

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Council held on 30 October 2007,
in the Civic Suite, the Civic Centre, Portholme Road, Selby, commencing
at 6.00 pm.

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

Councillors: Mrs E Casling, I Chilvers, M Crane, Mrs D Davies, J Deans, Mrs S Duckett, K Ellis, D Fagan, Mrs M Hulme, W Inness, 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, A Pound, Mrs S Ryder, R Sayner, Mrs A Spetch, R H Sweeting and A Thurlow.

Officials: Chief Executive, Mr S Martin - Strategic Director, Head of Service – Finance and Central Services, Head of Service – Human Resources, Head of Service – Policy and Performance, Head of Service – Planning and Economic Development, Head of Service – Housing, Democratic Services Officer, Committee Administrator.

Observers: 0

The Reverend G Wardell offered opening prayers.

Public: 1

Press: 0

401 **Apologies for Absence**

Apologies were received from Councillor C Pearson, M Jordan, S Shaw-Wright and Mrs D White.

402 **Disclosure of Interest**

The following councillors declared a personal interest in minute 404(a) – Letter from Selby District AVS:

- I Nutt – as a representative of Selby District Council (SDC) on Groundwork Selby
- J Mackman – as a director of Groundwork Wakefield who has a service level agreement with Groundwork Selby
- Mrs M Hulme – as a representative of North Yorkshire County Council (NYCC) on AVS
- B Marshall – as a trustee of AVS
- Mrs A Spetch – as a representative of SDC on AVS
- C Metcalfe - as a director of Groundwork Selby
- Mrs W Nichols - as a representative of SDC on Groundwork Selby

403 **Minutes**

The Chief Executive informed councillors that he had received a reply from Sir Michael Bishop, Chairman of BMI, with regard to the Leeds/Bradford – London Heathrow Service (see minute 255(b) of the minutes of Council held on 4 September 2007), and that he would report further on this matter under communications at minute 404(d).

Councillor J Mackman requested an amendment to minute 185 of the Overview and Scrutiny Committee minutes (as found in the minutes of the meeting of Council at minute 258) to read:

“Minute 185 Derelict Properties – Councillor J Mackman informed councillors that any requests for Section 215 Notices should be passed to the Planning Enforcement Section for investigation”.

Resolved:

That the minutes of the meeting of Council held on 4 September 2007 be confirmed as a correct record, subject to the amendment above, and be signed by the Chairman.

Communications

(a) Letter – Selby District AVS

The Chief Executive informed councillors that he had received a letter from Selby District AVS with regard to a possible merger between Selby District AVS and Groundwork Selby. This would include the transfer of Community House from AVS ownership into the new organisation.

The Council had been asked to give their approval to the potential merger as they had previously made a significant contribution to the funding of Community House.

Resolved:

That approval for the proposed merger be given, subject to the necessary legal documentation being in place to ensure the transfer of Community House to the newly formed organisation.

Councillor J Mackman abstained from the vote.

(b) Letter – Selby Traffic Model

The Chief Executive informed councillors that he had received a letter from Mr D Bowe, Assistant Director of Highways and Transportation at NYCC with regard to the proposed Selby Traffic Model. The letter requested an increase in the contribution to be made by Selby from £20,000 to £30,000.

Resolved:

That Selby District Council contribute a sum of £30,000 towards the cost of the Selby Traffic Model.

(c) Email – Canalfest

The Chief Executive informed councillors that he had received an email from Councillor B Percival thanking the staff and management of Abbey Leisure Centre, in particular the younger staff, whose commitment and delivery had been exemplary with regard to the recent Selby Canalfest.

Resolved:

That the staff and management of Abbey Leisure Centre be thanked for their commitment to and delivery of the recent Selby Canalfest.

(d) Letter – BMI

The Chief Executive informed councillors that he had received a reply from Sir Michael Bishop, Chairman of BMI, with regard to concerns Council had raised over proposals to reduce the frequency of flights between Leeds/Bradford and London Heathrow Service (see minute 255(b) of the minutes of Council held on 4 September 2007).

Sir Michael Bishop noted in his letter that he was “cautiously optimistic” that it would be possible to safeguard the service’s future, provided that the cost base of the service could be reduced and a greater level of support locally be forthcoming.

The Chief Executive advised councillors that he would keep them informed of developments.

405 **Public Questions**

None received.

406 **Councillors’ Questions**

None received.

407 **Committee and Board Minutes**

Economy Board 11 September 2007

The Chair of Economy Board requested an amendment to the resolution at minute 285 to read:

“That the *contents of the report be endorsed; and that the reduction in the Economic Development, Housing Benefit and Local Taxation budget of £13,480 be approved.*”

Councillor J McCartney requested that further details of the costings of the Employment Land Study (at minute 288) be provided to all councillors.

The Chair of Economy Board stated that a written response on this matter would be provided to councillors.

Resolved:

That the minutes, subject to the amendment above, be noted.

Social Board 18 September 2007

Resolved:

That the minutes be noted.

Planning Committee 19 September 2007

Resolved:

That the minutes be noted.

Planning Committee 17 October 2007

Councillors raised questions on matters arising at the meeting of Planning Committee on 17 October. The Leader raised a point of order under section 5.24(l) of the Council's Constitution in that these questions were not relevant to the approval of the minutes. The Chairman ruled in favour of the Leader.

Resolved:

That the minutes be noted.

Overview and Scrutiny Committee 27 September 2007

Councillors considered the recommendation at minute 342, which dealt with a draft review of parish plans within Selby District. The draft review contained a number of recommendations which were discussed by councillors.

Resolved that:

- i) The matter be deferred to the meeting of Council on 11 December 2007**
- ii) Questions and comments from councillors pertaining to the parish plan recommendations in the draft review be forwarded to the Chair of the Overview and Scrutiny Committee, for consideration by the Chair prior to the December meeting of Council on 11 December; and**
- iii) The minutes be noted.**

Extraordinary Overview and Scrutiny Committee 4 October 2007

Resolved:

That the minutes be noted.

Environment Board 11 October 2007

Councillor Mrs W Nichols asked for further information with regard to the 4,000 properties in the Selby District, which were currently not included in garden green collection service.

The Chair of Environment Board stated that a written response on this matter would be provided to councillors.

Resolved:

That the minutes be noted.

Extraordinary Policy and Resources Committee 25 September 2007

The Chair of Policy and Resources Committee informed councillors that there would be a Renaissance Workshop prior to Council on 11 December 2007 at 4:00pm in the Civic Suite to which all councillors were cordially invited.

Resolved:

That the minutes be noted.

Policy and Resources Committee 9 October 2007

Councillor B Percival requested an amendment to the recommendation at minute 381 – Council-owned Industrial Units Update (referral from Economy Board 11 September 2007) so that it read:

“That the Asset Management Review Task and Finish Group be reconvened and parties nominate substitutes for councillors no longer at the Council.”

The Chairman granted a request by Councillor R Packham that he raise a question with regard to minute 384 – Footpath at Sherburn in the private session of this meeting.

Resolved that:

- i) The minutes be noted; and**
- ii) The recommendation in the following minute be approved, subject to the amendment above:**
 - a. Minute 381 – Council-owned Industrial Units Update.**

Licensing Committee 10 September 2007

Resolved that:

- i) The minutes be noted; and**
- ii) The recommendation at minute 276 be approved.**

Licensing Committee 8 October 2007

Resolved that:

The minutes be noted.

Standards Committee 24 September 2007

Resolved that:

The minutes be noted.

408

Minutes of the Town Centre Working Group (TCWG)(Public Session)

Councillors were informed that the recommendation at item 3 of the minutes of the meeting of the TCWG, held on 2 October 2007, would be dealt with under agenda item 15 – Tesco/Dransfield/Town Centre (see minute 416).

The Leader proposed that, with regard to the two options outlined within the recommendations at item 4 of the TCWG minutes, option (a) be approved by Council.

A decision was taken by the Chairman to continue the discussion in the private session of the meeting.

Resolved:

That the minutes of the meeting of the Town Centre Working Group held on 2 October 2007 be noted.

409

Representation on Behalf of Selby District Council at County Court by Trainee Solicitor

The Solicitor requested councillors to authorise the Trainee Solicitor to appear on behalf of Selby District Council at County Court.

Resolved:

That the Trainee Solicitor be authorised under section 60 of the County Courts Act 1984 to prosecute or defend on behalf of Selby District Council in legal proceedings before the County Court.

410

Urgent Action

None taken.

411

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.

412

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.

Pendant Glass – Restrictive Covenant and Leasehold Enfranchisement

The Chief Executive informed councillors that due to sudden illness, there was no legal representative at the meeting of Council and requested that councillors consider deferring agenda items 13 (Pendant Glass – Restrictive Covenant) and 14 (Leasehold Enfranchisement).

Pendant Glass

Resolved:

That delegated powers be given to the Town Centre Working Group to facilitate a quicker response to this issue.

Leasehold Enfranchisement

Resolved:

That this item be deferred to the meeting of Council to be held on 11 December 2007.

Tesco/Dransfield/Town Centre

Councillors were informed of the current situation with regard to the proposals over Tesco and the Civic Centre site.

Resolved that:

Tesco

- i) The revised proposals relating to the current agreement with Tesco and the proposals in respect of the Civic Centre Site, as outlined in the officer's report be approved; and**
- ii) Officers be authorised to conclude the necessary agreements to give effect to those proposals.**

Dransfield/Town Centre

That councillors resolve, pursuant to the powers set out in Section 226(1) (a) of the Town and County Planning Act 1990:

- i) To acquire compulsorily land required to facilitate the carrying out of development for which planning permission was given under reference 8/19/1571B in that such development is likely to contribute to the promotion or**

improvement of the economic well being of the district

- ii) That officers be authorised to undertake the necessary preparatory work leading up to the making of an Order
- iii) That, subject to Dransfield Properties agreeing to meet Hammond's and the Council's legal costs, Hammonds be instructed to negotiate on behalf of the Council, with Dransfield Properties, an Indemnity Agreement
- iv) That the Council receive an undertaking from Dransfield Properties' Solicitors that their client will meet the Council's legal costs in negotiating and preparing the Indemnity Agreement, whether the agreement goes to completion or not
- v) That, when concluded, the Indemnity Agreement be signed by the Chief Executive on behalf of the Council; and
- vi) That authorising officers, in consultation with the Town Centre Working Group, progress the CPO, once the Indemnity Agreement is in place.

415

Question from with Regard to Minute 384 – Footpath at Sherburn

Councillor R Packham put a question to Council with regard to alternative provisions over the footpath at Sherburn.

416

Minutes of the Town Centre Working Group (Private Session)

Councillors discussed the recommendations at item 4 of the minutes of the meeting of the Town Centre Working Group held on 2 October 2007.

Resolved that:

- i) **Negotiations between the District Valuer and Dransfield, in relation to Dransfield's proposal for the acquisition of Council-owned land be continued and that, if applicable, a further report be presented to Council in January 2008.**
- ii) **In relation to the terms of the relocation and operation of the telecommunications mast, negotiations take place with Dransfield Properties on the basis of the District Valuer's report.**

The meeting closed at 7:50pm.

