

## Council

Venue: Council Chamber  
 Date: 10 December 2013

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Present: Councillor M Dyson in the Chair

Mrs E Casling, I Chilvers, M Crane, J Crawford, Mrs D Davies, Mrs M Davis, J Deans, Mrs S Duckett, M Hobson, W Inness, Mrs G Ivey, M Jordan, C Lunn, Mrs C Mackman, J Mackman, B Marshall, J McCartney, Mrs M McCartney, Mrs K McSherry, C Metcalfe, R Musgrave, Mrs W Nichols, C Pearson, D Peart, I Reynolds, Mrs S Ryder, S Shaw-Wright, Mrs A Spetch, and J Thurlow.

Apologies for Absence: Councillors J Cattanach, K Ellis, D Mackay, Mrs P Mackay, Mrs E Metcalfe, I Nutt, R Packham, R Price, A Pound and R Sayner and R Sweeting.

Also Present: Deputy Chief Executive, Managing Director of Access Selby, Executive Director (s151), Director, Head of Legal Services and Democratic Services Manager.

Press: 0  
Public 7

### **53. Declarations of Interest**

There were no declarations of interest.

### **54. Minutes**

In respect of the minutes of the Council meeting on 10 September 2013, the Council agreed to two corrections.

Firstly at minute 31, Communications, the resolution from the Campaign For Real Ale (CAMRA) letter be amended to read:

**To write to Parish Councils to ask them to consider if any pubs within their area may be the subject of a request to become an Asset of Community Value.**

Secondly at minute 40, Traveller Needs Assessment. It was agreed to correct the final sentence of the first paragraph to read:

‘Their report found a total need for 33 Traveller pitches split into five year blocks of 19, 7 and 7 pitches respectively.

The minutes of the meetings of the Council held on 10 September 2013, as amended, and 22 October 2013 were confirmed as a correct record.

**Resolved:**

**Subject to the above amendments, to approve the minutes for signing by the Chairman.**

### **55. Communication**

(i) Selby Town Council

The Deputy Chief Executive read out a letter received from Selby Town Council. The letter set out the Town Council’s view of Selby District Council’s stance on government funding for Town and Parish Councils for 2014/15. The letter also questioned the calculation of the Council Tax base.

With regard to Council Tax Base, Councillor C Lunn set out that, wherever possible, properties, discounts and exemptions were calculated by individual parish to ensure that the Council Tax precept levied by individual parishes fell directly as a charge on those households living within each parish to avoid the cross subsidisation of parish precepts. These principles had been consistently applied to the calculation of Council Tax Support which was now classed as a discount alongside the other discounts that can be applied for.

He also stated that the Council's draft budget for 2014/15 included no provision for grant to be paid to parish councils in respect of Council Tax Support, this was in accordance with its indications to parishes earlier this year. Councillor C Lunn added that should central government point to a specific amount for parishes included within Selby District Council's Finance Settlement then the Council would pass this on, but to date this has not been forthcoming.

**Resolved:**

**To note the response.**

(ii) Mr Paul Bloomfield MP

The Deputy Chief Executive reported the letter received from Paul Bloomfield MP which asked for the Council to support the Charter to Stop the Payday Loan Rip-Off. The Charter was a public campaign to call on the Financial Conduct Authority to regulate the payday lending industry so that it works better for those that use it. The Council agreed to support the charter.

**Resolved:**

**To support the Charter to Stop the Payday Loan Rip Off.**

(iii) Mr Brian Percival

The Deputy Chief Executive reported correspondence received from Mr Brian Percival regarding car parking in Tadcaster. The Council agreed to consider the letter as part of the ongoing review of car parks. This would be received by the Executive in the New Year.

**Resolved:**

**To consider the letter as part of the Council's review of car parks.**

(iv) Councillor Mehboob Khan – Leader of Kirklees Council

The Deputy Chief Executive reported correspondence received from Councillor Mehboob Khan asking the Council to support a proposal to Government to use the Sustainable Communities Act to protect local

pubs. The Council noted that it had recently supported a similar objective from CAMRA.

**Resolved:**

**To support the proposal.**

**56. Announcements**

The Leader of the Council set out that proceedings were issued in the High Court in Leeds on the 2<sup>nd</sup> of December 2013 by Sam Smiths Old Brewery Tadcaster challenging the Selby District Core Strategy adopted on 22 October 2013.

The claim raised ten grounds of challenge to the Core Strategy which Councillor Crane summarised. The Strategy had been adopted and was lawful unless a court ruled otherwise. However, it was prudent for the Council to take stock of the situation and the implications for future planning policy and strategy and for decision making on individual applications. As a result, it would be advisable to defer the Affordable Housing SPD item on the agenda. The challenge may also result in a delay to the site allocation and policies plan.

The Leader of the Council also highlighted the recent news regarding Drax Power Station, which would convert three of its six current coal-fired generating units to biomass by 2016. It would also benefit from significant government funding for a Carbon Capture Scheme. The news could mean the creation of a large number of jobs in the Selby area. The Council welcomed the news.

**Resolved:**

**To note the announcements**

**57. Petitions**

No petitions were received.

**58. Public Questions**

No questions from members of the public were received.

**59. Councillors' Questions**

No questions from Councillors were received.

**60. Reports from the Executive**

The Leader of the Council reported on the work he had recently undertaken. He had held further meetings with BOCM regarding

Olympia Park and had been heavily involved in the development of the Council's budget for the forthcoming year. The Leader of the Council responded to questions regarding the Swimming Pool at Barlby High School and offered meet with the School.

Councillor J Crawford stated that the Community Infrastructure Levy mentioned within the report had been called in. It would be considered by Scrutiny Committee in the near future.

Councillor Mrs G Ivey, Deputy Leader of the Council and Lead Executive Member for External Relations and Partnerships, reported on her latest work which included the plans for the new leisure centre and attending the Trans Pennine Trail AGM. Through her role on the North Yorkshire Police and Crime Panel, Councillor Mrs G Ivey responded to questions regarding the North Yorkshire Police and Crime Commissioner. She would respond to a question regarding the potential employment of Communications officer outside of the meeting.

Councillor Lunn, Lead Executive Member for Finance, reported on the work he had recently undertaken. He offered his thanks to Councillor Mrs G Ivey for presenting items at the October Executive in his absence. He responded to questions regarding the lack of clear provision for parish councils within the revenue support grant.

Councillor J Mackman, Lead Executive Member for Place Shaping, reported on his latest work. Councillor J Mackman responded to questions regarding potential affordable housing development by the Housing Trust and the land at Bondgate, Selby.

Councillor C Metcalfe, Lead Executive Member for Communities, reported on his latest work. He reported that the relaxation of car parking charges in Selby Town had been well received by the Chamber of Trade. The Council also discussed the role of Selby Town Council on the Selby Local Enterprise Partnership.

**Resolved:**

**To receive and note the reports from the Executive.**

**61. Reports from Committees**

The Chair of Policy Review Committee, Councillor Jordan, reported on work of the Committee since the last Council meeting.

Councillor Crawford, the Chair of Scrutiny Committee, reported on work of the Committee since the last Council meeting.

Councillor Pearson, the Chair of Audit Committee, reported on work of the Committee since the last Council meeting.

**Resolved:**

**To receive and note the reports from the Committees.**

**62. Motions**

None received.

**63. The Medium Term Financial Strategy**

Councillor C Lunn presented an update to the revised Medium Term Financial Strategy (MTFS) approved by full Council in December 2012.

He set out that three scenarios had been modelled and indicated that the mid-case suggested a target of £10.7 million for the 2014/15 draft Budget. At this level cuts to the Revenue Support Grant meant total savings of £732k would be required over the coming three years. Although the ultimate level of savings would be dependent upon the forthcoming Finance Settlement and the level of Council Tax.

**Resolved:**

**To approve the Medium Term Financial Strategy Update.**

**64. Olympia Park**

The Leader of the Council presented the report which set out the steps to ensure an appropriate policy framework was in place to allow planning applications on the Olympia Park strategic development site to be determined.

The Leader of the Council set out the importance of the Olympia Park Site which would include up to 1000 new dwellings and 23 hectares of employment land up to 2027.

As a local councillor, Councillor Mrs S Duckett highlighted concerns with the lack of a new primary school and facilities such as the allotments. The Leader of the Council stated that the provision of a primary school had been considered by North Yorkshire County Council, he offered to arrange a meeting to discuss the issues further.

**Resolved:**

- i. To approve the Olympia Park Delivery Framework Document and Masterplan.**
- ii. To note the timetable for preparing a supplementary planning document.**

**65. Affordable Housing SDP**

The Council was asked to defer this item.

**Resolved:**

**To move to the next item of business.**

**66. Designation of Appleton Roebuck with Acaster Selby Neighbourhood Area**

Councillor M Crane presented the report on the designation of the proposed Neighbourhood Area for Appleton Roebuck with Acaster Selby.

As part of the Council's pilot project for Neighbourhood Plans, Appleton Roebuck together with Acaster Selby Parish Council had submitted an Area Application to the Council which requested that their existing parish boundary be designated a Neighbourhood Area. A public consultation exercise had taken place and no objections were received.

**Resolved:**

**To approve the designation of the Neighbourhood Area for Appleton Roebuck with Acaster Selby.**

**67. Welfare Reform – Six Month Update**

The Leader of the Council presented the report on the six month review of the Welfare Reform changes in Selby district.

The Leader of the Council set out that the report was as a result of the motion to the Council on 25<sup>th</sup> of June 2013. The Council heard that the Welfare Reform change which had the most effect on social tenants was the Housing Benefit Criteria/Spare Room Subsidy. The other significant change was the introduction of a Benefit Cap in July 2013.

The Council discussed the negative impacts of the Housing Benefit Size Criteria/Spare Room Subsidy on those affected by its introduction. The Leader of the Council explained that the Council encouraged tenants to come forward at the earliest opportunity should there be the possibility of slipping into rent arrears.

The Council noted that the Welfare Reform issue would also be scrutinised at a forthcoming Policy Review Committee.

**Resolved:**

**To note the report.**

## **68. Report of the Local Government Ombudsman**

The Leader of the Council presented the report on the Local Government Ombudsman's decision to find the Council guilty of maladministration in its dealing with a planning application.

The Council was required to receive and consider the Ombudsman's findings and decide how to respond. The Leader of the Council responded to the findings within the report and provided details of his discussions with the Ombudsman.

### **Resolved:**

- i. To receive and note the Report of the Local Government Ombudsman.**
- ii. To inform the Ombudsman that the Council takes all of her reports seriously and that is why the Council had tried hard to point out how she could have made this report a more balanced account of the events.**
- iii. To note that the Council reached the right planning decision in this case and that no material harm or injustice could have been caused to the complainants as a result.**
- iv. As a consequence the Council does not accept the conclusion or the remedy proposed by the Local Government Ombudsman and resolves not to make the suggested payments.**

## **69. Appointment of a Returning Officer and Electoral Registration Officer**

Councillor M Crane presented the report on the appointment of the Electoral Registration Officer (ERO) and Returning Officer, in accordance with the requirements of the Representation of the People Act 1983. The report also asked the Council to appoint a Deputy Electoral Registration Officer (DERO).

### **Resolved:**

- i. To appoint the Chief Executive, Mary Weastell, as Electoral Registration Officer and Returning Officer for the District in accordance with the requirements of the Representation of the People Act, 1983, with effect from 11 December 2013.**
- ii. To appoint the Democratic Services Manager as the Deputy Electoral Registration Officer.**



**70. Urgent Action**

The Deputy Chief Executive informed the Council that no urgent action had been taken in the time since the last Council meeting.

**71. 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:**

**To grant authority 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.**

The meeting closed at 7.35 pm