

MISSION STATEMENT

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

Please ask for: Glenn Shelley
Direct Dial No: 01757 292007
Fax No: 01757 292020
E-mail gshelley@selby.gov.uk

28 March 2011

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 5 April 2011** commencing at **5.00 pm**.

Please note the 5.00pm start time.

Yours sincerely

Martin Connor
Chief Executive

Opening Prayers will be offered.

AGENDA

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 meeting of Council held on 1 March 2011 (pages 5 to 14 attached).

4. **Presentation from the North Yorkshire Credit Union**

To receive a presentation from the North Yorkshire Credit Union.

5. **Communications**

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

6. **Public Questions**

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

7. **Councillors' Questions**

In accordance with rule 5.21 of the Constitution Councillor J McCartney has given notice of the following questions:

A. Question to the Leader of the Council

Do you regret the decision to make the consultation on the Site Allocations Development Plan Document (SADPD) an electronic exercise, only available to those citizens who have access to the Internet? To effectively disenfranchise the 40% of the population who do not have the internet?

Do you also regret the incompetent way that the consultation has been handled? Stating that the Council was looking for 10 Gypsy + Traveller sites, electronic consultation only, far too many completely unrealistic sites in the document, sites included in the document without the owner's permission and no attempt to involve the communities most affected by the plan. This led to the shambles of Parish Councils and individuals desperately calling urgent meetings with residents to explain and discuss the proposals before the deadline of 21 March, and then the humiliation of Selby District Council having to extend the deadline?

And will you take the opportunity today to apologise to those citizens of the Selby District who have become anxious, upset or simply enraged by the proposals and by the incompetent way that the entire process has been handled?

B. Question to the Leader of the Council

As the Leader of the Council you have, on a number of occasions in this chamber, expressed your support for the Barlow Common Nature Reserve and given commitments about its future. Now that we know that the two dedicated members of staff primarily responsible for turning this once railway tip into a site worthy of national recognition as a Local Nature Reserve are to be sacked, would you agree that your previous words of support were just that, words?

8. Committee and Board Minutes

Planning Committee 9 March 2011	Green	Minutes 592 to 607 Pages 15 to 21 attached
Licensing Committee 7 March 2011	Cream	Minutes 578 to 591 Pages 22 to 27 attached
Licensing Committee 4 April 2011 – TO FOLLOW		Minutes Pages
Social Board 22 March 2011	Yellow	Minutes 608 to 615 Pages 28 to 31 attached
Audit Panel – TO FOLLOW 29 March 2011	White	Minutes Pages
Overview and Scrutiny 31 March 2011 – TO FOLLOW	Peach	Minutes Pages
Policy and Resources Committee 24 March 2011 – TO FOLLOW	Gold	Minutes Pages

Selby Community Project –
Internal Project Board
3 March 2011

Minutes 1 to 8
Pages 32 to 34 attached

Working Towards Tomorrow –
Working Group

11 March 2011

Minutes 1 to 5
Pages 35 to 38 attached

31 March 2011 – **TO FOLLOW**

Minutes
Pages

9. **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.

10. **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.

**COUNCILLORS ARE REMINDED TO UPDATE THE REGISTER OF
INTERESTS AFTER ANY CHANGE IN CIRCUMSTANCES WHICH MAY
AFFECT CURRENT ENTRIES**

SELBY DISTRICT COUNCIL

MINUTES

Minutes of the proceedings of a meeting of the Council held on 1 March 2011,
the Civic Centre, Portholme Road, Selby,
commencing at 6:00 pm.

558	Apologies for Absence
559	Disclosure of Interests
560	Minutes
561	Communications
562	Public Questions
563	Councillors' Questions
564	Committee and Board Minutes
565	Prudential Borrowing Indicators
566	Budget, Reserves and Balances
567	Council Tax
568	Changes to the Constitution
569	Schedule of Meetings 2011/12
570	Nominations for Chairman and Vice-Chairman
571	Urgent Action
572	Sealing of Documents
573	Private Session
574	Committee and Board Minutes
575	SDV Structure, Business Plan and Specification
576	Public Session
577	Shadow Revenue Budget 2011/12

Present: Councillor K Ellis, (Chairman) in the Chair

Councillors: Mrs E Casling, J Cattanach, I Chilvers, M Crane, Mrs D Davies, Mrs M Davis, J Deans, Mrs S Duckett, Mrs J Dyson, Mrs C Goodall, Mrs M Hulme, W Inness, Mrs G Ivey, M Jordan, C Lunn, Mrs C Mackman, J Mackman, B Marshall, N Martin, Mrs K McSherry, Mrs W Nichols, I Nutt, R Packham, C Pearson, A Pound, Mrs S Ryder, S Shaw-Wright, Mrs A Spetch, R Sweeting and A Thurlow.

Officials: Chief Executive, Deputy Chief Executive, Head of Service – Finance, Head of Service – Development Services, Head Service Customers and Business Support, Head of Service Partnerships and Commissioning, Head of Service Housing and Property, Solicitor to the Council, Media and Corporate Communications Manager and Democratic Services Manager.

Public: 0

Press: 1

Revered Chris Wilton gave opening prayers.

558 **Apologies for Absence**

Apologies for absence were received from Councillors D Fagan, D N Mackay, Mrs P Mackay, J McCartney, Mrs M McCartney, C Metcalfe, Mrs E Metcalfe, B Percival, R Sayner, Mrs D White.

559 **Disclosure of Interest**

None were disclosed.

560 **Minutes**

Resolved:

That the minutes of the proceedings of the meetings of Council held on 21 December 2010 and 15 February 2011 be confirmed as a correct record and signed by the Chairman.

561 **Communications**

i) Saxton Flood Defence Committee

The Chief Executive reported a letter received from the Saxton Flood Defence Committee. The letter asked the Council to undertake ground works to increase flood protection to two Council owned properties on Saxton Lane.

The Council acknowledged the flooding issues and gave an undertaking to work with neighbouring property owners to develop an effective approach to lowering the flood risk to the properties.

Resolved:

That the Council works with neighbouring property owners to reduce the flood risk.

ii) Saxton Flood Defence Committee

The Chief Executive reported a second letter received from the Saxton Flood Defence Committee regarding Quarry Bridge. The letter asked the Council, due to the absence of an Internal Drainage Board, to use its discretionary powers to ensure the bridge no longer restricted the flow of water out of the village.

The Council felt that, rather than use its discretionary powers, it would

support the Committee in its work to get the land owner to undertake its responsibilities toward reducing flood risk.

Resolved:

That the Council supports the Committee in its work to get the land owner to undertake its responsibilities toward reducing flood risk.

iii) Selby District Scout Council

The Chief Executive reported a letter from Selby District Scouts, the letter invited all District Councillors to attend the Scout's St George's Day Service at Selby Abbey on Sunday 17 April 2011.

Resolved:

That the letter be noted.

iv) Selby Abbey

The Chairman reported an invitation he had received to a Collation and Induction event being held at Selby Abbey. All councillors were invited to the event, however the date and time clashed with the Council meeting on the 5 April. Councillors agreed that the meeting of Council on April 5 would commence earlier, at 5pm.

Resolved: That;

- i) **That the invite be noted;**
- ii) **That the meeting of Council on 5 April 2011 commence at 5pm.**

562 **Public Questions**

None received.

563 **Councillors' Questions**

None received.

Committee and Board Minutes

Planning Committee – 15 December 2010

Resolved:

That the minutes be noted.

Planning Committee – 12 January 2011

Resolved: That;

- i) The minutes be noted;**
- ii) The recommendation at minute 488 (General Fund Budget Estimates, Revenue and Capital Bids 2011/12 -2013/14) be approved.**

Planning Committee – 9 February 2011

Resolved:

That the minutes be noted.

Licensing Committee – 10 January 2011

Resolved:

That the minutes be noted.

Licensing Committee – 7 February 2011

Resolved:

That the minutes be noted.

Economy Board – 18 January 2011

Resolved: That;

- i) That the minutes be noted;**
- ii) The recommendations at minute 498 (General Fund Budget Estimates, Revenue and Capital Bids 2011/12 -2013/14) be approved.**

Environment Board – 20 January 2011

Councillor Packham asked a question regarding an item discussed in private session at the Environment Board. The question would be

responded to in private session.

Resolved: That;

- i) The minutes be noted;**
- ii) The recommendation at minute 503 (General Fund Budget Estimates 2011/12 -2013/14) be approved.**

Social Board – 4 January 2011

Resolved: That;

- i) The minutes be noted;**
- ii) The recommendation at minute 472 (General Fund Budget Estimates, Revenue and Capital Bids 2011/12 -2013/14) be approved.**

Overview and Scrutiny – 10 February 2011

Councillor Cattanach highlighted that Councillor R Saynor was not present at the meeting and her name should be removed from the list of those present. He also highlighted that at minute 551, the acronym Police And Criminal Evidence (PACE) Act should have been recorded as such.

Resolved:

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

Policy and Resources Committee – 1 February 2011

Councillor Casling stated that she had attended the meeting. Councillor Crane stated the title of minute 518 should be recorded as Housing Rents 2011/12. Councillor Mackman stated that the third part of the resolution of item 523 (referrals from other Boards and Committees) should be recorded as set out below:

- iii) Enterprise implement and manage a full review of the management of the recyclates to maximise efficiency and income generation to mitigate any additional costs (as outlined in Option 3 Appendix 1) to achieve an overall increase in net income as set out in the report.**

Resolved: That;

- i) Subject to the above amendments, the minutes be noted;**
- ii) The recommendation at minute 518 (Housing Rents 2011/12) and minute 519 (General Fund Estimates) be approved.**

Working Towards Tomorrow – Working Group – 17 December 2011

Resolved:

That the minutes be noted.

Working Towards Tomorrow – Working Group – 27 January 2011

Resolved: That;

- i) The minutes be noted;**
- ii) The recommendation at minute 2 (SDV Governance) be approved.**

Working Towards Tomorrow – Working Group – 17 February 2011

Resolved: That;

- i) That the minutes be noted.**
- ii) That the recommendations at minute 4 (SDV Governance – follow up) and minute 6 (SDV Structure, Business Plan and Specification) be approved.**

Remuneration Panel Task and Finish Group – 20 January 2011

Resolved:

- i) That the minutes be noted.**
- ii) That the recommendation at minute 2 (Councillor Allowance Scheme) be approved.**

565

Prudential Borrowing Indicators 2011/12

The Head of Service – Finance presented the report which provided 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 amendment to the 2010/11 Authorised Limit for external debt to £23,000,000 and the Operational Limit at £19,000,000 for 2010/11 be approved;**
- iii) The Authorised Limit for external debt at £23,000,000 and the Operational Limit at £19,000,000 for 2011/12;**

- iv) **Delegated authority be given to the Head of Service - Finance to effect movement within the agreed authorised boundary limits for long-term borrowing for 2011/12 onwards;**
- v) **Delegated authority be given to the Head of Service - Finance to effect movement within the agreed operational boundary limits for long-term borrowing for 2011/2012 onwards.**

566

Budget, Reserves and Balances

Councillors received the report of the Head of Service - Finance 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 4.4 and 4.12 of the report be taken into account when setting the Council Tax (see minute 567 below).

567

Council Tax 2011/12

Councillors received the report of the Head of Service – Finance which set out the information necessary to enable the 2011/2012 Council Tax to be determined.

Resolved: That;

- i) **The information contained in Appendix E of the report in relation to the Council Tax for 2011/2012 be noted;**
- ii) **The values contained in Appendices A to D and Schedule C of the report in relation to the Council Tax for 2011/2012 be approved;**
- iii) **Having calculated the aggregate in each case of the amounts at Schedule B and Appendix E 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 2011/2012 for each of the categories of dwellings shown at Schedule C of the report.**

568

Changes to the Constitution

The Deputy Chief Executive presented the report to advise Council of the need to change some elements of the Council's "Leader and Executive" model Constitution to reflect the new service delivery structure.

The report explained the types of changes which would be necessary and requested authority to make them.

Resolved: That;

- i) **The report be noted;**
- ii) **The Chief Executive be authorised, subject to the Council approving the new structures, to make the necessary changes to the new Constitution as set out in paragraphs 4.7, 4.12, 4.13 and 4.16.**

569

Schedule of Meetings 2011/12

The Chief Executive submitted the proposed Schedule of Meetings for 2011/12 for councillors' approval.

Councillors discussed the proposed schedule and asked that the Western Community Engagement Forum scheduled for 10 May 2011 be removed from the calendar.

Resolved:

That, subject to the above amendment, the schedule of meetings be approved.

570

Nominations for Chairman and Vice Chairman

Resolved: That;

- i) **Councillor Mrs K McSherry be nominated to the office of Chairman Elect for the 2011/2012 Municipal Year;**
- ii) **A nomination for the Vice Chairman be reserved to be received following the District Elections in May 2011.**

571

Urgent Action

The Chief Executive reported that it had not been necessary to take any urgent action since the last meeting of the Council.

572

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.

573 **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 3 and 4 of Section 12(A) of the Act, as amended by the Local Government (Access to Information) (Variation) Order 2006.

574 **Committee and Board Minutes**

Environment Board – 20 January 2011

Councillor Packham asked a question regarding the Waste and Recycling Review item from Environment Board on 20 January 2011 and the costs incurred by a service provider. Councillor Jordan gave a response.

Resolved:

That the response be noted.

575 **Service Delivery Vehicle (SDV) Structure, Business Plan and Specification**

The Chief Executive presented the report which set out the proposed structure of the SDV, its business plan and performance specification for consideration and adoption.

The Chief Executive reported that the Council had agreed to adopt a revised Service Delivery Model on 9 November 2010. Since that time officers had been working hard to develop the detail of the model.

Councillors debated the report at length, acknowledging the difficult decisions, in particular with regard to staff reductions, which had to be made as a result of the reduction in government grants.

The Chief Executive indicated that the Core would comprise the three statutory officers, democratic services and a small team to manage corporate commissioning, policy and performance, the Third Sector Organisation (TSO) would comprise a number of officers, including a Head of Service who would be seconded to develop the model and help build capacity and confidence, Both the Core and the TSO were integral to the

success of the model.

Recruitment would be built upon a framework of core competences which were a further development of the competency framework which had been part of the Council's recruitment and development systems for some time.

Following approval by Council the proposed structures would be subject to consultation with staff for 30 days and the proposed changes to terms and conditions would be subject to a concurrent 90 day consultation period. The Chief Executive act under delegated authority to incorporate any changes arising from the consultation period within the agreed budgets for the Core, SDV and TSO.

The Chief Executive acknowledged councillors' concerns around the capacity of the TSO to meet the demands required by the model and responded to a number of questions about TUPE and continuous service, the balance scorecard, the use of fixed salary points, pensions, job evaluation and pay equality, and remuneration for SDV Board Members.

Resolved:

That the Council adopts the structure, business plan and specification for the SDV as an initial starting point for the financial year commencing 1 April 2011.

576

Public Session

Resolved:

That the meeting return to public session.

577

Shadow Revenue Budget 2011/12

The Head of Service – Finance presented a report which outlined the high level shadow revenue budgets for the Council under the new service delivery model.

Resolved:

That the shadow revenue budgets be approved.

The meeting closed at 8.55pm

SELBY DISTRICT COUNCIL

MINUTES

Minutes of the proceedings of a meeting of the Planning Committee held on Wednesday 9 March 2011, in Committee Rooms 1& 2, The Civic Centre, Portholme Road, Selby, commencing at 4.00pm.

592	Apologies for Absence
593	Disclosure of Interest
594	Minutes
595	Chair's Address to the Planning Committee
596	Performance Indicator Exceptions Report – April 2010 – January 2011
597	Budget Exceptions to 31 December 2010
598	Planning Application 2009/0747/FUL – Papyrus Works, Newton Kyme
599	Planning Application 2011/0044/FUL – Tesco Express, Doncaster Rd, Selby
600	Planning Application 2010/1245/FUL – Kimberley, Went Edge Road, Kirk Smeaton
601	Planning Application 2010/1253/FUL – Mrs Watson, Lumby Court, Lumby
602	Planning Application 2010/1206/FUL – Mr Atkinson, Escrick Road, Stillingfleet
603	Planning Application 2010/1219/HPA – Hemwood House, Hemingbrough
604	Planning Application 2010/1244/FUL - Hollicarrs Holiday Park, Escrick
605	Planning Application 2011/0050/COU – 47 Brook Street, Selby
606	Planning Application 2010/1176/FUL – 13 Finkle Street, Selby
607	Planning Appeals Decisions

Present: Councillor J Deans in the Chair

Councillors: J Cattanach, I Chilvers, Mrs D Davies, Mrs C Goodall, D Mackay, J McCartney, C Pearson, R Sweeting (substitute W Inness) and S Shaw-Wright.

Officials: Head of Service – Development Services, Manager of Development Management, Solicitor to the Council, Principal Planning Officer, Senior Planning Officer, Planning Officers, Committee Services Officer, Public Speaking Officer.

Also in Attendance: Public Speakers: Malcolm Sizer and Jenny Hubbard

Public: 16

Press: 0

592 Apologies for Absence and Notice of Substitution

Apologies were received from Councillors Mrs E Metcalfe, W Inness and Mrs S Ryder.

Substitute Councillor was R Sweeting (sub for W Inness).

593 **Disclosure of Interest**

Councillor J Deans declared a Personal and Prejudicial Interest for Agenda Item 603 (Hemwood House, Hemingbrough) as he had, as local member, requested the application go to committee and had submitted reasons for its approval.

594 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Planning Committee held on Wednesday 9 February 2011 be confirmed as a correct record and be signed by the Chair.

595 **Chair's Address to the Planning Committee**

Olympia Park Strategic Site

The promoters for the proposed Olympia Park development met last week with officers at an event facilitated by ATLAS. This area is identified as a strategic site in the emerging Core Strategy and will be important for the future development of Selby and the wider district.

The aim is for both parties to enter into a Planning Performance Agreement to provide a project management framework for handling the major applications expected on this site.

This is part of the Planning Services' efforts to develop better relationships with those bringing forward key proposals and develop a culture of partnership working. The planning applications are unlikely to be submitted before the Core Strategy is completed later this year. Until then the aim is to keep Councillors informed on progress and this is likely to include interim Planning Committee reports setting out the key issues that have emerged for information.

596 **Performance Indicator Exceptions Report – April 2010 – January 2011**

The Head of Service – Development Services presented the report giving Councillors details of the Performance Indicators where exceptions were recorded.

Resolved:

That the report be noted.

597

Budget Exceptions to 31 December 2010

The Head of Service – Development Services presented the report and highlighted the salient features.

Resolved:

That the report be noted.

598

Planning Applications Received

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

Application: 2009/0747/FUL

Location: Papyrus Works, Newton Kyme

Proposal: Proposed residential development of 140 dwellings with associated landscaping, public open space, footpath/cycle route and parking and erection of 14 No employment units at former Papyrus Works.

A late submission had been received from Cunnane and officers had not had time to consider the submission. Therefore Planning Committee were asked to adjourn the meeting until the following day. After debate it was suggested that the application be deferred until the 6 April meeting.

Resolved:

That the application be DEFERRED to allow officers to consider the late submission received.

599

Application: 2011/0044/FUL

Location: Tesco Stores Ltd, Doncaster Road, Selby

Proposal: Section 73 application for variation to condition 24 of approval 2008/0555/FUL to allow deliveries to the site to take place between the hours of 7.00am and 6.00pm Monday to Friday, 8.00am and 12 noon on Saturdays and 10.00am and 2.00pm on Sundays and Bank Holidays, with the exception of newspaper deliveries.

The applicant submitted further noise information after the publication of the agenda, therefore, it was requested to defer the application to allow sufficient time for officers to consider the extra information, to the next meeting on the 6 April 2011.

Resolved:

That the application be DEFERRED to allow the Environmental Health Officer to consider the additional information submitted by the applicant.

600

Application: 2010/1245/FUL

Location: Kimberley, Went Edge Road, Kirk Smeaton

Proposal: Conservation area consent for demolition of existing bungalow and planning permission for the erection of a replacement dwelling

The Planning Officer reported that the site currently comprises of a large detached bungalow with an integral garage which was built around 1969 and is not in keeping with its surroundings in terms of its design, appearance and materials.

Mr Sizer (objector) circulated photo montages of the proposed development however, officers advised the Committee that the accuracy of these could not be verified.

Public Speaker – Malcolm Sizer

- Local residents are against this application
- Proposed new build is three times larger than the existing building
- Currently inconspicuous on the streetscene, new development a major impact on the streetscene
- House to the rear is 1 metre lower than the proposed dwelling
- General impact unacceptable on the environment
- Concerns for neighbours amenity
- Main area of concern is to the conservation and Green Belt area of the site

Resolved:

That the application be REFUSED for the reasons listed below:

- i) Overlooking and loss of amenity**
- ii) Over-development of the site**
- iii) Intrusion into the Green Belt / loss of Green Belt**

601

Application: 2010/1253/FUL

Location: Mrs Watson, Lumby Court, Lumby

Proposal: Proposed detached dwelling to replace an existing outbuilding

The Planning Officer reported that the site and the number of previous consents issued for the site. The site is within the development limits of the village of Lumby and is also situated within a locally important Landscape Area and is washed over in Green Belt. The site is accessed via an existing gated track off Butts Lane, serving Lumby Court.

Resolved:

That the application be APPROVED subject to the conditions in the report and circulated officers update report.

602

Application: Mr Atkinson, Escrick Road, Stillingfleet

Location: 2010/1206/FUL

Proposal: Conversion of disused, semi submerged, water storage reservoir to form a single storey 4 bedroom zero carbon dwelling with associated works including new access on land adjacent to Viewlands.

The Planning Officer reported that the application had been brought before Planning Committee as it is considered to be locally controversial as a result of neighbour objections and objections from statutory consultees.

Resolved:

That the application be REFUSED for the reasons in the officers report and update report.

603

Application: 2010/1219/HPA

Location: Hemwood House, Hemingbrough

Proposal: Two storey and a single storey extension and alterations to the existing dwelling and a new brick skin to existing dwelling

The Chair, Councillor J Deans, left the meeting. Vice Chair, Councillor Pearson, Chaired the meeting for agenda item 603.

The Planning Officer reported that planning permission is sought for the erection of a two storey extension to the side elevation and a single storey extension to the rear of the applicant's property.

Resolved:

That the application be REFUSED for the reasons in the officers report and update report.

Councillor Deans returned to the meeting and resumed the Chair.

Application: 2010/1244/FUL**Location: Hollicarrs Holiday Park, Riccall Road, Escrick****Proposal: Farm Shop and Café with associated parking and servicing, amenity and surface water attenuation drainage ponds, children's play area, farming pens and amenity planting**

The Planning Officer reported that a letter had been received from the Environment Agency with no objections to the application however they requested that an extra condition be attached requiring the development to be constructed in accordance with the flood risk assessment received.

Councillor Cattanach asked for confirmation that correspondence had been received from Escrick Parish Council noting any objections or approval. The Planning Committee adjourned for five minutes whilst the Planning Officer checked that no objections had been received. The Planning Officer returned and confirmed that no objection from the Parish Council had been received.

Public Speaker – Jenny Hubbard

- It had not been possible to develop the original site however the applicant wishes to develop a farm shop
- Possibility to capture trade from people staying at the Holiday Park
- Encourage the public to use farm shop produce
- Grant made available for a scheme which is subject to planning permission
- If signage to site is required the applicant is happy to source signage and contact NYCC Highways

Resolved: That;

- i) **The application be APPROVED subject to the conditions in the officers report and update report; and**
- ii) **Subject to an informative requesting that the applicant approach North Yorkshire County Council Highways Section for a Brown Tourist Sign**

Councillor McCartney left the meeting at 5.20pm.

605

Application: 2011/0050/COU
Location: 47 Brook Street, Selby
Proposal: Change of class use from an A1 shop to an A5 hot food takeaway

The Planning Officer reported that permission is sought for the change of use of the ground floor of the building from Shop (A1) to a Hot Food Takeaway (A5). This application had been put before Planning Committee in December and was refused and that the current application was a resubmission of the previously refused application. Measures were proposed to militate against odour and smell however they were not considered to be acceptable due to the location of the property so close to neighbouring properties

Resolved:

That the application be REFUSED for the reasons given in the officers report.

606

Application: 2010/1176/FUI
Location: 13 Finkle Street, Selby
Proposal: Change of use of ground floor shop (A1) to property letting office (A2), refurbishment works including new shop front and internal works to the existing 3 storey terraced building, new timber windows with double glazed units, repairs to existing brickwork, roof and chimney

The Planning Officer reported that the applicant is seeking permission for change of use of ground floor shop (A1) to property letting office (A2), refurbishment works. The property is also adjoined to a grade II listed building.

Resolved:

That the application be APPROVED subject to the conditions in the officers report.

607

Planning Appeals Decisions

The report was noted.

The meeting closed at 5.25pm.

SELBY DISTRICT COUNCIL

Minutes of the proceedings of a meeting of the Licensing Committee held on Monday 7 March 2011, in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 10.00 am.

MINUTES

578	Apologies for Absence and Notice of Substitution
579	Disclosure of Interest
580	Minutes
581	Procedure
582	Chair's Address to the Licensing Committee
583	Discreet Licensing Issue
584	Private Session
585	Private Hire Application and Discreet Licensing Issue
586	Application for a Private Hire Drivers Licence
587	Complaint About Behaviour of Licensed Hackney Carriage Driver
588	Issue Concerning Behaviour of Licensed Hackney Carriage Driver
589	Issue Concerning a Private Hire Driver in Connection with the Conditions of his Private Hire Vehicle
590	Issue Concerning Behaviour of Licensed Private Hire Driver
591	AOB

Present: Councillor R Sayner in the Chair

Councillors: Mrs J Dyson, Mrs D Duckett, Mrs B Marshall, Mrs P Mackay, Mrs K McSherry, Mrs S Ryder, Mrs C Mackman (*substitute for K Ellis*) and Mrs D White.

Officials: Licensing Enforcement Officer, Senior Solicitor and Overview & Scrutiny Coordinator.

578 **Apologies for Absence and Substitution**

Apologies were received from Councillor K Ellis

Substitute Councillors were Mrs C Mackman (*for K Ellis*)

579 **Disclosure of Interest**

There were none.

580 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Licensing Committee held on 7 February 2011 be confirmed as a correct record and be signed by the Chair.

581 **Procedure**

The Procedure was noted.

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

The Committee were informed that due to unforeseen personal circumstances the Hackney Carriage Driver in question for agenda item 13 (Complaint about behaviour of Licensed Hackney Carriage Driver) was unable to attend today's meeting and the item would be deferred until the next Licensing Committee meeting on 4 April 2011.

583 **Discreet Licensing Issue**

Councillors received the report of the Licensing Enforcement Officer which informed the Licensing Committee of the applicant's desire to be granted a Private Hire Vehicle licence; the nature of which is discreet in manner.

Councillors were recommended to consider whether to approve the issue of a Private Hire Vehicle licence in the form of a disc identifying a VW Transporter Shuttle motor vehicle as a Private Hire Vehicle.

Resolved:

That the Licensing Committee approve to issue a Private Hire Vehicle licence in the form of a disc, discreet in manner.

584 **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.

585 **Private Hire Application and Discreet Licensing Issue**

Councillors received the report of the Licensing Enforcement Officer which brought to the Licensing Committee's attention the applicants desire to be issued with a Private Hire Drivers Licence and, in addition, to seek a decision regarding the approval of the grant of a Private Hire Vehicle licence, the nature of which, be discreet in manner.

Councillors were recommended to consider, after hearing the facts, whether or not the applicant is a fit and proper person, to be issued with a Private Hire Drivers Licence; and to approve the issue of a Private Hire Vehicle licence in the form of a disc identifying a BMW long wheel-base 7 series motor vehicle as a Private Hire Vehicle.

Resolved: That;

- **The applicant be issued with a Private Hire Drivers Licence; and**
- **The Licensing Committee approve to issue a Private Hire Vehicle licence in the form of a disc, discreet in manner.**

586

Application for a Private Hire Drivers Licence

Councillors received the report of the Licensing Enforcement Officer seeking a decision from the committee regarding the conduct of the driver, in connection with using a mobile telephone whilst operating as a licensed Private Hire Driver.

The driver gave an explanation of the circumstances surrounding the incidents which had led to his attendance before the Licensing Committee. He answered councillors' questions.

The Licensing Enforcement Officer was questioned by the Committee on the issue that there is currently no requirement within the conditions for Hackney Carriage and Private Hire Drivers to formally report simple police cautions or fixed penalty notices imposed upon them. It was agreed the issue would be picked up and discussed at more length after the scheduled agenda items.

Councillors were recommended to consider whether or not the Private Hire Driver is a fit and proper person, being a requirement to be licensed to drive a Private Hire Vehicle within Selby District.

Resolved:

That the Private Hire Driver be issued with a written warning regarding his use of a mobile telephone whilst operating his Private Hire Vehicle and warning will remain on his record for 24 months.

587

Complaint About Behaviour of Licensed Hackney Carriage Driver

Councillors received the report of the Licensing Enforcement Officer seeking a decision from the committee regarding the conduct of the Driver in connection with his driving a Hackney Carriage at excess speed.

The driver gave an explanation of the circumstances surrounding the incidents which had led to his attendance before the Licensing Committee. He answered councillor's questions.

Councillors were recommended to consider whether or not the Driver is a fit and proper person, being a requirement to be licensed to drive a Hackney Carriage within Selby District.

Resolved: That;

- **The driver be issued with a final written warning that will remain on his record for 24 months; and**
- **The driver be informed that if he appears before the Licensing Committee in an adverse capacity within that time his licence to operate would be placed at risk.**

588

Issue Concerning Behaviour of Licensed Private Hire Driver

Councillors received the report of the Licensing Enforcement Officer seeking a decision from the Licensing Committee regarding a licensed Private Hire driver as a consequence of his Private Hire Vehicle being served with a Prohibition Notice owing to the condition of a tyre, following an inspection during an enforcement exercise.

The driver gave an explanation of the circumstances surrounding the incidents which had led to his attendance before the Licensing Committee. He answered councillor's questions.

Councillors were recommended to consider whether or not the Private Hire Driver is a fit and proper person, being a requirement to be licensed to drive a Private Hire vehicle within Selby District.

Resolved:

That the driver be issued with a written warning regarding the condition of his vehicle, to remain on his file for 12 months.

589

Issue Concerning a Hackney Carriage Driver application

Councillors received the report of the Licensing Enforcement Officer bringing the Committees attention the applicants desire to be issued with a Hackney Carriage Drivers Licence.

The applicant gave an explanation of both the circumstances surrounding his desire to be a Hackney Carriage Driver and a previous criminal conviction. He then answered councillor's questions.

Councillors were recommended to consider, after hearing the facts, whether or not the applicant is a fit and proper person to be issued with a Hackney Carriage Driver's Licence.

Resolved:

That the applicant be refused a Hackney Carriage Drivers licence in compliance with the District Council's guidelines relating to the relevance of convictions.

590

Issue Concerning Behaviour of Licensed Hackney Carriage Driver

This item was deferred until the next meeting of the Licensing Committee on 4 April 2011.

591

Any Other Business

The Committee returned to the issue raised in connection with conditions attached to licences issued to Hackney Carriage and Private Hire Vehicles. Accordingly it was decided to amend the conditions to both licences.

Recommendation to the Policy & Resources Committee:

That an amendment be made to the conditions attached to licences issued to Hackney Carriage and Private Hire Vehicle Drivers as follows:

SCHEDULE OF CONDITIONS ATTACHED TO A PRIVATE HIRE DRIVER'S LICENCE

2. The driver shall give written notice to the Council as soon as reasonably practicable and in every case within 3 days, of any conviction, simple police caution or fixed penalty notice recorded against him/her.

**SCHEDULE OF CONDITIONS ATTACHED TO A HACKNEY
CARRIAGE DRIVER'S LICENCE**

4. The driver shall within three days supply to the Council written details of:

ii) any conviction, simple police caution or fixed penalty notice recorded against himself/herself.

The meeting closed at 11:45am.

SELBY DISTRICT COUNCIL

MINUTES

Minutes of the proceedings of a meeting of the Social Board held on 22 March 2011 in Committee Room 2, The Civic Centre, Portholme Road, Selby, commencing at 5.00pm.

608	Apologies for absence
609	Disclosure of interests
610	Minutes
611	Chair's Address to the Social Board
612	Selby District Community Safety Partnership Plan Development 2011-14
613	Budget Exception Report – Quarter 3 2010/11
614	Performance Management monitoring Report
615	Decent Homes Review

Present: Councillor Mrs C Mackman the Chair

Councillors: I Chilvers, Mrs J Dyson, (sub D Mackay), K Ellis, Mrs C Goodall, M Jordan, (sub Mrs G Ivey), C Lunn, Mrs M McCartney, Mrs W Nichols and A Pound .

Officials: Head of Service Finance, Community Safety Partnership Manager, Property Services Manager and Committee Services Officer.

Observers: 0

Public: 1

Press: 0

608 **Apologies for Absence and Substitution**

Apologies were received from Councillors Mrs G Ivey (substitute M Jordan), D Mackay (substitute Mrs J Dyson) and Mrs M Davis.

609 **Disclosures of Interest**

None.

610 **Minutes**

Resolved:

That the minutes of the proceedings of the meeting of the Social Board held on 4 January 2011 be confirmed as a correct record and be signed by the Chair.

Chair's Address to the Social Board

On behalf of Councillor Ivey the Chair, Councillor C Mackman, thanked everyone for their hard work and input into Social Board. There had been some good debates and lots of work carried out by the Board over the last four years. The Chair had a long list from which a few highlighted items were read out as follows:

2007 and 2008

- Grants to Daisy Chain to support the Council's Homelessness Prevention Work.

2008

- Big Lottery Fund announced it was awarding SDC with £200,000 to implement a portfolio of 5 play projects across the district.
- Mon£y 4 U – 56 local youth groups received funding.
- The Selby District Community Safety Partnership Plan 2008 –2011 was adopted. A report later on the agenda shows the important work that has been carried out.
- Further low level life line services agreed top complement system approved by Social Board.

2009

- Mortgage Rescue Scheme – approved.
- Update on Abbey Leisure Centre and the move to Wigan Leisure and Cultural Trust. This was a major project and special thanks must be given to Councillor Ivey and Councillor Pound for all the work they put into this project.

2010

- Resolution passed for a Byelaw to stop urinating in the streets.
- Appleton Roebuck – 10 affordable homes scheme approved plus a new two bedroom bungalow for the Council.
- The Community Centre Review was completed.

The Chair also thanked Dave Maycock and his team for all their work on

the Decent Homes Project over the last four years, bringing the project in on time and with high satisfaction levels.

612 **Selby District Community Safety Partnership Plan Development 2011-14**

Community Safety Partnership (CSP) Plan Update

The Community Safety Partnership Manager updated Councillors on the development of the Selby District Community Safety Partnership Plan 2011-14.

There will be a new Partnership Board Plan and a Police and Crime Manager will be appointed. There has been financial support given to Night Marshalls for a further 3 years, 2011 – 14. A Performance Grant from the Home Office has been achieved. An ID for Youth badge has been developed and young people in the district can take the badge into pubs, clubs, buses, cinemas and they no longer have to carry around their passports or driving licenses. This is an initiative of Selby and accredited.

Work will continue in working in Partnership with the district Community Engagement Forums.

Resolved:

That the report be noted.

The CSP Manager left the meeting.

613 **Budget Exception Report – Quarter 3 2010/11**

A report was submitted, by the Head of Service – Finance to update Councillors with details of budget exceptions for the 2010/11 financial year to 31 December 2010.

Resolved: That;

- i) Councillors endorsed the actions of officers and noted the report**
- ii) The Social Board budgets be adjusted to reflect the savings expected to be achieved this year as per Appendix B, and that the Councils Medium Term Financial Plan be amended to take account of projected savings in 2010/11 and 2011/12 where these are not currently allowed for in the budget.**

614 **Performance Management Monitoring Report**

A report was submitted, by the Head of Service – Finance to assist Councillors in focusing on priority areas and managing the performance of the Council by updating the Social Board with details of performance indicator exceptions for 2010/11 as at 31 January 2011.

Resolved:

That the report be noted.

615

Decent Homes Review

A report was submitted, by the Property Service Manager, to provide Councillors with a review and lessons learnt from the completed Decent Homes programme.

It was felt that overall the programme was a success. The Major Works Group had contributed to tenants concerns and issues were addressed. A request was made for the Councillors to give their own observations.

It was felt the project went well overall. An observation was that in future tenants on the Major Works Group need to be from relevant locations.

The Councillors thanked Dave Maycock, the staff working on the Decent Homes Project and the two Contractors, Lovells and Hobson & Porter for all their hard work on the project.

Resolved:

That the report be noted.

The meeting closed at 5.40pm

Minutes of the meeting of the Selby Community Project - Internal Project Board held at 2.00 pm on Thursday, 3 March 2011, in Committee Room 1.

Present: Councillor M Crane (MC) (Chair)
M Connor, (MCo) Chief Executive
J Lund (JL)
K Iveson (KI)
Councillor Mrs C Mackman (CM)
Councillor N Martin (NM)

In attendance: K Goodwin, (KG) Project Lead – Selby Community Project -
Selby District Council
S Binns, (SB) Director, Turner & Townsend Project
Management
K Martin, (KM) Project Manager, Turner & Townsend Project
Management
M Davis, PA to the Deputy Chief Executive

1. Welcome Action

Councillor Crane welcomed everyone to the meeting of the Internal Project Board (IPB).

2. Apologies

Apologies for absence were received from Councillor Jordan and on behalf of Councillor Fagan.

3. Minutes of last Meeting – 11 November 2010

The minutes from the meeting held on 11 November 2010 were approved as a correct record.

4. Matters Arising

There were no matters arising.

5. Highways Update

KG reported that Highways responsibility for the Doncaster Road works had transferred to Melanie Farnham who is based in the Pickering office. All the works are going to plan with no delays anticipated.

The Board requested a written update report for the next Internal Project Board to be held on the 19 May 2011.

KG

6. Project Update Report

MCo reported that Rob Bullen had been taken off the project and is now working abroad for a period on nine months.

Stewart Binns, Director of Turner and Townsend introduced himself. SB advised that he would work with Kerry Martin until the end of the project. Due to the short notice KM presented the progress report at the meeting and SB will present the progress reports at any future meetings of both the Internal Project Board and the Joint Integrated Board.

A progress report was circulated with the agenda.

Progress

KM updated that completion of the Civic Centre and hospital buildings is still scheduled for the 27 May 2011 with overall completion expected on the 18 November 2011.

BAM are claiming for 10 days disruption due to adverse weather conditions and negotiations have been taking place over the last couple of weeks with a view to minimising the cost of accommodating the delay.

MCo outlined the discussion which took place at the Joint Integrated Board on the 9 February 2011.

SB advised that KM is intensively scrutinising the claim and will come to the best commercial settlement but there would likely be some money payable to BAM. SB explained that BAM were three weeks ahead of programme before the adverse weather and having lost two weeks were now still one week ahead of programme. BAM wanted to maintain time at the end of the contract to inspect the works and clear any snags.

Project Costs

Construction costs are being monitored and reported monthly by Turner and Townsend Cost Management.

Key Next Steps

Turner and Townsend will increase the frequency of site visits to at least one per week to ensure the programme remains on track with a strong focus on quality.

Once the building is complete, BAM will begin works to demolish the War Memorial Hospital and commence construction of the car park. During this period there will be temporary use of Green Lane for access to the site by contractors. In the later stages Green Lane will be used for access for staff and visitors until completion of the works.

Progress reporting will move to bi-weekly in mid-March until completion.

The Section 106 works should be completed by May.

Other Issues

Work underway with the decant strategies and finalising the removal specification.

SB referred to the countdown programme for the last three months to focus on a week by week countdown.

SB confirmed that he will take on the complete role working with KM and will be on site regularly and attend meetings as requested.

7. Date of Next Meeting

The date of the next meeting will be Thursday, 19 May 2011 at 11.00 am at the Civic Centre.

8. Any Other Business

MC expressed concern regarding a recent press article referring to a change of name for the hospital. MC was unaware that the PCT were considering another name.

MCo explained that reference to the war memorial would be retained in the address as follows

Selby Community Hospital
War Memorial Square
Doncaster Road
Selby

MCo also explained that it is intended to rededicate the site using a memorial stone and a suitable date would be 11.11.11.

MC will write to the PCT expressing concern at the potential change of name and suggesting that the people of Selby want to retain the name of Selby War Memorial Hospital.

MC

KG confirmed that BAM had restored the Selby War Memorial Hospital archway and this would be relocated in a suitable area within the site.

The meeting closed at 2.35 pm.

SELBY DISTRICT COUNCIL

MINUTES

Minutes of the proceedings of a meeting of the Working Towards Tomorrow Working Group held on 11 March 2011, the Civic Centre, Portholme Road, Selby, commencing at 10.30 am.

Councillor C Metcalfe
Councillor Mrs G Ivey
Councillor C Lunn
Councillor M Jordan
Mr M Connor (Chief Executive)
Mr J Lund (Deputy Chief Executive)
Miss J Hibberd (Overview & Scrutiny Coordinator)

1. Apologies

Apologies were received from Councillor C Metcalfe.

2. Disclosures of Interest

None.

3. Minutes

Resolved:

That the minutes of the proceedings of the meeting of the Working Towards Tomorrow Working Group held on 17 February 2011 be confirmed as a correct record.

4. Progress Report on Implementation Schedule

Martin Connor, the Chief Executive, gave the working group a verbal update of progress on the Implementation Schedule.

Mr Connor explained that Councillors had received all documentation produced on the schedule to date; including the minutes from this working group and a full debate on the topic had taken place at Council the previous week. There had been a couple of hours of follow up questions from Councillors but overall the schedule had been supported.

Corporate sessions

Consultation began the day after the Implementation Schedule was agreed at Council. On this day all staff members were asked to attend

two early morning corporate sessions explaining the situation, they received a letter placing them at risk of redundancy and extensive information was put onto the staff intranet. This information included a summary of the Implementation Schedule, a vision for the future, an overview of the organisation and its structures, new pay bands and a timeline projection of the changes to come. Line managers were also briefed to support the staff within their department with any further understanding they required.

Staff response

The Chair asked Mr Connor what response staff members had given to this approach so far and emphasised the importance of allowing ample opportunities for concerns to be addressed. It was explained that staff had requested that the previously rescheduled corporate sessions due on 16 March 2011 be reinstated to allow for the opportunity for staff members to go away and utilise the information available and formulate any questions they may have as a result. This was agreed and they will go ahead.

Speed of implementation

Mr Connor explained that there was a focus on moving the process along as quickly as possible because one of the staffs overriding concerns was where 'their' place would be. Therefore, to establish this and to move to the new building with optimism and clear understanding among the staff was a priority. Interviewing for managerial positions will also go ahead without waiting for the consultation period to end and conditional positions will be offered dependant on the outcomes of that consultation. The intension of this being that managers would be in place to offer further help and support to staff during the implementation of the new structure.

Unison

The Chair expressed that he agreed with this process but was concerned that the explanation of the reasoning behind this prompt approach should be strongly communicated to staff so that it is not perceived as unsympathetic haste. Mr Connor told the working group that he had spoken to Unison for this very reason; to ensure they had been kept informed of the reasons behind the approach.

Assimilated posts

There would also be assimilated posts for those positions within the new structure that match, by around 75%, the previous job descriptions. Assimilated staff would be able to appeal against assimilation which, if successful would allow them instead to apply for other positions with the same standing as all other staff to ensure optimum fairness. Every effort

is being put into ensuring employment regulations are met while still maintaining any flexibility available, such as this option.

Service Delivery Vehicle (SDV)

The SDV board had now met for the first time and Councillor Inness had been elected as the Chair. The name and branding of the group had been discussed, it was felt important to agree this early and utilise established and trusted brands. The board agreed to call the SDV; 'Access Selby'.

Councillors' dedicated contact number

The working group were reminded that at the last meeting they had requested that a telephone line be provided at Access Selby purely for the use of Councillors. The intension being to streamline the process of gaining information needed from Officers to carry out their roles as elected members. There will be an active telephone number for this purpose from the 1st April, the point was emphasised that the number should not be issued to anyone other than a Councillor or it would become ineffective against its objective.

Team Selby

The Chair enquired about the phraseology the Chief Executive used earlier in his update; 'Team Selby' and asked of its meaning in this context and if it would be used more widely. It was explained that its meaning was in relation to the staff team work ethic across their department following the Implementation Schedule and that it had been used amongst staff when discussing the processes. The Chair expressed endorsement of the phrase on behalf of the group.

Future of the WTT working group

It was felt that the original task of the working group was to oversee the implementation. Therefore, when the structure has been filled this objective would have been achieved. The group agreed they would meet on two more occasions, the last time being in May to serve as a handover.

5. New Service Delivery Model Training

The working group received the report of the Democratic Services Manager on the new service delivery model training.

Members asked what support and training would be in place for the board of the new SDV ('Access Selby'). For the long term there will be continual officer support in training and development and as well as this; extra

support will be recruited in the initial stages from experienced outside resources.

Enquiries were made into what training would take place for new elected members of the Council and the possibility of having a tour of the new building before it is populated. Mr Connor explained that the induction process was currently in development but it will follow a similar format to the previous induction period that was very successful. The keys for the new building would not be received in time to coincide exactly with the induction of the new members but an event to show all Councillors, new and previously standing, around the building at the end of May was a possibility.

The working group agreed they were happy with the scheduled training for the new service delivery model.

The meeting closed at 12:00 pm.