

MISSION STATEMENT

***To Improve the Quality of Life
For Those Who Live and Work in the District***

Please ask for: Jane Stewart
Direct Dial No: 01757 292007
Fax No: 01757 292020
E-mail jstewart@selby.gov.uk

6 November 2006

Dear Councillor

You are hereby summoned to a meeting of the Selby District Council to be held in the Civic Suite, Civic Centre, Portholme Road, Selby on **14 November 2006** commencing at **6.00 pm**.

Yours sincerely



M Connor
Chief Executive

Opening Prayers will be offered.

AGENDA – PUBLIC SESSION

1. Apologies for Absence

To receive apologies for absence.

2. Disclosure of Interest

To receive any disclosure of interest in matters to be considered at the meeting in accordance with Sections 94 and 117 of the Local Government Act 1972 or the National Code of Local Government Conduct.

3. Minutes

To confirm as a correct record the minutes of the proceedings of the special meeting of Council held on 28 September 2006 (pages 6 to 10 attached).

4. Communications

To consider any communications received by the Chief Executive and to pass resolutions thereon if deemed necessary.

5. Public Questions

To consider questions, if any, notice of which has been given in accordance with rule 5.21 of the Constitution.

6. Councillors' Questions

To consider questions, if any, notice of which has been given in accordance with rule 5.22 of the Constitution.

7. Committee and Board Minutes

Planning Committee (13 September 2006)	Green	Pages 11 - 20 Minutes 1120 - 1127
Planning Committee (11 October 2006)		Pages 21 - 27 Minutes 1175 - 1185
Social Board (19 September 2006)	Yellow	Pages 28 - 32 Minutes 1128 - 1137

Overview and Scrutiny Committee (5 October 2006)	Salmon	Pages 33 - 35 Minutes 1160 - 1165
Environment Board (12 October 2006)	Blue	Pages 36 - 40 Minutes 1186 - 1195
Economy Board (13 November 2006)	Pink	To follow
Policy and Resources Committee (26 September 2006)	Gold	Pages 41 - 47 Minutes 1138 - 1151
Policy and Resources Committee (24 October 2006)	Gold	Pages 48 - 53 Minutes 1196 - 1205
Licensing Committee (9 October 2006)	Cream	Pages 54 - 57 Minutes 1166 - 1174
Licensing Committee (13 November 2006)	Cream	To follow

8. **Reports of Councillors of External Meetings**

To receive a report by Councillor B Percival on the following external meetings attended:

- York and North Yorkshire Development Board on 25 September 2006; and
- Rural Housing Trust Seminar on 10 October 2006

(Pages 58 - 60)

9. **Urgent Action**

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

10. **Sealing of Documents**

To authorise the sealing of any documents necessary to action decisions of this Council meeting, or any of its Committees or Boards for which delegated authority is not already in existence.

11. **PRIVATE SESSION**

It will be recommended that in accordance with Section 100(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 Section 100(1) of the Act as described in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

12. **Tesco**

Report of the Head of Service – Legal and Democratic Services
(pages 61 - 70)

**COUNCILLORS ARE REMINDED TO UPDATE THE REGISTER OF
INTERESTS AFTER ANY CHANGE IN CIRCUMSTANCES WHICH MAY
AFFECT CURRENT ENTRIES**

Descriptions of Exempt Information

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes –
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
8. Qualifications for Exempt Information:

Information falling within paragraph 3 is not exempt information by virtue of that paragraph if it is required to be registered under -

- (a) the Companies Act 1985;
 - (b) the Friendly Societies Act 1974;
 - (c) the Friendly Societies Act 1992;
 - (d) the Industrial and Provident Societies Acts 1965 to 1978;
 - (e) the Building Societies Act 1986; or
 - (f) the Charities Act 1993.
9. Information falling within any of the 7 categories listed above is not exempt if it relates to proposed development for which the local planning authority may grant itself planning permission pursuant to regulation 3 of the Town and Country Planning General Regulations 1992.
 10. Information which;
 - (a) falls within any of paragraphs 1 to 7 above; and
 - (b) is not prevented from being exempt by virtue of paragraph 8 or 9 above,

is exempt information if and so long, as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

Appendix Item 3

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a special meeting of the Council held on 28 September 2006, in the Civic Suite, the Civic Centre, Portholme Road, Selby, commencing at 6.00 pm.

1152	Councillor W Inness
1155	Minutes
1156	Private Session
1157	Tadcaster Central Area
1158	Selby Hospital
1159	Tesco Agreement

Present: Councillor J Mackman (Chairman) in the Chair.

Councillors: Mrs J Ashton, D N Bain-Mackay, J Cattanach, I Chilvers, M Crane, J Crawford, Mrs D Davies, Mrs J Dyson, P Harvey, Mrs M Hulme, W Inness, Mrs G Ivey, C Lunn, B Marshall, W N Martin, Mrs W May, J McCartney, Mrs K McSherry, D McSherry, C Metcalfe, W Norton, I Nutt, R Packham, R Parker, D Peart, C Pearson, B Percival, Mrs F Ryan, R Sayner, R H Sweeting and R Wilson.

Officials: Chief Executive, Strategic Directors, Democratic Services Officer and Committee Administrator

The Reverend S Jukes offered opening prayers.

Public: 0

Press: 0

1152 **Councillor W Inness**

The Chairman welcomed Councillor Bill Inness to his first meeting of Council, following the North Duffield by-election held on 14 September 2006.

1153 **Apologies for Absence**

Apologies for absence were received from Councillors Mrs S Duckett, Mrs M Davis, J Bedworth, G Croston, J Meehan and S Shaw-Wright.

1154 **Disclosure of Interest**

Councillors C Metcalfe and B Percival declared a personal interest in minute 1157.

1155 **Minutes**

Councillors considered the minutes of the previous meeting held on 12 September 2006 which were incorrectly referred to on this agenda as a "meeting of Extraordinary Council" instead of an "Extraordinary Meeting of Council".

Resolved that:

- i. **the minutes of the extraordinary meeting of Council held on 12 September 2006 be confirmed as a correct record and be signed by the Chairman, subject to the following amendments:**
 - a. **minutes 1100 and 1101 – all references to 'Mr Maurice Patrick' be amended to 'the late Mr Maurice Patrick'; and**
 - b. **the apologies for absences be altered to include Councillor R Packham**

- ii. **the minutes of the meeting of Council held on 12 September 2006 be confirmed as a correct record and be signed by the Chairman, subject to the following amendment:**
 - a. **Minute 1112 – the resolution to be amended to read "That the votes cast at the May 2007 election be counted from 10:00am on Friday 4 May 2007".**

1156 **PRIVATE SESSION**

Resolved:

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the

Special Council
28 September 2006

following items of business, as there will be disclosure of exempt information as defined in paragraph 3 of Part 1 of Section 12(A) of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006.

Tadcaster Central Area

Councillors received the report of the Chief Executive and considered the latest proposals put forward by Samuel Smith's Old Brewery (Tadcaster) (SSOBT) over the redevelopment of the central area of Tadcaster.

Resolved:

The following shall be read as a whole:

- i. That the drafted agreement, as presented this evening, be recognised as a good start in moving to a settlement with SSOBT but that the following have to be incorporated within any agreement.**
 - a. the environmental issues identified in the Cunnane letter addressed to the Chair of Selby Area Committee of North Yorkshire County Council.**
 - b. the completion of the car park, houses and associated works be within three years of the agreement being entered into.**
 - c. that the houses to be constructed shall be occupied by the agreed completion date.**
- ii. That the District Council, officers and Leader be instructed to continue to seek these requirements with SSOBT and to report back to full Council.**
- iii. Any agreement being brought back to full Council should not be entered into without the settlement of traffic management with North Yorkshire County Council.**
- iv. When having entered into an agreement that should SSOBT be in default howsoever at the end of the agreed period that those works that have been undertaken shall be passed to SDC without any recompense to SSOBT.**
- v. The District Council continues with its action of defending its planning consent for the central area car park.**
- vi. The whole of the foregoing shall be presented in a finalised legal document by the SDC legal department.**

1158

Selby Hospital

Councillors received the report of the Chief Executive giving them an update on the current position regarding Selby Hospital.

Resolved:

That the report be noted.

1159

Tesco Agreement

Councillors received the report of the Chief Executive to consider proposals from Tesco in relation to the proposed purchase of Council land.

Resolved:

That the Council reject Tesco's proposed amendments to the conditional agreement with Selby District Council dated December 2004 for the sale of land adjoining the current site of the store.

The meeting closed at 6:35pm

Selby District Council

Minutes of the proceedings of a meeting of the Planning Committee held on 13 September 2006, in Committee Rooms 1 and 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00pm.

1122	Minutes
1123	Chair's Address to the Planning Committee
1124	Site Visits
1125	Planning Applications Received
1126	Urgent Appeal Decisions
1127	Applications to be Determined by the County Council on which the Views of the District Council are Requested

Present: Councillor W Norton in the Chair.

Councillors: D Bain-Mackay, J Cattanach, I Chilvers, Mrs D Davies, Mrs S Duckett (for G Croston), J Mackman, B Marshall, N Martin, C Lunn, D McSherry, C Pearson, D Peart, Mrs F Ryan , R H Sweeting and R Wilson.

Officials: Head of Service for Legal and Democratic Services, Head of Service - Planning and Economic Development, Principal Planning Officer, Senior Planning Officers, Principal Environmental Health Officer, Senior Environmental Health Officer and Committee Administrators.

Public: 37

Press: 2

1120 **Apologies for Absence and Notice of Substitution**

Apologies were received from Councillors G Croston and S Shaw-Wright.

Substitute Councillor was Councillor Mrs S Duckett.

1121 **Disclosure of Interest**

The Head of Service – Legal and Democratic Services informed councillors that application no 2006/0963/ had been discussed at an earlier meeting of Council.

The meeting at Council had addressed the financial implications of the application, and not material planning issues. Therefore, this did not bar councillors from debating the application at this Planning Committee.

Councillors who felt that the outcome of the application had already been pre-determined at Council were advised to register their interest and take no part in the discussion.

Councillor R H Sweeting declared a personal interest in item no 2006/0956/FUL.

Councillor J Mackman declared a prejudicial interest in item no 2006/0963/COU by virtue of having already seen and heard this report at a previous meeting.

The Chair, W Norton, informed councillors that, although he did not have a personal interest in item no 4/2006 Tree Preservation Order, because misleading information had been given to the applicant by a third party, he would leave the chamber and the Vice-Chair, J Mackman, would take the chair for that item.

1122

Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Planning Committee held on 16 August 2006 be confirmed as a correct record and be signed by the Chair.

1123

Chair's Address to the Planning Committee

The Chair informed councillors that the Senior Planning Officer Tim Poupard was to leave the authority at the end of the month. On behalf of councillors, he wished him well, and thanked him for his hard work.

The Chair informed councillors that following on from the last committee, the Article14 Direction that had been received pertaining to the hotel at Selby Business Park had now been withdrawn by the Highways Agency. Therefore, the application could now be determined, and for that reason he had given permission to consider the report today.

1124

Site Visits

Application: 4/2006 Tree Preservation Order
Location: 68 Green Lane, Selby

The Chair, having declared an interest in this item, left the chamber and took no part in the debate or the voting thereon.

The Vice Chair, Councillor J Mackman, took the chair for this item.

Councillors were asked to confirm the proposed Tree Preservation Order, following their recent site visit.

Public Speaker – Mrs Russell – Objector

Mrs Russell addressed the Committee and gave the following reasons for her objection:

- The tree was not rare and therefore did not warrant a Tree Preservation Order
- It did not form part of the boundary
- The tree did not add to the amenity of the surrounding area
- It was not at risk from being damaged

Mrs Russell thanked councillors for their time.

Public Speaker – Mr Neilson - Applicant

Mr Neilson asked councillors to consider the following points and confirm his request for the Tree Preservation Order:

- It gave privacy to his garden and property
- Following remedial work the tree was in good health and there was no risk to any of the surrounding properties
- The tree was fully matured and would not increase in height; it had been in his care for many years and he would like it to be protected.

Resolved:

That the Tree Preservation Order No 4/2006 be confirmed.

Application: 2006/0956/FUL

Location: 89 Stutton Road, Tadcaster

Having declared a personal interest in this item, Councillor R H Sweeting left the chamber and took no part in the debate or the voting thereon.

Proposed erection of a domestic outbuilding to provide additional accommodation.

The Principal Planning Officer informed councillors that an e-mail had been received from one of the neighbours who was objecting to the application. The e-mail informed officers that work had commenced on the erection of a building.

The Principal Planning Officer reminded councillors that although the application before them was for the erection of a domestic outbuilding to provide additional accommodation, if councillors were minded to refuse this application, the applicant would still have the right to erect a building of the same size under permitted development rights, providing it was for a use incidental to the enjoyment of the dwelling house.

Councillors raised serious concerns in relation to the positioning and use of the building, and agreed with the recommendation of refusal.

Resolved:

That the application be refused.

1125

Planning Applications Received

Consideration was given to the schedule of planning applications submitted by the Head of Service – Planning and Economic Development.

Resolved:

That the applications set out in the agenda be dealt with as follows:

- 1 Application: 2006/0732/COU
Location: 19 Moor Lane, Sherburn in Elmet**

Resubmission of previously withdrawn application 8/58/437B/PA for proposed change of use of part of ground floor from Class A1 Retail to Class A5 hot food takeaway.

Public Speaker – Mr Sinclair - Objector

Mr Sinclair informed councillors of the following objections from residents and also that a petition had been submitted to the Planning Officers:

- Lack of parking
- Increase in noise
- Litter
- Possible vermin

Public Speaker – Councillor R Packham – Local Member

Councillor Packham addressed the committee and reiterated the objections of the previous speaker. He added that it was a good local shop but would be an unsuitable location for a hot food takeaway.

Councillor Packham informed councillors and officers that there appeared to be a problem with the chiller units and requested an investigation by officers within Development Control.

Resolved:

That permission be refused.

- 2 **Application: 2006/0847/FUL**
Location: Land at 69 Brigg Lane, Camblesforth

Proposed erection of 1 No. Detached dwelling.

The Team Leader updated councillors regarding the application and confirmed the reduction in height of the proposed dormer from 8.1 metres to 6.2 metres.

The Team Leader also referred to previous applications and a previous appeal decision for similar development on the site

Resolved:

That permission be granted subject to the conditions set out in the report.

- 3 **Application: 2006/0919/FUL**
Location: Land at Holme Lane, Coupland Road, Selby

Section 73 application for variation of Condition 1 on previously approved outline application 8/19/1573/PA to extend the period within which application for approval of reserved matters could be made.

The Senior Planning Officer informed councillors that the length of the extension considered agreeable would be one year.

Resolved:

That permission be granted for the variation of Condition 1 to extended the period for an additional one year.

- 4 **Application: 2006/0952/FUL**
Location: Three Lakes Retail Park, Bawtry Road, Selby

Full planning application for a radio communications installation comprising a 45m lattice mass with antenna types for police, fire service, Hutchinson 3G, O2, Vodafone and MML broadband, radio cabinets, radio equipment building, security fence and ancillary development at

land south of Aldi supermarket.

The Senior Planning Officer updated councillors on the consultation responses; Highways and Environmental Health had raised no objections.

A number of letters had been received in support of the application including Selby Chamber of Trade.

A petition and a number of letters had been received in objection including Persimmon Homes (Staynor Hall).

Public Speaker – Mr Moon – Objector

Mr Moon raised the following objections to the application:

- Visual impact and intrusion of the mast
- Scale and massing
- Materials
- Siting
- Adverse effect on the character of the area
- Health effects

Public Speaker – Mr Dransfield – Agent

Mr Dransfield addressed the committee and explained that he was sympathetic to the objectors and was currently working with the authority to try to find an alternative site for the mast. He asked that the item be deferred pending investigation.

Councillors expressed concern with regard to the siting of the mast and moved a change to the recommendation of approval, to one of refusal. Councillors requested that the decision be taken by way of a recorded vote.

On being put to the vote the motion was carried.

NAME	FOR	AGAINST	ABSTAIN
D Bain-Mackay	✓		
J Cattanach	✓		
I Chilvers	✓		
D Davies	✓		
S Duckett (Sub for	✓		
C Lunn	✓		

C Lunn	✓		
J Mackman	✓		
B Marshall	✓		
N Martin	✓		
D McSherry	✓		
W Norton	✓		
C Pearson	✓		
D Peart	✓		
F Ryan	✓		
R H Sweeting	✓		
R Wilson	✓		
Total	16		

Resolved:

That permission be refused on the grounds of scale and massing and being inappropriate development for that site.

**5 Application: 2006/0963/COU
Location: 9 – 11 Market Cross, Selby**

Having declared an interest in this item Councillor Mackman left the chamber and took no part in the debate or the voting thereon.

Change of use from Class A1 (shops) use to Class A2 (Financial and Professional Services) use, at units 9 – 11 Market Cross, Selby.

Public Speaker – Mr Millar – Objector

Mr Millar outlined his main objections to councillors:

- Loss of the retail unit and potential harm to other business
- No adequate parking
- Unsuitable location for a One Stop Shop

Mr Millar thanked councillors for their time and asked them to support his request for refusal.

Public Speaker – Mr Dransfield – Agent

Mr Dransfield confirmed to councillors that improvements to the scheme had been made and this was a positive step for Selby Town Centre. If the application were not to be approved, it would not stop the re-

location of the existing client.

Mr Dransfield asked councillors to support the application.

Councillors debated the various issues raised on location and parking, and the loss of retail space, which would be against policy, and moved a change to the recommendation of approval, to one of refusal. And requested that the decision be taken by way of a recorded vote.

On being put to the vote the motion was carried.

NAME	FOR REFUSAL	AGAINST	ABSTAIN
D Bain-Mackay	✓		
J Cattanach		✓	
I Chilvers		✓	
D Davies	✓		
S Duckett (Sub for Croston)	✓		
C Lunn		✓	
J Mackman			✓
B Marshall	✓		
N Martin	✓		
D McSherry		✓	
W Norton		✓	
C Pearson		✓	
D Peart		✓	
F Ryan	✓		
R H Sweeting	✓		
R Wilson	✓		
Total	8	7	1

Resolved:

That permission be refused on the grounds that the proposal, if approved, would result in the extension of a non-retail use, within the defined shopping and commercial centre of Selby, to the detriment of the Market Cross Shopping Centre's viability and vitality, by virtue of the loss of retail floorspace and frontage, contrary to Policy SEL/10 of the Adopted Selby District Local Plan.

6 Application: 2004/0780/CO
Location: Land at Pease Farm and Rusholme Grange, Newland

Proposed erection of twelve wind turbines with associated tracks, crane hardstandings, anemometer, underground cables and switchgear house and compound for the purpose of producing electricity.

Resolved:

That this item be deferred pending a site visit.

7 Application: 2006/0722/FUL
Location: Selby Business Park, Oakney Wood Road, Selby

Application for a 60 bed hotel, restaurant and conference facilities on land at Selby Business Park.

The Majors Team Leader reminded councillors that this application had been on the agenda previously, and at that time councillors had not been in a position to determine the application because of an Article 14 direction, imposed by the Highways Agency.

Following the withdrawal of that Article 14 Direction and the other objections from North Yorkshire County Council Highways, the application was again before councillors for determination.

The application had been advertised as a departure from the Selby District Local Plan, but if councillors were minded to approve, it would not have to be referred to Government Office.

Councillors queried the split on the development of the site as a whole and the surrounding landscaping.

The Senior Planning Officer advised councillors that the split would be with 70% being B1, B2 and B8, and if councillors were minded to approve, the landscaping could be done under delegated powers.

Councillors debated the application and felt that the hotel would be an asset to the District economically, and therefore moved a change to the recommendation of refusal to one of approval.

Resolved:

That permission be granted and that officers be given delegated authority to approve an appropriate landscape scheme.

1126 **Urgent Appeals Decisions**

None received.

1127 **Applications to be Determined by the County Council on which
the views of the District Council are Requested**

Resolved:

That the report be noted.

The meeting closed at 5.55pm.

Selby District Council

Minutes of the proceedings of a meeting of the Planning Committee held on 11 October 2006, in Committee Rooms 1 and 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00pm.

1177	Minutes
1178	Chair's Address to the Planning Committee
1179	Site Visits
1182	Planning Applications Received
1183	Urgent Appeal Decisions
1184	Private Session
1185	Enforcement Update

Present: Councillor J Mackman in the Chair.

Councillors: D Bain-Mackay, J Cattanach, I Chilvers, Mrs D Davies, Mrs S Duckett (for B Marshall), Mrs J Dyson (for W Norton), G Croston, N Martin, C Lunn, D McSherry, C Pearson, D Peart, Mrs F Ryan, S Shaw-Wright, R H Sweeting and R Wilson.

Officials: Head of Service - Legal and Democratic Services, Head of Service – Planning and Economic Development, Principal Planning Officer, Senior Planning Officers, Principal Environmental Health Officer, Senior Environmental Health Officer and Committee Administrators.

Public: 21

Press: 0

1175 **Apologies for Absence and Notice of Substitution**

Apologies were received from Councillors B Marshall and W Norton.

Substitute Councillors were Mrs S Duckett (for B Marshall) and Mrs J Dyson (for W Norton).

1176 **Disclosure of Interest**

Councillor J Mackman declared a personal and prejudicial interest in minute no 1180 item no 2006/27U/PA, 3 The Paddocks, York Road, North Duffield.

All members of the committee declared that they had received various lobbying documents in connection with minute no 1179 item no 2004/0780/CO, Land at Pease Farm and Rusholme Grange, Newland.

1177

Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Planning Committee held on 16 August 2006 be confirmed as a correct record and be signed by the Chair.

1178

Chair's Address to the Planning Committee

No address was made. However, an update on staffing within the Development Control Section was provided.

1179

Site Visits

Application: 2004/0780/CO

Location: Land at Pease Farm and Rusholme Grange, Newland

Proposed erection of twelve wind turbines with associated tracks, crane hard standings, anemometer, underground cables and switchgear house and compound for the purpose of producing electricity.

The Principal Planning Officer outlined the application in detail including statutory consultees, objectors and supporters of the proposal.

She confirmed that the proposal met with National and Local policies and accorded with all requirements sought by DGLG, RSS, NYCC and the District Council.

If councillors were minded to approve this application, officers would seek to include an additional condition for a water vole survey on the site prior to work commencing. They would also seek to amend the wording of condition 8 in the report by removing the word 'alleviation' and replacing it with 'elimination' of any electromagnetic interference for TV and radio reception which may be caused by the operation of the turbines.

The Officer also gave details of additional conditions that should be added if councillors were minded to grant consent.

Public Speaker – Mr Cranswick – Objector

Mr Cranswick outlined his main objections to the application;

- *Visual amenity*
- *Cumulative effect of other proposed wind farms in the area*
- *Proximity to surrounding properties*
- *Effect on the open countryside*

Mr Cranswick asked councillors not to support the application and to refuse permission.

Public Speaker – Mr Greenwood – Newland Parish Council

Mr Greenwood informed councillors that Newland was a very small parish and the proposed wind farm would have a detrimental effect on the character of the village. Mr Greenwood urged councillors to refuse the application.

Public Speaker - Mr Bilton - Ayrmin Parish Council – Objector

Mr Bilton thanked councillors for the opportunity to address the Committee.

Mr Bilton expressed concern over the proposed site and its effect on the village and the views from the frequently used walkways on the neighbouring riverbank.

Mr Bilton asked that the application not be supported.

Public Speaker - Mr Barker – Applicant

Mr Barker confirmed that the site had been carefully chosen and that an environmental impact survey had been carried out confirming this.

It was a fact that the climate was changing and that energy supplies were diminishing. England was recognised as the greatest wind tunnel in Europe and, therefore, wind farms were the best way of utilising this resource.

Councillors had visited two other wind farms and had seen and heard the turbines. As a result, they were in an ideal situation to now make a decision.

Mr Barker thanked councillors.

Councillors debated issues surrounding the application and concluded that the government was committed to encouraging the development of wind power.

The Principal Planning Officer's report had detailed at length the processes undertaken in consideration of this proposal.

Councillors confirmed that they understood and sympathised with some of the points raised by the objectors but supported the Officer's recommendation of approval.

The recommendation was seconded and on being put to the vote was carried.

Resolved:

That the application be approved subject to the conditions contained within the report and the additional conditions added by the Principal Planning Officer.

1180

Planning Applications Received

Consideration was given to the schedule of planning applications submitted by the Head of Service – Planning and Economic Development.

Resolved:

That the applications set out in the agenda be dealt with as follows:

- 1 Application: 2006/27U/PA
Location: 3 The Paddocks, York Road, North Duffield.**

The Chair informed councillors that having declared an interest in this item he would leave the chamber for this item.

Nominations were requested for a councillor to conduct the proceedings for this one item.

A nomination for Councillor S Shaw-Wright was received and seconded and on being put to the vote was carried.

Councillor S Shaw-Wright took the chair for this item.

Section 73 application to carry out development approved under 8/13/27T/PA for the erection of 8 No. houses following demolition of an existing dwelling without complying with condition No 16.

Public Speaker – Mrs Hubbard – Objector

Mrs Hubbard confirmed her concerns over the following issues;

- *Removal of condition 16 - the culverting of a ditch for drainage*
- *A site level survey should be carried out to ensure the site would drain naturally and not need pumping*

Public Speaker – Mr Irving – Agent

Mr Irving confirmed that this application had already been given approval, and was before councillors again purely to seek permission to remove condition 16 - the culverting of ditch for drainage.

Councillors expressed concern regarding the drainage on the site and asked if a land level survey had been conducted.

The Planning Officer confirmed that a survey had not been carried out. There was a condition already on the original approval requiring details of the foul and surface water drainage to be approved prior to commencement of development. However, if councillors were minded to approve the application, then a condition could be included which required a land level survey to be carried out before the commencement of building works.

Councillors debated this issue and a made a change from the officer recommendation of approval to one of deferment pending a land level survey. Following the survey the application should be brought back to the next meeting of the Planning Committee for consideration.

On being put to the vote the amendment was carried.

Resolved:

That the application be deferred for a land level survey and the application be brought back to the next meeting of the Planning Committee for consideration.

The Chair then returned to the chamber.

**2 Application: 2006/1006/FUL
Location: Top End House, Hull Road, Cliffe, Selby.**

Application to convert Hearing Dogs for Deaf People Centre into seven dwellings and associated works.

Officers informed councillors that outstanding comments from North Yorkshire Highways had been received late and, therefore, in agreement with the applicant, this application had been removed from the agenda since amendments to plans were required.

Councillors requested that as the application would not be heard at this meeting a site visit take place before being brought back to Committee for consideration.

Resolved:

That the application be deferred, and that a site visit take place before the Planning Committee considers the application.

**3 Application: 2006/0914/FUL
Location: Wheatlands, Gateforth New Road, Gateforth, Selby.**

Proposed 1st floor extension and conversion of roof space to create additional bedrooms.

Resolved:

That the application be approved subject to the conditions contained within the report.

1181 **Urgent Appeals Decisions**

None received.

1182 **Tree Preservation Orders – Confirmation (Unopposed)**

Councillors were asked to consider the report of the Head of Service – Legal and Democratic Services which sought confirmation to the following unopposed Tree Preservation Orders;

- 8/2006 B.O.C.M Barlby
- 9/2006 Gibson Close, Hambleton
- 10/2006 10 Brigg Lane, Camblesforth

Resolved:

That the Tree Preservation Orders 8/2006 B.O.C.M Barlby, 9/2006 Gibson Close, Hambleton and 10 Brigg Lane, Camblesforth be confirmed as unopposed.

1183

Tree Preservation Orders – Confirmation (Opposed)

Councillors were asked to consider the report of the Head of Service – Legal and Democratic Services, which sought confirmation to the following opposed Tree Preservation Order.

- 06/2006 Manor Farm, Chapel Street, Hambleton.

Resolved:

That the Tree Preservation Order No 6/2006 Manor Farm, Chapel Street be confirmed.

1184

Private Session

Resolved:

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 consideration of the following items as there will be a disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 3 of Part 1 of Schedule 12A to the Act.

1185

Enforcement Update

Councillors were presented with the report of the Head of Service – Planning and Economic Development updating them on the current position regarding enforcement notices that had been issued during the period 1 June 2006 – 31 August 2006.

Resolved:

That the report be noted.

The meeting closed at 6.00pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Social Board held on 19 September 2006 in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 5.00pm.

1130	Minutes
1131	Chair's Address to the Social Board
1132	Fire and Rescue Service – Integrated Risk Management Draft Action Plan 2007 – 2008
1133	Performance Indicator Report for the Social Board 2006/2007: April 2006 – June 2006
1134	Selby District Private Landlord Accreditation Scheme
1135	Housing Investment Capital Programme to 31 July 2006
1136	Private Session
1137	Selby Park – Year Round Opening

Present: Councillor Mrs E Castling in the Chair.

Councillors: M Crane, Mrs D Davies (for S Shaw-Wright) Ms M Davis, P Harvey, J Mackman, Mrs W Nichols, W Norton (for C Lunn), I Nutt, R Parker, R Sayner (for C Pearson).

Officials: Strategic Director Steve Martin, Head of Service - Housing Services, Head of Service – Policy and Performance, Principal Environmental Health Officer, Leisure Services Manager, Community Services Officer and Committee Administrator.

Public: 0

Press: 0

1128 **Apologies for Absence and Substitution**

Apologies were received from Councillors C Lunn and C Pearson.

Substitute councillors were Councillors W Norton (for C Lunn) and R Sayner (for C Pearson).

1129 **Disclosure of Interest**

None received.

1130

Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Social Board held on 8 August 2006 be confirmed as a correct record and be signed by the Chair.

1131

Chair's Address to the Social Board

The Chair addressed the Board with the following information:

A proposal had been agreed by the strategic partnership leading on the 'safer communities' element of the Local Area Agreement (LAA). This followed on from a paper that had been put together on behalf of the Community Safety Co-ordinators/Managers across North Yorkshire.

The paper proposes that an amount equal to 50% of the current Home Office allocation to each Community Safety Partnership be committed by the strategic partnership from LAA funds for 2007-08, to enable the Community Safety Partnerships to give assurances about job security to core posts that are delivering on the specific identified priorities for their district.

For this District, an example of a core post could be the Anti-Social Behaviour Officer, who is a key player in delivering the Council's priority project of tackling anti-social behaviour.

The agreement is an interim measure to secure funding for highest priority posts and post-holders in the Partnership, and these have not yet been identified. As the LAA process continues the full funding will be allocated; however, the paper was put forward at this point in time, because there was a reasonable risk of losing key post-holders if the decision on funding their posts was delayed any longer.

The Chair informed councillors that Stuart Younger, Community Safety Co-ordinator, would be leaving the Authority at the end of October. On behalf of the Board, the Chair thanked Stuart for all his hard work and wished him well in his new post.

1132

Fire and Rescue Service – Integrated Risk Management Draft Action Plan 2007 – 2008

Councillors were presented with the report that briefed and informed them of community safety work across the District.

Councillors were presented with a detailed map, which highlighted hot spots in the District. The majority of hotspots were to the western boundary of the District – the Sherburn In Elmet area.

The Fire and Rescue Service Integrated Risk Management Draft Action Plan sets out eleven proposals for improvement of the service during 2007-2008.

Of the proposals, the three listed below were of most significance for Selby District.

- Reducing Automatic Fire Alarm (AFA) Attendance
- Community Safety Vehicle Intervention Role
- Fundamental Review of Emergency Cover in Selby District

Resolved:

That the plan, with particular emphasis on the need to find a better solution to providing emergency cover for the Sherburn In Elmet area, be endorsed.

1133

Performance Indicator Report for the Social Board 2006/2007: April 2006 – June 2006

Councillors received the report of the Head of Service - Policy and Performance updating the Social Board on the progress being made in 2006/2007 for the corporate and statutory Best Value Performance Indicators (BVPs) for which they were responsible.

RESOLVED:

That the report be noted.

1134

Selby District Private Landlord Accreditation Scheme

Councillors received the report of the Principal Environmental Health Officer (Environmental Protection and Private Housing) on the consultation carried out with private landlords in respect of developing a Landlord Accreditation Scheme in Selby District.

In September 2005, councillors had endorsed the setting up of a working group to move forward the development of a Private Landlord Accreditation Scheme for Selby District. Following the work carried out by the group and officers, a draft Selby District Landlord Accreditation Scheme had been produced and now required approval prior to implementation.

Councillors raised queries regarding the minimum physical standards for

Social Board

19 September 2006

30

bathrooms and kitchens in rented properties.

The officer confirmed that these would be checked, confirmed and where necessary the policy would be amended before formal adoption.

Resolved:

That the draft Selby District Private Landlords Accreditation Scheme be endorsed, subject to the agreed amendments;

Recommendation:

That the Policy and Resources Committee be asked to approve the Selby District Private Landlords Accreditation Scheme.

1135

Housing Investment Capital Programme (HIP) to 31 July 2006

Councillors received the report of the Head of Service – Finance and Central Services with information of the first four months position of the Council's Housing Investment Programme (HIP).

As part of the Key Lines of Enquiry there was a requirement for councillors to be informed on a regular basis of the financial well being of the HIP programme.

Resolved:

That

- (i) the Council's Housing Investment Programme for 2006/07 at 31 July 2006 be noted;**
- (ii) the actions of officers in monitoring the programme be endorsed.**

1136

PRIVATE SESSION

RESOLVED:

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 a disclosure of exempt information as defined in Section 100(1) of the Act as described Part 3 of Schedule 12A to the Act.

Selby Park - Year Round Opening

Councillors received the report of the Leisure Services Manager, which sought approval on a proposed pilot scheme for all year round opening of Selby Park pavilion.

Councillors were informed that the increased costs involved would be met within existing budgets, but if the scheme were to prove successful then a bid would be put forward in the next financial bidding process.

The proposal to extend the opening times would offer the following facilities throughout the winter months:

- Toilets
- Café refreshments
- Crazy golf
- Bowls

Resolved:

That the pilot scheme to open Selby Park Pavilion throughout the year be approved.

The meeting closed at 5.44pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Overview and Scrutiny Committee held on 5 October 2006, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 5.00 pm.

1162	Minutes
1163	Chair's Address to the Overview and Scrutiny Committee and Work Programme
1164	John Grogan MP
1165	Questions to the Chief Executive

Present: Councillor J McCartney in the Chair

Councillors: J Cattanach, Mrs S Duckett, Mrs M Hulme, B Marshall, Mrs K McSherry, J Meehan, Mrs F Ryan.

Officials: Head of Service – Legal and Democratic Services and Committee Administrator

Also in Attendance: Councillor Mrs D Davies
Councillor C Pearson

Observers: 2

Public: 0

Press: 0

1160 **Apologies for Absence**

Apologies were received from Councillors J Bedworth, I Chilvers and the Chief Executive.

1161 **Disclosure of Interest**

None.

1162 **Minutes**

RESOLVED:

That the minutes of the proceedings of the meeting of the Overview and Scrutiny Committee held on 7 September 2006 be confirmed as a correct record and be signed by the Chair.

Overview and Scrutiny Committee
5 October 2006

1163

Chair's Address to the Overview and Scrutiny Committee and Work Programme

The Chair addressed the committee on the following:

Proposed site visit to Whychavon

Councillors requested the Chief Executive to write to Wychavon Health Care Centre seeking approval for a possible site visit for members of the committee to view the new facilities.

The Chair informed councillors that the Chief Executive had indicated that the costs involved would be met from a central budget.

Report on the Petcoke Trial at Drax Power Station – a copy of which was tabled at the meeting.

Newspaper article on closure of beds at Selby War Memorial Hospital also tabled at the meeting

Conclusion report of the Task and Finish Group (Elections Turn Out).

The Chair proposed that a Task and Finish Group be formed to investigate how the current 'Fourth Option Structure' could be enhanced.

Councillors agreed to the proposal and the following nominations were received and agreed:

Councillors J McCartney, B Marshall, Mrs K McSherry and Mrs S Duckett.

The Chair confirmed that there would also be officer involvement.

Public Session

1164

John Grogan MP

The Chair introduced and welcomed John Grogan MP to the meeting. He responded to questions and various issues raised by councillors concerning the following:

- Pilot Scheme for Student Finance
- Independent Schools
- Neighbourhood Policing Teams
- Drax Power Station, profits and petcoke
- Cost of Climate Camp

- Arbre Power Station
- Osgodby By-pass
- Advertisement hoardings in farmers' fields
- Selby War Memorial Hospital
- Rural Post Offices
- Home-to-school transport, Selby College
- West Yorkshire PTA
- Social Housing, Council Housing
- Future of Local Government
- M62 Tolls

Resolved:

That John Grogan MP be thanked for his attendance and for responding to councillors' questions and issues raised.

1165

Questions to the Chief Executive

Councillors raised the issue of the Drivers' Mess Room at Selby Bus Station, Park Street, Selby in respect of toilet facilities.

The Head of Service – Legal and Democratic Services informed councillors that he had been in touch with Arriva and progress was being made.

The Head of Service – Legal and Democratic Services would email councillors of the Overview and Scrutiny Committee with an update on the situation.

The meeting closed at 6.35 pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Environment Board held on 12 October 2006, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00 pm.

1188	Minutes
1189	Chair's Address to the Environment Board
1190	Clean Neighbourhoods and Environment Act 2005
1191	The Nottingham Declaration on Climate Change
1192	Commercial Waste Service
1193	Refuse, Recycling and Street Cleansing Contracts 2006/7 Supplementary Estimate
1194	Update on the Petcoke Trial at Drax Power Station
1195	Environment Board 2006/2007 Performance Indicator Report: April 2006 – August 2006

Present: Councillor Mrs G Ivey in the Chair (Vice-Chair).

Councillors: D Bain-Mackay, J Crawford, P Harvey, C Lunn, W Norton (for Councillor Metcalfe), I Nutt, R Packham, R Parker, R Sayner, S Shaw-Wright.

Officials: Head of Service – Environmental Health and Leisure, Accountancy Services Manager, Acting Principal Environmental Services Officer, Principal Environmental Health Officer (Environmental Protection and Private Housing) and Democratic Services Officer.

Observers: Councillor Mrs D Davies

1186 **Apologies for Absence and Substitution**

Apologies were received from Councillor C Metcalfe.

Substitute Councillor was Councillor Norton (for Councillor Metcalfe).

1187 **Disclosure of Interest**

None received.

1188 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the

Environment Board
12 October 2006

Environment Board held on 20 July 2006 be confirmed as a correct record.

1189

Vice-Chair's Address to the Environment Board

The Vice-Chair gave councillors a brief update on the following:

- The Camp for Climate Action had taken place from 24 August 2006 – 4 September 2006. During this time, no damage had been sustained to the Selby District Council owned Barlow Common Local Nature Reserve. Feedback from the police, other agencies, the camp representatives and the local community indicated that the event had occurred in a satisfactory manner, despite a number of arrests during the course of the event.
- A consultant had been employed in September 2006 to address the shortfall in food and health and safety inspections arising from post vacancy and long term illness.
- Officers from Selby District Council are currently leading on partnerships with North Yorkshire Police, City of York Council and North Yorkshire County Council to develop plans for tackling issues of nuisance and anti-social behaviour associated with off road motorbikes/mini-motos and for updating the policy for dealing with illegal encampments.
- The development of the SORTED Commercial Waste Recycling service continues with 195 contracts now signed up. Enquiries have been received from 12 authorities to ask for details and two authorities had visited to look at the scheme in action. Officers involved were thanked for all their hard work.
- Welcome was made to Stuart Henshaw, formally the Environmental Services Officer at Selby District Council. Mr Henshaw had returned to the Council on a limited basis to provide interim management and to act as a consultant on specific strategy issues

1190

Clean Neighbourhoods and Environment Act 2005

Councillors received the report of the Head of Service – Environmental Health and Leisure which informed them of the new powers available, principally those relevant to the Environmental Health Service, under the above Act. The report also sought approval in respect of delegation of functions to relevant service areas and asked councillors to agree, in principle, appropriate fixed penalty levels subject to subsequent consultation with stakeholders concerning an enforcement strategy.

The Clean Neighbourhoods and Environment Act 2005 play a key role in the Government's plan to create cleaner, safer, greener communities. It provides local authorities, parish councils and the Environment Agency with more effective powers and tools to tackle poor environmental quality and anti-social behaviour. In particular, the Act includes sections on crime and disorder, nuisance, the sale and repair of vehicles, litter, graffiti, waste, noise and dogs. The report dealt with the many provisions of the Clean Neighbourhoods and Environment Act 2005 including the use of fixed penalty notices.

After discussion, councillors decided to set up a Task and Finish Group to look in more detail at the report.

Resolved that:

A Task and Finish Group, consisting of Councillors Nutt, Bain-Mackay, Harvey and Parker, be set up to examine the report in more detail prior to the consultation period and to report back to the next Environment Board.

1191

The Nottingham Declaration on Climate Change

Councillors received the report of the Principal Environmental Health Officer (Environmental Protection and Private Housing) which contained an outline of the recently signed Nottingham Declaration on Climate Change.

The Nottingham Declaration is a voluntary pledge to address the issues of climate change. It represents a high-level, broad statement of commitment that Local Authorities can make towards their own community. The declaration was originally launched in October 2000 at a conference in Nottingham with 200 leaders, chief executives and senior managers of UK local government, and to date, over 130 local authorities have signed up. To mark the fifth anniversary of the declaration it was re-launched on 5 December 2005 at the Second National Councils' Climate Conference with the clear intention of 'encouraging' other Councils to join.

Resolved:

That the commitment of the Council in signing the Nottingham Declaration on Climate Change be endorsed.

1192

Commercial Waste Service

Councillors received the report of the Acting Principal Environmental Services Officer, outlining recent developments within the Council's Commercial Waste Service.

Councillors were asked to utilise a capital underspend from another budget and spend £6,000 on new commercial wheeled bins which would help in the continued development of the commercial waste service and SORTED scheme.

The purchase price of the Council's new recycling vehicle was lower than expected and after other ancillary equipment was purchased, the result was a £6,000 capital underspend.

Resolved:

That the development of the service be noted;

Recommendation:

That the Policy and Resources Committee be asked to approve the use of a £6,000 capital underspend from the purchase of a kerbside recycling vehicle to buy commercial waste containers.

1193

**Refuse, Recycling and Street Cleansing Contracts 2006/7
Supplementary Estimate**

Councillors received the report of the Acting Principal Environmental Services Officer which requested a supplementary estimate from Policy and Resources Committee to cover the difference between estimated and actual uplift costs on the refuse, recycling and street cleansing contract with Veolia Environmental.

The refuse, recycling and street cleansing contract included an annual uplift which reflected the increased cost to the contractor servicing the contract.

An increase of 5% for 2006/7 had been estimated, and the actual uplift using the indices relating to the cost of equipment, the cost of labour and the cost of diesel was 6.92%. As a consequence the supplementary estimate was being sought to cover the difference.

Recommendation:

That the Policy and Resources Committee be asked to approve a supplementary estimate of £59,590 to reflect the annual contract uplift for refuse, recycling and street cleansing.

1194

Update on the Petcoke Trial at Drax Power Station

Councillors received the report of the Principal Environmental Health
Environment Board

12 October 2006

Officer (Environmental Protection and Private Housing), providing an update on the environmental conclusions of the 9 month trial of 'Motiva' petcoke at Drax Power Station.

The trial started on 27 June 2005 following completion of an air quality baseline test.

As part of the trial, Drax had carried out a monitoring programme to assess health and safety, operational and environmental issues that had been raised through the pre-trial public consultation process.

Resolved that:

- i. The Environment Agency be asked to put pressure on Drax Power Station to deliver the final report on the first half of the petcoke trial**
- ii. The Environment Agency be invited to the next Board meeting to discuss the monitoring report; and**
- iii. A request be made for improved monitoring data to be collected during the remainder of the trial and for further specific work on ambient monitoring analysis also to be undertaken.**

1195

**Environment Board 2006/2006 Performance Indicator Report:
April 2006 – August 2006**

The Head of Service – Environmental Health and Leisure updated councillors on priority areas and managing the performance of the Council by updating the Environment Board on the progress being made in 2006/2007 for the corporate and statutory Best Value Performance Indicators (BVPIs) for which they were responsible.

RESOLVED:

That the report be noted.

The meeting closed at 5:30pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Policy and Resources Committee held on 26 September 2006, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00 pm.

1140	Minutes
1141	Chair's Address to the Policy and Resources Committee
1142	Annual Governance Report
1143	Statement of Accounts (Post Audit)
1144	Performance Indicator Report: April 2006 – August 2006
1145	Complaints, Compliments and Comments Policy and Procedure
1146	Mobile Telephones Policy
1147	Draft Financial Strategy 2007/10
1148	Referrals from Other Boards and Committees
1149	Private Session
1150	Referrals from Other Boards and Committees
1151	Grading of Post SDC0199 and Revised Renaissance Structure

Present: Councillor M Crane in the Chair.

Councillors: Mrs L Casling, J Crawford, Mrs D Davies (for Mrs W Nichols), Mrs G Ivey, W N Martin (for R Packham), D McSherry, B Percival and W Norton.

Officials: Chief Executive, Strategic Directors, Accountancy Services Manager, Head of Service – Policy and Performance and Democratic Services Officer

Also in Attendance: Customer Services Manager, Peter Hanmer - Audit Manager

Public: 0
Press: 1

1138 **Apologies for Absence and Notice of Substitution**

Apologies were received from Councillors Mrs W Nichols and R Packham.

Substitute councillors were Mrs D Davies (for Mrs W Nichols) and W N Martin (for R Packham).

1139 **Disclosure of Interest**

None received.

1140 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Policy and Resources Committee held on 22 August 2006 be confirmed as a correct record and be signed by the Chair.

1141 **Chair's Address to the Policy and Resources Committee**

The Chair updated councillors on the financial situation of the Selby District charity DIAL. He explained that due to a number of financial difficulties, DIAL were now seeking a sum of £5,000 from a number of organisations in order to continue to offer a viable service to the people of the District.

The Chair proposed Selby District Council donate a sum of £2,000 to the charity.

Resolved:

That a sum of £2,000 be donated to DIAL.

1142 **Annual Governance Report**

The Accountancy Services Manager presented councillors with the External Auditor's Annual Governance Report for 2005/06 for their consideration.

The report presented a positive picture of the Council's governance arrangements and demonstrated the Council's continuing improvement in this area.

It was anticipated that the Audit Commission would issue an unqualified conclusion on the Council's arrangements for securing value for money in the use of its resources as well as an unqualified opinion on the Council's Statement of Accounts 2005/06.

Councillors discussed the hard work of staff who had been involved in developing the Council's arrangements for securing value for money.

The Chair thanked Peter Hanmer for attending the meeting and
Policy and Resources Committee

26 September 2006

presenting the Annual Governance Report.

Resolved that:

- i. the Annual Governance Report 2005/06 be noted**
- ii. the letter of representation be agreed**
- iii. the Chair of the Policy and Resources Committee and the section 151 Officer (the Chief Executive) sign the letter of representation on behalf of the Council; and**
- iv. the staff involved in developing the Council's arrangements for securing value for money be thanked for all their hard work.**

1143

Statement of Accounts (Post Audit)

The Accountancy Services Manager sought councillors' approval for the revised Statement of Accounts for 2005/06, following the conclusion of the external audit undertaken by the Audit Commission.

Resolved:

That the Revised Statement of Accounts for 2005/06 be approved.

1144

Performance Indicator Report: April 2006 – August 2006

The Head of Service - Policy and Performance submitted a report updating councillors on performance indicators and on the progress which had been made in 2006/2007 towards the achievement of the corporate and statutory Best Value Performance Indicators (BVPIs) for which they were responsible.

The Head of Service - Policy and Performance explained that performance indicator COM2, which dealt with complaints to the Council, had been split into COM2a and COM2b to allow closer monitoring of the amount of time taken to resolve complaints. Councillors were informed that Heads of Service were improving procedures within departments and arranging comprehensive training for all managers with the local Ombudsman service.

Councillors also commented on Performance Indicator OP2 – Cost of Concessionary Fares Scheme Per User and its validity in measuring the cost to the Council of operating the concessionary fares scheme. The Head of Service – Policy and Performance explained to councillors that

it was only possible to measure how many passes were issued, and not how often (if at all) passes were actually used.

It was considered that the wording of Performance Indicator OP2 should be altered to more accurately reflect what was being measured by the Council.

Resolved that:

- i. the report be noted; and**
- ii. performance indicator OP2 be amended to read 'Cost of concessionary fares scheme per passes issued'**

1145

Complaints, Compliments and Comments Policy and Procedure

The Customer Services Manager presented councillors with a report seeking approval for a revised Complaints, Compliments and Comments Policy and Procedure.

The Customer Services Manager explained the type of information that would be collected under the new policy and councillors requested that they be kept informed of the results.

Resolved that:

- i. a report be presented on a quarterly basis to the Policy and Resources Committee to provide analysis and commentary on that quarter's results; and**
- ii. the Complaints, Compliments and Comments Policy and Procedure be approved.**

1146

Mobile Telephones Policy

The Strategic Director – S Martin presented councillors with a report seeking approval for the introduction of a Corporate Mobile Phone Policy.

The report laid down the Council's policy for the provision of mobile telephony services for use on Council business and also separately defined the procedures required to obtain a handset and to gain access to the network.

The Strategic Director advised that the policy would formalise the mechanism whereby officers reimburse the Council for personal calls made from mobile phones provided by the Authority.

Recommended:

That the Mobile Telephones Policy be approved.

1147

Draft Financial Strategy 2007/10

The Accountancy Services Manager sought councillors' approval for the draft Financial Strategy for the period 2007/10.

Resolved that:

- i. **the draft Financial Strategy 2007 – 2010 be approved; and**
- ii. **the Strategic Management Team develop options aimed at achieving a balanced budget over the medium term planning period for consideration by the committee.**

1148

Referrals from Other Boards and Committees

Members considered the referral below:

- (a) Economy Board – 29 August 2006 (min 1077)

Councillors were asked to approve the proposed Benefits Vision, Policies and Strategies relating to the Benefits Services.

Resolved:

That the Vision, Policies and Strategies relating to the Benefits Services be approved.

1149 **Private Session**

Resolved:

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 consideration of the following items as there will be a disclosure of exempt information as defined in Section 100(1) of the Act as described in paragraph 3 of Part 1 of Schedule 12A to the Act.

1150 **Referrals from Other Boards and Committees**

Members considered the referral below:

(a) Economy Board – 29 August 2006 (min 1079)

Councillors were asked to approve the Economic Partnership Development arrangements with North Yorkshire County Council (NYCC).

Following the Economy Board meeting held 29 August 2006, a Task and Finish Group was delegated to finalise the recommendations in the original report and to take those to Council.

At Council, the Policy and Resources Committee was given delegated powers to consider the recommendations of the Task and Finish Group in more detail.

Resolved that:

- i. the draft Service Level Agreement as determined by the Task and Finish Group be approved**
- ii. the proposed staffing structure for partnership arrangements with North Yorkshire County Council to deliver Selby District Council's Economic Development Service be approved, subject to the removal of the reporting line between the Principal Economic Development Officer and the Head of Planning and Economic Development**
- iii. the partnership arrangements commence with North Yorkshire County Council from the 16 October 2006, under the management of the Head of Service – Planning and Economic Development; and**

- iv. a supplementary estimate for £7,500 be approved, to be funded from the Local Authority Business Growth Initiative reserve for North Yorkshire County Council to manage the Economic Development Unit in partnership for the period of the Integrated Services Agreement .**

1151

Grading of Post SDC0199 and Revised Renaissance Structure

The Chief Executive presented councillors with the outcome of the regrading of the Leader Plus Programme Co-ordinator's post following a job evaluation review.

The Chief Executive also requested that councillors allow him to withdraw the proposed renaissance staffing structure, to allow him to investigate alternative arrangements.

Following a request for a job evaluation review, a joint panel met and reviewed the documentation.

Resolved:

That

- (i) the regrading of the post of Leader Plus Co-ordinator to PO1 be approved; and**
- (ii) the proposed renaissance staffing structure be withdrawn.**

The meeting closed at 5.35pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Policy and Resources Committee held on 24 October 2006, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00pm.

1198	Minutes
1199	Chair's Address to the Policy and Resources Committee
1200	Corporate Plan Update
1201	Budget Monitoring to 31 August 2006
1202	General Fund Revenue Budget Monitoring to 31 August 2006
1203	General Fund Capital Programme to 31 August 2006
1204	City Regions Development Plan (CRDP)
1205	Referrals from Other Boards and Committees

Present: Councillor W Norton (for M Crane) in the Chair.

Councillors: Mrs E Casling, Mrs D Davies (for J Crawford), Mrs G Ivey, D McSherry, C Metcalfe, I Nutt (for M Crane), B Percival and R Packham.

Officials: Strategic Directors, Head of Service – Legal and Democratic Services, Accountancy Services Manager, Democratic Services Officer.

Public: 0

Press: 0

1196 **Apologies for Absence and Notice of Substitution**

Apologies were received from Councillors M Crane, J Crawford, Mrs W Nichols and Mrs Davis.

Substitute councillors were Mrs D Davies for J Crawford and I Nutt for M Crane.

1197 **Disclosure of Interest**

None.

1198

Minutes

Councillor Metcalfe informed the Committee that he had attended the Policy and Resources Committee meeting held on 26 September 2006 and requested that his name be added to the councillors present.

Resolved:

That the minutes of the proceedings of the meeting of the Policy and Resources Committee held on 26 September 2006, with the amendment above, be confirmed as a correct record.

1199

Chair's Address to the Policy and Resources Committee

The Chair gave no address.

1200

Corporate Plan Update

The Head of Service – Legal and Democratic Services provided councillors with an update and exceptions report on the delivery and performance of the Corporate Plan for the period April to September 2006.

The update summarised the current position of each project that contributed to the delivery of the seven strategic themes and detailed exceptions and implications for each project.

Councillors discussed the report, making particular reference to the Customer Relationship Management (CRM) system that was being tested at the Tadcaster area office. Strategic Director, Steve Martin, informed councillors that the CRM system would also be introduced into the Civic Centre service areas within the next few weeks. He advised councillors that an update would be presented to this Committee early in the new year.

Resolved that:

- (i) The Corporate Plan Update be accepted; and**
- (ii) Officers be congratulated on the progress made in the delivery of the Corporate Plan.**

1201

Budget Monitoring to 31 August 2006

The Accountancy Services Manager presented councillors with details of major variations between budgeted and actual expenditure for the Committee for the first five months' of the 2006/07 financial year.

Resolved that:

- (i) The report be noted; and**
- (ii) The actions of the officers involved be endorsed.**

1202

General Fund Revenue Budget Monitoring to 31 August 2006

The Accountancy Services Manager briefed councillors on the first five months' position on the General Fund Revenue Budget for 2006/07.

The current estimated outturn for the General Fund Revenue Budget 2006/07, assuming no further variances, was an overspend of £178, 371 or 1.76%.

The Accountancy Services Manager gave an overview of the major areas which had incurred an overspend.

The Refuse, Recycling and Street Cleansing Contracts 2006/7 had required a supplementary estimate to reflect the annual contract uplift for refuse, recycling and street cleansing. Officers had assumed an increase of 5% during 2006/07 and the actual uplift had been 6.92%, which had led to a difference of £60,000 for the Environment Board and Environment and Leisure Services.

An overspend of £58,000 was forecast for the Policy and Resources Committee, which was due to variances from a number of budget strands from Human Resources, Legal and Democratic Services, Finance and Central Services and the Strategic Management Core.

The third main area of overspend, which showed a forecasted variance of £31,000 for the Economy Board and Human Resources, was as a result of the forecast for additional recruitment costs associated with staff vacancies.

The Planning Committee and Planning and Economic Development had a forecasted overspend of £26,000 as a result of a reduction in both planning income and the planning delivery grant.

Resolved that:

- (i) The forecast outturn position on the Council's General Fund Budget for 2006/07 at 31 August be noted; and**
- (ii) The actions of officers in monitoring the budgets be endorsed.**

1203

General Fund Capital Programme to 31 August 2006

The Accountancy Services Manager briefed councillors on the first five months' position on the General Fund Capital Programme for 2006/07.

In February 2006, councillors approved a General Fund Capital Programme of £147,810 for 2006/07. During this year, the adjustments to the Capital Programme, which includes supplementary capital estimates, virements and carry forwards (from 2005/06) totalled £1,064,210, which gave rise to an overall General Fund Capital Programme to date of £1,212,020.

Resolved that:

- (i) The position on the Council's General Fund Capital Programme for 2006/07 at 31 August be noted; and**
- (ii) The actions of officers in monitoring the Programme be endorsed.**

1204

City Regions Development Plan (CRDP)

Strategic Director, Steve Martin, sought approval for councillors and officers to attend two forthcoming events connected to the City Region Development Plan (CRDP) - the Regional Launch on 2 November 2006 and the National Launch in London on 20 November 2006.

Resolved that:

- (i) The attendance of the Leader of the Council or his deputy at the National Launch of the CRDP be approved; and**
- (ii) The attendance of appropriate councillors and officers at the Regional Launch of the CRDP be approved**

Referrals from Other Boards and Committees

Councillors considered the following referrals:

(a) **Social Board – 19 September 2006 (minute 1134)**

Selby District Private Landlord Accreditation Scheme

Following consultation carried out with private landlords, councillors were requested to approve the proposed Private Landlord Accreditation Scheme.

Recommended:

That the Selby District Private Landlord Accreditation Scheme be approved.

(b) **Licensing Committee – 9 October 2006 (minute 1172)**

Gambling Policy

In line with Government policy, Selby District Council was required to provide a policy with regard to the introduction of the Gambling Act 2005. Councillors were requested to approve the proposed Gambling Policy.

Recommended:

That the Gambling Policy be approved.

(c) **Environment Board – 12 October 2006 (minute 1192)**

Commercial Waste Service

Councillors were requested to approve the proposed use of a £6,000 underspend from the purchase of a kerbside recycling vehicle to buy a number of commercial waste containers.

Recommended:

That the use of the £6,000 underspend from the purchase of a kerbside recycling vehicle to buy commercial waste containers be approved.

(d) **Environment Board – 12 October 2006 (minute 1193)**

**Refuse, Recycling and Street Cleansing Contracts 2006/7
Supplementary Estimate**

Councillors were requested to approve the proposed supplementary budget of £59,950 to reflect the annual contract uplift for refuse, recycling and street cleansing.

Recommended:

That the supplementary estimate be approved.

The meeting closed at 4:55pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on 9 October 2006, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10.00 am.

1168	Minutes
1169	Procedure
1170	Chair's Address to the Licensing Committee
1171	Application by Leisure Link for an additional gaming machine at The Griffin Public House, Selby
1172	Gambling Policy
1173	Private Session
1174	Complaint about behaviour of Hackney Carriage Driver

Present: Councillor R Sayner in the Chair

Councillors: Mrs J Ashton, Mrs D Davies, Mrs S Duckett, J McCartney, Mrs K McSherry, D Peart and C Pearson.

Officials: Head of Service – Legal and Democratic Services, Licensing Enforcement Officer and Committee Administrator

Observers: L Roper – Committee Administrator

Also in attendance: Mr S Pashley
Mr S Whitehead

Public: 0
Press: 0

1166 **Apologies for Absence and Substitution**

Apologies were received from Councillors G Croston and Mrs J Dyson.

1167 **Disclosure of Interest**

None.

1168

Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 4 September 2006 be confirmed as a correct record and be signed by the Chair.

1169

Procedure

The Procedure was noted.

1170

Chair's Address to the Licensing Committee

The Chair addressed councillors following issues raised at today's Committee about the refusal of hackney carriage drivers to take fares. She proposed that a press release be issued informing the trade of the obligations on drivers and the possible consequences of refusing fares.

Councillors suggested that this release should be issued to all hackney carriage drivers and licence holders within the District.

The Chair also informed councillors that a full time enforcement officer post had been agreed at Policy and Resources Committee and the duties of the post would be split between licensing enforcement and planning enforcement.

The Chair suggested that the new officer should be supervised by the Senior Licensing Enforcement Officer.

1171

Application by Leisure Link for an additional gaming machine at The Griffin Public House, Selby

Mr S Pashley from Leisure Link and Mr S Whitehead from the Griffin Public House were in attendance for this item.

Councillors received the report of the Licensing Enforcement Officer in respect of an application for an additional gaming machine to be sited at the Griffin Public House, Selby.

The Licensing Enforcement Officer outlined details of the application. The Griffin Public House was currently permitted to operate three gaming machines and had applied to increase the number to four.

Councillors considered the application and resolved to grant the increase in gaming machines within the Griffin Public House from three to four.

Resolved:

That a permit be issued to increase the gaming machines within the Griffin Public House from three to four.

1172

Gambling Policy

Councillors received the report of the Licensing Enforcement Officer in respect of the Gambling Policy.

In line with Government policy Selby District Council was required to provide a policy with regard to the introduction of the Gambling Act 2005. The policy had been prepared and following consultation was before councillors for approval.

The consultation had been wide and varied and had involved all statutory bodies in addition to other interested parties. The consultation period ran from 12 June 2006 to 12 September 2006.

Resolved:

That the Policy and Resources Committee be asked to approve the Gambling Policy.

1173

Private Session

That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, as there will be disclosure of exempt information as defined in paragraph 3 of Part 1 of Section 12A of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006.

1174

Complaint about behaviour of Hackney Carriage Driver

Councillors received the report of the Licensing Officer in respect of an allegation that a Hackney Carriage Driver refused to convey a wheelchair-bound passenger from the rank in James Street, Selby.

The Licensing Enforcement Officer explained that the details of the

offence had previously been provided to the Committee and revealed that the driver had admitted the offence and shown remorse.

The hackney carriage driver apologised for his actions stating that it was a one-off occasion and would not happen again.

The councillors then considered the case and after a debate resolved to give the driver a written warning advising him as to his future conduct.

Resolved:

That, although the Committee had the power to suspend or revoke the Licence, a written warning be issued to the driver in relation to the offence.

The meeting closed at 11.05 am.

Agenda Item 8

Report to Full Council on external meetings attended by Brian Percival

York and North Yorkshire Development Board – 25th September 2006.

The Board styles itself as the foremost decision making group of the local authorities, comprising of all the local authorities in York and North Yorkshire together with the Regional Development Agency, York University, Yorkshire Sciences. The attendance list shows mainly leaders of Councils, as you know I represent this Council.

I make these observations because the Leader and Chief Executive of North Yorkshire was present, the Leader of the City of York was present, the vice chancellor of the University of York, The Chief Executive of North Yorkshire Sciences and Jonathan French who is the head of the Development Board Management, the NY representative of YF but after that three Local Authorities were not present and the remainder were represented by other members.

Throughout the entire meeting I vigorously promoted the Selby position, Selby had not been recognised in the RES response document, the District did not even rate as hinterland to York, in the final document, to which I will be objecting when it comes to ratification, Selby is now simply shown as the hinterland to York. In terms of economic activity the true position is that the future of the District is allied to Leeds City Region and the City of York, with some influences from Doncaster.

I make these observations because of the very strong line that I took that market forces are making us part of the Leeds City Region and we want the advantages if we are going to be providing the workforce. I want to see an extension of the West Yorkshire Passenger area, I want to see better road and better rail ways, I made the very specific point that the regional railways should become the tramway system for this area. The Burn Science Park is playing a key element in the sub region and yet Selby town is its biggest town and we need to plan for it and we need to benefit from it and we need that now. I pushed hard the image of i Selby and I 19, it is going to happen and yet I got looks and comments contrary to these statements.

What has caused me some amusement is that the now published Leeds City Region document identifies all of the points that I have been pressing for over the past few years including rolling out the the Metro card in 2007, having a trains to trams policy, recognising that we in Selby are producing housing but not jobs, and that has got to be reversed. I will maintain my stance on behalf of this District Council for its policies and the necessity for us to recognise our own local distinctiveness, to preserve and enhance it and to avoid being subsumed without appropriate payback into the greater Leeds potential sprawl.

We must now be planning for the social consequences of bringing out the Metro Card for the town of Selby and the villages along the route of the Selby to Leeds, York to Leeds railway lines then those villages with stations will see a considerable increase in demand for usage of the train stations, the consequences on car parking and the necessity of truly having road, rail and public transport interface. There will also be the demand for houses in those villages.

In December the Development Board will be discussing job creation. The latest reports show Selby district is becoming even more of a dormitory for Leeds and York, for my part I shall be pressing for delivery of the policy of better jobs for local people, if we can achieve 25% reversal in the number of commuters we shall need to create 2,800.00 jobs. The District has the land capacity, it wants to facilitate these jobs – but it has to fight its corner against Leeds, York and Doncaster. I will do just that.

The Rural Housing Trust Seminar, 10 October 2006

The Trust invited me to this meeting, why they chose me rather than the affordable housing champion Wally Norton or the Chair to the Social Board I do not truly know, but I had set up a meeting on the previous day between the Trust and the Parish Councils within the Appleton Roebuck Ward and so my name was likely the only one on their mailing list.

The Trust is a charity and it does act as a procurer and a developer of houses in the rural areas that are subsequently sold on to registered social landlords. They had pioneered the exceptions policy that has been adopted by many local authorities including our own.

The seminar was to promote affordable local needs rural housing in recognition that market forces will rarely, if ever, provide such sites and at reasonable costs and above all that will be held in perpetuity as low cost housing .

In the Ward that I represent I have been promoting debate for the provision of genuine local needs local people affordable sustainable lifetime homes. The Parish Plans for which I have been an enthusiastic supporter have identified a requirement but I have never been happy that the unmet demand has been known. The Trust provides a service to scientifically determine that unmet demand even to the point of establishing the list of potential tenants. That information will be real time information, it was stressed at the seminar that with the very fluid and ever escalating price of housing that the unmet demand can only be as determined on the date of the survey and is likely to be increasing on a year by year basis simply because of the escalating prices of the houses. Shared equity housing appears to be the prominent profile of occupiers, with the share being a minimum of 40 and a maximum of 80%. When the occupier comes to sell the property then they would be entitled to that proportion increase between the market value when the house was first occupied to that at the time of leaving. Apparently if the house was built with land and it cost say £100k but had a market value of £200k so that if the house was then sold back to the landlord the occupier would be entitled to that percentage between the then current market price and the £200k. Legally enforceable covenants are essential to ensure that at some future time the right to buy is brought in on these shared equity housing then there is no windfall profits for the occupier at the expense of the social landlord and above all for the original landowner who would have given the land at probably not exceeding £5,000 per plot.

To my mind there is a great deal of merit to be looking at these exception sites and the parish councils within the ward of Appleton Roebuck are actively taking on the challenge. It could be that they have a pilot and the rest of the District can monitor and replicate.