

Council

Venue: Council Chamber - Civic Centre, Doncaster Road, Selby, YO8 9FT

Date: Tuesday, 13 December 2022

Time: 3.30 pm

Present: Councillor I Chilvers in the Chair

Councillors D Mackay, K Arthur, D Brook, J Cattanach, J Chilvers, M Crane, S Duckett, K Ellis, T Grogan, M Jordan (Vice-Chair), A Lee, C Lunn, J Mackman, R Musgrave, W Nichols, C Pearson, N Reader, C Richardson, J Shaw-Wright, R Sweeting, G Ashton and R Packham

Officers Present: Suzan Harrington – Director of Corporate Services and Commissioning, Alison Hartley – Solicitor to the Council, Karen Iveson – Chief Finance Officer, Glenn Sharpe – Deputy Monitoring Officer, Martin Grainger – Head of Planning, Caroline Skelly – Planning Policy Officer, Ryan King – Senior Planning Policy Officer, Victoria Foreman – Democratic Services Officer

Press: 0
Public: 12

28 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors J Duggan, Keith Franks, Paul Welch, Steve Shaw-Wright, Mark Topping and David Buckle.

Apologies were also received from Janet Waggott, Chief Executive.

29 DISCLOSURES OF INTEREST

Councillor K Arthur declared a personal non-pecuniary interest in agenda item 9 – Reports from the Executive, specifically the update from the Lead Executive Member for Communities and Economic Development, as he was employed by Network Rail, but would not be leaving the meeting during consideration thereof.

Councillors J Mackman and S Duckett declared personal non-pecuniary interests in agenda item 9 – Reports from the Executive, as the Deputy

Leader's update had referenced Selby District Housing Trust and the Charity Commission permission to offer the stock to Selby District Council as social housing. Councillor Mackman had been a member and Chair of Selby District Housing Trust. Councillor Duckett had also been a member of the Housing Trust.

30 MINUTES

The Council were asked to approve as a correct record the minutes of the meeting of the Council held on 27 September 2022, and to reconsider and agree once again as a correct record the minutes of the Annual Meeting of the Council held on 17 May 2022, in order to rectify an error at minute number 9 – Council Appointments to Outside Bodies 2022-23.

Councillor G Ashton had been appointed as the Council's representative on National Association of Councillors (National and Northern Branch), not the National Association of Local Councils; the minutes required amending to reflect as such.

Once the minutes for the Annual Meeting were agreed again by the Council, subject to the correction, they would be updated and republished.

The Council reconsidered the minutes of the Annual Meeting held on 17 May 2022 and agreed the amendment.

The Council also considered the minutes of the meeting held on 27 September 2022.

RESOLVED:

To approve and republish the minutes of the Annual Council meeting held on 17 May 2022, subject to the amendment at minute number 9 - Council Appointments to Outside Bodies 2022-23, and to approve the minutes of the meeting held on 27 September 2022, both for signing by the Chairman.

31 COMMUNICATIONS

There were no communications.

32 ANNOUNCEMENTS

There were no announcements.

33 PETITIONS

There were no petitions.

34 PUBLIC QUESTIONS

There were no public questions.

35 COUNCILLORS' QUESTIONS

There were no Councillors' questions.

36 REPORTS FROM THE EXECUTIVE

Councillor Mark Crane, Leader of the Council

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

The Leader of the Opposition asked about planning enforcement cases and related staffing levels. The Leader explained that the Council had received more cases than previously, many of which were relatively minor issues. Staffing levels were the same as the preceding year; there had been an agency worker who had assisted the team, but they had now left the organisation. Overall, enforcement cases had decreased over the last two years and had only very recently seen an increase.

Members queried the work of the Planning Team with North Yorkshire County Council on 5 Nationally Significant Infrastructure Projects that were at various stages with the Planning Inspectorate (PINS) through the Development Consent regime. The Leader confirmed that it was the Drax Bioenergy with Carbon Capture and Storage project at pre-examination stage. There were currently a number of significant, large-scale and potentially contentious applications in the district. The Camblesforth Solar Farm project had been submitted to PINS and was awaiting acceptance.

Lastly, the Leader was asked by Members to chase up a response to a question that had been submitted at the 27 September 2022 meeting of the Council. The query related to 380 potential homes to be built on Low Street in Sherburn as presented in the Local Plan, which were identified as coming through a public open space, footpath and nature reserve. Members asked that Officers look into this and clarify the plans, and what the potential impact of such a development could be.

The Leader apologised that the information had not been provided and handed over to the Deputy Leader who would respond to the points raised as he had been closer to the Local Plan process. The Deputy Leader reminded Members that the time for making comments on the Local Plan, i.e., the consultation period, had ended.

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

The Deputy Leader of the Council presented the update on the work undertaken as outlined in the report.

The Leader of the Opposition thanked the Council for its investment in the

prefabricated homes at Beech Grove in Sherburn; this had been very welcome, and residents were delighted with the results.

Councillor N Reader joined the meeting at this point.

The Leader of the Opposition raised a question on void properties and the issues around repairing these properties to a high standard, and whether the Council was able to commit to continue to do this to avoid future costs and address environmental aspects of the work. The Leader of the Opposition also asked about the problem of mould in some Council houses, which was an issue that had been raised with him by some residents, and if an advice line or specific Officer contact details could be provided to tenants to address the matter.

The Deputy Leader expressed his pleasure at the positive feedback from residents regarding the work at Beech Grove; it was hoped that the work would be completed by the end of January 2023.

Regarding the points made about the mould, a recent update had been given to him by Officers which would be forwarded to the Leader of the Opposition. The Deputy Leader agreed that it was the Council's responsibility to review the current position and would be providing assessment information in the new year, as well as the details of Officers leading on the work.

The Deputy Leader acknowledged the emerging issue of more void properties requiring repair work. There was the potential for an urgent decision to be taken on the issue in the coming weeks. If the decision could not wait until full Council in February 2023, it would need to be taken by the Leader in consultation with the Chair of Policy Review or Scrutiny Committee. The Deputy Leader suggested that the Leader of the Opposition also be included in the deliberations. The Leader of the Opposition was firmly of the opinion that such a critical decision with long-term implications should be taken at an extraordinary meeting of the Council. The Deputy Leader went on to explain that a full housing stock survey was being undertaken and that the Council had a good reputation for the standard of repairs.

Members stressed the importance of housing repairs being undertaken for current tenants in a timely and efficient manner, particularly work on reported damp and mould. It was noted that there had been problems with recruitment of staff to carry out the repairs.

The Deputy Leader was asked how long the housing stock survey would take. The Deputy Leader expressed his willingness to work with Members on such matters and that he would raise problems with Officers directly should it be required. The stock survey was underway, and the mould report requested by central government was due for submission in January 2023.

Councillor Cliff Lunn, Lead Executive Member for Finance and Resources

The Lead Executive Member for Finance and Resources presented his update

as outlined in the report.

There were no questions from Members.

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

In Councillor Buckle's absence the Leader of the Council presented the update as outlined in the report.

Members asked about worries regarding legacy projects in Sherburn that had been raised at the Council meeting on 27 September 2022. There were particular concerns relating to a specific project due to an associated planning application, and it was requested that an undertaking be given that it be discussed at the next meeting of the Executive.

The Leader responded and explained that he had met with Officers to talk about the project and the desire to deliver it. However, the project in question to build three bungalows was legally not as straight forward as had been hoped. It had been anticipated that Groundwork North Yorkshire would undertake the work, but the costs of the scheme were significant, some aspects of which had not been budgeted for. The Leader had asked Officers to look into the matter in more detail ready for further meetings, with a view to providing more information to Ward Councillors in the future.

The Leader of the Opposition enquired about funding from the Changing Places scheme. Monies from the scheme had been provided for toilets in other parts of the district, but Sherburn had not been included for such work which was needed at Sherburn Library; the Leader was asked why this was. The Leader clarified that the Changing Places scheme was very particular and that funding had been allocated very specifically for schemes in Selby and Tadcaster; as such, further funding for Sherburn was not available.

Councillor Tim Grogan, Lead Executive Member for Health and Culture

The Lead Executive Member for Health and Culture presented his update as outlined in the report.

The Executive Member reassured Members that he received regular updates from Enforcement Officers and thanked those staff Members in the Enforcement Team and Environmental Health for their hard work.

Members referred to the numbers provided for the total of three fines given to an individual for fly tipping a bed, mattress and set of drawers; these figures did not add up to the amount given in the update (£580) and should have been £531. The Executive Member acknowledged the error.

RESOLVED:

To receive and note the reports of the Executive.

37 REPORTS FROM COMMITTEES

Councillor Karl Arthur, Chairman 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.

The Chairman thanked Officers for circulating information requested by Members at the last meeting of the Committee so quickly

Members noted that an additional meeting of the Committee would be held on 29 March 2023 as internal audit across the district and borough councils in the county had confirmed that Selby District Council's decision would be required in March 2023 to provide final assurance reports. This was so the annual governance statement could be signed off at the 31 March 2023 year-end by the Leader and the Head of Paid Service.

Members congratulated the Chairman and the Committee for the amount of work that had been covered in 2022-23 and the number of issues addressed and challenged as a result.

Councillor Chris Pearson, Chairman of Policy Review Committee

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

Members noted that a further meeting had been held on 6 December 2022 which had covered the emerging climate change strategy for North Yorkshire, the York and North Yorkshire Local Enterprise Partnership (LEP) 'Routemap to Carbon Negative', and had welcomed the Chief Officer of Selby District Association of Voluntary Service to talk about the work being done to create a climate friendly future in the Selby area.

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

In Councillor Shaw-Wright's absence, the Deputy Chair of the Committee, Councillor Wendy Nichols, presented the update on the work of the Committee as outlined in the report.

Councillor Nichols explained that lack of parking enforcement had been raised as a significant issue at previous meetings of the Committee and that the matter needed to be resolved soon.

The Leader and Lead Executive Member for Health and Culture acknowledged that there was a problem in the district, in particular Selby town, and that work had to be undertaken to address it.

The Leader of the Opposition advised Members that civil parking matters would be discussed at a meeting at North Yorkshire County Council in

January 2023.

It was proposed, seconded and a vote taken to note the reports.

RESOLVED:

To note the reports from Committees.

38 MOTIONS

There were no motions.

39 ESCRICK NEIGHBOURHOOD DEVELOPMENT PLAN 2021-2035 (ENDP) (C/22/8)

The Leader introduced report C/22/8 which asked the Council to formally make the Escrick Neighbourhood Development Plan 2021-2035 part of the Development Plan for Selby District following the positive outcome of the referendum held on 6 October 2022.

The report explained that the referendum had posed the following question:

“Do you want Selby District Council to use the Escrick Neighbourhood Development Plan to help it decide planning applications in the Escrick neighbourhood area?”

There was a 33% (246 ballot papers issued) turnout to the referendum with 89.7% (219 votes recorded) of the votes cast in favour of ‘Yes’. 10.2% (25 votes recorded) of votes were cast in favour of ‘No’. Two ballot papers were rejected.

The Leader explained that the matter had already been reported to the Executive where it had been supported. The Deputy Leader detailed his involvement in the plan during his tenure as County Councillor, when Escrick had been part of his County Division, and also expressed his support.

It was proposed, seconded and a vote taken to agree the recommendation as set out in the report.

RESOLVED:

The Council agreed to formally make the Escrick Neighbourhood Development Plan 2021-2035 part of the Development Plan for Selby District following the positive outcome of the referendum held on 6 October 2022.

40 CONSTITUTION UPDATE (C/22/9)

The Monitoring Officer introduced report C/22/9 which asked the Council to note the administrative changes made to the Constitution since the last amendments reported to Council in December 2021.

Members noted that the Constitution was a key document in the Corporate Governance Framework of the Council. The two overarching principles of good governance as set out in the CIPFA code were:

- behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law; and
- ensuring openness and comprehensive stakeholder engagement.

A review of the Constitution was undertaken on a regular basis to consider whether there were any changes required as a result of legislative change, recommendations from internal or external auditors or in the light of experience and best practice.

Under Article 14 of the Constitution responsibility for the Constitution sat with the Monitoring Officer. Since the Monitoring Officer last reported to Council in December 2021, further administrative changes had been made including those to reflect reallocation of management responsibilities. The changes were set out in Appendix A to the report.

Members expressed their support. It was proposed, seconded and a vote taken to agree the recommendation as set out in the report.

RESOLVED:

The Council noted the administrative changes made by the Monitoring Officer since the last amendments were reported to Council in December 2021.

41 REPORT OF THE MONITORING OFFICER - STANDARDS ARRANGEMENTS (C/22/10)

The Monitoring Officer introduced report C/22/10 which asked the Council to note its content.

Members noted that the report covered the operation of the standards regime for Selby District Council and Parish Councils (which included Town Councils) within Selby District. It considered the complaints history and concluded that the arrangements were satisfactory and met legal duties. Complaints continued to be processed and considered, with the Independent Persons extremely diligent in responding to consultation. The Independent Persons appointments had been extended to 31 March 2023.

Members asked why, as detailed at paragraph 2.2 of the report, where breaches were identified in two Parish cases, one of the cases was still outstanding. The Monitoring Officer explained that investigation and resolution of this case was taking longer than hoped due to staff availability and workloads.

It was proposed, seconded and a vote taken to agree the recommendation as set out in the report.

RESOLVED:

The Council noted the content of report C/22/10.

42 URGENT ACTION

There were no urgent actions.

The meeting closed at 4.30 pm.