

Selby District Council



Minutes

Executive

Venue: Committee Room - Civic Centre, Doncaster Road, Selby, YO8 9FT

Date: Thursday, 5 December 2019

Time: 4.00 pm

Present: Councillors M Crane (Chair), R Musgrave (Vice-Chair), C Lunn, C Pearson and D Buckle

Also Present: Councillors R Packham

Officers Present: Janet Waggott (Chief Executive), Dave Caulfield (Director of Economic Regeneration and Place), Julie Slatter (Director of Corporate Services & Commissioning), Karen Iveson (Chief Finance Officer (s151)), Alison Hartley (Solicitor to the Council and Monitoring Officer), Keith Cadman (Head of Commissioning, Contracts and Procurement) (for minute items 60-61), Aimi Brookes (Contracts Team Leader) (for minute items 60-61), June Rothwell (Head of Operational Services) (for minute items 62-67), Tammy Fox (Taxation, Benefits & Debt Team Leader) (for minute items 62-63), Wayne Palmer (Environmental Health Team Leader) (for minute item 64), Jack Hopper (Senior Environmental Health Officer) (for minute item 64) Paula Craddock (Senior Planning Policy Officer) (for minute item 65), Caroline Skelly (Planning Policy Manager) (for minute items 65), Mike James (Communications and Marketing Manager) and Palbinder Mann (Democratic Services Manager)

Public: 0

Press: 0

NOTE: Only minute numbers 60-62, 64-67 and 69 are subject to call-in arrangements. The deadline for call-in is 5pm on Tuesday 17 December 2019. Decisions not called in may be implemented from Wednesday 18 December 2019.

57 APOLOGIES FOR ABSENCE

There were no apologies for absence.

58 MINUTES

The Executive considered the public and private minutes of the meeting held on 7th November 2019.

RESOLVED:

To approve the public and private minutes of the meeting held on 7th November 2019 for signing by the Chair.

59 DISCLOSURES OF INTEREST

There were no disclosures of interest.

60 LEISURE SERVICES PLANNED MAINTENANCE PROGRAMME YEAR 11

The Leader of the Council presented the report which outlined the leisure services planned maintenance programme for year 11.

The Leader of the Council explained that the maintenance programme included essential works and was needed to ensure the Council's leisure centres were fit for purpose.

In response to a query regarding concerns raised around the cleanliness of Selby Leisure Centre, the Contracts Team Leader explained that following the comments, an unplanned inspection had been carried out to inspect the premises and no further complaints had been received.

RESOLVED:

- i) To agree that the Year 11 Landlord Planned Maintenance Programme for Selby Leisure Centre and Tadcaster Leisure Centre**
- ii) To fund the Year 11 programme from the Building Repairs Reserve within the budget**

proposals for 2020/21.

REASON FOR DECISION:

To ensure essential maintenance work required at the Council's leisure facilities is included in the Council's capital programme to enable the Council to discharge its duties as a landlord and ensure the facilities are maintained to an appropriate standard.

61 INTRODUCTION OF FIXED PENALTY NOTICES FOR HOUSEHOLDERS DUTY OF CARE OFFENCES AND FLY TIPPING OFFENCES

The Lead Executive Member for Housing, Health and Culture presented the report which outlined the legal and operational background for the Executive to consider and to make an informed decision on the proposal to introduce a system of Fixed Penalty Notices (FPN's) for offences relating to fly tipping for offences relating to fly tipping by the householder or the fly tipper.

The Lead Executive Member for Housing, Health and Culture explained that the Environmental Protection Regulations had come into effect in January of this year which had allowed FPNs to be issued to householders or fly tipping offenders.

It was noted that proposed notices would be reviewed on an annual basis.

A query was raised whether a householder would still be issued with a FPN even if they had ensured they had carried out the proper checks on someone collecting their waste. The Head of Commissioning, Contracts and Procurement explained that each incident would be dealt with on a case by case basis and it was likely if a householder had carried out the proper checks then they would only be issued with a warning.

RESOLVED:

- i) To approve the introduction of a system of FPN's for Householder Duty of Care Offences with an FPN level of £400, with an early payment discount to £300 if paid within 28 days.**
- ii) To approve the introduction of a system of FPN's for fly tipping offences with an FPN level of £400 with an early payment discount to £300 if paid within 28 days.**
- iii) To review annually the level of FPN charges to ensure consistency with other local**

authorities and ensure proportionality is maintained.

REASON FOR DECISION:

To introduce powers for Selby District Council Enforcement Officers to issue Fixed Penalty Notices for fly tipping or Householder Duty of Care offences.

62 EMPTY HOMES AND COUNCIL TAX PREMIUM CHARGES

The Lead Executive Member for Finance and Resources presented the report which outlined the amount of premium the Council potentially wished to charge going forward for long term empty properties.

The Lead Executive Member for Finance and Resources explained that the options for consideration were outlined in section 2.1 of the report and that the intention was to try to reduce the number of empty properties in the district. It was noted that all affected owners would be given proper notice of any decision taken.

Discussion took place on what specifically constituted an empty home. The Taxation, Benefits and Debt Team Leader explained that if a property was on the council tax listed and classed as habitable then they would be charged council tax. Furthermore, the Executive was informed that an owner could ask for the property to be removed from the valuation officer's list and therefore exempt from Council Tax, however this decision was based on strict criteria which needed to be met in order for a property to be classed as uninhabitable. The Taxation, Benefits and Debt Team Leader added that a property would have to be not weatherproof, for example lacking a roof and windows to be class uninhabitable. The Executive was informed that removal of a bathroom or kitchen alone did not mean a property would be classed as uninhabitable.

A query was raised regarding when properties that were being built could be charged council tax. The Taxation, Benefits and Debt Team Leader explained that as soon as someone was residing in the property then it appeared on the list. Additionally it was explained that the Council could issue a completion notice for new build properties typically at the second fix stage, around three months before the property was due to be completed to bring it onto the list.

A query was raised regarding the exact figure of properties in the district that were classed as uninhabitable. It was agreed this would be circulated to the Executive.

The Executive noted that the majority of council tax from empty

properties was received by North Yorkshire County Council. The Director of Corporate Services and Commissioning explained that discussions had taken place with North Yorkshire County Council concerning funding for the Empty Homes Officer and Property Inspector posts at the District Council.

RESOLVED:

To approve the current empty premium for properties over 2 years is retained at 100% and for longer term empty properties it is increased to the maximum levels as follows:

- **200% premium from 1 April 2020 for those properties which are empty for 5 years and over;**
- **300% premium from 1 April 2021 for those properties which are empty for 10 years and over.**

REASON FOR DECISION:

The implementation of this is a further measure and central government has aimed it at encouraging owners of empty homes to bring them back into use along with the authorities own Empty Homes Strategy.

63 PROPOSED COUNCIL TAX SUPPORT SCHEME FOR 2020/21

The Lead Executive Member for Finance and Resources presented the report which outlined the proposed Council Tax Support Scheme for 2020/21.

The Lead Executive Member for Finance and Resources explained that the new scheme was based on a banded grid depending on the income received by the individual and was aligned with Universal Credit. It was noted that most people, 97.2% would be better off under the revised scheme however a small number of people may receive less. The Executive was informed that there was a hardship scheme which people could apply for if they were negatively affected by the changes.

The Executive were supportive of the proposals and recommended them to Council.

RESOLVED:

To note the outcomes of the consultation process and to recommend to Council that the Council Tax Support Scheme be amended to the proposed new scheme.

REASON FOR DECISION:

The Council has to adopt a new Council Tax Support Scheme for each financial year which forms part of the council's budget and policy framework.

64 CONTAMINATED LAND STRATEGY 2019-24

The Lead Executive Member for Housing, Health and Culture presented the report which outlined the Contaminated Land Strategy 2019-24.

The Lead Executive Member for Housing, Health and Culture explained that the strategy assisted the Council in discharging its statutory functions in relation to contaminated land and also supported the corporate priorities.

The Executive were supportive of the strategy.

RESOLVED:

To approve the Contaminated Land Strategy 2019-24.

REASON FOR DECISION:

The Council has a statutory duty to: -

- *Determine whether any particular site meets the statutory definition of contaminated land and what if any, remediation is required.*
- *Act as the enforcing authority for all contaminated land within the District, unless the site meets the definition of a "special site", in which case the Environment Agency will act as the enforcing authority.*

65 HOUSING REVENUE ACCOUNT (HRA) BUSINESS PLAN - FINAL VERSION

The Lead Executive Member for Housing, Health and Culture presented the report which outlined the Housing Revenue Account (HRA) Business Plan.

The Lead Executive Member for Housing, Health and Culture explained that the HRA outlined key housing responsibilities for the authority.

The Executive were supportive of the plan and felt it was positive that additional investment was being made in the Council's Housing

Stock.

RESOLVED:

To approve the final HRA Business Plan 2020-2025.

REASON FOR DECISION:

Approving the HRA Business Plan 2020-2025 allows the Council to detail our ambitions over the next five years and beyond as to how we manage and look to improve our housing stock, ensuring as much as possible that the needs of our residents are met now and in the future.

66 PROPOSED REMOVAL BY BRITISH TELECOM (BT) OF ELEVEN BT PAYPHONES IN THE SELBY DISTRICT.

The Lead Executive Member for Place Shaping presented the report which outlined the Council response to the proposed removal by BT of twelve BT payphones in the Selby District.

It was noted that the report referred to eleven payphones however subsequently it had been discovered that there was an additional payphone in Tadcaster which was also part of the proposals and therefore the total was twelve.

Discussion took place on the proposed delegation of authority to the Director of Economic Regeneration and Place in conjunction with the Lead Executive Member for Place Shaping to make a decision on any future payphones however it was explained that this would require a specific delegation through a different process.

It was noted the process was a consultation by BT who would then make the final decision on whether the payphones were removed or not.

RESOLVED:

- i) To approve the scope of the consultation as set out in Appendix 2 and the publication of the First Notification for further consultation as set out in Appendix 3 with the inclusion of the additional payphone in Tadcaster.**
- ii) To delegate authority to the Director of Economic Regeneration & Place in consultation with the Lead Executive Member for Place Shaping to make a decision in relation to any further responses received to the First Notification**

and to determine the final response (the “Final Notification”) to BT and the Secretary of State

REASON FOR DECISION:

The Council has a right to respond to this consultation in line with the 2005 Ofcom (Office of Communications) rules for the removal of telephones and phone boxes. These rules give Local Authorities the power to object to such removals and this report seeks approval for consultation to take place on an initial objection, and delegated authority be given to the Director of Economic Regeneration & Place to consider the results and whether to maintain objection in consultation with the Lead Executive Member for Place Shaping.

67 CORPORATE PERFORMANCE REPORT - QUARTER 2 - 2019/20 (JULY TO SEPTEMBER)

The Leader of the Council presented the quarterly Corporate Performance Report for quarter two and 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 highlighted the improvement in empty homes brought back into use as a result of direct action. It was noted that the figures included in the report were incorrect as they did not add up to the figure of 27.

The Leader also noted and thanked staff for their hard work in making significant improvements in the time taken to re-let void properties.

It was noted that the target had not been met on the performance indicator relating to council housing rent and arrears collected. The Director of Corporate Services and Commissioning explained that there had been some impact from Universal Credit where some accounts had gone into arrears while claims were waiting to be processed.

A query was raised around the indicator relating to corporate complaints fully responded to in the required time. The Director of Corporate Services and Commissioning explained that the figure had been impacted by three stage two complaints being responded to a day late.

In response to a query concerning the reduction in anti social behaviour and working with the Police, the Head of Operations

explained that the Council worked closely with the Police through the Safer Selby Hub.

The Executive also highlighted the positive indicators in relation to reducing residual household waste and an increase in household waste being recycled.

RESOLVED:

To note and approve the 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.

68 DRAFT COUNCIL PLAN 2020-2030

The Leader of the Council presented the report which outlined an update on the draft Council Plan 2020-2030.

The Leader of the Council highlighted that there were four key priorities and objectives as outlined in the report and that there was a greater focus on environmental issues in the plan.

The Executive was informed that the action plan would be reviewed each year.

Members were supportive of the Plan.

RESOLVED:

To recommend the final draft Council Plan 2020-2030 to Council for approval on 17 December 2019.

REASON FOR DECISION:

The Council Plan sets the overarching policy direction for the Council including the long term vision, priorities and the high level actions to deliver on those priorities.

69 DRAFT REVENUE BUDGET AND CAPITAL PROGRAMME 2020/21 AND MEDIUM TERM FINANCIAL PLAN

The Lead Executive Member for Finance and Resources presented the report which outlined the draft revenue budget; capital programmes and proposals for the Programme for Growth for 2020/21 to 2022/23.

The Lead Executive Member for Finance and Resources explained

that the budget proposed a council tax increase of £5 for a band D property which was equivalent to 2.81%. Additionally, it was explained that the proposed budget i assumed revenue of £10m from renewable energy business rates in 2020/21 which would be transferred to the Special Projects Reserve.

The Executive was informed that beyond 2020/21, the Council would have to wait for the outcome of the Government's Fair Funding Review, further consultation on the future of New Homes Bonus and reform of the Business Rates Retention System to confirm the need for and level of future savings

It was noted that the consultation for the budget would commence from 13 December 2019 and that the report would also be considered by the Policy Review Committee.

RESOLVED:

To approve the draft budgets, bids and savings for public consultation with effect from 13 December 2019 and submit them to the Policy Review Committee for comments.

REASON FOR DECISION:

To enable the views of the public and Policy Review Committee members to be gathered through consultation.

The meeting closed at 5.06 pm.