

SELBY DISTRICT COUNCIL

Minutes of the proceedings of an extraordinary meeting of the Council held on 17 July 2007, in the Civic Suite, the Civic Centre, Portholme Road, Selby, commencing at 6.00 pm.

202	Work of Staff in Dealing with Recent Flash Flooding
203	Representatives on Outside Bodies
204	Model Code of Conduct
205	Annual Delivery Plan 2007/2008
206	State of the Area Address
207	Urgent Action
208	Sealing of Documents
209	Private Session
210	Tesco/Dransfield/Town Centre

Present: Councillor Mrs J Dyson (Chairman) in the Chair

Councillors: Mrs E Casling, J Cattanach, I Chilvers, M Crane, Mrs D Davies, K Ellis, Mrs C Goodall, Mrs M Hulme, W Inness, Mrs G Ivey, M Jordan, C Lunn, D N Mackay, Mrs P Mackay, B Marshall, W N Martin, J McCartney, Mrs M McCartney, Mrs K McSherry, Mrs C Mackman, J Mackman, C Metcalfe, Mrs E Metcalfe, Mrs W Nichols, I Nutt, R Packham, C Pearson, B Percival, A Pound, Mrs S Ryder, R Sayner, S Shaw-Wright, Mrs A Spetch, R H Sweeting and A Thurlow.

Officials: Chief Executive, Strategic Directors, Head of Service – Legal and Democratic Services, Head of Service – Policy and Performance, Head of Service – Finance and Central Services, Democratic Services Officer, Committee Administrator.

The Reverend G Wardell offered opening prayers.

Public: 0

Press: 0

200 **Apologies for Absence**

Apologies for absence were received from Councillors Mrs S Duckett, D Fagan, Mrs D White and J Deans.

201 **Disclosure of Interest**

None received.

202 **Work of Staff in Dealing with Recent Flash Flooding**

Councillor McCartney thanked the staff at Selby District Council for their hard work in dealing with the local flash flooding.

Councillor Mrs D Davies expressed her thanks to the Environment Agency for their prompt response to the flash flooding.

Resolved:

That the staff at Selby District Council be thanked for their hard work during the recent flash flooding.

203 **Representatives on Outside Bodies**

Councillors considered the schedule of nominations for representatives on outside bodies 2007/2008 that still required determination.

The Leader informed councillors that there was an amendment to the representatives on the Audit Consortium Partnership:

Partnership Organisation	New Representatives
Audit Consortium Partnership	Chair of Policy and Resources Committee and the Chair of Audit Panel

The Leader also informed councillors that there was an amendment to the representatives on outside bodies, which had been determined at Annual Council on 22 May 2007:

Outside Body	New Representative
Age Concern Visiting and Support Group	Mrs Spetch

The Leader of the Labour Group nominated Councillor Martin as Labour representative on the Conservation Area Advisory Committee (North).

Resolved that:

- (i) Councillor Mrs Spetch be appointed to the Age Concern Visiting and Support Group**
- (ii) The schedule of representatives on outside bodies for 2007/08, shown attached at Appendix A to these minutes, be approved**
- (iii) Councillor Martin be appointed to the Conservation Area Advisory Committee (North).**

204

Model Code of Conduct

Councillors considered the revised Model Code of Conduct for Councillors which came into effect on 1 May 2007.

Resolved that:

- (i) The Council adopt the mandatory provisions of the revised Model Code of Conduct for Councillors with effect from 17 July 2007; and**
- (ii) The Council adopt the words in brackets in paragraph 12(2) of the revised Code of Conduct.**

205

Annual Delivery Plan 2007/2008

The Head of Service – Policy and Performance presented councillors with the Annual Delivery Plan for 2007/2008.

The Plan met the Council's obligations to publish an annual performance plan and also included a specific corporate improvement chapter that showed the outcomes and actions that the Council would seek to achieve in the coming year to ensure that the strategic themes were addressed and the priorities delivered.

At the meeting of Council on 26 June 2007 (minute 139), the Chief Executive was authorised to use his emergency powers, where necessary, in relation to any item deferred from that meeting in the interim period up to this extraordinary meeting of Council.

The Chief Executive used his emergency powers to enable the Annual Delivery Plan to be published before 30 June 2007, to ensure statutory timetables were met.

Resolved:

That the Annual Delivery Plan 2007/2008 be approved and adopted.

206

State of the Area Address

Councillor Crane, Leader of the Council, submitted the State of the Area Address for 2007 and Councillor Mrs Nichols responded as Leader of the Labour Group.

Resolved:

That the State of the Area Address be approved as a consultation document for discussion with the community.

207

Urgent Action

The Chief Executive informed councillors that it had been necessary to use emergency powers on five occasions, with regard to:

- (i) A covenant on a Council owned property in Tadcaster
- (ii) The payment of an additional £4,000 with regard to the Selby Town Concept Plan
- (iii) A compromise agreement with an employee at Selby District Council
- (iv) An extension to the long-stop date between the Council and Tesco;
and
- (v) The serving of notice on the North Yorkshire Police and North Yorkshire County Council to gain possession of the site on which the communication mast on Portholme Road was situated.

208

Sealing of Documents

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

Resolved:

That authority be granted for the signing of, or the Common Seal of the Council being affixed to, any documents necessary to give effect to any resolutions hereby approved.

209

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

210

Tesco/Dransfield/Town Centre

Councillors considered several outstanding issues and the recommendations from the Town Centre Working Group which met on 12 June 2007.

Following discussion, the recommendations below were proposed and seconded:

- (i) That the Council agrees in principle to use its Compulsory Purchase powers in relation to the proposals by Dransfield for the development of parts of the town centre pursuant to planning permission
- (ii) That the exercise of those powers be subject to the following conditions:
 - a. the obtaining of specialist advice on the implications for the Council and on the safeguards which the Council needs to build into any agreement with the developer
- (iii) That the Council agrees in principle to an agreement with Tesco for the purchase of the depot land for £3.4 million as set out in the agreement dated December 2004, together with the variations listed below:
 - a. agree the Council's continued use of the depot site for a peppercorn rent
 - b. Tesco to give the Council a minimum of 6 months' notice to vacate with a minimum of 2 years' continued occupation

- c. Tesco to grant the Council access rights to the Council offices and car park for as long as they are in occupancy. Tesco reserve the right to provide alternative access arrangements
- (iv) There is no further extension of time of the Tesco base agreement except to complete the legal agreement set out above
- (v) That the Council agrees in principle to grant, subject to the advice of the DV on the proposal, a right of pre-emption to acquire the Civic Centre site as set out in the draft proposal from Tesco when notification is given to Tesco of vacant possession of the Civic Centre site, with that right of pre-emption running for a period of 5 years
- (vi) That the Council obtains appropriate expert professional advice and concludes an agreement with Dransfield encompassing the sale of land for the NYCC school, other identified land and engages in an appropriate CPO of land to effect the Dransfield proposals for which planning permission has been given
- (vii) That the Town Centre Working Group consider the concept proposals submitted by Urban Vision and make recommendations in due course to Council; and
- (viii) That authority be given to the Head of Service for Legal and Democratic Services to serve notice on North Yorkshire County Council to terminate the lease of the site of the telecommunications mast in the Council's car park such notice to expire on 1st July 2008.

A recorded vote having been requested in accordance with the Council's Constitution, councillors voted in the following manner for the recommendations above:

Name	For	Against	Abstain
D Bain-Mackay	X		
Mrs P Bain-Mackay	X		
Mrs E Casling	X		
J Cattanach	X		
I Chilvers	X		
M Crane	X		
Mrs D Davies		X	
Ms M Davis			
J Deans			
Mrs S Duckett			
Mrs J Dyson			X
K Ellis	Council		

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K Ellis	X		
D Fagan			
Mrs C Goodall	X		
Mrs M Hulme	X		
W Inness	X		
Mrs G Ivey	X		
M Jordan	X		
C Lunn	X		
J Mackman	X		
Mrs C Mackman	X		
B Marshall		X	
W Martin		X	
J McCartney		X	
Mrs M McCartney		X	
Mrs K McSherry	X		
C Metcalfe	X		
Mrs E Metcalfe	X		
Mrs W Nichols		X	
I Nutt	X		
R Packham		X	
C Pearson	X		
B Percival	X		
A Pound	X		
Mrs S Ryder	X		
R Sayner	X		
S Shaw-Wright		X	
Mrs A Spetch	X		
R Sweeting			X
A Thurlow		X	
Mrs D White			

The Leader of the Council stressed to councillors that all parts of the recommendations above must be met in their entirety, otherwise they would fall as a whole.

Resolved that:

The recommendations above be agreed.

The meeting closed at 8:05pm.

**Selby District Council
Representatives on Outside Bodies 2007/2008**

OUTSIDE BODY	REPRESENTATIVE	TERM EXPIRES/NO. OF PLACES	MINUTE REFERENCE NO.
PARTNERSHIPS			
Association of North Yorkshire Councils	Cllr M Crane	2007 (1)	14
Local Government Association	Cllr C Metcalfe Deputy – Cllr B Percival	2007 (1 + 1)	14
Local Government Association Fourth Option Special Interest Group	Cllr J McCartney	2007 (1)	14
Local Authorities -Yorkshire and the Humber	Cllr M Crane	2007	14
National Association of Councillors (National and Northern Branch)	Cllr J Mackman Mrs W Nichols	2007 (2)	14
Yorkshire and Humber Assembly	Chair of P&R or nominee	2007 (1)	14
Yorkshire and Humber Employers' Committee	Chair of P& R or nominee	2007 (1)	14

Selby District Local Strategic Partnership	Chair of P& R or nominee	2007 (1)	14
Selby Urban Renaissance Programme:			14
Town Team Executive	Cllr M Crane Cllr B Percival Cllr R Packham	2007 (3)	
Selby Town Team	Cllr Mrs J Dyson	2007 (1)	
Sherburn-in-Elmet Town Team	Cllr M Jordan	2007 (1)	
Tadcaster Town Team	Cllr C Metcalfe	2007 (1)	
Energy Team	Cllr Mrs E Casling	2007 (1)	
NYCC Scrutiny of Health Panel	Cllr Mrs J Dyson (Substitute: Cllr Mrs K McSherry)	2007 (1)	131
York and North Yorkshire Development Board (Partnership Unit – Secretariat)	Cllr B Percival	2007 (1)	14
York and North Yorkshire Sub Regional Group – Tourism Delivery	Cllr R Sayner	2007 (1)	14

<u>COMMUNITY LINKS</u>			
Age Concern Visiting and Support Group	Cllr Mrs A Spetch	2007 (1)	203
Alzheimers Disease Society	Cllr Mrs S Ryder	2007 (1)	14
Appleton Roebuck and Copmanthorpe Drainage Board	Cllr Mrs P Mackay Cllr B Percival	2007 (2)	14
Association of Voluntary Services for Selby	Cllr Mrs A Spetch	2007 (1)	14
Citizens Advice Bureau – Selby	Cllr D Fagan	2007 (1)	14
The Alliance (formerly known as Coalfields Communities Campaign)	Cllr Mrs W Nichols	2007 (1)	14
Yorkshire Coal Industry Taskforce	Cllr Mrs W Nichols	2007 (1)	
Crossroads Care Scheme Committee	Cllr Mrs D Davies	2007 (1)	14
DIAL Management Executive Committee	Mr D Peart	2007 (1)	14
Drax Power Station Consultative Committee	Cllr I Chilvers Cllr J McCartney Cllr Mrs K McSherry Cllr J Thurlow	2007 (4)	14

OUTSIDE BODY	REPRESENTATIVE	TERM EXPIRES/NO. OF PLACES	MINUTE REFERENCE NO.
<u>COMMUNITY LINKS</u>			
Eggborough Power Station Consultative Committee (formerly Gale Common)	Cllr Mrs M Davis Cllr Mrs Dyson Cllr Mrs G Ivey Cllr J McCartney Cllr C Pearson Cllr Mrs S Ryder	2007 (6)	203
Hull and Goole Port Authority	Cllr J Mackman	2007 (1)	203
Power Stations Joint Environmental Committee	Cllr I Chilvers Cllr Mrs M Davis Cllr Mrs G Ivey Cllr C Metcalfe Cllr I Nutt Cllr R Packham Cllr C Pearson Cllr J Thurlow	2007 (8)	203

Knottingley to Gowdall Drainage Board	Cllr Mrs D White Vacancy	2007 (2)	203
Leader Plus Local Action Group	Cllr R Sayner Vacancy	2007 (2)	203
National Society for Clean Air	Cllr D Mackay Cllr C Pearson Cllr C Lunn	2007 (3)	203
North Wharfe Internal Drainage Board	Cllr Mrs P Mackay Cllr Mrs E Metcalfe	2007 (2)	203
North Yorkshire Cultural Partnership	Cllr Mrs G Ivey (Chair of Social Board)	2007 (1)	203
North Yorkshire Supporting People	Cllr C Lunn	2007 (1)	203
Oglethorpe and Dawson Education Foundation	Cllr Mrs E Metcalfe Cllr R Sweeting	2007 (2)	203
Ouse and Derwent Internal Drainage Board			203
First Electoral Division – Ouse	Cllr W Inness Cllr B Marshall	2007 (2)	

Third Electoral Division – Cliffe	Cllr Mrs K McSherry Cllr Mrs S Duckett	2007 (2)	
Read School Drax – Governor	Cllr I Chilvers	2007 (1)	203
RELATE	Cllr Mrs K McSherry	2007 (1)	203
Access to Services (York & Selby)	Cllr Mrs G Ivey	2007 (1)	203
Selby Area Internal Drainage Board	Cllr Mrs J Dyson Cllr B Percival Cllr C Pearson Cllr K Ellis Cllr I Chilvers Cllr Mrs A Spetch Mrs M Fagan Mr A Cawood	2007 (8)	203
Selby Area Committee	Cllr I Chilvers Cllr Mrs C Mackman Cllr R Packham Cllr Mrs A Spetch	2007 (4)	203
Selby Area Learning Partnership	Cllr D Fagan	2007 (1)	203
Selby College Board of Governors	Cllr C Lunn	2007 (1)	203

Selby and District Rail Users Group	Cllr Mrs D Davies Cllr Mrs C Mackman	2007 (2)	203
Selby District Advocacy	Cllr Mrs C Mackman	2007 (1)	203
Selby Drug and Alcohol Reference Group	Cllr Mrs C Goodall	2007 (1)	203
South Wharfe Internal Drainage Board	Cllr D Bain-Mackay Cllr K Ellis Mr W Harrison	2007 (3)	203
University of Hull– Membership of Court	Cllr Mrs C Mackman	2007 (1)	203
Went Internal Drainage Board	Cllr Mrs G Ivey	2007 (1)	203
Yorkshire Mining Museum Liaison Committee	Cllr N Martin	2007 (1)	203
Yorkshire and Humberside Employers Forum	Chair of P&R Committee	2007 (1)	203
Yorkshire and Humberside Pollution Advisory Committee	Chair of Environment Board and Cllr M Jordan	2007 (2)	203
Yorkshire and Humberside R.F.C.A Association	Cllr B Marshall	2007 (1)	203

Travelling expenses are payable for attendance at meetings of the Outside Bodies listed.

REPRESENTATION ON PARTNERSHIP ORGANISATIONS

(Appointed by Policy and Resources Committee)

Audit Consortium Partnership	Chair of Policy and Resources Committee Chair of Audit Panel
Building Control Partnership (2 places)	Cllr J Mackman Cllr B Percival
Groundwork Selby (2 places)	Cllr I Nutt Cllr W Nichols

Travelling expenses are payable for attendance at meetings of the Outside Bodies listed.