

MISSION STATEMENT

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

Please ask for: Ken Robinson
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30 March 2009

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 **Tuesday 7 April 2009** commencing at **6.00 pm**.

Yours sincerely

S Martin
Strategic Director

Opening Prayers will be offered.

AGENDA – PUBLIC SESSION

1. Apologies for Absence

To receive apologies for absence.

2. Disclosure of Interest

To receive any disclosures of interest in matters to be considered at the meeting in accordance with the provisions of Section 117 of the Local Government Act 1972, and Sections 50, 52 and 81 of the Local Government Act 2000 and the Members' Code of Conduct adopted by the Council.

3. Minutes

To confirm as a correct record the minutes of the proceedings of the meetings of Council held on **10 February** and **3 March 2009** (pages 6 to 16 attached).

4. Valuing People

Presentation by Gavin Harding a member of the Government's Valuing People Panel

5. Standards Committee Annual Report 2008/09

Miss B Potts, Chairman of the Standards Committee, to present the report (pages 17 to 22 attached)

6. Communications

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

7. Public Questions

To consider questions, if any, notice of which has been given in accordance with rule 5.20 of the Constitution.

8. Councillors' Questions

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

9. **Committee and Board Minutes**

Planning Committee 4 February 2009	Green	Minutes 606 – 615 Pages 23 - 29
Planning Committee 4 March 2009		Minutes 658 – 669 Pages 30 - 37
Licensing Committee 9 February 2009	Cream	Minutes 616 – 625 Pages 38 - 41
Licensing Committee 9 March 2009		Minutes 678 - 684 Pages 42 - 43
Environment Board 26 February 2009	Blue	Minutes 642 – 650 Pages 44 - 47
Economy Board 5 March 2009	Pink	Minutes 670 – 677 Pages 48 - 51
Social Board 10 March 2009	Yellow	Minutes 685 – 698 Pages 52 - 58
Grants Allocation Sub – Group 16 March 2009	White	Minutes 1 – 5 Pages 59 - 60
Overview and Scrutiny 19 March 2009	Peach	Minutes 699 – 709 Pages 61 - 66
Policy and Resources Committee 24 March 2009	Gold	Minutes 710 – 733 Pages 67 - 76

10. **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.

11. **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.

12. **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.

13. **Judicial Review Proceedings**

Report of the Interim Head of Service – Legal and Democratic Services (pages 77 to 80 attached)

14. **Streetscene Procurement Contract**

Report of the Head of Service – Environment and Leisure Services (to follow)

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.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Council held on 10 February 2009, in the Civic Suite, the Civic Centre, Portholme Road, Selby, commencing at 6:00 pm.

628	Minutes
629	Communications
630	Public Questions
631	Councillors' Questions
632	Committee and Board Minutes
633	Building Control
634	Budget
635	Schedule of Meetings 2009/10
636	Nominations for Chairman and Vice-Chairman
637	Local Strategic Partnership Update
638	Urgent Action
639	Sealing of Documents
640	Private Session
641	Management Structure Review

Present: Councillor J Thurlow (Chairman) in the Chair

Councillors: Mrs E Casling, I Chilvers, M Crane, Mrs D Davies, J Deans, Mrs S Duckett, Mrs J Dyson, K Ellis, D Fagan, Mrs C Goodall, Mrs M Hulme, Mrs G Ivey, W Inness, 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, C Pearson, B Percival, A Pound, Mrs S Ryder, R Sayner, S Shaw-Wright, Mrs A Spetch, R H Sweeting and Mrs D White.

Officials: Chief Executive, Mr J Lund - Strategic Director, Mr S Martin - Strategic Director, Head of Service – Finance and Central Services, Head of Service – Development Services, Head of Service – Housing, Accountancy Services Manager, Media and Corporate Communications Manager and Democratic Services Officer.

The Monsignor B Bickers offered opening prayers.

Public: 3
Press: 0

626 **Apologies for Absence**

Apologies for absence were received from Councillors J Cattanach, M Davis, C Metcalfe and R Packham.

627 **Disclosure of Interest**

None.

628 **Minutes**

Resolved:

That the minutes of the proceedings of the Council held on 9 December 2008 be confirmed as a correct record and be signed by the Chairman.

629 **Communications**

None.

630 **Public Questions**

None.

631 **Councillors' Questions**

Councillor Crane responded to a question raised by Councillor McCartney with regard to duties previously undertaken by the then Council's Tree and Landscape Officer and indicated that appropriate information on trees continued to be made available.

632 **Committee and Board Minutes**

Licensing Committee – 1 December 2008

Resolved:

That the minutes be noted.

Licensing Committee – 15 December 2008

Resolved:

That the minutes be noted.

Licensing Committee – 12 January 2009

Resolved:

That the minutes be noted.

Planning Committee – 10 December 2008

Resolved:

That the minutes be noted.

Planning Committee – 15 December 2008

Councillor Mackman reported that with regard to the third line of Minute 415 the word 'country' be substituted for 'county'.

Resolved:

That the minutes be noted.

Planning Committee – 7 January 2009

Councillor Mackman reported that with regard to Minute 542 the words 'reason for refusal' be substituted for 'condition' in the second line of the resolution.

Resolved:

- (i) That the minutes be noted; and**
- (ii) That the recommendation set out in Minute 539 be considered later in the meeting (Minute 634 refers).**

Social Board – 6 January 2009

Resolved:

- (i) That the minutes be noted; and**
- (ii) That the recommendations set out in Minutes 527, 528 and 529 be considered later in the meeting (Minute 634 refers).**

Environment Board – 8 January 2009

Resolved:

- (i) That the minutes be noted; and**
- (ii) That the recommendation set out in Minute 550 be considered later in the meeting (Minute 634 refers).**

Economy Board – 13 January 2009

Resolved:

- (i) That the minutes be noted;**
- (ii) That the recommendation set out in Minute 564 be considered later in the meeting (Minute 634 refers).**

Audit Panel – 14 January 2009

Resolved:

That the minutes be noted.

Overview and Scrutiny Committee – 15 January 2009

Resolved:

- (i) That the minutes be noted; and**
- (ii) That the recommendation set out in Minute 584 be not approved.**

Policy and Resources Committee – 20 January 2009

Resolved that:

- (i) The minutes be noted; and**
- (ii) The recommendation set out in minute 598 containing Anti-Money Laundering be approved; and**
- (iii) The recommendation set out in Minute 599 be considered later in the meeting (Minute 634 refers).**

Discretionary Rate Relief Panel – 20 January 2009

Resolved:

- (i) **That the minutes be noted; and**
- (ii) **That the recommendation set out in Minute 5 relating to warehouses premises in Selby be approved.**

Selby Community Project – Internal Project Board – 22 January 2009

Councillor Mrs W Nichols reported that she was unable to attend meetings of the Board and therefore Councillor N Martin would be taking her place.

Resolved: That the minutes be noted.

Selby Community Project – Internal Project Board – 5 February 2009

Resolved:

- (i) **That the minutes be noted;**
- (ii) **That with regard to minute 6.2 the Internal Project Board be given delegated authority to agree project designs and the submission of the planning application.**

633

Building Control

The Head of Service – Finance and Central Services reported on the current situation regarding the Building Control Partnership which consisted of Selby, Ryedale, Hambleton and Scarborough Councils.

The Partnership was facing difficulties as a result of the economic downturn and had put together a recovery plan to safeguard its future.

The plan would involve staff redundancies and early retirement packages. The costs of which would be shared equally between the four constituent Councils.

Selby Council's share of the cost would be £20,000 in 2008/09 and £29,000 in 2009/10.

Resolved:

That approval be given to the equal sharing of redundancy and/or early retirement costs to effect the Building Control Partnership recovery plan.

Budget

The Leader of the Conservative Group outlined his main objectives for the next financial year and distributed papers showing his proposals, including a list of bids recommended for approval.

In view of the economic downturn, he emphasised the need to seek best possible value for money for services provided by the Council.

If approved the proposals would mean an increase of 3.4% in council tax which was broadly in line with inflation generally.

A discussion ensued, including a response from the Leader of the Labour Group to the budget proposals.

Resolved that:

- (i) **A net revenue budget of £11,176,020 be set for 2009/2010 which equals a gross band D council tax of £155;**
- (ii) **£421,966 of bids as presented be approved for 2009/10;**
- (iii) **the proposals for the Housing Revenue Account and the Housing Revenue Account Fees and Charges as recommended by the Social Board be approved;**
- (iv) **the re-prioritisation of reserves as set out in the appendix be approved.**
- (v) **the use of balances and reserves be accepted**
- (vi) **the Head of Service – Finance and Central Services be authorised to determine the final level of contribution to or from reserves upon the closure of accounts;**
- (vii) **an extraordinary meeting of Council be held on Tuesday 3 March 2009 at 6:00 pm to formally set the council tax for 2009/10, inclusive of all precepts from North Yorkshire County Council, the Police Authority, the Fire Service and Parish/Town Councils.**

Schedule of Meetings 2009/10

The Chief Executive submitted the proposed Schedule of Meetings for 2009/10 for Councillors' approval.

Resolved:

That the schedule of meeting now submitted be approved.

636

Nominations for Chairman and Vice-Chairman

Resolved:

That Councillor I Chilvers and Councillor K Ellis be nominated to the offices of Chairman and Vice Chairman Elect respectively for the 2009/2010 Municipal Year.

637

Local Strategic Partnership Update

The Chief Executive submitted a report updating councillors on the work of the Local Strategic Partnership.

Resolved:

That the report be noted.

638

Urgent Action

The Chief Executive reported that in consultation with the Chair of the Renaissance Panel he had authorised the inclusion of Tadcaster and Sheburn in Elmet within the Council's Urban Renaissance Phase II Project submission to Yorkshire Forward.

Resolved:

That the report be noted.

639

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.

640

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 1 of Section 12(A) of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006.

641

Management Structure Review

Councillors received the report of the Chief Executive to consider recommendations for a review of the senior management structure of the organisation and consequential changes.

With the current vacancies, changing circumstances and financial pressure the report considered the potential for changes to the senior management structure of the authority together with consequential changes within the body of the organisation to meet new statutory requirements.

Resolved: That

- (i) approval in principle be given to the proposed changes to the senior management structure;**
- (ii) the Policy and Resources Committee be given delegated authority to deal with issues arising from the proposed changes; and**
- (iii) the Chief Executive be authorised to implement the changes in accordance with the change management policies of the Council.**

The meeting closed at 7:32 pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Extraordinary Council held on 3 March 2009, in the Civic Suite, the Civic Centre, Portholme Road, Selby, commencing at 6:00 pm.

653	The Budget Reserves and Balances
654	Prudential Borrowing Indicators 2009 - 2010
655	Council Tax 2009 - 2010
656	Private Session
657	Comprehensive Performance Assessment

Present: Councillor A Thurlow (Chairman) in the Chair

Councillors: J Cattanach, I Chilvers, M Crane, Mrs D Davies, Mrs M Davis, J Deans, Mrs S Duckett, K Ellis, D Fagan, Mrs C Goodall, Mrs M Hulme, W Inness, Mrs G Ivey, M Jordan, C Lunn, D N Mackay, Mrs C Mackman, J Mackman, B Marshall, W N Martin, Mrs K McSherry, C Metcalfe, Mrs W Nichols, I Nutt, R Packham, A Pound, R Sayner, Mrs A Spetch, and Mrs D White.

Officials: Chief Executive, Mr J Lund, and Mr S Martin Strategic Directors, Head of Service – Finance and Central Services, Head of Service – Environmental Health and Leisure Services, Head of Service – Development Services, Media and Corporate Communications Manager and Democratic Services Officer.

Father B Bickers offered opening prayers.

Public: 1
Press: 0

651 **Apologies for Absence**

Apologies for absence were received from Councillors Mrs E Casling, Mrs J Dyson, Mrs P MacKay, Mrs E Metcalf, C Pearson, B Percival, Mrs S Ryder, S Shaw - Wright and R Sweeting

652 **Disclosure of Interest**

None received.

653

The Budget Reserves and Balances

Councillors received the report of the Head of Service - Finance and Central Services on the robustness of the budget and the adequacy of the Council's reserves and balances.

Resolved:

That the report, and in particular, the statements in paragraphs 4.2 and 4.8 of the report be taken into account when setting the Council Tax (see minute 655 below).

654

Prudential Borrowing Indicators 2009 – 2010

Councillors received the report of the Head of Service – Finance and Central Services with information on the prudential indicators for borrowing required by the CIPFA Prudential Code as specified by the Local Government Act 2003.

Resolved: That

- (i) the prudential borrowing indicators which reflect the capital expenditure plans and treasury management policy decisions be approved and confirmed that they are affordable, prudent and sustainable;**
- (ii) the authorised borrowing limit at £18,000,000 and the operational borrowing limit at £14,000,000 for 2009/10 be approved;**
- (iii) delegated authority be given to the Head of Service - Finance and Central Services to effect movement within the agreed authorised boundary limits for long-term borrowing for 2009/10 onwards; and**
- (iv) delegated authority be given to the Head of Service - Finance and Central Services to effect movement within the agreed operational boundary limits for long-term borrowing for 2009/10 onwards**

655

Council Tax 2009 – 2010

Councillors received the report of the Head of Service – Finance and Central Services which set out the information necessary to enable the

2009/2010 Council Tax to be formally agreed.

Resolved: That

- (i) the information contained in Appendix F of the report in relation to the Council Tax for 2009/10 be noted;
- (ii) the values contained in Appendices A to E and Schedule C of the report in relation to the Council Tax for 2009/10 be approved;
- (iii) having calculated the aggregate in each case of the amounts at Schedule B and Appendix F of the report, the Council, in accordance with Section 30(2) of the Local Government Finance Act 1992 hereby sets the amounts shown in Schedule C of the report as the amounts of Council Tax for the year 2009/2010 for each of the categories of dwellings shown at Schedule C of the report.

656

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 paragraphs 1 and 3 of Section 12(A) of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006.

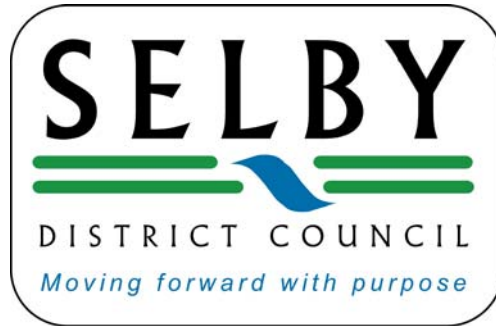
657

Comprehensive Performance Assessment – Final Report

The Chief Executive reported on the content of the final report following the Comprehensive Performance Assessment which had been undertaken during November 2008. The report was embargoed until 17 March 2009, after which it would be placed on the Council's web site.

Resolved: That the report be noted.

The meeting closed at 6.09 pm.



STANDARDS COMMITTEE

Annual Report 2008/09

March 2009

- 1 This report reviews the work of the Selby District Council Standards Committee for the year up to 31 March 2009.

2 MEMBERSHIP

- 2.1 The Standards Committee comprises 6 members: two district councillors; two parish/town council representatives and two independent members. The independent membership was reviewed following a recruitment exercise in early 2008. The current membership is as follows:

- 2.2 Table 1

District Councillors	Parish/Town Reps	Independent Members
Cllr Melanie Davis	Mr Bryan Crossdale	Miss Betty Potts
Cllr Cliff Lunn	Mr Roderick Parker	Ms Hilary Putman

- 2.3 Miss Potts is the Chair and Ms Putman the Vice Chair of the Standards Committee. Both are Independent Members.

3 STRUCTURE

- 3.1 In May 2008 new procedures were introduced nationally to give local standards committees new powers and greater responsibility for the assessment, referral, investigation and hearing of complaints of member misconduct.
- 3.2 In order to carry out the new responsibilities and in accordance with the guidance issued by the Standards Board for England (SBE) the Standards Committee established three sub-committees:
 - 3.2.1 The **Assessment Sub-Committee** (comprising 1 independent member (Chair) one parish representative and one district councillor) to make an initial assessment of a complaint and decide whether the complaint merits further investigation.
 - 3.2.2 The **Review Sub-Committee** (comprising 1 independent member (Chair) one parish representative and one district councillor) to review, at the request of a complainant, any decision by the Assessment Sub-Committee to take no action in relation to a complaint.
 - 3.2.3 The **Consideration and Hearings** Sub-Committee (comprising 1 independent member (Chair) one parish representative and one district councillor) to consider investigation reports and hold determination hearings.
- 3.3 When convening meetings of the sub-committees it is proving difficult to ensure that the membership of one does not overlap with the

membership of another in a way which might result in a conflict of interest. For this reason ***the Standards Committee is recommending to the Council that the membership of the Committee is raised by 3 to add 1 additional member in each category (independent, parish/town council and district council)***

4 TERMS OF REFERENCE

- 4.1 The Council's Constitution sets out the Terms of Reference for the Standards Committee as follows:
 - 4.1.1 The promotion and maintenance of high standards of conduct within the Council
 - 4.1.2 To advise the Council on the adoption or revision of its Code of Conduct
 - 4.1.3 To monitor, and advise the Council about the operation of its Code of Conduct in the light of best practice, changes in the law, guidance from the Standards Board and recommendations of case tribunal under Section 80 of the Local Government Act 2000
 - 4.1.4 Assistance to Councillors and co-opted Members of the Authority
 - 4.1.5 To ensure that all Councillors have access to training in all aspects of the Councillors Code of Conduct, that this training is actively promoted, and that Councillors are aware of the standards expected from local councillors under the code
 - 4.1.6 To advise on the adoption of a Planning Protocol and to assist Councillors to observe this Protocol. To monitor the operation of the Protocol.
- 4.2 During 2009/10 the Standards Committee will review its Terms of Reference in the light of the latest guidance, the new local assessment responsibilities and an anticipated change to the Code of Conduct and will make recommendations in preparation for any council-wide review of constitutional arrangements.

5 LOCAL ASSESSMENT

- 5.1 The new local assessment responsibilities have signalled a significant change in the work of the Standards Committee. Complaints are no longer referred first to the SBE; instead they are submitted to the Committee. An initial assessment is made (by the Assessment Sub-Committee) to determine whether the complaint justifies further, more detailed investigation by the Monitoring Officer. If the assessment

sub-committee decides to take no further action that decision may be reviewed by the Review Sub Committee. If a complaint is referred to the Monitoring Officer for investigation the investigation report is considered by the Consideration and Hearings Sub-committee who may decide to conduct a hearing into the complaint.

- 5.2 The new procedures came into effect on 8 May 2008 since when, nine complaints have been received, six of these have been referred to the MO for investigation, two have resulted in no further action, and one has been referred to the SBE for investigation. Of the complaints passed for investigation to the MO, one resulted in a finding of no breach which was accepted by the Sub-Committee, and the remaining five investigations are due for consideration on the 27th of April.
- 5.3 The overall number of complaints is low and all nine complaints have related to Parish Councillors
- 5.4 In preparation for the new responsibilities the Council's web site was updated and electronic complaints forms were posted. The Standards Committee members have each been provided with copies of the full guidance "Local Standards Framework" issued by the SBE and informal training has been provided in relation to local assessment and determinations. In addition a copy of the SBE introduction and training DVD has been circulated to Committee members.
- 5.5 However, effective operation of the new procedures is proving difficult to co-ordinate to ensure that the membership of one sub-committee does not overlap with the membership of another in a way which might result in a conflict of interest. For this reason ***the Standards Committee is recommending to the Council that the membership of the Committee is raised by 3 to add 1 additional member in each category (independent, parish/town council and district council)***

6 Other cases

- 6.1 Two outstanding cases pre-dated the new local assessment responsibilities and both were referred to the Monitoring Officer for local investigation by the SBE.
- 6.2 One case has been determined with a finding of no breach of the code. The second case is now nearing completion of the investigation.

7 Training

- 7.1 Training for Councillors on the Code of Conduct was provided as part of the induction process after the May 2007 elections and was not

repeated in 2008/09. Similar training was offered for Parish and Town Council's but poor take-up meant that the event was cancelled.

- 7.2 During 2008/09 a number of informal training and briefing events have been provided for members of the Standards Committee.
- 7.3 Training has also been provided for members of the Planning Committee which has included aspects of the Code of Conduct and the Planning Protocol.
- 7.4 Following enquiries from some PCs, and also in light of the constantly evolving and changing environment in which PCs operate, legal services are currently devising a training programme to include all PCs within the District. This training will focus on the code of conduct, local standards procedures, and areas of good practice. It is anticipated that this training will take place once details of the revised code of conduct are released on the 1st of May 2009. In the coming months, PCs will be surveyed and asked to identify any areas of particular concern, and these will also be addressed as part of the training programme

8 Advice

- 8.1 The Monitoring Officer and his staff continue to provide advice to District and Parish/Town Councillors and clerks upon request.

9 Ethical Governance Survey

- 9.1 At the start of the year the Audit Commission undertook an ethical governance survey at Selby to determine the level of understanding and compliance with high ethical standards. The results of the survey were used as part of the CPA assessment.
- 9.2 The headlines identified by the auditors showed:
 - 9.2.1 the very high response rate from both councillors and officers (23 of each)
 - 9.2.2 a good general understanding of the code of conduct and of ethical standards
 - 9.2.3 the leader, chief executive and councillors are generally seen as good role models in relation to governance issues
 - 9.2.4 relationships between councillors, and between councillors and Officers appears good
- 9.3 However there was scope for improvement in terms of:
 - 9.3.1 a lack of awareness of Councillors in relation to the whistle blowing policy

- 9.3.2 officers are not fully aware of the arrangements for reviewing the registers of interest
 - 9.3.3 more could be done to demonstrate that the Standards Committee and the council's overall approach to ethical governance is making a definite difference
 - 9.3.4 about half of members have not received training in a number of key areas
 - 9.3.5 increasing the number of councillors from being "fairly clear" on what is a conflict of interest towards a large majority who are "very clear".
- 9.4 These issues, together with trends and patters highlighted through regular monitoring of cases will guide the training plans for 2009/10 and the Committee hopes that District, Parish and Town Councillors will contribute to healthy and active attendance at the training events.

10 Conclusion

- 10.1 2008/09 has been a year of significant change, with new members of the Standards Committee, new responsibilities and a new Monitoring Officer. The Committee has responded well to the challenges and we have been very ably supported by the District Council's officers.
- 10.2 During 2009/10 we intend to consolidate the training needs identified through case trends and the ethical governance survey and review the Committee's terms of reference.
- 10.3 We would also wish the Council to support our recommendation for an increase in membership as set out in paragraphs 3.3 and 5.5 above.
- 10.4 As Chairman I would like to place on record my thanks to my colleagues for their help and support in undertaking the work of the Committee with such dedication and enthusiasm.

Miss B Potts
Chair
Standards Committee

Mr Jonathan Lund
Monitoring Officer

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Planning Committee held on 4 February 2009 in Committee Rooms 1& 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00pm.

608	Minutes
609	Chair's Address to the Planning Committee
610	Planning Committee 2008/09 Performance Indicator Report: April 2008 – December 2008
611	2008/1157/FUL- Land off Mill Lane, South Milford
612	2008/1207/FUL – Pennyghael, Westbourne Grove, Selby
613	2008/1174/FUL – The Parsonage Country House Hotel, Main Street, Escrick
614	2008/1078/FUL – Cherry Tree Farm, Templar Close, Whitley
615	2008/1187/OUT – 10 Fir Tree Lane, Thorpe Willoughby

Present: Councillor J Mackman in the Chair

Councillors: J Cattanach, I Chilvers, J Deans, D Fagan, W Inness, D Mackay, B Marshall, C Pearson, Mrs S Ryder (for Mrs E Metcalfe), S Shaw-Wright.

Officials: Strategic Director, Head of Service – Development Services, Principal Planning Officers, Trainee Solicitor, Committee Administrator and Public Speaking Officer.

Also in Attendance: Public Speakers

Public: 4
Press: 0

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

Apologies were received from Councillor Mrs E Metcalfe

Substitute Councillor was Councillor Mrs S Ryder

607 **Disclosure of Interest**

- Councillor I Chilvers declared an interest in application 2008/1207/FUL – Pennyghael, Westbourne Grove, Selby and would leave the meeting when this application was discussed.

- Councillor S Shaw-Wright declared an interest in application 2008/1207/FUL – Pennyghael, Westbourne Grove, Selby and had also received a letter concerning application 2008/1157/FUL – Land off Mill Lane, South Milford.
- Councillor D Fagan declared an interest in 2008/1207/FUL – Pennyghael, Westbourne Grove, Selby.
- A letter had been sent to most of the members of the committee from Queen Staiths Ltd concerning application 2008/1174/FUL – The Parsonage Country House Hotel, Main Street, Escrick.

608

Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Planning Committee held on 7 January 2009, subject to the following amendments

Minute 539

Should read ‘....budget estimates relating to Planning Committee services for 2009/10 – 2011/12 and’

And

Minute 543

In the location description ‘Of’ should be ‘off’

be confirmed as a correct record and be signed by the Chair.

609

Chair’s Address to the Planning Committee

The Chair informed councillors of the following issues:

- Performance Targets – number of applications received is falling nationally and Selby is seeing similar reductions. This is resulting in a fall in fee income.
- Performance for the first 10 months of the year is encouraging and on track to meet or exceed Government Targets.
- Members training sessions – next sessions to be held on Thursday 19 February at 5.30pm and will cover the Local Development Scheme and Flood Risk.

- Recruitment to the Development Services was now complete – Jo O’Sullivan will be starting in March 2009.

610 **Planning Committee 2008/09 Performance Indicator Report: April 2008 – December 2008**

The Head of Service - Development Services updated councillors on the progress made in 2008/09 for the corporate and statutory National Indicators for which the Planning Committee was responsible.

Resolved:

That the report be noted

611 **Planning Applications Received**

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

Application: 2008/1157/FUL

Location: Land off Mill Lane, South Milford

Proposal: Erection of a sports pavilion with changing rooms and creation of a sports playing pitch and associated parking.

The Chair informed councillors that the applicant had withdrawn the application prior to the meeting.

612 Site Visit

Councillor I Chilvers left the meeting

Application: 2008/1207/FUL

Location: Pennyghael, Westbourne Grove, Selby

Proposal: Single and two storey extension to residential care home to provide 10No. ensuite bedrooms and additional communal space

The Principal Planning Officer informed councillors that there had been no further representations received since the report had been prepared.

The Highway Authority had no objections and officers found parking provision to be acceptable.

The single storey extension to the rear had addressed the concerns from the previous application.

Councillors were concerned about traffic and parking. The Principal Planning Officer informed councillors that the refusal of the previous application did not mention parking concerns and it would be unreasonable to add this now on a smaller proposal if members were minded to refuse the application.

The Principal Planning Officer informed councillors if they were minded to approve the application, officers could be delegated to add conditions requiring opaque glazing or fewer windows facing neighbouring properties.

Mrs Bugg – Objector

Mrs Bugg informed councillors she objected to the application for the following reasons

- *Pennyghael was ordinary 5 bedroom house*
- *Now 14 bed nursing home – extension will be staggering and ludicrous*
- *Pennyghael situated in a narrower than normal road without side or rear access*
- *Overlooking into neighbouring properties*
- *Two storey extension with pitched roof will block trees from view*
- *Lack of privacy for neighbouring property*
- *Extension will be 2 ½ metres away from neighbours property*
- *Over developed site*
- *Only one accessible entrance*
- *Noise at night*
- *Issues with delivery vehicles*
- *24 / 7 business*

Mr Jones – Agent

Mr Jones informed councillors of the following issues

- *Resubmitted scheme takes account of previous comments*
- *Reduction in scale*
- *Single storey*
- *Building for elderly people only*
- *No major noise problems*
- *Car park provision – currently underused*
- *Parking problems caused by local residents*
- *Problems parking found in any street*
- *Parking provision meets maximum standard*
- *North Yorkshire happy with provision*
- *Provision for service vehicles been made via second access to side of property*
- *Specific delivery lorry parking space*

- *Overlooking issues – scheme meets all requirements*
- *Every effort made to make scheme viable and with minimal disruption*

Councillors considered the application and concerns were expressed relating to the over development and impact on the residential amenity of the surrounding dwellings.

Resolved:

That the application be refused.

The reason for refusal was:

- **The proposed development by reason of the overall scale and cumulative increase in accommodation on the site would constitute an over development of the site which would have a detrimental effect upon the character and residential amenities of the area, contrary to policy ENV1 of the Selby District Local Plan.**

Councillor I Chilvers returned to the chamber

613

Application: 2008/1174/FUL

Location: The Parsonage Country House Hotel, Main Street, Escrick

Proposal: Erection of a leisure suite

The Principal Planning Officer presented a detailed resume of the application and the planning history to councillors. This was a complex application. The application had originally been scheduled for the December 2008 committee but the applicant had submitted a Counsel's opinion and it had therefore been deferred to allow consideration of any issues arising from the new information.

The Principal Planning Officer informed councillors he had received a request from the agents to determine the application.

The Principal Planning Officer informed councillors, that as the site lay outside the defined development limits, was washed over by Green Belt and was also within the conservation area of Escrick, the applicant had to demonstrate very special circumstances for the application to be approved. The harm of the development had to be balanced against any very special circumstances.

The applicant had sent a letter to members, which included an appeal decision and a financial submission from their accountants. The appeal decision related to the refusal of planning permission for an extension of an existing building located within the York Green Belt. However, the Principal

Planning Officer informed councillors that although the two applications related to businesses, there were many aspects that differed in that the Parsonage Country House Hotel site was located in a conservation area and affected listed buildings.

The Chair reminded councillors again of the processes they had to follow to properly consider this application.

Mr Tempest – Agent

Mr Tempest informed councillors of the following issues

- *Inspectors decision at Acaster Malbis*
- *Defined Very Special Circumstances*
- *Harm to the Green Belt*
- *Owner has run business for considerable time*
- *Applicant was best placed to know his own business*
- *Owner investing money into project*
- *Other hotels provide leisure suites*
- *Will created 10 to 13 jobs*
- *Need to keep up with public expectations*
- *Will create less harm than Acaster Malbis*
- *Doctor's surgery has more harm to conservation area*

The Principal Planning Officer informed councillors that if the development was inappropriate development then by default it would be deemed to be harmful to the Green Belt and that substantial weight should be attached to this.

The Principle Planning Officer informed councillors that if they were minded to approve the application reasons would have to be given as the application would have to be referred to the Secretary of State, to give her the opportunity to call it in for her own determination.

Resolved:

That the application be refused, for the reasons set out in the officer's report.

614

Application: 2008/1078/FUL

Location: Cherry Tree Farm, Templar Close, Whitley

Proposal: Erection of a barn, tractor shed and store following demolition of existing barn

The Principal Planning Officer informed councillors that there were no updates to the consultations received.

As the application was for agricultural buildings and it was therefore deemed to be appropriate development in the Green Belt and the impact on Policy GB4 was acceptable.

A deferment was requested to allow for a site visit by the Committee to view the impact on the Green Belt.

Resolved:

That the application be deferred to allow for a site visit to take place.

Councillor J Deans left the meeting

615

Application: 2008/1187/OUT

Location: 10 Fir Tree Lane, Thorpe Willoughby

Proposal: Outline application for the erection of 4No. semi-detached dwellings with carports to include access and layout following demolition of existing dwelling

The Principal Planning Officer updated councillors with consultation updates received from Environmental Health officers concerning noise assessments and their request for a condition to be included if councillors were minded to approve the application requesting a noise survey to be undertaken. Environmental Health officers also mentioned the potential nuisance from livestock.

Network Rail had no objections in principle but requested conditions regarding fencing, landscaping and soundproofing.

Resolved:

That the application be refused, for the reasons set out in the officer's report.

The meeting closed at 6.14 pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Planning Committee held on 4 March 2009, in Committee Rooms 1& 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00pm.

660	Minutes
661	Chair's Address to the Planning Committee
662	Budget Management to 31 December 2008
663	2008/1078/FUL – Cherry Tree Farm, Templar Close, Whitley
664	2008/1106/COU – The Gallops Riding Facility, Main Street, Towton
665	2008/1292/FUL – Cole Park Cottage, Main Street, Hemingbrough
666	2008/0693/OUT – Green Lane Farm, Green Lane, Cliffe
667	2009/0014/FUL – 37 Leeds Road, Tadcaster
668	Private Session
669	Enforcement Sub Group Minutes

Present: Councillor J Mackman in the Chair

Councillors: J Cattanach, I Chilvers, J Deans, D Fagan, W Inness, D Mackay, B Marshall, Mrs E Metcalfe, C Pearson.

Officials: Head of Service – Development Services, Head of Service – Legal and Democratic Services, Development Control Manager, Principal Planning Officer, Trainee Solicitor, Committee Administrator and Public Speaking Officer.

Also in Attendance: Public Speakers

Public: 15

Press: 0

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

Apologies were received from Councillor S Shaw-Wright

There was no substitute councillor.

659 **Disclosure of Interest**

None

660

Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Planning Committee held on 4 February 2009, subject to the following amendment

Minute 613

Demonstrate should be spelt ' Demonstrate'.

be confirmed as a correct record and be signed by the Chair.

661

Chair's Address to the Planning Committee

The Chair informed councillors of the following issues:

- The next planning training session for members will be held on 26th March 2009 and will cover Enforcement and the Template for Planning Reports. It was requested that this session starts at 5pm, which was agreed.
- New topics for training would include a wind farm visit and the National/Regional and Local Planning Policies on Renewable Energy. If anyone had any other suggestions for topics it was requested these be passed onto planning officers or committee clerk.
- The final member of staff to complete the new planning structure will commence in March
- The number of planning applications were down 16% on the same period last year. This has allowed staff to focus on policy and enforcement. This has resulted in the number of enforcement cases being significantly reduced from around 300 cases to approximately 170 cases - a significant improvement.
- Paul Edwards has left the authority – our thanks are passed onto Paul for his hard work during a particularly difficult period.
- The Public Inquiry on land at South Approach, Great North Road, Stutton (otherwise known as the Hazelwood Equestrian Centre) was heard in February and the Planning Inspectors decision is awaited.

Budget Management to 31 December 2008

The Head of Service – Development Services updated councillors with the major variations between budgeted and actual expenditure and income, for the 2008/09 financial year.

It was predicted that there would be an increase in the total overspend on Planning Committee budgets. Budget areas, which were particularly volatile, included Planning Fee Income, which was susceptible to external factors as the number of applications received had fallen. Officers were monitoring and managing their budgets closely and plans were in place to react to impacts of external factors placed upon them.

Efficiencies and savings had been identified by officers, which were detailed in the officer's report.

Following a query from the Chair, the Head of Service – Development Services confirmed that the findings from the recent Business Process Improvement exercise will be presented to the best Practice Review project board. Any improvements requiring changes to policy will be presented to Policy and Resources Committee and subsequently will come to this committee at a later stage.

Resolved:

- (i) That the report be noted and**
- (ii) That the Planning Committee budgets be adjusted to reflect the savings expected to be achieved.**

Planning Applications Received

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

Application: 2008/1078/FUL

Location: Cherry Tree Farm, Templar Close, Whitley

Proposal: Erection of a barn, Tractor shed and store following demolition of existing barn.

The Chair informed councillors that the application had been deferred.

Application: 2008/1106/COU
Location: The Gallops Riding Facility, Main Street, Towton
Proposal: Change of use of land from agricultural land to gypsy caravan site

The Principal Planning Officer informed councillors that if they were minded to refuse the application minor amendments were required to the reasons listed in the officer's report. If councillors were minded to approve the application it would have to be referred to the Secretary of State.

The Principal Planning Officer informed councillors of the various issues concerning this application, including the harm to the open character and visual amenity of the Green Belt and highways safety caused by the access of the site. As the proposed constituted inappropriate development in the Green Belt the applicant had to show very special circumstances applied to this application.

Following questions from councillors the Principal Planning Officer confirmed that the applicant's agent had provided evidence that the applicant was a gypsy and as no evidence had been produced to the contrary.

The chair sought clarification that there was no disagreement between the applicant and Selby District Council that the proposal constituted inappropriate development in the green belt, and that there were no medical or health grounds as to why caravans had to be occupied, children were not based at the site and no evidence had been produced to show that the applicant had explored alternative sites or was on a waiting list for a pitch on any authorised site. These were all confirmed as correct.

Mr Natkus – On behalf of Objectors

Mr Natkus informed councillors he objected to the application for the following reasons

- *Large number of objectors*
- *Unprecedented levels of objections*
- *Objections also from adjacent villages*
- *Asked to endorse officers recommendations*
- *Threat to green belt*
- *Local plan details guidance for gypsy accommodation*
- *Applicant has not looked for alternative sites*
- *Inappropriate development*
- *Impact on protected species*
- *Very Special Circumstance not shown*
- *Bats seen in vicinity*
- *Noise from large generator, which had been removed but is now back*

- on site*
- *Residential amenity*
 - *Waste disposal concerns*
 - *Historical battlefield*
 - *Erection of fence causing damage*

Mr Fielden – Parish Council

Mr Fielden informed councillors he objected to the application for the following reasons:

- *Fully supports the officers report*
- *The site is not a sensible place for a permanent gypsy encampment*
- *Very Special Circumstances have not been proved*
- *Access arrangements cannot support the development*

The Principal Planning Officer informed councillors bats had not been included in the reasons for refusal, as there was no evidence of bat roosts on the site, although it was not disputed that bats were in the vicinity. The large generator that had caused a noise issue had been replaced following a visit from Environmental Health Officers. It had not been brought to the Principal Planning Officers attention that this had been reinstated, but this would not be a reason for planning refusal and would have to be dealt with by Environmental Health legislation.

Waste disposal concerns were also not considered to be an issue as a refuse vehicle could turn around in the site. However there were general issues relating to visibility at the site access

Neither English Heritage nor the North Yorkshire Archaeology Officer had any specific comments or objections to make concerning the site.

Resolved:

i) That the application be refused, for the reasons set out in the officer's report, with the amendments to conditions 1 and 3 wording as below

- **Condition 1**
'The site is located within the Green Belt wherein it is national and local policy to resist inappropriate development, unless there are very special circumstances that clearly outweigh the harm by reason of inappropriateness and any other harm. Such very special circumstances, have not been demonstrated to exist by the applicant. As such the proposal is contrary to Policy GB2 of the Selby District Local Plan and the guidance in Planning Policy Guidance note 2: Green Belts.'

- **Condition 3**
 ‘The proposed caravans by virtue of their size, and design would form an unsympathetic sprawl to the village of Towton, which would add mass within an otherwise open situation and which would be detrimental to the open character and visual amenity of the Green Belt and conflict with the purposes of including land within it, contrary to Policy GB4 of the Local Plan and the guidance in PPG2.’

And

- ii) **Instructions be given to take Enforcement Action to remove the unauthorised development.**

The reasons given for issuing the notice be delegated to Officers based upon the reasons for refusal and the committee debate.

665

Application: 2008/1292/FUL

Location: Cole Park Cottage, Main Street, Hemingbrough

Proposal: Erection of a detached dwelling and 2No. detached double garages following demolition of existing garage/workshop.

The Principal Planning Officer informed councillors of the issues concerning this application, including the comparison between this revised application and the previous refused scheme.

Mr Bramhill – Objector

Mr Bramhill informed councillors he objected to the application for the following reasons

- *Problems with Selby District Council website*
- *Parish Council also objects*
- *Finds it hard to understand why the officer supports the application*
- *The new dwelling is only fractionally smaller than the previous refused application*
- *Not the same scale as existing dwellings*
- *Overshadowing*
- *Overlooking*
- *Dominating*
- *Inconsistent planning reasons*
- *Not a barn*
- *Highways objections*
- *Turning provisions cannot be enforced*
- *Protected species issues*
- *Property not occupied*

- *Newt survey carried out at wrong time*
- *Strong feeling of enclosure*

Following a query from councillors regarding the installation of a turntable to prevent vehicles having to reverse out of the site it was confirmed that the site had room to allow for turning on the site and therefore this was not required.

Resolved:

That the application be granted as recommended in the Officer's report

666

Application: 2008/0693/OUT

Location: Green Lane Farm, Green Lane, Cliffe

Proposal: Outline application for the erection of 5 residential dwellings

The Principal Planning Officer informed councillors of the issues concerning this application. The application had been deferred from a previous meeting to allow for discussions to take place between the applicant and officers. The application was contrary to policies DL1 and H2A as it constituted residential development on Greenfield land outside of defined development limits.

Councillors were concerned that the applicant had produced little evidence to support their case, particularly in regards to a possible relocation site and if they were minded to refuse the application requested that the applicant should meet with officers again to seek further guidance.

Resolved:

That the application be refused as recommended in the Officer's report

667

Application: 2009/0014/FUL

Location: 37 Leeds Road, Tadcaster

Proposal: Proposed erection of a detached dwelling

The Principal Planning Officer informed councillors of the issues concerning this application, in particular the design and appearance of the building.

Resolved:

That the application be refused as recommended in the Officer's report

668

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 paragraphs 3 and 5 of Part 1 of Schedule 12A to the Act.

669

The Chair presented councillors with the minutes of a meeting of the Enforcement Sub-Group held on 19 January 2009.

Councillors sought updates on specific cases.

The Head of Service - Legal and Democratic Services agreed to provide advise for councillors when dealing with the expected planning application for the development of the Selby Hospital site, particularly if any dispensations would be required from the Standards Board.

Resolved:

That the minutes be noted

The meeting closed at 6.11pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on 9 February 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10:00 am.

618	Minutes
619	Licensing Sub-Committee
620	Procedure
621	Chair's Address to the Licensing Committee
622	Licensing Fees
623	Private Session
624	Application for a Hackney Carriage Licence
625	Application for Registration as a Motor Salvage Operator

Present: Councillor R Sayner in the Chair

Councillors: Mrs D Davies, Mrs J Dyson, N Martin (*for Mrs S Duckett*), Mrs K McSherry, C Pearson, Mrs S Ryder, Mrs A Spetch and Mrs D White.

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

Public: 0

Press: 0

616 **Apologies for Absence and Substitution**

Apologies were received from Councillors Mrs S Duckett and J McCartney.

Substitute Councillor was N Martin (*for Mrs S Duckett*).

617 **Disclosure of Interest**

Councillor R Sayner declared a personal interest in Minute No: 624 and left the Chamber.

618

Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 12 January 2009 be confirmed as a correct record and be signed by the Chair.

619

Licensing Sub Committee

Resolved:

That the minutes of the proceedings of the Licensing Sub Committee meeting held on 9 January 2009 be received.

620

Procedure

The Procedure was noted.

621

Chair's Address to the Licensing Committee

The Chair informed the Committee that Licensing Training had been arranged for Friday 6 March 2009 with Mr R Butterfield.

It was agreed that the training should cover all aspects of Licensing issues and should be opened up for all Councillors to attend.

622

Licensing Fees

Councillors received the report of the Licensing Enforcement Officer in respect of the review of licensing fees. Permission was sought to increase the current licensing fees.

In 2008 the Licensing Committee approved an increase in licensing fees of 5%. The Licensing Department proposed an increase this year of 10% for Hackney Carriage and Private Hire fees in order that Selby District fees are brought more closely into line with the fees for our Local Authority neighbours in North Yorkshire.

Resolved:

That the current licensing fees be increased by 10%.

623

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.

624

Application for a Hackney Carriage Licence

Having declared a personal interest in this item Councillor R Sayner left the Chamber and the Vice-Chairman, Councillor C Pearson took the chair.

Councillors received the report of the Licensing Enforcement Officer for the grant of a Hackney Carriage Licence for a Ford Mondeo, a vehicle not fully accessible to the disabled.

The Licensing Enforcement Officer outlined the details of the case.

The driver concerned outlined his reasons for the application.

Councillors considered the application against the Council's guidelines on hardship and resolved to grant a licence for a vehicle, which was not fully accessible to the disabled.

Resolved:

That the application for a Hackney Carriage Licence for a vehicle not accessible to the disabled be granted on the grounds of financial hardship.

625

Application for Registration as a Motor Salvage Operator

Councillor R Sayner returned to the Chamber and proceeded to chair the meeting.

Councillors received the report of the Licensing Enforcement Officer in respect of the applicants' desire to be registered as motor salvage operators.

The Officer addressed the reasons why the application had previously been refused and referred specifically to:

- (i) lack of proper record keeping
- (ii) the pending prosecution of the applicants at Selby Magistrate's

Licensing Committee

9 February 2009

Court in light of the fact that the court may impose some form of order
(iii) criminal convictions of the applicant and company employees

In relation to the record keeping it was explained that this had significantly improved to the satisfaction of both the Police and the Council.

With regard to the prosecution it was revealed that the Magistrates had dealt with the applicants leniently and made no order with regard to their continuing to trade.

In respect of the criminal convictions it was stated that the applicant's previous convictions were 'spent' and that the convictions of the employees were irrelevant as the management was the responsibility of the applicants, who it was noted were always on the premises.

The applicants were in attendance and presented their case to the Committee which stated that significant improvements had been made to the record keeping, they had been convicted at Selby Magistrates Court where they had each received a fine, and they also believed that the convictions of one of them were 'spent'.

Councillors gave a great deal of thought to the facts regarding this application and agreed that taking all the above issues into consideration, the application for registration as a motor salvage operator be granted.

Resolved:

That the applicants be granted registration as motor salvage operators.

The meeting closed at 10:55 am.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on 9 March 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10.00 am.

680	Minutes
681	Procedure
682	Chair's Address to the Licensing Committee
683	Private Session
684	Complaint about Behaviour of Licensed Hackney Carriage Driver

Present: Councillor R Sayner in the Chair

Councillors: Mrs D Davies, Mrs J Dyson, Mrs S Duckett, J McCartney, Mrs P Mackay (for C Pearson), Mrs K McSherry, Mrs S Ryder, Mrs A Spetch and Mrs D White.

Officials: Senior Solicitor, Trainee Solicitor, Licensing Enforcement Officer and Committee Administrator

Public: 0

Press: 0

678 **Apologies for Absence and Substitution**

Apologies were received from Councillor C Pearson.

Substitute Councillor was Mrs P Mackay.

679 **Disclosure of Interest**

None

680 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 9 February 2009 be confirmed as a correct record and be signed by the Chair.

681 **Procedure**

The Procedure was noted.

682 **Chair's Address to the Licensing Committee**

The Chair gave no address to the Committee.

683 **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.

684 **Complaint about Behaviour of Licensed Hackney Carriage Driver**

The applicant informed the Committee that he would not be speaking nor would his witness who was also in attendance.

Councillors received the report of the Licensing Enforcement Officer in respect of the conduct of the applicant, in connection with the unnecessary use of his vehicle to broadcast animal noises, which caused nuisance to residents in a built up area of Selby.

The Licensing Enforcement Officer outlined details of the case and also handed to councillors an email that had been received in connection with the case. The Licensing Enforcement Officer responded to questions raised from Councillors.

The applicant announced that he did not believe that residents could have been disturbed and produced his mobile telephone and "hands free" kit for examination. The applicant was asked to use his mobile telephone to broadcast the animal noises.

The Committee deliberated over their decision and after the contents of the applicants personal file were revealed it was agreed that he be issued with a written warning.

Resolved:

That the Hackney Carriage Driver be given a written warning informing him of his future conduct and that the warning would remain on his file. If any further complaints were made then the Committee would look at revoking his licence.

The meeting closed at 9.50 am.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Environment Board held on 26 February 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 4:00 pm.

644	Minutes
645	Chair's Address to the Environment Board
646	Environment Board Performance Indicator Report: April 2008 – December 2008
647	Budget Management to 31 December 2008
648	Monitoring of Particulate Matter from Drax Power Station and associated PFA disposal site
649	Environmental Health Enforcement Policy
650	Environment Board Work Programme 2009/2010

Present: Councillor M Jordan in the Chair

Councillors: Mrs E Casling, Mrs P Mackay, Mrs C Mackman, N Martin (*for R Packham*), I Nutt, Pound and J Thurlow.

Officials: Head of Service – Finance and Central Services, Interim Head of Service – Policy and Performance, Principal Environmental Health Officer (Commercial), Principal Environmental Health Officer (Pollution) and Democratic Services Manager.

Public: 0

Press: 0

642 **Apologies for Absence and Substitution**

Apologies were received from Councillors C Metcalfe, R Packham and R Sweeting.

Substitute Councillor was N Martin (*for R Packham*).

643 **Disclosure of Interest**

None.

644 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Environment Board held on 8 January 2009 be confirmed as a correct record and be signed by the Chair.

645 **Chair's Address to the Environment Board**

The Chair gave no address to the Committee.

646 **Environment Board Performance Indicator Report:
April 2008 – December 2008**

The Interim Head of Service – Policy and Performance presented a report, which updated councillors on the progress that was being made in 2008/2009 for the corporate and statutory National Indicators (NIs) for which they were responsible.

Resolved:

That the report be noted.

647 **Budget Management to 31 December 2008**

The Head of Service – Environmental Health and Leisure presented councillors with details of major variances between budgeted and actual expenditure and income for the Environment Board for the 2008/09 financial year to 31 December 2008.

Resolved: That

- (i) Councillors endorse the actions of officers and note the contents of the report; and**
- (ii) The budgets for the Environment Board be adjusted to reflect the savings expected to be achieved this year as per Appendix B of the report.**

648 **Monitoring of Particulate Matter from Drax Power Station and associated PFA disposal site**

Councillors received the report of the Acting Principal Environmental Health Officer with regard to the cessation of monitoring of particulate matter by Selby District Council from Drax Power Station in six remote locations.

A programme of ambient dust monitoring was initiated in 1987 in response to concerns expressed by residents of certain parishes in Selby District about levels of airborne dust originating from Drax Power Station activities, primarily the disposal of Pulverised Fuel Ash (PFA) on the waste disposal site at Barlow Common.

The programme of monitoring had provided valuable information in addressing the issue of dust blow from Barlow Common and the public concern surrounding this.

Complaints regarding dust from this source had not been received by the Environmental Health Department since 2003 and is no longer a cause for public concern and if it does become so the Environment Agency are legally placed to deal with the issue.

Resolved:

That delegated authority be given to the Head of Service – Environmental Health and Leisure to terminate the contract with Stockholm Environmental Institute with effect from the 31 March 2009.

649

Environmental Health Enforcement Policy

Councillors received the report of the Principal Environmental Health Officer (Commercial) to seek approval of the Environmental Health Enforcement Policy.

The report concerned the adoption of an enforcement policy for all regulatory functions undertaken by the environmental health service, in order to meet the statutory requirements of the 'Statutory Code of Practice for Regulators' issued by the Department for Business Enterprise and Regulatory Reform. It also represents good practice in respect of regulatory services.

Recommendation to Council:

That the Environmental Health Enforcement Policy be approved.

650

Environment Board Work Programme 2009/2010

Councillors received the report of the Head of Service – Environmental Health and Leisure for consideration of the proposed work programme for 2009/10.

Resolved:

That the work programme for 2009/10 be approved.

The meeting closed at 4:33 pm.

Selby District Council

Minutes of the proceedings of a meeting of the Economy Board held on 5 March 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 5.00pm.

672	Minutes
673	Chair's Address to the Economy Board
674	Performance Indicator Report: April 2008 – December 2008
675	Budget Management to 31 December 2008
676	Economic Development Activity Update
677	Urban Renaissance Phase 2

Present: Councillor Lunn in the Chair

Councillors: J Deans, K Ellis, D Fagan, Mrs C Goodall, D Mackay (for Mrs P Mackay), N Martin, I Nutt, R Sweeting and J Thurlow.

Officials: Head of Service – Development Services, Head of Service – Finance and Central Services, Development Policy Manager, Development Policy Officer (Research and Monitoring) and Committee Administrator

Public: 0
Press:

670 **Apologies for Absence and Substitution**

Apologies were received from Councillor Mrs P Mackay

Substitute Councillor was Councillor D Mackay

671 **Disclosure of Interest**

None

672 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Economy Board held on 13 January 2009 be confirmed as a correct record and be signed by the Chair.

673

Chair's Address to the Economy Board

The Chair gave his address to councillors which covered the following issues:

- Unemployment had increased by 85% over the past 12 months with 1,355 claimants in January 2009.
- Selby District Council and the Citizen Advice Bureau had held a 'Crunch the Crunch' meeting with agencies and local businesses invited to look at a holistic approach to the current economic problems. Over 50 people attended and a steering group has pulled together ideas generated and will be producing an action plan of activities due to start in May.
- A re-tender had been made to the office development contract on the Selby Business Park. A short list is being drawn up and it is hoped work will commence on site in April.

674

Performance Indicator Report: April 2008 – December 2008

The Head of Service – Finance and Central Services presented a report, which updated councillors on the progress that was being made in 2008/2009 for the corporate and statutory National Indicators (NIs) for which they were responsible.

The Head of Service – Finance and Central Services warned councillors that whilst the target for processing benefits claims were exceeding the target at present, due to an increase in claimants this may not be sustained and more resources may be required in the future.

Resolved:

That the report be noted.

675

Budget Management to 31 December 2008

The Head of Service - Finance and Central Services presented councillors with details of major variations between budgeted and actual expenditure and income for the Board for the 2008/09 financial year to 31 December 2008.

The Head of Service – Finance and Central Services again highlight the consequences of an increase in claims for housing benefits and the issues concerning industrial units. Officers would continue to monitor all budget

variances and will report back to councillors in due course.

Resolved:

- (i) That the report be noted and**
- (ii) That the Economy Board budgets be adjusted to reflect the savings expected to be achieved.**

676

Economic Development Activity Update

The Development Policy Officer updated councillors on the recent developments in economic development within the district, particularly concerning the North Yorkshire Geographic Programme, Science City York, the Retail, Commercial and Leisure study for Selby District and the Selby Heritage Scheme. Yorkshire Forward Rural Business Space Study had identified Selby Town and Tadcaster as having medium demand for bespoke workspace.

The York and North Yorkshire Partnership Unit has proposed a set of indicators to show the impact of the economic downturn and these will be reported to the Economy Board in due course.

Business Link Yorkshire seminars have been arranged and the Development Policy Officer will feed into topics of interests for discussion. The Selby Business Forum was investigating improving the links including Trade shows between Leeds and Selby Chambers of Trade.

In view of the economic climate it was agreed that the Development Policy Manager invites the Chamber to the next meeting of the Economy Board.

Resolved:

That the report be noted

677

Urban Renaissance Phase 2

The Development Policy Manager updated councillors with the findings and recommendations from the Urban Renaissance Phase 2 working group. The working group had been very focused and due to Yorkshire Forward increasing the remit, had increase in numbers to include members from Sherburn and Tadcaster.

The chair of the working group, Councillor Fagan, informed councillors that disappointingly Yorkshire Forward had only allocated £1 million instead of the expected £5 million which had meant that schemes had been prioritised by the working group. The two schemes which would be developed were the former Travis Perkins site and the Rediscovering the Waterfront

scheme. British Waterways were offering good support to the waterfront scheme but as they were unable to add any funding, private developers would be invited to invest in the scheme.

The Chair thanked the working group for their work, however it was agreed that there was no further need to meet in the near future so the group would be held in abeyance until they were needed again.

Resolved:

- (i) That the report be noted and**
- (ii) The recommendations from the Urban Renaissance Phase 2 Working Group on the priority of projects be approved.**

The meeting closed at 5.27pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Social Board held on 10 March 2009 in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 5.00pm.

687	Minutes
688	Chair's Address to the Social Board
689	Performance Indicator Report: April 2008 – January 2009
690	Private Housing Assistance Policy 2009/10
691	Housing Investment Programme – Budget Management to 31 December 2008
692	Housing Investment Capital Programme Estimates 2009/10 – 2011/12
693	Decent Homes Report
694	General Fund Budget Management to 31 December 2008
695	Housing Revenue Account Budget Management to 31 December 2008
696	Homelessness Priority Need Order Grant 2009/10
697	Mortgage Rescue Scheme
698	Work Programme for Social Board 2010/11

Present: Councillor Mrs G Ivey in the Chair

Councillors: I Chilvers, K Ellis, Mrs C Goodall, D Mackay, Mrs C Mackman, Mrs M McCartney, Mrs W Nichols, A Pound

Officials: Head of Service – Housing, Head of Service – Finance and Central Services, Interim Head of Service – Policy and Performance, Leisure Services Manager, Principal Environmental Health Officer, Property Services Manager and Committee Administrator.

Also in Attendance: Mr P Furminger – Tenant Representative

Public: 2

Press: 0

685 **Apologies for Absence and Substitution**

Apologies were received from Councillor Mrs E Metcalfe

There was no substitute Member.

686 **Disclosures of Interest**

None

687 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Social Board held on 6 January 2009 be confirmed as a correct record and be signed by the Chair.

688 **Chair's Address to the Social Board**

- The Chair informed councillors of the decision taken by Economy Board at their last meeting concerning the Urban Renaissance Phase 2 working group.
Although the membership of the group had been increased to reflect the decision of Yorkshire Forward to include Sherburn and Tadcaster, Yorkshire Forward had only allocated £1million instead of the expected £5million. The working group had been very focused and schemes had been prioritised, with two schemes being developed further.
The Chair thanked the working group for their work but informed them that it had been agreed that with the above in mind there would be no need to meet in the near future but the working group would be held in abeyance until the need arose again.

689 **Performance Indicator Report: April 2008 – January 2009**

The Head of Service – Housing informed councillors of the priority areas and management of performance of the Council and the progress that had been made in 2008/09 for the corporate and statutory National Indicators for which they were responsible.

Resolved:

That the report be noted

690 **Private Housing Assistance Policy 2009-10**

The Principal Environmental Health Officer sought endorsement from councillors for the Private Housing Assistance Policy 2009-10. The policy set out the way the Council intended to fund repairs, improvements and adaptations of private housing.

The first Private Housing Assistance Policy was approved in June 2003 and it is reviewed each year taking into account new government guidance and legislation.

The draft policy outlined the proposed amendments from the previous policy which included no longer offering the discretionary work funds and reducing the loan repair assistance grant to a maximum of £4,000.

The Chair was pleased to note that details of the appeals process, along with the complaints procedure, had been included in the draft policy.

Resolved:

That the report be noted and;

Recommended to Policy and Resources Committee

That the Private Housing Assistance Policy 2009-10 be endorsed and approved.

691

Housing Investment Programme- Budget Management to 31 December 2008

The Head of Service – Housing updated councillors with details of the Housing Investment Programme for the 2008/09 financial year to 31 December 2008.

The Head of Service – Housing confirmed that whilst some projects were shown to have not started these would be commencing as soon as possible as delays had been due to the prioritising of the Decent Homes programme which had now settled down well. The Chair requested that a timeline be produced for the next meeting detailing when projects were scheduled and information relating to contractors and budgets.

Resolved:

- (i) That the report be noted and;**
- (ii) The monitoring of the programme be endorsed and;**
- (iii) That a timeline detailing the projects of the programme be produced for the next meeting of the Social Board.**

Housing Investment Capital Programme Estimates 2009/10 – 2011/12

The Head of Service – Housing informed councillors of the estimated resources for the schemes proposed to be included in the Council's Housing Investment Programme for 2009/10 and gave indicative figures for the 2010/2011 and 2011/2012 programmes.

Resolved:

That the report be noted and;

Recommended to Policy and Resources Committee that

- (i) £47,000 of General Fund Capital Receipts be released to support the programme and;**
- (ii) A carry forward of £315,000 revenue funding resource from 2008/09 to 2009/10 be approved to support the programme and;**
- (iii) The use of £236,570 of additional revenue funding be approved to support the programme in 2009/10.**

Decent Homes Report

The Property Services Manager informed councillors of the delivery of the Decent Homes Programme from the beginning of the programme, including a financial update and the future programme allocation.

The number of refusals had fallen to 2 and therefore there was a potential for further savings.

Councillors questioned some of the key dates in appendix 1, and requested that the details in Appendix 6 be updated. The Property Service Manager also agreed to inform councillors of details of the addition to the risk register that was reported in his report.

Concern was raised that some properties in the Abbots Road area would not receive any Decent Homes works. The Head of Service – Housing assured councillors that this would not be the case and surveyors were currently surveying the area and those homes that required work within the Decent Homes Programme would be carried out.

Peter Furminger from the Tenants Forum informed councillors that feedback received concerning the contractors had been favourable and

they had performed well.

Resolved:

That the report be noted

Councillor I Chilvers arrived

694

General Fund Budget Management to 31 December 2008

The Head of Service – Finance and Central Services updated councillors with details of major variations between budgeted and actual expenditure and income for the 2008/09 financial year to 31 December 2008. Due to difficulties obtaining comprehensive data relating to concessionary fares, the predicted potential savings would be updated at the next meeting of the Social Board.

Resolved:

- (i) That the report be noted and;**
- (ii) The Social Board budgets be adjusted to reflect savings expected to be achieved as detailed in Appendix B of the report.**

695

Housing Revenue Account Budget Management to 31 December 2008

The Head of Service – Housing updated councillors with details of major variations between budgeted and actual expenditure and income for the Housing Revenue Account for the financial year to 31 December 2008.

Resolved:

- (i) That the report be noted and;**
- (ii) That savings identified be transferred to HRA balances.**

696

Homelessness Priority Need Order Grant 2009/10

The Head of Service – Housing requested councillors approve the part spend of the Homelessness Priority Need Order Grant for 2009/10 to assist Relate in their work contributing to the Council's homelessness prevention work.

Relate had reported that they were currently forecasting a shortfall in their current funding for counselling session and it was proposed that a service level agreement be entered into for 2009/10 with quarterly payments being made if required.

It was confirmed that the Council currently contributed some funds already to Relate, and councillors also confirmed that the Selby Town Council had a similar process of allocating funds to organisations.

Resolved:

That the proposal to assist Relate with a grant of £9,776 for 2009/10 to support services which contributed to the Council's Homelessness prevention work be approved.

697

Mortgage Rescue Scheme

The Head of Service – Housing highlighted the governments discretionary Mortgage Rescue Scheme.

The scheme was one of a number of initiatives aimed to assist homeowners in risk of repossession and was launched nationally in January 2009.

The scheme required input from many agencies including the Council's Housing Options team.

Whilst this was a good initiative, restrictions of the scheme meant it would have limited impact on the district but concern had been expressed to Ministers from the all the North Yorkshire authorities and the North Yorkshire Strategic Housing Board.

The Chair welcomed the initiative but expressed her concern to with some elements of the scheme but requested that good publicity was given to the scheme, including that a local press release be issued.

Resolved:

That the proposal to offer the Mortgage Rescue Scheme to appropriate applicants be approved.

698

Work Programme for Social Board 2009/10

The Head of Service – Housing submitted a proposed the work programme for 2009/10. The Chair requested that the Decent Homes Programme update be brought to alternative Board meetings with an exemptions report coming to each meeting. However, councillors were concerned that due to the frequency of the Board meeting there was a potential for updates to be only be received every 4 months. It was agreed that the current remit

continue for the time being and will be reviewed in September 2009.

Resolved:

- (i) That the work programme for 2009/10 be approved and**
- (ii) The frequency of the Decent Homes Update report be reviewed in September 2009.**

The meeting closed at 6.21pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Grant Allocations Sub-Group held in Committee Rooms 1, The Civic Centre, Portholme Road, Selby on Thursday 16 March 2009 commencing at 2:00 pm.

Councillors: Mrs D Davies (for N Martin), Mrs J Dyson, Mrs G Ivey, C Pearson, R Sayner and S Shaw-Wright.

Officials: Customer Services Manager, Central Admin Team Leader and Committee Administrator.

1. **Appointment of Chair**

Resolved:

That Councillor S Shaw-Wright be appointed Chair of the Grant Allocation Sub-Group Meeting.

2. **Apology for Absence**

An apology for absence was received from Councillor N Martin.

3. **Disclosure of Interest**

None.

4. **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.

5. **Revenue Grant Applications 2009/2010**

Councillors considered the report of the Central Admin Team Leader, which gave details of revenue grant applications for 2009/2010 and the theme chosen for 2009/2010 was "Transport Improvement".

Members considered the applications in detail and following a discussion it was:

Resolved:

(i) That the following revenue grants be made:

	£
Cruse Bereavement Care – York Branch	1,500
Selby District Leisurability Group	1,706
Fuller Life Afternoon Group	2,000
Total	5,206

The meeting was closed at 2:10 pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Overview and Scrutiny Committee held on 19 March 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 5:00 pm.

701	Minutes
702	Chair's Address to the Overview and Scrutiny Committee and 2008/2009 Work Programme + Proposals for 2009/1020 Work Programme
703	Partnership Meeting with Veolia
704	Follow up on Traveller Encampments
705	How the Overview and Scrutiny Committee Scrutinise the Local Strategic Partnership (LSP) – Community Safety Partnership
706	Human Resources Service Plan
707	Overview and Scrutiny Committee Performance Indicator Report: April 2008 – January 2009
708	Quarterly Town and Parish Council Forum Notes
709	Questions to the Chief Executive

Present: Councillor J McCartney in the Chair

Councillors: J Cattanach, Mrs S Duckett, Mrs J Dyson, Mrs M Hulme, B Marshall, Mrs K McSherry, Mrs S Ryder and Mrs A Spetch.

Officials: Chief Executive, Interim Head of Service – Policy and Performance, Principal Environmental Health Officer (Pollution), Safer & Stronger Communities Co-ordinator, Head of Service – Human Resources and Committee Administrator.

Also in Attendance: Debbie Doohan, Veolia)
Jon Broadhurst, Veolia) – for Minute No. 703
Oliver Wilkinson, Veolia)
Paul Lappin, Veolia)
Chief Inspector Andy Hirst, N Y Police – for Minute Nos. 704 and 705

Public: 0

Press: 0

699 **Apologies for Absence**

Apologies were received from Councillor Mrs D White and W Inness.

700 **Disclosure of Interest**

None

701 **Minutes**

RESOLVED:

That the minutes of the proceedings of the meeting of the Overview and Scrutiny Committee held on 15 January 2009 be confirmed as a correct record and be signed by the Chair.

702 **Chair's Address to the Overview and Scrutiny Committee and 2008/2009 Work Programme + Proposals for 2009/2010 Work Programme**

The Chair gave no address to the Committee.

The Chair updated Councillors on the revised format of the 2008/2009 Work Programme.

A copy of the draft proposals for the 2009/2010 Work Programme, were shown in the format that was consistent with the other Boards and Committee Work Programmes. The Chair asked that if any Councillors wished to add any other suggestions to the programme could they please contact the Committee Administrator.

703 **Partnership Meeting with Veolia**

The Chair welcomed the following staff from Veolia, Debbie Doohan, Contract Manager, Jon Broadhurst, Oliver Wilkinson Supervisors and Paul Lappin, Contract Manager who would be looking after Selby while Debbie was on maternity leave.

Councillors raised various questions and issues relating to fly tipping, litter and recycling.

Some of the main issues were:

- Flytipping adjacent to traveller encampments
- Missed rubbish bins, collection and return of wheeled bins
- Change of collection date for kerbside recycling
- Disruption of waste collection due to severe weather conditions
- More action needed to be taken on prosecutions

The Chief Executive informed the Committee that Officers would bring back a report to a future Committee meeting on how many prosecutions had been carried out, how many fixed penalty notices had been issued and whether these could have been prosecuted and what action could be taken to stop flytipping through Community Action.

A Councillor wished to thank Veolia staff personally, for the safe return of some family photos, and other items that were left in a piece of furniture put out for collection by Veolia. This was felt to be far above and beyond their call of duty and was very much appreciated.

RESOLVED:

That the representatives from Veolia be thanked for their attendance and that a report be submitted to a future meeting of the Overview and Scrutiny Committee in respect of prosecutions carried out and any follow up action taken.

704

Follow up on Traveller Encampments

Chief Inspector Andy Hirst updated Councillors on issues relating to traveller encampments.

He informed the Committee that a small working group had been set up from the Community Safety Partnership to look at certain areas which included usual suspects, groups of travellers some who just pass through and others that are regular travellers in the Selby District and policy documents.

It was felt that more work needed to be carried out with Partners and that a joint approach from everyone involved need to be from the beginning as soon as the travellers set up camp in the District.

The Chief Inspector informed the Committee that North Yorkshire County Council were looking at appointing a Traveller Liaison Officer and this person would be looking at a new policy and a sub-regional protocol.

Resolved:

That Chief Inspector Hirst be thanked for his attendance and the update given to the Committee.

705

How the Overview and Scrutiny Committee scrutinise the Local Strategic Partnership (LSP) – Community Safety Partnership

The Chief Executive gave a brief overview of the LSP.

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He informed the Committee that it was a statutory body working together to get better results. The statutory bodies included the District Council, North Yorkshire County Council and the Police. Others included the voluntary sector and the principal from the local college.

The LSP was not a funded body and received no money. It meets 4 times per year and provides a co-ordinating mechanism for the partner organisations.

There are 4 sub groups which were:

- Economy Sub Group
- Social Sub Group
- Environmental Sub Group
- Community Safety Partnership (this group does receive funding)

Chief Inspector Hirst informed the Committee that he had been Chair of the Community Safety Partnership Sub Group for six months and they were in Year 1 of a 3 Year Plan. They were making a good start with the Plan but there was potential to develop further.

He informed the Committee that Selby was a low crime area and that crime had been coming down for the last 5 to 6 years. He also informed Councillors of the following:

- Burglaries were down
- Theft from garden sheds/garages was up
- Vehicle theft was down but theft from vehicles was up

Councillors raised the issue of flytipping and litter as this was a crime and it was felt that if more high profile prosecutions took place and people were named and shamed then this would go some way to solving the problem.

Resolved:

That Chief Inspector Hirst and the Safer & Stronger Communities Co-ordinator be thanked for their attendance.

706

Human Resources Service Plan

The Head of Service – Human Resources introduced the 2008/09 – 2010/11 Service Plan for the Human Resources Unit.

The Head of Service – Human Resources gave councillors a brief overview of the role of the Human Resources team and the work they carried out.

The focus on this update was absence management.

The Head of Service informed the Committee that the HR Section monitored absence and regular reports were given to Managers and Heads of Service detailing amount of absence and reasons. Performance reports were also considered by OMT (Operational Management Team).

As part of the policy, there were clear trigger points to instigate management action. These points were:

- 4 periods of absence of any length in any 6 month period;
- a total of 10 days absence or more over 4 or more occasions in any 12 month period
- unacceptable patterns of absence, for example regular Monday or Friday absence
- Failure to follow the reporting procedures

The HR section ensured that:

- Managers across the Authority were trained in how to manage sickness absence effectively;
- Support and advice with regard to complex and long-term sickness was provided;
- Absence management reports were provided on a monthly basis to Head of Service and line managers;
- Employees were referred for assessment by Occupational Health if needed.

The Council offered a counselling service, which was available to all Council employees and provided by York Hospitals NHS Trust. This service was completely confidential.

Resolved:

That the Head of Service – Human Resources be thanked for her attendance and the Service Plan for the Human Resources Unit be noted.

707

Overview and Scrutiny Committee Performance Indicator Report: April 2008 – January 2009

The Interim Head of Service – Policy and Performance updated councillors on priority areas and managing the performance of the Council by updating the Overview and Scrutiny Committee on the progress that was being made in 2008/2009 for the corporate and statutory National Indicators (NIs) for which they were responsible.

The Chief Executive drew councillors' attention to the effect of the recession on the council's performance in a number of areas and outlined action being taken to address this.

Resolved:

That the report be noted.

708

Quarterly Town and Parish Council Forum Notes

The Chair informed Councillors that the two neighbourhood Police Inspectors were in attendance at the Forum and that they would return on an annual basis.

Resolved:

That the notes from the Forum be noted.

709

Questions to the Chief Executive

The Chief Executive responded to a councillor's question in respect of how many telephone calls he had received since the announcement of Selby District Council being "An Excellent Council".

He informed the Committee he had received one call.

The meeting closed at 7:10 pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Policy and Resources Committee held on 24 March 2009, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00 pm.

712	Minutes
713	Chair's Address to the Policy and Resources Committee
714	Request for Review of the Parish Council boundary between Cridling Stubbs Parish Council and Womersley Parish Council – Land at Hanover Green
715	Concessionary Rail Cards
716	General Fund Revenue Budget Monitoring to 31 December 2008
717	Treasury Management Statement
718	General Fund Capital Programme Monitoring to 31 December 2008
719	Performance Indicator Report: April 2008 – January 2009
720	Work Programme 2009/10
721	LDF Task and Finish Group
722	Third Local Development Scheme (2009-2012)
723	LGA Conference – Harrogate 30 June – 2 July 2009
724	Referrals from Other Boards and Committees
725	Discretionary Rate Relief Panel
726	Private Session
727	Capital Programme
728	Housing Development
729	Business Rates and Council Tax – Write Off
730	Central Administration – Restructure
731	Senior Management Structure
732	Accommodation
733	NYCC Integrated Services Agreement

Present: Councillor M Crane in the Chair

Councillors: D Fagan (*for R Sayner*), M Jordan (*for Mrs E Casling*), C Lunn, J Mackman, C Metcalfe, Mrs W Nichols, R Packham, C Pearson (*for Mrs G Ivey*), B Percival, and S Shaw-Wright.

Officials: Chief Executive, J Lund and S Martin Strategic Directors, Interim Head of Service – Legal and Democratic Services, Interim Head of Service – Policy and Performance, Accountancy Services Manager, Development Policy Manager, Principal Planner - LDF Team, Customer Services Manager, Media and Corporate Communications Manager and Democratic Services Manager

Press: 0
Public: 1

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

Apologies were received from Councillors Mrs E Casling, Mrs G Ivey and R Sayner

Substitute councillors were D Fagan (*for R Sayner*), M Jordan (*for Mrs E Casling*) and C Pearson (*for Mrs G Ivey*)

711 **Disclosures of Interest**

Councillor Mackman declared a personal interest in minute 715 (Concessionary Rail Cards) as he met the eligibility criteria for a card.

712 **Minutes**

That the minutes of the proceedings of the meeting of the Policy and Resources Committee held on 20 January 2009 be confirmed as a correct record and be signed by the Chair.

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

The Chair referred to the disruption to market traders caused by roadworks in connection with the Selby Renaissance project. In order to alleviate hardship he suggested that for the duration of the remaining roadworks the rent for a pitch be reduced from £18 to £12.

He also reported that the Council's Legal Section had once again achieved an LEXCEL quality assurance award.

Resolved: That

- (i) That the rent for a pitch affected by the roadworks in Selby be reduced from £18 to £12 for the duration of the remaining work and**
- (ii) The staff of the Legal Section be congratulated on their achievement.**

714 **Request for Review of the Parish Council boundary between Cridling Stubbs Parish Council and Womersley Parish Council – Land at Hanover Green**

Councillors received the report of the Interim Head of Services – Legal

and Democratic Services on a proposal to review the parish boundary between Cridling Stubbs and Womersley Parish Councils pursuant to Section 9 of Local Government and Rating Act 1997.

The results of the initial round of consultations were set out in the report and the Committee was asked to decide whether to proceed to the next stage of the procedure.

Resolved: That a review of the boundary takes place and a draft recommendation be drawn up for consultation with all interested parties.

(Councillor J Mackman declared a personal interest in the following matter, minute 715, as he met the eligibility criteria for a card)

715

Concessionary Rail Cards

Councillors received the report of the Head of Service – Finance and Central Services concerning the provision of subsidised senior citizen and disabled rail cards to eligible Selby District residents as an add-on to the Concessionary Travel Scheme.

The report set out three options for consideration, option 1 providing cards for senior citizens at a reduced price, option 2 providing cards for senior citizens and the disabled at a subsidised price and option 3 a free card for the disabled and senior citizens.

Moved by Councillor Mackman and seconded by Councillor Percival

That option 2 be approved and senior citizens be charged £14 and the disabled £10 per card.

Moved by Councillor Packham and seconded by Councillor Shaw – Wright as an amendment

That option 3 be approved.

Amendment lost
Motion carried

Resolved: That option 2 be approved and senior citizens be charged £14 and the disabled £10 per card

General Fund Revenue Budget Monitoring to 31 December 2008

Councillors received the report of the Head of Service – Finance and Central Services which set out details of variations between budgeted and actual expenditure and income for the General Fund for the 2008/09 financial year to 31 December 2008 and to request drawdowns from earmarked reserves where required.

Councillors commented on the report and officers undertook to supply written responses on questions relating to Community Safety and Industrial units.

Resolved: That

- (i) the report be noted and officers' actions endorsed**
- (ii) the drawdowns from the Building Repairs Reserves totalling £14,900 as set out in paragraphs 4.51 and 4.52 of the report be approved**
- (iii) the General Fund budgets be adjusted to reflect the savings expected to be achieved this year as shown in Appendix B, and the Council's Medium Term Financial Plan be amended to take account of projected savings in 2009/10 and 2010/11 where these are not currently allowed for in the budget and**
- (iv) of the additional LABGI grant monies received in March 2009, £100,00 be transferred to the Special Projects Reserve, £ 9,000 be transferred to cover the reduction in market income arising out of the decision contained in minute 715 and £30,556 be transferred into a hardship fund for business rate payers.**

Treasury Management Statement

Councillors received the report of the Head of Service – Finance and Central Services on the proposed Treasury Management Strategy and Annual Investment Strategy for the 2009/10 financial year.

In response to a question Councillors were assured that they would be provided with appropriate training on financial matters in the future.

Resolved: That

- (i) the Treasury Management Strategy Statement for 2009/2010 be approved;**
- (ii) the Treasury Management Investment Strategy for 2009/2010 be approved;**

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- (iii) the minimum Revenue Provision Policy Statement for 2009/2010 be approved;
- (iv) the changes to the criteria for investing the Council's funds be approved.

718 **General Fund Capital Programme Monitoring to 31 December 2008**

Councillors received the report of the Operational Management Team giving details of the position of the General Fund Capital Programme for the 2008/2009 financial year to 31 December 2008.

Officers undertook to provide a written response on a question relating to the Linear Park.

Resolved: That

- (i) the position on the General Fund Capital Programme for 2008/2009 at 31 December 2009 be noted;
- (ii) the actions of the officers in monitoring the programme be endorsed and
- (iii) the issues relating to the sale of land be considered later in the meeting (minute 727 refers)

719 **Performance Indicator Report: April 2008 – January 2009**

The Interim Head of Service – Policy and Performance updated councillors on the progress that had been made in 2008/09 on the corporate and statutory National Indicators for which the Committee were responsible.

Resolved:

That the report be noted

720 **Work Programme 2009/10**

Councillors received the report of S Martin, Strategic Director in respect of the proposed work programme for the Policy and Resources Committee for 2009/10.

Resolved:

That the work programme for 2009/10 be approved.

721

LDF Task and Finish Group

Councillors received the Minutes of the Local Development Framework Task and Finish Group held on 23 February 2009.

Discussions took place on the issues set out in the minutes and particular reference was made to the challenge of accommodating an additional 1000 dwellings in Selby District. Consideration was also given to the need to undertake additional consultation and to investigate the physical and environmental capacity of settlements to absorb further developments, including former H6 villages.

Councillors commented on developing areas in the district to provide additional housing.

Resolved: That

(i) the minutes be received and the recommendations be approved and

(ii) the development of areas for housing be considered later in the meeting (minute 728 refers)

722

Third Local Development Scheme (2009-2012)

Councillors received the report of the Principal Planner (LDF Team) on the programme of local development documents to be included in the third revised Local Development Scheme (LDS) and to approve the draft LDS for submission to Government Office Yorkshire and Humber (GOYH).

It was reported that the timetable set out in the report would be affected by issues regarding the evidence base.

Resolved: That

- (i) the revised Local Development Scheme for 2009 – 12 be approved for submission to GOYH subject to the Principal Planner (LDF) in consultation with the Chair of the Policy and Resources Committee being authorised to amend the timetable prior to submission and**
- (ii) the Principal Planner (LDF) in consultation with the Chair**

of the Policy and Resources Committee be authorised to make any necessary minor amendments to the scheme to reflect any GOYH requirements.

723 **Local Government Association Conference – Harrogate 30 June – 2 July 2009**

Councillors were asked to appoint representatives to attend the LGA Conference being held in Harrogate between 30 June – 2 July 2009.

Resolved : That the Leader of the Council and the Chief Executive (or their representatives) be authorised to attend the conference.

724 **Referrals from Other Boards and Committees**

(a) Social Board – 10 March 2009

Minute 690 – Private Housing Assistance Policy 2009/10

Councillors were asked to endorse and approve the Private Housing Assistance Policy 2009-10.

Recommended to Council - That the Private Housing Assistance Policy 2009/10 be approved

(b) Social Board – 10 March 2009

Minute 692 – Housing Investment Capital Programme Estimates 2009/10 – 2011/12

Councillors were asked to:

- (i) support £47,000 of General Fund Capital Receipts being released to support the programme;
- (ii) a carry forward of £315,000 revenue funding resource from 2008/09 to 2009/10 be approved to support the programme; and
- (iii) the use of £236,570 of additional revenue funding be approved to support the programme in 2009/10.

Resolved: That the requests be granted

725 **Discretionary Rate Relief Panel**

Councillors received the Minutes of the Discretionary Rate Relief Panel held on 5 March 2009.

Resolved:

That the minutes be received and the recommendations be approved.

726

Private Session

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 paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act.

727

Capital Programme

Mr J Lund, Strategic Director, informed Councillors of the circumstances relating to the proposed sale of land and indicated that a full report would be submitted to a future meeting.

Resolved: That the report be noted

728

Housing Development

Members discussed possible sites for housing and other developments in the District.

The Principal Planner, LDF team submitted his comments.

Resolved; That the report be noted

729

Business Rates and Council Tax – Write Off

Councillors received the report of the Head of Service – Finance and Central Services with regard to the write off of Business Rates and Council Tax accounts where there was no prospect of recovery.

In reply to a question the Accountancy Services Manager undertook to send a written reply to the Councillor concerned regarding the debt incurred by a company for two consecutive rate demands.

Resolved:

That the amounts as set out in the schedule to the report be written off.

730

Central Administration – Restructure

Councillors received the report of the Customer Services Manager to seek approval of a revised staffing structure of the Central Administration Team.

Resolved: That the revised staffing structure set out in Appendix B of the report be approved

731

Senior Management Structure

Councillors received the report of the Chief Executive setting out recommendations in relation to the proposed review of the senior management structure of the organisation and consequential changes. The report contained new structures for Legal, Democratic and Policy and Performance Services

The Chief Executive reported that a report on the Heads of Service Structure would be submitted to a future meeting

Resolved: That the changes set out in the report be approved and adopted and the Chief Executive be authorised to implement the changes in accordance with the change management policies of the Council.

732

Accommodation

Councillors considered the report of the Chief Executive setting out proposals to undertake minor accommodation works at the Civic Centre to secure improvements in services.

Resolved: That proposed changes be approved and adopted and the Chief Executive be authorised to implement them.

733

NYCC Integrated Services Agreement

Councillors received the report of the Interim Head of Service – Legal and Democratic Services asking them to consider whether to renew the

Integrated Services Agreement with North Yorkshire County Council for a further period of two years.

It was reported that a report on the Countryside Management would be submitted to a future meeting of the Environment Board.

Resolved:

That the agreement be renewed for a further period of two years subject to a review being undertaken of the Countryside Management Service.

The meeting closed at 7: 02 pm.