



Summons and Agenda for the
Council Meeting

to be held on

**Tuesday, 21 December
2021**

at

6.00 pm





To: All District Councillors

cc: Chief Officers

You are hereby summoned to a meeting of the Council to be held in the Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT on **TUESDAY, 21 DECEMBER 2021** starting at **6.00 pm**. The Agenda for the meeting is set out below.

Janet Waggott

Janet Waggott
Chief Executive

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to:- (i) the recording being conducted under the direction of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact, prior to the start of the meeting, Palbinder Mann – Democratic Services Manager via pmann@selby.gov.uk or 01757 292207. Any recording must be clearly visible to anyone at the meeting and be non-disruptive.

AGENDA

Opening Prayers.

1. Apologies for Absence

To receive apologies for absence.

2. Disclosures of Interest

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

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

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

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

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

3. Minutes (Pages 1 - 8)

To approve as a correct record the minutes of the meeting of the Council held on 28 September 2021.

4. Communications

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

5. Announcements

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

6. Petitions

To receive any petitions.

7. Public Questions

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

8. Councillors' Questions

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

9. Reports from the Executive (Pages 9 - 26)

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

10. Reports from Committees (Pages 27 - 32)

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

11. Motions

To consider any motions.

12. Low Carbon Strategy (C/21/8) (Pages 33 - 60)

The Council are asked to consider report C/21/8 which sets out the Council's proposed Low Carbon Strategy 2021-2030. Members are also asked to approve the strategy and support the recommended option for offsetting scope 1 and 2 emissions from 2018 to 2023.

13. Report of the Monitoring Officer (C/21/9) (Pages 61 - 74)

The Council are asked to note the content of report C/21/9 – the report of the Council's Monitoring Officer 2021- Standards Arrangements.

14. Constitution Update (C/21/10) (Pages 75 - 80)

The Council are asked to note the content of report C/21/10 – the report of the Council's Monitoring Officer - Administrative changes made since the last amendments were reported to Council in April 2021.

15. Urgent Action

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

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Agenda Item 3



Minutes

Council

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

Date: Tuesday, 28 September 2021

Time: 6.00 pm

Present: Councillor J Duggan in the Chair

Councillors I Chilvers (Vice-Chair), D Mackay, K Arthur, D Buckle, J Cattanach, J Chilvers, M Crane, S Duckett, K Franks, T Grogan, A Lee, C Lunn, J Mackman, J McCartney, M McCartney, R Musgrave, R Packham, C Pearson, N Reader, C Richardson, S Shaw-Wright, R Sweeting and P Welch

Officers Present: Janet Waggott (Chief Executive), Dave Caulfield (Director of Economic Regeneration and Place), Karen Iveson (Chief Finance Officer (s151)), Alison Hartley (Solicitor to the Council and Monitoring Officer), Claire Dickinson (Principal Planning Policy Officer and Palbinder Mann (Democratic Services Manager)

24 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Brook, E Jordan, M Jordan, J Shaw-Wright, W Nichols and M Topping.

25 DISCLOSURES OF INTEREST

There were no disclosures of interest.

26 MINUTES

The Council considered the minutes of the meeting held on 22 July 2021.

A query was raised regarding whether there was an update on the Selby District Community Legacy Fund. The Lead Executive Member for Communities and Economic Development explained that a design workshop had been held in August with members and community representatives and the Two Ridings Foundation were now in the process of recruiting a local grant panel of members to review applications. Council was informed that the official

launch date for the new process was scheduled for 1 November 2021.

RESOLVED:

To approve the minutes of the meeting of the Council held on 22 July 2021 for signing by the Chairman.

27 COMMUNICATIONS

There were no communications.

28 ANNOUNCEMENTS

There were no announcements.

29 PETITIONS

There were no petitions.

30 PUBLIC QUESTIONS

There were no public questions.

31 COUNCILLORS' QUESTIONS

One question had been submitted for consideration.

Councillor J McCartney asked the question of the Lead Executive Member for Communities and Economic Development, which related to the current Selby Town Centre plans, including consultation with residents during the places and movement study.

The Lead Executive Member for Communities and Economic Development explained that some of the aspects that were considered when reviewing town centres included ensuring there were good public transport links, car parking, a variety of shops and clean streets.

With regard to the Places and Movement consultation, Council was informed that the consultation had cost £159k with contributions from the District Council, North Yorkshire County Council and the York and North York Local Enterprise Partnership. The Lead Executive Member for Communities and Economic Development explained that around 600 responses from residents had been received and that there would be a second phase to the consultation to consider the findings of the first phase.

Councillor J McCartney asked a supplementary question regarding the importance of speaking to residents regarding their views as they lived and therefore understood their local areas

The Lead Executive Member for Communities and Economic Development explained that during the first phase of the consultation there had been two

live briefings for the public to ask questions and there had also been a Member briefing. Council was informed that face to face consultation was not possible during the first phase due to Covid however it was hoped this would be possible during the second phase.

32 REPORTS FROM THE EXECUTIVE

Councillor M Crane, Leader of the Council

The Leader of the Council presented his update on the work he had recently undertaken as outlined in his report and added that the first meeting of the Implementation Board regarding Local Government Reorganisation had taken place however the Deputy Leader of the Council had attended as he had not been able to.

Concern was raised regarding the lack of input from residents into the proposals for Local Government Reorganisation and that decisions were going to be made with little input from residents and local Members. The Leader of the Council explained that as a member of the Implementation Board, he would forward any views expressed to him by any local Members. It was explained that there were differing views from Members on the proposals however the Government had made the decision to proceed with the option of one unitary authority for the area therefore the proposals would be going ahead.

With regard to the number of members in the new authority, the Leader of the Council informed Council that it was proposed to have 90 members in the new authority and due to this number, local members would be representing larger wards than they currently were.

A further query was raised regarding the size of the new wards and that the proposals were being implemented too quickly which meant all considerations could not be taken into account. The Leader of the Council explained that the Government had agreed for elections in 2022 to avoid Members having six year terms in the new authority. It was noted that the Local Government Boundary Commission were unable to review boundaries before the implementation however would be undertaking a review once the new authority had commenced.

Councillor R Musgrave, Deputy Leader and Lead Executive Member for Place Shaping

The Lead Executive Member for Place Shaping presented his update on the work he had recently undertaken as outlined in his report.

A query was raised regarding the financial commitments to the work on low carbon as the majority of the budget already seemed to have been committed. The Lead Executive Member for Place Shaping explained that a report on the Low Carbon work would be going to the next Executive meeting in October and that further funding was available should there be effective business

cases presented.

The following additional discussion took place:

- Concern was raised regarding plastic sheeting being placed around newly planted trees and whether this was needed. The Lead Executive Member for Place Shaping agreed to look into this.
- Concern around the lack of planning enforcement in an area where planning permission wasn't followed. The Lead Executive Member for Place Shaping explained that there was a backlog of work with planning enforcement however agreed to speak to the respective Member outside of the meeting regarding the issue.
- In response to a query regarding the removal of the requirement to send neighbours notification letters in respect of planning application, the Lead Executive Member for Place Shaping explained that since the change, he had not received any complaints and that the report regarding the implications of the changes would be sent to Members as soon as possible.
- Concern was raised at the length of time it took for planning enforcement to be taken against unauthorised planning developments. The Lead Executive Member for Place Shaping explained that it was important to engage positively with planning enforcement officers if there were any issues and that they had to operate within a legal framework with regard to their powers.
- A query was raised regarding conservation areas, in particular in the Riccall ward. The Lead Executive Member for Place Shaping explained that there was a lengthy process for changing conservation areas and that he would look into the issue raised.

Councillor C Lunn, Lead Executive Member for Finance and Resources

The Lead Executive Member for Finance and Resources presented his update on the work he had recently undertaken as outlined in his report and informed Council that quarter two finance reports would be available a month later than expected.

A query was raised regarding the budget relating to the Programme for Growth as 60% of the budget was related to staff salaries however there did not seem to be spend on project delivery. The Lead Executive Member for Finance and Resources explained that the Programme for Growth contained multiyear projects and outlined the amounts of spend that had been spent on project delivery and was forecasted to be spent in future years. The Lead Executive Member for Finance and Resources added that there was an element of spending at the commencement of projects on planning and other administration which was necessary.

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

The Lead Executive Member for Communities and Economic Development presented his update on the work he had recently undertaken as outlined in his report and thanked all Councillors for attending the Shining Stars event which had recently taken place.

The following discussion took place:

- A query was raised regarding an update on the current situation with the sites at 43 Kirkgate and the former NatWest bank in Tadcaster. The Lead Executive Member for Communities and Economic Development explained that discussions were still taking place regarding the former NatWest bank and that the property at 43 Kirkgate was looking to be brought back into use.
- In response to a query regarding skilled jobs in the district, the Lead Executive Member for Communities and Economic Development outlined the various businesses that had brought new skilled and well paid jobs into the district.
- In response to a query regarding the development of the Legacy Fund Grant Policy, the Lead Executive Member for Communities and Economic Development explained that it was hoped this would be considered by the Executive at their meeting in November.
- Concern was raised regarding offensive graffiti in Selby town centre which had been there for a considerable time. The Lead Executive Member for Health and Culture stated that details of the graffiti should be sent to him to look into.
- A query was raised regarding the finances of the Transforming Cities Fund. The Lead Executive Member for Communities and Economic Development informed Council that the overall budget for the project was £23.5 with a £20m grant being provided from the Department for Transport. It was explained the other £3.5m was split between North Yorkshire County Council and Selby District Council.

Councillor Tim Grogan, Lead Executive Member for Health and Culture

The Lead Executive Member for Health and Culture presented his update on the work he had recently undertaken as outlined in his report and explained that Selby had been chosen by Arts Council England as one of their 54 priority places. Additionally, the Lead Executive Member for Health and Culture thanked the Police and the Council for their work on the Section 61 notice regarding the unauthorised travellers camp in Lumby.

The following additional discussion took place:

- In response to a query concerning the £780k funding from the Arts Council, the Lead Executive Member for Health and Culture explained that the funding could be used to enhance the arts and culture across the district.
- In response to a query concerning the use of covert cameras for the prevention of fly tipping, the Lead Executive Member for Health and Culture stated that cameras were indispensable in the fight against fly tipping and that he would be looking to continue their use.
- Concern was raised that local Councillors had not been informed of the forthcoming residents festival on 16th and 17th October. The Lead Executive Member for Health and Culture stated he would look into this.

RESOLVED:

To receive and note the reports of the Executive.

33 REPORTS FROM COMMITTEES

Councillor Karl Arthur, Chairman of the Audit and Governance Committee

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

There were no questions for Councillor Arthur.

Councillor C Pearson, Chairman of the Policy Review Committee

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

There were no questions for Councillor Pearson.

Councillor S Shaw-Wright, Chairman of the Scrutiny Committee

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

There were no questions for Councillor Shaw-Wright.

RESOLVED:

To receive and note the reports from Committees.

34 MOTIONS

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

'As we head towards COP26 it is disappointing to see the Selby District Council Executive watering down the Council's commitment and ambitions to tackling climate change in the Selby District and cutting the funding available.'

Whilst Central Government is still talking up their commitment to taking action on Climate Change, the Selby District Council Executive is simply walking away.

The all-party Low Carbon Working Group spent over two years developing a plan for the Selby District only to see the Executive turn their backs on it.

We urge the Executive to reconsider, to reflect the public's concerns on this important issue and to accept the all-party Group recommendations in full.'

Councillor R Packham proposed the motion and stated that the Council was now aware of it's carbon footprint therefore it was important the work of the Low Carbon Working Group was taken forward. Councillor Packham also stated that if the budget of £250k allocated to low carbon work was exceeded then it was important that further requests of funding were not brought back to Council as this would result in further delays.

The Lead Executive Member for Place Shaping responded to the motion and stated that the Executive had not turned their backs on the plan with their being progress on low carbon already taking place with the recruitment of a Low Carbon Officer and the calculation of the Council's carbon footprint. The Lead Executive Member for Place Shaping explained that there had been un-costed actions in the plan by the Working Group and it would be better for the Group to look at the plan again to re-consider this. The Lead Executive Member for Place Shaping added that further money was available if effective business cases were presented.

Upon being put to the vote, the motion was rejected.

RESOLVED:

To reject the motion.

35 CHURCH FENTON NEIGHBOURHOOD DEVELOPMENT PLAN 2020 - 2027 (CFNDP)

The Lead Executive Member for Place Shaping presented the report which asked the Council to formally make the Church Fenton Neighbourhood Development Plan 2020-2027 part of the Development Plan for Selby District, following the positive outcome of the referendum held on 3 August 2021.

The Lead Executive Member for Place Shaping thanked officers for their work on the plan and stated that Church Fenton should be proud of their achievement.

RESOLVED:

To agree to make the Church Fenton Neighbourhood Development Plan 2020-2027 part of the Development Plan for Selby District, following the positive outcome of the referendum held on 3 August 2021.

36 URGENT ACTION

There was no urgent action to report.

The meeting closed at 7.38 pm.

Councillor Mark Crane - Leader of the Council

Report to Council on 21 December 2021

This report covers the period from the Council meeting on 28 September 2021 to date. I have attended meetings of the Local Government Association (LGA and District Council Network (DCN), the York and North Yorkshire Local Enterprise Partnership Infrastructure board and the North Yorkshire Implementation Board.

Leisure

I am pleased to advise council that we have agreed an extension of the licence agreement with the NHS for the continued use of the Summit building as a covid 19 vaccination centre until the end of March 2022.

Our leisure services continue to be provided by IHL under difficult covid 19 impacts and we are currently finalising the details of a covid 19 subsidy for next financial year. The leisure sector across England has suffered significant impacts from the pandemic and continues to experience difficult market conditions of reduced footfall whilst also bearing increased inflationary pressures such as energy costs.

Housing and Assets

Work is ongoing to finalise implementation of the restructure of the Property Services team which will bring in additional capacity. Despite significant resource pressures, the team have continued to make excellent progress delivering the backlog of repairs resulting from the multiple service interruptions due to covid 19. The number of outstanding repairs has been reduced by 82%.

Extra external contractor resource has been sourced to add to the delivery of the capital investment programme, particularly those needed to return the void properties back into use.

As part of our commitments towards de-carbonisation of our council-owned housing stock and delivery of our 'net-zero' ambitions, we have awarded a contract for delivery of air source heat pump installations. Initially targeted at those properties where solid fuel remains the primary source of heating, the programme will also focus on those larger family homes where electric only heating creates significant fuel poverty concerns for our customers.

Annual Rough Sleeping Count

The annual rough sleeping count took place on the evening of 17 November and into the morning of 18 November. Led by the Housing Options Team, staff from various departments offered their time and knowledge (and sleep) to be involved in the count allowing us to visit several areas throughout the district in the early hours of the morning.

Local authorities across England take a single night snapshot of people sleeping rough on a typical night on a single date between 1 October and 20 November. Each year we seek evidenced-based estimates from partners and this we also undertook a physical night-time count. People sleeping rough are defined as those sleeping or about to bed down in open air locations and other places including tents and make-shift shelters and the snapshot does not provide a definite number of people affected by homelessness. Although we didn't identify anyone rough sleeping on the night of the official count, the Housing Options Team are currently supporting 18 individuals staying in temporary or emergency accommodation.

Council Performance

Along with Executive colleagues, I continue to monitor performance and we reviewed quarter 2 performance on 2 December. Executive noted positive work around the number of empty homes brought back into use, customer service call answering times and the time to relet council homes. Performance is at or above target on assessing planning applications and benefit claims. Officers continue to work hard to deliver services in these challenging times and good progress has also been made to reduce the number of outstanding Council house repairs. Whilst collection of housing rent, council tax and business rates are all slightly behind target we compare well to where we were this time last year on rents and rates. Our officers continue to support tenants affected by the pandemic, providing advice to help them manage their rent payments.

Better Together

On Monday 6 December I chaired the Better Together meeting, good progress was reported on the service level agreements which we have in place for a range of services. The Legal service agreement has been extended until April 2023. Positive feedback was given on progress made on the local plan and work on the regeneration projects. An update given on the work on Selby Health matters where substantial progress has been made.

Drax

I am delighted to inform council that Selby College and Drax have secured more than £270,000 of funding from government to develop the UK's first educational programmes in carbon capture, to enable the renewable energy company to develop a workforce fit for the future.

The training will equip Drax's employees with knowledge, skills, and practical experience, to operate the vital climate saving negative emissions technology bioenergy with carbon capture and storage (BECCS).

The initiative between Drax and Selby College will help to protect jobs, plug the skills gap, and build a workforce with the vital skills needed in the transition to net zero - and builds on an existing £180,000, five-year partnership aimed at supporting education and skills.

Merry Christmas

I would like to thank all of our staff for their hard work throughout a very difficult 2021 and to wish them and members a very merry Christmas and a happy and peaceful 2022.

Mark Crane

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Councillor Richard Musgrave - Deputy Leader of the Council

Report to Council on 21 December 2021

Planning Policy and Strategy

Preparation of the Publication version of the Local Plan is ongoing with consultation having taken place early Autumn on several important pieces of evidence which will help to inform the next stage of the Local Plan, including a Green Space Audit, Stage One Green Belt Review, Indoor and Outdoor Sports Studies and the Local Plan and CIL Viability Report.

A full review of the information submitted in relation to all 456 sites is nearing completion. Engagement is also ongoing with a range of key stakeholders and site promoters in order to assess the viability and deliverability of proposals which will inform decisions relating to the final list of development sites including the preferred new settlement option.

Consultation on the Publication Version of the plan was due to take place in early 2022 but that will now be delayed due to the Election to the new Unitary Council which will take place in May 2022. The consultation is now likely to take place in June – July 2022.

A new Statement of Community Involvement for Selby District came into effect from 1 January 2021. One of the changes to the Statement of Community Involvement meant that for the advertising of planning applications, neighbour notification letters were no longer necessary if site notices were present. At the time of change, I agreed at Full Council to review the change after the first 6 months of implementation.

In July 2021 a short questionnaire was sent to all Parish and Town Council Clerks in Selby District. Thirteen Parish and Town Councils responded by the August 2021 closing date. These were from: Barkston Ash, Barlby, Balne, Burn, Cawood, Gateforth, Hensall, Kellington, Kirk Smeaton, Little Fenton, Little Smeaton, Riccall and Tadcaster. A total of ten of the Parish Councils requested the reinstatement of neighbour notification letters although did not specify the reason for this. A number of issues were raised with the current site notices and suggestions made of how applications could be better advertised.

As a result of the responses, it is not considered that further changes are necessary to the Statement of Community Involvement. However, a number of steps are being looked at to improve the advertisement of planning applications as set out below:

1. That the Local Planning Authority makes changes to the design of site notices as well as the number and location of site notices displayed in the following ways:
 - the addition of QR codes and a small site plan. This would enable those with disability/sight impairment to scan the notice and then view the details on their device allowing for adaptations to the text as necessary;

- making the “where to view / send comments” clearer, as it is acknowledged that this can become lost in all the information presented on a site notice; and
 - placing more than one Site Notice in the vicinity of the site, and by checking for cul-de-sacs or no-through roads where notices can also be displayed.
2. That the Local Planning Authority highlights opportunities to comment on planning applications by:
- the use of a generic poster to be displayed on both Parish and Town Council noticeboards as well as in libraries and leisure centres detailing links to the Council’s website, registering for the weekly list of planning applications and the use of Public Access to view and comment on applications; and
 - the use of “How to...” Videos for the planning webpages to encourage people to use Public Access, as well as the possibility of an interactive map on the Council’s webpage for planning applications.
3. That the Parish and Town Councils are notified of the changes and provided with the generic poster for their noticeboards.

I was pleased to see that North Yorkshire County Council have invested £2.5m in extending and improving the facilities Hungate Primary School in Sherburn, of which £407k was funded via S106 contributions from the Strata development in Sherburn (Carousel Walk) for improvements to education. Five new classrooms and a new staffroom were created, along with new school libraries, a new planning resource room and new play equipment. A new studio was added to the side of the existing school hall to provide more space for assemblies and dining.

The playground was also modernised and updated, additional car parking was added and a veranda overlooking the fields now runs along the entirety of the building. New carpets, lighting and ceilings were added to the rest of the existing building.

The Church Fenton Neighbourhood Plan was formally “made” by Council in September and now forms part of the Development Plan. Officers are continuing to support Escrick Parish Council in preparing a Neighbourhood Plan for their area, which has now reached the formal submission stage and following checks will soon be subject to further public consultation.

Planning Services

The casework of the Development Management Team remains high with the level of applications and other related work running at around 23% - 29% up on previous years (based on the first six months of this year).

The service is resourced to deliver 1,300 applications and related matters a year but between the 1 April 2021 and 30 November 2021, it has already determined 1,083. As well as the high volumes of work, the team is dealing with a series of large and complex applications, and this is reflected in increased income; at the end of October planning fee income after 6 months of the year was approximately £1.074m compared to an average of around £887k for the last 5 full years.

I am grateful to all those involved in the Development Management Service for their hard work.

In the period between 1 September 2021 to 30 November 2021, 100% of major applications (N1 – N6) were determined within the statutory period or agreed extension of time. This equates to 9 determined, 1 within the statutory 13 weeks, 8 within the extension of time period agreed and 0 out of time. These figures are higher than the national designation targets set by the Government for majors which is 60%.

In the period between, 1 September 2021 to 30 November 2021, 66.7% of minor applications (N13 – N18) were determined within the statutory period or agreed extension of time. This equates to 51 determined, 3 within the statutory 8 weeks and 31 within the extension of time period agreed and 17 out of time. These figures are slightly lower than the national designation targets set by the Government for minor applications which is 70%.

In the period between, 1 September 2021 to 30 November 2021, 79.3% of minor others (N20 – N25) applications were determined within the statutory period or agreed extension of time. This equates to 116 determined, 30 within the statutory 8 weeks and 62 within the extension of time period agreed and 24 out of time. These figures are higher than the national designation targets set by the Government for minor applications which is 70%.

In addition to the above during the same period we also dealt with 131 other applications which are not reported to CLG which include the following types of application:

HENS (Larger household extensions), Agricultural Prior approvals, Prior Notifications, Telecommunications, Discharge of Conditions, Minor Amendments, Works to Trees, County and other Consultations, Scoping reports and Screening opinions for EIA applications.

We also assessed 39 Permitted Development Enquiries (PD's) and determined 15 Certificates of Lawfulness.

With regard to performance at appeal, in the period between 01.09.2021 to 30.11.2021 a total of 7 were determined of which 2 were allowed and 5 were dismissed. We also received 11 new appeals.

At 1 December 2021 the Planning Enforcement team had 334 live enforcement cases open. We received 114 new cases and closed 129 within the three months period September, October and November 2021. The Planning Enforcement Team also served 4 Enforcement notices, 2 Breach of Condition notices and 1 Temporary Stop notice. The latter was served on Leeds East Airport. The Council enforcement officers have been in extensive contact with the landowners at the site in an effort to secure the cessation of unauthorised activities. Despite these efforts it has been necessary to service a notice.

Low Carbon Work

Work on low carbon continues to progress with the draft Low Carbon Strategy approved at the Executive meeting in October, the strategy has been brought to Council today for further support and sign off. As previously discussed, we have also agreed that the Council will offset its scope 1 & 2 carbon footprint, calculated as 1348 tonnes per annum by APSE, for the period 2018-2023 when Selby District Council will cease to exist.

To highlight some of the good work that is already in progress: we have been in discussion with Leeds Arium for a supply of trees for planting, to help develop our work with the White Rose Forest; development of an electric vehicle infrastructure strategy is underway with North Yorkshire County Council; surveys are being completed on the Council's industrial units to identify improvements in energy efficiency; a climate change training module will soon be ready for all staff and members; and work is continuing to focus on methods to improve the energy efficiency of housing in the district.

In addition, we have begun to develop a working relationship with the County Council's Beyond Carbon Team to identify opportunities for joint working on projects and influencing the ambitions of the new council.

The Low Carbon Working Group continue to meet with the Low Carbon Project Officer to prioritise projects and discuss feasibility for delivery over the coming year. The Low Carbon Working Group held a well-attended workshop on the 9 December with support from Council officers from different service areas to review the potential projects in the Low Carbon Strategy and to prioritise those to focus on which included tree planting along with increasing biodiversity and hedgerows; retrofitting social housing to improve energy efficiency and procuring electricity in all Council buildings from a renewables tariff.

Richard Musgrave
Deputy Leader of the Council



Councillor Cliff Lunn - Executive Member for Finance and Resources

Report to Council on 21 December 2021

Financial Results and Budget Exceptions Report to 30th September 2021

This report presented the forecasts for 21/22 based on the position at 30 September 2021. At the end of Q2, forecasts indicated a surplus of £93k for the GF and a £101k surplus for the HRA, against approved budgets – relatively modest sums at this stage in the year.

Covid is still impacting on the Council's services with estimates showing a variety of cost and income pressures totalling some £2.7m for the year – much of this is already built into the budget but the Executive were asked to approve a virement of £154k from the Covid contingency to cover the losses of car park, lifeline and assets team income.

General Fund planned savings are forecast to deliver at £184k but the £195k HRA saving for the housing system has been delayed as the implementation of phase 2 of the housing system will now not happen until later this year.

There is also some slippage on the capital programmes and programme for growth – the Council has ambitious plans, but capacity is stretched and therefore prioritisation will be needed. Details of progress on individual projects were set out in the appendices to the report.

Treasury Management - Quarterly Update Q2 2021/22

This report reviewed the Council's borrowing and investment activity for the period to 30th September 2021.

On average the Council's investments totalled £77.7m over the first half year at a rate of 0.19% and earned interest of £73.1k - £14.4k above the year-to-date budget.

Interest rates remained at unprecedentedly low levels and as older investments with higher rates are maturing, they are being replaced by new investments at the currently depressed rates but spend is slower than forecast, meaning balances are remaining higher for longer.

In addition to investments held in the pool, the Council had £4.93m invested in property funds as at 30 September 2021. The funds achieved 3.46% revenue return and 5.96% capital gain. Whilst it is encouraging to see capital improvement following previous falls, these funds are long term investments and changes in capital values are realised when the units in the funds are sold.

Long-term borrowing totalled £52.833m at 30 September 2021 and interest payments of £1.912m are forecast for 2021/22 – a small saving on the budget as a result of original planned borrowing not required.

The Council had no short-term borrowing in place as at 30 September 2021 and the Council's affordable limits for borrowing were not breached during this period.

Draft Budget

This report set out the Executive's proposals for the draft revenue budget; capital programmes and the Programme for Growth for 2022/23. The report set out our final budget proposals in light of local government re-organisation, our investment plans, and our continued response to Covid.

Whilst 2022/23 will be Selby's last budget, the report also presented indicative budgets and planned programmes for 2023/24 and 2024/25. This approach provides the new council with an understanding of the pressures and opportunities facing Selby District, and investments planned by this Council.

6 weeks public consultation began from the 3 December, which includes wider member engagement events. Policy Review Committee will be asked to comment on the proposals at their meeting in January.

Following consultation, the Executive will finalise the proposals in early February 2022 for submission to full Council later that same month.

Test and Trace support payments

Since September 2020 the Benefits and Taxation Section has been administering the £500 payments on behalf of the Department for Health & Social Care, the scheme has now been extended to the 31 March 2022. Payments totalling £331,000.00 have been made to residents to help them during self-isolation. The main scheme is fully funded by central government, the discretionary funding is limited, however payments issued have not yet exceeded the funding provided.

Household Support Fund

The Benefits & Taxation Section has been working closely with North Yorkshire County Council to support their administration of the new Household Support Fund, which is a pot of funding to help vulnerable households with essentials over the winter. North Yorkshire has been allocated just over £3.5 million to provide this. Across Selby District over 1400 families with children who receive Council Tax Support have been issued letters to claim the support which is being offered as supermarket vouchers totalling £250.00 which will be paid in two payments of £125.00 in December and £125.00 in January.

Councillor Cliff Lunn
Executive Member for Finance and Resources

Councillor David Buckle - Executive Member for Communities and Economic Development

Report to Council on 21 December 2021

Economic Development

Business Support

A joint visit to the new Weeland Park small industrial park developed by the Coalfield Regeneration Trust at the former Kellingley coal mine site took place recently between myself and Economic Development officers. The new units will be ready for occupation in late January and will provide a welcome high-quality addition to the range of employment sites across the district. The new units will be built to BREEAM “Very Good” environmental standard, the first in the district of a new generation of environmentally friendly construction sites.



Richard Beason, Cllr Buckle and Heidi Green at a site visit to Weeland Park

As part of the objective to increase engagement with large businesses across the district, Economic Development officers have met with and visited several the districts larger businesses including Clipper, Sedamyl, Greencore, Skills Network, Cranswick, Switch Mobility, VPK and Drax. The aim is to build a stronger relationship with large employers in the district and to work together to overcome challenges, support growth and highlight good practise, including the circular economy, a good start has been made.

With very low unemployment in the region, a growing challenge for many local employers has been recruitment and training. Officers have sought to address this by planning and delivering our first Employment and Skills forum for local businesses looking at practical ways to help resolve this pressing issue. The second forum will be taking place shortly at Askham Grange prison shortly and will include a presentation on the potential for recruiting day release and recently released prisoners.

September to November 2021 saw 94 businesses supported with advice and signposting across a range of topics including: employment, skills, planning, expansion, business diversification and funding support. Selby remains part of the Ad:Venture and Digital Enterprise programmes run by Leeds City Region LEP, referrals have been made into these programmes as well working closely with York and North Yorkshire LEP and Growth Hub to enable local businesses to take advantage of the broader range of programmes and support available.

Inward Investment & Strategic Sites

Officers have been working with the Department for International Trade and York and North Yorkshire LEP along with landowners and developers to facilitate inward investment into the district, enquiry levels are high and recent credible enquiries include Agri-tech, green energy and sustainable construction businesses. Officers continue to develop proposals to further promote the opportunities and attractions of being based in Selby District, both for inward investment and expansion of local businesses, enhancing the success of our previous place-branding work as well as developing that work.

Close working has continued with strategic site developers across the district. Some of the bigger sites include:

- Konect (at the former Kellingley colliery) - Konect is in the process of being sold by Harworth to Cole Waterhouse, officers have been engaging with both parties to ensure that the site is developed to the highest standard to the benefit of the district.
- Gascoigne Wood - Officers and planning committee members have, in recent weeks visited Gascoigne Wood to discuss Harworth's revised proposals for the Gascoigne Wood site focussing on the existing brownfield land and use of the rail infrastructure.
- Sherburn 2 / Sherburn 42 - Further engagement has taken place with Glentool and Firethorn over their exciting proposals for the neighbouring sites which are proceeding well.
- Core 62 (Former Eggborough Power Station) - Officers have been working closely with St. Francis Group on their redevelopment of this brownfield site. The development is on track, the iconic cooling towers have now been demolished and construction should begin next in 2022

Work continues with other large and smaller sites across the district.

There is a continued high level of enquiries for new investment in commercial space and this is encouraging developers to speculatively build large units to satisfy the growing demand. All the above sites are being progressed quickly to satisfy the current requirements. This demand closely reflects the Council's emphasis on prioritising well paid, skilled jobs into the district.

Regeneration

Town Centres Revitalisation Programme

A list of major priority projects has been identified which meet revitalisation objectives established through the work undertaken by the People and Places Partnership. Budget allocation against the list of priority projects was approved at Executive on 9 September 2021. The SDC Officer team are currently working on finalising project briefs and business cases prior to appointing relevant consultants.

At Executive on 11 November 2021 a Town Centres Revitalisation Programme Grant Award scheme was approved. Subject to available funding from within the programme, it will allow council officers flexibility to work with community organisations to consider grant funding community-led revitalisation projects in the town centres. Details on the approach can be found on the council website under the town centres information.

Selby District Places and Movement Study

SDC and NYCC are currently reviewing the proposal from WSP to agree the scope of work and programme timescales of the Places and movement Phase 2 work. This will include further refinement and testing of highways options in Selby and Sherburn, including junction modelling in Sherburn and a review of parking provision.

The second phase of work will ensure Selby District Council are in a strong position to apply for future funding, through a Business Case process. This process requires economic appraisal, detailed design and feasibility work and public support for options so the second phase will include further consultation on the refined options. The programme will take 12 months to complete, and consultation is likely to occur in Summer 2022.

Selby Station Gateway Transforming Cities Fund (TCF)

Following the successful bid for Transforming Cities Fund money as part of the Leeds City Region Programme Selby and NYCC have been working jointly to develop a £20m package of improvements centred on the Rail and Bus Station Gateway incorporating a new station building, new cycleway links and enhanced public realm areas.

The Project has progressed to Preliminary design stage utilising WSP as Principal Designer and the latest of three separate rounds of consultation has recently been completed. Whilst results are still under analysis significant public support continues for the proposals (82% of respondents felt either very positive, positive or neutral).

The Outline Business case is currently being appraised by the West Yorkshire Combined Authority where approval is anticipated, this will allow the drawdown of further funding to complete detailed design on the proposals. Concurrently Selby negotiations to acquire several land parcels to facilitate the scheme are

progressing well and it is anticipated that all required land will be under Selby ownership in Quarter one next year.

The scheme will be subject to a full planning application, and it is anticipated this will be submitted in late December. To assure buildability of the design and early planning for the construction period, procurement of a delivery contractor has been undertaken based on an early Contractor Involvement contract. The contract award has recently been made and the mandatory standstill period expires on 6th December.

Following determination of the planning application and completion of detailed design it is anticipated that, subject to Executive and West Yorkshire Combined Authority approvals, works can begin on the ground in summer 2022.

Welcome Back Fund

The Welcome Back Fund is a European Regional Development Fund (ERDF) awarded by the Government to local authorities. A partnership approach has been taken between Selby District Council and Sherburn-in-Elmet Parish Council, Tadcaster Town Council and Selby Town Council to deliver the funding.

The funding can be used in a variety of ways to help boost the look and feel of high streets and to welcome visitors, supporting covid recovery. The Council has been awarded £80,409 for the district in total, which has been spent across the district centres Selby, Sherburn-in-Elmet and Tadcaster, All the spend is now allocated to projects which will be completed by March 2022.

Here are some examples of projects we have delivered in the three towns so far:

Picnic tables/benches, hanging baskets, planters, films promoting re-opening of community facilities, regular footfall counts, covid safety signage, co-ordinated events calendar, Christmas lights and banners.

Currently, consultants Social Vision are undertaking targeted engagement activities with harder to reach groups, with the aim of identifying how they would like to use buildings and spaces in each of the towns.

Community Safety

Over recent weeks, there have been some high visibility patrols carried out in Barlby. This area had seen an increase in anti-social behaviour, and it has been really encouraging to see North Yorkshire Police working with North Yorkshire Youth, NYCC youth workers and SDC colleagues on these patrols. This work has been facilitated by the Safer Selby Hub. Work is ongoing with the parents of some of the young people as well as the local school. Some of this work has involved the issuing of Anti-Social Behaviour Contracts (ABC's) and the delivery of intervention packages.

Selby District Community Legacy Fund

The Heart of Yorkshire Fund – Fund for Selby District was launched on 1 November 2021. The fund offers grants up to £10,000 to organisations to benefit

local district communities. It has been kick started by £100,000 agreed by the Executive in July to support grant funding over the next year whilst the £2 million endowment agreed by Full Council in July is invested to provide ongoing funding to our district forever. Information on the fund can be found on Two Ridings Community Foundation website.

Members Community Funding

Since my last Full Council report in September, Members have funded a further 12 community projects totalling £14,000. Projects ranged across the district from community gardens, supporting communities to attend events and installing noticeboards and bins. Since June, members have now supported communities with nearly £23,000 of funding.

Councillor David Buckle

Executive Member for Communities and Economic Development

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Councillor Tim Grogan - Executive Member for Health and Culture

Report to Council on 21 December 2021

Environmental Services

We have agreed to commence a three-month trial of alternative fuel to fossil diesel in our waste fleet which could reduce our CO2 production by 90%. The trial commenced on Monday 29 November using Hydrotreated Vegetable Oil (HVO) and a report will be available thereafter. The carbon reduction for the three-month trial is expected to be about 210 tonnes and could save an estimated 840 tonnes of carbon annually.

Work has also commenced on a contract succession strategy for the Environmental Services contract which is due to expire at the end of March 2024. I will be reporting to the Executive in March on a preferred option to replace the current contract following the formation of a cross party Task and Finish group to assist with this project.

Environmental Health and Enforcement

The Council continues to support Public Health (PH) and other partners at a strategic and operational level responding to the ongoing pandemic. Infection rates remained stubbornly high across the district; however, we are currently seeing rates slowly decrease and appear to be heading in the right direction.

SDC is working with PH and other partners to support any response required to prevent the spread of COVID-19 and will continue to do so when required.

Fly-tipping

- 29 FPN's issued since 01/04/21. (5 issued since the last report)
- 12 littering
- 12 Fly Tipping
- 5 Household disposal

1 case is with legal services for prosecution early in the new year. 1 case is currently being investigated as a potential prosecution.

Gypsy and Travellers

The recent illegal encampment at Whinny Hagg Lane Thorpe Willoughby has been visited frequently by Council Officers. We have been in correspondence with NYCC who own the land but are still waiting a response.

Culture and Visitor Economy

The residents' engagement festival, Get to Know Your Own Heart, was delivered across the weekend of 16/17 October. It aimed to encourage residents to explore their district, especially its visitor attractions, and to publicise the Heart of Yorkshire website and social media channels:

- The offer included after-dark tours of Selby Abbey, guided battlefield walks at Towton, a heritage walk with Selby Civic Society, special offers at various businesses.
- Promotion, intended to raise awareness and drive traffic to the Heart of Yorkshire What's On pages, included advertising in the local press, bus advertising (on the back of 10 buses with routes across the district), partnership activity with STAG Mumbler, Google advertising, Facebook advertising and media releases. Information about the event was also sent to Parish Clerks.
- Press coverage included Selby Times, York Mix, BBC Radio York, Tadcaster Citizen, We Are Selby and Wetherby News.
- The social media reach was over 70,000 and there were over 11,000 website views.

The Visitor Economy Advisory Board have agreed to run the festival as an annual event, starting in April 2022.

Selby Stories (cultural programme for the High Street Heritage Action Zone) is in delivery:

- Artist Serena Partridge has begun a residency in Selby Abbey. She'll be working with a number of community groups and the results of her residency will be exhibited in the new year.
- Five volunteers have been trained to collect oral histories and reminiscences from local people. These will be the inspiration for much of the cultural programme for the next two years.
- Selby Community Primary and Selby Abbey C of E Primary have been working with local musician Sam Dunkley to write songs about the town. These will be recorded so they can be shared with families and school communities.

Artist Katayoun Dowlatshahi has been appointed to develop public art for the Selby Station Gateway (TCF) project. She has begun a period of research and will be talking to many interested parties before developing designs. She has wide experience of creating public art as part of large regeneration schemes, including Rochester Railway Station.

Composer Michael Betteridge has composed a new piece of music written for Selby using the memories of local people's sounds. This was premiered by the Northern Chamber Orchestra at Selby Town Hall in November and is part of an ongoing partnership with Orchestras Live and Selby Town Council.

Councillor Tim Grogan
Executive Member for Health and Culture

Policy Review Committee Report to Council

The Policy Review Committee has not met since the previous update given to Council in September 2021.

The Policy Review Committee will be meeting next on 11 January 2022.

Councillor Chris Pearson
Chair, Policy Review Committee

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Councillor Steve Shaw-Wright – Chair of Scrutiny Committee

The Scrutiny Committee has met twice, in October 2021 and December 2021, since the update given at the last meeting of the Council in September 2021.

28 October 2021

The Committee considered the following items:

Executive Member Portfolio Review - Executive Member for Communities and Economic Development – Councillor David Buckle

Councillor Buckle gave an overview of ongoing work, projects and updates within his portfolio, including town regeneration projects, Sherburn legacy projects, Heritage Action Zones, the Shining Star Awards, Community Legacy Funds, Safeguarding Partnerships and the Selby Station Gateway.

The Committee asked questions about the rollout of electric vehicles, the redevelopment of Kellingley Colliery and Eggborough Power Station, the cost of the recent Shining Star Award, the cost of the Places and Movement Consultation and potential development of the land at Burn Airfield.

Members noted the update.

Corporate Performance Reports Q4 2020-21 And Q1 2021-22

The Committee received the report of the Head of Business Development and Improvement which asked Members to consider and comment on the performance information presented to them for Quarter 4 2020-21 and Quarter 1 2021-22.

The Committee considered and noted the content of the reports.

Financial Results and Budget Exceptions Report Q1 - 2021-22

The Committee received the report of the Chief Finance Officer which asked Members to consider and comment on the Council's financial and budget exceptions for Quarter 1 of the 2021-22 year.

The Committee considered and noted the report.

Treasury Management - Quarterly Update Q1 - 2021-22

The Committee received the report of the Chief Finance Officer which asked Members to consider and comment on the Council's borrowing and investment activity (Treasury Management) for Quarter 1 and performance against the Prudential Indicators.

The Committee considered and noted the content of the report.

North Yorkshire Safeguarding Adults Board Annual Reports 2019/2020 and North Yorkshire Safeguarding Children Partnerships Independent Scrutineer's Annual Reports 2019/2020

The Committee were presented with a report that accompanied the North Yorkshire Safeguarding Adults Board Annual Report 2019-20 and the North Yorkshire Safeguarding Children Partnerships Independent Scrutineers Annual Reports 2019-20. The documents would give Members an insight into Selby District Council's current position in relation to ensuring effective safeguarding practices.

The Committee noted the content of the attached annual reports for the North Yorkshire Safeguarding Children Partnership and North Yorkshire Safeguarding Adult's Board.

Work Programme 2021-22

The Committee considered the 2021-22 work programme. Officers explained that due to the recently announced North Yorkshire Police, Fire and Crime Commissioner (PFCC) by-election, due to be held on 25 November 2021, the next meeting of the committee would have to be cancelled and the business scheduled for consideration moved to another date. It was suggested by the Committee that the attendance of the newly elected PFCC be put back to the meeting in February 2022.

Members were pleased to note that the Director of Public Health would be attending the Committee's December 2021 meeting.

Lastly, it was proposed by Members that the attendance of the Selby and Ainsty MP, Nigel Adams, be combined with a meeting of North Yorkshire County Council's Selby and Ainsty Area Constituency Committee.

16 December 2021

This meeting was held after the publication of the Council agenda; as such, the Chair of the Committee will give a verbal update at the meeting.

Future Meetings: The next meeting of the Committee will be on 20 January 2022.

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



Councillor Karl Arthur – Chair of Audit and Governance Committee

The Committee has met once since the last update provided to the Council on 28 September 2021. The meeting took place on Wednesday 29 September 2021.

Audit and Governance Committee Meeting – 29 September 2021

This committee meeting had 14 agenda items on it. Amongst the items covered the committee considered the Corporate Complaints and Compliments Annual Report for the municipal years April 2019 to March 2020 and April 2020 to March 2021. Members were informed that the Local Authority Ombudsman was the final stage for corporate complaints made against local authorities and that during this period there had been a decrease in the number of complaints escalated to the Ombudsman against the Council and that none of these complaints had been upheld and that the Council showed a 100% record of implementation of any recommendations made by the Ombudsman.

It was further explained that Licensing and Democratic Services were part of the Legal service area which has recorded a total of three complaints and members noted that since the report had been written a licensing complaint had been resolved as it was a service request, a Democratic Services complaint had been referred to the Ombudsman and not been upheld; and a “right to buy” transaction which had experienced delays, had been resolved via the North Yorkshire County Council Better Together Legal Service. Following the discussion, the Committee was assured that the complaints process was operating effectively and to a high standard.

Members considered the Corporate Policy: Regulations of Investigating Powers Act 2020 (RIPA2020), version 2021 and heard that the Council had a duty under RIPA 2020 to demonstrate how requests for covert directed surveillance activities were determined and recorded. In response to a question regarding increasing the number of CCTVs within the district to counter act fly tipping, it was confirmed that if this was overt surveillance, which included signs being displayed next to cameras, additional CCTV could be installed.

If a serious case of fly tipping occurred, which was being investigated, and it was considered that covert CCTV be warranted, before use of the covert CCTV could take place that case would have to go through the RIPA process and onto the Magistrates Court for final approval before the cameras could be deployed. In response to queries from members as to which officers had been trained within the Council to authorise the deployment of covert cameras it was confirmed that the

determining officers were the Director of Economic Regeneration and Place, the Director of Corporate Services and the Head of Planning; with the Chief Executive dealing with cases which involved confidential information. It was further explained that the Enforcement Team had been trained to complete the application form to seek authorisation to deploy covert cameras. It was also confirmed that fly tipping was considered a serious enough offence to warrant covert CCTV but only on a case-by-case basis. Members noted the revised draft Regulation of Investigatory Powers Act Policy.

Members received the Corporate Policy and Guidance: surveillance Overview Document and the Overt Surveillance Policy: Version 2021 and were informed that any overt surveillance policy by the council must be monitored in terms of its authorisation and use. The committee heard that the Information Governance policies had been refreshed, and that all policies had been drafted in association with Veritau, the Internal Auditors, who acted as the Councils Data Protection Officers. The Committee noted this report.

The Committee also considered the draft Statement of Accounts for 2020-21 which it approved subject to the completion and signing off of the Audit of the Accounts. In addition, the committee also received and considered:

- The External Audit Completion Report 2020-21; and
- The Quarterly Internal Audit, Counter Fraud and Information Governance progress reports from Veritau.

Both of which the Committee duly noted.

Next Meeting of the Committee

The next meeting of the Audit and Governance Committee will be taking place on Wednesday 26 January 2022 commencing at 5.00pm.

I commend my statement to the council.

Councillor Karl Arthur
Chair of the Audit and Governance Committee

Agenda Item 12



Report Reference Number: C/21/8

To: Council
Date: 21 December 2021
Ward(s) Affected: Whole District
Author: Catherine Hickford, Low Carbon Project Officer
Lead Executive Member: Cllr Musgrave, Executive Member for Place Shaping
Lead Officer: Dave Caulfield, Director of Economic Regeneration and Place

Title: Policy Review Low Carbon Working Group – Low Carbon Strategy 2021 - 2030

Summary:

The Council Plan includes a commitment to achieve carbon neutrality by 2050, but in line with other local councils including North Yorkshire County Council, we are aspiring to achieve this by 2030, or as near to that date as possible. The Policy Review Low Carbon Working Group (LCWG) was formed in January 2020, meeting regularly to discuss ways in which the Council can address the low carbon agenda.

The Council's annual direct carbon footprint for the baseline year of 2018 – 2019 has been calculated. Following discussions with the Portfolio Lead a Low Carbon Strategy (Appendix A) has been developed with close involvement from the LCWG. The Strategy, which captures the scale of the problem and outlines the steps we will take to achieve carbon targets, was endorsed by the Executive on 7 October 2021. Further work will be undertaken on the Low Carbon Action Plan with the LCWG to refine actions and develop the business case for key projects that could deliver early wins, taking into account the implementation of Local Government Reorganisation across North Yorkshire in 2023.

Recommendations: That

- 1. the Low Carbon Strategy 2021 – 2030 (Appendix A) be approved and that support be provided for targets for the Council to achieve carbon neutrality before 2050 as outlined in the Council Plan but with the aspiration of achieving this by 2030, or as near to that date as possible; and**
- 2. with regards to carbon offsetting, support and select the first option of offsetting scope 1 and 2 emissions from 2018 to 2023 as outlined in section 4.2.**

Reasons for recommendation

To enable the Council to achieve its low carbon targets and to show leadership with addressing the impacts of climate change.

1. Introduction and background

1.1 This report outlines the Council's estimated baseline carbon emissions, summarises the aim of the Low Carbon Strategy 2021-2030 and presents the options for carbon offsetting.

2. Carbon Baseline

2.1 A first step in addressing the Council's impact on climate change was understanding our carbon footprint. APSE Energy (Association of Public Service Excellence) were commissioned to calculate the Council's baseline carbon footprint for the financial year 2018-19. This included emissions from scope 1, 2 and 3, which are defined below:

- **Scope 1 (direct emissions)** are from activities owned or controlled by the Council. Examples include emissions from combustion in Council owned or controlled boilers, furnaces and vehicles.
- **Scope 2 (Energy indirect emissions)** are associated with purchased electricity, heat, steam and cooling. They are a consequence of the Council's energy use but occur at sources that the Council do not own or control. Examples include grid supplied electricity and heat provided through a heat network.
- **Scope 3 (Other Indirect Emissions)** are associated with purchased goods and services (including key contracts), waste disposal, transportation and distribution and employee business travel.

2.2 A scope was agreed with APSE for the Council's indirect emissions included within Scope 3. The priority was to calculate and understand the impact of our major contracts: waste, street scene and leisure.

2.3 The report from APSE ([APSE Energy - Selby DC Carbon footprint baseline report Aug 2021](#)) summarises the results of the scope 1, 2 and 3 carbon emissions calculations. Our total estimated carbon footprint for 2018-2019 is **2,592 tonnes** and is broken down into individual categories below.

Emissions Source	Scope	% Split	Tonnes CO _{2e}
Natural Gas	1	2%	64.11
Council Vehicles ¹	1	34%	873.30
Leased Vehicles	1	6%	152.82
Electricity	2	9%	244.98
Heat	2	0.5%	12.48

¹ Council vehicles include council owned refuse collection vehicles

WTT ² Gas	3	0.3%	8.91
WTT ² Electricity	3	2%	39.43
Transmission and Distribution Electricity	3	1%	20.88
WTT ² Heat and Steam	3	0.1%	1.64
Water Supply	3	0.01%	0.30
Water treatment	3	0.02%	0.59
Waste from council buildings	3	0.1%	2.62
Business Travel	3	2%	44.51
Leased Assets	3	43%	1,125.34
Total		100%	2,592

- 2.4 From the table above it is clear that council vehicles and leased vehicles make up 40% of the total carbon footprint; the other significant emissions contributor is our leased assets (i.e., buildings including the leisure centres) which make up 43% of the emissions.
- 2.5 Emissions from vehicles are from fuel usage, and emissions from our leased assets are from energy use – electricity and gas. This clearly shows that we need to focus on our owned and leased built assets and improve their energy efficiency in order to reduce our carbon footprint significantly.

3. Low Carbon Strategy

- 3.1 The aim of the Strategy is to identify those actions which the Council can directly deliver to reduce its own emissions (as identified in section 2) whilst supporting the wider district to also reduce their emissions, through collaboration with others.
- 3.2 The low carbon work of other local authorities, including North Yorkshire County Council (NYCC) was researched and contributed towards the development of the draft Low Carbon Strategy. Actions are aligned with NYCC low carbon work including their Carbon Reduction Plan and commitment to achieve net carbon neutrality by 2030. Opportunities to jointly work on low carbon projects will be explored through the Better Together arrangements.
- 3.3 The importance of collaborating at a greater scale with others is significant when you consider the different carbon footprint statistics for the area:
- The carbon footprint of the Selby District area was 783,500 tonnes in 2019 according to UK Government estimates but has been predicted to be up to 1.2 million tonnes per year depending on scope.
 - North Yorkshire County Council's (NYCC) footprint is 13,492 tonnes for 2018 – 2019 (40,000 tonnes if you include Ringway contract and school's property).
 - The York & North Yorkshire sub-region footprint is 7.7 million tonnes per year.

² 'WTT' stands for Well-to-Tank which are the emissions associated with extraction, refining and transportation of raw fuel from out the ground to site.

- 3.4 A number of the potential measures identified in the Strategy will need to be subject to further investigation into feasibility and resources. Actions requiring significant investment will be subject to a detailed business case and will need to take into account pending local government re-organisation in North Yorkshire in 2023.
- 3.5 To help oversee and deliver the actions considered in the Strategy, an Action Plan will be further developed to capture the detail of each individual project. The Low Carbon Working Group have been asked to review their good work to date on a Low Carbon Action Plan to identify those measures that can be implemented within the timescales of Local Government Reorganisation (LGR).
- 3.6 The Council's low carbon ambitions and any agreed actions, to be successfully delivered, will also require the direct input and lead from a number of key services including Property and Assets, Procurement, Legal, Finance, HR, and Planning. It is also important that this work is driven forward politically and the engagement of a cross-party LCWG was a good first step.
- 3.7 The Strategy focuses on delivery to 2030, with LGR occurring in early 2023, it will be important to work closely with NYCC to develop a strategy which adopts Selby District Council's low carbon ambitions and existing projects into the new North Yorkshire Council to carry on moving forward.

3. Carbon Offsetting

- 4.1 As Selby District Council will not exist as a sole organisation after 2023, three options for offsetting emissions have been presented in the Strategy and considered by the Executive. Option 1, offsetting only our scope 1 and 2 emissions from 2018 to 2023, was considered the favoured option by Executive. Offsetting emissions has been suggested as a key goal in the Strategy to demonstrate a commitment to reducing our carbon emissions in the time that we have, alongside other projects that will reduce emissions from their source in the long term.
- 4.2 If Council agree to the favoured option 1, we would also aim to explore the potential for reducing or offsetting our scope 3 emissions through existing key service contracts and suppliers from 2018 to 2023 as well.
- 4.3 When considering available offsetting schemes, one option is through The Woodland Trust where they suggest a donation of £25 per tonne of carbon. This cost pays for tree planting and ongoing maintenance ensuring trees reach maturity. It should be noted that there are other offsetting schemes available which invest in local, national and international projects, and come at varying costs. Based upon the cost above with The Woodland Trust, one of the following offsetting options could be considered depending on how broad we want this commitment to be:
 - 1. **Offset only our scope 1 & 2 emissions from 2018 to 2023** – based upon the APSE calculations, the assumption can be made that this would cover 2018 to 2023, and each year the emissions would be the same as the baseline year i.e., five years' worth of the baseline annual carbon footprint. Scope 1 and 2 emissions for the baseline year are 1,348 tonnes, for five years' worth this would be 6,740 tonnes = £168,500.

2. **Offset our scope 1 & 2 emissions and also explore the potential to reduce or offset scope 3 emissions through existing key contracts and suppliers from 2018 to 2023** – this would be a similar cost to the option above but would involve further work with the procurement team to encourage carbon reduction from our suppliers. This would involve discussions with IHL, Urbaser and other key contracts to explore the scope within the existing contracts to reduce or offset their carbon emissions.
3. **Offset our projected scope 1, 2 & 3 emissions from 2021 to 2023** – This would cover a 2-year period i.e., 2021/2022, 2022/2023. Based upon the APSE calculations, assuming our emissions annually are the same as the baseline year, two years would total 5,184 tonnes = £129,600.

5. **Alternative Options Considered**

None.

6. **Implications**

6.1 **Legal Implications**

On 12 June 2019 the Prime Minister committed the UK to net zero carbon emissions by 2050. This commitment was enshrined in law through an amendment to the Climate Change Act 2008. The Low Carbon Strategy 2021 - 2030 will help to ensure that the Council plays its part in complying with this legislation.

6.2 **Financial Implications**

Delivery of the Low Carbon Strategy 2021 – 2030 and the subsequent Action Plan will require financial resources, in the case of more detailed/large scale projects funding will be necessary to carry out feasibility studies and then dedicated business cases where required. Where possible, options to apply for external funding for specific projects will be explored, and there could be significant match-funding opportunities or grants we could secure or bid for.

APSE recommend that a detailed energy audit and feasibility study is carried out for all assets to determine the site-specific requirements. This will provide an indication of the realistic interventions that could be provided and the likely cost savings, capital cost and carbon savings.

The current budget allocated for low carbon projects to 2023 is £250,000. If offsetting option 1 were chosen as the favoured offsetting option, then this would likely need a commitment of approximately £168,500 of this budget, subject to the offsetting scheme considered appropriate for the Council.

6.3 **Policy and Risk Implications**

The Low Carbon Strategy provides direction on how the Council will address climate change and will ensure a coordinated approach across the Council.

6.4 **Corporate Plan Implications**

The Council Plan 2020-2030 priorities include Selby District as ‘a great place to enjoy life’, and one of the objectives of this priority is improved environmental quality. The headline delivery priority is to respond to our developing understanding of the impacts of climate change, to foster local resilience and assurance through identifying and promoting low carbon – including aiming for the Council to be carbon neutral before 2050. This work will enable the council to progress with this priority.

6.5 Resource Implications

The Low Carbon Working Group is currently being delivered within existing resources. The Low Carbon Strategy is corporate and success in delivery will also require the direct input and lead from a number of key services including Property & Assets, Procurement, Legal, Finance, HR, and Planning.

6.6 Other Implications

No other implications identified at this stage.

6.7 Equalities Impact Assessment

None at this stage. An Equality, Diversity and Community Impact Assessment screening will be undertaken for individual actions where appropriate, prior to commencement.

7. Conclusion

- 7.1** Following the work of the Policy Review Low Carbon Working Group and feedback from the Portfolio Lead, a draft Low Carbon Strategy has been developed for 2021 - 2030 which details actions which the Council can take in order to reduce its own carbon footprint and positively influence the wider district carbon footprint. The Strategy focuses on those actions which the Council can directly deliver, as well as those it can influence, through collaboration with others. It is anticipated that once the Strategy is approved, an Action Plan can be further developed to provide further detail on proposed projects.

8. Background Documents

Selby District Council Draft Low Carbon Action Plan

9. Appendices

Appendix A: Draft Low Carbon Strategy 2021 - 2030

Contact Officer:

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Selby District Council

Low Carbon Strategy 2021 - 2030

Produced by: Low Carbon Project Officer

Date: 08 September 2021

Approved:

Revisions: DRAFT

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Foreword

Portfolio Lead for Low Carbon, Cllr Richard Musgrave

In December 2019 the Council adopted its new Council Plan setting out its priorities for the period 2020-2030. One of the key commitments was on climate change - to respond to our developing understanding of the impacts of climate change through identifying and promoting low carbon – including aiming for the Council to be Carbon neutral before 2050.

We know from the consultation undertaken as part of the development of the Council Plan that it is something residents fully support. The Council Plan also highlighted that with investment in world-leading carbon capture technology taking place in our district, including the Bioenergy with carbon capture and storage (BECCS) at Drax, we're right at the forefront of the UK's drive for net zero carbon emissions.

Investment in green technology is creating new jobs and putting the district on the world stage. There are also wider benefits to becoming carbon neutral in terms of health and well-being, biodiversity, green recovery, air quality and community resilience. As a Council, we need to help our businesses and residents contribute to this cleaner and greener future and we can make a start by ensuring we look at our own impact on the environment.

As a council we've made tangible progress on a number of fronts since December 2019, despite also being front and centre in helping to deal with impacts of Covid-19 - the most serious public health crisis for a century. Our new Waste Recycling Service was implemented in 2020 and has achieved an 2% increase by tonnage in recycling whereas all other North Yorkshire collection authorities experienced an average reduction of 0.2%. Our new Local Plan is making excellent progress since we started this work in late 2019 and has put sustainable development at the heart of its approach, with a focus on mitigating and adapting to climate change.

I asked the Policy Review Committee to assist us to further develop our approach and they set up a cross-party Low Carbon Working Group. I'd like to personally thank the group for the excellent work they've done in helping us to understand the Council's own carbon footprint and to consider the measures we can introduce to reduce that footprint to zero. It is also important that we show leadership in helping to tackle the district's wider carbon footprint.

Clearly a major change since we embarked on this work is Local Government Review with the recent government decision in July 2021 to create a new unitary North Yorkshire Council. This means that Selby District Council will no longer exist in April 2023.

Whilst this fundamentally changes our ability to plan longer term as a Council it is important that we clearly articulate the ambitions of the Council in addressing its own carbon footprint and helping to address the wider district footprint, so that the new North Yorkshire Council has a clear route-map to continue this important work.

For this reason the strategy set's out the Council's ambitions to 2030, in accordance with the Council Plan timescale, but also sets out our commitment to reducing and also fully offsetting our direct carbon emissions by 2023.

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Strategy on a page

By 2030, the Council and its operations will be carbon neutral, positively helping Selby District and the North Yorkshire area move to a net zero carbon economy.

We recognise that the creation of the new North Yorkshire Council in 2023 means that it will not be possible to implement all the measures necessary to achieve this in the lifetime of Selby District Council and that the mantle for achieving this will pass to the new local authority.

However, we now understand the Council's own Scope 1 and 2 emissions and we are making a commitment to fully offsetting these up to 2023 whilst we also further develop a range of potential low carbon projects with a focus on the early wins that can be achieved by 2023 but also looking ahead to what is needed to achieve carbon neutral by 2030.

The Low Carbon Working Group have been asked to review their good work to date on a Low Carbon Action Plan to identify those measures that can be implemented within these timescales.

We want our operations and services to work in a sustainable way and reduce our costs in the long term. We will work towards this through the following steps:

- Monitor, calculate, and report our annual scope 1, 2 & 3 carbon emissions
- Reduce our scope 1 and 2 CO₂ emissions to zero through improved energy efficiency of our built environment, divestment from fossil fuel energy sources, and offset of unavoidable emissions
- Reduce our scope 3 CO₂ emissions through sustainable procurement
- Encourage sustainable modes of transport for employees, members and residents
- Protect and improve the quality of the natural environment and biodiversity across the district
- Work collaboratively across the public, private and third sectors at a local, regional, national and global level

We have aligned our Strategy with the strategies of other local authorities across North Yorkshire for three reasons. Firstly, addressing climate change is not something we can do alone – it needs a much wider response. Secondly, we want to ensure that the new North Yorkshire Council can capture these ambitions and take a lead in the low carbon agenda going forward and we are giving them a clear route map for work beyond 2023. And thirdly, we hope that some key projects can be developed into large scale opportunities over longer timescales for the new North Yorkshire Council to adopt and continue our good work.

1. Introduction

The Global Challenge

Since the industrial revolution, human activities have been releasing huge amounts of carbon dioxide (CO₂) and other greenhouse gases into the atmosphere. The level of greenhouse gas emissions currently being emitted is estimated to be 50 billion tonnes of carbon dioxide-equivalents (CO_{2e}) into the atmosphere each year¹. This has increased concentrations of CO₂ in the atmosphere from around 278 ppm to 417 ppm in just over 250 years².

The increased concentration of these gases in the atmosphere are increasing global temperatures, at different rates around the world. This sudden and rapid increase in temperature of the Earth system is causing disruption to the intricate balance of climate systems and weather patterns, leading to extreme weather events. These are no longer events that will happen in the future, with repeated extreme weather events happening recently in the past 10 years causing large scale destruction, disruption and cost. For example, the NOAA reports that the US has experienced 298 disasters since 1980, costing over \$1.9 trillion and claiming over 14,000 lives³.

In the UK we have already experienced some of worst flooding, rainfall, drought, high temperatures and storm events since records began, and with predictions estimating that these events will only get worse, we have to act quickly to try and reduce the impacts of climate change to a minimum.

Elsewhere on the planet, people are experiencing sea level rise, soil erosion, droughts, extreme weather events and wildfires. It is clear from the events that we are seeing that we must act now, and quickly. If we continue business as usual, we risk pushing climate systems to a point of no return, when tipping points are reached positive feedback loops in the Earth system will exponentially increase the concentrations of CO₂ in the atmosphere through tree death, desertification, warming oceans and thawing of glaciers and permafrost. If this happens, we risk creating a planet that is uninhabitable for ourselves and all other life on Earth within just a few hundred years.

Our Challenge

Whilst we live in a usually stable temperate region of the world, we are not immune to the effects of climate change and extreme weather. Within the district we have experienced the impacts of flooding, periods of reduced rainfall, high temperatures, and powerful storms, all of which have been made more likely due to climate change.

As a Council we want to try and reduce these impacts going into the future, reducing our contribution towards global emissions by taking actions to become a net zero organisation. Reducing our emissions will come with other benefits including reduced costs, improved air quality, healthier happier people, and new skills and jobs.

¹ [Greenhouse gas emissions - Our World in Data](#)

² [Met Office: Atmospheric CO₂ now hitting 50% higher than pre-industrial levels | Carbon Brief](#)

³ [Billion-Dollar Weather and Climate Disasters: Overview | National Centers for Environmental Information \(NCEI\) \(noaa.gov\)](#)

The Council's carbon footprint

As part of these actions, we have calculated our Scope 1, 2 and 3 emissions for our carbon footprint for the financial year 2018-2019. (Scope 1 includes direct emissions from council activities e.g. burning gas in boilers for heat, or fuel usage in vehicles; scope 2 emissions are associated with electricity use and heat; and scope 3 emissions include indirect emissions associated with water use, waste, business travel and energy use within leased assets). Our carbon footprint has been calculated to be 2,592 tonnes CO_{2e}, with 42% for Scope 1, 10% for Scope 2, and 48% for Scope 3.

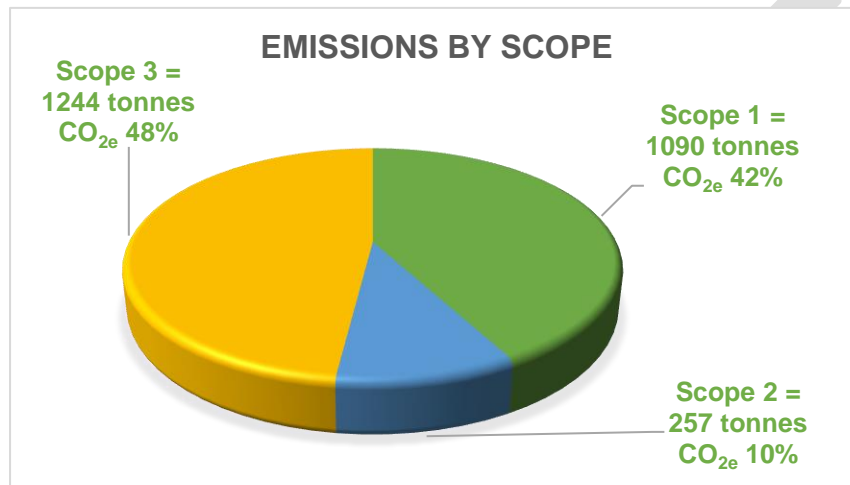


Figure 1. Total Carbon footprint split by scope for 2018-2019

This provides us with a baseline to understand our carbon budget, and a starting point to begin reducing our carbon footprint. It should also be considered that over the next decade to 2030, emissions will accumulate year on year, so the total cumulative amount of carbon to be reduced will be much larger

than the value calculated for the baseline year of 2018-2019.

Below is a further breakdown of our total carbon footprint for 2018 to 2019 by emission source⁴. The largest contributors to our carbon footprint are the use of our council vehicles and leased vehicles in scope 1 (which includes our council owned refuse disposal vehicles), electricity usage within our buildings in scope 2, and emissions associated with our leased assets which includes the leisure centres, operational buildings, and industrial business units, in scope 3.

⁴ 'WTT' stands for Well-to-Tank which are the emissions associated with extraction, refining and transportation of raw fuel from out the ground to site.

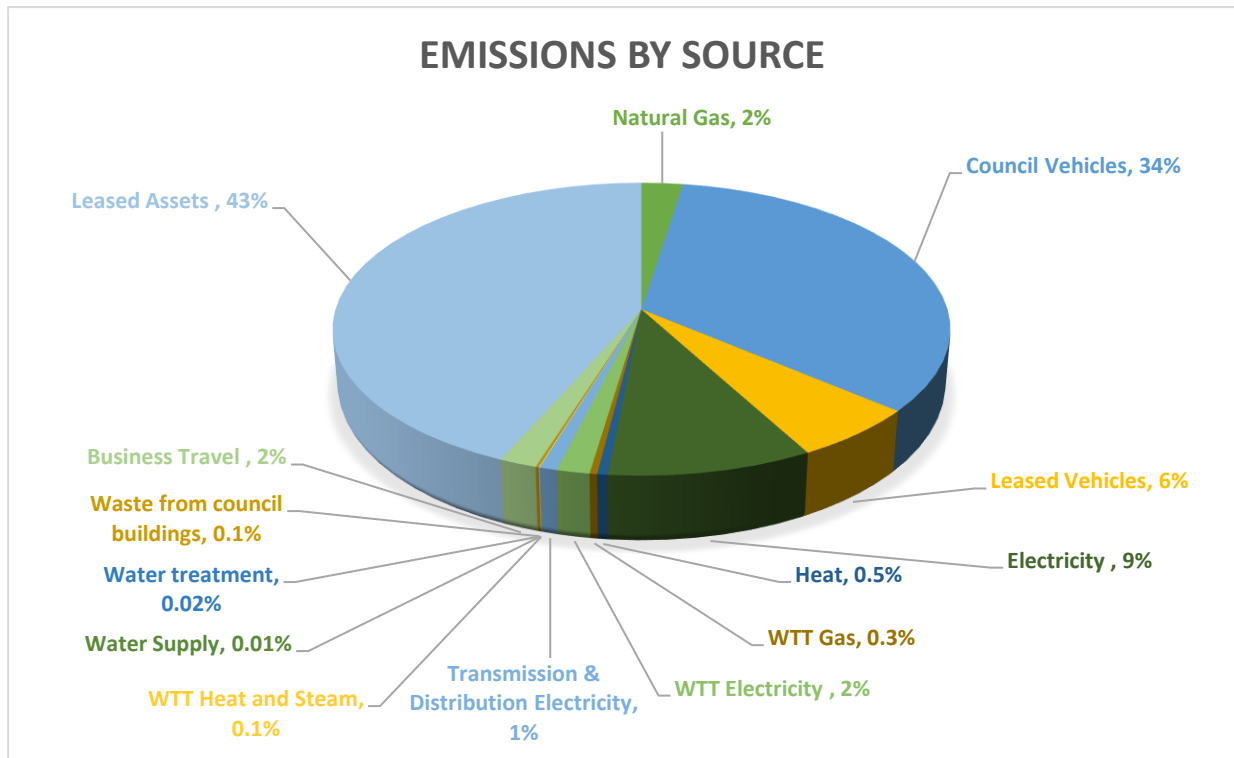


Figure 2. Total carbon footprint split by source for 2018-2019

The district carbon footprint

District wide emissions are summarised below using UK Government estimates, which already shows a reduction in emissions from 2018 to 2019.

Sector	Emissions for year 2018 (tonnes CO ₂)	Emissions for year 2019 (tonnes CO ₂)
Industry (including agriculture)	377,200	291,000
Commercial	43,900	40,100
Public sector	10,100	9,400
Domestic	145,900	142,500
Transport	329,700	323,500
Land Use, Land Use Change, & Forestry	-23,200	-22,900
TOTAL	883,600	783,500

Table 1 Local Authority territorial CO₂ emissions estimates for 2018-2019⁵

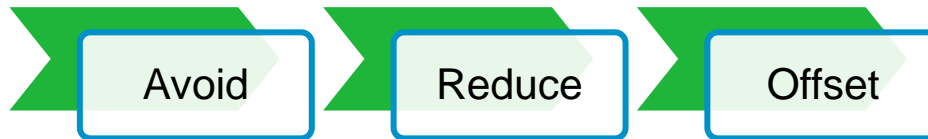
Our Vision

Our Council Plan includes a key target committing the Council to becoming carbon neutral before 2050. The work we have done with APSE⁶ on our scope 1, 2 and 3 emissions shows we can become carbon neutral by 2030.

⁵ [Emissions of carbon dioxide for Local Authority areas - data.gov.uk](https://data.gov.uk)

⁶ The Association for Public Service Excellence – Energy

By carbon neutral we mean operating in a state where there is no net release of carbon dioxide into the atmosphere, through reducing and eliminating our scope 1, 2 and 3 emissions as much as possible year on year and offsetting the remainder of any unavoidable emissions through approved offsetting schemes.



This vision will allow us to demonstrate leadership and play a positive role to the wider District by becoming a carbon neutral organisation before it is required by law set by the UK Government. A carbon neutral Council will be one which is a great place to work, grow and create value, delivering a sustainable, efficient, and responsible service to residents in the district.

We will reach this target by focusing on two timescales: 1) what we can do as a Council by April 2023 when the New North Yorkshire Council takes over this mantle 2) what is needed to achieve carbon neutral by 2030, the timescale of the Council Plan. This will also allow us to set out clear expectations from the Council for how the new North Yorkshire Council should address climate change issues in the district going forward.

We will take an approach that focuses first on avoiding emissions altogether, reducing emissions where they occur, followed by offsetting for emissions that are currently unavoidable. Given it is not possible to fully implement all measures required to become carbon neutral before the new authority comes into being in 2023 we will commit to offsetting our known Scope 1 & 2 emissions.

Our Aim

The scope of this strategy is primarily focused on reducing the greenhouse gas emissions of the Council, within our own operations, whilst using our influence to encourage and promote the reduction of emissions in the wider district.

This strategy has drawn on the work of the Low Carbon Working Group which included a review of other local authority low carbon strategies. **The aim of this strategy is to provide an identification of the problem and an understanding of how the Council can best tackle the challenge.**

Below you will find 6 workstreams that will help us to achieve this.

- **Workstream 1: Carbon Monitoring** - Monitor, calculate, and report our annual scope 1, 2 & 3 carbon emissions.
- **Workstream 2: Travel** - Encourage sustainable modes of transport for employees, members and residents.
- **Workstream 3: Council Buildings and Energy Use** - Seek to reduce our scope 1 and 2 CO₂ emissions to zero through improved energy efficiency of

our built environment, divestment from fossil fuel energy sources, and offset of unavoidable emissions.

- **Workstream 4: Working Practices** - Seek to reduce our scope 3 CO₂ emissions through sustainable procurement and offsetting.
- **Workstream 5: Natural Environment and Biodiversity** - Protect and improve the quality of the natural environment and biodiversity across the district including addressing flood risk and planning for sustainable development through the new Local Plan.
- **Workstream 6: Influencing Others in the District** - Work collaboratively across the public, private and third sectors at a local, regional, national and global level.

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2. Background and Policy Context

Global

As the impacts surrounding climate change have become more visible and prominent, International, national and regional policy and legislation has been developed.

The United Nations Framework for the Convention on Climate Change (UNFCCC) established an international treaty in 1992 to combat “dangerous human interference with the climate system”.

Most prominently in recent years, The Paris Agreement 2016 was agreed as a legally binding international treaty on climate change, signed and agreed to by 196 nations at the Conference of Parties meeting in 2015. The treaty commits these nations to limit global warming to well below 2°C and preferably below 1.5°C above pre-industrial levels⁷.

The recently published report from the Intergovernmental Panel on Climate Change (IPCC) in August 2021 only underlines the importance of acting now and showing local leadership. The COP26 UN Climate Summit to take place in Glasgow in November 2021 will consider this report in some detail and explore what more needs to be done to address the climate change challenge.

UK

The Climate Change Act 2008 was an act of UK parliament to commit the UK to reducing their emission of greenhouse gases to 80% by 2050 compared to 1990 levels.

UK Government has recently committed to set in law the aim of reaching a 78% reduction by 2035 in a bid to reach this target earlier⁸.

In November 2020 the Government published its Ten Point Plan for a Green Industrial Revolution which set out how a focus on the green economy could help the country to recover from the impacts of Covid and build back better.

Regional

The York and North Yorkshire Local Enterprise Partnership (Y&NY LEP) is working with the local authorities, key partners and businesses to achieve the aim for York & North Yorkshire to become the UK’s first carbon negative region – carbon neutral by 2034 and carbon negative by 2040.

This was a central element of the draft Devolution Deal submitted to government in Central December 2020. Central to delivery of those plans is support for Drax Power in their world-leading Bioenergy Carbon Capture Storage (BECCS) project.

The Y&NY LEP commissioned a major Carbon Abatement Pathways⁹ study and from this and stakeholder engagement are now preparing a Routemap to Carbon

⁷ [The Paris Agreement | UNFCCC](#)

⁸ [UK enshrines new target in law to slash emissions by 78% by 2035 - GOV.UK \(www.gov.uk\)](#)

⁹ [Carbon Abatement Pathways | Business Inspired Growth](#)

Negative. This will provide strategic direction towards the Y&NY target to become a carbon negative region by 2040.

The Yorkshire and Humber Climate Commission was set up in 2020 as an advisory body to advance the region's climate leadership by bringing together the public, private and third sectors and to support, guide and track the delivery of ambitious climate actions.

In conclusion, it is clear that the solution to addressing climate change does not sit with one organisation but requires collaboration across the public, private and third sectors at a local, regional, national and global level.

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3. Low Carbon Workstreams

Key targets:

Become a carbon neutral Council by 2030.

To fully offset our known scope 1 and 2 emissions from our baseline year 2018 until 2023

Through the following six workstreams we will aim to reduce our Scope 1, 2 & 3 emissions to zero. Emissions that we cannot control or which we cannot reduce any further will be offset through tree planting or other approved offsetting schemes. Scope 3 emissions will be reduced by working with contracted partners e.g. Urbaser for the waste and street scene contracts and IHL for the leisure contract.

A number of measures to help reduce the Council or district's carbon footprint are already underway and some of these are listed below. However, because it will not be possible to fully implement all the measures required for Selby District Council to become carbon neutral by the time the new North Yorkshire Council comes into being in 2023 **we are instead making an immediate commitment to fully offsetting our known Scope 1 and 2 emissions between our baseline year 2018 and 2023.**

We will also work with the Low Carbon Working Group to:

1. Identify the measures that can be implemented by Selby District Council before April 2023
2. Identify the other measures and begin collaborative working with NYCC to become carbon neutral by 2030 so we are setting out clear expectations for how the new North Yorkshire Council should address climate change in the district.

To progress this work further we will ask the Low Carbon Working Group to explore potential projects under each of these workstreams. Delivery will be dependent on a range of factors including potential carbon saving, timescales (given local government changes in 2023), costs (capital, revenue and maintenance) and value for money which would be assessed in a detailed business case before any significant investment.

Workstream 1: Carbon Monitoring

To ensure we continue to improve and reduce our emissions year on year we will need to monitor, record and report our carbon footprint annually. Also see section 5.

- Review data provided for scope 1 & 2 emissions calculations provided by APSE
- Monitor and record energy use, gas, electricity and fuel use, for future annual calculations of scope 1 & 2 emissions.
- Set up processes and procedures to request and record emissions data from suppliers and staff for scope 3.
- Carbon offsetting – we have the option to:
 - Offset only our scope 1 & 2 emissions from 2018 to 2023;

- Offset our scope 1 & 2 emissions and also explore the potential to reduce or offset scope 3 emissions through existing key contracts and suppliers from 2018 to 2023;
- Or offset our projected scope 1, 2 & 3 emissions from 2021 to 2023

Workstream 2: Travel

The council and its contract delivery partners operate a fleet of vehicles including heavy goods vehicles, cars, small vans and road sweepers. Staff and members also use their own cars and public transport for business travel. Emissions from council vehicles make up 34% of our carbon footprint, so contribute a significant proportion of overall emissions.

We have recently renewed our contracted vehicle fleet so can't change these to electric or seek to change that of our main contractors due to the length of existing contracts and because of the local government changes in 2023.

However, there are a range of other things that can be done to reduce the carbon emissions from travel either from the Council's own operations or within the district.

Some of these are already being done:

- Reducing the need to travel - the radical change in how people have been working in the last 18 months including working from home and better use of IT means many meetings can be held remotely. This will continue into the future with 'hybrid working' becoming the norm.
- Encourage the adoption of sustainable transport options – a number of our key strategies and plans will encourage and enhance the use of public transport, cycling and walking e.g. Local Cycling & Walking Infrastructure Plans (LCWIPs), Transforming Cities Fund and town centre regeneration projects
- Cycle to Work scheme – the Council has been promoting this to employees for some years now.
- Improve EV charging infrastructure across the district – this is being implemented in Council car parks and for staff at the Civic Centre. Wider opportunities across the district are also being explored jointly with North Yorkshire County Council, the other NY local authorities and the Energy Savings Trust.
- Staff car loan scheme for electric and hybrids vehicles.

There are a range of other things that can be explored including¹⁰:

- A staff travel plan
- Encourage a lower carbon taxi fleet through licensing and access to grant funding
- Encourage car sharing groups and explore the potential for electric pool cars
- Work with NYCC to incentivise bus companies to use electric buses

¹⁰ Subject to assessing deliverability before local government reorganisation is implemented in 2023

- Reduced car parking charges in the district for cars with a green number plate

Workstream 3: Council Buildings and Energy Use

The built environment accounts for around 40% of the UK's carbon emissions annually, primarily due to the energy used to heat and light our homes and workspaces. By improving insulation rates and replacing outdated service equipment we can improve energy efficiency, reducing the amount of energy use required to run a building. Moving heating and cooling systems to low carbon alternatives also removes a reliance on fossil fuels. There are significant new government funding streams potentially available that can provide up to 100% capital or revenue grants for work to public buildings, with a range of funds launched over the last year under the Public Sector Decarbonisation Scheme.

Some of these are already being done:

- The new Civic Centre which is jointly occupied by the NHS, SDC and the Police, was built to be a sustainable and energy efficient building
- The Civic Centre for example has a combined heat and power (CHP) plant and sources its electrical energy supply from renewable sources.

There are a range of other things that can be explored including:¹¹

- Move away from fossil fuel energy sources – procure all electricity for the Councils other buildings from a renewables tariff
- Carry out energy audits of all built assets to understand existing building fabric, services, and energy use and include this information in the new asset register and asset management plan
- Feasibility studies to identify retrofit work required to increase energy efficiency e.g. all built assets to achieve at least an Energy Performance Certificate (EPC) rating of C
- Reducing gas usage in Council buildings – through more efficient plant, improved controls, & increased insulation. Install heat pumps as an alternative heating source
- Reducing electricity use in Council buildings – LED lighting & improved controls (e.g. daylight and occupancy sensing), BMS controls for HVAC, replace office equipment with more efficient versions (but noting that replacement can actually create more carbon emissions through embodied carbon), independent power generation using renewables e.g. solar PV panels.
- Solar powered street lights in car parks
- Enforcement of the Minimum Energy Efficiency Standard (MEES) regulation

¹¹ Subject to assessing deliverability before local government reorganisation is implemented in 2023

Workstream 4: Working Practices

In order to embed a sustainable way of working we need to encourage behaviour change and more environmentally friendly habits.

Some of these are already being done:

- A comprehensive training programme on climate change is being devised for all North Yorkshire local authorities by the Y&NY LEP's Circular Economy & Low Carbon Team - to be available to both staff and elected members

There are a range of other things that can be explored including:¹²

- Create a green Staff Ambassadors group to encourage sustainable working in the office through energy efficiency and behaviour change.
- Service Delivery Plans to consider if and how they can contribute to a reduction in carbon emission through their service operations.
- Improve communication - create an accessible page on the website with information on climate change, what the Council is doing, and what local residents can do
- Where possible and financially feasible, build sustainability and low carbon considerations into procurement using the Sustainable Procurement Toolkit developed jointly by the Y&NY LEP, local authorities and their procurement leads.
- How the impact on climate change can be considered in Council reports, for example through use of climate change impact assessments to influence key decision making
- How our Scope 3 emissions can be reduced or offset through our key contractual relationships¹³ e.g. Urbaser (previously Amey) for the waste and streetscene contracts; Inspiring Healthy Lifestyles (IHL) for the leisure contract

Workstream 5: Natural Environment and Biodiversity

We are not only in a climate crisis, we are also in an ecological crisis, with extinction rates of animal and plant species around the world currently at levels never seen before in human history. Around 1 million species are at threat of extinction due to human activities¹⁴. The State of Nature report for the UK predicts that 15% of species in the UK are threatened with extinction, with 41% of species declining¹⁵. Protecting the natural environment and increasing biodiversity will not only help combat climate change but also build resilience, improve people health and wellbeing, and create an environment we all want to enjoy.

¹² Subject to assessing deliverability before local government reorganisation is implemented in 2023

¹³ Potential costs and choice of suppliers would also need to be considered to ensure a fair and balanced approach.

¹⁴ [UN Report: Nature's Dangerous Decline 'Unprecedented'; Species Extinction Rates 'Accelerating' – United Nations Sustainable Development](#)

¹⁵ [Biodiversity in the UK: bloom or bust? \(parliament.uk\)](#)

We also need to ensure we are encouraging sustainable patterns of development and that the potential impacts of flooding both now and in the future are planned for and mitigation measures identified.

Some of these are already being done:

- Policies within our new Local Plan include requirements for net biodiversity gain on new developments.
- We are a member of the White Rose Forest Partnership, giving us access to expert advice and a range of funding sources to develop and implement a strategic tree planting programme for the district. In the next 12 months we will be working with them to engage with landowners and community groups to identify opportunities for large scale tree planting on suitable land.
- Contacted Town and Parish Councils to understand and promote community led tree planting opportunities.
- We worked with the Escrick Park Estate after their successful bid to become a national pilot for Biodiversity Offsetting.

There are a range of other things that can be explored including:¹⁶

- Develop a Fund and Grant Scheme for resident, community and larger scale tree planting initiatives in the district and appoint a delivery partner to oversee delivery
- Use tree planting schemes, preferably in the district (but could be wider), to offset the remainder of the Council's carbon footprint
- Re-wilding kerbsides and increasing wildflower cover – NYCC are trialling different highway verge management regimes to increase biodiversity
- Work with landowners to increase hedgerows

Workstream 6: Influencing Others in the District

The solution to addressing climate change does not sit with one organisation but requires collaboration across the public, private and third sectors at a local, regional, national and global level.

Local authorities have a key role to play as local leaders in promoting the importance of personal, business, and wider stakeholder choices and in helping to shape and influence the future investment decisions of others.

Some of these are already being done:

- Collaborating with Y&NY LEP to support their carbon neutral and circular economy work
- Providing business advice to companies including access to grants to reduce energy use, waste and address low carbon challenges
- Working with other local authorities across North Yorkshire and Yorkshire through groups such as the Y&NY Local Authority Low Carbon Officers Group

¹⁶ Subject to assessing deliverability before local government reorganisation is implemented in 2023

and with the Yorkshire & Humber Climate Commission – to share best practice and work at a greater than local scale of projects

There are a range of other things that can be explored including:¹⁷

- Residents/District – inform private landlords and home owners on grants/offers to improve energy efficiency, enforcement of MEES regulation
- Green Economy/Working with businesses – explore potential benefits if business invests in energy saving measures/renewable energy/green certification/carbon foot-printing e.g. business rate discounts
- Try to influence partners to ensure major investments (e.g. pension schemes) don't invest in fossil fuels or other things that do not support the journey towards a zero-carbon future.
- Provide information and guidance for SME's to reduce their carbon

Other workstreams:

There are a number of other workstreams that will help the Council to reduce its own carbon footprint or that of the wider district.

Council Housing

This has not been included in our carbon footprint work to date so we don't know the full impact of the 3000 houses we have. This could be a future strand of work given the increased availability of government funding to help retrofit existing stock and ensure new development is low carbon.

Some low carbon measures have already been included in new affordable house building programmes and renewal and repair contracts such as:

- Piloting air-source heat pumps in Council properties
- Energy efficiency improvements to insulation, windows and doors

There are a range of things that can be explored including:¹⁸

- The Housing Revenue Account Business Plan will be reviewed shortly offering the opportunity to include low carbon elements – this could include reviewing potential new government funding sources for such work.
- This should include exploring opportunities to reduce carbon emissions through improved energy efficiency and use of alternatives to fossil fuels, for example:
 - Improved insulation and ASHP's in off-gas homes
 - Solar PV panels on suitable Council houses
- Whether we can achieve EPC band C by 2030 through retrofit programmes, subject to government funding being available
- Considering whether a proportion of social housing should be built to Passivhaus Standard or an equivalent high level of sustainability. Passivhaus homes are very energy efficient with very low bills, can remain a constant comfortable temperature through summer and winter and are already adapted

¹⁷ Subject to assessing deliverability before local government reorganisation is implemented in 2023

¹⁸ Subject to assessing deliverability before local government reorganisation is implemented in 2023

to the impacts of climate change i.e. heat waves and cold winters. Although the additional costs of achieving this, along with the scope of government funding would need to be taken into account.

- Provide education to existing tenants on how to use their home efficiently, encourage installation of smart meters

Through the Council's private rental team we could also explore:

- Enforcement of MEES regulation – all privately rented properties must be EPC E or better. We have 2057 domestic properties in the district with an EPC rating of F or G, of which approximately 430 are privately rented.

New developments

New construction of buildings and developments have huge impacts on the environment from the CO₂ emissions created in material production, transport, construction and development use, to the removal of green spaces. It is our responsibility to ensure any new development has as small an impact as possible and is designed to be sustainable long into the future.

This can be influenced and controlled through how we deal with planning applications, the policies in the Local Plan and by how we develop and deliver major capital programmes such as new affordable housing provided by the Council.

Some of these are already being done:

- Progress on the new Local Plan has been excellent since work started in late 2019 with climate change and low carbon principles at the centre of the approach including considering flood risk and mitigation, the importance of green infrastructure and encouraging sustainable travel and patterns of development. Consideration is also being given to guiding the main development to sustainable locations that include existing services, good transport links and employment opportunities.
- We seek to reduce the need for personal cars for short journeys i.e. provide safe walking and cycling routes to major retail areas, services such as doctors/schools etc, and to transport hubs such as bus and train stations. Our major regeneration and development programmes for our town centres and Selby station and the Local Cycling and Walking Infrastructure Plans all seek to achieve a step-change in provision for pedestrians and cyclists.
- We are seeking biodiversity net gain for major new developments

There are a range of other things that can be explored including:¹⁹

- Ensuring all new developments have the electrical capacity to install renewables and EV chargers in the future if not already being installed as part of the design - we are exploring how this can be included in the new Local Plan.
- High sustainability standards for new builds – Excellent BREEAM ratings, at least A EPC and Passivhaus for houses or meet the new Future Homes

¹⁹ Subject to assessing deliverability before local government reorganisation is implemented in 2023

Standard which is yet to be adopted formally - we can't mandate a standard but can require energy efficiency standards above building regulations.

Waste

The Council through its waste contract with Amey (now Urbaser) has recently implemented significant improvements to its recycling service with much larger recycling bins provided. This has increased recycling rates by 2% since it was introduced in the summer of 2020 whereas all other North Yorkshire collection authorities experienced an average reduction of 0.2%.

North Yorkshire County Council provide the waste disposal function for North Yorkshire and seek to minimise the amount of waste going to landfill through their state of the art Energy from Waste plant at Allerton Park

There are a range of other things that can be explored including:²⁰

- Purchase recycled products in supply chain (procurement)

4. Implementing Monitoring and Reporting

To ensure that progress is made, and emissions are reduced year on year, we will monitor progress through our performance software, Pentana, by creating new KPI's and context indicators, which will be included in quarterly reports to Council. We will also prepare and publish an annual report on our carbon emission footprint with the information being made publicly available.

Both the Low Carbon Project Officer and the Low Carbon Officer Working Group will be responsible for implementation of, monitoring and reporting on this strategy.

We will also continue to work with the Low Carbon Working Group to prepare and implement a Low Carbon Action Plan to support the aims and vision of this strategy.

How will we measure internal emissions?

We will continue to measure Scope 1, 2 & 3 emissions and calculate our annual carbon footprint by:

- Monitoring and recording gas and electricity usage within our built environment via meter readings and utility bills.
- Monitoring and recording fuel usage in our vehicle fleet including pool cars, business cars, small vans, waste trucks, road sweepers etc.
- Recording emissions from grey fleet vehicles - business travel carried out in employees' and Councillor's own vehicles, recorded via payroll mileage claims.
- Monitoring and recording water usage and wastewater via meter readings and utility bills.
- Monitoring and recording of waste type and volumes, as well as disposal methods.

²⁰ Subject to assessing deliverability before local government reorganisation is implemented in 2023

- Review services and contracts register to identify procurement routes that already consider scope 1 & 2 emissions and encourage others to do the same.

How will we measure emissions from the District?

The UK Government publishes an annual estimate of emissions from each Local Authority, these figures are usually reported 18 months after the reporting year so there is always a delay. However, we will use this data to monitor emission trends across the district.

Our measure of success within the Council Plan 2020-2030 is to report the % reduction in tonnes of carbon per capita.

DRAFT

5. Review

The policy context surrounding climate change and its impacts is constantly evolving and improving so we will continue to monitor and update this strategy on a regular basis to ensure coherence with policy, legislation and the Council's aims and priorities.

This strategy will be monitored and developed by the Low Carbon Project Officer and the Low Carbon Working Group and will be considered by the Policy Review Committee every 6 months. The Policy Review Committee will receive regular updates on the progress achieved as part of the Council's commitment to greener practices

This review is proposed to be every 6 months.

DRAFT



Report Reference Number: C/21/9

To: Council
Date: 21 December 2021
Ward(s) Affected: All
Author: Alison Hartley, Monitoring Officer and Solicitor to the Council
Lead Officer: Alison Hartley, Monitoring Officer and Solicitor to the Council

Title: Report of the Monitoring Officer 2021 – Standards Arrangements

Summary:

This report covers the operation of the current standards regime for Selby District Council and Parish Councils (which include Town Councils) within Selby District. It considers the complaints history and concludes that the arrangements are satisfactory and meet legal duties. Managing the continuing impacts of Covid this year together with Local Government Reorganisation and electoral management has inevitably diminished the Monitoring Officer's time resource available to deal with complaints as quickly as she would like. Complaints continue to be processed and considered and the Independent Persons are extremely diligent in responding to consultation. Additional temporary capacity in legal and democratic administrative support has recently been approved and should be in place by 1 January 2022.

Recommendation:

To note the content of the report.

Reasons for recommendation:

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

1. Introduction and background

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

a register of such interests and deals with complaints about the conduct of Councillors when acting in the capacity of Councillor. Under the legislation the District Council Monitoring Officer is also responsible for registering interests for and dealing with standards complaints relating to individual Parish Councillors.

2. The Report

2.1 Nine complaints were received between 1 December 2020 – 30 November 2021. Six of the complaints concerned Parish Councillors and three concerned District Councillors. One of the District Councillor complaints was rejected at assessment stage. One was withdrawn by the complainant. The other District Councillor complaint was resolved locally, with advice given to the Councillor concerned about declaration of interests. Two of the Parish complaints were rejected at assessment stage. Breaches were found in two Parish cases and were resolved locally with apology and mediation advised. One Parish complaint was assessed and found to be a trivial matter between parish councillors and so no further action was taken by the Monitoring Officer. One of the Parish complaints is currently being assessed by the Monitoring Officer in consultation with the Independent Persons.

2.2 By way of comparison, in 2020 ten complaints were received (between 1st December 2019 – 30 November 2020). Eight of the complaints concerned Parish Councillors. One of the District Councillor complaints was rejected at assessment stage. The other District Councillor complaint was resolved locally, with a public apology given. Four of the Parish complaints were rejected at assessment stage. The other four unresolved complaints from 2020 were concluded in 2021. In three of the complaints it was found that there were breaches and these were resolved locally with an apology and mediation advised. No further action was taken in respect of the other complaint as the subject member resigned.

3. Implications

3.1 Legal Implications

The Council should take positive steps to discharge the s 27 duty. The report indicates that the duty is being discharged correctly and increased administrative resource has been approved to assist the Monitoring Officer to improve timeliness in processing the complaints arrangements.

4.2 Financial Implications

There are no financial implications as a direct result of this report – the additional resources referred to are being met from the existing corporate capacity contingency.

4.3 Policy and Risk Implications

None.

4.4 Corporate Plan Implications

None.

4.5 Resource Implications

None.

4.6 Other Implications

None.

4.7 Equalities Impact Assessment

None.

5. Conclusion

That the regime is operating effectively.

6. Background Documents

None

7. Appendices

Appendix A – Standards Report 2021

Contact Officer:

Alison Hartley, Solicitor to the Council and Monitoring Officer
Selby District Council
ahartley@selby.gov.uk

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STANDARDS REPORT 2021

Alison Hartley
Monitoring Officer
1 December 2021



Introduction – Ethical Standards

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

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

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

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

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

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

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

This report covers the period 1 December 2020 to 30 November 2021.

Code of Conduct

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

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

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

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

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

Monitoring Officer

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

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

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

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

Alison is also working with District and County Monitoring Officer colleagues in preparing for a safe and legal transition to the new Unitary - North Yorkshire Council, to go live in April 2023.

Independent Persons

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

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

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

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

The role of the Independent Persons is to:-

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

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

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

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

Registration of Interests

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

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

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

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

All District and Parish Councillor registers of interests are published on the Council's website.

Dispensations

All Members of Selby District Council were granted dispensations in respect of decisions relating to Local Government Review.

Sensitive Interests

One request for interests to be withheld from publication as 'sensitive' was received during the period covered by this report. (s.32 Localism Act 2011)

Standards Arrangements

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

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

At SDC, the Standards Committee operates when required as a sub-committee of the Audit & Governance Committee. The Arrangements include target timescales for assessing and dealing with complaints. When the complaints involve Parish Councillors, the Arrangements include the ability to co-opt one of a number of Parish Council representatives onto the Panel to ensure that the Parish voice is heard in decision making.

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

The Monitoring Officer continues to strive to improve the timescales for considering responses and additional temporary administrative capacity should be in place in January 2022 until 31st March 2023.

The Committee on Standards in Public Life

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

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

The LGA has recently published a further revised Model Code of Conduct. Having consulted with the Independent Persons it is considered that the SDC Code in its present form remains fit for purpose and in line with the Committee on Standards in Public Life recommendations. More comprehensive review at this time is not essential, particularly having regard to Local Government Reorganisation in 2023.

Parish and Town Councils

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

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

Parish Council contact information and their registers of interests are published on the Council's website.

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

In respect of Parish Councils, the extent of jurisdiction as Monitoring Officer is limited to dealing with complaints about the ethical conduct of individual parish councillors. The Monitoring Officer has received some procedural queries and complaints about Parish Council business. These matters are not within the scope of the Monitoring Officer's jurisdiction and she is not permitted to intervene in Parish Council business. Whilst she has directed Parish Clerks to the National Association of Local Councils (NALC) for advice, it is proposed to write to all Parish Clerks in the new year to remind them and their Parish Councillors of the scope of the Monitoring Officer's jurisdiction. This should assist in directing such queries to the Parish Councils themselves.

Complaints History

The table overleaf shows complaints dealt with under the Arrangements in the period covered by this report

Update on complaints in 2020 from the last report

	Type of Council	Allegations	Outcome
1	Parish Council	Disrespect	Assessed. Case Closed. Cllr Resigned.
2	Parish Council	Disrespect	Assessed. Breach. Local Resolution. Apology and mediation advised.
3	Parish Council	Disrespect	Assessed. Breach. Local Resolution. Apology and mediation advised.
4	Parish Council	Disrespect	Assessed. Breach. Local Resolution. Apology and mediation advised.

Complaints 1 Dec 20 to 30 Nov 2021

	Type of Council	Allegations	Outcome
1	Parish Council	Bringing Office into disrepute	Assessed. No breach.
2	District Council	Failure to declare personal interest	Assessed. Breach. Advice given to Councillor.
3	Parish Council	Disrepute	Assessed. No breach. NFA.
4	Parish Council	Disrespect	Assessed. Breach. Local Resolution. Apology and mediation advised.
5	Parish Council	Disrespect	Assessed. Breach. Local Resolution. Apology and mediation advised.
6	District Council	Failure to declare personal interest	Complaint withdrawn.
7	District Council	Bringing office into disrepute	Assessed. No breach. NFA.
8	Parish Council	Disrespect	Assessed. Trivial between Councillors. NFA
9.	Parish Council	Disrespect	Pending.

Future Developments

The Committee for Standards in Public Life made recommendations on the contents of Codes of Conduct and the availability of effective sanctions. Changes to primary legislation will be required for some of the recommendations to be implemented. The final report of the CfSPL was discussed at the Audit & Governance Committee in April 2019. The Local Government Association published a further updated Model Code which can be accessed here [Local Government Association Model Councillor Code of Conduct 2020 | Local Government Association](#) The impacts of the Covid Pandemic have meant that parliamentary time has been directed to responding to the pandemic, so updated legislation is still awaited at this time, and the Model Code may need to be reviewed again in the event that legislation is changed.

It is not considered that a further comprehensive review of the SDC Code of Conduct is needed at this time, as the amendments made in April 2019 incorporated the recommendations of the Committee for Standards in Public Life. It remains fit for purpose. At the time of writing no legislative changes have been made.

The Monitoring Officer is working with the other District and County Monitoring Officers to ensure standards processes and up to date codes of conduct will provide for a safe and legal transition of these functions to the new unitary North Yorkshire Council on 1st April 2023.

Alison Hartley

Monitoring Officer

December 2021

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Report Reference Number: C/21/10

To: Council
Date: 21 December 2021
Ward(s) Affected: All
Author: Alison Hartley
Solicitor to the Council & Monitoring Officer
Lead Officer: Alison Hartley
Solicitor to the Council & Monitoring Officer

Title: Constitution Update

Summary:

The purpose of this report is to set out any administrative changes to the Constitution that have been made under delegation by the Monitoring Officer since the last approval by Council.

Recommendations:

To note the administrative changes made by the Monitoring Officer since the last amendments were reported to Council in April 2021.

Reasons for recommendation

To ensure the constitution is up to date and fit for purpose.

1. Introduction and background

1.1 The constitution is a key document in the Corporate Governance Framework of the Council. The two overarching principles of good governance as set out in the CIPFA code are:

- Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law
- Ensuring openness and comprehensive stakeholder engagement.

1.2 A review is undertaken of the Constitution on a regular basis to consider whether there are any changes required as a result of legislative change, any recommendations from internal or external auditors or in the light of experience and best practice.

1.3 Under Article 14 of the Constitution responsibility for the Constitution lies with the Monitoring Officer. Since the Monitoring Officer last reported to Council in April 2021, further administrative changes have been made including changes to reflect reallocation of management responsibilities. The changes are set out in Appendix A to this report.

2. The Report

2.1 The Monitoring Officer has had regard to any changes to legislation, and best practice, and has made administration changes under delegation since the last time the Constitution was reported to Council. She can confirm that it is fit for purpose in its current form.

3. Alternative Options Considered

None – these changes to the Constitution are required to ensure it is up to date.

4. Implications

4.1 Legal Implications

A local authority is under a duty to prepare and keep up to date its constitution under the Local Government Act 2000 as amended.

4.2 Financial Implications

None

4.3 Policy and Risk Implications

If the Constitution is not up to date there is a risk that decisions will not be made on a lawful basis.

4.4 Corporate Plan Implications

None

4.5 Resource Implications

None

4.6 Other Implications

None

4.7 Equalities Impact Assessment

Not required.

5. Conclusion

Following review and administrative changes the Constitution remains up to date and fit for purpose.

6. Background Documents

None

7. Appendices

Appendix A – Table of administrative changes made.

Contact Officer:

Alison Hartley
Solicitor to the Council and
Monitoring Officer

Administrative Changes Reported December 2021

Date of Change	Document Changed	Brief description of change	Authorised by
Dec 2021	Part 3 - Amendments to move functions following changes to management of statutory functions	Functions moved from 3.8.5(i) and(j) to 3.8.9	Alison Hartley Monitoring Officer
Dec 2021	Part 4.7 – Administrative amendment	Change reference to 32.3 to 31.2 at para 31.1(b)(i).	Alison Hartley Monitoring Officer
Dec 2021	Part 5.1 – Administrative amendments following A&G 2019	Replaced second sentence with “The Code sets out the conduct that is expected of you when acting, claiming to or giving the impression that you are acting as a Selby District Councillor or when you are appointed as a co-opted member on any Committee of the Council.” At 15, insert as new fourth bullet point “ Your unpaid directorships and trusteeships; or “	Alison Hartley Monitoring Officer
Dec 2021	Part 5.8 – Administrative amendments following meetings being streamed live	Insert new para 6 – “Council meetings are usually streamed live to maximise transparency of decision making	Alison Hartley Monitoring Officer
Dec 2021	Part 7	Updated Management Structure Chart	Alison Hartley Monitoring Officer
Dec 2021	Glossary of Terms	Delete reference to	Alison Hartley

		<p>“Director – A specific term for a Senior Officer within Access Selby”</p> <p>Delete reference to “Executive Director – A specific term for a Senior Officer within the Council’s Core”</p> <p>Delete “standards for England” definition</p>	Monitoring Officer
Dec 2021	Part 4.1 Rule 12	Delete the words “ in accordance with the Petitions Procedure Rules set out in Part 4 of this Constitution	Alison Hartley Monitoring Officer