

Committee Administrator: Democratic Services Officer (01609 767015)

Monday, 1 April 2019

Dear Councillor

NOTICE OF MEETING

Meeting **COUNCIL**
Date **Tuesday, 9 April 2019**
Time **2.00 pm**
Venue **Council Chamber, Civic Centre, Stone Cross, Northallerton**

Yours sincerely

J. Ives.

Dr Justin Ives
Chief Executive

To: All Members of Hambleton District Council

AGENDA

Page No

1. MINUTES
To confirm the minutes of the meeting held on 26 February 2019 (C.27 - C.31), attached. 1 - 6
2. APOLOGIES FOR ABSENCE
3. ANNOUNCEMENTS BY THE CHAIRMAN OR CHIEF EXECUTIVE
4. STATEMENT OF THE LEADER AND REFERRALS FROM CABINET 7 - 8

<u>Date of Meeting</u>	<u>Minute Nos</u>
12 March 2019	CA.62
5. REFERRAL FROM THE AUDIT, GOVERNANCE AND STANDARDS COMMITTEE 9 - 10

<u>Date of Meeting</u>	<u>Minute Nos</u>
26 March 2019	AGS.27
6. QUESTION TIME
None received.
7. NOTICES OF MOTION
None received.

Agenda Item 1

Minutes of the meeting of the COUNCIL held
at 2.00 pm on Tuesday, 26th February, 2019
at Council Chamber, Civic Centre, Stone
Cross, Northallerton

Present

Councillor D M Blades (in the Chair)

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

Apologies for absence were received from Councillors C A Dickinson, Ms C Palmer, C Patmore, C Rooke and P R Wilkinson

C.27 **MINUTES**

THE DECISION:

That the minutes of the meeting held on 11 December 2018 (C.18 - C.25), previously circulated, be signed as a correct record.

C.28 **VERBAL STATEMENT OF THE LEADER AND REFERRALS FROM CABINET**

The Leader moved Cabinet minutes CA.47 to CA.49 and CA.41 to CA.59 and made a statement to the Council on the following matters:-

- One Yorkshire – The Leader made reference to the decision by the Government to reject the One Yorkshire devolution proposal. A letter sent to all leaders by the Secretary of State for Housing, Communities and Local Government, James Brokenshire, confirmed that “the plan did not meet our devolution criteria”. The Leader stated that, should other devolution proposals transpire that do meet the Government’s criteria he would be happy to consider them, providing they would be of benefit for the residents of Hambleton.
- Council Tax – The Leader announced that, should the Council Tax proposal be approved, this would see an increase of £5 on a Band D property which would mean that the authority retained its status as one of the lowest charging councils in the country and the lowest in North Yorkshire.

- Clinical Commissioning Group – The Leader announced that with effect from 27 March 2019 the critical care unit at the Friarage Hospital will be closed. Accident and Emergency would continue and that those who attended requiring this service would continue to receive it. However, the services within Critical Care would be transferred to James Cook University Hospital. The Leader expressed concern over the future of services delivered by the Friarage Hospital.

THE DECISION:

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

<u>Body</u>	<u>Date of Meeting</u>	<u>Minute Nos</u>
Cabinet	15 January 2019 12 February 2019	CA.47 to CA.49 CA.51 to CA.59

C.29 **CABINET PORTFOLIO STATEMENTS**

- (a) The Leader reported that, further to his statement, there was no verbal update 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 the Sowerby Sports Village; Making a Difference Grant panels; the Safer Hambleton Hub; inclusive sport; the MobilePro ZEST app; the Take That Step weight management scheme and the 100% in Institute of Lifeguards (IQL) Audit.
- (c) Councillor Mrs I Sanderson, Portfolio Holder for Governance made a statement regarding a consultation exercise which had been undertaken by the Department for Transport regarding the licensing of Hackney Carriage and Private Hire Drivers; ICT improvements including a new and improved electronic online Council Tax form for residents; social media and the Civic Centre car park and footpath improvements.
- (d) Councillor D Webster, Portfolio Holder for Planning made a statement regarding the draft Local Plan; enforcement proceedings regarding Plot 11 Ings Lane; the planning application for Bagby Airfield which had recently been approved; the forthcoming planning application for Newby Wiske which would be considered in March 2019 and Disabled Facilities Grants.
- (e) Councillor S Watson, Portfolio Holder for Environmental Health, Waste and Recycling made a statement regarding new legislation for landlords regarding Houses in Multiple Occupation; subscriptions for green waste collections which were currently 38% which represented 7931 properties in Hambleton; the implications of changes from DEFRA and LARAC regarding the collections of waste and the potential impact it may have for the authority; Hambleton Wombles; Environmental Health new case management system and Emergency Planning and Business Continuity.

C.30 **COUNCIL TAX 2019/20**

All Wards

A revised addendum to the report had been circulated prior to the commencement of the meeting. It was moved by the Leader and seconded by the Deputy Leader that the Notice of Motion at Item 7 on the agenda be approved in pursuance of Minute CA.58.

THE DECISION:

That pursuant to Minute CA.58:-

- (1) That it be noted that on 15 January 2019 Hambleton District Council calculated the Council Tax Base for 2019/20:-
 - (a) for the whole Council area as 36,847.22 [Item T in the formula in Section 31B of the Local Government Finance Act 1992, as amended (the "Act")]; and
 - (b) for dwellings in those parts of its area to which a Parish precept relates as in the attached Annex A(1).
- (2) That the Council has calculated the Council Tax requirement for the Council's own purposes for 2019/20 (excluding Parish precepts) as £4,034,033.65
- (3) That the following amounts be calculated for the year 2019/20 in accordance with Sections 31 to 36 of the Local Government Finance Act 1992:-
 - (a) **District/Parish Gross Expenditure**
£ 47,644,004.00 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(2) of the Act taking into account all precepts issued to it by Parish Councils
 - (b) **District/Parish Gross Income (including Government Grants, use of Reserves and Collection Fund Surpluses etc)**
£ 42,107,836.30 being the aggregate of the amounts which the Council estimates for the items set out in Section 31A(3) of the Act
 - (c) **District/Parish Net Expenditure**
£ 5,536,167.70 being the amount by which the aggregate at 3(a) above exceeds the aggregate at 3(b) above, calculated by the Council in accordance with Section 31A(4) of the Act, as its Council Tax requirement for the year (Item R in the formula in Section 31B of the Act)
 - (d) **Basic Amount of Tax (including average Parish Precepts)**
£ 150.2466 being the amount at 3(c) above (Item R) all divided by Item T (1(a) above), calculated by the Council in accordance with Section 31B of the Act, as the basic amount of its Council Tax for the year (including Parish precepts)

(e) **Parish Precepts**
£ 1,502,134.05 being the aggregate of all special items (Parish precepts) referred to in Section 34(1) of the Act (as per Annex 'A')

(f) **Basic Amount of Tax (Unparished Areas)**
£109.4800 being the amount at 3(d) above less the result given by dividing the amount at 4(e) above by Item T (1(a) above), calculated by the Council in accordance with Section 34(2) of the Act, as the basic amount of its Council Tax for the year for dwellings in those parts of its area to which no Parish precept relates

(4) **Major Precepting Authorities** That it be noted that the North Yorkshire County Council, the North Yorkshire Fire and Rescue Authority and the Police and Crime Commissioner North Yorkshire will issue precepts to the Council in accordance with Section 40 of the Local Government Finance Act 1992 for each category of dwellings in the Council's area and this will be as indicated in the table below and at Annex A(1).

(5) **Council Tax Bands for All Councils**
That the Council, in accordance with Sections 30 and 36 of the Local Government Finance Act 1992, hereby sets the aggregate amounts in the tables below as the amounts of Council Tax for 2019/20 for each part of its area and for each of the categories of the dwellings.

Hambleton District Council

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
72.99	85.15	97.32	109.48	133.81	158.14	182.47	218.96

North Yorkshire County Council – excluding Adult Social Care

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
811.68	946.96	1,082.24	1,217.52	1,488.08	1,758.64	2,029.20	2,435.04

North Yorkshire County Council – Adult Social Care

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
62.43	72.83	83.24	93.64	114.45	135.26	156.07	187.28

North Yorkshire Fire and Rescue Authority

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
47.51	55.43	63.35	71.27	87.11	102.95	118.78	142.54

Police and Crime Commissioner North Yorkshire

Valuation Bands

A	B	C	D	E	F	G	H
£	£	£	£	£	£	£	£
170.51	198.93	227.35	255.77	312.61	369.45	426.28	511.54

(6) **Excessive Council Tax**

That the Council determines that the Council's basic amount of Council Tax for 2019/20 (at 3(f) above) is not excessive in accordance with the principles approved under Section 52ZB of the Local Government Finance Act 1992.

(7) The appropriate amount is transferred to the Council Taxpayers Reserve to support the decision at (3) above.

(8) The policy on Balances and Reserves at Annex C is approved.

The Local Authorities (Standing Orders) (England) (Amendment) Regulations 2014 required a recorded vote on the substantive Motion, Members present were recorded as voting as follows:

For the motion: R A Baker, P Bardon, M A Barningham, D M Blades, Mrs C S Cookman, G W Dadd, S P Dickins, D B Elders, G W Ellis, Mrs B S Fortune, K G Hardisty, R W Hudson, J D Hugill, R Kirk, N A Knapton, C A Les, J Noone, B Phillips, M S Robson, Mrs I Sanderson, A P Wake, S Watson and D A Webster (23)

Against the motion: none

C.31 **DISPENSATION FOR NON-ATTENDANCE AT COUNCIL MEETINGS**

Easingwold Ward

Report withdrawn.

The meeting closed at 2.40 pm

Chairman of the Council

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**Decisions to be considered by
Full Council on 9 April 2019**

Decisions of the meeting of the CABINET held
at 9.30 am on Tuesday, 12th March, 2019 at
the COUNCIL CHAMBER, CIVIC CENTRE,
STONE CROSS, NORTHALLERTON

Present

Councillor M S Robson (in the Chair)

Councillor	P R Wilkinson	Councillor	S Watson
	Mrs B S Fortune		D A Webster
	Mrs I Sanderson		

Also in Attendance

Councillor	P Bardon	Councillor	K G Hardisty
	Mrs C S Cookman		N A Knapton
	D B Elders		

CA.62 **HOWARDIAN HILLS AREA OF OUTSTANDING NATURAL BEAUTY
MANAGEMENT PLAN 2019-2024**

Huby Ward; Raskelf and White Horse Ward

The subject of the decision:

This report sought consideration of and recommended adoption of the revised Management Plan for the Howardian Hills Area of Outstanding Natural Beauty (AONB) 2019-2024.

Alternative options considered:

None.

The reason for the decision:

A new plan had to be adopted by the three constituent local planning authorities (Hambleton, Ryedale and North Yorkshire) and submitted to Defra by 1 April 2019.

THE DECISION:

That Cabinet approves and recommends to Council that the Management Plan for the Howardian Hills Area of Outstanding Natural Beauty and the Landscape Management and Priority Sites (2019-24) be adopted.

The meeting closed at 9.55 am

Leader of the Council

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**Decisions to be considered by
Full Council on 9 April 2019**

Minutes of the meeting of the AUDIT,
GOVERNANCE AND STANDARDS
COMMITTEE held at 9.30 am on Tuesday,
26th March, 2019 at MAIN COMMITTEE
ROOM, CIVIC CENTRE, STONE CROSS,
NORTHALLERTON

Present

Councillor N A Knapton (in the Chair)

Councillor	Mrs C S Cookman	Councillor	D B Elders
	G W Dadd		R W Hudson

Apologies for absence were received from Councillors R A Baker and P R Wilkinson

AGS.27 **UPDATE TO THE CONSTITUTION**

All Wards

The subject of the decision:

The Director of Law and Governance (Monitoring Officer) submitted a report seeking consideration of an amendment to the Council's Constitution, specifically to the Scheme of Officer Delegation contained in Part 3 of the Constitution.

Members suggested that a reporting protocol be drawn up to assist the Chief Executive, Deputy Chief Executive and Director of Law and Governance (Monitoring Officer) when considering any matters arising due to public safety as detailed within paragraph 1.5 of the report.

Alternative options considered:

None.

The reason for the decision:

To take account of Sections 61 and 68 of the Local Government (Miscellaneous Provisions) Act 1976; Section 90 of the Licensing Act 2003 and Section 193 of the Gambling Act 2005.

THE DECISION:

That the Committee approves and recommends to Council the implementation of the amendments to the Constitution as set out in paragraph 1.5 of the report and that the Director of Law and Governance be authorised to update the Council's Constitution accordingly.

The meeting closed at 10.55 am

Chairman of the Committee

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MINUTES FOR INFORMATION

<u>Committee</u>	<u>Date</u>	<u>Page</u>
Cabinet	12 March 2019	
Planning Committee	7 March 2019 4 April 2019	To follow
Audit, Governance and Standards Committee	26 March 2019	

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**Decisions taken under Cabinet authority
to take effect on 25 March 2019**

Decisions of the meeting of the CABINET held
at 9.30 am on Tuesday, 12th March, 2019 at
the COUNCIL CHAMBER, CIVIC CENTRE,
STONE CROSS, NORTHALLERTON

Present

Councillor M S Robson (in the Chair)

Councillor	P R Wilkinson	Councillor	S Watson
	Mrs B S Fortune		D A Webster
	Mrs I Sanderson		

Also in Attendance

Councillor	P Bardon	Councillor	K G Hardisty
	Mrs C S Cookman		N A Knapton
	D B Elders		

CA.63 **MINUTES**

THE DECISION:

That the decisions of the meeting held on 12 February 2019 (CA.51 – CA.61), previously circulated, be signed as a correct record.

CA.64 **SCRUTINY REPORT - PROMOTING ECONOMIC VITALITY, INCLUDING MARKETS**
All Wards

The subject of the decision:

This report presented the findings and recommendations of the Scrutiny Committee on the Policy Review 'Promoting Economic Vitality, including Markets' for consideration.

Alternative options considered:

None.

The reason for the decision:

To take account of the recommendations of the Scrutiny Committee.

THE DECISION:

That:-

- (1) the Committee endorses the initiatives in delivering the Council's key priority 'Driving Economic Vitality' as detailed within the Council Plan;

- (2) the Committee supports the continued collaborative working with stakeholders, businesses and traders working towards building more vibrant towns;
- (3) the success of projects identified within the individual Vibrant Market Towns Investment Plans be assessed after six months of their implementation or such other period as appropriate;
- (4) the issues regarding empty shops be monitored and an assessment of the new initiatives to encourage occupation by new traders be provided after six months of their implementation or such other period as appropriate;
- (5) continued communication with market traders and the organisers of farmers markets be undertaken in order to encourage new traders and the reinstatement of the farmers markets within the market towns;
- (6) the opportunities presented by hosting major sporting events and other bespoke events such as festivals and seasonal markets continue to be explored and implemented; and
- (7) continued improvements to communications on the support offered to businesses be explored.

CA.65 **MAKING A DIFFERENCE GRANTS**

All Wards

The subject of the decision:

In February 2018 Cabinet agreed to allocate £125,000 from the One-Off Fund for the 2019/20 'Making a Difference' grants scheme. This report sought consideration of the recommendations from each of the five decision making panels made up of Elected Members from each of the sub-areas.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the recommendations from the panels supported the Council's priorities and adhered to the principles of the grants programme which would make a difference to the quality of life for the residents of Hambleton.

THE DECISION:

That the grants proposed in Annex A of the report be approved.

CA.66 **FUTURE HIGH STREETS FUND**

All Wards

The subject of the decision:

This report sought agreement to put forward an Expression of Interest to the Future High Streets Fund. The Future High Streets Fund was part of the Government's 'Our Plan for the High Street' and would provide co-funding towards capital projects that brought transformational change. The fund would help the implementation of bold new visions to transform town centres and make them fit for the future. A total of £675m was available nationally.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that the development of an Expression of Interest supported the Council's priority of driving economic vitality, and more specifically, it would support businesses to grow, help maximise private sector investment and strengthen the economic prosperity of the market town.

THE DECISION:

That Cabinet approves the submission of an Expression of Interest for Northallerton to the first round of the Future High Streets Fund on 22 March 2019.

CA.67 **CENTRAL NORTHALLERTON IMPROVEMENT WORKS - WAIVER OF PROCUREMENT RULES**

Northallerton South Ward

The subject of the decision:

This report sought approval to waive the procurement rules set out in the Council's Procurement Procedure Rules and Procurement Manual in relation to a contract to procure physical improvement works to the Link and East road in Northallerton.

Alternative options considered:

None.

The reason for the decision:

Cabinet was satisfied that request to waiver the procurement rules was necessary on the basis that there were circumstances which were genuinely exceptional, namely that the Central Northallerton Development Company Limited was best placed to deliver the improvement works and therefore represented best value.

THE DECISION:

That Cabinet grants an exemption from the Council's Procurement Procedure Rules and authorises the Deputy Chief Executive (at his discretion), in consultation with the Leader, to negotiate the terms of and enter into an agreement with Central Northallerton Development Company Limited to provide the improvement works to The Link and East Road, Northallerton.

Declaration of Interest

Councillor P R Wilkinson declared a personal non-pecuniary interest as he was Chairman of the Central Northallerton Development Company Limited and he left the meeting prior to discussion and voting on the item.

Councillor P R Wilkinson did not return to the meeting.

CA.68 **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 item of business at minute no CA.69 on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 3 of Part 1 of Schedule 12A of the Act as the Cabinet was satisfied that the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

CA.69 **TREADMILLS PHASE 1**

All Wards

The subject of the decision:

This report provides an update on the current position regarding the Treadmills Phase 1 development and sought agreement to amend the terms for Unit 1.

Alternative options considered:

None.

The reason for the decision:

To comply with Section 120 of the Local Government Act 1972 which allowed the Council to acquire land by agreement for the benefit, improvement or development of its area.

THE DECISION:

That Cabinet approves:-

- (1) the amended terms for Unit 1 are accepted in relation to occupancy, purchase price and rental income; and

- (2) that the Deputy Chief Executive, in consultation with the Leader of the Council, be authorised to approve further or amended terms if required.

The meeting closed at 9.55 am

Leader of the Council

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Minutes of the meeting of the PLANNING
COMMITTEE held at 1.30 pm on Thursday,
7th March, 2019 in the Council Chamber, Civic
Centre, Stone Cross, Northallerton

Present

Councillor P Bardon (in the Chair)

Councillor	J Noone	Councillor	Mrs B S Fortune
	R A Baker		K G Hardisty
	M A Barningham		B Phillips
	D M Blades		D A Webster
	D B Elders		

Also in Attendance

Councillor	R Kirk	Councillor	A Wake
	N A Knapton		

Apologies for absence were received from Councillors S P Dickins and C Rooke

P.27 **MINUTES**

THE DECISION:

That the minutes of the meeting of the Committee held on 21 February 2019 (P.25 - P.26), previously circulated, be signed as a correct record.

P.28 **PLANNING APPLICATIONS**

The Committee considered reports of the Deputy Chief Executive relating to applications for planning permission. During the meeting, Officers referred to additional information and representations which had been received.

Except where an alternative condition was contained in the report or an amendment made by the Committee, the condition as set out in the report and the appropriate time limit conditions were to be attached in accordance with the relevant provisions of Section 91 and 92 of the Town and Country Planning Act 1990.

The abbreviated conditions and reasons shown in the report were to be set out in full on the notices of decision. It was noted that following consideration by the Committee, and without further reference to the Committee, the Deputy Chief Executive had delegated authority to add, delete or amend conditions and reasons for refusal.

In considering the report(s) of the Deputy Chief Executive regard had been paid to the policies of the relevant development plan, the National Planning Policy Framework and all other material planning considerations. Where the Committee deferred consideration or refused planning permission the reasons for that decision are as shown in the report or as set out below.

Where the Committee granted planning permission in accordance with the recommendation in a report this was because the proposal is in accordance with the development plan the National Planning Policy Framework or other material considerations as set out in the report unless otherwise specified below. Where the Committee granted planning permission contrary to the recommendation in the report the reasons for doing so and the conditions to be attached are set out below.

THE DECISION:

That the applications be determined in accordance with the recommendation in the report of the Deputy Chief Executive, unless shown otherwise:-

- (1) 18/02717/OUT - Outline application with all matters except access reserved for the construction of one dwelling at Land south of Skelder Bungalow, Green Hills Lane, Ainderby Steeple for Mr B Place

PERMISSION REFUSED because the Committee considered that the proposed development failed to comply with the requirements of the Interim Policy Guidance in terms of the character and form of the settlement.

The decision was contrary to the recommendation of the Deputy Chief Executive.

(The applicant's agent, Andrew Cunningham, spoke in support of the application).

(John Underwood spoke on behalf of Ainderby Steeple Parish Meeting Village Committee objecting to the application.)

- (2) 18/02577/OUT - Outline application with some matters reserved (access and layout) for construction of three residential units with detached garages and associated infrastructure at Land north of Fold House, Main Street, Alne for Mr John Coning

PERMISSION GRANTED subject to receipt of a satisfactory Tree Survey Report.

(Robert Brech spoke on behalf of Alne Parish Council objecting to the application.)

(Mick Howarth Pulleyn spoke objecting to the application.)

- (3) 18/02653/FUL - First floor extension to dwelling, finish in render, alterations to windows/doors and formation of two car parking spaces at Garth Cottage, Monk Green, Alne for Mr and Mrs Laverick

PERMISSION REFUSED because the Committee considered the proposal to be over development of the site resulting in a harmful impact on the character and amenity of the area.

The decision was contrary to the recommendation of the Deputy Chief Executive.

(Robert Brech spoke on behalf of Alne Parish Council objecting to the application.)

(Matthew Sigsworth spoke on behalf of Charles and Phoebe Kendall objecting to the application.)

- (4) 18/02084/FUL - Construction of a two storey terraced block of seven dwellings with associated works, parking and alteration to the existing access at Land west of 8 Mowbray Houses, Carlton Miniott for Broadacres Housing Association

PERMISSION GRANTED

(The applicant's agent, Steve Ramshaw, spoke in support of the application).

- (5) 18/02022/FUL - Proposed agricultural building for cattle, farm machinery and other equipment at Land adjacent to Angrove Plantation, Yarm Lane, Great Ayton for Mr Leonard

DEFER for further information regarding the business case for the proposal and submission of a manure management plan.

(The applicant's agent, Jonathan Saddington, spoke in support of the application).

- (6) 18/02704/FUL - Provision of a Coach Layby at Hambleton District Council, Civic Centre Stone Cross, Northallerton Road, Northallerton for Hambleton District Council

PERMISSION GRANTED

- (7) 18/02615/OUT - Outline application with details of access (all other matters reserved) for the construction of two bungalows at Land to the north of Springfield, Station Road, Scruton for Mr George Harland

PERMISSION GRANTED

Note: The meeting was adjourned at 3.25pm and reconvened at 3.35pm.

- (8) 18/02614/MRC - Application for removal of condition 4 of planning permission 14/02360/FUL (change of use of building to a manager's dwelling for adjacent holiday letting units) to enable use as a permanent independent dwelling at Seamer Hill Farm, Seamer for Mr G Armitage

PERMISSION GRANTED

(The applicant's agent, Steve Hesmondhalgh, spoke in support of the application).

- (9) 18/02733/OUT - Application for outline planning permission with details of access (all other matters reserved) for the construction of one dwelling at Land north east of Kingsley Cottage, Sinderby for Mrs E Hopkins

PERMISSION GRANTED subject to an additional condition about finished floor levels.

- (10) 18/01663/FUL - Alterations and extension to dwellinghouse and outbuildings to form two dwellinghouses with associated hardstanding, new dividing wall and new access and gate from the eastern side at Skipton Hall, Skipton on Swale for Mr and Mrs Kitching

PERMISSION GRANTED because the Committee considered the development resulted in no harm to the heritage asset and would optimise its future residential use and a satisfactory visibility splay was achievable.

The decision was contrary to the recommendation of the Deputy Chief Executive.

(The applicant's agent, Michael Stephenson, spoke in support of the application).

(Jamie Purves spoke objecting to the application.)

- (11) 18/01731/LBC - Listed building consent application for alterations and extension to existing dwellinghouse and outbuildings to form two dwellinghouses with associated hardstanding, new dividing wall and new access and gate from the eastern side for at Skipton Hall, Skipton on Swale Mr and Mrs Kitching

PERMISSION GRANTED because the Committee considered the proposed alterations resulted in no harm to the heritage asset.

The decision was contrary to the recommendation of the Deputy Chief Executive.

(The applicant, Audrey Kitching, spoke in support of the application.)

- (12) 18/00952/OUT - Outline planning application with details of access (all other matters reserved) for five detached dwellings with associated infrastructure, a car park and a Primary School sports field at Land to the north of South Kilvington Church of England VC Primary School, Stockton Road, South Kilvington for Mr and Mrs M and G Fox

PERMISSION GRANTED because the Committee considered the development to comply with the requirements of the Interim Policy Guidance.

The decision was contrary to the recommendation of the Deputy Chief Executive.

(The applicant's agent, Ken Wood, spoke in support of the application).

- (13) 19/00061/ADV - Retrospective application for five non-illuminated adverts, four painted wall adverts and an awning with signage at Il Mulino, Church House, 30 College Square, Stokesley for Mr Alex Cook

PERMISSION GRANTED in respect of elements B,C,D and E of the report

PERMISSION GRANTED in respect of element A of the report because the Committee considered the development caused no harm to the character and appearance of the conservation area.

The decision was contrary to the recommendation of the Deputy Chief Executive.

(The applicant's agent, James Cook, spoke in support of the application).

(Mike Canavan spoke on behalf of Stokesley Town Council objecting to the application.)

- (14) 18/01971/FUL - Construction of garden centre shop, canopies, restaurant and outdoor sales area along with associated parking, store, service yard and landscaping at Strikes Garden Centre, Strikes Roundabout, Stokesley for Klondyke Properties Ltd

PERMISSION GRANTED

(David Yardley, for the applicant, spoke in support of the application.)

(Mike Canavan spoke on behalf of Stokesley Town Council objecting to the application.)

- (15) 18/02416/OUT - Outline planning application with details of access (all other matters reserved) for the demolition of redundant agricultural buildings and construction of four dwellings at Ivy House Farm, Thrintoft for Mr and Mrs Peacock

PERMISSION GRANTED

- (16) 18/02620/OUT – Outline application with details of access (all other matters reserved) for the construction of three dwellings at Former Derbyshire House, Thrintoft for Mr G Harland

PERMISSION GRANTED subject to an additional condition regarding finished floor levels.

P.29 **MATTER OF URGENCY**

The Chairman decided that Item P.30 (18/02720/FUL - Application for the construction of 72 dwellings, at OS Field 6504 to the North of Northallerton Business Park, Thurston Road, Northallerton for Broadacres Housing Association) should be dealt with as a matter of urgency because this development was dependent on public funding by way of Homes England Grant. In order for the grant to be drawn down, there was a critical timeline through to the start time on site, which was dependent on receiving planning permission for the proposed development.

P.30 **18/02720/FUL - APPLICATION FOR THE CONSTRUCTION OF 72 DWELLINGS, AT OS FIELD 6504 TO THE NORTH OF NORTHALLERTON BUSINESS PARK, THURSTON ROAD, NORTHALLERTON FOR BROADACRES HOUSING ASSOCIATION**

Northallerton North and Brompton Ward

PERMISSION GRANTED subject to additional conditions requiring the submission of an ecological enhancement plan and a scheme for affordable housing.

The meeting closed at 6.25 pm

Chairman of the Committee

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Minutes of the meeting of the AUDIT,
GOVERNANCE AND STANDARDS COMMITTEE
held at 9.30 am on Tuesday, 26th March, 2019 at
MAIN COMMITTEE ROOM, CIVIC CENTRE,
STONE CROSS, NORTHALLERTON

Present

Councillor N A Knapton (in the Chair)

Councillor	Mrs C S Cookman	Councillor	D B Elders
	G W Dadd		R W Hudson

An apology for absence was received from Councillor R A Baker and P R Wilkinson

AGS.28 **MINUTES**

THE DECISION:

That the minutes of the meeting of the Committee held on 22 January 2019 (AGS.23 - AGS.26), previously circulated, be signed as a correct record.

AGS.29 **REGULATION OF INVESTIGATORY POWERS ACT - REVIEW OF ACTIVITY**

All Wards

The subject of the decision:

The Director of Law and Governance (Monitoring Officer) submitted a report advising the Committee that the Council, like many public authorities, was governed by the Regulation of Investigatory Powers Act 2000 (RIPA). This Act ensured that public authorities complied with their obligations under the Human Rights Act when undertaking investigations which might interfere with the rights of individuals. The Act introduced safeguards on activities such as surveillance undertaken by public bodies. The Committee had now been given responsibility for RIPA matters. This would involve the Committee reviewing the Council's Policy Statement from time to time and receiving quarterly reports on any activities which had been authorised under RIPA.

Alternative options considered:

None.

The reason for the decision:

To comply with the Regulation of Investigatory Powers Act 2000 (RIPA).

THE DECISION:

That it be noted that no RIPA authorisations were made by the Council during the period 23 January to 26 March 2019.

AGS.30 **THIRD INTERNAL AUDIT AND COUNTER FRAUD PROGRESS REPORT 2018/19**

All Wards

The subject of the decision:

The Director of Finance (S151 Officer) presented a report informing Members of progress made to date in delivering the Internal Audit Plan for 2018/19 and the counter fraud work. The internal audit and counter fraud plans for 2018/19 had been approved at the meeting held on 27 March 2018.

Alternative options considered:

None.

The reason for the decision:

To take account of the statutory requirement (Accounts and Audit Regulations 2015).

THE DECISION:

That the work undertaken by internal audit and the counter fraud team in the year to date be noted.

AGS.31 **VERITAU INTERNAL AUDIT, COUNTER FRAUD AND INFORMATION GOVERNANCE PLANS 2019/20**

All Wards

The subject of the decision:

The Director of Finance (S151 Officer) submitted a report presenting the proposed Internal Audit Plan for the financial year 2019/20 for approval and the Counter Fraud and Information Governance plans for information.

Members agreed the time allocated within the plan for work on Commercial Investment activities set at 285 days. The Committee acknowledged that this was an operational matter which was delegated to the Director of Finance (S151 Officer).

Alternative options considered:

None.

The reason for the decision:

The work of internal audit was governed by the Public Sector Internal Audit Standards (PSIAS). In accordance with those standards and the Council's Audit Charter, Internal Audit was required to prepare and audit plan on at least an annual basis.

THE DECISION:

That:-

- (1) the Internal Audit Plan for 2019/20 be approved;
- (2) the Counter Fraud and Information Governance plans be noted.

AGS.32 **STATUTORY AUDITOR - ANNUAL GRANT CLAIMS AND RETURNS 2017/18**

All Wards

The subject of the decision:

The Director of Finance (S151 Officer) presented a report which submitted the Statutory Auditor's Annual Grant Claims and Returns for 2017/18, a copy of which was attached at Annex A of the report.

Alternative options considered:

None.

The reason for the decision:

To fulfil the Committee's Terms of Reference regarding consideration of the Statutory Auditor's Annual Grant Claims and Returns Report.

THE DECISION:

That the Statutory Auditor's Annual Grant Claims and Returns Report for 2017/18 be received.

AGS.33 **REVIEW OF ANNUAL TREASURY MANAGEMENT STRATEGY 2019/20**

All Wards

The subject of the decision:

The Director of Finance (S151 Officer) presented the Council's Treasury Management Strategy for the forthcoming year 2019/20 for review.

Alternative options considered:

None.

The reason for the decision:

To ensure the Committee fulfils its terms of reference and scrutiny role in relation to Treasury Management.

THE DECISION:

That:-

- (a) the Council's Treasury Management Strategy for 2019/20 be accepted; and
- (b) training on treasury management be held during 2019/20.

AGS.34 **REVIEW OF CAPITAL STRATEGY 2019/20**

All Wards

The subject of the decision:

The Director of Finance (S151 Officer) presented a report which provided an opportunity to review the Council's Capital Strategy for the forthcoming financial year 2019/20 and the Joint Venture Company – Central Northallerton Development Company Ltd Accounts 2017/18.

Alternative options considered:

None.

The reason for the decision:

To comply with the Council's Constitution.

THE DECISION:

That the Capital Strategy 2019/20 and the Central Northallerton Development Company Ltd Accounts 2017/18 be noted.

AGS.35 **UPDATE ON THE REVIEW OF RISK MANAGEMENT**

All Wards

The subject of the decision:

The Director of Finance (s151 Officer) presented a report providing an update on progress that was being made on the review of the Council's risk management process.

Alternative options considered:

None.

The reason for the decision:

To comply with the Committee's Terms of Reference as detailed within the Constitution.

THE DECISION:

That the proposed review of the Risk Management Framework and the consequential improvements to the Council's risk management process be noted.

AGS.36 **APPOINTMENT OF INDEPENDENT PERSONS**

All Wards

The subject of the decision:

Under the provisions of the Localism Act 2011, the way that the Council maintained high standards of conduct and dealt with complaints about its elected members and town and parish councillors required the appointment of at least one Independent Person. This Authority had three Independent Persons. This report sought approval for the recruitment process in the appointment of the three Independent Persons.

Alternative options considered:

None.

The reason for the decision:

To comply with the requirements of the Localism Act 2011.

THE DECISION:

That Councillor Mrs C S Cookman be nominated to participate on the selection panel for the recruitment of the Independent Persons alongside the Chairman of the Committee and Councillor C Palmer.

AGS.37 **AMENDMENTS TO MEMBER CODE OF CONDUCT ALLEGATIONS PROCEDURE**

All Wards

The subject of the decision:

This report sought approval of amendments to the Council's Member Code of Conduct Allegations Procedure.

Alternative options considered:

None.

The reason for the decision:

To comply with the requirements of the Localism Act 2011.

THE DECISION:

That the amended Member Code of Conduct Allegations Procedure be approved.

AGS.38 **2019/20 REPORTING PROGRAMME**

All Wards

The subject of the decision:

The Director of Finance (S151 Officer) presented a report which identified those reports which the Committee wished to receive on a structured basis.

Alternative options considered:

None.

The reason for the decision:

To identify which reports the Committee wished to receive on a structured basis.

THE DECISION:

That the report programme set out in Annex A of the report be approved.

The meeting closed at 10.55 am

Chairman of the Committee