Public Document Pack

Selby District Council

Agenda

Meeting:	**Executive**
Date:	**Thursday, 3 November 2022**
Time:	**4.00 pm**
Venue:	**Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT**
To:	**Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn, D Buckle and T Grogan**

1. Apologies for Absence

2. Minutes (Pages 1 - 10)

The Executive is asked to approve the minutes of the meeting held on 1 September 2022.

3. Disclosures of Interest

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

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

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

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

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

4. Corporate Performance Report - Quarter 1 2022/23 (April to June) (E/22/20) (Pages 11 - 38)

Report E/22/20 provides a progress update on delivery of the Council Plan 2020-2030 as measured by a combination of progress against priority projects/high level actions and performance against KPIs.

5. Devolution Deal for York and North Yorkshire (E/22/21) (Pages 39 - 138)

Report E/22/21 sets out the steps being taken by City of York Council and North Yorkshire County Council (the Constituent Councils) towards the creation of a Combined Authority for York and North Yorkshire. The report includes details of the 'minded' to Devolution Deal, the Governance Review and the Scheme which has been prepared for consultation.

6. Helios Renewable Energy Project - Nationally Significant Infrastructure Project (E/22/22) (Pages 139 - 146)

Report E/22/22 asks the Executive to note the content of the report and authorise the Head of Planning and Interim Head of Regulatory Services (or equivalent), in consultation with the Leader of the Council, to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.

7. 2022-2027 Five Year Housing Land Supply Report (E/22/23) (Pages 147 - 244)

Report E/22/23 asks the Executive to approve the Five-Year Housing Land Supply report for the period 2022 to 2027.

Members are asked to note that Appendix B (5 Year Housing Land Supply Database) and Appendix E (2022 SHLAA Database) to the report are very detailed PDFs and, as such, will require significant adjustment on screen to read.

8. Local Government (Miscellaneous Provisions) Act 1976, Section 65 – increase of Hackney Carriage Maximum Fares (Fuel Cap) - Consultation Responses (E/22/24) (Pages 245 - 272)

Report E/22/24 asks the Executive to consider the objections received from the consultation and decide, based on the consultation responses, if there should be modifications to the approved table of fares or not. With Executive approval the new table of fares will take effect on 18 November 2022, with or without modification.

PRIVATE SESSION - EXCLUSION OF PRESS AND PUBLIC

That, in accordance with Section 100(A) (4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the Press and public during discussion of the following items as there will be disclosure of exempt information as defined in paragraph 3 of Schedule 12(A) of the Act.

9. Promotion of potential new settlement at Burn Airfield (E/22/25) (Pages 273 - 282)

The Executive are asked to consider report E/22/25.

10. Town Centre Revitalisation Projects Update (E/22/26) (Pages 283 - 290)

The Executive are asked to consider report E/22/26.

Janet Waggott
Chief Executive

Date of next meeting
Thursday, 1 December 2022 at 4.00 pm

For enquiries relating to this agenda please contact Victoria Foreman, on vforeman@selby.gov.uk

Recording at Council Meetings

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to: (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact Democratic Services using the details above prior to the start of the meeting. Any recording must be conducted openly and not in secret.

This page is intentionally left blank

Selby District Council

Minutes

Executive

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Thursday, 1 September 2022
Time:	4.00 pm
Present:	Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn, D Buckle and T Grogan
Also Present:	Councillors S Shaw-Wright and M Jordan
Officers Present:	Suzan Harrington, Director of Corporate Services and Commissioning, Alison Hartley, Solicitor to the Council, Drew Fussey, Operational Service Manager, Peter Williams, Head of Finance, Keith Cadman, Head of Commissioning, Contracts and Procurement, Stephanie Hiscott, TCF Project Delivery Lead (Consultant), Victoria Foreman, Democratic Services Officer
Public:	0
Press:	0

NOTE: Only minute numbers 28 to 34 are subject to call-in arrangements. The deadline for call-in is 5pm on Thursday 15 September 2022. Decisions not called in may be implemented from Friday 16 September 2022.

25 APOLOGIES FOR ABSENCE

There were no apologies for absence.

26 MINUTES

The Committee considered the minutes of the meeting held on Thursday 4 August 2022.

RESOLVED:

To approve the minutes of the meeting held on Thursday 4 August 2022.

27 DISCLOSURES OF INTEREST

There were no disclosures of interest.

28 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976, SECTION 65 - INCREASE OF HACKNEY CARRIAGE MAXIMUM FARES (FUEL CAP) (E/22/14)

The Lead Executive Member for Health and Culture presented the report which asked Members to consider and agree one of the options set out in paragraph 3, and if agreed, to increase fares and give permission to carry out a legally required public consultation.

The Executive noted that the consultation would run from the 8 to 22 September 2022, a copy of the notice would be placed in the Selby Times and on the Licensing webpages and a copy of the notice would be emailed individually to all licensed Hackney Carriage Proprietors for their comments. At the end of the legal consultation, if there were no objections the new fare (fuel cap) would commence on 1 October 2022. If objections were received and not withdrawn, a further Executive meeting would be needed to consider the objections and agree a way forward.

Members discussed the views of the district's taxi drivers and how low the responses to previous consultations on the matter had been. The Executive also noted the varying levels of rates across the county.

It was suggested that Officers contact the drivers once more and invite them to the offices for discussions.

The Executive Member for Health and Culture commended the report to the Executive and recommended Option B as set out at paragraph 3 of the report.

RESOLVED:

The Executive

1. **considered and agreed Option B as set out in the report (to endorse Appendix A to potentially align with future local government reorganisation (LGR) proposals); and**

2. **gave permission for the legally required public consultation to be carried out.**

REASON FOR DECISION:

Due to the rising fuel costs and the need to align the taxi fares with the other districts within North Yorkshire under Local Government reorganisation, any changes to the table of fares must be decided by the Executive Committee and published in accordance with Section 65, for a period of not less than fourteen days to allow for objections to be made.

29 FINANCIAL RESULTS AND BUDGET EXCEPTIONS REPORT QUARTER 1 2022-23 (E/22/15)

The Lead Executive Member for Finance and Resource presented the report which asked Members to endorse the actions of Officers, note the contents of the report and approve re-profiled capital programmes and Programme for Growth and approve a permanent virement of £2,000 per annum from the LEP and Partnership budget, to facilitate the additional maintenance costs resulting from the proposed improvement works to the Sherburn in Elmet, Low Street site.

The Executive noted that at the end of Q1 the estimated full year revenue outturn indicated surpluses of (£382k) for the General Fund (GF) and a £28k deficit for the Housing Revenue Account (HRA) before pay award. Should the pay award offer which was currently under consideration by the unions be accepted, it was anticipated that this will reduce the GF surplus to (£45k) and increase the HRA deficit to £184k.

The Executive Member explained that all new general fund savings had been delayed to 2024/25, post Local Government reorganisation (LGR). The £195k saving in the Housing Revenue Account for the housing system would be aligned to delivery of phase 2 of the project, which was anticipated to be in September 2022, although savings could not be realised until future years, and resource requirements for local government reorganisation could impact on delivery timescales.

Members were aware that the capital programme was currently underspent by (£26k) at the end of quarter 1; both the GF and HRA

forecasted their programmes to be spent by year end except for the housing acquisition and development programme, which has been spread over two years. Programme for Growth projects spend was £658k in quarter 1 including £224k on staffing costs, £165k on the Transforming Cities Fund project and £122k on the Tadcaster business flood grant scheme.

Members acknowledged that ongoing inflation would continue to affect all local authorities across the country.

The Executive Member for Finance and Resources commended the report.

RESOLVED:

The Executive

1. **endorsed the actions of Officers and noted the contents of the report;**

2. **approved re-profiled capital programmes and Programme for Growth; and**

3. **approved a permanent virement of £2,000 per annum from the LEP and Partnership budget, to facilitate the additional maintenance costs resulting from the proposed improvement works to the Sherburn in Elmet, Low Street site.**

REASON FOR DECISION:

To ensure that budget exceptions are brought to the attention of the Executive in order to approve remedial action where necessary and to ensure that the project at Low Street, Tadcaster could progress.

30 TREASURY MANAGEMENT - QUARTERLY UPDATE QUARTER 1 2022/23 (E/22/16)

The Lead Executive Member for Finance and Resource presented the report which asked Members to endorse the actions of Officers on the Council's treasury activities for Quarter 1 2022/23 and approve the report. The report reviewed the Council's borrowing and investment activity (Treasury Management) for the period 1 April 2022 to 30 June 2022 and presented performance against the Prudential Indicators.

Members noted that on average the Council's investments held in the NYCC Investment pool totalled £83.5m over the quarter at an average rate of 0.78% and earned interest of £161.7k (£116.6k allocated to the General Fund; £45.0k allocated to the HRA) which

was £123.5k above the year-to-date budget. Current performance trends indicated that forecast returns for the year could be in the region of £871.8k (£628.9k GF, £243.0k HRA) a total budget surplus of £719.4k. For the General Fund, any interest earned above a £350k threshold was to be transferred to the Contingency Reserve. This figure was currently forecast to be £278.9k.

The Executive Member explained that return on council investments had performed positively when compared to budgets for the year, as a result of the regular and sustained rises in Bank of England base rate that had been experienced over the course of the year, in an effort to combat inflationary increases. Base Rate had accordingly risen from 0.25% at the equivalent point last year when budgets were initially set, to their current level of 1.25%. The forecasted return for the year took into account the tapering effect of the rises, as older investments at lower rates matured and were replaced by newer investments at higher rates. The position remained fluid as further Base Rate rises, currently anticipated by the market, would serve to further increase potential returns against budget.

The Executive were aware that in addition to investments held in the pool, the Council had £5.63m invested in property funds as at 30 June 2022. The funds had achieved a 2.93% revenue return and 3.13% capital gain over the course of the quarter. This had resulted in revenue income of £40.5k to the end of Q1 and an 'unrealised' capital gain of £170.8k. The funds were long term investments and changes in capital values were realised when the units in the funds were sold.

Officers confirmed that long-term borrowing totalled £52.833m at 30 June 2022, (£1.6m relating to the General Fund; £51.233m relating to the HRA), interest payments of £1.917m were forecast to be paid in 2022/23, a saving of £59k against budget. The Council had no plans for any short-term borrowing for the year. With regards to prudential indicators the Council's affordable limits for borrowing were not breached during this period.

The Executive Member went on to inform the meeting that, looking ahead to 2022/23, investment returns were expected to continue to rise due to the recent increases in Bank Base Rate. Base Rate was expected to continue to rise over the course of the year, with latest estimates showing an increase to 2.75% by March 2023.

Members were pleased that the Council's borrowing rates had been fixed.

The Executive Member for Finance and Resources commended the report.

RESOLVED:

The Executive endorsed the actions of Officers on the Council's treasury activities for Quarter 1 2022/23 and approved the report.

REASON FOR DECISION:

To comply with the Treasury Management Code of Practice, the Executive are required to receive and review regular treasury management monitoring reports**.**

31 ENVIRONMENTAL SERVICES CONTRACT SUCCESSION STRATEGY (E/22/17)

The Lead Executive Member for Health and Culture presented the report which summarised the business case for new operating model for waste services for North Yorkshire, and the contract succession strategy for Selby District Council as a key decision in delivering the new model.

The current Environmental Services contract was procured in 2008 and commenced October 2009 for an initial period of 7.5 years. After taking up the 7-year extension the contract was due to expire on 31 March 2024. Contract expiry was 12 months after vesting day for North Yorkshire but a decision regarding a contract succession was required a minimum of 18 months prior to contract expiry. The contract included a contract notice period of 18 months to allow a smooth exit plan and mobilisation plan for the new provider. Therefore, a contract termination notice could be served in October 2022 and to instigate exit planning and mobilisation planning to ensure a smooth service transfer.

Members noted that the waste vehicles were, and would continue to be, owned by the Council.

The Executive acknowledged that due to circumstances there was no alterative option that could be taken by the Council; the decision to be taken was no reflection on the performance of the current contractors, whose service delivery had been very good and ensured that Selby District's collection rates were above any others in the county.

Members accepted that following LGR there were likely to be charges for green waste collection going forward.

The Executive Member for Health and Culture commended the report.

RESOLVED:

The Executive agreed not to re-procure a

replacement contract for Selby and serve any necessary contract notices in accordance with contractual terms to ensure a smooth service transfer to North Yorkshire from 1 April 2024.

REASON FOR DECISION:

The majority of services provided under the current contract were statutory services and as such Selby District Council (North Yorkshire Council) required an approved robust contract succession plan that supported the business case for a new operating model for waste services for North Yorkshire.

32 PRIVATE SESSION - EXCLUSION OF PRESS AND PUBLIC

It was proposed and seconded that the Executive sit in private session for the following business due to the nature of the business to be transacted.

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of business to be transacted the meeting be not open to the press and public during discussion of the following items as there will be disclosure of exempt information as described in paragraph 3 of Schedule 12(A) of the Act.

33 LEISURE FACILITIES AND SERVICES CONTRACT SUCCESSION STRATEGY (E/22/18)

The Leader of the Council presented the report.

The report set out the current service delivery models for leisure services across North Yorkshire, contract periods for contracted services and the requirement for NYC to commission a strategic review of leisure. Within this broader context there was a requirement for interim service delivery for Selby due to contract expiry. The report recommended the preferred interim service model for Selby services.

Members expressed their support for the recommendations and agreed the recommendation set out in the report.

RESOLVED:

The Executive

1. **supported the proposed Selby interim service option, which was the transfer to a Teckal company;**

2. **undertook not to instigate a re-procurement exercise; and**

3. **engaged with any future proposals that were considered by North Yorkshire's Executive later in the autumn, in relation to a countywide Strategic Leisure Review.**

REASON FOR DECISION:

To determine whether to re-procure the Selby leisure service or seek alternative arrangements for the continuation of leisure services in the District, pending any outcomes of the North Yorkshire Review, as Selby District Council's (SDC) current Leisure contract was due to expire in August 2024. A decision was required to ensure continuity of service provision in Selby for a period from 2024 up to 2027.

34 SELBY STATION GATEWAY TRANSFORMING CITIES FUND SCOPE AND LAND ACQUISITION (E/22/19)

The Executive Lead Member for Communities and Economic Development presented the report.

The report updated the Executive on the scope of the Selby Station Gateway Transforming Cities Fund Project and sought authorisations for actions relating to the delivery of the project including additional due diligence, land acquisitions, variations to access rights and associated budget approvals.

In attendance at the meeting for the item were Councillors S Shaw-Wright and M Jordan; the Members were invited to comment on the item by the Leader.

Members expressed their support for the recommendations and agreed the recommendation set out in the report.

RESOLVED: The Executive

1. **endorsed revisions to the TCF project scope;**

2. **agreed to purchase or otherwise facilitate the transfer of land west of Cowie Drive owned by Arriva, so that Viking Shipping became the ultimate owner of this;**

3. **supported the Council entering into a legal agreement to extend the rights over the land coloured purple on the Plan at Appendix B for**

the benefit of the Viking Shipping land;

4. **supported the Council entering into a legal agreement with Arriva to create rights of access for the general public for the benefit of the Selby railway station land. Such rights being over the land coloured purple on the Plan at Annex B were to allow the general public to pass from Ousegate, over Cowie Drive and into Selby Railway Station via a new eastern access;**

5. **agreed to use £131.5k of funding that was previously allocated by the Council to purchase land owned by BDW and the Malt Shovel at Ousegate Wharf to:**

    a. **cover the cost of transferring land west of Cowie Drive to the Viking Shipping land, including legal fees, together with the cost of making the above changes to access rights;**

    b. **cover legal, advisory and monitoring costs associated with acquisition of the Cowie Drive access from Viking Shipping;**

    c. **cover any abortive legal costs incurred by the Malt Shovel; and**

    d. **contribute to potential landscaping enhancements on privately-owned land at Ousegate Wharf;**

6. **supported negotiations to acquire the Arriva Bus Depot site (using funding allocated for this purpose within the MTFS), with a business case and report to be considered at a future meeting of the Executive.**

REASON FOR DECISION:

To authorise actions relating to the delivery of the project including additional due diligence, land acquisitions, variations to access rights and associated budget approvals.

The meeting closed at 5.00 pm.

This page is intentionally left blank

Report Reference Number: E/22/20

To:	**Executive**
Date:	**3 November 2022**
Status:	**Non-Key Decision**
Ward(s) Affected:	**All**
Author:	**Gillian Bruce, Business Transformation Officer**
Lead Executive Member:	**Councillor Mark Crane, Leader of the Council**
Lead Officer:	**Stuart Robinson, Head of Business Development and Improvement**

Title: Corporate Performance Report - Quarter 1 2022/23 (April to June)

Summary:

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

Recommendations:

1. **That the report be noted and approved; and**

2. **the Executive consider any further action they wish to be taken as a result of current performance.**

Reasons for recommendation

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

1. Introduction and background

1.1 High level performance reporting of progress against the Council's priorities – as set out in the Council Plan 2020-2030 – is a key element of the performance management arrangements.

1.2 Progress on delivering the Council's priorities is demonstrated by a combination of:

- progress against priority projects/high level actions (are we meeting/expecting to meet delivery timescales) see Appendix: A Council Delivery Plan 2020-23 Monitoring Report; and

- performance against KPIs (are targets being met; are we getting better) see Appendix B: Corporate Performance Report.

1.3 We are currently finalising a covid 19 variation to the leisure contract that includes revised KPIs and as such we are currently not reporting any leisure KPIs due to the variation and the fact that leisure centres have been closed during the last two years due to the pandemic.

2. Reporting Period

2.1 The specific focus of this report covers the period April to June 2022. This is the first full quarter following the government's lifting of Covid-19 restrictions.

2.2 Summary of progress

To summarise progress in quarter 1:

- 70% of KPIs reported are showing improvement over the longer term or have maintained 100% performance.

- 78% of KPIs reported are on target – with 9% of KPIs within acceptable tolerances.

2.3 Housing repairs update

Performance on responsive housing repairs is slowly starting to improve as new staff become fully conversant with systems and operating practices.

The continuing pressure on resources, aligned to the nature of the works remaining with the original backlog created during the pandemic has resulted in progress on the backlog slowing to a few repairs per week. Overall, 91% of the original backlog has now been cleared, leaving 343 repairs outstanding.

The number of open repairs has seen an increase over the first quarter as the full impact of reduced staffing numbers and annual leave/long term sickness amongst the team earlier in the year take effect. Currently there are 2,173 open repair entries which is approximately 373 more than the usual 'run-rate'.

The team continues to work with external contractors to support our internal provision wherever possible, although many contractors are already working near or at full capacity themselves.

The situation continues to be monitored.

2.4 What went well in quarter 1

2.4.1 The Council successfully delivered the Selby elements of the election for North Yorkshire County Council/North Yorkshire Unitary Council.

2.4.2 In addition, we administered the government's energy rebate scheme. At the end of Q1, Selby District Council had made 28,884 individual payments to customers totalling £4.33m. These were to 23,855 customers who paid by direct debit and 5029 customers whose bank details have been collected to

make the payment. In addition, a discretionary scheme was developed for additional payments to lower income households for delivery early Q2.

2.4.2 Positive Performance - KPIs

- **Supporting SMEs** - A total of 71 SMEs were supported in Q1 – better than the target of 50 although slightly down on performance in Q4 (79).

- **NNDR collection** - 30.9% of NNDR was collected in Q1 – better than Q1 last year (26.4%) and the target for this year (27.5%)

- **Sundry debt collection** - 46.9% of sundry debt was collected in Q1 – above both the same period last year and this year's target (46.2%)

- **Processing benefit claims** - Whilst Q1 performance for processing new benefit claims (18.9 days) exceeded the target (22 days), processing times were longer than for Q1 last year (17.1 days). Despite the burden of processing energy rebates, Q1 performance on processing changes in circumstances (3.1days) was significantly better than target (8.4) and also better than the same period last year (4.1 days)

- **Processing planning applications** - All national targets were exceeded for the processing of major, minor and other applications in Q1. Furthermore, short term performance (comparison with the previous quarter) improved on all types and longer-term performance (comparison with Q1 last year) improved for both minor and other applications.

- **Processing stage 1 complaints** - All stage 1 complaints were responded to within the required timescale in Q1.

- **Processing FOIs** - 88% of FOIs were responded to in time – better than the target of 86% and also better than the same period last year (86%).

- **Customer waiting times (phone)** - Despite the challenges created by the government's energy rebate scheme, the average wait time in Q1 (2.3 minutes) was better than the target of 5 minutes and also better than the same period last year (2.9 minutes)

- **Reportable health and safety incidents** - No incidents were reported during the quarter.

- **Council house re-lets** - Performance on void re-let times continues to improve – on both standard and major void types with targets met on both types and improvement shown in both the short and longer term across both types.

- **Waste –** The number of missed bins (130) was slightly greater than last quarter (123) but much improved on the same period last year (170) and well within the target of 186. Furthermore, the recycling rate was higher than in Q1 last year.

2.5 What did not go so well in quarter 1

- **Stage 2 complaints** - Stage 2 complaints processing – only 67% of stage 2 complaints were processed within the required timescales.

- **Savings** - The target for planned savings has not been achieved. The remaining saving is linked to securing the benefits of some of our digital investment and transformation work which is expected to be realised during next financial year.

- **Staff sickness** - In the 12 months to end of Q1, 7.8 days per FTE were lost to sickness absence. This is higher than both Q1 last year (4.0 days) and the target of 5 days. Covid-related absences accounted for 17% of total absences. However, the biggest cause of absence was Stress, Depression & Anxiety (28%). Whilst much of this is not work-related, we understand that these are challenging times for our staff. In a recent survey, 86% of respondents confirmed they felt that appropriate arrangements had been made to support them with any issues they had experienced around lone working, stress, and general mental health, and we do make Health Assured available for all staff. Our focus during LGR is on maximising engagement with all staff and working through our managers to support staff during these difficult times.

3. Alternative Options Considered

N/A

4. Implications

N/A

4.1 Legal Implications

None

4.2 Financial Implications

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

4.3 Policy and Risk Implications

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

4.4 Council Plan Implications

This report provides a progress update on delivery of the Council Plan 2020-23.

4.5 Resource Implications

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

4.6 Other Implications

N/A

4.7 Equalities Impact Assessment

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

5. Conclusion

5.1 The performance data demonstrates continued performance improvement and delivery against Council Plan Priorities.

6. Background Documents

None.

7. Appendices

Appendix A: Council Delivery Plan 2020-23 Monitoring Report Quarter 1 2022/23

Appendix B: Corporate Performance Report Quarter 1 2022/23

Contact Officer:

Stuart Robinson**,** Head of Business Development & Improvement

srobinson@selby.gov.uk

01757 292296

This page is intentionally left blank

APPENDIX A

Council Delivery Plan 2020-23 Monitoring Report
Q1 2022/23

Key:

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

Theme: A great place to LIVE

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
Increased Housing Supply	**Maintain our Five-Year Housing Land Supply**	Martin Grainger	Cllr Crane	Deal with pre-application queries and planning applications for new residential development expeditiously	31-Mar-2023			The Development Management Service is continuing to process applications efficiently. This includes dealing with the backlog created during the Covid pandemic coupled with a high number of planning applications during 2021/22 and the first quarter of 2022/2023. This reflected in annual income for 2021/2022 of over £1.5m which is the highest amount recorded. Significant progress has been made on the production of a Local Plan. This document sets out a portfolio of housing and employment sites to meet growth up to 2040. Consultation on the Preferred Options draft of the plan took place between 31st January and 12 March 2021. Over 1200 comments were received. A further 44 sites were submitted as part of the Preferred Options consultation and a further consultation on these additional sites took place between 2nd August and 13th September 2021. A number of additional evidence base documents	
				Explore new sources of supply and a long-term pipeline of housing sites to 2040 through the new Local Plan (see below).	31-Mar-2023				
				Proactive Work with developers to unlock 'stuck sites'	31-Mar-2023				
				Provide appropriate Planning support to deliver the Councils Housing Development Programme and HRA new-build projects	31-Mar-2023				

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
								have also been consulted on as a separate exercise. They related to the approach to Greenbelt, CIL and Local Plan Viability, Greenspace Audit and Indoor/Outdoor Sports. A revised Local Development Scheme has been brought into effect. Consultation on the Publication Local Plan is now underway and ends on the 7th October. Depending on the outcome of the consultation it is anticipated that the Local Plan will be submitted for Examination early next year.	
Increased Housing Supply	**Maximise the number of available homes through delivering the Empty Homes programme.**	Sarah Thompson	Cllr Musgrave	Deliver the Empty Homes Programme	31-Mar-2022			Programme completed end March 2022	
Increased Housing Supply	**Implement a Selby District Council Housing Development Programme**	Phil Hiscott	Cllr Crane	Agree the most appropriate delivery models for the HDP	31-Dec-2020	1-Apr-2021		**Delivery Models** Affordable Housing Strategy for 2021 onwards approved by the Executive April 2021. This sets out the delivery priorities for the HDP. HDP Board created and meetings taking place. **HDP Phase 2:** Following confirmation of planning consent for the four sites within the programme, work to determine the financial viability of the schemes has now been completed. Regrettably, as a result of upward pressure in the market the financial modelling has identified the schemes do not currently satisfy the Council's financial viability parameters. Work is ongoing to review the proposals and to ensure the planning consents granted are secured so the sites can be	
				Create HDP Programme Board, agree priority sites within Phase 2 and the Development Programme.	31-March-2023				

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
								developed when market conditions allow. **S106 Acquisitions:** Planning consent for the Staynor Hall development by Persimmon secured. Dialogue regarding the Council's interest in securing 22 of their affordable housing provision remains ongoing. Negotiations ongoing to purchase Selby & District Housing Trust Homes. Executive agreed in principle purchase in April. **Empty Homes/Council House Buy-backs:** The programme part funded by Homes England to acquire 10 empty homes was completed in Q4 and the first property acquired through our one-for-one replacement programme using S106 monies is also now complete. Work to identify further opportunities to increase the Council's affordable housing portfolio is continuing.	
Improve our housing stock	**Deliver the housing improvement programme element of the HRA Business Plan 2019-2025.**	Phil Hiscott	Cllr Musgrave	Deliver the HRA improvement Plan.	31-Mar-2022			The Housing Repairs Service is continuing to refurbish VOID properties and carry out all repairs and performance in these areas remains on target. We continue to work through the remaining backlog of works resulting from the various Covid lockdowns and have brought in additional internal and external support to clear the remaining repairs as soon as possible.	
				Deliver the HRA Business Plan 3 Year Capital Investment Programme (agreed Dec 2019).	31-March-2023			We continue to experience increased lead times on some materials (roof tiles, central heating components) and are working with our contractors and	

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
								suppliers to mitigate the impact of these delays. Delivery of the capital investment programme in 2022/2023 is focussed on ensuring all our properties continue to meet statutory compliance requirements around electrical and gas safety as we move towards handing over a 'safe and legal' portfolio to the new Council for North Yorkshire.	
Market Town Regeneration	**Develop and implement Town Action Plans and partnerships for Selby, Tadcaster and Sherburn-in-Elmet**	Julian Rudd	Cllr Buckle	Complete Town Centre Action Plans for Selby & Sherburn	30-Sep-2020			**Revitalising Towns Initiative** The priority projects included within the Town Centres Revitalisation Programme were approved by Executive in September 2021. The scope of the work has been broadened to include Sherburn Legacy Projects (grant scheme). Detailed project plans are being developed to ensure projects are completed (or at least in contract or under construction) by March 2023. Projects include: - Tadcaster – Improvements to Tadcaster Bus Station Sherburn – Low Street improvements Selby – Market Place and Park improvements The Town Centre Action Plan for Tadcaster will be finalised alongside the next stage of the Local Plan. A Govt changing places grant has been awarded to SDC for a toilet facility for	
				Develop partnership groups for implementing Selby, Sherburn and Tadcaster Town Centre Action Plans.	31-Dec-2020				
				Complete Town Centre Action Plan for Tadcaster	30-Apr-2022				

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
				Implement the Opening Town Centres Safely plan.	31-Mar-2022			people with additional needs. The grant and SDC match funding will deliver two units, one at Selby Station to be incorporated to the TCF scheme and managed by the station operator TPExpress, and one at Tadcaster Bus Station to be managed by SDC. Approval for scheme costs and revenue implications to be sought at October Executive. Under the town centre revitalisation grants (legacy projects) for Sherburn 2 applications have been awarded, 1 is currently being assessed and 3 more are expected. **Selby District Places and Movement Study** A report summarising the consultation, and proposed way forward was approved at the September Executive. The report also acknowledged the current work being undertaken by the Local Plan Team in Tadcaster, which includes place and movement type proposals. A Place and Movement Phase 2 is currently being progressed by NYCC Highways, and the final scope for WSP is being agreed with SDC. The Phase Two work will build upon the outcome of the consultation and identify a set of priority projects, focussed on key junctions in Selby and Sherburn and measures to support active travel.	
				Implement key projects from Town Action Plans for Selby, Sherburn and Tadcaster including:	31-Mar-2021				
				Complete Places and Movement study of Selby, Sherburn and Tadcaster – joint with NYCC (plus LEP funds).	30-Apr-2021	30-Apr-22 (Phase 1)			
				Deliver the Selby town centre High St Heritage Action Zone programme.	31-Mar-2023				

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
				Deliver Transforming Cities Fund programme to transform the Selby station area.	31-Mar-2023	Note: extension to completion date approved by DfT. New completion date March 2024 (await final confirmation)		**Selby Station Gateway Transforming Cities Fund (TCF)** The Outline Business Case (OBC) was submitted to WYCA Final approval for the OBC was received in February 2022. Work is now being completed on the FBC and this will be submitted in August 2022 (subject to approval by the SDC Executive). Strong progress has been achieved with land acquisition, including purchase of the Selby Business centre in December 2022 and The Railway Club has now been purchased in July 2022. The planning application for TCF has been to committee 7th Sept and approved subject to consultation period and conditions. A press release will be shared. Regular comms meetings are taking place to plan and deliver comms to the public, and businesses to increase awareness of the scheme and its benefits ahead of construction from Spring 2023. Officers are in continuous dialogue with WYCA over delivery timescales and Members will be informed as further information becomes available. The Council has identified sufficient funding to ensure that the Station Gateway scheme will be fully delivered, including the Station Plaza, by March 2024. DfT have confirmed verbally that spend of TCF can extend to March 2024. **Selby Town Centre High Street Heritage Action Zone** The HSHAZ is a four-year programme funded by Historic England, which began in July 2020 and runs until the end of March 2024. It includes the creation of new planning guidance, the	

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
								Town Centre Design Guide, which explores the details of Selby's heritage character, and is now available to assist the Planning Team at the Council with making decisions on planning applications and guidance to property owners about sensitive development in the town centre. Two building conservation projects are now on site in the town centre and a third was completed in March 2022. The project is now looking ahead to develop the next phase, carrying out surveys in more possible projects for this coming year. New streetscape and car park designs are to come this next year. Community engagement in 2021/22 included the use of Lego and Minecraft to engage our younger residents, walking tours with a character guide, architecture lectures about conservation and exemplar development ideas, and art workshops to explore our famous residents and visitors.	

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
Theme: A great place to ENJOY									
Community	**Develop a resilient community**	Stuart Robinson	Cllr Buckle	Establish local arrangements that support residents in addressing financial difficulty.	31-Dec-2020	31-Mar-2021		£2M Community Legacy Fund with Two Ridings Community Foundation established to support local community organisations to access District funding, protected to the area in perpetuity. The Fund was launched on 1st November 2021. Selby Health Matters Partnership established a new action plan for 2021-2023 which includes developing a leadership programme to support VCSE and health leaders to provide joined up services. Programme design will be developed in line with LGR Community Networks. Interim local place leader networks established by Community First Yorkshire. Selby District AVS has joined the Equalities and Advice networks to further strengthen connections between VCSE providers.	
				Collaborate with community representatives and funders to establish the community engagement and funding process post covid-19	30-Jun-2021	01-Nov-2021			
				Collaborate with local authority, health, and voluntary sectors to establish a development pathway for a strong and resilient VCS sector to support community emergency response and long-term recovery of communities from Covid-19.	30-Sep-2021	31-Mar-2022			
Environment – Low Carbon	**Implement the recommendations of the Low Carbon Working Group (LCWG)**	Stuart Robinson	Cllr Musgrave	Develop a Low Carbon Action Plan considering the recommendations of the Low Carbon Working Group.	31-Dec-2020			Q1 update: • Scope 1, 2 and 3 emissions data collated for 2019/20, 20/21 and 21/22. • Seven Fitbits raffled to staff in April to encourage walking and more sustainable travel. • Cycle to work scheme promoted. • Pilot project to use HVO fuel in waste collection vehicles completed. Executive agreed to defer the rollout whilst fuel prices volatile. • Discussed options for using renewable energy with YPO. On hold due to less than 12 months left of SDC. • Tree planting plans under discussion with Groundwork.	

								• 'Introduction to Climate Change' module launched as part of staff mandatory training. Note: The Low Carbon Officer left the Council in June and has not been replaced. The focus between now and March will be to ensure Selby priorities are picked up in the plans for the new council.	
Environment – Green Space	**Work with local partners to maintain and enhance local parks, play areas and open spaces.**	Keith Cadman	Cllr Grogan	Deliver capital investment of £100k p.a. to improve quality and accessibility of Council play areas – improving two play areas per year for the years 2020-21; 2021-22; 2022-23.	31-Mar-2023			A contract for four playgrounds at parkland drive and woodlands avenue in Tadcaster and Volta Street and Petre Avenue in Selby was awarded in April 2022. Public consultations have been held and the designs finalised following evaluation of the feedback received. Work is due to being at the end of September. Works are planned to start on site at Petre Avenue on 22nd September 2022 with other sites to start later this year.	

Theme: A great place to GROW

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
Local Plan	**Deliver the Local Plan by 2023**	Martin Grainger	Cllr Crane	Develop Preferred Options and consult stakeholders.	28-Feb-2021			Significant progress has been made on the production of a Local Plan. This document sets out a portfolio of housing and employment sites for the next twenty years. Consultation on the Preferred Options draft of the plan took place between 31st January and 12 March 2021. Over 1200 comments were received. A further 44 sites were submitted as part of the Preferred	
				Develop Submission Draft and consult stakeholders	31- Jul - 2022				
				Draft Local Plan Submitted for Examination by the Planning Inspectorate	31-Jan-2023				
				Create the evidence base – including an Infrastructure	31-Mar-2023				

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
				Delivery Plan for the Selby district.				Options consultation and a further consultation on these additional sites took place between 2nd August and 13th September 2021. A number of additional evidence base documents have also been consulted on as a separate exercise. They related to the approach to Greenbelt, CIL and Local Plan Viability, Greenspace Audit and Indoor/Outdoor Sports. A revised Local Development Scheme has been brought into effect. Consultation on the Publication Local Plan is now underway and ends on the 7th October. Depending on the outcome of the consultation it is anticipated that the Local Plan will be submitted for Examination early next year.	
				Local Plan adopted	30-June-2024				
Visitor Economy	**Continued delivery of the 'Selby District Visitor Economy Strategy 2018-22 – and beyond'.**	Julian Rudd	Cllr Grogan	Work plan reviewed for the 'Selby District Visitor Economy Strategy 2018-22 – and beyond' with emphasis on sectoral support and development needs in response to C-19:	30-Sep-2020	11-Jul-2021		'Get to Know Your Heart' resident engagement weekend delivered across district 8-10 Apr. Campaign reached over 100,000 people through social media channels and promoted on buses and radio across district. Engagement and planning with national/international trade slowed due to Covid recovery. Work on Food & Drink Improvement Plan begun. Visitor Economy Strategy Refresh completed. Priorities include connecting the sector, strengthening activity and product quality around food and drink, and heritage. Longer term focus to support sector recovery from Covid 19 and ensure continuity of sector support through LGR.	
				Deliver short-term outputs – emphasis on local people & staycationing	31-Mar-2021	31-Dec-2021			
				Deliver medium term outputs – broadening emphasis to national trade	31-Dec-2021	Ongoing			
				Longer term outputs – developing emphasis to include international travellers	31-Mar-2023	Ongoing			

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
Visitor Economy	**Develop and implement the Selby District Cultural Development Framework.**	Julian Rudd	Cllr Grogan	Selby District Cultural Development Framework completed (including evidence base & consultation with stakeholders, as agreed with funders)	31-Dec-2020	31-Jul-2021		Cultural Development Framework in delivery: Artist in residence appointed to Selby Abbey. Product from engagement now being created and displayed in the Abbey throughout the year. Schools singing project underway, culminating in performance in Selby Abbey. New Minecraft project underway. Artist in residence appointed to TCF station development. Concepts for public realm completed and 4 micro-commissions awarded to Selby College students to deliver artwork for the scheme. Writer in Residence appointed to engage on Selby marketplace. Artists appointed to support design of Barlby Road corridor. Work on Heritage Interpretation Masterplan underway. Work on Public Art plan underway.	
				Implement immediate short-term outputs from the framework; develop key projects in line with covid-19 response and external investment e.g. Barlby Road Corridor project; extending festivals/events offer;	30-Apr-2022	Ongoing			
Enterprise & Growth	**Deliver the Selby District Economic Development Framework 2022…and beyond**	Julian Rudd	Cllr Buckle	Deliver a sustainable and targeted programme of support to SME businesses – to support the post-Covid recovery	31-Mar-2023			SDC were fully involved with the LEP in the development and shaping of the Covid-19 Economic Recovery Plan. Covid economic responses are complete now and we have moved into the post-pandemic "new normal" phase. The Council's key economic priorities and projects have been put forward for inclusion in the LGR workstream 'Economic Strategy', which will guide the early years of the new authority as well as contributing to the ED workstream on how the new authority's priorities will be	

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
				Develop and agree with the owners of each key strategic site identified in the EDF Framework (e.g. S2, Eggborough, Kellingley) a programme of short, medium term deliverable actions to bring the site forward in line with EDF	31-Mar-2023			delivered. Post-Covid and post Russian invasion of Ukraine there are significant challenges particularly in recruitment, property shortage, supply chain issues and rising costs, particularly fuel, but the outlook is still positive and there are significant growth opportunities despite the headwinds. In summary, SDC has continued to provide support, now fully back to in-person meetings including: • Business support to SME's; • Grant funding for innovation & start-ups; • Consultancy support funding; • SDC has planned and is delivering a series of workshops to help businesses grow/deal with changing legislation and economic challenges. • Planned 2nd Selby District Business Awards; • Re-Established two successful forums/networking groups post-lockdown; • Planned and delivered a programme of Employment and Skills Forums which will culminate in an Employment & Skills conference on 29th September; • Worked closely with NYBEP (North Yorkshire Business & Education Partnership) working with schools forming a relationship between schools and businesses. • Worked with YNYLEPP, employers, apprenticeship providers and the Apprenticeships Hub. The new Economic Development Manager has now been in place over a year now and is planning the team's	

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
								priorities for the remainder of the lifetime of this Council, working with the Executive. During Q1 the outlook for strategic development sites has continued to remain positive with significant progress being made on most of them on a speculative build basis. This is the result of market shift and significant demand for industrial and storage space in the region. Demand is still strong but planning delays and increased construction costs are proving a challenge. SDC has worked with developers to encourage the type of development that fits with our Economic Development Strategy, the YNY Plan for Growth and the emerging Economic Strategy for the new authority.	

Theme: A great place with a Council delivering GREAT VALUE

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERALL RAG
Digital Customers	**Deliver Digital Strategy 2020**	Stuart Robinson	Cllr Lunn	Complete implementation of Digital Workforce – Office 365; new devices; MyView	31-Dec-2020	31-Mar-2021		**Note** – due to LGR, the primary focus is now on ensuring current systems remain stable and supported in advance of handover to the new council. Except for completing the housing system project, all other transformation activity is on hold. **Digital Workforce** • Completed	

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERAL L RAG
				Complete implementation of phases 1 – 3 of Digital Customers – Northgate Citizens Access; CivicaPay; Scanstation; Citizens Online project	31-Dec-2021	31-Jan-2022		**Digital Customers** • Completed. **Civica Cx Housing System** • Phase 1 (rents, tenancy) completed. • Upgrade to live system (bug fixes plus improvements in automating lettings) completed. • Project plan in place for phase 2 (assets, repairs) – expect to complete autumn 2022. • Upgrade to test system completed. • Tenants Portal expected to go live at end summer.	
				Complete full implementation of Civica CX digital platform for housing and asset management.	30-Sept-2022				
Digital Customers	**Transform customer contact services and achieve channel shift**	Stuart Robinson	Cllr Buckle	Set up Contact Centre at Civic Centre and provide appointment-based face to face customer services.	01-Nov-22			Civic Centre reception is now fully open. Customer Services delivering increased number of appointment-based services for those customers unable to access services by other means. Leadership Team agreed to utilise meeting room 4 as permanent private meeting space for seeing customers along with a temporary private space to be created in the reception area. This will support the Civic Centre to meet current and expected post-LGR needs.	
Quality Workforce	**Deliver People Plan to support and develop staff through major change**	Stuart Robinson	Cllr Lunn	Deliver People Plan, including new HR and OD service delivery arrangements; Leadership and Management Development Programme; enhanced approach to staff engagement and wellbeing; development of staff core skills	31-Mar-2023			• Training Planning completed – successful staff now undertaking qualification-based training. • Corporate push on mandatory training – all staff given an hour a week to support development. • Supported delivery of LGR staff focus groups and staff survey - SDC had highest response rate across North Yorkshire.	

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERAL L RAG
								• Trialled recording of staff briefing session in April. Latest sessions held 15 July and • Manager Forum held in May – next Forum scheduled 14 Sept.	
Effective use of Assets	**Develop and implement the Asset Strategy 2020-30.**	Phil Hiscott	Cllr Lunn	Develop Asset Strategy 2020-30 and high-level Action Plan – focus on our assets	30-Sep-2022			The disposal of the former Council depot on Barlby Road has now completed. Work to finalise the sale of Edgerton Lodge to the winning bidder is currently underway. Finalisation of the marketing materials for the sale of the former NatWest in Tadcaster is currently underway and it is envisage the property will be placed on the open market for sale in Q2.	
Value for Money	**Deliver robust arrangements to ensure financial plans are delivered, costs are minimised and planned savings and new opportunities for income are delivered**	Karen Iveson	Cllr Lunn	Implement the strategic objectives set out in the MTFS – deliver investment programmes and savings	31-Mar-2023			Covid has impacted severely on the Council's finances and capacity over the last year. The overarching MTFS objectives remain but the majority of savings have been pushed back to 23/24. Investment programmes are in place but spending has been delayed as a result of capacity diverted toward the Council's pandemic response.	
				Monitor the budget for 21/22 and set balanced budget for 22/23 in light of Covid and LGR.	31-Mar-2021	24-Feb-2022		The budget for 21/22 was approved by Council in February 2021. It includes provision for Covid and LGR contingencies and takes account of the contractual risks highlighted in the MTFS which crystallised over 20/21. In year budget monitoring shows that Covid pressures continue but there has also been some upturn in planning income, waste recyclates income and an improvement in investment returns. Investment programmes have also been delayed with some slipping into 22/23. The draft budget for 22/23 (Selby's last budget) was approved for by Full Council	

OBJECTIVE	ACTION	OFFICER LEAD	EXECUTIVE LEAD	MILESTONE	DUE DATE	COMPLETED DATE	RAG	OVERALL COMMENTARY	OVERAL L RAG
								in February 2022. Deferral of savings to 24/25 has been confirmed with reserves bridging the gap in the short-medium term. There is a Council Tax freeze for 22/23.	
				Update the MTFS in light of Covid impacts and delayed 'Spending Review' (incorporating the Fair Funding Review and any changes to Business Rates and Retention).	31 March 2022			The MTFS was updated and approved by Council in July 21. It incorporates covid impacts plus areas of additional investment. The spending review and review of business rates retention however continue to be delayed with expectations now for 23/24 or later.	

APPENDIX B

Delivering corporate priorities

Corporate Performance Report

Quarter 1 2022/23

Delivering corporate priorities: Exceptions Q1 2022/23

KPIs Summary

70% Improved
in the long term

78% On target
with 9% close to target

Indicator	Exception	Comments
What's gone well - KPIs		
Number of SMEs supported	Target exceeded	A total of 71 SMEs were supported in Q1 – better than the target of 50 although slightly down on performance in Q4 (79)
% Non-domestic rate collected	Target exceeded & Performance improved	30.9% of NNDR was collected in Q1 – better than Q1 last year (26.4%) and the target for this year (27.5%)
Sundry debt collected	Target exceeded & Performance improved	46.9% of sundry debt was collected in Q1 – above both the same period last year and this years target (46.2%)
Average days to process new benefit claims (total)	Target exceeded	Whilst Q1 performance for new benefit claims (18.9 days) exceeded the target (22 days), processing times were longer than for Q1 last year (17.1 days). This year, the team had the added burden of processing the national energy rebates.
Average days to process change of circumstances	Target exceeded & Performance improved	Despite the burden of processing energy rebates, Q1 performance (3.1days) was significantly better than target (8.4) and also better than the same period last year (4.1 days)
Processing of planning applications	All targets exceeded	All national targets were exceeded for the processing of major, minor and other applications in Q1. Furthermore, short term performance (comparison with the previous quarter) improved on all types and longer term performance (comparison with Q1 last year) improved for both minor and other applications.
% Stage 1 corporate complaints fully responded to in required timescales	Target exceeded & Performance improved	All stage 1 complaints were responded to within the required timescale in Q1.
% FOI responded to within 20 days	Target exceeded & Performance improved	88% of FOIs were responded to in time – better than the target of 86% and also better than the same period last year (86%).
The average wait time – in minutes – before a customer phone call is answered by an advisor	Target exceeded & Performance improved	Despite the challenges created by the governments energy rebate scheme, the average wait time in Q1 (2.3 minutes) was better than the target of 5 minutes and also better than the same period last year (2.9 minutes)
Corporate health and safety: the number of incidents report in the last 12 months	Target met	No incidents have been reported during the quarter.
Average days to re-let council homes	Targets exceeded & Performance improved	Performance on void re-let times continues to improve – on both standard and major void types with targets met on both types and improvement shown in both the short and longer term across both types.
Number of missed waste collections	Target exceeded & Performance improved	Q1 performance (130 missed collections) was better than the same period last year (170) and significantly better than target (186).
Recycling rate	Performance improved	At 50.6%, the proportion of waste recycled was significantly higher than during the same period last year (46.5%).

Delivering corporate priorities: Exceptions Q1 2022/23

Indicator	Exception	Comments
What hasn't gone so well - KPIs		
Amount of planned savings achieved	Target not met	The remaining saving is linked to securing the benefits of some of our digital investment and transformation work which is expected to be realised during next financial year.
Percentage of stage 2 corporate complaints fully responded to in the required time	Target not met	Only 67% of stage 2 complaints were responded to in time.
Amount of household waste collected	Performance worse	Our aim is to encourage households to reduce the amount of household waste. Therefore, the average of 167kg per household collected in Q1 reflects a worsening of performance compared to Q1 last year (147kg).
Average days sick per FTE	Performance worse and Target not met	In the 12 months to end of Q1, 7.8 days per FTE were lost to sickness absence. This is higher than both Q1 last year (4.0 days) and the target of 5 days. Covid-related absences accounted for 17% of total absences (285 days in total). However, the biggest cause of absence was Stress, Depression & Anxiety (28%).

Delivering corporate priorities: KPIs Q1 2022/23

PI Status	
	Alert
	Warning
	OK

Long Term Trends	
	Improving
	No Change/Not applicable
	Getting Worse

Short Term Trends	
	Improving
	No Change/Not applicable
	Getting Worse

KPI	Direction of Travel	Q1 2021/22 Value	Q2 2021/22 Value	Q3 2021/22 Value	Q4 2021/22 Value	Current Value	Target	Short Term Trend	Long Term Trend	Status
Number of SMEs supported	Aim to Maximise	67	61	73	79	**71**	**50**			
% Council Tax collected	Aim to Maximise	29.27	56.26	83.75	98.10	**29.08**	**30.00**			
% Council housing rent and arrears collected	Aim to Maximise	92.28	93.28	95.42	97.35	**90.90**	**90.95**			
% Non-domestic rate collected	Aim to Maximise	26.38	53.34	80.13	96.78	**30.92**	**27.50**			
Sundry debt collected	Aim to Maximise	46.16	55.80	89.46	98.5	**46.88**	**46.16**			
Amount of planned savings achieved (£s)	Aim to Maximise	184k	184k	184k	184k	**184k**	**379k**			
Average days to process new benefit claims (total)	Aim to Minimise	17.08	17.91	21.92	17.05	**18.91**	**22.00**			
Average days to process change of circumstances	Aim to Minimise	4.09	3.22	3.81	1.55	**3.05**	**8.40**			
% Major applications within statutory or extension of time	Aim to Maximise	100	100	100	60	**88.89**	**60**			
Processing of planning applications: Minor applications	Aim to Maximise	82.14	62.00	67.27	81.36	**83.33**	**70**			
Processing of planning applications: Other applications	Aim to Maximise	83.33	72.60	84.69	82.57	**84.72**	**70**			
% Stage 1 corporate complaints fully responded to in required timescales	Aim to Maximise	89	50	100	92	**100**	**90**			
% Stage 2 corporate complaints fully responded in required time	Aim to Maximise	100	55	100	66.6	**66.67**	**90**			
% FOI responded to within 20 days	Aim to Maximise	85.71	87.22	85.25	92	**88**	**86**			
The average wait time – in minutes – before a customer phone call is answered by an advisor	Aim to Minimise	2.87	1.86	1.10	1.00	**2.31**	**5.00**			

KPI	Direction of Travel	Q1 2021/22 Value	Q2 2021/22 Value	Q3 2021/22 Value	Q4 2021/22 Value	Current Value	Target	Short Term Trend	Long Term Trend	Status
% of people accessing benefit forms and taxation direct debit forms online in relation to other channels	Aim to Maximise	69.32	60.16	63.27	80.98	**70.78**	**50.00**			
Corporate health and safety: the number of incidents report in the last 12 months (rolling year)	Aim to Minimise	0	0	1	2	**0**	**3**			
Average days sick per FTE (full time employee) rolling 12 months	Aim to Minimise	4.02	4.50	6.00	6.79	**7.77**	**5.00**			
Amount of business rates retained	Aim to Maximise	11.2	11.3	11.3	11.3	**11.4**	**7.5**			
Council tax base	Aim to Maximise	32279	32618	32672	32791	**32927**	**32940**			
Number of missed waste collections	Aim to Minimise	170	188	165	123	**130**	**186**			
Residual household waste per household (kg)	Aim to Minimise	147	144	136	149	**167**	**N/A**			**N/A**
% Household waste recycled	Aim to Maximise	46.49	49.4	39.05	36.66	**50.57**	**N/A**			**N/A**
Number of memberships at combined leisure centres	Aim to Maximise	N/A	2,966	2,914	3,104	**tbc**	**N/A**	**N/A**	**N/A**	**N/A**
Number of visits to combined leisure centres	Aim to Maximise	N/A	60,591	57,005	70,084	**tbc**	**N/A**	**N/A**	**N/A**	**N/A**
Number of GP referrals	Aim to Maximise	11	15	9	0	**tbc**	**N/A**	**N/A**	**N/A**	**N/A**
Average days to re-let standard void types	Aim to Minimise	23.53	21.5	13.4	13.64	**13.11**	**26**			
Average days to re-let major void types	Aim to Minimise	43.75	46.83	55.17	40.88	**26.29**	**45**			

This page is intentionally left blank

SELBY DISTRICT COUNCIL

Report Reference Number: E/22/21

To:	**Executive**
Date:	**3 November 2022**
Status:	**Key Decision**
Ward(s) Affected:	**All**
Author:	**Janet Waggott, Chief Executive**
Lead Executive Member:	**Councillor Mark Crane, Leader of the Council**
Lead Officer:	**Janet Waggott, Chief Executive**

Title: Devolution Deal for York and North Yorkshire

Summary:

This report sets out the steps being taken by City of York Council and North Yorkshire County Council (the Constituent Councils) towards the creation of a Combined Authority for York and North Yorkshire. The report includes details of the 'minded' to Devolution Deal, the Governance Review and the Scheme which has been prepared for consultation.

Recommendation:

That Executive support the steps being taken by City of York Council and North Yorkshire County Council (the Constituent Councils) towards the creation of a Combined Authority for York and North Yorkshire as set out in this report, and in particular to note:

(a) the 'minded' to Devolution Deal;

(b) the Governance Review as identified in Appendix 1; and

(c) the Scheme which has been prepared for consultation in Appendix 2.

Reasons for recommendation:

To ensure Members are consulted in relation to the proposed Devolution Deal and the next steps being taken towards the creation of a Combined Authority for York and North Yorkshire.

1. Introduction and background

1.1 On 1 August 2022 the Secretary of State for Levelling Up, Housing and Communities announced that the Government was minded to enter into a Devolution Deal with York and North Yorkshire under which the region would benefit from £540 million of new Government investment to spend on local priorities to produce growth, together with a range of devolved powers. This Devolution Deal is dependent upon the City of York Council and North Yorkshire County Council establishing a Combined Authority for the area with an elected Mayor.

1.2 Since the announcement, negotiations and further work have been undertaken around the detail of the proposed Deal, the structure of the proposed Combined Authority and the process to be followed to create it, subject to the necessary consultation. This report seeks to update Selby District Council members on this work and the next steps to be taken by the City of York Council and North Yorkshire County Council.

1.3 In order to develop the proposal to establish a Mayoral Combined Authority there needs to be consideration of a governance review and the publication of a Scheme if it is concluded that the exercise of statutory functions is likely to be improved by the creation of a Mayoral Combined Authority.

1.4 The Scheme is subject to an eight-week public consultation across York and North Yorkshire in October 2022.

2. Background and Issues

2.1 All of the Councils in York and North Yorkshire have an ambitious vision for enhancing social and economy prosperity and increasing the wellbeing of our communities building upon the existing position. The Councils wish to increase the region's contribution to the north and national economies and improve the region's productivity through enhanced business growth, innovation delivery, skills and infrastructure. The Councils have been working together to ensure that all residents have the opportunity to benefit from and contribute to future growth and will continue to do so.

2.2 The 'minded' to Devolution Deal represents a significant step forward in improving the environment and delivering more and better jobs to the area. It further delivers new responsibilities and investment that will benefit our communities across York and North Yorkshire and the northern region as a whole. The Deal means that decisions previously taken centrally could now be taken closer to the people affected and the region is not disadvantaged as other regions acquire their own Devolution Deals.

2.3 The Deal can be found on the Government's website here:

https://www.gov.uk/government/publications/york-and-north-yorkshire-devolution-deal/york-and-north-yorkshire-devolution-deal#summary-of-the-devolution-deal-between-the-government-and-the-local-authorities-of-york-

and-north-yorkshire-comprising-city-of-york-council-and-north-yorkshire-council

2.4 The Deal proposes the following benefits for the region:

- £18 million per year in Gainshare funding over 30 years to invest in local priorities;
- Subject to a full business case, investment of up to £50 million to support and deliver the York Central brownfield regeneration scheme which would generate additional GVA and associated benefits for the whole York and North Yorkshire region;
- £7 million investment to enable York and North Yorkshire to drive green economic growth towards the ambition to become a carbon negative region;
- Investment of up to £2.65 million of projects to deliver affordable, low carbon homes;
- £13 million for the building of new homes on brownfield land across 2023/24 and 2024/25;
- A commitment to establish a working group to support the development of BioYorkshire;
- New powers from Government to drive regeneration and build more affordable homes;
- New transport powers to improve and integrate the regional transport network.

2.5 The Deal requires the York and North Yorkshire Authorities to establish a new Mayoral Combined Authority. The first elections for the Mayor of York and North Yorkshire would be held in May 2024. To establish the new Mayoral Combined Authority, the Secretary of State will need to make a Statutory Order under the Local Democracy, Economic Development and Construction Act 2009. The Order will come into effect after the creation of the new unitary Council for North Yorkshire and abolition of the district councils in North Yorkshire. The Order will create a new Mayoral Combined Authority consisting of the new North Yorkshire Council and the City of York Council and would be chaired by a directly elected Mayor who would be given powers directly from government.

2.6 The District & Borough Councils, including Selby District Council, have been working together with City of York Council and North Yorkshire County Council to secure the Devolution Deal. Legislation provides that the Constituent Councils of the proposed Combined Authority must carry out a governance review of the area and, dependent on the result of the review, prepare and consult on a Scheme to implement the proposals to create the Combined Authority. The legislation requires that Constituent Councils formally consent to the creation of the Combined Authority. Although Selby District Council will not be a Constituent Council of the proposed Combined Authority due to its abolition on 31 March 2023 pursuant to the Structural Changes Order, at this stage of the Combined Authority legal creation process, the District Council still exists in law and so for completeness members are asked to note and support the steps being taken by City of York Council and North Yorkshire County Council towards the potential creation of the new Combined Authority as set out in this report.

2.7 A Governance Review has now been undertaken by officers of the North Yorkshire County Council and City of York Council. A report setting out the findings of that Governance Review is attached at Appendix 1 and is considered in more detail below.

2.8 North Yorkshire County Council and City of York Council must decide whether the criteria in the 2009 Act have been met. The criteria is as follows:

- Whether the proposed creation of a Mayoral Combined Authority for York and North Yorkshire would be likely to improve the exercise of statutory functions in that area (Section 109 of the 2009 Act).

2.9 The review in Appendix 1 concludes the creation of a Mayoral Combined Authority does meet the statutory test. If the Constituent Councils are satisfied that the criteria has been met, the next stage of the process is for those Councils to draft and publish a Scheme setting out how it is intended to implement these proposals. A draft Scheme is attached at Appendix 2. Those Councils must then carry out public consultation on the proposals. At the end of that consultation period, the Councils must submit the review, the Scheme (as revised if appropriate) and a summary of the responses received to the Secretary of State (currently Rt Hon Greg Clark). He will then decide whether he is satisfied that the statutory criteria is met to allow him to make the necessary orders and whether the Councils have provided their consent to the making of the Order. It is anticipated that at the time of the decision the relevant Councils will be North Yorkshire Council and the City of York Council.

2.10 Attached at Appendix 3 is a briefing which describes in more detail the process of accepting the Deal and answers a number of frequently asked questions.

3. Consultation

3.1 If the City of York Council and North Yorkshire County Council give approval to the next steps in the process to form a Combined Authority, the details and timeline of a mayoral-led combined authority for York and North Yorkshire will go forward for public views. The consultation will begin in mid-October and close in mid-December, covering a period of 8 weeks. It is important that the consultation reaches a broad and representative range of responses from across the region and includes the views of people from different backgrounds, groups and organisations, including businesses here. This exercise will therefore be supported by a detailed engagement programme and with input from the Consultation Institute. A consultation partner is also being procured to support the data gathering and analysis (see below).

3.2 While this will be a digital-first approach with the primary consultation channel an online survey asking people their views on the draft scheme following a governance review, significant additional engagement will include face-to-face where that is the most effective approach. The survey will be developed in-house by the two Councils, coordinated centrally and hosted on a Devolution branded online survey platform, linked to the City of York and North Yorkshire County Council websites. Questions and Answers from the consultation

platform will be captured, with social media polls initiated on the Devolution branded social platforms and those of the two councils. Any written responses and letters will also be captured.

3.3 It is essential that everyone is able to participate via their preferred route, so additional non-digital routes such as hard copies of information will also be publicly available and well publicised. All information will be available in accessible formats on request.

3.4 In addition to this, there will be a targeted mailshot of postal surveys identified.

3.5 The communications for the consultation will include significant proactive communications throughout the consultation period to ensure as many people as possible are reached including under-represented areas. Frequently asked questions will be kept up to date and every effort will be made to answer queries as the consultation progresses.

3.6 The consultation partner will then evaluate the responses and ensure there is a representative sample of replies from across the region. At the end of the consultation period, based on this information, the North Yorkshire and York Councils will prepare a summary of the responses received. A further report will be brought to their Executives and Council (as appropriate) to provide the outcome of the consultation and will consider whether to submit the scheme as drafted or amended or at all to the Secretary of State.

3.7 Selby District Council members will be updated through Member briefings.

4. Assessment

Governance Review Executive Summary

4.1 The purpose of the Governance Review has been to review the exercise of statutory functions in York and North Yorkshire with a view to deciding whether to publish a Scheme which sets out how these changes will be made and then to undertake public consultation.

4.2 The Governance Review has found that the available economic evidence, drawn from national and regional sources, provides a rationale to work across the York and North Yorkshire area, recognising that it operates as a strong and coherent functional geography. It boasts a strong and diverse electoral mix with significant growth potential, underpinned by significant economic assets and infrastructure of national strategic importance. The York and North Yorkshire functional market area is characterised by an innovation and knowledge economy driven by the three universities, supporting strong financial, rail-tech and digital sectors, and a broad bioeconomy linked to food and materials production. Tourism, food and drink, and hospitality is strong across the whole sub-region, based on its natural and built assets.

4.3 Despite its significant assets and opportunities, the area is yet to reach its economic potential and the review identifies opportunities for improving lives for people in the region through stronger governance arrangements and the

proposed Devolution Deal. The review also identifies the challenges facing the region which currently inhibit growth and how these can be addressed through increased investments in the area.

4.4 The minded to Devolution Deal represents a significant step forward in delivering more and better jobs to the area. It delivers significant new responsibilities and investment that will benefit communities. It means that decisions previously taken centrally can in the future be potentially taken closer to the people affected. The proposed Mayoral Combined Authority will promote local democracy through direct democratic accountability. The introduction of a directly elected Mayor will enable a greater focus for change that will seek to enhance economic growth.

4.5 The Governance Review notes that the Devolution Deal is dependent on the establishment of a Mayoral Combined Authority and concludes that this is the appropriate mechanism by which the powers and funding proposed can be devolved to York and North Yorkshire.

4.6 Furthermore, the Governance Review concludes that the current governance arrangements do not represent the best model for the ambitions of the Councils in terms of delivering their long-term ambitions for economic growth. In summary the Review concludes that the statutory criteria are met in creating a Mayoral Combined Authority for York and North Yorkshire as it will improve the exercise of statutory functions in the area.

4.7 It will therefore be recommended that City of York Council and North Yorkshire County Council progress these proposals by publishing the requisite Scheme and undertaking public consultation.

5. The Scheme

5.1 If it is concluded that the statutory criteria have been met, the next stage is to publish a Scheme in respect of the proposals. A draft of the Scheme is attached at Appendix 2. The Scheme explains the following:

(a) How the new Mayoral Combined Authority for York and North Yorkshire will be created with the newly created North Yorkshire Council and York as the two local authority Members. The newly created Combined Authority will have the Mayor as the Chair.

(b) How the Mayoral Combined Authority will make decisions and the powers it will have.

(c) How transport will be dealt with on an integrated basis.

5.2 As set out in the Scheme the York and North Yorkshire Combined Authority will be a Mayoral Combined Authority and it is expected that the first elections for the Mayor will make place in May 2024. This election will replace the scheduled Police, Fire and Crime Commissioner elections and the Combined Authority Mayor will take over the Commissioner's responsibilities as well.

5.3 It is expected that the Combined Authority will be established as a legal body by the end of 2023.

5.4 As a Mayoral Combined Authority, the Mayor will make certain decisions on certain functions. The Combined Authority's Executive will make decisions on all other matters.

6. Programme Arrangements

6.1 The activities required to progress the devolution process, subject to approval from the Constituent Councils, are broad and significant in scale. It requires a response to each area of the deal, each funding stream identified and each function, whilst creating a new organisation, the Mayoral Combined Authority, over the next two years. Working across multiple organisations, there is a clear need for a programme structure which provides the necessary governance, transparency and accountability during the transitional period towards a Combined Authority.

6.2 Officers are currently liaising with Government to understand the required format for businesses cases, for assurance processes and the terms under which grant funding will be released. This will help to shape the required approach, including the level of resourcing required and the mechanisms by which individuals will be engaged. Proposals will be submitted to the Chief Executive of North Yorkshire County Council and the Chief Operating Officer of City of York Council for agreement.

6.3 It is anticipated that a small central team of officers, drawn from councils and the Local Enterprise Partnership, will form the programme office, supported by officers located within each organisation. The funding for these arrangements will come from the capacity funding agreed as part of the deal, potentially alongside the early gainshare. As detailed in the finance section of this paper, these funds will not be available until November 2023 and so any early expenditure will need to be cashflowed by the two Constituent Councils and reimbursed. Proposals will be submitted to the Chief Executive of North Yorkshire County Council and the Chief Operating Officer of City of York Council for agreement, operating within the agreed resources available within the deal, and, where relevant, such arrangements will be reported to the Joint Committee (see Paragraph 8 below).

6.4 The need for an agreed programme structure is acute for the early funding which will be received prior to the formation of any potential Combined Authority. £2.65m of funding for piloting approaches to affordable low carbon homes is included in the deal, for the current financial year (2022/23). The Government has determined that the money will be split in the following way:

- £2m York Shared Ownership.
- £0.250m Scarborough enabling works.
- £0.4m Craven Empty Homes Pilot.

6.5 This funding is subject to business case approval by Government, as well as a mechanism for reporting back on progress. As such, it is necessary to

implement an interim assurance process which satisfies Government requirements prior to the funding being drawn down. Business cases will be submitted by each local authority, once approved by the S.151 officer, directly to the Department of Levelling Up, Housing and Communities for approval. Once approval has been given, it is understood that the funding will be directly granted to the three local authorities. Further discussion is underway to understand the specific detail needed by Government once the projects have been initiated, with these requirements forming the basis of the assurance process for the delivery and monitoring stage of each project.

6.6 Subsequent funding streams, which would be received after the Order establishing the Combined Authority has passed into law, would be subject to a full assurance process, with full business case approval being undertaken locally, by the Joint Committee (see below) or the Combined Authority once established. The detailed arrangements for this will be considered and approved by the Joint Committee.

7. Proposal to Create a Joint Committee

7.1 As noted above the Councils in North Yorkshire and York have been working together with Government to obtain a Devolution Deal that can be consulted upon. The recommendation on whether to actually create a Mayoral Combined Authority or not will be considered until after the consultation with the public has taken place.

7.2 However in the meantime, to ensure proper governance and transparency, City of York Council and North Yorkshire County Council (as preparing authority for the new unitary) will be recommended to create a Joint Committee between the two Councils to have joint political oversight of the arrangements in working together. This will assist in making accountability clearer and decision making more transparent.

7.3 It is proposed that the Joint Committee will have limited powers initially and that the sovereignty of the Constituent Councils will remain unchanged. However, the Committee will provide an open forum for Members from, ultimately, North Yorkshire Council and the City of York to work together in reviewing the actions identified in this report and in considering what is strategically appropriate for the region.

7.4 It is proposed that the Membership of the Committee mirrors the proposed scheme as far as possible at this stage, which means:

- Two Executive Members for each Constituent Council
- Co-opted membership offered to the Police, Fire and Crime Commissioner and the Chair of the Local Enterprise Partnership

7.5 As this committee would not be chaired by a Mayor (as opposed to a Mayoral Combined Authority), it is proposed that the Chair is appointed by the Committee itself.

7.6 It is proposed that the Joint Committee is established under Section 101(5) of the Local Government Act 1972 by the Executives of the constituent Councils.

7.7 It is proposed that the terms of reference of the Joint Committee include:

- Reviewing collectively the provisions of implementing the Deal if accepted across the region; and
- Collaborating on projects and plans that benefit the region (subject to each individual authority's approval).

7.8 The final terms of reference for the Joint Committee will be agreed between the two Constituent Authorities. The draft Terms of Reference are set out at Appendix 6.

8. Implications

8.1 Legal Implications

8.1.1 The legal implications are identified in the report. However, for the sake of clarity Section 108 of the 2009 Act provides that two authorities may undertake a review of the exercise of statutory functions in relation to an area. Appendix 1 contains the governance review undertaken for the review area of North Yorkshire and York under Section 108.

8.1.2 Section 109 of the 2009 Act provides that if a review concludes that the establishment of a combined authority for an area would likely improve the exercise of statutory functions in relation to the area, the authorities may prepare and publish a scheme for the establishment of a combined authority for the area. For "the review area" of North Yorkshire and York, Appendix 1 has concluded that a combined authority would likely improve the exercise of statutory functions in North Yorkshire and York, Appendix 2 provides a draft Scheme for the establishment of a Mayoral Combined Authority.

8.1.3 Section 103 of the 2009 Act provides that the Scheme area must consist of two or more local government areas in England and the geography of North Yorkshire and York complies with that condition. It is noted that the Constituent Councils of a proposed combined authority under the Scheme would be North Yorkshire Council and the City of York Council as the effective date would be after Local Government Reorganisation within North Yorkshire.

8.1.4 Regulation 7(3)(a) and (b) of the North Yorkshire (Structural Changes) Order 2022 provides that the Executive of North Yorkshire County Council can exercise the functions under Section 108 (review by authorities: new combined authority) and Section 109 (preparation and publication of Scheme: new combined authority) on behalf of North Yorkshire Council.

8.1.5 Section 110 of the 2009 Act provides that the Secretary of State may make an order establishing a combined authority only if:

(a) He considers that to do so is likely to improve the exercise of statutory functions in the area or areas to which the order relates.

(b) The Constituent Councils consent (which at the time of making the order will be North Yorkshire Council and the City of York).

(c) Consultation has been carried out, either by the Secretary of State or the constituent councils.

8.1.6 This section also provides that the Secretary of State in making the order must have regard to the need:

(a) To reflect the identities and interests of local communities.

(b) To secure effective and convenient local government.

8.1.7 It is intended that the Constituent Councils will agree to carry out a public consultation in connection with the proposals contained in the Scheme and if it is subsequently determined to proceed with the Scheme, a summary of the consultation responses will be submitted to the Secretary of State. It will then be a matter for the Secretary of State to consider whether further consultation was necessary.

8.1.8 Section 107A to 107K of the 2009 Act provides that the Secretary of State may make an order to provide that there will be a directly elected Mayor for the area of the Combined Authority where the Constituent Councils submit a request for the creation of a Mayor under the Scheme. Further it provides that the Mayor will be a member of and chair the Combined Authority.

8.1.9 These provisions and Schedule 5C also provide that the Secretary of State must by order make provision authorising any future Mayor to appoint a Deputy Mayor in respect of policing, fire and crime.

8.1.10 This report notes the steps being taken by the Constituent Councils to agree the governance review under Section 108, approve the draft Scheme under Section 109 and to carry out a public consultation under Section 110. A future report will be taken to their elected members (as appropriate) to consider the results of the consultation and whether to proceed with a submission to the Secretary of State and on what basis.

8.1.11 A copy of the draft timetable for the various stages is attached at Appendix 4.

8.1.12 It is also worth noting that Government is currently considering the Levelling Up and Regeneration Bill which, if enacted, would make some changes to the creation of combined authorities which will be kept under review as the Bill passes through the House of Commons and the House of Lords. The Bill looks at making it easier for areas to invoke the relevant governance arrangements necessary for devolution deals.

8.2 Financial Implications

8.2.1 The following section sets out the funding that would come to the Mayoral Combined Authority as part of the 'Deal' and the anticipated initial

implementation costs. This funding is able to fund the Mayoral Combined Authority set up costs, governance costs and costs associated with delivering the commitments within the deal. It should be noted that the majority of this funding will not be received until November 2023, when the order passes through Parliament and there will be a requirement to cash flow the activity which is required to take place in advance of this date. The recommendations to North Yorkshire County Council and City of York Council include delegation to the S.151 officers to work up these costs prior to receipt of the funding and to agree how that risk will be shared. Approval will also be sought from those tow Councils to cashflow initial implementation costs of up to £600k and for their members to receive a further report once full implementation costs are known.

8.2.2 The Table below sets out the key new funding available through the deal and which elements will be received when the Order passes through Parliament and which when the Mayor is elected. In total £52.3m new funding will be received in the CSR period (up to March 2025). This includes:

	2022/23	Passing of the Order (Nov 23)	Election of the Mayor (May 24)
Mayoral Investment Fund		£9m	£18m
Mayoral Capacity Funding		£0.5m	£1m
Transport Capacity Funding		£0.5m	£0.5m
Brownfield Funding		£13.178m	
Net Zero Funding		£7m	
Net zero affordable housing	£2.65m		
Totals	**£2.65m**	**£30.178m**	**£19.5m**

8.2.3 On satisfaction of the conditions within the deal additional funds will also be invested through the Mayoral Combined Authority route which are currently routed through the two Constituent Councils. This includes the Consolidated Transport Budget and Adult Education Budget. The current annual value of North Yorkshire's Local Transport Plan is £40m. It is envisaged that the LTP for North Yorkshire and York will be received directly from government to the Mayoral Combined Authority as the Strategic Transport Authority rather than directly to the constituent authorities. It is then envisaged that the combined LTP will be distributed to the Constituent Authorities who will retain the delivery responsibility as the statutory Highways Authorities

8.2.4 As per the scheme, provision will also be made for the two Constituent Councils to meet the costs of the Combined Authority and how the costs are to be apportioned between them. The Mayoral Combined Authority will be funded entirely from the capacity funding set out above plus the Mayoral Investment Fund. It is also expected that future projects and funding pots will include with them an element of capacity funding to support the running of individual schemes.

8.2.5 The Table in Paragraph 10.2 highlights the elements within the Deal which have funding attached to them at this point. There are wider commitments from government as part of the Deal where there is no funding attached or potential funding is not defined at this stage. These include the Digital and Natural Capital. There are potential resource requirements attached to all of the commitments.

8.2.6 The Devolution project team are currently holding a series of meetings with the leads of the various work streams to establish the resources that will be required to meet both statutory responsibilities (such as the creation of the Strategic Transport Plan) or the requirements to take full advantage of future funding or the timing of the Deal. The development of this is subject to cash flowing arrangements in advance of the Deal being approved and then subsequent funding allocations to the MCA from government.

8.2.7 Capacity funding available for the implementation includes:

Mayoral Capacity Fund	£1.5m (1.5 years)
Transport Capacity Fund	£1.0m
Brownfield Land Funding	£378k
Total	**£2.878m**
Mayoral Investment Fund (can also be used to support implementation costs)	£9.0m
Total available to fund implementation costs	**£11.878m**

8.2.8 Funding of £2.878m is available to fund implementation costs. Additionally, the Mayoral Investment Funding can also be used. As detailed in paragraph 10.2, £9m Mayoral Investment Funding will be received in November 2023. This makes available funding to support implementation of £11.878m.

8.2.9 The Mayoral Investment Funding can also be used. As detailed in 10.2, £9m Mayoral Investment Funding will be received in November 2023. This makes available funding to support implementation of £11.878m.

8.2.10 Whilst the funding is set and known, the funding will not be available to draw down until (and if) the Order is approved in November 2023. The work that this capacity fund is intended to cover must start now in order that:

- York and North Yorkshire are prepared and able to invest in Brownfield, Net Zero and Low Carbon Affordable Housing investment which must be defrayed by March 2025 – total £22.45m.
- The Mayoral Combined Authority is formally created and operational for when the Mayor takes office in May 2024
- Fully compliant governance procedures are followed, both for the consultation phase of approving the deal and also ensuring shadow arrangements are delivered in an open and transparent manner

- Correct legal procedures are followed with regard to TUPE or employees in scope and procurement of Mayoral Combined Authority support services

8.2.11 Therefore the two Constituent Councils will need to cash flow the funding until November 2023 when the capacity funds become available, subject to an agreement to create a Mayoral Combined Authority.

8.2.12 Implementation and set up costs will need to be incurred to cover areas including consultation, additional legal costs and the shadow governance arrangements and delivery costs in progressing the delivery commitments within the deal. As the detail of these costs is still being worked up, it is proposed that the two Constituent Councils approve an initial amount of £600k to cover the costs of the initial consultation exercise and other early implementation costs and that further reports are brought back to their members for approval for the full implementation costs once these are known. These costs, by necessity to meet the timescales, will be incurred before the capacity funding and Mayoral Investment Funding can be drawn down in November 2023. It is proposed that these costs are recovered in full through a first call on the capacity funding / Mayoral Investment Funding once available.

8.2.13 There is a risk that if the Deal is ultimately not signed, any costs incurred will be non-recoverable and provision would need to be made for write off in the host authority's financial statements and so it is proposed that this risk is shared between the two Constituent Councils. Delegation is being requested to the S151 Officers of North Yorkshire Council and City of York Council to work up the details of and implement the financial arrangements including agreeing appropriate set up costs, risk share and the funding source.

8.3 <u>Policy and Risk Implications</u>

8.3.1 The risk to the two Constituent Councils funding the activity ahead of the November 2023 date is limited to the risk of a final Deal not being agreed. As detailed in 10.6 above, implementation costs can be drawn from the funding to be received of £11.878m. Therefore, the primary risk is the costs expended should the deal not receive formal approval. The risk is expected to diminish as council approvals are achieved by March 2023, but the risk is only eliminated upon the deal finally being approved by government that releases the funding set out in this report.

8.3.2 The financial model and operating budget of the Mayoral Combined Authority will be established through a working group of the Constituent Councils and approved as part of the requested Section 151 officer delegation (in consultation with the relevant Executive Members). Consideration will also be given to establishing a Medium-Term Financial Plan, but this will be subject to further consideration and approvals as the deal progresses.

8.3.3 Before Government enters into a devolution deal to secure significant investment and a range of devolved powers for the area, the establishment of a new mayoral combined authority for York and North Yorkshire is required. If the new mayoral combined authority is not established, the area will not benefit

from the enhanced investment and more local decision making the Devolution Deal will create.

8.3.4 Policy implications as identified in the report.

8.4 Equalities and Diversity

8.4.1 An Equality Impact Assessment is attached at Appendix 5. It is not expected that the proposals described in this report will have any adverse impact on people with protected characteristics. The aim of promoting growth within the area is expected to have a positive impact on inclusivity.

8.5 Environmental

8.5.1 The recommendations within this report do not, in themselves, create direct environmental impacts and it is not appropriate to carry out a full environmental impact assessment. However, the creation of a Combined Authority with significant investment and powers has the potential to create significant environmental benefits, through the pursuit of a carbon negative region and investment agreed by the Government.

8.5.2 The Deal contains investment of up to £2.65 million on projects that support York and North Yorkshire's priority to deliver affordable, low carbon homes across the area, subject to final business cases. This investment would support shared ownership and energy efficiency measures, providing environmental benefits alongside positive quality of life and financial impacts.

8.5.3 The Deal also includes £7 million investment to enable York and North Yorkshire to drive green economic growth towards their ambitions to be a carbon negative region. This investment is subject to agreement of submitted business case. This investment will support projects related to low carbon energy, being denied through current work on Local Area Energy Plans.

8.5.4 Should the deal be progressed; the Government has committed to explore the potential benefits of and design options for a place-based approach to delivering retrofit measures. This would explore how Government could simplify and consolidate funds which target net zero initiatives at the local level where this provides the best approach to tackling climate change.

8.5.5 The Combined Authority would also work with Government to develop a Natural Capital Investment plan for York and North Yorkshire. Government will support York and North Yorkshire in the development of a Natural Capital Investment Plan. This support may include: a proportion of revenue funding; specialist expertise; co-ordination of peer support and networking; and/or local partnership working with DEFRA's Arm's Length Bodies (Environment Agency, Natural England, Forestry Commission).

8.6 Corporate Plan

The establishment of a combined authority and entry into a devolution deal will support all elements of the Council's corporate plan.

9. Appendices

Appendix 1 – York and North Yorkshire Devolution Governance Review

Appendix 2 – Scheme setting out proposals for the creation, governance and functions of the York and North Yorkshire Combined Authority

Appendix 3 – York and North Yorkshire Devolution – Member FAQ Briefing

Appendix 4 – Timetable for Devolution

Appendix 5 – Equality Impact Assessment

Appendix 6 – Joint Devolution Committee Draft Terms of Reference

Contact Officer:
Janet Waggott, Chief Executive
jwaggott@selby.gov.uk

This page is intentionally left blank

York and North Yorkshire
Devolution
Governance Review

North Yorkshire County Council
City of York Council

Undertaken in accordance with the
Local Democracy, Economic Development and Construction Act 2009.

CONTENTS

1.0 Executive Summary 3
2.0 Purpose of this Report 5
3.0 Methodology for the Governance Review 5
4.0 Our Ambition – the York and North Yorkshire Context 6
5.0 A functional economic market area 7
6.0 Economic Profile 9
7.0 Challenges 12
8.0 Understanding Current Governance Arrangements 20
9.0 The Case for Change 23
10.0 Functions 25
11.0 Criteria 30
12.0 Options for Change 30
13.0 Conclusion 36
14.0 Next Steps 37

1.0 Executive Summary

1.1. Following a submission to Government from all Councils across the sub-region in 2020, Government announced in February 2022 that it would start negotiations on a Mayoral Devolution Deal for York and North Yorkshire. Formal negotiations began soon after and the details of a minded-to deal were published on 01 August 2022.

1.2. The proposed 30-year devolution agreement would deliver funding for key policies and strategies, providing better roads and public transport, improving education and job opportunities, boosting the economy, and placing York and North Yorkshire at the forefront of the green energy sector to tackle climate change.

1.3. The deal for York and North Yorkshire (YNY) would see the introduction of a mayor for the region, elected by residents, to lead a mayoral combined authority (MCA) and forge close links with Ministers in the Government, as well as civil servants in Whitehall. The proposed deal provides the opportunity to invest an £18 million mayoral gain share each year and the mayor would also have access and influence to new and greater funding for the region.

1.4. The mayor, who would be elected in May 2024, would lead a new combined authority that would oversee key strategic projects ranging from major transport improvements to providing more affordable housing and boosting skills and education for York and North Yorkshire.

1.5. This minded-to devolution agreement includes:

1.5.1 York and North Yorkshire establishing a combined authority and electing a directly elected mayor to provide overall vision and leadership, seek the best value for taxpayer's money, be directly accountable to the city region's electorate and to receive new powers on transport, housing and skills.

1.5.2 Control of a £18 million per year allocation of investment funding over 30 years 35% capital, 65% revenue, to be invested by York and North Yorkshire to drive growth and take forward its priorities over the longer term.

1.5.3 New powers to improve and better integrate local transport, including the ability to introduce bus franchising, control of appropriate local transport functions e.g., local transport plans, and control of a Key Route Network.

1.5.4 An integrated transport settlement starting in 2024/25 and an additional £1 million to support the development of local transport plans.

1.5.5 New powers to better shape local skills provision to meet the needs of the local economy, including devolution of the core Adult Education Budget, as well as input into the new Local Skills Improvement Plans.

1.5.6 New powers to drive the regeneration of the area and to build more affordable homes including compulsory purchase powers and the ability to establish Mayoral Development Corporations.

1.5.7 Over £13 million for the building of new homes on brownfield land across 2023/24 and 2024/25, subject to sufficient eligible projects for funding being identified.

1.5.8 Investment of up to £2.65 million on projects that support York and North Yorkshire's priority to deliver affordable, low carbon homes across the area, subject to final business cases.

1.5.9 Subject to a full business case, demonstrating the value of the scheme in delivering housing, jobs and GVA to the area, the government is minded to provide additional support to the York Central brownfield regeneration scheme.

1.5.10 £7 million investment to enable York and North Yorkshire to drive green economic growth towards their ambitions to be a carbon negative region. This investment is subject to agreement of submitted business case.

1.5.11 York and North Yorkshire Combined Authority will plan and deliver the UK Shared Prosperity Fund (UKSPF) from 2025/26 if there is a continuation of the Fund and the delivery geographies remain the same.

1.5.12 Integration of the York and North Yorkshire Local Enterprise Partnership (YNY LEP) into York and North Yorkshire Combined Authority. This will ensure there continues to be a strong and independent local business voice which informs local decision making.

1.5.13 A commitment to explore a local partnership with Great British Railways so that the mayor can help shape and improve local rail.

1.5.14 Support to develop a Natural Capital Investment plan for York and North Yorkshire.

1.5.15 Commitments to work in partnership with the area on the development and delivery of strategies to realise the region's cultural potential.

1.5.16 Engagement on broadband and mobile infrastructure rollout and on the development of the Scarborough Cyber Cluster.

1.5.17 A commitment to establish a programme working group in support of the BioYorkshire programme.

1.5.18 A key leadership role for the mayor in public safety, taking on the role and functions of the Police Fire & Crime Commissioner and having a clear role in local resilience and civil contingency planning, preparation, and delivery.

1.6 The purpose of this governance review, undertaken in accordance with to Section 109 of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act) is to look at the exercise of statutory functions in York and North Yorkshire, with a view to deciding whether to prepare and publish a scheme which creates new governance arrangements, including a directly elected mayor. A public consultation would then be carried out on the proposals set out in the scheme. The Secretary of State would be provided with a summary of consultation responses and would need to consider whether an order should be made under the 2009 Act to establish a Mayoral Combined Authority (MCA) for the area. Under section 108 of the 2009 Act, the review needs to conclude that the exercise of the power to make an order to establish an MCA for York and North Yorkshire area would be likely to improve the exercise of statutory functions in relation to that area.

1.7 The review has found that the economic evidence provides a rationale to work at a York and North Yorkshire geography, reflecting that it operates as a coherent functional geography, with significant links to neighbouring economic areas.

1.8 The review concludes that:

1.8.1 current regional governance arrangements does not provide the powers or investment potential at a local level that is required to address the economic challenges of the area and fulfil its potential

1.8.2 Other models of devolution, outlined within the Devolution Framework published by Government, do not provide significant benefit to the sub-region, which has already moved to simplified models of governance across local government

1.8.3 a change is required to enable York and North Yorkshire to drive forward its ambitions to be the first carbon negative region and to engage effectively with Government, neighbouring combined authorities and other bodies in pursuit and support of a strong Northern Powerhouse;

1.8.4 the statutory criteria within the 2009 Act for preparing and publishing a scheme are met, i.e., the making of an order to enable the adoption of an MCA model of governance for the area of York and North Yorkshire will likely improve the exercise of statutory functions in that area;

1.8.5 in addition, establishing an MCA model of governance for York and North Yorkshire will:

1.8.5.1 have a positive impact on the interests and identities of local communities – these proposals build on the governance arrangements agreed by the Government as part of Local Government Reorganisation which support the effective and efficient provision of services with, and democratic representation of, communities across the area;

1.8.5.2 secure more effective and convenient local government by reducing complexity and streamlining the delivery of public services within the area.

1.9 It is therefore proposed that a scheme is published that confirms:

1.9.1 an MCA should cover the area of York and North Yorkshire;

1.9.2 a Mayor would be elected in May 2024;

1.9.3 the mayor would become a member of the Combined Authority, and Chair meetings of the authority.

1.9.4 each council would appoint two members to the new MCA, and non-constituent members from the LEP (or its successor arrangements as the Business Committee of the MCA); and

1.9.5 the Mayor and MCA will exercise specific statutory functions, and hold some powers concurrently with York and North Yorkshire local authorities. Arrangements for the concurrent exercise of the functions will be a matter for agreement between the combined authority and its constituent councils.

2 Purpose of this Report

2.1 City of York Council and North Yorkshire County Council (the "local authorities") have undertaken a review to assess the effectiveness of current governance arrangements in the delivery of their ambitions for economic growth.

2.2 This report has been prepared jointly by the authorities in light of the "minded to" devolution deal agreed with central government. It details the findings of a governance review under section 108 of the Local Democracy, Economic Development and Construction Act 2009 ("the 2009 Act") in relation to the proposed creation of a new mayoral combined authority for the York and North Yorkshire area, which would comprise the two York and North Yorkshire authorities as constituent authorities.

2.3 To ensure compliance with the relevant legislation contained in the 2009 Act, the Governance Review considers whether an MCA is the best governance model and would be likely to:

2.3.1 Improve the exercise of statutory functions in the area of York and North Yorkshire;

2.3.2 Secure more effective and convenient local government for the area; and

2.3.3 have a positive or neutral impact on the identities and interests of our local communities

2.4 This report sets out the conclusions of that reviews.

3.0 Methodology for the Governance Review

3.1 The governance review has comprised the following:

(a) York and North Yorkshire's context and ambitions

(b) A review of the economic evidence to assess:

(i) the existence of a Functional Economic Market Area across York and North Yorkshire; and

(ii) the economic challenges and opportunities in the York and North Yorkshire area.

(c) A review of current governance arrangements across the York and North Yorkshire area
(d) An option appraisal which considers the alternative governance structures which could be pursued in light of the above evidence.
(e) Consideration of whether the preferred option meets the statutory tests

4.0 Our Ambition – the York and North Yorkshire Context

4.1 Local authorities in York and North Yorkshire have an ambitious vision for enhancing social and economic prosperity, and increasing the wellbeing of their communities. Building upon York and North Yorkshire's significant economic, educational and cultural assets, we want to harness their potential in driving growth in both the regional and national economies. Specific research and innovation strengths in the bioeconomy and agri-tech sectors, AI and autonomous systems, digital creativity and rail technology can support sectoral growth to benefit the wider region. A strong tourism industry which harnesses both the region's natural assets and its urban appeal, and major investment in clean energy can sustain the area's attractiveness and quality of life. At the same time, we will work together to ensure that all residents have the ability and opportunity to benefit from and contribute to future growth.

4.2 Through a devolution deal, York and North Yorkshire aims for further ambitions in three areas:

- Levelling up such that wage levels and productivity match the UK average
- Creating the world's leading bioeconomy cluster
- Become England's first carbon negative region

4.3 York and North Yorkshire has a population of approximately 818,000; covers over 8300km2 and covers one quarter of the Northern Powerhouse; is home to over 46,000 businesses, and has a total GVA of £20.5 billion.

4.4 York and North Yorkshire geographically shares an economic footprint with York and North Yorkshire LEP and has strategic economic connections to its neighbours in the Tees Valley, West Yorkshire, Hull and East Yorkshire, South Yorkshire, across the transpennine route to Manchester and Cumbria, the Northern Powerhouse region, the rest of the UK and internationally.

4.5 Whilst York and North Yorkshire enjoys world class natural assets and many economic advantages, there are significant challenges which hinder economic growth which benefits all residents. Despite York, the region's global city and economic hub, having metrics that exceed northern comparators, the broader sub-region suffers from a dominance of lower paid sectors in some areas, meaning wage levels are relatively low. Productivity beyond the economic centres is below national average. Lack of sustainable transport infrastructure and digital inclusion, particularly in rural areas, prevents skilled people accessing good jobs. This leads to population patterns of increasingly aging populations in some areas. And the challenges posed by climate change and the need to transition to a low carbon economy require huge shifts from businesses and residents.

4.6 The York and North Yorkshire authorities are of the view that a radical devolution of powers and funding to local areas is needed to respond to our opportunities and address these challenges. The infrastructure issues which restrict growth and the sharing of economic benefits across the sub-region need to be addressed at a sub-regional level. Greater local control of the levers of growth, productivity and inclusion would enable us to better serve our residents and businesses.

4.7 York and North Yorkshire have been on a journey of change to governance arrangements, aiming to create efficiency whilst supporting clear democratic accountability. The Local Government Reorganisation process has led to the creation of a new North Yorkshire Council, replacing the previous two-tier arrangements, alongside the existing City of York Council. A new MCA would build upon this foundation of streamlined local governance, to support and accelerate the delivery of local ambitions to address wage levels and productivity, innovation and net zero.

5.0 A functional economic market area

5.1 To support the economic growth of a large rural area with a key city, there is a need to provide connectivity to link people and businesses with opportunities. York and North Yorkshire, on the footprint of the county of North Yorkshire, is recognised as a defined area with its own economic characteristics. York provides the main economic centre of the sub-region, whilst the scale of the area means that there are economic overlaps, particularly to the southwest with West Yorkshire, to the southeast with East Riding and the Humber, and north to Tees Valley, North of Tyne and the North East.

Figure 1 - Map of York and North Yorkshire

5.2 The York and North Yorkshire functional market area is characterised by an innovation and knowledge economy driven by the three universities, supporting strong financial, rail-tech and digital sectors, and a broad bioeconomy linked to food and materials production. Tourism, food and drink, and hospitality is strong across the whole sub-region, based on its natural and built assets.

5.3 Commuting patterns show a mixed picture of travelling for work. Figures available relate to the pre-pandemic context, so are likely to underestimate the number of people working from home. However, the broad patterns are likely to persist. Almost four-fifths of local residents (79%) in employment work in the area (250,000 people) with the remaining fifth (66,000 people) commuting to jobs elsewhere. Around a fifth (21%) of people who work in the area commute from outside - 67,000 in absolute terms. Inward and outward commuting flows are therefore almost in balance: with the number of outward commuters offset by the people who travel into the area to work. This, in itself, indicates a self-contained labour market.

5.4 The main destinations for outward commuters from YNY are:

- Leeds, which is the destination for 22,000 commuters, mainly residents of Harrogate, Selby and York.
- Bradford, which is the destination for around 6,000 commuters, primarily from the Skipton area.
- The East Riding, the destination for around 5,000 commuters, mostly from York and Selby.

5.5 There are also significant flows from Selby to Wakefield. Looking northwards, there is outward commuting to Middlesbrough, Darlington, and Stockton-on-Tees. This reflects the close economic ties with West Yorkshire and Tees Valley.

5.6 Relatively few people in employment commute within the YNY area i.e. travel between constituent local authority districts for work, compared with those who commute outside of the area. This is reflective of a polycentric economy with many people employed around the smaller towns and villages in their area. With an area covering over 830,000 hectares, relatively poor east-west connections (both rail and road) limit the potential of travel to the main conurbations for large amounts of the population.

5.7 Not surprisingly, York is the largest focal point for inward commuting among residents, with around 12,000 travelling into York and around 9,000 commuting out from York to surrounding districts.

	Live in area, work in area	Live in area, work outside area	Work in area, live outside area	Net inward commuting	Commute within LEP area	Commute outside LEP area	% of residents who live in area, work in area	% residents who work outside area	% of those working in area who live outside area	% residents who commute within LEP area
Craven	11,763	9,131	8,901	-230	786	8,345	56%	44%	43%	4%
Hambleton	20,799	13,989	17,621	3,632	6,197	7,792	60%	40%	46%	18%
Harrogate	45,408	18,423	19,366	943	5,005	13,418	71%	29%	30%	8%
Richmondshire	13,801	7,113	7,255	142	2,990	4,123	66%	34%	34%	14%
Ryedale	12,012	6,473	7,047	574	4,379	2,094	65%	35%	37%	24%
Scarborough	31,348	6,899	5,058	-1,841	3,215	3,684	82%	18%	14%	8%
Selby	14,362	20,937	13,235	-7,702	6,769	14,168	41%	59%	48%	19%
York	62,209	21,187	25,651	4,464	8,995	12,192	75%	25%	29%	11%
LEP area	250,038	65,816	66,523	707	38,336	65,816	79%	21%	21%	12%

Source: Census of Population 2011

Figure 2 - YNY commuting Patterns, people aged 16 and over

5.8 This diverse pattern of behaviour is reflective of the geographic diversity of our sub-region, which includes urban, coastal and rural areas. It highlights that York and North Yorkshire has a particular economic role, supporting its own distinct economic area as well as linking the economic centres to the north, east, south and west. There are strong connections and interrelationships with neighbouring areas around the entire periphery, supporting the wider regional economy.

5.9 Beyond commuting patterns, there is a reality within the geographic context of York and North Yorkshire that neighbouring areas have established Combined Authorities in West Yorkshire and Tees Valley, whilst progress is being made towards a devolution deal in East Riding and the Humber. With York and North Yorkshire positioned between these existing and emerging arrangements, it is logical that a new Combined Authority would link and complete the geography with similar Mayoral arrangements. The ability of Mayors and Combined authorities to work collaboratively, through similar governance and powers, would provide a greater coherence and consistency to regional working.

6.0 Economic Profile

6.1 The following is provided as a summary of the economic make-up of the sub-region. Further detail can be found in the Labour Market Analysis - 83388 LEP Labour Market Analysis 2021 A4_single pages.pdf (ynylep.com)

Structure

6.2 There are around 380,000 jobs within the YNY area. Two of the largest sectors are in consumer-facing services like wholesale / retail (58,000 jobs, 15% of the total) and accommodation and food services (39,000 jobs; 10%). This reflects a dominance of the visitor economy in terms of jobs and GVA, but these sectors are very volatile to economic/recession pressures and an over-reliance on them creates an economic risk.

6.3 Health and social care (13%; 48,000) and manufacturing (9%; 36,000) also provide a large proportion of jobs. Professional, scientific and technical roles account for 29,000 jobs (8%). Alongside health and social care there are significant numbers of public sector jobs including education (34,000; 9%) and public administration and defence (18,000; 5%).

6.4 There are 88,000 public sector employee jobs in the YNY area. This equates to 17% of total employment, only slightly higher than the national average of 16%. Public administration contributes a large proportion of total employment in York and the north of the region.

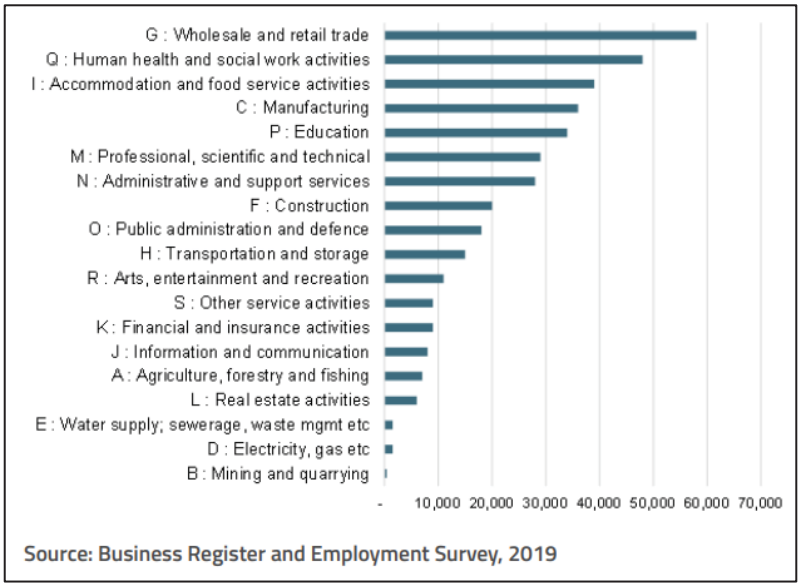


Figure 3 - Employee Jobs by Industry in YNY (SIC Section)

6.5 For YNY as a whole, agriculture is proportionately three times larger than the national average but, despite this, employs relatively few people (7,000 or 2% of the total).

6.6 The area has a strong quarrying and mining industry presence in parts of the sub region such as across the Yorkshire Dales, North York Moors and Selby.

6.7 Manufacturing is strongly represented at YNY level. Underlying this is significant food and drink manufacturing across the whole of YNY, in particular down the A1/A19 and A64 corridors.

6.8 Employment in utilities is relatively low for the area as a whole but this conceals a very large concentration of employment in Selby (seven times the national average in proportionate terms), reflecting the importance of energy generation to the area.

Future Economic Opportunities

6.9 Recent research, commissioned on behalf of York and North Yorkshire Local Enterprise Partnership explored which economic sectors have the potential to make the greatest contribution to future economic growth and employment in the area.

6.10 The first part of the study identified five priority sectors with growth potential, which are:

1. Agri-Food Innovation
2. Sustainable Energy and Bioeconomy
3. Health, Pharma and Life Science Innovation
4. Digitech, Data and Creative Industries
5. Advanced Manufacturing

6.11 Additionally, York has a significant rail technology cluster which is nationally important with potential for further growth. Home to 100 rail companies and 5,500 rail jobs focussed on the operation and development of the network, it represents a significant private sector cluster providing services key to the network and rail operating companies also based in York. York is also home to Network Rails Eastern Region, the largest in the country, which manages the railway network across the eastern side of the country from Scotland to London.

6.12 The full report can be found here: [FINAL 220606 Item 6b - ANNEX A Main Board Report Sector Research.pdf (ynylep.com)]

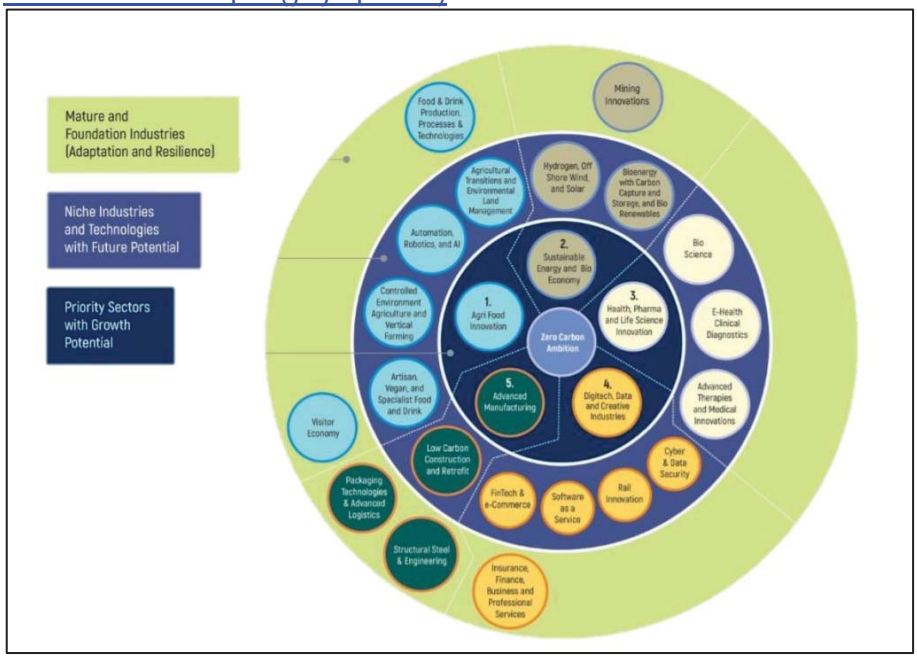


Figure 4 - York and North Yorkshire Priority Sectors

Employment and Skills

6.13 The local employment rate is above the national average. The employment rate in YNY, expressed as a proportion of the population aged 16-64, is one percentage point above the national average at 78% (versus 77%) as of July 2019 to June 2020. The local rate has been consistently higher than average over the last 15 years and along with the national average has followed a broadly upward trend in recent years.

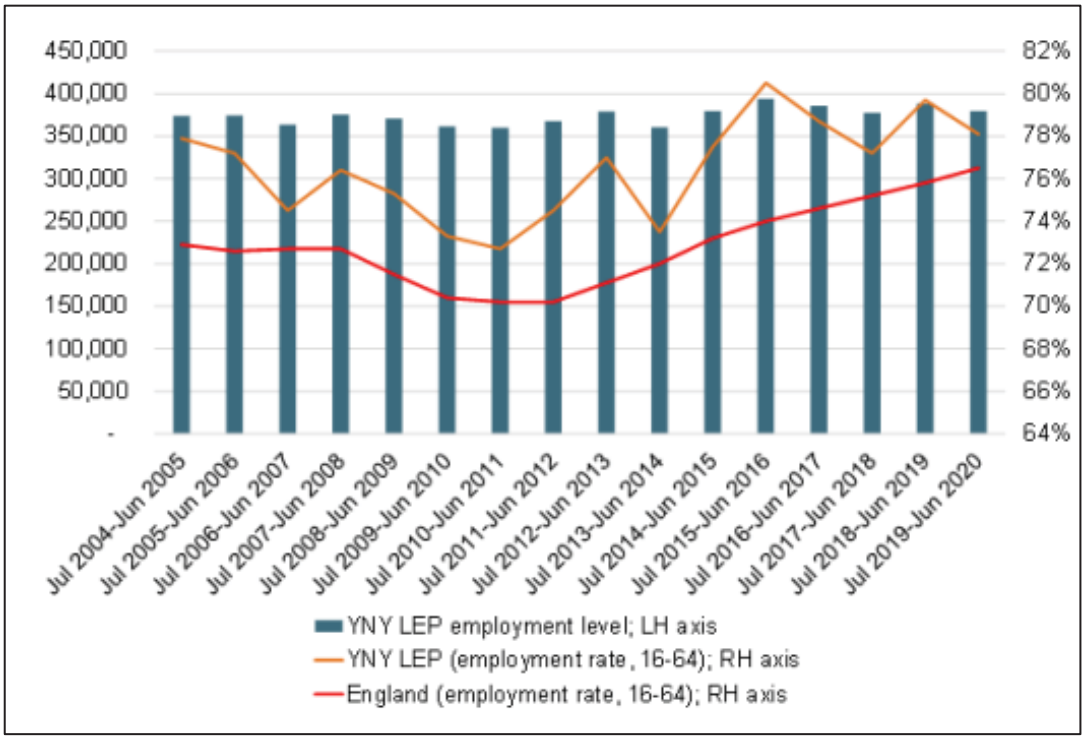


Figure 5 - Trend in employment rate (% of working age (16-64) population in employment). Source: Annual Population Survey

6.14 However, within YNY, there is variation. Five of the eight districts have an employment rate equal to or above the national average; three districts – Craven, Richmondshire and Selby – have rates that are somewhat below the average based on the latest data.

6.15 YNY has a strong qualification profile. The proportion of local people qualified at tertiary level (level 4 and above) is slightly higher than the national average (41% versus 40%), whilst the proportion with no formal qualifications is smaller (5% versus 7%). Within these figures, there is variation across the area. York easily outperforms the national average on higher level qualifications whilst North Yorkshire is slightly below the average.

6.16 Given the skills advantage that YNY has, there is a deficit of high skilled employment: 46% of employees are in higher skilled roles locally, versus a national average of 50%. There is also a disproportionate reliance on low-skilled jobs. Ensuring there are high skilled jobs to capitalise on the skills levels locally is important in increasing wage levels.

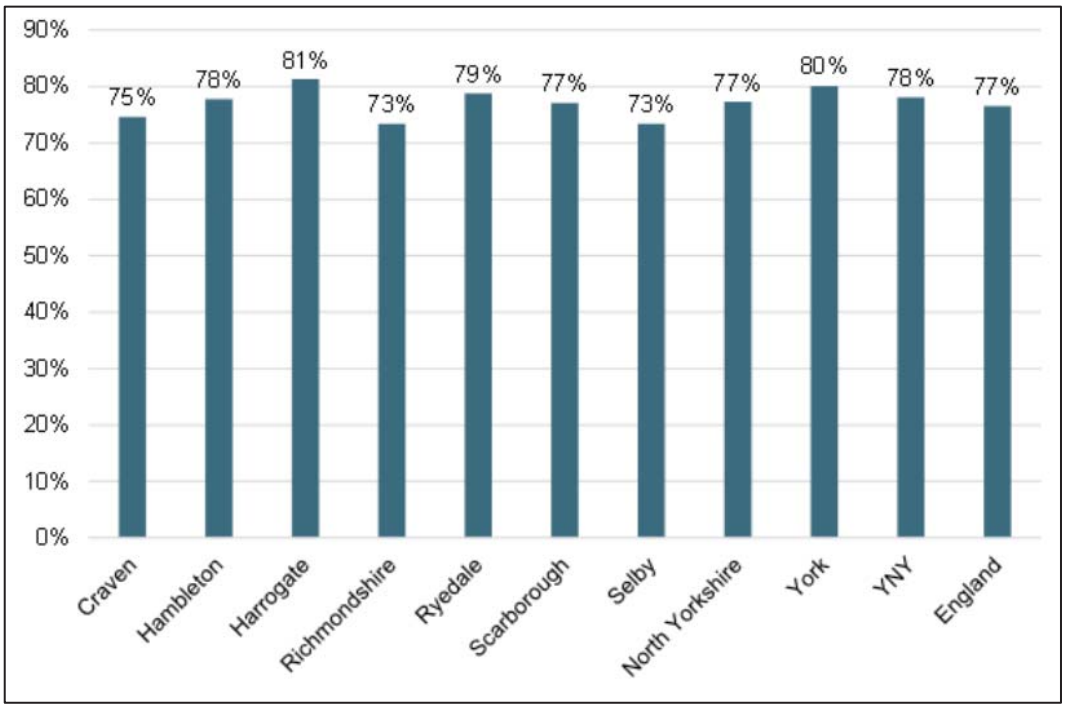


Figure 6 - Employment rate by district (% of population aged 16-64) Source: Annual Population Survey

7.0 Challenges

7.1 Despite the relative strengths of York and North Yorkshire's economy and the significant assets within the sub-region, the performance overall is below what could be expected. There are many reasons for this, some unique to specific areas, but the following represent some of the more universal challenges which are faced in achieving the region's economic ambitions.

Challenge 1: Limited Productivity Growth in some areas

7.2 Within York & North Yorkshire productivity has been stagnant and significantly dropped below the England average after 2004.

7.3 In 2019, GVA per filled job in York and North Yorkshire averaged at £46,998, 1% below the regional average (£47,523), but 18% below the England average (£57,583) and the **ninth lowest of all 38 LEP areas**.

7.4 Within YNY, there are also massive disparities across the patch, with outputs substantially lower in some districts. Productivity per hour worked in York is higher than in the surrounding area, being close to the UK average and with York in the top third of local authority areas on this measure (56th of 168 areas).

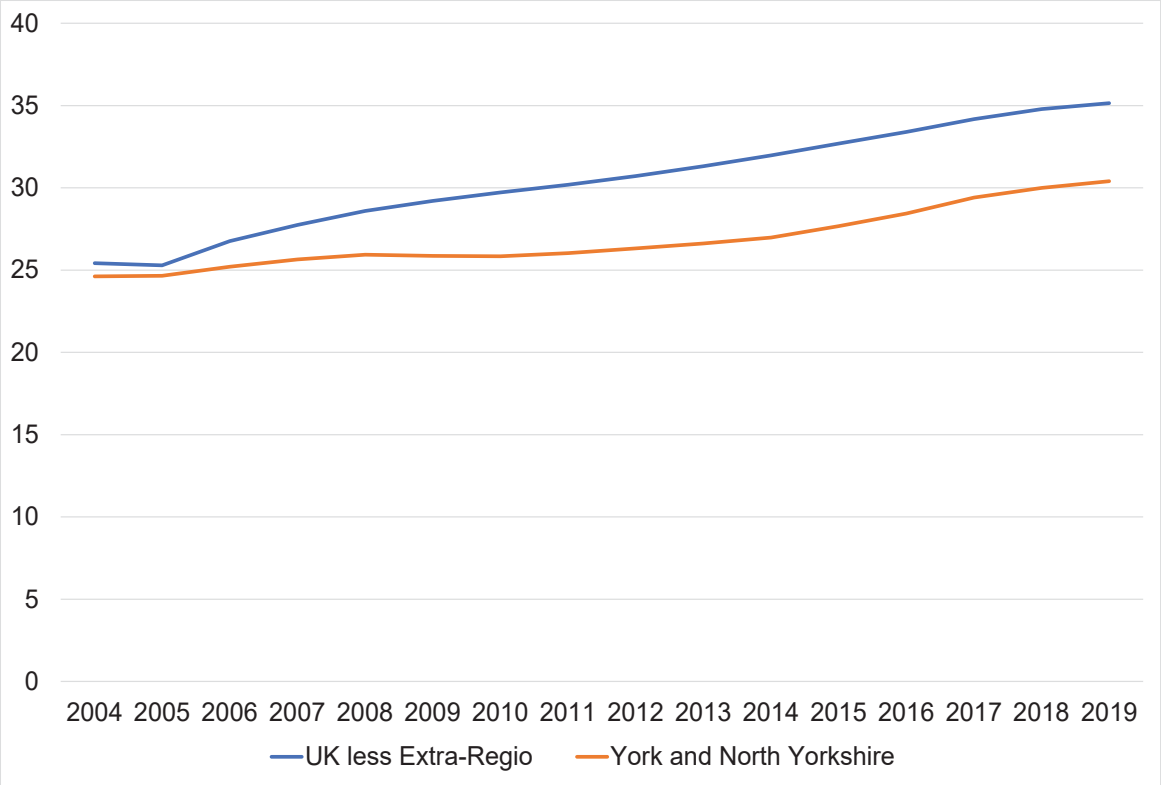
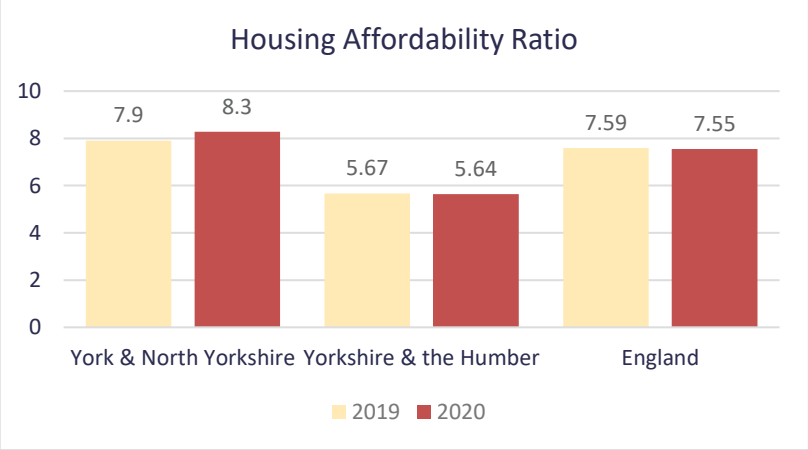


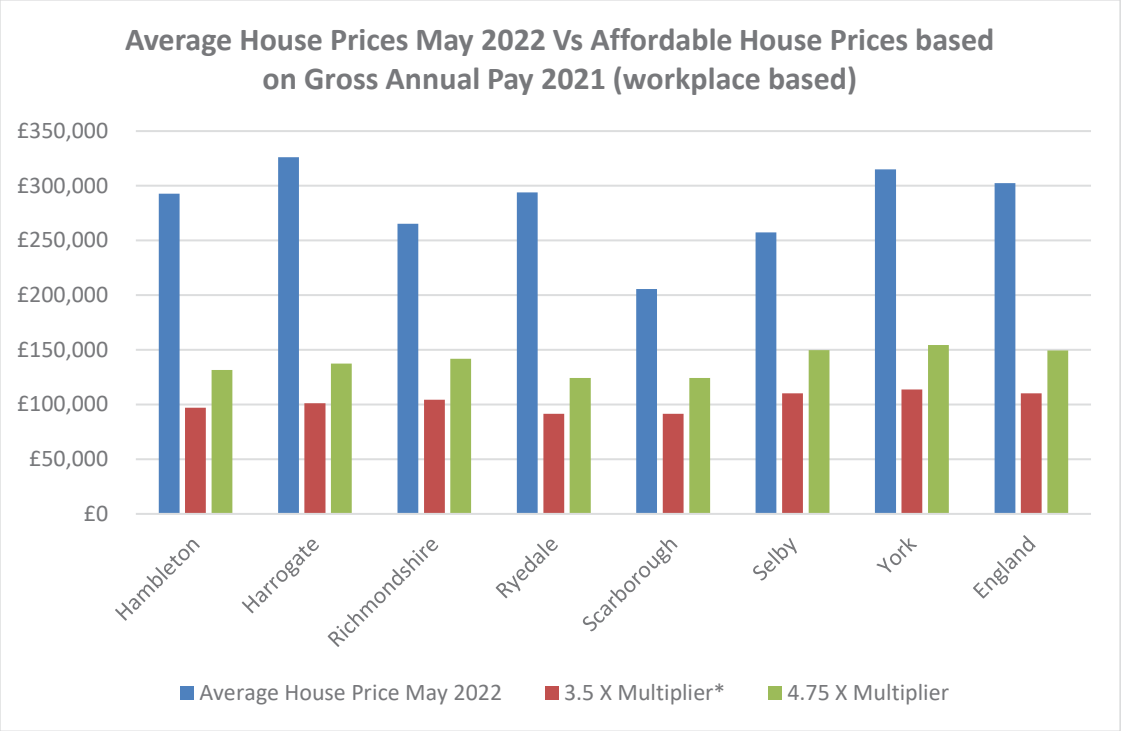
Figure 7 - Nominal (smoothed) gross value-added (£) per hour worked

Challenge 2: Unaffordable & poor quality housing

7.5 YNY has a worse affordability ratio than both regional and national averages. Also, only 35% of homes within YNY have an EPC rating of C or above (to meet climate change targets, we need all homes to be A or B graded as soon as possible).



7.6 Between September 2019 and September 2021, average house prices in YNY saw an increase of 10%. With wage levels unlikely to increase rapidly, affordability is likely to reduce over the coming years.



Source: ONS (Data was not available for Craven district)

*A household is assessed as able to afford to purchase a home if it costs 3.5 times the gross income of a single earner
**Current mortgage lending practices would suggest a 4.75 times single income could be considered

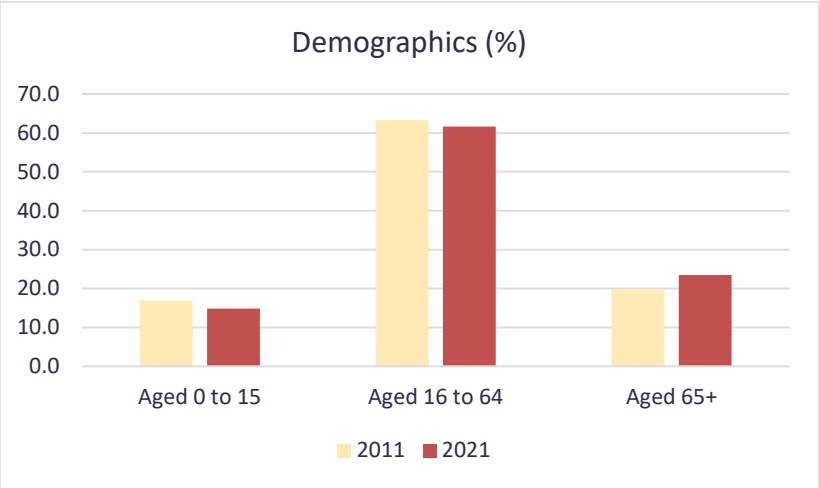
7.7 Relatively expensive housing in comparison to wage levels inevitably creates issues in terms of the ability to retain skilled young people and to attract talent to skilled jobs in the region. For lower paid jobs, it may entirely prevent people living in the areas within which they work. This puts an even higher emphasis on providing good and affordable transport links.

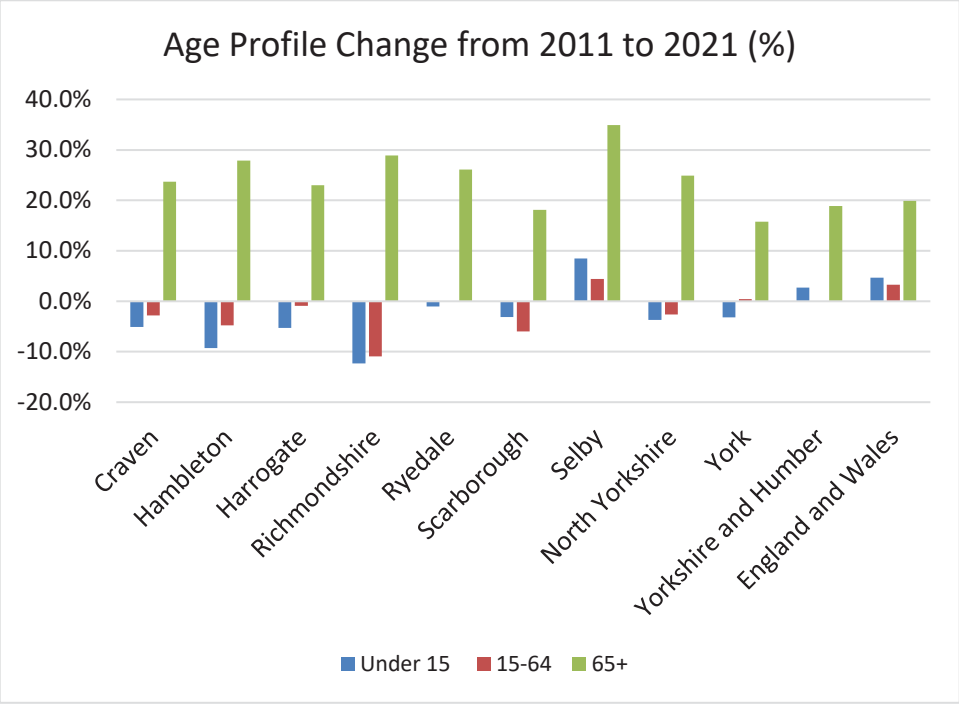
7.8 Across the region, the quality of housing stock is variable. Only 35% of homes within YNY have an EPC rating of C or above (which is key to meeting climate targets).

Challenge 3: Ageing population & decreasing numbers of young people

7.9 Alongside an older population, the levels of younger people in the sub-region are also decreasing. Between 2011 and 2021, the numbers of people aged 15-64 decreased across the region, reducing the proportion of the working age population. This is most pronounced in the rural and coastal areas.

7.10 At the same time, the proportion of older people (65+) is increasing in all areas.

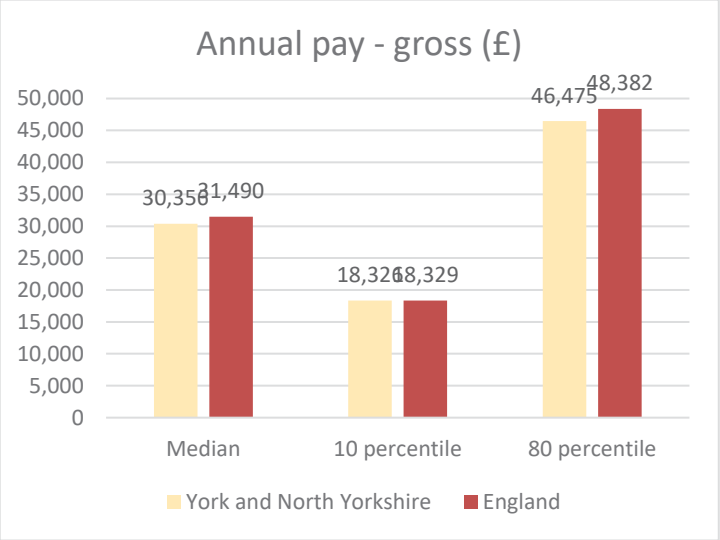




7.11 Linked to this challenge is limited retention of graduates – with only 40% of those from Higher Education institutions in YNY area being retained in Yorkshire and the Humber. Our institutions develop people with high levels of skill, above the national average. However, a deficit of highly skilled jobs within the region means these skills are often lost. High skilled workers are often highly mobile and can be attracted by higher wages and better career opportunities in the south.

Challenge 4: Deficit of higher paid employment

7.12 Median gross hourly pay for full-time jobs is only 83% of the national average and more than a fifth of local jobs in York and North Yorkshire still pay below the Real Living Wage.



7.13 This sub-regional picture does, however, obscure significant variation. Pay in York is close to the national median (across full-time and part-time roles), and higher than much of Yorkshire and the Humber, with York 97th of 204 authorities for full-time weekly pay and 58th of 203 authorities for part-time hourly pay.

7.14 Skills levels are high in the region, but this well-skilled workforce is not matched by enough high-skilled jobs.

Challenge 5: Deprivation in isolated pockets of the region

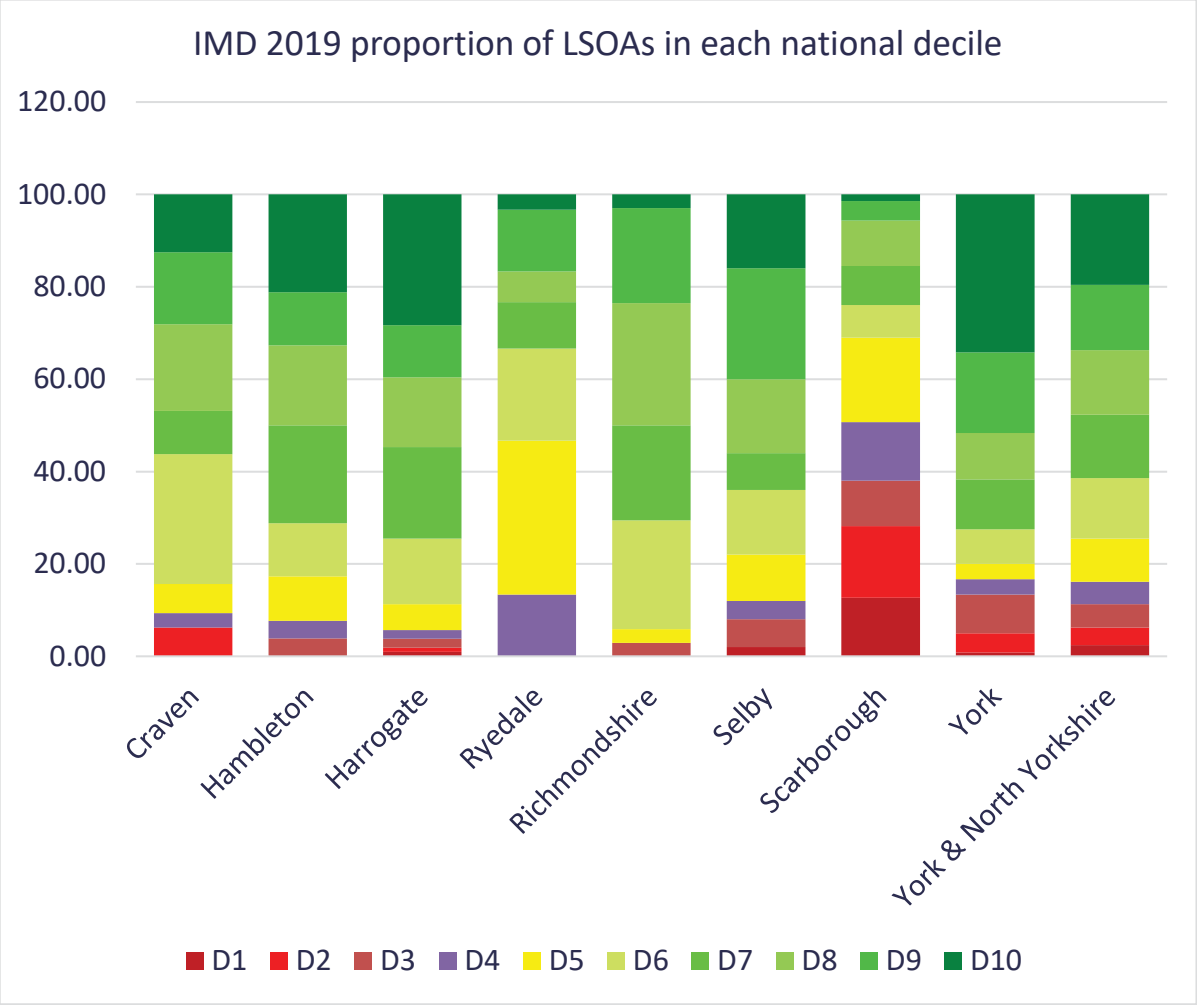
7.15 Generally, York and North Yorkshire is perceived as an affluent area. However, this conceals deep-rooted pockets of deprivation and highly concentrated areas which face challenges, either individually or in combination, including low pay, access to employment, lack of transport, and lack of affordable housing.

7.16 In particular, our coastal communities face considerable deprivation, as shown by the Indices of Multiple Deprivation (IMD). Across the whole of York and North Yorkshire, the worst performance is seen on the following IMD domains:

- Quality of the Local Environment: this indicator measure both 'indoor' living environment, such the quality of housing, and 'outdoor' living environment which includes air quality and road traffic accidents.
- Barriers to Housing and Services: this measures the physical and financial accessibility of housing and local services. This ranks badly due to the rurality of North Yorkshire and the unaffordable housing across the whole of YNY.
- Education, Skills and Training: although YNY generally has high skills attainment (48.4% of 16-64 year olds in 2021 have a NVQ4+), particularly in York, there are stark weaknesses within some areas. Scarborough (9.2%), Selby (10.1%) and Ryedale (13%) have higher levels of people with no qualifications than the UK average (6.4%).

7.17 The chart below shows the proportion of Lower Super Output Areas (LSOAs) in each national decile of deprivation. This shows how the proportion of areas within a place compares to the national average in terms of deprivation, in 10% bands. Decile 1 equates to the 10% of most deprived places in the country, and decile 10 relates to the 10% of least deprived places.

7.18 It is also worth noting that IMD is a useful tool in considering broad deprivation. However, North Yorkshire, by its very nature, has many dispersed communities where single issues are significant and strong, impacting on the lives and opportunities of residents but not necessarily visible within IMD figures.



Challenge 6: Climate Change

7.19 YNY is more rural than many areas of the UK, with lower emissions from buildings and industry, but larger % of emissions from agriculture and transport. The region faces specific challenges around private car use, off-gas homes and agricultural emissions.

7.20 Over the past 10 years, considerable progress has been made to drastically decrease carbon emissions within York and North Yorkshire. However, there is still a long journey ahead and climate change is a very critical risk if businesses (and communities) don't or can't adapt.

7.21 More extreme weather events in future will disrupt global supply chains, damage physical assets and increase costs of purchasing products and resources. The Boxing Day 2015 floods in parts of North and West Yorkshire were illustrative of the type of extreme events that are expected to become more common. The extent and severity of flooding was unprecedented, with over 4,000 homes, almost 2,000 businesses and over 100km2 of urban and farm land flooded and an economic cost of over half a billion pounds (Source: Leeds City Region Flood Review Report, West Yorkshire Combined Authority, 2016). There is, therefore, a need to map and implement adaptations to anticipated regional climate change affects to minimise impacts on people, the economy and the environment.

7.22 The North & West Yorkshire Emissions Reduction Pathways research assessed the technologies, interventions and policies needed to drive reduction in scope 1 and 2 emissions across the region. It provides multiple scenarios based on interventions and the likelihood of emissions reducing.

7.23 According to a 'Business As Usual' scenario, there will only be 30% reduction in emissions by 2038, with 5.5 MtCO2e/yr remaining in 2038. It forecasts that all sectors see slow change due to lack of strong incentives for consumers and businesses to switch to low carbon heat, transport and other practices.

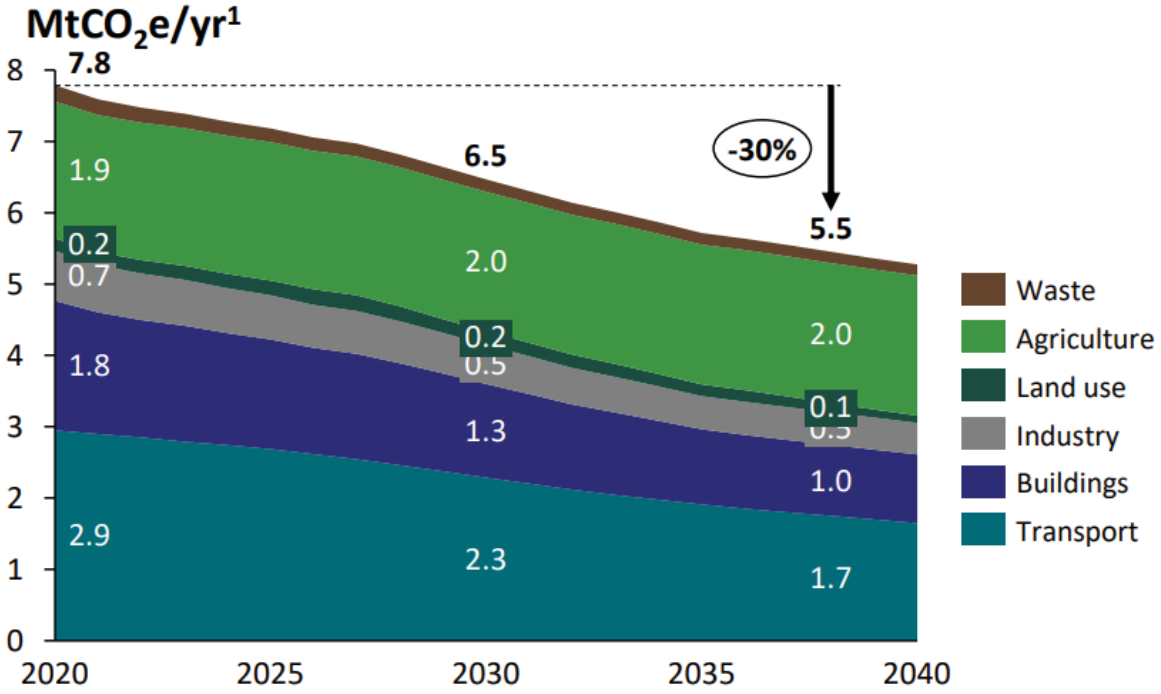


Fig. X – Business as usual scenario

7.24 Comparatively, a 'Max Ambition' scenario (where there is a highly ambitious roll out of electric vehicles, active travel, heat pumps and new forest planting which makes rapid progress), an 86% reduction in emissions by 2038 will occur, with 1.1 MtCO2e/yr remaining in 2038. When negative emissions from Drax are included, alongside carbon capture from North Yorkshire's natural capital, the region reaches net zero in 2034 and by 2038 is considerably net negative. All sectors see rapid change, requiring strong incentives for consumers and businesses to switch to low carbon heat, transport and other practices.

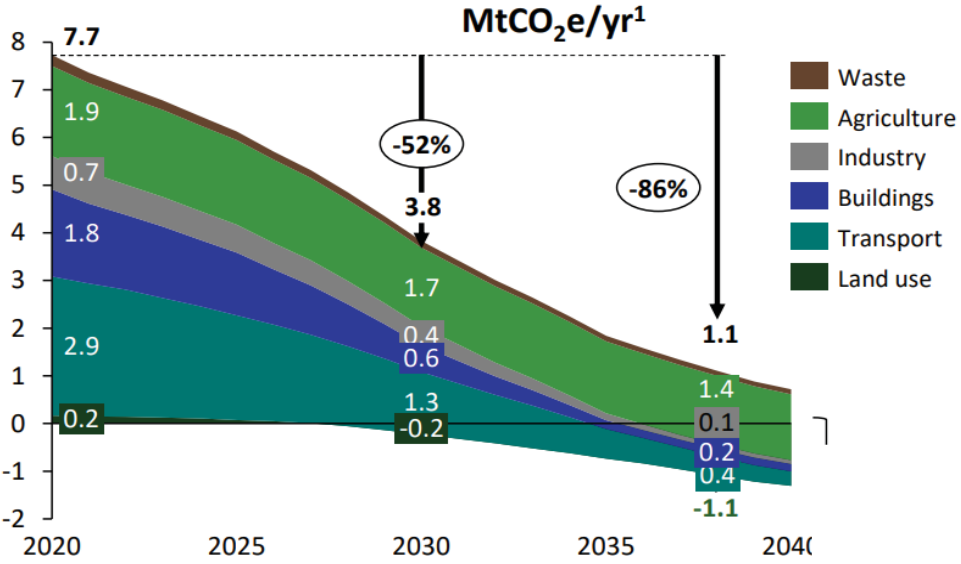


Figure 8 - Max Ambition scenario

Source: North & West Yorkshire Emissions Reduction Pathways, 2021

Challenge 7: Connectivity – Transport and Digital

7.25 Due to the rurality of North Yorkshire compared to urban York, there are some distinctly different challenges across the sub-region. For example, all modes of transport (public transport, walking, cycle, car) within North Yorkshire have longer average journey times to 8 key services when compared to England's average times.

Average Journey Times to 8 Key Services (Minutes) (2019)

	Public transport or Walking	Cycle	Car	Walking Only
York	16.4	13.6	10	25.1
North Yorkshire	27.0	23.0	12.6	44.3
England	18	16	10	28

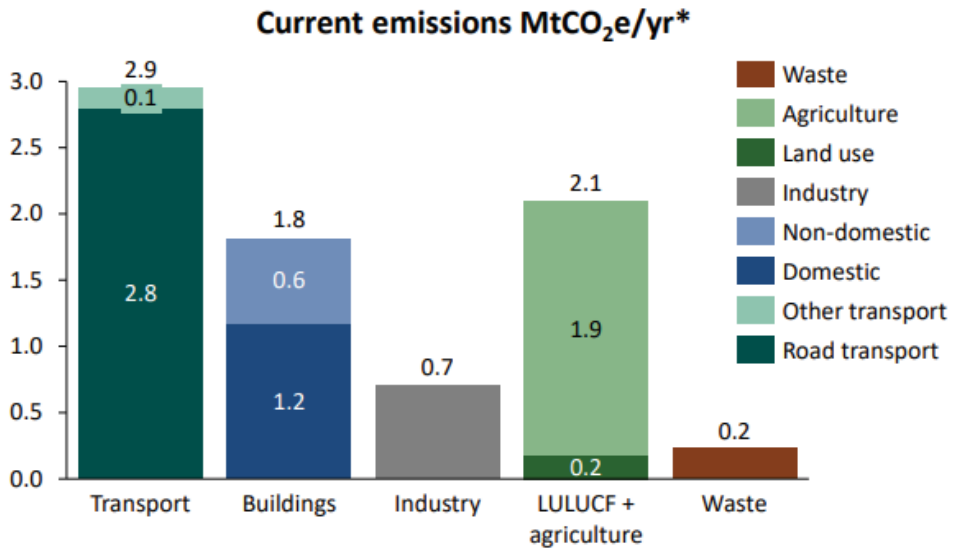
Source: Department for Transport
*Red highlights journey times that are longer than England's averages

Average Journey Times to FE College (Minutes) (2019)

	Public transport or Walking	Cycle	Car
York	20	11	16
North Yorkshire	35	14	26
England	21	17	11

Source: Department for Transport
*Red highlights journey times that are longer than England's averages

7.26 Consequently, there is a greater reliance on private car usage and other road transport. This has led to transport being the largest emitting sector within York and North Yorkshire. Reducing emissions from this source and encouraging alternative modes of transport (public and active travel) will be integral to decarbonisation ambitions.



Source: North & West Yorkshire Emissions Reduction Pathways, 2021

7.27 Better digital engagement could alleviate this challenge, but connectivity is limited in parts of York and North Yorkshire. Although levels of digital infrastructure have been improving in YNY, they are highly variable and for the most part connectivity is much lower in rural areas than in more densely populated ones. This inequality of coverage affects both broadband and mobile networks.

Levels of Broadband Connectivity across York and North Yorkshire

Area	Premises with Superfast Broadband Availability (30-300 Mbit/s)		Premises with Ultrafast Broadband Availability (300+ Mbit/s)		Total above 30 MBits/s	Full Fibre Coverage
	Rural	Urban	Rural	Urban		
Craven	74%	92%	7%	4%		
Hambleton	75%	93%	3%	0%		
Harrogate	69%	96%	6%	72%		
Richmondshire	75%	87%	4%	0%		
Ryedale	72%	88%	4%	3%		
Scarborough	80%	94%	0%	0%		
Selby	82%	87%	6%	5%		
York	87%	95%	5%	79%	95%	43%
North Yorkshire					90%	13%
England					96%	8%

Source: ONS and Connected Nations, Ofcom, 2019

8.0 Understanding Current Governance Arrangements

8.1 The introductory section of this report referred to the challenges which had been identified with the current governance arrangements across the York and North Yorkshire area. Current arrangements for joint working on economic development, regeneration and transport have developed through partnership between local authorities and the York and North Yorkshire LEP. This section sets out the current arrangements and considers their effectiveness in the continued delivery of these statutory functions.

8.2 Local Authorities

(a) North Yorkshire [County] Council (Unitary following 1 April 2023)
The Council operates under a “Leader and Executive” governance model. The Leader is appointed by Full Council and who is then responsible for making arrangements to discharge executive functions, whether through the Leader personally, Executive collectively, individual Executive Members, or Officers.

The services currently delivered by North Yorkshire County Council are as follows:

- Births, deaths and marriage registration
- Children's services
- Concessionary travel
- Consumer protection
- Education - including special educational needs, adult education and pre-school
- Emergency planning
- Highways (excluding trunk roads), street lighting and traffic management
- Libraries
- Minerals and waste planning
- Passenger transport (buses) and transport planning
- Public health

- Social services - including care for the elderly and community care
- Trading standards
- Waste disposal

The following services are delivered by both District/Borough and the County Council:

- Arts and recreation
- Economic development
- Museums and galleries
- Parking
- Planning
- Tourism

It was announced in July 2021 that the current county, district and borough councils would be replaced by a new single council for North Yorkshire from 1 April 2023.

Removing the two-tier system of local government – county and district councils – was a condition of unlocking a devolution deal.

County Council elections took place in May 2022 and the 90 councillors elected will serve for five years – an initial one year as members of the County Council – and then continue on as councillors for the new unitary authority when it begins on 1 April 2023.

District and borough councillors will continue in their current capacity until April 2023. From April 2023, North Yorkshire Council will act as the sole unitary council for the area, it is this governance arrangement which has been reviewed as part of this process.

(b) City of York Council (Unitary)
The Council comprises 47 Councillors elected at the same time every 4 years.

The Council operates under a “Leader and Executive” governance model. The Leader is appointed by Full Council and who is then responsible for making arrangements to discharge executive functions, whether through the Leader personally, Executive collectively, individual Executive Members, or Officers.

The Executive is chaired by the Leader of the Council, who has responsibility for political decisions which are the responsibility of the Executive and are taken by the Executive collectively or by individual Executive Members.

(c) District and Borough Councils (Craven, Hambleton, Harrogate, Richmondshire, Ryedale, Scarborough and Selby)

Seven District and Borough Councils currently operate in North Yorkshire.

Following a process of local government reorganisation, the seven district council will be disestablished in April 2023 and their services will be delivered by the single unitary North Yorkshire Council.

The services currently delivered by the District and Borough Councils are as follows:

- Building regulations
- Burials and cremations
- Coastal protection
- Community safety

- Council tax and business rates
- Elections and electoral registration
- Environmental health
- Housing and housing benefits
- Licensing
- Markets and fairs
- Sports centres, parks and playing fields
- Street cleaning
- Waste and recycling collection
- Public toilets
- Harbours

There are a number of services which are delivered independently by both the County Council and District and Borough Councils. These are listed in paragraph (a) above.

As the District and Borough Councils will not be inexistence at the proposed start date of the minded-to deal, they have not been considered as part of the process of this review.

8.3 Police, Fire and Crime Commissioner

The Police, Fire and Crime Commissioner for North Yorkshire is responsible for holding the Chief Constable to account and ensuring that the best policing service possible is delivered to the people of North Yorkshire and the City of York.

The North Yorkshire Police Authority was abolished on 22 November 2012 and replaced with one directly elected individual called a Police and Crime Commissioner (PCC).

On 15 November 2018, responsibility for governance and oversight of North Yorkshire Fire and Rescue Service transferred to the Commissioner, whose title changed as a consequence to become the North Yorkshire Police, Fire & Crime Commissioner (PFCC).

Whilst the Chief Constable retains independence regarding operational policing decisions, the PFCC is responsible for ensuring that resources are used efficiently and effectively and will hold the Chief Constable to account.

The PFCC sets the strategic direction of the service and sets performance targets after listening to local people about their views of the police. The PFCC also sets the police budget and raises a precept on local council taxpayers. PFCCs can appoint and, where necessary, remove Chief Constables.

The balance of power and decision making between the PFCC, the Chief Constable and also the Home Secretary is called the ‘tripartite’ system of governance which is unique to the British Police Service.

8.4 York and North Yorkshire Local Enterprise Partnership (Y&NY LEP)

The York and North Yorkshire Local Enterprise Partnership (Y&NY LEP) was formed in 2011. It is the local enterprise partnership for the area covering the nine local authority areas within York and North Yorkshire. It is a public-private partnership whose Board includes business, educational and Local Authority Leaders.

Y&NY LEP provides strategic economic leadership to the area, driving the delivery of the Strategic Economic Plan, which sets out York and North Yorkshire’s vision to strengthen the area’s economy and provide more opportunities for businesses and communities. The Y&NY LEP arrangements have delivered a significant number of development and growth

projects which have begun to transform the area, and provide an effective framework to manage and commission the multi-million-pound investment programmes designed to improve and support the region's economy. North Yorkshire County Council acts as accountable body for the York & North Yorkshire LEP.

All LEPs were subject to a wide-ranging review in 2021 to determine their form and function in future years. The outcome of that review was published in March 2022 and placed a requirement on all LEPs to integrate into a combined authority or democratic institution with devolved local powers to improve democratic accountability whilst still providing a strong voice of business. Several routes have been provided to achieve this target and the LEP's required integration plan is grounded in the ambition of a future devolution deal for York and North Yorkshire.

8.5 Yorkshire Dales and North York Moors National Park Authorities

The role of national park authorities is defined under two statutory purposes. These are:

- "to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park"; and
- "to promote opportunities for the understanding and enjoyment of the special qualities of the area by the public".

In pursuing these purposes, they are also required to seek to foster the economic and social well-being of local communities within the National Park.

National Park Authorities provides some services similar to those provided elsewhere by district and county councils - for example – they are the Local Planning Authority.

Yorkshire Dales National Park Authority has 25 members.

North York Moors National Park Authority has 20 members.

9.0 The Case for Change

9.1 York and North Yorkshire's economy is underpinned by its places, landscapes and natural assets.

With two National Parks, the Yorkshire Coast and City of York, its world-renowned historic and cultural assets shape its urban spaces, whilst the scenic beauty of its vast rural landscape and northern coastline define YNY as one of world's most recognised regions.

Both authorities are committed to strengthening all of these assets and continuing to make the region a truly distinctive place – one which boasts a strong global brand and unrivalled connectivity to three urban giants within the Northern Powerhouse. Strong connections with West Yorkshire, the Humber and Tees Valley, fast rail links to London and two ports, mean its position, scale and connectivity unlocks potential for the whole of the North.

The Northern Powerhouse is a critical vehicle in the drive towards economic growth in the North. Much of the Northern Powerhouse footprint already benefits from value that a devolution deal brings. York and North Yorkshire's neighbours of West Yorkshire, North East, Tees Valley and South Yorkshire are already served by combined authorities. East Yorkshire and Hull are in the process of negotiating a County Deal, and Cumbria was identified in the Levelling Up White Paper as a potential mayoral combined authority area. North Yorkshire and York is a large and diverse County with strong multilateral relationships with a range of partners and neighbouring local authorities. Towns in the north of the region have strong links to the Tees Valley and beyond. Equally, towns such as Harrogate and Skipton have long-standing ties to West Yorkshire.

A devolution deal for York and North Yorkshire presents an opportunity to bridge the regional gap between West Yorkshire and Tees Valley and unlock the potential this region holds. A mayoral combined authority will provide the capacity, powers and governance required to meet the region's own challenges, and to collaborate effectively and efficiently with its neighbours on a level footing to face up to the wider challenge of levelling up nationally and in the North of England.

9.2 The 'minded-to' devolution deal can be summarised as follows. Further information can be found in Section 10, which breaks down the functions of a proposed combined authority.

(a) Governance
    a. LEP Integration
    b. Equal representation from each constituent member
    c. Chaired by Mayor
(b) Finance and investment
    a. £18m per annum Mayoral Investment Fund for 30 Years
    b. Same devolved opportunities as other MCA's
    c. LEP Fully Integrated into MCA
    d. Integration plan in development
    e. Key role in pre MCA delivery
    f. Existing LEP programmes routed through MCA
    g. Future Shared Prosperity Fund routed through MCA
(c) Skills and Education
    a. Devolved Adult Education Budget
    b. Input in Local Skills Improvement Plans
    c. Strategic Relationship with DWP
    d. Same Skills Funding as other Mayoral areas
(d) Skills and employment
(e) Housing and land
    a. £2.65m Net Zero Affordable Housing
    b. £13m Brownfield & Rural Housing
    c. York Central EZ Extension
    d. Strategic Partnership with Homes
    e. England and a resourced action plan
    f. Housing Pipeline development
(f) Transport
    a. £11m for a YNY Strategic Transport Plan
    b. Responsibility for a Key Route Network
    c. Current transport budgets will be consolidated through the MCA
    d. A primary relationship with Great British Rail
    e. Joint work with DfT targeting EV Charging Infrastructure
(g) Net zero, climate change and natural capital
    a. £7m for Net Zero Projects
    b. Strategic relationship led by Routemap to Carbon Negative
    c. Explore opportunities for government to fund small scale feasibility funding to develop a recyclable fund
    d. Relationship with UK Infrastructure Bank
    e. Natural Capital Investment Plan
    f. CSR Bid developed
(h) Public service reform
(i) Resilience and public safety
    a. Police Fire & Crime Commissioner Fully Integrated
(j) Arts, Culture Heritage and tourism
    a. Strategic review of arts, culture and sport with Arts council, English Heritage, Sport England
    b. Joint working with Visit England for De Bois Review

(k) Digital
   a. Joint working with DCMS around Gigabit UK roll out
   b. Will target next CSR with any gaps in delivery

(l) Innovation, trade and investment
   a. Joint working group with MOD, DCMS, Coventry University to develop Scarborough Cyber Proposition
   b. Joint Working Group with Innovate UK, UKRI, BEIS, BBRSC to develop Bio Yorkshire Opportunity.

10.0 Functions

10.1 The minded-to deal specifies that the new MCA would exercise functions in relation to economic development, regeneration and transport, with the MCA and Mayor exercising distinct new functions. These would be devolved from central Government and set out in legislation, accompanied by significant new funding streams from Whitehall.

10.2 The various powers in scope, and their rationale, are considered in the tables below and encompass a broad set of ambitions covering:

- Finance and investment
- Adult Education, Skills and Employment
- Economic Development
- Housing and land
- Transport
- Resilience and public safety

10.3 The tables refer to the economic challenges outlined above, given the following numbers:

(1) Limited Productivity Growth in some areas
(2) Unaffordable & poor quality housing
(3) Ageing population & decreasing numbers of young people
(4) Deficit of higher paid employment
(5) Deprivation in isolated pockets of the region
(6) Climate Change
(7) Connectivity – Transport and Digital

Functions – Finance and Investment	Challenges Addressed	Rationale
Powers for the mayor to: • set a precept on council tax to fund mayoral functions • charge business rate supplement (subject to ballot). Power for the Combined Authority to: • borrow up to an agreed cap for non-transport functions	1, 2, 3, 4, 5, 6, 7	Alongside the new powers, the deal contains significant investment strands that would create a large investment fund for York and North Yorkshire. If the Mayor decided to use a council tax precept or business rates supplement (subject to agreement with local authorities/ballot), this would bolster the funding already identified a part of the deal, as follows: • £18m per annum to the Combined Authority for 30 years (35% capital, 65% revenue), totalling £540m, subject to five-yearly assessments to confirm that the investment has supported economic growth • York and North Yorkshire Combined Authority will be able to use capital receipts from asset sales as revenue funding for public service transformational initiatives. • York and North Yorkshire Combined Authority will be given powers to borrow for its new functions, which will allow it to invest in economically productive infrastructure, subject to an agreed cap with HM Treasury. • York and North Yorkshire Combined Authority will be given powers to borrow for its new functions, which will allow it to invest in economically productive infrastructure, subject to an agreed cap with HM Treasury. • The mayor will have the power to introduce a supplement on business rates for expenditure on a project or projects that will promote economic development in the area, subject to a ballot of affected businesses. • The York and North Yorkshire Combined Authority will be the lead local authority for the planning and delivery of the UK Shared Prosperity Fund (UKSPF) from 2025/26 if there is a continuation of the Fund and the delivery geographies remains the same. The York and North Yorkshire UKSPF allocation - which rises to £13.96 million in 2024/25 - will be subject to a future Spending Review and reconfirmation of overall UKSPF policy and delivery arrangements from 2025/26. • Subject to a full business case, the government is minded to provide additional support to the York Central brownfield regeneration scheme. Additional investment on this scale would allow the acceleration of the economic ambitions for the region, supporting the pursuit of a carbon-negative region, growth and productivity increases, addressing housing challenges and supporting improved transport and digital connectivity.

Functions – **Adult Education, Skills and Employment**	Challenges Addressed	Rationale
Power for the Combined Authority: • devolved functions in respect of Adult Education and will control the Adult Education Budget (AEB) from academic year 2025/26	1, 3, 4, 5	By devolving the annual Adult Education Budget and conferring the relevant powers on the Combined Authority, the provision of adult skills in York and North Yorkshire will be better aligned with locally determined priorities. This will help to ensure the skills system is demand led so that all residents have the skills required to help businesses to grow, innovate and diversify. This can support increased productivity, better jobs and higher pay, supporting younger people to remain in the region and giving access to jobs and opportunities for those from our most deprived communities.

Functions – **Economic Development**	Challenges Addressed	Rationale
Power for the Mayor: • functional power of competence Powers for the Combined Authority: • functional power of competence • duty to prepare an assessment of economic conditions	1, 3, 4, 5	The Mayor will have a functional power of competence which enables the Mayoral CA to do things appropriate or incidental to, or connected with, the Mayor's and Combined Authority's functions. It will also aid the delivery of the comprehensive programme of collaboration with Government departments and national agencies which is envisaged in the deal. Areas where collaboration is envisaged include: • Employment programmes • Housing delivery and affordability with Homes England • Transport with National Highways, Great British Railways and Active Travel England • Net Zero with BEIS and the National Infrastructure Bank • Natural Capital with DEFRA • Cutlure and Tourism with DCMS • Digital Connectivity with DCMS • BioYorkshire with Innovate UK and UKRI • Scarborough Cyber Cluster with GCHQ and DCMS The Combined Authority's powers to prepare an assessment of economic conditions will underpin the longer-term economic strategies and ensure that regional policy making is evidence based and takes account of current and emerging economic conditions. This will be of particular importance over the coming years with cost of living challenges being faced against a backdrop of economic stresses.

Functions – **Housing and Land**	Challenges Addressed	Rationale
Powers for the Mayor: • to designate a Mayoral Development Area and then set up a Mayoral Development Corporation. • housing and land acquisition powers to support housing, regeneration, infrastructure and community development and wellbeing. Powers for the Combined Authority: • relating to compulsory purchase • provision of housing and land • land acquisition and disposal • development and regeneration of land.	2, 3, 5, 6	The powers received would allow the combined authority to accelerate development and delivery of homes and regeneration, in tandem with local authorities and National Parks Authorities, capitalising on opportunities to support local needs. The ability to address need identified in local plans through land assembly and development powers would facilitate development at greater pace. This is underpinned by commitment of £12.7m of devolved capital funding for Brownfield and rural development. Housing delivered would support residents (including younger people) to access affordable housing, address climate change targets through low-carbon homes, and allow targeting of areas of deprivation with sustainable affordable homes.

Functions – **Transport**	Challenges Addressed	Rationale
Powers for the Mayor • to draw up a local transport plan and strategies • bus franchising powers. Powers for the Combined Authority: • to set up and coordinate a Key Route Network on behalf of the Mayor (unless otherwise agreed locally, all operational responsibility for Key Route Network roads will remain with the Constituent Councils)	1, 4, 5, 6, 7	The additional powers devolved to the Mayoral Combined Authority will unlock the devolution a consolidated transport fund. Whilst this is initially only for the one year remaining of this spending review period, Government has committed to work with the combined authority to agree an integrated multi-year transport settlement at the next Spending Review. At this point, opportunities for expanding the integrated transport settlement offer will also be explored. This would provide the ability to plan further ahead on a broader geography to support the development of sustainable transport models at scale. Access to franchising powers under the Bus Services Act 2017 will provide the opportunity for the Mayor to specify bus services as part of an integrated local transport system, should the local context in the future mean that it was advantageous to do so. The establishment of a statutory Key Route Network (KRN) would build on existing local arrangements to enable better collaborative decision-making on major strategic transport issues. The identified KRN will be collaboratively

		managed at the York and North Yorkshire level by the respective local highway authorities in partnership with the Combined Authority on behalf of the Mayor (who would be responsible for the overall coordination of the collaborative arrangements). This potential to co-ordinate the key network at a broader level provides the opportunity to address key challenges which hinder connectivity and hinder economic growth. Connecting people to jobs and education is key in Levelling Up the region.
Functions – **Resilience and public safety**	Challenges Addressed	Rationale
Powers for the Mayor: • Police, Fire and Crime Commissioner functions.	2, 3, 5	Merging the functional responsibilities and support functions would enable opportunities to be explored for efficiencies through wider strategic public service integration. There is also the potential to strengthening links between economic planning and community safety and cohesion, supporting people towards personal wellbeing, relevant and transferable skills, and access to good work. This would build upon the established aims of the OPFCC within the Police and Crime, and Fire and Rescue Plans to work collaboratively in partnership with other agencies and with communities to support the overall wellbeing of residents.

11.0 Criteria

11.1 This section sets out the local and legislative criteria against which possible regional governance options are then considered.

11.2 *Local requirements*

- Add value to York and North Yorkshire's delivery of outcomes through clear, transparent and accountable regional decision making;
- Enable control over additional funding and powers which would otherwise be managed from Whitehall;
- Work more effectively in partnership with others, such as:
- with local authorities at York and North Yorkshire, and Yorkshire level on priorities such as climate change response, affordable housing and clean economic growth;
- across the North of England, for example with Transport for the North on seeking a fair level of transport investment for the North;
- Ensure strategic decisions are made at the most appropriate administrative level, and as locally as possible; and
- Enable efficiency through reduced fragmentation of decision-making and strategic planning.

11.3 *Statutory requirements*

Section 103 of the 2009 Act provides that the Secretary of State may by order establish as a body corporate a combined authority for an area that meets the following conditions:

(a) The area consists of the **whole** of **two or more** local government areas in England; and

(b) No part of the area forms part of the area of another combined authority, economic partnership board or integrated joint area.

Both conditions are met in York and North Yorkshire.

Section 109 of the 2009 Act provides that where one or more of the authorities which undertook the review conclude that the exercise of the power to make an order under S104 or 105 would be likely to **improve the exercise of statutory functions in York and North Yorkshire**, they may prepare and publish a scheme relating to the exercise of those functions. The Secretary of State may only make an order if they consider that to do so is **likely to improve the exercise of statutory functions in the Combined Authority's area**. In making any such order, the Secretary of State must have regard to the need:

(a) To secure more **effective and convenient local government** for the area; and

(b) To **reflect the identities and interests** of our local communities

A full and transparent consultation process will be undertaken to ensure that both of the requirements above are fully reflected in the proposed scheme.

12.0 Options for Change

12.1 This review has set out the challenges facing York and North Yorkshire, the scope of the minded-to deal negotiated between local authorities and central government, and how those proposals will meet those challenges.

12.2 The Levelling Up White Paper published in 2022 sets out a framework of the Government's approach to future devolution deals. The framework describes three levels of devolution:

- Level 3 – A single institution or County Council with a directly elected mayor (DEM), across a FEA or whole county area
- Level 2 – A single institution or County Council without a DEM, across a FEA or whole county area

- Level 1 – Local authorities working together across a FEA or whole county area e.g. through a joint committee

The summary table below highlights the functions available under devolution deals which are only available to combined authorities and/or mayoral combined authorities.

Function	Detail	L1	L2	L3
Strategic role in delivering services	Host for Government functions best delivered at a strategic level involving more than one local authority e.g. Local Nature Recovery Strategies	✓	✓	✓
	Opportunity to pool services at a strategic level	✓	✓	✓
	Opportunity to adopt innovative local proposals to deliver action on climate change and the UK's Net Zero targets	✓	✓	✓
Supporting local businesses	LEP functions including hosting strategic business voice		✓	✓
Local control of sustainable transport	Control of appropriate local transport functions e.g. local transport plans*		✓	✓
	Defined key route network*			✓
	Priority for new rail partnerships with Great British Railways – influencing local rail offer, e.g. services and stations			✓
	Ability to introduce bus franchising		✓	✓
	Consolidation of existing core local transport funding for local road maintenance and smaller upgrades into a multi-year integrated settlement			✓
Investment spending	UKSPF planning and delivery at a strategic level		✓	✓
	Long-term investment fund, with an agreed annual allocation			✓
Giving adults the skills for the labour market	Devolution of Adult Education functions and the core Adult Education Budget		✓	✓
	Providing input into Local Skills Improvement Plans		✓	✓
	Role in designing and delivering future contracted employment programmes			✓
Local control of infrastructure decisions	Ability to establish Mayoral Development Corporations (with consent of host local planning authority)			✓
	Devolution of locally-led brownfield funding			✓
	Strategic partnerships with Homes England across the Affordable Housing Programme and brownfield funding			✓
	Homes England compulsory purchase powers (held concurrently)		✓	✓
Keeping the public safe and healthy	Mayoral control of Police and Crime Commissioner (PCC) functions where boundaries align^			✓
	Clear defined role in local resilience*		✓	✓
	Where desired offer MCAs a duty for improving the public's health (concurrently with local authorities)			✓
Financing local initiatives for residents and business	Ability to introduce mayoral precepting on council tax*			✓
	Ability to introduce supplement on business rates (increases subject to ballot)			✓

* refers to functions which are only applicable to combined authorities
^ refers to functions which are currently only applicable to mayoral combined authorities

12.3 The Levelling Up White Paper therefore provides three options for York and North Yorkshire, in addition to a "do nothing" approach. Each is considered against the local and statutory criteria:

Option 1 - Do nothing/status quo

12.4 This would maintain the current levels of collaboration between York and North Yorkshire councils, leaving the Police, Fire and Crime functions separately with the PFCC. Under current statutory guidance, consideration would have to be given to the integration of the LEP into one of the existing organisations.

Criteria	Assessment	Meets Criteria/Addresses challenges?
Statutory Tests: • improve the exercise of statutory functions • Secures more effective and convenient local government • Whether it has a positive or neutral impact of our local communities.	No additional powers or funding would be available to improve the exercise of statutory functions. The co-ordination benefits of having strategic powers for skills, housing, economic development and transport within a single streamlined authority would be unavailable. Local government would remain as it is, which would not secure more effective or convenient discharge of functions. Retaining existing separate PFCC governance arrangements potentially hinders further opportunities for efficiencies and collaboration through more alignment and integration, for example in recognition of the connections between perceived public safety and the visitor economy. It would have a neutral impact on local communities, as nothing would change from the present arrangements.	No
Local criteria	No additional functions would be available to change local strategic planning or decision making. No additional powers or funding would be available. There would be no change to the partnership working arrangements to support regional ambitions.	No

Option 2 - The Local Authorities work together (Level 1)

12.5 This would mean the current arrangements being built upon through a joint committee or economic prosperity board. The Police, Fire and Crime functions would remain separately with the PFCC. Under current statutory guidance, consideration would have to be given to the integration of the LEP into one of the existing organisations.

Criteria	Assessment	Meets Criteria/Addresses challenges?
Statutory Tests: • improve the exercise of statutory functions • Secures more effective and convenient local government • Whether it has a positive or neutral impact of our local communities.	No additional powers or funding would be available to improve the exercise of statutory functions. The co-ordination benefits of having strategic powers for skills, housing, economic development and transport within a single streamlined authority would be unavailable. Local government could benefit from more effective strategic planning at a YNY level, but this would not be supported by any additional or shared powers, or funding. Retaining existing separate PFCC governance arrangements potentially hinders further opportunities for efficiencies and collaboration through more alignment and integration, for example in recognition of the connections between perceived public safety and the visitor economy. It would have a potentially slightly positive impact on local communities through the ability to work collaboratively on certain issues at a YNY level.	No
Local criteria	No additional functions would be available to change local strategic planning or decision making. No additional powers or funding would be available.	No

	There would be no change to the partnership working arrangements to support regional ambitions.	

Option 3 – A Combined Authority (Level 2)

12.6 This would mean establishing a non-mayoral combined authority for York and North Yorkshire. This would unlock a range of powers but would not on its own bring significant new funding. The Police, Fire and Crime functions would remain separately with the PFCC. Under current statutory guidance, it is likely that the LEP functions would be integrated into the Combined Authority.

Criteria	Assessment	Meets Criteria/Addresses challenges?
Statutory Tests: • improve the exercise of statutory functions • Secures more effective and convenient local government • Whether it has a positive or neutral impact of our local communities.	There would be co-ordination benefits of having, potentially, some transport, skills, housing and resilience functions at a YNY level to aid more strategic planning. The Combined Authority would not, in itself bring additional funding, but there could be some efficiency benefits of integrating the LEP into the CA. Retaining existing separate PFCC governance arrangements potentially hinders further opportunities for efficiencies and collaboration through more alignment and integration, for example in recognition of the connections between perceived public safety and the visitor economy. It would have a potentially positive impact on local communities through the ability to work collaboratively on transport, skills, housing and resilience functions at a YNY level.	Yes
Local criteria	The Combined Authority would receive additional devolved powers, but would not receive additional funding such as gainshare or brownfield housing funding, nor funding certainty through a multi-year integrated transport settlement.	Partially

	There would be limited improvement in the ability to work in effective partnership with other neighbouring Combined Authority areas, under similar governance arrangements.

Option 4 – A Mayoral Combined Authority (Level 3)

12.7 This would mean the acceptance of the minded-to Devolution Deal, with the creation of a Combined Authority and election of a Mayor. PFCC functions would be taken on by the Mayor and the LEP integrated with the Combined Authority.

Criteria	Assessment	Meets Criteria/Addresses challenges?
Statutory Tests: • improve the exercise of statutory functions • Secures more effective and convenient local government • Whether it has a positive or neutral impact of our local communities.	There would be co-ordination benefits of having the full range of functions outlined within the minded-to Devolution Deal to be discharged and planned at a YNY level. There would be potential efficiency benefits of integrating the LEP into the CA, whilst the focus on a business voice would be beneficial in planning regional economic, skills and transport strategies. Merging of PFCC functions would maximise opportunities for efficiencies and collaboration through more alignment and integration, for example in recognition of the connections between perceived public safety and the visitor economy. It would have a potentially positive impact on local communities through the ability to work collaboratively on a	Yes

	broad range of functions at a YNY level. As evidenced in section 10 above, the range of available powers would directly help to address the economic challenges faced by YNY.	
Local criteria	The Combined Authority would receive additional devolved powers, alongside significant additional funding to the area, which would otherwise be unavailable. There would be significant improvement in the ability to work in effective partnership with other neighbouring Combined Authority areas, under similar governance arrangements. The ability of a Mayor to influence regional and national policy would create significant local benefit.	Yes

13.0 Conclusion

13.1 In summary, from the above analysis, Options 1 (Do nothing) does not provide the opportunity to enhance the exercise of local statutory functions, nor does it create additional efficiency or provide powers, funding or governance to better address local economic challenges. It is not considered that it meets either the statutory or local criteria. The current governance arrangements do not, therefore, represent the best model for the ambitions of the authorities within the York and North Yorkshire area in terms of delivering their long- term ambitions for economic growth.

13.2 Option 2 (Joint working – Level 1) does not provide significant opportunity to enhance the exercise of local statutory functions, with no substantial efficiency, powers or funding to address local economic challenges. It is not considered that it meets either the statutory or local criteria.

13.3 Option 3 (Combined Authority – Level 2) provides greater opportunity to enhance the exercise of statutory functions, but is sub-optimal in that it does not allow for the merger of PFCC functions which could create efficiency and co-ordination benefits, recognising the very significant connection between public safety and the broader economic and social wellbeing of the area. It also fails to deliver the full suite of powers and funding available through the Mayoral route, and may fall short of delivering what is required to address local economic challenges. It might be considered that it meets the statutory tests, but does not satisfy the local criteria.

13.4 Option 4 (Mayoral Combined Authority – Level 3) provides greater opportunity to enhance the exercise of statutory functions and would facilitate efficiency and co-ordination benefits through the merger of PFCC functions. It would allow access to the full suite of powers through the minded-to deal and unlock significant additional funding. A Mayor would provide the greatest potential to influence national and regional policy to the benefit of local communities. It is considered that it is the only option that fully meets both the statutory tests and local criteria. It is, therefore, the preferred and recommended option for YNY.

13.5 York and North Yorkshire wants to take on a greater level of responsibility to determine its own future, with a new investment fund, applied more flexibly according to the area's specific needs and opportunities. This is achievable through the minded-to devolution deal; however, the deal itself is not available under the existing governance arrangements, a Level 1 devolution deal, or a Level 2 devolution deal.

14.0 Next Steps

14.1 As set out above, the conclusions of this report are that the statutory tests have been met by the proposed Mayoral devolution deal.

14.2 If approved, City of York Council and North Yorkshire County Council will then undertake public consultation on the scheme and the results of that consultation will be reported to the Secretary of State who must then decide whether to make the legal order(s) described above to create a new combined authority for the York and North Yorkshire area

This page is intentionally left blank

Scheme setting out proposals for the creation, governance and functions of the York and North Yorkshire Combined Authority

(Section 109 of the Local Democracy, Economic Development and Construction Act 2009 and regulation 7(3)(b) of the North Yorkshire (Structural Changes) Order 2022)

York and North Yorkshire Combined Authority

1.0 Preamble and Interpretation

1.1 This Scheme has been jointly prepared by:
- City of York Council;
- North Yorkshire Council.

1.2 This Scheme sets out proposals for the creation and governance arrangements of the York and North Yorkshire Combined Authority (the Combined Authority), by adopting a mayoral governance model with the Mayor exercising the functions currently exercised by the Police Fire and Crime Commissioner for North Yorkshire.

1.3 It also sets out proposals for the Combined Authority to be delegated additional functions from Government.

1.4 On 1 August 2022, the Leaders of the City of York Council and North Yorkshire Council signed a "minded to" devolution deal with HM Government. The deal details £540m of government investment (consisting £18m or gainshare over 30 years), which will be subject to local influence and decision making, enabling spend on local priorities, together with a range of devolved functions. This devolution deal is subject to adopting the model of a Mayor over the Combined Authority area.

1.5 City of York Council and North Yorkshire Council must also follow relevant statutory procedures to adopt the model of a directly elected Mayor.

1.6 City of York Council and North Yorkshire Council therefore conducted a review under section 108 of the Local Democracy, Economic Development and Construction Act 2009 and Regulation 7(3)(a) of the North Yorkshire (Structural Changes) Order 2022 (the Review) in relation to:
- the creation of and governance arrangements for the Combined Authority; and
- the delegation to the Combined Authority of functions under section 104 and section 105 of the 2009 Act (transport-related functions of the Secretary of State and functions concurrent to local authorities).

1.7 Having considered the findings of the Review, City of York Council and North Yorkshire Council concluded that an order by the Secretary of State to make the changes considered in the review, including delegating functions to the Combined Authority, would be likely to improve the exercise of statutory functions in relation to the Combined Area. City of York Council and North Yorkshire Council have therefore resolved to prepare and publish this Scheme under section 109 of the 2009 Act and Regulation 7(3)(b) of the 2022 Order.

1.8 In addition, to secure the devolution of new government investment and the range of additional functions set out in the "minded to" devolution deal, the City of York Council and North Yorkshire Council have included the following proposals in this Scheme:
- to create a Combined Authority and adopt the model of a mayoral combined authority (MCA) for the Combined Authority;
- for the Combined Authority to be delegated functions under section 105A of the 2009 Act (functions of a public authority); and
- for the Combined Authority to have certain functions of the Constituent Authorities including the York and North Yorkshire Local Enterprise Partnership.

1.9 It is also proposed that the functions currently exercised by the Police Fire and Crime Commissioner for the Combined Area (the PFCC Functions) will be exercised by the Mayor from 2024.

1.10 Proposals contained in the Scheme will be subject to public consultation from [*a date in October 2022*] to [*a date in December 2022*].

1.11 Any transfer to the Combined Authority, or to the Mayor, of existing functions or resources currently held by any Constituent Council must be by agreement with the Constituent Council.

1.12 The following definitions shall apply to this Scheme:

"Combined Authority"	means the York and North Yorkshire Combined Authority;
"Constituent Councils"	means: • City of York Council; • North Yorkshire Council.
"Combined Area"	means the area consisting of the areas of the Constituent Councils;
"Constitution"	means the constitution adopted by the Combined Authority and as envisaged by the 2009 Act;
"Deputy Mayor for Policing and Crime"	means the deputy mayor for PCC Functions for the Combined Area;
"Financial Management Code of Practice"	means the Revised Financial Management Code of Practice For the Police Forces of England and Wales and Fire and Rescue Authorities created under section 4A of the Fire and Rescue Services Act 2004;
"Fire and Rescue Authority Function" or "FRA Function"	means any function carried out by the PFCCFRA under any fire and rescue enactment as defined by s107EF of the 2009 Act;
"Homes England"	means the non-departmental public body and statutory corporation created by the Housing and Regeneration Act 2008 (as amended by the 2011 Act) (the "Act") known as Homes England and being the responsibility of and sponsored by the Department for Levelling Up, Homes & Communities;
"Independent Person"	means an independent person meeting the requirements of the 2017 Order;
"LEP"	means the York and North Yorkshire Local Enterprise Partnership (LEP);

"Mayor"	means the directly elected mayor for the Combined Area;
"Mayoral Development Area"	means an area designated by the Mayor as such pursuant to the 2011 Act;
"Mayoral Function"	means any function which is the responsibility of the Mayor, other than a PFCC Function;
"MCA"	means the mayoral combined authority;
"Member"	means a member of the Combined Authority;
"Non-Mayoral Function"	means any function of the Combined Authority which is not a Mayoral Function or a PFCC Function;
"PFCC"	means the Police Fire and Crime Commissioner for North Yorkshire;
"PCC Function"	means any function carried out by a Police and Crime Commissioner under any local policing enactment as defined by s107EG of the 2009 Act;
"PFCC Function"	means collectively PCC Functions and FRA Functions (as at the date hereof, carried out by the PFCC) which under this Scheme are to be exercisable by the Mayor;
"Police, Fire and Crime Commissioner Fire and Rescue Authority" or "PFCCFRA"	means the fire and rescue authority created by article 3(1) Police, Fire and Crime Commissioner for North Yorkshire (Fire and Rescue Authority) Order 2018;
"Review"	means the review carried out by City of York Council and North Yorkshire Council under section 108 of the 2009 Act and regulation 7(3)(a) of the 2022 Order in [August 2022];
"the 2004 Act"	means the Fire and Rescue Services Act 2004;
"the 2008 Act"	means the Housing and Regeneration Act 2008;
"the 2009 Act"	means the Local Democracy, Economic Development and Construction Act 2009;

"the 2011 Act"	means the Police Reform and Social Responsibility Act 2011;
"the 2017 Order"	means the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017;
"the 2018 Order"	means the Police, Fire and Crime Commissioner for North Yorkshire (Fire and Rescue Authority) Order 2018;
"the 2022 Order"	means the North Yorkshire (Structural Changes) Order 2022/328;
"TUPE Regulations"	means the Transfer of Undertakings (Protection of Employment) Regulations 2006 (SI 2006/246).

2.0 Proposed MCA for York and North Yorkshire

2.0.1 The following part of the Scheme sets out how it is proposed that the Combined Authority will operate and discharge its functions as an MCA.

2.1 Geography

2.1.1 The area of the Combined Authority as MCA shall be the area consisting of the areas of the Constituent Councils.

2.2 Name

2.2.1 It is proposed that the name of the Combined Authority as an MCA is York and North Yorkshire Combined Authority.

2.3 Election of Mayor

2.3.1 It is proposed that the first Mayor will be elected in May 2024. The Mayor will be elected by the local government electors for the Combined Area.

2.3.2 As set out in the 2009 Act, the Mayor is to be returned under the simple majority system ('first past the post').

2.3.3 It is proposed that the initial term of the Mayor will be Four (4) years and Four (4) years for each subsequent term.

2.3.4 The 2009 Act provides that the Mayor will have the title "Mayor" and the title of the Mayor will be the "York and North Yorkshire Combined Authority Mayor".

2.4 Membership

2.4.1 It is proposed that the membership arrangements for the Combined Authority are the following:

- the Mayor;
- Four (4) elected Members consisting of a Lead Member for each Constituent Council and One (1) further Member appointed by each of the Two (2) Constituent Councils. Constituent Councils may nominate Two (2) named substitutes for each of their Combined Authority Members;
- One (1) Member appointed by the LEP.

2.4.2 Of these, the Mayor and Four (4) elected Members appointed by the Constituent Councils are voting Members.

2.4.3 Of these, the Member appointed by the LEP is required by statute to be non-voting – see further below.

2.4.4 Where a Member of the Combined Authority ceases (for whatever reason) to be a member of the Constituent Council which appointed them, it is proposed that the Member will cease to be a member of the Combined Authority, and the Constituent Council will appoint a replacement member as soon as possible.

2.4.5 The Members of the MCA (namely the Mayor, the Constituent Council Members and the LEP Member) will be referred to collectively as "the Cabinet" and "Cabinet Member" is to be construed accordingly.

2.5 Role of the Mayor

2.5.1 As provided by the 2009 Act, the Mayor, by virtue of their office, will be the Chair of the Combined Authority.

2.5.2 The Mayor will be responsible for functions of the Combined Authority which are Mayoral Functions, as set out below, and also exercise the PFCC Functions.

Deputy Mayor

2.5.3 The 2009 Act requires the Mayor to appoint one of the Members of the Combined Authority as a Deputy Mayor, who will act in place of the Mayor if for any reason the Mayor is unable to act or the office of Mayor is vacant. The Deputy Mayor will chair meetings of the Combined Authority in the absence of the Mayor.

Deputy Mayor for Policing and Crime and Delegation of FRA Functions

2.5.4 The Mayor will appoint a Deputy Mayor for Policing and Crime – see further paragraph 3.6 (PFCC Functions).

2.5.5 The Mayor may make suitable arrangements for the delegation of FRA Functions.

2.6 Partnership Arrangements and LEP Integration

Partnership Arrangements

2.6.1 As an MCA, the Combined Authority will explore opportunities for further collaboration with its neighbouring local authorities including West Yorkshire Combined Authority, Tees Valley Combined Authority, South Yorkshire Mayoral Combined Authority, Hull and East Yorkshire, Lancashire and Cumbria and across the whole of Yorkshire through the 'Yorkshire Leaders Board.' York will remain as a non-constituent member of the West Yorkshire Combined Authority. The Combined Authority may invite representatives from other partner councils to attend (and speak) at any Combined Authority meeting.

LEP Integration

2.6.2 The LEP will integrate into the Combined Authority.

2.6.3 The staff of the LEP will transfer to the Combined Authority pursuant to the TUPE Regulations (subject to eligibility under the legislation).

2.6.4 The existing LEP Board will transition into the Business Committee of the Combined Authority (subject to the LEP integration process) which will be an advisory Committee of the Combined Authority for the purposes of relevant economic decisions.

2.6.5 As envisaged by the Levelling-up and Regeneration Bill 2022-23 membership of the Business Committee of the Combined Authority may include non- constituent or associate members.

2.6.6 The LEP Member will become a non-voting member of the Combined Authority (unless the Combined Authority resolves to give them a vote on any issue subject to agreement of the Voting Members (in accordance with section 85(5) of the Local Transport Act 2008)).

2.7 Decision-making arrangements

2.7.1 Decisions of the Combined Authority

2.7.1.1 The Combined Authority will be responsible for any function of the Combined Authority which is not the responsibility of the Mayor.

2.7.1.2 Decisions on such Non-Mayoral Functions will be taken by the Combined Authority or taken in accordance with arrangements agreed by the Combined Authority, including:

- by a committee or sub-committee of the Combined Authority which has delegated authority for the function, or
- under joint arrangements agreed by the Combined Authority, or
- by an officer with delegated authority.

2.7.1.3 It is proposed that decisions to be made in exercise of the functions of the Combined Authority will be made by the Constituent Council Members and Mayor working together as the Cabinet. Such decisions will be made by a meeting of the Cabinet except:

- Where responsibility for exercise of the function has been delegated in accordance with the Constitution of the Combined Authority (and which may include delegation of such powers and functions of the Combined Authority to Committees, Sub-Committees or officers as the Combined Authority considers appropriate);
- Where the matter is to be considered by an Overview and Scrutiny Committee or Audit Committee of the Combined Authority.

2.7.1.4 No business of the Combined Authority will be transacted at a meeting unless at least Three (3) voting Members are present consisting of the Mayor (or the Deputy Mayor acting in place of the Mayor) and at least [one] Member of the Combined Authority appointed by a Constituent Council.

2.7.1.5 The following voting arrangements will apply at meetings of the Combined Authority:

- Un-weighted voting based on one Member one vote,
- The LEP Member must be non-voting (a requirement of section 85(4) of the Local Transport Act 2008) but could individually be given a vote on some or all issues voted upon, subject to agreement of the voting Members (in accordance with section 85(5) of the Local Transport Act 2008),and

- The Mayor (or Deputy Mayor acting in their place) will not have a second or casting vote.

2.7.1.6 The Combined Authority aims to reach decisions by consensus. If it is not possible to reach a consensus on a matter that requires a decision, the matter will be put to the vote.

2.7.1.7 Any matter that comes before the Combined Authority will be decided by a simple majority of the Members of the Combined Authority present and voting (whether a motion or an amendment), unless otherwise provided for in legislation or below and the majority must include the vote of the Mayor.

2.7.1.8 In addition, for the following decisions the majority of Members must include the Lead Member from each Constituent Council:

- Approving and amending the Combined Authority's budget (excluding decisions which relate to the Mayor's budget);
- Setting a levy;
- Approving and amending the Combined Authority's Constitution.

2.7.1.9 The Mayor will be required to consult the Combined Authority on their strategies, and this will be subject to the following conditions:

- The Combined Authority will be able to amend the Mayor's budget if Three (3) out of Four (4) of the Members agree to do so.
- The Combined Authority will be able to amend the Mayor's transport strategy if Three (3) out of Four (4) of the Members agree to do so.

2.7.2 Decisions of the Mayor

2.7.2.1 In accordance with the 2009 Act, any Mayoral Function will be exercisable only by the Mayor except where the Mayor delegates such a function to:

- the Deputy Mayor;
- another Member of the Combined Authority;
  - an officer of the Combined Authority;
  - under joint arrangements – see paragraph 3.2.7;
  - the Deputy Mayor for Policing and Crime; and
- such suitable arrangements as are made by the Mayor in respect of the delegation of FRA Functions.

2.7.2.2 It is proposed that any Member or officer of the Combined Authority may assist the Mayor in the exercise of Mayoral Functions, but that the Mayor cannot delegate to their political advisor.

2.7.2.3 The following decisions by the Mayor will require the consent of the Lead Member of the Combined Authority, or substitute Members acting in their place, appointed by the Constituent Council in whose area the decision will apply:

- Designation of any area of land as a Mayoral Development Area leading to the establishment (by Order) of a Corporation (the consent of the relevant national park authority is also required if the land falls within the national park area).
- Compulsory purchase of land or buildings by the Mayor.
- Any decision that could lead to a financial liability falling directly upon that Constituent Council.
- Such other matters as may be contained in the Combined Authority Constitution and agreed with the Mayor.

2.7.2.4 Decision-making arrangements in respect of the Mayor's budget for Mayoral Functions are set out in paragraph 4.3 of this Scheme.

2.7.3 PFCC Functions

2.7.3.1 Decision-making arrangements in respect of PFCC Functions are set out in paragraph 3.6.

2.8 Scrutiny Arrangements

2.8.1 The Mayor and the Combined Authority will be scrutinised and held to account by the Combined Authority's Overview and Scrutiny Committee established and functioning in line with the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2016 and consisting of Twelve (12) Members appointed by the Constituent Authorities.

2.8.2 Six (6) Members will be nominated from each Constituent Council reflecting the political balance of the Constituent Councils at the time of appointment.

2.8.3 The Chair and Vice-Chair of the Overview and Scrutiny Committee will be appointed by the Combined Authority from amongst the members of the Committee, following a proposal put to them by the Overview and Scrutiny Committee.

2.8.4 The Chair and Vice-Chair shall not be a member of a registered political party of which the Mayor is also a member.

2.8.5 The Chair of the Overview and Scrutiny Committee will be an "Appropriate Person" within the meaning of sub-paragraph (5)(a) of Schedule 5A of the 2009 Act and will be an elected member of a Constituent Council.

2.8.6 The Chair of the Overview and Scrutiny Committee will be appointed by the Committee as the first item of business of the Committee in any municipal year.

2.8.7 The Mayor and the Combined Authority may also seek to enhance scrutiny and develop wider conference with all elected members in the Combined Authority's area to engage on key issues.

2.8.8 In accordance with the 2009 Act, the Combined Authority ensures that the Overview and Scrutiny Committee has power to:

(a) review or scrutinise decisions made, or other action taken, in connection with the any functions which are the responsibility of the Combined Authority;
(b) make reports or recommendations to the Combined Authority with respect to the functions that are the responsibility of the Combined Authority;
(c) make reports or recommendations to the Combined Authority on matters that affect the Combined Area or the inhabitants of the Combined Area.

2.8.9 As an MCA, the Combined Authority's arrangements must also ensure that the Overview and Scrutiny Committee has power to:

(a) review or scrutinise decisions made, or other action taken, in connection with the discharge by the Mayor of any Mayoral Functions,
(b) make reports or recommendations to the Mayor with respect to the discharge of any Mayoral Functions,
(c) make reports or recommendations to the Mayor on matters that affect the Combined Authority's Area or the inhabitants of the Combined Area.
(d) appoint such sub-committees as it deems necessary to fulfil its functions.

2.8.10 The Committee's power to "call-in" a decision (that is, direct that a decision is not to be implemented while it is under review or scrutiny by the Committee, and recommend that the decision be reconsidered) extends to decisions taken by the Mayor in connection with Mayoral Functions.

2.8.11 There will be separate oversight and scrutiny arrangements in respect of PFCC Functions, which will be carried out by a Police Fire and Crime Panel – see further paragraph 3.6.

2.8.12 The Combined Authority will adopt a Code consistent with the 'Nolan Principles' setting out the conduct expected of its Members (and voting co-optees) which will include provision in respect of registering and disclosing interests,

2.8.13 The Combined Authority will make arrangements for investigating and determining any allegation of a failure to comply with the Code.

2.8.14 In relation to PCC and FRA Functions, any complaints or conduct matters will be dealt with in accordance with provisions made pursuant to paragraph 3.6.15.

2.9 Audit

2.9.1 The Combined Authority will establish an Audit Committee of not less than [Eight (8)] Members to exercise responsibility for the Audit functions applicable to the Combined Authority save in respect of PFCC Functions exercisable by the Mayor (in which regard see further below).

2.9.2 Membership of the Audit Committee will consist of [Four (4)] members from each Constituent Council and at least one Independent Person appointed by the Combined Authority.

2.9.3 Members will be nominated from each Constituent Council reflecting the political balance of the Constituent Councils at the time of appointment.

2.9.4 The Combined Authority will have an Audit Committee, which carries out the statutory functions of an audit committee in accordance with the 2009 Act, which include:

- reviewing and scrutinising the Combined Authority's financial affairs;
- reviewing and assessing the Combined Authority's risk management, internal control and corporate governance arrangements;
- reviewing and assessing the economy, efficiency and effectiveness with which resources have been used in discharging the Combined Authority's functions; and
- making reports and recommendations to the Combined Authority in relation to reviews the Committee has conducted.

2.9.5 It is proposed that membership of the Audit Committee may include co-opted Members and any co-opted Members will be non-voting.

2.9.6 For an initial period (to be determined by the Combined Authority on conclusion of the review referred to in paragraph 2.9.8) it is proposed that there shall be both:

- a separate Joint Independent Audit Committee for Policing; and
- a separate Independent Audit Committee for Fire and Rescue

In order to discharge of the requirements of the Financial Management Code of Practice in respect of PCC Functions and FRA Functions respectively.

2.9.7 It is proposed that the Committees referred to at paragraph 2.9.6 shall in practice be the Committees established by the PFCC and the Chief Constable of North Yorkshire Police (in respect of the Joint Independent Audit Committee for Policing) and the PFCCFRA (in respect of the Independent Audit Committee for Fire and Rescue) and that those Committees in place for the time being shall be adopted by the Combined Authority; and that the terms of reference of those Committees shall be amended so as to provide for their remit to extend to PCC Functions and FRA Functions, respectively, exercisable by the Mayor.

2.9.8 It is further proposed that the arrangements set out at paragraph 2.9.6 shall be reviewed by the Combined Authority during the initial term of the Mayor with a view to establishing whether it is in the public interest for there to be a single Audit Committee undertaking both the functions set out at paragraph 2.9.4 and the requirements of the Financial Management Code of Practice. Such a review shall:

- be undertaken jointly with the Chief Constable; and
- have regard to any Self-Assessment of Good Practice undertaken by any of the Committees under the terms of the Chartered Institute of Public Finance & Accountancy guidance *Audit Committees: Practical Guidance for Local Authorities and Police*.

2.10 Appointments

2.10.1 The MCA will appoint to the four statutory positions being:

- Head of Paid Service (section 4 Local Government and Housing Act 1989) but see paragraph 2.10.5;
- Chief Finance Officer (section 73 Local Government Act 1985);
- Monitoring Officer (section 5 Local Government and Housing Act 1989);
- Scrutiny Officer (section 9FB Local Government Act 2000).

2.10.2 These positions may be held by officers already serving in one or more Constituent Authorities save for that of Scrutiny Officer.

2.10.3 It is proposed that the Mayor may appoint one person as the Mayor's political adviser, and that the terms and conditions of any such appointment will be provided for by legal Order.

2.10.4 It is proposed that the functions of Head of Paid Service in respect of the following staff shall be exercised by the Chief Fire Officer:

- staff transferred from the PFCCFRA;
- staff secured by the MCA for the purposes of carrying out the MCA's functions under:
  - section 6 of the 2004 Act; (fire safety);
  - section 7 of that Act (fire-fighting);
  - section 8 of that Act (road traffic accidents);
  - any order under section 9 of that Act (emergencies) which applies to the MCA;
  - section 2 of the Civil Contingencies Act 2004 and any regulations under that Act applying to a fire and rescue authority;
  - any other provision of or made under an enactment which confers functions on a fire and rescue authority.

2.11 Standing Orders

2.11.1 It is proposed that the Combined Authority will make standing orders for the regulation of its proceedings and business and may vary or revoke any such standing orders.

2.12 Remuneration

2.12.1 An allowance may be paid to:

- the Mayor;
- the Deputy Mayor, (provided that they are not a Leader of a Constituent Council);
- the Deputy Mayor for Policing and Crime (provided that they are not a Leader of a Constituent Council);
- Independent Persons.

2.12.2 The voting Constituent Council Members of the Combined Authority's Cabinet shall approve a scheme for allowances, following consideration of a report from an Independent Remuneration Panel, which the Combined Authority may appoint.

2.12.3 No remuneration is to be payable by the Combined Authority to its Constituent Council Members (other than allowances for travel and subsistence), provided always that a Constituent Council may, on the recommendation of an Independent Remuneration Panel, pay a special responsibility allowance to any Member appointed by it to the Combined Authority in respect of duties and responsibilities undertaken as a Member, or substitute Member, of the Combined Authority.

3.0 Functions of the Combined Authority as MCA

3.0.1 The prime purpose of conferring functions on the Combined Authority is to improve the exercise of statutory functions in relation to the Combined Area. In pursuit of this prime purpose, the Combined Authority will take on those functions set out in the "minded to" Devolution Deal.

3.0.2 Mayoral Functions and PFCC Functions will be the responsibility of the Mayor, and are exercisable only by the Mayor, unless delegated by the Mayor to the Deputy Mayor or Deputy Mayor for Policing and Crime or delegated by the Mayor under such arrangements as are made by the Mayor in respect of FRA Functions. Mayoral Functions are listed in paragraph 3.1, and PFCC Functions addressed in paragraph 3.6.

3.0.3 All other functions of the Combined Authority will be Non-Mayoral Functions – see paragraph 3.2.

3.0.4 Where any Mayoral or Non-Mayoral Function is concurrent with any Constituent Council, (that is, where Constituent Councils share any function), arrangements for their exercise will be a matter for agreement between the Combined Authority and a Constituent Council.

3.0.5 It is proposed that the Constituent Councils and the Combined Authority will agree operating protocols for the exercise of concurrent functions by the Combined Authority where considered appropriate. These protocols will recognise the strategic role of the Combined Authority and safeguard the role of Constituent Councils in local decision making and delivery.

3.1 Functions exercised by the Mayor - overview

Mayoral Functions

3.1.1 It is proposed that the Mayoral Functions will be:

- Functional power of competence.
- Housing and planning:
  - Power to designate a Mayoral Development Area and then set up a Mayoral Development Corporation (see consent requirements below).

- Housing and land acquisition powers (see consent requirements below) to support housing, regeneration, infrastructure and community development and wellbeing.

- Finance:
  - Power for the Mayor to set a precept on council tax to fund Mayoral Functions (resulting from the setting of the mayoral budget as set out below)
  - Power to charge business rate supplement (subject to ballot).
- Transport:
  - Power to draw up a local transport plan and strategies (the Combined Authority will be able to amend the Mayor's transport strategy if Three (3) out of Four (4) Constituent Council Members agree to do so).
  - Bus franchising powers.

3.1.2 For the purposes of the discharge of Mayoral Functions the Mayor may do anything that the Combined Authority may do under section 113A of the 2009 Act (functional power of competence).

3.1.3 As stated above, it is also proposed that the Mayor exercises PFCC Functions – see paragraph 3.6.

3.2 Non-Mayoral Functions - overview

3.2.1 The Combined Authority will have a 'function related general power of competence' under Chapter 3 of Part 1 of the Localism Act 2011.

3.2.2 It is proposed that the Combined Authority exercise the following additional Non-Mayoral Functions:

a) The Combined Authority will become the **Local Transport Authority** for the Combined Area under the Transport Act 2000.
b) **Transport-related powers** to set up and coordinate a Key Route Network on behalf of the Mayor (unless otherwise agreed locally, all operational responsibility for Key Route Network roads will remain with the Constituent Councils) (see further paragraph 3.3.3).
c) **Transport-related powers** to collect contributions from utility companies for diversionary works needed as a result of highways works carried out on the Key Route Network (see further paragraph 3.3.3).
d) Powers to operate a **permit scheme** designed to control the carrying out of works on the Key Route Network (see further paragraph 3.3.3).
e) **Adult education and skills functions** (see further paragraph 3.4).
f) **Housing and Land functions** relating to compulsory purchase, plus provision of housing and land, land acquisition and disposal, and development and regeneration of land (see further paragraph 3.5).
g) **Economic development** – duty to prepare an assessment of economic conditions (see further paragraph 3.5.3.2).
h) **Finance** – power to borrow up to an agreed cap for non-transport functions (see further paragraph 4.2.3).

3.2.3 It is proposed that all functions given or transferred to the Combined Authority that are not exercisable only by the Mayor (which Mayoral Functions are listed in paragraphs 3.2 and 3.3) will be discharged by the Cabinet.

3.2.4 The Cabinet will exercise its powers and duties concurrently with the Constituent Authorities (where Constituent Authorities have the same functions). No Constituent Council will cede any existing non-transport functions to the Combined Authority without the express agreement of the Constituent Council.

3.2.5 Notwithstanding the above, it is proposed that a Constituent Council and the Combined Authority may enter into arrangements under Section 101 of the Local Government Act 1972 and/or Section 9EA of the Local Government Act 2000 and the Local Authorities (Arrangements for Discharge of Functions) (England) Regulations 2012 to allow the delegation of functions from a Constituent Council to the Combined Authority. In all such cases, acceptance of a delegation will require the agreement of Cabinet and the relevant Constituent Council.

3.2.6 Under Section 101 of the Local Government Act 1972 it is proposed that the Combined Authority may enter into arrangements with a Constituent Council to allow for the delegation of Non-Mayoral Functions to a Constituent Council. In all such cases, the decision to delegate any function will require the agreement of Cabinet.

3.2.7 The Combined Authority may also enter into joint arrangements with any Constituent Council or other local authority, in respect of Non-Mayoral Functions, in accordance with S101(5) of the Local Government Act 1972.

3.3 Transport

3.3.1 The Mayor will be given the functions in Part 2 of the Transport Act 2000 to produce a Local Transport Plan and strategies. Members of the Combined Authority will be able to amend the Local Transport Plan and strategies if a majority of Members agree to do so.

3.3.2 The Combined Authority will become the Local Transport Authority for the Combined Area under the Transport Act 2000.

3.3.3 [It is proposed that the Combined Authority is to become a Constituent Authority of Transport for the North ("TfN") and that the proposed regulations which are to be made under the Local Transport Act 2008 to create TfN as a Sub-National Transport Body for the North of England will be amended accordingly].

3.3.2 Consolidated Transport Budget

3.3.2.1 The Mayor will be responsible for a devolved and consolidated multi-year local transport budget for the Combined Area including all relevant devolved highways funding, to enable greater surety of funding, more effective and efficient long-term asset management and procurement arrangements. This budget will be fully devolved and provide a firm funding settlement for a [ ]-year period starting in [ ].

3.3.2.2 It is proposed that the Combined Authority will be able to exercise the functions of a minister of the Crown contained in Section 31 of the Local Government Act 2003 to pay grants to the Constituent Councils for exercising highway functions. This function is a Mayoral Function exercisable concurrently with a Minister of the Crown.

3.3.3 Key Route Network

3.3.3.1 The Combined Authority will take on highways powers to set up and coordinate a Key Route Network (KRN) on behalf of the Mayor. The strategy for the KRN will be developed, agreed and co-ordinated by the Combined Authority on behalf of the Mayor. The Combined Authority will be the Highway Authority for the KRN for the purposes of exercising the powers of the Highways Act 1980 and the relevant other primary and secondary legislation.

3.3.3.2 Additionally, the Government intends to legislate so that the Mayor will have a power of direction, allowing them to direct highway authorities on exercising their highway powers with regard to the KRN.

3.3.3.3 In partnership with Constituent Councils, the Combined Authority and the Mayor will develop a single strategic asset management plan, and where practical, work towards streamlined contractual and delivery arrangements across the Combined Area.

3.3.3.4 It is proposed to grant the Combined Authority functions in relation to the KRN as more particularly set out below. These will enable the KRN to be defined and allow the KRN roads to be strategically managed and coordinated at the York and North Yorkshire level by the Combined Authority on behalf of the Mayor. However, unless otherwise agreed locally, all operational responsibility for highways will remain with the Constituent Councils. As such the specific functions of the Combined Authority which relate to operational management of the roads within the KRN will only be exercised with the unanimous approval of the Four (4) Members of the Combined Authority appointed by the Constituent Councils.

3.3.3.5 The Combined Authority will be granted the following powers:

a) Powers equivalent to those contained within the Road Traffic Regulation Act 1984 in relation to traffic orders (including sections 1, 2(4), 9, 23 and 65) and the power to enter into agreements as if it were a traffic authority pursuant to section 121A. The Combined Authority will only exercise such functions with the unanimous approval of the Four (4) Members of the Combined Authority appointed by the Constituent Councils;

b) [Powers contained in the New Roads and Street Works Act 1991, the Traffic Management Act 2004 and the Traffic Management Permit Scheme (England) Regulations 2007 to enable the Combined Authority to manage street works and issue permit schemes to manage disruption and bid to the Secretary of State for Transport to seek approval to operate a lane rental scheme in relation to KRN roads, including seeking contributions from utility companies through lane rental and exercising the power to create an updated lane rental scheme as needed (subject to the Secretary of State's agreement) together with powers relating to moving traffic offences. The Combined Authority will only exercise such functions with the unanimous approval of the Four (4) Members of the Combined Authority appointed by the Constituent Councils.]

c) The Combined Authority will be granted, in respect of the KRN, powers in relation to the enforcement of bus lane contraventions pursuant to the Bus Lane Contraventions (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2005. The Combined Authority will only exercise such functions with the approval of the Four (4) Members of the Combined Authority appointed by the Constituent Councils. The outcome will be to ensure a consistent approach to the enforcement of bus lanes.

3.3.3.6 The Combined Authority will be granted functions equivalent to the below, concurrently with the relevant Constituent Council, unless otherwise stated:

a) Section 6 of the Highways Act 1980 (enabling the Secretary of State or Highways England to delegate or enter into an agreement with a county council, metropolitan district council or London borough council in relation to the construction, improvement or maintenance of trunk roads). It is proposed that the section should be modified to include the Combined Authority amongst the authorities to which such functions may

be delegated, to support better integration between local and national networks, or the equivalent legislative provision in order to achieve the aim of better integration.

b) Section 8 of the Highways Act 1980 (enabling local highway authorities and Highways England to enter into agreements with other such authorities in relation to the construction, improvement, maintenance etc. of a highway for which any party to the agreement is the highway authority). It is proposed that the section be modified to allow the Combined Authority to be a party to such agreement as if it were a local highway authority, with the consent of any affected highway authority, or the equivalent legislative provisions in order to allow the Combined Authority to be party to such agreements.

3.3.3.7 Under the Automated and Electric Vehicles Act 2018, the Mayor will have the power to request from the Secretary of State local regulations requiring large fuel retailers to provide electric vehicle charging points within the Combined Area.

3.3.4 Buses

3.3.4.1 The Combined Authority will be granted powers under section 154 of the Transport Act 2000 to make grants to bus operators.

3.3.4.2 As an MCA, the Combined Authority will become a franchising authority under the Transport Act 2000. This Act provides for the Mayor to carry out functions in relation to making, varying or revoking a franchising scheme.

3.4 Adult Education / Skills and Employment

3.4.1 It is proposed that the Combined Authority will be given devolved functions in respect of Adult Education and will control the Adult Education Budget (AEB) from academic year 2025/26 subject to readiness conditions and parliamentary approval of the required secondary legislation conferring the appropriate functions. These arrangements do not cover apprenticeships or traineeships, even though the latter is funded through the AEB.

3.4.2 These functions include those set out in the following sections of the Apprenticeships, Skills, Children and Learning Act 2009:

a) section 86 (education and training for persons aged 19 or over and others subject to adult detention);
b) section 87 (learning aims for persons aged 19 or over: provision of facilities);
c) section 88 (learning aims for persons aged 19 or over: payment of tuition fees);
d) section 90 (encouragement of education and training for persons aged 19 or over and others subject to adult detention);
e) section 100 (provision of financial resources);
f) 115 (persons with special educational needs) of the Apprenticeships, Skills, Children and Learning Act 2009.

3.4.3 Should the Combined Authority be given the functions set out in this Section 3, then it is proposed that, for the purposes of data sharing, the Combined Authority should be treated as a “Local Authority” for the purposes of Section 122 of the Apprenticeships, Skills Children and Learning Act 2009 and Section 72 of the Welfare Reform and Pensions Act 1999 (Supply of information for certain purposes) so that the Combined Authority can supply and receive information related to employment or training of persons in the Combined Area.

3.4.4 In addition, the Combined Authority will also have the following authority functions to be held concurrently with Constituent Councils:

a) section 514A of the Education Act 1996 (provision of boarding accommodations);

b) section 560A of the Education Act 1996 (functions related to the provision of work experience);
c) sections 10 and 12 of the Education and Skills Act 2008 to ensure that its functions are exercised so as to promote the effective participation in education and training of relevant persons in its area aged 16 and 17, and to make arrangements to enable it to establish (so far as possible) the identities of such relevant persons;
d) sections 68, 70, 71 and 85 of the Education and Skills Act 2008 to make available to young persons and relevant young adults such support services as it considers appropriate to encourage, enable and assist the effective participation of such persons in education and training, and functions relating to co-operation with other authorities;
e) section 13A of the Education Act 1996 to ensure that their education and training functions are exercised with a view to promoting high standards, fair access to opportunity for education and training, and the fulfilment of learning potential;
f) section 51A of the Further and Higher Education Act 1992 to require relevant institutions in the further education sector to provide appropriate education to specified individuals aged between 16 and 18 years.

3.4.5 It is proposed that the MCA will have the duties under Sections 15ZA, 15ZB, 15ZC, 17 and 18A(1)(b) of the Education Act 1996 and the powers under section 514A and 560A of that Act that relate to duties and powers concerning the provision of education and training for persons over compulsory school age.

3.4.6 [It is proposed that the Combined Authority will establish an [Inclusive Growth Board] with the aims of:
a) Improving the marked disparities in educational attainment that exists within the Combined Area;
b) Increasing attainment in Science, Technology, Engineering and Mathematics (STEM) subjects;
c) Deepening the approach to careers information, advice and guidance through the adoption of the Good Career Guidance benchmarks; and
d) Achieving excellence in teaching, leadership and school governance.

3.4.7 The Board will be responsible for advising on the better coordination of employment, skills and health services across the Combined Area with the aim of increasing the number of people moving into work].

3.5 Housing and Planning Functions

3.5.1 Housing

3.5.1.1 In order to exercise the functions outlined in the “minded to” Devolution Deal, it is proposed that the Combined Authority will be granted the following powers concurrently with the Constituent Councils or Homes England as appropriate.

3.5.1.2 It is proposed that the Combined Authority will be granted devolution of the objectives and functions of Homes England under section 2(1) of the Housing and Regeneration Act 2008 (to be exercised only in respect of the Combined Area) and the following powers contained in the 2008 Act will be exercised by the Combined Authority concurrently with Homes England:
a) Section 3 (principal power);
b) Section 4 (general powers);
c) Section 5 (powers to provide housing or other land);
d) Section 6 (powers for regeneration, development or effective use of land);
e) Section 7 (powers in relation to infrastructure);

f) Section 8 (powers to deal with land etc);
g) Section 9 (acquisition of land);
h) Section 10 (restrictions on disposal of land);
i) Section 11 (main powers in relation to acquired land);
j) Section 12 (powers in relation to, and for, statutory undertakers);
k) Section 19 (power to give financial assistance);
l) Paragraphs 19 and 20 of Schedule 3 (powers in relation to burial grounds and consecrated land etc.);
m) Paragraphs 1,2,3,4,6,10 and 20 of Schedule 4 (extinguishment or removal powers for the HCA).

3.5.1.3 These functions will be Non-Mayoral with the exception of the specific Homes England compulsory purchase powers in section 9 of the 2008 Act (see below).

3.5.1.4 The objectives in section 2(1) of the 2008 Act are to provide the Combined Authority with the necessary powers:
a) to improve the supply and quality of housing;
b) to secure the regeneration or development of land or infrastructure;
c) to support in other ways the creation, regeneration and development of communities or their continued well-being; and
d) to contribute to the achievement of sustainable development and good design.

3.5.1.5 The functions in this section include powers enabling the achievement of the above objectives. Such powers include the power of compulsory purchase contained in section 9 of the 2008 Act (subject to the authorisation of the Secretary of State). In order to achieve the objectives above, it is proposed that the Combined Authority should also have the benefit of exemption from section 23 of the Land Compensation Act 1961, which is enjoyed by Homes England under section 23(3)(d) of that Act.

3.5.1.6 As set out above, it is proposed that the exercise of the compulsory purchase power contained in section 9 of the 2008 Act, will only be exercisable by the Mayor with the consent of the Lead Member of the Combined Authority appointed by the Constituent Council for the area(s) of land to be compulsorily acquired and the Secretary of State.

3.5.1.7 It is proposed that the Combined Authority should be granted the power to acquire land for the development of housing under section 17 of the Housing Act 1985 and the associated sections 11, 12, 15(1) and 18. It is proposed that the power to acquire land compulsorily under Section 17(3) of the Housing Act 1985 will be a Mayoral Function but will require the consent of the Lead Member of the Combined Authority appointed by the Constituent Council for the area(s) of land to be compulsorily acquired and the Secretary of State. The conferral of such powers on the Combined Authority will be entirely without prejudice to the exercise of those powers by the Constituent Councils which will exercise those powers concurrently.

3.5.1.8 It is proposed that the Combined Authority will be considered “a local housing authority” for the purposes of Section 8(1) of the Housing Act 1985 (periodical review of housing needs) that will require the Combined Authority as a “local housing authority” to consider housing conditions in the Combined Authority area and the needs of the area with respect to the provision of further housing accommodation.

3.5.2 Mayoral Development Corporation

3.5.2.1 It is proposed that the Mayor will have the power to designate an area a Mayoral Development Area (“MDA”) and so create a Mayoral Development Corporation (“MDC”) to help drive regeneration and expedite housing delivery on complex schemes in the area.

The advantage of MDCs is that they have most of the powers of an Urban Development Corporation but are controlled locally rather than by the Secretary of State.

3.5.2.2 It is proposed that Part 8, Chapter 2 of the Localism Act 2011 be modified so that references to the GLA, Greater London and the London Mayor would include the Combined Authority and the Mayor. This would enable the Combined Authority to have functions for the Combined Area corresponding to the following functions contained in the Localism Act 2011 that the Mayor of London has:

a) Section 197 (designation of Mayoral development areas);
b) Section 199 (exclusion of land from Mayoral development areas);
c) Section 200 (transfers of property etc. to a Mayoral development corporation);
d) Section 202 (functions in relation to town and country planning);
e) Section 204 (removal or restriction of planning functions);
f) Section 214 (powers in relation to discretionary relief from non-domestic rates);
g) Section 215 (reviews);
h) Section 216 (transfers of property, rights and liabilities);
i) Section 217 (dissolution: final steps);
j) Section 219 (guidance by the Mayor);
k) Section 220 (directions by the Mayor);
l) Section 221 (consents);
m) Paragraph 1 of Schedule 21 (membership);
n) Paragraph 2 of Schedule 21 (terms of appointment of members);
o) Paragraph 3 of Schedule 21 (staff);
p) Paragraph 4 of Schedule 21 (remuneration etc: members and staff);
q) Paragraph 6 of Schedule 21 (committees); and
r) Paragraph 8 of Schedule 21 (proceedings and meetings).

3.5.2.3 It is proposed that the Mayor's power to designate an area a MDA under Section 197 of the Localism Act 2011 will require the consent of the Lead Member of the Combined Authority appointed by the Constituent Council whose local government area contains any part of the MDA.

3.5.2.4 It is further proposed that the Mayor's power to exclude land from a MDA under Section 199 of the Localism Act 2011 will require the consent of the Lead Member of the Combined Authority appointed by the Constituent Council whose local government area contains any part of the area to be excluded from the MDA.

3.5.2.5 It is also proposed that the London Mayor's power under section 202 of the Localism Act 2011 to decide that a MDC should have certain planning functions in relation to the whole or part of a MDA should be modified in relation to the Mayor so that the Mayor can only exercise this power with the consent of the Lead Member of the Combined Authority appointed by the Constituent Council whose local government area contains any part of the MDA concerned.

3.5.3 **Economic Development and Regeneration**

3.5.3.1 It is proposed that the Combined Authority will have a duty to prepare an assessment of economic conditions under section 69 of the 2009 Act, concurrently with the Constituent Councils.

3.5.3.2 It is proposed that the Combined Authority will have powers that would allow it to drive strategic economic growth across the functional economic area. This means functions such as:

- setting the area's growth strategy;
- setting the area's economic strategies;

- setting the investment strategy for the area's Investment Fund;
- making decisions with regard to the Investment Fund;
- a co-ordinated approach to inward investment.

3.5.3.3 In addition, the Combined Authority have other powers relating to the provision of further education that would contribute to the economic improvement of the functional economic area.

3.6 PFCC Functions

3.6.1 Legislative Context

3.6.1.1 The Police Reform and Social Responsibility Act 2011 (the 2011 Act) and the 2018 Order established the position of PFCC for North Yorkshire and specifies the core functions of a PFCC and it is proposed that these will be exercisable by the Mayor.

3.6.1.2 The order providing for the Mayor to exercise the functions of a PFCC must provide that there is to be no directly elected PFCC in the Combined Authority area from a specified date.

3.6.2 Policing, Fire and Crime Proposals

3.6.2.1 The Mayor will carry out the PFCC Functions in relation to the Combined Area, which corresponds to the North Yorkshire police area and area of the PFCCFRA. This will provide for a single directly accountable individual responsible for the discharge of the PFCC's Functions, which will be consistent with the current PFCC model and ambition for local people to have a single point direct accountability. Key PFCC Functions in North Yorkshire include but are not limited to:

- securing the maintenance of an efficient and effective police force and holding the Chief Constable to account;
- securing the maintenance of an efficient and effective fire and rescue authority and holding the Chief Fire Officer to account;
- issuing a Police and Crime Plan and Fire and Rescue Plan (or a Police, Fire and Crime Plan), and an Integrated Risk Management Plan;
- appointing and having the power to remove a Chief Constable and being the Appropriate Authority for Chief Constable complaints and conduct;
- appointing the Chief Fire Officer and Deputy Chief Fire Officer;
- being the employer of all Fire and Rescue staff;
- Customer Service functions – including:
    - the handling of functions in relation to complaints against the Police under 'Model 3' of the police complaints reforms (the local policing body having given notice to the Chief Constable under s13A Police Reform Act 2002);
    - the handling of complaints against North Yorkshire Fire and Rescue Service;
    - the handling of expressions of appreciation in respect of North Yorkshire Police and North Yorkshire Fire and Rescue Service;
- issuing Annual Reports on policing and crime services and on fire and rescue services, including an annual fire and rescue statement;

- setting budgets for North Yorkshire Police and North Yorkshire Fire and Rescue Service, and determining the policing and fire and rescue precepts for the Combined Area;
- commissioning policing and crime services, specifically needs assessment and cope and recovery services for victims of crime, and fire and rescue services in the Combined Area;
- enhancing the delivery of criminal justice in the Combined Area and working with partners to improve public safety;
- approving a pay policy statement prepared for the purposes of section 38 of the Localism Act 2011 (pay policy statements);
- approving arrangements to enter into a reinforcement scheme under section 13 of the Fire and Rescue Services Act 2004 (reinforcement schemes);
- approving arrangements with other employers of fire-fighters under section 15 of the Fire and Rescue Services Act 2004 (arrangements with other employers of fire-fighters);
- approving arrangements under section 16 of the Fire and Rescue Services Act 2004 (arrangements for discharge of functions by others);
- approving plans, modifications to plans and additions to plans for the purpose of ensuring that:
    - so far as is reasonably practicable, the Combined Authority is able to perform its fire and rescue functions if an emergency occurs, and
    - the Combined Authority is able to perform its fire and rescue functions so far as necessary or desirable for the purpose of preventing an emergency, or reducing, controlling or mitigating the effects of an emergency, or taking other action in connection with it;
- approving any arrangements for the co-operation of the Authority in relation to its fire and rescue functions with other Category 1 responders and Category 2 responders in respect of:
    - the performance of the Authority's duty as a fire and rescue authority under section 2 of the Civil Contingencies Act 2004, and
    - any duties under subordinate legislation made in exercise of powers under that Act management plan;
- Maintaining an Independent Custody Visitor Scheme for the Combined Area.

3.6.2.2 In accordance with the 2009 Act, any PFCC Function is to be taken to be a function of the Combined Authority exercisable by the Mayor acting individually, or by a person acting under arrangements with the Mayor in accordance Schedule 5C of the 2009 Act or as delegated in accordance with this Scheme – see further below.

3.6.2.3 Under the 2011 Act and 2018 Order, the PFCC is simultaneously:

- a Corporation Sole in its capacity as local policing body; and
- separately a Corporation Sole in its capacity as fire and rescue authority

Carrying out the functions of the PFCCFRA. As set out above, it is proposed that the PFCC Functions will be exercised by the Mayor who will have the sole responsibility for the PFCC Functions. However, the following will transfer to the Combined Authority as body corporate although the decision-making in respect of these functions, after the transfer, will remain with the Mayor:

- Real and Personal Property, Rights and Liabilities;
- Appointments;
- Borrowing;
- Contracts.

3.6.2.4 It is proposed that the existing Codes of Corporate Governance (including Schemes of Delegation and Consent) for the time being in place in respect of the PFCCFRA, be adopted by the Combined Authority and interpreted mutatis mutandis in respect of the PFCC Functions exercisable by the Mayor.

3.6.2.5 It is further proposed that the arrangements set out at paragraph 3.6.2.4 shall be reviewed by the Combined Authority during the initial term of the Mayor with a view to establishing whether it is in the public interest for arrangements should be made to consolidate the Codes of Corporate Governance with those adopted by the Combined Authority and in particular whether to do so accords with the requirements of the Financial Management Code of Practice.

3.6.3 Deputy Mayor for Policing and Crime and Delegation of FRA Functions

3.6.3.1 Where an Order provides for the Mayor to exercise PCC Functions, the Secretary of State must by order authorise the Mayor to appoint a Deputy Mayor for Policing and Crime. The 2009 Act precludes the appointment as Deputy Mayor for Policing and Crime of:

- the Deputy Mayor;
- any person listed in section 18(6) of the 2011 Act; or
- any other person of a description specified by order.

3.6.3.2 The Mayor may make suitable arrangements for the delegation of FRA Functions.

3.6.4 PCC Functions

3.6.4.1 A Mayor may delegate any PCC Function to a Deputy Mayor for Policing and Crime, with the exception of functions reserved by Order in accordance with the 2009 Act as exercisable only by the Mayor, as follows:

- issuing a police and crime plan;
- calculating a council tax or budget requirement;
- appointing, suspending or calling on a Chief Constable to retire or resign;
- appointing, suspending or dismissing the Chief Fire Officer; and
- any other function specified by Order.

3.6.4.2 PCC Functions that may only be exercised by the Mayor and/or the Deputy Mayor for Policing and Crime are:

- determining police crime objectives;
- attendance at a meeting of a Police Fire and Crime Panel in compliance with a requirement by the panel to do so;
- preparing an annual report;
- appointing a local auditor under section 7 of the Local Audit and Accountability Act 2014 (“the 2014 Act”); and
- deciding whether to enter into a liability limitation agreement under section 14.

3.6.4.3 In addition, the Mayor, must by order be authorised to arrange for any other person to exercise any PCC Functions, such as an officer of the Combined Authority, but such an order must prevent the Mayor from arranging for a person to exercise:

- Any PCC Function if the person is listed in section 18(6) of the 2011 Act
- Any PCC Function listed in section 18(7) of the 2011 Act, or
- Any other PCC Function specified by order.

3.6.4.4 The Deputy Mayor for Policing and Crime must also by order be authorised to arrange for any other person to exercise any PCC Functions exercisable by the Deputy Mayor for Policing and Crime, but such an order must prevent the Deputy Mayor for Policing and Crime from arranging for a person to exercise:

- Any PCC Function if the person is listed in section 18(6) of the 2011 Act,
- Any PCC Function of a kind listed in section 18(7)(b),(c) or (d) of the 2011 Act, (determining police and crime objectives, attending at a meeting of the Police Fire and Crime Panel in compliance with a requirement, or preparing an annual report to a Policing Fire and Crime Panel), or
- Any other kind of PCC Function specified by order.

3.6.5 Transfer of properties, rights and liabilities

3.6.5.1 All property, rights and liabilities which are property, rights and liabilities of the PFCC will transfer and vest in the Combined Authority, subject to any exceptions to be agreed. However, all decisions relating to PFCC Functions (and relating to assets and liabilities etc.) will be for the Mayor unless delegated as set out above. The Order will also provide for:

- all functions in relation to such property, rights and liabilities to be exercised by the Mayor;
- all decisions relating to such property, rights and liabilities to be made by the Mayor;
- any receipts arising from such property, rights and liabilities (whether arising from their use, sale, disposal or otherwise) are to be paid into the Police Fund kept by the Mayor by virtue of section 21 of the 2011 Act.

3.6.6 Continuity

3.6.6.1 The transfer of the functions of the PFCC, and the transfer of property, rights and liabilities, do not affect the validity of anything done before the abolition or transfer.

3.6.6.2 The Combined Authority is to be substituted for the PFCC in any instruments, contracts or legal proceedings which relate to any of the functions, property rights or liabilities transferred and which were made and commenced before the transfer and anything which was made or done by the PFCC in connection with any of the functions, property rights or liabilities transferred before the transfer has effect as if made or done by the Combined Authority, subject to any exceptions to be agreed.

3.6.6.3 The Mayor may adopt:

- One or more Monitoring Officer Protocol(s);
- A Chief Finance Officer Protocol referencing the Code of Practice on Financial Management;
- A Memorandum of Understanding between the Mayor and the Chief Constable;
- An Information Sharing Agreement and Data Processing Contract between the Mayor, the Combined Authority and the Chief Constable.

3.6.7 Staff of the Police Fire and Crime Commissioner

3.6.7.1 The staff employed by the PFCC as local policing body; and the staff employed by the PFCCFRA, will transfer to the Combined Authority under a statutory transfer order which will replicate the characteristics of a TUPE transfer.

3.6.8 Police Fire and Crime Panel

3.6.8.1 Scrutiny of the discharge of PFCC Functions will be performed by a Police Fire and Crime Panel established in relation to the Combined Area by order in accordance with the 2011

Act, which carries out functions of a police and crime panel (as set out in section 28 and section 29 of the 2011 Act) to effectively scrutinise the actions and decisions of the Mayor and Deputy Mayor for Policing and Crime, supporting them in the effective exercise of PFCC functions and enabling them to be scrutinised in public.

3.6.8.2 The functions of the Panel include reviewing:

- a draft police fire and crime plan,
- the annual report(s) in respect of PFCC Functions,
- proposed senior appointments,
- any proposed precept for PFCC Functions, (including a power of veto), and
- the appointment, suspension or removal of the Chief Constable.

3.6.8.3 In accordance with the 2011 Act, the Secretary of State must also by order provide for the Police Fire and Crime Panel to have power to suspend the Mayor, in respect of the exercise of PFCC Functions, in circumstances corresponding to those mentioned in section 30(1) of the 2011 in relation to a PFCC.

3.6.8.4 In accordance with section 29 of the 2011 Act, the Police Fire and Crime Panel may require the Mayor and members of staff to attend before the Panel to answer any question which appears to the Panel to be necessary in order for it to carry out its functions. If the Panel requires the Mayor to attend, it may also request the Chief Constable to attend on the same occasion. The Panel may also require the Mayor to respond in writing to any report or recommendation the Panel makes to the Mayor.

3.6.8.5 The Police Fire and Crime Panel will exercise the same functions under sections 28 and 29 of the 2011 Act, as police fire and crime panels under the PFCC model, but with some minor modifications, such as reflecting that the Panel only scrutinises the policing component of the precept, which forms a separately identifiable component of a wider Combined Authority precept, rather than the whole precept.

3.6.8.6 The Police Fire and Crime Panel may by order have oversight functions in relation to any Mayoral Function that is exercised by the Deputy Mayor for Policing and Crime. Any such order may disapply or modify provisions relating to the Overview and Scrutiny Committee, in relation to any Mayoral Function coming within the remit of the Panel.

3.6.9 Police Fund and Fire Fund

3.6.9.1 The Mayor will be required to maintain a separate fund in relation to receipts arising and liabilities incurred in the exercise of:

- PCC Functions (the Police Fund); and
- FRA Functions (the Fire Fund)

The Police Fund and Fire Fund will be kept separate to each other and the Mayor's General Fund (see paragraph 4 below) and all receipts arising in respect of PCC and FRA Functions will be paid into the Police Fund or the Fire Fund as the case may be, and liabilities incurred in the exercise of PCC Functions or FRA Functions must likewise be paid out of the Police Fund or Fire Fund as the case may be.

3.6.9.2 Money paid into the Police Fund will be reserved for policing and money paid into the Fire Fund must be reserved for fire and rescue. For example, receipts from the sale of police assets would have to be spent on matters relating to policing. In line with statutory guidance for PFCCs, as set out in the Financial Management Code of Practice, the Mayor would have to publicly account for expenditure from the Police Fund and the Fire Fund.

3.6.9.3 The Police Fund, which will include precept income, will also include reserves maintained for policing and crime reduction. The Local Government Finance Act 1992 requires billing and precepting authorities in England and Wales to have regard to the level of reserves needed for meeting estimated future expenditure when calculating the budget requirement. Reserves should be maintained in accordance with the relevant guidance, agreed accounting principles and locally agreed financial regulations and schemes of governance.

3.6.9.4 The Mayor is responsible for expenditure on PFCC Functions.

3.6.9.5 Money in the Police Fund can only be spent on PCC Functions and matters that are incidental to those PCC Functions. Money in the Fire Fund can only be spent on FRA Functions and matters that are incidental to those FRA Functions.

3.6.9.6 Decisions on the sale of police or fire assets and reinvestment of receipts must be made by the Mayor and money paid into the Police Fund or the Fire Fund as the case may be.

3.6.10 Borrowing

3.6.10.1 The Mayor will be ultimately responsible for decisions relating to borrowing in relation to PFCC Functions, (as laid out in the Financial Management Code of Practice), but may delegate them in practice. The cost of such borrowing will be met from the Police Fund or the Fire Fund as the case may be and as above kept separate to the discharge of other Combined Authority functions, which are not PFCC Functions. This does not detract from the legal status of the Combined Authority as the borrowing party.

3.6.11 Contracts

3.6.11.1 Decisions on entering into contracts regarding police matters are functions of a PFCC under the PFCC model (with some scope for consent to the Chief Constable). As such and in keeping with the PFCC model the Mayor will have ultimate responsibility for all contracts relating to police and fire matters, although they may provide consent for contracts to be entered into by the Chief Constable or delegation to another person subject to such delegation being in accordance with the law.

3.6.11.2 Decisions on the issuing of policing-related grants would also rest with the Mayor or anyone to whom they delegate responsibility.

3.6.11.3 Subject to paragraph 3.6.2.4 but in any event, a Scheme of Consent will be established by the Mayor setting out the extent of consents from the Mayor to the Chief Constable.

3.6.12 Police and Crime Plan, Fire and Rescue Plan, Fire and Rescue Statement and Integrated Risk Management Plan

3.6.12.1 The Police and Crime Plan which involves consideration of the strategic policing requirement is a key public facing deliverable. The provisions on police and crime plans as set out in the 2011 Act will still apply to the Mayor carrying out PCC Functions.

3.6.12.2 The provisions on Fire and Rescue Plans and Fire and Rescue Statements as set out in the Fire and Rescue Services Act 2004 will apply to the Mayor carrying out FRA Functions.

3.6.12.3 The provisions on integrated risk management plans prepared and published in accordance with the requirements of the Fire and Rescue national Framework prepared by the Secretary of State under section 21 of the Fire and Rescue Services Act 2004 will apply to the Mayor carrying out FRA Functions.

3.6.13 Policing Protocol

3.2.13.1 The Mayor will be required by order to have regard to the Policing Protocol issued by the Secretary of State under section 79 of the 2011 Act.

3.2.13.2 The Policing Protocol sets out ways in which relevant persons should, in the Secretary of State's view, exercise or refrain from exercising functions so as to encourage maintain or improve working relationships (including co-operative working) between relevant persons, and limit or prevent the overlapping or conflicting exercise of functions.

3.6.14 North Yorkshire Police and North Yorkshire Fire & Rescue Service

3.6.14.1 The Chief Constable of North Yorkshire Police remains a Corporation sole as set out in legislation and accordingly North Yorkshire Police will retain its distinct organisational profile.

3.6.14.2 As set out in paragraph 2.10.5 the Chief Fire Officer shall exercise the functions of Head of Paid Service in respect of the staff transferred from the PFCCFRA and accordingly North Yorkshire Fire & Rescue Service shall retain its distinct organisational profile.

3.6.15 Complaints about Conduct (PCC and FRA Functions)

PCC Functions

3.6.15.1 The Order will make provision in respect of its procedures for making, handling and investigating complaints and/or conduct matters in respect of the Mayor and Deputy Mayor for Policing and Crime and relating to the carrying out of PCC Functions.

FRA Functions

3.6.15.2 The Order will make provision in respect of procedures for making, handling and investigating of complaints and/or conduct matters in respect of the Mayor (including the Mayor's delegate(s)) and relating to the carrying out of FRA Functions.

3.6.16 Consequential amendment and modification requirements

3.6.16.1 The following consequential amendment and modification requirements of enactments may be required in their application to the Combined Authority with PFCC Functions:

3.6.17 Primary Legislation

- Amendments to the Police Reform and Social Responsibility Act 2011
- Modifications to the Local Government Act 1972
- Police (Property) Act 1897
- Trustee Investments Act 1961
- Pensions (Increase) Act 1971
- Local Government (Miscellaneous Provisions) Act 1976
- Local Government, Planning and Land Act 1980
- Local Government Finance Act 1988
- Local Government Finance Act 1992
- Road Traffic Act 1988

- Local Government and Housing Act 1989
- Police Act 1996
- Police Reform Act 2002
- Proceeds of Crime Act 2002
- Railways and Transport Safety Act 2003
- Local Government Act 2003
- Fire and Rescue Services Act 2004
- Civil Contingencies Act 2004
- Local Government and Public Involvement in Health Act 2007
- Local Democracy, Economic Development and Construction Act 2009
- Police Reform and Social Responsibility Act 2011
- Localism Act 2011
- Local Audit and Accountability Act 2014

3.6.18 Secondary legislation

- Motor Vehicles (Third Party Risks) Regulations 1972
- Official Secrets Act 1989(Prescription) Order 1990
- Police (Disposal of Sound Equipment) Regulations 1995
- Police (Property) Regulations 1997
- Health and Safety (Enforcing Authority) Regulations 1998
- Motor Vehicles (Driving Licences) Regulations 1999
- Redundancy Payments (Continuity of Employment in Local Government, etc.) (Modification) Order 1999
- Motor Vehicles (Access to Driver Licensing Records) Regulations 2001
- Police and Criminal Evidence Act 1984 (Drug Testing of Persons in Police Detention) (Prescribed Persons) Regulations 2001
- Police Regulations 2003
- Docking of Working Dogs' Tails (England) Regulations 2007
- REACH Enforcement Regulations 2008
- Elected Local Policing Bodies (Specified Information) Order 2011
- Policing Protocol Order 2011
- Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2012
- Police Appeals Tribunals Rules 2012
- Police and Crime Commissioner (Disqualification) (Supplementary Provisions) Regulations 2012
- Police and Crime Panels (Precepts and Chief Constable Appointments) Regulations 2012
- Local Government Pension Scheme Regulations 2013
- Local Audit (Auditor Resignation and Removal) Regulations 2014
- Combined Authorities (Mayors) (Filling of Vacancies) Order 2017
- Police, Fire and Crime Commissioner for North Yorkshire (Fire and Rescue Authority) Order 2018

3.7 Miscellaneous

3.7.1 For the avoidance of doubt, the Combined Authority will be a body specified for the purposes of Section 33 of the Value Added Tax Act 1994. This will entitle the Combined Authority to claim refunds of Value Added Tax charged on supplies to, and acquisitions or importations by the Combined Authority.

3.8 Information Sharing

3.8.1 It is proposed that sections 17A and 115 of the Crime and Disorder Act 1998 should be amended to give the Combined Authority the same standing as a Local or Public Authority for the purpose of information sharing, given that the Mayor will be exercising PFCC Functions.

3.8.2 It is proposed that a non statutory Information Sharing Agreement will be established between the Chief Constable and the Combined Authority.

3.9 Incidental Provisions

3.9.1 It is proposed that the following provisions are to have effect as if the Combined Authority were a "local authority" for the purposes of the functions therein which the Combined Authority will exercise concurrently with the Constituent Councils:

a) Section 113 of the Local Government Act 1972 (the power to place staff at the disposal of other local authorities;
b) Section 142(2) of the Local Government Act 1972 (the power to arrange for publication of information etc relating to the functions of the Combined Authority);
c) Section 144 of the Local Government Act 1972 (the power to encourage visitors and provide conference and other facilities);
d) Section 145 of the Local Government Act 1972 (the power to provide and support cultural activities and entertainments);
e) Section 222 of the Local Government Act 1972 (the power to prosecute and defend legal proceedings); and
f) Section 69 of the Local Democracy, Economic Development and Construction Act 2009 (duty to prepare an assessment of economic conditions).

3.9.2 It is proposed that the Combined Authority will have the power to exercise any of the functions described in subsection (1)(a) and (b) of section 88 of the Local Government Act 1985 (research and collection of information) whether or not a scheme is made under that section. For the purposes of section 88(1) of the Local Government Act 1985 references to "that area" are to be taken as a reference to the Combined Area.

3.9.3 Section 13 of the Local Government and Housing Act 1989 (voting rights of members of certain committees) will have effect in relation to the Combined Area.

3.9.4 It is proposed that the Combined Authority will be included in Part 2 of Schedule 3 (pension funds) to the Local Government Pension Scheme Regulations 2013.

4.0 Finance and Investment

4.1 Levy

4.1.1 The Combined Authority will have the power to issue a levy to its Constituent Councils in respect of transport functions under section 74 of the Local Government Finance Act 1988 (levies) and in accordance with the Transport Levying Bodies Regulations 1992.

4.2 Funding of the Mayor and the Combined Authority

4.2.1 Section 107G of the Local Democracy, Economic Development and Construction Act 2009, allows the Secretary of State to make an Order to make provision for the costs of a Mayor for the area of a Combined Authority that are incurred in, or in connection with, the exercise of Mayoral functions to be met from precepts issued by the Combined Authority under section 40 of the Local Government Finance Act 1992.

4.2.1 Scrutiny of the Mayoral Budget (and any Mayoral Precepts) will fall within the remit of the Overview and Scrutiny Committee of the Combined Authority. The Budget may be amended 3 out of 4 Constituent Council Members agree to do so (excluding the Mayor) as set out above.

4.2.2 In order to enable the Combined Authority to invest in economically productive infrastructure Regulations should be made pursuant to section 74 of the Local Government Finance Act 1988 to enable the Combined Authority to issue a levy, or levies, to its Constituent Authorities, to meet the expenditure of the Combined Authority that is reasonably attributable to the exercise of non-mayoral functions. Constituent Councils will be able to pay an agreed contribution to meet the cost of Mayoral Functions.

4.2.3 It is proposed that Regulations will be made pursuant to section 23 (5) of the Local Government Act 2003 to extend the Combined Authority borrowing powers (for transport functions and policing functions) to other priority infrastructure projects, including but not limited to: transport, highways, housing, investment and economic regeneration, as relevant to the exercise of its functions, both Mayoral and non-Mayoral, within an agreed debt cap with HM Treasury.

4.2.4 Provision should also be made for the Constituent Councils to meet the costs of the Combined Authority and how the costs are to be apportioned between the Constituent Councils.

4.3 Business Rate Supplement

4.3.1 It is proposed that the Mayor will have the power, with the agreement of the Combined Authority and in consultation with the business community by way of ballot, to raise a Business Rate Supplement to fund infrastructure investment. The Combined Authority will be a levying authority for the purposes of the Business Rates Supplement Act 2009 and the Constituent Councils shall be deemed to be acting jointly through the Combined Authority in accordance with Section 2(3) of the Business Rates Supplement Act 2009.

4.4 Mayor's General Fund

4.4.1 It is proposed that provision will be made for the Mayor to keep a fund (to be known as the Mayor's "General Fund") in relation to receipts arising, and liabilities incurred, in the exercise of the Mayor's Mayoral Functions. All of the Mayor's receipts in respect of the exercise of the Mayoral Functions must be paid into the General Fund, and the Mayor's expenditure in respect of Mayoral Functions must be paid out of the General Fund. The Mayor must keep accounts of payments made into or out of the General Fund.

This page is intentionally left blank

YNY Devolution - Member FAQ briefing

Contents

YNY Devolution - Member FAQ briefing 1
What is in the deal? 2
What would change? 2
What would North Yorkshire get? 2
Is this the total of what we would get over the next 30 years? 3
How does it compare to other deals? 3
How would decisions be taken? 3
What specific powers would the Mayor have? 4
What other options are there? 4
Could we have negotiated more money? 4
What happens if we reject the deal? 5
What are the next steps? 5
What is a Governance Review? 5
What is a Scheme? 5
When and how would a Mayor be elected? 6
Who agrees the deal? 6
How has it been negotiated? 6
How would funding be distributed? 6
How would North Yorkshire's priorities be supported? 85
How would climate change action be supported through the deal? 7
Who would do what on Transport? 7
Who would do what on Housing? 8
What would happen to the LEP? 8
What would happen to the PFCC? 9
Does the gainshare increase in line with inflation? 9

What is in the proposed deal?

- £18 million per year in Gainshare funding over 30 years to invest in local priorities;
- Subject to a full business case, investment of up to £50 million to support and deliver the York Central brownfield regeneration scheme which would generate additional GVA and associated benefits for the whole York and North Yorkshire region;
- £7 million investment to enable York and North Yorkshire to drive green economic growth towards the ambition to become a carbon negative region;
- Investment of up to £2.65 million of projects to deliver affordable, low carbon homes;
- £13 million for the building of new homes on brownfield land across 2023/24 and 2024/25;
- A commitment to establish a working group to support the development of BioYorkshire;
- New powers from Government to drive regeneration and build more affordable homes;
- New transport powers to improve and integrate the regional transport network.

The full detail can be found in the deal document, here:
https://www.gov.uk/government/publications/york-and-north-yorkshire-devolution-deal/york-and-north-yorkshire-devolution-deal#summary-of-the-devolution-deal-between-the-government-and-the-local-authorities-of-york-and-north-yorkshire-comprising-city-of-york-council-and-north-yorkshire-council

What would change?

The funding and powers agreed within the proposed deal would be channelled through a Mayoral Combined Authority for York and North Yorkshire, which is a new organisation. The Mayor plus two representatives from each council would be the voting members of the combined authority who will oversee decisions and spending on several areas, including transport, skills and regeneration.

Funding for transport and the Shared Prosperity Fund, which currently come directly to the Local Authorities will, instead, go to the Combined Authority, which will oversee its spending across York and North Yorkshire. The Combined Authority will be the Local Transport Authority, and the councils will remain the Highways and Traffic Authorities.

The Adult Education Budget for York and North Yorkshire, which is currently held centrally by Government, will instead be managed by the Combined Authority.

The vast majority of existing services delivered by the councils, including children's and adults' services, corporate services, communities, planning, highways and street-based services will continue to be delivered in the same way as currently.

What would North Yorkshire get?

The proposed deal outlines what York and North Yorkshire Combined Authority would receive initially. It is not possible to specifically proportion exactly what would be received by each area within York and North Yorkshire as this will be for the Combined Authority (including the Mayor) to decide.

Beyond direct funding, North Yorkshire would also benefit by being part of a Mayoral Combined Authority area in terms of having a Mayor joining the existing group of directly elected Mayors (known as "M10") with direct access to Government ministers and able to lobby on matters of importance for our area. The existing group of Mayors are seen to be highly influential. As more areas agree devolution deals in the future, the more important it is for the sub-region to have a voice at that level.

Is this the total of what we would get over the next 30 years?

No. This represents an initial deal with most funding elements related to this Comprehensive Spending review period (which runs to 2024/2025). It is likely that different areas of funding will be available in future spending rounds and the current policy direction of Government is to identify additional powers and functions that can be devolved to Combined Authority Areas. The scope and scale of the deal could well increase, if this is agreed between the York and North Yorkshire Combined Authority and Government.

In fact, other areas with devolution deals have seen significant funding in subsequent spending rounds directly channelled to them, whilst non-mayoral areas have had to competitively bid into remaining national pots. Transforming Cities Funding (TCF) and City Regional Sustainable Transport Settlements (CRSTS) are examples of this. Of £2.45bn TCF funding nationally, £1.08bn was directly awarded to Mayoral Combined Authorities, with all other areas having to compete for the remaining funding. CRSTS funding was awarded in 2022 to Mayoral Combined Authorities, combining existing transport maintenance funding with significant new investment. Tees Valley CA received £310m and West Yorkshire CA £830m, which is additional to what was outlined in their initial devolution deals.

How does it compare to other deals?

Devolution policy over the last decade has led to bespoke deals for each area, which makes comparison very difficult.

The Local Government Chronicle has compared the gainshare negotiated within our deal to others. It suggests that the deal is worth £660 per head compared to £485 per head for West Yorkshire CA and £675 for Tees Valley CA. If the York Central funding is added to that (with no equivalent in the WYCA or TCVA deals) the funding is proportionally above that agreed in neighbouring deals.

LGC also suggest that on average, existing deals to date have been worth £577 per head. There is significant variation between different places, however.

With additional areas where there is to be strategic partnership working with government (e.g. Net Zero, Bio Yorkshire, Homes England) the deal compares favourably with other deals across the country.

How would decisions be taken?

The Combined Authority will have a committee, consisting of the Mayor and two representatives from each constituent council (City of York Council and North Yorkshire Council) – five equal voting members in total. One member from each council will act as Lead Member, responsible for giving the consent of the local authority on certain decisions. Most decisions will be taken on a simple majority basis. The Mayor will have to be on the side of the majority for a decision to pass.

There are some other areas where there are specific voting arrangements, as follows:

- The following require the Lead Member from each constituent council to agree:
  - Approving the CA budget (excluding the Mayor's budget)
  - Setting a levy

- The Mayor will consult the CA on their strategies, and subject to the following conditions:
  - The Combined Authority will be able to amend the Mayor's budget if 3 out of 4 of the members agree to do so;
  - The Combined Authority will be able to amend the Mayor's transport strategy if 3 out of 4 of the members agree to do so.

- The following decisions by the Mayor will require the consent of the Lead Member appointed by the constituent council in whose area the decision will apply:
  - Designation of land as a Mayoral Development area leading to development of Mayoral Development Corporation
  - Compulsory purchase of land or buildings by the Mayor
  - Any decision leading to a financial liability falling directly upon a council
  - Any other matters agreed in the constitution and with the mayor

What specific powers would the Mayor have?

The Mayor's specific powers would be:

- A functional power of confidence (so they can only act to do things in support of the functions they have)
- Set up a Mayoral Development area and Mayoral Development Corporation (but needing consent of relevant LA)
- Housing and land acquisition powers to support housing, regen, infrastructure and community development and wellbeing (but needing consent of relevant LA)
- Power to set a precept on council tax to fund Mayoral functions (but needing consent of all LAs)
- Power to draw up a local transport plan and strategies (but ¾ members can amend)
- Bus franchising powers

What other options are there?

The Government's approach to devolution was outlined in the Levelling Up White Paper, published in February 2022 (https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1052708/Levelling_up_the_UK_white_paper.pdf).

The Devolution Framework (p. 140) outlines three levels of devolution possible. The proposed deal is a "Level 3" deal, meaning it would require a directly elected Mayor. This unlocks a Mayoral Investment Fund (AKA gainshare) and other powers which would not be available without a Mayor.

Alternative approaches would be a Level 1 deal, which really consists of councils within an area working together on things where it makes sense to do so. This is largely possible already and is not really devolution of funding or power.

Level 2 would mean a Combined Authority without a Mayor, which also means no gainshare and significantly fewer devolved powers.

Could we have negotiated more money?

The proposed deal compares favourably with others in terms of gainshare and the additional funding available.

Government budgets are set on cycles known as Spending Review periods, and the deal will commence at the end of the current spending review (the final year is 2024/25). For this reason, much of the available funding for departments in this period has already been committed. Departments are (largely) unable to commit to spending within the next period, as they don't know what the available funding will be. For this reason, we recognise that there is limited available funding to be devolved beyond what has been agreed in this initial deal.

The next Comprehensive Spending Review will take place in Autumn 2024, to come into effect in 2025/26. Part of the initial work of the Combined Authority will be to prepare the business cases and submissions to make strong arguments for further investment in the region. Through the links the MCA will have into Government departments, it may also be possible to work with them to identify more devolved, place-based approaches between central and local government. This is stated Government policy, but many departments are not yet fully structured to support working in this way, as they operate within a very centralised set of governance arrangements.

What happens if we reject the deal?

If the deal is not agreed, nothing changes. This means that York and North Yorkshire would not receive the investment outlined in the deal, nor the powers and governance that accompany it. Given that the investment is there to support some of the key priorities of our sub-region, it is likely that the progress of schemes, such as York Central, would be put at additional risk.

It is difficult to accurately predict future government policy, but historically we have seen Mayoral areas receive greater access to funding announced in each spending review period. This has been greater in amount and without the need to compete for funding. Rejecting the deal might, therefore, reduce the likelihood of new government investment in the future. With other areas negotiating more devolution deals, it appears increasingly likely that future funding will be prioritised towards Mayoral Combined Authorities. If an area doesn't have a deal, they will not receive funding in the same way.

Given that a proposed deal has been negotiated with Government, if it is rejected by Councils we expect that other areas will be prioritised above York and North Yorkshire if there was a desire to seek devolution in the future.

What are the next steps?

A clear statutory process is mapped out to take forward the deal. This requires the future constituent councils to agree to carry out a governance review and develop a scheme which outlines how the arrangements will work, and to agree to consult on both these things.

We expect these decisions to happen in September.

Following that, if approved, statutory consultation will commence in the autumn. The results of this will be reviewed and, if agreed by councils, will be submitted to Government in early 2023. Government will then draft the necessary legislation, which should pass into law in autumn 2023. The Combined Authority would then be created, ready to elect a Mayor in May 2024.

What is a Governance Review?

A Governance Review is a report produced by officers which considers the context of the proposals and explains how they will work to deliver the desired outcomes. It will consider any other options and explain how the proposals relate to the needs of the area.

The Governance Review is key in providing the evidence for the Secretary of State to assess whether the Statutory Tests have been met – specifically, whether agreeing to create a Combined Authority is likely to improve the exercise of statutory functions in the area.

What is a Scheme?

A Scheme is a document which builds upon the deal text to provide further information about the arrangements for the Combined Authority. Particularly covering the governance, it outlines the way things will work and how decisions will be taken.

The scheme will be consulted upon as part of the process.

When and how would a Mayor be elected?

The Mayor would be elected in May 2024, and would assume PFCC powers at that time. Mayors are elected under a First Past the Post system (following reforms in the Elections Act 2022)

Who agrees the deal?

The Leaders of City of York and North Yorkshire County Councils have approved the deal in principle, subject to the agreement of their councils.

Decisions of whether to proceed with the process will be taken by councils in September 2022.

Following that, there will be a further decision, after consultation, on whether to submit the consultation outcomes to Government and initiate the process of putting the required legislation in place. This is likely to take place in the new year.

How has it been negotiated?

Officers across all the councils have been involved in developing proposals, with a core team of officers from the councils and the LEP negotiating directly with civil servants. The "Asks", submitted to Government in 2020, provided the starting point, with the negotiations taking into consideration the acceptability of those proposals to Government, available funding and the local need.

How would funding be distributed?

Funding will be considered as part of an annual budget set by the Combined Authority. Members of the Combined Authority will vote upon this.

Specific projects and programmes will be assessed against an agreed project framework and assurance process, with the Combined Authority ultimately making decisions on which projects will get funding.

How will priorities in North Yorkshire be supported by the deal, particularly in relation to tackling inequalities between rural and urban areas?

The deal acknowledges that the rural economy is held back by issues such as lack of affordable housing, labour shortages and poor infrastructure, and that the inequalities that persist between rural and urban areas need to be tackled.

The proposed deal would unlock funding to help resolve challenges such as:

- lack of affordable housing
- poor digital connectivity
- accessibility and affordability of rural transport
- lack of skilled employment
- skills and labour shortages due to the migration of young people out of the region.

As well as enabling quicker decisions to be made locally by people who better understand the challenges that face rural communities, the proposed deal also includes:

- Powers to help deliver more affordable low carbon homes
- a commitment from government to demonstrate progress in delivering digital connectivity for communities across the area
- funding to improve road connectivity, bus franchising, rail and electrical vehicle charging accessibility (see question below on transport)

- funding to bolster the economy and attract new investment, to create new and better paid jobs
- localised skills strategies to help people access training and build a career where they live.

Beyond the initial funding, the ability of a Mayor to raise issues to Government at a higher level has the potential to make a difference, with local need better understood in Westminster.

The Combined Authority, working a sub-regional level, may bring strategic benefit to areas such as transport and regeneration, when schemes and projects can be set within the wider strategic context. The value of addressing North Yorkshire's challenges (in tandem with those across York) and the impact that has on the wider sub-region and broader economic geography will be considered in each of the decisions the CA takes.

The support to the priorities and challenges faced across York and North Yorkshire will be considered within the Governance Review.

How would climate change action be supported through the deal?

The deal contains an initial £7m for the piloting of low carbon energy projects. It also supports housing projects with some funding for low carbon affordable housing.

It is acknowledged that this initial funding is a tiny amount in comparison with the costs of decarbonisation across the sub-region. However, the initial funding can be used to support pilot and demonstrator projects which will make the case for further investment. An initial focus of the Mayor could be making the case for investment in the next Spending Review.

The Combined Authority will be well placed to feed in and influence national policy, through a "single point of entry" to work with BEIS Local Net Zero Hub. It is clear that national policy needs to respond to a more local, place-based agenda around net zero and the deal creates the opportunities to feed into that.

Who would do what on Transport?

The Combined Authority will become the Local Transport Authority, and the councils will remain the Highways and Traffic Authorities. This means that the Local Transport Plan will be developed by the Combined Authority, working closely with each local authority, and proposed to the CA by the Mayor, for sign off by the CA members.

The LTP will consist of three key elements;

- Strategic Transport Plan for Y&NY, containing a Highways Strategy for its Key Route Network (KRN) developed in conjunction with the Unitary Councils.
- Local Delivery Plan for NYC
- Local Delivery Plan for CYC

The MCA will approve a 5-year Strategic Transport Investment Programme that has been developed in conjunction with the Unitary Councils.

From its Strategic Transport plan, the MCA will approve a Strategic Highway Asset Management Plan and the associated service levels which has been developed in conjunction with the Unitary Councils.

Each Unitary Council will approve a Highway Infrastructure Asset Management Plan (HIAMP) and Highways Policy for their respective area, with intended service levels across the whole of their local highway network including how they will achieve these on the Key Route Network.

The MCA would have powers to introduce bus franchising.

The MCA (as the Local Transport Authority) will move towards a single Bus Service Improvement Plan to be delivered through one or more Enhanced Bus Partnerships. The BSIP and EP(s), and the arrangements for their delivery and management, will be approved by the MCA. In future rounds, a single Enhanced Bus Partnership may be considered, to be managed by the MCA

Powers to deliver Civil Parking Enforcement and Streetworks Management would remain with the Unitary Councils.

Subject to new enabling legislation, the Mayor may have a Power of Direction over the two Unitary Councils in relation to the discharge of the Local Highway Authority function on the Key Route Network only.

The MCA is able to enter into agreements with National Highways, Network Rail and, in the future, Great British Railways to deliver enhanced partnership working arrangements.

The Transport Committee will be chaired by a Combined Authority Member and will consist of the Executive Member with responsibility for highways and transport in each of the two Unitary Councils. Its role will be to review the effectiveness of the LTP, the 5 year Strategic Transport Investment Programme, Strategic Highway Asset Management Plan, Bus Service Improvement Plans, the Enhanced Bus Partnership and the agreements with National Highways and Network Rail.

Who would do what on Housing?

The MCA will have a role in supporting the delivery of housing in the area, mainly around funding of development to deliver houses. It will initially receive some Brownfield Funding to directly support regeneration and rural housing sites. Future national funding for large scale regeneration may well be channelled through the MCA.

The local authority housing functions will remain as they are now. We would expect future housing strategies to be developed by local authorities in conjunction with each other and the Combined Authority, which builds upon the existing sub-regional approach.

The Combined Authority will have a committee focussed on housing (either on its own or in conjunction with other functions.)

What would happen to the LEP?

The LEP will be merged into the CA as it is formed. The LEP functions will become those of the CA and the LEP board will become the business-focussed committee of the CA. The name of this committee is being considered.

The merger process will follow statutory guidance published by Government (Local Enterprise Partnerships: Integration guidance (publishing.service.gov.uk))

The process by which officers of the LEP move across to the CA will be considered as part of the workstream to establish the Combined Authority as an entity.

What would happen to the PFCC?

The PFCC functions and funding will transfer to the CA upon the election of a Mayor in 2024. The OFPCC staff will move across to CA, the process of which will be considered as part of the workstream to establish the Combined Authority as an entity.

This transfer corresponds with the existing PFCC electoral cycle, so the current PFCC will serve the remainder of her term and then that role will cease to exist. From the Mayor's election, the Mayor will take on the statutory functions for PFCC.
The Mayor will appoint a Deputy Mayor for Police, Fire and Crime. The Deputy Mayor will oversee the day to day discharge of functions, with the Mayor accountable for the overall statutory responsibilities.

The arrangements for scrutiny and oversight will be considered and developed as part of the process to establish the CA.

Would the gainshare increase in line with inflation?

No. Gainshare is set as a fixed amount each year as part of the deal. This is the same in all devolution deals.

This page is intentionally left blank

Appendix 4

Timetable for Devolution

Action	Start	Finish
Dialogue/negotiations between Leaders and Ministers from DLUHC and the Treasury	March 2022	29 July 2022
“Minded to” Devolution Deal announced	1 August 2022	1 August 2022
The Council (through the Executive) to consider the deal, complete a governance review and agree to consult on the creation of a Mayoral Combined Authority (the Scheme)	September 2022	September/ October 2022
Consult with the public	October 2022	December 2022
Councils to consider the results of the consultation and to consider submitting the Governance Review, Scheme (with any revisions) and summary of consultation responses to Government	Late January 2023	End February 2023
Local Government Reorganisation in North Yorkshire and creation of North Yorkshire Council	1 April 2023	1 April 2023
Government considers statutory tests, and if SoS consents, drafts relevant Order	March 2023	July 2023
Councils consent to Order	July 2023	
Draft order laid before Parliament for Approval	July 2023	October / November 2023
Formation of Combined Authority		November / December 2023
Mayor Elections		May 2024

Initial equality impact assessment screening form **This form records an equality screening process to determine the relevance of equality to a proposal, and a decision whether or not a full EIA would be appropriate or proportionate.**	
Directorate	Legal and Democratic Services
Service area	Legal and Democratic Services
Proposal being screened	Progression of devolution process to consultation
Officer(s) carrying out screening	Barry Khan
What are you proposing to do?	The proposal is to carry out a Governance Review related to the minded-to devolution deal signed on 1 August. A draft scheme has been developed and, if approved, would be consulted upon through October to December.
Why are you proposing this? What are the desired outcomes?	This would allow the statutory process to progress towards final decisions on agreeing a devolution deal with Government. This would see significant additional investment (more than £540m) in the York and North Yorkshire area of the next 30 years, alongside powers devolved to a new Combined Authority and elected Mayor. The desired outcomes (described in more detail in the Governance Review) are that this additional investment and local decision making could better represent and address the needs of residents in YNY and support ambitions for clean economic growth, affordable houses and becoming England's first carbon negative region.
Does the proposal involve a significant commitment or removal of resources? Please give details.	The programme will require significant resources, although the costs of these are included as part of the deal with Government within a large package of investment. It is not envisaged that resources will be diverted from any existing services.

Impact on people with any of the following protected characteristics as defined by the Equality Act 2010, or NYCC's additional agreed characteristics

As part of this assessment, please consider the following questions:

- To what extent is this service used by particular groups of people with protected characteristics?
- Does the proposal relate to functions that previous consultation has identified as important?
- Do different groups have different needs or experiences in the area the proposal relates to?

If for any characteristic it is considered that there is likely to be an adverse impact or you have ticked 'Don't know/no info available', then a full EIA should be carried out where this is proportionate. You are advised to speak to your Equality rep for advice if you are in any doubt.

Protected characteristic	**Potential for adverse impact**		**Don't know/No info available**
	Yes	**No**	
Age		X	
Disability		X	
Sex		X	
Race		X	
Sexual orientation		X	
Gender reassignment		X	
Religion or belief		X	

Pregnancy or maternity		X		
Marriage or civil partnership		X		
NYCC additional characteristics				
People in rural areas		X		
People on a low income		X		
Carer (unpaid family or friend)		X		
Does the proposal relate to an area where there are known inequalities/probable impacts (e.g. disabled people's access to public transport)? Please give details.	The proposal covers a broad scope of areas including local governance, economic development, housing and infrastructure, transport and skills. The proposals, at this stage, do not give specific details of any direct impacts. As the proposals constitute increased investment and local decision making, there is significant potential for positive impacts for communities with protected characteristics.			
Will the proposal have a significant effect on how other organisations operate? (e.g. partners, funding criteria, etc.). Do any of these organisations support people with protected characteristics? Please explain why you have reached this conclusion.	The proposals will have an effect on how councils and partner organisations operate in respect of funding and decisions related to local governance, economic development, housing and infrastructure, transport and skills. There is potential for positive impacts, although as detailed proposals are made later in the programme, EIAs will be required to assess the impacts in more detail.			
Decision (Please tick one option)	EIA not relevant or proportionate:	X	Continue to full EIA:	
Reason for decision	The proposals at this stage recommend progressing to consulting on a scheme which would lead to legislation allowing the development of a combined authority. The impacts of this have the potentially to be significantly positive for groups with protected characteristics, with additional investment and more local decision making. At this stage, no detrimental impacts have been identified. However, at this stage of the process, the specific arrangements related to individual functions or services are not yet developed which prevents the consideration of detailed implications at this point. EIAs will be required as further detail is developed, if the recommendations are approved.			
Signed (Assistant Director or equivalent)	Barry Khan			
Date	26 August 2022			

JOINT DEVOLUTION COMMITTEE – TERMS OF REFERENCE

Summary of the York and North Yorkshire Joint Devolution Committee Functions
The York and North Yorkshire Joint Committee is established under Section 101(5) of the Local Government Act 1972, as applied by Section 9EB of the Local Government Act 2000 and Regulation 11 of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2012 by the Executives of City of York Council and North Yorkshire County Council.

The Joint Committee will oversee and make decisions as required to ensure that stages of considering a Devolution deal prior to a potential creation of a mayoral combined authority is considered jointly by members of North Yorkshire Council and the City of York. The Joint Committee will provide a venue to review collaboratively the provisions of implementing the Deal and collaborating on projects that benefit the region through Devolution.

Membership
The Joint Committee will comprise of:
Two Executive Members appointed from City of York Council; and
Two Executive Members appointed from North Yorkshire County Council

- The Executives of the two constituent councils will resolve to establish a joint arrangements to carry out the functions of the Joint Committee. Only Executive Members can be appointed and membership of the joint committee does not need to reflect the political composition of the Council

The following shall be invited to attend and participate in formal meetings of the joint committee however they will not have voting rights and they will not have right to receive any confidential information pursuant to Schedule 12A Local Government Act 1972 which may from time to time be part of a formal agenda:

- The Police, Fire and Crime Commissioner
- A nominated representative of the LEP

Substitutes
Each constituent Council may appoint substitute members from within its Executive only to attend formal meetings of the joint committee.

Appointment Chair and Vice Chair

The Joint Committee, at its first meeting, shall appoint a Chair and Vice Chair from amongst its constituent members. The Chair and Vice Chair will not be from the same constituent Authority.

Quoracy
The four Executive Members appointed to the Joint Committee will constitute a quorum

Voting
Decisions will be made by majority vote. In the event of a vote being required, each Executive Member (or substitute Executive) will have the ability to cast one vote.

Decisions made will be binding on both Constituent Authorities

Rules of Procedure
The Standing Orders for North Yorkshire County Council will be the relevant Standing Orders for Rules of Procedure for formal meetings.

Frequency of Meetings
The Joint Committee shall meet as and when required to do so either at the request of the respective Leaders of the Constituent Councils and or at the request of the Chief Operating Officer of City of York Council and or the Chief Executive of North Yorkshire County Council. Each meeting shall be classed as a formal meeting supported by agenda, reports and minutes.

Administration of the York and North Yorkshire Joint Committee

North Yorkshire Council will take responsibility for the administration and support for the delivery of meetings for the joint committee. This includes production and publication of agendas, hosting of meetings and as such the Standing Orders as they relate to North Yorkshire County Council will be adopted for the purposes of supporting the Joint Committee.

Access to Information
As all the members of a joint committee are members of the executive in each of the constituent authorities then its access to information regime is the same as that applied to the executive.

Review of the terms of reference for the Joint Committee
In the event that the terms of reference for the joint committee require review and or amendment, this will be delegated to the Monitoring Officer in consultation with the Leader of the respective Council and the Chief Executive/Chief Operating Officer of the respective Council.

FUNCTIONS
The Joint Committee will have oversight of the development of the York and North Yorkshire Combined Authority and ensure that it is able to be launched in accordance with the Statutory Orders issued by Government.

The Joint Committee will ensure that sufficient resources are made available to support the creation and implementation of the York and North Yorkshire Combined Authority which includes financial management and oversight, securing of appropriate resources (officers, technical and otherwise) to enable delivery and the development of governance and a policy framework.

SELBY DISTRICT COUNCIL

Report Reference Number: E/22/22

To:	**Executive**
Date:	**3 November 2022**
Status:	**Non-Key Decision**
Ward(s) Affected:	**Camblesforth and Carlton, Hambleton**
Author:	**Jenny Tyreman, Assistant Principal Planning Officer**
Lead Executive Member:	**Councillor Mark Crane, Leader of the Council**
Lead Officer:	**Martin Grainger, Head of Planning and Interim Head of Regulatory Services**

Title: Helios Renewable Energy Project – Nationally Significant Infrastructure Project

Summary:

This report sets out the legislative background to Nationally Significant Infrastructure Projects (NSIPs) and how these are dealt with. The Executive have considered similar NSIP reports recently in respect of the Drax Bioenergy and Carbon Capture Project in May 2021, the Yorkshire GREEN Project in April 2022 and the Humber Low Carbon Pipelines Project in August 2022. Essentially applicants for infrastructure projects need to make an application to the Planning Inspectorate (PINS) for a Development Consent Order (DCO). The final decision is made by the Secretary of State on the recommendation of PINS, but Local Planning Authorities are statutory consultees in the process.

Enso Green Holdings D Limited (a joint venture between Enso Energy and Cero Generation) are proposing to submit an application for a DCO for the construction of a ground mounted solar farm, together with on-site energy storage and associated development comprising grid connection infrastructure and other infrastructure integral to the construction, operation and maintenance of the development on a site extending to approximately 758 hectares to the south west of the village of Camblesforth and to the north of the village of Hirst Courtney. The proposed development would have the potential to generate over 50MW of electricity and is therefore a Nationally Significant Infrastructure Project.

Two rounds of public consultation are taking place – non-statutory consultation took place in Q2/Q3 2022; statutory consultation is anticipated to take place in Q2 2023. It is anticipated that Enso Green Holdings D Limited will submit their DCO application to PINS during Q4 2023.

Once the DCO application has been submitted to PINS, they will have 28 days to decide whether or not the application meets the standards required to be accepted for examination.

Following acceptance, an Examining Authority will be appointed, and all Interested Parties will be invited to attend a Preliminary Meeting, run and chaired by the Examining Authority. PINS then have up to six months to carry out the examination of the proposals through a series of structured and topic-based hearings which officers may need to attend. After the examination a decision will be made by the Secretary of State, within 6 months of the close of the examination. Following this the Council will have the responsibility to discharge any planning conditions and enforce the terms of the DCO.

This report outlines the project. Selby District Council (SDC) is a statutory consultee and authorisation is sought for the Head of Planning and Interim Head of Regulatory Services (or equivalent) in consultation with the Leader of the Council to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.

Recommendations:

i. That the contents of this report are noted.

ii That authorisation is sought from the Executive to authorise the Head of Planning and Interim Head of Regulatory Services (or equivalent) in consultation with the Leader of the Council to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.

Reasons for recommendation:

Timescales for commenting on the DCO application once it is submitted are embedded in statute and it is important that appropriate delegation arrangements are in place so that the Council is able to meet the deadlines which are set by PINS.

1. Introduction and Background

1.1 On 1 April 2012, under the Localism Act of 2011, PINS became the agency responsible for operating the planning process for NSIPs.

1.2 NSIPs are large scale developments such as new harbours, power generating stations (including wind farms), and electricity transmission lines which require a type of consent known as a DCO under procedures governed by the Planning Act 2008 (and amended by the Localism Act 2011). This is not a ‘planning application’ under the Town and Country Planning Act 1990 and the status of the development plan is different in that the principal guidance for their determination is contained within the suite of Energy National Policy Statements (NSPs). The 2008 Act sets out thresholds above which certain types of infrastructure development are considered to be ‘nationally significant’ and require the granting of a consent order. NSIPs were introduced as a fast-track method and alternative way of dealing with nationally important infrastructure after the much-publicised delays in the consenting of Heathrow’s last major expansion proposal for a fifth terminal.

1.3 In England, PINS examines applications for DCOs from the energy, transport, waste, waste water and water sectors. For such projects, PINS undertakes an examination of the application and makes a recommendation to the relevant Secretary of State, who makes the final decision on whether to grant or to refuse the DCO. Energy NSPs introduce a presumption in favour of granting DCOs.

2. The Project

2.1 Enso Green Holdings D Limited are proposing to construct a ground mounted solar farm, together with on-site energy storage and associated development comprising grid connection infrastructure and other infrastructure integral to the construction, operation and maintenance of the development, on a site extending to approximately 758 hectares to the south west of the village of Camblesforth and to the north of the village of Hirst Courtney. The proposed development would have the potential to generate over 50MW of electricity.

2.2. The site location plan can be found in Appendix 1. The site comprises the following areas:

- Development Area - which extends to approximately 551 hectares
- Underground Cable Connection Area - which extends to approximately 197 hecatres
- Underground Grid Connection Cable Area – which extends to approximately 10 hectares

2.3 The proposed development will include the following key infrastructure:

- Solar photovoltaic modules and module mounting structures with string combiner boxes
- Energy storage containers (approximately 50 in total)
- Access tracks
- Transformers, inverters, switchgear and spare parts containers
- On-site substation and grid connection cabling with a maximum voltage of
- 132kv
- Boundary fencing and closed-circuit television for security purposes

<u>Construction Programme</u>

2.4 The construction of the proposed development is anticipated to commence in 2025 and span a period of approximately 12 months. During the construction phase, temporary access tracks and construction compounds will serve the proposed development, and these will be located within the site adjacent to the site entrances.

<u>Operation and Maintenance</u>

2.5 The proposed development will have an anticipated lifespan of up to 40 years.

2.6 During the operational phase, the activities on-site are expected to be limited to maintenance activities, including servicing of plant and equipment and vegetation

management. During the construction phase, temporary access tracks and construction compounds will be required, and these will be located within the site adjacent to the site entrances.

Decommissioning Phase

2.7 Following cessation of energy generation and exportation at the site, the development will be removed. The decommissioning of the development is anticipated to take approximately 12 months.

3. The Process

3.1 The Planning Act 2008 process was introduced to streamline the decision making process for major infrastructure projects, making it fairer and faster for communities and applicants alike. The six stages in the process are: pre-application, acceptance, pre-examination, examination, recommendation and decision, and post decision.

3.2 The Helios Renewable Energy Project is presently at the pre-application stage with PINS. The applicants have a statutory duty to carry out consultation on their proposals before submitting an application. Two rounds of public consultation are taking place; non-statutory consultation took place in Q2/Q3 2022; statutory consultation is anticipated to take place in Q2 2023.

3.3 The applicants submitted a Scoping Report to PINS on 7 June 2022. SDC and NYCC provided comments to PINS on the Scoping Report on 5 July 2022. PINS, on behalf of the Secretary of State, issued a Scoping Opinion on 14 July 2022. This sets out the required extent and content of the Environmental Statement to be submitted with the application for a DCO. Those areas that may be examined in detail come under the headings:

- Cultural Heritage
- Landscape and Views
- Biodiversity
- Water Environment
- Transport and Access
- Noise
- Climate Change
- Socio-Economics
- Soils and Agriculture
- Cumulative Effects

3.4 Enso Green Holdings D Limited have notified PINS under Regulation 8(1)(b) of the EIA Regulations that they propose to provide an Environmental Statement (ES) in respect of the proposed development. Therefore, in accordance with Regulation 6(2)(a) of the EIA Regulations, the proposed development is EIA development.

3.5 It is anticipated that Enso Green Holdings D Limited will submit their DCO application to PINS during Q4 2023.

3.6 Once the DCO application has been submitted to PINS, they will have 28 days to decide whether or not the application meets the standards required to be accepted for examination. Following acceptance, an Examining Authority will be appointed, and all Interested Parties will be invited to attend a Preliminary Meeting, run and chaired by the Examining Authority. PINS then have up to six months to carry out the examination of the proposals through a series of structured and topic-based hearings which officers may need to attend. After the examination a decision will be made by the Secretary of State, within 6 months of the close of the examination. Following this the Council will have the responsibility to discharge any planning conditions and enforce the terms of the DCO.

3.7 The Council is working in association with the County Council as part of Better Together to, where possible make co-ordinated responses. This approach is favourable to the applicant and probably to the Examining Authority. It is how the two councils have worked together on other NSIPs. Together the two Authorities have the necessary technical specialists to respond to the application fully.

3.8 To date council staff have attended the briefings together and have already submitted the local authorities' response to the applicants Scoping Report.

3.9 NYCC and SDC have set up monthly meetings to manage the application, which will be attended by key planning officers and technical officers. Senior management will be invited if required.

3.10 Submission of the Local Impact Report, Statement of Common Ground, input into the Draft DCO and any written representations will be required in accordance with deadlines set by PINS, and once the examination commences, these deadlines are likely to be tight. Therefore, authorisation is sought from the Executive to authorise the Head of Planning and Interim Head of Regulatory Services (or equivalent) in consultation with the Leader of the Council to agree the Local Impact Report, Statement(s) of Common Ground, the content of the Draft DCO and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.

4. Implications

4.1 Legal Implications

4.1.1 The District Council is an interested party and support for the scheme is subject to agreeing the requirements in the DCO.

4.1.2 The District Council will have further involvement following submission of the application and during the examination period, including attendance at issue specific, and DCO public hearings. It is also possible that appropriate planning obligations, in conjunction with the County Council may be required to address any impacts and if considered necessary in planning terms. Both of these may require some input from the Council's legal team.

4.2 Financial Implications

4.2.1 The District Council, jointly with the County Council, intend to enter into a Planning Performance Agreement (PPA) with Enso Green Holdings D Limited. The PPA will establish a project framework and will give greater clarity to all parties as to their roles and responsibilities. The PPA will also establish a fund set aside against which both this Council and the County Council can claim for work carried out by its service areas which is in excess of their normal working practices.

5. Conclusion

5.1 Members are asked to note the contents of this report.

5.2 Members are also asked to authorise the Head of Planning and Interim Head of Regulatory Services (or equivalent) in consultation with the Leader of the Council to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.

6. Background Documents

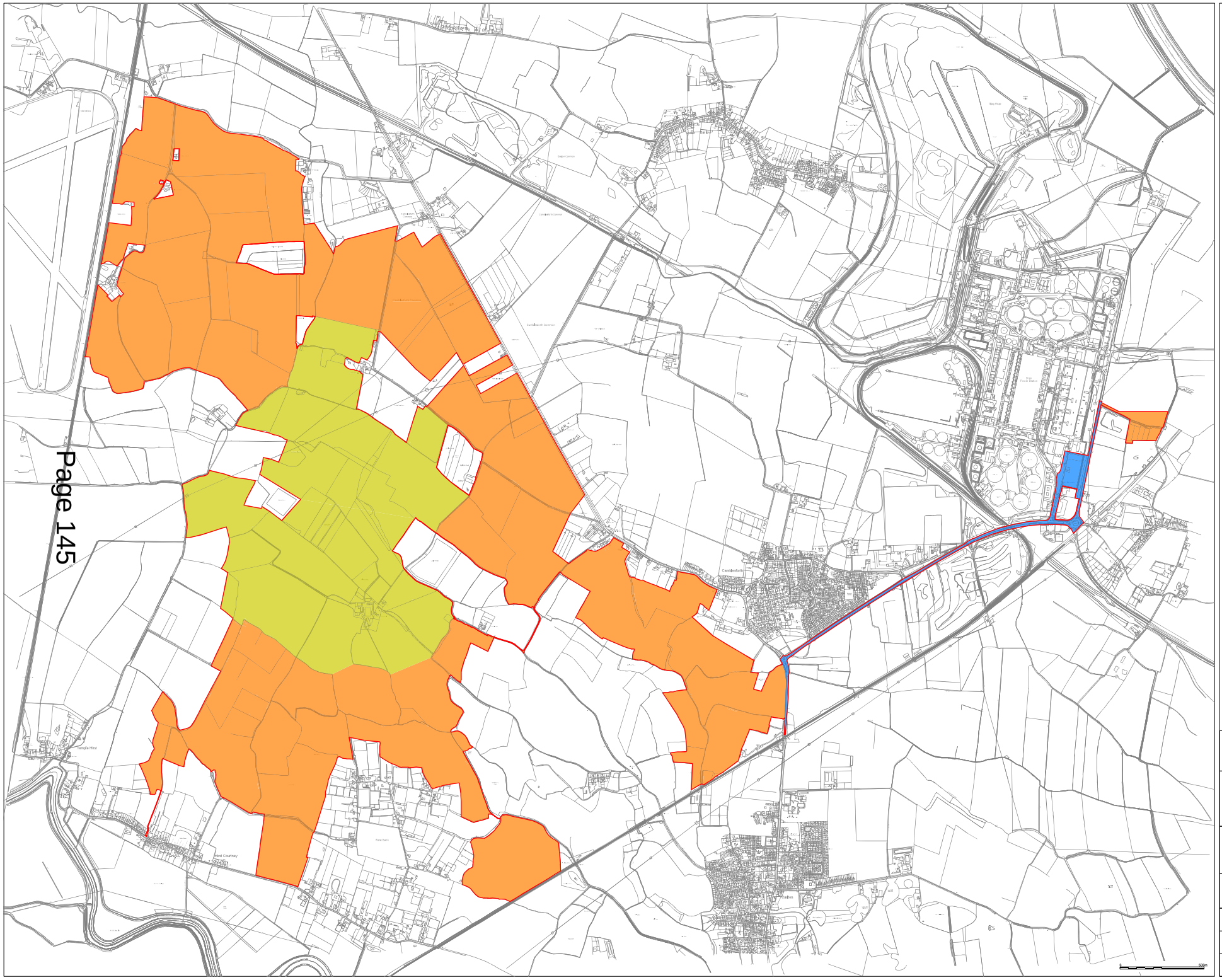
The National Infrastructure Planning website of the Planning Inspectorate is at the link:

https://infrastructure.planninginspectorate.gov.uk/projects/yorkshire-and-the-humber/helios-renewable-energy-project/

7. Appendices

Appendix 1 – Site Location Plan

Contact Officer: Jenny Tyreman, Assistant Principal Planning Officer
Email: jtyreman@selby.gov.uk



Revisions:
First Issue - 03/05/2022 JS

ALL DIMENSIONS TO BE CHECKED ON SITE WORK
TO FIGURED DIMENSIONS ONLY REPORT
DISCREPANCIES TO THE QP AT ONCE BEFORE
PROCEEDING COPYRIGHT ACT APPLIES.

© Enso Energy Ltd. Crown Copyright. All rights reserved.
© 2022 Emapsite license number 0100031673

enso energy
Top Floor, The Priory, Dursley, Gloucestershire, GL11 4HR
Tel 01452 764685 Email: enquiries@ensoenergy.co.uk

Project Title:
Helios Renewable Energy Project

Drawing Title:
Site Location Plan

DRWG No:	Rev:	Sht no:
DX-01-P01	-	-
Drawn by : JS	Checked by: KL	
Scale: 1:10,000 @ A1	Date: 03/05/2022	

This page is intentionally left blank

SELBY DISTRICT COUNCIL

Report Reference Number: E/22/23

To:	Executive
Date:	3 November 2022
Status:	Non-Key Decision
Ward(s) Affected:	All
Author:	Richard Welch, Principal Planning Officer
Lead Executive Member:	Councillor Mark Crane, Leader of the Council and Lead Executive Member for Place Shaping
Lead Officer:	Martin Grainger (Head of Planning and Interim Head of Regulatory Services)

Title: 2022-2027 Five Year Housing Land Supply Report

Summary:

Each Local Authority is required by Central Government to provide a 5-year supply of deliverable housing land. Being able to demonstrate a 5-year housing supply means that planning applications for housing can be determined by the Council with all the policies in the District's Local Development Plan.

The 2022-2027 Five Year Housing Land Supply Report finds that the District has a deliverable housing supply of 6.1 years.

Recommendation:

That Executive approve the Five-Year Housing Land Supply Report for the period 2022 to 2027.

Reasons for recommendation

Executive are asked to approve the Five-Year Housing Land Supply Report and the supply figure within it, so that the report can be used as a material consideration in the determination of planning applications for housing.

1. Introduction and background

1.1 The National Planning Policy Framework (NPPF), in paragraph 74, requires that Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement.

1.2 Being able to demonstrate a deliverable five-year supply of housing means that when determining planning applications for housing, policies in the development plan are considered up to date. Failure to demonstrate a 5-year supply means that relevant policies are out of date and applications for housing development should be granted unless:

I. the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
II. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

1.3 This assessment of the Council's Five-Year Housing Supply is carried out by the Planning Policy Team on an annual basis, with the start of each financial year being used as the base date. This report uses the base date of 01/04/2022.

2. Establishing the Housing Requirement

2.1 Para 74 of the NPPF states that the housing requirement should either be those set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. As the Core Strategy Local Plan (2013) is more than 5 years old, the government's standard method has been used to calculate the target. For the 2022-23 financial year this requirement is 333 dwellings.

2.2 The annual requirement is then multiplied by 5 years (1665) and then a 5% buffer is added, as required by the NPPF to 'ensure choice and competition in the market for land'. This gives a final 5-year housing requirement for the base date of 01/04/2022 of **1748** houses.

3. Determining the supply and delivery of sites

3.1 The Council has used a range of housing site types to meet this requirement, these being:

a. Small sites with planning permission (less than 10 dwellings).
b. Large sites with planning permission (10 or more dwellings)
c. Allocations remaining from the 2005 Selby District Local Plan.
d. Windfall sites (a projection of sites not allocated in the plan, having regard to previous rates of delivery for this type of site).

3.2 Separately to this, Potential sites are assessed and projected in Appendix C: The 2022 Strategic Housing Land Availability Assessment (SHLAA). These are sites which are not allocated and don't have permission and have been put forward by landowners and developers or have been identified by the Council, for

consideration as housing sites in the Site Allocations Local Plan. Potential sites do not make up any part of the 5-year housing land supply

3.3 The Council has to realistically project how these dwellings will be built over the next 5 years and a range of criteria are used to calculate this, including:

a. Lead in times (the time taken for a site to complete its first unit)
b. Build rates (number of dwellings built per year)

3.4 The criteria used for the projection of sites in the 5-year supply has been evidenced using information from completed and permitted housing sites in the District and it has also been undertaken in consultation with a working group, consisting of professionals from the housing industry, statutory consultees and neighbouring authorities. The details of this process can be seen in Appendix C; The 2022 Strategic Housing Land Availability Assessment (SHLAA).

3.5 The assessments and projections of the sites can be seen in Appendix B: 5YHLS Database. An interactive map of the 2022 draft sites can be seen here: https://www.selby.gov.uk/strategic-housing-land-availability-assessment-shlaa

4. Determining the deliverability of sites

4.1 All sites in the 5-year supply have to be evidenced to be deliverable and the NPPF sets burdens of proof for Local authorities, depending on the nature of the site:

a. Sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years.

b. Where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

4.2 Evidence for large sites (10 dwellings or more) was sought from landowners and housing professionals in the working group regarding the deliverability of the sites they represented. In the case of outline permissions on large sites, or allocated sites, extra evidence was gathered. If the deliverability of a site could not be proven against the test set in the NPPF for that type of site, it was removed from the 5-year supply.

5. Calculating the 5 Year Supply

5.1 The dwellings from deliverable sites that could be built out over the period 2022-2027 were added together (2,141) and were compared against the 5-year housing requirement (1748), to give a final five-year supply, at the 31st of March 2022 of **6.1 years** and a buffer of 393 dwellings above the minimum 5 year requirement. Please see table 7 in Appendix A for more details.

6. Alternative Options Considered

6.1 It is an annual requirement from central government to calculate a 5-year supply and so no other alternate options were considered.

7. Implications

7.1 Legal Implications

The Council, as local planning authority, is required to prepare and publish a monitoring report under section 35 of the Planning and Compulsory Purchase Act 2004. That report must contain information relating to implementation of the Local Development Scheme and the extent that the policies within the Local Plan are being achieved. The report must be made available to the public. Information on the 5YHLS position will be repeated in the annual monitoring report, which will be published later this year. This is because it is intrinsically linked, through the National Planning Policy Framework and National Planning Policy Guidance, to achieving the policies in the plans.

7.2 Financial Implications

There are no financial implications as a direct result of this report.

7.3 Policy and Risk Implications

There are no financial implications as a direct result of this report.

7.4 Corporate Plan Implications

The preparation of a new Local Plan will help the Council to deliver its Corporate Plan objectives to make Selby a great place to do business and to enjoy life. More specifically it will contribute to the objective to have a local plan in place which will deliver more houses in the District, business opportunities, promote health and well-being and protect and enhance the local environment.

7.5 Resource Implications

There are no resource implications as a direct result of this report.

7.6 Other Implications

There are no other resource implications identified as a direct result of this report.

7.7 Equalities Impact Assessment

No significant impacts have been identified.

8. Conclusion

8.1 The Council has undertaken an assessment of its housing supply in accordance with the NPPF and has determined that it has more than a 5-year supply of housing. This means that, in line with paragraph 11 of the new NPPF, relevant policies that relate to the supply of housing continue to be considered up to date.

9. Background Documents

2021-2026 Five Year Housing Land Supply Report
2021 Strategic Housing Land Availability Assessment (SHLAA).

10. Appendices

Appendix A: 2022-2027 Five Year Housing Land Supply Report
Appendix B: 5YHLS Database
Appendix C: Summary of Sites
Appendix D: SHLAA Report 2022
Appendix E: 2022 SHLAA Database
Appendix F: SHLAA Methodology Working Group Paper & Responses

An interactive map of the 2022 draft sites can be seen here:
https://www.selby.gov.uk/strategic-housing-land-availability-assessment-shlaa

Contact Officer:

Richard Welch, Planning Policy Officer
rwelch@selby.gov.uk
01757 292117

This page is intentionally left blank

APPENDIX A

Selby District Council

5 Year Housing Land Supply Report 2022-2027

Position at 31st March 2022

Contents

1 Introduction 4
2 Background 4
3 Types of sites in the deliverable 5 year supply 8
4 Methodology for calculating the 5 year supply 11
5 Five year housing supply calculation 18
6 Appendices 19
Appendix 1: Database of sites contributing to the 5 year supply 19
Appendix 2: Maps of sites contributing to the 5 year supply 19
Appendix 3: Summary of sites contributing to the 5 year supply. 19

For appendices please visit: http://www.selby.gov.uk/five-year-housing-land-supply-report

1 Introduction

1.1 The purpose of this report is to:

- set out an updated methodology used in assessing the 5-year housing land supply (5YHLS); and
- provide an updated 5YHLS calculation based upon the 2022 Strategic Housing Land Availability Assessment (SHLAA) methodology which uses recent completions, forecast delivery figures, input from experts in the house building industry; and
- provide a clear position on 5YHLS which supersedes the Council's last public statement on housing land supply, which was published in September 2021 and used a base date of the 31st March 2021.

1.2 The Council has produced a five-year housing land supply report annually since 2010. This statement uses a base date of the 31st March 2022 and the 5-year supply period within it will run to 31st March 2027.

2 Background

2.1 This section of the report briefly details the national policy context to housing land supply and the history of 5-year housing land supply as they relate to Selby District.

National Policy & Guidance

2.2 Paragraph 68 of the February 2019 National Planning Policy Framework (NPPF) requires local planning authorities to:

- identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirements set out in adopted strategic policies or against their local housing need where the strategic policies are more than five years old; and

- identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15.

2.3 Paragraph 11 and footnote 8 of the NPPF states that relevant policies for the supply of housing should not be considered up-to-date where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites, with the appropriate buffer (as set out in paragraph 74) or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

2.4 Paragraph 74 requires that the supply of specific deliverable sites should in addition include a buffer of:

a) 5% to ensure choice and competition in the market for land; or
b) 10% where the local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement or recently

adopted plan, to account for any fluctuations in the market during that year; or

c) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply.

2.5 The NPPF requires that local planning authorities also monitor progress in building out sites which have planning permission, through a Housing Delivery Test. Paragraph 76 states that where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirement over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.

2.6 Footnote 39 of the NPPF states that "*Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance*." As the Selby District Local Plan Core Strategy (2013) is over five years old and a review has yet to be undertaken we will use the standard method as set out in the national planning guidance to calculate our five year housing supply.

2.7 The National Planning Practice Guidance (PPG) states that: "*Deliverable sites for housing could include those that are allocated for housing in the development plan and sites with planning permission (outline or full that have not been implemented) unless there is clear evidence that schemes will not be implemented within five years. However, planning permission or allocation in a development plan is not a prerequisite for a site being deliverable in terms of the five-year supply. Local planning authorities will need to provide robust, up to date evidence to support the deliverability of sites, ensuring that their judgements on deliverability are clearly and transparently set out".*

2.8 The national guidance is quite clear then that as part of this annual update of its housing supply position, Selby District Council should consider the deliverability of sites in the five year supply very carefully, so that the assessment can be considered robust.

5YHLS Statements and Previous Appeal Decisions

2018 Appeal Decisions

2.9 The Council's supply position at the 30th September 2017 was endorsed by a number of appeals this year at Ulleskelf, Church Fenton, North Duffield, and Thorpe Willoughby[1]. The following elements of the previous five year supply methodology were also confirmed by these appeal decisions:

[1] Appeal decision refs. APP/N/2739/W/17/3175463, APP/N/2739/W/17/3183958, APP/N2739/W/17/3173018 & APP/N/2739/W/17/3181460

- The use of an evidenced based discount rate to take account of the possible non-implementation of permissions;
- The use of a 5% buffer (as opposed to a 20% buffer for those authorities that have had a record of persistent under-delivery); and
- The inclusion of windfall sites in the 5YHLS.

5YHLS Update Statement – September 2021

2.10 This report had a base date of 31st March 2021 and calculated that the District had a 7.5 year supply of deliverable housing land and therefore the relevant policies relating to the supply of housing could be considered up to date. No appeal challenges were made to this supply position.

Strategic Housing Land Availability Assessment (SHLAA) –September 2022

2.11 The Council's tenth SHLAA contains a methodology for assessing the delivery of sites over time, as well as an assessment of sites contained within the 5YHLS. The assessment and methodology were produced with the help of a working group composed of landowners, professionals from the development industry and key stakeholders such as infrastructure providers and neighbouring authorities.

2.12 The working group helped inform the following key aspects of the SHLAA methodology, following a review of empirical evidence.

- Varied net developable area ratios – the larger the site, the lower the ratio.
- Varied lead-in times – the less advanced the site is in the planning process, the longer the lead in time.
- Varied build rates – the larger the site, the greater the build rate and number of builders.
- Varied density rates – higher in urban locations and lower in rural locations.

2.13 The application of the SHLAA methodology for the delivery of sites in the 5YHLS can be seen in the supply spread sheet in appendix 1. For more information on the 2022 SHLAA, please see: http://www.selby.gov.uk/strategic-housing-land-availability-assessment-shlaa. The 2022 SHLAA has been used to project the supply in this 5YHLS Statement.

Determining Deliverability

2.14 A key priority for the five year housing land supply report is to determine the deliverability of sites in the supply. The NPPF Glossary states that; To be considered deliverable, sites should be available now, offer a suitable location

for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years, in particular;

a) Sites which do not involve major development and have planning permission, and all sites with detailed planning permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

b) Where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.

2.15 To be considered developable, sites should be in a suitable location for housing development with a reasonable prospect that they will be available and could be viably developed at the point envisaged.

2.16 In order to determine deliverability, site promoters were sent emails which asked them about their timescales for development, whether they had any viability/ delivery issues and when they expected these issues to be overcome. A reminder was sent to site promoters of sites where there is a greater burden of proof on deliverability needed as per part b) of the NPPF Glossary on Deliverability. A summarised list of all the actions the Council took to determine deliverability is shown in table 1 overleaf.

Table 1: Deliverability Assessment Actions

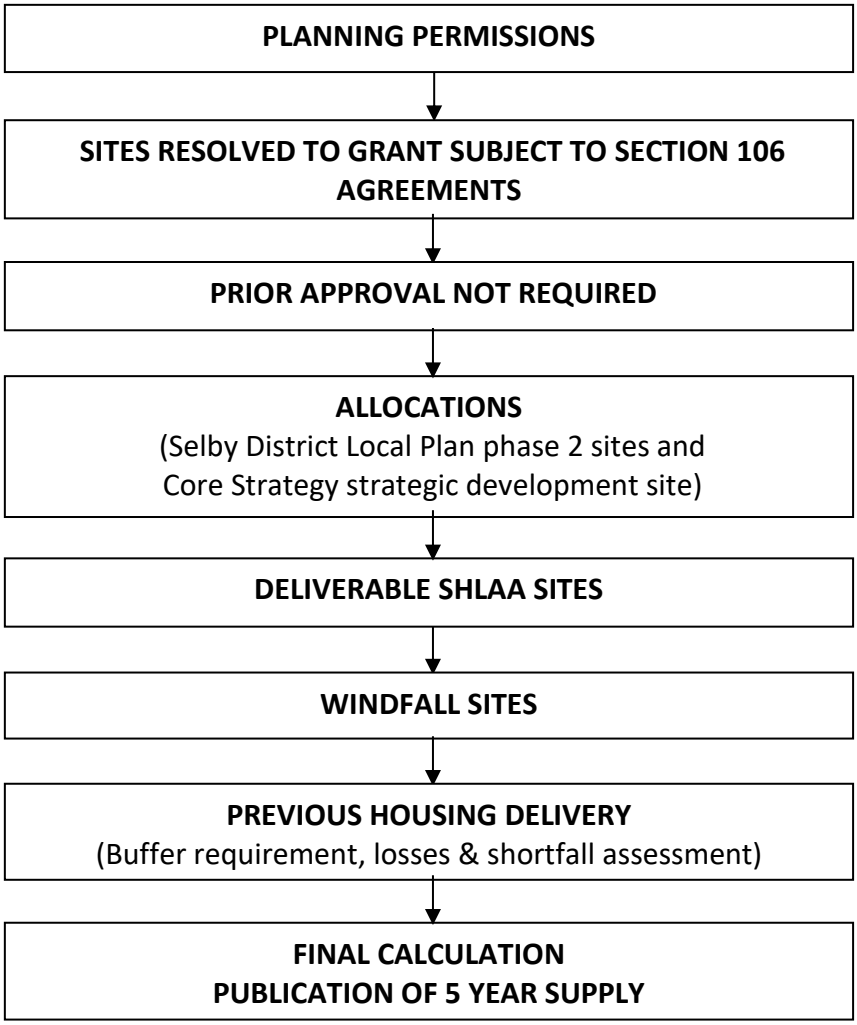
Action	Purpose	Inclusive Dates
SHLAA working group methodology consultation	To discuss, with housing industry professionals, how to realistically project housing completions, using a range of criteria.	19/08/2022 - 26/08/2022
SHLAA site assessment consultation	To gain information from site promoters on their sites deliverability and viability. Comments on the methodology were also accepted during this time.	30/08/2022 to 13/09/2022
SHLAA site assessment deliverability check phone call and email	A reminder email was sent to Agents/ developers on sites with large outline permissions where there is a greater burden of proof on deliverability needed as per NPPF paragraphs .	09/09/2022 to 26/09/2022

2.17 The deliverability position on many sites has been updated as a result of the Council working proactively with developers to gain the most accurate information. Where certain sites had a lack of evidence on deliverability, the agents and developers of these sites were contacted again to obtain more evidence. Where uncertainties remained, these sites were then not included within the five year housing land supply.

3 Types of sites in the deliverable 5 year supply

3.1 Figure 1 identifies the process involved in undertaking the annual update and which sources of sites have been used. Further explanation of each stage is outlined in detail later in this section and in section 4.

Figure 1:The 5-year housing land supply assessment process



3.2 The Council carried out visits and surveys of sites with planning permission within the district at the beginning of April 2022. This was to ascertain the status of each site, in order to determine what is built and what remains outstanding. Regular information has also been received from the Council Tax department regarding which properties have been completed and the Council's Community Infrastructure Levy (CIL) officer checks throughout the year to see whether planning permissions have been implemented. All the planning permissions in the assessment are extant; any consents that have lapsed have been removed from the assessment.

3.3 This list of permissions includes outline (in addition to full and reserved planning permissions) as the principle of development has been established, subject to reserved matters. In undertaking the site assessments, small sites and large sites with permission have been classified differently, this is due to the different way they have been assessed in the 2022 SHLAA, with small sites being assessed in less detail than the large sites.

3.4 All sites in the supply which have not yet started or have stalled have been assessed to determine their deliverability through the SHLAA. The viability of each site was discussed with the landowner or the agent to determine when they would expect to be on site. It was also identified (in the case of allocated sites) if there are plans to submit a planning application and what the timescale for submission would be. This information has been used to determine which of these sites are included within the 5-year housing land supply and which are pushed back into years 6-10, 11-15, or are classed as undeliverable.

Planning permissions: small sites (less than 10 dwellings)

3.5 As of the 31st March 2022, there were **404** dwellings with planning permission (gross) on sites with less than 10 units, the number that is projected to be delivered in the next 5 years is **370**.

Planning permissions: large sites (10 dwellings or more)

3.6 As of the 31st March 2022, there were **1,330** dwellings with planning permission (gross) on sites with 10 units or more. The number that is projected to be delivered in the next 5 years is **1,291.**

Sites resolved to grant subject to section 106 agreements

3.7 As of the 31st March 2022, there were **no** sites of this type.

Prior approval not required

3.8 As of the 31st March 2022, there were **no** sites of this type.

Allocations: Selby District Local Plan (phase 2 sites)

3.9 As of the 31st March 2022, phase 2 housing allocations from the Selby District Local Plan (which was adopted in 2005) had a combined capacity of **936** dwellings. The number that is assessed and projected to be delivered in the next 5 years is **205**. Assurances have been sought from landowners and site promoters on the delivery of these sites, as per table 1 above.

Allocations: Core Strategy (Olympia Park)

3.10 This site is allocated as a strategic mixed use development site in the Core Strategy in policy SP7. This policy states that development within the defined area will be programmed to deliver 1,000 new homes; a large part of the allocated site to the west already had permission for 863 dwellings

(2012/0541/EIA) but this lapsed December 2018. As a result of these factors, the number of dwellings that is projected to be delivered on the Olympia Park allocation in the next 5 years is **0.**

Deliverable SHLAA sites

3.11 The NPPF states that for a site to be considered deliverable, it should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on site within 5 years. In this regard it can be acceptable to include sites without permission in the supply if there is clear evidence that a site is deliverable.

3.12 As of the 31st March 2022, there were **no** sites of this type.

Windfall Completions

3.13 Section 4 of this report shows the projected number of windfall completions in the first 5 years is **308** dwellings.

4 Methodology for calculating the 5 year supply

4.1 This section explains the different criteria and assumptions which are applied in the calculation of the 5 year supply. For each criteria, it is explained how its application is consistent with the most recent guidance, case law and empirical evidence.

Basic requirement/housing target

4.2 The NPPF (2019) requires that local planning authorities identify a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirements set out in adopted strategic policies that are no more than five years old, or against their local housing need where the strategic policies are more than five years old, unless these strategic policies have been reviewed and found not to require updating.

4.3 The Selby District Core Strategy Local Plan was adopted in October 2013 and therefore over 5 years old, footnote 39 of the NPPF states that "Unless these strategic policies have been reviewed and found not to require updating. Where local housing need is used as the basis for assessing whether a five year supply of specific deliverable sites exists, it should be calculated using the standard method set out in national planning guidance." As the Core Strategy Local Plan (2013) has yet to be reviewed the Council is using the standard method as set out in the national planning guidance to calculate our five year housing supply.

4.4 The housing target as set out by the standard methodology for the financial year 2021-2022 is to deliver a minimum of 333 homes per year across the District and this starting point gives a basic five year requirement for 1,665 homes across the District: 333 x 5 = 1665.

Planning permissions and the non-implementation discount

4.5 A non-implementation discount is applied to small sites with planning permission and prior approvals not required which have yet to start on site. A discount has not been applied to large sites with planning permission, as these have already been subject to a high degree of deliverability assessment as described in paragraphs 2.16, 2.17 and table 1, above, to apply a further discount would be double counting.

4.6 In the projection of the supply, the discount is used to demonstrate the fact that a proportion of small sites may not start in the 5-year period and that their permissions will lapse. An analysis in table 2 of all small sites granted planning permission over the course of plan period so far, shows that the non-implementation rates for dwellings are 15% and for sites it is 15%.

4.7 Because permissions are implemented on a site basis, the rate of non-implementation will be set to 15% in this report. However, this figure will only apply to small sites with planning permission which have not yet started on site, as explained above.

Table 2: Permission lapse rates on sites less than 10 dwellings 01-04-2011 to 31-03-2022

Lapsed?	Number of Sites	Number of Houses
No (implemented/in time)	573	1191
Yes	103	216
Total	676	1407
% Lapsed	15%	15%

Other Losses

4.8 Houses may be lost through demolitions and by a change of use. Having reviewed the permissions from the previous financial year, it was found 1 dwelling was lost. This dwelling was lost through a change of use of an annex to a holiday let. This loss has been accounted for in the total number of permissions in table 7.

Windfall allowance

4.9 Paragraph 71 of the NPPF states that: *'Where an allowance is to be made for windfall sites as part of the anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area'.*

4.10 During the Hodgsons Gate appeal (APP/N2739/W/16/3144900) the appellant challenged the appropriateness of the Council including windfalls in the 5 year supply. The inspector stated in his decision notice for the appeal that; '*the Core Strategy Inspector's Report and the Core Strategy clearly set the District's housing requirement at 450 dwellings per annum. Both clearly indicate, however, that windfall sites will be mostly additional to this figure rather than an integral part of the supply. Indeed, the Core Strategy is clear that 'the Council has not made any allowance for future contribution from windfalls in calculating the number of dwellings to be provided through new allocations after taking account of existing commitments' and, thus, that 'windfalls are likely to add to the total delivery of homes, in excess of the planned-for target'*.

4.11 The inspector added that: *'there is no policy preventing the Council from including windfalls in its five-year housing supply'*. However, the Inspector tempered this by also stating that: '*it seems to me that the Council's inclusion of a substantial number of windfall dwellings in the five-year supply, while not precluded by policy, must be treated with some caution'.* This underlines the need for the Council to be accurate, realistic, and cautious in its projection of potential windfall completions in the next 5 years.

4.12 More recent appeal decisions have supported the Council's approach to windfalls. The Inspector into the appeal at West Farm, Ulleskelf[2] for example stated that *"I have had regard to the Hodgson's Gate appeal decision, in which the Inspector voiced concern over the inclusion of windfalls, despite the fact that there is no policy basis to preclude them. However, I am satisfied that the Council has substantially reduced the figure, and so I include it in the supply".* Furthermore, the Inspector who considered appeals at South Lane, Church Fenton[3] and Main Street, North Duffield[4] stated that *"I find that the number of windfall sites that have come forward merely indicates that the Council was unable to demonstrate a deliverable housing land supply until relatively recently rather than a contrived reliance on such sites".*

4.13 The Council considers all sites not allocated for housing in the Local Plan to be windfall. Windfalls are expected to continue to be a reliable source of supply, but there are a number of factors which will occur over the next 5 years of the plan period which will influence the rate of their delivery.

- The natural churn of brownfield land which occurs within built up areas will continue, where businesses and non-housing uses relocate and free up land for housing. There may be a slight trend upwards as evolving national planning policy (such as the requirement for a brownfield register) continues to re-focus upon the effective regeneration of brownfield sites.

- The Council intends to allocate sites in its emerging Local Plan (which was subject to a public consultation on its Pre Submission Publication version of the plan in August to October of 2022) to meet its housing requirement, these allocated sites will enable the Council to resist inappropriate development on large unallocated greenfield sites. This will result in a lower number of windfall completions.

- Applications for housing will continue to be permitted in addition to sites allocated in the Local Plan, providing they are sustainable and following assessment against relevant policies in the Local Plan and other material considerations. This will continue to sustain and increase the number of windfall completions.

- The expansion of permitted development rights to enable farm buildings and offices to be converted to housing without planning permission will also boost windfall supply.

- Losses of dwellings inevitably occur year on year, this is due to a variety of reasons including, demolitions, mergers and change of use. This is a downward driver in the net number of windfalls that can come forward.

4.14 There are likely to be both upward and downward windfall trends and on balance the Council is continuing to support a modest windfall allowance in the

[2] Ref. APP/N2739/W/17/3173108
[3] Ref. APP/N2739/W/17/3175463
[4] Ref. APP/N2739/W/17/3183958

5-year housing land supply. This is in line with policy SP4 of the Core Strategy (Management of Residential Development in Settlements).

4.15 Table 3 provides the data for gross completions on non-allocated sites (windfalls) in the District since 2005 (the start of the Selby District Local Plan Period). This shows that there has been a high level of completions on windfall sites, but in general less as a percentage in the Core Strategy plan period.

Table 3: Net completions on windfalls

Financial year	Net completions	Net windfall completions	% windfall completions
2005-06	638	580	91
2006-07	874	687	79
2007-08	583	343	59
2008-09	226	163	72
2009-10	270	163	60
2010-11	366	211	58
2011-12	281	173	62
2012-13	179	45	26
2013-14	289	75	26
2014-15	436	147	34
2015-16	501	222	44
2016-17	568	162	28
2017-18	610	365	59
2018-19	623	368	59
2019/20	492	379	77
2020-21	525	450	85
2021-22	455	388	85
Total/Average 2005-2022	**7,916**	**4,921**	**62**
Average 2005-2022 (17 years)	**465**	**289**	**60**
Plan Period Total 2011-2022	**4,959**	**2774**	**56**
Plan Period Average 2011-2022	**451**	**252**	**56**
Units built on garden land during plan period (2011-2022)	98	98	-
% built on garden land	**1%**	**2%**	**-**

Table 4: Net windfall completions across the settlement hierarchy 2011-22

Site Size Bracket	Selby	Sherburn	Tadcaster	DSV	SV	Countryside	Total
1 to 5	49	22	19	312	215	24	641
6 to 10	45	6	6	130	55	6	248
11 to 20	62	0	0	60	45	0	167
21 to 50	0	0	0	356	0	0	356
51 to 100	0	60	0	256	0	0	316
101+	83	204	0	631	128	0	1046
Grand Total	239	292	25	1745	443	30	2774

4.16 In order to forecast the windfall completions over the next 5 years, the average number of windfall houses completed per annum over the plan period (252) was taken as a starting point as this reflects recent trends in the local housing market. The expected completion figure over the next 5 years was reduced from this figure to 247, to take account of the number of dwellings completed on garden land (calculated to be 2%), which the NPPF states should not be accounted for.

4.17 The average of 247 completions was reduced further to better reflect the factors influencing the rate of delivery windfall described in paragraph 4.9 above. No trends are clear in the historical delivery of windfalls, however, it is considered that there will be an overall reduced rate of delivery on windfall sites, as large-scale unallocated sites outside of the development limits are resisted when a Local Plan with housing allocations is adopted.

4.18 Table 4 shows that windfall completions on sites of 51+ dwellings, over the course of the plan period, have mostly occurred in the Local Service Centres of Tadcaster and Sherburn in Elmet, the Designated Service Villages and the Secondary Villages. It is not anticipated that, after the adoption of the Local Plan, such sites in these locations will continue to come forward over the remainder of the plan period. In total these sites have contributed 1362 dwellings over the Core Strategy plan period so far, an average of 124 dwellings per year. Therefore 124 dwellings have been subtracted from the average of 247 to give a projected 123 dwellings per annum.

4.19 The projection for the predicted average rate of 123 completions per annum can be seen in table 5 below. This method prevents any double counting of windfall plots with existing permissions, as windfall plots are only projected as if they were first given planning permission in the year 2021-22. Lead-in times are also factored into the projection (as per the 2022 SHLAA) so no windfalls are provided in the first 2.5 years of the plan period. The total cumulative completions from windfalls over the first 5 years are **308**.

Table 5: Windfall completion projection

Financial year complete					
22/23	23/24	24/25	25/26	26/27	Total
0	0	62	123	123	**308**

The Housing Delivery Test

4.20 Paragraph 75 of the NPPF states that Local Authorities should monitor the progress in building out sites which have permission, to maintain the supply of housing. Where the Housing Delivery Test indicates that delivery has fallen below 95% of the local planning authority's housing requirements over the previous three years, the authority should prepare an action plan in line with national planning guidance, to assess the causes of under-delivery and identify actions to increase delivery in future years.

4.21 The NPPF confirms that the Housing Delivery Test will apply from the day following the publication of the Housing Delivery Test results in November 2018. Notwithstanding the above, Table 6 demonstrates that over the last 6 financial years, the number of net completions have exceeded the Council's housing target.

Table 6: Housing requirement & annual completions

Year	Plan period	Net completions	Target	Cumulative Net Provision
05-06	Selby District Local Plan Period	638	620	+18
06-07		874	575[5]	+299
07-08		583	440	+143
08-09		226	440	-214
09-10		270	440	-170
10-11		366	440	-74
Total net provision		**2,957**	**2,955**	**+2**
11-12	Core Strategy Plan Period	281	450	-167
12-13		179	450	-271
13-14		289	450	-161
14-15		436	450	-14
15-16		501	450	+51
16-17		568	450	+118
17-18		610	450	+160
18-19		623	450	+173
19-20		492	450	+42
20-21		525	450	+75
21-22		455	450	+5
Total net provision		**4,959**	**4,950**	**+9**

[5] Total annual dwelling requirement up to 31st December 2006 is 620 and 440 from 1 January 2007, providing a requirement of 575 dwellings between 1st April 2006 and 31st March 2007.

Applying the Buffer

4.22 The NPPF (paragraph 47) requires that local planning authorities should have a 5-year housing land supply with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been significant under delivery of housing over the previous 3 years, Local Planning Authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply. Furthermore, where a local planning authority wishes to demonstrate a five year supply of deliverable sites through an annual position statement they should apply a 10% buffer.

4.23 Table 6 illustrates the completions for the past sixteen years within the District. The average annual completion is 465 over the 17 years. The average number of completions over the Core Strategy plan period (from 2011 onwards) is 451. It can be seen that there was over-delivery in the years before the financial crash in 2008 and under-delivery after it, as a result of the slowdown in the housing market. For the past 6 financial years, the target of 450 dwellings per annum has been exceeded, therefore the Council has chosen a 5% buffer in this 5YHLS statement.

Dealing with the shortfall

4.24 When using the standard methodology, no under supply or previous under delivery is taken into account. This is the approach taken in appeal decisions at Woburn Sands (APP/Y0435/W/17/3169314) where the Secretary of State has disregarded the identified backlog in assessing 5YS. In another appeal (at Woolpit - APP/W3520/W/18/3194926) the Inspector has similarly said (at paragraph 64): “No under supply/previous under delivery is taken into account when using the standard method. Therefore, no ‘backlog’ of unmet need should be taken into account when calculating the Council’s housing land supply position.”

5 Five year housing supply calculation

5.1 Tables 7 and 8 show how the sites described in section 3 of the report and the methodology for calculating the supply in section 4 of the report are used to produce a 5 year housing supply figure.

Table 7: Summary of net completions contributing to the 5 year supply

Summary of sites contributing to 5 year supply		**Dwellings**
A	Dwellings on sites with less than 10 units • 15% non-implementation rate applied to sites not started (219 x 0.85): 186 • Sites started: 151	337
B	Dwellings on sites of 10 or more units	1290
C	Dwellings approved at committee subject to section 106 agreements	0
D	Losses	1
E	Sum of permissions (A+B+C-D)	1628
F	Deliverable SHLAA sites	0
G	Selby District Local Plan allocated housing sites: 205 Core Strategy allocation: 0	205
H	Windfall	308
Total plots considered to contribute to 5 year supply (E+F+G+H)		**2141**

Table 8: Five year housing land supply calculations as at 31st March 2022

A	Annual Housing target (Standard Methodology)	333
B	Five year target, no adjustment (A x 5)	1665
C	**5% buffer applied (B x 1.05)**	**1748**
D	Annual target for next five years (C ÷ 5)	350
E	**Current expected deliverable supply: (1st April 2022 to 31st March 2027)**	**2141**
F	Gap (C - E)	+393
G	**Council's housing land supply** (E ÷ D)	**6.1 years**

5.2 As at 31st March 2022, the district has a 6.1 year deliverable supply of housing. This means that, in line with paragraph 11 of the new NPPF, relevant policies that relate to the supply of housing continue to be considered up-to-date.

5.3 Appendices 1, 2 and 3 provide a database of sites with maps, which contribute towards the 5-year housing land supply.

6 Appendices

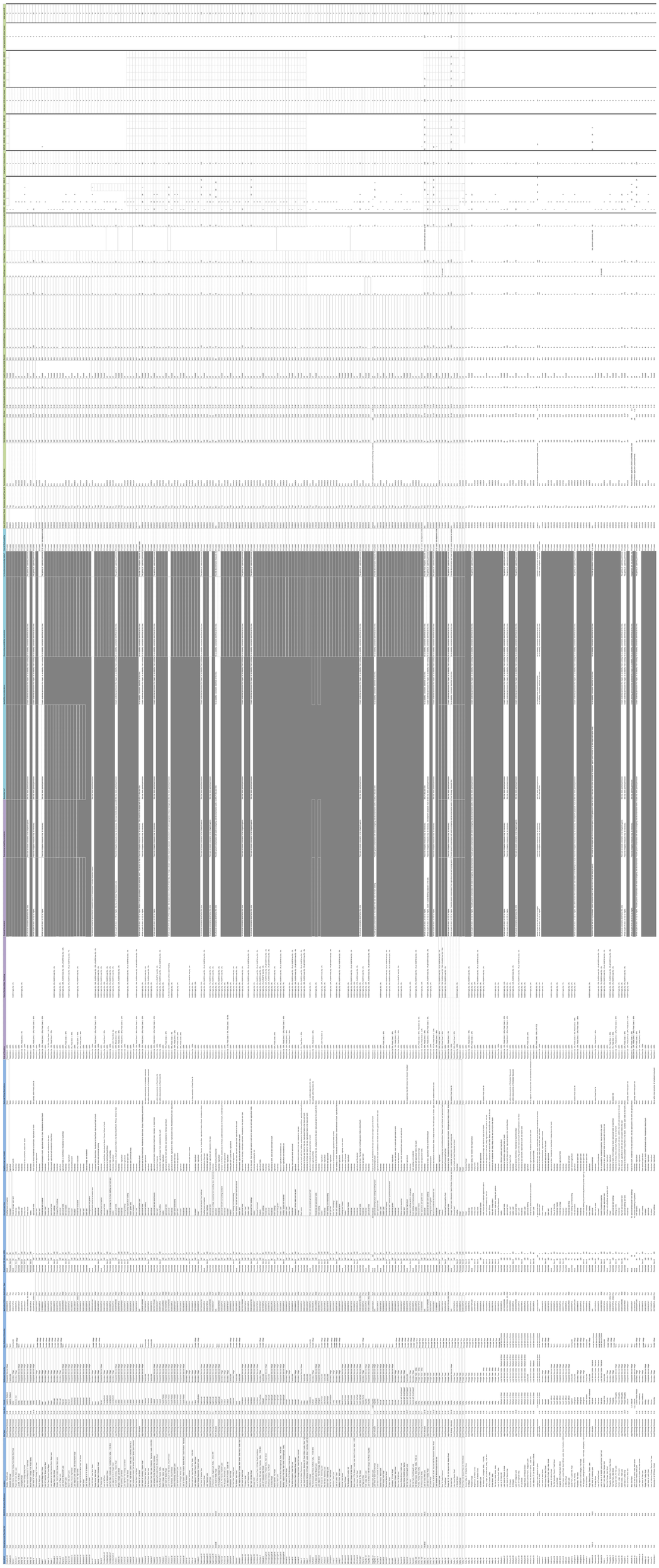
Appendix 1: Database of sites contributing to the 5 year supply

Appendix 2: Interactive map of sites contributing to the 5 year supply

Appendix 3: Summary of sites contributing to the 5 year supply.

For all of the above please visit: http://www.selby.gov.uk/five-year-housing-land-supply-report

This page is intentionally left blank



This page is intentionally left blank

5 Year Housing Land Supply Report 2022-2027

Position at 31st March 2022

Summary of Site Assessments

The following information is an extract of the assessment questions from Appendix 1 of the Five Year Housing Land Supply Report 2022-2027, position at 31st March 2022.
For more details see http://www.selby.gov.uk/five-year-housing-land-supply-report

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Aroebuck-19	Studley, Church Lane	Small Planning Permission	Designated Service Village	2020/0084/S73	0-5 years	1	0	0	0	0
Aroebuck-21	Windmill, Old Road	Small Planning Permission	Countryside	2021/0347/FUL	0-5 years	1	1	0	0	1
Balne-2	Mobile Home, Horseshoe Fishing Pond, Balne Moor Road	Small Planning Permission	Secondary Village	2016/1171/FUL	0-5 years	1	1	0	0	1
Barkston-7	Turpin Hall Farm, Back Lane	Small Planning Permission	Secondary Village	2019/0804/FUL	0-5 years	3	3	0	0	3
Barlby-25	Low Mill, York Road	Small Planning Permission	Designated Service Village	2019/0724/OUT	0-5 years	2	2	0	0	2
Barlby-26	1 Bungalow Road	Small Planning Permission	Designated Service Village	2018/1037/FUL	0-5 years	1	1	0	0	1
Barlby-30	West View Garage, Barlby Road	Small Planning Permission	Designated Service Village	2018/1362/OUT	0-5 years	9	9	0	0	9
Barlby-31	Bay Horse Inn Phase 1 & 2, York Road	Large Planning Permission	Designated Service Village	2016/1330/REMM, 2016/0392/REM, 2020/1404/FUL	0-5 years	2	2	0	0	2
Barlby-32	Mount Pleasant Cottage, York Road, Barlby	Small Planning Permission	Designated Service Village	2021/0672/FUL	0-5 years	1	1	0	0	1
Barlby-9	Land West of York Road	Large Planning Permission	Designated Service Village	2013/0478/FUL, 2016/1314/FULM, 2017/1295/FULM	0-5 years	25	25	0	0	25
Barlow-4	Gamekeepers Cottage, 5 Park Lane	Small Planning Permission	Secondary Village	2019/0772/OUT	0-5 years	2	2	0	0	2
Barlow-6	Plot 2, Park Lane	Small Planning Permission	Secondary Village	2020/1048/FUL	0-5 years	1	1	0	0	1

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Beal-5	Ings Lane/Village Farm Close	Large Planning Permission	Secondary Village	CO/2000/0211	6-10 years - development at the site has stalled for a period of several years.	9	0	9	0	9
Beal-6	Land off Jasmine, Broad Lane, Beal	Small Planning Permission	Secondary Village	2021/0892/FUL	0-5 years	1	1	0	0	1
Biggin- 8	Croft Farm, Oxmoor Lane , Biggin	Small Planning Permission	Secondary Village	2016/0243/FUL	0-5 years	1	1	0	0	1
Biggin-1	Land adjacent to Little Common Farm, Biggin Lane	Small Planning Permission	Secondary Village	2020/0171/S73	0-5 years	1	1	0	0	1
Bilbrough-4	Village Farm, Main Street	Small Planning Permission	Secondary Village	2021/0190/S73	0-5 years	5	5	0	0	5
Bilbrough-8	Granary North of Arden Grange, Back Lane	Small Planning Permission	Secondary Village	2016/1027/FUL	0-5 years	1	1	0	0	1
Bilbrough-9	Land at Piggy Lane	Small Planning Permission	Secondary Village	2019/1298/S73	0-5 years	2	2	0	0	2
Brayton-1	Land South of Brackenhill Lane	Small Planning Permission	Designated Service Village	2018/0294/REM	0-5 years	9	9	0	0	9
Brayton-24	5A Barff Lane	Small Planning Permission	Designated Service Village	2020/0397/OUT	0-5 years	5	5	0	0	5
Brayton-25	Manor Felde, Barff Lane	Small Planning Permission	Designated Service Village	2019/0940/FUL	0-5 years	1	1	0	0	1
Brotherton-11	Mulberry House, High Street	Small Planning Permission	Designated Service Village	2021/0680/S73	0-5 years	1	1	0	0	1
Brotherton-14	Land Adjacent Little Cottage, Old Great North Road	Small Planning Permission	Designated Service Village	2018/1136/OUT	0-5 years	7	7	0	0	7

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Brotherton-15	Dobsons Yard, High Street	Small Planning Permission	Designated Service Village	2018/1332/FUL, 2021/1262/FUL	0-5 years	4	1	0	0	1
Brotherton-16	Land Adjacent To Punch Bowl Yard, Low Street	Small Planning Permission	Designated Service Village	2019/0386/FUL	0-5 years	4	4	0	0	4
Brotherton-17	High Street	Small Planning Permission	Designated Service Village	2019/1103/FUL	0-5 years	1	1	0	0	1
Brotherton-18	Land To Rear of 15 To 20 Belmont	Small Planning Permission	Designated Service Village	2020/1033/FUL	0-5 years	2	2	0	0	2
Brotherton-19	1 Gauk Street	Small Planning Permission	Designated Service Village	2016/0734/FUL	0-5 years	1	0	0	0	0
Burn-12	Land Off Barff View, Burn, Selby,	Large Planning Permission	Secondary Village	2020/0014/FULM	0-5 years	10	10	0	0	10
Burn-6	Poplar House, Main Road	Small Planning Permission	Secondary Village	2009/0950/REM	0-5 years	6	6	0	0	6
Burn-9	Burn Grange Farm, Doncaster Road	Small Planning Permission	Secondary Village	2016/1438/FUL	0-5 years	1	0	0	0	0
Byram-9	17 Sutton Lane	Small Planning Permission	Designated Service Village	2011/0319/FUL	0-5 years	2	1	0	0	1
Camblesforth-12	Land at Mill Farm	Small Planning Permission	Secondary Village	2018/1115/FUL	0-5 years	8	9	0	0	9
Camblesforth-14	Land at Oaklands Close	Small Planning Permission	Secondary Village	2019/1234/FUL	0-5 years	3	3	0	0	3
Camblesforth-17	Low Farm Barn, Camela Lane, Camblesforth, Selby, , YO8 8HA	Small Planning Permission	Secondary Village	2021/0383/FUL	0-5 years	1	1	0	0	1

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Camblesforth-6	Land adjacent to No 3 Chapel Court	Small Planning Permission	Secondary Village	2020/0612/FUL	0-5 years	1	1	0	0	1
Carlton-1	Land North of cemetery, Station Road	Large Planning Permission	Designated Service Village	2018/0870/REMM	0-5 years	31	31	0	0	31
Carlton-15	Bingley Cottage, Low Street	Small Planning Permission	Designated Service Village	2019/0370/FUL	0-5 years	1	0	0	0	0
Carlton-16	The Conifers, Low Street	Small Planning Permission	Designated Service Village	2020/0946/REM	0-5 years	2	1	0	0	1
Carlton-23	Land Adj Thorn Tree Cottage, Low Street	Small Planning Permission	Designated Service Village	2021/0356/FUL	0-5 years	1	1	0	0	1
Carlton-24	Grove Farm, High Street	Small Planning Permission	Designated Service Village	2019/0464/FUL	0-5 years	1	1	0	0	1
Carlton-25	Geth I Nor, High Street, Carlton, Goole, East Yorkshire, DN14 9LU	Small Planning Permission	Designated Service Village	2020/1001/FUL	0-5 years	1	1	0	0	1
Carlton-26	Land at Elmstone House, Low Street, Carlton, Goole, East Yorkshire	Small Planning Permission	Designated Service Village	2021/0108/FUL	0-5 years	1	1	0	0	1
Carlton-4	Pear Tree Farm, Low Street	Small Planning Permission	Designated Service Village	2018/0741/FUL	0-5 years	2	2	0	0	2
Carlton-5	Land West of Low Street	SDLP Allocation	Designated Service Village	N/A	Undeliverable	31	0	0	0	0
Carlton-9	Land North of cemetery, Station Road	Large Planning Permission	Designated Service Village	2018/0871/REMM	0-5 years	60	60	0	0	60

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Catterton-5	Old Street Farm, Moor Lane	Small Planning Permission	Countryside	2017/0919/FUL	0-5 years	1	1	0	0	1
Catterton-6	Old Street Farm, Moor Lane	Small Planning Permission	Countryside	2019/0376/FUL	0-5 years	1	0	0	0	0
Catterton-7	East Garth Farm, Moor Lane, Catterton, Tadcaster, Leeds, LS24 8DH	Small Planning Permission	Countryside	2020/0907/S73	0-5 years	3	3	0	0	3
Cawood-1	Land between Ryther Road and the Cemetery	Large Planning Permission	Designated Service Village	2017/0177/FULM	0-5 years	23	23	0	0	23
Cawood-8	Land Adjoining Riverside Court, Riverside Court	Small Planning Permission	Designated Service Village	2019/1331/OUT	0-5 years	6	6	0	0	6
Cawood-9	Ryther Road, Cawood, Selby,	Small Planning Permission	Designated Service Village	2019/0712/FUL	0-5 years	1	1	0	0	1
CFenton-2	Maple Cottage, Nanny Lane	Small Planning Permission	Designated Service Village	2020/1245/REM	0-5 years	1	1	0	0	1
CFenton-24	Land North of Station Road	Small Planning Permission	Designated Service Village	2017/0443/REM	0-5 years	2	2	0	0	2
CFenton-3	Land to the South of Main Street, Church Fenton	Large Planning Permission	Designated Service Village	2017/0736/REMM	0-5 years	50	50	0	0	50
CFenton-30	The Orchards, Church Fenton	Small Planning Permission	Designated Service Village	2019/0108/FUL	0-5 years	2	2	0	0	2
CFenton-31	Joiners Workshop, Sandwath Lane	Small Planning Permission	Designated Service Village	2018/0207/OUT	0-5 years	4	4	0	0	4

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
CFenton-32	Land South of Common Lane	Small Planning Permission	Designated Service Village	2020/0904/S73	0-5 years	9	9	0	0	9
CFenton-33	1 Fern Cottages, Nanny Lane	Small Planning Permission	Designated Service Village	2015/1220/FUL	0-5 years	1	1	0	0	1
CFenton-40	Land at Church Fenton Station, Station Road, Church Fenton, Tadcaster,	Small Planning Permission	Designated Service Village	2021/0818/S73	0-5 years	2	2	0	0	2
Cliffe-42	4 Curson Terrace	Small Planning Permission	Secondary Village	2020/0625/FUL	0-5 years	1	1	0	0	1
Cliffe-43	Manor House, Hull Road	Small Planning Permission	Secondary Village	2020/0242/FUL	0-5 years	1	1	0	0	1
Cliffe-44	Goule Hall Farm, Ings Road, Cliffe, Selby, , YO8 6PN	Small Planning Permission	Secondary Village	2021/0006/FUL	0-5 years	2	1	0	0	1
Colton-3	Land Adjacent, St Pauls Church, Main Street	Small Planning Permission	Secondary Village	2017/0238/FUL	0-5 years	1	1	0	0	1
Cstubbs-5	Manor Grange Equestrian, Cobcroft Lane	Small Planning Permission	Secondary Village	2020/0209/FUL	0-5 years	1	1	0	0	1
Eggborough-19	Land West of Meadow View	Large Planning Permission	Designated Service Village	2017/0542/OUTM	0-5 years	120	120	0	0	120
Eggborough-22	1 Weeland Road	Small Planning Permission	Designated Service Village	2016/0415/FUL	0-5 years	1	1	0	0	1
Eggborough-23	Land Tranmore Lane	Small Planning Permission	Designated Service Village	2019/1278/FUL	0-5 years	1	1	0	0	1
Eggborough-24	Weeland Road, Eggborough	Large Planning Permission	Designated Service Village	2019/1328/REMM	0-5 years	30	30	0	0	30

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Eggborough-25	18 Tranmore Lane, Eggborough, Selby, , DN14 0PR	Small Planning Permission	Designated Service Village	2021/0965/OUT	0-5 years	1	1	0	0	1
Eggborough-3	Land South of Selby Road	SDLP Allocation	Designated Service Village	N/A	0-5 years	74	74	0	0	74
Eggborough-7	1 The Bungalow, Weeland Road	Small Planning Permission	Designated Service Village	2019/0784/REM	0-5 years	5	4	0	0	4
Fairburn-12	Land At, The Haven, Rawfield Lane	Small Planning Permission	Secondary Village	2019/1352/FUL	0-5 years	6	6	0	0	6
Fairburn-18	The Bungalow, Rawfield Lane	Small Planning Permission	Secondary Village	2020/0955/FUL	0-5 years	1	0	0	0	0
Fairburn-19	Land Adjacent To Araslie, Caudle Hill	Small Planning Permission	Secondary Village	2019/0679/OUT	0-5 years	1	1	0	0	1
Gateforth-4	Wheatlands, New Road	Small Planning Permission	Countryside	2019/0059/S73	0-5 years	1	1	0	0	1
Gateforth-6	Fir Tree Farm, Landing Road	Small Planning Permission	Secondary Village	2021/1398/S73	0-5 years	1	0	0	0	0
GHeck-8	The Stables, Main Street	Small Planning Permission	Countryside	2019/1269/FUL	0-5 years	1	1	0	0	1
GHeck-9	Land Adjacent Pasture Cottage, Main Street, Great Heck, Goole, East Yorkshire	Small Planning Permission	Countryside	2021/0471/OUT	0-5 years	1	1	0	0	1
Hambleton-18	Land North of Main Road	Large Planning Permission	Designated Service Village	2017/0117/REMM	0-5 years	25	25	0	0	25

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Hambleton-25	7 St Marys Walk	Small Planning Permission	Designated Service Village	2019/0176/FUL	0-5 years	1	1	0	0	1
Hambleton-26	Land off Station Road	Small Planning Permission	Designated Service Village	2019/1159/FUL	0-5 years	3	3	0	0	3
Hambleton-27	Bar Farm, 46 Main Road	Large Planning Permission	Designated Service Village	2018/1243/OUTM	0-5 years	21	21	0	0	21
Hambleton-29	2 Anson Croft	Small Planning Permission	Designated Service Village	2021/1082/OUT	0-5 years	1	1	0	0	1
Hambleton-30	Land at White House Farm, 115 Main Road, Hambleton	Small Planning Permission	Designated Service Village	2021/0179/FUL	0-5 years	4	4	0	0	4
Hcourtney-2	Manor House, Old Lane, Hirst Courtney, Selby, , YO8 8BQ	Small Planning Permission	Secondary Village	2021/0720/OUT	0-5 years	2	2	0	0	2
Healaugh-1	Land off Oakwood, Main Street	Small Planning Permission	Countryside	2017/0706/FUL	0-5 years	1	1	0	0	1
Hemingbrough-33	HF Brown And Sons, Portland Works, Main Street	Small Planning Permission	Designated Service Village	2018/0963/FUL	0-5 years	1	1	0	0	1
Hemingbrough-34	2 Babthorpe Cottages, Hull Road	Small Planning Permission	Countryside	2019/0857/FUL	0-5 years	1	1	0	0	1
Hemingbrough-38	15 School Road	Small Planning Permission	Designated Service Village	2020/0211/FUL	0-5 years	1	1	0	0	1
Hemingbrough-40	Market Garden, Hull Road	Small Planning Permission	Designated Service Village	2021/0261/FUL	0-5 years	1	1	0	0	1
Hemingbrough-41	Induna, Back Lane	Small Planning Permission	Designated Service Village	2015/1022/FUL	0-5 years	1	1	0	0	1

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Hemingbrough-43	Kimberley , School Road, Hemingbrough , Selby, , YO8 6QS	Small Planning Permission	Designated Service Village	2021/0235/FUL	0-5 years	1	1	0	0	1
Hemingbrough-44	Building Adjacent The Villa, Main Street, Hemingbrough, Selby,	Small Planning Permission	Designated Service Village	2020/0184/FUL	0-5 years	1	1	0	0	1
Hensall-22	The Lyndens, Station Road	Small Planning Permission	Secondary Village	2019/0696/OUT	0-5 years	1	1	0	0	1
Hensall-23	Land Adjacent To The Bungalow, Finkle Street	Small Planning Permission	Secondary Village	2019/0975/FUL	0-5 years	1	1	0	0	1
Hensall-31	The White Bungalow, Hazel Old Lane	Small Planning Permission	Countryside	2016/0690/FUL	0-5 years	1	0	0	0	0
Hensall-36	Hazel Grove Farm, Weeland Road, Hensall	Small Planning Permission	Secondary Village	2021/0668/FUL	0-5 years	1	1	0	0	1
Hensall-37	A19 Caravan Storage Limited, Hazel Old Lane, Hensall	Small Planning Permission	Secondary Village	2015/0918/REM	0-5 years	1	1	0	0	1
Hillam-5	Land South of Hillam Common Lane	Small Planning Permission	Designated Service Village	2019/0009/FUL	0-5 years	1	1	0	0	1
Hillam-6	Land South Of Brooklands, Betteras Hill Road, Hillam, Leeds, West Yorkshire	Small Planning Permission	Countryside	2020/1141/OUT	0-5 years	1	1	0	0	1

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Hillam-7	Brooklands, Betteras Hill Road, Hillam, Leeds, West Yorkshire, LS25 5HD	Small Planning Permission	Countryside	2020/1142/OUT	0-5 years	1	1	0	0	1
Huddleston-1	Huddleston Grange	Small Planning Permission	Countryside	2017/0063/FUL	0-5 years	1	1	0	0	1
Kelfield-6	The Homestead, Main Street, Kelfield, Selby, , YO19 6RG	Small Planning Permission	Secondary Village	2021/0844/FUL	0-5 years	1	1	0	0	1
Kellington-13	Land on West side of Broach Lane	Small Planning Permission	Designated Service Village	2018/1123/REM	0-5 years	4	4	0	0	4
Kellington-14	Land Adjacent The Old Vicarage, Main Street	Small Planning Permission	Designated Service Village	2020/0807/FUL	0-5 years	2	2	0	0	2
LFenton-1	The Courtyard, Sweeming Lane	Small Planning Permission	Countryside	2021/0129/S73	0-5 years	1	1	0	0	1
LFenton-2	The Old Barn, Sweeming Lane	Small Planning Permission	Countryside	2019/1074/FUL	0-5 years	2	2	0	0	2
LFenton-3	Grove Farm, Sweeming Lane	Small Planning Permission	Countryside	2021/1457/S73	0-5 years	1	1	0	0	1
LSmeaton-4	The Fox Inn, Main Street	Small Planning Permission	Secondary Village	2020/0992/S73	0-5 years	1	1	0	0	1
Lumby-1	Hall Farm, Butts Lane	Small Planning Permission	Secondary Village	2019/1310/FUL	0-5 years	3	3	0	0	3
Lumby-6	Land at Lumby Court	Small Planning Permission	Secondary Village	2020/0571/FUL	0-5 years	2	1	0	0	1

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Lumby-7	Mulberry Farm, Butts Lane	Small Planning Permission	Secondary Village	2015/1263/FUL	0-5 years	1	1	0	0	1
MFryston-10	Ashville, Main Street	Small Planning Permission	Designated Service Village	2020/0991/OUT	0-5 years	3	3	0	0	3
MFryston-11	Margyl Cottage	Small Planning Permission	Designated Service Village	2018/0482/FUL	0-5 years	1	1	0	0	1
MFryston-13	The Bungalow, 31 Lumby Hill	Small Planning Permission	Designated Service Village	2020/0567/FUL	0-5 years	1	0	0	0	0
MFryston-15	Wayside Cottage,16 Main Street	Small Planning Permission	Designated Service Village	2021/0677/S73	0-5 years	3	3	0	0	3
MFryston-16	Beam House, 2 The Quarry, Lumby Lane, Monk Fryston, Selby, , LS25 5DS	Small Planning Permission	Designated Service Village	2021/0808/FUL	0-5 years	1	1	0	0	1
NDuffield-13	Lilac House, York Road	Small Planning Permission	Designated Service Village	2019/0951/FUL	0-5 years	1	0	0	0	0
NDuffield-7	Land West of The Green	Large Planning Permission	Designated Service Village	2018/1344/OUTM, 2018/1346/FULM, 2018/1347/OUT, 2019/1224/S73	0-5 years	34	34	0	0	34
NKyme-1	29 Papyrus Villas	Small Planning Permission	Secondary Village	2020/1062/FUL	0-5 years	1	0	0	0	0
Osgodby-13	Holly Lodge, Back Lane	Small Planning Permission	Designated Service Village	2019/1121/FUL	0-5 years	2	2	0	0	2
Osgodby-14	Land to the West of Mill Hill Cottage, Hull Road, Osgodby	Small Planning Permission	Designated Service Village	2018/1119/REM, 2021/0256/FUL	0-5 years	9	9	0	0	9

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Osgodby-17	Tindalls Farm, Sand Lane	Small Planning Permission	Designated Service Village	2018/0679/OUT	0-5 years	4	4	0	0	4
Osgodby-5	Land West of South Duffield Road	SDLP Allocation	Designated Service Village	N/A	0-5 years	31	31	0	0	31
Osgodby-6	Land East of St Leonards Avenue	Small Planning Permission	Designated Service Village	2020/1190/FUL	0-5 years	3	3	0	0	3
Riccall-24	Garden House, Manor Garth	Small Planning Permission	Designated Service Village	2018/0476/FUL	0-5 years	1	1	0	0	1
Riccall-25	York House , York Road	Small Planning Permission	Designated Service Village	2019/0855/S73	0-5 years	1	1	0	0	1
Riccall-27	Tamwood Station Road	Small Planning Permission	Designated Service Village	2020/1300/FUL	0-5 years	1	1	0	0	1
Riccall-5	20 Main Street	Small Planning Permission	Designated Service Village	2018/0157/FUL	0-5 years	4	4	0	0	4
Riccall-9	Jackadory, 37 York Road	Small Planning Permission	Designated Service Village	2020/0199/S73	0-5 years	1	1	0	0	1
Ryther-3	Methodist Chapel, Main Street	Small Planning Permission	Secondary Village	2019/1069/FUL	0-5 years	1	1	0	0	1
Ryther-4	Rose Lea, 28 Mill Lane	Small Planning Permission	Secondary Village	2021/1381/S73	0-5 years	1	1	0	0	1
Saxton-10	Saxton Riding School, Coldhill Lane	Small Planning Permission	Secondary Village	2019/0189/OUT	0-5 years	4	4	0	0	4
Saxton-11	Saxon Holme , Coldhill Lane, Saxton	Small Planning Permission	Secondary Village	2019/0476/FUL	0-5 years	1	1	0	0	1
Saxton-12	Old Hall Farm, Scarthingwell Lane	Small Planning Permission	Countryside	2018/1314/S73	0-5 years	9	9	0	0	9

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Saxton-8	Milner Lane	Small Planning Permission	Secondary Village	2015/1275/FUL	0-5 years	3	2	0	0	2
Saxton-9	Old Hall Farm, Scarthingwell Lane	Small Planning Permission	Secondary Village	2020/1083/FUL	0-5 years	1	0	0	0	0
Selby-100	Old Willow House, West Park, Selby, YO8 4JL	Small Planning Permission	Principal Town - Selby	2020/1208/FUL	0-5 years	1	1	0	0	1
Selby-101	Pymble, Flaxley Road, Selby	Small Planning Permission	Principal Town - Selby	2020/0173/FUL	0-5 years	2	2	0	0	2
Selby-102	62 Wistow Road, Selby	Small Planning Permission	Principal Town - Selby	CO/2003/0520	6-10 years - development at the site has stalled for a period of several years.	1	0	1	0	1
Selby-15	Land at Cross Hills Lane	SDLP Allocation	Principal Town	N/A	0-5 years	557	100	350	107	557
Selby-21	Land East of Flaxley Road	Large Planning Permission	Principal Town	2017/0775/REMM	0-5 years	88	88	0	0	88
Selby-30	34 Leeds Road	Small Planning Permission	Principal Town	2016/1465/FUL	0-5 years	1	1	0	0	1
Selby-33	Phases 4A,4B,4C,4D,4E, Staynor Hall Development, Bawtry Road	Large Planning Permission	Principal Town	2015/0452/EIA	0-5 years	215	175	40	0	215
Selby-36	Land between 45 Wistow Road and Fairview	Small Planning Permission	Principal Town	CO/1999/597	6-10 years - development at the site has stalled for a period of several years.	1	0	1	0	1
Selby-37	36 Sandhill Lane	Small Planning Permission	Principal Town	2020/0060/FUL	0-5 years	1	1	0	0	1
Selby-44	Rear 13 Cedar Crescent	Small Planning Permission	Principal Town	2009/0175/FUL	0-5 years	1	1	0	0	1

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Selby-50	47 Gowthorpe	Small Planning Permission	Principal Town	2014/0414/FUL	0-5 years	1	1	0	0	1
Selby-58	Phase 3E, 3F, 3G, 3K Staynor Hall, Abbots Road	Large Planning Permission	Principal Town	2016/1077/FULM, 2015/0580/EIA	0-5 years	14	14	0	0	14
Selby-7	Olympia Park	Core Strategy Allocation	Designated Service Village	N/A	6-10 years. Assessed as unlikely to be delivered in the first 5 years of the plan period by an inspector in appeal APP/N2739/W/16/3144900.	3201	0	350	350	700
Selby-72	Lake House Bawtry Road	Small Planning Permission	Principal Town	2017/0784/FUL	0-5 years	1	1	0	0	1
Selby-75	12 Brook Street	Small Planning Permission	Principal Town	2017/1081/FUL	0-5 years	1	1	0	0	1
Selby-76	31 Gowthorpe	Small Planning Permission	Principal Town	2020/0080/FUL	0-5 years	1	0	0	0	0
Selby-77	First Floor And Second Floor, 21 Finkle Street	Small Planning Permission	Principal Town	2018/1456/FUL	0-5 years	2	2	0	0	2
Selby-78	Access Selby, 8 - 10 Market Cross	Small Planning Permission	Principal Town	2019/0817/FUL	0-5 years	9	9	0	0	9
Selby-79	54 Millgate	Small Planning Permission	Principal Town	2019/0967/FUL	0-5 years	1	0	0	0	0
Selby-84	Portholme Road	Large Planning Permission	Principal Town	2020/0776/FULM	0-5 years	94	94	0	0	94
Selby-85	Brighthouse, 20 Market Cross	Small Planning Permission	Principal Town	2019/0736/FUL	0-5 years	1	1	0	0	1

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Selby-86	Santander, 25 Market Cross	Small Planning Permission	Principal Town	2019/0405/FUL	0-5 years	1	1	0	0	1
Selby-88	6 Sandhill Lane	Small Planning Permission	Principal Town	2020/0362/FUL	0-5 years	1	1	0	0	1
Selby-94	The Nelson Inn, Ousegate, Selby, , YO8 8BL	Small Planning Permission	Principal Town - Selby	2019/0980/FUL	0-5 years	3	2	0	0	2
Selby-95	Abbey Lodge, 10 Leeds Road, Selby, YO8 4HX	Small Planning Permission	Principal Town - Selby	2021/0125/FUL	0-5 years	3	3	0	0	3
Selby-96	4 The Crescent, Selby	Small Planning Permission	Principal Town - Selby	2021/0402/FUL	0-5 years	2	2	0	0	2
Selby-97	9 New Street, Selby	Small Planning Permission	Principal Town - Selby	2021/0827/FUL	0-5 years	1	1	0	0	1
Selby-98	The Haven, White Street, Selby	Small Planning Permission	Principal Town - Selby	2020/0467/FUL	0-5 years	7	6	0	0	6
Selby-99	Land At Wistow Road, Selby	Small Planning Permission	Principal Town - Selby	2020/1360/FUL	0-5 years	2	2	0	0	2
Sherburn-1	Land at 23 Finkle Hill	Small Planning Permission	Local Service Centre - Sherburn in Elmet	2018/0289/FUL	0-5 years	1	1	0	0	1
Sherburn-37	Land South of Pasture Avenue	Large Planning Permission	Local Service Centre - Sherburn in Elmet	2017/0234/REMM	0-5 years	6	6	0	0	6
Sherburn-54	Land South of Saxton Way	Large Planning Permission	Local Service Centre -	2017/0147/REMM, 2014/0261/REM, 2016/0744/REM, 2017/0147/REMM	0-5 years	11	11	0	0	11

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
			Sherburn in Elmet							
Sherburn-55	61 Kirkgate	Small Planning Permission	Local Service Centre - Sherburn in Elmet	2020/0938/REM	0-5 years	3	3	0	0	3
Sherburn-56	34 Kirkgate	Small Planning Permission	Local Service Centre - Sherburn in Elmet	2019/1089/FUL	0-5 years	1	1	0	0	1
Sherburn-6	Land off Hodgsons Lane	Large Planning Permission	Local Service Centre - Sherburn in Elmet	2018/0045/REMM	0-5 years	65	65	0	0	65
Sherburn-60	Land off Highfield Villas	Small Planning Permission	Local Service Centre - Sherburn in Elmet	2019/1158/FUL	0-5 years	3	3	0	0	3
Sherburn-68	37 Low Street	Small Planning Permission	Local Service Centre - Sherburn in Elmet	2020/0379/FUL	0-5 years	1	1	0	0	1
Sherburn-69	Hague House, 10 Pasture Grove	Small Planning Permission	Local Service Centre - Sherburn in Elmet	2020/0901/FUL	0-5 years	1	1	0	0	1
Sherburn-70	Sherburn Common Farm, Hodgsons Lane	Small Planning Permission	Countryside	2015/0331/ATD	0-5 years	1	1	0	0	1
Sherburn-72	3 Church Hill, Sherburn In Elmet, , LS25 6AX	Small Planning Permission	Local Service Centre - Sherburn	2020/0270/FUL	0-5 years	1	1	0	0	1

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Sherburn-73	Land Adjacent, 27 Low Street, Sherburn In Elmet,	Small Planning Permission	Local Service Centre - Sherburn	2020/1265/FUL	0-5 years	5	5	0	0	5
Sherburn-74	Hodgsons Lane, Sherburn in Elmet	Large Planning Permission	Local Service Centre - Sherburn in Elmet	2016/1409/OUTM	0-5 years	150	160	10	0	170
Sherburn-8	Land West of A162	SDLP Allocation	Local Service Centre - Sherburn in Elmet	N/A	Undeliverable	150	0	0	0	0
Skipwith-3	Land North of Main Street	Small Planning Permission	Secondary Village	2020/0818/S73	0-5 years	1	1	0	0	1
Skipwith-5	North House Farm, Main Street	Small Planning Permission	Secondary Village	2019/0294/S73	0-5 years	3	3	0	0	3
Skipwith-6	Land Adjacent To Park Farm, Main Street	Small Planning Permission	Secondary Village	2021/0675/S73	0-5 years	1	1	0	0	1
SMilford-31	Cragland, 20 Milford Road	Small Planning Permission	Designated Service Village	2020/0958/FUL	0-5 years	2	2	0	0	2
SMilford-38	The Old Methodist Church, 7 High Street	Small Planning Permission	Designated Service Village	2019/0638/FUL	0-5 years	4	4	0	0	4
SMilford-44	16 Low Street	Small Planning Permission	Designated Service Village	2021/0918/S73	0-5 years	3	2	0	0	2
SMilford-45	Cragland, Milford Road , South Milford	Small Planning Permission	Designated Service Village	2019/0918/FUL	0-5 years	3	3	0	0	3
SMilford-46	China Palace, London Road, South Milford,	Small Planning Permission	Designated Service Village	2020/0777/FUL	0-5 years	8	8	0	0	8

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
	Leeds, West Yorkshire, LS25 5DP									
SMilford-6	11 Milford Road	Small Planning Permission	Designated Service Village	2018/0096/FUL	0-5 years	1	1	0	0	1
SMilford-9	25 Sand Lane	Small Planning Permission	Designated Service Village	2020/0521/REM	0-5 years	2	1	0	0	1
Stapleton-1	Castle Farm, Castle Hills Road	Small Planning Permission	Countryside	2019/0905/FUL	0-5 years	1	1	0	0	1
Stillingfleet-6	Moreby Hall, Moreby	Large Planning Permission	Countryside	2020/0413/FULM	0-5 years	11	11	0	0	11
Stillingfleet-7	Fearndale, The Green	Small Planning Permission	Secondary Village	2020/0885/S73	0-5 years	1	0	0	0	0
Stillingfleet-8	Land East of Croft Cottages, York Road	Small Planning Permission	Secondary Village	2019/1064/FUL	0-5 years	1	1	0	0	1
Stillingfleet-9	The Bungalow, Stillingfleet Service Station, York Road, Stillingfleet, York, YO19 6SJ	Small Planning Permission	Secondary Village	2021/0447/S73	0-5 years	4	3	0	0	3
StubbsW-1	5 Old Hall Farm	Small Planning Permission	Countryside	2020/0900/FUL	0-5 years	1	1	0	0	1
Stutton-1	Peggy Ellerton Farm, Chantry Lane	Small Planning Permission	Countryside	2019/0029/FUL	0-5 years	1	0	0	0	0
Tadcaster-18	Land West of Inholmes Lane	SDLP Allocation	Local Service Centre - Tadcaster	N/A	6-10 years	93	0	93	0	93

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Tadcaster-28	26 Bridge Street	Small Planning Permission	Local Service Centre - Tadcaster	2017/1331/FUL	0-5 years	3	3	0	0	3
Tadcaster-29	Land off Fairfield Road	Small Planning Permission	Local Service Centre - Tadcaster	2020/0359/S73	0-5 years	1	1	0	0	1
Tadcaster-34	Land to rear of 46 Wighill Lane and Former Coal Yard	Small Planning Permission	Local Service Centre - Tadcaster	2014/0997/REM	0-5 years	3	2	0	0	2
THirst-1	Bailiff Farm , Main Road, Temple Hirst	Small Planning Permission	Countryside	2021/0074/FUL	0-5 years	1	1	0	0	1
Thorganby-3	East End Cottage, Main Street	Small Planning Permission	Secondary Village	2018/0226/FUL	0-5 years	1	0	0	0	0
Thorganby-5	Thorganby Methodist Church, Main Street	Small Planning Permission	Secondary Village	2019/0668/OUT, 2021/0588/FUL	0-5 years	5	5	0	0	5
Thorganby-6	Yew Tree Farm, Main Street	Small Planning Permission	Secondary Village	2018/1075/FUL, 2016/1233/FUL	0-5 years	3	3	0	0	3
ThorpeW-24	Sunnyside Farm, Fir Tree Lane	Small Planning Permission	Designated Service Village	2020/0743/FUL	0-5 years	6	6	0	0	6
ThorpeW-25	Hunters Lodge, 6 Fox Lane	Small Planning Permission	Designated Service Village	2020/0223/FUL	0-5 years	1	0	0	0	0
ThorpeW-26	NSDS Centre, Field Lane	Large Planning Permission	Designated Service Village	2018/0134/REMM	0-5 years	70	70	0	0	70
ThorpeW-3	Land East of Linden Way	Large Planning Permission	Designated Service Village	2016/0197/REM	0-5 years	17	17	0	0	17

SHLAA Ref	Location	Site Type	Settlement Hierarchy	Application Reference	Overall Deliverability	Gross Deliverable Capacity Remaining	total years 1-5 minus losses	total years 6-10	total years 11-15	total years 1-15 minus losses
Ulleskelf-20	West End Farm, West End	Small Planning Permission	Designated Service Village	2019/0320/OUT	0-5 years	5	5	0	0	5
Ulleskelf-21	West End Farm	Large Planning Permission	Designated Service Village	2016/0403/OUT	0-5 years	25	25	0	0	25
Ulleskelf-22	Land to rear of Church View, Main Street	Small Planning Permission	Designated Service Village	2017/0597/OUT	0-5 years	3	3	0	0	3
Ulleskelf-6	RAF Church Fenton, Busk Lane	Large Planning Permission	Secondary Village	2019/0325/FULM	0-5 years	124	124	0	0	124
Whaddlesey-2	Land Adjacent To Garth View, Main Street	Small Planning Permission	Secondary Village	2019/0590/FUL	0-5 years	1	1	0	0	1
Whaddlesey-4	Land West of Pale Lane	Small Planning Permission	Secondary Village	2020/0980/S73	0-5 years	1	1	0	0	1
Whitley-13	Poplar Farm, Selby Road	Small Planning Permission	Designated Service Village	2018/1393/S73	0-5 years	4	4	0	0	4
Whitley-20	Land West of Larth Close	Small Planning Permission	Designated Service Village	2019/0815/OUT	0-5 years	4	4	0	0	4
Wistow-24	Land at Hollytree Cottage, Garman Carr Lane	Small Planning Permission	Secondary Village	2017/1256/FUL	0-5 years	1	1	0	0	1
Womersley-4	Womersley C of E Primary School	Small Planning Permission	Secondary Village	2017/0892/FUL, 2016/0856/FUL	0-5 years	1	1	0	0	1

This page is intentionally left blank

APPENDIX D

Selby District Council

2022 Strategic Housing Land Availability Assessment

September 2022

Contents

1.0	**Introduction**	**3**
2.0	**Stage 1: Identification Of Sites And Stakeholder Engagement**	**32**
3.0	**Stage 2: Methodology And Site Assessment**	**36**
4.0	**Stage 3: Windfall Assessment**	**43**
5.0	**Stage 4: Assessment Review**	**43**
6.0	**Stage 5: Final Evidence Base**	**45**

1.0 Introduction

1.1 The Strategic Housing Land Availability Assessment (SHLAA) forms part of the evidence base for the Selby District Local Plan by providing a factual survey of potential housing development sites that will inform how allocated sites are chosen in the Local Plan. The survey of sites and the criteria used to assess them also informs the calculation of housing supply in the annual 5 Year Housing Land Supply reports (5YHLS).

1.2 It is important to note the distinction between the SHLAA and the 5YHLS reports which Selby District Council produce. The SHLAA, with the help of a working group, defines the criteria used to assess sites and then provides a factual survey of potential housing development sites. The 5YHLS report then uses this information to calculate the housing supply on an annual basis.

1.3 The SHLAA is a purely technical exercise intended to inform the Local Plan Document**.** It examines the extent to which potential sites are suitable, available and achievable over the plan period in a (local planning) "policy off" approach. The assessment questions (seen in tables 7 to 9) are factual and physical in nature and no scores for sites are given.

1.4 The assessment of sites for the Local Plan will be carried out with a site assessment methodology, which will consider local plan policy aspects, such as a site's relation to the settlement hierarchy, its effect on local wildlife/landscape designations and its impact on the built heritage of the area.

1.5 The SHLAA **does not allocate land for development or determine whether a site will be allocated for housing.** The inclusion of sites within the SHLAA should not be taken to imply that the sites will be allocated for housing or looked upon favourably when determining planning applications. The decision to allocate will be made through the emerging Local Plan Document. The SHLAA will be updated and reviewed as part of the annual monitoring process.

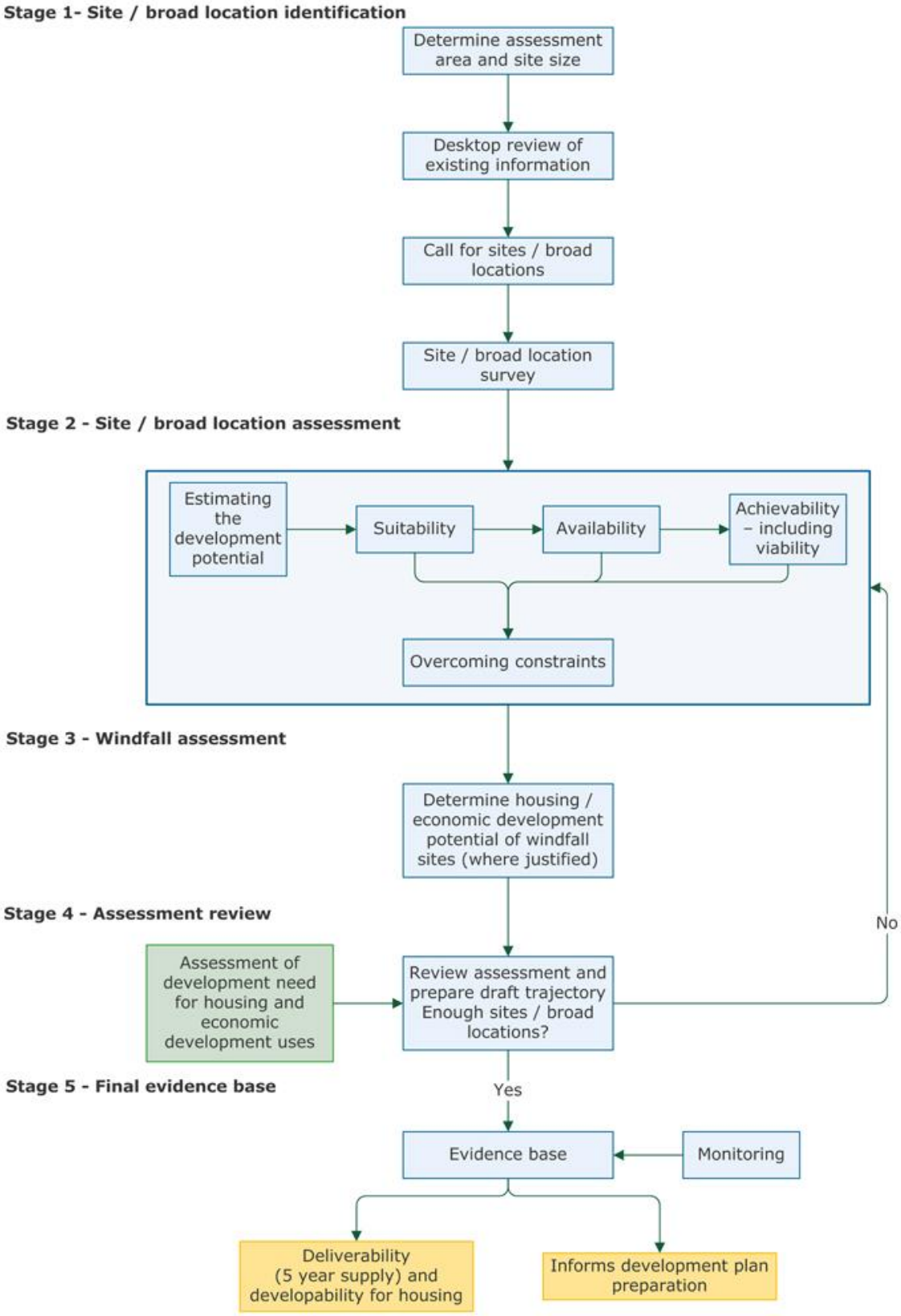
1.6 This SHLAA has been produced in accordance with paragraphs 67 and 73 of the National Planning Policy Framework (NPPF) regarding housing supply. The NPPF requires local planning authorities to prepare a SHLAA in order to identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing requirement, and also identify a supply of developable sites or broad locations for growth, for years 6-10 and, where possible, 11-15 years.

1.7 The report has also been produced in accordance with the National Planning Practice Guidance (NPPG) on housing and economic land availability assessments, along with other advice recently published by the Planning Advisory Service. The methodology flow chart in Figure 1 is taken from the NPPG and shows how the assessment of sites in this report will be carried out in 5 stages.

1.8 The core outputs of this SHLAA (as required by the NPPG) include:

- A list of all sites or broad locations considered, cross-referenced to their locations on maps;
- An assessment of each site or broad location, in terms of its suitability for development, availability and achievability, including whether the site/broad location is viable, to determine whether a site is realistically expected to be developed and when;
- Contain more detail for those sites which are considered to be realistic candidates for development, where others have been discounted for clearly evidenced and justified reasons;
- The potential type and quantity of development that could be delivered on each site/broad location, including a reasonable estimate of build out rates, setting out how any barriers to delivery could be overcome and when;
- An indicative trajectory of anticipated development and consideration of associated risks (which will also be produced annually in the Annual Monitoring Reports).

Figure 1: Methodology Flow Chart



2.0 Stage 1: Identification of sites and stakeholder engagement

2.1 **Scale of the assessment**

The geographical area of the assessment is the Local Authority boundary, it is important that it is this exact area which is assessed as it will provide the necessary baseline data for the Site Allocations Local Plan document and the assessment of the authorities 5 year supply of housing land.

2.2 **Types and sizes of sites included**

All sites within the Selby Local Authority boundary are included in the basic assessment of sites provided they meet the minimum size threshold of 5 dwellings, as stated in the NPPG (Paragraph: 010Reference ID: 3-010-20140306). This is in order to provide a comprehensive audit of available land. The site types that were included in the assessment and which sources of sites are likely to come from are listed in table 1 below.

Table 1: Sources of sites

Type of site	Data source
Existing housing allocations yet to gain planning permission	Selby District Local Plan (2005) Selby District Core Strategy (2013)
Planning permissions for housing that are unimplemented or still under construction.	Planning application records. Development starts and completions records.
Sites put forward for housing development in the Local Plan.	Local Authority records database
Sites considered to be deliverable from the authority's previous Strategic Housing Land Assessments	Previous SHLAAs
Planning applications that have been refused or withdrawn	Planning application records
Land in the local authority's ownership	Local authority records
Surplus and likely to become surplus public sector land	National register of public sector land Engagement with strategic plans of other public sector bodies such as County Councils, Central Government, National Health Service, Policy, Fire Services, utilities providers, statutory undertakers

Type of site	Data source
Vacant and derelict land and buildings (including empty homes, redundant and disused agricultural buildings, potential permitted development changes e.g. offices to residential)	Local authority empty property register English House Condition Survey National Land Use Database Commercial property databases (e.g. estate agents and property agents) Valuation Office database. Active engagement with sector
Additional opportunities in established uses (e.g. making productive use of under-utilised facilities such as garage blocks)	Ordnance Survey maps Aerial photography Planning applications Site surveys
Sites in rural locations	Local and neighbourhood plans Planning applications Ordinance Survey maps Aerial photography Site surveys
Large scale redevelopment and redesign of existing residential or economic areas	
Sites in and adjoining villages or rural settlements and rural exception sites	
Potential urban extensions and new free standing settlements	

2.3 Sites from these sources were categorised into the following main types of sites in the assessment:

- **2005 Selby District Local Plan Allocations:** All the sites allocated for housing in the 2005 Selby Local Plan (which have since been saved by the Secretary of State and still make up part of the development plan), and have not yet been given permission.
- **Core Strategy Allocation:** In Policy SP7 of the 2013 Core Strategy, a strategic site was allocated at Olympia Park in Selby for mixed uses including 1,000 homes. A large part of the allocated site to the west has previously had permission for 863 dwellings which goes someway to proving the site is economically viable (2012/0541/EIA).
- **Large Planning Permission:** These are sites with full, reserve or outline permission for housing developments of 10 units (gross) or more, this can also include applications which have been resolved to grant at planning committees, subject to successful section 106 negotiations, as of the 31st of March 2022.

- **Small Planning Permission:** These are sites with full, reserve or outline permission for housing developments of less than 10 units (gross), this can also include applications which have been resolved to grant at planning committees, subject to successful section 106 negotiations, as of the 31st of March 2022. These sites are only given a basic assessment (detailed assessment questions are greyed out in the database) and are not included on the SHLAA maps.
- **Prior Approval not required:** The scope of prior approvals can include developments of multiple dwellings. They are not technically planning permissions and so have been included as their own type of site. As these sites are less than 5 dwellings they are only given a basic assessment (detailed assessment questions are greyed out in the database) and are not included on the SHLAA maps.
- **Potential Site:** are sites which are not allocated and don't have permission and have been put forward by landowners and developers or have been identified by the Council, for consideration as housing sites in the Site Allocations Local Plan (provided they can accommodate 5 dwellings or more).

2.4 When drawing up the sites, a small number of those classed as Potential were combined to make larger sites. This was only done where sites needed combining to gain an access point or where they were too small to be assessed on their own, in order to make them deliverable. Sites can be several of the above types over time, for example a new site could be put forward for consideration in the local plan, and would be classified as a Potential Site, then it could be allocated in a local plan and then it could be granted permission. However, a site in the SHLAA can only be one type of site at any one time, so there is no double counting.

2.5 **The call for sites**

As part of the preparation for the new Local Plan document, a call for sites was carried out by the Council in November 2019 and ended in September 2020, a further call for sites was conducted during the Preferred Options consultation in January to March of 2021. During these events over 400 sites have been submitted to the council for housing development, encompassing many of the types of sites described in table 1. Sites can no longer be submitted to the Council for consideration in the emerging Local Plan.

2.6 **Stakeholder engagement**

National practice guidance advocates that local planning authorities work together with key stakeholders, in particular house builders and local property agents; so that they can help shape the approach to be taken to help inform the deliverability and developability of sites, and how market conditions may affect economic viability.

2.7 In line with the guidance the Council has established a SHLAA Working Group. The working group consists of landowners and professionals from across the house building industry.

2.8 The Council has consulted with neighbouring authorities throughout the SHLAA process, in accordance with the duty to cooperate, in order to achieve a joined up approach to the issue of housing land supply. These authorities include Leeds City Council, City of York Council, Doncaster Metropolitan Borough Council, Harrogate Borough Council, Wakefield Council and the East Riding of Yorkshire Council.

2.9 The Council has also consulted with statutory consultees and infrastructure providers on a technical basis, in accordance with the duty to cooperate, such as the Highways Agency, Yorkshire Water and Natural England.

2.10 The working group for the 2022 SHLAA were sent the draft methodology on 12 August and then had one week to comment. Following this consultation, changes were made to the methodology to represent the views of the working group. A summary of the responses from the working group and the Councils response to them can be seen in Appendix A.

2.11 Once a final methodology had been produced, it was used to assess all the sites. After this had been done the draft site assessments were then sent back to the working group for comment on 30 August for two weeks. Comments from the working group were then factored into the final assessment of sites.

3.0 Stage 2: Methodology and Site assessment

3.1 The engagement and consultation with the working group enabled a methodology to be finalised. In finalising the methodology, the Council has also had regard to guidance published by bodies such as the Planning Advisory Service (PAS), as well as considering the outcomes from appeals and high court judgements across the country.

3.2 **Net capacity**
In the case of sites with planning permission, account will be taken of the gross capacity of the site, minus any demolitions / mergers / changes of use associated with the permission that result in the loss of dwellings.

3.3 **Calculating net developable areas**
Not all of the area of a site can be developed solely for houses. In the case of large sites, using the gross site area can be misleading because space on larger housing sites will be required for ancillary uses. Using the 'net developable area' is a useful way of discounting for those parts of the site not developed for housing.

3.4 The net developable area includes those access roads within the site, private garden space, car parking areas, incidental open space and landscaping and children's play areas (where these are to be provided). Beyond this, it is considered reasonable to exclude the following from the definition of net developable area:

- major distributor roads, significant landscape buffer strips, open space serving the wider surrounding area, or an area necessary to make space for water storage;
- an existing on-site feature or wider constraint that limits the area that can be developed, such as the need to maintain an important landscape or wildlife site; and
- areas comprising non housing development, such as employment, commercial uses, community facilities (such as new school or health centre) or areas set aside for the 10% Net Biodiversity Gain.

3.5 Table 2 shows the ratios for the developable area of sites, based on an assessment of different sizes of sites in Selby District. Larger sites tend to have more of their area used for non-housing uses and infrastructure and this is generally why the rates lower as the site size gets larger.

Table 2: Net Developable Area Ratios

Site Size Bracket (ha)	Net developable area ratios (%)
Up to 1	100
1 to 5	85
5 to 10	80
More than 10	70

3.6 Masterplans for proposed sites will be referred to and the SHLAA working group also had the option to submit their own assumptions for the developable areas of their sites.

3.7 **Calculating density**

The densities in the 2022 SHLAA are calculated on the net developable areas of sites. We have found that the only consistent correlation on sites in terms of density is when they are grouped by type of settlement. The exception to this is the greenfield/brownfield split in Selby, because very high densities are achieved on brownfield sites in the centre. Please note that sites with planning permissions already have their densities determined and will not be assessed.

3.8 An analysis of recent completions and permissions in the authority gave the density rates in table 3, however site promoters had the option to submit their own density rates and masterplans of potential sites were also reviewed by the Council.

Table 3: Densities

Settlement Hierarchy	Densities (dph)
Principal Town (Selby) - **Brownfield** (more than 50% PDL area)	50
Principal Town (Selby) - **Greenfield** (50% or less PDL area)	35
Local Service Centres	35
Designated Service Villages	30
Secondary Village	20
Countryside	20

3.9 **Calculating density for new Local Plan**

In order to calculate the densities for the new Local Plan Settlement Hierarchy we have used an evidence based approach. The densities are calculated on the net developable areas of sites. We have found that the only consistent correlation on sites in terms of density is when they are grouped by type of settlement. The exception to this is the greenfield/brownfield split in Selby, because very high densities are achieved on brownfield sites in the centre. Please note that sites with

planning permissions already have their densities determined and will not be assessed.

3.10 An analysis of recent completions and permissions in the authority gave the density rates in table 4, however site promoters had the option to submit their own density rates and masterplans of potential sites were also reviewed by the Council.

Table 4: Densities

Settlement Hierarchy	Densities (dph)
Principal Town (Selby) - **Brownfield** (more than 50% PDL area)	50
Principal Town (Selby) - **Greenfield** (50% or less PDL area)	35
Local Service Centres	35
Tier 1 Villages	30
Tier 2 Villages	25
Smaller Villages/ Countryside	20

3.11 **Pre-build lead-in times**

A pre-build lead in time is the time taken for a site to complete its first unit. The approach to the length of pre build lead in times in the 2022 SHLAA factors in the size of the site, in terms of dwellings, as well as the planning status of the site and the time it takes to build the first house (the UK average is 6 months). The presumptions being that:

- the more advanced along the permission timeline, the shorter the time it takes to start on site, and;
- the bigger the site in terms of units, the longer it takes to negotiate the section 106 agreements.

3.12 The lead in times in table 5 are representative of the average times between the gaining of full, reserved matters, or outline permission and the completion of the first unit for different sizes of site. Full and reserved matters applications with a resolution to grant subject to a section 106 agreement are put into the outline bracket, because of the time taken to resolve these agreements.

3.13 The issues which may affect lead in times are more site specific, some larger sites may be part of a phased development and the lead in times are minimal, because the developer is effectively already ‘on site’. Others may have complex section 106 agreements which may take a long time to resolve. Therefore there is an option for site promoters to submit their own estimates for pre build lead in times.

Table 5: Lead in Times

	Planning status of site		
Gross Size of Site	**Reserved matters/full permission**	**Outline/resolved to grant permission**	**Without planning permission**
1 - 10 dwellings	12 months	18 months	24 months
11 + dwellings	18 months	24 months	30 months

3.14 **Build rates**

Table 6 shows build rates, based on an assessment of different sizes of sites in Selby District and taking account of comments from the working group. Sites are grouped by size because larger sites have been shown to be built out at greater rates by major national housebuilders, who have the capacity to do so and smaller sites are generally built out by local builders, who build at a slower rate due to them having a lower capacity. As ever, site promoters had the option to submit their own build rates.

Table 6: Build Rates

Gross capacity of site (dwellings)	Annual Build rate
1-10	5
11-25	10
26-50	20
51-100	30
101-200	40
201+	50 (70 if 2 developers, all potential sites are presumed to have 2 developers)

3.15 **The Assessment Questions**

Tables 7 to 9 show the questions which will be included in the assessment of sites in the 2022 SHLAA. These questions have been devised having regard to the most recent guidance in the planning practice guidance note for Housing and Economic Land Availability Assessments.

3.16 In line with the guidance, there will be a basic assessment of housing sites and then from this assessment a judgement in principle is made on whether the site is suitable for housing. If the answer is no, the site will be put in abeyance. If the answer is yes, then the sites will be assessed in detail with the questions from table 8.

3.17 Once sites are assessed for their Suitability, Availability and Achievability in table 8 they will be given a deliverability timescale, if there are no constraints or constraints can be mitigated, they are put into the 5 year supply. If there are constraints that take time to mitigate, sites will be put back later in the plan period. If the constraints cannot be mitigated, the site will be put in abeyance.

Table 7: Basic Assessment Questions

Question Title	Explanation
SHLAA ID	The unique reference number for the site. This cross-references to the sites shown in the SHLAA maps.
Emerging Local Plan site ref	The unique reference for the site which cross-references to the references used in the Local Plan consultation documents
Parish	The name of the parish the site is located in.
Settlement Hierarchy	Where the settlement is placed in the Core Strategy settlement hierarchy (policy SP4). This applies to sites that lie immediately next to the built form of the settlement, as well as sites that lie so close to the built form that it is reasonable to consider them as a possible extension to the urban boundary. The latter may include sites that are detached from the built form by a small field boundary or an area of open space (e.g. playing field). Sites beyond the built form are classed as being in the countryside.
Location	Short description of where the site is located
Current land use	Description of the land use of the site.
Surrounding Land Uses	Description of surrounding land uses
Site Type	• SLP Allocation • Large Planning Permission • Small Planning Permission • Approve Subject to S106 • Prior Approval Not Required • Potential Site
Allocations Reference/ Planning Permission Reference	Reference should the site be a saved allocation in the Selby Local Plan (2008) or an allocated site in the Core Strategy (2013). Should the site have planning permission, this is the most recent planning application reference.
Area (ha)	Gross area of the site measured in hectares (ha)
GF/BF	An indication as to whether the site is greenfield land, brownfield land, or a mixture of both
% Greenfield	% of sites area that is greenfield, this will later be used to calculate the number of homes that could be built on greenfield land.
% PDL	% of sites area that is previously developed land, this will later be used to calculate the number of homes that could be built on previously developed land.
National Policy Restrictions	*Minimum Site Size – 0.17ha (less than 5 dwellings at 30 dwellings per hectare)* *Sites of Special Scientific Interest (SSSI)* *Ramsar Sites, Special Protection Areas (SPA)* *Special Areas of Conservation (SAC)* *National Nature Reserves (NNR)* *Scheduled Monuments, Ancient Woodlands* *Health and Safety Executive Inner Zones* *Flood Risk areas - Zone 3b 'Functional Floodplain'* *Registered Battlefields and Registered Parks and Gardens*

Table 8: Suitability, Availability, Achievability, Deliverability

Suitability	
Question Title	**Explanation**
Risk of Flooding	A significant issue for Selby, flooding has been kept separate from other physical constraints. The level of flood risk will be determined by the latest flood risk mapping produced by the Environment Agency.
Physical Constraints	An assessment of any other physical constraints that would need to be overcome through the planning application process e.g. access to the site, infrastructure, neighbouring uses, proximity of waste water treatment works, drainage options (Surface water and foul sewage) topography, mineral designations, etc. ground conditions, hazardous risks, pollution or contamination, conservation areas, listed buildings.
Overcoming suitability constraints	A range of potential solutions for any constraints
Availability	
Submitted by?	Whether the site has been submitted by a landowner or an agent, and whether there is a developer involved. This question will not feature any names, addresses or personal details of any kind.
Availability Considerations	Whether the site has a history of unimplemented planning permissions. The number of landowners there are on the site. Impact of the existing land use of the site on availability. Impact of any land ownership constraints or any third party land required.
Overcoming availability constraints	A range of potential solutions for any constraints
Achievability	
Is the site economically viable?	Developer interest in the site can demonstrate that it is economically viable, along with a recent history of planning applications showing developer intent.
Overall Deliverability	Depending on the evidence submitted in the suitability, availability and achievability sections, a site will be given a deliverability timescale, these being: 0-5 years- no constraints to deliverability, or constraints can be mitigated. Units will be projected from the start of the supply period. 6-10 years – constraints have been found that will take time to be mitigated, or the site is part of long term phase. Units will be projected from year 6 of the plan period. 11-15 years – significant constraints have been found that will take significant time to be mitigated, or the site is part of long term phase. Units will be projected from year 11 of the plan period. Not deliverable – the constraints on the site cannot be mitigated against, and the site is held in abeyance, no units from this site will be projected in the supply.

Table 9: Estimating the Development Potential

Question Title	Explanation
Date of permission	The date the notice of decision was issued, should the site have planning permission.
Permission started?	An indication as to whether works have commenced on-site, should the site have planning permission.
Permission Expiry Date	The date the permission will expire (lapse), should the site have planning permission. Some sites with outline permission had reserved matters applications submitted before their expiry date, at the time of this assessment. The outline application remains extant while the reserved matters application is being processed and this is noted here.
Net Developable area ratio	The area of the site considered purely developable for housing (%) Sites with planning permission have already had their developable area approved through the development management process.
Net Developable area (ha)	The area of the site in hectares (ha) considered developable.
Build rate	The annual rate at which dwellings are built out on the site. Where there is more than one developer on site, this will be noted and will increase the rate of building.
Lead in time (years)	The time from the point of approval of a planning application, to the expected completion of the first plot.
Density	The number of dwellings which can be built on the site per hectare (ha) of the site area. Sites with planning permission have already had their density approved through the development management process.
Greenfield capacity	Number of units on the site that are estimated to be delivered on the greenfield sections of the site.
PDL capacity	Number of units on the site that are estimated to be delivered on the previously developed sections of the site.
Gross capacity	The estimated number of dwellings that can be accommodated onto the net site area. For sites with permission, this number represents the total number of dwellings given by the most recent permission on the site.
Net Capacity	For sites with permission, this will be the gross capacity, minus any demolitions/ mergers/ changes of use associated with the permission that result in the loss of dwellings.
Deliverable Capacity remaining	In the case of sites with planning permission, this figure shows the remaining number of dwellings still to be complete if development has already started. This figure will be the same as net capacity for all other types of sites. Sites assessed as undeliverable will be given zero for this question.
Dwelling projections	A series of cells that project how the units from the site will be built out across the plan period, taking into account the lead in times and build out rates mentioned above.
Development Timescale	How long the site will take to complete all its units in years.

4.0 Stage 3: Windfall assessment

4.0 Windfall sites will not be assessed in the SHLAA, the contribution from windfall sites towards meeting its 5 year housing land supply will be accounted for in the 5 year housing supply report (in line with paragraph 71 of the NPPF) and the details on the method of their projection is provided in 2022-27 5YHLS report.

5.0 Stage 4: Assessment review

5.0 The final 2022 SHLAA has 624 sites within it. Table 10 below shows the composition of these sites based on their type and the housing capacity remaining.

Table 10: Count and capacity of site types in the 2022 SHLAA

Row Labels	Count of Site type	Gross Deliverable Capacity Remaining
Large Planning Permission	26	1331
Small Planning Permission	188	404
SDLP Allocation	6	936
Core Strategy Allocation	1	3,201
Potential Site	403	44,114
Total	**624**	**49,985**

5.1 Table 11 shows at which point in the plan period these dwellings could be built, the time period for delivery is based on the build rates and lead in times described in the methodology, but where a site has been found to have significant constraints in the detailed assessment, it has had its start date for building moved to years 6-10 or 11-15 of the plan period.

5.2 There were 28 sites in the assessment which had to be moved to years 6-10 due to significant constraints found at the detailed assessment stage, such as there being no access to a site. There are 3 sites in the year 11+ category, as this is when the landowners foresee that site coming forward. There were also 2 sites which were assessed to be undeliverable, due to major constraints found at the detailed assessment stage which cannot be mitigated over the course of the plan period.

Table 11: Expected Delivery of Site Types in the 2022 SHLAA

Row Labels	Sum of years 1-5	Sum of years 6-10	Sum of years 11-15
Large Planning Permission	1,290	59	0
Small Planning Permission	370	2	0
SDLP Allocation	205	443	107
Core Strategy Allocation	0	350	350
Potential Site	19,875	11,123	3,373
Total	**21,740**	**11,977**	**3,830**

5.3 Table 12 shows the geographical spread of deliverable existing and potential housing supply, in terms of the Core Strategy's settlement hierarchy. The amount that can be delivered over the plan period is far in excess of what is needed in Core Strategy Policy SP5. As the amount of growth needed by the authority in all areas of the district can be met on specific identified and deliverable sites, there is no need to designate Broad Locations for housing growth in this SHLAA.

Table 12: Delivery of Sites across the Core Strategy Settlement Hierarchy

SP2 Settlement Type	Total years 1-5	Total years 6-10	Total year 11-15	Grand Total	Selby District Local Plan Core Strategy SP5 Requirement*
Principal Town	2177	2249	880	5306	**2,636**
Local Service Centres – Sherburn In Elmet	1216	1053	386	2655	**0**
Local Service Centres - Tadcaster	479	337	0	816	**470**
Designated Service Village	11352	5681	1437	18503	**0**
Secondary Village	3976	1504	777	6257	**0****
Countryside	2517	1152	350	4019	**0****
Total	**21717**	**11977**	**3830**	**37524**	**3,106**

*SP5 requirement minus completions from April 1st, 2011 to March 31st, 2022

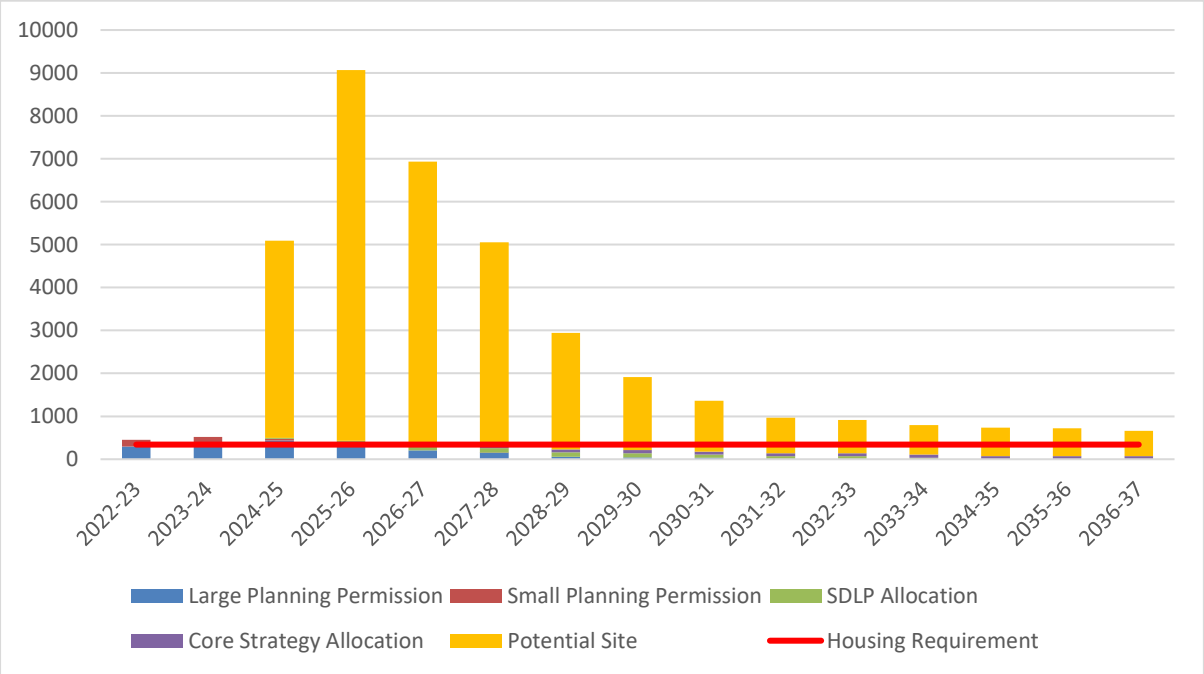
**No dwellings were required for these levels of the hierarchy in Policy SP5

6.0 Stage 5: Final evidence base

6.1 Trajectory

NPPG states that an indicative housing trajectory should be produced as a core output of the assessment. Figure 2 shows the trajectory of all deliverable sites in the 2022 SHLAA, the vast majority of the supply comes from potential sites, and as shown in table 12, far exceeds the housing needs required in the Core Strategy. The potential build-out rate of all sites reaches a peak in 2024-25, but would continue to produce a substantial amount of units for the next 15 years.

Figure 2: Trajectory of deliverable dwellings in the SHLAA – all sites



6.2 Conclusion

- The 2022 SHLAA has assessed 624 sites for housing use, with a total capacity of 49,985 dwellings.
- The vast majority of those sites have been found to be deliverable, 29 sites were moved back in years 6-10 of the plan period due to significant restraints and 3 are in the years 11-15.
- 2 sites had major constraints and have been held in abeyance.
- Large sites with planning permission have been assessed in detail in this SHLAA; most have been found to be deliverable in the first 5 years.

- The number of specific deliverable sites identified means there is no need for broad locations of growth to be identified.
- The findings of this assessment inform the calculations in the 5 year housing land supply report.
- The assessment data from this report will also be used to inform the New Local Plan.

6.3 **Reviewing the assessment**

The Council will continue to monitor all residential planning permissions as of the 31st of March each year to gather data on completions and what remains to be built within the District. Each site with planning permission is surveyed and the figures are then used to assess the planning status of the sites within the SHLAA database and to inform the Council's 5 year supply.

6.4 Whilst sites in the database will be reviewed annually as part of the 5 Year Supply (and landowners contacted to check for intentions), these will be added to the SHLAA database on a rolling basis. Updating the SHLAA more widely (i.e. contacting land owners and a call for sites exercise) will be undertaken at regular intervals in order to maintain a robust evidence base.

Appendices

Appendix A: SHLAA Methodology Working Group Paper & Responses

Appendix B: Samples used for determining the SHLAA methodology

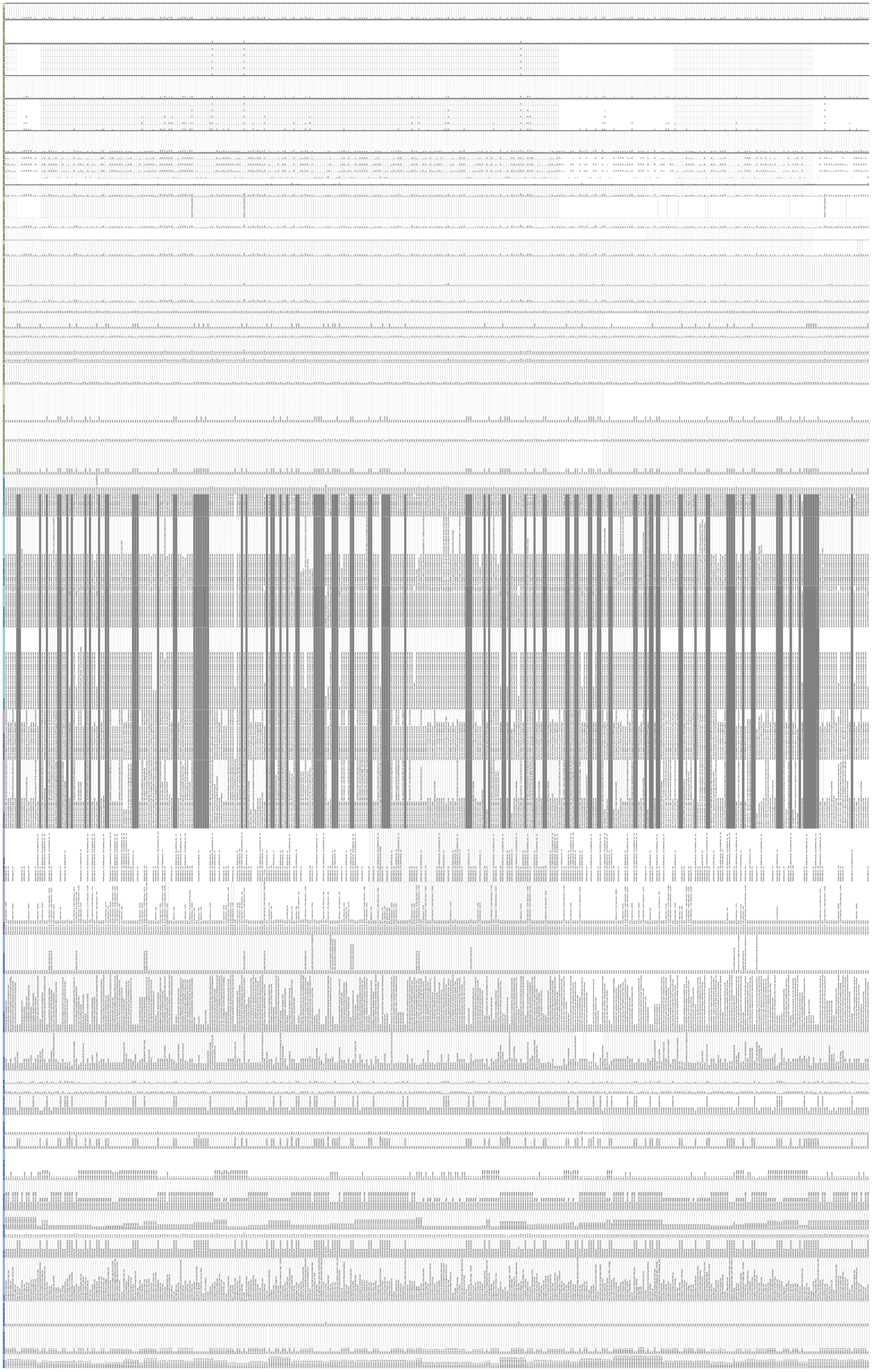
Appendix C: SHLAA site assessment database

Appendix D: Interactive SHLAA map

Appendix E: Site assessment summaries

All of these appendixes can be seen at:

http://www.selby.gov.uk/strategic-housing-land-availability-assessment-shlaa



NDuffield-9	NDUF-J	N/A	Land at York Road	Potential Site	4.28	North Duffield	Designated Service Village	Tier 2
Newland-2	NEWL-A	N/A	Land at Newlands adjacent to Wood Lane between Langrick	Potential Site	1.27	Newland	Secondary Village	Smaller Village
NKyme-1	N/A	N/A	29 Papyrus Villas	Small Planning Permission	0.06	Newton Kyme	Secondary Village	Smaller Village
NKyme-2	NKYM-B	N/A	Land South of Papyrus Villas	Potential Site	0.45	Newton Kyme	Secondary Village	Smaller Village
NKyme-4	NKYM-C	N/A	Land East of Newton Kyme Papyrus Works	Potential Site	33.81	Newton Kyme	Secondary Village	Smaller Village
Osgodby-13	N/A	N/A	Holly Lodge, Back Lane	Small Planning Permission	0.12	Osgodby	Designated Service Village	Tier 1
Osgodby-14	N/A	N/A	Land to the West of Mill Hill Cottage, Hull Road, Osgodby	Small Planning Permission	0.37	Osgodby	Designated Service Village	Tier 1
Osgodby-15	OSGB-K	N/A	Land at South Duffield Road	Potential Site	0.69	Osgodby	Designated Service Village	Tier 1
Osgodby-16	OSGB-L	N/A	Land at site North of Barlby and Osgodby Methodist Church	Potential Site	26.76	Osgodby	Designated Service Village	Tier 1
Osgodby-17	N/A	N/A	Tindalls Farm, Sand Lane	Small Planning Permission	0.26	Osgodby	Designated Service Village	Tier 1
Osgodby-3	OSGB-C	N/A	Land East of St Leonards Avenue	Potential Site	0.84	Osgodby	Designated Service Village	Tier 1
Osgodby-4	OSGB-D	N/A	Osgodby Nurseries, Hull Road	Potential Site	0.80	Osgodby	Designated Service Village	Tier 1
Osgodby-5	N/A	H2	Land West of South Duffield Road	SDLP Allocation	1.20	Osgodby	Designated Service Village	Tier 1
Osgodby-6	N/A	N/A	Land East of St Leonards Avenue	Small Planning Permission	0.37	Osgodby	Designated Service Village	Tier 1
Osgodby-7	OSGB-G	N/A	Lake View Farm	Potential Site	0.69	Osgodby	Designated Service Village	Tier 1
Osgodby-8	OSGB-H	N/A	Land South of Hull Road	Potential Site	37.32	Osgodby	Designated Service Village	Tier 1
Osgodby-9	OSGB-I	N/A	Land East of Sand Lane	Potential Site	2.81	Osgodby	Designated Service Village	Tier 1
Riccall-10	RICC-H	N/A	Riccall Business Park, Selby Road	Potential Site	26.99	Riccall	Countryside	Countryside
Riccall-11	RICC-J	N/A	Land at Landing Lane	Potential Site	9.31	Riccall	Designated Service Village	Tier 1
Riccall-24	N/A	N/A	Garden House, Manor Garth	Small Planning Permission	0.36	Riccall	Designated Service Village	Tier 1
Riccall-25	N/A	N/A	York House, York Road	Small Planning Permission	0.08	Riccall	Designated Service Village	Tier 1
Riccall-26	RICC-K	N/A	Land South East of York Road	Potential Site	3.36	Riccall	Designated Service Village	Tier 1
Riccall-27	N/A	N/A	Tarnwood Station Road	Small Planning Permission	0.15	Riccall	Designated Service Village	Tier 1
Riccall-5	N/A	N/A	20 Main Street	Small Planning Permission	0.17	Riccall	Designated Service Village	Tier 1
Riccall-6	RICC-G	N/A	Land North of Riccall	Potential Site	6.47	Riccall	Designated Service Village	Tier 1
Riccall-8	RICC-I	N/A	Land between Landing Lane and Kelfield	Potential Site	9.94	Riccall	Designated Service Village	Tier 1
Riccall-9	N/A	N/A	Jackadory, 37 York Road	Small Planning Permission	0.01	Riccall	Designated Service Village	Tier 1
Ryther-1	RYTH-A	N/A	Woodbine Grange Farm	Potential Site	2.86	Ryther	Secondary Village	Smaller Village
Ryther-2	RYTH-B	N/A	Land East of Mill Lane	Potential Site	1.64	Ryther	Secondary Village	Smaller Village
Ryther-3	N/A	N/A	Methodist Chapel, Main Street	Small Planning Permission	0.09	Ryther	Secondary Village	Smaller Village
Ryther-4	N/A	N/A	Rose Lea, 28 Mill Lane	Small Planning Permission	0.43	Ryther	Secondary Village	Smaller Village
Saxton-1	SAXT-A	N/A	Land East of Milner Lane	Potential Site	2.10	Saxton	Secondary Village	Smaller Village
Saxton-10	N/A	N/A	Saxton Riding School, Coldhill Lane	Small Planning Permission	0.28	Saxton with Scarthingwell	Secondary Village	Smaller Village
Saxton-11	N/A	N/A	Saxton Holme, Coldhill Lane, Saxton	Small Planning Permission	0.36	Saxton with Scarthingwell	Secondary Village	Smaller Village
Saxton-12	N/A	N/A	Old Hall Farm, Scarthingwell Lane	Small Planning Permission	10.27	Saxton with Scarthingwell	Countryside	Countryside
Saxton-2	SAXT-B	N/A	Land at Scarthingwell Park	Potential Site	3.85	Saxton	Secondary Village	Smaller Village
Saxton-8	N/A	N/A	Milner Lane	Small Planning Permission	0.20	Saxton with Scarthingwell	Secondary Village	Smaller Village
Saxton-9	N/A	N/A	Old Hall Farm, Scarthingwell Lane	Small Planning Permission	0.14	Saxton with Scarthingwell	Secondary Village	Smaller Village
SDuffield-1	SDUF-A	N/A	Land adjacent to Willow Cottage, Mill Lane	Potential Site	3.06	South Duffield	Secondary Village	Smaller Village
SDuffield-2	SDUF-B	N/A	Land at Haymoor House Moor Lane	Potential Site	0.45	South Duffield	Secondary Village	Smaller Village
SDuffield-3	SDUF-C	N/A	Land South of Moor Lane	Potential Site	1.15	South Duffield	Secondary Village	Smaller Village
SDuffield-5	SDUF-E	N/A	Land to the West of Hagg Lane	Potential Site	0.15	South Duffield	Secondary Village	Smaller Village
SDuffield-6	SDUF-F	N/A	Land to the West of Hagg Lane	Potential Site	0.25	South Duffield	Countryside	Countryside
SDuffield-7	SDUF-G	N/A	Orchard House	Potential Site	0.75	South Duffield	Secondary Village	Smaller Village
Selby-1/8/15/69	SELB-BZ	N/A	Land at Cross Hills Lane	Potential Site	59.58	Selby	Principal Town	Principal Town
Selby-100	N/A	N/A	Old Willow House, West Bank, Selby, YO8 4JL	Small Planning Permission	0.09	Selby	Principal Town - Selby	Principal Town
Selby-101	N/A	N/A	Pymble, Flaxley Road, Selby	Small Planning Permission	0.31	Selby	Principal Town - Selby	Principal Town
Selby-102	N/A	N/A	62 Wistow Road, Selby	Small Planning Permission	0.7	Selby	Principal Town - Selby	Principal Town
Selby-15	SELB-BZ	SEL/1	Land at Cross Hills Lane	SDLP Allocation	22.75	Selby	Principal Town	Principal Town
Selby-18	SELB-T	N/A	Land North of Brayton Lane, South of bypass	Potential Site	1.60	Selby	Countryside	Countryside
Selby-19	SELB-U	N/A	Land South of Brayton Lane	Potential Site	1.50	Selby	Countryside	Countryside
Selby-2/3	SELB-B	N/A	Industrial Chemicals Ltd, Canal View, Bawtry Road	Potential Site	15.02	Selby	Principal Town	Principal Town
Selby-20	SELB-CH	N/A	Land at Cockret Farm	Potential Site	11.51	Selby	Principal Town	Principal Town
Selby-21	N/A	N/A	Land East of Flaxley Road	Large Planning Permission	9.10	Selby	Principal Town	Principal Town
Selby-30	N/A	N/A	34 Leeds Road	Small Planning Permission	0.02	Selby	Principal Town	Principal Town
Selby-31	SELB-BO	N/A	Land off Canal Road	Potential Site	0.23	Selby	Principal Town	Principal Town
Selby-33	N/A	N/A	Phases 4A,4B,4C,4D,4E, Staynor Hall Development, Bawtry Road	Large Planning Permission	14.42	Selby	Principal Town	Principal Town
Selby-36	N/A	N/A	Land between 45 Wistow Road and Fairview	Small Planning Permission	0.60	Selby	Principal Town	Principal Town
Selby-37	N/A	N/A	36 Sandhill Lane	Small Planning Permission	0.13	Selby	Principal Town	Principal Town
Selby-4	SELB-E	N/A	Holmes Field, East of Bondgate	Potential Site	32.57	Selby	Principal Town	Principal Town
Selby-42	SELB-AD	N/A	Land to West of Selby Business Park	Potential Site	1.75	Selby	Principal Town	Principal Town
Selby-43	SELB-BD	N/A	Land West of Foxhill Lane	Potential Site	19.58	Selby	Principal Town	Principal Town
Selby-44	N/A	N/A	Rear 13 Cedar Crescent	Small Planning Permission	0.46	Selby	Principal Town	Principal Town
Selby-45	SELB-BF	N/A	Land North of Brayton Bridge, East of canal	Potential Site	4.97	Selby	Principal Town	Principal Town
Selby-46	SELB-BE	N/A	Land between Baffam Lane and Selby Canal	Potential Site	6.20	Selby	Principal Town	Principal Town
Selby-50	N/A	N/A	47 Gowthorpe	Small Planning Permission	0.10	Selby	Principal Town	Principal Town
Selby-58	N/A	N/A	Phase 3E, 3F, 3G, 3K Staynor Hall, Abbots Road	Large Planning Permission	4.79	Selby	Principal Town	Principal Town
Selby-6/11	SELB-D	N/A	Land at Bondgate	Potential Site	5.66	Selby	Principal Town	Principal Town
Selby-69	SELB-CP	N/A	Land North of Flaxley Road	Potential Site	3.01	Selby	Countryside	Countryside
Selby-7	N/A	SP7	Olympia Park	Core Strategy Allocation	91.46	Barlby	Designated Service Village	Tier 1
Selby-70	SELB-BX	N/A	Land to the North West of Selby Business Park	Potential Site	1.99	Selby	Principal Town	Principal Town
Selby-72	N/A	N/A	Lake House Bawtry Road	Small Planning Permission	0.12	Selby	Principal Town	Principal Town
Selby-75	N/A	N/A	12 Brook Street	Small Planning Permission	0.03	Selby	Principal Town	Principal Town
Selby-76	N/A	N/A	31 Gowthorpe	Small Planning Permission	0.01	Selby	Principal Town	Principal Town
Selby-77	N/A	N/A	First Floor And Second Floor, 21 Finkle Street	Small Planning Permission	0.01	Selby	Principal Town	Principal Town
Selby-78	N/A	N/A	Access Selby, 8 - 10 Market Cross	Small Planning Permission	0.06	Selby	Principal Town	Principal Town
Selby-79	N/A	N/A	54 Millgate	Small Planning Permission	0.04	Selby	Principal Town	Principal Town
Selby-80	SELB-CG	N/A	Land off Friars Meadow	Potential Site	1.12	Selby	Principal Town	Principal Town
Selby-81	SELB-CL	N/A	Land adjacent to St. James's Church	Potential Site	0.07	Selby	Principal Town	Principal Town
Selby-82	SELB-CM	N/A	Land at Benedict Avenue	Potential Site	0.07	Selby	Principal Town	Principal Town
Selby-83	SELB-CN	N/A	Land at Richard Street	Potential Site	0.10	Selby	Principal Town	Principal Town
Selby-84	N/A	N/A	Portholme Road	Large Planning Permission	3.20	Selby	Principal Town	Principal Town
Selby-85	N/A	N/A	Brighthouse, 20 Market Cross	Small Planning Permission	0.02	Selby	Principal Town	Principal Town
Selby-86	N/A	N/A	Santander, 25 Market Cross	Small Planning Permission	0.01	Selby	Principal Town	Principal Town
Selby-87	SELB-AG	N/A	Rigid Group Ltd, Denison Road	Potential Site	7.53	Selby	Principal Town	Principal Town
Selby-88	N/A	N/A	6 Sandhill Lane	Small Planning Permission	0.03	Selby	Principal Town	Principal Town
Selby-89	SELB-CQ	N/A	Former Selby Shipyard and adjoining land comprising a pond	Potential Site	5.48	Selby	Principal Town	Principal Town
Selby-90	SELB-CR	N/A	Former Ousegate Maltings	Potential Site	0.41	Selby	Principal Town	Principal Town
Selby-91	SELB-CS	N/A	Land adjoining 64 Wistow Road	Potential Site	0.49	Selby	Principal Town	Principal Town
Selby-92	SELB-CT	N/A	Land off Coupland Mews	Potential Site	0.17	Selby	Principal Town	Principal Town
Selby-93	SELB-CU	N/A	Land East of Staynor Hall	Potential Site	8.56	Selby	Principal Town	Principal Town
Selby-94	N/A	N/A	The Nelson Inn, Ousegate, Selby, , YO8 8BL	Small Planning Permission	0.09	Selby	Principal Town - Selby	Principal Town
Selby-95	N/A	N/A	Abbey Lodge, 10 Leeds Road, Selby, YO8 4HX	Small Planning Permission	0.14	Selby	Principal Town - Selby	Principal Town
Selby-96	N/A	N/A	4 The Crescent, Selby	Small Planning Permission	0.1	Selby	Principal Town - Selby	Principal Town
Selby-97	N/A	N/A	9 New Street, Selby	Small Planning Permission	0.01	Selby	Principal Town - Selby	Principal Town
Selby-98	N/A	N/A	The Haven, White Street, Selby	Small Planning Permission	0.12	Selby	Principal Town - Selby	Principal Town
Selby-99	N/A	N/A	Land At Wistow Road, Selby	Small Planning Permission	0.05	Selby	Principal Town - Selby	Principal Town
Sherburn-1	N/A	N/A	Land at 23 Finkle Hill	Small Planning Permission	0.03	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-13	SHER-R	N/A	Land West of Garden Lane	Potential Site	2.30	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-14	SHER-AP	N/A	Old Vicarage, Church Hill	Potential Site	1.22	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-15	SHER-U	N/A	Plot 6 and 7, Church Hill	Potential Site	0.45	Sherburn in Elmet	Countryside	Countryside
Sherburn-17	SHER-W	N/A	Land North of Millcroft House, Garden Lane	Potential Site	4.99	Sherburn in Elmet	Countryside	Countryside
Sherburn-24	SHER-AE	N/A	Chapel Hill, Tadcaster Road	Potential Site	2.85	Sherburn in Elmet	Countryside	Countryside
Sherburn-3/48	SHER-AU	N/A	Land between Coldhill Lane and Finkle Hill	Potential Site	22.91	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-37	N/A	N/A	Land South of Pasture Avenue	Large Planning Permission	2.40	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-54	N/A	N/A	Land South of Saxton Way	Large Planning Permission	4.29	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-55	N/A	N/A	61 Kirkgate	Small Planning Permission	0.28	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-56	N/A	N/A	34 Kirkgate	Small Planning Permission	0.06	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-57	SHER-AY	N/A	Sherburn in Elmet South	Potential Site	60.84	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-58	SHER-AZ	N/A	Land associated with The Wheatsheaf	Potential Site	2.99	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-59	SHER-BA	N/A	Land on the South side of Church Hill	Potential Site	0.50	Sherburn in Elmet	Countryside	Countryside
Sherburn-6	N/A	N/A	Land off Hodgsons Lane	Large Planning Permission	10.23	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-60	N/A	N/A	Land off Highfield Villas	Small Planning Permission	0.10	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-61	SHER-Q	N/A	Land to West of Nos. 8 to 36 (even) Garden Lane	Potential Site	0.47	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-62	SHER-V	N/A	Land North of Leeds Road	Potential Site	1.18	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-63	SHER-X	N/A	Land at Barfield Lane	Potential Site	10.32	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-64	SHER-Z	N/A	Land East of Garden Lane	Potential Site	2.54	Sherburn in Elmet	Countryside	Countryside
Sherburn-65	SHER-BB	N/A	Land at the Back of No.44 Garden Lane	Potential Site	0.21	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-66	SHER-BD	N/A	Land South of Leeds Road	Potential Site	24.05	Sherburn in Elmet	Countryside	Countryside
Sherburn-68	N/A	N/A	37 Low Street	Small Planning Permission	0.11	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-69	N/A	N/A	Hague House, 10 Pasture Grove	Small Planning Permission	0.06	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-7	SHER-H	N/A	Land adjacent to Prospect Farm, Low Street	Potential Site	17.37	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-70	N/A	N/A	Sherburn Common Farm, Hodgsons Lane	Small Planning Permission	0.01	Sherburn in Elmet	Countryside	Countryside
Sherburn-71	SHER-BE	N/A	Land to the South of Church Meadow	Potential Site	0.76	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-72	N/A	N/A	3 Church Hill, Sherburn In Elmet, , LS25 6AX	Small Planning Permission	0.09	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-73	N/A	N/A	Land Adjacent, 27 Low Street, Sherburn In Elmet,	Small Planning Permission	0.09	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-74	N/A	N/A	Hodgsons Lane, Sherburn in Elmet	Large Planning Permission	7.8	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Sherburn-8	N/A	SHB/1	Land West of A162	SDLP Allocation	5.35	Sherburn in Elmet	Local Service Centre - Sherburn in Elmet	Local Service Centre
Skipwith-3	N/A	N/A	Land North of Main Street	Small Planning Permission	0.58	Skipwith	Secondary Village	Smaller Village
Skipwith-5	N/A	N/A	North House Farm, Main Street	Small Planning Permission	0.40	Skipwith	Secondary Village	Smaller Village
Skipwith-6	N/A	N/A	Land Adjacent To Park Farm, Main Street	Small Planning Permission	0.16	Skipwith	Secondary Village	Smaller Village
SMilford-12	SMIL-H	N/A	Land East of Common Lane	Potential Site	2.67	South Milford	Designated Service Village	Tier 1
SMilford-13	SMIL-G	N/A	Land at Whitecote Lane	Potential Site	2.61	South Milford	Designated Service Village	Tier 1
SMilford-2	SMIL-J	N/A	Land East of Milford Road	Potential Site	3.54	South Milford	Designated Service Village	Tier 1
SMilford-31	N/A	N/A	Cragland, 20 Milford Road	Small Planning Permission	0.43	South Milford	Designated Service Village	Tier 1
SMilford-38	N/A	N/A	The Old Methodist Church, 7 High Street	Small Planning Permission	0.02	South Milford	Designated Service Village	Tier 1
SMilford-40	SMIL-B	N/A	Land North of LundSyke Lane	Potential Site	6.89	South Milford	Designated Service Village	Tier 1
SMilford-41	SMIL-C	N/A	Land South of Mill Lane	Potential Site	3.09	South Milford	Designated Service Village	Tier 1
SMilford-42	SMIL-D	N/A	Land South of Legion Street	Potential Site	9.81	South Milford	Designated Service Village	Tier 1
SMilford-43	SMIL-U	N/A	Land to the South of China Palace, London Road	Potential Site	0.58	South Milford	Countryside	Countryside
SMilford-44	N/A	N/A	16 Low Street	Small Planning Permission	0.15	South Milford	Designated Service Village	Tier 1
SMilford-45	N/A	N/A	Cragland, Milford Road, South Milford	Small Planning Permission	0.43	South Milford	Designated Service Village	Tier 1
SMilford-46	N/A	N/A	China Palace, London Road, South Milford, Leeds, West Yorkshire	Small Planning Permission	0.3	South Milford	Designated Service Village	Tier 1
SMilford-6	N/A	N/A	11 Milford Road	Small Planning Permission	0.01	South Milford	Designated Service Village	Tier 1
SMilford-9	N/A	N/A	25 Sand Lane	Small Planning Permission	0.13	South Milford	Designated Service Village	Tier 1
Stapleton-1	N/A	N/A	Castle Farm, Castle Hills Road	Small Planning Permission	6.84	Stapleton	Countryside	Countryside
Stillingfleet-14	STIL-D	N/A	Land to the South of Escrick Road	Potential Site	173.70	Stillingfleet	Countryside	Smaller Village
Stillingfleet-15	STIL-E	N/A	Sunset House : Land attached to rear of Sunset House	Potential Site	0.86	Stillingfleet	Secondary Village	Smaller Village
Stillingfleet-16	STIL-F	N/A	Ivy cottage, The Green	Potential Site	0.34	Stillingfleet	Secondary Village	Smaller Village
Stillingfleet-2	STIL-B	N/A	Land West of Cheshire Farm	Potential Site	0.52	Stillingfleet	Secondary Village	Smaller Village
Stillingfleet-6	N/A	N/A	Moreby Hall, Moreby	Large Planning Permission	0.48	Stillingfleet	Countryside	Countryside
Stillingfleet-7	N/A	N/A	Feamdale, The Green	Small Planning Permission	0.16	Stillingfleet	Secondary Village	Smaller Village
Stillingfleet-8	N/A	N/A	Land East of Croft Cottages, York Road	Small Planning Permission	0.40	Stillingfleet	Secondary Village	Smaller Village
Stillingfleet-9	N/A	N/A	The Bungalow, Stillingfleet Service Station, York Road, Stillingfleet	Small Planning Permission	0.37	Stillingfleet	Secondary Village	Smaller Village
StubbsW-1	N/A	N/A	5 Old Hall Farm	Small Planning Permission	0.03	Stubbs Walden	Countryside	Countryside
Stutton-1	N/A	N/A	Peggy Ellerton Farm, Chantry Lane	Small Planning Permission	0.70	Stutton with Hazlewood	Countryside	Countryside
Tadcaster-10	TADC-L	N/A	Wighill Lane	Potential Site	0.24	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-17	TADC-AE	N/A	Land at Hillcrest	Potential Site	0.95	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-18	TADC-J	TAD/2	Land West of Inholmes Lane	SDLP Allocation	3.47	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-2	TADC-B	N/A	Land North of Kelcbar Hill	Potential Site	31.49	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-25	TADC-AJ	N/A	Land North of Edgerton Drive	Potential Site	4.01	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-26	TADC-AK	N/A	Garage site off Wharfedale Crescent	Potential Site	0.08	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-28	N/A	N/A	26 Bridge Street	Small Planning Permission	0.04	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-29	N/A	N/A	Land off Fairfield Road	Small Planning Permission	0.03	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-3	TADC-C	N/A	Land North of Kelcbar Close	Potential Site	4.44	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-31	TADC-H	N/A	Central Area Car Park	Potential Site	0.65	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-32	TADC-AD	N/A	Rircroft and Former Barnardo's Home, Wighill Lane	Potential Site	1.19	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-34	N/A	N/A	Land to rear of 46 Wighill Lane and Former Coal Yard	Small Planning Permission	0.24	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
Tadcaster-4	TADC-D	N/A	Land at Auster Bank Road	Potential Site	0.15	Tadcaster	Local Service Centre - Tadcaster	Local Service Centre
THirst-1	N/A	N/A	Bailiff Farm, Main Road, Temple Hirst	Small Planning Permission	0.15	Temple Hirst	Countryside	Countryside
Thorganby-1	THBY-D	N/A	Land to the West of The Poplars, Westfield Lane	Potential Site	0.28	Thorganby	Secondary Village	Smaller Village
Thorganby-2	THBY-E	N/A	Pinfold Farm, Main Street	Potential Site	0.45	Thorganby	Secondary Village	Smaller Village
Thorganby-3	N/A	N/A	East End Cottage, Main Street	Small Planning Permission	0.68	Thorganby	Secondary Village	Smaller Village
Thorganby-5	N/A	N/A	Thorganby Methodist Church, Main Street	Small Planning Permission	0.04	Thorganby	Secondary Village	Smaller Village
Thorganby-6	N/A	N/A	Yew Tree Farm, Main Street	Small Planning Permission	0.34	Thorganby	Secondary Village	Smaller Village
Thorganby-7	THBY-F	N/A	Yard to the rear of Pasture Cottage	Potential Site	0.20	Thorganby	Secondary Village	Smaller Village
Thorganby-8	THBY-G	N/A	Land west of the Bungalow, Thorganby Gale	Potential Site	0.23	Thorganby	Countryside	Countryside
Thorganby-9	THBY-H	N/A	Land south of the Station, Thorganby Gale	Potential Site	0.16	Thorganby	Countryside	Countryside
ThorpeW-11	THRP-K	N/A	Land South of Leeds Road	Potential Site	4.99	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-12	THRP-M	N/A	Land South of Field Lane	Potential Site	14.96	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-14	THRP-N	N/A	Land East of A63 Roundabout	Potential Site	3.82	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-16	THRP-W	N/A	Land East of Linden Way	Potential Site	5.07	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-19	THRP-U	N/A	Land North of Field Lane	Potential Site	2.47	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-22	THRP-V	N/A	Land at Swallowvale Leeds Road	Potential Site	0.43	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-24	N/A	N/A	Sunnyside Farm, Fir Tree Lane	Small Planning Permission	0.25	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-25	N/A	N/A	Hunters Lodge, 6 Fox Lane	Small Planning Permission	0.16	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-26	N/A	N/A	NSDS Centre, Field Lane	Large Planning Permission	2.36	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-27	THRP-X	N/A	Land South of Leeds Road / North of Field Lane	Potential Site	4.36	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-3	N/A	N/A	Land East of Linden Way	Large Planning Permission	10.67	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-4	THRP-D	N/A	Land North of Leeds Road	Potential Site	2.01	Thorpe Willoughby	Designated Service Village	Tier 1
ThorpeW-5	THRP-E	N/A	Land West of Harry Moor Lane	Potential Site	2.22	Thorpe Willoughby	Countryside	Countryside
ThorpeW-6	THRP-F	N/A	Land West of Harry Moore Lane	Potential Site	5.75	Thorpe Willoughby	Countryside	Countryside
ThorpeW-7	THRP-G	N/A	Land West of Meadow View Farm	Potential Site	2.99	Thorpe Willoughby	Countryside	Countryside
Towton-2	TOWT-B	N/A	Land at Towton Hall	Potential Site	0.67	Towton	Secondary Village	Smaller Village
Ulleskelf-1	CFAB-A	N/A	RAF Church Fenton	Potential Site	153.17	Church Fenton Airbase	Secondary Village	Smaller Village
Ulleskelf-13	ULLE-H	N/A	Land at New Road	Potential Site	6.04	Ulleskelf	Designated Service Village	Tier 2
Ulleskelf-16	ULLE-K	N/A	Land East of Bell Lane	Potential Site	1.37	Ulleskelf	Designated Service Village	Tier 2
Ulleskelf-17	ULLE-I	N/A	Land off Bell Lane	Potential Site	6.99	Ulleskelf	Designated Service Village	Tier 2
Ulleskelf-18	ULLE-L	N/A	Land at Hall Garth	Potential Site	0.35	Ulleskelf	Designated Service Village	Tier 2
Ulleskelf-20	N/A	N/A	West End Farm, West End	Small Planning Permission	0.28	Ulleskelf	Designated Service Village	Tier 2
Ulleskelf-21	N/A	N/A	West End Farm	Large Planning Permission	1.4	Ulleskelf	Designated Service Village	Tier 2
Ulleskelf-22	N/A	N/A	Land to rear of Church View, Main Street	Small Planning Permission	0.11	Ulleskelf	Designated Service Village	Tier 2
Ulleskelf-5	ULLE-E	N/A	Ulleskelf Station	Potential Site	0.98	Ulleskelf	Designated Service Village	Tier 2
Ulleskelf-6	N/A	N/A	RAF Church Fenton, Busk Lane	Large Planning Permission	5.15	Church Fenton Airbase	Secondary Village	Smaller Village
Ulleskelf-7	CFAB-D	N/A	Land East of Busk Lane	Potential Site	7.32	Church Fenton Airbase	Designated Service Village	Tier 2
Whaddlesey-2	N/A	N/A	Land Adjacent To Garth View, Main Street	Small Planning Permission	0.05	West Haddlesey	Secondary Village	Smaller Village
Whaddlesey-3	WHAD-A	N/A	Land at Main Street	Potential Site	0.23	West Haddlesey	Secondary Village	Smaller Village
Whaddlesey-4	N/A	N/A	Land West of Pale Lane	Small Planning Permission	0.03	West Haddlesey	Secondary Village	Smaller Village
Whitley-1	WHIT-A	N/A	Ashcroft, Templar Close	Potential Site	0.38	Whitley	Designated Service Village	Tier 1
Whitley-10	WHIT-J	N/A	Land off Selby Road/ Whitfield Lane	Potential Site	7.69	Whitley	Designated Service Village	Tier 1
Whitley-11	WHIT-K	N/A	Land at rear of George and Dragon	Potential Site	11.00	Whitley	Designated Service Village	Tier 1
Whitley-12	WHIT-L	N/A	Land North of Firs Court	Potential Site	0.18	Whitley	Designated Service Village	Tier 1
Whitley-13	N/A	N/A	Poplar Farm, Selby Road	Small Planning Permission	0.40	Whitley	Designated Service Village	Tier 1
Whitley-17	WHIT-T	N/A	Land to rear of Copper Beech Drive	Potential Site	2.48	Whitley	Designated Service Village	Tier 1
Whitley-2	WHIT-B	N/A	Land South of Gravel Hill Lane	Potential Site	1.52	Whitley	Designated Service Village	Tier 1
Whitley-20	N/A	N/A	Land West of Larth Close	Small Planning Permission	0.32	Whitley	Designated Service Village	Tier 1
Whitley-21	WHIT-V	N/A	Land to the North East of Whitley	Potential Site	11.57	Whitley	Designated Service Village	Tier 1
Whitley-22	WHIT-W	N/A	Site West of Templar Close	Potential Site	0.21	Whitley	Designated Service Village	Tier 1
Whitley-23	WHIT-Y	N/A	Land to the South of Whitfield Lane	Potential Site	2.38	Whitley	Countryside	Countryside
Whitley-24	WHIT-Z	N/A	Site at Tunstall Healthcare	Potential Site	1.98	Whitley	Designated Service Village	Tier 1
Whitley-25	WHIT-AA	N/A	Land East of Blackthorn Close	Potential Site	5.95	Whitley	Designated Service Village	Tier 1
Whitley-26	WHIT-AB	N/A	Land at Whitley Bridge	Potential Site	11.06	Whitley	Designated Service Village	Tier 1
Whitley-4	WHIT-D	N/A	Land North of Whitefield Lane	Potential Site	1.12	Whitley	Designated Service Village	Tier 1
Whitley-8	WHIT-H	N/A	Land at Blenheim House	Potential Site	0.36	Whitley	Designated Service Village	Tier 1
Whitley-9	WHIT-I	N/A	Land North of Whitley Farm Close	Potential Site	3.05	Whitley	Designated Service Village	Tier 1
Wistow-18	WIST-J	N/A	Land north of Rivendell, Cawood Road	Potential Site	0.59	Wistow	Secondary Village	Tier 2
Wistow-2	WIST-A	N/A	Plantation House / Plantation Garage, Cawood Road	Potential Site	0.92	Wistow	Secondary Village	Tier 2
Wistow-22	WIST-I	N/A	Land at Cawood Road (adjacent Wesgarth)	Potential Site	0.08	Wistow	Secondary Village	Tier 2
Wistow-23	WIST-K	N/A	Land west of Cawood Road	Potential Site	3.00	Wistow	Secondary Village	Tier 2
Wistow-24	N/A	N/A	Land at Hollytree Cottage, Garman Carr Lane	Small Planning Permission	0.10	Wistow	Secondary Village	Tier 2
Wistow-25	WIST-L	N/A	Land at Field Lane	Potential Site	2.35	Wistow	Secondary Village	Tier 2
Wistow-26	WIST-M	N/A	Land at Selby Road	Potential Site	6.65	Wistow	Secondary Village	Tier 2
Wistow-27	WIST-N	N/A	Land West of Carr Lane	Potential Site	6.97	Wistow	Secondary Village	Tier 2
Wistow-28	WIST-O	N/A	Land East of Station Road	Potential Site	4.53	Wistow	Secondary Village	Tier 2
Wistow-29	WIST-P	N/A	Land adjacent to Roselyn, Selby Road	Potential Site	0.39	Wistow	Secondary Village	Tier 2
Wistow-4	WIST-C	N/A	Land to rear of Oak Farm, Garmancarr Lane	Potential Site	0.61	Wistow	Secondary Village	Tier 2
Wistow-5	WIST-D	N/A	Land between Field Lane and Lordship Lane	Potential Site	3.43	Wistow	Secondary Village	Tier 2
Wistow-6	WIST-E	N/A	Land South of Long Lane	Potential Site	6.39	Wistow	Secondary Village	Tier 2
Wistow-7	WIST-F	N/A	Land North of Long Lane	Potential Site	11.66	Wistow	Secondary Village	Tier 2
Womersley-1	WOMR-C	N/A	Land at Station Road	Potential Site	0.14	Womersley	Secondary Village	Smaller Village
Womersley-2	WORM-D	N/A	South of Bank Wood Road	Potential Site	0.81	Womersley	Secondary Village	Smaller Village
Womersley-3	WORM-A	N/A	Land at Manor Farm	Potential Site	1.75	Womersley	Secondary Village	Smaller Village
Womersley-4	N/A	N/A	Womersley C of E Primary School	Small Planning Permission	0.14	Womersley	Secondary Village	Smaller Village

Appendix F: SHLAA Methodology Working Group Paper & Responses

1. The 2022 SHLAA

The SHLAA is an assessment of sites that may be available for housing development over the next fifteen years. It forms part of the evidence base for the New Local Plan, by providing an initial assessment of potential housing development sites. The SHLAA includes a number of methodological assumptions which are considered as part of the Council's 5 Year Housing Land Supply reports. It examines the extent to which potential sites are suitable, available, and achievable over the plan period in a (local planning) "policy off" approach.

The purpose of this consultation document is to give the working group the opportunity to comment on the SHLAA methodology. The assessment will benefit from the experience and expertise of the working group, supporting a robust approach to projecting potential housing supply. This discussion will help provide informed judgements about forecasting supply, which will in the case of 5 Year Housing Land Supply calculations also be balanced against up to date site delivery forecasting / statements.

2. Types of sites in the assessment

- **Selby District Local Plan (2005) Allocations:** Sites allocated for housing in the 2005 Selby District Local Plan, which have since been saved by the Secretary of State and still make up part of the development plan.
- **Selby District Core Strategy Local Plan (2013) Allocation:** In the 2013 Core Strategy, a strategic site was allocated at Olympia Park in Selby for mixed uses including housing. A large part of the allocated site to the west has previously had permission for 863 dwellings (2012/0541/EIA).
- **Large Planning Permission:** These are sites with full, reserve or outline permission for housing developments of 10 units (gross) or more, this can also include applications which have been resolved to grant at planning committees, subject to successful section 106 negotiations, as of the 31st of March 2022.
- **Small Planning Permission:** These are sites with full, reserve or outline permission for housing developments of less than 10 units (gross), this can also include applications which have been resolved to grant at planning committees, subject to successful section 106

negotiations, as of the 31st of March 2022. These sites are only given a basic assessment.

- **Prior Approvals:** The scope of prior approvals can include developments of multiple dwellings. They are not technically planning permissions and so have been included as their own type of site. As these sites are less than 5 dwellings, they are only given a basic assessment.
- **Potential Site:** The potential supply is made up primarily of sites put forward by landowners and developers for consideration through the new Local Plan. They usually take the form of unallocated greenfield land outside of development limits, but include a variety of forms, including land currently allocated for education, employment and other non-housing uses.
- **Approve subject to section 106:** Applications which have been resolved to grant at planning committees, subject to successful section 106 negotiations, prior to 31st March 2022.

Dwellings which are restricted by an agricultural occupancy condition, dwellings which are classified as holiday accommodation and dwellings which comprise 'Granny' annexes are not included in the overall supply, as these are dwellings which are not considered to be available to the general public.

Sites can be several of the above types over time, for example a new site could be put forward for consideration in the Local Plan, and would be classified as a Potential Site, then it could be allocated in a Local Plan and then it could be granted permission. However, a site in the SHLAA can only be one type of site at any one time, so there is no double counting.

Question:

1. **Does the working group agree with these types of sites as a viable source to populate the 2022 SHLAA?**

3. Gross and Net

In the case of planning permissions, there may be dwellings lost on the site through demolitions, mergers of dwellings and changes of use. These are taken account of in the supply and completion of dwellings, which will both be net figures. This is further explained in table 7 below.

4. Net Developable Areas

The net developable area will be used to estimate the area of each allocated or potential site that can be built for housing use only. It is acknowledged by the

Council that in order to give an accurate estimate of the housing potential of these sites, this aspect must be taken into account.

We have defined the net developable area as including those access roads within the site, private garden space, car parking areas, incidental open space and landscaping and children's play areas (where these are to be provided). Beyond this, it is considered reasonable to exclude the following from the definition of net developable area:

- major distributor roads, significant landscape buffer strips, open space serving the wider surrounding area, or an area necessary to make space for significant water storage in areas of high flood risk;
- an existing on-site feature or wider constraint that limits the area that can be developed, such as the need to maintain an important landscape or wildlife site or historic assets (where they would limit the extent of a site that could be developed); and
- areas comprising non housing development, such as employment, commercial uses, or community facilities (such as new school or health centre)

Table 1b shows the Council's proposed assumptions for the developable area of sites, based on an assessment of different sizes of recently approved and completed sites in Selby District (Appendix A[1] table 1 and summarised below in table 1a). Larger sites tend to have more of their area used for non-housing uses and infrastructure and this is generally why the rates are lower as the site size gets larger. We also intend to give site promoters the option to submit their own assumptions for the developable areas of their sites.

Table 1a - Average Developable areas 2019 - 2022	
Site Size Bracket (ha)	**Net developable area ratios (%)**
Up to 1	99
1 to 5	88
5 to 10	81
More than 10	74

Table 1b – Proposed Developable areas	
Site Size Bracket (ha)	**Net developable area ratios (%)**
Up to 1	100
1 to 5	85
5 to 10	80
More than 10	75

[1] The reason for the different year ranges in the tables in Appendix A is to give a big enough sample size for certain categories in the tables such as site sizes, settlement hierarchies and brownfield/greenfield sites etc.

Questions:

2. Is the definition of developable area appropriate?

3. What are your thoughts on the proposed developable area ratios?

4. Are the brackets of site sizes appropriate?

5. Density

The proposed densities in table 2b below are based on an analysis of permitted sites, as seen in Appendix A table 2 and summarised below in table 2a. Densities have been worked out on the net developable areas of the site. We have found that the only consistent correlation on sites in terms of density is when they are grouped by type of settlement. Please note that sites with planning permissions already have their densities determined and will not be affected.

Table 2a - Average Density 2016 - 2022			
Row Labels	**Greenfield**	**Brownfield**	**Average**
Principal Town - Selby	36	50	45
Local Service Centre - Sherburn	23	50	28
Local Service Centre - Tadcaster	59[2]	43	53[3]
Designated Service Village	26	30	27
Secondary Village	21	23	22
Countryside	30	24	27
Grand Total	**25**	**31**	**27**

Table 2b – Proposed Densities	
Settlement Hierarchy	**Densities (dph)**
Principal Town (Selby) Brownfield (more than 50% PDL area)	50
Principal Town (Selby) Greenfield (50% or less PDL area)	35
Local Service Centres	35
Designated Service Villages	30
Secondary Village	20
Countryside	20

[2] This is a high density as there have been limited housing completions on greenfield land in Tadcaster

[3] This average density is high given the low number of completions in Tadcaster on both greenfield and brownfield sites.

Questions:

5. Should sites be grouped by other factors?

6. What are your thoughts on the density rates proposed for sites without permission?

7. Are there particular locations which require higher density levels – for example urban brownfield sites?

6. Pre-build lead-in times

This is the amount of time it takes from obtaining planning permission to finishing the first dwelling. The approach taken factors in the size of the site in terms of dwellings, as well as the planning status of the site. The presumptions being that:

- the more advanced along the permission timeline, the shorter the time it takes to start on site, and;
- The bigger the site in terms of units, the longer it takes to negotiate the section 106 agreements.

The proposed lead in times in table 3b, below, are partly based on an analysis of the time it has taken recently approved sites to complete their first unit (seen in table 3a and Appendix A table 3). The proposed lead in times are not set and site promoters have the option to submit their own estimates for lead in times for their sites.

Table 3a - Average of Months between decision and first plot completed 2015 - 2022			
Application Type	**1 to 10 Dwellings**	**11+ Dwellings**	**Average**
REM/FUL	13	16	15
OUT	18	23	21
Grand Total	14	17	16

Table 3b – Proposed Lead in times (Months)		
Type of site	**1 to 10 Dwellings**	**11+ Dwellings**
Reserved matters/full planning	**12**	**18**
Outline planning permission	**18**	**24**
Sites without planning permission	**24**	**30**

Question:

8. What are your thoughts on the parameters for the lead in times and on the presumptions we have made?

7. Build rates

An analysis of the rate of completion from a range of developed sites (Appendix A table 4 and summarised in table 4a below) has led the Council to propose the build rates in table 4b below. Sites are grouped by size, this is because:

- Larger sites have been shown to be built out at greater rates by major national housebuilders, who have the capacity to do so.
- Smaller sites are generally built out by local builders, who build at a slower rate due to them having a lower capacity.

Table 4a - Average Build Rates 2014 - 2022	
Gross capacity of site (dwellings)	**Annual Build rate**
1-10	4
11-25	11
26-50	20
51-100	27
101-200	39
201+	49

Table 4b - Proposed Build Rates	
Gross capacity of site (dwellings)	**Annual Build rate**
1-10	5
11-25	10
26-50	20
51-100	30
101-200	40
201+	50 (70 if 2 developers, all potential sites are presumed to have 2 developers)

Questions:

9. Are the sizes of sites appropriate?

10. Are the build rates appropriate?

11. Should location be factored into the assessment?

8. The assessment questions

Below are the proposed questions which will be included in the assessment of sites in the 2022 SHLAA. These questions have been formulated having regard to the most recent guidance in the planning practice guidance note for Housing and Economic Land Availability Assessments.

In line with the guidance, there will be a basic assessment of housing sites (shown in table 5) and then from this assessment a judgement in principle is made on whether the site is suitable for housing. If the answer is no the site will

be put in abeyance. If the answer is yes, then the sites will be assessed in detail with the questions from table 6. Once sites are assessed for their Suitability, Availability and Achievability in table 7 they will be given a deliverability timescale and put into the supply of sites for housing. The methods for the application of these questions will of course depend on what is agreed with the working group.

Table 5 - Basic Assessment Questions	
Question Title	**Explanation**
SHLAA ID	The unique reference number for the site. This cross-references to the sites shown in the SHLAA maps.
Emerging Local Plan site reference	The unique reference for the site which cross-references to the references used in the Emerging Local Plan consultation documents
Site Submission Reference	The unique reference for the site which cross-references to the call for sites submissions and emerging Local Plan consultation documents.
Parish	The name of the parish the site is located in.
Settlement Hierarchy	Where the settlement is placed in the Core Strategy settlement hierarchy in policy SP4.
Location	Short description of where the site is located
Current land use	Description of the land use of the site.
Surrounding Land Uses	Description of surrounding land uses
Site Type	• Selby District Local Plan (2005) Allocation • Selby District Core Strategy Local Plan (2013) Allocation • Large Planning Permission • Small Planning Permission • Prior Approval Not Required • Potential Site • Approve Subject to S106
Allocations Reference/ Planning Permission Reference	Reference should the site be a saved allocation in the Selby District Local Plan (2005) or an allocated site in the Selby District Core Strategy Local Plan (2013). Should the site have planning permission, this is the most recent planning application reference.
Area (ha)	Gross area of the site measured in hectares (ha)

Greenfield/ Previously Developed Land	An indication as to whether the site is greenfield land, previously developed, or a mixture of both
% Greenfield	% of sites area that is greenfield, this will later be used to calculate the number of homes that could be built on greenfield land.
% Previously Developed Land	% of sites area that is previously developed land, this will later be used to calculate the number of homes that could be built on previously developed land.
National Policy Restrictions	*Minimum Site Size – 0.17ha (less than 5 dwellings at 30 dwellings per hectare)* *Sites of Special Scientific Interest (SSSI)* *Ramsar Sites, Special Protection Areas (SPA)* *Special Areas of Conservation (SAC)* *National Nature Reserves (NNR)* *Scheduled Monuments, Ancient Woodlands* *Health and Safety Executive Inner Zones* *Flood Risk areas - Zone 3b 'Functional Floodplain'* *Registered Battlefields and Registered Parks and Gardens*
Suitable for proposed use?	An initial assessment on whether the site is suitable for housing, based on 2 main factors, these being: • Relation to the settlement hierarchy • National policy restrictions Sites which are suitable are taken through to be assessed in more detail. Sites with permission automatically go through to stage 2.

Table 6 – Suitability, Availability, Achievability	
Suitability	
Question Title	**Explanation**
Risk of Flooding	A significant issue for Selby, flooding has been kept separate from other physical constraints. The level of flood risk is determined by the latest flood risk factors identified in the Council's latest Strategic Flood Risk Assessment.
Risk of surface water flooding	The level of surface water flood risk is determined by the latest flood risk factors identified in the Council's latest Strategic Flood Risk Assessment.
Physical Constraints	An assessment of any other physical constraints that would need to be overcome through the planning application process e.g. access to the site, infrastructure, neighbouring uses, proximity of waste water treatment works, topography, mineral designations, etc. ground conditions, hazardous risks, pollution or contamination
Overcoming suitability constraints	A range of potential solutions for any constraints
Availability	
Submitted by?	Whether the site has been submitted by a landowner or an agent, and whether there is a developer involved. This question will not feature any names, addresses or personal details of any kind.
Availability Considerations	Whether the site has a history of unimplemented planning permissions. The number of landowners there are on the site. Impact of the existing land use of the site on availability. Impact of any land ownership constraints or any third party land required.
Overcoming availability constraints	A range of potential solutions for any constraints
Achievability	
Is the site economically viable?	Developer interest in the site can demonstrate that it is economically viable, along with a recent history of planning applications showing developer intent.

Overall Deliverability	Depending on the evidence submitted in the suitability, availability and achievability sections, a site will be given a deliverability timescale, these being: 0-5 years- no constraints to deliverability, or constraints can be mitigated. Units will be projected from the start of the supply period. 6-10 years – constraints have been found that will take time to be mitigated, or the site is part of long term phase. Units will be projected from year 6 of the plan period. 11-15 years – significant constraints have been found that will take significant time to be mitigated, or the site is part of long term phase. Units will be projected from year 11 of the plan period. Not deliverable – the constraints on the site cannot be mitigated against, and the site is held in abeyance, no units from this site will be projected in the supply.

Table 7 – Estimating the Development Potential	
Question Title	**Explanation**
Date of permission	The date the notice of decision was issued, should the site have planning permission.
Permission started?	An indication as to whether works have commenced on-site, should the site have planning permission.
Permission Expiry Date	The date the permission will expire (lapse), should the site have planning permission.
Net Developable area ratio	The area of the site considered purely developable for housing (%) Sites with planning permission have already had their developable area approved through the development management process.
Net Developable area (ha)	The area of the site in hectares (ha) considered developable

Build rate	The annual rate at which dwellings are built out on the site. Where there is more than one developer on site, this will be noted and will increase the rate of building.
Lead in time (years)	The time from the point of approval of a planning application, to the expected completion of the first plot.
Density	The number of dwellings which can be built on the site per hectare (ha) of the site area. Sites with planning permission have already had their density approved through the development management process.
Greenfield capacity	Number of units on the site that are estimated to be delivered on the greenfield sections of the site.
Previously Developed Land capacity	Number of units on the site that are estimated to be delivered on the previously developed sections of the site.
Gross capacity	The estimated number of dwellings that can be accommodated onto the net site area. For sites with permission, this number represents the total number of dwellings given by the most recent permission on the site.
Net Capacity	For sites with permission, this will be the gross capacity, minus any demolitions/ mergers/ changes of use associated with the permission that result in the loss of dwellings.
Deliverable Capacity remaining	In the case of sites with planning permission, this figure shows the remaining number of dwellings still to be complete if development has already started. This figure will be the same as net capacity for all other types of sites. Sites assessed as undeliverable will be given zero for this question.
Dwelling projections	A series of cells that project how the units from the site will be built out across the plan period, taking into account the lead in times and build out rates mentioned above.

Development Timescale	How long the site will take to complete all its units in years

Questions:

12. Are these questions appropriate for the assessment?

13. Are there any questions which are unnecessary?

14. Are there any other questions we could include?

9. Next Steps

- The SHLAA working group have until 5pm on Friday 19th August 2022 to make comments.
- An updated finalised methodology (featuring working group comments and our responses to them) will be sent to the working group.
- Sites within the SHLAA will then be assessed with the methodology.
- The results of the assessment will be sent to the working group, who will have 2 weeks to comment.
- The SHLAA will then be used to inform the assessment of the Councils housing land supply from the period 2022-23.

Responses to the SHLAA Methodology Working Group Paper

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
Charlotte Gill (York Consortium Drainage Boards)	Thank you for the opportunity to comment on the methodology. From the Board's perspective, I can see that the risk of flooding is already included as part of the "Suitability" section but can we ask if drainage options (for both surface water and foul sewage) can be added to the "Physical Constraints" section also please.	Comment noted. Assessment of surface water flood risk added to the site assessment questions.
Simon D Jones Esq. (National Highways)	Thank you for the consultation. National Highways will be making a representation on this, however noting that this arrived with myself yesterday and has what I assume to be a typographical error (response within 5 working days), this note is merely a holding position to inform the Council that our comments will not be viable within that timeframe, however they should not proceed without our comments. All the best and we will be in touch soon.	Comments noted.
Glen Wilson (Noble Homes)	Answers 1. Yes	Comments noted.
	2 to 7 - bespoke site dependant, shouldn't be averaged, each site is completely different	Accept the fact that each site is different, and this is why the consultation for site promoters to project their site according to their own specs. Averages are used, informed by recent data, where specific

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
		data is not supplied and evidenced by site promoters.
	8 - again bespoke to each site as dependant on remediation which won't start until full planning is granted and S106 agreed, but the quicker planning is approved then better for all, time of year is also relevant due to weather issues.	Accept the fact that each site is different, and this is why the consultation for site promoters to project their site according to their own specs. The Lead in times are informed by recent data, as seen in Appendix B.
	9 to 11 - site and developer dependant, plus add in the current market factors	Accept the fact that each site is different, and this is why the consultation for site promoters to project their site according to their own specs. Market factors are reflected in the use of recent data to inform the averages.
	Assessment Questions 12-14; Table 5 - fine Table 6 - 'is the site viable' - not required at this stage of allocation as true viability is only determined upon known plots numbers and any S106 costs. Developer will have expectations and intended plots, otherwise the land wouldn't be up for discussion	The NPPG on Housing and Land Availability Assessments states that *"Plan-makers will need to assess the suitability, availability and achievability of sites, including whether the site is economically viable."* Therefore a question which brings looks at basic viability factors on the sites has been included.
	Table 7 - fine albeit confusing saying if with current planning?	Some of these questions only apply to sites with planning permission and so this has been highlighted where this is the case.

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
James Langler (Historic England)	We welcome the reference made to the potential for historic assets on a site to reduce the net developable area. This decision will need to be made on a case by case basis, giving careful consideration to the nature, extent and significance of the heritage asset, or assets, in question.	Comment Noted.
	We also welcome the inclusion in Table 5 – Basic Assessment Questions of Scheduled Monuments, Registered Battlefields and Registered Parks and Gardens as national policy restrictions. However, at present, it is unclear where the implications of a site containing one or more listed buildings, or being located within a conservation area, would be considered in the assessment of the suitability or achievability of a site. As the presence of these categories of designated heritage assets may not necessarily preclude a site from development but may place restrictions on what can be delivered, it would seem sensible to consider them as a potential constraint under the 'Suitability' section of Table 6.	Heritage Assets are considered under physical constraints and a range of possible solutions are recommended in the questions 'Overcoming suitability constraints'. As the SHLAA is a high level assessment, the presence of heritage assets near or on the site is not considered to make a site undeliverable, as mitigation can be recommended. Exceptions to this would be a severe constraint such as a Scheduled Ancient Monument being underneath the entire site.

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
Corinna Dietz (Marine Management Organisation)	Thank you for your invitation to participate in the consultation for the 2022 Strategic Housing Land Availability Assessment (SHLAA). No further comment is required from the MMO regarding the SHLAA, as there is no comment required from us at this stage of the plan development. We advise that you consider any relevant policies within the East Marine Plan Documents in regard to areas within the plan that may impact the marine environment, including the tidal extent of any rivers. We recommend the inclusion of the East Marine Plans when discussing any themes with coastal or marine elements. When reviewing the East Marine Plans to inform decisions that may affect the marine environment, please take a whole-plan approach by considering all marine plan policies together, rather than in isolation.	Comments noted.
Josh Plant (Gladman)	Gladman welcome the opportunity to comment on the draft Strategic Housing and Economic Land Availability Assessment (SHLAA). Notwithstanding this, the Council have only provided 7 days (5 working days) in which to provide comments on the SHLAA Methodology with no prior notification. This cannot be considered to be an appropriate timescale for public and stakeholder consultation, particularly during the summer holiday period. Finally, Gladman are further concerned with the fact that members of our team, who are registered on Selby's planning	The methodology consultation was extended by an additional 2 weeks (30/08/2022 to 13/09/2022). Those members of Gladman you mention who asked to be on the separate Local Plan peroration database have since been added to the Council's SHLAA contact database have been.

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	consultation database, were not informed about the opportunity to comment on the SHLAA methodology consultation. Neither were our team given the opportunity to comment on the 2021 draft SHLAA methodology consultation which was sent to key stakeholders on 30th April 2021, as confirmed by paragraph 2.10 of the SHLAA Report 2021.	
	Draft Strategic Housing Land Availability Assessment (SHLAA) Methodology Gladman only have minor comments to make at this stage of the SHLAA methodology but wish to be informed of any further publication and updates to the SHLAA. The consultation document seeks to give stakeholders the opportunity to comments on the SHLAA methodology. The SHLAA methodology and subsequent SHLAA appears to be solely to inform judgements for the Council's Five-Year Housing Land Supply (5YHLS) calculations given the current stage of Selby's plan-making process which has had two rounds of site selection assessments.	Comment noted.
	Densities, Lead-In Times and Build Rates Firstly, in general Gladman support the analysis of densities across the settlement hierarchy and by land type. The Council have also acknowledged that the figures noted for Tadcaster are distorted due to the limited number of housing completions in Tadcaster over the last 2 decades. Yet it is not clear how the Council have calculated the proposed densities of 35 dph at Local Service Centres or on greenfield sites at Selby and accounted for the Tadcaster figures.	

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	In this regard, it would wise to provide clarity in how the densities across the settlement hierarchy have been determined. In addition, the proposed densities align with those set out in the Regulation 19 Publication Local Plan which is set to be published for public consultation on the 26th August 2022. This Plan takes reference to the 2021 SHLAA and therefore the average density figures do not align with the evidence provided in the draft 2022 SHLAA methodology document, this will be considered further during the Local Plan consultation. The SHLAA documents merely seek to set minimum densities based upon the average densities achieved across permitted sites over the previous 5-year period. Gladman consider that in order to propose the most appropriate density levels for residential schemes the Council should undertake an assessment of the density of the surrounding built environment to ensure new development is well-related to the surrounding character of the area. Secondly, in assessing the pre-build lead-in times the Council utilise the number of dwellings on a scheme/application to determine the average number of months for lead in times. The categories are divided into '1 to 10 dwellings' and '11+ dwellings' or in effect minor or major residential developments. However, when analysing build out rates the Council utilise 6 categories for the number of dwellings on a site providing greater detail and understanding of how the delivery of sites differs depending on the number of dwellings proposed. It is considered that the approaches for lead-in times and build out rates should align, and the assessment of lead-in	

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	times should also utilise 6 site size categories. Indeed, the number of dwellings within a scheme and planning application type can significantly influence the timescales in determining an application as larger schemes tend to involve more complexities and require greater detailed assessments and technical reports. The data the Council have included within the corresponding 'SHLAA Working Group Data' document does not allow for a comprehensive assessment of sites and to utilise all 6 categories of scheme size. However, the following table highlights the variation in lead-in time between outline planning applications size of schemes. Finally, while local data provides an appropriate starting basis to assess the delivery patterns and densities of sites, it would be prudent to 'sense-check' the results with national evidence. Lichfields' Start to Finish Report (2nd edition dated February 2020) is a comprehensive tool which the Council could employ, and which has become an industry standard to understand lead-in times and build out rates.	The figures for Lead-In Times and Densities cannot be aligned as their correlations are different. Density is analysed by area and the Lead-In Times are dependent upon the size of the site. The Council have utilised Lichfields' Start To Finish Report however the Council also considers local, recent information to be of great importance.
	Assessment Questions In general, Gladman support the considerations set out in Tables 5, 6 and 7 of the draft methodology paper but draw attention to 'Availability Considerations' within Table 6. Gladman welcome that consideration will be given to history of unimplemented planning permissions and the impact of land ownership constraints. However, given the significant history within Selby District of delivery issues related to unimplemented planning permissions and allocations, greater	The Council has utilised our own data to analyse non-implementation

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	weight must be given to this consideration particularly in relation to the calculation of the District's 5HYLS.	
Mark Johnson (Johnson Mowat Planning & Development Consultants)	No remarks from me at this stage.	Comments noted.
Joanne Widgery (Natural England)	Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. We recognise that SHLAAs form a critical component of the evidence base for Local Plans. In order to allocate the most appropriate sites to deliver high quality, sustainable development, environmental issues and opportunities should be considered as an integral part of the assessment process.	Comments noted.
Andrew Simpson (Environment Agency)	Thank you for giving us the opportunity to comment on the development of the new 2022 Strategic Housing Land Availability Assessment (SHLAA) Draft Methodology Paper. We have reviewed: Draft SHLAA Methodology Paper 2022. **Net Developable Areas** We welcome the inclusion of the landscape buffer strips and an area necessary to make space for significant water	Comments noted.

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	storage in areas of high flood risk being included within the areas excluded from the net developable areas. With the introduction of the Environment Act in 2021, there are new requirements on planning applications to incorporate Biodiversity Net Gain (BNG) into nearly all planning proposals. Therefore, it would be prudent to exclude a portion of each site for BNG enhancements.	
	Assessment questions BNG We would consider that there should be a question included as to whether the site can achieve the minimum biodiversity net gain required for the development to be compliant with national and local policy. We also want to highlight that the achievement of at least 10% BNG must relate to delivery of at least 10% net gain in each habitat type present on the site and that net gain values cannot be summed or converted in between habitat types – i.e. net gain values for terrestrial (area based), hedgerow (linear based) and river (linear based) habitats should be reported on separately). There is a need to further consider how BNG will operate within Selby and whether any regional system will be created for how to management BNG and also Local Nature Recovery. An example of something to consider is if the Council is going to have a 'bank' of potential sites on which Biodiversity Net Gain can be implemented? Promotion of wilding to create and restore wildlife-rich habitats, corridors and stepping stones – could also have linkages with other	Comments acknowledged. Adjustments to include Biodiversity Net Gain have been made accordingly.

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	aspects of the Environment Act 2021, such as ELMS and LNRS.	
	Flood Risk We support the statement that the level of flood risk will be determined by the latest flood risk factors identified in the Council's latest Strategic Flood Risk Assessment. We would consider the question on flood risk would need to be more detailed to account for the following: • Setting an objective to select sites with the lowest overall flood risk • We'd like to see further clarity on sites that may be discounted based on significant flood risk, including: o How other sources of flood risk are taken into account, such as surface water and groundwater; or artificial sources such as sewer and reservoirs o The impact of flood risk now, and in the future o Being clear on how sites not covered by detailed modelling are assessed under this heading (e.g. where FZ3b not delineated from FZ3 because of lack of robust modelling) o Sites that may be required now or in the future to manage flood risk (e.g. Flood Storage Areas, Safeguarded Land, etc…) • An understanding of how climate change will be considered, recognising that it may affect different parts of the authority in different ways. • An understanding of how all sources of flood risk are considered • Requirement for the sequential and exception tests	Surface Water Flood Risk has now been added to the site assessment questions and the database has been updated accordingly.

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	• Encourage a sequential approach within a development site We advise referring to our response on the preferred options consultation in March 2021, where we provided significant comments on flood risk. Groundwater and Contaminated Land We would consider that further factors should be added into the physical constraints, including: - Source Protection Zones. Our position on various activities and development in respect of groundwater protection are set out within the Environment Agency's approach to groundwater protection. We would urge Selby to follow that. - The risks to groundwater should be considered for any new proposed development sites. It must be ensured that any SUDS proposals will not detrimentally impact upon groundwater quality. - Previous land contamination should be factored into site appraisals.	
	Environment Management Within the physical constraints, there should be an additional factor considered in terms of development adjacent to regulated sites. We recommend that regulated sites are considered within the site allocation methodology and potential allocations are directed away from sites which are adjacent/nearby permitted facilities.	Contamination is included within the Physical Constraints section of the SHLAA Methodology. The Local Plan and Site Assessment Methodology for the Local Plan addresses these more complicated matters.

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	New development close to permitted facilities could result in impacts including the nearby community being exposed to impacts (e.g. odour, noise, dust and pest). The severity of these impacts will depend on relevant local factors e.g. the size of the facility, the nature of the activities or prevailing weather conditions. Planning policy requirements (paragraph 187 of the National Planning Policy Framework) state that new development should integrate effectively with existing businesses and not place unreasonable restrictions upon them. Where the operation of an existing permitted facility could have significant adverse effects on new development (including changes of use), the applicant should be required to provide suitable mitigation for these effects. Mitigation can be provided through the design of the new development to minimise exposure to the neighbouring permitted facility and/or through financial contributions to the operator of the facility to support measures that minimise impacts. Environmental Permitting Regulations require operators to demonstrate that they have taken all reasonable precautions to mitigate impacts of their operations. This is unlikely to eliminate all emissions and there is likely to be residual impacts. In some cases, these residual impacts may cause local residents concern. There are limits to the measures that the operator can take to prevent impacts to residents. Consequently, it is important that planning decisions take full account of paragraph 187 of the NPPF. When a new development is built near to an existing permitted facility this does not automatically trigger a review of the permit.	

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	Water Quality and Water Resources The water environment should be considered further within the site selection methodology, and should include questions that would allow and enable the assessment of sites against water quality and water resources. For example the following aspects should be considered: • Impact on capacity of existing utilities and infrastructure to cope with the development • Can the site deliver key infrastructure including: water, sewerage, electricity, gas and community heating • Can the site connect to the mains foul drainage network? Wastewater drainage should be connected to a public foul or combined sewer whenever this is reasonably practicable. Land should be allocated for major development only if there is existing public wastewater sewerage infrastructure capable of accommodating and treating the predicted loads. Consultation should take place with the water company. • Is there sufficient sewage capacity and what is the impact on the Waste Water Treatment Works. • Can the site contribute to the objectives and goals of the Water Framework Directive?	

Table 8: Responses from the working group to the methodology		
Respondent	**Summary of Comments**	**Selby DC Response**
	Climate change The EA strongly support local plan carbon mitigation policies and delivery projects which: • Ensure climate resilience and environmental benefits at the heart of delivery of new homes and the infrastructure that enables healthy, productive places. • Increase uptake of nature based solutions, including blue and green infrastructure, which provide multi-functional benefits including slowing the flow of flood waters, enhancing biodiversity and through recreation, increasing opportunities for the health and well-being of local communities. There should be consideration of how these elements can be built into the SHLAA site selection methodology more holistically.	The Level 1 SFRA (August 2022) has factored in climate change and the flood risk includes tidal fluvial and surface risk flooding. The Council's Local Plan contains greater detail on the sequential approach to development in flood risk areas.

Report Reference Number: E/22/24

To:	Executive
Date:	3 November 2022
Status:	Non-Key Decision
Ward(s) Affected:	Whole District
Lead Executive Member:	Councillor Grogan, Lead Member for Health & Culture
Author:	Sharon Cousins, Licensing Manager
Lead Officer:	Drew Fussey, Operational Service Manager

Title: Local Government (Miscellaneous Provisions) Act 1976, Section 65 – increase of Hackney Carriage Maximum Fares (Fuel Cap)

Summary:

On the 1 September 2022, the Executive Committee approved a maximum taxi fare increase for the Selby Hackney Carriage trade. The proposal was in line with the recent Hackney Carriage ("HC") Fare increase in Harrogate that considered the current increases in fuel prices at the pump.

The approved proposed taxi fare is a maximum fare. This permits drivers to charge the customer under the maximum fare amount and enables them to increase or decrease their prices within the maximin fare, in accordance with the fuel prices at the pump.

It is anticipated that fuel costs will continue to fluctuate over the next year and the Council's proposal would allow some breathing space for the trade.

A consultation was carried out between 13 and 27 September 2022, on Appendix A, which was approved by the Executive Committee on the 1 September 2022.

There have been 15 comments to the consultation. 13 were representations (against the proposed fare in some way), which have not been withdrawn. The objections received mainly mirror those received in the soft market testing with the trade.

The Executive must consider the objections received from the consultation and decide, based on the consultation responses, if there should be modifications to the approved table of fares or not. With Executive approval the new table of fares will take effect on 18 November 2022, with or without modification.

Recommendation:

The Executive is asked to

1. **consider the objections received during the statutory consultation;**

2. **determine if any modifications or not should be made to the table of fares at Appendix A in light of the objections; and**

3. **confirm a date of 18 November 2022 for the new table of fares to come into effect, with or without modification.**

1. Introduction and background

1.1 Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 ("the Act") provides that a district council may fix the maximum rate of fares within the district and all other charges in connection with the hire of a HC vehicle; this is done by means of a table which is to be referred to as "the table of fares". Private Hire vehicles can set their own fares and are therefore not the subject of this report.

1.2 The legislation also prescribes a statutory consultation process and a means of ensuring objections are properly considered in relation to a Local Authority's adoption of or variation to a table of fares prior to the table coming into effect.

1.3 If any objections are received within the period allowed, and not withdrawn, then the district council must set a further date not later than two months after the first specified date for the table of fares to come into effect with or without modifications as described by them.

1.4 On 1 September 2022 the Executive Committee resolved to commence a public consultation on Appendix A, having considered the consultation responses to a soft consultation with the trade and the additional proposals put forward in that consultation, which were dismissed.

1.5 15 objections were received to the proposed table of fares (see Appendix B) although a number of these responses agreed with the proposal some did not and were not withdrawn. The matter must be considered further to decide whether or not to modify the table of fares before it comes into effect and set a further date for the table to come into effect.

1.6 The table of fares must come into operation by the 27 November 2022, i.e., no later than two months after the last date for making representations (27 September 2022), with or without modification. Officers have recommended an implementation date of the 18 November 2022.

2.0 The Report

2.1 The full proposal, agreed by the Council Executive on the 1 September 2022, following consideration of representations during a soft consultation with the

trade during the summer can be seen in the informal consultation document (Appendix A).

2.2 Following determination by the Executive, the approved table of fares shown in Appendix A was subsequently published in the Selby Times (a legal requirement) and published on the Council notice board and emailed to the taxi trade.

3. Responses received

3.1 On the 13 September the licensing team e-mailed the hackney carriage proprietors and drivers to advise them of the publication of the fare card as described in Appendix A.

3.2 Following the publication of the proposed changes to the hackney carriage fare, 13 objections and 2 in agreement to the proposals have been received by the trade. The summary of responses is as follows: 15 drivers (24% of Licenced drivers).

3.4 Only members of the trade responded as can be seen in detail in Appendix B. The following are key issues from the responses.

4. Analysis of responses

Tariff 1 commencement time

4.1. 1 driver stated that the commencement time of Tariff 1 should be 0700 Hours, but this comment was not backed up with any further information as to the reasons why. There were no other consultation responses requesting this.

4.1.1 Tariff 1 fare

13 comments were received about tariff 1, out of the 15 responses to the consultation document:

- 1 driver was happy with the fare proposal but thought that the suggest flag should be higher at £4.00
- 4 drivers stated that they thought the fare was too high for the public
- 8 drivers stated that they agree with the fare proposal
- No members of the public, or other who ultimately pay the fares or representative bodies responded to the consultation.

4.1.2 From the above responses received for tariff 1, the majority agreed with the proposed table of fares, with one suggestion that it should be higher.

Tariff 2 commencement times

4.1.3 4 drivers stated that they thought that the commencement time of tariff 2 should commence at 2200 hours not 00.00. Two stated it should commence at 2300 hours. 2 of these responses put their reasoning down to the unsocial hours, and that between 2300 and midnight is the busiest time of the night.

Tariff 2 Fare

4.1.4 Of the 13 drivers that responded about tariff 2:

- 8 had concerns over the commencement times as shown in section 4.1.3 above
- Of the 8 who had concerns about the commencement time of tariff 2, 4 of them appeared to agree with the fare proposal
- 7 of the responses felt that the proposed fare tariff was too high
- 2 of the responses to tariff 2 were positive to the full proposal of tariff 2 including fare and times.

4.1.5 From the above the responses received regarding tariff 2, there was a 60/40 split against the tariff.

Tariff 3 Fare

4.1.6 2 drivers stated a positive response to tariff 3.

2 drivers gave a negative response to the tariff. Out of the total of 15 responses received to the consultation, only 4 drivers commented on tariff 3.

Fouling charge

4.1.7 Of the 15 drivers' responses received to the public consultation, only 4 drivers commented on the fouling charge, stating that the £80 additional charge was too low. Recommendations were between £150 - £300.

Selby's current table of fares states a charge of £50 for fouling.
York charge £75
Leeds £50
Craven £100
East Riding £70

Charging a much higher rate may cause more problems for the driver trying to get the customer to pay than if set at a more reasonable rate.

Extra Charges

4.1.8 Out of the total of 15 responses, 3 comments were received asking where tariff 5 was, which previously was for vehicles carrying up to 7 passengers. This has been replaced in the proposed table of fares as an Extra charge per head.

Call out or summoning charge

4.1.9 5 drivers commented on this charge; 2 response was positive; 3 responses were negative.

The consultation response to the summoning call out charge was generally negative, most responses were wanting a higher call out fee than £1 per mile.

However, Selby's current table of fares does not include a summoning call our charge at all. Therefore, this proposal will see an overall increase to fares when booked in advance.

4.1.10 Out of the 15 drivers that responded to the consultation document, only 5 referred to the call out and summoning charge.

4.1.11 After reviewing the objections officers recommend that the proposal is approved without modification; this is because drivers who commented that the proposed fare was too high are legally able to offer a lower fare than the Councils table of fares, which is a maximum tariff. Additionally, we have received no comments from the members of the public who pay the fares, as part of the public consultation.

5. Implications

5.1 Legal Implications

The Council has the power under the provisions of section 65 of the Act, to make a variation to the table of fares in connection with the hire of a Hackney Carriage.

Section 65 requires a Notice setting out the variation to the fares to be published in at least one local newspaper and to specify a period of at least 14 days from the date of publication within which objections against the proposal must be lodged ("the objection period"). A copy of this notice must also be available, free of charge at the Council's offices for inspection at all reasonable hours for the same length of period.

If no objections are received within the objection period or all objections are withdrawn, the fares will be implemented from either the expiration of the objection period or the date that the last objection is withdrawn.

If objections are made within the objection period and are not withdrawn, the Council must consider the objections and decide if any modifications should be made to the table of fares. After consideration of the objections, the Council must set a further date, that is no more than two months after the expiration of the objection period, for when the variation to the fares (with or without modification) will come into force.

5.2 Financial Implications

The public would have an increase in fare costs. Hackney Carriages have the option to charge a lower rate than the approved higher rate if they chose. This effectively creates a fuel cap as the Higher rate. Hackney Carriages cannot charge above higher rate, as is permitted within the regulations.

The Hackney Carriages current maximum rate was set in 2019, since then fuel prices have risen considerably and look to remain high and unstable for the foreseeable future.

5.3 Policy and Risk Implications

There are no policy or risk implications

6. Conclusion

6.1 As per the recommendation above.

7. Background Documents

www.selby.gov.uk/taxi-information

8. Appendices

Appendix A – Proposed HC informal consultation document
Appendix B – Summary of consultation responses
Appendix C – Equality Impact Assessment

Contact Officer: Sharon Cousins**,** Licensing Manager
scousins@selby.gov.uk
01757 292033

APPENDIX A

SELBY DISTRICT COUNCIL SECTION 65 - LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976
VARIATION OF THE TABLE OF FARES FOR HACKNEY CARRIAGES

Notice is hereby given that the Council proposes to vary the table of fares for the hiring of hackney carriages plying for hire within SELBY DISTRICT to that set out below:-

Tariff 1 (Between 6am and midnight)	
Flag fall for the first 440 yds or part thereof	£3.60
Drop at 440 yds and every 167.62 yards or part thereof:	£0.20
Waiting time for each period of 37.36 seconds or part thereof:	£0.20
Tariff 2 (Between midnight and 6am) + (Public holidays) *	
Flag fall for the first 440 yds or part thereof	£5.40
Drop at 440 yds and every 167.62 yards or part thereof:	£0.30
Waiting time for each period of 37.36 seconds or part thereof:	£0.30

*All public holidays other than those listed in tariff 3 tariff 2 applies throughout the 24 hour period.

Tariff 3 (Christmas and New Year) *	
Flag fall for the first 440 yds or part thereof:	£7.20
Drop at 440 yds and every 167.62 or part thereof:	£0.40
Waiting time for each period of 37.36 seconds or part thereof:	£0.40

*From 18:00 hrs 24th December to 06:00 hrs 26th December and 18:00 hrs 31st December to 06:00 hrs 2nd January.

Fouling charge	Maximum charge:	£80.00
Extra charges	Extra charge per head which can be charged for ALL PASSENGERS when carrying 5 or more:	£0.50
Call out or summoning charge	Maximum additional rate of charge per mile for call outs over 1 mile: To be used for any part of the district (one way only). This is a maximum rate of charge, the whole or part of which is to be agreed with the hirer as an extra at the time of booking before the hire is accepted or journey commenced and is to be included on the taxi meter as an extra.	£1.00

A STATEMENT OF THE MAXIMUM FARES TO BE DISPLAYED WITHIN THE CARRIAGE in clearly distinguishable letters and figures. The above fares are applicable for all journeys within the borough boundary, if the hiring takes the journey **outside** the Selby District Council boundary, the driver must charge in line with this table of fares unless the fare has been agreed with the hirer **before** the journey starts for a **greater or lesser** amount than that shown on the meter.

Any objections to the proposed variation of the table of fares can be made in writing to the address shown below. Objections must be received no later than Tuesday 27 September 2022, 5 PM.

If no objections are received or are received but later withdrawn, the new table of fares will apply with effect from Saturday 1 October 2022.

If objections are received and not withdrawn, these will be considered by the Council before a decision is taken in relation to varying the table of fares.

To object contact :Licensing Manager, Selby District Council, Civic Centre, Doncaster Road, Selby, YO8 9FT or licensing@selby.gov.uk
Date of publication: 13 September 2022

This page is intentionally left blank

APPENDIX B

HC FARE CONSULTATION

	Agree?	Comments made….	Officer Responses
Proposed Tariff 1 (Between 6am and midnight)			
£3.60 Flag fall for the first 440 yds or part thereof			
£0.20 Drop at 440 yds and every167.62 yards or part thereof:			
£0.20 Waiting time for each period of 37.36 seconds or part thereof:			
DRIVER 1	Yes	The tariff charges are probably as affordable as the good folk of Selby will be willing to pay, but I do believe a T1 drop flag of £4 should be implemented.	
DRIVER 2	Yes	No comments against tariff 1 only tariff 2	
DRIVER 3	Yes	No comments against tariff 1 only tariff 2	
DRIVER 4	NO	Based on a current ten mile journey on tariff 1/2, including the flag, the cost would be £20/£23.60 respectively, on what you propose, that will inflate to £23.60/£35.60 respectively, I personally think that would contribute in killing the night trade, and make more people use the illegal taxis/lift cars that float around SDC still. The tariff time should remain at 07.00	No representations have been received from the public who would be paying the fare and this is the maximum fare so does not need to be charged.
DRIVER 5	Yes	No comments against tariff 1 only tariff 2	
DRIVER 6	No	Good morning just to say that the new changes you want to make is ridiculous for many reasons 1 changing the tariff times 2 a fare which would cost £20 now would be £30 with new charges people will not pay an extra £10 for the same journey the day before	Varying of the times for tariff 2 is an option for members No representations have been received from the public who would be paying the fare, and this is the maximum fare so does not need to be charged
Driver 9	No	Unfortunately, I am against of the new fares you are implementing, It is not feasible on our behalf.	No representations have been received from the public who would be paying the fare and this is the maximum fare so does not need to be charged.

		We are struggling now as we have been for a few years, not just business but also living expenses, I do believe we all need a meeting to discuss and compromise as this is our lively hood. Our diesel and petrol is astonishing amount the fares does not even cover the eco friendly disabled friendly as a business and employee we still have not profited in any way. The licensing, servicing, mots, checks we need to charge more. Please reconsider the fares your proposing. Customers do understand we need to put fares up like anything else	
Driver 10	Yes	I am happy with the costing of the new price increase, but I think it needs to increase every ¼ mile not every ½ a mile. Also, you need to work out what per mile after not just in yards but in miles too as everyone is getting confused. In my opinion we should receive a pay increase every year to coincide with the Councils increase on badges, plates and tests etc. and also the rising cost of living.	There is no requirement to amend the fare to miles. The proposed fare in this form is already up and running in another district.
Driver 11	Yes	I am happy with the costing of the new price increase, but I think it needs to increase every ¼ mile not every ½ a mile. Also, you need to work out what per mile after not just in yards but in miles too as everyone is getting confused. In my opinion we should receive a pay increase every year to coincide with the Councils increase on badges, plates and tests etc. and also the rising cost of living.	There is no requirement to amend the fare to miles. The proposed fare in this form is already up and running in another district
Driver 12	No	I strongly appose the fare structure proposed within your email. This proposal is against public interest & can destroy the night-time taxi trade , increasing a flag fare at present of £3.60 to £5 40: 50 percent is ridiculous & will cause outrage from customers. Also missed off are Tariffs 4 5 &6.	Tariffs 4, 5 and 6 have been replaced in the proposal under additional charges. The proposal put forward by this driver was considered on 1 September Executive committee and dismissed.
Driver 13	No	I strongly object to these proposed changes for many reasons which I will set out. Changing the times of operation of tariffs 1 and 2 means the busiest hour of the day (23:00-00:00) will see a reduction in earnings. This is also grossly unfair. The terminology used (yards instead of whole miles) means it's very complex to calculate fares for customers. The current fare table is so simple to read and customers can calculate at a glance whether they're being charged the correct fare. The proposed changes will make it very difficult and could potentially cause conflict between driver and passenger. This should be avoided at all costs.	This proposal is already in use in Harrogate and working well without the need to amend to miles.

		Now the fares themselves: I've calculated the increase for multiple journeys for both tariff 1 and 2. It's frankly stupid. Monday lunchtime journey: 1 mile - increase of 18.18% 2 miles - increase of 19.67% 5 miles - increase of 21.42% 10 miles - increase of 22.33% Is this really sensible? An increase of over 50% is bonkers. You must not go ahead with this. The impact on the pub trade in Selby will be horrendous. Drivers NEED an increase. Of that there is no doubt. A 50% increase will destroy their business and that of others in the town whose customers rely on taxis. What Selby needs is a sensible approach to fare changes. In the current climate every price increase will be damaging. I would propose a increase of around 15-20% across the board	
Driver 14	Yes	I personally think that the daytime tariff of £3.60 is highly appropriate	
Driver 15	Yes	I do not agree with new proposed fare variation increase. I think the proposed price for the daytime tariff of £3.60 is fair and reasonable	Although stated that they do not agree overall to the proposal the driver has confirmed that they are happy with tariff 1

	Agree?	**Comments made….**	**Officer Comments**
Tariff 2 (Between midnight and 6am) + (Public holidays)			
£5.40 Flag fall for the first 440 yds or part thereof			
£0.30 Drop at 440 yds and every 167.62 yards or part thereof:			
£0.30 Waiting time for each period of 37.36 seconds or part thereof:			
***All public holidays other than those listed in tariff 3 tariff 2 applies throughout the 24 hour period.			

DRIVER 1	Yes and no to times	Disagrees with Tariff 2 beginning at midnight and starting at 0600 hours. Driver recommends **tariff 2 commencing at 2200 hours** and finishing at 0700 hours	Varying of the times for tariff 2 is an option for members
DRIVER 2	Yes and no yes to times	In regards to the Tariff Variation Fares I only don't agree with the starting time for tariff 2. **In my opinion it should start at 10pm**. The initial variation offers us drivers, only 6 hours to earn a bit extra. Taking into consideration that hardly any driver will public personnel will be out at this time of the day giving a more realistic 4 hours window for a bit extra for working late hours. I understand it's our choice to work as HCD's but in any private company you work for, they will pay night shift allowance for working late nights starting from 6 or 8 pm. I believe we could consider this as a night shift allowance for us drivers.	Varying of the times for tariff 2 is an option for members
DRIVER 3	Yes and no to times	**Tariff two should start at 10pm** as that is what nearly every other business starts its unsociable hour pay google describes anything after 5pm as unsociable the Taxi industry it the only place I have worked that doesn't and that needs to change.	Varying of the times for tariff 2 is an option for members
DRIVER 4	No	Based on a current ten mile journey on tariff 1/2, including the flag, the cost would be £20/£23.60 respectively, on what you propose, that will inflate to £23.60/£35.60 respectively, I personally think that would contribute in killing the night trade, and make more people use the illegal taxis/lift cars that float around SDC still. T2 should start at 22:00, instead of 00:00 as you suggest?	No representations have been received from the public who would be paying the fare and this is the maximum fare so does not need to be charged. Varying of the times for tariff 2 is an option for members
DRIVER 5	No	Tariff two proposed is very expensive, the price proposed could reduce the amount of passengers we have at the moment, bear in mind it's not as busy as it was before the pandemic, war, Brexit, etc.. I would suggest: £4.50 + 2.60 per mile. Tariff two to keep starting at 11pm like it is now, as that is what nearly every other business starts its unsociable hour pay.	No representations have been received from the public who would be paying the fare and this is the maximum fare so does not need to be charged. No representations have been received from the public who would be paying the fare, and this is the maximum fare so does not need to be charged.
DRIVER 6	No	Good morning just to say that the new changes you want to make is ridiculous for many reasons 1 changing the tariff times 2 a fare which would cost £20 now would be £30 with new charges people will not pay an extra £10 for the same journey the day before	Varying of the times for tariff 2 is an option for members

			No representations have been received from the public who would be paying the fare, and this is the maximum fare so does not need to be charged.
Driver 7	Yes and no to times	I believe tariff 2 should start at 10pm and not 12pm	Varying of the times for tariff 2 is an option for members
Driver 9	No	Unfortunately, I am against of the new fares you are implementing, It is not feasible on our behalf. We are struggling now as we have been for a few years, not just business but also living expenses, I do believe we all need a meeting to discuss and compromise as this is our lively hood. Our diesel and petrol is astonishing amount the fares does not even cover the eco friendly disabled friendly as a business and employee we still have not profited in any way. The licensing, servicing, mots, checks we need to charge more. Please reconsider the fares your proposing. Customers do understand we need to put fares up like anything else	No representations have been received from the public who would be paying the fare and this is the maximum fare so does not need to be charged.
Driver 10	Yes	See Driver 10 comment above, Tariff 1	
Driver 11	Yes	See Driver 11 Comment above Tariff 1	
Driver 13	No	I strongly object to these proposed changes for many reasons which I will set out. Changing the times of operation of tariffs 1 and 2 means the busiest hour of the day (23:00-00:00) will see a reduction in earnings. This is also grossly unfair. The terminology used (yards instead of whole miles) means it's very complex to calculate fares for customers. The current fare table is so simple to read and customers can calculate at a glance whether they're being charged the correct fare. The proposed changes will make it very difficult and could potentially cause conflict between driver and passenger. This should be avoided at all costs. Saturday midnight journey (this is eye watering) 1 mile - increase of 52.94% 2 miles - increase of 54.92% 5 miles - increase of 55.72% 10 miles - increase of 56.7%	

		Is this really sensible? An increase of over 50% is bonkers. You must not go ahead with this. The impact on the pub trade in Selby will be horrendous. Drivers NEED an increase. Of that there is no doubt. A 50% increase will destroy their business and that of others in the town whose customers rely on taxis. What Selby needs is a sensible approach to fare changes. In the current climate every price increase will be damaging. I would propose a increase of around 15-20% across the board	
Driver 14	No	such a large increase to £5.40 after 11.00pm would be a disadvantage to passengers and drivers I would like to put forward a price of £4.30 as I think this may be more reasonable. Selby is a small town compared to Harrogate and many other towns that come within North Yorkshire to which these are also proposed increases. This was from part of the original email that I replied to that was sent out on the 26/05/2022 when proposed time changes had not even been mentioned in original email. (The time change)in my view even if it due to human error a major misjudgement of what is needed to keep HCD drivers in business and Customers using the Taxi rank.	The Executive has already reviewed responses to the soft consultation and agreed on the Appendix A proposal
Driver 15	No	I do not agree with new proposed fare variation increase. a large increase <u>from midnight to 6am</u> to £5.40 is rather excessive, As Selby is only a small town compared to some of the other towns and Districts in North Yorkshire for which the prices were originally proposed in the email dated 26/05/2022, from a passenger and driver's point of view it would seem an excessive increase from £3.60 on tariff 2 to £5.40 which in relative terms is a large increase to the passenger and will have a detrimental impact to self employed driver's such as myself and many others. There are also other aspects to consider with such a large increase as nearly all the areas surrounding Selby are quite rural, people who would as a rule use a HCV to take then home will make the decision to walk therefore putting themselves in what could be a harmful and dangerous situation. There is also the other safety aspect to consider regarding the driver, as some passengers when reaching their destination will although seeing the amount that is reading on the meter will refuse to pay and run and in some cases may intimidate verbally and as we know is some cases physically abuse the driver.	Drivers are legally able to charge under the maximum meter rate. There is no requirement to charge the maximum fare.

		There is also the view from the police to consider especially on weekends and bank holidays, when there is trouble which frequently happens in small towns they know that by sending people to the Taxi rank we will clear the town as quickly as possible. if Hackney Carriage Vehicles are over priced this may not happen as many drivers may find it is not economical to work at these times	

	Agree?	Comments made….	Officer Comments
Tariff 3 (Christmas and New Year) *			
£7.20 Flag fall for the first 440 yds or part thereof:			
£0.40 Drop at 440 yds and every 167.62 or part thereof:			
£0.40 Waiting time for each period of 37.36 seconds or part thereof:			
***From 18:00 hrs 24th December to 06:00 hrs 26th December and 18:00 hrs 31st December to 06:00 hrs 2nd January.			
Driver 9	No	See Driver 9 comment above under tariff 1	
Driver 10	Yes	See Driver 10 comment above under tariff 1	
Driver 11	Yes	See Driver 11 comment above under tariff 1	
Driver 13	No	Christmas tariff excludes Boxing Day which is currently double fare. I can almost guarantee that what is one of the busiest nights of the year for pubs, will have very few or no taxis at all working. Would you work on Boxing Day for standard pay?	The Executive may want to consider amending the proposal to include boxing day for Tariff 3.
Fouling Charge			
Maximum Charge £80			
Driver 1	No	Fouling charge needs to be a maximum of £250 at drivers discretion, it is deemed that a puker that can contain in a bag might cost the driver £40-60 to clean, whereas someone who just hurls (and it happens) might cost the driver £250 on a sunday morning to get a specialist team in, even more so now that diseases like, HIV, Hepatitis and Norovirus, EColi and Gastro viruses.	Selby's current table of fares states a fouling charge of £50. So there is a significant increase in this proposal

Driver 3	No	Foul charge after ringing round and getting prices the best solution i have found after also speaking to drivers is £200 charge that can drop 50% after 1am this amount is to cover not only the drivers charge of cleaning but loss of earnings unless the council is happy to cover loss of earnings.	Selby's current table of fares states a fouling charge of £50. So, there is a significant increase in this proposal
Driver 5	No	Foul charge should be at least £150. This amount is to cover not only the charge of cleaning but also loss of earnings.	As above
Driver 7	No	Foul charge should be 200-300 to cover loss of earnings and a professional clean.	As above
Extra Charges			
Extra charge per head which can be charged for ALL PASSENGERS when carrying 5 or more - £0.50			
Driver 1	unknown	Where is Tariff 5	Tariff 5 no longer exists in this proposal and is replaced as an extra charge
Driver 3	No	Mini bus rate needs to come back and would be happy to work out a price for you. without it there will be no more minibus after their license runs out the cost to buy and run is more expensive than a car with very little to no reward on the new tariff not to mention the environmental factor having to run more cars around to move people then busses it is not very green of the council.	
Driver 13	No	The changing of the tariff structure to eliminate a tariff for vehicles of 5+ passengers is grossly unfair. It would not make business sense to run these vehicles without the current tariff. Having spoken to one of my customers today, a lady with 4 children, that regularly uses taxis, she is terrified she'll find herself unable to get home. She said that without larger taxis her days out with the children will be impossible.	The current minibus fare is replaced by additional charges on the proposed table of fares. Drivers are also able to charge under the table of fares, and do not need to charge the maximum rate.
Call out or summing charge			
Maximum additional rate of charge per mile for call outs over 1 mile - £1.00 To be used for any part of the district (one way only) This is the maximum rate of charge, the whole or part of which is to be agreed with the hirer as an extra at the time of booking before the hire is accepted or the journey commenced and is to be included on the taxi meter as an extra.			
Driver 1	Yes	I am happy with the call out charge, but surely this should be from James St, if as passengers do on occasions, walk up to James St and ask for a taxi to go to the front of Morrisons or Farmfoods, then we should be allowed to start the meter from there, even if the passenger isn't travelling	The call out charge is to be used where the vehicle has to travel to a destination to pick up a passenger. It must be agreed in advance of accepting the fare and taking the booking.

Driver 3	No	Call out charge should be charged at full rate from James Street or the location of the driver. no one will be interested on a call out at £1 a mile I would rather sit on the rank than do an in-between job for less. in this day and age, it has to be some sort of location discrimination to ask us to charge people less for the same mile done. you bring in new policy and vehicle requirements that cost a fortune to what we use to spend we cant do miles for less than the actual price we are sick of taking a financial hit due your policy	As above There is no call out charge in Selby's current table of fares, so this is a new charge that drivers are able to charge if they need to travel to collect a passenger.
Driver 5	No	Call out charge should be charged at full rate from the rank at James street. A call out at £1 a mile does not interest the drivers that are already paying almost the double for the fuel. I would rather stay on the rank than do an in-between job for this rate. This will also affect the passengers that need taxi on the outskirts of Selby.	As above.
Driver 7	No	Call out charge should be full rate or why go out of your way for less money no business would choose to operate at a loss	As above
Driver 13	Yes	I do welcome the call out charge. I think this is important and will help customers who are travelling village to village, be able to actually get a taxi. Under the current rules it makes no sense for a driver to travel to Riccall for a journey to Escrick for example.	
Additional Comments to consultation			
I also believe that SDC need to be more on the ball when fuel prices shoot up. For us as drivers to still be on 2018 tariff has been difficult to swallow, as a member of the taxi association practically every other licensing authority on mainland UK increased their drivers rates within just a few weeks of the fuel hike. And the National Transport Authority suggested in March that fares must rise with immediate effect by 12.5%, This is the link from the original article in the Taxi trade Press https://www.thejournal.ie/taxi-fare-rise-5746867-Apr2022/			The process for increasing fares began in April, with the Executive approving a soft consultation with the trade. It should be noted that there is no requirement for a soft consultation with the trade but it is deemed to be good practice.
We need an emergency agreement that if fuel goes up at a significant rate we have an emergency meeting to sort out a new tariff , to stop us taking a massive hit for months like this time you as a council have been shocking in your complete lack of support.			As above a soft consultation was carried out with the trade in order to feed back the results of this to the Executive. The proposed tariff is the maximum fare and therefore should see the trade over a long period of time without the need to request another fuel increase if adopted.
Instead of just copying and pasting Harrogate Councils taxi tariff sheet, a bit more thought to the economic climate of our own borough should have been applied, or a bi-annual increase prior might have made your proposal an easier pill to swallow. SDC taxi customers will not use the taxi's if we imply a price hike as steeply as you suggest, which will have a negative impact on the trade as a whole.			

Where has tariff 4 5 & 6 gone in your proposal?	The proposal agreed by the Executive to be consulted on is a new proposal with previous tariffs shown as additional charges.
I would like to suggest maybe a staggered approach to a price increase for the fares as follows. Year 1 T1 £3.30 Flag £2.00 pm T2 £4.20 Flag £2.50 pm T3 £6.60 Flag £4.00 pm T4 £8.40 Flag £5.00pm T5 £5.00 Flag £3.20pm T6 £10.00 Flag £6.40pm Year 2 T1 £3.60 flag £2.00pm T2 £4.60 flag £2.80pm T3 £7.20 flag £4.00pm T4 £9.20 flag £5.60pm T5 £5.50 flag £3.50pm T6 £11.00 flag £7.00pm Instead of just copying and pasting Harrogate Councils taxi tariff sheet, a bit more thought to the economic climate of our own borough should have been applied, or a bi-annual increase prior might have made your proposal an easier pill to swallow. SDC taxi customers will not use the taxi's if we imply a price hike as steeply as you suggest, which will have a negative impact on the trade as a whole.	This is the same consultation response from the driver as was put forward to the Executive as an option on the 1 September 2022. The Executive dismissed this option. No representations were received from the public who would be paying the fares.
Mini bus rate to be included in the new fare. The cost to buy and run is more expensive than a car with very little to no reward on the new tariff. I would suggest: £5.70 + £3.30 per mile (keeping the increase of 27.5% from tariff 2, same rate of the one we have currently.	The fare for this is included in the proposed table of fares as an additional charge.
We need an emergency agreement that if fuel goes up at a significant rate to avoid us from taking a massive hit for so long like we are having now.	As above a soft consultation was carried out with the trade to feed back the results of this to the Executive. The proposed tariff is the maximum fare and therefore should see the trade over a long period of time without the need to request another fuel increase if adopted.
There should be a minibus rate or what is the point in buying and running one	This rate is now shown as Extra Charges and is covered in the proposed table of fares
We need some sort of agreement if fuel goes up more than 10p in a year we should have an emergency meeting.	As above a soft consultation was carried out with the trade to feed back the results of this to the Executive. The proposed tariff is the maximum fare and therefore should see the trade over a long period of

	time without the need to request another fuel increase if adopted.
The SDCC never cease to disappoint by implementing certain things like new fares and change of councils without any consultation or meeting's with the taxi trade or union I'm totally shocked to see the decimation of the taxi trade all over Britain while councils sit back and hide behind their desks and phones whilst forcing more costs and red tape onto the drivers Covid has now disappeared so please stop blaming everything on this subject and get back to talking and helping the taxi trade in selby We need proper consultation on such important things like NEW FARES	A soft consultation was held with the trade in the summer on the agreed public consultation document Appendix A, this was due to no proposal; being put forward by the trade. During the soft consultation two additional proposals were received, all of the proposals were considered by the Executive on the 1 September and a decision made to consult on Appendix A
My proposals for the 2nd time are as follows. Tarif 1 :flag at &3.60 for the first 1/4 mile Then £2 per mile Thereafter. Tarif 2 flag at £4 40 for the first 1/4 mile Then £2.40 per mile thereafter. Tarif 3 & 4 combine as one . Flag at £7.60 first 1/4 mile then £8 per mile thereafter. Tarif 2 to commence times as now ,from 11pm until 7 am. Tarif 5 flag at £6 first 1/4 mile Then £3.per mile thereafter. Tarif 6 (Christmas) flag at £10 first 1/4 mile Then £10 per .mile thereafter.	This proposal was considered and dismissed by the Executive on the 1 September 2022. Additional Tariff have now been added to the proposal
When I have consulted passengers regarding the proposals dated 08/09/2022 and 13/09/2022 in the last 10 days many are in agreement that they prefer the first prices even if the starting daytime tariff is £4.00 as they agree that due to the cost of living and the price of fuel that it is only fair that there should be an increase but when they are informed about the midnight onwards tariff on original proposal many have said that they will not be able to pay those prices as this would be nearly a 50% increase to what they pay now and many of the passengers that use Taxis live in quite rural areas and villages, so many of these will not be able to go out and socialise therefore this will also have an effect on Selby's evening trade and economy, as you may be aware as a driver it can be difficult working evenings and weekends into the early hours of the morning and many of us face a lot of abuse from passengers and such a large increase may only exacerbate the situation by refusing to pay.	This is third party information and should be dismissed. Members of the public are part of the consultation and are able to respond to it individually.

This page is intentionally left blank

APPENDIX C

Equality, Diversity, and Community Impact Assessment

As a public authority we should ensure that all our strategies, policies, service and functions, both current and proposed have given proper consideration to equality, diversity, and community impact. In appropriate instances we will need to carry out an equality, diversity, and community impact assessment.

This form:

- Should be read in conjunction with the Equality Diversity and Community Impact Assessment Toolkit can be used to prompt discussion when carrying out your impact assessment
- should be completed either during the assessment process or following completion of the assessment
- should include a brief explanation where a section is not applicable

Lead person: **Sharon Cousins**	**Contact number: 01757 705101**
Date of the equality, diversity, and community impact assessment: **5 October 2021**	

1. Title: proposed consultation on DfT Statutory standards for taxi and private hire vehicles	
Is this	
	A Strategy or Policy
	A change to a service or function
X	Other (specify) – Discretionary Hackney Carriage Fare review – Maximum fare increase

2. Members of the assessment team:

Name	**Organisation**	**Role on assessment team** **e.g. service user, manager of service, specialist**
Sharon Cousins	SDC	Manager of Service

3. Summary of strategy, policy, service or function that was assessed:
Local Authorities have the power to set fares for Hackney Carriages, this is a discretionary function that Selby Council

4. Scope of the equality, diversity, and community impact assessment (complete - 4a. if you are assessing a strategy, policy or plan and 4b. if you are assessing a service, function or event)

4a. Strategy, policy or plan (please tick the appropriate box below)	
The vision and themes, objectives or outcomes	☐
The vision and themes, objectives or outcomes and the supporting guidance	☐
A specific section within the strategy, policy or plan	☐
Please provide detail: Specific sections of the policy to be reviewed according to the new statutory guidance.	

4b. Service, function, event please tick the appropriate box below	
The whole service (including service provision and employment)	☐
A specific part of the service (including service provision or employment or a specific section of the service)	**X**
Procuring of a service (by contract or grant)	☐
Please provide detail: The Council has a discretionary function to set Hackney Carriage Fares. The last fare review was in 2019. Due to the current fuel increases, there has been requests from the trade to increase the maximum fare. Most other authorities have also reviewed and increased fares in their area.	

5. Fact finding – what do we already know
Make a note here of all information you will be using to carry out this assessment. This could include: previous consultation, involvement, research, results from perception surveys, equality monitoring and customer/ staff feedback.

(priority should be given to equality and diversity related information)
.

A soft consultation was carried out in the summer with the trade. The response was low. Two other proposals were put forward by drivers, both were considered by the Executive along with the proposal that was agreed for public consultation

The public consultation was carried out between 13 and 27 September 2022 which included the statutory publication in the Selby Times on the 15 September 2022. Only drivers responded to the consultation. No members of the public or representative bodies responded to the consultation (who will ultimately be paying the fare).

Of the responses received from the drivers Some stated that they had concerns over certain tariffs within it, as being too high but as this is the maximum fare they can charge, all drivers are able to charge beneath it legally. If they wanted to continue to charge at the current rate set for Selby, so long as the tariffs were set to the new tariff if adopted, they would be able to do this.

Are there any gaps in equality and diversity information
Please provide detail:
No- this information was not required to review the fares.

Action required:

Final decision required by the Executive Committee.

6. Wider involvement – have you involved groups of people who are most likely to be affected or interested

[X] **Yes** [ ] **No**

Please provide detail:
A soft consultation was held with the trade prior to the Public consultation in September.

Action required:

None

7. Who may be affected by this activity?
please tick all relevant and significant equality characteristics, stakeholders and barriers that apply to your strategy, policy, service or function

Equality characteristics

☐ **Age**	☐ **Carers**	☐ **Disability**
☐ **Gender reassignment**	☐ **Race**	☐ **Religion or Belief**
☐ **Sex (male or female)**	☐ **Sexual orientation**	
☐ **Other**		

(for example – marriage and civil partnership, pregnancy and maternity, social class, income, unemployment, residential location or family background, education or skills level**)**

Please specify: N/A

Stakeholders

☒ **Services users**	☐ **Employees**	☐ **Trade Unions**
☐ **Partners**	☐ **Members**	☐ **Suppliers**
☐ **Other please specify**		

Potential barriers.

☐ **Built environment**	☐ **Location of premises and services**
☐ **Information and communication**	☐ **Customer care**
☐ **Timing**	☐ **Stereotypes and assumptions**
☐ **Cost**	☐ **Consultation and involvement**

☐ **specific barriers to the strategy, policy, services or function**

Please specify
N/A as this is a maximum fare increase proposal

8. Positive and negative impact
Think about what you are assessing (scope), the fact finding information, the potential positive and negative impact on equality characteristics, stakeholders and the effect of the

barriers
8a. Positive impact:
Giving drivers the opportunity to increase their fares when required as the fuel prices increase at the pump. Market forces will likely mean lower fares for customers in the long run.
Action required:
None

8b. Negative impact:
N/A
Action required:
None

9. Will this activity promote strong and positive relationships between the groups/communities identified?
☐ **Yes** ☒ **No** **Please provide detail:**
Action required: None

10. Does this activity bring groups/communities into increased contact with each other? (e.g. in schools, neighbourhood, workplace)
☐ **Yes** ☒ **No** **Please provide detail:**

Action required: None

11. Could this activity be perceived as benefiting one group at the expense of another? (e.g. where your activity/decision is aimed at adults could it have an impact on children and young people)
☐ **Yes** ☒ **No** **Please provide detail:**
Action required: None As the tariff is applies to everyone there is no detrimental impact to any of the protected characteristics nor is any distinct community adversely affected. The Fare is a Maximum and drivers can (and it is hoped they do) charge the rate that is affordable for the customer whilst enabling the drivers to make a reasonable standard of living.

12. Equality, diversity, and community impact action plan
(insert all your actions from your assessment here, set timescales, measures and identify a lead person for each action)
(These actions should feed into your project risk assessment and action log)

Action	Timescale	Measure	Lead person
Decision required following public consultation	3 November 2022	N/A	Executive Committee

13. Governance, ownership and approval State here who has approved the actions and outcomes from the equality, diversity, and community impact assessment		
Name	Job Title	Date
Sharon Cousins	Licensing Manger	5 October 2022

14. Monitoring progress for equality, diversity, and community impact actions (please tick)	
☐	As part of Service Planning/performance monitoring
X	As part of Project monitoring
☐	Update report will be agreed and provided to the appropriate board Please specify which board
☐	Other (please specify)

15. Publishing	
This Equality, Diversity, and community impact assessment will act as evidence that due regard to equality and diversity has been given. If this impact assessment relates to **a Key Delegated Decision or Executive or full Council** or a **Decision** a copy should be emailed to Democratic Services and will be published along with the relevant report. A copy of **all other** Equality and Diversity and community impact assessments should be kept on the project file (but need not be published).	
Date impact assessment completed	**5 October 2022**

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank