

Selby District Council



Minutes

Executive

Venue:	Committee Room, Civic Centre, Selby
Date:	Thursday 1 March 2018
Time:	4pm
Present:	Councillors Crane (Chair), Lunn and Mackman
Also Present:	Councillors Buckle and Hobson.
Officers present:	Janet Waggott, Chief Executive, Dave Caulfield, Director of Economic Regeneration and Place, Gillian Marshall, Solicitor to the Council, June Rothwell, Head of Operational Services, Martin Grainger, Head of Planning, Mike James, Communications and Marketing Manager, Chris Watson, Policy and Performance Officer (for minute item 81), Angela Crossland, Head of Communities, Partnerships and Customers (for minute item 83), Phil Hiscott, Property Management Team Leader (for minute item 88) and Palbinder Mann, Democratic Services Manager.
Public:	0
Press:	1

NOTE: Only minute numbers 81 to 85 and 87 to 88 are subject to call-in arrangements. The deadline for call-in is 5pm on Wednesday 14 March 2018. Decisions not called in may be implemented from Thursday 15 March 2018.

78. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Metcalfe. The Leader of the Council informed the Executive that Councillor Musgrave had stepped down from the Executive and thanked him for all of his work. The Leader of the Council explained that the Executive would continue to have four members in the interim and that he would be picking up Councillor Musgrave's portfolio.

79. MINUTES

The Executive considered the minutes of the meeting held on 1 February 2018.

RESOLVED:

To approve the minutes of the meeting held on 1 February 2018 for signing by the Chair.

80. DISCLOSURES OF INTEREST

There were no disclosures of interest.

81. CORPORATE PERFORMANCE REPORT – QUARTER 3 – 2017/18 (OCTOBER TO DECEMBER)

Councillor Crane, Leader of the Council presented the report that provided a progress update on delivery of the Council's Corporate Plan 2015-20 as measured by a combination of: progress against priority projects/high level actions; and performance against key performance indicators (KPIs).

The Leader of the Council stated that very positive feedback had been received from a number of residents regarding staff undertaking waste collections in the recent difficult weather conditions. He also expressed his thanks for the work undertaken.

Concern was raised at the figures relating to the number of visits to Selby Leisure Centre and it was stated that work needed to be done with Inspiring Healthy Lifestyles to increase the figure. It was felt work needed to be done on the marketing and promoting both the Leisure Centre and Summit.

With regard to the staff survey, the Executive requested feedback on the responses provided by staff.

A query was raised on the average time to re let vacant properties. The Head of Operational Services explained that additional funding had been approved in the recent budget for extra resource in this area. It was also noted that when properties were made

vacant, they tended to be in a poor condition and required work before they were made in a condition to be let.

RESOLVED:

To note and approve the reports

REASON FOR THE DECISION

To enable the Council to demonstrate progress on delivering the Corporate Plan Priorities to make Selby District a great place.

82. DRAX REPOWER PROJECT – NATIONALLY SIGNIFICANT INFRASTRUCTURE PROJECT

Councillor Mackman, Lead Executive Member for Place Shaping presented the report which set out the proposal and the legislative background to the anticipated Nationally Significant Infrastructure Project (NSIP) proposal for Drax Power Station and how such projects were dealt with.

The Lead Executive Member for Place Shaping explained that Drax would be making an application to the Planning Inspectorate however the final decision would be made by the Secretary of State. It was noted that a decision on the proposal must be made within 12 months of it being validated.

RESOLVED:

- i) To note the contents of the report and to agree to support this Drax Repower NSIP application in principle, subject to agreement in relation to specific and localised matters of detail.**
- ii) To authorise the Director of Economic Regeneration and Place in consultation with the Executive Member for Place Shaping to agree the Local Impact Report, Statement(s) 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 Development Consent Order.**

REASON FOR THE DECISION

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

83. VISITOR ECONOMY STRATEGY AND ACTION PLAN

Councillor Crane, Leader of the Council presented the report which outlined the Visitor Economy Strategy and Action Plan.

The Head of Communities, Partnerships and Customers explained that the strategy was a key element of the Economic Development Framework and would be used to invest, strengthen and promote assets of the district along and secure investment.

The Executive were supportive of the strategy and action plan however stated that actions needed to be prioritised to ensure they were sustainable and that there was capacity to deliver. It was requested that an update report be brought back before the Executive each year to monitor progress.

RESOLVED:

To approve the strategy and action plan including an initial outline budget for delivery.

REASON FOR THE DECISION

To agree the recommendation as a key element in delivering Strategic Priority 2 of the Economic Development Framework: 'Making Selby District a great place to live and work'.

84. BETTER TOGETHER LEGAL

Councillor Crane, Leader of the Council presented the report which set out the results of the review of the current trial to integrate legal services as part of the 'Better Together' collaboration with North Yorkshire County Council (NYCC).

The Leader of the Council explained that the trial had been a success however improvement was needed in some areas. It was clarified that the Solicitor to the Council would continue to be employed directly by Selby District Council.

The Executive requested that a presence of staff should be maintained at Selby, there should be direct access services to

Legal Services at NYCC and that it was important that Selby priorities were given due care and attention.

The Solicitor to the Council explained that a presence would be maintained at Selby and access to legal services at NYCC would be agreed in the Service Level Agreement. It was also explained that there was regular dialogue with NYCC where the priorities of Selby could be discussed.

It was requested that there should be update report brought back to the Executive in 12 months to provide an update on progress. It was agreed to add this to the recommendations.

RESOLVED:

- i) To approve that with effect from 1 April 2018, there be a formal integration of SDC's legal service with NYCC's legal service;**
- ii) To provide delegated authority to the Chief Executive in consultation with the Leader of Council to finalise the terms of the agreement with NYCC;**
- iii) To authorise the Chief Executive to transfer the affected employees to North Yorkshire County Council under the Transfer of Undertakings Protection of Employment (TUPE) provisions.**
- iv) To provide an update report to the Executive in 12 months.**

REASON FOR THE DECISION

To deliver service resilience and improvement, and operational efficiencies.

85. FAIR FUNDING CONSULTATION

Councillor Lunn, Lead Executive Member for Finance and Resources presented the report which provided information on the Fair Funding Review consultation by the Government.

The Lead Executive Member for Finance and Resources explained that the Council would request that Internal Drainage Boards should raise a separate precept similar to that raised by the Fire

and Police services rather than being funded directly from the local authority.

Concern was raised that the funding received per head was lower than that provided to areas in London and it was requested that there should be a fairer distribution of funding.

RESOLVED:

To authorise the Chief Finance Officer, in consultation with the Lead Executive Member for Finance and Resources and the Leader of the Council to submit a response on behalf of the Council which takes into account the comments made by the Executive.

REASON FOR THE DECISION

To ensure a response to the consultation is submitted by the due date and allow the views of the Executive to be included in the consultation response.

86. PRIVATE SESSION

The Executive moved into private session to discuss the next two items.

RESOLVED:

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 Section 100(1) of the Act as described in paragraph 3 of Part 1 of Schedule 12(A) of the Act.

REASON FOR THE DECISION

To ensure the Executive compiles with the correct legislation when discussion private and confidential items.

87. LEASE OF LAND AT BURN AIRFIELD

Councillor Lunn, Lead Executive Member for Finance and Resources presented the report which outlined the current position regarding the site at Burn Airfield, Selby, currently occupied for agricultural use and the proposal to manage this going forward in line with the Council's proposals for this site.

The Lead Executive Member for Finance and Resources explained that the former leaseholder had passed away and subsequently the lease had not been renewed. It was proposed to enter into a tenancy with the son of the previous tenant.

It was noted that this item had been deferred from a previous meeting to allow further discussions to take place regarding the insertion of break clause for the Council. The Head of Operational Services explained that further discussions had taken place with the agents acting on behalf of the Council however it had been advised that it would not be possible for the Council to insert a break clause as requested. The Executive were informed that the Council was able to give 12 months' notice to the tenant at any time however costs would be associated with this.

The Executive also requested details of the other tenancies associated with the Burn airfield site.

RESOLVED:

To approve the terms of the proposed lease for the 47.25 acres of agricultural land in respect of which a new lease is required.

REASON FOR THE DECISION

- *To ensure an income stream is retained by the Council for the 47.25 acres of agricultural land.*
- *To provide certainty that any lease agreed will ensure the Council is able to take back possession at a time approximately co-terminus with the Gliding Club of Burn Airfield to allow development of the Burn Airfield to progress.*

88. COMMERCIAL INDUSTRIAL UNIT RENTAL POLICY

Councillor Lunn, Lead Executive Member for Finance and Resources presented the report which outlined the current position in respect of the four commercial property sites currently owned by the Council, outlined options for rent increases and proposals for the future management of the units.

The Lead Executive Member for Finance and Resources explained that the Council should have carried out a rent review every three years however this had not been consistently undertaken and implemented for the industrial units. It was explained that a recent review had been undertaken and that following calculations, rent increases were being proposed which had met with objections from the tenants. It was noted that four options for consideration had been outlined in the report.

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The Leader of the Council informed the Executive that he had agreed to let Councillor Buckle, Ward Councillor for Sherburn in Elmet to speak on this item. The following discussion took place:

- The tenants for the industrial units at Swordfish Way had raised concern at the large rent increases proposed and felt this was unfair.
- Concern had been raised by the tenants at Swordfish Way regarding the lack of maintenance undertaken by the Council on the sites and the lack of response to communication on this in the past. It was explained that the Council had met all of its legal requirements with regard to maintenance of the units and had undertaken a condition survey of the units identifying future maintenance requirements. It was also noted that additional funding had been agreed in the Council's budget to undertake further maintenance work to improve the general condition of the units,
- A staggered rent rise should be implemented to demonstrate support for local businesses.

Discussion took place on the options outlined in the report and clarification was sought from officers on the differences between the options outlined along with the financial and legal implications. Following the discussion and responses received, the Executive were supportive of phasing in the increase over five years with a further rent review to be carried out at three years. It was agreed to word the resolution to this effect to avoid any confusion.

RESOLVED:

To agree to a phased increase of rents over five years with a rent review to be carried out at three years.

REASON FOR THE DECISION

- *To deliver the objectives of the Asset Management Strategy.*
- *To enable implementation of outstanding rent increases to established tenants, ensuring a continued income stream for the Council.*
- *To affirm the approach to implementation of rent increases for new tenants.*
- *To standardise tenancy agreements across the industrial stock, ensuring management consistency moving forwards.*

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The meeting closed 5.27pm.