

Selby District Council



Minutes

Executive

- Venue: Microsoft Teams - Remote
- Date: Thursday, 3 September 2020
- Time: 2.00 pm
- Present: Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn and D Buckle
- Also Present: Councillor R Packham
- Officers Present: Janet Waggott – Chief Executive, Karen Iveson – Chief Finance Officer, Alison Hartley – Solicitor to the Council, Suzan Harrington – Director of Corporate Services and Commissioning, Stuart Robinson – Head of Business Development and Improvement, June Rothwell - Head of Operational Services, Julian Rudd – Head of Economic Development and Regeneration, Paula Craddock – Senior Planning Policy Officer, Victoria Foreman – Democratic Services Officer

NOTE: Only minute numbers 25 to 32 are subject to call-in arrangements. The deadline for call-in is 5pm on Tuesday 15 September 2020. Decisions not called in may be implemented from Wednesday 16 September 2020. Minute number 34 is not subject to call-in arrangements as the decision taken by the Executive was deemed to be urgent, as outlined in the Executive procedure rules. The decision was urgent as any delay caused by the call-in process would seriously prejudice the Council's or the public interest.

22 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor C Pearson.

23 MINUTES

The Executive considered the minutes of the meeting held on 6 August 2020.

RESOLVED:

To approve the minutes of the meeting held on 6 August 2020 for signing by the Chair.

24 DISCLOSURES OF INTEREST

There were no disclosures of interest.

25 REVIEW OF CAR PARKING TARIFFS 2020

The Lead Executive Member for Communities and Development presented the first item which asked the Executive to consider the four options set out in the report and approve one of them.

The Executive Member explained that the report provided details of the options for potential car park tariffs. Each option had differing implications and Members were asked when considering an appropriate tariff scheme, to balance the support for the local economy and financial impacts, with the need to sustain income which was sufficient to cover the cost of providing and maintaining the car park service.

Officers confirmed that the decision to add £16k to the capital programme in 2020-21 was an executive function and would not require referral to full Council for approval, as it was not a change of policy.

It was accordingly proposed, seconded and agreed unanimously to approve Option 4 as set out in the report.

RESOLVED:

i. The Executive approved Option 4, to introduce a new tariff scheme which will extend short stay parking from 2 to 3 hours in Selby and introduce a minimum £1 charge for up to 2 hours stay as set out in the report.

ii. The Executive agreed to recommend to Council that £16k be added to the capital programme in 2020/21 to cover the costs of implementing cashless payments, to be financed from the Asset Management Reserve.

REASONS FOR DECISION:

- 1. Having regard to the ongoing discussions in relation to Tadcaster Central Car Park, to achieve at this time, the objective to use the Council's car parks as a platform to boost the local economies of the district by improving the customer experience, whilst supporting the Council's efficiency.*
- 2. To address any shortfall in car park tariff income which may arise from a new tariff scheme.*
- 3. To enable the Council to influence customer behaviour, attracting more users to under used car parks and town centre footfall.*
- 4. To achieve the Council's corporate priority of delivering great value.*

26 ADOPTION OF THE STATEMENT OF COMMUNITY INVOLVEMENT (2020)

The Lead Executive Member for Place Shaping presented the report which asked the Executive to consider the results of the consultation and recommend to full Council that the Statement of Community Involvement (2020) be considered for adoption.

The Executive Member explained that at its meeting on 7 November 2019 the Executive recommended that a draft Statement of Community Involvement (2019) was released for an eight-week consultation between 20 November 2019 and 15 January 2020. The report before the Executive presented the results of the consultation and sought approval of the necessary changes to the draft document for adoption of a final version.

Members thanked Officers for their work on the Statement of Community Involvement and accordingly proposed, seconded and agreed unanimously that it be recommended to the Council for adoption.

RESOLVED:

To recommend to full Council that the Statement of Community Involvement (2020) be considered for adoption.

REASON FOR DECISION:

The Council, as the Local Planning Authority, has a statutory duty to have in place a Statement of Community Involvement and for this to be reviewed at least every five years. Comments received in response to the eight week consultation were considered and

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incorporated where appropriate into the revised Statement of Community Involvement attached at Appendix 2 to the report.

27 CORPORATE PERFORMANCE REPORT - QUARTER 1 2020/21 (APRIL TO JUNE)

The Leader of the Council presented the report which asked the Executive to note and approve the report and consider any further action they wished to take as a result of current performance.

The Executive noted that the quarterly Corporate Performance Report provided a progress update on delivery of the Council Plan 2020-2030 as measured by a combination of: progress against priority projects/high level actions; and performance against KPIs. The Leader went on to give details of the impact of Covid-19 on service delivery and performance, what had gone well and what had not gone so well in Quarter 1.

Members acknowledged the work of the Council to support small businesses in the District during Covid-19, as well as the work of Officers to progress the Council's new Local Plan.

The Executive proposed, seconded and agreed unanimously to note and approve the report before them.

RESOLVED:

The Executive noted and approved the 2020-21 Quarter 1 (April to June) Corporate Performance Report.

REASON FOR DECISION:

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

28 ANIMAL LICENSING POLICY 2020

The Solicitor to the Council presented the report which recommended that the Executive note and consider the consultation responses and adopt the proposed policy, to take effect from 1700 hours on the Wednesday 16 September 2020.

The Solicitor to the Council explained that a public consultation was held between 29 June 2020 and 10 August 2020 on the draft Animal Licensing Policy 2020 ("the Policy") that consolidated existing procedures and incorporated the Animal Welfare (Licensing Activities Involving Animals) (England) Regulations 2018 ("the Regulations"). Officers had reviewed the consultation responses received and no amendments had been made to the proposed

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policy. The consultation responses were reported to the Licensing Committee on the 20 August 2020; the Committee had no further comments.

The Executive had no further comments on the Animal Licensing Policy 2020 and it was therefore proposed, seconded and agreed unanimously that the policy should be adopted.

RESOLVED:

The Executive noted and considered the consultation responses and agreed to adopt the proposed policy, to take effect from 1700 hours on the Wednesday 16 September 2020.

REASON FOR DECISION:

Failure to act appropriately under the legislation would make the Council non-compliant with the legislation and prevent appropriate regulatory action being taken to safeguard the welfare of animals in the Council's area.

29 REVIEW OF STATEMENT OF LICENSING POLICY

The Solicitor to the Council presented the report which asked the Executive to note and consider the results of the public consultation exercise as summarised in Appendix B of the report, and to recommend to full Council that the amended Statement of Licensing Policy attached to the report at Appendix A be adopted.

The Solicitor to the Council explained that the Licensing Act 2003 ("the 2003 Act") required a Licensing Authority to prepare and publish a Statement of Licensing Policy ("the Policy") at least every five years. The current policy was due to expire at the end of 2020. Following a six-week consultation between 29 June 2020 to 10 August 2020, 3 responses had been received from the Environmental Health Team, North Yorkshire Police and North Yorkshire Public Health. All consultation responses had been considered and the proposed amendments to the policy had been made, which were shown in additional tracked changes in Appendix A. The report was considered by the Licensing Committee on 20 August 2020 to feed back the consultation results, and to ask for their comments. The Licensing Committee had no comments to make on the revised policy.

The Executive had no further comments on the Statement of Licensing Policy and it was therefore proposed, seconded and agreed unanimously that the amended Statement of Licensing Policy should be recommended to full Council for adoption.

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The Executive noted and considered the results of the public consultation exercise as summarised in Appendix B of the report and recommended to full Council that the amended Statement of Licensing Policy attached to the report at Appendix A be adopted.

REASON FOR DECISION:

Failure to have an up to date policy would result in the lack of a decision-making framework for the Council to refer to when responding to licensing applications. Having a policy in place will help to ensure that businesses and the public are clear on the Council's position concerning the 2003 Act, including details of how the licensing objectives should be promoted in Selby District.

30 FINANCIAL RESULTS AND BUDGET EXCEPTIONS REPORT TO 30TH JUNE 2020

The Executive Lead Member for Finance and Resources presented the report which asked the Executive to endorse the actions of Officers, note the contents of the report, and approve re-profiled capital programmes and the Programme for Growth as set out at Appendices C and D.

The Executive Member explained that Covid-19 had had a substantial impact on the financial year, and the Council had been reporting monthly to MHCLG and the Executive the estimated impacts on the Council's income streams and cost base, affecting both the General Fund (GF) and the Housing Revenue Account (HRA).

Members noted that at the end of Quarter 1, taking into account Covid-19 and other issues, the current estimated full year revenue outturn estimates indicated deficits of £1,164k for the GF and £374k for the HRA.

Executive Members acknowledged that GF planned savings were showing a forecast shortfall of £603k whilst the HRA was forecasting savings to be £195k lower. Much of this related to staff capacity at the Council to deliver savings this year where Covid-19 had led to a requirement for additional resources to deal with backlogs where otherwise savings would have been expected to be made. There had been delays to negotiations on the environmental contract, as well as Covid-19.

The Committee were informed that the capital programme was currently forecasting an underspend of (£9,329k); (£3,641k) GF and (£5,688k) HRA. In the GF, the majority related to loans to the Housing Trust and the purchase of land, whilst the HRA variance

was due to much lower expected spend on the housing development and property improvement programmes in this financial year.

Members also noted that Programme for Growth projects continued, but progress in terms of financial spend had been mostly staff cost in Quarter 1.

The Executive thanked the Chief Finance Officer and her team for all the work they had undertaken on the Council's finances during Covid-19.

The Leader confirmed that further discussions with Opposition Group Leaders about projects for the Programme for Growth could be arranged, and that this could also be debated further at full Council on 22 September 2020.

In response to a question around housing rent arrears, Officers explained that the Council had put a debt recovery plan in place, and that they had worked closely with tenants to see how they could help them with the debts in these difficult times. It was expected that these issues would continue into the coming months as furloughing came to an end, but that the Council had planned for this accordingly.

It was proposed, seconded and agreed unanimously by the Executive to approve the recommendations set out in the report before them.

RESOLVED: The Executive

- i. endorsed the actions of Officers and noted the contents of the report; and**
- ii. approved re-profiled capital programmes and Programme for Growth as set out at Appendices C and D.**

REASON FOR DECISION:

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

31 TREASURY MANAGEMENT - QUARTERLY UPDATE Q1 2020/21

The Executive Lead Member for Finance and Resources presented the report which asked the Executive to endorse the actions of Officers on the Council's treasury activities for Quarter 1 2020/21 and approve the report.

The Executive Member explained that the report reviewed the Council's borrowing and investment activity (Treasury Management) for the period 1 April to 30 June 2020 (Quarter 1) and presented performance against the Prudential Indicators.

Members noted that on average the Council's investments totalled £75.0m over the quarter at an average rate of 0.77%, and earned interest of £143.9k (£103.9k allocated to the General Fund; £40k allocated to the HRA) which was £22.7k above the year to date budget. However, cash balances were expected to gradually reduce over the year, and interest rates were now at unprecedented low levels, so forecast returns could be in the region of £260k, a budget deficit of £225k. The Bank Rate of 0.10% was expected to remain in place for at least the next two years, and a Brexit trade deal was yet to be agreed. The position would be kept under review.

The Executive acknowledged that in addition to investments held in the pool, the Council had £4.69m invested in property funds as at 30 June 2020. The funds achieved 3.59% revenue return and 2.91% capital loss. This resulted in revenue income of £41.7k to the end of Quarter 1 and an 'unrealised' capital loss of £136.6k. The funds were long term investments and changes in capital values were realised when the units in the funds were sold.

Members also noted that long-term borrowing had totalled £52.833m at 30 June 2020, (£1.6m relating to the General Fund; £51.233m relating to the Housing Revenue Account (HRA)), and repayment was made in May 2020 of £6.5m of HRA debt. Interest payments of £1.917m were forecast for 2020/21, a saving of £0.871m against budget. This was due to HRA budgets allowing for borrowing to support Housing Delivery, which had not been required to date. The Council had no short term borrowing in place as at 31 June 2020.

Lastly, the Council's affordable limits for borrowing were not breached during this period.

It was proposed, seconded and agreed unanimously by the Executive to approve the recommendation set out in the report before them.

RESOLVED:

The Executive endorsed the actions of Officers on the Council's treasury activities for Q1 2020/21 and approved the report.

REASON FOR DECISION:

To comply with the Treasury Management Code of Practice, the

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Executive is required to receive and review regular treasury management monitoring reports.

32 REVISED ESTIMATE 2020/21 AND MEDIUM-TERM FINANCIAL STRATEGY

The Executive Lead Member for Finance and Resources presented the report which asked the Executive to submit to the Council for approval the Revised Estimates for 2020/21 and the Medium-Term Financial Strategy, subject to consultation with the Policy Review Committee.

The Executive Member explained that the report presented a revised Budget for 2020/21 and an update to the Medium-Term Financial Strategy (MTFS), covering both the General Fund and Housing Revenue Account (HRA) prior to consideration by Council later in September 2020.

Members acknowledged that Covid-19 had, and continued to have, a significant impact on the Council's finances. As at the end of July 2020 the full year forecast for 2020/21 totalled £3.8m. The key assumptions that underpinned the strategy had been updated, and the Policy Review Committee would be consulted prior to Council consideration.

The Executive Member explained that the MTFS highlighted further delays to the Fair Funding Review and the reform of the Business rates Retention system, as a result of Covid-19. It is assumed therefore that the settlement for 2021/22 would be another roll-forward, which could result in a further year of the renewable energy business rates windfall. Should the Local Government Finance Settlement be announced early, any necessary changes would be incorporated into the draft Budget as part of the process during the autumn.

Members noted that the MTFS identified risk and uncertainty around business rates retention, on-going reductions to Government funding, wider economic uncertainty at the prospect of a no-deal Brexit and local government re-organisation on the back of a potential devolution deal. In spite of the uncertainty, the MTFS confirmed the Council's strategic approach to continuing to invest 'one-off' or finite resources to stimulate local economic growth and achieve sustainable income through Council Tax and Business Rates growth, whilst reducing its base revenue budget.

The Executive were informed that the MTFS also set out the Council's reserves strategy which sought to set aside sums to cover known commitments and cover financial risk, as well as earmarking resources to support delivery of the "Council Plan".

The Executive Member also explained that following the district elections in May 2019, a number of emerging cost pressures had been identified which would, if they materialised, increase the requirement for on-going savings. Some resources were available from the Business Rates Equalisation Reserve to support in the shorter term, although a top-up of this reserve was required.

The Committee understood that the progress against savings targets had been delayed as a result of Covid-19 and therefore additional drawdown from the Business Rates Equalisation Reserve was expected. Based on the assumptions within the MTFs, the savings requirement was estimated to rise to between £2.4m and £2.9m over the next 3 years. With savings of £848k p.a. already planned, a further £2m would need to be identified.

The Executive accordingly proposed, seconded and unanimously agreed the recommendation set out in the report before them.

RESOLVED:

The Executive agreed that, subject to consultation with Policy Review Committee, the Revised Estimates for 2020/21 and the Medium-Term Financial Strategy be submitted to Council for approval.

REASON FOR DECISION:

To reflect the latest financial issues within the budget for 2020/21 and to set the framework for the 2021/22 budget and Medium-Term Financial Plan to 2023/24.

33 PRIVATE SESSION - EXCLUSION OF PRESS AND PUBLIC

It was proposed, and seconded, that the Executive sit in private session for the next item 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.

At this point the Leader adjourned the meeting for 15 minutes before continuing in private session.

34 ACQUISITION AND DEVELOPMENT OF JAMES WILLIAMS HOUSE, COWIE DRIVE, OUSEGATE, SELBY YO8 8BG

The Lead Executive Member for Communities and Economic Development presented the report which provided details of an updated business case for the purchase of James William House, Cowie Drive, Selby.

Members discussed the proposals outlined in the report with additional information provided by the Head of Economic Development and Regeneration.

RESOLVED: The Executive

- 1. confirmed that further to Minute 27 of the Executive on 15 August 2019, the Director of Economic Regeneration and Place be authorised to purchase the land at James William House, Cowie Drive, Selby, for a renegotiated price, as detailed in the report, to contribute to the delivery of the Selby TCF proposals and regenerate the area east of Selby station;**
- 2. authorised, in principle, the use of compulsory purchase powers in the event that the site could not be acquired by a negotiated purchase; and**
- 3. agreed to fund the purchase of the site, together with sale-related and site clearance and conversion costs, from the P4G Commercial Acquisitions budget that was allocated as the Council's match funding for the TCF programme.**

REASON FOR DECISION:

To contribute to the delivery of the Selby TCF project as the site had strategic importance in the wider regeneration planned to the east of the Selby station.

The public meeting closed at 2.45 pm.