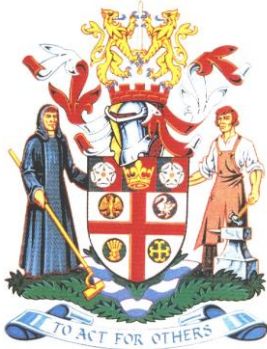


Selby District Council



Agenda

Meeting: **Executive**
Date: **Thursday, 2 March 2023**
Time: **4.00 pm**
Venue: **Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT**
To: **Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn, D Buckle and T Grogan**

1. Apologies for Absence

2. Minutes (Pages 1 - 4)

The Executive is asked to approve the minutes of the meeting held on 2 February 2023.

3. Disclosures of Interest

A copy of the Register of Interest for each Selby District Councillor is available for inspection at www.selby.gov.uk.

Councillors should declare to the meeting any disclosable pecuniary interest in any item of business on this agenda which is not already entered in their Register of Interests.

Councillors should leave the meeting and take no part in the consideration, discussion or vote on any matter in which they have a disclosable pecuniary interest.

Councillors should also declare any other interests. Having made the declaration, provided the other interest is not a disclosable pecuniary interest, the Councillor may stay in the meeting, speak and vote on that item of business.

If in doubt, Councillors are advised to seek advice from the Monitoring Officer.

4. Update on the Selby District Local Plan (E/22/38) (Pages 5 - 10)

The Executive are asked to consider report E/22/38 which provides an update on the Local Plan.

5. Corporate Performance Report - Quarter 3 2022/23 (September to December) (E/22/39) REPORT TO FOLLOW

The Executive are asked to consider report E/22/39.

The report will be to follow.

PRIVATE SESSION - EXCLUSION OF PRESS AND PUBLIC

That, in accordance with Section 100(A) (4) of the Local Government Act 1972, in view of the nature of the business to be transacted, the meeting be not open to the press and public during discussion of the following item as there will be disclosure of exempt information as defined in paragraph 3 of Schedule 12(A) of the Act.

6. Appropriation of Housing Land (E/22/40) REPORT TO FOLLOW

The Executive are asked to consider report E/22/40.

The report will be to follow.



**Janet Waggott
Chief Executive**

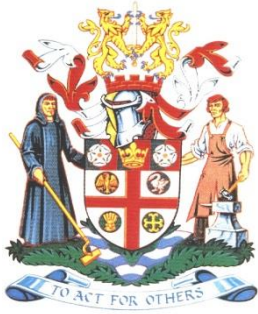
For enquiries relating to this agenda please contact Victoria Foreman, on vforeman@selby.gov.uk

Recording at Council Meetings

Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to: (i) the recording being conducted with the full knowledge of the Chairman of the meeting; and (ii) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact Democratic Services using the details above prior to the start of the meeting. Any recording must be conducted openly and not in secret.

Agenda Item 2

Selby District Council



Minutes

Executive

Venue:	Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Thursday, 2 February 2023
Time:	4.00 pm
Present:	Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn, D Buckle and T Grogan
Officers Present:	Janet Waggott – Chief Executive, Alison Hartley – Monitoring Officer, Peter Williams – Head of Finance, Victoria Foreman – Democratic Services Officer
Public:	0
Press:	0

NOTE: Only minute numbers 63 and 64 are subject to call-in arrangements. The deadline for call-in is 5pm on 14 February 2023. Decisions not called in may be implemented from 15 February 2023.

60 APOLOGIES FOR ABSENCE

There were no apologies for absence.

61 MINUTES

The Committee considered the minutes of the meeting held on Thursday 5 January 2023.

RESOLVED:

To approve the minutes of the meeting held on

Thursday 5 January 2023.

62 DISCLOSURES OF INTEREST

There were no disclosures of interest.

63 FINANCIAL RESULTS AND BUDGET EXCEPTIONS REPORT TO 31 DECEMBER 2022 (E/22/36)

The Lead Executive Member for Finance and Resources presented report E/22/36 which asked Members to endorse the actions of Officers and note the contents of the report, approve re-profiled capital programmes and Programme for Growth as set out at Appendices C and D and approve the use of the HRA Surplus towards the additional costs of Boiler Replacement.

Members noted that the end of Q3, current estimated full year revenue outturn estimates indicated surpluses of (£305k) for the General Fund (GF) and (£241k) for the Housing Revenue Account (HRA).

The Executive Member explained that all new general fund savings had been delayed to 2024/25, post Local Government Reorganisation (LGR). The £195k saving in the Housing Revenue Account for the housing system would be aligned to delivery of phase 2 of the project which was anticipated to be in Q4 2022/23, although savings would not be realised until future years and resource requirements for local government reorganisation may impact on delivery timescales.

The Executive were informed that at quarter 3, the capital programme in the General Fund was forecasting an underspend of £0.59m, which was related to the investment in the Industrial Units which was proposed to be pushed back to 2023/24. In the Housing Revenue Account, work was expected to be delayed on St Wilfrid's Court and the Housing Acquisition and Development programme, resulting in £0.7m being phased back into next year. This was partly offset by anticipated overspends on the budget for boiler replacements by £0.277m due to failures. In addition, £2m had been added to the property refurbishment budget, funded from S106 affordable housing receipts, which was approved at the Extraordinary Council meeting in January 2023.

The Programme for Growth projects spend was £1,635k in the year to Quarter 3 including £766k on staffing costs.

The Leader emphasised the importance of the work to address boiler failures in the Council's housing.

The Executive Member commended the report.

RESOLVED:

The Executive

- i) endorsed the actions of Officers and noted the contents of the report;**
- ii) approved re-profiled capital programmes and Programme for Growth as set out at Appendices C and D;**
- iii) approved the use of the HRA Surplus towards the additional costs of Boiler Replacement.**

REASON FOR DECISION:

To ensure that budget exceptions were brought to the attention of the Executive in order to approve remedial action where necessary.

64 TREASURY MANAGEMENT - QUARTERLY UPDATE Q3 2022/23 (E/22/37)

The Lead Executive Member for Finance and Resources presented report E/22/37 which asked Members to endorse the actions of Officers on the Council's treasury activities for Q3 2022/23 and approve the report.

Members noted that the report reviewed the Council's borrowing and investment activity (Treasury Management) for the period 1 April 2022 to 31 December 2022 and presented performance against the Prudential Indicators.

The Lead Executive Member explained that the Council's investments held in the NYCC Investment pool had averaged £87.8m over the quarter at an average rate of 2.79%, and earned interest of £617.0k. Total interest earned to the end of December stood at £1075.2k (£775.5k allocated to the General Fund; £299.7k allocated to the HRA) which was £960.8k above the year-to-date budget. Current trends indicated that forecast returns for the year could be in the region of £1,853.7k (£1,337.1k GF, £516.6k HRA) a total budget surplus of £1,701.2k. For the General Fund, any interest earned above a £350k threshold was to be transferred to the Contingency Reserve. This figure was currently forecast to be £987.1k.

The Executive acknowledged that investments had performed positively as a result of the regular and sustained rises in Bank of England base rate that had been experienced over the course of the year, as well as higher sustained cash balances. Base rate had risen from 0.25% when budgets were initially set, to the current level of 3.50%. The forecasted return for the year took into account the tapering effect of these rises, as older investments at lower

rates matured and were replaced by newer investments at higher rates. This position remained fluid as further base rate rises, currently anticipated by the market, would serve to further increase potential returns.

Members also noted that in addition to investments held in the pool, the Council had £4.55m invested in property funds as at 31st December 2022. The funds had achieved a 3.22% revenue return and 16.75% capital loss over the course of the year, resulting in revenue income of £127.4k and an 'unrealised' capital loss of £914.6k. Following the peak in capital value reported in the Q4 2021/22 and Q1 2022/23 treasury reports, a subsequent capital loss had been incurred as a result of the current strain on commercial property markets, driven by the increasing cost of borrowing that had been seen as the year progressed. These funds remained long term investments and changes in capital values were realised when the units in the funds were sold.

The Lead Executive Member clarified that long-term borrowing totalled £52.833m at 31 December 2022, (£1.6m relating to the General Fund; £51.233m relating to the HRA), interest payments of £1.917m were forecast to be paid in 2022/23, a saving of £59k against budget. The Council had no plans for any short-term borrowing for the year.

With regards to prudential indicators, the Council's affordable limits for borrowing were not breached during this period.

In looking ahead to the remainder of 2022/23, Members were pleased to note that investment returns were expected to continue to rise as further base rate increases were expected. Latest estimates showed an increase to 4.25% by March 2023. This position remained highly fluid and was based on the latest expectations by the Council's treasury advisors.

The Lead Executive Member commended the report.

RESOLVED:

The Executive endorsed the actions of Officers on the Council's treasury activities for Q3 2022/23 and approved the report.

REASON FOR DECISION:

To comply with the Treasury Management Code of Practice, the Executive is required to receive and review regular treasury management monitoring reports.

The meeting closed at 4.06 pm.

Agenda Item 4



Report Reference Number: E/22/38

To: Executive
Date: 2 March 2023
Status: Key Decision
Ward(s) Affected: All Wards
Author: Caroline Skelly, Planning Policy Officer
Lead Executive Member: Councillor Mark Crane - Leader of the Council and Lead Executive Member for Leisure, Strategic Matters, Place Shaping and External Relations and Partnerships
Lead Officer: Martin Grainger, Head of Planning and Interim Head of Regulatory Services

Title: Update on the Selby District Local Plan

Summary:

On 17 September 2019 Council gave approval for work to commence on the preparation of a new comprehensive Local Plan for the District. A Local Development Scheme was also brought into effect following Council approval.

In accordance with the Local Development Scheme, consultation took place on the Local Plan Issues and Options in early 2020. Consultation on the Preferred Options for the Local Plan took place in early 2021, with subsequent consultations taking place on Additional Sites and Local Plan Evidence later that year.

In August 2022 Executive approved consultation on the Publication Local Plan which ended on the 28 October 2022.

This paper provides an update on the progress of the Local Plan and sets out recommendations for taking the plan through to formal submission given the changes to local governance.

Recommendations:

That the Executive note the content of the report and that any future decision to progress the Selby District Local Plan be made by North Yorkshire Council.

Reasons for recommendation

To ensure that the decision on the progression of the Selby District Local Plan is in accordance with changes to local governance arrangements.

1. Introduction and background

- 1.1 On 17 September 2019 Council gave approval for work to commence on the preparation of a new comprehensive Local Plan for the District. The Town and Country Planning (Local Planning) (England) Regulations 2012 set out the requirements in relation to the preparation of Local Plans. The Local Plan has been prepared in line with the National Planning Policy Framework, National Planning Practice Guidance and has been informed by a number of technical evidence documents.
- 1.2 In accordance with the Local Development Scheme, consultation took place on the Local Plan Issues and Options for the Local Plan in early 2020. This consultation sought views on the subject that the plan should consider and on broad spatial options for future growth.
- 1.3 The feedback from the Issues and Options consultation helped to shape the development of the Preferred Options for the Local Plan with consultation taking place on the preferred spatial development, proposed allocations and draft policy approach in early 2021. This consultation was followed in the Autumn of 2021 with consultations taking place on Additional Sites and key Local Plan Evidence. In total 466 sites have been robustly assessed for their suitability as part of this process. In August 2022 Executive approved consultation on the Publication Local Plan which ended on the 28 October 2022.
- 1.4 The emerging Local Plan sets out an ambitious strategy for the growth of Selby District over the next 17 years. The policies will deliver the Council's Vision and Objectives for the Local Plan, which aim to create well-designed high-quality places to live, with well-paid employment opportunities, an attractive rural environment and lower carbon emissions.
- 1.5 The Publication Local Plan contains an ambitious proposal to allocate a new settlement known as Heronby to the north of Selby District, which would support growth of the District well beyond 2040. The new settlement proposal could create a well-designed mixed community which will be developed through a Master Developer method to ensure that high-quality aspirations are met. A large site is also proposed for allocation to the west of the village of Eggborough with the opportunity to provide new housing to meet needs generated from the large new employment sites which have been granted planning permission at the former Kellingley Colliery and former Eggborough Power Station.
- 1.6 In the emerging plan, the Selby Urban Area continues to be the District's most sustainable existing settlement as it has the greatest range of facilities and services and this is reflected in the high number of sites allocated for housing. A heritage-led regeneration approach is proposed for Tadcaster which seeks to bring forward the re-development of the Central Area car park for new residential use, with replacement provision delivered through a new underground car park located underneath a new publicly accessible Town Green. Alongside the allocation of a

number of greenfield sites this approach will help to bring forward the regeneration of the town and support bringing a number of empty properties back into use.

- 1.7 Further proposed allocation sites are distributed across the Selby District, informed by the level of services and facilities which are currently available to ensure that the most sustainable strategy is progressed.
- 1.8 Work has continued in responding to the issues raised through the Publication Local Plan consultation and in preparing the Local Plan for submission to the Secretary of State. A significant amount of resources have been invested in developing the evidence which underpins the Local Plan and in progressing the plan to this stage and it is crucial that work continues in order provide certainty to local communities and businesses.

2. Local Government Reorganisation

- 2.1 The Local Government (Structural Changes) (Transitional Arrangements) (No.2) Regulations 2008 (as amended) requires that a single tier council adopts a local development document under section 23 of the 2004 Planning & Compulsory Purchase Act to apply to the whole of its area within a period of five years starting with the date of re-organisation. Counsel advice has been sought which confirms that a new comprehensive Local Plan will need to be prepared and that this should be adopted within five years. Once adopted, the new local plan will replace the existing district-wide local plans adopted by the District Councils and will form part of the development plan for those parts of North Yorkshire that are outside of the two national park authorities. The National Planning Practice Guidance says that Plans that are being prepared, but not yet adopted, can also carry over and continue through to adoption in the new authority.
- 2.2 Since consultation took place on the Selby District Local Plan in summer 2022 further consideration has been given to how a new Local Plan for the new North Yorkshire Council geography should be taken forward.
- 2.3 Until a new Local Plan is adopted, five-year housing land supply calculations and the Housing Delivery Test will continue to be assessed on the District boundary basis. This alongside with the very advanced stage that the plan has reached means that work on the Selby District Local Plan should continue as there is likely to be a policy vacuum until the adoption of the new North Yorkshire plan.
- 2.4 In December 2022 a report was presented to North Yorkshire Council's Executive which recommended that a single local plan is prepared and progressed as soon as possible. In addition, the report recommended that work on the Selby District Local Plan should continue, and formal governance arrangements should also be established to oversee plan making. The report agreed that these recommendations should be taken forward for decision by Full Council. This decision is programmed to be presented to North Yorkshire Council's Full Council meeting in May 2023.
- 2.5 As Selby District Council will cease to exist on 1 April 2023 there are complexities regarding the change in political governance. Given that the Selby Local Plan has long term implications for the future of this part of North Yorkshire it is considered appropriate for decisions on whether further consultation on the Local Plan is

necessary or whether it should progress to Submission should be made by North Yorkshire Council. For this reason, a report setting out recommendations to progress the Selby District Local Plan will be presented to the North Yorkshire for a decision at the earliest opportunity.

3. Alternative Options Considered

None as decisions need to be made in accordance with revised governance arrangements.

4. Implications

4.1 Legal Implications

This report is for information only. The recommendations accord with revised local governance arrangements.

4.2 Financial Implications

The preparation of the Local Plan will be undertaken within the Local Plan budget.

4.3 Policy and Risk Implications

The continuation of the Local Plan aims to mitigate any risk regarding 5-year supply challenge.

4.4 Corporate Plan Implications

The progression of a new Local Plan will help the Council to deliver its Corporate Plan objectives to make Selby a great place to do business and to enjoy life. More specifically it will contribute to the objective to have a local plan in place which will deliver more houses in the District, business opportunities, promote health and well-being and protect and enhance the local environment.

4.5 Resource Implications

None

4.6 Other Implications

None

4.7 Equalities Impact Assessment

None as this is an information report only.

5. Conclusion

5.1 As Selby District Council will cease to exist on 1st April 2023 the decision to progress the Local Plan will be presented to North Yorkshire Council in accordance with revised governance arrangements.

6. Background Documents

Issues and Options Local Plan
Preferred Options Local Plan
Publication Local Plan August

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