

North Yorkshire County Council

Selby and Ainsty Area Constituency Committee

Minutes of the meeting of the Selby and Ainsty Area Constituency Committee held at Community House, Selby on 5 October 2018 at 9.30 am.

Present:-

Members:-

County Councillors Richard Musgrave (Chairman), Karl Arthur, Stephanie Duckett, Andrew Lee, Cliff Lunn, Don Mackay, Andy Paraskos, Chris Pearson and Cliff Trotter.

Co-opted Member:-

Howard Ferguson (Nigel Adams MP Area Constituency Office).

In attendance:-

Nigel Adams' MP - Local Constituency Member of Parliament
County Councillor David Chance

Officers:-

Sarah Banks (Nigel Adams MP Area Constituency Office), Aimi Brookes (Contract Team Leader, Selby District Council), Ben Grabham (Direct Services Manager, Harrogate Borough Council), Daniel Harry (Democratic Services and Scrutiny Manager), Dave Herbert (Enforcement Officer, Selby District Council), Steve Loach (Democratic Services), Sue Mitchelhill (Business Support), Tony Norris (Waste Manager, North Yorkshire County Council) and June Rothwell (Head of Operational Services, Selby District Council).

There were six members of the public in attendance.

Apologies: County Councillors Mike Jordan and John McCartney.

Copies of all documents considered are in the Minute Book

11. Chairman's Introduction

The Chairman welcomed the Local Area Constituency MP, Nigel Adams.

He provided a synopsis of the agenda for the meeting and how the meeting would be conducted.

12. Minutes

Resolved -

That the Minutes of the meeting held on 4 June 2018, having been printed and circulated, be taken as read and confirmed and signed by the Chairman as a correct record.

13. Declarations of Interest

There were no declarations of interest.

14. Public Questions or Statements

There were no questions or statements submitted by members of the public.

15. Local Issues for the Committee to consider - Nigel Adams MP

Nigel Adams MP outlined the following:-

- ◆ He had recently been undertaking the duty as Lead Minister for Homelessness and Rough Sleeping within the Department for Housing, Communities and Local Government - nationally he had a great deal of involvement and had assisted with addressing local issues in respect of this matter.
- ◆ He was just commencing a new role as Minister for Mental Health within the Department for Health and Social Care and noted the strong links between his previous role and his new role.
- ◆ He was heavily involved in constituency issues and attended many Local Government meetings in the area. He noted the particular challenges faced by Local Government in the area, particularly in terms of rural funding and funding for education and was fully engaged with local Council Leaders in terms of trying to address those issues and outlining those issues within the context of the forthcoming funding reviews.
- ◆ A major issue for the area continued to be connectivity, including road, rail and digital. Initiatives were being developed to address rail and road issues. The area had benefited from the introduction of enhanced broadband facilities and it was expected that this would be developed further.
- ◆ The major challenge facing Central Government, currently, was the UK's exit from the European Union and an immense amount of time and work was being devoted to that challenge. He emphasised the positive outlook for the country when the exit had been concluded.

Members raised the following issues and points with the local MP:-

- ◆ A Member raised the issues of the lack of a disabled crossing within Selby Railway Station and also the delay to the electrification of the Selby to Leeds railway line.

In response, Nigel Adams MP stated that he had held meetings with the rail operator and the responsible Minister in an attempt to identify funding for step free access in Selby Railway Station. He noted that a new funding opportunity had arisen and was supporting a bid for step free access alongside Selby District Council. He noted that this matter correlated with the electrification of the line through Selby as, if electrification took place, step free access would be provided as part of that upgrade. He noted there had been a delay to the electrification of the line which had led to a slippage in the project, but expected that to be provided sometime in the future. He stated that, should there have been imminent signs of the electrification taking place then bidding for the step free access would have been put on hold, because of the

guaranteed provision. He emphasised that there was a commitment to provide both of the issues identified by the Member.

- ◆ Noting that North Yorkshire had the biggest road network in the country and an ever increasing aging population, Members considered that North Yorkshire County Council was not receiving its fair share of funding. It was asked what was being done to address this situation.

In response Nigel Adams MP highlighted the disparity between surrounding urban areas and the amount of funding per head they receive in comparison to North Yorkshire. He emphasised that the funding formula, which was not set by this Government, was the reason for the issues highlighted and noted that should money be diverted from those urban areas, there would be more than likely be a significant backlash from those authorities.

He noted that there was additional pots of money available for issues such as roads and education, however, consideration was being given to the overall funding formula for public services, and Local Government, with a view to how this was allocated.

In relation to this matter the Chairman noted that funding challenges had been the main issue of concern during his whole time as a District and County Councillor. He noted that the County Council would have saved in the region of £140m from its budget by 2017/18, mainly from back office services, but further cuts would see an impact on frontline services. He asked the MP assist in raising the County Council's concerns in respect of fairer funding to ensure that this was recognised and addressed.

In relation to this the Nigel Adams MP noted that a significant spending review was about to take place, led by the MP for Richmond (Yorkshire), Rishi Sunak, where the issue of Local Government funding would be extensively considered.

- ◆ A Member raised her concerns regarding the lack of SEND schools in the Selby area and also cuts in funding for facilities such as the Pupil Referral Unit in Selby, and the impact that was having on the young people in the area. She noted that North Yorkshire County Council was looking to address the lack of a special needs school in the district and hoped that the backing of the MP would be provided in relation to that.

In response Nigel Adams stated that he was fully supporting the move to bring a dedicated SEND school into the Selby District. He noted the significant challenges faced by young people with SEND and their families, particularly in relation to the level of provision in place for them. He also urged Members to think carefully in respect of possible cuts in funding to the Rubicon Centre, which provided valuable services for vulnerable children.

- ◆ A Member raised the issue of devolution, noting that several regions had successfully elected a Mayor, however, the Yorkshire Region appeared to be lagging behind those as no deal had yet been concluded on the various proposals. He noted that the "One Yorkshire" proposal was currently being suggested and he asked what the Government's thinking on that was.

In response Nigel Adams stated that the Government would respond on the proposal very shortly. He noted that the matter was not a major issue of concern for local residents but was more of a priority for journalists and politicians. He noted that devolution was working well in some areas but

emphasised that there were many hurdles to overcome for the “One Yorkshire” bid to be totally effective for the whole region.

The Chairman noted that many cities, such as Manchester, were now booming following the devolution process and he would like to see the towns within North Yorkshire, as well as the rural areas, developing in a similar fashion. The MP concurred with the view of the Chairman in relation to this.

- ◆ A Member raised concerns regarding the majority of schools in the area operating with deficit budgets and the issues that had led to the Children and Young People’s Service overspending on their budget. He emphasised the need for sustainable funding to be provided for educational services, as education was essential in ensuring that the country developed effectively. He noted that, in a recent speech, the Prime Minister had stated that austerity was coming to an end and he wondered whether this meant that there would be more money available for education.

In response Nigel Adams stated that he was hopeful that additional funding would be identified for education within the spending review, but emphasised that leadership within schools was also a major issue to consider. He noted, with concern, that the Selby District had no secondary level schools that were classified as outstanding and he did not consider that to be acceptable. He emphasised the need for schools to provide a level of education that was appropriate for the children and families located within the Constituency. He noted that he met regularly with local head-teachers and that there were encouraging signs, in terms of school performance, and noted that a number of primary schools were judged to be outstanding.

- ◆ A Member referred to large areas of land, with planning permission in place, that were being left undeveloped by housing developers, noting that there were around 6,000 permissions for houses in the Harrogate area that remained undeveloped currently. He wondered whether Central Government could take any action to remedy this situation.

Nigel Adams acknowledged that this was a significant issue at the current time and a review was being undertaken to determine the extent of this matter. He emphasised the need to ensure that development of housing was taking place, but in a co-ordinated and effective manner which would be of benefit to local residents.

A discussion took place on the affordability of “affordable” housing and it was noted that large numbers of these were out of many people’s price range.

The MP noted that Councils were now able to build additional Council housing, creating appropriate levels of housing for everyone, whether renting or buying. He emphasised the need for social housing to be provided and noted that there were rewards for Councils in respect of building additional Council housing.

Additional schemes such as self-build, joint ownership, etc were also highlighted as ways of addressing the need for housing.

Nigel Adams referred to a 240 unit residential village in Birmingham that he had recently visited and noted how this provided exemplary housing and freed up properties for other people. He noted the facilities that were provided within these villages, which were outstanding, and suggested that such residential facilities would be ideal within North Yorkshire, and in the Selby area in particular.

The Chairman acknowledged the issues raised in relation to self-build homes, highlighting the impact that this type of housing could have on the housing market but noted that the challenge was freeing up land to allow this to take place. The MP stated that he expected local authorities to alleviate this problem through the NPPF.

A Member referred to the issue of empty houses within the Selby District, suggesting that there were more than 400 at the present time. He noted that the District Council was attempting to address this matter but progress was very slow in terms of refurbishment and re-letting.

The MP agreed with the Member that action on this matter needed to be undertaken more quickly. In relation to this, the Chairman noted that a strategy had been adopted by the District Council, with an action plan developed, and he expected the issue to be addressed much more quickly, going forward.

- ◆ Nigel Adams requested details as to what was to become of the former District Council offices. In response it was stated that Tesco's had bought the offices with a view to developing them into a store, however, the building was put back onto the market for sale following a decision by Tesco's to rationalise their current store provision. It was noted that the neighbouring Police building was likely to be vacated shortly, providing an opportunity to redevelop the whole area.
- ◆ Members discussed the involvement of Nigel Adams MP as Minister mental health issues and the benefits that could bring to future consideration of that issue at the Area Constituency Committee.

The Chairman thanked Nigel Adams MP for his attendance at the meeting wishing him well in his new Ministerial role. He considered it important to continue to discuss the issues raised by the MP at future meetings and to make arrangements to ensure that he could attend future meetings to benefit the Committee.

Resolved -

That Nigel Adams MP be thanked for his attendance at the meeting and the issues and points raised during the discussion be noted.

16. Fly Tipping in the Selby and Ainsty Constituency

Aimi Brooks (Contract Team Leader, Selby District Council) and Tony Norris (Waste Manager, North Yorkshire County Council) delivered a presentation in relation to fly tipping in the area. Ben Grabham (Direct Services Manager, Harrogate Borough Council), June Rothwell (Selby District Council) and Dave Herbert (Environmental Enforcement Officer) assisted with the discussion following that presentation.

The presentation by Aimi and Tony highlighted the following:-

- ◆ Responsibilities under the EPA
 - Investigation, enforcement and clearance of fly tipping: waste collection authorities - Selby District Council.
 - Disposal of fly tipping: waste disposal authorities - North Yorkshire County Council.
 - Removal of fly tipping on private land is the responsibility of the landowner.

- ◆ The Selby Picture
 - A table showing the number of incidents cleared by Selby District Council, estimated total tonnages and estimated collection and disposal costs of fly tipping in the District Council over the last five years.
- ◆ Fly tipping by material type
 - A table showing a breakdown of fly tips by material type.
 - Where mixed loads had been tipped the incident was recorded as the type of waste that was present in the largest amount/volume.
 - Material types highlighted in red were those that were chargeable at Household Waste Recycling Centres.
- ◆ Tyres
 - Details of a significant increase in tyre tipping over the last three years were provided.
 - A plan highlighting the areas where the tipping of tyres had occurred, and in what quantities, was highlighted.
- ◆ Household Waste Recycling Centres
 - A map showing the location of those centres, and mobile centres, was provided.
- ◆ HWRC - notable dates
 - 1 July 2011 - all HWRCs close Wednesdays.
 - 4 August 2014 - charges for non-household waste.
 - 4 August 2014 - commercial waste accepted at all HWRCs.
 - 29 March 2015 - access to Ferrybridge HWRC ended.
 - 1 April 2016 - charges for tyres.
 - 1 April 2016 - reduced evening opening time.
- ◆ Tonnages and performance -
 - Selby HWRC 2010-11 to 2017-18 - inert, disposed, recycled, re-composted, reused.
- ◆ Tonnages and performance
 - Tadcaster HWRC - 2010-11 to 2017-18 - inert, disposed, recycled, composted, reused.
- ◆ Fly tipping review
 - Monitored by York and North Yorkshire Waste Management Partnership.
 - June 2015 - no measurable correlation to HWRC charges before/after.
 - August 2017 - recent increases comparable to national picture.
 - December 2017 - average size for fly tipping increasing - more commercial volumes.
 - The general message was that whilst some materials that were charged for at HWRCs were fly tipped, materials that did not attract charges were also fly tipped.

- It was not possible to prove a causal link between charges and fly tipping.
 - A graph providing details of fly tipping across North Yorkshire between 2012/13 to 2015/16 was highlighted.
- ◆ Tackling the problem
 - Enforcement and prosecutions.
 - Don't Be a Waster.
 - Operation Eyeball.
- ◆ Enforcement and prosecutions
 - 2017/18 - 17 formal sanctions issued.
 - 2018/19 (April - August) - 11 formal sanctions issued.
- ◆ Successful prosecutions
 - January 2018 - Timothy Gibbs-Youngman aged 32 of Scunthorpe dumped 40 black bags on the M62 access road in Beal - fined £1,137.
 - August 2018 - Aaron Foster aged 20 of Barlby dropped a crisp packet near Skipwith Common Nature Reserve - fine £434.
 - August 2018 - Lubos Filek aged 39 of Barlby dumped six black bags on Ousebank, Selby - fine £480.
- ◆ Don't Be a Waster
 - 12 month campaign tackling environmental issues.
 - Fly tipping month involved:
 - investment in new mobile CCTV cameras and signage at hotspot areas leading to a reduction in fly tipping in hotspot areas;
 - introduction of 'Council Aware' stickers;
 - innovative clay faces project.
- ◆ The use of CCTV
 - The location of CCTV equipment and associated signage was reviewed on a regular basis ensuring where equipment was sighted that it was:
 - Justifiable - there must be sound evidence to show that cameras are an appropriate response including information relating to the number, size and composition of fly tips in the proposed location;
 - General - the target of the surveillance must be the general public or unknown offenders;
 - Reviewable - there must be a clear audit trail allowing evaluation of both the deployment of the camera and the timescale;
 - Objective - there must be clear and specific aims for each deployment and they must be monitored and recorded.
 - CCTV cameras were first deployed in June 2017 and along with associated signage have been targeted at hotspot locations.
 - December 2016 to May 2017 - 63 fly tipping incidents at nine hotspot locations.
 - December 2017 to May 2018 - 40 fly tipping incidents at the same hotspot locations.

- ◆ Operation Eyeball
 - North Yorkshire Fly Tipping Forum attended by - all District Councils, NYCC and City of York, NY Police, Office of the PCC, NY Trading Standards, NFU, Countryside Alliance and Network Rail.
- ◆ Operation Eyeball - Project Aims
 - To reduce fly tipping in rural North Yorkshire through multi-agency working together to:
 - raise awareness in rural communities;
 - engage partners/stakeholders in delivery of educational campaigns in addressing hotspots;
 - sharing of intelligence of hotspots, suspect vehicles and waste carriers;
 - delivery of planned, targeted enforcement.
 - Statement by Superintendent Paula Booth of North Yorkshire Police - "The Operation shows that the selfish crime of fly tipping will not be tolerated in our communities. There will be no let-up in our efforts and we will continue to work closely with landowners and local authorities sharing intelligence and information to tackle this issue head-on".

Ben Grabham outlined the issues in relation to the sections of the Constituency that are situated in the Harrogate Borough Council boundaries. He stated that the issues were similar to those outlined in the initial presentation and that Harrogate Borough Council was also undertaking the initiatives outlined to address the situation. He noted that a prolific fly tipper, responsible for 15% of all fly tipping in the Harrogate District, had been arrested and imprisoned for those activities. It was noted that the individual had been collecting household waste and then fly tipping it on an industrial scale.

Members discussed the presentations and issues raised and the following issues and points were outlined:-

- ◆ It was clarified that the cost of the removal of fly tipping was much lower for small incidents, which was why the figures for 16/17 differed from 17/18, despite more rubbish having been cleared during that time.
- ◆ It was noted that the collection authorities were responsible for the removal of the dumped tyres on the border between Selby and Harrogate Districts, with NYCC responsible for disposal. When very large incidents occur NYCC would assist with the removal. Members noted that the amount of tyres being fly tipped was significantly larger, in terms of single dumps, with hundreds at once being deposited in areas. It was expected that this was more likely commercial waste. It was stated that, to try and prevent this from taking place, many local garages, etc had been spoken to and advised that the dumping of tyres was being closely monitored and action would be taken should the tyres be traced back to those organisations. It was also noted that a large amount of the waste material came from over the border, from neighbouring local authority areas, and joint initiatives were undertaken with those authorities and the Police to try and prevent that.
- ◆ Reference was made to a large scale operation that had been traced back to Scotland and was using former local authority vehicles, from Scotland, to collect waste from throughout the country and dump into unused sites and former warehouses. Material from the Constituency Area had been collected and dumped by the gang. Eventually the gang had been apprehended and

action taken against them, however, during their operations they had collected and dumped £ millions of waste from throughout the United Kingdom.

- ◆ A Member suggested that more signs, stating that CCTV was in operation, would be a major deterrent to fly tipping, noting that this was a cheaper and more efficient method than having the cameras there themselves.
- ◆ It was suggested that, as part of the Don't Be a Waster campaign, advice was given as to which materials could be taken to the HWRCs, without charge, as it appeared that large amount of fly tipped material could be taken to the sites free of charge.
- ◆ It was clarified that the charges in place at HWRCs related to a standard sized bag of material and that the charges should be consistent in relation to that.
- ◆ The Chairman asked whether there was any evidence to show that there was correlation between the implementation of charges at HWRCs and an increase in fly tipping in the area. He noted that many items that were found amongst fly tipped material could be deposited, free of charge, at HWRCs, but wondered whether materials such as used tyres had been affected by the implementation of charges.

In response it was stated that there was no significant evidence that the implementation of charges had led to the increase in fly tipping, particularly in relation to tyres. It was noted that prior to the implementation of charging, tyres could still not be brought to HWRCs in the quantity that they were being dumped in the area reported at the meeting. It was suggested that tyres were being collected from local garages, by a third party, in an organised manner, these were then being stock-piled and dumped illegally. Contact with local garages was being undertaken to try and address this situation. It was noted that should the waste be traced back to an individual or an organisation, then they had responsibility for the production and disposal of that waste and action would be taken against them accordingly.

A Member noted that households and businesses could check with someone collecting rubbish that they had the appropriate transfer licences in place, before allowing them to take the rubbish away. It was emphasised that the waste could still be fly tipped, but those who had initially produced the rubbish could explain why they had given permission to those carrying out the tipping to do this.

- ◆ Details of a further large scale tipping exercise that had been carried out throughout the Harrogate area were provided. It was noted that this had also been on an industrial level and the perpetrator had also been caught in Scotland. It was noted that, in this case, the vehicle that had been used to carry out the fly tipping had been crushed as part of the punishment to the offender.

Members emphasised that it was good to see that positive action was being taken in terms of fly tipping taking place.

- ◆ It was noted that "Operation Eyeball" was high on the agenda for the Police and Crime Commissioner and was seen as a "step in the right direction" in terms of addressing fly tipping issues.
- ◆ The Chairman suggested that a way forward for the issues raised would be to ensure that further publicity is given to the prevention of fly tipping through

awareness campaigns, in terms of items that could be taken, free of charge, to Household Waste Recycling Centres, and emphasising that action would be taken against those that carry out fly tipping.

- ◆ In terms of sanctions against those that fly tip it was suggested that the local MP, Nigel Adams, be contacted by the Committee, requesting him to liaise with the Secretary of State with a view to enhancing the punishments that can be bestowed upon those apprehended. It was considered that appropriate sanctions should be in place to deter people from carrying this out.

Resolved -

That the publicity campaigns and contact with the local MP be undertaken, as detailed above.

17. Work Programme

Considered -

The report of the Assistant Chief Executive (Legal and Democratic Services) providing details of the Work Programme for the Area Constituency Committee to consider, develop and adopt.

Items for the meeting scheduled for 26 November 2018 were highlighted as follows:-

- ◆ The funding of adult social care/the Green Paper on Adult Social Care.
- ◆ Phase 3 superfast broadband.
- ◆ Lorry rest areas - environmental impacts.
- ◆ SEND home to school transport changes - one year on.

It was emphasised that the Work Programme would continue to be developed, in line with issues raised by Members and in relation to the ongoing issues being considered by Overview and Scrutiny Committees, with a view to feeding local issues into those matters, enabling them to be taken account of as part of the overall strategy being developed.

Resolved -

That the report, issues raised, issues for next meeting and continued development of the Work Programme for 2018/19 be noted.

18. Future Meetings

It was noted that the scheduled dates and times for future meetings of the ACC within the 2018/19 timetable were as follows:-

- ◆ 26 November 2018 at 6 pm
- ◆ 25 March 2019 at 6 pm

In relation to this it was noted that local MP, Nigel Adams, would be invited to attend occasional meetings and that the timetable may need to be altered to accommodate his attendance.

Members also suggested, following the good attendance at this meeting, that consideration be given to altering the time of meetings from 6 pm to 10 am.

In terms of venues it was also suggested that a suitable venue in the Harrogate Borough area of the Constituency be considered for the next meeting of the Committee.

Resolved -

- (i) That the next meeting of the ACC take place on Monday 26 November 2018 at 10 am, unless altered to accommodate the attendance of the MP, at a venue within the Harrogate Borough area of the Constituency; and
- (ii) That further consideration be given to having meetings at alternative suitable venues throughout the Constituency Area, dependent upon the issues on the agenda, to provide a better opportunity for members of the public to attend.

The meeting concluded at 11.40 am

SL/JR