

POLICY COMMITTEE

22nd July 2014

Present – The Chairman (Councillor Knowles-Fitton) and Councillors Barrett, Beck, English, Foster, Harbron, Kerwin-Davey, Lis, Mason (substitute for Heseltine), Moorby, Mulligan, Myers, Place, Sutcliffe and Turner.

Officers – Chief Executive, Monitoring Officer & Corporate Legal Advisor, Corporate Head of Business Support, Finance Manager, Spatial Planning Manager, Assets and Projects Manager, Environmental Health and Housing Manager and Committee Administrator.

Also in attendance: Councillor Roberts, Chairman of Select Committee.

An apology for absence was received from Councillor Heseltine.

Start: 6:30pm

Finish: 8:20pm

The minutes of the Committee's meeting held on 17th June 2014 were confirmed and signed by the Chairman.

Minutes for Report

POL.601

PUBLIC PARTICIPATION

Mr Richard Lumsden a Craven resident addressed the Committee disagreeing with the methodology that had been used for calculating the five year housing land supply. A copy of his analysis and calculations was circulated to Members.

POL.602

ASSET BASED INCOME STREAMS

The Chairman of the Select Committee submitted a report presented the recommendations of the review of the potential for the Council to develop new income streams, in particular the building of homes to rent in the private sector market. Discussions with locally based estate agents had indicated that there was demand across the District for two to three bedroom houses and that average rental ranged from £500 - £650 per calendar month.

The review included looking at the model Daventry District Council had developed in order to 'build to rent' but did not consider any financial or legal aspects. Select Committee felt that if Policy Committee were minded to move forwards with the building of houses to rent on a small scale and acquiring Section 106 affordable homes for intermediate sale, they would, if required, consider resourcing and governance arrangements when appropriate.

During the ensuing discussion, whilst Members expressed their in principle support of the proposals, they wanted assurance that officers would produce and submit to a further meeting of the Committee, viable proposals together with a business case setting out the legal and financial implications.

In response to a Member's query regarding the Planning Committee being asked to determine planning applications submitted by the Council in respect of building homes to rent on the open

market, the Corporate Legal Advisor and Monitoring Officer stated that, whilst it was valid to identify the issue, advice would be given to Members at the appropriate time.

Resolved - (1) That, in principle, a housing based approach to revenue generation is progressed by acquiring Section 106 affordable homes for intermediate sale and utilising existing Council assets to build four or less houses per site for market rent.

(2) That, (1) above is subject to a further report being submitted to this Committee setting out proposals on the financial and legal implications/arrangements associated with the delivery model, namely a third party company, together with the resourcing and governance arrangements.

(3) That it is noted that, bearing in mind the greater complexity involved in developing larger sites, greater scrutiny will be required should larger scale developments be considered.

POL.603

REVIEW OF METHODOLOGY FOR CALCULATING THE FIVE YEAR LAND SUPPLY REVIEW

The Strategic Manager for Planning and Regeneration submitted a report presenting the findings of a review of the methodology for calculating the five year housing land supply. Following the Chairman's assurance that the comments from a Skipton resident that there was an inherent error in the Council's calculations would be examined a review had been carried out.

The review had taken into account a recent Appeal Court judgement on the proper interpretation of paragraph 47 of the National Planning Policy Framework together with various sources of information and advice. The judgement clarified that, in the absence of an up to date local plan, the housing target should be based on the most up to date national household projections. Guidance only provided basic information for the factors that local planning authorities should take into account in undertaking their five year land supply assessments and specific methodology for making calculating was not prescribed. In examining other planning authorities approaches, it was apparent that Craven's methodology was sound.

Members were advised on the importance of having a five year housing land supply as it formed a material consideration in the determining of residential planning applications and the Council's position at any appeal could be vulnerable and result in costs awarded against the Council.

Resolved - (1) That, the published updates of the five year land supply position in Craven is changed from a bi-monthly basis to an annual basis, to facilitate a more tailored approach to be developed for applying a discount(s) to sites with planning permission to estimate the net deliverable supply of housing for both five years ahead and for the housing trajectory beyond five years.

(2) That, a buffer of 20% to the five year housing requirement figure be maintained in the Council's assessment of its five year housing land supply until such time as sufficient robust evidence exists to support a change to a 5% buffer.

(3) That, a five year housing requirement for development control purposes based on the most up-to-date DCLG household projections is adopted, until such time as the emerging housing target of the Local Plan has been tested at examination and held to be sound.

(4) That, delegated authority is given to the Strategic Manager for Planning and Regeneration to adjust (if necessary) the housing requirement figure to be used in the five year housing land supply assessment when the 2012 based DCLG household projections for Craven are published later this year.

(Councillors Harbron and Kerwin-Davey declared interests in the above item insofar as it related to the enquiry by the Ombudsman into a planning matter involving a site in Skipton).

POL.604 **ADOPTION OF THE MODEL STANDARDS FOR PERMANENT
RESIDENTIAL MOBILE HOME SITES**

The Director of Services submitted a report asking Members to approve the adoption of revised model standards when applying conditions to permanent residential caravan site licences issued under the provisions of the Caravan Sites and Control of Development Act 1960. The Authority was obliged to have regard to the 2008 Model Standards when issuing new licences or reviewing current ones.

- Resolved** – (1) That, the Department of Communities and Local Government ‘Model Standards 2008 for Caravan Sites in England’ for new residential caravan sites and those existing sites that have been subsequently redeveloped are adopted.
- (2) That, the Environmental Health and Housing Manager is authorised to consult with operators and owners on amending current site licence conditions.
- (3) That, the Environmental Health and Housing Manager is given delegated authority to issue licenses and attach appropriate conditions to site licences.
- (4) That, the Environmental Health and Housing Manager is authorised to take enforcement action in respect of breaches of site licence conditions.

POL.605 **OUTTURN REVENUE BUDGET MONITORING REPORT –
2013/2014**

The Corporate Head of Financial Management submitted a report informing Members of the final revenue budget position of the Council (subject to audit) of income and expenditure to the end of March 2014. Based on the unaudited accounts, there was an underspend of £662k against budget for 2013/14 financial year.

The Council had a general fund balance of £1,030k at 31st March 2013 and this balance, which was considered a prudent level, had not been utilised during 2013/14. This balance would assist in mitigating against the risk of unplanned movements from budgeted expenditure in 2014/15.

The 2014/15 revenue budget was not without risk and the underspend in 2013/14 enabled a contribution of £25k to be made to the contingency reserve to increase it to £100,000. Planned contributions had also been made to the Enabling and Efficiencies and New Homes Bonus reserves.

- Resolved** – (1) That, the outturn revenue budget monitoring position as at 31st March 2014 is noted.
- (2) That, the transfers to earmarked reserves is noted.

POL.606 **TREASURY MANAGEMENT ANNUAL REPORT 2013/14**

The Corporate Head of Financial Management submitted a report submitted a report informing Members of the treasury activity undertaken in 2013/14 in the context of the current and forecast economic climates. The interest payable on outstanding debt had amounted to £274,000 compared to investment income of £46,000. As at 31st March 2014, the Council had a sum of £7,347,908 under investment, and loans in the sum of £5,988,110.

Resolved – (1) That, the treasury management annual report for 2013/14 is noted.

(2) That, the actual treasury management indicators for 2013/14 are noted.

POL.607

RECTIFICATION OF LAND OWNERSHIP ISSUES

The Director of Services submitted a report seeking Members' approval to rectify the land ownership of Gordale Scar, Malham which was within the Yorkshire Dales National Park Authority. Gordale Scar was an impressive natural limestone ravine located in open countryside and was registered as a Village Green. Gordale Scar was valued at £30,000.

Contrary to the Land Registry entry which showed that the Council was registered as the owner, records indicated that the ownership was incorrect and that Kirkby Malhamdale Parish Council should have originally been registered as the owner. The Parish Council had indicated that they were happy to proceed with the transfer. In correcting the Title, liability for future maintenance and public liability insurance would be removed from the Council.

Resolved – That the Director of Services is authorised to transfer ownership of Gordale Scar, Malham, from Craven District Council to Kirkby Malhamdale Parish Council.

POL.608

GIFTING OF LAND AT MAIN STREET, CROSS HILLS TO THE PARISH COUNCIL

The Director of Services submitted a report asking Members to approve land at Main Street, Cross Hill, to be gifted to Glusburn and Cross Hill Parish Council, to enable the creation of a war memorial and memorial garden to commemorate the 100th anniversary of the outbreak of the Great War. The Parish Council had identified a Craven District Council owned small amenity area, known as Rye Ghyl for the memorial and garden. The land was within the development limits and core retail area for the village and had been valued by the District Valuer at £2,000.

Transferring the land would remove any future maintenance liability from the Council whilst enabling the Parish Council to create a memorial in the Parish.

Resolved – That the Director of Services is authorised to gift the land at Main Street, Cross Hills, to Glusburn and Cross Hills Parish Council, to enable the creation of a war memorial and memorial garden.

Minutes for Decision

POL.609

CAPITAL PROGRAMME FUNDING 2014/15

The Corporate Head of Financial Management submitted a report presenting the funding options for the 2014/15 capital programme for Members' approval.

Whilst the 2014/15 capital programme of £1,0608m had been approved by Council on 25th February 2014, the decision on the allocation of funding resources was deferred until the 2013/14 outturn of the capital programme and revenue and budget had been confirmed. Slippage of £873k

from the 2013/14 capital programme had been added to the 2014/15 projects to give an overall capital programme of £2,481k.

RECOMMENDED – That, the funding proposals for the 2014/15 capital programme of £2,481k as now submitted is approved.

POL.610

PARKING STRATEGY

The Director of Services submitted a report presenting the Council's Parking Strategy and Action Plan 2014-19 for Members' approval. The Council's previous parking strategy objectives had been produced in 2009 but it was lacking an action plan or detail around the objectives.

The revised plan reflected the current economic climate and changes to service delivery in order to enable the structured and cohesive planning of current and future parking provision and service management requirements. Research provided strong indications that private car use was continuing to increase and would do so for the foreseeable future and would largely be the only option for rural communities.

RECOMMENDED – (1) That the Craven District Council Parking Strategy 2014-2018 as now submitted is approved.

(2) That the implementation of the action plan, providing Members with periodic progress reports is approved.

POL.611

CREATION OF A COMMUNITY SAFETY PARTNERSHIP

The Corporate Head of Business Support submitted a report asking Members to approve the creation of a County wide Community Safety Partnership (CSP). The Select Committee Chairman informed Members that the Select Committee had met to discuss the proposals and Julia Mulligan, the Police and Crime Commissioner had attended to provide further details about her proposals on the grounds of efficiency and economy to merge the North Yorkshire District Community Safety Partnerships into one. She confirmed that there was no longer any funding for community safety other than what she was able to provide from police funds.

The purpose of a combined CSP would be to bring together the responsible authorities supported by other relevant organisations and local district based delivery teams.

RECOMMENDED – (1) That, the proposal to merge Craven CSP with the other North Yorkshire CSPs is supported.

(2) That, the creation of a Local Delivery Team for Craven District Council is supported.

(3) That, the current position for the overview and scrutiny decision pertaining to the discharge of crime and disorder functions is retained.

POL.612

APPROVAL AND SUBSEQUENT ADOPTION OF ADDITIONAL MODEL BYELAWS FOR COSMETIC PIERCING AND SEMI- PERMANENT SKIN COLOURING

The Director of Services submitted a report seeking approval for additional byelaws associated with the businesses of undertaking cosmetic piercing and semi-permanent skin colouring registered under the Local Government (Miscellaneous Provisions) Act 1982. The Department of Health had

drafted model byelaws that local authorities could use to deal with legislative changes which increased health protection and reduced the risk of transmission of bloodborne virus.

Resolved – (1) That the Environmental Health and Housing Manager is authorised to take enforcement action in respect of breaches of Part VIII of the Local Government Act (Miscellaneous Provisions) Act 1982.

(2) That the fees already set in respect of registration of ear piercing are extended to all cosmetic piercing and, in respect of tattooing, to all tattooing and semi-permanent skin colouring registrations.

RECOMMENDED (3) That the draft model byelaws for cosmetic piercing and semi-permanent skin-colouring in the Craven District as set out in the appendices now submitted are approved subject to:

- i. Authorising the affixing of the common seal to the byelaws, and
- ii. Authorising the Environmental Health and Housing Manager to carry out the necessary procedure and apply to the Secretary of State for Health for confirmation of the byelaws.

POL.613

**AUTHORISATION OF APPROPRIATELY QUALIFIED OFFICERS
FOR THE PURPOSE OF ENFORCING THE PROVISIONS OF THE
SUNBEDS (REGULATION) ACT 2010**

The Director of Services submitted a report seeking delegated authority to authorise appropriately qualified officers to enforce the provisions of the Sunbeds (Regulation) Act 2010.

The Act came into force on 8th April 2011 primarily to prevent the use of sunbeds on commercial business premises by children and young people under the age of 18.

RECOMMENDED – (1) That delegated authority is given to the Director of Services/Environmental Health and Housing Manager to authorise appropriately qualified officers for the purpose of enforcing the provisions of the Sunbeds (Regulation) Act 2010.

(2) That the Environmental Health and Housing Manager is authorised to take enforcement action in respect of breaches of the Sunbeds (Regulation) Act 2010.

Chairman