officers](#). Members of the Planning Committee can not engage in open discussions with the applicant or their representative or with any other people present.

How do I find out the Decision?

- 3.52 We publish decisions about applications when they are made. You can find out if an application has been approved or refused. We also publish the reasons why. All of this information is included on [Public Access](#)
- 3.53 If the planning application was considered at Committee, you may also see the decision in the [published minutes](#) for Planning Committee.

What if there is an Appeal?

- 3.54 Appeals can be made by the applicant against a refusal of planning permission or other consent, the conditions attached to the application, for non-determination of the application by the Council or for costs.
- <https://www.gov.uk/topic/planning-development/planning-permission-appeals>
- The applicant has the right to appeal to the Secretary of State. There is no third party right of appeal against refusals of planning permission or other consents. The Council will notify any individual or organisation originally consulted, or who has made any comments or objections by email (if provided) or by post when an appeal is lodged. All comments and objections are passed on to the appointed Inspector for their consideration. This is a separate process. More information relating to the appeals process and how

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to be involved can be found on the [Government website](#) and the [Planning Inspectorate website](#).

Discharge of Conditions

3.55 Conditions may be attached to a Notice of Planning Permission. An application for approval of the details reserved by such a condition will be necessary for a specified aspect of the development which was not fully described in the original application. These details need to be submitted for approval as set out in the Notice of Planning Permission. As such, an application for approval of details reserved by a condition is not an application for planning permission or listed building consent so there is no opportunity for further comment. Applications for approval of details reserved by a condition in a planning permission should be made in writing. Further details can be found [here](#).

Section 73 Applications

3.56 Section 73 of the Town and Country planning Act 1990 allows for applications to be made for permission to develop without complying with a condition(s) imposed. Section 73 also provides for retrospective planning applications to be made with respect to development that has already taken place without planning permission and for applications to authorise development which has been carried out without complying with a condition(s). There will be opportunity to comment on Section 73 Applications. Further details can be found [here](#).

Non-Material Changes

3.57 Sometimes following the granting of planning permission it may be necessary to make some changes. Whether or not a proposed amendment is non-material will depend on the circumstances of the case – a change which may be non-material in one case could be material in another. There is no statutory definition of non-material, but the Local Planning Authority must be satisfied that the amendment sought is non-material in order to grant an application. If you are uncertain, as a developer, you may wish to seek [pre-](#)

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[application advice](#). There are no opportunities for commenting on non-material amendments applications.

What if I think something has been built or someone is carrying out an activity without planning permission?

- 3.58 When a person or developer carries out development without planning permission the Council has a duty to consider what action is needed.
- 3.59 As a local planning authority, we have the power to take action against breaches of planning control if development has occurred without the necessary planning permissions. We also have the power to take action against unauthorised works to a protected tree or a tree in a conservation area.
- 3.60 We will investigate whether there is a breach, establish what harm is caused as a result of it and then how the situation can be remedied. Immediate enforcement action is sometimes necessary, however in most cases planning authorities allow a person reasonable time to remedy the situation. This may mean submitting a retrospective planning application, removing an unauthorised structure or stopping any unauthorised use. For further information on the Planning Enforcement service please see the [Planning Enforcement Management Plan 2018](#).
- 3.61 A breach may also occur if planning permission has been granted, but the conditions attached to the permission are not being complied with. This is a breach of condition.

What we can investigate:

- unauthorised building
- unauthorised changes of use
- unauthorised works to a listed building
- display of unauthorised advertisements/signage
- untidy land
- unauthorised works to protected trees
- unauthorised works to trees in a conservation area
- breach of conditions

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- high hedge issues

What we cannot investigate:

3.62 Selby will investigate most disputes however the following cannot be investigated by enforcement:

- breaches occurring on or within a public highway. Please contact [North Yorkshire Highways](#) on 01609 780780
- boundary disputes
- internal alterations to houses (unless it is a Listed Building). Please contact the [North Yorkshire Building Control Partnership](#) on 01347 822703

Making a complaint about a Breach of Planning Control

3.63 If you would like to make a complaint regarding a possible breach of planning control, fill in our [enforcement complaint form](#) or download a [complaint form](#), returning it to either:

- email: planningenforcement@selby.gov.uk
- or by mail to:
Selby District Council, Planning Enforcement, Civic Centre, Doncaster Road, Selby, YO8 9FT

ALL COMPLAINANT DETAILS ARE KEPT STRICTLY **CONFIDENTIAL**

Can I Appeal against an Enforcement Notice?

3.64 You can appeal to the Secretary of State against an Enforcement Notice served on you or your business. All details regarding the Enforcement Notice are passed on to the appointed Inspector for their consideration. This is a separate process. More information relating to the appeals process can be found on the planning Inspectorate [website](#).

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Appendix 1

Glossary

Authority Monitoring Report	A report on the extent to which objectives and policies of the Local Plan are being achieved. It also contains the Local Development Scheme which sets out the progress of preparing the Local Plan and other Development Plan Documents.
Community Infrastructure Levy	A levy allowing local authorities to raise funds from owners or developers of land undertaking new building projects in their area. The funds are used to help deliver infrastructure to support the development of their area.
Corporate Plan	The Council's Corporate Plan sets out the corporate vision, values, and priorities for the District Council.
Development Brief	Development briefs are documents prepared by the Local Planning Authority in advance of a planning application being submitted. Usually for larger sites, they set out in further detail what type of development is to be required.
Development Plan	Planning applications are determined against the policies in the development plan unless material considerations indicate otherwise. For Selby District, this includes adopted Local Plans and Neighbourhood Plans and is defined in section 38 of the Planning and Compulsory Purchase Act 2004. For more information see here .
Development Plan Documents	<p>Development Plan Documents are prepared by the local planning authority. This includes an adopted policies map which illustrates the spatial extent of policies that must be prepared and maintained to accompany all Development Plan Documents.</p> <p>All DPDs must be subject to rigorous procedures of community involvement, consultation and independent examination, and adopted after receipt of the inspector's binding report. Once adopted, development control decisions must be made in accordance with them unless material considerations indicate otherwise.</p>
Habitats Regulations Assessment	A report required to assess the potential effect of the Local Plan on Ramsar sites, Special Protection Areas and Special Areas of Conservation
Infrastructure Delivery Plan	A document prepared by the Local Planning Authority setting out the infrastructure requirements needed to meet development.
Local Development Document	These include Development Plan Documents (which form part of the statutory development plan) and Supplementary Planning Documents (which do not form part of the statutory development plan). LDDs collectively deliver the spatial planning strategy for the local planning authority's area.
Local Development Scheme	A three-year project plan setting out the Council's programme for the preparation of Local Development Documents within the Local Plan. It lists the documents to be prepared and provides a timetable for producing them. Under the Localism Act, there is no longer a requirement for the LDS to be approved by the Secretary

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	of State. It is set out in the Authority Monitoring Report.
Local Plan	The Local Plan comprises the development plan documents adopted under the Planning and Compulsory Purchase Act 2004. This includes the Selby District Core Strategy Local Plan (2013). The Selby District Local Plan (2005) was prepared under the Town and Country Planning Act 1990 and its policies are saved under the 2004 Act on adoption in 2005 and then 'extended' on 8 February 2008 by Direction of the Secretary of State under the 2004 Act until it is superseded.
Marine Plan	A Marine Plan is part of the Development Plan. They are prepared by the Marine Management Organisation. The East Inshore and East Offshore Marine Plan (2014) are part of the Selby Development Plan.
Minerals and Waste Local Plan	The Minerals and Waste Local Plan is prepared by North Yorkshire County Council, the Minerals and Waste Planning Authority who is responsible for mineral and mineral matters for the Selby area. The Minerals and Waste Plans form part of the Development Plan for the District.
National Planning Policy Framework	Document setting out the Government's planning policies for England and how these are expected to be applied. Initially produced in 2012 it was revised in 2018. The NPPF replaced the PPGs and PPSs.
North Yorkshire County Council	Sub-regional tier of government responsible for amongst other things Social Care, Education, Minerals & Waste and Highways within Selby District.
Planning Portal	A national website for members of the public, local planning authorities and planning consultants. The Planning Portal features a wide range of information and services on planning.
Policies Map / Proposals Map	An Ordnance Survey based map showing the proposals for the development and use of land which are set out in the written chapters of the Local Plan. (Note: Under the NPPF 2012, the terminology was changed from "Proposals Map" to "Policies Map". At the time of Adoption, both the saved 2005 Selby District Local Plan Proposals Map and the 2013 Core Strategy Policies Map remain in use, as amended where set out. Therefore both "Proposals Map" and "Policies Map" refer to the most up to date version of any adopted such map).
Prior Notification Applications	A procedure where permission is deemed granted if the local planning authority does not respond to the developer's application within a certain time. Often relating to telecommunication or agricultural developments.
Royal Town Planning Institute	The Royal Town Planning Institute is the membership organisation and Chartered Institute responsible for maintaining professional standards within the planning profession and accrediting world class planning courses nationally and internationally. It is also a charity whose charitable purpose is to advance the science and art of planning (including town and country and spatial planning) for the benefit of the public. It also operates Planning Aid England.
Secretary of State	Government minister who approves or not planning documents

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	submitted by LPAs.
Supplementary Planning Document	Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan. An SPD elaborates on existing policies or proposals in the Local Plan and gives additional guidance.
Sustainability Appraisal	An assessment of the environmental effects of a plan or programme. Identifies and evaluates the effects of the strategy or plan on social, environmental and economic conditions.

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Equality, Diversity, and Community Impact Screening

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

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

A **screening** process can help judge relevance and provides a record of both the **process** and **decision**. Screening should be a short, sharp exercise that determines relevance for all new and revised strategies, policies, services and functions.

Completed at the earliest opportunity it will help to determine:

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

Project Name/Service Area: *Statement of Community Involvement*

Lead person: *Paula Craddock*

Contact number: *x42096*

1. Title:

Statement of Community Involvement (September 2020)

Is this

A Strategy or Policy

A change to a service or function

Other (specify)

Updated version of Statement of Community Involvement

2. Please provide a brief description of what you are screening

The existing Statement of Community Involvement was adopted in 2007. A review and revision was needed to ensure that this document remains relevant and up to date to meet the requirements of changes to Planning Legislation and guidance.

Selby District Council is the Local Planning Authority for the whole of the District of Selby. Local Planning Authorities are required to prepare a statement setting out how it will involve those with an interest in development in the area under the following legislation:

- *the Planning and Compulsory Purchase Act 2004 (section 18) (as amended by the Planning Act 2008, the Localism Act 2011 and the Neighbourhood Planning Act 2017)*
- *The Town and Country Planning (Local Planning) (England) (Amendment) Regulations 2017 includes a duty on Local Planning Authorities (LPAs) to review their Statement of Community Involvement every five years*

- *The Neighbourhood Planning Act 2017 has specifically introduced a requirement on Local Planning Authorities to include within the Statement of Community Involvement the policies for giving advice or assistance on making and modifying Neighbourhood Development Plans and on making Neighbourhood Development Orders.*

This screening assessment applies to the Statement of Community Involvement (2020). The Statement of Community Involvement is a statutory planning document and applies to the whole of the Selby District Council area.

The Statement of Community Involvement (2020) sets out:

- *how the Council will involve the community and other stakeholders in Planning matters including:*
 - *how and when the community can influence new planning policy documents*
 - *how and when the community can comment on planning applications, as well as other forms of application for development such as Listed Buildings and prior notifications submitted to Selby District Council*
- *the role of elected Councillors, Parish and Town Councils and voluntary and community groups in planning matters*
- *Who the community can contact for assistance in planning matters and*
- *What will be expected of the community when making comments*

Implications of Covid19

The Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020 make temporary changes to how documents are required to be available for public inspection at the authority’s principal office and at such other places as the authority considers appropriate. Documents are still required to be made available on the local planning authority’s website. This modification will apply until 31 December 2020.

3. Relevance to equality, diversity, and community impact

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

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

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

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

Questions	Yes	No
Does the proposal have (or could it have) a different impact for	x	

people with protected equality characteristics?		
Have there been or is there likely to be any public concern about the policy or proposal?	x	
Could the proposal affect how our services, commissioning or procurement activities are organised, provided, located and by whom?	x	
Does the proposal involve or will it have an impact on <ul style="list-style-type: none"> • Eliminating unlawful discrimination, victimisation and harassment • Advancing equality of opportunity • Fostering good relations 	x	

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

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

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

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

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

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

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

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

The Planning Service believes that everyone, the “community”, should have the opportunity to be involved in decisions that could affect them and their wider community. This includes the individuals, groups, organisations, businesses, Parish and Town Councils, Statutory and non-statutory agencies, landowners, developers and agents that live, work, visit, operate or have an interest in Selby District. Recognition is also made of hard to reach groups and the identification of potential barriers to consultation. To remove these, the Planning Service will tailor different approaches to different audiences in line with the Royal Town Planning Institute (RTPI) guidelines.

Availability of documents and information

All documentation will be available on the Council’s website in line with the latest legislation and guidance. The use of any electronic formatting facilities available in software is encouraged to assist in accessing the documents to meet any visual or language requirements. Similarly the documents will be available upon request in alternative formats.

Consultation and Engagement on the draft Statement of Community Involvement

(November 2019)

The Planning Service advertised the availability of the draft Statement of Community Involvement (November 2019) on its website and notified those registered on the extensive Planning Policy Consultation portal / database. This includes local residents, businesses, agents, Parish and Town Councils and equality groups.

The Planning Service is trying to be as accessible as possible in line with the Corporate Plan, the Selby Customer Strategy and the Statement of Community Involvement itself. To ensure that as many people as possible had the opportunity to be involved in the planning service and this consultation:

- *Details of the consultation as well as the document, the July 2019 Equality Scoping report and comment form were available on the Council's website.*
- *All documentation was checked for plain English*
- *Copies of the documentation was available at Access Selby and all libraries in the District (all of which have disabled access)*
- *Parish Councils were asked to publicise the availability of the document*

- **Key findings**

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

An up to date Statement of Community Involvement will ensure that consultation and engagement with the planning service meets legislation requirements for equality, diversity and inclusivity.

Being involved in planning allows the "community" to potentially influence the way the District will change over time. The Planning Service encourages early engagement with the Council's Planning Officers for both draft policy documents and pre-application advice for submitting applications for planning permission. The Statement of Community Involvement (2020) also encourages contacting the Ward Councillors, Parish and Town Councillors, the Community Engagement Forums and the use of independent Planning Consultants and Planning Aid as necessary and relevant to the planning issue.

The Statement of Community Involvement (2020) sets out that in line with legislation requirements the Planning Service will use a range of methods of advertising the opportunities to be involved in the planning service for the preparation of planning policy documents to submitting applications for planning permission, commenting upon applications for planning permission and for informing the planning service of potential breaches of planning control.

- **Actions**

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

The Statement of Community Involvement (2020) sets out the various processes for being involved with the planning service. It shows that planning is an open, transparent and accessible service available to everyone. Planning Officers are accessible through email, telephone and letter

Hard to reach groups and equality groups will be contacted and encouraged to be

involved in planning. Through this consultation exercise it is hoped to continue to build upon their involvement and responses.

The Statement of Community Involvement requires that consultation documents will be made publicly available on the Council's website. It is recognised that not everyone has access to the internet and therefore where possible hard copies of consultation documents will also be made available in public locations such as libraries and at the Civic Centre.

The Statement of Community Involvement (2020) sets out measures for the monitoring and review of the document and engagement processes in planning. The draft Statement of Community Involvement (November 2019) consultation and engagement itself was monitored. In line with the measures set out for monitoring and review, it was considered that there was no need to potentially review of the Statement of Community Involvement itself before adoption. Those on the Local Plan database were invited to comment on the draft document and any changes suggested by those who responded were considered and taken on board as necessary. Other changes made to the document involved changing references to Access Selby in the town centre to the Civic Centre and/or the "contact-us" email. In addition, the Statement of Community Involvement (2020) was not considered to need revising as a result of the temporary changes necessary to planning documents and consultation as a result of the Covid19 pandemic.

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

	<i>n/a</i>
Date to scope and plan your impact assessment:	<i>n/a</i>
Date to complete your impact assessment	<i>n/a</i>
Lead person for your impact assessment (Include name and job title)	<i>n/a</i>

6. Governance, ownership and approval

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

Name	Job title	Date
Caroline Skelly	Planning Policy Manager	July 2020

7. Publishing

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

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

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

Date screening completed July 2020



Report Reference Number: E/20/11

To: Executive
Date: 3 September 2020
Status: Non-Key Decision
Ward(s) Affected: All
Author: Stuart Robinson, Head of Business Development and Improvement
Lead Executive Member: Mark Crane, Leader of the Council
Lead Officer: Stuart Robinson, Head of Business Development and Improvement

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

Summary:

The quarterly Corporate Performance Report provides a progress update on delivery of the Council Plan 2020-2030 as measured by a combination of: progress against priority projects/high level actions; and performance against KPIs.

Recommendations:

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

Reasons for recommendation

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

1. Introduction and background

- 1.1 High level performance reporting of progress against the Council's priorities – as set out in the Council Plan 2020-2030 – is a key element of the performance management arrangements.
- 1.2 Progress on delivering the Council's priorities is demonstrated by a combination of:
 - progress against priority projects/high level actions (are we meeting/expecting to meet delivery timescales); and
 - performance against KPIs (are targets being met; are we getting better)

- 1.3 The Corporate Performance Report (see Appendix A) sets out the detail in terms of progress (or otherwise) against the Council's priorities.

2. Reporting Period

- 2.1 The specific focus of this report covers the period April to June 2020. The Council Plan 2020-2030 has provided consistency in terms of the direction the Council is seeking to follow and the specific priorities.

2.2 Summary of progress

Quarter 1

To summarise progress in quarter 1:

- 50% of KPIs are showing improvement over the longer term, or have maintained 100% performance.
- 55% of KPIs are on target - a further 18% of KPIs are within acceptable tolerances.

The impact of Covid-19 on service delivery and performance during Q1.

During Q1 we maintained a good level of performance across services areas. This was at a time when there was an increased demand for some services e.g. council tax support and hardship payments to residents, and additional services were delivered, including payment of government grants and support to businesses and calls to support vulnerable residents.

We continued to maintain a customer facing presence through telephony and online channels.

We successfully implemented a new waste collection service and saw an increase in collection volumes. Throughout Q1 customers experienced no disruption to waste collection services.

We maintained an emergency response service during lockdown to ensure all emergency repairs were undertaken and properties were made safe.

The government suspended all but essential house moves during the lockdown period and therefore void properties were unable to be let during this time.

No leisure services were delivered during Q1 due to lockdown restrictions imposed by the government.

2.3 What went well in quarter 1

- Number of SMEs supported - 106 (against a target of 50). These numbers are significantly up based on the nature of the work through Q1 that related to Covid-19 business support. There was a significant increase in short term advice for businesses, which different in context to

normal work is just as important.

- % of people accessing Benefits forms and Taxation direct debit forms online in relation to other channels - Overall, in Q1, 70% of forms were submitted online (604 out of 861), exceeding the 50% target - this included 80% of all direct debit mandates and 79% of new benefit claims.
- Stage 2 complaints – There were no escalation of stage 1 complaints to stage 2 in Q1, compared to 5 in Q1 the previous year. With officers having been utilised for other duties due to Covid-19, a dedicated officer has assisted with stage 1 corporate complaints – this has helped to reduce escalation to stage 2.
- Council Housing Rent and Arrears and Sundry Debt Collected - both these collection KPIs exceeded target. Given the demanding circumstances the team have been working under e.g. home working, undertaking rigorous testing on the new housing system and dealing with customer's financial impact from Covid-19 this is an excellent achievement.

Positive performance – Other

- Support to vulnerable residents - 2365 calls have been made to Covid-19 'Shielded' residents, with 75% of those being recorded as 'No support needs identified'. Resident response to these calls has been positive.
- Payment of government grants to business - 1465 Small Business and Retail Hospitality grants have been paid totalling £16.7m. Almost 100 Discretionary Grants have also been paid to businesses totalling £800k.
- Payment of council tax support and hardship payments to residents - Since the end of March the Council Tax Support caseload has increased by 9.3%. 421 more claimants received support. All working age claimants received an additional £150 council tax support hardship payment where they had at least this amount still left to pay for the year. This was 1754 claimants and the total given in hardship payments has been £248k.
- Reopening the high street - A Reopening High Streets Safely Plan is being implemented. SDC has been awarded c.£80k from the Government's Reopening High Streets Safely Fund to support delivery of marketing, information provision and temporary changes to the public realm 'Back to Business' packs have been created and delivered to over 150 businesses. Temporary interventions such as pavement stencilling & bollard covers have been installed to support social distancing.
- Maintaining service delivery - Despite lockdown and staff working at home, we continued to maintain a customer facing presence with Customer Services Advisers maintaining telephony and online channels.

- Successfully implemented new waste collection arrangements, minimising service disruption all during a period of Covid-19 related lockdown. The collection services experienced a significant increase in tonnage collected during this period amounting to a 25% increase (over 1000 tonnes) with no disruption to collections experienced. (Data for missed bins was not reported during Q1 due to an amnesty period for the start of the new collection service).

2.4 What did not go so well in quarter 1 – and what are we doing about it

- Total number of Empty Homes (6 months +) brought back into use through direct action - Activity in Q1 has been affected by the Covid-19 crisis with no empty homes brought back into use through direct action by the Council. Towards the end of the Q1 our Interim Empty Homes Officer returned to the authority and has recommenced discussions with and support to relevant owners. We would expect to see progress during Q2 and would still expect to meet year end targets.
- Average days to process new benefit claims - The average time to process new housing benefit claims for Q1 was 26.35 (target 22 days). One claim processed in June took over 200 days to process due to delays in waiting for information from the Pension Service - without this claim the figure would have been 15.58 days.
- Stage 1 complaints - 86% of complaints (6 out of 7) were dealt with within the timescale (target 90%). There were 7 stage one complaints in Q1 (compared to 25 in Q1 last year).
- Average days sick per FTE (full time employee) Rolling 12 months – 6.9 days (target 5), compared to 7.76 in the previous quarter and 8.94 in Q1 the previous year. Whilst the rolling 12 month target has not been met, sickness figures for Q1 are significantly improved on both the previous quarter and the same period last year. Against a monthly target of 0.41 days per FTE, the figures for April were 0.45 days/FTE, for May 0.26 and for June 0.39. The challenge is to maintain those staffing levels as lockdown is released and learn from what was working well during lockdown – such as the benefits of flexible and homeworking.
- Amount of planned savings achieved (£) – forecast £156k, a shortfall of £602k against the £758 target. The planned savings programme has been impacted by Covid-19, with delays to projects and savings delivery as a result of pressure on staff resources.

Performance – Temporary suspension of services

- Average days to re-let voids – the government suspension of all but essential house moves during the lockdown period has resulted in a significant increase in turnaround times on our void properties, as well as a sizeable increase in the number of voids currently in the system.

Despite the prohibition on moving home, the number of properties being returned to the Council during the period remained relatively constant, averaging around 5 per week. Housing colleagues have recently been able to re-commence lettings and whilst they are working hard to address the backlog there remain 15 properties within the system which are completed awaiting customer sign-up. Property Services staff are currently working on a further 41 properties, with an additional 19 refurbishment voids awaiting return to operations of our major works contractor on 3rd August 2020.

- Emergency/urgent repairs to council-owned properties completed within agreed timescales - the suspension of all but emergency repairs due to the coronavirus outbreak has severely impacted performance in Q1 and resulted in a substantial backlog of urgent/non-urgent repairs which it is anticipated will take a significant period of time to clear. At the current time, there are in excess of 300 urgent repairs outstanding within the system. On 20th July delivery was re-commenced. Addressing the backlog and re-introducing adherence to the 5 day published response period will take a number of weeks to achieve, we aim to return to the normal 5 day target by 30th September 2020. Non-urgent repairs backlog is currently in excess of 1000 jobs is however expected to take significantly longer to address and it is fully anticipated the backlog will continue to increase in the short-term due to working to Covid secure guidelines.

3. Alternative Options Considered

N/A

4. Implications

N/A

4.1 Legal Implications

None

4.2 Financial Implications

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

4.3 Policy and Risk Implications

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

Framework.

4.4 Corporate Plan Implications

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

4.5 Resource Implications

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

4.6 Other Implications

N/A

4.7 Equalities Impact Assessment

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

5. Conclusion

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

6. Background Documents

None

7. Appendices

Appendix A: Corporate Performance Report Quarter 1 2020/21

Contact Officer:

Stuart Robinson
Head of Business Development & Improvement
Selby District Council
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01757 292296






Delivering corporate priorities

Corporate Performance Report

Quarter 1 2020/21

Delivering corporate priorities: Summary Q1 2020/21

Key

-  Corporate priority is on track
-  There are some concerns about this corporate priority
-  Significant concerns

Key focus of our work

What's gone well; what are we concerned about

Delivering Priority 1 - A great place to... **Live**

Housing Supply



What's gone well this quarter:

- Developed arrangements for a new Housing Delivery Plan Programme Board. The Programme Board, comprised of senior councillors and officers, will provide strategic oversight and management of the Housing Delivery Plan. Following the end of the Covid-19 lockdown preparations are being made for phase 2 schemes to be sent out to tender;
- Planning applications continue to be submitted and decisions made during lockdown. During this period we have received 3 major applications for housing developments and 21 applications for residential schemes which constituted minor development (below 10 units).

What are we concerned about:

- Most of the housing construction industry closed during lockdown leading to delays in progressing the development programme.

Affordable Homes



What's gone well this quarter:

- No permissions were granted in Q1. Although there were 41 permissions all of these were under the threshold for where affordable housing provision is required.

What are we concerned about:

- The impact that Covid-19 will have on the delivery of affordable homes due to the slowdown in the construction industry and the impact this may have on the viability of schemes.

Housing Stock



What's gone well this quarter:

- Property Services maintained an emergency response service during the Covid-19 lockdown to ensure all emergency repairs were undertaken and properties were made safe.

What are we concerned about:

- Progress on the council house improvement programme has been delayed due to the Covid-19 lockdown. Ongoing delivery of the improvement programme is at risk due to availability of contractors/materials;
- The suspension of all but emergency repairs due to the coronavirus outbreak has severely impacted performance in Q1 and resulted in a substantial backlog of urgent/non-urgent repairs which it is anticipated will take a significant period of time to clear;
- The Government suspension of all but essential house moves during the lockdown period has resulted in a significant increase in turnaround times on our void properties, as well as a sizeable increase in the number of voids currently in the system.

What's gone well this quarter:

- The Council provided free parking in all Council car parks from March until 5th September to support key workers and the recovery of retail and leisure in the town
- Selby Action Plan at final editing stage. A new visitor information board has been installed at Selby station;
- Sherburn Action Plan has been taken to the stakeholder group and is being revised;
- Engagement with businesses and stakeholders as a result of the Covid-19 recovery work will provide an excellent start when work shortly begins on Tadcaster Action Plan;
- Selby High Street Historic Action Zone - officer recruited. Work on Community Engagement Plan begun. SDC's award is £500,000;
- A Reopening High Streets Safely Plan is being implemented. SDC has been awarded c.£80,000 from the Government's Reopening High Streets Safely Fund (RHSSF), a European-funded initiative supporting delivery of marketing, information provision and temporary changes to the public realm to support the safe reopening of High Streets;
- Back to Business packs have been created and delivered to over 150 businesses. Temporary interventions such as pavement stencilling & bollard covers have been installed to support social distancing;

Town Centres



What are we concerned about:

- The impact of Covid-19 on town centres and high streets and especially on retail, leisure, visitor and cultural businesses is likely to be extensive.

Delivering Priority 2 - A great place to... **Enjoy****Environment****What's gone well this quarter:**

- Successfully implemented new waste collection arrangements, minimising service disruption all during a period of Covid-19 related lockdown. The collection services experienced a significant increase in tonnage collected during this period amounting to a 25% increase (Over 1000 tonnes) with no disruption to collections experienced.

What are we concerned about:

- N/A

Community Safety & Wellbeing**What's gone well this quarter:**

- 2365 calls have been made to Covid-19 'Shielded' residents, with 75% of those being recorded as 'No support needs identified'. Resident response to these calls has been positive;
- SDC has supported NYCC to set up 3 Community Support Organisations across the district to support vulnerable residents and those requiring practical support during lockdown, with £25,000 made available through CEF funding for community networks to respond to the pandemic;
- Working with the Safer Selby hub and neighbouring policing team to ensure vulnerable residents and tenants are not targeted to reduce fraudulent activity and accommodation/social distance issues. Letter campaigns supported areas of Selby town to alert residents to activity.
- Since the end of March the Council Tax Support caseload has increased by 9.3% with an additional 421 customers receiving support. All working age claimants have received for the additional £150 council tax support hardship payment where they had at least this amount still left to pay for the year. This was 1754 claimants and the total given in hardship payments has been £248k.

What are we concerned about:

- Ensuring our towns and open spaces are safe for people to return to, i.e. shopping, night-time economy.

Climate Change**What's gone well this quarter:**

- APSE have now produced draft baseline information on the Council's carbon footprint. This provides a starting point for helping us understand where to focus our actions to reduce the Council's own carbon footprint.
- The Low Carbon Working Group met virtually in June to discuss the progress on carbon baselining, to receive an update on the air quality action plan implementation and to consider potential priorities for the Council's Low Carbon Action Plan.

What are we concerned about:

- Covid-19 response and recovery work has inevitably led to re-direction of staffing resources in the first quarter - but a revised timeline for reporting has been agreed with members. The draft Action Plan will now be considered by Policy Review Committee in September and Executive in October 2020.

Green Infrastructure



What's gone well this quarter:

- Work has begun on the design and consultation stages for the first two play areas to be redeveloped as part of the play area capital improvement project. This work will be project managed by Groundwork on behalf of the Council;
- A framework has been identified which will allow us to procure minor safety surface repairs for a further six play areas this year;
- Work began to allow for the safe reopening of the Council's 22 play areas in July following the Government's updated Covid-19 guidance.

What are we concerned about:

- N/A

Delivering Priority 3 - A great place to... **Grow****Local Plan****What's gone well this quarter:**

- Work on the Preferred Options consultation document is progressing well with three Local Plan Programme Board Meetings taking place virtually in this reporting period;
- A total of 350 sites have been submitted as potential allocations to date. The final deadline for submissions is 31st August 2020;
- A number of key pieces of evidence have been commissioned including the Whole Plan Viability and CIL Review Study, Conservation Area Appraisals for 12 Conservation Areas and the Strategic Flood Risk Assessment;
- Stage 1 of the Highways Study has been completed, with the Housing and Economic Development Needs Assessment due for completion in July;
- A revised Statement of Community Involvement is due to be presented to Council in September seeking approval for adoption.

What are we concerned about:

- The implications on Plan Making which may emerge from the forthcoming Planning Statement.

Visitor Economy**What's gone well this quarter:**

- The Friends of the Trans Pennine Trail (TPT) have successfully been awarded £136,000 from Sport England to support the refurbishment of the TPT route at Burn Airfield. NYCC have also contributed £50,000 to maintenance work and will support the delivery of the project;
- Selby 950 complete: 5 arts/heritage events were delivered to an audience of over 20,000 - 82% agree that it had a positive impact on the community; 83% felt it projected a positive image of Selby as a good place to live; and 73% of visitors to the District agree/strongly agree that 950 enhanced their image of Selby as a visitor destination. Visitors to Selby 950 events directly contributed an estimated £359,000 into the local economy
- The Selby Treasures Exhibition - all of the objects and their stories can now be accessed online.

What are we concerned about:

- The tourism and visitor economy sectors were strongly impacted during lockdown and many are yet to fully emerge let alone begin to recover. Many tourism activities are seasonal. Spring/Summer carries them through the Winter. One attraction, due to re-open in Easter estimated a loss of around £10,000, just for April and many events that attract visitors to the district have been cancelled.

Enterprise and Business Growth



What's gone well this quarter:

- The impact of Covid related business support programmes and the need for new working practises stretched the business support teams capacity as it concentrated on business survival rather than business growth. This transition supported other Council teams involved in distributing government funded business grants and front line advise to businesses;
- The development and delivery of a Council funded independent business advice programme and professional support for businesses through the free membership of the Federation of Small Businesses provided essential legal and financial advice for struggling businesses;
- The ability to switch from conventional face to face networking groups to virtual networking meetings provided a positive platform for businesses to work collectively understanding shared challenges and getting advise and guidance from other SME's facing the same types of challenges;
- We have paid out 1465 Small Business and Retail Hospitality grants totalling £16.7m. 49 businesses benefited from 800k in Discretionary Grants. Many businesses have contacted the team to thank them for the payments and the relief they have brought to them;
- In addition over 1,100 businesses received business rate relief totalling over £5m.

What are we concerned about:

- Some businesses will fail coming out of the lockdown period. The single biggest concern relates to the scale of business failures and the gaps this is likely to leave with in the local supply chain and it's potential impact on the growth and survival of other businesses impacted as a consequence.

Skills



What's gone well this quarter:

- The critical impact that new skills programmes can have coming out of the lockdown period has been recognised by central government as being critical to getting newly unemployed people back into work. The business support team are working closely with the Department for Work and Pensions to identify businesses and employees at risk to ensure an early response.

What are we concerned about:

- Capacity within the business support team to adequately deal with increasingly high unemployment numbers

Key focus of our work

What's gone well; what are we concerned about

Delivering Priority 4 - Delivering **Great Value**

Digital

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

- In Q1 customer service was delivered from employee's homes. The customer journey was very similar with many services offered by the contact centre operating as usual but with some limitations due to Covid-19. New ways of working put in place helped to ensure no vulnerable customers were left without assistance;
- Use of Microsoft Teams supported over 80% of staff to work effectively from home during lockdown. Data shows a 500% increase in Teams usage compared to immediately pre-lockdown;
- The role of councillors and the democratic process was also supported to continue effectively through use of Teams. Councillors have been trained and supported to use Teams and we have implemented remote decision making such as Executive and Planning Committee to enable discussions and decisions by Members and viewing by the public;
- Over 70% of claims for benefits and local taxation direct debits were accessed online – significantly higher than Q4 2019/20 and double the rate for Q3 2019/20.

What are we concerned about:

- N/A

People Plan

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

- Arrangements put in place to support staff wellbeing during lockdown, including arrangements for staff to access Health Assured, the AskSAL helpline and daily communication messages from the Chief Executive;
- Maintained the HR policy response – often at very short notice – to keep up with and respond to government announcements and legislative change;
- Leadership Team agreed the revised approach to delivering the People Plan.

What are we concerned about:

- We must continue to recognise the challenges faced by staff during the Covid-19 pandemic – including those working at home and balancing a number of responsibilities.

Use of assets

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

- We gave a 12 week rent free period to the businesses in Selby Council industrial and commercial units to help them with the financial impact of the Covid-19 lockdown

What are we concerned about:

- Covid-19 lockdown has delayed the commissioning of a new Asset Management Strategy.

What's gone well this quarter:

- We have tendered and awarded five contracts this quarter including, annual billing, town centre retail and leisure study, strategic flood risk assessment, gas servicing, kitchen bathrooms and electrical re-wires. We have also completed extensions to three contracts during the quarter;
- The variation to the Environmental Services contract has been finalised and ready for completing in July. This reflects the changes to the recycling services and vehicle provision.

Value for Money



What are we concerned about:

- Council finances have been significantly impacted by the Covid-19 lockdown. At the end of June 2020, estimates of full year risk for 2020/21 total £3.9m, which includes additional costs, delayed savings and income losses. Key areas of income impacted are investment returns, council tax receipts, planning, car parking and leisure fees, and housing rents. To date the Council has received £1.1m of emergency funding from the Government.

KPIs Summary



Indicator/action	Exception	Actions/Comments
------------------	-----------	------------------

Positive performance - KPIs

Council Housing Rent and Arrears & Sundry Debt Collected	Targets exceeded	Both KPIs are slightly over target. Given the extremely demanding circumstances the team have been working under e.g. home working, undertaking a rigorous testing schedule for the new housing system and dealing with customer's financial impact from COVID 19, this is an exceptional achievement.
Stage 2 complaints	None received	In Q1 there were no escalations of stage 1 complaints to stage 2, compared to 5 in the same quarter last year. With officers having been utilised for other duties due to Covid-19, a dedicated officer has assisted with stage 1 corporate complaints – this has helped to reduce escalation to stage 2.
% of people accessing Benefits forms and Taxation direct debit forms online in relation to other channels	Target exceeded	Overall, in Q1 70% of forms were submitted online (604 out of 861), against a target of 50% - this included 80% of all direct debit mandates and 79% of new benefit claims.
Number of SMEs supported	Target exceeded	106 (target 50) – these numbers are significantly up based on the nature of the work through Q1 that related to Covid-19 business support. There was a significant increase in short term advice for businesses, which different in context to normal work, is just as important.










Positive performance - Other










































Reopening the high street	A Reopening High Streets Safely Plan is being implemented. SDC has been awarded c.£80k from the Government's Reopening High Streets Safely Fund to support delivery of marketing, information provision and temporary changes to the public realm. 'Back to Business' packs have been created and delivered to over 150 businesses. Temporary interventions such as pavement stencilling & bollard covers have been installed to support social distancing.	
Waste collections	April saw the start of the new district wide recycling service and despite the difficult circumstances the bin roll out was completed and all collections took place as scheduled. With the hard work of our contractors, Amey, all domestic and commercial bin collection services remained operational throughout the pandemic.	
Support to vulnerable residents	2365 calls have been made to Covid-19 'Shielded' residents, with 75% of those being recorded as 'No support needs identified'. Resident response to these calls has been positive	
Payment of government grants to business	1465 Small Business and Retail Hospitality grants have been paid totalling £16.7m. Almost 100 Discretionary Grants have also been paid to businesses totalling £800k.	
Payment of council tax support and hardship payments to residents	Since the end of March the Council Tax Support caseload has increased by 9.3%. 421 more claimants received support. All working age claimants received an additional £150 council tax support hardship payment where they had at least this amount still left to pay for the year. This was 1754 claimants and the total given in hardship payments has been £248k.	
Maintaining service delivery	Despite lockdown and staff working at home, we continued to maintain a customer facing presence with Customer Services Advisers maintaining telephony and online channels. Despite lockdown we continued to implement a new waste collection service.	

Delivering corporate priorities: Exceptions Q1 2020/21

Indicator/action	Exception	Actions/Comments
Performance concerns - KPIs		
Average days to process new benefit claims (total)	Target not met	The average time to process new housing benefit claims for Q1 was 26.35 (target 22 days). One claim processed in June took over 200 days to process due to delays in waiting for information from the Pension Service - without this claim the figure would have been 15.58 days.
Total number of Empty Homes (6 months +) brought back into use through direct action (Year to date)	Target not met	Activity in Q1 has been affected by the Covid-19 crisis with no empty homes brought back into use through direct action by the Council. Towards the end of the Q1 discussions have recommenced with relevant owners. We expect to see progress during Q2 and still expect to meet year end targets.
Stage 1 complaints	Target not met	86% (6 out of 7 complaints) were dealt with within the timescale (target 90%). There were 7 stage one complaints in Q1 (compared to 25 in Q1 last year).
Amount of planned savings achieved (£)	Target not met	The planned savings programme has been impacted by Covid-19, with delays to projects and savings delivery as a result of pressure on staff resources. Forecast is £156k, a shortfall of £602k.
Average days sick per FTE (full time employee) Rolling 12 months	Target not met	6.9 days (target 5), compared to 7.76 in the previous quarter and 8.94 in Q1 the previous year. Whilst the rolling 12 month target has not been met, sickness figures for Q1 are significantly improved on both the previous quarter and the same period last year. Against a monthly target of 0.41 days per FTE, the figures for April were 0.45 days/FTE, for May 0.26 and for June 0.39. The challenge is to maintain those staffing levels as lockdown is released and learn from what was working well during lockdown – such as the benefits of flexible and homeworking.
Average days to re-let voids	Service not delivered/target suspended due to Covid-19 lockdown	The Government suspension of all but essential house moves during the lockdown period has resulted in a significant increase in turnaround times on our void properties, as well as a sizeable increase in the number of voids. Despite the prohibition on moving home, the number of properties being returned to the Council during the period remained relatively constant, averaging circa five per week. We have recently been able to re-commence lettings and whilst we are working hard to address the backlog, there remain 15 properties within the system which are completed awaiting customer sign-up. We are currently working on a further 41 properties, with an additional 19 refurbishment voids awaiting the return to operations of our major works contractor.
% of emergency/urgent repairs to council-owned properties completed within agreed timescales	Data not available/target suspended due to Covid-19 lockdown	The suspension of all but emergency repairs due to the coronavirus outbreak has severely impacted performance in Q1 and resulted in a substantial backlog of urgent/non-urgent repairs which it is anticipated will take a significant period of time to clear. At the current time, there are in excess of 300 urgent (P2) repairs outstanding within the system. On 20 th July delivery was re-commenced. Addressing the backlog and re-introducing adherence to the 5 day published response period will take a number of weeks to achieve. We aim to return to the normal 5 day target by 30 th September 2020. Non-urgent (P3) repairs backlog is currently in excess of 1000 jobs. This however is expected to take significantly longer to address and it is fully anticipated the backlog will continue to increase in the short-term due to working to Covid secure guidelines.

Delivering corporate priorities: KPIs Q1 2020/21

PI Status		Long Term Trends		Short Term Trends	
	Alert		Improving		Improving
	Warning		No Change/Not applicable		No Change/Not applicable
	OK		Getting Worse		Getting Worse

KPI	Direction of Travel	Q1 2019/20	Q2 2019/20	Q3 2019/20	Q4 2019/20	Current Value	Target	Short Term Trend	Long Term Trend	Status
		Value	Value	Value	Value					
Residual household waste per household (kg)	Aim to Minimise	131	133	138	145	TBC	137			
% Household waste recycled	Aim to Maximise	49.57	48.72	36.23	32.14	TBC	30.12			
Number of SMEs supported	Aim to Maximise	45	45	47	13	106	50			
% of emergency/urgent repairs to council-owned properties completed within agreed timescales	Aim to Maximise	92.9	95.87	99.24	85.06	N/A	90			N/A
Total number of Empty Homes (6 months +) brought back into use through direct action (Year to date)	Aim to Maximise	7	34	36	39	0	5			
% of Council Tax collected	Aim to Maximise	29.65	56.99	84.40	98.33	28.96	30.00			
% of Council Housing Rent & Arrears collected	Aim to Maximise	92.99	94.83	97.22	98.34	92.95	92.76			
% of Non-domestic Rate collected	Aim to Maximise	28.48	54.41	81.27	99.18	25.86	27.50			
% of Sundry Debt collected	Aim to Maximise	44.61	63.86	69.24	99.1	45.79	44.61			
Amount of planned savings achieved (£)	Aim to Maximise	829k	777k	786k	768k	156k	758k			
Average days to process new benefit claims (total)	Aim to Minimise	14.33	17.19	24.00	19.12	26.35	22.00			
Average days to process Change of Circumstances	Aim to Minimise	3.04	3.82	4.29	2.10	3.15	8.40			
% of Major applications within statutory or extension of time	Aim to Maximise	100	77.78	100	80	75	60			
% of non-major applications within statutory or extension of time limit	Aim to Maximise	66	68.05	83.75	82.61	73.77	70			
% stage 1 corporate complaints fully responded to in required timescale	Aim to Maximise	96	73	100	29	86	90			
% of FOI responded to	Aim to	87.76	89.19	86.84	90.96	92.19	86			

APPENDIX A

KPI	Direction of Travel	Q1 2019/20	Q2 2019/20	Q3 2019/20	Q4 2019/20	Current Value	Target	Short Term Trend	Long Term Trend	Status
		Value	Value	Value	Value					
within 20 days	Maximise									
The average wait time - in minutes - before a customer is seen by an advisor.	Aim to Minimise	7.00	5.00	4.00	5.00	N/A	10			N/A
The average wait time - in minutes - before a customer phone call is answered by an advisor	Aim to Minimise	1.92	1.36	1.08	1.96	1.91	2			
% of people accessing Benefits forms and Taxation direct debit forms online in relation to other channels	Aim to Maximise	53.14	32.41	34.66	54.38	70.15	50			
Corporate health & safety: The number of incidents reported	Aim to Minimise	3	3	3	1	0	3			
Average days sick per FTE (full time employee) Rolling 12 months	Aim to Minimise	8.94	8.49	8.16	7.76	6.9	5			
Amount of Business Rates retained (million £s)	Aim to Maximise	11.2	11.2	11.2	11.2	11.2	7.5			
Council Tax base	Aim to Maximise	31212	31479	31565	31710	31469	31658			
Percentage of stage 2 corporate complaints fully responded to in required time	Aim to Maximise	100	66.67	100	33	100	90			
Number of missed waste collections	Aim to Minimise	243	270	247	253	N/A	186			N/A
Number of visits to combined leisure centres	Aim to Maximise	110.8k	96.34k	87.3k	93.3k	N/A	103.1k			N/A
% of active members participating in one or more sessions a week	Aim to Maximise	44.7	43.3	46.01	No data	N/A	51			N/A
% conversions to full membership from participants in health referral programmes	Aim to Maximise	155	36	36	No data	N/A	30			N/A
% participants completing health referral programme	Aim to Maximise	24	72	66	No data	N/A	54			N/A
Memberships at combined leisure centres	Aim to Maximise	4,263	4,324	4,393	No data	N/A	4,143			N/A
Average days to re-let Standard Void Types	Aim to Minimise	39.6	22	25.3	23.3	N/A	26			N/A
Average days to re-let Major Void Types	Aim to Minimise	80.2	50.2	37.9	46.2	N/A	45			N/A

Context indicators

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

Indicator	Update frequency	Previous Value	Latest Value	Regional comparison
Resident population of the district	annual	89,100	90,600	n/a
% of the district population of working age (16-64)	annual	61.4	61.1	below average
% of the district population aged 65+	annual	19.9	20.1	above average
% working age population in employment	quarterly	72	71.3	below average
% working age population claiming Job Seekers Allowance	quarterly	0.8	0.6	below average
% working age population qualified to Level 4+ (annual measure)	annual	34.7	30	below average
% working age population with no qualifications (annual measure)	annual	8.3	6.9	below average
Total Gross Value Added (£)	annual	1,930m	2,110m	n/a
Business births	annual	480	580	n/a
% business survival rate (2-year)	annual	77.8	74	above average
Median Gross Weekly Pay for Full-Time Workers £ (Workplace- based)	annual	584.1	582.4	above average
Unemployment Rate - % of 16-64 working age population	quarterly	3.2	3.3	below average
% adults defined as overweight or obese (annual measure)	annual	63.5	69.6	above average
% children defined as overweight or obese (at year 6) (annual measure) (reported in Q4)	annual	31.96	33.59	above average



Report Reference Number: E/20/12

To: Executive
Date: 3 September 2020
Status: Non-Key Decision
Ward(s) Affected: Whole District
Author: Sharon Cousins, Licensing Manager
Lead Executive Member: Councillor Pearson, Lead Member for Housing, Health and Culture
Lead Officer: Alison Hartley, Solicitor to the Council

Title: Animal Licensing Policy 2020

Summary:

A public consultation was held between 29th June - 10th August 2020 on the draft Animal Licensing Policy 2020 ("the Policy") that consolidates existing procedures and incorporates the Animal Welfare (Licensing Activities Involving Animals) (England) Regulations 2018 ("the Regulations").

Officers have reviewed the consultation responses received; no amendments have been made to the proposed policy.

The consultation responses were reported to the Licensing Committee on the 20 August 2020 and there was no comments.

1. Recommendations:

The Executive Committee are recommended to: -

- i. Note and consider the consultation responses
- ii. To adopt the proposed policy, to take effect from 1700 hours on the Wednesday 16th September.

2. Introduction and background

2.1 The Regulations came into effect on 1 October 2018 and are now the primary legislation for the licensing of the following animal activities:

- Animal Boarding (Catteries and Kennels)
- Home Boarding of Dogs

- Dog Day Care
- Dog Breeding
- Hiring out of Horses (formally riding establishments)
- Sales of animals (formally pet shops)
- Training or Exhibiting Animals (formally Performing animals)

2.2 The Regulations implement a single 'Animal Activities Licence' for any of the Activities shown in section 2.1 above.

2.3 Standard licensing conditions are prescribed by the Regulations rather than each local authority deciding its own licence conditions for its area. As well as minimum standards, there are higher ones that are designed to incentivise better practice.

2.4 There are now powers for licensing authorities to vary, suspend and revoke licences where there is non-compliance, or it is necessary to protect the welfare of the animal.

2.5 Delegation and Authorisation

2.5.1. The following delegations and authorisations are presently in place:

- i. Granting, renewal and variation of any licence:
 - Delegated to the Solicitor to the Council in accordance with Part 3 of the Constitution.
- ii. Refusal and revocation of any licence application
 - Delegated to the full Licensing Committee.
 - Appeal of the Committee's decision to be heard by the First Tier Tribunal.

2.5.2. The following delegation is required:

- i. Suspension of licence:
 - To be delegated to the Solicitor to the Council and amend part 3 of the Constitution accordingly.

2.5.3. This delegation is required to allow Officers to act expediently to matters such as administrative and procedural requirements or following an officer's inspection of premises it is necessary to protect the welfare of an animal.

2.5.4. The Regulations and the guidance issued by DEFRA allows the Council to suspend Animal Activities Licences on the following grounds:

- i. The licence conditions are not being complied with,
- ii. There has been a breach of these Regulations,

- iii. Information supplied by the licence holder is false or misleading,
or
- iv. It is necessary to protect the welfare of an animal

2.5.5. The Regulations also provide the procedure to be followed when suspending an Animal Activities Licence.

2.6 Within the Regulations is a star rating system to allow customers to see how Businesses perform against the Regulation standards. The star rating is issued by the inspecting licensing officer/animal specialist. The applicant will be provided with the supporting information (inspection reports) which will highlight the inspecting officer's decision on how the risk rating, compliance level and star rating has been determined. The business is encouraged to discuss the matter initially with the inspecting officer. Any appeals against the star rating assigned to the business will be dealt with in accordance with the guidance issued by DEFRA and the proposed appeal procedure set out in the proposed policy.

2.7 As with all decisions made by the Council there is always an appeal process. If a first-tier appeal were made the Courts would look at the following documents in the following order:

- The relevant legislation
- The Council's Policy
- Guidance

Selby District Council does not currently have a Policy for Animal Licensing. It is therefore recommended that that the Council adopts a Policy that incorporates the new legislation and shows our basic requirements for such Licenses.

2.8 Unlike other licensing regimes, there is no statutory requirement for local authorities to set policies in relation to animal welfare licensing. The Council do, however, consider it is best practice to do so as benefits bring transparency, accountability, certainty, consistency, and the promotion of good standards in licensing. Policies are an integral part of the decision-making process. A policy guides, but does not bind, a local authority.

2.9 The proposed policy is based on the Regulations and proposes the following:

- Introduction of a fit and proper test, this includes, the right to work in the UK, no relevant convictions, not being disqualified from holding a licence, the knowledge, experience, compliance history and ability to comply with licence conditions and safeguard the welfare of the animals in their care, made suitable management and training arrangements to safeguard and protect any staff and/or members of the public who may be affected by the licence activity.
- A Basic Disclosure (DBS) certificate (issued within 3 months of the date of application) showing that they are not disqualified from holding a

licence, and/or hold no relevant convictions which may affect whether they are a 'fit and proper' person to hold a licence.

- We may request information from North Yorkshire Police under our information sharing agreement about any relevant convictions an applicant may hold.
- Details on conditions placed on a licence for Dangerous Wild Animals.
- Details of conditions placed on a licence for Zoos.
- Requirement of a written safeguarding policy and a procedure for vetting staff, for applicants and licence holders whose activities involve contact with children or vulnerable persons
- A list of offences where the Council will not issue a licence if the applicant has been convicted.

3.0 Consultation

3.1 On the 11 June 2020 the Executive Committee approved a draft Animal Licensing Policy for consultation.

3.2 A 6-week consultation commenced on the 29 June 2020 and ended on the 10 August 2020. We consulted via the following means:

- Consultation with existing licence holders
- Published on the Councils website
- Published on Selby's Facebook site
- Advertised in a local newspaper

3.3 25 responses were received to the consultation, this includes 1 response from the Policy Review Committee.

3.4 The full consultation responses are included in Appendix B.

3.5 The consultation responses were reported to the Licensing Committee on the 20th August 2020, to consider and comment, to be referred to the Executive Committee. The Licensing Committee had no comments.

4. Implications

Failure to act appropriately under the legislation will make the Council non-compliant with the legislation and prevent appropriate regulatory action being taken to safeguard the welfare of animals in the Council area.

4.1 Legal Implications

- a) There is no statutory requirement to adopt an Animal Licensing Policy, however, the Council believes it is best practice to do so.
- b) The Regulations and the statutory guidance issued by DEFRA provides a new licensing regime for activities which must be licensed, who may apply

for a licence and how the Council will determine the applications for a licence.

- c) If the Council refuse to grant or renew a licence, the applicant may appeal to the First-Tier Tribunal, which must be done within 28 days of the decision. Once the Licence is granted, the Council may suspend, vary or revoke the licence.
- d) The statutory guidance issued by DEFRA requires that the Council must have an appeal process for applicants to challenge the initial star rating they are given. The Council proposes the procedure as set out in the proposed policy.

4.2 Financial Implications

There are no financial implications

4.3 Policy and Risk Implications

Failure to regulate animal welfare activities may result in serious harm to animals and have serious reputational impact on the Council.

4.4 Corporate Plan Implications

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

4.5 Resource Implications

N/A

4.6 Other Implications

N/A

4.7 Equalities Impact Assessment

There are no Equality and/or Diversity issues arising from the new Regulations, or approval of an Animal Welfare Licensing Policy. The Regulations and Policy allow an application to be made and assessed against standard criteria, irrespective of any protected characteristics of the applicant.

5. Conclusion

Adoption of the proposed policy and the measures within it will ensure a robust high level of Animal Welfare in licensed premises.

6. Background Documents

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018.

The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 – Procedural Guidance notes for Local Authorities, October 2018 (*guidance issued by DEFRA*).

7. **Appendices**

Appendix A – Proposed Animal Licensing Policy 2020

Appendix B – Consultation responses

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Draft Animal Welfare Licensing Policy

Approved (date)

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1. Introduction

- 1.1 This policy sets out how the Council will exercise its functions under the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018, Dangerous Wild Animals Act 1976 and Zoo Licensing Act 1981.
- 1.2 This policy has been introduced pursuant to the commencement of the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 (“the Regulations”) on 1 October 2018. It will be reviewed at least every 3 years following first approval, and at other times where considered necessary, for example, to reflect significant changes in relevant legislation or guidance.
- 1.3 This policy sets out the principles we will use when dealing with applicants and licence holders with whom the Council is responsible for.
- 1.4 This policy provides guidance to any person with an interest in Animal licensing. In particular, but not exclusively:
- Applicants for licenses,
 - Existing licence holders whose licences are being reviewed,
 - Licensing Officers,
 - Members of the Licensing Committee, and
 - Magistrates’ hearing appeals against local authority decisions.
- 1.5 This policy sets out the criteria to be taken into account by the Council when determining whether or not an applicant or an existing licence holder is suitable to be granted, have renewed or continue to hold a Licence. In addition to criminal convictions the Council will also take into account other factors such as general character, compliance with licence requirements/guidance/conditions, non-criminal behaviour and police or other relevant records or information from reliable sources.
- 1.6 There are many types of animal related businesses that do not currently require a licence – examples include livery yards, dog walkers, dog groomers and similar. For this reason they do not form part of this Policy.
- 1.7 Under this Council’s Constitution and scheme of delegations, the authority to grant animal licenses has been delegated to the Licensing Manager, who may further delegate as appropriate. Matters of policy making and the setting of fees are decisions made by the Council’s Licensing Committee.

2. Policy Objectives

- 2.1 The Policy is designed to ensure that:-
- any person who carries on, attempts to carry on or knowingly allows a licensable activity to be carried on holds a licence in accordance with the Regulations,
 - the licence holder is not disqualified from holding a licence in accordance with the requirements of the Regulations,
 - that the five overarching principles of animal welfare, (known as the “five needs”) introduced by the Animal Welfare Act 2006 are upheld in any decision,

- the safeguarding of any children or vulnerable persons in contact with a licensable activity is ensured
- each application is considered on its merits
- decisions made by the Council are transparent and consistent
- relevant objectives of the Council's Corporate Plan are supported
- that the obligations of the Council's Public Sector Equality duty under the Equality Act 2010, section 149 are fulfilled by eliminating discrimination, harassment, victimisation and other conduct prohibited by the Act, advancing equality of opportunity and fostering good relations between persons who share and those who do not share protected characteristics.

2.2 In addition, the Council will base its licensing regime on the following principles which arise from the responsibilities arising under the Animal Welfare Act 2006:-

- Responsibility to protect the welfare of all fellow creatures;
- Ensuring the welfare of domestic or captive animals by implementing appropriate standards that promote the "five needs";
- Ensuring that persons responsible for the management of animal welfare observe recognised standards of good practice;
- Ensuring that, so far as it falls within its powers, the requirements of all animal-related legislation will be rigorously and pro-actively enforced.

3. Animal Welfare Act

3.1 The Animal Welfare Act 2006 (the Act) established that reasonable welfare standards must be maintained whilst unifying all animal legislation, including responsibilities falling to other enforcement agencies.

3.2 The Act introduced five overarching principles of animal welfare, known as the "five needs" which are:

1. The need for a suitable environment;

(by providing an appropriate environment, including shelter and a comfortable resting area)

2. The need for a suitable diet;

(by ready access, where appropriate, to fresh water and a diet to maintain full health)

3. The need to be able to exhibit normal behaviour patterns;

(by providing sufficient space, proper facilities and the company of an animal of its own kind, where appropriate)

4. Any need to be housed with, or apart from, other animals;

(by providing the company of an animal of its own kind, where appropriate); and

5. The need to be protected from pain, suffering, injury and disease;

(by prevention or rapid diagnosis and treatment, and ensuring conditions and treatment which avoid mental suffering).

4. Licensable Activities

- 4.1 The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018 came into force on 1st October 2018 and will have an impact on establishments licensed under the previous animal health legislation. This includes those previously licensed as pet shops, catteries, kennels, home boarders, dog crèche, riding establishments, dog breeders and performing animals.
- 4.2 A licence is required when any of the licensable activities outlined in Schedule 1 of the regulations are undertaken. These are:
- selling animals as pets (Part 2);
 - providing or arranging for the provision of boarding for cats or dogs (including the provision of boarding for cats; kennels for dogs; home boarding for dogs; or day care for dogs (Part 3);
 - hiring out horses (Part 4);
 - breeding dogs (Part 5);
 - keeping or training animals for exhibition (Part 6).
- 4.3 The Regulations replace previous licensing and registration regimes under the following legislation:
- Pet Animals Act 1951
 - Animal Boarding Establishments Act 1963
 - Riding Establishments Acts 1964 & 1970
 - Breeding of Dogs Act 1973 & Breeding and Sale of Dogs (Welfare) Act 1999
 - Performing Animals (Regulation) Act 1925
- 4.4 The Regulations do not impact on the licensing of Dangerous Wild Animals under the Dangerous Wild Animals Act 1976 and Zoos under the Zoo Licensing Act 1981, which remains unaffected by the legislative changes, however will fall within the scope of this Policy.

5. Suitability of Applicants

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

- 5.1 In accordance with the Regulations any individual, who carries on a licensable activity will be designated as the operator of the business and can apply for a licence providing they are not disqualified from holding a licence in accordance with Regulation 11 and Schedule 8.
- 5.2 In order to ensure compliance with our duties to ensure that an individual has not been disqualified from holding a licence, upon application the Council:-
- Will require the applicant to provide a basic disclosure (DBS) certificate (issued within 3 months of the date of application) showing that they are not disqualified from holding a licence, and/or hold no relevant convictions which may affect whether they are a 'fit and proper' person to hold a licence;

- May request information from North Yorkshire Police under our information sharing agreement about any relevant convictions an applicant may hold. This information sharing is possible under Section 17 of the Crime and Disorder Act 1998, which requires that local authorities must have regard to the likely effect of the exercise of their functions on, and do all that they can to prevent crime and disorder in their area.

5.3 An applicant will be granted a licence if the Council is satisfied that the licence conditions will be met. In considering this, the Council will take into account whether the applicant is a fit and proper person to be the operator of the activity. The term 'fit and proper' is not defined in the legislation or guidance. For the purpose of this Policy, the Council will consider a 'fit and proper person' to be an individual who can demonstrate upon application that they have:-

- the right to work in the UK
- no relevant convictions
- not been disqualified from holding a licence
- the knowledge, experience, compliance history and ability to comply with licence conditions and safeguard the welfare of animals in their care
- made suitable management and training arrangements to safeguard and protect any staff and/or members of the public who may be affected by the licence activity.

Dangerous Wild Animals and Zoos

5.4 In order to ensure compliance with our duties to ensure that an individual has not been disqualified from holding a licence, upon application the Council:-

- Will require the applicant to provide a basic disclosure (DBS) certificate issued within 3 months of the date of application; and
- May request information from North Yorkshire Police under our information sharing agreement about any relevant convictions an applicant may hold.

Relevance of convictions

5.5 The purpose of this section is to offer guidance on how the Council can determine whether an applicant/licence holder suitable to either be granted a licence in the first place or retain such a licence. In all cases, the Council will consider the conviction or behaviour in question, what weight should be attached to it and each and every case will be determined on its own merits, but in light of these guidelines. Most applicants or licensees will have no convictions and that is clearly the ideal situation. In relation to other people, it is accepted that people do make mistakes, and it is further accepted that many learn from those mistakes and do not continue to commit further offences. Accordingly, in many cases an isolated conviction, especially if committed some time ago, will not prevent the grant or renewal of a licence.

5.6 The Council will not normally grant a licence to a person with one (or more) convictions for any of the following offences:

- Offences involving violence
- Possession of a weapon
- Sex and indecency offences
- Offences involving dishonesty
- Offences involving drugs
- Licensing offences
- Offences involving danger or suffering caused to Animals.

5.7 Any offences or behavior not expressly covered by this Policy may still be taken into account.

6. Safeguarding

6.1 The Regulations have the aims of maintaining and improving animal welfare standards. However there are other safeguarding considerations arising from licensable activities which the Council has a statutory duty to ensure, in particular surrounding the protection of children and vulnerable persons.

6.2 The Council is aware that some licensable activities may involve unsupervised contact with children and/or vulnerable persons. For example the tuition of a young person provided at a Riding Establishment, or entertaining at a children's party with an exhibition of animals.

6.3 To this extent, the Council would expect applicants and licence holders whose activities involve contact with children or vulnerable persons to:-

- Have a written safeguarding policy and provide training for staff; and
- Have a procedure for vetting staff who have unsupervised contact with young/vulnerable persons.

7. Application Process

7.1 Licence applications must be submitted on the prescribed application form, along with any supporting information (as detailed in the application form and as required under this Policy), together with the appropriate fee. Planning permission may need to be applied for and the onus is on the applicant to apply for this.

7.2 The Council will notify licence holders when their existing licence will expire (3 months prior to expiry) and licence holders must make a new application at least 10 weeks before the licence expires to continue the activity without a break. It is the licence holder's responsibility to ensure that any renewal application is made in good time, and the Council cannot be held responsible for any delays or lapses of a licence caused by an incomplete or late application.

7.3 Payment for vet inspections required either by legislation or by the Council in order to determine the application, will be an additional charge passed on to the applicant/license holder.

7.4 The Guidance stipulates that once a local authority receives an application for

the grant or renewal of a licence it must do all of the following before granting or renewing a licence:

- The Council must consider whether the conduct displayed by the applicant indicates that they are a fit and proper person to carry out the licensable activity and meet their licence conditions.
- The Council must inspect the site of the licensable activity and assess if it is likely to meet the licence conditions. The inspection must be completed by a suitably qualified inspector present (as well as a veterinarian for the initial inspection of a dog breeding establishment, or a listed veterinarian for inspections of horse riding establishments). The inspector must prepare a report, in accordance with the requirements of regulation 10, to be submitted to the local authority following their inspection.
- The inspector’s report will contain information about the operator, any relevant premises, any relevant records, the condition of any animals and any other relevant matter and state whether or not the inspector considers that the licence conditions will be met.
- Ensure that the appropriate fees have been paid, these can include fees for the consideration of the application, the reasonable anticipated costs of consideration of a licence holder’s compliance with the Regulations, the reasonable anticipated costs of enforcement in relation to any licensable activity of an unlicensed operator and any costs reasonably anticipated in relation to the provision of information to the Secretary of State.

8. Rating and Licence duration

8.1 Licences can be issued for a period of either one, two or three years depending on the risk rating and level of compliance. This also corresponds with the Star Rating for the establishment.

8.2 The Scoring matrix is below:

Scoring Matrix		Welfare Standards		
		Minor Failings (existing business that are failing to meet minimum standards)	Minimum Standards (as laid down in the schedules and guidance)	Higher Standards (as laid down in the guidance)
Risk	Low Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	3 Star 2yr licence Min 1 unannounced visit within 24 month period	5 Star 3yr licence Min 1 unannounced visit within 36 month period
	Higher Risk	1 Star 1yr licence Min 1 unannounced visit within 12 month period	2 Star 1yr licence Min 1 unannounced visit within 12 month period	4 Star 2yr licence Min 1 unannounced visit within 24 month period

- 8.3 Licences for the keeping or training animals for exhibition are issued for three years.

9. Standards and Conditions

Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations

- 9.1 The Regulations include mandatory conditions for each licensable activity and DEFRA has produced associated guidance. The conditions are divided into two categories namely General Conditions (stipulated in Schedule 2) and Specific Conditions from the associated Schedule of the Regulations.
- 9.2 Applicants/licence holders will need to meet all the mandatory conditions, although minor failings may be noted/recorded providing they do not compromise the welfare of the animals (these should be predominantly administrative in nature).
- 9.3 For each activity (except keeping or training animals for exhibition) a number of “higher standards” have been included in the guidance. Meeting the higher standards is optional but is the only way to gain a higher star rating.
- 9.4 The higher standards are classified into two categories – required (mandatory) and optional. These will usually be colour coded into blue and red respectively. To qualify as meeting the higher standards the business must achieve all the required (mandatory) standards as well as a minimum of 50% of the optional higher standards.
- 9.5 The Regulations make provision for Officers to take samples for laboratory testing from any animals on premises occupied by an operator for the purposes of ensuring the licence conditions are being complied with. A Licence holder must comply with any reasonable request of an inspector to facilitate the identification and examination of an animal and the taking of samples and, in particular, must arrange the suitable restraint of an animal if so requested by an inspector.
- 9.6 Samples should be as non-invasive as possible, however inspectors may deem more invasive samples necessary if there are concerns over the welfare of the animals. The provision for sampling is primarily aimed at veterinarians carrying out inspections and it is not expected that samples be taken by those without the training to properly and safely do so.

Dangerous Wild Animals

- 9.7 The Council will usually impose Defra’s standard conditions, in addition to any premises/animal specific conditions deemed to be required by the Inspecting Officer/Vet.

Zoos

- 9.8 The Council will usually impose Defra’s standard conditions, in addition to any premises/animal specific conditions deemed to be required by the Inspecting Officer/Vet.

10. Granting an application

10.1 Where a licence is issued the Council will provide the following details:

- the Licence with the Star Rating;
- details of how the business has been rated including a list of the higher standards the business currently fails to meet or a list of the minimum standards the business is failing to meet and resulting in a “minor failing” category;
- a copy of the risk management assessment table;
- details of the appeals process and timescales.

10.2 Any fee(s) required upon the grant of the licence must be paid in full prior to the issue of the licence.

11. Refusing Applications

11.1 The Council will consider the report from the inspector and any comments made by the applicant when deciding whether to issue a licence.

11.2 The Council will refuse to issue a licence if it considers that the applicant cannot meet the licence conditions, for example, if the granting of a licence will have a negative impact on animal welfare or if the level of accommodation, staffing or management is inadequate for the well-being of animals.

11.3 The Council will also refuse to issue or renew a licence if the applicant has a history of non-compliance with licensing conditions or requirements, is obstructive towards officers, or if there are safeguarding concerns arising from the licensed activity. The above list is not exhaustive, but indicative of the circumstances where they Council will want to refuse an application.

11.4 The Council will also refuse an application if it considers that the applicant does not meet the ‘fit and proper person’ test.

11.5 A licence cannot be issued to an operator who is disqualified.

11.6 Any application fees or veterinary inspection fees paid will not be refunded for unsuccessful applications.

11.7 If a licence is refused, the applicant will have the right of appeal to a First-tier Tribunal within 28 days of the decision notice.

12. Appeals to Star Rating

12.1 To ensure fairness to the business, the Council has an appeals procedure in place for the operator to dispute the star rating given.

12.2 The business will be provided with supporting information (the inspection reports) which will highlight the inspecting officer’s decision on how the risk rating, compliance level and star rating has been determined. The business is encouraged to discuss the matter initially with the inspecting officer where

possible.

- 12.3 A business may appeal if they consider their star rating to be wrong - in other words it does not reflect the standards found at the time of inspection. Any appeal to the rating given must be made in writing within 21 days.
- 12.4 A business may wish to apply for a re-inspection or re-rating on a chargeable basis following completion of works to rectify any non-compliance or improvements to achieve higher standards.
- 12.5 An appeal will be assessed and determined by an appointed manager within the Council, who will conduct a 'desk based' appraisal of the rating given.
- 12.6 The appointed managers for this purpose are the Housing & Environmental Health Service Manager, or any Head of Service or Manager overseeing them in their absence.
- 12.7 If the business disagrees with the outcome of the appeal they can only challenge the decision by means of judicial review.

13. Variations, Suspensions and Revocations of Licences

- 13.1 The Regulations provide for a local authority at any time to vary a licence:
- On the application in writing of the licence holder, or
 - On the initiative of the local authority, with the consent in writing of the licence holder.
- 13.2 In addition to the above a local authority may suspend, vary or revoke a licence without the consent of the licence holder if:
- The licence conditions are not being complied with,
 - There has been a breach of the Regulations,
 - Information supplied by the licence holder is false or misleading, or
 - It is necessary to protect the welfare of an animal.
- 13.2 A suspension or variation of a licence will normally take effect 7 working days after the decision has been issued to the licence holder unless the reason is to protect the welfare of an animal in which case the local authority may stipulate that the decision has immediate effect.
- 13.3 A decision to vary or suspend the licence must be notified to the licence holder in writing, explaining the reasons for the decision, and providing information regarding when the suspension or variation comes into effect and the rights of the licence holder to make written representation, as well as any specific changes deemed necessary in order to remedy the situation.
- 13.4 The decision to vary, suspend or revoke a license will be dependent on the severity of the situation. If an operator fails to meet administrative conditions or provide information when requested then this could potentially lead to the suspension of a licence. If such a scenario happens repeatedly, the Council may consider revocation appropriate. Revocation of a licence will also occur in an instance where poor welfare conditions are discovered or it would otherwise benefit the welfare of the animals involved to be removed from the

activity. Variations can occur if adjustments need to be made, whether that is to the licence itself or to the premises/animals referred to in the licence.

- 13.5 Following the issuing of the notice of suspension or variation, the licence holder will have 7 working days to make written representation. Upon receipt of this the Council will decide whether to continue with the suspension or variation of the licence or cancel the decision.
- 13.6 If the licence has been altered with immediate effect to protect the welfare of an animal then the Council must indicate that this is the reason.
- 13.7 The business will not be able to trade once the suspension of a licence has come into effect and cannot do so until the decision is overturned by the local authority upon being satisfied that licence conditions are being met.
- 13.8 There is no right of appeal against the suspension of a licence. After 28 days of suspension the licence must be revoked or reinstated.
- 13.8 A licence holder may appeal to a First-tier Tribunal if they do not agree with the decision made by the local authority to vary or revoke a licence. This must be done within 28 days of the decision.

14. Transfer of a licence upon the death of a licence holder

- 14.1 If a licence holder dies, the procedure in regulation 12 of the Regulations applies. It allows the personal representative of the deceased to take on the licence provided that they inform the local authority within twenty-eight days of the death that they are now the licence holders. The licence will then remain in place for three months from the death of the former holder or for the rest of the time it was due to remain in force if that time period is shorter. The new licence holder should then apply for a new licence one month before the expiry of this new period.
- 14.2 Additionally the local authority can extend the three month period by up to another three months if requested by the personal representative and if they believe this time is needed to wind up the estate of the former licence holder.
- 14.3 If the personal representative does not notify the local authority within 28 days of the death of the licence holder, the licence will cease to have effect after those 28 days.

15. Inspections During the Course of a licence

- 15.1 There will be cases where inspections must be carried out during the term of a licence.
- 15.2 For the activity of hiring out horses, there is a requirement for an annual inspection by a listed veterinarian, regardless of the total length of the licence. The local authority must appoint a listed veterinarian to inspect the premises on which the activity is being carried out before the end of the first year after the licence is granted and then each subsequent year.

- 15.3 Unannounced inspections can also be carried out and will be used in the case of complaints or other information that suggests the licence conditions are not being complied with or that the welfare of the animals involved in a licensed activity is at risk.
- 15.4 During the course of an inspection the inspector may choose to take samples for laboratory testing from the animals on the premises occupied by an operator. The operator must comply with any reasonable request of an inspector to facilitate the identification, examination and sampling of an animal including ensuring that suitable restraints are provided if requested.

16. Qualifications of Inspectors

- 16.1 All inspectors must be suitably qualified. This is defined in the Guidance as:
- Any person holding a Level 3 certificate granted by a body, recognised and regulated by the Office of Qualifications and Examinations Regulation which oversees the training and assessment of persons in inspecting and licensing certain animal activities businesses, confirming the passing of an independent examination. A person is only considered to be qualified to inspect a particular type of activity if their certificate applies to that activity;
 - Any person holding a formal veterinary qualification, as recognised by the Royal College of Veterinary Surgeons (“RCVS”), together with a relevant RCVS continuing professional development record;
 - Until October 2021, any person that can show evidence of at least one year of experience in licensing and inspecting animal activities businesses.

17. Fee Structure

- 17.1 The current level of licence fee will be displayed on the Council’s webpage.
- 17.2 All fees have been calculated and reviewed annually, taking into account the statutory requirements of Regulation 13, with the aim of full cost recovery.

18. Enforcement

- 18.1 The Regulations introduce a range of enforcement powers to allow the Council to issue a suspension, variation or revocation notice where licence conditions are not being complied with; there is a breach of the regulations or issues relating to the protection of the welfare of an animal.
- 18.2 The service of an enforcement notice is subject to a strict process and includes provision for the right to make written representations and/or appeal.
- 18.3 It is an offence to breach any licence condition. It is also an offence not to comply with an inspector’s request in the process of taking a sample from an animal.

- 18.4 It is also an offence to obstruct an inspector who has been appointed by a local authority to enforce the Regulations. Committing any of these offences could result in an unlimited fine.
- 18.5 Anyone who carries on any of the licensable activities without a licence is liable to imprisonment for a term of up to six months, a fine or both. Section 30 of the Animal Welfare Act 2006 allows for local authorities to prosecute for any offences under that Act.
- 18.6 The post-conviction power from section 34 of the Animal Welfare Act 2006 is in place whereby a person convicted of an offence under the Act or Regulations may be disqualified from owning, keeping, participating in the keeping of animals and/or from being party to an arrangement under which they can control or influence the way an animal is kept. They may also be disqualified from transporting or dealing in animals. Breaching these disqualifications is an offence.
- 18.7 The post-conviction power from section 42 of the Animal Welfare Act is also in place whereby a court can cancel a currently existing licence and disqualify a person from holding a licence for any period it sees fit when that person is convicted of an offence under the Act or Regulations.
- 18.8 The Council works closely with partners in accordance with a locally established joint enforcement protocol and will aim to promote the welfare of animals and safety of the public.
- 18.9 The main enforcement and compliance role for the Council in terms of the Regulations will be to ensure compliance with the conditions placed upon the licence and investigate and take appropriate action on unlicensed premises.
- 18.10 In carrying out its enforcement duties with regards to the inspection of premises, the variation, suspension or revocation of licences and the powers to institute criminal proceedings in respect of certain offences under the Act, the Council has adopted an enforcement policy, which is available on www.selby.gov.uk

Proposed Selby Animal Licensing Policy 2020

Consultation Responses

A total of 24 responses to the consultation were received

The following questions were asked via an online consultation response form:

Do you agree that applicants should be required to produce a recent DBS to show no relevant convictions?	Yes - 19 No - 5
Do you agree that applicants are required to have knowledge, experience, compliance history and the ability to comply with licence conditions and safeguard the welfare of animals in their care?	Yes - 24 No - 0
Do you agree that applicants are required to make suitable management and training arrangements to safeguard and protect any staff and/or members of the public who may be affected by the licensable activity?	Yes - 21 No - 3

Do you have any other comments about this policy? – Please see additional comments and responses as below

Comment	Response
Must be enforced as breeding animals for profit only has really become a worry.	No Response required
It is overbearing and not required. When we were inspected as a boarder for dogs, we were asked about points 2 and 3 and provided evidence to support that. In relation to point 1 why should I prove that I don't have a conviction? If you want to know if I do have one the onus and cost should be on yourselves. I currently receive 13 pounds per day to board a dog, any further cost incurred makes it pointless to continue (perhaps this is the desired result) to force all people out of business to make no premises or people suitable so you don't have to manage it. All it will do is make people take dogs unlicensed and avoid all the costs and red tape.	Point 2 relates to the following question: Do you agree that applicants are required to have knowledge, experience, compliance history and the ability to comply with licence conditions and safeguard the welfare of animals in their care? Point 3 relates to the following question: Do you agree that applicants are required to make suitable management and training arrangements to safeguard and protect any staff and/or members of the public who may be affected by the licensable activity? Response: No response required to points 2 and 3. Point 1 relates to the following question: Do you agree that applicants should be required to produce a recent DBS to show no relevant convictions?

	<p>Response: The Guidance states that the licence holder must be the named person who is not disqualified from holding a licence in accordance with the requirements of regulation 11 and schedule 8 (persons who may not apply for a licence) the proposed policy requires a basic DBS dated within 3 months. The cost of this currently is £23. The basic DBS will enable the Council the compliance with our duties to ensure that the individual has not been disqualified from holding a licence. The application requirement can be found in section 5 of the proposed policy.</p>
They should have relevant qualifications and keep up with training on new legislation.	Qualifications or a number of years of experience / skills is a minimum requirement for each licence.
Yes, this needs doing	No response required
I have read all of the draft policy; I am in favour of anything that helps to stop Breeders & puppy farmers, so the DBS is a good idea. Thank you	No response required
In regard to question 3 . Of course, we agree and have management and training arrangements in place to safeguard staff and members of the public attending the kennels and cattery. However, the question is ambiguous and could be turned around where members of the public / neighbours could complain about licensable activities affecting their lifestyle but with a hidden agenda. The question should be re - written with "members of the public on the kennels/ cattery premises".	<p>Point 3 relates to the following question: Do you agree that applicants are required to make suitable management and training arrangements to safeguard and protect any staff and/or members of the public who may be affected by the licensable activity? Response: The management training requirements should cover all areas of the business. Section 6.3 of the policy states -To this extent, the Council would expect applicants and licence holders whose activities involve contact with children or vulnerable persons to: - - Have a written safeguarding policy and provide training for staff; and -Have a procedure for vetting staff who have unsupervised contact with young/vulnerable persons</p>
Can licence holders be kept on a register that is available for public	There is not requirement in the legislation for a local authority to publish

<p>viewing? We have neighbours who have a boarding / care business though they can't look after their own chickens and have a heap of dog poo in the corner of the garden. It would be good to be able to check they are operating with a licence and have been checked.</p>	<p>a list on their website. This information can be given upon request to the licensing authority. When the licensing software can provide this up to date information it will be added to the website.</p>
<p>You might need to list or further define relevant convictions. I believe a license is required to breed kittens now, effective from 6th April this year so you might want to include that within the puppy clause above.</p>	<p>Lucy's Law came into effect on the 6 April 2020, making anyone wanting to get a new puppy or kitten in England must now buy direct from a breeder, or consider adopting from a rescue centre. Offences involving danger or suffering caused to Animals, in our list of relevant convictions would cover this.</p>
<p>I think that any person licenced to care for animals should be subjected to unannounced spot checks to make sure that they are actually caring for the animals in accordance with regulations.</p>	<p>Guidance and the proposed policy state that unannounced inspections can be carried out and should be used in the case of complaints or other information that suggests licence conditions are not being complied with or that the welfare of the animals involved in a licensed activity is at risk.</p>
<p>I would like to see the breeding for profit license rolled out wider to encourage people to neuter cats.</p>	<p>The legislation (as below) is wide and already covers all licensing activities (including the sale of any animal with the end result of that animal being a pet). The legislation states under schedule 1, part 1 as part of the business test that the local authority must take into account in determining whether an activity is being carried on in the course of a business are: a) makes any sale by, or otherwise carries on, the activity with a view to making a profit, or b) earns any commission or fee from that activity. Anything additional to this would have come from central government.</p>
<p>Policy Review Response:</p> <ol style="list-style-type: none"> 1. As regards licences are there plans to include dog walkers as there are a significant number of them and it seems pretty much unregulated? 2. Where can we see 'star ratings' 	<p>No, Dog walking is not covered by the Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018. Star ratings can be checked with the</p>

<p>for businesses? Do we have them for pubs and should they not be displayed prominently?</p> <p>3. Will Brexit affect any licensing laws?</p> <p>4. Can we have a simple way for people to view the ratings and also a simple way of reporting an issue with a licensed premise?</p>	<p>Licensing Team. The star rating is also on the licence which needs to be on display in the premises. Some businesses may choose to show the star rating on their website.</p> <p>The star rating determines the length of time that a licence is issued for.</p> <p>Not known at this time</p> <p>As above, see number 2</p> <p>As with all licensing regimes the first contact should be the licensing team for reporting issues licensing@selby.gov.uk or the main council telephone number.</p>
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Report Reference Number: E/20/13

To: Executive
Date: 3 September 2020
Status: Non Key Decision
Ward(s) Affected: Whole District
Author: Sharon Cousins, Licensing Manager
Lead Executive Member: Councillor Pearson, Lead Member for Housing, Health and Culture
Lead Officer: Alison Hartley, Solicitor to the Council

Title: Review of Statement of Licensing Policy

Summary:

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

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

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

This report went to the Licensing Committee on the 20 August 2020 to feedback the consultation results and for their comments of which no comments were received.

Recommendations

Members are recommended to:

- i. To note and consider the results of the public consultation exercise as summarised in Appendix B of the report.
- ii. Recommend to Full Council that the amended Statement of Licensing Policy attached to this report at Appendix A be adopted.

1. Introduction and background

- 1.1. Section 5 of the 2003 Act requires a licensing authority to prepare and publish a Policy at least every five years. During the five-year period, the

Policy must be kept under review and the licensing authority may make any revisions to it as it considers appropriate.

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

1.10. The consultation responses were reported back to the Licensing Committee on the 20th August 2020. The Licensing Committee had no comments and agreed to endorse the Policy, attached to the report in appendix A.

2. Legal Implications

2.1. Pursuant to the 2003 Act, Selby District Council is the Licensing Authority, which is responsible for licensing alcohol, entertainment, and late-night refreshments in its District. The Council is required under Section 5 of the 2003 Act to determine and publish a Policy every five years.

2.2. When preparing and determining its Policy, the Council is exercising a licensing function and as such must have regard to the following:

(a) Promote the four licensing objectives:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm;

(b) Statutory guidance issued by the Secretary of State under section 182 of the 2003 Act;

(c) The 2003 Act; and

(d) Give appropriate weight to the views of those persons/bodies listed in section 5(3) of the 2003 Act which it is required to consult before determining the Policy.

2.3. The Policy should not be inconsistent with the provisions of the 2003 Act or with obligations placed on the Council under any other legislation, such as human rights/equalities provisions. It should be noted that the Council has a duty under Section 17 of the Crime and Disorder Act 1998, when carrying out its licensing functions, to do all it can to prevent crime and disorder in its District. In addition, the Council will seek to support strategies and policies where they are allied to the Licensing Objectives.

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

2.5. Pursuant to the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, requires that the final approval of the Policy is given by Full Council.

2.6. Failure to review the Policy and follow the correct procedures would mean the Council was not complying with its statutory duty and would leave the Council open to legal challenge and any subsequent costs.

3. Financial Implications

3.1. There are no financial implications.

4. Policy and Risk Implications

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

5. Conclusion

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

6. Appendices

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

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Statement of Licensing Policy 2020~~19~~

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PART 1

1 Introduction

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

PART 2

2 The Policy

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

- 2.3 This Policy was prepared in accordance with the provisions of the 2003 Act having had due regard to the Guidance issued under s182 of the 2003 Act (“the Guidance”). This Policy was reviewed in 2019~~5~~ following consultation between ~~14th September~~~~9th June 2020~~ and ~~26th of October~~ 10 August 2020 and will come into force in ~~January 2016~~2021. Due consideration and appropriate weight has been given to all responses in the production of this revised Policy.
- 2.4 This Policy will be kept under review and the Licensing Authority may make any revisions to it as it considers appropriate. In any event the Licensing Authority is required to review their Statement of Licensing Policy every 5 years. The Licensing Authority may make revisions to this Policy following changes to, for example:
- local circumstances;
 - the Licensing Act, associated regulations or statutory guidance;
 - national legislation; or
 - the policies and practices of a responsible authority
- 2.5 This Policy shall not undermine the right for any individual to apply for a variety of permissions under the terms of the 2003 Act and to have any such application considered on its individual merits. Similarly the Policy shall not override the right of any person to make representations on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act. Each application shall be treated on its own merit.
- 2.6 This Policy is intended to provide clarification to Responsible Authorities applicants and any person on how this Licensing Authority will determine applications and reviews. As the ‘vicinity’ test has now been removed, the Licensing Authority will consider relevant representations from any person irrespective of where they live in relation to the subject premises, however, the Licensing Authority shall give greater weight to the representations of persons immediately affected by the premises and its operation.
- 2.7 The Licensing Authority may depart from this Policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the four licensing objectives. Where it does depart from this Policy full reasons will be provided.
- 2.8 Where revisions are made to the Guidance there may be a period of time when this Policy is inconsistent with the Guidance. In these circumstances the Licensing Authority shall have regard, and give appropriate weight, to the revised Guidance in conjunction with this Licensing Policy.
- 2.9 This Policy recognises that the Equality Act 2010 places a legal obligation on public authorities to have due regard to the need to eliminate unlawful discrimination, harassment and victimisation; to advance equality of opportunity; and to foster good relations, between persons with different protected characteristics.
- 2.10 The applicant is expected to comply with relevant legislation on disability including access and egress for disabled persons. This policy will not be used to duplicate such duties as already exist in this area. Further advice can be obtained from the Equality and Human Rights Commission web site <https://www.equalityhumanrights.com/enwww.drc-gb.org>.

2.11 The need for licensed premises

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

3. Cumulative Impact

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

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

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

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

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

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

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

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

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

~~3.2 Evidence that areas are becoming saturated with the number, type and density of licensed premises has to be gathered before a “special policy” to deal with this problem can be adopted. The Licensing Authority will consider evidence from the following sources:-~~

- ~~• Local crime and disorder statistics, including statistics on specific types of crime and crime hotspots~~
- ~~• Statistics on local anti-social behaviour offences~~
- ~~• Health related statistics such as alcohol-related emergency attendances and hospital admissions~~
- ~~• Environmental health complaints, particularly in relation to noise and litter~~
- ~~• Complaints recorded by the Council, which may include complaints raised by local residents or resident’s associations~~
- ~~• Residents questionnaires~~
- ~~• Evidence from local councillors~~
- ~~• Evidence obtained through local consultation~~
- ~~• Trends in licence applications, particularly trends in applications by types of premises and terminal hours~~
- ~~• Changes in terminal hours of premises~~
- ~~• Premises capacities at different times of the night and the expected concentrations of drinkers who will be expected to be leaving premises at different times~~

~~3.3 In these circumstances the Licensing Authority may consider that the imposition of conditions is unlikely to address these problems and further, may consider the adoption of a “special policy” of refusing new premises licences or club premises certificates because the area is saturated with licensed premises and the granting of any more would undermine one or more of the licensing objectives.~~

~~3.4 The Licensing Authority will take the following steps into consideration when deciding whether or not to adopt a “special policy”:-~~

- ~~• Identify concern about crime and disorder; public safety; public nuisance; or protection of children from harm~~
- ~~• Consider whether there is good evidence that crime and disorder or nuisance are occurring, or whether there are activities which pose a threat to public safety or protection of children from harm~~
- ~~• If such problems are occurring, identify whether these problems are being caused by the customers of licensed premises, or that the risk of cumulative impact is imminent~~
- ~~• Identify the boundaries of the area where problems are occurring (this can involve mapping where the problems occur and identifying specific streets or localities where such problems arise).~~
- ~~• Consult with those specified in section 5(3) of the Licensing Act 2003 (e.g. police, fire etc) and subject to the outcome of the consultation, include and publish details of the “special policy” in the licensing policy statement.~~

~~3.5 The effect of adopting a “special policy” of this kind is to create a rebuttable presumption that applications for new premises licences or club premises certificates or material variations will normally be refused, if relevant representations to that effect are received, unless it can be demonstrated by the applicant that the operation of the premises involved will not add to the cumulative impact already being experienced. Applicants would need to address the “special policy” issues in their operating schedules in order to rebut such a presumption. However, a “special~~

policy” must stress that this presumption does not relieve responsible authorities or any other person of the need to make a relevant representation before a licensing authority may lawfully consider giving effect to its “special policy”. If no relevant representations are received, it would remain the case that any application must be granted in terms that are consistent with the operating schedule submitted. However, responsible authorities, such as the police or any other person can make written representations maintaining that it is necessary to refuse the application for the promotion of the prevention of crime and disorder and referring to information which has been before the licensing authority when it developed its statement of licensing policy.

3.6 — Once adopted special policies should be reviewed regularly to assess whether they are needed any longer or if those which are contained in the special policy should be amended. While a special policy is in existence, applications will need to demonstrate why the operation of the premises would not add to the cumulative impact being experienced. The Licensing Authority will review any special policies it adopts when it reviews the Licensing Policy to see whether they have had the effect intended, and whether they are still needed.

3.7 — The Licensing Authority is aware that there are numerous other mechanisms for controlling cumulative impact outside the licensing regime such as:-

- — Planning controls;
 - — Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority;
 - — The provision of CCTV surveillance in town centres, taxi ranks, provision of public conveniences open late at night, street cleaning and litter rounds;
 - — Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
 - — The confiscation of alcohol from adults and children in designated areas;
 - — Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
 - — Prosecution for the offence of selling alcohol to a person who is drunk or allowing a sale)
 - — Police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a Temporary Event Notice (“TEN”) has effect on grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance
-
- — The power of police, other responsible authorities or other persons to seek a review of a licence or certificate, and
 - — Early Morning Restriction Orders

3.8 — During the first ten years of this policy, no particular circumstances have arisen and, at the present time, it is not considered that any of this authority’s area warrants consideration of a special policy.

PART 3

4 Principles

- 4.1 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - this Guidance;
 - its own statement of licensing policy.
- 4.2 The use of premises for the sale or provision of alcohol, regulated entertainment or late night refreshment is subject to planning control. Such use will require planning permission or must otherwise be lawful under planning legislation. Planning permission is generally required for the establishment of new premises or the change of use of premises.
- 4.3 In line with the S182 Guidance the planning and licensing regimes involve consideration of different (albeit related) matters. Licensing committees are not bound by decisions made by a planning committee, and vice versa.
- 4.4 Where businesses have indicated, when applying for a licence under the Act, that they have also applied for planning permission or that they intend to do so, the licensing committee and officers will consider discussion with their planning counterparts prior to determination with the aim of agreeing mutually acceptable operating hours and scheme designs.
- 4.5 Where relevant representations are received, any decision on a licence application will not consider whether any decision to grant or refuse planning permission or building consent was lawful and correct. It will take into account what the impact of granting the application will be on the four licensing objectives.
- 4.6 In general, all premises which are the subject of an application, should have the benefit of planning permission, or be deemed permitted development. The onus will be on the applicant to demonstrate that planning permission has been granted or that the premises have the benefit of permitted development rights. Failure to do so may result in representations and the licence being refused or granted subject to conditions which take account of the planning permissions in existence.
- 4.7 In addition, all new developments and premises which have been subject to structural alterations since 1994 will have building control approval in the form of a Building Regulations Completion Certificate. The onus will be on the applicant to demonstrate that any structural alterations have been approved by building control. Failure to do so may result in representations and the licence being refused or granted subject to conditions.
- 4.8 Where premises have not obtained building consents or licences, they may be liable for enforcement action under the appropriate legislation. There may be

circumstances when as a condition of planning permission; a terminal hour is set for the use of commercial premises. Where these hours are different to the licensing hours, the applicant must observe the earlier closing time. Licensing applications therefore will not be a re-run of the planning application process and licensing decisions will not cut across decisions taken by the Planning Committee or permissions granted on appeal.

- 4.9 The Licensing Authority shall expect every licence/certificate holder or event organiser to minimise the impact of their activities on the surrounding area and any anti-social behaviour created by their customers in and within the vicinity of their premises by taking appropriate measures and actions consistent with that responsibility. In addressing this matter, the Licensing Authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.
- 4.10 The Licensing Authority may recommend actions as good practice. Applicants are asked to give these recommendations serious consideration as adoption of best practices may be considered in the investigation of complaints if they arise in connection with the premises in the future.
- 4.11 The Licensing Authority, however, recognises that the licensing law is not the primary mechanism for the general control of nuisance, noise or anti-social behaviour particularly once individuals have left the vicinity of the licensed premises and therefore beyond the direct control of the individual, club or business holding the licence or certificate. However licensing controls and targeted enforcement should have a positive impact on the immediate vicinity of the licensed premises.
- 4.12 The Policy is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators, for example, the Gambling Act 2005, the Equality Act, The Clean Neighbourhoods and Environmental Act 2005, Health and Safety at Work, etc. Act 1974, Environmental Protection Act 1990, the Noise Act 1996 and the Regulatory Reform (Fire Safety) Order 2005, etc.
- 4.13 The Licensing Authority seeks to encourage the provision of a culturally diverse range of regulated entertainment within the district, particularly live music and dance that are accessible to all people.
- 4.14 The Licensing Authority has a duty under Article 8 of the European Convention on Human Rights to protect the rights of its residents to privacy and family life. The Council also acknowledges the rights of businesses in its area to operate, but this must be balanced against the rights of residents not to be disturbed by unreasonable noise and nuisance caused by licensed premises.
- 4.15 In drafting this Policy, the Licensing Authority acknowledges its duty under Section 17 of The Crime and Disorder Act 1998 in that the Council has a duty to exercise its functions with a due regard to the likely effect of the exercise of those functions on, and the need to do all that it can to prevent, crime and disorder in its area. In addition the Licensing Authority will seek to support strategies where they are allied to the Licensing Objectives such as National and Local Harm Reduction Strategies and any other relevant strategies and policies.

5 Conditions

- 5.1 The Licensing Authority is unable to refuse or impose conditions on applications where no relevant representations have been made. Relevant representations are those which relate to the effect of granting or varying the licence on the four licensing objectives. Where relevant representations have been made, the Licensing Authority will aim to facilitate negotiations/mediation between the applicant and Responsible Authorities and any other person to establish whether mutually agreed amendments to the application can result in the representation being withdrawn. If negotiations/mediation proves unsuccessful the Licensing Authority will convene a hearing and where necessary take steps that are appropriate and proportionate to promote the four licensing objectives. This may result in the grant or refusal of the application or the imposition of conditions.
- 5.2 Where conditions are imposed at a licensing hearing, they shall be appropriate and proportionate and shall be tailored to the size, style, characteristics and activities that take place at the premises concerned. However, the Licensing Authority accepts that Responsible Authorities may suggest conditions following negotiation with the applicant when completing their Operating Schedules.
- 5.3 In addition, conditions imposed by a Licensing Authority shall be precise and enforceable, clear in what they intend to achieve, shall not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation, shall not replicate offences set out in the 2003 Act or other legislation, shall be justifiable and capable of being met and shall focus on matters which are within the control of the individual licence holders and not seek to manage the behaviour of customers once they are beyond the direct management of the licence/certificate holder and their staff.
- 5.4 The Licensing Authority recommends that conditions volunteered in the Operating Schedule should be:
- appropriate for the promotion of the licensing objectives;
 - proportionate and enforceable;
 - consistent and not conflicting;
 - relevant, clear and concise; not duplicate other legislation; and
 - expressed in plain language capable of being understood by those expected to comply with or enforce them.
- 5.5 The Licensing Authority when preparing the licences/certificates will not simply replicate the wording from an applicant's Operating Schedule but will interpret conditions in accordance with the applicant's overall intentions.
- 5.6 Applicants are advised before completing their Operating Schedule to seek guidance on the framework for writing conditions in their Operating Schedules. Guidance is available from the Council.
- 5.7 The Licensing Authority recognises that in accordance with Section 43 of the Regulatory Reform (Fire Safety) Order 2005, any conditions imposed by the Licensing Authority that relate to any requirements or prohibitions that are or could be imposed by that Order, shall have no effect. The Licensing Authority shall therefore not impose fire safety conditions where the Order applies.
- 5.8 In much the same way, the Indecent Displays (Control) Act 1981 prohibits the public display of indecent matter and the Licensing Authority shall therefore not seek to

impose conditions concerning such displays inside or outside the premises. The existing laws governing indecency and obscenity are adequate to control adult entertainment of this nature. However, the Licensing Authority shall, if it considers necessary in certain premises, consider attaching conditions following a hearing addressing the exclusion of minors.

- 5.9 Although it is accepted that licence conditions should not duplicate other statutory provisions, the Licensing Authority and licensees should be mindful of the requirements and responsibilities placed on them by other legislation.
- 5.10 Whilst the Licensing Authority encourages cultural activities and live music within the district it is also aware of the need to avoid measures that will deter live music when determining what conditions should be placed on licences/certificates, particularly those conditions that impose costs of a disproportionate nature. However, any adverse environmental impact that may arise from individual applications will also be taken into account when considering such applications. With regard to dancing, the Licensing Authority acknowledges the changes set out in the Policing & Crime Act 2009 related to lap dancing clubs and their re-classification as sexual entertainment venues.
- 5.11 With reference to the Protection of Children from Harm Licensing Objective, those conditions relating to the admission of children to any premises remain a matter for the individual licensee or club or person who has given a Temporary Event Notice (TEN). Venue operators may however volunteer prohibitions or restrictions in their Operating Schedules.
- 5.12 All relevant representations will be considered during the decision making process unless they are considered to be frivolous, vexatious, repetitious, or not in line with the four Licensing Objectives.
- 5.13 The Glossary at the back of this Policy sets out the licensable activities and relevant definitions surrounding the licensing process. If any member of the public is uncertain as to whether or not they require a licence or certificate they should contact Licensing Team, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT or e-mail the Licensing Authority on; licensing@selby.gov.uk.

6 Licensing Hours

- 6.1 With regard to licensing hours, when the Licensing Authority's discretion is engaged, it will consider each application on its own merit and shall not seek to impose predetermined licensed hours. Where there are no objections to those hours raised by Responsible Authorities or other persons on the basis of the promotion of the licensing objectives, the Licensing Authority will have no discretion but to grant the hours requested.
- 6.2 With regard to shops, stores and supermarkets, the Licensing Authority shall normally expect such premises to provide sales of alcohol for consumption off the premises at any time when the retail outlet is open for shopping unless representations raise reasons for restricting those hours, based on the licensing objectives.
- 6.3 The Licensing Authority recognises that in some circumstances flexible licensing hours for the sale of alcohol may help to ensure that concentrations of customers leaving premises simultaneously are avoided.

7 Early Morning Restriction Orders

- 7.1 The power conferred to licensing authorities to make, vary or revoke an Early Morning Restriction Order (“EMRO”) is set out in sections 172A to 172E of the Act. This power came into force on 31 October 2012 and the Government provided guidance as part of the S182 Guidance to Licensing Authorities. ~~Police Reform and Social Responsibility Act 2011 (“the PRSR Act”)~~This gives the Licensing Authority the discretion to restrict sales of alcohol in the whole or part of their area by introducing an ~~Early Morning Restriction Order (“EMRO”)~~ to restrict the sale or supply of alcohol between the hours of midnight and 6am to tackle high levels of alcohol-related crime and disorder, nuisance and anti-social behaviour.
- 7.2 The decision to implement an EMRO must be evidence based and the Licensing Authority must be satisfied that such an Order would be appropriate to promote the licensing objectives. Furthermore, the Licensing Authority shall consider the potential burden that would be imposed on premises licence/certificate holders.
- 7.3 As an EMRO is a powerful tool and a very stringent approach in tackling issues, the Licensing Authority will first consider whether other measures may address the problems and achieve the same goal. These could include:
- The use of a Cumulative Impact Policy (see Part 2 point 3);
 - Taking a robust joint agency approach to tackling problem premises;
 - Prior to reviewing a licence/certificate, meeting with the DPS and licence/certificate holder to ensure a Premises Improvement Plan is in place
 - Where this fails, reviewing Premises Licences/Certificates by the North Yorkshire Police or other Responsible Authorities;
 - Using other mechanisms to control the cumulative impact, e.g. planning controls;
 - Using other mechanisms to control noise and anti-social behaviour;
 - Using Closure Notices and Closure Orders;
 - Providing powers to designate parts of the local authority area as places where alcohol may not be consumed publicly;
 - Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
 - Provision of CCTV;
 - Provision of night marshals and street angels, introduction of a late night levy;
 - Reviews and Expedited Reviews of individual premises, etc.
- 7.4 The Licensing Authority would periodically review any active EMROs in order to ensure that it continues to be appropriate for the promotion of the licensing objectives. The applicant may be required to periodically submit evidence as part of this process to demonstrate that the EMRO is appropriate and achieving the goals and confirming that these cannot be achieved by alternative methods.

8 Late Night Levy

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

However, any decision in relation to the administration and design of the levy will be delegated to the Licensing Committee.

9 Representations

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

10 Reviews

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

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

11 Licensing Authority as a Responsible Authority

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

12 Health as a Responsible Authority

- 12.1 In 2012 the Police and Social Responsibility Act 2011 introduced Public Health as a responsible authority under the Licensing Act 2003. While the protection of public health is not a discrete licensing objective, it can permeate each of the licensing objectives to contribute to reducing health harms associated with alcohol. In terms of a Public Health challenge, the misuse of alcohol remains a significant national and local concern. The following key messages outline the national picture in relation to alcohol impact and licensing: Alcohol is more readily available and accessible than ever before. It is a prominent commodity in the UK marketplace, is widely used in numerous social situations and for many it's associated with positive aspects of life. However, there are currently over 10 million people drinking at levels which increase their risk of health harm. Among those aged 15 to 49 in England, alcohol is now the leading risk factor for ill-health, early mortality and disability and the fifth leading risk factor for ill health across all age groups.

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

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

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

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

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

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

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

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

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

North Yorkshire has a countywide alcohol strategy which recognises that we need to promote responsible safe drinking as the norm for those who use alcohol, while working together to reduce the alcohol misuse. Alcohol can have a wide range of negative impacts on health if consumed above the recommended levels; this

can have a range of consequences including hospital admissions and ultimately an increase in morbidity and mortality. The available data shows that for the population in Yorkshire and the Humber the main conditions for alcohol related admissions are hypertensive disease, mental disorders, cardiac arrhythmias and epilepsy.

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

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

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

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

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

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

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

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

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

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

The main findings for England:

- between 2015 to 2017 there were an estimated 58,200 new alcohol-related cancer registrations. This equates to approximately 19,400 new cancer cases each year
- the rate of new alcohol-related cancer has increased gradually between 2004 to 2006 and 2011 to 2013 for both males and females. However, since 2012 to 2014 there have been minor reductions in the incidence rate for both genders
- in 2017 to 2018 there were 164,857 premises across England licensed to sell alcohol
- the density of licensed premises largely mirrors population density, meaning London and the major cities have the greatest number of licensed premises per km²

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

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

The main findings for Selby:

Mortality rates

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

Compared with benchmark: Better Similar Worse Not compared

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

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

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

Compared with benchmark: Better Similar Worse Not compared

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

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

Hospital admissions

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

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

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

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

Admission episodes for alcohol-related conditions (Narrow) - Over 65s (Female) 2018/19				Directly standardised rate - per 100,000	
Area	Recent Trend	Count	Value	95% Lower CI	95% Upper CI
England	↑	37,586	679	672	686
Yorkshire and the Humber region	→	3,976	720	697	742
Barnsley	→	237	935	819	1,063
Craven	→	74	908	712	1,140
Wakefield	→	304	867	772	970
Selby	→	82	855	680	1,063
Sheffield	→	429	848	769	932
Rotherham	→	229	822	719	936
Harrogate	→	163	807	687	943
Doncaster	→	246	775	681	878
North Lincolnshire	→	149	774	654	909
York	→	158	737	626	863
Bradford	→	312	719	641	804
Kingston upon Hull	→	146	696	587	820
Scarborough	→	110	690	567	832
Richmondshire	→	41	680	488	923
North East Lincolnshire	→	118	678	561	813
Calderdale	→	142	667	562	787
East Riding of Yorkshire	→	299	633	563	709
Kirklees	→	256	608	536	688
Leeds	→	382	558	503	617
Ryedale	→	39	502	357	687
Hambleton	→	61	481	367	619

Alcohol-related conditions

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

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

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

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

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

Reducing Impact:

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

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

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

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

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

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

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

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

~~The PRSR Act has also introduced first-tier local authority Directors of Public Health from April 2013 or their equivalent as Responsible Authorities. It is expected that this Responsible Authority may be useful in providing evidence of alcohol-related health issues if the Council was considering either a cumulative impact policy or an early morning restriction order for example.~~

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

12.3 Health in North Yorkshire

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

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

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

13 Live Music Act

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

14 Minor Variations

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

15 Sexual Entertainment Venues (SEVs)

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

16 Children

- 16.1 With regard to the Protection of Children from Harm licensing objective, the Licensing Authority and this Policy recognises The Director of Children and Young People's Services at North Yorkshire County Council as the Responsible Authority competent to act in relation to this licensing objective. The Licensing Authority will give considerable weight to representations on child protection matters.

- 16.2 The Licensing Authority shall not seek to limit the access of children to any licensed premises unless it is necessary for the prevention of physical, moral or psychological harm. In all other cases it will be left to the discretion of the Licensee but the Licensing Authority shall expect that the licensee shall give full consideration of access by children at all times and ensure that there is a policy in place to promote this licensing objective.

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

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

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

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

- 16.3 Where there are concerns with regard to access of children the Licensing Authority will consult the Director of Children and Young People's Services. However, where the Licensing Authority's discretion is engaged it will judge the merits of each application before deciding whether or not to impose conditions limiting the access of children.
- 16.4 The following are examples of premises that are likely to raise concern and engage the Licensing Authority as a Responsible Authority to take action:
- Where entertainment or services of an adult or sexual nature are common thereby likely to undermine the licensing objectives;
 - Where relevant premises are known to allow unaccompanied children;
 - Where the applicant has described in the Operating Schedule that '*no adult or similar entertainment shall take place on the premises*' but intends to hold an event liable to compromise the protection of children from harm licensing objective;
 - Where there has been early indication and subsequent evidence of poor management of the premises leading to undermining of the licensing objectives;
 - Where the premises have a known association with drug taking or dealing;
 - Where the current staff have received convictions or cautions for serving alcohol to minors or where the premises has a reputation for underage drinking or failures in test purchasing;
 - Where there is a strong element of gambling on the premises;

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

PART 4

17 Licences & Certificates – General

- 17.1 New applicants and existing Licence/certificate holders are encouraged to take heed of the information contained within this Policy. In order to avoid potential

representations which generally delay an application, the Licensing Authority strongly recommends that prior to submitting their application applicants consult all Responsible Authorities, in particular North Yorkshire Police and the Environmental Protection team. In some cases, it may be advisable to consult 'other persons' as defined in the 2003 Act, for example a Town or Parish Council or neighbouring properties.

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

18 Immigration Matters

18.1 The commencement of the Immigration Act 2016 made it a requirement for licensing authorities to be satisfied that an applicant has the right to work in the UK. An application made by someone who is not entitled to work in the UK must be rejected.

18.2 Licences must not be issued to people who are illegally present in the UK, who are not permitted to work, or who are permitted to work but are subject to a condition that prohibits them from doing work relating to the carrying on of a licensable activity.

18.3 A premises or personal licence issued in respect of an application made on or after 6 April 2017 will lapse if the holders permission to live or work in the UK comes to an end.

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

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

19 Deregulation of Entertainment

19.1 The Legislative Reform (Entertainment Licensing) Orders 2014 and Deregulation Act 2015 deregulated some of the licensable activities under the 2003 Act in addition to the deregulation created by the Live Music Act 2012.

19.2 Some of the activities which may no longer require authorisation are;

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

2048 Wholesale Sales of Alcohol

2048.1 All sales of alcohol to members of the public, even in wholesale quantities, from any premises will require an authorisation. Any premises from which alcohol is supplied or sold will require either a premises licence, a club premises certificate or temporary event notice. There will need to be a designated premises supervisor for the premises if the authorisation is in the form of a premises licence.

2048.2 Sales made to other traders for the purposes of their trade will not be a licensable activity. Similarly, sales made to holders of premises licences, club premises certificates or personal licences will not be a licensable activity if the sale is for the purposes authorised by the premises licence or for the purposes of the qualifying club. Also exempt will be when alcohol is sold wholesale to premises users operating under a temporary event notice

2149 Mail Order supply of alcohol

2149.1 Where alcohol is sold to the public by mail order the premises or warehouse from which the alcohol is dispatch will require a licence.

220 Garages

220.1 With regard to the licensing of garages and/or filling stations Section 176 of the 2003 Act prohibits the sale or supply of alcohol from premises that are primarily used as a garage. The Licensing Authority must decide whether or not a premises is used primarily as a garage. The accepted approach is based on "intensity of use" to establish "primary use". For this reason, the Licensing Authority will expect an applicant to provide comprehensive statistical information with their application on the intensity of use to establish primary use.

220.2 Where there is insufficient evidence to establish primary use (e.g. where there is a new build) the Licensing Authority shall decide whether to deal with any issues

through enforcement action after the licence is granted or defer granting the licence until the primary use issue can be established to the Licensing Authority's satisfaction. R (Murco Petroleum Limited) v Bristol City Council 2010 addresses the issue of Licensing Authority's compelling applicants to answer questions and to supply relative turnover figures if requested to do so. The Licensing Authority's role is not merely adjudicatory; it may also take a more inquisitorial stance.

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

220.4 In addition, the Licensing Authority encourages local Town and Parish Councils to seek Premises Licences for land or buildings under public ownership within the community.

234 Late Night Refreshment

234.1 It is recognised that the provision of late night refreshment forms an important part of the district's late night economy. As such where late night refreshment is provided between the hours of 11pm and 5am applicants must demonstrate in their Operating Schedule how they will promote the four Licensing Objectives, particularly with regard to the Prevention of Crime and Disorder and the Public Nuisance Licensing Objectives.

234.2 Where an applicant wishes to sell alcohol either on or off the premises in such an establishment or provide an alcohol delivery service, the Licensing Authority recommends that the Operating Schedule sets out specific measures to ensure the prevention of Crime and Disorder and Public Nuisance in the vicinity of the premises. Existing premises that seek to provide an alcohol delivery service are expected to notify the Licensing Authority that they are operating such a service setting out specific measures they intend to take to promote the licensing objectives.

234.3 Where a delivery service is operated from these premises extra care must be taken by the operator with regard to compliance/breach of licensing hours. For example, a pizza order must be capable of reaching the customer at the delivery address by no later than the end of the permitted hours.

234.4 The Licensing Authority recommends takeaways and late night refreshment houses have a responsible policy for regularly clearing litter from outside their premises whilst the premises are open and at the end of the working day. Such a policy could also include notices displayed advising customers to use the bins provided.

242 Mobile Premises

242.1 Where licensable activities take place in mobile vehicles, a Premises Licence will be required for the land upon which the vehicle operates. The application must specify the pitch from where trading is to take place. The premises licence will be in addition to any street trading licence or consent that may be required. Where a street trading licence or consent is in force it may have more onerous conditions than the premises licence in which case the licensee will be expected to abide by the more onerous conditions.

242.2 As this type of premises is likely to cause people to congregate, the Licensing Authority will expect applicants to demonstrate specific measures to prevent Crime and Disorder, prevent Public Nuisance and promote Public Safety.

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

253 Gaming Machines

253.1 Where licensed premises intend to provide more than two Category C or D gaming machines, the Licensing Authority will hold a licensing hearing to determine the application for an alcohol-licensed premises gaming machine permit.

253.2 Compliance within the Gambling Commission's Codes of Practice relating to gaming machines on licensed premises is mandatory.

PART 5

264 Personal Licences

264.1 Where a Premises Licence authorises the supply of alcohol, every supply of alcohol must be made or authorised by a Personal Licence Holder. Whilst this does not mean that the Personal Licence Holder must be present at every sale of alcohol or directly supervise each sale, authorisation should be meaningful and properly managed.

264.2 The Licensing Authority advises that it is good practice for the Personal Licence holder to give specific written and dated authorisation to individuals to demonstrate due diligence. Whilst the Designated Premises Supervisor ("the DPS") and Personal Licence Holder may authorise sales in their absence, they still remain responsible for those sales. Similarly, the Premises Licence Holder also remains responsible for ensuring that the licensing law and conditions are complied with at that premises.

264.3 Where a community premises applies for an exemption from the requirement to have a DPS, the Licensing Authority must be satisfied that arrangements for the management of the premises by their Committee or Board of individuals are sufficient to ensure the adequate supervision of the supply of alcohol on the premises. The applicant will be required to set out how the premises is managed, its committee structure and how the supervision of alcohol sales are conducted. Copies of the Constitution and other management documents must be submitted. The management committee is strongly encouraged to notify the Licensing Authority if there are any key changes in the committee's composition as this committee will collectively be responsible for ensuring compliance with licence conditions and licensing law. Where management arrangements are unclear, the Licensing Authority may seek further details to confirm that the management board or committee is properly constituted and accountable. While overall responsibility lies with the management committee where premises are hired out, the hirer will be clearly identified as having responsibilities falling within their control. Community premises are encouraged to check with the Licensing Authority before making any application.

- 264.4 Where a Premises Licence is in force authorising the supply of alcohol, a DPS will need to be nominated. The main purpose of the DPS is to ensure that there is always one specified individual who can be readily identified by Responsible Authorities as the individual who has day-to-day responsibility for running the business and who can therefore ensure that any problems are dealt with swiftly. As such the DPS will occupy a pivotal position. Experience has proved that in some cases the Premises Licence Holder has employed a DPS who is remote from the premises and therefore not involved in the day-to-day running of that premises. In these cases where there is no individual readily identifiable by Responsible Authorities, the Licensing Authority will therefore pay particular attention to those premises where the DPS is remote and not the person responsible for the daily running of the premises.
- 264.5 Whilst the Licensing Authority recognises that a DPS may supervise more than one premises, the DPS must be able to ensure that the four Licensing Objectives are promoted and that the licensing law and licensing conditions are complied with. Where the DPS is not available at the premises for whatever reason, the Licensing Authority recommends a responsible individual is nominated who can deal with matters in the absence of the DPS. In addition, the Licensing Authority recommends that a notice is displayed prominently indicating the name and position of that nominated person. Whenever alcohol is to be sold it is recommended that written and dated consent be given to that nominated person.
- 264.6 Applicants for Personal Licences with relevant unspent criminal convictions are required to notify the Licensing Authority of the nature of those convictions upon application. In such cases, the Licensing Authority will advise North Yorkshire Police and, where an objection is received on crime prevention grounds, a hearing will be held to determine whether or not a licence should be granted.
- 264.7 Where a Personal Licence holder appears before a magistrates' court for a relevant offence, the Licence holder must produce his licence to the court at the first hearing or provide the court with a valid reason why they are unable to produce that licence. The magistrates and/or the crown court will then decide on what action, if any, to take.
- 264.8 Where an applicant for a Personal Licence is convicted of a relevant offence as listed in the Licensing Act 2003, the applicant is required to advise the Licensing Authority as soon as is reasonably practicable so that the Licence can be amended.
- 264.9 Experience has indicated that a number of Personal Licence Holders have failed to produce their Personal Licence to the court in accordance with Section 128 of the 2003 Act. The Licensing Authority views this at best as negligent and at worst placing the public at risk as some of the offences have been serious. In view of this the Licensing Authority will take appropriate action against those who continue to fail to notify the courts and provide notification of their change of address in accordance with their statutory duty.
- 264.10 All offences under the Licensing Act 2003 are considered summary offences that normally have to be prosecuted within 6 months of the offence. However, by virtue of Section 186(3) the time limit for the laying of information has been extended from 6 months to 12 months from the date of the offence.

PART 6

275 Temporary Event Notices

- 275.1 The Licensing Act 2003 provides for a light touch authorisation by way of a TEN under which any person (the premises user) may submit a notification to the Licensing Authority to conduct licensable activities on a temporary basis.
- 275.2 A TEN may be given for part of a building such as a single room within a village hall, a plot within a larger area of land or a discrete area within a marquee, as long as the Notice clearly describes the area where the event is to be held.
- 275.3 Although premises users are not required to be on the premises for the event, they will remain liable for any offences that may be committed at the premises whilst the TEN is in place.
- 275.4 As a TEN does not relieve the premises user from any requirements under other regulatory regimes, the Licensing Authority recommends the user contact the Planning Authority, Highways and any other relevant authority well in advance of the event to ensure any other permissions are in place.
- 275.5 It is strongly recommended to avoid the potential of police objections to contact the North Yorkshire Police Licensing Officer and the Environmental Protection Team prior to the submission of the TEN and outline any measures in place to promote the Crime and Disorder and Prevention of Public Nuisance Licensing Objectives.
- 275.6 For larger scale or outdoor events, the Licensing Authority encourages event organisers to seek advice from the Safety Advisory Group in advance of submitting their application. The group will be able to offer local advice on other legislative requirements, such as health and safety issues, road closures, the use of pyrotechnics, local byelaws, etc. along with the need to prevent anti-social behaviour.
- 275.7 The Licensing Authority accepts that there is now a provision for a late TEN to be submitted. These must be received no later than 5 working days (not including the date of receipt of the notice or the date of the event) prior to the event. If objections are received to a late TEN a Counter Notice will be issued and the event will not be allowed to take place.
- 275.8 Event organisers are advised to submit their TEN to The Police Licensing Officer, North Yorkshire Police Headquarters, The Licensing Section, Fulford Road, York, YO10 4BY In addition, event organisers are advised to submit their application to the Licensing Authority and the Environmental Protection Team on a weekday and in any event before 12 midday on a Friday in order to ensure a quick, efficient and timely response.
- 275.9 Temporary Event Organisers are advised to submit their TENS well before the date of the event and in any event, must submit their notifications to the Licensing Authority in accordance with the number of working days currently specified in Regulations. When serving notices, organisers should serve the notice on the Licensing Authority, Police and Environmental Health at the same time. This then ensures that the Responsible Authorities have sufficient opportunity to consider the notice in line with the Prevention of Crime and Disorder and Prevention of Public Nuisance Licensing Objectives.
- 275.10 It is a legal requirement for all organisers to assess the Health and Safety and Fire Risk associated with their event and document any significant findings. If guidance is required it should be sought from an independent specialist. Guidance on how to conduct such risk assessments may be obtained from the relevant enforcing authority. In any event, the Licensing Authority will notify the Fire Authority of all TENS submitted so that the Fire Authority can provide advice to event organisers if necessary. Members of the Safety Advisory Group will also be notified of all TENS for similar

reasons. Organisers are recommended to give thought to the provision of first aid at such events. It should be noted that if the Fire Authority is of the opinion that the use of premises/venue involves, or will involve, a risk to relevant persons so serious, including anything affecting their escape from the premises in the event of fire, the Fire Authority may prohibit or restrict premises use without notice.

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

PART 7

286 Club Premises Certificate

286.1 In order for a qualifying club to supply alcohol and provide other licensable activities on Club premises, a Club Premises Certificate is required. Qualifying conditions are specified in section 62 of the 2003 Act and the Licensing Authority must be satisfied that these conditions have been met, including evidence to support the fact that the Club is non-profit making. Additional information is available from the Council and in Guidance Notes.

286.2 The Licensing Authority will require the Club to produce an Operating Schedule evidencing how it will promote the four Licensing Objectives. The Operating Schedule will form part of the Club Premises Certificate.

286.3 Where a Club intends to open its premises to the general public, the Licensing Authority recommends a Temporary Event Notice or Premises Licence. Whilst there is no definition of 'guest' within the Licensing Act 2003, the term may include a wide variety of people who are invited by the Club. The manner in which they are admitted as 'guests' would be for the Club to determine and set out in its Club Rules. Where the point is reached that a Club is providing commercial services to the public it will no longer be considered to be conducted in good faith and would therefore no longer meet General Condition 3 in Section 62 of the Licensing Act 2003. Where the Licensing Authority considers a club has ceased to operate in good faith, it will give the Club notice withdrawing their Club Premises Certificate. The Club shall be entitled to appeal this decision and where the appeal is not successful; the Club will be required to apply for a full Premises Licence.

286.4 The Licensing Authority will require the Club Secretary's contact details to be readily available in the event of an emergency.

PART 8

297 Operating Schedule

- 297.1 The Operating Schedule is a key part of the application form whereby applicants may volunteer appropriate conditions to demonstrate compliance of the licensing objectives by describing the steps they intend to take to promote these objectives. These volunteered conditions will then form conditions on the Premises Licence or Certificate. In completing an Operating Schedule, applicants are expected to have regard to this Policy.
- 297.2 The Licensing Authority encourages applicants and existing operators to plan ahead to meet their legal responsibilities under the Equality Act 2010. In addition, applicants are expected to include positive proposals in their Operating Schedule on how they will manage any potential risks. Where their operation is within a cumulative impact area, they will be expected to demonstrate how the operation of their premises will not add to the cumulative impact already being experienced in that area.
- 297.3 Premises Licence and Club Premises Certificate applicants may wish to refer to their Fire Safety and Health and Safety risk assessments that they will have conducted. Applicants are advised to seek the views of independent professional experts in relation to the preparation of these risk assessments. Where a maximum occupancy is set, applicants are advised to have an appropriate method in place to monitor the numbers of people entering and exiting the premises.
- 279.4 In completing their Operating Schedule the Licensing Authority suggest an applicant considers the following:

General

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

Prevention of Crime and Disorder

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

Public Safety

- Health and Safety and Fire Safety risk assessments and staff training
- Safeguarding measures
- Use of CCTV in and around the premises
- Safe capacities and monitoring procedures
- Provision of local taxi companies who can provide safe transportation home

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

Prevention of Public Nuisance

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

Protection of Children from Harm

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

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

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

29.7 Where a premises plans to hold a large event, the event organiser should contact the Safety Advisory Group in the first instance, which is co-ordinated by the Local Authority and made up of representatives from the Local Authority, emergency services and relevant bodies. This is a forum for discussing and advising on public safety at an event. They aim to help organisers with the planning, and management of the event and to encourage cooperation and coordination between the relevant agencies. Please contact: sag@selby.gov.uk

PART 9

3028 Enforcement

3028.1 With regard to enforcement action the Licensing Authority will take a stepped approach to enforcement in line with the Enforcement Policy.

3028.2 The Licensing Authority will use a multi-agency approach to ensure the premises complies with the licensing laws and promotes the licensing objectives. This includes the sharing of relevant information about premises and licence holders and may include making copies of all written correspondence between the Licensing Authority and the licence holder available to Responsible Authorities

3028.3 The Licensing Authority may seek to meet with the licence or certificate holder and/or DPS working closely with them and relevant Responsible Authorities in implementing a Premises Improvement Plan as an alternative to formal action where appropriate.

3028.4 Where the premises does not comply with an agreed Improvement Plan and continues to breach the licensing laws and/or licence conditions, the Licensing Authority will consider further sanctions, either by way of a review, formal caution, prosecution or serving of a ~~s19~~ Closure Notice under the Anti-Social Behaviour Crime and Policing Act 2014. Should a magistrate issue a Closure Order the police or the Council may request a review of the licence. In any event, the Licensing Authority will have regard to the Regulators' Code and the Enforcement Concordat together with the Council's own Enforcement Policy.

3028.5 However, where the premises continues to flout the law, act irresponsibly, or serious issues are identified firm action will be taken that may include immediate prosecution, particularly where the licensing objectives have been undermined.

3028.6 Enforcement action will be:

- Targeted toward those premises presenting the highest risk;
- Proportionate to the nature and seriousness of the risk those premises present;
- Consistent, so that the Licensing Authority takes similar approaches in similar situations;
- Transparent, so those who are subject to enforcement action know what to expect; and
- Accountable so that the Licensing Authority and its officers take responsibility for their actions.

3028.7 In order to ensure compliance with the law and licensing conditions, the Licensing Authority will carry out with North Yorkshire Police whenever possible unscheduled 'non routine' ~~evening~~ inspections. After 164h visit the DPS and licence or certificate holder will be notified of any concerns and be given an opportunity to rectify any

issues. Where one off events take place, the Licensing Authority may also carry out inspections to ensure the Licensing Objectives are promoted.

3028.8 In addition, the Licensing Authority will conduct checks to ensure that official notices for new applications, varied applications, reviews and minor variations are accurate and clearly displayed. Notices for reviews shall be displayed at or near the site of the premises, and where there are concerns these shall be regularly checked and recorded.

3028.9 The licence/certificate holder is required to ensure that the Premises Licence/Club Premises Certificate, or certified copy of that licence or certificate, is kept at the premises and in the custody, or under the control of, either the licence/certificate holder or a person who works at the premises and whom the licence holder has nominated in writing to have custody of that licence. In addition, the 2003 Act requires that a summary, or certified copy, is prominently displayed at the premises together with a notice specifying the name of the person nominated to have custody of the licence. Experience has proved that a number of licensees/certificate holders are not aware of this legislative requirement. With regard to enforcement, where a premises does not display the licence summary or does not have the licence/certificate, or certified copy, on the premises, then the Licensing Authority will write to the licence/certificate holder giving them an initial warning prior to taking any legal action. Continued failure will result in further sanctions being taken as outlined above.

3028.10 Any decision to instigate legal proceedings will take account of the criteria set down in the Code for Crown Prosecutors and Attorney General Guidelines.

3129 Fees: Annual Licence Fees

3129.1 The PRSR Act gives the Licensing Authority the power to suspend a licence or certificate if the holder fails to pay the annual licence fee promptly in accordance with the invoice. Where the licence/certificate holder fails to pay the annual fee when due the Licensing Authority will notify the licence/certificate holder in writing specifying the date on which the suspension takes effect. This date will be two working days after the day the Licensing Authority has given the licence/certificate holder such notice. The Licensing Authority will work with North Yorkshire Police and appropriate action will be taken when the premises continues trading whilst suspended.

3129.2 Where the licence/certificate holder has paid the annual fee the Licensing Authority will lift the suspension and inform North Yorkshire Police accordingly.

PART 10

320 Licensing Committee

320.1 Decisions on all licensing matters shall be taken in accordance with an approved scheme of delegation. This is aimed at underlining the principles of timely, efficient and effective decision-making.

320.2 The Licensing Committee will consist of 10 Members. The Licensing Sub-Committee will conduct any Hearings required under the 2003 Act.

320.3 Applications for Premises Licences, Club Premises Certificates or Temporary Event Notices where relevant representations have been received and not withdrawn will be dealt with by a Licensing Sub Committee unless such representations are considered irrelevant, frivolous or vexatious or unless the Licensing Authority, the applicant and everyone who has made representations agree that a hearing is not necessary.

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

PART 11

334 Administration, Exercise and Delegations of Functions

334.1 The 2003 Act provides that the functions of the Licensing Authority, including all its determinations, are to be carried out by its Licensing Committee with the exception of the preparation of this Policy. Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Licensing Committee has delegated certain decision and functions and has established Sub Committees to deal with them.

334.2 Officers have delegated powers to deal with all the Licensing functions of the Licensing Authority save for those where the Act specifically reserves the powers only to the Licensing Committee or to the full Council.

334.3 The table at Appendix 1 sets out the agreed delegation of decisions and functions to the Licensing Committee, Licensing Sub Committees and authorised officers.

334.4 The Licensing Committee has approved its own rules relating to the procedure of hearings by the Licensing Sub Committee under the Licensing Act 2003.

342 The role of District Councillors

342.1 The Licensing Authority recognises that District Councillors play an important role in the local community. They may make representations in writing and speak at the hearing on behalf of any other person such as a local resident or business if specifically asked to do so. They can also make representations in their own right if they have concerns about premises.

342.2 Residents or businesses may wish to contact their local District Councillor in respect of a licence/certificate application. Details of how to contact District Councillors may be obtained from the Council's website. Where a resident or business seeks the assistance of a District Councillor it is helpful if they can send them any evidence that a premises is causing a problem in the area. It is also helpful if a resident or business that makes a representation on an application to send a copy of their representation to the relevant District Councillor. This then helps them to gain an understanding of local feelings.

342.3 District Councillors may attend hearings of licensing sub committees considering applications and speak on behalf of local residents and businesses, but only if:

- They have made a personal representation;
- They have made a representation on behalf of local residents or business as ‘community advocates’
- They have been nominated by (an objector) who cannot attend the hearing or prefers to be represented at the hearing.

~~342.4~~ District Councillors may however attend a hearing as an observer or as part of training for the Licensing Committee.

~~342.5~~ District Councillors wish to be kept informed of licensing related matters within Selby District, such as applications and reviews. The 2003 Act does not prevent Licensing Authorities from providing this information to Councillors, for instance by way of regular updates, as long as it is done in a neutral way that could not be seen as “soliciting” representations. Elected members will be signposted to the Councils Website where all current application/review notices can be viewed.

PART 12

~~353~~ Appeals against Licensing Authority decisions

~~353.1~~ Following a hearing of an application by the Licensing Authority, the applicant or any objector has the right to appeal against that decision to York Magistrates’ Court within 21 days. In hearing an Appeal against the Licensing Authority’s decision, the court will have regard to this Policy and the Guidance issued under Section 182 of the Licensing Act 2003. However, the court would be entitled to depart from both of these documents if it considers it justified so to do.

~~353.2~~ Where an appeal has been lodged against a decision of the Licensing Authority, the Licensing Authority will in all cases be the respondent to the appeal and may call as witnesses any other person or Responsible Authorities who made representations against the application if it so chooses. In addition, and provided the court considers it appropriate, the Licensing Authority may also call as witnesses any individual or body it considers may assist in their response to an Appeal.

PART 13

~~364~~ Complaints against licensed premises

~~364.1~~ Where the Licensing Authority receives complaints against a licensed premises, complainants are advised in the first instance, whenever possible, to raise their complaint directly with the licensee in order to resolve the matter. The Licensing Authority, however, recognises that it is not always possible or practical for the public to raise complaints directly with the licensed premises. In such circumstances complaints in the first instance should be addressed to: The Enforcement Team, ~~Lead Officer of Enforcement~~ Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT; or email the Council at info@selby.gov.uk.

~~364.2~~ Complaints will be dealt with in a timely and efficient manner.

~~364.3~~ It is expected that all noise-related complaints are initially raised with the Council’s ~~Community Officers~~ Environmental Health Team and complaints regarding unlicensed activities and operating ~~Page 167~~ permitted hours are raised with the Licensing Authority or Police Licensing Officer.

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

37 Other Relevant Legislation, Information and Guidance Legislation

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

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

- [The Health Protection \(Coronavirus, Restrictions\) \(England\) Regulations 2020 - made in response to the serious and imminent threat to public health resulting from COVID- 19 \(SARS-CoV-2\) in England.](#)
- [The Modern Slavery Act 2015](#)
- [A reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time.](#)
- [A reference to a statute or statutory provision shall include all subordinate legislation made from time to time under that statute or statutory provision.](#)

Information and Guidance Documents

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

Appendix 1 – DELEGATION OF FUNCTIONS

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

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

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

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

Appendix 2 - LICENSING ACT 2003 GLOSSARY

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

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

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

Responsible Authorities	<p>This group can make relevant representations and includes public bodies such as:</p> <ul style="list-style-type: none"> • Relevant Licensing Authority • North Yorkshire Police (Chief Officer of Police) • Children and Young People’s Service • North Yorkshire Fire & Rescue Authority • North Yorkshire Trading Standards • The Local Enforcement Agency for the Health and Safety at Work, etc. Act 1974 • The Local Authority Environmental Health Service • North York Moors Planning Authority/Local Authority Planning Service • <u>each local authority’s Director of Public Health (DPH) in England⁴ and Local Health Boards (in Wales); Primary Healthcare Trust (or its equivalent)</u> • <u>Home Office Immigration Enforcement (on behalf of the Secretary of State).</u> • Maritime and Coastguard Agency (if applicable)
Safety Advisory Group	<p>Safety Advisory Group – a group of officers from the Council’s Enforcement team, Highways, Police, Fire, Ambulance, Health and Safety, Emergency Planning formed to offer advice to applicants on carrying out events either under a TEN or a restricted Premises Licence</p>
Special Policy	<p>A policy contained within the Statement of Licensing Policy to deal with cumulative impact.</p>
Temporary Events Notice (TEN)	<p>A Notice served on the Licensing Authority for the temporary carrying on of the sale of alcohol, provision of regulated entertainment or late-night refreshment at a premises not authorised by a Premises Licence or Club Premises Certificate. This Notice is subject to certain limitations as laid down by the Licensing Act 2003.</p>
TEN – 10 working days’ notice	<p>10 working days <u>exclusive</u> of the day on which the event is to start <u>and</u> exclusive of the day on which the Notice is given to the Licensing Authority.</p>
Types of Authorisation	<ul style="list-style-type: none"> • Premises Licence • Club Premises Certificate • Personal Licence • Provisional Statement • Temporary Events Notice
Vexatious Representation	<p>A representation may be considered vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification.</p>
Vicinity	<p>A term which has been removed from the Licensing Act 2003 by the Police Reform and Social Responsibility Act 2011. Previously, the Licensing Authority in making their initial decision on the question of vicinity had to consider whether the individual’s residence or business is likely to be directly affected by disorder and disturbance occurring on those premises.</p>

Appendix 3 – RESPONSIBLE AUTHORITY CONTACT LIST

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

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

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

~~The Licensing Team
Selby District Council
Civic Centre
Doncaster Road
Selby
YO8 9FT~~

~~Tel: 01757 705101
Fax: 01757 292229
e-mail: licensing@selby.gov.uk~~

~~**Please note the Licensing Authority is also a
Responsible Authority in its own right (see below)**~~

~~**North Yorkshire Police**~~

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

~~Tel: 01904 669498
e-mail: nyplicensing@northyorkshire.pnn.police.uk~~

~~**North Yorkshire Fire & Rescue Authority**~~

~~North Yorkshire Fire and Rescue Authority
Chief Fire Officer
Fire Brigade Headquarters
Crosby Road
Northallerton
North Yorkshire
DL6 1AB~~

~~Health & Safety Enforcement for all Local Authority/County Council-owned
and operated premises~~

~~The Operations Manager
Health & Safety Executive
The Lateral
8 City Walk
Leeds~~

~~Tel: 0113 2834200
Fax: 0113 2834382~~

~~LS11 9AT~~

~~**Social Services**~~

~~Director of the Children and Young People's
Service North Yorkshire County Council Children
and Young People's Service Room 122~~

~~County Hall _____ Tel: 01609 780780
Northallerton
DL7 8AE~~

~~**Trading Standards**~~

~~North Yorkshire Trading Standards
Unit 4/5, Block B _____ Tel: 01609 760616
Thornfield Business Park
Standard Way
Northallerton
DL6 2XQ~~

~~**Director of Public Health**~~

~~Director of Public Health, _____ Tel: 01609 780780
North Yorkshire County Council,
County Hall,
Northallerton
DL7 8AD~~

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

The main findings for England:

- between 2015 to 2017 there were an estimated 58,200 new alcohol-related cancer registrations. This equates to approximately 19,400 new cancer cases each year
- the rate of new alcohol-related cancer has increased gradually between 2004 to 2006 and 2011 to 2013 for both males and females. However, since 2012 to 2014 there have been minor reductions in the incidence rate for both genders
- in 2017 to 2018 there were 164,857 premises across England licensed to sell alcohol
- the density of licensed premises largely mirrors population density, meaning London and the major cities have the greatest number of licensed premises per km²
- there is an ongoing downward trend in alcohol consumption among those aged under 16. However, by the age of 17, half of all girls and almost two thirds of boys report drinking alcohol every week
- young White populations are much more likely to drink than those from a Black and Minority Ethnic group background.
- young people in the least deprived areas are more likely to drink and more likely to drink regularly at the age of 15
- hospital admissions for alcohol-specific conditions, particularly intoxication, are declining the under 18s
- girls are more likely to be admitted to hospital for alcohol-specific reasons than boys, and are

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admitted at younger ages

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

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

The main findings for Selby:

Mortality rates

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

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

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

Alcohol-specific mortality (Male) 2016 - 18

Directly standardised rate - per 100,000

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

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

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

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

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

Hospital admissions

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

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

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

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Compared with benchmark: Better Similar Worse Not compared

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

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

Alcohol-related conditions

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

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

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

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

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

Reducing Impact:

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

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

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

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	<p>(for women) or 50 units/week for men. The website contains many helpful hints, tips and links to useful information. http://wakeupnorthyorks.co.uk/about-wake-up/</p> <p>Going forward it is important that we work together to further prevent:</p> <ul style="list-style-type: none"> • Sales to those who are intoxicated • Non-compliance with any other alcohol licence condition • Irresponsible drinks promotions and illegal imports of alcohol • Alcohol related Road Traffic Accidents <p>And that we continue to work, invest and have a positive impact on:</p> <ul style="list-style-type: none"> • Influencing where and when alcohol is sold • Enforcing laws on underage sales • Ensuring licensed premises operate responsibly and collaborate to reduce alcohol-related crime
	<p>Response: The above has been updated in section 12.1</p>

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Report Reference Number: E/20/14

To: Executive
Date: 3 September 2020
Status: Key Decision
Ward(s) Affected: Whole District
Author: Peter Williams –Head of Finance
Lead Executive Member: Cllr C Lunn – Lead Member for Finance & Resources
Lead Officer: Karen Iveson - Chief Finance Officer

Title: Financial Results and Budget Exceptions Report to 30th June 2020

Summary:

Covid-19 has had a substantial impact on this financial year, and we have been reporting monthly to MHCLG and the Executive the estimated impacts of this on our income streams and cost base, affecting both the General Fund and the HRA.

At the end of Q1, taking into account Covid-19 and other issues, current estimated full year revenue outturn estimates indicate deficits of £1,164k for the GF and £374k for the HRA. The key variances are highlighted in the report with further detail in Appendix A.

General Fund planned savings are showing a forecast shortfall of £603k whilst the HRA is forecasting savings to be £195k lower. Much of this relates to staff capacity at the Council to deliver savings this year where Covid-19 has led to a requirement for additional resources to deal with backlogs where otherwise savings would have been expected to be made. There have been delays to negotiations on the environmental contract negotiations plus Covid-19. Appendix B has additional details of the programme.

The capital programme is currently forecasting an underspend of (£9,329k); (£3,641k) GF and (£5,688k) HRA. In the General Fund, the majority relates to loans to the Housing Trust and the purchase of land whilst the HRA variance is due to much lower expected spend on the housing development and property improvement programmes in this financial year. Headlines can be found in the report below with a more detailed analysis in Appendix C.

Programme for Growth projects continue, but progress in terms of financial spend has been mostly staff cost in quarter 1. Project by project progress is shown in Appendix D.

The MHCLG return submitted for July indicates an overall estimated gross impact on Council finances of £3,759k across both the General Fund and HRA.

Recommendations:

Recommendations:

It is recommended that:

- i) The Executive endorse the actions of officers and note the contents of the report;
- ii) The Executive approve re-profiled capital programmes and Programme for Growth as set out at Appendices C and D.

Reasons for recommendation

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

1. Introduction and background

- 1.1 The revenue budgets and capital programmes were approved by Council on 22 February 2020, this report and associated appendices present the financial performance as at 30 June 2020 against these budgets.
- 1.2 From late March 2020, the country entered a period of lockdown as a result of the Covid-19 pandemic. This resulted in staff immediately moving to work from home, suspension of committee and Council meetings, and resources diverted towards the Council's response.
- 1.3 During quarter 1, the Council has administered over £18m in emergency grants for businesses, council tax hardship funds, provided business support and assisted communities to reopen. This increase in workload has put pressure on capacity to deliver the planned expenditure programmes.
- 1.4 The estimated financial impacts for the year as a result of Covid-19 have been recorded in monthly returns to the Ministry for Housing, Communities and Local Government (MHCLG). Estimating the impacts has been challenging as there are many uncertainties. Looking ahead there is the risk of further lockdowns and post Covid-19 impacts on income streams, service backlogs and delays to savings plans as well as the potential for rising costs. Accordingly, 'worst' and 'best' case scenarios have also been modelled to help understand the potential breadth and depth of the issues.
- 1.5 The main report below contains the mid-range forecast to reflect the current estimated impacts in 2020/21. This will form the basis of a revised budget and Medium Term Financial Strategy which will go to Full Council for approval on the 22nd September.

2. Main Report

General Fund Revenue

- 2.1 Latest forecasts show a £1,164k deficit. For the General Fund the forecasted impacts of Covid-19 total £2,625k in 2020/21 (per July MHCLG return). Central Government grants have been received to help mitigate some of the losses, with (£1,067k) received as Covid-19 support grants and a further (£130k) new burdens funding to assist with the administration of the Covid-19 grant schemes. There are also, a small number of in year savings forecast at Q1.
- 2.2 In addition, the Council has received (£18,400k) of funding for the provision of business grant schemes on behalf of the Government, as well as (£524k) of funding for council tax hardship. The majority of this funding has been paid out already and it is anticipated all of this will be paid out in the financial year.
- 2.3 The table below shows the summary position at the end of June 2020. The revised budget contains 2019/20 carry forwards. The supplementary estimates reflect the decisions taken under urgency rules to fund the suspension of car parking income and industrial unit rents from the business rates equalisation reserve. Full details of forecast variances against budget are set out at Appendix A.

General Fund Account Q1 2020/21	Revised Budget	Supplementary Estimates	Latest Approved Budget	Forecast	Forecast Variance
Corporate Services & Commissioning	6,147	208	6,355	6,793	438
Economic Regeneration & Place	3,603	0	3,603	4,160	557
Corporate / Finance	(958)	0	(958)	(1,537)	(579)
Legal & Democratic Services	878	0	878	1,023	145
Contingency	198	0	198	198	0
Net Service Expenditure	9,868	208	10,076	10,637	561
Contribution to / from reserves	0				
Other Accounting Adjustments	9,060	(208)	8,852	8,852	0
Council Tax	(979)	0	(979)	(979)	0
Business Rates & Associated Grants	(5,861)	0	(5,861)	(5,861)	0
Collection fund Deficit / (Surplus) Share	(2,382)	0	(2,382)	(2,382)	0
Collection fund Deficit / (Surplus) Share	(9,093)	0	(9,093)	(9,093)	0
Shortfall / (Surplus)	614	0	614	1,175	561
Budget Savings Left to Deliver					
Budget Savings Left to Deliver	(614)		(614)	(11)	603
Net Revenue Budget	0	0	0	1,164	1,164

- 2.4 The main forecasted variances against the General Fund are:

- £375k on planning due to reduced applications and future economic risk impacting on application numbers for the rest of the year;
- £166k additional staffing and legal support on planning and enforcement needed to deal with service backlogs;
- £323k reduction in income from leisure facilities. This reflects a full year position, whilst the leisure centre has just reopened the Summit has the potential to remain closed for the remainder of the year;

- Free car parking facilities have been provided until mid-September, plus an assumed additional 10% reduction in footfall for the remainder of the year - £181k;
- £99k reduction in rental income from general fund properties due to Covid-19. This includes industrial units which have been provided with a rent-free period for the first three months and a shortfall in income from the office space due to no room bookings this year;
- £55k reduction in land charges due to reduced demand for services, as a result of Covid-19;
- £217k of other service income reductions as a result of Covid-19, details of which are in appendix A;
- A £603k shortfall on planned savings, predominantly due to capacity to deliver following Covid-19 as outlined in the planned savings section of this report and in more detail in Appendix B;
- There is a £262k reduction to investment returns in the general fund, with the pandemic resulting in a lowering of the Bank of England base rate to 0.1%. This is expected to reduce investment returns on cash by £162k, 0.25%. In addition, returns on property funds are expected to half from the 4% achieved last year, to 2% with an impact of £100k;
- Business Rates are expected to be impacted by covid-19. However, as the Council is below 'safety net' for the purposes of Business Rates Retention, it is expected that the Government will make up any further shortfall in business rates income;
- £176k of additional costs have been approved for extra spend related to the pandemic including office adaption costs, additional costs to support home working and community support;
- In addition to the Covid related impacts, the budget assumed 2% increase for the pay award. The latest offer is 2.75%. Whilst this has not yet been agreed, it would result in £53k of additional recurring cost.

2.5 Covid-19 is also impacting on Council Tax income although this initially impacts on cashflow and the Collection Fund, with deficits being distributed to the revenue account in future years. Lower council tax collection rates are expected, with latest estimates showing a £245k shortfall as a result of lower collection rates and a 20% increase in those on council tax support since the Council Tax Return was completed.

Housing Revenue Account (HRA)

2.6 Latest forecasts show a £374k deficit which will result in a reduction in the transfer to the major repairs reserve from £3,716k to £3,342k. For the Housing Revenue Account the forecasted impacts of Covid-19 (per July MHCLG return) total £1,134k, £600k of which reflects increased costs of the capital programme. Due to delays in the capital programme, £240k of this is expected to impact on 21/22.

2.6 The table below shows the summary position at the end of June 2020. Full details of forecast variances against budget are set out at Appendix A.

Housing Revenue Account – Q1 2020/21	Budget £000's	Forecast £000's	Variance £000's
Net Revenue Budget	8,441	8,649	208
Dwelling Rents	(12,157)	(11,991)	166
Net (Surplus) / Deficit transferred to Major Repairs Reserve	(3,716)	(3,342)	374

2.6 The main forecasted variances against the HRA surplus are:

- Housing rents are expected to fall short by £166k overall, due to Covid-19. Collection rates for the first quarter extrapolated across the year suggest a possible £138k reduction to rent collected. Covid-19 restrictions are making turnaround of voids more challenging, and this is estimated currently to reduce rents also. The forecast is set to worsen from quarter 1 to cater for future risk of increasing economic impacts due to covid-19. This will be continue to be monitored as further data is collected as the year progresses.
- £195k shortfall in planned savings are expected to be delayed due to additional staffing demands as a result of the pandemic.
- The lowering of the Bank of England base rate to 0.1% resulting in potentially £63k lower returns.
- An additional £70k has been forecast for staffing costs to help with backlogs of work caused by the pandemic and lockdown.
- The above negative impacts are partly offset by lower borrowing costs due to delays in the capital programme and in particular the housing development programme which are expected to produce an in year saving of £136k.

Planned savings

2.7 The General Fund budgeted savings target for the year was (£758k). The pandemic has resulted in considerable pressure on resources, and this has had an impact on the Council's ability to deliver further savings in the current year. Forecasts for 2020/21 indicate a shortfall against the in-year target of £603k with further risk in some additional areas. The key areas to note are as follows:

- There is a savings target for (£324k) related to negotiation of new contracts but these have been delayed until later in the year with the exception of the public conveniences contract which will return a saving of (£6k) per annum. In addition, the purchase of a new fleet of vehicles is expected to happen in the autumn now, which will generate a saving

but this will be offset by the higher costs being incurred for leasing in the first half of the year. Some of the parts for the vehicles are produced in Europe, so there is a risk of further delays should the pandemic worsen. Currently it is not expected that this saving will be achieved this year, but there is considerable uncertainty on this until things become clearer later in the autumn.

- Planning savings of (£67k) were set from the planning review. However, demands on the planning service and enforcement mean that any savings are unlikely to be delivered this financial year.
- (£100k) of the asset rationalisation target is dependent on the move of the contact centre from Market Cross. Whilst the move is still planned, it is not expected that the saving will be achieved in the current year. The saving is dependent upon the ongoing negotiations with the landlord and capacity to consider alternative uses for the premises which have been hampered by capacity in the team due to Covid-19.
- The digital programme is a fundamental part of the process improvements/online transactions saving. Covid-19 has reduced capacity to deliver projects and where delivered the savings are unlikely to be recognised immediately due to the additional capacity required to deliver covid-19 priorities resulting in a (£112k) shortfall this year.

- 2.8 The HRA has a budgeted savings target for 2020/21 of (£218k), (£23K) of which has been delivered and allocated to budgets. The remainder of the saving relates to efficiency savings following implementation of new Housing and Asset Management System. The system has gone live in July 2020, but the (£195k) saving is likely to be delayed due to the capacity required in the Council to deliver Covid-19 priorities.

Details of all planned savings can be found in Appendix B.

Capital Programme

- 2.9 The capital programme shows a forecast underspend of (£9,329k).
- 2.10 In the General Fund the variance of (£3,641k) is made up of:
- loans to the Housing Trust are expected to be £400k in year compared to the original £2,400k budget as covid-19 has led to delays in negotiations on identified sites;
 - a budget of £995k to purchase land to facilitate affordable housing development has also been delayed and will not be spent this year.
 - work on industrial units and car parks has been delayed due to Covid-19 and is proposed to be rephased, with £360k now expected to be spent next year;

- The adoption of the industrial road is not expected to go ahead this year, saving (£325k). The current condition of the road does not justify the significant investment required to bring the road up to adoptable standard. It is proposed to delay this project until such time as the condition of the road makes this work appropriate and necessary.

2.11 The HRA variance of (£5,688k) is due to delays caused by Covid-19. Much lower spend is expected on the housing development programme in this financial year with a forecast of £400k spend against a budget of £3,427k. Work is continuing towards readying a number of sites, but it is expected that Covid-19 will result in further delays. The property improvement programmes are also expected to be delayed due to Covid-19 restrictions on the work that can be carried out, with a further £2,660k of spend now expected in 2021/22 leaving a £4m budget to spend this year. This is partly offset by a risk of increased spend across the capital programme due to Covid related project delays and supplier pressures, which has been estimated at an additional £600k.

Programme for Growth (PfG)

- 2.12 The current multi-year programme has £5,862k remaining to spend at the start of the financial year, with £283k spent in the first quarter, which is predominantly staff costs. Some of this spend has been profiled over a number of years as match funding for Transforming Cities Fund and Heritage Access Zones programmes which run to 2023 and 2024 respectively.
- 2.13 The Covid-19 pandemic has resulted in some staff resources that would normally deliver P4G projects being redirected during quarter 1 to support Covid response and recovery work, including work with businesses and applications for grant money to help towards post covid changes to the high street.
- 2.14 Project by project detail can be found in appendix D.

3. Alternative Options Considered

- 3.1 'Best' and 'worst' case scenarios have been modelled (see section 4 below) although these are indicative only and subject to the ultimate trajectory of the virus, the success of easing lockdown measures and the pace of economic recovery.

4. Implications

4.1 Legal Implications

- 4.1.1 There is a legal requirement to balance the budget. In addition, any actions to tackle the deficit position need to avoid any potential for contractual or legal dispute as well as following appropriate governance.

4.2 Financial Implications

- 4.2.1 The forecast deficit requires in-year action to address. The latest MHCLG returns shows that Covid will result in a potential £3,759k cost/loss in year. Scenario modelling shows these costs/losses could increase to £5,161k (with £3,216k GF and £1,945k HRA) at the more pessimistic end of the assumptions (which assumes a second wave of the virus later in the year and an associated period of lockdown). Whilst the Government funding received to date is welcome it still leaves a £2,691k gap. We continue to support lobbying for additional Government funding but if this is not forthcoming then any residual shortfall would have to be met by diverting funds from reserves. The revised estimates proposes the use of New Homes Bonus that was originally intended for the Special Projects Reserve.
- 4.2.2 The Business Rates Equalisation Reserve holds £4.5m after approved supplementary estimates which is the reserve that would be used should General Fund revenue support be required. Any funding gap within the HRA would reduce the amount available to fund planned major repairs and improvements to the housing stock.
- 4.2.3 The rapidly changing picture means that close monitoring of the estimated impacts of Covid needs to continue to ensure any changes are incorporated so the latest deficit position is fully understood.
- 4.2.4 The numbers in the forecast reflect a mid-case scenario for the year. Optimistic and pessimistic scenarios have also been drawn up for the key areas impacted and the indicative deficits for the General Fund and Housing Revenue Account are illustrated below. The pessimistic view incorporates the potential for a future lockdown period, and therefore shows a much higher potential figure should this happen within this financial year.
- 4.2.5 The largest movements in the general fund are those that reflect the greatest uncertainty. Key movements include:
- Council tax – potentially we have not yet seen the full impacts of the economic fallout of covid-19 and knock on effect to collection of Council Tax. In addition, there is also risk of a second lockdown period. The estimates included below indicate the potential for council tax collection to improve by a further £104k or worsen by £160k based on collection percentage estimates;
 - Included in the pessimistic forecast is a £151k cost of additional resources to assist with test and trace if financial support for delivery of this is not forthcoming;
 - There is a lot of uncertainty currently in predicting planning fees, which can be impacted by economic factors. Therefore the analysis below includes a range of income between £472k and £707k against a budget of £952k.

General Fund	Deficit £k
Best case	732
Mid case	1,164
Worst case	1,755

4.2.6 The largest movements in the housing revenue account are:

- Housing rents are again vulnerable to economic factors, the current collection rate at the end of quarter 1 indicates £138k shortfall and is considered as the optimistic forecast, with the pessimistic forecast showing a potential reduction in rent collections of £316k. This includes both payment failure and voids;
- The additional financial risk in the capital programme created by delays and supplier risk is estimated at 5% of the programme value which is £600k. This could increase to £1,200k (10% of programme cost) if we were to suffer further lockdown periods as a result of the pandemic.

Housing Revenue Account	Deficit £k
Best case	916
Mid case	974
Worst case	1,785

4.2.7 The reconciliation between the MHCLG return mid-case submission and the quarter 1 forecasted outturn can be found below.

General Fund

MHCLG Return July	£2,626k	
Council Tax	-245	Impact in 22/23 – two year delay in collection fund.
Grant support	-1,067	Covid-19 support grants received.
Reserves	-208	Decision notices on car parking and industrial units funded from reserves.
Other non-covid savings	-98	Additional in year savings not related to covid-19.
Pay award	53	Pay award assumption increased from 2% to 2.75%.
Change in interest assumption	-63	Assumptions on interest improved based on to date actuals since MHCLG return was completed.
Planning and Enforcement	166	Staff and legal support to deal with service backlogs
Quarter 1 Forecast Deficit	£1,164k	

Housing Revenue Account

MHCLG Return July	£1,134k	
Capital programme	-600	Covid impact in the return which is for the capital programme.
External borrowing costs	-136	Reduced external borrowing requirement - non-covid
Change in interest assumption	-27	Assumptions on interest improved based on to date actuals since MHCLG return was completed.
Other in year variances	3	Small variances not related to covid.
Quarter 1 Forecast Deficit	£374k	

4.3 Policy and Risk Implications

There are no specific policy or risk implications beyond those highlighted in the report.

4.4 Corporate Plan Implications

The financial position and performance against budget is fundamental to delivery of the Council's Corporate Plan, achieving value for money and ensuring financial stability.

4.5 Resource Implications

The pandemic has put considerable pressure on the Council to deliver all of its priorities from the Council plan in addition to the new requirements as a result of covid-19.

4.6 Other Implications

None.

4.7 Equalities Impact Assessment

There are no equalities impacts as a direct result of this report.

5. Conclusion

5.1 The covid-19 pandemic has had significant impact on the Council's finances with substantial deficits forecast in both the General Fund and Housing Revenue Account.

5.2 The latest forecast revenue position, taking into account Covid and other issues, indicates a potential deficit of £1,164k in the General Fund and £374k in the HRA. This includes the £1m funding received to date from Government. Whilst the LGA continue to lobby for further support for Local Government,

should this not be forthcoming then a drawdown from the Business Rates Equalisation Reserve would be needed to balance the General Fund and the planned transfer to Major Repairs Reserve would need to be reduced. There is also additional risk of increased deficits should there be any future periods of lockdown in the District.

- 5.3 There is also increased pressure on resources and capacity to deliver the Council's priorities that made up the previous budget in a more restricted timeframe as well as the new requirements resulting from the pandemic. Delays in the capital programme have been forecast to reflect this. A revised budget for the year will be presented for approval at the Full Council on the 22nd September.

6. Background Documents

None.

7. Appendices

Appendix A – General Fund and Housing Revenue Account Revenue budget exceptions.

Appendix B – General Fund and Housing Revenue Account Savings.

Appendix C – General Fund and Housing Revenue Account Capital Programme.

Appendix D – Programme for Growth.

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	Previous Year	Latest	Year to Date		Annual Total	Variances		Comment
	Actuals	Approved	Actual	Budget	Forecast	Year to date	Full Year	
	£k	Budget				Actual	Forecast	
		£k	£k	£k	£k	£k	£k	
Income								
Investment Income	-502	-650	-199	-196	-388	-3	262	Current estimate for investment interest is 0.25% for 20/21 and 2% return in property investments.
Recharges	-12,574	-10,812	-1		-10,812	-1		Recharge to the HRA to reflect the impact of Housing System implementation savings not being achieved (offset in savings).
Customer & Client Receipts	-7,741	-4,491	-662	-902	-3,767	240	724	Impact of Covid 19 Pandemic on income, Planning Income £375k from lower activity, £73k from suspension of enforcement for Council Tax Court Costs & penalty notices, £50k land charges from demand for searches, Assets Team Trading activities £50k due to capacity issues in the team and only doing emergency repairs, Covid Impact on HB Overpayments £49k from suspension of enforcement, £45k Trade Waste Contracts (reduction in disposal costs partly offset), Property Management Income £35k, Lifeline Service £29k, Civic Centre Rental income £18k, Free car parking losses £12k to mid September and a reduction in footfall after a contribution from reserves, CL Income £12k & Suspension of special waste collection services £9k, Q1 Rents Frozen for Industrial Unit Occupiers £6k after a contribution from reserves. Additional Recycling Income (£27k) due to more waste being produced by everyone being at home during lockdown.
Government Grants	-11,652	-13,811	-2,498	-3,421	-13,811	923		
Other Government Grant	-2,001	-2,647	-704	-662	-2,647	-42		
Other Grants/Contributions Etc	-35		-2,618		-1,213	-2,618	-1,213	(£1.067m) Covid Support Grant, (£130k) Covid Discretionary Grant Support & (£15k) Custom Build Grant.
Budget Savings Required		-614			-11		603	Savings still to be delivered (includes £195k HRA saving which is offset in the recharge). Details of all planned savings can be found in Appendix B.
Total Service Income	-34,505	-33,025	-6,681	-5,181	-32,649	-1,500	376	
Expenditure								
Employees	8,336	8,333	2,049	2,083	8,552	-34	219	A vacancy factor of £351k was set for the 2020/21 budget, forecast to break even by year end. Pay award was assumed in the budget at 2% but the forecast reflects the latest offer of 2.75% although this is still unconfirmed at this stage. This increases costs by £53k. In addition £166k additional costs required to address a Planning and Enforcement backlog.
Premises	786	799	121	200	788	-79	-12	Majority are savings from the Contact Centre being closed.
Supplies And Services	10,600	9,982	12,812	13,151	10,267	-338	285	£247k additional Covid Support costs including Discretionary Grant support, £30k Recycling gate fees from increased recycling activity, £21k Covid Community Support funding, £25k additional homelessness support, £9k additional HR support. Offset by (£8k) CCTV & Public Convenience contract savings, (£21k) P4G saving, offset by reserve contributions, (£11k), Business Support Savings and (£26k) Trade waste disposal savings from the reduced client list.
Transport	158	144	29	36	138	-7	-6	Car allowance saving in the lifeline team.
Benefit Payments	11,112	13,919	2,508	3,442	13,919	-934		
Support Services	9,453	7,599		-1	7,599	1		
Third Party Payments	-308	-323		-81		81	323	Full year impact of not receiving a return from IHL for the provision of Leisure Services & Summit.
Drainage Board Levy	1,704	1,760	870	440	1,739	430	-21	Inflation increases anticipated when setting the budget were higher than actual levies.
External Interest Payable	80	75	-6	19	75	-25		
Contingency		198			198			
Total Service Expenditure	41,920	42,487	18,383	19,289	43,275	-906	788	
Accounting - Non Service budgets								
Total Accounting & Non Service Budgets	-7,416	-9,463	2,075	-4,845	-9,463	6,920		
Net Total			13,777	9,263	1,164	4,514	1,164	

HRA Management Accounts 2020-21
Results as at 30th June

HRA

Appendix A

	Previous Year Actuals	Latest Approved Budget	Year to Date		Annual Total	Variances		Comment
	Actual £k	Budget £k	Actual £k	Budget £k	Forecast £k	Year to date Actual	Full Year Forecast	
						£k	£k	
Income								
Investment Income	-187	-135			-72		63	The impact of Covid 19 is likely to only yield a return of 0.25% for 2020/21
Garage Rents	-102	-106			-97		9	Reduction in rents compared to equivalent period last year, correlates with current rent losses.
Housing Rents	-11,836	-12,157		-3,039	-11,991	3,039	166	Extrapolated impact of rent losses combined with the impact of not being able to turn round void properties due to the current lockdown measures. As this eases the position will change but in the meantime as trades staff cannot do responsive repairs, work is being done on voids to bring them to a higher lettable standard.
Customer & Client Receipts	-171	-149	-19	-16	-134	-3	15	Impact of closure of Community Centres to public and recharges to tenants for work done on property unless required as an emergency.
Recharges	-13	-18		-5	-18	5		
Savings								
Total Service Income	-12,309	-12,564	-19	-3,059	-12,311	3,040	253	
Expenditure								
Employees	33	81	17	20	77	-3	-4	Small saving on Community Centre Cleaners and Housing Enforcement Officer.
Premises	652	779	79	199	779	-120		Anticipate as restrictions ease, there will be lots of catch up work eliminating any current underspends.
Supplies And Services	1,282	1,191	187	265	1,258	-79	67	Anticipated impact of employing additional resource, including overtime for operatives to catch up on responsive repairs when lockdown measures ease.
Support Services	2,855	2,708			2,903		195	Impact of not achieving Housing System Implementation savings
Transport	109	144	22	33	143	-11	-1	
Debt Management Expenses	6	6	6,500		6	6,500		£6.5m Loan repayment - to be funded from funds set aside.
External Interest Payable	2,413	2,056	64	206	1,920	-142	-136	Until schemes are finalised for the housing development programme, no new borrowing will be taken. Interest rates rises may prompt action to increase borrowing to mitigate future interest costs.
Contingencies		75			75			
Provision for Bad Debts	260	267	2		267	2		
Total Service Expenditure	7,610	7,307	6,869	723	7,428	6,146	121	
Accounting & non service budgets								
Total Accounting & Non Service Budgets	4,699	5,258			5,258			
Net Total			6,850	-2,336	374	9,187	374	

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Planned Savings

Strategic Category	Lead	General Fund - Potential Saving	Budget Risk	2020/21 Target £000's	2020/21 Forecast £000's	2020/21 Shortfall £000's	Commentary
Growing resources	Suzan Harrington	Asset rationalisation	Medium	131	31	100	Additional income has been generated from our assets which were not budgeted, particularly around the use of our office space by third parties. This has allowed us to increase the target from the original target of £100k which relates to the move from Market Cross. Covid-19 has delayed the contact centre move and negotiations with the landlord, it is considered unlikely that savings will be made on the Market Cross lease this year.
Total Growing Resources			0	131	31	100	
Transforming	Suzan Harrington / Alison Hartley	Process improvements /on-line transactions	Medium	112	0	112	The Channel shift project is currently being delivered and savings from this are starting to be recognised. Further programmes to role out digitalisation are delayed due to covid-19, and any potential benefits from this may not be made in the short term due to additional workload pressures as a result of the pandemic across the Council.
Transforming	Suzan Harrington	Introduce CT Penalty Scheme - NEW	Medium	10	5	6	Introduce CT Penalty scheme to assist with cost recovery of the additional work required when details are not updated. Current changes to enforcement mean that it is unlikely that we will be making many of these charges in the current year. This is to be kept under review.
Transforming	Suzan Harrington	Review and introduce increased empty homes premium.	Medium	45	45	0	The empty homes premium has been introduced and is currently expected to be achieved this year.
Transforming	Dave Caulfield	Planning service review	Medium	67	0	67	At the time of setting the budget, the planning review indicated a saving in the service of £67k. This will not be achieved this year due to requirements for additional resources to tackle the covid-related backlog of applications.
Total Transforming				234	50	185	
Commissioning	Suzan Harrington	Contract renegotiations	Medium	324	6	318	Renewal of the public conveniences contract has generated a £6k per annum saving. The purchase of the waste vehicle fleet will result in cost savings. However, these renewals are delayed until later in the year. Figures will become clearer later in the autumn but current assumption is that no saving will be made this year.
Total Collaboration & Commissioning			0	324	6	318	
Technical/housekeeping	Karen Iveson	Reduction in pension contributions	Low	69	69	0	Reduction in pension contributions following the 2019 triennial valuation. Rates are subject to final confirmation but there is sufficient headroom in the fund to consider this low risk. Rates are expected to increase from 2023/24 and budget provision will be made to mitigate this.
Total Technical/Housekeeping			0	69	69	0	
Total				758	156	603	

Low Risk		69	69	0
Medium Risk		45	45	0
High Risk		644	41	603
Total		758	156	603

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

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

Appendix C

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

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

Appendix C

General Fund	Revised Budget Incl C/F	Year to date Budget	Year to date Actual	Year to date Variance	Forecast	Forecast	Forecast Variance	Comments	Forecast 21/22	Forecast 22/23	Forecast 23/24
South Milford Retaining Wall	15,000	3,750	0	-3,750	15,000	0	0	We are still awaiting confirmation from the parish priest as to whether approval for the improvement works to the wall will need to go through a Faculty application (similar to Listed Building Approval). It is currently unknown how long the process will take. Given the relatively small amount of funding involved, no alteration to the outturn forecast has been made at this time.			
Waste Collection Fleet	4,000,000	1,000,000	0	-1,000,000	4,000,000	0	0	An order was placed last year via a framework for the purchase of 21 x RCV's and 1 x mechanical sweeper. The fleet is likely to be delivered between August and November 2020.			
Council Play Area Maintenance	105,000	26,250	0	-26,250	105,000	0	0	Groundwork have been commissioned to project manage this project and the design and consultation stages have been completed for the first site which is Grange Road, Tadcaster. Groundwork will shortly be going out to tender for the works. Design work is starting on the second site which is Charles Street, Selby.			
Replacement of Vehicle Fleet	7,950	1,988	0	-1,988	7,950	0	0	Delivery of the replacement vehicle fleet has been delayed until September/October due to coronavirus.			
Purchase of Land	937,500	234,375	0	-234,375	0	937,500	-937,500	To facilitate affordable housing development and acquisitions and will be subject to business case.	937,500		
New Build Projects (Loans to SDHT)	2,400,000	600,000	0	-600,000	400,000	2,000,000	-2,000,000	Sites have been identified for potential acquisition. However, the Covid lockdown has delayed negotiations. There are also small sites identified for development and are with the Planning Team, when approved, tenders can be completed to attain absolute costs, this has also been delayed due to the Covid lockdown. tenders will be issued during September. Discussions will then take place with SDHT to decide if they wish to progress them. Until the SDHT Business Plan is finalised current assumptions have been used to commence 15 new units / acquisitions in 2020/21, 30 units in 2021/22 and 2022/23 with the balance of the funding in 2023/24.	2,000,000		
Private Sector - Home Improvement Loans	39,031	9,758	3,423	-6,335	39,031	0	0	There has been a slow start to RAS Loans in 2020/21, due in part to Covid-19 but also due to RAS loans being somewhat seasonal and difficult to profile, despite this we would still expect full spend of the budget in 2020/21. RAS loans are repaid to the council upon sale of the property and then recycled into new loans. This allows more vulnerable households to receive the help they need.-In 2019/20 we received 4 repaid loans totalling £12,117 which meant that around 3 additional households were able to receive essential assistance. We would expect to receive at least a similar number of repayments in 2020/21.			
Empty Property Grants	80,000	20,000	17,832	-2,168	80,000	0	0	We have completed 1 Empty Homes Grant in quarter 1 of 2020/21. In addition, there have been around 6 expressions of interest from empty property owners which we would expect to convert into full grants in due course. Empty Homes Grants remain popular and are an excellent way of sourcing private rented accommodation for vulnerable households at risk of homelessness. It is expected that the full budget be spent in 2020/21.			
Disabled Facilities Grants (DFG)	680,317	170,079	28,391	-141,688	680,317	0	0	Covid-19 has had a significant impact on the delivery of DFGs. At the end of Q1 only 3 have been completed. The good news is 17 are approved with contractors now on site. It is hoped that by the end of this year we will have recovered with performance similar to last year.			
Total General Fund	9,919,547	2,479,887	121,028	-2,358,859	6,278,951	3,315,596	-3,640,596		3,315,596	0	0

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

Appendix C

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

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

Appendix C

Housing Revenue Account	Revised Budget Incl C/F	Year to date Budget	Year to date Actual	Year to date Variance	Forecast	Forecast	Forecast Variance	Comments	Forecast 21/22	Forecast 22/23	Forecast 23/24
Energy Efficient Programme	701,869	175,467	64,971	-110,496	701,869	0	0	The cessation of all but emergency repairs due to coronavirus has impacted delivery of the capital investment programme. We have issued the scope of works to our contractor partners about programme delivery and are pushing for this programme of works to be completed in the current financial year.			
Health and Safety Improvement Programme	886,724	221,681	101,922	-119,759	598,000	288,724	-288,724	The cessation of all but emergency repairs due to coronavirus has impacted delivery of the capital investment programme. We are currently working on our recovery plans for reintroduction of services and talking with contractor partners about programme delivery. £289k has been forecasted to drop into the next financial year, this is electrical re-wire works linked to the delays on the Property Refurbishment Programme.	288,724		
Property Refurbishment Programme	4,618,490	1,154,623	101,308	-1,053,315	3,131,094	1,487,396	-1,487,396	The cessation of all but emergency repairs due to coronavirus has impacted delivery of the capital investment programme. We are currently working on our recovery plans for reintroduction of services and talking with contractor partners about programme delivery. Current estimations are to deliver 60% of the programme in the current financial year, this will re-assessed once the recommencement plan is received from our contractors. The forecast includes £600k Covid impact based on 5% increase in costs as a result of project delays	1,487,396		
Property Investment Programme	1,140,375	285,094	1,484	-283,610	350,000	790,375	-790,375	The cessation of all but emergency repairs due to coronavirus has impacted delivery of the capital investment programme. We are currently working on our recovery plans for reintroduction of services and talking with contractor partners about programme delivery. Current estimations are to deliver 30% of the programme in the current financial year, this will be re-assessed once the recommencement plan has been received.	790,375		
	0	0	0	0		0	0				
Total HRA	12,359,089	3,089,772	283,147	-2,806,625	6,671,218	5,687,871	-5,687,871		5,687,871	0	0
Total Capital Programme	22,278,636	5,569,659	404,175	-5,165,484	12,950,169	9,003,467	-9,328,467		9,003,467	0	0

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

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

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

Project	Lead Officer	Multi-Year Project Budget	In Year Revised Budget 20/21	In Year Spend 20/21	Forecast	Project Budget Remaining	Update	Forecast 20/21	Forecast 21/22	Forecast 22/23
Commercial property acquisition fund	Iain Brown	3,039,424	3,039,424	0	3,039,424	3,039,424	This budget will be used to acquire strategic development sites consistent with the Councils regeneration and commercial development opportunities, in some instances this may be used to match fund acquisitions as part of the TCF bid submission. The current live project being developed with funding from this budget is the purchase of a site near Selby Station to provide new access to platform 2 and additional car parking. A significant amount of funding from this budget has been put forward as match funding within the Council's TCF proposals for Selby Station.	1,000,000	1,000,000	1,039,424
High Street shop fronts	Angela Crossland	100,000	100,000	0	100,000	100,000	The Project Fund is a match fund contribution to the successful High Streets Heritage Action Zone (HAZ) bid. Programme delivery commenced 1st April and this fund is part of a 4 year programme profile. HAZ Officer due to start in post August 2020	0	50,000	50,000
New lane - Public Realm	Angela Crossland	200,000	200,000	0	200,000	200,000	The Project Fund is a match fund contribution to the successful High Streets Heritage Action Zone (HAZ) bid. Programme delivery commenced 1st April and this fund is part of a 4 year programme profile. HAZ Officer due to start in post August 2020. Experimental road closures in place as part of Reopening High Streets project (ERDF Funded)	0	0	200,000
Town Centre Action Plans	Angela Crossland	2,600,000	1,200,000	0	2,600,000	2,600,000	A Forward Framework and Action Plan is being prepared for each of the 3 town centres - work led by Chris Wade funded from the current Town Master planning P4G project. Two elements to this new ask: 1) Feasibility pot to work up project ideas e.g as required for the TCF bid; 2) Delivery budget - for implementation of projects - split as follows: Selby - £1m; Sherburn - £500k; Tadcaster - £500k.	1,200,000	700,000	700,000
Staffing costs		3,379,092	3,379,092	200,480	3,379,092	3,178,612	This covers all the P4G funded posts across SDC including the extensions to contracts approved in the budget. These posts support delivery of this P4G programme. It also covers the additional core staffing costs in a number of teams required to deliver the Council's corporate growth ambitions including the Economic Development and Regeneration team (to deliver the Economic Development Framework 2 year action plan) and key posts in Communities and Partnerships, Planning and Marketing and Communications.	953,087	1,057,690	1,368,315
Contingency		4,151,760	4,151,760	0	4,172,373	4,151,760	The funding we are receiving from the West & North Yorkshire Business Rates pool for the Tour de Yorkshire and UCI £200k has been put back into P4G contingency to fund essential work on the asset management strategy. Also the balance remaining on Tadcaster Linear Park has been transferred back to P4G contingency.	257,373		3,915,000
		14,432,825	13,032,825	282,684	14,432,815	14,129,528		4,137,377	3,007,859	7,287,589



Report Reference Number: E/20/15

To: Executive
Date: 3 September 2020
Status: Non Key Decision
Ward(s) Affected: All
Author: Michelle Oates, Senior Accountant
Lead Executive Member: Councillor Cliff Lunn, Lead Member for Finance & Resources
Lead Officer: Karen Iveson, Chief Finance Officer, S151

Title: Treasury Management – Quarterly Update Q1 2020/21

Summary:

This report reviews the Council's borrowing and investment activity (Treasury Management) for the period 1st April to 30th June 2020 (Q1) and presents performance against the Prudential Indicators.

Investments – On average the Council's investments totalled £75.0m over the quarter at an average rate of 0.77% and earned interest of £143.9k (£103.9k allocated to the General Fund; £40k allocated to the HRA) which was £22.7k above the year to date budget. However, cash balances are expected to gradually reduce over the year, and interest rates are now at unprecedented low levels, so forecast returns could be in the region of £260k, a budget deficit of £225k. The Bank Rate of 0.10% is expected to remain in place for at least the next two years, and a Brexit trade deal has yet to be agreed. The position will be kept under review.

In addition to investments held in the pool, the Council has £4.69m invested in property funds as at 30 June 2020. The funds achieved 3.59% revenue return and 2.91% capital loss. This resulted in revenue income of £41.7k to the end of Q1 and an 'unrealised' capital loss of £136.6k. These funds are long term investments and changes in capital values are realised when the units in the funds are sold.

Borrowing – Long-term borrowing totalled £52.833m at 30 June 2020, (£1.6m relating to the General Fund; £51.233m relating to the HRA). Repayment was made in May 2020 of £6.5m HRA Debt. Interest payments of £1.917m are forecast for 2020/21, a saving of £0.871m against budget. This is due to HRA budgets allowing for borrowing to support Housing Delivery, which has not been required to date. The Council had no short term borrowing in place as at 31 June 2020.

Prudential Indicators – the Council's affordable limits for borrowing were not breached during this period.

Recommendation:

That Councillors endorse the actions of officers on the Council's treasury activities for Q1 2020/21 and approve the report.

Reasons for recommendation:

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

1. Introduction and background

- 1.1 This is the first monitoring report for treasury management in 2020/21 and covers the period 1 April to 30 June 20. During this period the Council complied with its legislative and regulatory requirements.
- 1.2 Treasury management in Local Government is governed by the CIPFA "Code of Practice on Treasury Management in the Public Services" and in this context is the management of the Council's cash flows, its banking and its capital market transactions, the effective control of the risks associated with those activities and the pursuit of optimum performance consistent with those risks. This Council has adopted the Code and complies with its requirements.
- 1.3 The Council's Treasury Strategy, including the Annual Investment Strategy and Prudential Indicators was approved by Council on 22 February 2020.
- 1.4 The two key budgets related to the Council's treasury management activities are the amount of interest earned on investments £485k (£350k General Fund, £135k HRA) and the amount of interest paid on borrowing £2.788m (£75.2k General Fund, £2.713m HRA).

2. The Report

Market Conditions and Interest Rates

- 2.1 The Council's treasury advisors Link Asset Services – Treasury Solutions summarised the key points associated with economic activity in Q1 2020/21 up to 30 June 2020:
 - Big impact from coronavirus lockdown;
 - Two emergency bank rate cuts, first to 0.25% and then to 0.10% with the latter likely to continue for some time;
 - Uncertainties as to how quickly the economy will recover;
 - UK Government rejected extending the Brexit transition period beyond 31 December 2020;
 - Increase in quantitative easing;

- Measures to support jobs and businesses will result in a huge increase in the annual budget deficit in the current year;
- Annual inflation rise could reach zero by the end of the year.

Interest Rate Forecasts

2.2 The current interest rate forecasts (last update 6 July) of Link Asset Services – Treasury Solutions are as follows:

Date	Bank rate	5 year PWLB*	10 year PWLB*	25 year PWLB*	50 year PWLB*
Current rates	0.10%	1.90%	2.10%	2.50%	2.30%
Sept 2020	0.10%	1.90%	2.10%	2.50%	2.30%
Dec 2020	0.10%	1.90%	2.10%	2.50%	2.30%
March 2021	0.10%	2.00%	2.20%	2.60%	2.40%
June 2021	0.10%	2.00%	2.20%	2.60%	2.40%
Sept 2021	0.10%	2.00%	2.20%	2.60%	2.40%
Dec 2021	0.10%	2.00%	2.20%	2.60%	2.40%
March 2022	0.10%	2.00%	2.20%	2.60%	2.40%
June 2022	0.10%	2.10%	2.30%	2.70%	2.50%
Sept 2022	0.10%	2.10%	2.30%	2.70%	2.50%
Dec 2022	0.10%	2.10%	2.30%	2.70%	2.50%
March 2023	0.10%	2.10%	2.30%	2.70%	2.50%

* Net of certainty rate 0.2% discount

2.3 After the dramatic March 2020 decrease in Bank Rate to 0.10% the Monetary Policy Committee is unlikely to make any change until there are signs of positive economic activity after the lockdown and a degree of certainty around a Brexit trade deal.

Annual Investment Strategy

2.4 The Annual Investment Strategy outlines the Council's investment priorities which are consistent with those recommended by DCLG and CIPFA:

- Security of Capital and
- Liquidity of its investments

2.5 The Investment of cash balances of the Council are managed as part of the investment pool operated by North Yorkshire County Council (NYCC). In order to facilitate this pooling, the Council's Annual Investment strategy and Lending List has been aligned to that of NYCC.

- 2.6** NYCC continues to invest in only highly credit rated institutions using the Link suggested creditworthiness matrices which take information from all the credit ratings agencies. Officers can confirm that the Council has not breached its approved investment limits during the year.
- 2.7** The Council's investment activity in the NYCC investment pool up to Q1 2020/21 was as follows:
- Balance invested at 30 June 2020 £68.1m
 - Average Daily Balance Q1 20/21 £75.0m
 - Average Interest Rate Achieved Q1 20/21 0.77%
 - Forecast income for the year £260k
- 2.8** The average return to Q1 2020/21 of 0.77% compares with the average benchmark returns as follows:
- 7 day -0.04%
 - 1 month 0.03%
 - 3 months 0.26%
 - 6 months 0.40%
 - 12 months 0.50%

Borrowing

- 2.9** It is a statutory duty for the Council to determine and keep under review its "Affordable Borrowing Limits". The Council's approved Prudential Indicators (affordable limits) were outlined in the Treasury Management Strategy Statement (TMSS). A list of the limits is shown at Appendix A. Officers can confirm that the Prudential Indicators were not breached during the year.
- 2.10** The TMSS indicated that there was no requirement to take external borrowing during 2020/21 to support the budgeted capital programme. However, the borrowing requirement is largely dependent on the Housing Development Programme and whilst it is expected that this will be funded by internal borrowing, this will continue to be reviewed to optimise the timing of external debt.
- 2.11** The Council approved an Authorised Borrowing Limit of £90m (£89m debt and £1m Leases) and an Operational Borrowing Limit of £85m (£84m debt and £1m Leases) for 2020/21.
- 2.12** The current strategy in relation to capital financing, is to continue the voluntary set aside of Minimum Revenue Provision (MRP) payments from the HRA in relation to self-financing debt in order to be in a position to repay the debt over 30 years. £1.26m is budgeted for 2020/21. However, the HRA Business Plan assumptions indicate that there may be a requirement to revisit this approach due to increasing capital programme requirements over the coming years.
- 2.13** The combination of a voluntary MRP strategy, along with a long-term loan repayment in May 2020, meant the Council was in an under-borrowed

position of £1.1m as at 30 June 2020. This means that capital borrowing (external debt) is currently lower than Council's underlying need to borrow. The movement from an over-borrowed position of £5.3m, a movement of £6.4m compared to the year-end position is a result of £6.5m borrowing repaid in May 2020. Planned capital expenditure funded by prudential borrowing, will increase the Council's capital financing requirement as the year progresses. External borrowing requirements are reviewed on an on-going basis to ensure the borrowing strategy reflects the latest capital programme needs and forecast borrowing rates.

- 2.14** The 2020/21 Treasury Management Strategy forecasts an under-borrowed position of £4.86m by the end of 21/22 as loans are made to support the Housing Trust, and HRA Housing Investment Programme. Plans to undertake any additional long term borrowing in the short/medium term will be kept under review as the Extended Housing Delivery Programme progresses and while borrowing rates remain low.

Capital Strategy

- 2.15** The Capital Strategy was included as part of the Council's Annual Treasury Management and Investment Strategy 2020/21, approved in February 2020. The Capital Strategy sets out how capital expenditure, capital financing and treasury management contribute to the provision of corporate and service objectives and properly takes account of stewardship, value for money, prudence, sustainability and affordability. It sets out the long-term context in which capital expenditure and investment decisions are made and gives due consideration to both risk and reward and impact on the achievement of priority outcomes.
- 2.16** Alternative non-treasury investments are considered as part of the Capital Strategy. Given the technical nature of potential alternative investments and strong linkages to the Council's Treasury Management function, appropriate governance and decision-making arrangements are needed to ensure robust due diligence in order to make recommendations for implementation. As a result, all investments are subject to consideration and where necessary recommendations of the Executive.
- 2.17** In addition to loans to Selby & District Housing Trust to support the Housing Delivery Programme, options for alternative investments will be kept under review and are subject to individual business case approval.

Housing Delivery Programme Loans

- 2.18** The Housing Delivery Programme has delivered a number of successful schemes so far, in partnership with Selby & District Housing Trust. One of the principles underpinning the programme is that financial support will be provided to the Trust by way of grant and loans to fund provision of affordable homes in the District whilst achieving a revenue return for the Council's General Fund. The forecast income for the year in addition to standard treasury returns is £120k, which is approximately £107k over the forecasted standard interest that would be achieved on cash investments. The capital

programme assumes a further 15 sites will move into tender/negotiation stage around September this year, with drawdowns of up to £400k, although the timing of completions is uncertain at the moment, so any additional forecast interest will be reviewed once approved schemes are known. The table below summarises the loans provided to date.

Scheme	Loan Rate %	Principal Outstanding 30 June 2020 £	Interest Q1 20/21 £	Interest Full Year £
Kirkgate, Tadcaster	4.56%	186,438	2,223	8,893
St Joseph's St	4.20%	202,346	2,175	8,702
Jubilee Close, Riccall	3.55%	547,403	4,494	19,174
Ulleskelf	4.87%	1,066,136	12,817	51,269
Ousegate	3.65%	866,729	7,921	31,684
Average Rate / Total Principal and Interest	4.36%	2,869,052	29,931	119,723

Commercial Property Investments

- 2.19** To date there have been two Commercial Property acquisitions, one in Selby town and one in Tadcaster, both buildings are ex-Natwest Bank Properties. The first acquisition was a Tadcaster property, which completed during Q2 18/19. The second in Selby, which completed towards the end of Q3 18/19, has subsequently been sold, completing in July 2020. A small surplus of around £10k was generated after taking account of interim property costs. No formal plans for Tadcaster have been approved as yet.

Property Funds

- 2.20** The position on Property Funds at 30 June 2020 is as follows:

In Year Performance

Fund	Bfwd Investment £k	Valuation as at 30-Jun-20 £k	In Year Performance Q1 20/21			
			Capital Gain / (Loss)		Revenue Return	
			£k	%	£k	%
Blackrock	2,376.60	2,329.42	(47.2)	(1.99)	18.6	3.14
Threadneedle	2,308.11	2,218.73	(89.4)	(3.87)	23.1	4.05
Total	4,684.71	4,548.15	(136.6)	(2.92)	41.7	3.59

Total Fund Performance

Fund	Original Investment £k	Valuation as at 30-Jun-20 £k	Total Performance			
			Capital Gain / (Loss)		Revenue Return	
			£k	%	£k	%
Blackrock	2,502.50	2,329.42	(173.1)	(6.92)	138.8	3.56
Threadneedle	2,439.24	2,218.73	(220.5)	(9.04)	184.3	4.63
Total	4,941.73	4,548.15	(393.6)	(7.96)	323.1	4.10

2.21 Investments held in Property Funds are classified as Non-Specified Investments and are, consequently, long term in nature. Valuations can, therefore, fall and rise over the period they are held. Any gains or losses in the capital value of investments are held in an unusable reserve on the balance sheet and do not impact on the General Fund until units in the funds are sold.

2.22 As a result of Covid-19, both funds have experienced further capital losses to the end of June 2020, although still delivering a positive revenue return. Given the material uncertainty washing through financial markets and economies, many funds have temporarily suspended trading as firm valuations cannot be provided. These suspensions are driven by the fundamental requirement of funds to ensure that all investors are treated on an equal basis and they are not aimed at “penalising” investors.

2.23 It is also important to stress that the largest potential impact on fund valuations may not actually come until Q2 and/or possibly Q3. This is in line with underlying economic impact of the virus on the economy. The funds that Selby are invested in have relatively diverse portfolios to mitigate risk. The funds are actively managing these portfolios and working closely with their tenants to minimise losses and maximise potential opportunities. These funds are intended to be held for the longer term (5 years initially) in order to mitigate the risk of shorter-term losses.

3. Alternative Options Considered

3.1 The Council has access to a range of investments through the pooled arrangements in place through North Yorkshire County Council.

4. Implications

4.1 Legal Implications

There are no legal implications as a direct result of this report.

4.2 Financial Implications

The financial implications are set out in the report.

4.3 Equalities Implications

There are no equalities implications as a result of this report.

5. Conclusion

5.1 The impact of the pandemic, and the turmoil in the financial markets, will continue to have an impact on the Council's investment returns. Forecasts predict slow recovery, exacerbated by the on-going delays with Brexit.

5.2 The Council's debt position is in line with expectations set out in the Strategy, with no immediate changes on the horizon. However, as the Housing Delivery Programme progresses, opportunities to optimise the Council's debt portfolio will be kept under review.

5.3 The Council operated within approved Strategy Indicators for the quarter, with no breaches on authorised limits. The Prudential Indicators are reviewed annually as part of the Treasury Strategy to ensure approved boundaries remain appropriate; activities to date during 2020/21 have not highlighted any concerns.

6. Background Documents

None.

7. Appendices

Appendix A – Prudential Indicators as at 30 June 2020

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Prudential Indicators - As at 30 June 2020

Note	Prudential Indicator	2020/21 Indicator	Quarter 1 Actual
1	Capital Financing Requirement £'000	57,700	53,972
	Gross Borrowing £'000	52,833	52,833
	Investments £'000	49,674	68,087
2	Net Borrowing £'000	3,159	-15,254
3	Authorised Limit for External Debt £'000	84,000	52,833
4	Operational Boundry for External Debt £'000	79,000	52,833
5	Limit of fixed interest rates based on net debt %	100%	100%
	Limit of variable interest rates based on net debt %	30%	0%
6	Principal sums invested for over 364 days		
	1 to 2 years £'000	20,000	0
	2 to 3 years £'000	15,000	0
	3 to 4 years £'000	5,000	0
	4 to 5 years £'000	5,000	0
7	Maturity Structure of external debt borrowing limits		
	Under 12 months %	20%	0.00%
	1 to 2 years %	20%	0.00%
	2 to 5 years %	50%	0.00%
	5 to 10 years %	50%	0.00%
	10 to 15 years %	50%	3.00%
	15 years and above %	90%	97.00%

1. Capital Financing Requirement – this is a measure of the Council's underlying need to borrow long term to fund its capital projects.

2. Net Borrowing (Gross Borrowing less Investments) – this must not except in the short term exceed the capital financing requirement.

3. Authorised Limit for External Debt – this is the maximum amount of borrowing the Council believes it would need to undertake its functions during the year. It is set above the Operational Limit to accommodate unusual or exceptional cashflow movements.

4. Operational Boundary for External Debt – this is set at the Council’s most likely operation level. Any breaches of this would be reported to Councillor’s immediately.
5. Limit of fixed and variable interest rates on net debt – this is to manage interest rate fluctuations to ensure that the Council does not over expose itself to variable rate debt.
6. Principal Sums Invested for over 364 days – the purpose of these limits is so that the Council contains its exposure to the possibility of loss that might arise as a result of having to seek early repayment or redemption of investments.
7. Maturity Structure of Borrowing Limits – the purpose of this is to ensure that the Council is not required to repay all of its debt in one year. The debt in the 15 years and over category is spread over a range of maturities from 23 years to 50 years.



Report Reference Number: E/20/16

To: Executive
Date: 3 September 2020
Status: Key Decision
Ward(s) Affected: All Wards
Author: Karen Iveson, Chief Finance Officer
Lead Executive Councillor C Lunn, Lead Member for
Member: Finance & Resources
Lead Officer: Karen Iveson, Chief Finance Officer

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

Summary:

This report presents a revised Budget for 2020/21 and an update to the Medium-Term Financial Strategy (MTFS) covering both the General Fund and Housing Revenue Account (HRA) prior to consideration by Council later this month.

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

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

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

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

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

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

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

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

Recommendation:

It is recommended that, subject to consultation with Policy Review Committee, the Revised Estimates for 2020/21 and the Medium-Term Financial Strategy be submitted to Council for approval.

Reasons for recommendation:

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

1. Introduction and background

- 1.1 This report presents revised estimates following an assessment of the impacts of Covid-19 along with an update to the MTFS taking into account changes to the key assumptions within the strategy. The draft MTFS (incorporating a revised budget for 2020/21) including associated appendices is attached at **Appendix 1**.
- 1.2 The strategy covers both the General Fund and HRA to provide a holistic view of the Council's finances.
- 1.3 Comments on the revised Budget and MTFS will be invited from Policy Review Committee members prior to consideration by full Council. As a result of Covid-19 the usual 6-week budget consultation with Policy Review Committee has been curtailed.

2. The Report

- 2.1 The attached update paper presents a revised budget for 2020/21 as a result of the financial impacts of Covid-19. The virus has had, and continues to have, a significant impact on the Council's finances - as at the end of July

2020 the full year forecast for 2020/21 totals £3.8m. To the end of July 2020, £1.068m has been received from the Government to help off-set these impacts. This forecast has informed the revised estimate put forward for approval, with £1.44m New Homes Bonus proposed to be diverted from reserves to help mitigate the impacts. Base on current assumptions a surplus of £43k is forecast but given the risk and volatility as a result of the virus, this could change. Any subsequent changes, for example additional Government funding, will be reported through the quarterly exception reports to Executive and Scrutiny Committee.

- 2.2 The paper also models the Council's revenue budgets over the next 10 years although major risk and uncertainty around business rates retention, on-going reductions to Government funding, wider economic uncertainty as the transition phase of Brexit draws to a close and local government re-organisation on the back of a potential devolution deal, mean that meaningful future forecasting is extremely difficult. A mid-range forecast is the scenario that is proposed as the basis for the forthcoming budget round for 2021/22.
- 2.3 Significant changes to the Business Rates Retention Scheme were previously anticipated following the Government's announcement that in future 100% of Business Rates will be retained by Local Government and Revenue Support Grant would be phased out. Since then these plans have been scaled back and the Government piloted 75% Business Rates Retention in 2019/20. The reform of the Local Government Finance System was anticipated from 2020/21 but as result of political challenges nationally and the prospect of the no-deal Brexit HM Treasury announced there would be a one year settlement for 2020/21 and the system will be reviewed in 2020. Since then Covid-19 and the subsequent lockdown measures have led to further delays.
- 2.4 It is assumed therefore, that the settlement for 2021/22 will be another roll-forward from 2020/21 which could result in a further year of the renewable energy business rates windfall. As in previous years however, it is not proposed to allocate or commit these funds until they are confirmed. Should the Local Government Finance Settlement be announced early then any necessary changes will be incorporated into the draft Budget as part of the process during the autumn.
- 2.5 For the HRA the MTFs aligns with the refreshed HRA Business Plan and models an on-going CPI +1% increase in housing rents following 4 years of 1% reductions ending in 2019/20.
- 2.6 The MTFs mid-case scenario assumes a Council Tax rise of £5 (2.8%) for 2021/22, which mirrors the referendum principles that applied in 2020/21.
- 2.7 The Council's approach to the management of its reserves is also re-confirmed in the MTFs – earmarking resources to cover commitments, manage risk and support growth, with £1.5m retained as a minimum general working balance for both the General Fund and HRA.

- 2.8 Following the district elections in May 2019, a number of emerging risks/cost pressures have been identified, including for example: street scene and leisure contract negotiations, additional ICT investment and internal capacity issues – these costs pressures could range from £300k - £500k p.a. recurring.
- 2.9 Based on the assumptions updated within the MTFs, taking the forecast resources available, the estimated deficit before planned savings is £2.4m by 2023/24 (up to £2.9m taking into account the emerging risks/cost pressures). After current planned savings the residual shortfall on the General Fund is estimated at £1.6m by 2023/24 (£2.1m taking into account the emerging cost pressures).
- 2.10 Given the risk within our savings programme £6.9m is to be held back in the Business Rates Equalisation Reserve (BRER), which requires an additional £2m top up to this reserve from the Special Projects Reserve in 2021/22. The BRER provides funding to support the revenue budget should savings be delayed. It must be stressed however that using reserves to support the revenue budget in this way is not sustainable and failure to deliver the savings target would undermine the Council's long term financial resilience and therefore work to deliver and identify further savings to bridge any gap must continue.
- 2.11 The HRA is experiencing its own challenges as a result of Covid-19 and previous rent reductions. Savings are planned in order to maximise in-year HRA surpluses whilst setting aside sufficient sums to repay the self-financing debt. Revenue surpluses are transferred to the Major Repairs Reserve to fund enhancements to the Council's housing stock and a long term programme to deliver a decent homes 'plus' standard and support 1-for-1 replacement of homes sold through right-to buy.
- 2.12 Whilst revenue resources are challenging, capital receipts and s106 sums remain relatively buoyant which will enable the Council's capital programmes to be sustained as we consider opportunities to further invest in housing related schemes alongside the Programme for Growth and other reserve programmes which aim to deliver more sustainable income streams whilst improving outcomes for citizens and delivering internal efficiencies.
- 2.13 Programme for growth proposals will be brought to Council for approval in September 2020.

3. Alternative Options Considered

- 3.1 The MTFs models mid, best and worst case scenarios, which are set out at Appendix A.

4. Implications

4.1 Legal Implications

None as a direct result of this report.

4.2 Financial Implications

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

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

4.3 Policy and Risk Implications

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

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

4.4 Corporate Plan Implications

4.4.1 The MTFS underpins delivery of the Council Plan.

4.5 Resource Implications

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

4.6 Other Implications

4.6.1 As set out in the report.

4.7 Equalities Impact Assessment

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

5. Conclusion

5.1 Covid-19 is impacting significantly on the Council's finances. Whilst Government funding has been received, to date it is not sufficient to cover the

forecast costs/income losses. The proposed Revised Estimate incorporates the latest assessment of these impacts.

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

6. Background Documents

Approved MTFS Update September 2019

Approved Budget February 2020

7. Appendices

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

Appendix A1 – 10 Year Financial Plan

Appendix A1 – HRA 30 Year Financial Plan

Appendix B – Reserve Balances 2020 – 2023 Including Growth Bids

Appendix C – Covid Scenarios

Appendix D – Planned Savings

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

Appendix F - Programme for Growth 2020/21 Financial Year Project Updates

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Selby District Council

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

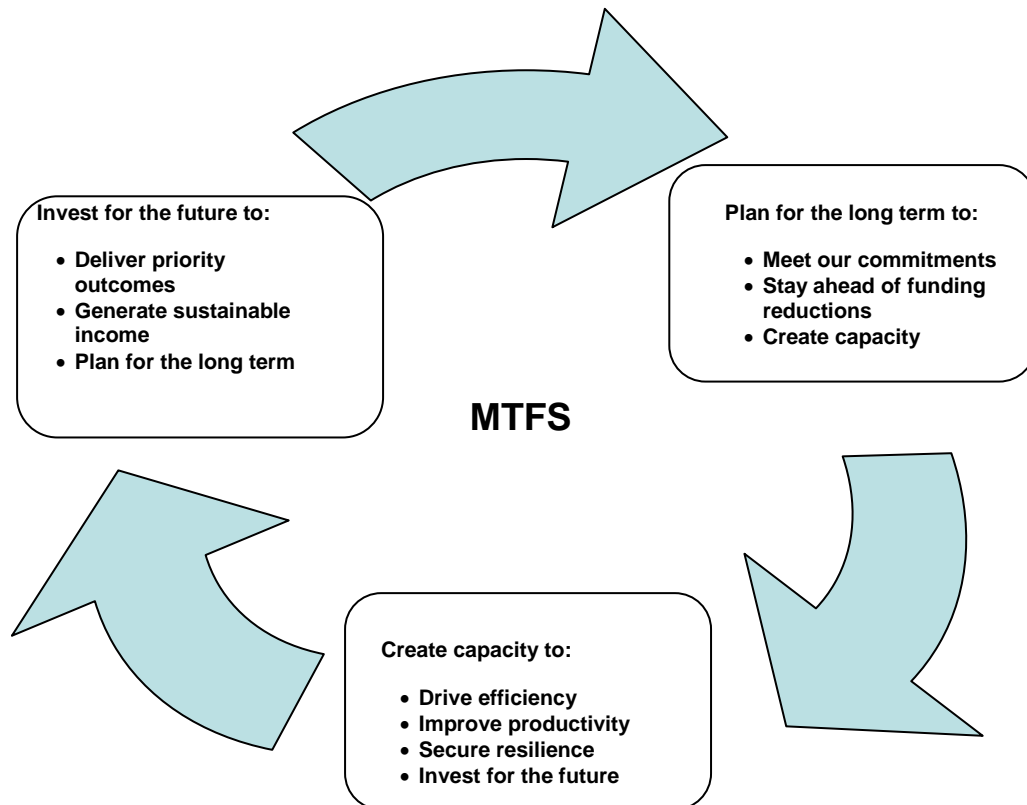
1. Introduction and Background

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

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

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



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

2 Update on financial assumptions

Economic Assumptions

Interest Rates

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

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

*2020/21 Quarter 1 Treasury Management Report

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

Inflation

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

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

General Fund Assumptions

Settlement Funding

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

Local Government Finance Settlement	17/18 £000's	18/19 £000's	19/20 £000's	20/21 £000's *	21/22 £000's *	22/23 £000's	23/24 £000's
RSG	593	265	0	0	0	0	0
BRBF	2,294	2,365	2,554	2,459	2,515	2,565	2,617
Tariff adjustment			-101	-103		0	0
SFA	2,887	2,630	2,554	2,459	2,515	2,565	2,617
RSDG	108	135	408	108	108	0	0
TG	11	0	0	0	0	0	0
Total	3,006	2,765	2,554	2,567	2,623	2,565	2,617

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

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

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

Business Rates Retention

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

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

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

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

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

New Homes Bonus

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

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

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

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

Special and Specific Grants

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

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

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

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

Council Tax

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

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

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

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

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

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

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

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

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

Service Income

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

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

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

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

*Per Q1 20/21 and MHCLG return July 2020

Service-Related Grants

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

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

Service Expenditure

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

Housing Revenue Account Assumptions

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

Dwelling Rents

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

Council House Sales and New Builds/Acquisitions

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

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

Other Income

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

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

Debt Charges Assumptions

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

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

Reserves and Balances Assumptions

General Balances

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

Earmarked Reserves

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

Earmarked General Fund Reserves

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

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

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

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

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

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

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

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

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

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

Housing Revenue Account Reserves

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

Capital Reserves

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

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

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

Costs

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

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

Income

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

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

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

Net Budget Forecast (Mid-Case)

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

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

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

*Renewable energy business rates

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

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

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

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

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

4. Savings

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

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flexible working to meet citizen and customer needs;

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

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

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

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

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

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

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

5 Capital Programmes

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

6 Programme for Growth

- 6.1 The 'Programme for Growth' is the Council's strategic programme to support delivery of its Corporate Plan. The programme comprises a range of cross cutting projects designed to '**make Selby a great place**' by investing in jobs; housing; infrastructure/economic development; and the tourism economy. The approved programme, is set out at **Appendix F with the latest phasing of spend.**
- 6.2 The programme is now in its fourth incarnation, with an initial suite of projects approved as part of the 2018/19 budget and then revised in January 2019. Extensions to contracts were approved as part of the 20/21 budget. The table below shows the value of spend to date on the programme and the value still to be delivered:

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

- 6.3 These resources could increase further subject to the future Business Rates and delivery of savings. **The mid-case scenario shows a further £6.583m available in the 'Special Projects Reserve' for allocation to the programme in 2021/22.**
- 6.4 The resources available to fund the programme will be reviewed annually in light of announcements on Local Government funding and the Council's financial outlook. However the Council's strategic approach to its future financial sustainability is reliant upon investment to stimulate housing and business growth which in turn will generate local funds through Council Tax and Business Rates to mitigate losses in central Government funding and provide the capacity for further reinvestment.
- 6.5 There may also be opportunity to extend the programme for growth further through bids for funding from external partners (such as the LEP and HCA). Proposals for further projects will be brought to Council for approval in September 2020.

7 Conclusions

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

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

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

Appendix A (ii)

GENERAL FUND	Revised	← Medium Term Financial Plan →			← Long Term Forecast →							Comments
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	
KEY ASSUMPTIONS												
Growth/Inflation		1.70%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
Interest Rates		0.10%	0.10%	0.10%	0.25%	0.50%	0.75%	1.00%	1.25%	1.50%	1.75%	Assumed a cautious 0.25% recovery after 23/24
Tax Base Increase		-0.32%	0.50%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	
Government Settlement Funding change		1.70%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
Council Tax Increase	£5	£5	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	
COUNCIL TAX												
Tax Base (Number of Band D Equivalents)	31,989	31,888	32,047	32,368	32,692	33,018	33,349	33,682	34,019	34,359	34,703	Tax base reduction 21/22 as a result of Covid-19
Council Tax @ Band D (£)	183.22	188.22	191.97	195.79	199.69	203.66	207.71	211.85	216.06	220.36	224.75	
Council Tax Income (£000's)	5,861	6,002	6,152	6,337	6,528	6,725	6,927	7,135	7,350	7,571	7,799	
Precept (£000's)	5,861	6,002	6,152	6,337	6,528	6,725	6,927	7,135	7,350	7,571	7,799	
REVENUE FINANCING	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	
Local Income												
Council Tax	- 5,861	- 6,002	- 6,152	- 6,337	- 6,528	- 6,725	- 6,927	- 7,135	- 7,350	- 7,571	- 7,799	
Council Tax Collection Fund Surplus/Deficit (+/-)	- 74	245										Deficit in 22/23 re Covid-19 losses in 20/21
Business Rates Collection Fund Surplus/Deficit (+/-)	- 9,019	- 9,172										Assumes renewable energy receipts cease after BR baseline reset
Govt Funding/Grants												
Settlement Funding - Business Rates Safety Net (Baseline from 22/2)	- 2,274	- 2,326	- 2,565	- 2,617	- 2,669	- 2,722	- 2,777	- 2,832	- 2,889	- 2,947	- 3,006	Safety net 20/21 and 21/22. Baseline from reset in 22/23
Settlement Funding - Revenue Support Grant												
Settlement Funding - Rural Services and Transitional Grants	- 108	- 108										Assumes 1 year roll over
New Homes Bonus	- 2,534	- 1,182	- 767									Assumes phasing out per 20/21 settlement
Other Specific Grants	- 113	- 113										Assumes 1 year roll over
Covid Emergency and New Burdens Funding	- 1,198											Funds received to July 2020
TOTAL EXTERNAL RESOURCES (a)	- 21,181	- 18,658	- 9,484	- 8,954	- 9,197	- 9,447	- 9,704	- 9,968	- 10,239	- 10,518	- 10,805	
REVENUE BUDGET	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	
Approved Operational Budget - Net (Per Council Feb 20)	11,067	10,301	10,289	10,648	10,705	10,919	11,137	11,525	11,587	11,819	12,055	District election costs in 2023/24 and 2027/28
Investment Interest (Received and Paid)	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	- 575	£350k Cap + £200k PF + £100k SDHT - £75k interest paid
Capital Adjustments	- 1,706	- 740	- 741	- 561	- 561	- 561	- 561	- 561	- 561	- 561	- 561	23/24 adjusted for cap bids from cap receipts
Approved Growth Bids	6,091	2,990	3,008	174	174	174	174	174	174	174	174	
Contingencies	200	200	200	200	200	200	200	200	200	200	200	
Net Budget Before Contributions to/from Reserves	15,077	12,176	12,181	9,886	9,943	10,157	10,375	10,763	10,825	11,057	11,293	2020/21 - 2022/23 agrees to Budget approved Feb 2020
Supplementary Estimates Approved (Covid-19 related)												
- Car Parks - suspension of charges	168											
- Industrial Unit - suspension of rents	40											
Other cost and income pressures:												
- Covid - costs associated with new burdens funding	130											
- Covid - cost pressures	173											
- Covid - Income pressures	1,335	493	362	372	290	209	124	50	38	25	13	Investment returns 21/22 - 23/24 and planning fees 21/22

GENERAL FUND

	Revised	← Medium Term Financial Plan →			← Long Term Forecast →						
	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31
- Covid - savings delayed	603										
- Non-Covid savings reduction		150	150	150	150	150	150	150	150	150	150
- Additional pay award	53	54	55	56	57	59	60	61	62	63	65
											Additional 0.75% from 20/21
- Land charges fees		35	36	36	37	38	39	39	40	41	42
- LGR Contingency increase	150	150									Reg change in rules - personal searches now free
											6 month extension of agency staff and additional legal support
- Planning and Enforcement backlog	166										
Capital Financing re-profiled	762	378	-								
P4G re-profiled	- 889	694	4,949								
Net Budget Before Contributions to/from reserves	17,768	14,130	17,733	10,500	10,477	10,612	10,747	11,063	11,115	11,336	11,563
Contributions to Reserves:											
Asset Management	200	200	200	200	200	200	200	200	200	200	200
ICT	177	213	250	250	250	250	250	250	250	250	250
District Election	34	38	38	38	38	38	38	38	38	38	38
Pension Equalisation	-	97	185	185	185	185	185	185	185	185	185
Special Projects/P4G	9,019	9,172	-	-	-	-	-	-	-	-	-
Local Plan	50	50	50	50	50	50	50	50	50	50	50
Business Rates Equalisation											
Contributions from Reserves:											
Asset Management	- 510	- 515	- 16	- 200	- 204	- 208	- 212	- 216	- 221	- 225	- 230
Business Development/Spend to Save	- 68	- 69	- 71								
IG	- 471	- 387	- 174	- 174	- 174	- 174	- 174	- 174	- 174	- 174	- 174
PF	- 153	- 167	- 177	- 186	- 190	- 194	- 200	- 207	- 215	- 225	- 237
District Election				- 153				- 165			
Contingency	- 100	- 100	- 100								
Local Plan	- 243	- 75	- 150								
Programme for Growth	- 4,137	- 3,008	- 7,288								
Affordable Housing Commuted Sums	- 220										
Business Rates Equalisation/Internal safety net top-up	- 208		- 266								
Net Contributions to/from reserves (+/-)	3,370	5,449	- 7,519	10	155	147	137	- 39	113	99	82
Forecast Net Revenue Budget (b)	21,138	19,579	10,214	10,510	10,632	10,759	10,884	11,024	11,229	11,435	11,645
Difference between resources and forecast budget (a + b)	- 43	921	729	1,557	1,435	1,312	1,180	1,056	989	917	840
Note savings included in operational budgets not yet delivered	155	747	848	848							
Add new savings targets	-	921	729	1,557							
Total savings to be delivered	155	1,668	1,577	2,405							

Appendix A (ii)
Comments

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

GENERAL FUND	Revised 2020/21	← Medium Term Financial Plan 2021/22	← 2022/23	← 2023/24	← 2024/25	← 2025/26	← 2026/27	← Long Term Forecast 2027/28	← 2028/29	← 2029/30	← 2030/31	Comments
KEY ASSUMPTIONS												
Growth/Inflation		1.50%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
Interest Rates		0.10%	0.15%	0.20%	0.25%	0.50%	0.75%	1.00%	1.25%	1.50%	1.75%	Assumed a cautious 0.25% recovery after 24/25
Tax Base Increase		0.50%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	1.00%	
Government Settlement Funding change		2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	2.00%	
Council Tax Increase	£5	£5	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	1.99%	
COUNCIL TAX												
Tax Base (Number of Band D Equivalents)	31,989	32,149	32,470	32,795	33,123	33,454	33,789	34,127	34,468	34,813	35,161	Tax base reduction 21/22 as a result of Covid-19
Council Tax @ Band D (£)	183.22	188.22	191.97	195.79	199.69	203.66	207.71	211.85	216.06	220.36	224.75	
Council Tax Income (£000's)	5,861	6,051	6,233	6,421	6,614	6,813	7,018	7,230	7,447	7,671	7,902	
Precept (£000's)	5,861	6,051	6,233	6,421	6,614	6,813	7,018	7,230	7,447	7,671	7,902	
REVENUE FINANCING	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	
Local Income												
Council Tax	-5,861	-6,051	-6,233	-6,421	-6,614	-6,813	-7,018	-7,230	-7,447	-7,671	-7,902	
Council Tax Collection Fund Surplus/Deficit (+/-)	-74	141										
Business Rates Collection Fund Surplus/Deficit (+/-)	-9,019	-9,154										Deficit in 22/23 re Covid-19 losses in 20/21 Assumes renewable energy receipts cease after BR baseline reset
Gov't Funding/Grants												
Settlement Funding - Business Rates Safely Net (Baseline from 22/23)	-2,274	-2,326	-2,565	-2,617	-2,669	-2,722	-2,777	-2,832	-2,889	-2,947	-3,006	Safety net 20/21 and 21/22. Baseline from reset in 22/23
Settlement Funding - Revenue Support Grant	-108	-108										Assumes 1 year roll over
Settlement Funding - Rural Services and Transitional Grants	-2,534	-1,162										Assumes phasing out per 20/21 settlement
New Homes Bonus	-113	-113	-767									Assumes 1 year roll over
Other Specific Grants	-1,198											Funds received to July 2020
Covid Emergency and New Burdens Funding	-1,198											
TOTAL EXTERNAL RESOURCES (a)	-21,181	-18,793	-9,566	-9,038	-9,283	-9,536	-9,795	-10,062	-10,336	-10,618	-10,908	
REVENUE BUDGET	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	£000's	
Approved Operational Budget - Net (Per Council Feb 20)	11,067	10,301	10,289	10,648	10,705	10,919	11,137	11,525	11,587	11,819	12,055	District election costs in 2023/24 and 2027/28
Investment Interest (Received and Paid)	-575	-575	-575	-575	-575	-575	-575	-575	-575	-575	-575	£350k Cap + £200k PF + £100k SDHT - £75k interest paid
Capital Adjustments	-1,706	-740	-741	-561	-561	-561	-561	-561	-561	-561	-561	
Approved Growth Bids	6,091	2,990	3,008	174	174	174	174	174	174	174	174	
Contingencies	200	200	200	200	200	200	200	200	200	200	200	
Net Budget Before Contributions to/from Reserves	15,077	12,176	12,181	9,886	9,943	10,157	10,375	10,763	10,825	11,057	11,293	2020/21 - 2022/23 agrees to Budget approved Feb 2020
Supplementary Estimates Approved (Covid-19 related)												
- Car Parks - suspension of charges	168											
- Industrial Unit - suspension of rents	40											
Other cost and income pressures:												
- Covid - costs associated with new burdens funding	130											
- Covid - cost pressures	173											
- Covid - income pressures	1,321	291	309	326								Investment returns 21/22 - 23/24
- Covid - savings delayed	553											
- Non-Covid savings reduction	-	100	100	100	100	100	100	100	100	100	100	- Additional 0.75% from 20/21
- Additional pay award	-	-	-	-	-	-	-	-	-	-	-	Reg change in rules - personal searches now free
- Land charges fees		35	35	35	35	35	35	35	35	35	35	
- LGR Contingency increase	150	100										
- Planning and Enforcement backlog	120											
Capital Financing re-profiled	762	378	-									
P4G re-profiled	-889	694	4,949									
Net Budget Before Contributions to/from reserves	17,605	13,774	17,574	10,347	10,078	10,292	10,510	10,898	10,960	11,192	11,428	
Contributions to Reserves:												
Asset Management	200	200	200	200	200	200	200	200	200	200	200	
ICT	177	213	250	250	250	250	250	250	250	250	250	
District Election	34	38	38	38	38	38	38	38	38	38	38	
Pension Equalisation	-	97	185	185	185	185	185	185	185	185	185	
Special Projects/P4G	9,019	9,172	-	-	-	-	-	-	-	-	-	Renewable energy business rates
Local Plan	50	50	50	50	50	50	50	50	50	50	50	
Business Rates Equalisation												
Contributions from Reserves:												
Asset Management	-510	-515	-16	-200	-204	-208	-212	-216	-221	-225	-230	Average costs from 2023/24 pending asset management strategy
Business Development/Spend to Save	-68	-69	-71	-174	-174	-174	-174	-174	-174	-174	-174	
ICT	-471	-387	-174	-174	-174	-174	-174	-174	-174	-174	-174	
PFI	-153	-167	-177	-186	-190	-194	-200	-207	-215	-225	-237	District election
District Election	-100	-100	-100									
Contingency	-243	-75	-150									
Local Plan	-4,137	-3,008	-7,288									
Programme for Growth	-220											
Affordable Housing Commuted Sums	-208		-266									
Business Rates Equalisation/Internal safety net top-up	3,370	5,449	-7,519	10	155	147	137	-39	113	99	82	
Net Contributions to/from reserves (+/-)	3,370	5,449	-7,519	10	155	147	137	-39	113	99	82	
Forecast Net Revenue Budget (b)	20,975	19,223	10,055	10,357	10,233	10,439	10,647	10,858	11,073	11,291	11,510	
Difference between resources and forecast budget (a + b)	-206	430	489	1,319	950	903	852	797	737	672	603	
Note savings included in operational budgets not yet delivered	155	747	848	848								
Add new savings targets	-	430	489	1,319								
Total savings to be delivered	155	1,177	1,337	2,167								

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

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

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

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

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

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

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

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

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Appendix B : Reserve Balances 2020 - 2023 Including Growth Bids

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

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Covid Scenarios

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

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

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

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

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

Note Council Tax deficit distributed 2021/22

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

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APPENDIX D - Planned Savings

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

Strategic Category	Lead	General Fund - Potential Saving	Budget Risk	Saving Delivered to March 19/20 £000's	2020/21 Target £000's	2020/21 Forecast £000's	2020/21 Shortfall £000's	2021/22 Remaining Target £000's	2022/23 Remaining Target £000's	Commentary
Transforming	Dave Caulfield	Planning service review	Medium	0	67	0	67	100	100	Latest indications from the planning review indicate a saving in the service of £67k. The additional £33k saving beyond this relates to increased income from pre-application advice.
		Total Transforming		138	234	50	184	267	267	
Commissioning	Julie Slatter	Contract renegotiations	Medium	0	324	6	318	318	318	Renewal of the public conveniences contract has generated a £6k per annum saving. The purchase of the waste vehicle fleet will result in cost savings. However, these renewals are delayed until later in the year.
Commissioning	Julie Slatter	Procurement partnership	Low	12	0	0	0	0	0	Completed - Selby has exited from the North Yorkshire Procurement Partnership in April 2019. Approved by the Executive 4/10/2018.
		Total Collaboration & Commissioning	0	12	324	6	318	318	318	
Technical/housekeeping	Karen Iveson	Remove contributions to pension reserve	Low	100	0	0	0	0	0	Completed - This mitigates above inflationary rises in future pension contributions - risk to be managed within base budget.
Technical/housekeeping	Karen Iveson	Reduce contingencies	Low	160	0	0	0	0	0	Completed - The operational contingency has been reduced to £100k (the minimum advisable for operational purposes) and funding from the Contingency reserve will be drawn down for additional Executive Commissions as part of the annual budget process. The Contingency reserve will continue to be topped up through windfalls/in-year surpluses.
Technical/housekeeping	Karen Iveson	Reduction in pension contributions	Low	0	69	69	0	1	0	Reduction in pension contributions following the 2019 triennial valuation. Rates are subject to final confirmation but there is sufficient headroom in the fund to consider this low risk. Rates are expected to increase from 2023/24 and budget provision will be made to mitigate this.
		Total Technical/Housekeeping	0	260	69	69	0	1	0	
		Total		780	758	156	602	786	885	

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

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

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

General Fund	Revised Budget Incl C/F	Year to date Budget	Year to date Actual	YTD Variance	Forecast	Carry Forward	Year End Variance	Comments	Approved Programme & Carry Forward Proposal		
									Forecast 21/22	Forecast 22/23	Forecast 23/24
Transforming Customer Services	110,000	27,500	2,700	-24,800	110,000	0	0	Covid-19 has prevented the start of work on the reception alterations delaying the contact centre move. It is hoped that procurement of the contractor will be completed during summer with work being completed in October with the contact centre operating from the Civic as soon as possible following completion. The project is expected to be on budget.			
Website Development	10,000	2,500	0	-2,500	10,000	0	0	This project is to enhance the platform to allow for future development of the website. We are in discussions with NYCC to deliver the new platform.			
Industrial Units - Road Adoption	325,000	81,250	0	-81,250	0	0	-325,000	Further information being sought from NYCC Highways regarding detailed specification requirements and contribution to enable formulation of an estimate of costs. Budget costings received from contractor. This budget has been rolled forward for a number of years and a decision is now required as to whether to invest in upgrading the highway provision to adoptable standard. The current condition of the road is such that significant investment at the current time merely to enable adoption is not appropriate. It is proposed not to progress at this juncture and to seek to re-secure funding for the works when the condition dictates those works are appropriate and necessary. There are no plans to carry out this work at present as the road still has a significant useful life. A report will be prepared recommending to remove this budget.			
GIS System	37,131	9,283	0	-9,283	37,131	0	0	The project still to be scoped for this budget. Decision to be made is dependant on the decision for an Appointment System for the new Customer Contact Centre.			
Benefits & Taxation System upgrade	16,475	4,119	2,915	-1,204	16,475	0	0	This budget is linked to software upgrade supporting Channel Shift Phase 2.	15,000	15,000	
IDOX Planning System	15,000	3,750	0	-3,750	15,000	0	0	To support the IDOX suite of software applications for upgrades and patches as part of the IDOX Roadmap. This will ensure that we remain PSN compliant throughout 2020/21	15,000	15,000	
ICT - Annual Software Licence	85,000	21,250	0	-21,250	85,000	85,000	0	Annual Microsoft Licence	85,000	85,000	85,000
ICT - Servers	7,590	1,898	0	-1,898	7,590	0	0	Servers are being upgraded to align to Microsoft licencing requirements. 50% of idox upgrade has been paid but the remaining £7.5k will be paid in Q2 of 2020/21 when the work is completed.	30,000		
ICT - Software	29,694	7,424	8,000	577	29,694	0	0	Budget committed to the Digital Workforce Project. The project is underway for the implementation of Microsoft 365 tools. The project has been delayed due to Covid-19, however it is anticipated that the project will be completed in the current financial year.			
Adobe Licence Replacement	0	0	0	0	0	0	0		15,000		
Finance System Replacement	0	0	0	0	0	0	0		150,000		
Committee Management System	3,000	750	0	-750	3,000	0	0	ModernGov software now live as of 2019/20, the final £3k budget to cover final costs to upgrade the software due Q2 2020/21.			
Upgrade to Assure from M3	20,000	5,000	10,000	5,000	20,000	0	0	This budget is to migrate from M3 to Assure software, this project will commence in Q3 2020/21 to be completed in the current year.			
Cash receipting System	32,500	8,125	0	-8,125	32,500	0	0	Income Management Software replacement project. The capital budget for this project will be used for training and consultancy on the new software commencing in Q2 with delivery completing in Q4 2020/21.			
Northgate Revs & Bens	7,856	1,964	0	-1,964	7,856	0	0	Budget required for system upgrades following legislative changes in relation to e-billing. The budget will be to complete the software changes / upgrades.			

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

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

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

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

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

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

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

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

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

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

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

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

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