

## SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Council held on 11 December 2007, in the Civic Suite, the Civic Centre, Portholme Road, Selby, commencing at 6.00 pm.

530	Minutes
531	Councillors' Emergency Handbook
532	Communications
533	Public Questions
534	Councillors' Questions
535	Committee and Board Minutes
536	Minutes of the Town Centre Working Group
537	Parish Plan Draft Review
538	Urgent Action
539	Sealing of Documents
540	Private Session
541	New Telecommunications Mast – Selby
542	Leasehold Enfranchisement

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

Councillors: Mrs E Casling, I Chilvers, M Crane, Mrs D Davies, Ms M Davis, J Deans, K Ellis, D Fagan, Mrs C Goodall, Mrs M Hulme, W Inness, Mrs G Ivey, M Jordan, C Lunn, D N Mackay, B Marshall, 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, Mrs A Spetch, R H Sweeting, A Thurlow and Mrs D White.

Officials: Chief Executive, Mr J Lund, Strategic Director, Head of Service – Environmental Services and Leisure, Head of Service – Planning and Economic Development, Head of Service – Legal and Democratic Services, Head of Service – Finance and Central Services, Head of Service – Human Resources, Head of Service – Housing, Head of Service – Policy and Performance, Principal Environmental Services Officer (Waste and Recycling), Democratic Services Officer, Committee Administrator.

In attendance Mr M Robinson, North Yorkshire Emergency Planning Unit.

The Reverend G Wardell offered opening prayers.

Public: 2

Press: 1

528           **Apologies for Absence**

Apologies were received from Councillors W N Martin, Mrs S Duckett, S Shaw-Wright, J Cattnach and Mrs P Mackay.

529           **Disclosure of Interest**

Councillor M Crane declared a personal and prejudicial interest in **minute 532c** as an employee of HM Customs and Revenue.

530           **Minutes**

Councillor Mrs G Ivey informed councillors that she had been present at the meeting but this had not been recorded.

**Resolved:**

**That the minutes of the meeting of Council held on 30 October 2007, subject to the amendment above, be confirmed as a correct record and signed by the Chairman.**

531           **Councillors' Emergency Handbook**

Mr M Robinson gave councillors a presentation on emergency planning in the Selby District and presented councillors with copies of the emergency planning handbook that had been produced by the North Yorkshire Emergency Planning Unit.

Councillors thanked Mr Robinson for his informative presentation.

532           **Communications**

(a)    Letter - Post Office Ltd

The Chief Executive informed councillors that he had received a letter from Post Office Ltd in reply to a formal response he had made to the consultation on the future funding and structure arrangements of the post office network on behalf of Selby District Council and the other North Yorkshire district councils (see minute 1472c – Council 6 February 2007).

Four post offices in the Selby District were scheduled for closure. The Chief Executive requested that councillors submit any comments to him to enable him to respond with further detail to the Post Office before 17 January 2008.

(b) Letter – Postwatch

The Chief Executive informed councillors that he had received a letter from Postwatch requesting that any response to the Post Office closures (see above minute 532a) be copied into them.

(c) Letter – West Lothian Council

Having declared a personal and prejudicial interest, Councillor Crane left the chamber and took no part in the discussion or voting on this item.

The Chief Executive informed councillors that he had received a letter from West Lothian Council with regard to changes to VAT for leisure services.

Councillors were in favour of supporting the West Lothian resolution because of concern that the VAT changes would either increase the cost of using Leisure Services or the cost of providing them.

**Resolved:**

**That the Chief Executive support the resolution made by West Lothian and join with them in writing to the Prime Minister and Chancellor asking them to reconsider the tax changes in VAT regulations on leisure services.**

Councillor Crane returned to the chamber.

533 **Public Questions**

None received.

534 **Councillors' Questions**

The Leader of the Council responded to questions raised by Councillor J McCartney:

- a. **Dransfield** - The Leader provided councillors with an update on the current position with regard to negotiations between Selby District Council and Dransfield Properties Ltd.
- b. **Cabinet System** - The Leader informed the Council that, following the recent Strong and Prosperous Communities White Paper, he had felt it expedient to re-examine the possibility of moving to a cabinet-system.

**Committee and Board Minutes**Economy Board 6 November 2007**Resolved:**

**That the minutes be noted.**

Environment Board 8 November 2007**Resolved:**

**That the minutes be noted.**

Social Board 13 November 2007

Councillors expressed concerns over how police priorities within each JAG area were set.

**Resolved:**

**That the minutes be noted.**

Extraordinary Social Board 4 December 2007**Resolved:**

**That the minutes be noted.**

Planning Committee 14 November 2007

The Chair of Planning requested an amendment to the first bullet point of the resolution at minute 469:

- *No action to be taken against the removal and replacement of the chimney breast*

**Resolved:**

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

Overview and Scrutiny Committee 22 November 2007

Councillors discussed the findings of the consultation carried out in connection with the State of the Area Address 2007 (minute 476).

**Resolved:**

**That the minutes be noted.**

Extraordinary Overview and Scrutiny Committee 6 December 2007

**Resolved:**

**That the minutes be noted.**

Policy and Resources Committee 27 November 2007

Councillors discussed the recommendation at minute 496 – Future Waste Options Appraisal, with regard to the range of options for the waste and recycling service. The Council's current waste, recycling and street cleansing contract with Veolia would expire at the end of September 2009.

**Resolved that:**

- (i) The minutes be noted; and**
- (ii) The recommendations in the following minutes be approved:**
  - a. Minute 488 – Management of Work-Related Road safety Policy**
  - b. Minute 489 – Fire, Bomb and Suspicious Packages Policy for the Council's Public Buildings**
  - c. Minute 490 – Transformational Government: ICT Strategy 2007 – 2012**
  - d. Minute 493 – Parish/Town Council Representation**
  - e. Minute 496 – Future Waste Options Appraisal**
  - f. Minute 498 – North Yorkshire Building Control Partnership**
  - g. Minute 499 – Asset Management Strategy 2008 – 2011**
  - h. Minute 500 – York and North Yorkshire Credit Union Business Case**

Extraordinary Policy and Resources Committee 10 December 2007

**Resolved:**

**That the minutes be noted.**

Licensing Committee 5 November 2007

**Resolved:**

**That the minutes be noted.**

Licensing Committee 3 December 2007

**Resolved:**

**That the minutes be noted.**

536

**Minutes of the Town Centre Working Group**

Councillors received the minutes of the meeting of the Town Centre Working Group held on 15 November 2007.

**Resolved:**

**That the minutes be noted.**

537

**Parish Plan Draft Review**

The Leader of the Council thanked the Overview and Scrutiny Committee for its work on Parish Plans and indicated that the report would be used to assist the development of his proposals to properly resource and support the Parish Plans process in 2008.

**Resolved:**

**That the Parish Plan Draft Review be used to inform future proposals on how the Council can best support the Parish Plans process.**

538

**Urgent Action**

The Chief Executive informed councillors that he had not used his emergency powers since the last meeting of Council.

539

### **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.**

540

### **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.**

541

### **New Telecommunications Mast – Selby**

Mr Jonathan Lund, Strategic Director, presented councillors with the proposed terms for the provision of a new telecommunications mast at the Prospect Way Depot, Selby.

#### **Resolved that:**

- a. The terms outlined in paragraph 4.6 of the officer's report to Council be approved**
- b. Delegated power be given to the Chief Executive, after consultation with the Leader of the Council, to agree different terms at the conclusion of discussions between the Council, North Yorkshire Police and Dransfield Properties Ltd; and**
- c. Authority be given for the compulsory acquisition of all interests in the land which forms the site of the telecommunications mast which is located in the car park at the Civic Centre, Portholme Road, required for purposes of executing works for facilitating the development of the town centre.**

## **Leasehold Enfranchisement**

The Head of Service – Legal and Democratic Services presented councillors with the further advice received from Counsel with regard to a property in Tadcaster.

Councillors were informed that, given the advice from Counsel, Council was requested to accept that the tenant was entitled to request that the Council convey the freehold title to him. Officers had pointed out again to the tenant that he needed to make his request in the correct format as laid down in legislation.

### **Resolved that:**

- a. Following the receipt of a correct application, the Head of Service – Legal and Democratic Services be authorised to proceed with the conveyance of the freehold interest**
- b. The tenant be required to enter into covenants as set out in paragraph 4.3.2 of the officer's report; and**
- c. The Head of Service – Legal and Democratic Services be given authority to deal with similar correctly-made applications.**

The meeting closed at 8:24pm.