

**SELBY DISTRICT COUNCIL
MINUTES**

Minutes of the MEETING OF COUNCIL held on Tuesday 13 September 2011, in The Council Chamber, Civic Centre, Doncaster Road, Selby, commencing at 6:00 pm.

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Present: Councillor Mrs K McSherry in the Chair

Councillors: Mrs E Casling, I Chilvers, M Crane, J Crawford, Mrs D Davies, Mrs S Duckett, M Dyson, K Ellis, M Hobson, W Inness, Mrs G Ivey, M Jordan, C Lunn, D Mackay, Mrs C Mackman, J Mackman, B Marshall, J McCartney, Mrs M McCartney, C Metcalfe, Mrs W Nichols, I Nutt, R Packham, C Pearson, D Peart, A Pound, R Price, I Reynolds, Mrs S Ryder, Mrs A Spetch, R Sweeting and J Thurlow

Officials: Chief Executive, Deputy Chief Executive, Managing Director of Access Selby, Director of Business Services, Business Manager (ES) and Democratic Services Manager.

In attendance: Reverend Francis Loftus offered opening prayers.

Public: 15
Press: 2

30. **Apologies for Absence**

Apologies for absence were received from Councillors J Cattnach, J Deans, Mrs M Davis, Mrs P Mackay, Mrs E Metcalfe, R Musgrave, R Sayner and S Shaw-Wright.

31. **Disclosures of Interest**

Councillor Mrs S Ryder declared a personal and prejudicial interest in item 11 Site Allocations DPD Preferred Options Stage and other Local Development Framework Documents (minute 40) by virtue of her owning land identified as a potential allocation Site. She left the meeting during debate on this item.

32. **Minutes**

The minutes of the meeting of the Council held on 28 June 2011, were confirmed as a correct record.

Resolved:

To approve the minutes for signing by the Chairman.

33. **Communications**

Tadcaster Central Area Car Park

The Chief Executive reported correspondence received in relation to a Judicial Review of the Council's actions in respect of Tadcaster Central Area Car Park. All grounds for the Judicial Review had been dismissed in favour of the Council. The Chief Executive reported that there was still the possibility of an appeal.

Resolved:

To note the correspondence.

Boundary Commission for England

The Chief Executive reported correspondence received from the Boundary Commission for England. Council heard that the Boundary Commission for England had released proposals for changes to Parliamentary Constituencies across England. The proposals were subject to consultation. There was a significant change to the boundaries affecting Selby's constituencies. The Chief Executive would provide further details to all councillors via email.

Councillors requested that the Council submit a response. The response would be developed by Policy Review Committee and then approved by the Executive.

Resolved:

- i. **To note the correspondence;**
- ii. **To submit a formal response to the consultation via the Policy review Committee and the Executive.**

British Legion

The Chairman reported correspondence she had received from the British Legion requesting authority to sell poppys from the Civic Centre. Councillors unanimously approved the request.

Resolved:

To note the correspondence.

34. **Announcements**

The Chairman informed Council that she had recently visited Councillor J Deans, who had been in an accident whilst away on holiday. The Chairman stated that Councillor Deans' condition was improving.

Councillors asked that best wishes be sent to Councillor Deans.

35. **PETITIONS**

Gypsy and Traveller site at Brotherton.

It was reported that a petition had been received in connection with proposals to name a site at Brotherton as the Preferred Option for a Gypsy and Travellers Site in the Site Allocations Development Plan Document. Council noted that the matter was subject to discussion later on the agenda and that, in accordance with the Council's Petitions Procedure Rules, the petition would be considered as a consultation petition. The concerns of the petitioners would be considered as part of the consultation on the Preferred Options.

Barlow Common Nature Reserve

It was reported that a petition had been received in connection with proposals for the future operation of the Nature Reserve at Barlow Common. The issue was still being considered by the Executive and, in accordance with the Council's Petitions Procedure Rules the petition would be considered as an ordinary petition and reported to the Executive. The petition organiser would have the right to attend the Executive Meeting and address the meeting for up to three minutes on the issues covered by the petition.

36. **Public Questions**

None received.

37. **Councillors' Questions**

None received.

38. **Reports from the Executive**

The **Leader of the Council** reported on items on which the Executive had taken decisions since the last meeting of Council. He highlighted the Annual Report and the Corporate Plan Progress Report. He responded to questions from councillors in relation to his role in encouraging members of the public to contribute to the Corporate Plan through his attendance at Community Engagement Forums.

Councillor Mrs G Ivey, Deputy Leader and **Lead Executive Member on External Relations and Partnerships**, reported work she had undertaken with officers in reviewing the Leisure Contract. Mrs G Ivey responded to questions from councillors in relation to leisure provision across the District

She also provided Council with an update on the provision of affordable housing within Selby District and offered to respond to detailed questions outside of the meeting. She went on to highlight the importance of Council representation on the North Yorkshire Health and Wellbeing Board.

Councillor C Lunn, **Lead Executive Member for Finance**, reported on the Budget Exceptions report and the Interim Treasury Management report he had presented to the Executive. He responded to a question regarding the concordat with Harrogate and Craven and would provide more detail outside of the meeting. A councillor raised a question regarding the reduction in salary costs as a percentage of the total amount saved to which Councillor Lunn offered to respond outside of the meeting.

Councillor J Mackman, **Lead Member for Place Shaping**, reported the work undertaken by the Executive on the Site Allocations DPD which Council would discuss later in the meeting. He also highlighted the consultation exhibition on Olympia Park soon to take place at Barlby Bridge Primary School.

Councillor C Metcalfe, **Lead Member for Communities**, reported the work the Executive had undertaken on Countryside Management, Car Parking Charges and the future provision of CCTV.

Resolved:

To receive and note the reports from the Executive.

39. **Reports from Committees**

Chair of Scrutiny, Councillor Mrs W Nichols, reported on the Call In of the Executive's decision on Countryside Management. Councillor Nichols responded to questions regarding the committee's scrutiny of Transport provision and, in particular, the future provision of a number of bus routes across the District.

The Council agreed to co-opt Councillor Brian Marshall on to Scrutiny Committee with non-voting rights, whenever the Committee considers Crime and Disorder matters.

Councillor M Jordan, **Chair of Policy Review Committee**, reported on the Committee's work since the last Council meeting. He highlighted the Working Group that would be established, subject to Council approval, on the potential Gypsy and Traveller Sites as part of the Site Allocations DPD.

Councillor Mrs E Casling, **Chair of Audit Committee**, reported that the Committee had reviewed the Internal Audit Plan 2011/12 and Risk Management Report. Councillor Casling also added that the Committee would receive risk registers from Access Selby and Communities Selby.

Council agreed that Scrutiny Chairs could also produce written reports for future meetings.

Resolved:

To receive and note the reports from the Executive.

Having declared a personal and prejudicial interest in the next item, Councillor Mrs S Ryder left the meeting.

40. **Site Allocations DPD Preferred Options Stage and Other Local Development Framework Documents**

Councillor J Mackman presented the report which set out the Council's response to the recent consultation exercise regarding the Site Allocations DPD (SADPD) as part of the Local Development Framework.

Councillor J Mackman provided Council with a brief introduction to the document which had been discussed and examined at length by both the Executive and Policy Review Committee. He then gave details of the consultation process and the potential for continual changes to the document as more sites came forward.

The Council discussed the allocation of Gypsy and Traveller sites across the District. Councillor J Crawford questioned the communication process when potential sites came forward. He felt it was imperative that ward Councillors were informed at the earliest opportunity should any sites come forward within their wards. Councillor J Mackman acknowledged Councillor Crawford's concerns and gave a detailed explanation of the process which had taken place.

Councillor J Mackman provided Council with an update on the site at Brotherton. Following the landowner withdrawing the site, it was now necessary to find an alternative preferred option for the Gypsy and Traveller site. Councillor J Mackman proposed that the recommendation be amended to reflect the revised preferred site of Popular Farm at Whitley and, as a consequence, the reallocation of 10 residential units to site EGWH004.

Councillor J Mackman then moved discussion onto the five year supply of housing. He reminded councillors that the Council could not demonstrate adequate provision of a five year supply of housing. He felt it essential that the Council release all phase two sites. Councillor J Mackman proposed an amendment to the recommendation to clarify that 'all' phase two sites would be released. This was supported.

Resolved:

SADPD

- i. Council approve the Site Allocations DPD Preferred Options document at Appendix A to proceed to the next stage of consultation, subject to an amendment in respect issue G, the preferred site is EGWH10C Poplar Farm at Whitley and EGWH004 allocation be increased to 67.**
- ii. To request Officers undertake a 10-week public consultation process commencing on 22 September 2011;**
- iii. To delegate authority to the Managing Director of Access Selby after consultation with the Lead Executive Member for Place Shaping to deal with amendments agreed or requested at this meeting, prior to consultation;**
- iv. To commission Policy Review Committee to undertake additional work in relation to Gypsy & Traveller sites, on the basis of the terms of reference in Appendix C.**

5 Year Supply

- v. **To note the DRAFT Technical Report at Appendix B;**
- vi. **To agree to the release of all the Local Plan Phase 2 residential allocations, but with revised housing numbers consistent with those set out in the Site Allocations DPD Preferred Options;**
- vii. **That appropriate publicity be given and landowners notified;**
- viii. **To delegate authority to the Managing Director of Access Selby, after consultation with the Lead Executive Member for Place Shaping, to deal with consequential amendments to the SADPD in response to the release, prior to its consultation.**

Legal Representation at Core Strategy Examination in Public

- ix. **To note that Counsel will be appointed on behalf of the Council.**

Councillor Mrs G Ivey asked to be recorded as abstaining from the vote which took place on the Site Allocations DPD Document.

41. **Core Strategy Decision Making**

The Deputy Chief Executive presented the report. Council was reminded that the Core Strategy Examination in Public commenced on 20 September 2011 and would be heard by an independent Inspector.

The Deputy Chief Executive explained that during the course of the hearing, the Council may have to decide whether to accept or challenge a proposal of the Inspector and will not have the opportunity to take instructions. The Deputy Chief Executive requested a mechanism to delegate decisions to officers to facilitate the smooth running of the hearing.

Council debated the issue with particular reference to the level of officer delegation. Council approved an amendment to the second recommendation which removed the word 'non', allowing the Director of Community Services to challenge or accept minor matters.

Resolved:

- i. **To grant authority to accept or challenge minor amendments to be delegated to the individuals formally representing the Council at the hearing;**
- ii. **Authority be granted to the Director of Community Services to accept or challenge minor matters;**
- iii. **The authority to accept or challenge controversial matters be delegated to the Director of Community services after consultation with the Leader of the Council.**

The meeting finished at 8.10pm.