



Selby District Council

Minutes

Executive

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Thursday, 3 November 2022
Time:	4.00 pm
Present:	Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn, D Buckle and T Grogan
Also Present:	Councillors R Packham and M Jordan
Officers Present:	Janet Waggott – Chief Executive, Suzan Harrington – Director of Corporate Services and Commissioning, Alison Hartley – Monitoring Officer, Martin Grainger – Head of Planning and Interim Head of Regulatory Services, Julian Rudd – Head of Economic Development and Regeneration, Stuart Robinson – Head of Business Development and Improvement, Drew Fussey – Operational Service Manager, Peter Williams – Head of Finance, Stephanie McGourlay - Economic and Regeneration Projects Lead, Jenny Tyreman – Assistant Principal Planning Officer, Richard Welch – Principal Planning Policy Officer, Victoria Foreman – Democratic Services Officer
Public:	1
Press:	0

NOTE: Only minute numbers 38 – 42 and 44 - 45 are subject to call-in arrangements. The deadline for call-in is 5pm on 21 November 2022. Decisions not called in may be implemented from Tuesday 22 November 2022.

35 APOLOGIES FOR ABSENCE

There were no apologies for absence.

36 MINUTES

The Committee considered the minutes of the meeting held on Thursday 1 September 2022.

RESOLVED:

To approve the minutes of the meeting held on Thursday 1 September 2022.

37 DISCLOSURES OF INTEREST

The Deputy Leader, Councillor R Musgrave, declared a personal and pecuniary interest in agenda item 7 – 2022 – 2027 Five Year Housing Land Supply Report and agenda item 9 – Promotion of potential new settlement at Burn Airfield. Councillor Musgrave confirmed that he would leave the meeting during consideration of both items.

38 CORPORATE PERFORMANCE REPORT - QUARTER 1 2022/23 (APRIL TO JUNE) (E/22/20)

The Leader of the Council presented the report which asked Members to note and approve the content, and consider any further action they wished to be taken as a result of current performance.

The report covered the period April to June 2022, which was the first full quarter following the government's lifting of Covid-19 restrictions. 70% of KPIs reported were showing improvement over the longer term or had maintained 100% performance, and 78% of KPIs reported were on target – with 9% of KPIs within acceptable tolerances.

The report set out what went well in Quarter 1, as well as what did not. There had been positive performance in supporting SMEs, NNDR and sundry debt collection, the processing of benefit claims, planning applications, FOIs and complaints, customer waiting times on the phone, reportable health and safety incidents, council house re-let times and waste collection.

Areas of performance that required improvement included stage 2 complaints, savings and staff sickness.

The Leader of the Opposition was in attendance at the meeting and asked questions around staffing issues, housing repair backlogs, the work of the Low Carbon Working Group, responding to the consultation on the Local Plan and tree planting.

The Deputy Leader accepted that there would always be a constant number of jobs in the housing repair system and was pleased to report that new resources had recently been recruited to the Council that would be transferred to the new unitary authority. The backlog of repairs was mainly due to Covid and staffing issues, but had improved, despite there still being work to do.

The Leader stated that the slowed progress of the Low Carbon Working Group was partly due to local government reorganisation (LGR) and the loss of a particular member of staff who had been leading on such work. It was acknowledged that the Council had not achieved as much as it had intended to.

Responding to the Local Plan consultation the Leader accepted that the online process had not been easy at points, but there were statutory questions that had to be asked. Officers had accepted emails from members of the public or comments made via Ward Members.

The Leader commended the report.

RESOLVED:

The Executive noted and approved the report.

REASON FOR DECISION:

The reporting of performance data enables the Council to demonstrate progress on delivering the Council Plan Priorities to make Selby District a great place.

39 DEVOLUTION DEAL FOR YORK AND NORTH YORKSHIRE (E/22/21)

The Leader of the Council introduced the report which set out the steps being taken by City of York Council and North Yorkshire County Council (the Constituent Councils) towards the creation of a Combined Authority for York and North Yorkshire. The report also included details of the Devolution Deal, the Governance Review and the Scheme which had been prepared for consultation.

Members noted that on 1 August 2022 the Secretary of State for Levelling Up, Housing and Communities announced that the Government was minded to enter into a Devolution Deal with York and North Yorkshire under which the region would benefit from £540 million of new Government investment to spend on local priorities to produce growth, together with a range of devolved powers. The Devolution Deal was dependent upon the City of York Council and North Yorkshire County Council establishing a Combined Authority for the area with an elected Mayor.

The report explained that since the announcement, negotiations and further work had been undertaken about the detail of the proposed deal, the structure of the proposed Combined Authority and the process to be followed to create it, subject to the necessary consultation. The report sought to update Selby District Council members on this work and the next steps to be taken by the City of York Council and North Yorkshire County Council.

The Executive acknowledged that to develop the proposal to establish a Mayoral Combined Authority, there needed to be consideration of a governance review and the publication of a Scheme if it was concluded that the exercise of statutory functions was likely to be improved by the creation of a Mayoral Combined Authority. The Scheme would be subject to an eight-week public consultation across York and North Yorkshire in October 2022.

Members asked for clarification on some figures and felt that the report required more detail as to what tangible benefits the area would see from of the money being invested in the deal, in particular the return 'per head' of the population compared to other Mayoral areas in the United Kingdom. The Leader believed that the cost equated to the Teeside scheme but not as much as the West Yorkshire one.

Officers were asked to investigate comparisons of the funding with schemes in the south of the country.

Further queries were put regarding the York Central Scheme, grant funding City of York Council had received and project funding for affordable low carbon homes in York.

Officers advised Members that there were elements of the deal that had changed between its current iteration and the original bid, and that responses to the Members' queries would be provided.

The Leader commended the report.

RESOLVED:

- 1. The Executive supported the steps being taken by City of York Council and North Yorkshire County Council (the Constituent Councils) towards the creation of a Combined Authority for York and North Yorkshire, and in particular noted:**
 - (a) the 'minded' to Devolution Deal;**
 - (b) the Governance Review; and**
 - (c) the Scheme which had been prepared for consultation.**

2. Officers were asked to provide responses to the queries raised in the debate following the meeting.

REASON FOR DECISION:

To ensure Members were consulted in relation to the proposed Devolution Deal and the next steps being taken towards the creation of a Combined Authority for York and North Yorkshire.

40 HELIOS RENEWABLE ENERGY PROJECT - NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT (E/22/22)

The Leader of the Council introduced the report which asked the Executive to note the content and to authorise the Head of Planning and Interim Head of Regulatory Services (or equivalent), in consultation with himself as Leader of the Council, to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post-decision monitoring of planning conditions and enforcement of the DCO.

Members noted that the report set out the legislative background to Nationally Significant Infrastructure Projects (NSIPs) and how these were dealt with. The Executive had considered similar NSIP reports recently in respect of the Drax Bioenergy and Carbon Capture Project in May 2021, the Yorkshire GREEN Project in April 2022 and the Humber Low Carbon Pipelines Project in August 2022. Applicants for infrastructure projects needed to make an application to the Planning Inspectorate (PINS) for a Development Consent Order (DCO). The final decision was made by the Secretary of State on the recommendation of PINS, but Local Planning Authorities were statutory consultees in the process.

The Executive were reminded that the scheme was not a planning decision that would be taken by Selby District Council.

In attendance at the meeting was Ward Member for Camblesforth and Carlton, Councillor M Jordan, as a significant part of the scheme would be in his ward. Councillor Jordan was invited to address the meeting by the Leader.

Councillor Jordan spoke about the significant effects the proposals would have on the local area. These included pipelines from Drax Power to the North Sea, cabling from Scotland and the proposed and other solar farms to Drax Power, new National Grid buildings near Drax and the required demolition of a residential building to accommodate the Helios project.

The Leader thanked Councillor Jordan for attending and for the points he had made which reflected the considerable consequences the scheme could have on residents. Members also emphasised how important it was to recognise the value of consistent energy supplies across the country.

Officers explained that they had been undertaking further work on battery storage applications in order to build a complete contextual picture to inform the process. Environmental Impact Assessments (EIA) and cumulative impacts were being considered for every scheme and such matters were being raised with the developers.

The Leader asked that Members contact him with their views so he could construct a well-informed opinion before a response was provided about the scheme.

The Executive asked if the Council would receive a planning fee, if farmers would obtain rent for the sites, what the life span of the site would be and if Parish Councils would also benefit from the scheme.

Officers clarified that there was no planning fee for the Council as it was not a Selby District Council application; however, costs could be recovered. Farmers would receive rental income from having solar panels on their land and made the point that this could be quite a lucrative arrangement as it provided a consistent turnover for what was likely to be multiple ownerships.

Councillor Jordan informed Members that all the land relating to the scheme would be leased, and that it was for each Parish Council to decide how they wished to proceed in relation to the proposals.

The Leader commended the report.

RESOLVED:

The Executive

- i. noted the content of the report; and**
- ii. authorised the Head of Planning and Interim Head of Regulatory Services (or equivalent), in consultation with the Leader of the Council, to agree the Local Impact Report, Statement of Common Ground, the content of the draft DCO, and all further necessary representations by the District Council, together with post decision monitoring of planning conditions and enforcement of the DCO.**

REASON FOR DECISION:

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Timescales for commenting on the DCO application once it was submitted are embedded in statute and it was important that appropriate delegation arrangements were in place so that the Council was able to meet the deadlines which were set by PINS.

**41 2022-2027 FIVE YEAR HOUSING LAND SUPPLY REPORT
(E/22/23)**

Councillor R Musgrave left the meeting at this point.

The Leader of the Council introduced the report which asked the Executive to approve the Five-Year Housing Land Supply 2022 – 2027 and explained that each local authority was required by central government to provide a 5-year supply of deliverable housing land. Being able to demonstrate a 5-year housing supply meant that planning applications for housing could be determined by the Council, with all the policies in the District's Local Development Plan. The 2022-2027 Five-Year Housing Land Supply report found that the district had a deliverable housing supply of 6.1 years.

Members noted that being able to demonstrate a deliverable five-year supply of housing means that when determining planning applications for housing, policies in the development plan were considered up to date. Failure to demonstrate a 5-year supply means that relevant policies were out of date and applications for housing development should be granted unless:

- the application of policies in the NPPF that protected areas or assets of particular importance provided a clear reason for refusing the development proposed; or
- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole.

The assessment of the Council's Five-Year Housing Supply was carried out by the Planning Policy Team on an annual basis, with the start of each financial year being used as the base date. This report uses the base date of 1 April 2022.

Members were unsure as to the arrangements for housing supply assessment following local government reorganisation (LGR) in April 2023, as such work was usually done on a local basis.

Officers were content with the current 6.1-year supply of housing as had been identified and were looking closely at the interplay between the Development Plan and incoming planning applications; however, there were some sites that required further legal

consideration.

The Leader of the Opposition felt that the Council's current approach to housing land supply was more rigorous than it had been in the past, but that such supplies were used up quickly, and that it could be important for there to be appropriate interim arrangements or policies in place to cover such a gap, so that local areas within the Selby District continued to be represented. Officers explained that such provisions would depend on LGR and the Council's Local Plan, alongside careful monitoring of the supply position.

Officers were asked to supply further information to Members on housing land supply arrangements at other North Yorkshire local authorities. Some work had already been undertaken as part of a Member Task Group for LGR; information relating to this would be available quite soon.

The Leader of the Council commended the report.

RESOLVED:

The Executive

- 1. approved the Five-Year Housing Land Supply 2022 – 2027; and**
- 2. asked Officers to provide further information to Members on housing land supply arrangements at other North Yorkshire local authorities.**

REASON FOR DECISION:

To approve the Five-Year Housing Land Supply Report and the supply figure within it, so that the report could be used as a material consideration in the determination of planning applications for housing.

42 LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976, SECTION 65 – INCREASE OF HACKNEY CARRIAGE MAXIMUM FARES (FUEL CAP) - CONSULTATION RESPONSES (E/22/24)

Councillor R Musgrave re-joined the meeting at this point.

The Lead Executive Member for Health and Culture presented the report which asked the Executive to consider the objections received during the statutory consultation, determine if any modifications or not should be made to the table of fares in light of the objections, and confirm the date of 18 November 2022 for the

new table of fares to come into effect, with or without modification.

Members noted that on the 1 September 2022 the Executive approved a maximum taxi fare increase for the Selby Hackney Carriage trade. The proposal was in line with the recent Hackney Carriage (“HC”) Fare increase in Harrogate that considered the current increases in fuel prices at the pump. The approved proposed taxi fare was a maximum fare. This permitted drivers to charge the customer under the maximum fare amount and enabled them to increase or decrease their prices within the maximum fare, in accordance with the fuel prices at the pump.

The Executive understood it was anticipated that fuel costs would continue to fluctuate over the next year, and the Council’s proposal would allow some breathing space for the trade. A consultation had been carried out between 13 and 27 September 2022. There had been 15 comments on the consultation; 13 were representations (against the proposed fare in some way), which had not been withdrawn. The objections received mainly mirrored those received in the soft market testing with the trade.

Members expressed their support for the report’s proposals set out at Appendix A and noted that whilst the modifications set out a maximum fare, the drivers could charge less should they so wish.

The Lead Executive Member commended the report.

RESOLVED:

The Executive

- 1. considered the objections received during the statutory consultation;**
- 2. determined that no modifications should be made to the table of fares at Appendix A in light of the objections; and**
- 3. confirmed a date of 18 November 2022 for the new table of fares to come into effect.**

REASON FOR DECISION:

The table of fares must come into operation by the 27 November 2022, no later than two months after the last date for making representations (27 September 2022), with or without modification.

43 PRIVATE SESSION - EXCLUSION OF PRESS AND PUBLIC

It was proposed and seconded that the Executive sit in private session for the following business due to the nature of the business

to be transacted.

RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, in view of the nature of 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 described in paragraph 3 of Schedule 12(A) of the Act.

44 PROMOTION OF POTENTIAL NEW SETTLEMENT AT BURN AIRFIELD (E/22/25)

Councillor R Musgrave left the meeting at this point.

The Lead Executive Member for Communities and Economic Development presented the report which sought approval to withdrawn land at Burn Airfield from the Local Plan process and not to undertake further work to promote the site for a new settlement.

Members discussed the matter in detail and contrary to the report's recommendations agreed that the site should not be withdrawn from the promotion in the Local Plan process.

RESOLVED:

The Executive agreed

- a) to carry out no further work at this stage to promote the Council's landholding at Burn Airfield for potential residential-led development; and**
- b) that alternative options for the future of the council's land at Burn Airfield be considered following local government reorganisation.**

REASON FOR DECISION:

The Council acquired over 200 hectares of land at Burn Airfield in 2014 due to its strategic development potential. The land had been promoted to be a potential new settlement in the emerging Local Plan, via the Council's Economic Development and Regeneration team (representing the Council as landowner). The outcome of flood risk work, undertaken by JBA Associated and reviewed by the Environment Agency, indicated that the site would be the least preferable location for a new settlement in the emerging Local Plan. The conclusion reached by the local planning authority was:

'The sequential test approach rules out the Burn Airfield site given

that there are available sites in lesser areas of flood risk available for development’.

Instead, the Heronby proposal was suggested for allocation in the Local Plan as a new settlement.

45 TOWN CENTRE REVITALISATION PROJECTS UPDATE (E/22/26)

Councillor R Musgrave re-joined the meeting at this point.

The Lead Executive Member for Communities and Economic Development presented the report which provided an update on projects under the Town Centre Revitalisation Programme, covering the three centres of Selby, Tadcaster and Sherburn-in-Elmet. The paper recommended approvals for capital and revenue costs related to projects and grant funding spend on Changing Places schemes.

Members expressed their support for the recommendations as set out in the report.

RESOLVED:

The Executive

- 1. agreed to reallocate £150k from existing budget within the Tadcaster Programme for Growth (P4G) funds to Tadcaster Bus Station project, to bring the total project budget to £500k, as set out in Section 2 of the report;**
- 2. approved £2,800 ongoing maintenance costs for Tadcaster Bus Station project, per annum from 2025 funded from Environmental Services budget (SC0702 1105). As part of the transfer of the Environmental Services Contract to North Yorkshire Council from April 2024 the annual contract budget would have to be allocated to a number of revenue service and budget lines including an allocation to cover the revenue implications in this report;**
- 3. approved Changing Places grant funding spend and SDC match funding at Tadcaster and Selby, and ongoing maintenance costs at Tadcaster of £5,000 per annum from 2024 funded from existing budget Public Conveniences (SC0219 3179); and**
- 4. approved the use of an identified ongoing**

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£7,800 p.a budgetary underspend within the Existing Public Conveniences budget (SC0219 3179) to fund the ongoing revenue implications of these schemes. The proposal required a minor permanent budget virement of £2,800 p.a to the Environmental Services budget (SC0702 1105), as per recommendation 2.

REASONS FOR DECISION:

- The three main centres in Selby District were a strategic priority for regeneration.
- To make appropriate use of external funding awarded to Selby District Council, and to maximise funding bidding opportunities.
- To ensure that any ongoing revenue implications for the schemes were captured within the Council's existing budgetary framework.

The meeting closed at 5.24 pm.