

## SELBY DISTRICT COUNCIL

### MINUTES

Minutes of the proceedings of a meeting of the Council held on 9 February 2010, in the Civic Suite, the Civic Centre, Portholme Road, Selby, commencing at 6:00pm.

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Present: Councillor I Chilvers (Chairman) in the Chair.

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

Officials: Chief Executive, Deputy Chief Executive, Strategic Director, Head of Service – Finance, Head of Service – Partnerships and Commissioning, Head of Service – Development Services, Head of Service - Housing, Head of Service – Customers and Business Support, Development Policy Manager, Accountancy Services Manager, Media and Corporate Communications Manager and Democratic Services Manager.

Public: 0

Press: 0

Councillor R Sweeting offered opening prayers.

583           **Apologies for Absence**

Apologies for absence were received from Councillors J Cattnach, Mrs S Duckett, W Inness, D Mackay, Mrs C Mackman and Mrs W Nichols.

584           **Disclosure of Interests**

Councillors C Metcalfe and Percival declared personal and prejudicial interests in two planning items (minute 589 refers) and took no part in the confirmation of the minutes to which they referred.

Councillor N Martin declared a personal interest in minute 586 as he was a member of Sherburn-in-Elmet Parish Council.

585           **Minutes**

**Resolved:**

**That the minutes of the proceedings of the meeting of Council held on 15 December 2009 be confirmed as a correct record and signed by the Chairman.**

(Councillor N Martin declared a personal interest in the following matter, minute 586 as he was a member of Sherburn-in-Elmet Parish Council).

586           **Communications**

(i) Sherburn-in-Elmet Parish Council

The Chief Executive submitted a letter from the Clerk to the Parish Council concerning arrangements for the naming of streets on new developments within the village.

Moved by Councillor Packham and seconded by Councillor Thurlow.

That officers be requested to investigate the concerns expressed by the Parish Council and to submit a report setting out proposals to enable communities to be involved in the naming of streets.

Motion lost.

**Resolved:**

**That the letter be noted.**

(ii) Timing of General Election Counts

The Chief Executive reported that he had received an e-mail from  
Council

Councillor Crane, as Leader of the Council, asking about the arrangements for counting the votes after the General Election.

The Chief Executive reported that it was his decision as returning or acting returning officer and gave a detailed explanation why he had chosen to count votes on a Friday.

**Resolved:**

**That the report be noted.**

587 **Public Questions**

None.

588 **Councillors' Questions**

None.

(Councillor B Percival declared a personal and prejudicial interest in the following item, minute 589, in so far as it related to The Cottage, Colton as his family owned land in the area.

Councillor C Metcalfe declared a personal and prejudicial interest in the following item, minute 589, in so far as it related to West Mount, Tadcaster as he was the applicant.

589 **Committee and Board Minutes**

Planning Committee 9 December 2009

The Chair of the Committee reported that the following amendments had been made to minutes of this meeting by the Planning Committee at its meeting on 3 February 2010:-

- The attendance list for 9 December 2009 should include Councillors J Cattanach, B Marshall and S Shaw-Wright;
- Minute 446 should read 'the deletion of Councillor Fagan from the list of councillors present';
- Minute 450 should no longer include the reference to 'Counsel's opinion supports the officer's recommendation to approve';
- Minute 453 should have condition 07 changed to 'Delegated Authority be granted to officers to grant permission, subject to being satisfied that a gas pipeline in the locality does not interfere with the proposed installation of the wind turbine';
- Minute 458 should read 'reported on a recent hearing by the Planning Inspectorate when temporary permission for the gypsy site

at Towton was granted until 2014'.

Councillor Mackman also reported that in his opinion it was not necessary to list the conditions set out in the resolution to minute 453 and he proposed that they should be deleted.

**Resolved:**

**That the minutes as amended by the Planning Committee and as further amended by Councillor Mackman be noted.**

Planning Committee 15 December 2009

The Chair of the Committee reported that the following amendments had been made to minutes of this meeting by the Planning Committee at its meeting on 3 February 2010:-

- Minute 461 should have the word 'one' deleted from the phrase 'within one 1 month' set out in Condition 02;
- Minute 461 should read 'complete' rather than 'completed' in line 5 of Condition 02;
- Minute 461 should read 'maintained' rather than 'retained' in line 5 of Condition 03.

**Resolved:**

**That the minutes be noted.**

Planning Committee 3 February 2010

The Chair of the Committee reported that the following amendments needed making to these minutes:-

- Minute 564 National Planning Guidance PPS3 should refer to Annexe A and not Annexe B;
- Minute 564 should include the words 'habitational needs' after 'meet' in the second paragraph of the section relating to the Public Speaker;
- Minute 565 in the first paragraph 'their' should be substituted for 'there';
- Minute 565 the resolution should include the words 'and further conditions outlined by the officers' after the word 'report'.

**Resolved: That**

- (i) **the minutes as amended be noted and;**
- (ii) **the recommendation set out in minute 560 ( Budget) be considered later in the meeting (minute 590 refers).**

Licensing Committee 7 December 2009

**Resolved:**

**That the minutes be noted.**

Licensing Committee 11 January 2010

**Resolved:**

**That the minutes be noted.**

Economy 12 January 2010

**Resolved: That**

- (i) the minutes be noted and;**
- (ii) the recommendation set out in 504 (Budget) be considered later in the meeting (minute 590 refers).**

Environment Board 21 January 2010

Councillors commented on the efforts made by Contractors' and Council staff to ensure that bin collection had continued despite the bad weather.

**Resolved: That**

- (i) the minutes be noted;**
- (ii) appropriate staff be commended for their work during the recent bad weather and;**
- (iii) the recommendation set out in minute 555 (Budget) be considered later in the meeting (minute 590 refers).**

Social Board 13 January 2010

The Chair of the Board reported that minute 517 (Housing Rents and Miscellaneous Charges ) should have been recorded as a recommendation to Policy and Resources Committee and not Council. It was reported that the matter had been considered by the Policy and Resources Committee at its last meeting.

**Resolved: That**

- (i) the minutes be noted and;**
- (ii) the recommendations set out in minutes 518 (Housing Revenue Budget) and 519 (Budget) be considered later in the meeting (minute 590 refers).**

### Overview and Scrutiny Committee 14 January 2010

A discussion took place on minute 527 (Presentation on Internal Drainage Boards) in particular the imposition of an increased levy of £70,000 on the Council. Councillors who were present at the Committee were of the opinion that the minute did not reflect the discussion which had taken place.

The Chief Executive reported that he had contacted the Department for Environment, Food and Rural Affairs for clarification on proposals to reorganise the local Drainage Boards but had not yet received a detailed reply.

Consideration was given to the appointment of additional members to Drainage Boards.

#### **Resolved: That**

- (i) the minutes, with the exception of minute 527, be noted;**
- (ii) minute 527 be received and referred back to the Overview and Scrutiny Committee for further consideration;**
- (iii) the comments of the Department for Environment, Food and Rural Affairs be circulated to councillors and;**
- (iv) Councillors J Cattanach and K Ellis be appointed to the Ouse and Derwent Internal Drainage Board.**

### Policy and Resources Committee 19 January 2010

#### **Resolved: That**

- (i) the minutes be noted;**
- (ii) the recommendation set out in minute 535 (Budget) be considered later in the meeting (minute 590 refers) and;**
- (iii) the recommendations set out in minute 537 be approved.**

### Selby Community Project – Internal Project Board 3 December 2009

It was reported that the project had received the necessary approvals from the Strategic Health Authority.

#### **Resolved: That**

- (i) the minutes be noted and;**
- (ii) John Grogan MP, the Chief Executive and all staff involved with the project be thanked for their efforts.**

## Budget

The Leader of the Council presented the 2010/2011 budget including a list of bids and savings recommended for approval. Details of the Housing Revenue Account proposals which had been approved by the Social Board were also circulated for approval.

In view of the economic situation and the uncertainty surrounding cuts in public sector spending, he emphasised the need to seek best possible value for money for services provided by the Council. If approved the proposals would mean a below inflation increase in council tax.

The Labour and Independent Group Leaders responded to the budget proposals.

### Resolved: That

- (i) the proposals to use general balances of £44,000 in 2010/2011 to support the revenue budget be approved;
- (ii) the growth bids set out in Appendix A to the presentation be approved;
- (iii) the use of Special Projects Reserve to fund capital growth in 2010/2011 be supported;
- (iv) the savings identified be approved and the surplus they generate be transferred to the General Fund Balances;
- (v) the net revenue budget for the Housing Revenue Account (HRA) of £9.417m to be met from dwelling rents be approved and adopted;
- (vi) £854,000 from HRA balances be used to support the HRA capital programme and;
- (vii) £589,000 from HRA Special Projects Reserve be used to support the HRA capital programme.

## The Move Towards an Executive Structure

The Chief Executive submitted a report setting out proposals for the next stage of a process to facilitate the move to an executive structure by May 2011.

Details of the legislation and the options available to the Council were set out in the report together with details of proposed consultation arrangements.

Councillors were asked to consider the possible reduction in the size of the Council's membership.

### Resolved: That

- (i) the timetable for securing a decision for a move to an  
Council

9 February 2010

- executive at the October 2010 meeting of Council be approved;
- (ii) the timetable and form of consultation included in the report be approved;
  - (iii) the division of functions between Council and Executive as outlined in the report be approved;
  - (iv) the Leader and Cabinet Executive (England) model be adopted as the preferred option and
  - (v) the potential reduction in the size of the membership of the Council be included as part of the consultation process.

592 **Schedule of Meetings 2010/11**

The Chief Executive submitted the proposed Schedule of Meetings for 2010/11 for Councillors' approval.

**Resolved:**

**That the schedule of meeting now submitted be approved.**

593 **Nominations for Chairman and Vice-Chairman**

**Resolved:**

**That Councillor K Ellis and Councillor Mrs K McSherry be nominated to the offices of Chairman and Vice Chairman Elect respectively for the 2010/2011 Municipal Year.**

594 **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 was 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.**

595 **PRIVATE SESSION**

**Resolved:**

**That in accordance with Section 100(A)(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business, as there will be a disclosure of exempt**



information as defined in paragraph 3 of Section 12(A) of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006.

596

### **Gypsy, Travellers and Show People Accommodation Requirements**

The Strategic Director submitted a report setting out the Council's responsibilities towards gypsies, travellers and show people and made recommendations as to how these responsibilities could be met.

#### **Resolved: That**

- (i) the Council leads in the delivery of additional facilities for the travelling community;**
- (ii) officers be authorised to submit a bid for funding to the North Yorkshire Strategic Housing Board as outlined in paragraph 4.13 of the report;**
- (iii) officers be authorised to appoint consultants to carry out consultations with the travelling community as outlined in paragraph 4.15 of the report and**
- (iv) the procedure for determining planning applications and the brief for the consultants as outlined in the report be noted.**

597

### **Urgent Action**

The Chief Executive reported on the terms of a settlement which had been reached with a firm of contractors.

#### **Resolved : That**

- (i) the action taken by the Chief Executive be approved and;**
- (ii) the negotiating team be congratulated on their efforts.**

The meeting closed at 8.58pm