

Minutes of the meeting of the COUNCIL held at
2.00 pm on Tuesday, 18th September, 2018 at Council
Chamber, Civic Centre, Stone Cross, Northallerton

Present

Councillor D M Blades (in the Chair)

Councillor	K G Hardisty	Councillor	N A Knapton
	R A Baker		C A Les
	P Bardon		J Noone
	M A Barningham		Ms C Palmer
	Mrs C S Cookman		C Patmore
	G W Dadd		M S Robson
	C A Dickinson		C Rooke
	G W Ellis		Mrs I Sanderson
	Mrs B S Fortune		A Wake
	R W Hudson		S Watson
	D Hugill		D A Webster
	R Kirk		

Apologies for absence were received from Councillors S P Dickins, B Phillips and P R Wilkinson

C.10 **MINUTES**

THE DECISION:

That the minutes of the meeting held on 17 July 2018 (C.6 - C.9), previously circulated, be signed as a correct record.

C.11 **VERBAL STATEMENT OF THE LEADER AND REFERRALS FROM CABINET**

The Leader moved Cabinet minutes CA.18 – CA.22, subject to a minor amendment to minute CA.22 to read September 2019, and made a statement to the Council on the following matters:-

- Former Northallerton Prison Site
- Dalton Bridge project
- Business Awards

THE DECISION:

That the reports, resolutions and recommendations of the following meeting of the Cabinet be received, approved and adopted:-

<u>Body</u>	<u>Date of Meeting</u>	<u>Minute Nos</u>
Cabinet	4 September 2018	CA.18 to CA.22 (as amended)

C.12 **REFERRAL FROM THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE**

THE DECISION:

That the reports, resolutions and recommendations of the following meeting of the Audit, Governance and Standards Committee be received, approved and adopted:-

<u>Body</u>	<u>Date of Meeting</u>	<u>Minute Nos</u>
Audit, Governance and Standards Committee	24 July 2018	AGS.3

C.13 **CABINET PORTFOLIO STATEMENTS**

- (a) Apologies had been submitted from Councillor P R Wilkinson, Portfolio Holder for Economic Development and Finance.
- (b) Councillor Mrs B S Fortune, Portfolio Holder for Leisure made a statement regarding Sowerby Sports Village; Sports Awards 2018; Strong and Steady, a programme for older people aged 65 plus; Shopwatch; Public Art in Bedale; Tesco's award of £2,000 for their Bags of Help grants programme towards the development of the inclusive sport's programme and Health Hambleton.
- (c) Councillor Mrs I Sanderson, Portfolio Holder for Governance made a statement regarding the importance of Governance within the Council; Artisan Food Markets in Thirsk; energy saving initiatives; the delivery of the paperless Direct Debit functionality and Social Media.
- (d) Councillor D Webster, Portfolio Holder for Planning made a statement regarding Newby Wiske; Bagby Airfield; Treadmills; Ings Lane and the Development Management service within the Council. He also reported on national initiatives such as the Community Infrastructure Levy and the introduction of the Homelessness Legislation.
- (e) Councillor S Watson, Portfolio Holder for Environmental Health, Waste and Recycling made a statement regarding the Air Quality Action Plan for Bedale; Waste and Street Scene route optimisation; green waste; Fly-Tipping Enforcement Policy; the Public Space Protection Order consultation at Thirsk Industrial Estate and Leeming and Coney Garth truck parking areas and the Environmental Health service within the Council.

C.14 **APPOINTMENT TO COMMITTEES**

All Wards

Following the resignation of Councillor Mrs Janet Watson there was a vacancy in the Thirsk Ward. A by-election was due to take place on Thursday, 4 October 2018. The purpose of this report was to consider appointing Members to fill the vacancies on a number of Committees as a result of this resignation.

THE DECISION:

That:-

- (1) Councillor A Wake be appointed as a member of the Licensing Committee; and
- (2) consideration be given to appointing a member to the vacancies on the Audit, Governance and Standards Committee; the Standards Hearings Panel Pool and the Thirsk and Sowerby Swimming Baths Charity following the by-election in October 2018.

C.15

COMMUNITY GOVERNANCE REVIEW - CONSULTATION RESPONSES

Raskelf and White Horse Ward

This report set out the consultation responses received in respect of the community governance arrangements for two parishes, namely Brafferton and Helperby, and sought approval of the draft recommendations that the two parishes be merged to create a new parish with a new single parish council.

THE DECISION:

That:-

- (1) Council approves the following Draft Recommendations as it is satisfied that the Draft Recommendations properly reflect the identities and interests of the community and are effective and convenient. The Draft Recommendations are:
 - a) to amalgamate the existing parishes of Brafferton and Helperby to form a new parish comprising the land shown edged red on the attached plan at Annex B;
 - b) the existing parishes of Brafferton and Helperby shall cease to exist;
 - c) that the new parish shall be called "Brafferton and Helperby Parish" and the new parish shall adopt a 'parish' style;
 - d) that the existing Brafferton Parish Council and Helperby Parish Council be abolished;
 - e) to create a new parish council for the new parish of Brafferton and Helperby;
 - f) the number of councillors to be elected for the parish of Brafferton and Helperby shall be seven;
 - g) that the new parish of Brafferton and Helperby is not warded;
 - h) elections for all parish councillors for the parish of Brafferton and Helperby shall be held on the ordinary day of election in 2019 and every four years thereafter;

- i) interim electoral arrangements shall include the appointment of District Councillors to the new parish council under the Reorganisation Order to serve from 1st April 2019 until the new councillors, elected to the new parish council, come into office in May 2019; and
- j) that the anticipated precept for the parish council of Brafferton and Helperby shall be set at £10,000 for the year 2019/20. The final decision on the precept is delegated to the Director of Law and Governance (in consultation with the S151 Officer) in approving in the Reorganisation Order.

(2) Council approves the publication of the Draft Recommendations for consultation.

C.16 **EXCLUSION OF THE PUBLIC AND PRESS**

THE DECISION:

That under Section 100A(4) of the Local Government Act 1972, the press and public were excluded from the meeting during consideration of the items of business at minute no C.17 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part 1 of Schedule 12A of the Act as Council was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

C.17 **INGS LANE - INJUNCTION PROCEEDINGS**

Stokesley Ward

This report sought authority for an application to be made to the High Court for an injunction to remove the unauthorised residential occupation of Plot 11, Ings Lane, Great Broughton (together with the removal of associated paraphernalia), and to prevent re-occupation of plot 11 and/ or other land at the wider Ings Lane site.

THE DECISION:

That:-

- (1) the Council applies to the Court for an injunction, supported by witness statements from relevant officers of the Council and external experts, requiring an end to the unauthorised residential use of land within Plot 11 (as shown edged red on the plan appended at Annex 1 of the report) and the removal of associated unauthorised paraphernalia within Plot 11 or on the wider Ings Lane site (as shown edged blue on the plan appended at Annex 2 of the report) , and to prevent the re-occupation of Plot 11 and/or any other land within the wider Ings Lane site;
- (2) direct action be taken, if required, to remove any unauthorised development/structures remaining on the site following either (i) compliance with the terms of the injunction; or (ii) following committal proceedings in order to ensure compliance with the terms of the 2013 Enforcement Notice appeal decision;

- (3) the Council authorises the Director of Law and Governance to apply for committal for breach of any injunction granted by the High Court if he is satisfied that the injunction order has been breached and that committal is a proportionate response; and
- (4) £40,000 be allocated from the one-off fund to cover the external legal advice and other potential costs in support of an application for an injunction and/or committal proceedings and/or direct action.

The meeting closed at 2.25 pm

Chairman of the Council