

Council

Venue: Microsoft Teams - Remote
Date: Tuesday, 22 September 2020
Time: 6.00 pm

Present: Councillor D Mackay in the Chair

Councillors J Duggan (Vice-Chair), K Arthur, D Brook, D Buckle, J Cattnach, I Chilvers, J Chilvers, M Crane, S Duckett, K Ellis, K Franks, T Grogan, E Jordan, M Jordan, A Lee, C Lunn, J Mackman, J McCartney, M McCartney, R Musgrave, W Nichols, R Packham, C Pearson, N Reader, J Shaw-Wright, Shaw-Wright, R Sweeting, M Topping and P Welch

Officers Present: Janet Waggott (Chief Executive), Dave Caulfield (Director of Economic Regeneration and Place), Suzan Harrington (Interim Director Corporate Services and Commissioning), Karen Iveson (Chief Finance Officer (s151)), Alison Hartley (Solicitor to the Council and Monitoring Officer) and Palbinder Mann (Democratic Services Manager)

1 APOLOGIES FOR ABSENCE

There were no apologies for absence.

2 DISCLOSURES OF INTEREST

Councillor Lee declared a personal interest in minute item 14 – Review of Statement of Licensing Policy as he was the holder of a premises licence and stated he would not be participating in the discussion or voting on the item.

3 MINUTES

The Council considered the minutes of the meeting held on 20 February 2020.

RESOLVED:

To approve the minutes of the Council meeting held on 20 February 2020 for signing by the Chairman.

4 COMMUNICATIONS

The Chief Executive informed Council that the Chairman and Vice Chairman had agreed not to hold an annual meeting of Council this year and that their current positions along with any Committee places not affected by the report later in the agenda would remain the same until May 2021.

5 ANNOUNCEMENTS

There were no announcements.

6 PETITIONS

There were no petitions received.

7 PUBLIC QUESTIONS

There were no questions received from members of the public.

8 COUNCILLORS' QUESTIONS

There were no questions received from Councillors.

9 REPORTS FROM THE EXECUTIVE

Councillor Mark Crane, Leader of the Council

The Leader of the Council presented his update on the work he had recently undertaken, as outlined in his report.

A query was raised regarding the devolution proposals in North Yorkshire including the Local Government review and whether the review would still occur. The Leader of the Council stated that the Government were working on a number of different issues and it remained to be seen whether the review would still happen or whether it would be delayed.

In response to a query concerning consultation on the KPMG report, the Leader of the Council agreed that there should be wider consultation on the proposals.

A query was raised regarding the costs for the KPMG report. The Leader of the Council explained that each district had placed £25k in a joint fund which had resulted in a fund of £175k overall and the cost of the report had been met from that fund.

Councillor Richard Musgrave, Deputy Leader of the Council and Lead Executive Member for Place Shaping

Councillor Musgrave provided an update on the work he had recently undertaken, as outlined in his report.

In addition to the report, the Lead Executive Member for Place Shaping informed Council that he had agreed with the Director of Economic Regeneration and Place to publish the five year housing land supply figure for the authority which was currently 7.7.

In response to a query concerning enforcement cases, the Lead Executive Member for Place Shaping explained that there had been an increase in cases reported over the last six months along with changes issued by the Government. He added that discussions had taken place with officers on how to reduce the backlog.

A query was raised regarding the appointment of the Project Manager and what areas were covered by the High Street Heritage Action Zone Project as the map of the project seemed to only cover half of Gowthorpe. The Lead Executive Member for Communities and Economic Development stated the post would be funded by the grant received for the project and agreed to get clarification on the areas covered by the project.

Councillor Cliff Lunn, Lead Executive Member for Finance and Resources

Councillor Lunn provided an update on the work he had recently undertaken, as outlined in his report.

A query was raised regarding whether there had been any issues of fraud with the Government grants relating to Covid-19. The Lead Executive Member for Finance and Resources explained that there had been no reported cases of fraud to date however Veritau were looking at possible cases of fraud and rejecting application if necessary. Additionally, Council was informed that if there were any prosecutions then these would be reported.

In response to a query concerning the New Homes Bonus, the Lead Executive Member for Finance and Resources explained that it was the expectation that the funding would finish and that the Council would have to meet the money lost from the Business Equalisation Reserve.

Councillor David Buckle, Lead Executive Member for Communities and Economic Development

Councillor Buckle provided an update on the work he had recently undertaken, as outlined in his report.

The Lead Executive Member for Communities and Economic Development reported that the Council had received £500k from the High Streets Fund.

Concern was raised at the condition of the Sustrans cycle route between Selby and York. The Lead Executive Member for Communities and Economic Development stated that he would ask officers to look into this.

With regard to the Sherburn draft town centre action plan, it was queried who would be invited to the Stakeholder meeting. The Lead Executive Member for

Communities and Economic Development explained that the Council was awaiting the report from Chris Wade before holding the meeting and that stakeholders invited would include representatives from Town Councils, businesses, town centre groups, North Yorkshire County Council and Selby College.

Councillor Chris Pearson, Lead Executive Member for Housing, Health and Culture

Councillor Pearson provided an update on the work he had recently undertaken, as outlined in his report.

A query was raised regarding how many fixed penalty notices and prosecutions had there been from the Council in relation to breaches of Covid-19. The Lead Executive Member for Housing, Health and Culture agreed to look into this and reply.

In response to a query concerning funding for Welcome to Yorkshire, the Leader of the Council explained that the Council had provided £10k of funding to Welcome to Yorkshire.

Concern was raised that the Council were not monitoring licenced premises in the district to ensure they were complying with Covid-19 guidance such as for track and trace. The Lead Executive Member for Housing, Health and Culture reported that licenced premises had been visited and materials such as signage had been provided. It was also noted that North Yorkshire Police had separately been in touch with premises as well.

In response to a query concerning no food hygiene checks being carried out in the last six months, the Leader of the Council stated that food hygiene checks had been carried out.

RESOLVED:

To receive and note the reports from the Executive.

10 REPORTS FROM COMMITTEES

Councillor Steve Shaw-Wright, Chairman of the Overview and Scrutiny Committee

Councillor Shaw-Wright, Chairman of the Overview and Scrutiny Committee, provided an update on the work of the Committee as outlined in his report.

There were no questions from Members.

Councillor Andrew Lee, Chairman of the Policy Review Committee

Councillor Lee, Chairman of the Policy Review Committee, provided an update on the work of the Committee as outlined in his report.

There were no questions from Members.

Councillor Karl Arthur, Chair of the Audit and Governance Committee

Councillor Arthur, Chairman of the Audit and Governance Committee, provided an update on the work of the Committee as outlined in his report.

There were no questions from Members.

RESOLVED:

To receive and note the reports from the Committees.

11 MOTIONS

It was noted that one motion had been submitted for consideration as follows:

This council supports the current campaign to allow families to ask for a post mortem where the deceased had worked in an industry associated with cases of COPD, emphysema, pneumoconiosis and asbestosis. Recognising that many residents of Selby district worked or in some cases still work in such industries

For families to receive the compensation they deserve, cause of death has to record as industrial disease contributing to the death and not just Covid 19.

This council will contact Nigel Adams MP to ask that he also adds his support to the campaign .

Councillor Steve Shaw-Wright proposed the motion and stated that the Council should be concerned that deaths during the pandemic were being recorded on the death certificate by the medical examiner as Covid 19 without a post mortem examination being undertaken.

Council was informed that without the correct cause of death being appended to the death certificate, any compensation to the deceased widow/family would be denied due to the death meeting the criteria set by the Department for Work and Pensions (DWP) as the department did not access medical records as a proof of death.

It was explained that a post mortem examination was conclusive proof that the deceased died while suffering from underlying health conditions and in some cases industrial diseases such as emphysema and asbestosis.

Members were supportive of the motion however it was proposed and seconded to amend the last line of the motion to state that Nigel Adams MP be asked to continue his support for this campaign rather than the stated wording as he had already provided some support. It was agreed to accept the amendment and vote once for the amended motion.

RESOLVED:

To agree the above amended motion.

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

Councillor Lunn, Lead Executive Member for Finance and Resources provided a presentation on Executive's revised budget for 2020/21 and the Medium Term Financial Strategy.

The key elements of the presentation were as follows:

- There had been delays to the Fairer Funding and Business Rates Reviews as a result of the virus.
- The Council had budgeted for a 2% pay award however the final figure agreed had been 2.75% therefore additional funds needed to be allocated to this.
- Covid-19 had impacted significantly on the Council's finances in areas such as additional costs, income losses, delays to savings and creating backlogs in services.
- As at the end of July, the full year forecast of the impact of Covid-19 for 2020/21 was £3.8m for the General Fund and Housing Revenue Account. It was noted that the Council had received £1,068m emergency funding from the Government to compensate for some of the impact however the revised estimates assume no further support would be provided.
- Additional funding had been added to operational contingency for the local government reorganisation for potential added costs.
- Other additional pressures included planning fees, leisure income and the street scene contract.
- There would be £400k less to the Major Repairs Reserve for the Housing Revenue Account which would leave £8.7m for the improvement programme.
- The Council would assume that the 2021/22 Local Government Finance Settlement would be a further one year roll over.

Members debated the proposals. A query was raised regarding any underspends in the budget. The Lead Executive Member for Finance and Resources explained that any underspends had been compensated by the additional spending on areas such as technology to ensure the Council was prepared for working in the current circumstances.

Councillor Packham on behalf of the Labour Group responded to the proposals and outlined the following comments:

- It was acknowledged that forward projections were difficult given the risk and uncertain climate.
- Concern was raised regarding the impact of the local government re-organisation and the savings that it may bring.
- Concern was raised that the additional income from Business Rates and Council Tax at the expected levels may not occur.
- The projected rise in planning income seemed optimistic and was contradicted in a separate area of the report.
- Concern was raised at the impact in the reduction of service related government grants for homelessness and it was suggested that further discussion take place regarding this when future budgets are produced.
- Questions were raised over the employment of agency staff and whether the planned savings would be achievable.

In line with the Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014, the Chairman explained that a recorded vote must be taken on this item.

For the proposal: 30

Councillors K Arthur, D Brook, D Buckle, J Cattanach, I Chilvers, J Chilvers, M Crane, S Duckett, J Duggan, K Ellis, K Franks, T Grogan, E Jordan, M Jordan, A Lee, C Lunn, D Mackay, J Mackman, J McCartney, M McCartney R Musgrave, W Nichols, B Packham, C Pearson, N Reader, J Shaw-Wright, S Shaw-Wright, R Sweeting, M Topping, and P Welch

Against the proposal: 0

RESOLVED:

The Revised Estimates for 2020/21 and the Medium-Term Financial Strategy be approved.

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.

13 PROGRAMME FOR GROWTH PROPOSALS

Councillor Crane, Leader of the Council presented the report which outlined proposals for budget allocations for the Programme for Growth following

engagement with Group Leaders.

Members discussed the proposals and welcomed the cross party dialogue that had occurred regarding the report. It was stated that there should continue to be dialogue between different groups when drawing up future budgets and there should be an 'ideas lab' involving all Members when this is a possible option.

Discussion took place regarding the planting of more trees for environment and Members were supportive of this.

RESOLVED:

The budget allocations including £438k contingency set out at Appendix A be approved.

REASON FOR DECISION:

To enable priority projects to be progressed.

14 REVIEW OF STATEMENT OF LICENSING POLICY

Councillor Pearson, Lead Executive Member for Housing, Health and Culture presented the report which outlined the review of the Statement of Licensing Policy.

There was no discussion on this item.

RESOLVED:

- i) To note and consider the results of the public consultation exercise as summarised in Appendix B of the report.**
- ii) To adopt the amended Statement of Licensing Policy attached to this report at Appendix A.**

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.

15 ADOPTION OF THE STATEMENT OF COMMUNITY INVOLVEMENT (2020)

Councillor Musgrave, Lead Executive Member for Place Shaping presented the report which outlined the Statement of Community Involvement (2020) for adoption.

Concern was raised at the proposals to no longer notify neighbours of a proposed planning application if a site notice was in place. Discussion took place on the positives and negatives of sending out notification letters to neighbours. It was acknowledged that it was important to keep the community informed however it was difficult to confirm specifically which people should be written out to for each application. Additionally it was stated that there were a number of different ways for people to find out about planning applications and that closer working with the Parish Councils in this area may be required.

The Lead Executive Member for Place Shaping informed Council that the process could be reviewed at a later date if it was found not to be working and that officers would be asked to work closer with Parish Councils on this issue.

RESOLVED:

To adopt the Statement of Community Involvement (2020) as attached at Appendix 2.

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.

16 CONSTITUTION UPDATES AND OTHER DECISIONS TAKEN SINCE 23RD MARCH 2020 DURING CORONAVIRUS PANDEMIC

The Monitoring Officer presented the report which outlined updates to the Constitution and other decisions taken since 23rd March 2020 during the Coronavirus pandemic.

There were no comments from Members.

RESOLVED:

- i) To note the urgent decisions made at Appendix A and the additional decision outlined in the report relating to Pavement Café Licences.**
- ii) To note the Constitution amendments made by the Monitoring Officer as outlined at Appendix B.**
- iii) To note the Licensing Committee recommendation to reduce Pavement Café Licences application fees to £0 and the additional delegation to the Solicitor to the Council to suspend licences under the Animal Welfare (Licensing of Activities involving**
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Animals) (England) Regulations 2018

REASON FOR DECISION:

To ensure the Council maintains the highest standards of Governance in line with the Constitution and legislation.

17 ALLOCATION OF COMMITTEE PLACES

Councillor Crane, Leader of the Council presented the report which outlined proposals for the allocation of Committee places.

Members were advised that with regard to the committee place on the Planning Committee, this had been allocated to the ungrouped Member who had decided not to take up the place when it had been offered. It was noted however that Council had the option of allocating the seat outside the political balance rules to another group however this was dependent on no Member voting against this proposal.

It was proposed and seconded to allocate the seat outside of the political balance rules to the Labour Group who had the next highest rounding up figure on the Committee. When being put to the vote, there were votes cast against this proposal therefore it was explained this could not be agreed therefore the seat on the Planning Committee would be left unallocated.

RESOLVED:

- i) To leave the remaining seat on the Planning Committee unallocated.**
- ii) To agree the allocation of Committee places as outlined at Appendix A.**

REASON FOR DECISION:

To meet legislative requirements and to enable the proper functioning of the Council in the 2020/21 municipal year.

18 CALL-IN OF EXECUTIVE DECISION RELATING TO THE REVIEW OF CAR PARKING TARIFFS

Councillor Steve Shaw-Wright presented the report which outlined the Call-In referral from the Scrutiny Committee in respect of report E/20/9 – Review of Car Parking Tariffs 2020 which was made by the Executive at their meeting on 3 September 2020.

Discussion took place on the call in and the options available. It was proposed and seconded to refer the decision back to the Executive for reconsideration. Upon being put to the vote, this proposal was lost.

RESOLVED:

To not object to the decision made by the Executive.

REASON FOR DECISION:

To ensure the Call-In procedure is followed as outlined in the Constitution.

19 URGENT ACTION

There was no urgent action to report.

The meeting closed at 8.44 pm.